



1 A GOOD MORNING.

2 Q HOW ARE YOU?

3 A BLESSED.

4 Q BILLY, I'M GOING TO ASK YOU SOME QUESTIONS AND  
5 I'M GOING TO SPEND A LITTLE BIT OF TIME ABOUT WHO YOU  
6 ARE. I'M NOT GOING TO GO INTO A LOT OF STUFF, BUT I  
7 BASICALLY AND THEN WE'LL GET TO THE NIGHT IN QUESTION  
8 AND WHAT HAPPENED AFTERWARDS. DO YOU UNDERSTAND?

9 A YES, SIR.

10 Q HOW OLD ARE YOU?

11 A 41.

12 Q YOU BORN AND RAISED IN THIS AREA?

13 A I WAS BORN IN CHESTER, RAISED IN ROCK HILL, YES,  
14 SIR.

15 Q OKAY. AND YOU GRADUATED HIGH SCHOOL?

16 A YES, SIR.

17 Q FROM WHERE?

18 A I GRADUATED FROM NORTHWESTERN HIGH SCHOOL IN  
19 1983.

20 Q AND DID YOU ATTEND YORK TECHNICAL COLLEGE AT  
21 SOME POINT AFTER THAT?

22 A YES, SIR. I SPENT FOUR YEARS THERE. I GOT AN  
23 ASSOCIATE DEGREE IN ELECTRONICS ENGINEER AND AN  
24 ASSOCIATE DEGREE IN COMPUTER ENGINEER.

25 Q WHEN DID YOU GRADUATE FROM NORTHWESTERN? I'M

1 SORRY, FROM YORK TECHNICAL COLLEGE IN THOSE DEGREES?

2 A MAY 11 OF 2001.

3 Q OKAY. I'M GOING TO BRIEFLY GO THROUGH, AFTER  
4 HIGH SCHOOL WHAT DID YOU DO?

5 A I WORKED FOR THE HESS STATION ON CHERRY ROAD.

6 Q FOR HOW LONG?

7 A APPROXIMATELY THREE YEARS.

8 Q AND WHAT DID YOU DO THERE?

9 A I WAS A THIRD SHIFT CASHIER, LATER STARTED  
10 TRAINING TO BE THE HEAD CASHIER.

11 Q OKAY. AND WHAT DID YOU DO AFTER THAT?

12 A AFTER THAT I -- A FRIEND OF MINE ASKED ME TO  
13 MOVE TO OMAHA, NEBRASKA, WITH HIM, HIM AND HIS WIFE,  
14 AND I MOVED UP THERE, SPENT ABOUT 4 MONTHS UP THERE.  
15 I WORKED FOR A PLACE CALLED TOP DOG HOT DOG. IT WAS  
16 A RESTAURANT SERVED HOT DOGS. THAT'S WHAT I DONE.

17 Q AND THEN YOU GOT HOME SICK?

18 A HOME SICK, YES, SIR.

19 Q AND CAME BACK HOME?

20 A CAME BACK TO ROCK HILL.

21 Q OKAY. AND YOU WERE SINGLE AT THE TIME?

22 A YES, SIR.

23 Q WHAT DID YOU DO THEN?

24 A AFTER THAT I MET THIS GIRL NAMED TRACY AND KIND  
25 OF MOVED IN WITH HER AS A PLATONIC RELATIONSHIP. SHE

1 HAD A SMALL BOY AND SHE WANTED, SHE NEEDED SOME HELP  
2 TAKING CARE OF IT AND I HELPED TAKE CARE OF IT WITH  
3 HER.

4 Q OKAY. AND HOW LONG DID THAT GO ON?

5 A OFF AND ON ABOUT A YEAR AND A HALF.

6 Q OKAY. SO WHAT DID DO YOU AFTER THAT?

7 A WELL, I'VE WORKED SEVERAL PLACES WITH THE --

8 Q DO YOU HAVE SOME NOTES THERE, THAT YOU HAD FOR  
9 GOTTEN IT?

10 A I DID. I CAN'T. IT'S HARD TO KEEP UP WITH ALL  
11 THE JOBS AND ALL THE DIFFERENT PLACES.

12 Q OKAY. GO AHEAD. TELL US AS BEST YOU CAN.

13 A I WORKED FOR JACKSON'S CAFETERIA FOR AWHILE  
14 WHILE I WAS LIVING WITH TRACY AS A POT WASHER. THAT  
15 JOB DIDN'T LAST LONG. IT WAS A LOT OF WALKING  
16 INVOLVED TO GET BACK AND FORTH TO WORK, SO I STARTED  
17 WORKING FOR THE DINING CARD AROUND CHRISTMASTIME.  
18 THAT WAS IN 1986. THEY ASKED ME TO START WORKING FOR  
19 THEM AT FOR WHAT IT'S WORTH, THAT WAS THE SISTER  
20 COMPANY OF THEIRS, AND I WORKED THERE WITH THEM UNTIL  
21 ORKIN PEST CONTROL CALLED ME AND ASKED ME TO BE A  
22 TERMITE TECHNICIAN. I WENT TO WORK FOR ORKIN PEST  
23 CONTROL FOR A SHORT TIME. WE CAUGHT UP ALL THEIR  
24 WORK AND THEN THEY LAID ME OFF AND SO I FOUND WORK  
25 WITH FASTFARE. I WORKED FOR FASTFARE FOR A SHORT

1 TIME THEN ORKIN PEST CONTROL CALLED ME BACK. I WENT  
2 BACK TO WORK FOR ORKIN PEST CONTROL AND ABOUT, I  
3 GUESS IT WAS ABOUT SIX MONTHS LATER, I HAD AN  
4 ACCIDENT. I LOOKED DOWN AT MY CHECK STUB, I COULDN'T  
5 BELIEVE THE AMOUNT OF MONEY, AND I FLIPPED ONE OF  
6 THEIR TRUCKS, SO THEY FIRED ME FROM THAT, OF COURSE.  
7 AND SO I STARTED WORKING, I WENT TO WORK FOR THE  
8 HANDY PANTRY AND BECAME THE ASSISTANT MANAGER OF THE  
9 HANDY PANTRY. THEY MOVED ME TO FORT MILL AND I  
10 WORKED THERE FOR AWHILE, BUT I STILL LIKED ROCK HILL  
11 SO I DECIDED I NEED, I WAS LIVING IN ROCK HILL AND  
12 GOING BACK AND FORTH TO FORT MILL AND I DIDN'T WANT  
13 TO DO THAT, SO I TOLD THEM, YOU KNOW, I HAD TO QUIT  
14 SO I QUIT WORKING THERE AND I STARTED WORKING FOR THE  
15 HERALD AS AN INSERTER. THEN I GOT A CALL FROM TRACY  
16 AND SHE ASKED ME WOULD I MOVE BACK IN WITH HER  
17 BECAUSE BUT SHE WAS LIVING IN MORGANTON, NORTH  
18 CAROLINA. FROM THERE I, I MOVED UP THERE TO BE WITH  
19 HER AND I STARTED WORKING FOR A PLACE BRENDAN'S  
20 MANUFACTURING AND FAST AND FRESH, THAT WAS, I WAS  
21 WORKING TWO JOBS AT ONCE. ONE WAS ON THIRD SHIFT AND  
22 ONE WAS ON THE FIRST SHIFT AND IT WAS AT THAT TIME  
23 THAT I MET MARY SUE.

24 Q HOW LONG HAD YOU BEEN IN MORGANTON BEFORE YOU  
25 MET MARY SUE?

1 A ABOUT THREE MONTHS.

2 Q OKAY. AND WHERE, AND YOU MET MARY SUE WHILE YOU  
3 WERE IN MORGANTON?

4 A RIGHT. SO I TOLD TRACY THAT I, YOU KNOW, I WAS  
5 GOING, I MOVED OUT AND ME AND MARY SUE BECAME AN ITEM  
6 AND WE STARTED DATING. AND WE WERE, WE HAD PLANNED A  
7 WEDDING OF JULY 18 OF 1988 BUT WE KIND OF GOT FORCED  
8 INTO MARRIAGE AND THERE WASN'T A BABY OR NOTHING LIKE  
9 THAT. IT WAS HER FAMILY DECIDED WELL WE DON'T WANT  
10 YOU TO MARRY HER AND THEN MOVE BACK TO ROCK HILL AND  
11 TAKE OUR DAUGHTER WITH YOU OR OUR NIECE WITH YOU.  
12 THAT'S EXACTLY WHAT HAPPENED.

13 Q BECAUSE SHE WAS LIVING WITH HER AUNT AND UNCLE?

14 A THAT IS CORRECT AND THAT IS EXACTLY WHAT  
15 HAPPENED. WE GOT MARRIED AND MOVED BACK TO ROCK  
16 HILL.

17 Q HOW LONG HAD YOU AND MARY SUE BEEN DATING BEFORE  
18 YOU GOT MARRIED?

19 A TWO WEEKS.

20 Q OKAY.

21 A TWO WEEKS.

22 Q AND Y'ALL GOT MARRIED WHERE?

23 A WE GOT MARRIED IN MORGANTON, NORTH CAROLINA, AT  
24 THE COUNTY COURTHOUSE.

25 Q OKAY. AFTER YOU GOT MARRIED WHAT DID YOU DO?

1 A (NO RESPONSE.)

2 Q HOW DID YOU GET BACK TO ROCK HILL?

3 A WE GOT A BUS. WE GOT ON A BUS AND CAME BACK TO  
4 ROCK HILL. MY MOM SAID WELL, YOU KNOW, WE'LL SEND  
5 FOR YOU, SO THEY SENT THE MONEY BACK TO US AND I HAD  
6 MONEY AND WHAT MONEY WE HAD, WE BOTH GOT ON THE BUS  
7 AND CAME BACK TO ROCK HILL. WE STAYED WITH MOM FOR A  
8 SHORT TIME AND THEN WE MOVED IN WITH DAD FOR A SHORT  
9 TIME. THEN WE FOUND OUR OWN PLACE. I STARTED  
10 WORKING FOR FABRIC RESOURCES. IT WAS A COTTON MILL,  
11 A WEAVE PLANT, AND MARY SUE WAS WORKING WITH MY MOM.  
12 SHE WAS WORKING AT CONSTRUCTION SITE CLEANING  
13 APARTMENTS AND THINGS, AND WE BOTH, WE BOTH HAD MONEY  
14 COMING IN SO WE GOT US A NICE TRAILER TO LIVE IN. WE  
15 WAS LIVING THERE FOR, WE LIVED THERE FOR ABOUT THREE  
16 YEARS AND THEN.

17 Q IN THAT TIME WHAT HAPPENED?

18 A IN THAT TIME.

19 Q WHEN WAS AMANDA BORN?

20 A AMANDA WAS BORN SHORTLY AFTER THAT IN 80--WELL,  
21 SHE WAS BORN RIGHT AFTER WE GOT MARRIED, ABOUT A YEAR  
22 AFTER WE GOT MARRIED. SHE WAS BORN ON APRIL 7. I  
23 MEAN, APRIL 14 OF 1989 AND.

24 Q WHEN WAS JESSICA BORN?

25 A JESSICA WAS BORN ON APRIL 4 OF 1990.

1 Q OKAY. SO ALMOST A FULL YEAR LATER, JUST SHORT  
2 OF A YEAR LATER?

3 A LACKING EXACTLY TEN DAYS BEING.

4 Q OKAY.

5 A THEN AFTER THAT I WENT BACK TO THE HESS STATION,  
6 STARTED WORKING FOR HESS STATION AND BECAME THE  
7 ASSISTANT MANAGER. THE HESS STATION.

8 Q WHICH ONE?

9 A THE ONE ON SALUDA STREET. AFTER I WAS THERE FOR  
10 ABOUT TWO YEARS I SAW AN AD IN THE PAPER WHERE I  
11 COULD MAKE MORE MONEY AS ASSISTANT MANAGER AT THE  
12 CONOCO STATION ON CHERRY ROAD SO I WENT THERE AND GOT  
13 A JOB, I GOT A JOB WITH THEM, AND THEN THE MANAGER,  
14 SHE LOOKED AT ME, SHE LOOKED AT ME AND SAID, YOU ARE  
15 NOT ASSISTANT MANAGER MATERIAL, YOU ARE MANAGER  
16 MATERIAL, SO SHE ENROLLED ME IN THE MANAGER PROGRAM,  
17 AND THEY MOVED ME TO CHARLOTTE TO THE GRAHAM STREET  
18 STATION AS A MANAGER. I STAYED THERE FOR A SHORT  
19 TIME. THEN MY, THE SUPERVISOR SAID, YOU NEED A  
20 BIGGER STORE, SO THEY MOVED ME TO THE WILKERSON  
21 BOULEVARD STORE. I HAD A LACK FOR CATCHING THIEFS IN  
22 A STORE, SO HE ASKED ME TO KEEP AN EYE ON THINGS AND  
23 I WATCHED. I WAS A MANAGER AND CAUGHT MANY PEOPLE  
24 STEALING, SHOPLIFTING IN THE STORE. AND AFTER THE  
25 STORE GOT STRAIGHTENED OUT THEY MOVED ME BACK TO ROCK



1 HILL TO THE CONOCO STATION ON CHERRY ROAD AS A  
2 MANAGER. FOLLOWING AN INSPECTION WE HAD, THEY  
3 DECIDED TO LET GO. THE INSPECTION WASN'T AS GOOD AS  
4 WHAT THEY WANTED AND --

5 Q OKAY. WHERE DID YOU WORK AFTER THAT?

6 A AFTER THAT I WENT TO WORK FOR WALMART AND KYLA  
7 WAS BORN. SHE WAS BORN IN 1994 ON OCTOBER 24.

8 Q OKAY. AND THEN YOU WERE WORKING WITH WALMART,  
9 WHEN DID YOU GO BACK TO SCHOOL TO YORK TECH?

10 A RIGHT AFTER I LEFT WALMART I DECIDED, THIS  
11 RUNNING BACK AND FORTH, ALL THESE JOBS, I DIDN'T WANT  
12 THAT. I WANTED, I WANTED A GOOD STEADY INCOME. I  
13 KNEW I HAD TAKEN SOME ELECTRONICS IN HIGH SCHOOL, SO  
14 I WANTED AND I HAD FRIENDS WHO HAD TAKEN ELECTRONICS  
15 AND COMPUTER PROGRAM THAT'S AT YORK TECH AND THEY WAS  
16 TELLING ME ABOUT IT. I FOUND OUT THAT THE PRESIDENT  
17 HAD CHANGED THE PELL GRANT PROGRAM, SO I TALKED TO  
18 THE PEOPLE AT YORK TECH, I GOT A GRANT, WAS GRANTED A  
19 PELL GRANT, SO I WENT BACK. I WENT BACK TO SCHOOL,  
20 AND ACQUIRED MY DEGREES.

21 Q NOW IN 1999 BILLY, YOU AND MARY SUE Y'ALL HAD A  
22 THREE CRIMINAL CHARGES?

23 A THAT'S CORRECT.

24 Q RIGHT?

25 A YES, SIR, THAT'S CORRECT.

1 Q AND YOU PLEADED GUILTY TO THREE CRIMINAL CHARGES  
2 THAT CARRIED MORE THAN A YEAR?

3 A THAT'S CORRECT.

4 Q AND THAT WAS IN 1999.

5 A THAT'S CORRECT.

6 Q YOU AND MARY SUE?

7 A THAT'S CORRECT. ME AND MARY SUE BOTH.

8 Q NOW IN, AFTER YOU GOT YOUR DEGREES IN 2001, IS  
9 THAT RIGHT?

10 A THAT'S CORRECT.

11 Q AND THAT WAS IN MAY OF 2001?

12 A THAT'S CORRECT. MAY OF 2001.

13 Q OKAY. AND BILLY, LET ME ASK YOU THIS, DURING  
14 CAREER WITH HESS AND WITH FASTFARE AND SO FORTH, DID  
15 YOU, WERE YOU EVER ASKED TO TAKE POLYGRAPHS?

16 A YES, SIR. I WAS ASKED TO TAKE SEVERAL  
17 POLYGRAPHS TWO OF WHICH WAS WITH THE ORKIN PEST  
18 CONTROL.

19 Q IS THIS, THIS WAS THE RESULT OF YOUR EMPLOYMENT  
20 THERE?

21 A THAT'S CORRECT, YES.

22 Q I MEAN.

23 A YES.

24 Q IN ORDER TO GET THE JOB?

25 A THAT'S CORRECT.

1 Q OKAY. AND SO HOW DID YOU DO ON THOSE TESTS?

2 A PASSED THEM. THEY ACCEPTED ME AND HE SAID THEY  
3 HAD NO PROBLEM. I HAD TO BE BONDED.

4 Q OKAY. DID YOU ALSO AS A RESULT OF YOUR  
5 EMPLOYMENT WITH THE VARIOUS HESS STATION AND  
6 FASTFARES, DID YOU RELY ON THE POLICE A LOT?

7 A OH, YES, SIR. IN THE WORK WITH THE CASHIER, AS  
8 A CASHIER, ANY TIME YOU WORK WITH MONEY YOU GOT  
9 PROBLEMS WITH, YOU KNOW, SOME POTENTIAL THIEF OR  
10 POTENTIAL ROBBER. WE ALWAYS HAD COFFEE AND STUFF  
11 LIKE THAT WAITING FOR THE POLICE OFFICERS. WE WOULD  
12 ALWAYS TRY TO KEEP THE POLICE COMING TO THE STORES TO  
13 HELP US AND THERE IS MANY TIMES, I'VE HAD MANY  
14 FRIENDS ON THE POLICE FORCE, SOME TO NAME A FEW LASH  
15 LEROUX WAS A FRIEND OF MINE. OFFICER TINKER WAS A  
16 FRIEND OF MINE.

17 Q THEY WOULD COME AND HELP YOU OUT WHEN YOU NEEDED  
18 IT?

19 A THAT'S CORRECT. I LIVED RIGHT DOWN THE STREET  
20 FROM AN OFFICER. HE WAS A PREACHER. HE CAME BY OUR  
21 CHURCH AND SPOKE SEVERAL TIMES.

22 Q SO IF HAD YOU A DRIVE OFF OR SOME PROBLEM?

23 A ABSOLUTELY.

24 Q OR SOMEBODY RAN OUT OF THE STORE WITH SOMETHING  
25 YOU WOULD CALL THE POLICE?

1 A ABSOLUTELY.

2 Q AND Y'ALL --

3 A THEY WOULD COME RIGHT OUT, TAKE CARE OF WHAT HAD  
4 TO BE TAKEN CARE OF, AND GET THEM A CUP OF COFFEE,  
5 AND LEAVE.

6 Q AND YOU FELT LIKE YOU HAD A GOOD RELATIONSHIP  
7 WITH THEM?

8 A ABSOLUTELY. I TRUSTED THEM.

9 Q OKAY. LET ME TURN YOUR ATTENTION TO, LET ME  
10 TURN YOUR ATTENTION TO RICH STREET?

11 A OKAY.

12 Q Y'ALL HAD A PROBLEM AT RICH STREET WITH BUGS AND  
13 ROACHES?

14 A THAT'S CORRECT, WE DID. WE TRIED ALL SORTS OF  
15 THINGS TO TAKE CARE OF IT. I EVEN HAD THE LANDLORD  
16 TO CALL AN EXTERMINATOR TO COME OUT AND THEY COME OUT  
17 EXTERMINATED THE HOUSE AND IT DIDN'T DO NO GOOD.  
18 THEY, THE EXTERMINATOR EVEN TOLD ME, MR. COPE, YOU  
19 ARE NOT GOING TO GET RID OF THESE ROACHES. THEY ARE  
20 EMBEDDED IN THE WALLS. THEY'VE BEEN HERE FOR YEARS.  
21 WHEN WE FIRST MOVED IN THEY WASN'T OUT, YOU COULDN'T  
22 SEE THEM THAT OFTEN, BUT THEN AS IT STARTED TO WARM  
23 UP AND WE SAW MORE AND MORE OF THEM AND I CALLED THE  
24 LANDLORD AND ASK HIM TO HAVE SOMETHING DONE ABOUT IT  
25 AND HE CAME OUT AND SEEN WHAT WAS GOING ON THEN HE

1 LEFT AND WENT CALLED SOMEBODY. THEY CAME OUT. AND  
2 THEN IT WAS A UP AND DOWN BATTLE. ME AND MY WIFE WAS  
3 CONSTANTLY SPRAYING OR WE HAD A FOGGER. WE SET  
4 FOGGERS OFF ALL THE TIME TRYING TO GET RID OF  
5 ROACHES. WE COULDN'T GET RID OF THEM.

6 Q WHERE WAS MARY SUE WORKING?

7 A SHE WORKED FOR LEINER HEALTH PRODUCTS.

8 Q HOW LONG DID SHE WORK THERE?

9 A APPROXIMATELY FOUR YEARS.

10 Q OKAY. AND SHE WORKED THIRD SHIFT?

11 A THAT'S CORRECT.

12 Q OKAY. YOU HAVE ONE BROTHER AND ONE SISTER,  
13 RIGHT?

14 A THAT'S CORRECT.

15 Q THEY LIVE HERE IN ROCK HILL?

16 A THAT'S CORRECT. MY SISTER LIVES IN EDMORE.

17 Q YOUR MOM AND DAD LIVE IN ROCK HILL?

18 A THAT'S CORRECT.

19 Q WHERE DO THEY WORK?

20 A MY DAD WORKED FOR INMAN CONTAINER, BUT HE'S  
21 RETIRED. MY MOM SHE HASN'T WORKED SINCE SHE HAD HER  
22 STROKE.

23 Q OKAY. SHE WAS DISABLED AS A RESULT OF THAT  
24 STROKE?

25 A THAT'S CORRECT.

1 Q TELL US ABOUT WHAT HAPPENED THE WEEKEND BEFORE  
2 AMANDA GOT KILLED?

3 A ON THE WEDNESDAY NIGHT AFTER WORK I HAD TALKED  
4 WITH MY BOSS AND I ASKED HIM AND ON --

5 Q THIS WAS THANKSGIVING WEEKEND?

6 A THAT WAS THE WEEKEND OF THANKSGIVING. I ASKED  
7 MY BOSS COULD I HAVE THAT WEEKEND OFF BECAUSE WE WERE  
8 GOING TO GO UP TO THE MOUNTAINS TO BE WITH.

9 Q AND YOU WERE WORKING WHERE AT THE TIME?

10 A AT STEAK OUT.

11 Q OKAY. YOU HAD FINISHED YOUR DEGREES.

12 A THAT'S CORRECT.

13 Q AT YORK TECH IN MAY?

14 A RIGHT.

15 Q AND THIS WAS NOW NOVEMBER. AND IN THE MEANTIME  
16 YOU WERE WORKING AT STEAK OUT. WERE YOU WORKING AT  
17 STEAK OUT WHEN YOU WERE AT YORK TECH?

18 A ACTUALLY YES, I WAS. I WAS WORKING AT HESS, I  
19 WAS WORKING AT STEAK OUT, AND I WAS GOING TO SCHOOL  
20 FULL TIME.

21 Q AFTER YOU FINISHED YOUR DEGREES THAT SUMMER YOU  
22 WERE WORKING AT STEAK OUT?

23 A THAT'S CORRECT.

24 Q OKAY. SO YOU ASKED YOUR BOSS IF COULD YOU BE  
25 OFF?

1 A RIGHT. AND HE AGREED TO LET ME GO TO THE  
2 MOUNTAINS. HE DIDN'T WANT TO, WAS RELUCTANT BECAUSE  
3 THE BUSINESS, BUT I TOLD HIM THAT THIS WOULD BE THE  
4 ONLY CHANCE THAT I'D BE ABLE TO GO UP WITH MARY SUE  
5 TO SEE HER FAMILY. SO WE LEFT, WE LEFT OUT ON  
6 WEDNESDAY, WEDNESDAY AFTERNOON, WE RETURNED ON  
7 SATURDAY.

8 Q OKAY?

9 A SATURDAY NIGHT.

10 Q WHAT DID YOU DO BEFORE YOU LEFT?

11 A WELL, WE THOUGHT THIS WOULD BE THE BEST TIME, SO  
12 WE REMOVED STUFF FROM THE CLOSETS AND STUFF FROM THE  
13 WALLS AND WE ACTUALLY SPRAYED THE HOUSE. WE SET OUT  
14 LIKE 8 FOGGERS THAT DAY.

15 Q WHEN YOU SAY FOGGERS YOU MEAN?

16 A ROACH FOGGERS. THE SPRAY, YOU SHAKE THEM AND  
17 SPRAY, SET THEM ON FLOOR AND YOU SPRAY, THEY KILL A  
18 LOT OF ROACHES, AND WE SET THEM OFF, WE GOT A  
19 DIFFERENT BRAND. WE TRIED A DIFFERENT BRAND BECAUSE  
20 WE KNOW THE ROACHES WILL ACTUALLY GET USED TO WHAT  
21 YOU USING ALL TIME, SO WE CHANGED A DIFFERENT BRAND  
22 AT THAT TIME.

23 Q SO IN ORDER TO DO THAT DID YOU PULL THINGS FROM  
24 THE CABINET AND THE DRAWERS?

25 A EVERYTHING WAS PULLED AWAY FROM THE WALLS, OUT

1 OF DRAWERS, CLEANED THE CLOSETS OUT, EVERYTHING WAS  
2 REMOVED SO THAT WE COULD SPRAY, MAKE SURE WE GOT RID  
3 OF THE ROACHES.

4 Q OKAY. AND YOU GOT BACK ON WHEN SATURDAY?

5 A SATURDAY ABOUT FIVE O'CLOCK BECAUSE I HAD TO BE  
6 AT WORK AT SIX.

7 Q WHAT DID YOU NOTICE WHEN YOU GOT BACK?

8 A I NOTICED, FIRST THING I NOTICED WAS THAT MY  
9 BACK DOOR WAS STANDING OPEN. WHEN I FIRST WALKED IN  
10 THE DOOR, WE PUT THE, I UNLOADED THE VAN, PUT ALL THE  
11 STUFF IN THE LIVING ROOM FLOOR, AND I WALKED INTO  
12 THE, INTO THE LIVING ROOM THERE TO THE TELEPHONE, AND  
13 I CALLED MY MOM. AND AS WHILE I WAS TALKING TO HER I  
14 LOOKED OVER TOWARD THE KITCHEN AND I SAW MY BACK DOOR  
15 WAS OPEN AND I SAID MOMMA HOLD A MINUTE AND I LAID  
16 THE PHONE DOWN AND I WENT AND CHECKED. MY BACK DOOR  
17 WAS STANDING OPEN. I THOUGHT AT FIRST THE WINDOW WAS  
18 SO CLEAN IT LOOKED LIKE IT HAD BEEN BUSTED OUT, BUT  
19 WHEN I PUT MY HAND ON IT IT WASN'T, IT WAS STILL  
20 INTACT, SO BUT IT WAS OPEN ABOUT, I GUESS ABOUT 8  
21 INCHES AND I SAID, I WENT BACK TO THE PHONE I SAID  
22 MOMMA, MY BACK DOOR STANDING OPEN, AND SHE SAID, LET  
23 ME LET ME LET YOU GO AND CALL THE POLICE AND I LOOKED  
24 AROUND THE ROOM AND I SEEN ALL THE STUFF THAT WAS  
25 SCATTERED AND ALL THE BUGS LAYING ON THE FLOOR AND I



1 SAID, NO MOMMA, I DON'T THINK THAT IS A GOOD IDEA,  
2 THE HOUSE IS A MESS RIGHT NOW BECAUSE WE GOT ROACHES  
3 AND WE'RE TRYING TO GET RID OF THEM AND WE SPRAYED  
4 AND THERE IS BUGS EVERYWHERE, THERE IS CLOTHES  
5 EVERYWHERE, THERE IS EVERYTHING EVERYWHERE, WE CAN'T  
6 DO THAT.

7 Q OKAY. AND THAT WASN'T JUST BECAUSE OF THE  
8 ROACHES. YOU ARE NOT --

9 A NO.

10 Q YOU ARE NOT CLAIMING THAT YOU AND MARY SUE WERE  
11 THE BEST --

12 A NO, I WAS A PACK RAT. I COLLECT EVERYTHING,  
13 TOYS, BOOKS, AND I HAD ALL MY SCHOOL NOTES. I GOT, I  
14 HAD EVERY SINGLE SCHOOL NOTE I EVER HAD, EVEN LITTLE  
15 PIECES OF PAPER. I KEEP STUFF BECAUSE I THINK  
16 DOCUMENTING STUFF I CAN KEEP UP WITH BUT A LOT OF  
17 TIMES IT GETS MISPLACED, MOVED AROUND, PUSHED AROUND,  
18 SHOVED UNDER STUFF.

19 Q BUT YOU WERE NOT MUCH OF A HOUSE CLEANER?

20 A NO, I WAS NOT.

21 Q HOW ABOUT MARY SUE?

22 A AT FIRST WHEN WE FIRST GOT MARRIED SHE WAS BUT  
23 AS SHE WAS START WORKING, AS SHE STARTED WORKING MORE  
24 AND MORE THIRD SHIFT, SHE BECAME LESS OF A HOUSE  
25 CLEANER.

1 Q WHEN Y'ALL GOT MARRIED HOW MUCH DID YOU WEIGH?

2 A WHEN I GOT MARRIED I WEIGHED 220 POUNDS.

3 Q ALL RIGHT. AND THEN YOU GAINED A LOT OF WEIGHT?

4 A 385 POUNDS.

5 Q 385 POUNDS?

6 A 385 POUNDS. THAT'S A LOT OF EATING OUT. MARY

7 SUE WAS A GOOD COOK TOO SO.

8 Q SO IN 2001 AMANDA WAS 12, JESSICA WAS 11, AND

9 KYLA WAS 7, IS THAT RIGHT?

10 A THAT'S CORRECT.

11 Q OKAY. AND 407 RICH STREET IS ABOUT WHERE OFF OF

12 SALUDA STREET?

13 A IT WAS WITHIN THAT FIRST BLOCK RIGHT THERE AT

14 THE PARKER'S FUNERAL HOME. IT WAS WITHIN THAT FIRST

15 BLOCK ON THE SAME SIDE THAT PARKER'S FUNERAL HOME IS

16 ON.

17 Q YOU MEAN, IF YOU GOT OUT, IF YOU ARE GOING OUT

18 SALUDA STREET TOWARD CHESTER?

19 A THAT'S CORRECT.

20 Q I DON'T KNOW WHAT IT IS NOW BUT IT USED TO BE

21 FOUR LANE THAT KIND OF TURNED INTO TWO THEN, BUT

22 THERE USED TO BE --

23 A YES.

24 Q AN OLD ARMORY BASEBALL PARK OVER THERE ON THE

25 LEFT, USED TO BE A WINN DIXIE OR SHOPPING CENTER OR

1 SOMETHING ON THE LEFT IF YOU ARE GOING OUT, RIGHT?

2 A RIGHT. THERE WAS A PIGGLY WIGGLY THERE TOO AT  
3 ONE TIME.

4 Q THEN RIGHT PAST THERE IS RICH STREET, RIGHT?

5 A THAT'S CORRECT. IT WAS, IT'S THE NEXT STREET,  
6 NEXT STREET DOWN AFTER YOU PASS WHAT USED TO BE THE  
7 VALUE, THE OLD VALUE --

8 Q THE OLD VALUE STATION AND YOU TURN RIGHT.

9 A THAT'S CORRECT.

10 Q TO GO TO YOUR HOUSE, RIGHT?

11 A THAT'S RIGHT.

12 Q AND THEN YOUR HOUSE WAS DOWN ON THE RIGHT?

13 A NEXT TO THE LAST HOUSE ON THAT FIRST BLOCK.

14 Q OKAY. DID Y'ALL HAVE ANY PETS OR ANYTHING?

15 A ABOUT TWO WEEKS BEFORE, BEFORE THAT NIGHT WE HAD  
16 A BLACK LAB. WE CALLED HIM SAMUEL. I WAS AT WORK ON  
17 AFTERNOON.

18 Q HE GOT RUN OVER?

19 A MARY SUE CALLED ME AND SHE SAID, SHE SAID, SHE  
20 WAS CRYING AND I SAID WHAT'S WRONG AND SHE SAID UH  
21 THE, SHE SAID I WAS COMING HOME, SHE SAID, WHEN WAS  
22 THE LAST TIME YOU SEEN THE DOG. I SAID EARLY THIS  
23 MORNING BEFORE I LEFT AND SHE SAID WELL I WAS COMING  
24 IN JUST THEN AND I THINK WE JUST FOUND HIM AT THE END  
25 OF THE ROAD AND SHE CALLED BACK A LITTLE LATER AND

1 SAID HE HAD GOTTEN LOOSE AND HE WAS ON, THEY FOUND  
2 HIM ON THE CORNER OF RICH AND SALUDA STREET, HAD BEEN  
3 RUN OVER, AND I CALLED THE DOG POUND AND TOLD THEM  
4 AND.

5 Q HE STAYED OUTSIDE USUALLY BEFORE HE DIED, RIGHT?

6 A THAT'S CORRECT. AND HE WAS, HE WAS A GOOD  
7 WATCHDOG. WE NEVER HAD NO PROBLEM.

8 Q NOW WAS THERE A PATH BESIDE YOUR HOUSE?

9 A YES, THERE WAS. AS A MATTER OF FACT, THE  
10 POLICE, THE POLICE CAME TO MY HOUSE ONE NIGHT AND  
11 SAID --

12 Q DON'T SAY WHAT IT WAS, JUST SAY IT WAS A PATH,  
13 RIGHT?

14 A YES.

15 Q OKAY.

16 A YEAH.

17 Q AND PEOPLE WENT BACK AND FORTH?

18 A ABSOLUTELY.

19 Q AND DID YOU DO ANYTHING TO TRY AND PREVENT THAT?

20 A I, I DID. I TOOK AN OLD JUMP ROPE AND A PIECE  
21 OF TWINE THAT I HAD AND I TIED IT UP BETWEEN, THERE  
22 WAS A FENCE, THE FENCE TO MY NEIGHBOR'S BACKYARD,  
23 CAME UP TO THE FENCE OF MY, THE NEIGHBOR BESIDE OF  
24 ME, THERE WAS A GAP ABOUT LIKE THIS, AND I TOOK IT  
25 AND I WRAPPED THAT JUMP ROPE AROUND IT AND THEN I

1 TIED OFF THE JUMP ROPE AND STARTED WITH A TWINE SO  
2 THAT IT WOULD PREVENT ANYBODY FROM COMING IN.

3 Q OKAY. NOW THAT DAY ON NOVEMBER 29, HAD YOU  
4 WORKED THAT DAY?

5 A I WORKED THAT MORNING.

6 Q THAT WAS THE DAY YOU TOOK THE DELIVERY TO  
7 LANCASTER?

8 A THAT'S CORRECT. I WORKED, AT FIRST I WENT IN AT  
9 8 O'CLOCK TO DO SALADS AND THINGS FOR THE NORMAL DAY  
10 AND THEN AFTER THE SALADS THEY ALLOWED ME TO TAKE A  
11 LONG DELIVERY SINCE I FINISHED UP MY WORK AND I HAD,  
12 I HAD COMPLAINED THAT I HADN'T BEEN GETTING A LOT OF  
13 DELIVERIES BECAUSE THAT'S WHERE WE MAKE OUR MONEY ON  
14 THE TIPS AND STUFF, SO I ASKED ROBBY IF I COULD GO  
15 AHEAD AND TAKE THIS ONE AND HE SAID ABSOLUTELY. YOU  
16 ARE THERE. WE'LL LET YOU DO IT. TROUBLE WAS I  
17 HADN'T BEEN TO THAT PARTICULAR PLACE IN LANCASTER SO  
18 HE SAID, WELL, I'M GOING TO SEND ANOTHER GUY WITH YOU  
19 BY THE NAME OF, A GUY BY THE NAME OF JAMES CROWLEY  
20 AND SO JAMES --

21 Q I'M GOING TO INTERRUPT YOU BECAUSE TELL WHAT  
22 HAPPENED WHEN AFTER YOU WORKED WHAT TIME DID YOU GET  
23 OFF?

24 A I GOT OFF ABOUT ONE O'CLOCK.

25 Q WERE THE GIRLS IN SCHOOL?

1 A THE GIRLS WERE STILL IN SCHOOL AND THE REASON I  
2 GOT OFF AT ONE IS BECAUSE THE BOSS KNEW THAT I, I DO  
3 HAVE TO PICK THE GIRLS UP AT SCHOOL.

4 Q OKAY. AND WHAT WAS MARY SUE DOING?

5 A MARY SUE WAS IN THE BED ASLEEP.

6 Q BECAUSE SHE WORKED ALL NIGHT?

7 A SHE WORKED THIRD. WHEN I CAME IN MY FRONT DOOR  
8 WAS STANDING OPEN ABOUT THREE OR FOUR INCHES THAT  
9 MORNING.

10 Q THAT AFTERNOON?

11 A I MEAN, WELL, AT ONE O'CLOCK WHEN I COME IN. I  
12 THOUGHT, YOU KNOW, I THOUGHT SHE HAD JUST FORGET TO  
13 SHUT THE DOOR, SO I DIDN'T, YOU KNOW, I EVEN  
14 QUESTIONED HER ABOUT IT.

15 Q NOW DID SHE GOT UP? WAS SHE UP THAT AFTERNOON?

16 A I WOKE HER UP WHEN I CAME IN. WE HAD ACTUALLY,  
17 I HAD ACTUALLY STOPPED BY BURGER KING AND PICKED US  
18 UP, BOTH OF US UP A WHOOPER AND WE SAT DOWN ON THE  
19 COUCH AND ATE A WHOOPER.

20 Q THEN DID YOU PICK THE CHILDREN UP FROM SCHOOL?

21 A WELL, IT WAS A LITTLE BIT LATER I WENT OVER AND  
22 I SET DOWN ON THE COMPUTER AND WAS PROGRAMMING A  
23 VIDEO GAME THAT I WAS TRYING TO WORK ON AND THEN SHE  
24 WENT AHEAD AND GOT DRESSED AND AT THAT POINT SHE CAME  
25 BACK IN THERE AND SAID IT'S TIME TO GET THE GIRLS,

1 AND SO I WENT UP BACK UP TO SYLVIA CIRCLE TO THE  
2 SCHOOL HOUSE AND PICKED UP JESSICA AND KYLA, BROUGHT  
3 THEM BACK TO THE HOUSE, AND SIT BACK DOWN ON THE  
4 COMPUTER BECAUSE THEY GOT OUT LIKE AN HOUR BEFORE  
5 AMANDA DOES AND I DON'T LIKE TO SIT THERE AND WAIT  
6 AND THERE IS LIKE, YOU KNOW, THERE IS A LOT OF PEOPLE  
7 AT SULLIVAN SO I USUALLY WAIT RIGHT ABOUT 330-4,  
8 BETWEEN 3:30 AND FOUR O'CLOCK AND LEAVE THE HOUSE AND  
9 GO GET HER SO THAT WHEN I GET HER THERE IS ONLY JUST  
10 A FEW CARS IN THE PARKING LOT AND I PULL ON IN AND  
11 PICK HER UP AND SHE'S READY.

12 Q DID YOU AND AMANDA GO SHOPPING SOMEWHERE THAT  
13 AFTERNOON?

14 A ACTUALLY WE DID, BUT I THINK I WANT TO ADD THIS  
15 TOO, THERE WAS, SHE FORGET HER VIOLIN THAT DAY, SHE  
16 LEFT IT AT SCHOOL BECAUSE THE TEACHER HAD, HE HAD TO  
17 LEAVE THE SCHOOL HOUSE AND HE HAD LOCKED THE MUSIC  
18 ROOM. SHE SAID, SHE SAID DADDY I LEFT THE VIOLIN AND  
19 I TOLD HER THAT WAS FINE, THAT WAS ONE NIGHT I SAID  
20 WELL, YOU KNOW, WE GOT CHURCH TONIGHT, DON'T WORRY  
21 ABOUT IT, YOU CAN PRACTICE TOMORROW NIGHT, EVERYTHING  
22 WILL FINE, AND SHE SAID OKAY. THEN WE LEFT THERE AND  
23 MARY SUE HAD ASKED ME TO STOP, STOP BY AND PICK UP A  
24 COUPLE OF ITEMS AT THE STORE, SOME SUGAR AND WASHING  
25 POT I BELIEVE IT WAS AND.

1 Q SO YOU DID ALL THAT?

2 A I DID. WE STOPPED, WE STOPPED AND AMANDA SAID  
3 DADDY, DO YOU MIND IF I GO IN AND GET IT. AND I SAID  
4 NO I DON'T MIND, AND TO SAVE TIME I JUST RODE AROUND  
5 AND AROUND IN THE PARKING LOT.

6 Q OKAY. WE'RE NOT GOING --

7 A RIGHT.

8 Q OKAY. SO THAT EVENING?

9 A THAT EVENING, YES.

10 Q WHAT TIME DID MARY SUE HAVE TO BE AT WORK?

11 A MARY SUE HAD TO BE AT WORK, SHE LEAVES THE HOUSE  
12 AT 10 O'CLOCK. SHE HAD TO BE THERE AT 11.

13 Q SO SHE WAS ASLEEP?

14 A THAT'S CORRECT.

15 Q SHE HAD GONE BACK TO BED?

16 A THAT'S CORRECT.

17 Q OKAY.

18 A NO. NO. WHEN I GOT THERE SHE WAS UP.

19 Q SHE WAS UP.

20 A SHE WAS UP, YES.

21 Q I UNDERSTAND, BUT SHE WENT BACK TO BED A LITTLE  
22 LATER AT SOME POINT?

23 MR. POPE: YOUR HONOR, I OBJECT TO  
24 LEADING, JUST ASK A QUESTION.

25 THE COURT: I SUSTAIN THE OBJECTION.



1 MR. MORTON: I'M JUST TRYING TO ASK ---

2 THE COURT: I UNDERSTAND.

3 A SHE, SHE, YOU KNOW, FIXED DINNER AND THEN WE ATE  
4 AND SHE WENT BACK AND GOT IN THE BED AND I WAS  
5 HELPING JESSICA WITH HER HOMEWORK.

6 Q OKAY. TELL US ABOUT THE BAGS AND THINGS THAT  
7 WERE ON THE FLOOR OR SOME OF THEM. THIS WAS THE  
8 WEEKEND AFTER CHRISTMAS, WHAT WERE Y'ALL IN THE  
9 PROCESS OF DOING?

10 A IT WAS THE WEEKEND.

11 THE COURT: WEEKEND AFTER THANKSGIVING.

12 A WEEKEND AFTER THANKSGIVING.

13 Q I'M SORRY. THANK YOU.

14 A IT WAS THE WEEKEND AFTER THANKSGIVING, WE WERE  
15 GETTING PREPARED TO CHANGE OUT THE CHRISTMAS STUFF.  
16 WELL, THE CHRISTMAS STUFF WAS STOCKED UP IN THE  
17 KITCHEN IN BOXES, NOT IN THE KITCHEN BUT IN THE, WHAT  
18 WAS CALLED, WOULD HAVE BEEN CALLED THE LAUNDRY ROOM.  
19 THERE IS FOUR BOXES STACKED UP THAT WAS OUR CHRISTMAS  
20 DECORATIONS. I WAS IN THE PROCESS OF TAKING ALL THE  
21 STUFF OUT OF THE LIVING ROOM, WE WERE GOING TO MOVE  
22 THE COMPUTER TO THE BEDROOM, THERE IS A PIECE OF  
23 PLYWOOD THAT SITS BY MY DOOR, BY THE SIDE OF THE  
24 HOUSE THERE, IT HAS A TRAIN TRACK OR IT HAD A TRAIN  
25 TRACK ON THE OTHER SIDE AND SOME COTTON AND I HAD A

1 LOT OF LITTLE BUILDINGS THAT MOM HAD GIVEN, PEOPLE  
2 HAD GIVEN, AND WE WERE GOING TO SET THAT UP ON THE  
3 DESK, AND WE WAS GOING TO DECORATE THE HOUSE UP FOR  
4 CHRISTMAS. SO WE WERE IN THE PROCESS OF TAKING THE  
5 STUFF OUT, MOVING STUFF AROUND, THAT'S -- AND THERE  
6 WAS BOXES, THERE WAS BAGS IN THE HALLWAY. CONTRARY  
7 TO WHAT'S BEEN SAID, IT WASN'T TRASH. IT WAS OUR  
8 CLOTHES. IT WAS OUR DIRTY CLOTHES THAT WE GOT BACK  
9 FROM THE MOUNTAINS IN. WE, MARY SUE HADN'T WASHED  
10 THEM YET. THEY WERE STILL SITTING IN THE FLOOR.  
11 SOME OF THE CLOTHES THAT WAS IN THE FLOOR WAS OUR  
12 BEDDING AND STUFF LIKE THAT FROM THE TRIP.

13 Q DID YOU HAVE A ROACH PROBLEM DURING THE DAY?

14 A DURING THE DAY, NO, WE DIDN'T HARDLY SEE NO  
15 ROACHES IN THE DAYTIME. IT WAS AT NIGHT. YOU GO  
16 OVER THERE, FLIP ON THE LIGHT AND ROACHES SCATTER  
17 EVERYWHERE. IN THE DAYTIME YOU DIDN'T SEE ROACHES  
18 THAT OFTEN.

19 Q OKAY. WHAT, YOU HELPED JESSICA AND AMANDA  
20 HELPED JESSICA WITH HER HOMEWORK THAT NIGHT?

21 A THAT'S CORRECT.

22 Q JESSICA WAS FALLING BEHIND AT SCHOOL?

23 A YES. I HAD GOTTEN A LETTER FROM HER TEACHER AND  
24 SHE SAID, SHE TOLD, SHE HAD TOLD HER, SHE SAID  
25 MR. COPE, SHE SAID, WE ARE NOT GOING TO TOLERATE

1 THIS, YOU KNOW. SHE'S GOTTEN BEHIND LIKE THREE  
2 DIFFERENT DAYS OF THIS LONG DIVISION AND SO I TOLD  
3 HER, I SAID OKAY. YOU ARE GOING SIT DOWN AND YOU ARE  
4 GOING TO DO IT ALL. THEY ALREADY STARTED THREATENING  
5 TO GIVE HER DETENTION AND MAKE HER STAY AFTER SCHOOL  
6 AND IT'S HARD FOR HER TO STAY AFTER SCHOOL BECAUSE I  
7 HAD TO PICK UP AMANDA AND THEN I HAD TO COME BACK AND  
8 PICK HER UP AND THEN COME HOME. SO I TOLD HER, I  
9 SAID, WE CAN'T DO THAT, WE GOT, AND A LOT OF TIMES I  
10 HAVE TO BE WORK AT FIVE, SO AS SOON AS I GET IN FROM  
11 PICKING THEM UP, THEN I HAVE TO TURN AROUND AND GO TO  
12 WORK AND SO.

13 Q SO YOU BEGAN, Y'ALL THAT NIGHT WAS THE NIGHT TO  
14 HELP JESSICA CATCH UP ON HER HOMEWORK.

15 A EXACTLY.

16 Q AND YOU AND AMANDA TRIED TO HELP JESSICA WITH  
17 HER HOMEWORK?

18 A MARY SUE HELP TOO. SHE HELPED ABOUT TWO HOURS  
19 AFTER SHE FIRST COME IN FROM WORK. I MEAN AFTER SHE  
20 FIRST COME IN FROM SCHOOL AND THEN I STARTED HELPING  
21 HER AND IT STARTED GETTING LATE AND I SAID WE'RE NOT  
22 GOING TO MAKE IT TO CHURCH AT THIS RATE, SO I CALLED  
23 THE PASTOR AND HIS WIFE ANSWERED AND I SAID  
24 MRS. POWELL, WE'RE NOT GOING TO MAKE IT TO CHURCH  
25 TONIGHT AND SHE CHEWED ME OUT. SHE SAID YOU GOT TO

1 BE HERE BECAUSE, YOU KNOW, THIS IS QUIZ WEEK AND WE  
2 GOT TO, WE GOT A BIG CHAPTER TONIGHT AND I SAID OKAY  
3 I SAID BUT WE'RE NOT GOING TO MAKE IT BECAUSE JESSICA  
4 HAS GOT A LOT OF HOMEWORK.

5 Q OKAY. SO, SO YOU WORKED ON THE HOMEWORK?

6 A YEAH, WE WORKED ON THE HOMEWORK. MARY SUE  
7 WORKED ON IT TWO HOURS. I WORKED ON IT, I HELPED HER  
8 FOR TWO HOURS, AND THEN I GOT TIRED. AND AMANDA SAW  
9 ME, SHE SAID DADDY, I'LL HELP HER, SO AMANDA STARTED  
10 HELPING HER. I WENT TO THE COMPUTER AND MARY SUE  
11 WENT AND GOT IN THE BED.

12 Q THEN MARY SUE GOT UP AND WENT TO WORK?

13 A AT TEN O'CLOCK.

14 Q WHERE WAS KYLA?

15 A KYLA WAS ALREADY IN THE BED ASLEEP. SHE WENT TO  
16 BED LIKE AT ABOUT 9:30 I THINK. NO, THAT'S WHAT MARY  
17 SUE TOLD ME. SHE SAID KYLA IS ALREADY IN THE BED.

18 Q WHAT TIME DID MARY SUE LEAVE FOR WORK?

19 A SHE LEFT FOR WORK AT TEN O'CLOCK.

20 Q OKAY. AND SO DID Y'ALL TELL HER GOODBYE, WAVE  
21 TO HER GOODBYE?

22 A THAT'S CORRECT. WE ALL WHO WAS UP ME, JESSICA,  
23 AND KYLA ALL THE, THE NORMAL ROUTINE, WE ALL STAND AT  
24 THE DOOR AND WE WAVE AT HER AS SHE LEAVES, AND SHE  
25 LEFT AND THEN WE WENT BACK TO WORK AND I SAT DOWN ON

1 THE COUCH. I TRIED TO HELP JESSICA A LITTLE BIT MORE  
2 WITH HER HOMEWORK AND THEN AMANDA SAID I'LL HELP HER  
3 SOME DADDY.

4 Q OKAY. SO YOU HELPED HER ON UP TO A POINT OR  
5 AMANDA DID AND YOU WENT AND GOT INTO THE BED OR ON TO  
6 THE BED IN YOUR BEDROOM, CORRECT?

7 MR. GREELEY: OBJECTION, YOUR HONOR,  
8 LEADING.

9 THE COURT: I SUSTAIN THE OBJECTION.

10 Q WHAT DID YOU DO THEN?

11 A OKAY. I WENT TO, I WENT OVER TO MY DESK, I  
12 PICKED UP MY BIBLE. I PICKED UP MY QUIZ BOOK, I'M  
13 THE COACH FOR AMANDA'S QUIZ TEAM, AND I PICKED UP THE  
14 BOOK, AND A LIST, A LIST OF THE QUESTIONS THAT WAS  
15 GOING TO BE ASKED. THEN I WENT BACK INTO THE  
16 BEDROOM. I SIT DOWN ON THE EDGE OF THE BED AND READ  
17 THE BIBLE AND READ THE TWO CHAPTERS THAT I HAD TO  
18 READ AND THEN I READ THE QUIZ QUESTIONS. BY THAT  
19 TIME JESSICA AND KYLA HAD ALREADY MOVED FROM THE  
20 LIVING ROOM AND TURNED OUT THE LIGHTS AND MOVED TO  
21 THE HALLWAY AND THEY WERE SITTING IN THE FLOOR IN THE  
22 HALLWAY. AND I SAID, UH, LET'S SEE. THEY WERE  
23 SITTING IN THE HALLWAY AND I WAS SITTING ON THE BED  
24 READING AND I LOOKED AT AMANDA AND SAID, AMANDA,  
25 HONEY YOU ONLY GOT LIKE 8 OR 9 QUESTIONS THIS TIME.

1 Q ALL RIGHT, JUST SKIP THAT. AND HOW MUCH LATER  
2 WERE THEY UP OR WERE YOU UP WHEN THEY WENT TO BED?  
3 A I WAS UP WHEN THEY WENT TO BED. I HAD, I WAS  
4 SITTING ON THE BED, I HAD ACTUALLY SCOOTED UP INTO  
5 THE BED, BUT I WAS SITTING IN THE BED WITH MY BIBLE  
6 IN ONE HAND, I HAD A NOTEBOOK THAT I WANTING TO JOT  
7 DOWN SOME OF THE THINGS THAT HAD HAPPENED THAT DAY,  
8 AND THEN, UH, I SET THE PHONE, I HAD TOLD THE GIRLS,  
9 I SAID, YOU ONLY HAD UNTIL ONE O'CLOCK. I DIDN'T ---  
10 THAT'S NOT NORMAL FOR US. THEY DON'T NORMALLY STAY  
11 UP THAT LATE. NORMALLY THEY ARE IN THE BED AT LEAST  
12 BY 11 O'CLOCK. AND THAT, ON THAT NIGHT, BECAUSE OF  
13 THE HOMEWORK I TOLD AMANDA THAT IT WOULD BE OKAY IF  
14 Y'ALL STAY UP UNTIL ONE O'CLOCK BUT I'M NOT LETTING  
15 YOU STAY UP PAST ONE BECAUSE YOU GOT TO GET THE WORK  
16 DONE AND I DIDN'T WANT HER TO HAVE TO BE STAYING  
17 AFTER SCHOOL. AT ABOUT A FEW MINUTES TO ONE I HAD  
18 SET THE TELEPHONE, I CALLED WAKE UP AND I SAID AND I  
19 SET THE TELEPHONE TO WAKE, YOU KNOW, TO RING OFF AT  
20 EXACTLY ONE O'CLOCK, AND I SET IT ON THE CHARGER. I  
21 MEAN, ON THE SIDE OF THE BED WITH ME. AND THEN AT  
22 ABOUT TWO OR THREE MINUTES UNTIL ONE O'CLOCK I HEARD  
23 THE STAPLER AND I HEARD, I HEARD MY STAPLER STAPLING  
24 PAPERS AND I SAID ARE Y'ALL FINISHED AND AMANDA SAID  
25 YES, SIR, DADDY, AND I SAID GOOD. COME HERE A MINUTE

1 AND SHE CAME INTO THE ROOM AND I SAID WOULD YOU DO ME  
2 A FAVOR AND SHE SAID WHAT'S THAT. I SAID WOULD YOU  
3 CUT MY LIGHT OUT, CUT THE FAN ON, AND THE PHONE  
4 PEEPED OFF AND I SAID WAIT A MINUTE AND I GOT TO SET  
5 IT FOR AND I SET IT FOR SIX O'CLOCK. I SET THE PHONE  
6 DOWN AND THEN IT, THE BATTERY BEEPED AND I SAID WOULD  
7 YOU PUT THIS ON THE CHARGER BECAUSE I DON'T WANT IT  
8 TO GO DEAD TONIGHT BECAUSE I WON'T BE ABLE TO HEAR IT  
9 NOT WITH THE FAN AND WITH THE, WITH MY CPAP MACHINE  
10 ON. SO AFTER THAT I --

11 Q WHY DO YOU WEAR A CPAP MACHINE?

12 A I HAVE SLEEP APNEA. I WAS DIAGNOSED WITH SLEEP  
13 APNEA.

14 Q WHAT IS A CPAP MACHINE?

15 A IT'S A BREATHING MACHINE THAT PUTS AIR INTO YOUR  
16 LUNGS ALL NIGHT LONG. IT, WHAT HAPPENS IS I WILL BE  
17 ASLEEP AND WAKE UP.

18 Q OKAY. AND DO YOU WEAR IT ON YOUR HEAD?

19 A IT'S A MASK THAT FITS ON YOUR HEAD AND IT, AS A  
20 MATTER OF FACT, I THINK I GOT A BRUISE RIGHT THERE  
21 BECAUSE I WEAR IT AND IT'S REAL TIGHT ON YOUR FACE AT  
22 NIGHT AND.

23 Q SO YOU PUT YOUR CPAP MACHINE ON?

24 A I PUT THE CPAP MACHINE ON AND I TAKE A BLANKET,  
25 I GOT, I MEAN A TOWEL OR A SHEET WHICHEVER ONE I HAVE

1 AND I THINK THAT NIGHT I HAD A TOWEL AND I TAKE IT  
2 AND I FOLD IT AND I LAY IT OVER MY FACE AND THEN I  
3 PULLED THE SHEET UP AND COVER BECAUSE I HAD A WHITE  
4 SPREAD ON MY BED AND THE LIGHT COMES THROUGH AND A  
5 LOT OF TIME JESSICA LEAVES THEIR NIGHT ON AND I CAN'T  
6 SLEEP WITH THE LIGHT ON, SO I EVEN DO THAT HERE  
7 TODAY. I PUT THE SHEET, I TAKE AND FOLD MY SHEET UP,  
8 PUT IT OVER MY FACE, AND THEN I PULL MY BLANKET OVER  
9 MY FACE AND I CAN'T SEE NOTHING.

10 Q TELL ME ABOUT THE LOCKS ON THE DOOR?

11 A LOCKS. THE LOCKS ON THE DOORS. WE HAVE A, A  
12 REGULAR LOCK, A REGULAR LOCK SYSTEM WHERE YOU LOCK  
13 AND THEN WE ALSO HAVE A CHAIN LOCK, BUT BECAUSE THE  
14 GIRLS HAVE BEEN TARDY TO SCHOOL BECAUSE OF ME, IT'S  
15 ALL MY FAULT, I WOULD WAKE UP AT, I WOULD BE LATE  
16 GETTING THEM TO SCHOOL BECAUSE MARY SUE WOULD COME  
17 IN, THE CHAIN WOULD BE ON THE DOOR LOCKED, SO WE  
18 COULDN'T GET IN. I MEAN SHE COULDN'T GET IN SO SHE  
19 COME BEAT ON THE DOOR. WELL, YOU CAN'T WAKE ME UP. I  
20 DON'T I HEAR NOTHING. I MEAN, SHE BEAT ON THE SIDE  
21 OF THE HOUSE MANY TIMES TRYING TO GET MY ATTENTION.  
22 SHE ENDS UP GOING TO AMANDA'S ROOM AND BEATING ON THE  
23 WALL AND GETTING AMANDA'S ATTENTION. THE GIRLS AND I  
24 WE KNOW NOT TO PUT THE CHAIN ON THE DOOR BECAUSE MARY  
25 SUE CANNOT GET IN THE HOUSE AND.



1 Q DID JESSICA, DOES SHE GO AROUND PUTTING THE  
2 CHAIN ON THE DOOR?

3 A JESSICA DOES NOT, DID NOT OR DOES NOT LOCK THE  
4 DOORS AT NIGHT, SHE'S AFRAID TO GO THROUGH THE HOUSE.  
5 THAT'S THE REASON SHE SLEEPS WITH HER LIGHT ON. I  
6 HATE TO SAY ANYTHING AGAINST HER, BUT I MEAN, SHE'S  
7 AFRAID TO DO OF THAT.

8 Q AFRAID OF DARK?

9 A SHE WON'T GO FROM ONE ROOM TO THE NEXT AND A LOT  
10 I MEAN EVEN KYLA IS MOORE APT TO GO AND DO IT BEFORE  
11 SHE IS. KYLA FOLLOWS, I MEAN SHE FOLLOWS KYLA AROUND  
12 BECAUSE SHE'S SCARED OF THE DARK.

13 Q WHEN YOU GOT UP THAT MORNING WAS THE CHAIN ON  
14 THE DOOR?

15 A NO, IT WAS NOT.

16 Q SO AFTER AMANDA COMES IN YOUR ROOM AND YOU GET  
17 HER TO PUT THE PHONE BACK ON THE CHARGER?

18 A RIGHT, THEN I ASK HER, YOU KNOW, SHE GIVE ME A  
19 KISS AND TURN, SHE TURNED MY FAN ON, TURNED THE LIGHT  
20 OFF, AND SHE WENT AND GOT IN THE BED.

21 Q SHE KISSED YOU ON THE CHEEK?

22 A SHE KISSED ME RIGHT THERE ON THE SIDE OF MY  
23 FACE.

24 Q AND SHE WENT AND GOT IN HER BED?

25 A YES, SIR.

1 Q WHAT'S THE NEXT THING THAT YOU REMEMBER?

2 A I WOKE UP ABOUT THREE O'CLOCK. THE REASON THAT  
3 I KNOW IT WAS ABOUT, IT WAS ABOUT THREE O'CLOCK IS  
4 BECAUSE THAT'S ABOUT THE SAME TIME I WAKE UP EVERY  
5 NIGHT. I TAKE A BLOOD PRESSURE MEDICINE THAT HAS  
6 DIURETIC IN IT AND THAT MEDICATION WAKES ME UP  
7 BETWEEN 2:30 AND 3 O'CLOCK EVERY NIGHT. I GET UP AND  
8 I HAVE TO GO TO THE BATHROOM.

9 Q DO YOU SLEEP WITH YOUR DOOR OPEN OR CLOSED?

10 A MY DOOR IS, IT'S OPEN. IT WON'T SHUT BECAUSE  
11 THE DRESSER IS PULLED UP AGAINST IT TO KEEP IT FROM,  
12 IT'S NOT A SHUTABLE DOOR. THE DRESSER WAS PULLED UP  
13 AGAINST IT, YOU KNOW, WHEN THE DOOR WOULD COME IT  
14 WOULDN'T BE ABLE TO OPEN.

15 Q SO YOU ALWAYS SLEEP WITH YOUR DOOR OPEN?

16 A MY DOOR IS OPEN, YES, SIR.

17 Q AND WHAT ABOUT KYLA AND JESSICA'S DOOR?

18 A KYLA AND JESSICA'S DOOR WAS OPEN ALSO. THEY  
19 HAVE A FAN IN FRONT OF THEIR DOOR.

20 Q DO YOU HAVE A FAN IN YOUR ROOM TOO?

21 A THAT'S CORRECT.

22 Q HOW MANY FANS DO YOU HAVE?

23 A WE HAD FIVE FANS. WE HAD ONE IN AMANDA'S ROOM.  
24 WE HAVE ONE IN JESSICA AND KYLA'S ROOM. ONE IN MY  
25 BEDROOM, ONE --- TWO IN MY BEDROOM AND ONE IN THE

1 KITCHEN. THE ONE IN THE KITCHEN WE JUST PUT IT THERE  
2 LIKE TWO DAYS, ABOUT TWO DAYS BEFORE THAT BECAUSE WE  
3 HAD A, WE WAS COOKING AND ACTUALLY I WAS COOKING AND  
4 BURNED SOMETHING AND SMOKED UP THE HOUSE SO WE TURNED  
5 THE FAN ON IT TO CLEAN OUT THE SMOKE.

6 Q THAT NIGHT WERE THE FANS IN YOUR ROOM ON OR OFF?

7 A THE FAN IN MY ROOM WAS ON.

8 Q YOU ALWAYS SLEEP WITH THE FAN ON?

9 A I SLEEP THE FAN EVERY NIGHT. I HAVE TO SLEEP  
10 WITH A FAN BECAUSE I CAN'T BREATHE AND THE MACHINE  
11 HAS A HIGH PITCH HUM AND THE MASK WHEN IT'S PUT ON  
12 AND IT'S COVERED UP, WHEN I'M COVERED UP, AND IT  
13 MAKES A SHHH, SHH, SHH, JUST ABOUT THAT LOUD SOUND,  
14 COMING OVER, YOU KNOW, OVER ME AND I CAN'T HEAR, ALL  
15 I CAN HEAR THAT SHHH SOUND. WELL, THE FAN IS TO  
16 DROWN OUT THAT AND IT, AND PLUS IT BLOWS ON THE COVER  
17 AND KEEPS ME KIND OF, MAKES ME FEEL A LITTLE MORE  
18 COMFORTABLE.

19 Q AFTER YOU GOT UP AND WENT TO THE BATHROOM?

20 A YES, SIR.

21 Q WHAT DID YOU DO?

22 A I WENT INTO THE LIVING ROOM. A LOT OF TIMES I  
23 GET UP AND GO TO THE BATHROOM AND THEN SOMETIMES I'LL  
24 READ A BOOK. I'VE BEEN READING THE LEFT BEHIND  
25 SERIES, JUST FINISHED THAT. I MEAN SOMETIMES I'LL

1 READ A BOOK. SOMETIMES I'LL GO TO THE COMPUTER.  
2 SOMETIMES I'LL WATCH TV. IT JUST DEPENDS ON WHAT'S,  
3 WHAT'S ON OR, BECAUSE I CAN'T JUST GO RIGHT BACK TO  
4 SLEEP RIGHT AWAY.

5 Q WERE YOU ACCUSTOMED TO STAYING UP SOME NIGHT ALL  
6 NIGHT?

7 A OH, YEAH, A LOT OF TIMES BECAUSE MARY SUE WORKED  
8 THIRD AND I'D RATHER SLEEP WITH HER DURING THE DAY.  
9 THIS WAS BEFORE I GOT THE JOB THAT MORNING WORKING  
10 SALADS, I ONLY BEEN DOING IT TWO WEEKS AT STEAK OUT,  
11 SO BEFORE THAT, AFTER MY SCHOOLING WAS OVER WITH, I  
12 WAS SLEEPING IN THE BED WITH MARY SUE IN THE  
13 MORNINGS.

14 Q AND YOU WOULD STAY UP ALL NIGHT.

15 A I WOULD STAY UP ALL NIGHT.

16 Q AND WHEN MARY SUE GOT HOME Y'ALL WOULD GET SOME  
17 BREAKFAST?

18 A THAT'S CORRECT.

19 MR. POPE: YOUR HONOR, MR. MORTON IS  
20 TESTIFYING.

21 MR. MORTON: I'M TRYING TO JUST MOVE IT  
22 ALONG.

23 THE COURT: I KNOW BUT THEY ARE LEADING  
24 QUESTIONS.

25 Q SO WAS IT YOUR CUSTOM TO STAY UP ALL NIGHT AND

1 THEN GO TO BED WITH MARY SUE IN THE MORNING?

2 A THAT'S, THAT'S MY NORMAL, THAT WAS WHAT I  
3 NORMALLY DID UP TO TWO WEEKS PRIOR TO THAT.

4 Q OKAY.

5 A I WOULD SIT UP ON THE COMPUTER. I WOULD HAVE  
6 WATCHED TV. I MEAN IT WAS JUST, I MEAN I JUST, WAS  
7 UP. I ALWAYS BEEN A NIGHT OWL BECAUSE ALL MY JOBS  
8 HAVE BEEN THIRD SHIFT.

9 Q WHEN YOU GOT UP --

10 A ALMOST ALL OF THEM.

11 Q ---THAT NIGHT AT THREE O'CLOCK IN THE MORNING?

12 A RIGHT.

13 Q AND YOU WENT INTO THE, YOU WENT TO THE BATHROOM?

14 A THAT'S CORRECT.

15 Q THEN YOU WENT INTO THE LIVING ROOM, RIGHT?

16 A THAT'S CORRECT. AND I SIT DOWN ON THE COUCH.  
17 THE FIRST THING THAT I NOTICED WAS THAT MY LIVING  
18 ROOM LIGHT WAS ON AND THAT WASN'T NORMAL. THE HALL  
19 LIGHT WAS ON WHEN I COME OUT OF THE BATHROOM. THAT  
20 WAS NOT NORMAL. BECAUSE I HAD ASKED AMANDA DID SHE  
21 TURN THEM OFF AND SHE TOLD ME THAT SHE DID. AND YOU  
22 KNOW, ALL THE NIGHTS WERE OUT, AND, BUT, BUT MY  
23 LIVING ROOM LIGHT WAS ON, MY HALL LIGHT WAS ON, AND  
24 THE PORCH LIGHT WAS ON AND I COULDN'T UNDERSTAND  
25 THAT. IT BOTHERED ME A LITTLE BIT.

1 Q HOW LONG --

2 A THEN I THOUGHT MAYBE SHE DIDN'T TURN THEM OFF,  
3 SO I, AFTER A FEW MINUTES I SAT DOWN ON THE COUCH, I  
4 WAS THINKING, I WAS TRYING TO THINK, I HAPPENED TO  
5 LOOK INTO THE, INTO THE --

6 Q DINING ROOM.

7 A DINING ROOM WHERE THE DRYER WAS AT AND I NOTICED  
8 THAT THE DRYER DOOR WAS OPEN AND THE CLOTHES WERE  
9 SCATTERED SO I FIGURED THAT JESSICA AND KYLA HAD WENT  
10 THERE AND PULLED THEIR CLOTHES, I MEAN JESSICA AND  
11 AMANDA PULLED THEIR CLOTHES OUT LOOKING FOR SCHOOL  
12 CLOTHES AND DIDN'T PUT THEM BACK. THEY DO THAT  
13 OCCASIONALLY.

14 Q HOW LONG DID YOU STAY UP THAT NIGHT?

15 A THAT NIGHT PROBABLY ABOUT 30 MINUTES.

16 Q DID YOU MASTURBATE THAT NIGHT?

17 A FOR THE LIFE OF ME I CAN'T REMEMBER. HONESTLY,  
18 I. -- THAT WASN'T, THERE WAS SOMETHING ELSE THAT I  
19 NORMALLY DO AT NIGHT AND I'M KIND OF ASHAMED OF IT,  
20 BUT, BUT I DO MASTURBATE EVERY ONCE IN A WHILE.  
21 FAIRLY OFTEN ACTUALLY.

22 Q WHAT DO YOU DO WHEN YOU MASTURBATE? WHAT DO YOU  
23 MASTURBATE INTO?

24 A USUALLY A WASH CLOTH OR AN OLD T-SHIRT AND I  
25 DON'T JUST TAKE IT TO THE LAUNDRY BECAUSE I'M AFRAID

1 THAT, FIRST OF ALL, THAT SOMEBODY MIGHT GET A HOLD TO  
2 IT, SO FIRST THING I DO IS I'LL HIDE IT, THE NEXT  
3 MORNING USUALLY WASH IT OUT AND THROW IT IN THE.

4 Q AND WHERE DO YOU USUALLY HIDE IT?

5 A I HAVE ONE SPECIAL HIDING PLACE I HIDE UP UNDER  
6 THE BOOK SHELF IN THE HALL. I'VE ALWAYS DONE THAT.

7 Q ALWAYS PUT IT THERE?

8 A YEAH.

9 Q THEN YOU GET IT IN THE MORNING?

10 A THEN I GET IT EITHER TO, I GET UP THAT MORNING  
11 OR IF I KNEW MARY SUE WAS GOING TO WASH CLOTHES. IF  
12 SHE WASN'T GOING TO WASH CLOTHES THEN IT MAY STAY  
13 THERE A COUPLE OF DAYS. AND I JUST CAN'T REMEMBER.  
14 I MEAN, I'VE THOUGHT ABOUT IT AND THOUGHT ABOUT IT  
15 AND I JUST CAN'T REMEMBER WHETHER I DID OR NOT.  
16 SOMETIMES I THINK MAYBE I DID. SOMETIMES MAYBE I  
17 DIDN'T. I REALLY DON'T KNOW. I CAN'T REMEMBER.

18 Q THEN WHAT YOU DID AFTER YOU STAYED UP FOR 30  
19 MINUTES OR SO, WHAT DID YOU DO?

20 A I WENT TO THE COMPUTER AND TRIED TO PLAY THAT  
21 GAME THAT I HAD BEEN WORKING THERE ON AND GOT BORED  
22 WITH IT BECAUSE IT DIDN'T DO RIGHT. IT WAS CALLED  
23 AGES OF EMPIRE AND I WAS TO CREATE MY OWN LITTLE  
24 SCENARIO AND I DIDN'T DO IT RIGHT SO IT MESSED UP AND  
25 I GOT KILLED REAL QUICK AND I GOT MAD AND I SAID WELL

1 NEVER MIND AND I PUT THE COMPUTER UP AND I WENT BACK  
2 AND GOT IN THE BED.

3 Q YOU PUT YOUR CPAP MACHINE ON, RIGHT?

4 A THAT'S CORRECT.

5 Q PULL YOUR COVERS OVER YOUR HEAD?

6 A THAT'S CORRECT.

7 Q SORRY. DID YOU CLOSE THE DOOR?

8 A NO, I DON'T CLOSE MY DOOR. MY DOOR DON'T SHUT.

9 AS A MATTER OF FACT --

10 Q WHAT ABOUT AMANDA'S DOOR?

11 A AMANDA'S DOOR WAS CLOSED WHEN I WENT TO THE  
12 BATHROOM AND THE REASON THAT I REMEMBER THIS IS  
13 BECAUSE I STEPPED OUT OF THE BATHROOM AND KYLA HAS A  
14 TENDENCY TO TAKE THE COVER OFF OF HER AND THEY HAVE A  
15 FAN ON, AND ONE REASON THAT THE FAN IS THERE IS TO  
16 PREVENT ROACHES FROM CRAWLING ALL OVER THE BED AND  
17 CRAWLING ALL OVER THEM, THE FAN'S TURNED ON THEM TO  
18 KEEP THE ROACHES AWAY FROM THEM, AND AT NIGHT, THAT'S  
19 THE MAIN PROBLEM. I KNOW THAT ---

20 Q SO YOU LOOKED IN ON KYLA AND JESSICA?

21 A I JUST, IT WASN'T THAT I LOOKED IN AS I WALKED  
22 TO THE DOOR AS I WAS WALKING OUT OF THE BATHROOM I  
23 COULD PEER RIGHT ACROSS AND I SEEN, OKAY, SHE'S FINE  
24 AND I'M NOT GOING TO WORRY ABOUT THEM.

25 Q WERE THEIR LIGHTS ON?



1 A THEIR LIGHT STAYS ON. THEY ARE AFRAID OF THE  
2 DARK. WELL, SHE'S AFRAID OF THE DARK. KYLA IS NOT.  
3 JESSICA IS.

4 Q JESSICA IS.

5 A JESSICA IS AFRAID OF DARK. THEY DON'T, I DON'T  
6 UNDERSTAND, YOU KNOW.

7 Q SO YOU WOKE UP, YOU WENT BACK TO BED, AND YOU  
8 WOKE UP THAT NEXT MORNING AT SIX O'CLOCK?

9 A THAT'S CORRECT.

10 Q WHEN THE ALARM WENT OFF?

11 A THAT'S CORRECT.

12 MR. POPE: AGAIN, I KNOW MR. MORTON IS  
13 TRYING TO SPEED IT UP BUT HIS CLIENT HAS GOT TO  
14 TESTIFY, NOT MR. MORTON.

15 Q WHEN YOU DID YOU WAKE UP THAT MORNING?

16 A I WOKE UP AT WHAT I THOUGHT WAS SIX O'CLOCK IN  
17 THE MORNING. UH, THE REASON THAT I WOKE UP WAS THE  
18 TELEPHONE, THE TELEPHONE RING, IT WOKE ME UP. THE  
19 ALARM CLOCK WAS ALREADY BUZZING OFF. I CAN'T HEAR  
20 THE ALARM CLOCK BECAUSE OF THE FAN AND THE MACHINE,  
21 BUT I CAN TELL HEAR THE TELEPHONE. IT HAS A DISTINCT  
22 RING AND SO I, I HEARD THE PHONE. I JUMPED UP AND I  
23 JUST, WHAT IT WAS I ROLLED OVER, AND I JUST CALLED  
24 FOR AMANDA. THAT'S THE NORMAL ROUTINE. I CALLED, I  
25 JUST SAID, AMANDA, AND AMANDA USUALLY WILL SAY, SIR.

1 AND I CAN HEAR HER, AND SHE'LL SAY THE SAME WAY, SIR.

2 AND I'LL SAY IT'S TIME TO GET UP. AND SHE'LL SAY

3 YES, SIR. BUT THAT MORNING SHE DIDN'T SAY NOTHING.

4 Q YOU HAD BEEN READING, BILLY, YOU SAID A BOOK

5 ABOUT THE LEFT BEHIND SERIES, WHAT IS THAT?

6 A IT WAS, IT'S A BOOK THAT WAS WRITTEN BY TIM

7 LAHAYE AND JERRY B. JENKINS, IT'S A SERIES OF BOOKS

8 AND IT TALKS ABOUT THE RAPTURE OF THE CHURCH. I HAD

9 THE, I HAD THE VIDEOS OF IT AND I HAD THE BOOKS.

10 I'VE READ ALL THE BOOKS. I THINK THERE ARE STILL TWO

11 LEFT IN THE SERIES THAT I HADN'T READ. I READ THREE

12 I THINK SINCE I'VE BEEN IN THE JAIL.

13 Q SO AFTER AMANDA DIDN'T HEAR YOUR CALL THE SECOND

14 TIME, WHAT DID YOU DO?

15 A THEN I GOT WORRIED AND THEN I STARTED TO THINK

16 ABOUT OVER IN THAT THAT NIGHT I HAD A DREAM ABOUT THE

17 RAPTURE. THAT'S NOT SOMETHING NORMAL FOR ME. I

18 ALWAYS CONSTANTLY THINKING ABOUT THE RAPTURE GOING TO

19 HEAVEN, AND I KNOW THAT, IN MY OPINION, THAT

20 MASTURBATION IS A SIN. I MEAN STRAIGHT, THAT'S MY

21 OWN OPINION, MASTURBATION IS A SIN, AND I'VE ALWAYS

22 BEEN AFRAID THAT --

23 Q YOU WOULD BE LEFT BEHIND?

24 A I WOULD BE LEFT BEHIND AND.

25 Q SO YOU CALLED AMANDA?

1       A     I GOT CONCERNED BECAUSE OF THE DREAM.  I THOUGHT  
2       WELL MAYBE, YOU KNOW, MAYBE THE RAPTURE HAS TAKEN  
3       PLACE OR MAYBE I'M JUST LEFT BEHIND AND I GOT UP AND  
4       I STARTED TO WALK, TIP TOE TO THE GIRLS.  I KNEW IF  
5       THE GIRLS WERE STILL IN THERE THEN EVERYTHING WAS  
6       OKAY.  SO I STARTED WALKING, I TRIPPED OVER THE CHORD  
7       OF MY FAN AND IT CAME UNPLUGGED.  IT WAS PLUGGED INTO  
8       THAT PLUG I THINK Y'ALL SAW IT ON THE SCREEN.  THERE  
9       WAS A DROP CHORD THAT COME OUT OF THE BATHROOM WHERE  
10      THAT I HAD THE FAN PLUGGED UP IN THERE AT THE BOTTOM  
11      OF THAT DROP CHORD AND THE, I TRIPPED OVER THE CHORD  
12      AND I REMEMBER BECAUSE IT SCARED ME AND THEN I WENT  
13      ON STARTED WALKING AND I TIP TOED INTO THE ROOM AND I  
14      SEEN THEM AND I WAS, I WAS HAPPY THAT THEY WEREN'T,  
15      BUT THEN I COULDN'T UNDERSTAND WHY AMANDA -- I  
16      SCREAMED AMANDA'S NAME AS LOUD AS I COULD.  WELL, I  
17      GUESS I WOKE JESSICA UP BECAUSE I STARTED PUSHING AND  
18      BEATING ON THE DOOR, ON AMANDA'S DOOR, AND IT GAVE,  
19      AND AS IT GAVE THERE WAS, THERE IS TWO, THE TWO DOOR  
20      HANDLES, THE DOOR HANDLE THAT'S IN HER CLOSET AND THE  
21      DOOR HANDLE ON HER DOOR, THEY COME AND THEY LOCKED  
22      AROUND EACH OTHER AND I COULDN'T GET THE DOOR OPEN.  
23      I DIDN'T KNOW THAT'S WHAT IT WAS AT FIRST.  I THOUGHT  
24      SOMEBODY OR SOMETHING WAS ON THE OTHER SIDE OF IT  
25      HOLDING IT, THAT'S THE WAY IT FELT, AND I WAS PUSHING

1 AND FINALLY I GOT MAD AND I KICKED THE DOOR AND WHEN  
2 I KICKED THE DOOR IT SWUNG THE TWO DOORS OPEN AND  
3 THAT'S WHEN I SEEN AMANDA. AND I MEAN, I SAW, I SAW  
4 UH, A BLUISH PURPLE CHILD LAYING THERE IN THE BED AND  
5 I DIDN'T KNOW WHAT HAPPENED. AND I RAN TO HER AND I  
6 STARTED SCREAMING OH, AMANDA. WHEN I GOT TO HER SHE  
7 WAS LAYING WITH HER HANDS LIKE THIS RIGHT HERE. SHE  
8 WAS LAYING FACE DOWN. HER SHIRT WAS RAISED UP TO  
9 ABOUT WHERE HER NECK, ABOUT HER NECK LINE, AND HER  
10 PANTS WAS UP. HER CLOTHES WAS ON HER. THERE WAS NO  
11 COVER ON HER. AND I TOOK HER AND I ROLLED HER LIKE,  
12 JUST A LITTLE BIT, AND I SEEN THE SIDE OF HER BREAST  
13 RIGHT HERE, AND I REACHED RIGHT HERE AT THIS PART OF  
14 THE SHIRT AND PULLED AND WHEN PULLED, HER HANDS JUST  
15 DROPPED DOWN, AND THAT'S WHEN I SAW THE GREEN THAT  
16 WAS WRAPPED AROUND HER NECK AND I THOUGHT, THE FIRST  
17 THING I THOUGHT WAS THAT SHE HAD GOT CAUGHT IN HER,  
18 IN THE BLANKET THAT I TOLD THEM TIME AND TIME AND  
19 TIME AGAIN NOT TO TAKE TO BED WITH THEM. THAT WAS A  
20 BLANKET THAT WE KEPT ON THE COUCH. I THOUGHT SHE HAD  
21 WRAPPED THAT BLANKET AROUND HER THROAT AND SHE WAS  
22 STRUGGLING TO GET IT LOOSE, THAT'S WHY HER HANDS WAS  
23 LIKE THIS. I NOTICED HER MOUTH WAS PUFFED IN. IT  
24 WAS JUST PUSHED IN AND HER LIPS WERE REAL BIG AND HER  
25 MOUTH WAS OPEN AND ALL I COULD SEE WAS HER TONGUE

1        LIKE THAT HERE.    IT LOOKED LIKE HER TONGUE ROLLED  
2        BACK AND JUST STICKING UP LIKE THAT AND THERE WAS  
3        BLOOD RIGHT DOWN THE SIDE OF HER MOUTH.    AND I  
4        THOUGHT, I DIDN'T, I THOUGHT THAT SHE HAD STRUGGLED  
5        AND THERE WAS A VIDEO GAME IN FRONT OF HER.    I KNEW  
6        SHE LOVED THAT GAME.    IT WAS A LITTLE HAND HELD VIDEO  
7        GAME AND I THOUGHT SHE HAD STRUGGLED BACK AND FORTH  
8        AND TRIED TO GET IT AND BUSTED HER MOUTH.    I DIDN'T  
9        KNOW WHAT HAPPENED.    I WENT STRAIGHT AND, WELL, AT  
10       THAT TIME I WAS HOLDING HER AND I PICKED HER UP AND I  
11       HELD HER AND I SAID OH, AMANDA AND I STARTED CRYING.  
12       AND JESSICA AND KYLA WALKED INTO THE ROOM.    WELL,  
13       ACTUALLY THEY DIDN'T WALK IN THE ROOM, THEY RAN INTO  
14       THE ROOM, AND ALL THIS TOOK PLACE IN JUST A, A MATTER  
15       OF A FEW SECONDS.    IT TAKES A FEW MINUTES TO SAY IT,  
16       BUT IT ALL HAPPENS SO QUICKLY.    I'M HOLDING HER AND  
17       JESSICA WALKS IN THE ROOM AND SHE SAYS DADDY, DADDY,  
18       AND SHE SCREAMS IS SHE, IS SHE DEAD AND I SAID YES.  
19       AND I SAID NOW GO GET ON THE COUCH AND PRAY BECAUSE  
20       NOW AMANDA IS WITH JESUS.    AND WHEN, AFTER HER HANDS  
21       HAD DONE LIKE THAT, I JUST TOOK AND LAID HER BACK  
22       DOWN AND SHE ROLLED OVER ON HER BACK AND SHE WAS LIKE  
23       THIS RIGHT HERE.    AND I RAN.    I SAID I GOT TO CALL  
24       911.    THAT'S THE FIRST THING I DONE, BUT I KNEW FROM  
25       PAST EXPERIENCE THAT YOU HAVE TO BE REAL CALM WHEN

1 YOU TALK TO 911. I USED TO WORK FOR THE RED CROSS.  
2 I WAS, THIS IS BEFORE I WAS OUT OF HIGH SCHOOL. I  
3 WAS A VOLUNTEER FOR THE DIASTER TEAM.

4 Q SO YOU CALLED 911?

5 A AND I CALLED 911. AND I WAS BEING DESCRIPTIVE  
6 TRYING TO EXPLAIN TO THEM WHAT WAS GOING ON.

7 Q IS THAT THE FIRST PERSON YOU CALLED?

8 A THAT WAS THE VERY FIRST PERSON I CALLED. THE  
9 NEXT PERSON AND THEN WHILE I WAS ON THE PHONE WITH  
10 THEM, I TOLD THEM I NEEDED TO GO AND CALL MY WIFE, SO  
11 I STARTED TRYING TO GET IN TOUCH WITH MY WIFE. I  
12 KEPT GET AN ANSWERING MACHINE FROM HER WORK AND SO I  
13 CALLED TAMMY, MY SISTER-IN-LAW, MY BROTHER WORKS  
14 THERE WITH MY WIFE, SO I CALLED HER. I SAID DO YOU  
15 KNOW OF ANOTHER NUMBER. AND SHE SAID NO. SHE SAID  
16 THAT'S THE ONLY NUMBER I KNOW OF AND I GAVE HER THE  
17 NUMBER THAT MARY SUE HAD GIVEN ME TO CALL. I SAID DO  
18 YOU HAVE AN EMERGENCY NUMBER THAT I CAN CALL AND SHE  
19 SAID NO. AND I SAID A GUARD'S NUMBER. SHE SAID NO.  
20 I DON'T HAVE NOBODY ELSE I CAN GIVE YOU THAT YOU CAN  
21 CALL. I SAID WELL. SHE SAID WHAT'S WRONG. AND I  
22 SAID I JUST FOUND AMANDA IN THE BED AND SHE'S DEAD.  
23 AND SHE SCREAMED WHAT. AND AFTER THAT, I SAID LOOK I  
24 CAN'T TALK RIGHT NOW. I'VE GOT TO CALL, I GOT TO  
25 CALL MY MOMMA. I HATED TO DO THAT. THAT WAS THE

1 HARDEST THING I HAD TO DO WAS I CALLED MY MOM. AND I  
2 SAID MOM YOU NEED TO SEND DADDY OVER HERE AND SHE  
3 SAID WHAT'S WRONG AND I SAID I JUST FOUND AMANDA DEAD  
4 IN THE BED. AND SHE SAID, SHE SAID, AND SHE, HER  
5 FIRST WORD WAS, OH DEAR LORD, NO. OH, NO. NO. AND  
6 I SAID, MOMMA, I SAID, PLEASE CALM. I DON'T WANT YOU  
7 TO HAVE ANOTHER HEART ATTACK OR STROKE PLEASE JUST  
8 CALM DOWN. EVERYTHING WILL BE FINE. BUT PLEASE JUST  
9 GET DADDY OVER HERE. HE CAME OVER AND HE GOT THE  
10 GIRLS AND TOOK THEM BACK TO THE HOUSE. THE POLICE  
11 HAD DONE BEEN TO THE HOUSE. THE FIRE DEPARTMENT WAS  
12 ALREADY THERE. THEY, THEY KEPT INTERRUPTING MY PHONE  
13 CALLS WANTING ME TO TALK TO THEM AND I WOULD TALK TO  
14 THEM FOR A FEW MINUTES AND I'D CALL THE NEXT PERSON.  
15 THE NEXT PERSON I CALLED WAS THE PREACHER. I GOT MY  
16 PREACHER TO COME OVER. AND ACTUALLY HE WAS THE  
17 SECOND PERSON OUT OF THE FAMILY MEMBERS AND FRIENDS  
18 THAT CAME. MY DAD WAS THE FIRST PERSON THEN THE  
19 PREACHER GOT THERE, BUT THEY HAD ALREADY PUT THE  
20 YELLOW TAPE UP.

21 Q HOW MANY TIMES IN THE LAST THREE YEARS, BILLY,  
22 HAVE YOU HAD TO TELL THIS STORY?

23 A I'VE HAD TO TELL THIS STORY PROBABLY, I CAN'T  
24 TELL YOU. I MEAN, I'VE TOLD IT TO YOU. I'VE TOLD IT  
25 TO PHIL. I'VE TOLD IT TO MIKE. I'VE TOLD IT TO

1 DAVID. I'VE TOLD IT TO JOHN BLOOM. I TOLD IT TO  
2 CAROL. I'VE TOLD IT TO A BUNCH OF PEOPLE.

3 Q YOU'VE TOLD IT TO --

4 A IT WAS CONSTANTLY. IT WAS JUST --

5 Q YOU TOLD IT TO FAMILY?

6 A I TOLD THE DOCTOR.

7 MR. POPE: OBJECTION TO LEADING, YOUR  
8 HONOR.

9 THE COURT: YES.

10 A I'VE TOLD IT TO MY BROTHER ON THE JAIL PHONES.  
11 I'VE TOLD IT TO EVERYBODY AND.

12 Q LET ME ASK YOU THIS. WHAT ABOUT BEING ON THE  
13 COMPUTER THAT MORNING?

14 A THE COMPUTER, THAT'S, THAT'S ABSOLUTELY NOT  
15 TRUE. I HEARD WHAT EVERY ONE OF THOSE GUYS SAID, AND  
16 IT'S NOT TRUE. I THINK ONE PERSON PICKED UP ON IT  
17 AND EVERYONE WANTED TO TAKE OFF, TAKE OFF WITH THAT.  
18 THAT'S NOT TRUE. I WAS NOT, I HAD DRUG THE PHONE, I  
19 DIDN'T HAVE MY CLASSES ON. I CAN BARELY MAKE OUT A  
20 MAN STANDING THERE WITH MY GLASSES OFF. BUT I COULD  
21 NOT SEE THE PHONE. I DRUG THE PHONE IN FRONT OF THE  
22 COMPUTER AND LOOKED DOWN TO DIAL THE NUMBERS. I  
23 COULD NOT, I COULDN'T SEE THE COMPUTER. I COULDN'T  
24 HAVE SEEN TO GET ON THE COMPUTER AT ALL IF I WANTED  
25 TO. MY GLASSES WERE STILL IN THE BEDROOM.



1 Q DID YOU TELL THE PEOPLE THAT FIRST CAME, WHAT I  
2 CALL THE FIRST RESPONDERS, THAT AMANDA HAD BEEN DEAD  
3 FOR FOUR HOURS?

4 A ABSOLUTELY NOT. I SAID FOR HOURS, NOT FOUR  
5 HOURS. I SAID -- I SAID SHE'S BEEN DEAD FOR HOURS.  
6 THE ONLY REASON I TELL THAT WAS BECAUSE FIRST I HAD  
7 BEEN TRAINED THROUGH THE RED CROSS ABOUT THAT AND I  
8 KNEW THAT SOME PART OF RIGOR MORTIS HAD SET IN WHEN  
9 SHE DROPPED OVER LIKE SHE WAS AND SHE PARTIALLY  
10 STIFF. I KNEW SHE HAD BEEN DEAD AT LEAST AN HOUR AND  
11 I SAID FOR HOURS. I DIDN'T SAY FOUR HOURS.

12 Q WHAT ABOUT HER CLOTHING?

13 A HER CLOTHING WAS ON HER AND I SAID COVER. I  
14 DIDN'T SAY NO CLOTHING. I NEVER, I THINK WHAT HAPPEN  
15 WAS I SAID SHE HAD NO CLOTHES I MEANT NO COVER ON.  
16 AND THEY WENT, AND THEN THE OTHER, THE OTHER PERSON  
17 JUST FOLLOWED SUIT WITH THAT PERSON. THEY GOT BACK  
18 TO THE STATION AND SAID IS IT TRUE THAT SHE SAID THIS  
19 AND I MEAN HE SAID THIS AND THAT'S THE WAY, THAT'S  
20 NOT TRUE. SHE HAD CLOTHES ON WHEN I WENT IN THAT  
21 ROOM.

22 Q WHAT HAPPENED AFTER EVERYBODY CAME OVER THERE?

23 A UH, AFTER EVERYBODY, THERE WAS SO MANY PEOPLE  
24 COMING IN AND OUT OF THE HOUSE, ONE OFFICER WOULD  
25 STOP AND TALKED A FEW MINUTES AND ANOTHER PERSON

1 WOULD STOP AND TALKED TO ME A FEW MINUTES. THE  
2 PARAMEDICS STOPPED ME AND ASKED ME SOME QUESTIONS.  
3 OFFICER JORDAN STARTED TALKING TO ME AND THEN I  
4 COULDN'T TAKE IT NO MORE. I MEAN. I WAS STILL, I  
5 WAS STILL IN A STATE OF SHOCK. I COULDN'T BELIEVE  
6 THAT HAD HAPPENED. YOU KNOW. I DIDN'T KNOW, I  
7 THOUGHT SHE HAD STRANGLERD HERSELF AND EVEN ONE OF THE  
8 OFFICER'S SAID OH, YOU MEAN, YOU THINK SHE KILLED  
9 HERSELF AND I SAID I DON'T THINK SHE HAD NO TENDENCY  
10 OF COMMITTING SUICIDE, IF THAT'S WHAT YOU ARE TALKING  
11 ABOUT. NO, I DON'T THINK THAT. AND HE SAID AND HE  
12 GOES WELL, WHAT DO YOU THINK HAPPENED. AND I SAID,  
13 EXACTLY WHAT I'VE BEEN TELLING YOU. I BELIEVE I  
14 THOUGHT SHE HAD ROLLED AROUND IN HER SLEEP, GOT  
15 CAUGHT AND COULDN'T GET LOOSE, AND HER FINGERS, SHE  
16 JUST COULDN'T GET HER AIR AND SHE DIED AND SHE DIED.  
17 I DIDN'T KNOW ALL THE OTHER STUFF. I DIDN'T KNOW  
18 ANYTHING. THE POLICE STARTED PIECING THINGS  
19 TOGETHER.

20 Q HOW -- DID YOU TAKE THE GREEN STRIP?

21 A I TOOK THAT GREEN WRAP OFF OF HER NECK BECAUSE  
22 JESSICA, JESSICA WAS STANDING THERE. THAT'S WHAT I  
23 WAS DOING WHEN THEY COME IN THE ROOM AND IT WAS  
24 WRAPPED AROUND HER NECK AND THEY EVEN THOUGHT IT.  
25 JESSICA TOLD MY MOM THAT SHE THOUGHT THAT IT WAS,

1            THAT IT WAS HER FAULT BECAUSE SHE WAS GOING TO CUT  
2            THAT OFF A COUPLE DAYS PRIOR TO THAT AND SHE DIDN'T  
3            DO IT AND SHE REALLY FELT LIKE IT WAS HER FAULT FOR A  
4            LONG TIME.

5            Q        AT ONE POINT HOW WERE YOU REACTING THAT MORNING,  
6            DID THE PREACHER HAVE TO TELL YOU TO GET OUT OF WAY  
7            AT SOME POINT?

8            A        LIKE I SAID I HAD, ONE OFFICER EVEN SAID IT, HE  
9            QUOTED, YOU NEED TO COME HOME. MY WIFE CALLED. I  
10          SAID YOU NEED TO COME HOME. AFTER I HAD TALKED WITH  
11          MY WIFE, I CAN'T COULDN'T, I COULDN'T FUNCTION NO  
12          MORE. I WAS, I LAID DOWN ON THE FLOOR AND WAS JUST  
13          CRYING, LAYING UP AGAINST A CHAIR. THE CHAIR THAT  
14          WAS PUSHED UP AGAINST THE WALL THERE IN THE  
15          PHOTOGRAPH, I WAS LAYING AGAINST THAT CHAIR CRYING,  
16          SPRAWLED OUT IN THE FLOOR AND 385 POUNDS, I WAS  
17          LAYING THERE IN THE FLOOR AND MY PASTOR SAID, MY  
18          PASTER WALKED UP AND SAYS YOU NEED TO GET UP.

19                    MR. POPE: YOUR HONOR, I TRIED TO ALLOW  
20          SOME LATITUDE BUT I OBJECT TO HEARSAY AGAIN. WE KEEP  
21          BRINGING OTHER PEOPLE IN, THE MOTHER SAID AND  
22          DAUGHTER SAID AND I TRIED TO GIVE SOME LATITUDE AND I  
23          OBJECT TO HEARSAY.

24                    MR. MORTON: AND I APPRECIATE IT, MR.  
25          POPE.

1                   THE COURT:  THIS IS PROBABLY A GOOD TIME  
2                   TO TAKE A SHORT BREAK TOO.  WE CAN STOP FOR A MINUTE.  
3                   WE'LL TAKE A SHORT REFRESHER BREAK.

4                                    (THE JURY EXITS THE COURTROOM AT 10:39  
5                   AM.)

6                   THE COURT:  MR. MORTON, I KNOW YOU ARE  
7                   TRYING TO MOVE THINGS ALONG BUT YOU HAVE ASKED AN  
8                   AWFUL LOT OF LEADING QUESTIONS.  MOST OF THEM HADN'T  
9                   BEEN OBJECTED TO.

10                   MR. MORTON:  I'M SORRY.  I'M JUST TRYING  
11                   TO LEAD HIM ALONG.

12                   THE COURT:  BUT WHEN, BUT LET'S, AND ALSO  
13                   THERE HAS BEEN A LOT OF HEARSAY.  MOST OF IT PROBABLY  
14                   DOESN'T GO TO THE TRUE OF THE MATTER ASSERTED SO  
15                   PROBABLY NOT THAT, NOT TO SAY NOT IMPORTANT BUT IT  
16                   HASN'T BEEN OBJECTED TO.  I ANTICIPATE PROBABLY WILL  
17                   BE SOME MADE AND OF COURSE IF IT'S HEARSAY I'LL HAVE  
18                   TO GRANT THEM SO I AM JUST MAKING THOSE COMMENTS,  
19                   EDITORIAL I GUESS.

20                   MR. MORTON:  I JUST WANT TO EXPLAIN TO  
21                   HIM --

22                   THE COURT:  HE'S NOT SUBJECT TO CROSS  
23                   EXAMINATION YET, DO YOU MIND IF HE.

24                   MR. POPE:  I DON'T THINK IT IS APPROPRIATE  
25                   ONCE A WITNESS IS ON THE STAND.

1 THE COURT: OKAY. AGAIN I DON'T WANT TO  
2 BE COACH BUT IF HE GETS INTO HEARSAY IT MIGHT BE  
3 PRUDENT TO JUST STOP HIM.

4 MR. MORTON: STOP HIM BEFORE THEY DO.

5 THE COURT: OKAY. THANK YOU. MR. COPE,  
6 YOU CAN STEP DOWN AND THEY WILL LET YOU USE THE  
7 RESTROOM AND GET SOME WATER.

8 (COURT IS IN RECESS.)

9 (COURT RESUMES AT 10:52 AM.)

10 THE COURT: LET'S BRING IN THE JURY.

11 (THE JURY RETURNS TO THE COURTROOM AT  
12 10:53 AM.)

13 THE COURT: ALL RIGHT.

14 DIRECT EXAMINATION CONTINUED BY MR. MORTON:

15 Q I THINK WE WERE AT THE POINT THAT MORNING, LET  
16 ME ASK YOU, LET ME BACK UP A MINUTE. SEE THESE TWO  
17 LOCKS THAT HAVE BEEN INTRODUCED DEFENSE EXHIBITS 74  
18 AND 73?

19 A YES, SIR.

20 Q DO YOU KNOW WHAT KIND OF LOCKS WERE ON YOUR  
21 FRONT DOOR?

22 A YES, SIR. THIS IS A DEAD LOCK AND THIS IS A  
23 REGULAR LOCK, AND I HAD, AT WALMART I'VE SEEN THE  
24 TWO, THE TWO LOCKING MECHANISM AT WALMART. WE HAD TO  
25 GET A NEW LOCK TO PUT ON THE LOCK BECAUSE I DIDN'T

1 TRUST, YOU KNOW, THE NEIGHBORHOOD AFTER WE MOVED IN  
2 SO I ASKED MY LANDLORD WILL HE PUT NEW LOCKS ON AND  
3 HE ACTUALLY SAID NO, THAT WE COULD GET ANOTHER SET  
4 AND PUT ON, SO WE WENT AND BOUGHT LOCK SET AND PUT  
5 ON. AND I DID NOT PUT A DEAD LOCK. IT WOULD, THE  
6 DEAD LOCK COSTED A LITTLE BIT MORE AND I DIDN'T HAVE  
7 THE MONEY FOR THAT.

8 Q LET ME ASK YOU ABOUT THIS FLASHLIGHT, IS THAT  
9 YOUR FLASHLIGHT?

10 A NO, SIR.

11 Q HAD YOU EVER SEEN THAT FLASHLIGHT BEFORE?

12 A NO, SIR. WHEN I WAS ASKED ABOUT A RED  
13 FLASHLIGHT I THOUGHT ABOUT THE RED FLASHLIGHT, IT'S  
14 NOT A RED FLASHLIGHT, IT'S A PINKISH, HOT PINKISH  
15 FLASHLIGHT THAT WE HAVE, BUT WHEN I SAW THAT ONE  
16 IMMEDIATELY KNEW THAT WAS NOT OUR FLASHLIGHT. I  
17 DON'T KNOW WHERE THAT FLASHLIGHT COME FROM. WE HAD A  
18 HOT PINK ONE AND A BLACK ONE. THEY COME IN A PACKET  
19 EVER READY PUTS THEM OUT WITH TWO EVER READY  
20 BATTERIES. WE GOT THEM AT DOLLAR GENERAL ON SALUDA  
21 STREET.

22 Q BACK TO THAT MORNING, WERE YOU THERE WHEN MARY  
23 SUE CAME HOME?

24 A I WAS. SOMEBODY, I DON'T REMEMBER WHO IT WAS,  
25 SOMEBODY SAID MARY SUE IS HERE AND I THOUGHT, YOU

1 KNOW, I NEED, I DIDN'T EVEN PUT ON MY SHOES. I WAS  
2 STILL STANDING IN MY SWEAT PANTS, MY DAUGHTER'S SWEAT  
3 PANTS.

4 Q BLACK SWEAT PANTS?

5 A I THINK THEY WERE --

6 Q DARK GREEN COLOR.

7 A DARKISH GREEN COLOR, NOT DARK BLACK, I DIDN'T  
8 SAY DARK BECAUSE IT'S BEEN SO LONG.

9 Q THEY ARE THE ONES THAT HAVE BEEN PUT IN EVIDENCE  
10 TODAY OR TWO WEEKS AGO, WHATEVER IT WAS?

11 A YES, SIR, IT WAS THE SAME PANTS.

12 Q AND THAT WAS WHAT YOU WERE WEARING THAT MORNING?

13 A I WAS ALSO WEARING A BLUE SHIRT AND.

14 Q WHEN YOU GOT UP THAT MORNING WHAT WERE YOU  
15 WEARING?

16 A THAT NIGHT, THAT MORNING WHEN I GOT UP THERE WAS  
17 ONLY, JUST MY PANTS IS ALL I HAD ON.

18 Q YOU DIDN'T HAVE A SHIRT ON?

19 A NO, I DIDN'T.

20 Q DIDN'T HAVE ANY SHOES ON?

21 A NO, I DID NOT.

22 Q SO WHEN MARY SUE GOT HOME, WHAT DID YOU DO?

23 A I RAN OUT THE DOOR, CRAWLED UP UNDER THE TAPE,  
24 AND KEPT WALKING AND I MET HER IN FRONT OF THE  
25 NEIGHBOR'S YARD JUST ON THE, BEYOND THE FENCE, AND ME

1       AND HER STOOD THERE AND SHE CRIED ON MY SHOULDERS,  
2       AND WE, WE, I TRIED TO EXPLAIN TO HER WHAT WAS GOING  
3       ON THAT I KNEW AND I TOLD HER THE SAME THING THAT  
4       I 'VE BEEN SAYING ALL ALONG, THAT SHE HAD WRAPPED THAT  
5       GREEN THING HER AROUND THROAT AND IT HAD, SHE HAD  
6       CHOKED HERSELF. I THOUGHT SHE WAS STRUGGLING WITH IT  
7       TRYING TO GET IT OFF.

8       Q     AFTER, DID YOU STAY OUTSIDE THEN?

9       A     ACTUALLY YES, I DID. AS A MATTER OF FACT,  
10       THAT'S WHERE THE INVESTIGATOR WAYNE JORDAN CAME AND  
11       GOT ME, HE SAID MR. COPE, THEY WOULD LIKE FOR YOU TO  
12       COME DOWNTOWN WITH US TO TALK TO SOME OF THE PEOPLE.  
13       WE WOULD LIKE TO, HAVE AN FORMAL INTERVIEW WITH YOU,  
14       AND I SAID OKAY. SO HE SAID WOULD YOU MIND GOING  
15       BACK IN THE HOUSE AND GET YOUR SHOES AND YOUR SHIRT  
16       ON AND I WENT IN AND I GOT A BLUE SHIRT, A BIG, AS A  
17       MATTER OF FACT, IT WAS BIGGER THAN I WAS, BUT IT WAS  
18       A BLUE SHIRT THAT MARY SUE GOT ME, AND I GOT MY BLACK  
19       SHOES THAT THE VOC REHAB PURCHASED FOR ME AND THE  
20       THINGS COST OVER \$400 AND I MIGHT ADD, I DIDN'T SEE  
21       THEM IN THE PROPERTY. I WAS JUST WONDERING WHERE  
22       THEY GOT TO.

23       Q     SO THEY TOOK YOU DOWN TO THE POLICE STATION?

24       A     YES, SIR.

25       Q     AND DID YOU GO BACK INTO THE DETECTIVE DIVISION



1 AT THAT POINT OR DID YOU SIT IN THE LOBBY FOR AWHILE  
2 OR DID THEY HANDCUFF YOU OR ANYTHING LIKE THAT?

3 A NO, SIR. I JUST GOT IN THE CAR WITH HIM, WE  
4 RODE UP TO THE POLICE STATION. I WAS IN THE POLICE  
5 STATION FOR A SHORT TIME AND THEN I TALKED, THEY PUT  
6 ME IN THIS LITTLE ROOM, I GUESS IT WAS ABOUT TEN BY  
7 FIVE ROOM. A LITTLE SMALL ROOM. ALL THEY HAD WAS A  
8 CHAIR AND A CARPET AND I SAT IN THAT ROOM FOR A FEW  
9 MINUTES AND THEN OFFICER BURRIS COME AND GOT ME,  
10 BROUGHT ME BACK.

11 Q DETECTIVE BURRIS?

12 A DETECTIVE BURRIS COME BACK AND BROUGHT ME TO  
13 THE, TO HIS OFFICE OR TO A OFFICE AND I SAT DOWN AND  
14 HAD A TALK WITH HIM AND I TOLD HIM THE SAME THING. I  
15 DIDN'T KNOW, YOU KNOW, WHAT HAPPENED. HE TOLD ME  
16 THAT.

17 Q YOU ARE NOT SUPPOSED TO SAY WHAT SOMEBODY ELSE  
18 TOLD YOU BUT AS A RESULT OF THAT CONVERSATION.

19 A OKAY.

20 Q WHAT DID YOU DO?

21 A I LEARNED, I LEARNED THAT MY DAUGHTER WAS  
22 POSSIBLY SEXUALLY ASSAULTED. I DIDN'T KNOW THAT.  
23 THEY ASKED ME WOULD I GO DOWNTOWN.

24 Q DOWNTOWN?

25 A I MEAN DOWN TO THE HOSPITAL TO THE.

1 Q PIEDMONT?

2 A TO HAVE A DNA SAMPLE DONE AND I TOLD HIM YEAH,  
3 SURE, I DON'T HAVE NO PROBLEM. I DON'T HAVE NOTHING  
4 TO HIDE. I WILL DO WHATEVER YOU WANT ME TO DO.  
5 DIDN'T MAKE ME NO DIFFERENCE.

6 Q WHAT DID THEY DO? WHAT DID THEY TAKE FROM YOU?

7 A THEY TOOK BLOOD. THEY TOOK PUBIC HAIR. THEY  
8 TOOK HAIR FROM HERE AND HERE. THEY TRIED TO GET SOME  
9 HERE BUT YOU KNOW, THERE IS NONE THERE, AND ALSO THEY  
10 TOOK HAIR FROM MY CHEST. THEY TOOK A PIECE OF FOAM  
11 AND THEY PUT IT IN MY MOUTH AND THEY TOLD ME TO BITE  
12 DOWN ON IT HARD AND I BIT DOWN ON IT AND THEN THEY  
13 TOOK A SWAB, WENT IN MY MOUTH AND GOT A SWABBING FROM  
14 MY MOUTH. AT THAT TIME I DO A LOT, I WATCH A LOT OF  
15 COURT TV AND STUFF LIKE THAT, I WANTED TO LET THEM  
16 KNOW THAT IF THEY FOUND ANY KIND OF SKIN OR ANYTHING  
17 UNDER AMANDA'S FINGERNAILS IT WAS PROBABLY MINE  
18 BECAUSE I HAD HER SCRATCH MY BACK THAT NIGHT. WHILE  
19 WE WERE SITTING ON THE COUCH MY BACK STARTED ITCHING  
20 AND I ASKED HER WOULD SHE SCRATCH MY BACK AND I  
21 RAISED MY SHIRT UP, SHE SCRATCHED MY BACK AND THAT  
22 WAS THE END OF THAT, BUT I DIDN'T WANT TO TAKE NO  
23 CHANCES. I WANTED TO MAKE SURE THEY KNEW EVERYTHING,  
24 THAT I WAS COOPERATING THE BEST I COULD, TELLING THEM  
25 EVERYTHING I KNEW.

1 Q AND DID DETECTIVE BURRIS TAKE YOU BACK TO THE  
2 POLICE STATION?

3 A HE DID TAKE ME BACK TO THE POLICE STATION AND  
4 THEN I WAS, I WAS -- MR. BURRIS TOLD ME TO STEP  
5 OUTSIDE INTO THE LOBBY AND I STEPPED OUTSIDE TO THE  
6 LOBBY AND SAT DOWN AND MY PASTOR WAS OUT THERE. ME  
7 AND HIM HAD A LITTLE BIT OF TALK. HE WAS ASKING ME  
8 HOW I WAS FEELING, THINGS LIKE THAT, TRYING TO  
9 CONSOLE ME, AND THEN AFTER THAT THEY CALLED ME BACK  
10 IN AND I WAS TO TALK WITH LIEUTENANT HERRING.

11 Q HOW LONG, THIS WAS ABOUT 12 I THINK THE  
12 STATEMENT SAID 12:40?

13 A THAT'S CORRECT. IT, I DON'T KNOW EXACTLY HOW  
14 LONG IT LASTED. IT LASTED ABOUT 45 MINUTES I GUESS.  
15 WE SIT AND TALK AND.

16 Q AND THAT WAS YOU AND DETECTIVE BURRIS?

17 A YES, SIR.

18 Q AND LES HERRING?

19 A THAT'S CORRECT, YES.

20 Q OKAY.

21 A YEAH. IT WAS MORE OF ME AND LES HERRING, JUST  
22 BURRIS WAS IN THE ROOM DESCRIBING WHAT I HAD ALREADY  
23 TOLD HIM, AND THEN AFTER THAT THEY TOOK ME, THEY TOLD  
24 ME TO GO BACK IN THE HALL. AT NO TIME DID THEY SAY  
25 YOU ARE FREE TO GO, YOU CAN LEAVE, THEY SAID WOULD

1 YOU PLEASE STEP OUT THERE, WE MAY HAVE FURTHER  
2 QUESTIONS FOR YOU. I STEPPED OUT INTO THE LOBBY AND  
3 SAT THERE FOR MAYBE A COUPLE MINUTES AND MARY SUE  
4 WALKED OUT AND SAT DOWN BESIDE OF ME.

5 Q DID YOU KNOW, REALIZE THAT MAY SUE WAS THERE?

6 A I DID NOT EVEN KNOW MARY SUE WAS THERE. THE  
7 PASTOR DIDN'T GET A CHANCE, I-- HE COULD HAVE TOLD ME  
8 IF HE KNEW BECAUSE I THINK HE BROUGHT HER, IS THE ONE  
9 WHO BROUGHT HER UP THERE, BUT LET'S SEE. SHE LAID  
10 HER HEAD ON MY SHOULDER AND SHE WAS CRYING. SHE SAYS  
11 AND I SAID, I PUT MY ARM AROUND HER AND I HELD HER  
12 AND THEN I WASN'T SURE WHETHER WE WERE, WE COULD  
13 LEAVE OR NOT. I THOUGHT MAYBE THAT ALL I HAD TO WAIT  
14 ON WAS MARY SUE TO COME OUT, SO I WENT TO THE WINDOW  
15 THERE AND I ASKED THAT LADY THAT WAS STANDING AT THE  
16 WINDOW DID SHE MIND, YOU KNOW, TO FIND OUT IF WE  
17 COULD LEAVE AND SHE SAID HOLD ON A MINUTE. WELL, A  
18 FEW MINUTES LATER WE WAS MET BY THIS AFRICAN AMERICAN  
19 LADY. SHE CAME AND GOT US AND BROUGHT US TO THE,  
20 BROUGHT US BACK INSIDE AND SHE SAID UH, FOR THE LIFE  
21 OF ME I CAN'T REMEMBER HER NAME, I'M THINKING ABOUT  
22 ALL THE REPORTS AND ALL THAT HER NAME WAS ANNETTE  
23 DYE. SHE SAID I'M WITH DSS AND WE'RE GOING TO HAVE  
24 TO TAKE YOUR CHILDREN FROM YOU AND SO MARY SUE  
25 STARTED CRYING AND THEN A FEW MINUTES LATER THEY

1 SAID, AFTER WE SIGNED THE PAPERS, THEY TALKED TO US  
2 AND TOLD US THAT THERE WOULD BE A HEARING IN THREE  
3 DAYS AND THEY EXPLAINED TO US THAT IT WAS ALL, YOU  
4 KNOW, BECAUSE OF AMANDA'S DEATH AND THEY DIDN'T KNOW  
5 WHAT WAS GOING ON AND THEY WOULD BE GETTING IN TOUCH  
6 WITH US SOON AND THEY GAVE US THE LITTLE PIECE OF  
7 PAPER THAT STATES YOU HAVE THE COURT APPOINTMENT AND  
8 ALL THAT AND THEN THEY TOLD US TO GO ON BACK OUTSIDE.  
9 AS A MATTER OF FACT, THEY SAID GO BACK OUTSIDE, WE'LL  
10 LET YOU KNOW IF YOU CAN GO, AND ME AND MARY SUE  
11 WALKED BACK OUT AND SET IN THE LOBBY AND A FEW  
12 MINUTES LATER JESSICA AND KYLA CAME WALKING BY THE --  
13 Q DOWN THE HALL?  
14 A WELL, IT WAS OUT, IT WAS LIKE THEY COME OUT.  
15 Q THE BACK?  
16 A OF HERRING'S ROOM OR OUT THE BACK BACK THERE AND  
17 THEY COME AROUND INTO, RIGHT BY US, AND AS THEY DID  
18 THEY WERE TRYING TO GET TO US AND THE WOMAN JERKED  
19 THEM AROUND AND JESSICA DID LIKE THIS RIGHT HERE AND  
20 KYLA SAW HER AND PUT HER HAND UP. WELL, THIS, WE  
21 TAUGHT OUR CHILDREN SIGN LANGUAGE AND THIS IS I LOVE  
22 YOU. STANDS FOR I LOVE YOU AND ALL THREE OF THEM  
23 TOGETHER IS I LOVE YOU AND WE TAUGHT THEM THAT AND  
24 THEY BOTH DID THAT AND WE DID IT BACK TO THEM AND  
25 THEN THEY WENT ON BACK OUT THE DOOR. WELL, A COUPLE

1 MINUTES LATER OUT WALKS ONE OF THE POLICE OFFICERS  
2 AND SAYS Y'ALL ARE FREE TO GO. AND WE GOT INTO THE  
3 CAR WITH THE PASTOR AND WE WENT TO THE HOUSE, WENT TO  
4 MY MOM'S HOUSE.

5 Q AND YOU STAYED AT YOUR MOM'S HOUSE?

6 A THE REST OF THE NIGHT. WE DIDN'T, I LEFT FOR A  
7 BRIEF MAYBE 15 MINUTE RIDE DOWN TO WALGREEN'S TO PICK  
8 UP SOME XANAX, SOME MEDICATION. I HAD CALLED THE  
9 DOCTOR AND ASKED THE DOCTOR TO GIVE ME SOME AND MY  
10 COUSIN DEBBIE ASKED ME WOULD SHE MIND IF I RODE WITH  
11 HER AND SHE WOULD TAKE ME AND I TOLD HER I DON'T  
12 MIND. SO I WAS WITH HER, SHOWED HER WHERE IT WAS AT,  
13 WE WENT INTO THE DRIVE THRU AND THEY HANDED ME THE  
14 PRESCRIPTION AND SHE HANDED THEM THE MONEY. THERE  
15 WAS AN EXCHANGE AND WE LEFT AND WENT STRAIGHT BACK TO  
16 THE HOUSE.

17 Q DID YOU TAKE ONE OF THOSE?

18 A I TOOK ONE ABOUT, ABOUT 30 MINUTES LATER. I  
19 DIDN'T, I MEAN, I SAW WHAT IT DONE TO MY WIFE. I  
20 DON'T KNOW WHAT MY WIFE TOOK BUT WHATEVER SHE TOOK IT  
21 KNOCKED HER OUT. AND I DON'T, I DON'T LIKE TO BE  
22 ASLEEP. I DON'T LIKE TO STAY ASLEEP. I MEAN I WANT,  
23 THE FAMILY WAS THERE, AND I WAS TRYING TO STAY WITH  
24 THE FAMILY TRYING, YOU KNOW, TO CONSOLE THE FAMILY,  
25 BE THE FAMILY, I MEAN. SO I DIDN'T IMMEDIATELY TAKE

1 ONE. I WAITED UNTIL ABOUT, I GUESS ABOUT 9-9:30 THAT  
2 I TOOK IT AND I LAID DOWN ON THE COUCH AND I WAS JUST  
3 ABOUT TO GO TO SLEEP WHEN MY MOM SHAKES ME AND SHE  
4 SAYS, SON, THE POLICE ARE OUT THERE. AND I GOT UP,  
5 WALKED TO THE DOOR, AND HE SAID AND IT WAS OFFICER  
6 HERRING AND I MEAN LIEUTENANT HERRING AND LIEUTENANT  
7 WALDROP AND THEY SAID MR. COPE COULD YOU PLEASE STEP  
8 OUTSIDE WITH US FOR A FEW MINUTES. AND I STEPPED  
9 OUTSIDE DOWN PAST THE STEPS OUT OF, I GUESS HEARING  
10 DISTANCE FROM EVERYBODY BECAUSE THERE WAS PEOPLE  
11 STILL SITTING ON MY PORCH, ON MY MOM'S PORCH, AND I  
12 SAID YES, SIR. HE SAID WE'VE LEARNED A FEW MORE  
13 THINGS ABOUT YOUR DAUGHTER, WE'D LIKE FOR YOU TO COME  
14 DOWNTOWN WITH US, AND WE'LL TELL YOU ALL ABOUT IT.  
15 AT THAT TIME I SAID AM I COMING BACK. AND THE REASON  
16 I SAID THAT WAS BECAUSE I NEEDED TO KNOW IF THEY WERE  
17 BRINGING ME BACK OR IF I WAS GOING TO HAVE TO HAVE  
18 SOMEBODY ELSE COME GET ME OR WHETHER I WAS GOING TO  
19 BE THERE FOR AWHILE. I DIDN'T KNOW. BUT SO HE SAID,  
20 HE SAID WELL WE'LL DISCUSS THAT WHEN WE GET TO THE  
21 STATION. AND I SAID OKAY. AND WE GOT INTO THE CAR  
22 AND STARTED ON THE WAY. WELL, THE INTERROGATION OR  
23 THE INTERVIEW STARTED IN THE CAR. THEY WAS ASKING ME  
24 QUESTIONS ABOUT THE BLANKET. THEY WERE ASKING ME  
25 QUESTIONS THAT ABOUT---THEY ASKED, OH YEAH. THEY

1 ASKED ME ABOUT WAS I SURE, TALKING ABOUT THE DOORS  
2 BEING LOCKED AND ALL THAT, THEY WERE SAYING, YOU KNOW  
3 BECAUSE EVEN IN MY INTERVIEW I MENTIONED TO THEM THAT  
4 I HAD CHECKED. I CHECKED THE DOORS. I DID. I WENT  
5 TO THE BACK DOOR. IT APPEARED TO BE LOCKED. I WENT,  
6 AND THE FRONT DOOR WAS LOCKED. I MEAN THIS WAS  
7 WHENEVER I COME IN THERE, I HAD TO UNLOCK THE DOOR TO  
8 OPEN THE DOOR FOR THE POLICE OFFICERS, I MEAN FOR THE  
9 FIRE DEPARTMENT TO COME IN, AND THE POLICE OFFICER  
10 ASKED ME A QUESTION AND I THOUGHT ABOUT THE NIGHT  
11 THAT MY DOOR WAS UNLOCKED AND I WENT TO, WENT TO THE  
12 OR TO THE DINING ROOM AND LOOKED INTO THE KITCHEN AND  
13 SEEN THAT THE DOOR WAS SHUT. AND THE BLIND WAS THAT  
14 WAY SO I COULD SEE THE DOOR WAS LOCKED AND ALL. I  
15 SAID THE DOOR IS LOCKED AND THEN HE SAID, I SAID, I  
16 EXPLAINED TO HIM THAT WE HAD, THAT MY DOOR WAS OPENED  
17 THAT WEEK, THE FOLLOWING WEEKEND.

18 Q THE PREVIOUS WEEKEND?

19 A YEAH.

20 Q BUT YOU TOLD HIM THAT NIGHT THAT YOU THOUGHT  
21 YOUR DOORS WERE LOCKED?

22 A I DID. I DID TELL THEM THAT BECAUSE I REALLY  
23 THOUGHT THAT, BUT IN THE POLICE CAR ON THE WAY OVER  
24 THERE, THEY WERE ASKING ME QUESTIONS ABOUT THAT.

25 Q AFTER YOU GOT TO THE POLICE STATION THEN



1 MR. WALDROP AND MR. HERRING, LIEUTENANT HERRING  
2 STARTED ASKING YOU QUESTIONS, RIGHT?

3 A THAT'S CORRECT.

4 Q AND THEY --

5 A WELL, ACTUALLY IT STARTED, THEM TWO WERE  
6 STANDING IN THE OFFICE. THEY HAD BROUGHT ME IN, THEY  
7 PUT IN THAT SAME LITTLE ROOM AND THEY WENT INTO THE  
8 OFFICE AND MUST HAVE DONE SOME TALKING, THEN OFFICER  
9 I MEAN LIEUTENANT WALDROP CAME AND GOT ME AND BROUGHT  
10 ME BACK IN THE ROOM AND WHILE THEY WERE SITTING THERE  
11 WALDROP AND HERRING STARTED TALKING ABOUT WHETHER  
12 THEY WERE TO TAPE THIS OR NOT AND OFFICER, I MEAN,  
13 LIEUTENANT WALDROP SAID I THINK WE OUGHT TO TAPE  
14 THIS, YOU KNOW. HE SAID I GOT A TAPE RECORDER IN MY  
15 OFFICE. I THINK WE OUGHT TO TAPE THIS. I SAID IT  
16 DON'T MATTER TO ME. I SAID YOU KNOW DO WHAT YOU  
17 WANT. HE SAID YOU DON'T MIND IF WE TAPE. I SAID NO  
18 I DON'T MIND. YOU GO AHEAD. AND HE WENT AND COME  
19 BACK WITH SOME TAPES AND COME BACK WITH THE TAPE  
20 PLAYER, SET IT UP, AND STARTED IT UP AND THE  
21 INTERVIEW WAS EXACTLY WHAT YOU HEARD.

22 Q THEY --

23 THE COURT: EXCUSE ME. MR. IVEY, YOU ARE  
24 CLICK SOMETHING OVER THERE.

25 MR. IVEY: OH, I'M SORRY.

1 THE COURT: GO AHEAD.

2 Q AND THEY INTERVIEWED YOU FOR SEVERAL HOURS,  
3 CORRECT? I'M NOT TRYING TO LEAD. HOW LONG DID THEY  
4 INTERVIEW YOU?

5 A IT WAS OVER THREE HOURS I KNOW THAT. IT WAS  
6 MORE, ALMOST FOUR HOURS. I THINK SOMEWHERE TOWARD  
7 THE END WALDROP SAID SOMETHING ABOUT IT WAS ALL  
8 ALMOST FOUR HOURS.

9 Q OKAY. AND DURING THAT INTERVIEW, AND WE HAVE A  
10 TAPE RECORDING OF IT, THEY BASICALLY ASKED YOU WHAT  
11 YOU HAD HEARD AND WHEN YOU HAD BEEN UP AND SO FORTH?

12 A THAT'S CORRECT.

13 Q AND YOU TOLD THEM WHAT WE HAVE HEARD ON THAT  
14 TAPE?

15 A ABSOLUTELY.

16 Q OKAY. ON THAT TAPE OFFICER HERRING, OFFICER  
17 WALDROP I BELIEVE ASKED YOU SEVERAL TIMES ABOUT THE  
18 HOUSE BEING SECURE AND THAT THERE BEING NO SIGNS OF  
19 ANY FORCED ENTRY, DO YOU REMEMBER THAT?

20 A RIGHT. AND I AGREED WITH HIM BECAUSE I WAS  
21 THINKING I ABOUT THE DOORS. I KNEW THE DOORS WAS  
22 LOCKED AND I AGREED WITH HIM ON THAT POINT BECAUSE I  
23 REALLY THOUGHT THE DOORS, THE HOUSE WAS SECURED. I  
24 THOUGHT IT WAS AN ACCIDENT. I DIDN'T KNOW THAT  
25 SOMEBODY HAD BEEN IN MY HOME. I DIDN'T KNOW THAT

1       SOMETHING HAD DONE HAPPENED TO MY DAUGHTER IN A, IN  
2       THE WAY THAT THEY TOLD ME.  THEY TOLD ME, EVERYTHING  
3       THEY TOLD ME WAS, WAS, WELL, YOU HEARD IT IN THE  
4       TAPE.  IT WAS THERE PIECE BY PIECE.  THEY GIVE THESE  
5       THINGS TO ME, AND I STARTED TO FORMULATE THOUGHTS.  
6       WELL THIS PERSON, WHOEVER COULD HAVE DONE THIS WAS, I  
7       MEAN, I DIDN'T DO IT.  I KNEW THAT.  I KNEW FOR A  
8       FACT I DID NOT DO IT.  I KNEW FOR A FACT THAT I WAS  
9       IN THE BED ASLEEP JUST LIKE I SAID WITH THE MACHINE  
10      ON.  I WOKE UP AT THREE O'CLOCK, WENT TO THE  
11      BATHROOM, DONE EXACTLY WHAT I SAID, EVERYTHING I TOLD  
12      YOU THIS MORNING IS THE TRUTH, EVERYTHING, AND THEN  
13      THEY START, YOU KNOW, THEN I STARTED TO FORMULATE  
14      THIS THOUGHT IN MY HEAD ABOUT WHO, WHO COULD HAVE  
15      DONE WHAT?  I DIDN'T KNOW.  I WAS GIVEN, DO YOU KNOW,  
16      MR. COPE, THAT YOUR DAUGHTER WAS SEXUALLY ASSAULTED.  
17      DID YOU KNOW, MR. COPE, THAT YOUR DAUGHTER, WHAT --  
18      WOULD YOU BE SURPRISED IF I TOLD YOU THAT YOUR  
19      DAUGHTER WAS BRUTALLY BEATEN.  I DIDN'T KNOW THOSE  
20      THINGS.  I WAS STILL IN SHOCK JUST FROM THIS MORNING  
21      WAKING UP AND FINDING HER.  I DIDN'T, I MEAN.  THEY  
22      SAID THEY WERE GOING COME DOWN AND TALK TO ME ABOUT  
23      WHAT HAPPENED TO HER.  THEY DIDN'T SAY THEY WERE  
24      GOING TO COME DOWN AND START ACCUSING ME.  I DIDN'T  
25      KNOW WHAT HAD HAPPENED.  I COULD HAVE, IT DOESN'T

1 MAKE SENSE TO ME BECAUSE THAT'S NOT WHAT I SAW AND  
2 THEN I SAW, THEY KEPT TELLING ME, WELL MR. COPE, WE  
3 HAVE ONE REPORT HERE THAT SAYS YOU DIDN'T TAKE THAT  
4 GREEN THING OFF. I DID TAKE THAT GREEN THING OFF.  
5 THEY SAID WE GOT PICTURES THAT PROVE THAT THAT GREEN  
6 THING WAS NEVER REMOVED FROM HER NECK. I KNEW BETTER  
7 THAN THAT. I TOOK IT OFF. I SAW IT LAYING ON THE  
8 FLOOR. I SAW THE REST OF IT LAYING ON THE BED. I  
9 SHOWED IT TO THE POLICE OFFICER. I POINTED TO IT. I  
10 SAID THAT WAS ON HER NECK. I KNEW IT WAS OFF. AND I  
11 COULDN'T UNDERSTAND WHY THEY KEPT ON AND KEPT ON AND  
12 KEPT ON AND KEPT ON AND I KEPT ON DEFENDING MYSELF  
13 CONSTANTLY. AND FINALLY TOWARD THE END OF IT, I  
14 MEAN, ALL THROUGH IT ACTUALLY I KEPT SAYING, LOOK,  
15 FINE, LET'S TAKE A POLYGRAPH TEST. Y'ALL DID SOME  
16 TESTS ON ME. THEY ARE GOING TO COME BACK NEGATIVE  
17 AGAINST ME. I DIDN'T DO NOTHING, NO.

18 Q IN FACT, ONE TIME THEY ASKED YOU, MR. COPE, IF  
19 THE TEST RESULTS FROM THE HOSPITAL COME BACK AND SHOW  
20 THAT YOUR SEMEN WAS ON AMANDA'S BODY WHAT WOULD YOUR  
21 RESPONSE BE?

22 A MY RESPONSE WAS IT WON'T. IT WILL NOT. THERE  
23 IS NO WAY IT CAN. I DIDN'T DO NOTHING. AND THAT,  
24 THAT BOTHERED ME. I MEAN, I DIDN'T DO NOTHING TO MY  
25 DAUGHTER. I LOVED HER. SHE WAS MY DAUGHTER. SHE

1 WAS MY FIRST BORN. I LOVED MY DAUGHTER. I LOVED ALL  
2 MY DAUGHTERS. I LOVE THE TWO WE LOST. I DIDN'T DO  
3 NOTHING. I DIDN'T DO NOTHING. I DIDN'T DO NOTHING.  
4 AND TO BE TAKEN THROUGH THAT IT BOTHERED ME, IT  
5 BOTHERED ME BAD. AND IT JUST KEPT ON. BUT THAT  
6 WASN'T ALL. I MEAN, IT WAS, AT THE END OF IT THEY  
7 SAID WELL.

8 Q WHAT ABOUT THE POLYGRAPH? DO THEY ASK YOU ABOUT  
9 WHO ELSE COULD HAVE DONE IT AND ALL?

10 A SEVERAL TIMES THEY ASKED ME WHO ELSE COULD HAVE  
11 DONE IT. IF YOU DIDN'T DO IT, I MEAN, THEY JUST  
12 WANT, THEY WANTED TO KNOW WHO DID IT AND I WANTED TO  
13 HELP THEM BUT I DIDN'T KNOW. I REALLY DIDN'T KNOW.  
14 THEY ASKED ME. I MENTIONED MY NEIGHBORS. ME AND  
15 AMANDA WENT TO THE STORE ABOUT, IT MIGHT HAVE BEEN A  
16 WEEK, I CAN'T SAY FOR SURE. IT'S BEEN THREE YEARS  
17 SINCE THIS HAPPENED, BUT ABOUT A WEEK OR SO BEFORE  
18 THAT RANDY CROWDER MY NEXT DOOR NEIGHBOR WAS IN THE  
19 STORE. I DIDN'T KNOW HIS NAME AT THE TIME BUT HE WAS  
20 IN THE STORE AT THE TIME AND HE HAD A CASE OF BEER.  
21 I DIDN'T WANT TO NOT OFFER HIM A RIDE, IT WAS POURING  
22 DOWN RAIN, BUT I FELT UNEASY SO I ASKED AMANDA WILL  
23 SHE SIT IN THE BACK SEAT AND LET HIM SIT IN THE FRONT  
24 SEAT AND SHE SAID SHE WOULD. AND SHE DIDN'T SIT  
25 RIGHT BACK IN BEHIND HIM. SHE WENT ALL THE WAY TO

1 THE BACK OF THE VAN AND SIT AT THE VERY BACK AND THEN  
2 HE --

3 Q YOU GAVE HIM A RIDE HOME FROM THE STORE?

4 A GAVE HIM A RIDE HOME FROM THE STORE.

5 Q AND YOU TOLD THE POLICE THAT.

6 A AND MARY SUE SAID THAT WAS FINE. HE TALKS TO  
7 MARY SUE, HE TALKS TO AMANDA AND ME ALL THE TIME. I  
8 MEAN. HE'S A NEIGHBOR. HE'LL COME TO THE FENCE AND  
9 SAY HEY, HOW IS EVERYTHING GOING. I WASN'T CONCERNED  
10 ABOUT THAT. BUT THEN WHEN THAT HAPPENED I WASN'T  
11 SURE. I SAID, WELL, DID YOU CHECK MY NEIGHBOR OUT.  
12 I MEAN. YOU KNOW, I HEARD THAT THEY TALK ALL THE  
13 TIME. I DIDN'T KNOW. AND I WAS SERIOUS. BUT I KEPT  
14 ON INSINUATING, I MEAN, INSISTING AND INSISTING AND  
15 INSISTING ON THE POLYGRAPH TEST, AND FINALLY HE SAID  
16 WE'LL DO IT.

17 Q WHY WERE YOU INSISTING ON THE POLYGRAPH TEST?

18 A BECAUSE I TRUSTED THEM. BUT ONLY THEM, I  
19 TRUSTED GOD. I KNEW THAT GOD WOULD GET ME OUT. I  
20 KNEW THAT. I DIDN'T DO NOTHING WRONG. I DIDN'T.

21 Q SO YOU KEPT INSISTING ON A POLYGRAPH?

22 A I INSISTED ON A POLYGRAPH BECAUSE I KNEW THAT'S  
23 GOT TO PROVE, THAT'S THE NEXT BEST THING, IT'S GOING  
24 TO TELL THE TRUTH. I TRUSTED THEM. I HAVE HAD TWO  
25 OR THREE BEFORE AND IT DIDN'T BOTHER ME NONE. I SAID

1       YEAH, LET'S DO IT. LET'S DO IT. I'M TIRED OF  
2       WAITING. I AM TIRED OF SITTING HERE. I NEED TO GET  
3       BACK TO MY FAMILY. NO, THEY, INSTEAD THEY GO BACK IN  
4       THE BACK AND THEY ARE GOING TO A FEW MINUTES, THEY  
5       LEAVE ME SITTING THERE. I DIDN'T KNOW THAT THAT DOOR  
6       LEAD OUT, OUT THAT DOOR, LEAD RIGHT OUT OF THE  
7       BUILDING, BUT I DON'T HAVE NO WAY TO GET HOME. IF I  
8       STARTED WALKING THEY WASN'T GOING TO LET ME GO.

9       Q       WERE YOU GOING TO DO THAT?

10      A       NO. I DIDN'T KNOW THAT WAS A DOOR BUT I  
11      WOULDN'T HAVE DONE IT THAT. I WANTED TO HELP THEM.  
12      I WANTED TO FIND OUT WHAT HAPPENED TO MY DAUGHTER.

13      Q       AT ONE POINT ON THAT TAPE THEY SAID, MR. COPE,  
14      WE HAVE A PROBLEM. WE HAVE A SERIOUS PROBLEM. DO  
15      YOU REMEMBER WHAT YOUR RESPONSE WAS?

16      A       MY RESPONSE WAS YES, SIR, WE DO. YOU NEED TO  
17      FIND OUT WHO DONE THIS TO MY DAUGHTER. I SAID THAT  
18      SEVERAL TIMES IF I CAN REMEMBER. I INSISTED.

19      Q       AFTER, I DON'T KNOW WHAT TIME IT WAS, 2:30 OR 3  
20      O'CLOCK IN THE MORNING, WHAT HAPPENED THEN?

21      A       WELL, I GUESS, I CAN'T SAY EXACTLY WHAT TIME IT  
22      WAS. I KNOW IT WAS, IT WAS AFTER THREE. THEY SAID  
23      MR. COPE, WE'RE GOING TO PUT YOU IN A CELL. WE'RE  
24      GOING TO KEEP YOU HERE OVERNIGHT. THE POLYGRAPH  
25      EXAMINER SAID IT WOULD BE BEST IF YOU COME UP THERE

1 TOMORROW, THAT HE'S IN THE BED ASLEEP, AND I SAID,  
2 OKAY. AND HE SAID WE JUST GOING TO KEEP YOU HERE  
3 OVERNIGHT. WE'RE GOING TO SEE THAT THIS WILL COME  
4 BACK NEGATIVE. I WAS LAYING THERE AND I WENT BACK TO  
5 THE CELL. I SAID WELL DO YOU MIND IF I GET A BIBLE  
6 BECAUSE I READ THE BIBLE. I'VE BEEN READING THE BIBLE  
7 FOR A LONG TIME AND I READ THE BIBLE. THAT'S THE WAY  
8 I GET MY COMFORT AND I SAID AND I SAID WOULD YOU MIND  
9 IF I GET A BIBLE AND THEY BROUGHT ME A NEW TESTAMENT  
10 IN THERE. A LITTLE, IT'S I THINK IT SAYS SOMETHING  
11 ABOUT THE HEART ASSOCIATION ON THE FRONT OF IT AND I  
12 TOOK IT AND I OPENED IT UP AND I SAT ON THE BED AND  
13 READ. THEN I LAID BACK AND STARTED READING THE BIBLE  
14 AND THEN OFFICER HERRING, I MEAN, LIEUTENANT HERRING  
15 CAME TO THE DOOR. HE WAS ALONE WHEN HE CAME TO THE  
16 DOOR AND HE SAID, HERE YOU GO, MR. COPE. AND I WENT  
17 WHAT'S THAT. LOOKING, I DIDN'T GET UP AND GO OVER  
18 AND LOOK AT THE PIECE OF PAPER. HE JUST SAID IT'S A  
19 WARRANT. I SAID A WARRANT. HE SAID YES, SIR FOR  
20 YOUR ARREST. HE SAID BUT -- I SAID I'M INNOCENT. I  
21 DIDN'T DO NOTHING WRONG. AND HE SAID I KNOW THAT AND  
22 HE SAID BUT WE HAVE TO GIVE YOU THIS IN ORDER TO HOLD  
23 YOU. AND I SAID, HE SAID, IF WE GO UP THERE AND HAVE  
24 THE POLYGRAPH TEST AND IT COME BACK NEGATIVE, FINE,  
25 WE'LL LET YOU GO, BUT I GOT TO DO THIS TO KEEP YOU



1       HERE.  AND I SAID FINE THEN.  AND I LEFT IT LAYING  
2       THERE ON THE TABLE.  AS A MATTER OF FACT A COUPLE  
3       HOURS LATER WHEN I GOT UP AND EAT BREAKFAST IT WAS  
4       STILL LAYING THERE.  I HAD TO MOVE IT IN ORDER TO GET  
5       MY TRAY.

6       Q     HOW MUCH SLEEP DID YOU GET THAT NIGHT?

7       A     ABOUT TWO, I GOT ABOUT, I LAID DOWN ABOUT  
8       FIVE -- WELL, ACTUALLY THAT WARRANT CAME IN SOMEWHERE  
9       AROUND FOUR O'CLOCK, THAT'S WHAT I WAS SAYING, IT'S  
10      LIKE 30 MINUTES AFTER THAT I CLOSED THE BIBLE AND  
11      LAID IT ASIDE AND I WENT TO SLEEP AND I SLEPT UNTIL  
12      ABOUT 6:30 WHENEVER THEY WERE FIXING TO SERVE  
13      BREAKFAST.  BETWEEN 6:30 AND 7 O'CLOCK SOMEBODY  
14      RAPPED ON MY DOOR AND I ROLLED AROUND SAID AND I SAID  
15      WHAT.  SHE SAID IT'S TIME TO GET UP AND EAT BREAKFAST  
16      AND IT WAS A WOMAN AND SHE HANDED ME THE TRAY AND I  
17      SAT DOWN AND I ATE THE BREAKFAST AND I SET IT BACK  
18      AND I LAID DOWN AND TRIED TO GO BACK TO SLEEP.  ABOUT  
19      9:15 - 9:30 THERE WAS ANOTHER RAP AT THE DOOR AND IT  
20      WAS MISTER, IT WAS LIEUTENANT HERRING.  HE SAID  
21      MR. COPE, I'D LIKE FOR TO YOU TO GO AHEAD AND LET US  
22      GO.  WE'RE GOING TO GO OVER AND TAKE CARE OF THIS  
23      POLYGRAPH AND I SAID OKAY.  SO WE GOT UP.  I MEAN, I  
24      GOT UP, AND I WAS STILL IN MY SAME CLOTHES.  I WAS  
25      STILL IN MY SAME CLOTHES WHEN I WENT IN THAT MAN'S

1 OFFICE.

2 Q SO LIEUTENANT HERRING GAVE YOU A RIDE?

3 A THAT'S CORRECT.

4 Q AND HOW DID YOU RIDE OVER THERE?

5 A WELL, I THOUGHT HE WAS GOING TO AT LEAST PUT  
6 HANDCUFFS ON ME. I MEAN HE SAID WARRANT FOR MY  
7 ARREST AND I THOUGHT HE WAS GOING TO PUT HANDCUFFS ON  
8 ME SO I HELD MY HANDS OUT. HE SAID I'M NOT GOING TO  
9 PUT HANDCUFFS ON YOU. YOU ARE GOING TO SIT IN THE  
10 FRONT SEAT WITH ME. I SAT IN THE FRONT SEAT WITH HIM  
11 ALL THE WAY THERE AND ALL THE WAY BACK. ONLY ON THE  
12 WAY BACK I HAD HANDCUFFS ON. THAT'S THE ONLY  
13 DIFFERENCE.

14 Q AND AFTER YOU GOT TO THE, TO HERE?

15 A WHEN I GOT HERE.

16 Q AT THE SHERIFF'S DEPARTMENT?

17 A YES, SIR.

18 Q WHERE DID HE TAKE YOU?

19 A I WAS FIRST INTRODUCED TO MR. BAKER. MR. BAKER  
20 WAS, HE MET US AT THE FRONT OF THE SHERIFF'S  
21 DEPARTMENT INSIDE AT THE FRONT OF THE SHERIFF'S  
22 DEPARTMENT AND MISTER AND LIEUTENANT HERRING  
23 INTRODUCED ME AND I SHOOK HIS HAND AND THEN HE  
24 TURNED, TOOK ME OFF TO THE SIDE THERE, AND PUT ME IN  
25 A LITTLE HOLDING CELL, LOCKED THE DOOR, AND I SAT

1       THERE. AS A MATTER OF FACT, I WANTED TO GO TO SLEEP.  
2       I ACTUALLY EVEN LAID DOWN AND TRIED TO GO TO SLEEP  
3       AND I MAY HAVE WENT TO SLEEP. THEN A FEW MINUTES  
4       LATER THEY, I GUESS ABOUT BETWEEN 15-20 MINUTES THEY  
5       CAME BACK AND GOT ME. MR. HERRING WENT AND SAT  
6       SOMEWHERE ELSE AND MR. BAKER TOOK ME INTO THIS OTHER  
7       ROOM. THIS ROOM WAS A LITTLE SMALL ROOM. I GUESS,  
8       IT WASN'T REAL BIG, IT HAD A DESK, IT HAD A COMPUTER,  
9       IT HAD A CHAIR, A SPECIAL CHAIR WHICH I RECOGNIZE AS  
10      A POLYGRAPH CHAIR, AND THERE WAS THREE OTHER, THERE  
11      WAS THREE OTHER CHAIRS. THE ONE BEHIND THE DESK THAT  
12      MR. BAKER SAT IN. THEN THERE WAS TWO CHAIRS, ONE  
13      SITTING LIKE RIGHT HERE, THEN THERE WAS ONE RIGHT IN  
14      BEHIND, AND THAT'S WHERE MR. HERRING ACTUALLY STARTED  
15      SITTING AFTER AWHILE, BUT I SAT IN THE CHAIR AND WE  
16      TALKED. HE ASKED ME LITTLE QUESTIONS ABOUT MY, ABOUT  
17      MY HABITS, YOU KNOW, EATING HABITS. DID I EAT  
18      BREAKFAST THIS MORNING. DO I SLEEP. WHAT KIND OF  
19      MEDICATION AM I ON. I EXPLAINED TO HIM THAT I HAVE  
20      HIGH BLOOD PRESSURE. I WAS ON LOWTENSON HTCZ. AND  
21      HE SAID OKAY. WE TALKED ABOUT CPAP MACHINE. HE  
22      EXPLAINED TO ME THAT HE HAD ONE, THAT HE TOO WAS ON,  
23      HAD SLEEP APNEA, AND THEN AFTER THAT, WE STARTED TO  
24      TALK ABOUT THAT NIGHT IN PARTICULAR. WELL, HE TALKED  
25      A LITTLE BIT ABOUT THE FAMILY, TRYING TO GET SOME,

1 GET SOME IDEA ABOUT THE FAMILY, THEN HE STARTED  
2 TALKING ABOUT THAT NIGHT IN PARTICULAR, AND I TOLD  
3 HIM BASICALLY THE SAME STORY. I WENT IN, I FOUND  
4 AMANDA, AND THAT'S THE TRUTH. I CAN'T SAY IT NO  
5 OTHER WAY. IT'S THE TRUTH. I MAY HAVE ADDED TO IT  
6 BECAUSE IT'S SOME THINGS I FORGET ABOUT. AT THREE  
7 O'CLOCK IN THE MORNING I DIDN'T THINK ABOUT THE FACT  
8 THAT I WENT TO THE COMPUTER. I WASN'T AT THE  
9 COMPUTER MAYBE TEN MINUTES. I TRIED TO PLAY THE  
10 GAME, COULDN'T, I SHUT IT OFF. I DIDN'T REALLY  
11 ACTUALLY, I -- WE DON'T SHUT MY COMPUTER OFF. I SHUT  
12 IT OFF OF THE GAME, LEAVE THE COMPUTER ON. MY  
13 COMPUTER STAYS ON 24 HOURS A DAY BECAUSE I GOT  
14 MAINTENANCE PROGRAMS RUNNING ON IT ALL THE TIME.

15 Q SO DID MR. BAKER TALK TO YOU ABOUT WHAT HAD  
16 HAPPENED TO AMANDA?

17 A THAT'S CORRECT.

18 Q WHAT DID HE TELL YOU?

19 A WELL, WE TALKED AND THEN WE TALKED ABOUT THE,  
20 THAT NIGHT IN GENERAL. I TOLD HIM ALL ABOUT. THEN  
21 HE SAID OKAY. THEN HE ASKED ME A QUESTION AND I  
22 LIED. I LIED ON THIS ONE QUESTION BECAUSE IN MY OWN  
23 EYES I DIDN'T LIE BECAUSE IT WASN'T MINE, BUT HE  
24 ASKED ME ABOUT CERTAIN SEX TOYS IN THE HOUSE.

25 Q ABOUT THE DILDO?

1       A     THAT'S CORRECT.  HE JUST ASKED ME DO Y'ALL HAVE  
2       SEX TOYS IN THE HOUSE.  I SAID NO, SIR.  MY, YOU  
3       KNOW, I DIDN'T SAY MY WIFE DOES BUT THAT'S WHAT I WAS  
4       THINKING MY WIFE DOES, BUT I'M NOT GOING TO GET IN  
5       THERE BECAUSE THAT'S NONE OF MY BUSINESS.  THAT'S  
6       HERS.  SO I LEFT THAT ALONE.  AND I SAID NO, SIR, I  
7       DON'T.  AND I DON'T.  HE SAID, HE SAID, OKAY AND HE  
8       PUT THAT DOWN AND HE IS TAKING LITTLE NOTES ON PIECE  
9       OF PAPER ON, I GUESS, ON NOT JUST A PIECE OF PAPER,  
10      BUT SEVERAL PIECES OF PAPER AND THEN AFTER THAT HE  
11      SAID, HE STARTED TO EXPLAINING TO ME ABOUT THE  
12      POLYGRAPH MACHINE.  WELL, I'VE TAKEN A POLYGRAPH  
13      SEVERAL TIMES, SO I KNEW ABOUT THE POLYGRAPH MACHINE,  
14      HE WAS EXPLAINING TO ME ABOUT THE FLIGHT OR FLEE OR  
15      SOME PEOPLE SAY, I MEAN, FIGHT OR FLEE OR IN SOME  
16      CASES, LIKE IN THE CASE IN SCHOOL, WE TALKED ABOUT,  
17      THE FLIGHT OR FIGHT WHICH IS THE EXACT SAME PROCESS,  
18      YOUR BODY TENSES UP, DOES CERTAIN THINGS BECAUSE YOU  
19      DON'T KNOW WHETHER TO EITHER FIGHT OR TO RUN.  AND  
20      YOUR BODY WORKS, THE POLYGRAPH WORKS ON THE SAME  
21      PRINCIPLES AND THAT'S WHAT HE WAS EXPLAINING TO ME.  
22      WELL, I ALREADY KNEW IT.  I WAS WANTING TO GO AHEAD  
23      AND GET THIS POLYGRAPH DONE.  SO WE TALKED.  I WAS A  
24      LITTLE ANXIOUS ABOUT IT BUT, THEN HE SAID OKAY, NOW  
25      I'M GOING TO HOOK YOU UP TO THE POLYGRAPH, SO HE TOOK

1 ME OVER, SET ME UP, HOOKED ME UP. TOLD ME TO SIT  
2 DEAD STILL AND HE SAID TO, YOU KNOW, KEEP MY HANDS, I  
3 HAD TO KEEP MY HANDS LIKE THIS. HE PUT THINGS ON MY  
4 HANDS. HE PUT TWO CHAINS AND THEY HOOK, ONE HOOKS  
5 HERE AND ONE HOOK HAS GOT THIS, IT'S LIKE A TUBE THAT  
6 AND I GUESS IT MEASURES, I DON'T KNOW EXACTLY HOW  
7 THEY WORK, I JUST KNOW THAT IT MEASURES THE BREATHING  
8 AND THEN WHAT, AFTER HE GOT ME SITUATED, I WAS  
9 SITTING UP ON THE POLYGRAPH MACHINE LIKE THIS. I GOT  
10 COMFORTABLE AND HE SAID I'M GOING TO GO THROUGH THE  
11 QUESTIONS WITH YOU FIRST BEFORE WE TURN THIS MACHINE  
12 ON. AFTER THAT I'M GOING TO ASK YOU THE QUESTIONS  
13 AND I'M GOING TO ASK YOU A SERIES OF FIVE TIMES. I  
14 SAID OKAY. I WAS, I WAS SITTING IN THE CHAIR. HE  
15 SAID JUST, YOU CAN BE COMFORTABLE FOR JUST A FEW  
16 MINUTES AND THEN HE STARTED ASKING ME THE QUESTIONS  
17 ONE AT A TIME. AND THEN, AND I DON'T REMEMBER ALL  
18 THE QUESTIONS. I KNOW THERE WAS SOME CONTROL  
19 QUESTIONS THAT I'VE HEARD ABOUT, AND OTHER QUESTIONS  
20 AND I KNOW THOSE ARE THE QUESTIONS THAT WERE ASKED.  
21 AND THEN AFTER THAT HE SAID NOW WE'RE GOING TO START  
22 THE TEST. AS I SIT THERE AND GOT COMFORTABLE, AFTER  
23 ABOUT THE SECOND TIME I STARTED GETTING DROWSY,  
24 REALLY DROWSY. I TOLD HIM, I EVEN EXPLAINED TO HIM,  
25 LOOK, I DIDN'T GET MUCH SLEEP, I'M TIRED, AND I WAS

1       STARTING TO DOZE. HE SAID THAT'S OKAY. YOU KNOW,  
2       WE'RE JUST, YOU KNOW, IT WON'T TAKE THAT MUCH TIME,  
3       JUST KEEP ON, YOU KNOW, AND I SAT THERE, JUST, JUST  
4       AND I WOULD, WELL, TOWARD THE END OF THE THIRD TIME I  
5       ACTUALLY DOZED OFF. AND WHAT GOT MY ATTENTION  
6       WAS--LITTLE DEMONSTRATION, HE, ONE OF TWO THINGS, I  
7       DON'T KNOW WHETHER HE WAS ACTUALLY WITH HIS PAPERS OR  
8       WITH HIS HANDS, BUT HE (CLAPS HANDS.) WE KNOW THE  
9       TRUTH, DON'T WE. (STANDS UP.) THAT GOT MY  
10      ATTENTION.

11      Q     LET ME ASK YOU THIS. BEFORE THAT MR. BAKER  
12      ASKED YOU IF YOU FELT ALL RIGHT TO TAKE THE TEST?

13      A     YEAH, I WAS EAGER TO TAKE THE TEST. I WANTED TO  
14      GET THE TEST DONE BECAUSE IT WOULD PROVE MY INNOCENCE  
15      AND I KNEW THAT. I KNEW IT WOULD PROVE MY INNOCENCE.  
16      BECAUSE I DIDN'T DO NOTHING TO AMANDA. I DIDN'T DO  
17      NOTHING TO HER EXCEPT WHAT I'VE TOLD YOU. SHE KISSED  
18      ME ON THE SIDE OF THE FACE. I DIDN'T DO ANYTHING TO  
19      HER.

20      Q     SO AFTER YOU WENT THROUGH THE TEST A LITTLE BIT  
21      MR. BAKER SAID?

22      A     HE SLAMMED HIS, EITHER HIS HANDS OR HE THREWED  
23      SOME BOOKS DOWN. HE COULD HAVE ACTUALLY LEFT THE  
24      ROOM AND CAME BACK AND THREWED THE BOOK, THREWED THE  
25      BOOKS DOWN AND SAID THAT AND GOT MY ATTENTION BECAUSE

1 I DOZED OFF. OR HE COULD HAVE SLAMMED HIS HANDS  
2 DOWN. I DON'T KNOW. I JUST KNOW THAT WHENEVER I  
3 TURNED AROUND HE WAS STANDING AND HE HAD MADE A LOUD  
4 NOISE. I THOUGHT IT WAS HIS HANDS. AND HE SAID, I  
5 SAID, OH WE'RE THROUGH. HE SAID I DIDN'T NEED TO GO  
6 ALL THE WAY THROUGH IT. HE SAID I MADE IT THROUGH,  
7 WE WENT THROUGH THREE ROUNDS, BUT THERE IS NO SENSE  
8 IN GOING NO FURTHER, WE KNOW THE TRUTH. I SAID WHAT.  
9 HE SAID BOTH OF US, WE KNOW THE TRUTH, DON'T WE.  
10 DON'T WE. AND I SAID UH, WHAT I PASSED. AND HE SAID  
11 NO. HE SAID BUT WE'LL TALK ABOUT THAT IN A MINUTE.  
12 HE WALKED OVER AND TOOK MY HANDS, TOOK THE THING, HE  
13 WASN'T REALLY, YOU KNOW, I MEAN, HE WASN'T REALLY  
14 MEAN OR ROUGH, HE JUST TOOK THEM OFF OF MY FINGERS  
15 AND TOOK, UNHOOKED EVERYTHING AND HE BROUGHT ME BACK  
16 OVER AND SAT ME IN THE CHAIR. HE SAID YOU FAILED. I  
17 SAID THERE AIN'T NO WAY. I KNOW BETTER. I COULDN'T  
18 HAVE FAILED. I COULDN'T HAVE FAILED. I KNEW BETTER.  
19 AND HE TOOK, HE TOOK A PIECE OF PAPER, WHITE PIECE OF  
20 PAPER WITH WRITING ON ONE SIDE, AND HE TURNED IT OVER  
21 LIKE THIS AND HE TURNED TO THE MONITOR AND HE PUT  
22 THAT PIECE OF PAPER ON THE SCREEN OF THE MONITOR AND  
23 HE TURNED THE MONITOR TO ME AND UP IN THE RIGHT HAND  
24 CORNER WAS A GREEN 97 PERCENT. THAT'S ALL THAT WAS  
25 UP THERE. AND I WANTED TO KNOW WHAT WAS BEHIND THERE



1 BECAUSE I COULD SEE SOME RED AND GREEN ALL IN THE  
2 WHITE OF THE PAPER AND I SAID, AND I SAID WHAT'S  
3 THAT. HE SAID DON'T WORRY ABOUT THAT. ALL YOU GOT  
4 TO WORRY ABOUT IS THIS RIGHT HERE AT THE TOP, THAT  
5 MEANS YOU ARE 97 PERCENT A LIAR. AND I SAID I'M NOT.  
6 I DIDN'T DO IT. HE SAID MR. COPE, YOU DID LIE. YOU  
7 LIED. THAT POLYGRAPH DOES NOT TELL A LIE. IT DON'T  
8 LIE. I TRUSTED IT. I TRUSTED HIM. I COULDN'T, I  
9 KNEW IT WASN'T TRUE. THERE WAS NO WAY. I KNEW I  
10 DIDN'T DO IT AND I SIT THERE AND THEN HE COMES OVER  
11 AND SITS DOWN IN THE CHAIR AND HE STARTS TO TALK TO  
12 ME. AND HE GOT A SOOTHING VOICE. HE TALKS NICELY.  
13 HE WAS TALKING REAL NICE, BUT IT WAS THE QUESTIONS HE  
14 WAS ASKING. HE SAID MR. COPE, HE SAID, YOU FAILED.  
15 AND I SAID NO, I COULDN'T HAVE. I COULDN'T HAVE.  
16 AND HE SAID BUT YOU DID. AND I STARTED TO, THE FIRST  
17 THING WAS I COULDN'T BELIEVE THAT, AND THEN HE SAID  
18 SOMETHING THAT WE HADN'T TALKED ABOUT, BUT THE OTHER  
19 TWO POLICE OFFICERS DID TALK ABOUT, AND THAT WAS THE  
20 GREEN WRAP, HE SAID, AND THERE IS SOMETHING ELSE TOO  
21 MR. COPE, THE GREEN WRAP THAT YOU SAY WAS AROUND,  
22 THAT YOU HAD TOOK OFF AMANDA'S NECK, YOU DIDN'T TAKE  
23 IT OFF. WE HAVE A POLICE REPORT THAT SAYS YOU DIDN'T  
24 TAKE IT OFF. MR. HERRING SHOWED ME THE POLICE  
25 REPORT. AND I SAID THAT CAN'T BE THOUGH. I KNOW

1 BETTER. I DIDN'T DO IT. I DID TAKE THE WRAP OFF OF  
2 HER BUT I DIDN'T KILL AMANDA. I DID NOT MOLEST  
3 AMANDA. I DID NOT RAPE AMANDA. I DIDN'T DO NONE OF  
4 THAT TO AMANDA. I WAS IN THE BED ASLEEP. HE SAID  
5 NO, MR. COPE, POLYGRAPH DON'T LIE. POLYGRAPH DOES  
6 NOT LIE. AND I STARTED TO DOUBT, I STARTED TO DOUBT  
7 MYSELF. I STARTED HOW, HOW COULD THAT HAPPEN. I  
8 KNEW BETTER. I THOUGHT. I THOUGHT I KNEW BETTER. I  
9 THOUGHT I KNEW DIFFERENT AND I KNEW THAT I DIDN'T DO  
10 NOTHING TO AMANDA. BUT THEN HE KEPT SAYING, HE SAID  
11 MR. COPE, YOU DID AND EVEN PICTURES DON'T LIE. HE  
12 SAID THEY GOT PICTURES AND THEY ARE BEING DEVELOPED  
13 AND IT'S GOING TO COME BACK AND IT'S GOING TO SHOW  
14 THAT GREEN WRAP IS STILL ON HER NECK. HE SAID IT'S  
15 NOT THERE. IT'S NOT THERE. I DIDN'T DO IT. I TOOK  
16 THE WRAP OFF. IT'S STILL THERE. I SAID, I SAID NO,  
17 IT'S NOT. AND HE SAID YES, IT IS. BUT HE SAID THERE  
18 IS MORE. THERE IS MORE. AND I SAID WHAT. AND HE  
19 SAID YOUR WIFE TELLS US THAT YOU DO INDEED HAVE A  
20 DILDO IN THE HOUSE AND IT'S MISSING. I SAID IT'S  
21 MISSING. HE SAID YEAH, IT'S MISSING. I WENT.

22 Q YOU KNEW --

23 A I STARTED ASKING HIM.

24 Q YOU KNEW YOU HADN'T BEEN AS FORTHCOMING ABOUT  
25 THE DILDO AS WAS THE PERFECT TRUTH?

1       A     I KNEW I HAD LIED TO HIM.  IT WAS A LIE BECAUSE  
2       THERE WAS ONE IN THE HOUSE.  THAT'S WHAT HE SAID.  DO  
3       YOU HAVE, IS THERE A DILDO IN THE HOUSE.  NOW IN MY  
4       OWN WAY OF THINKING IT DON'T BELONG TO ME SO IT'S NOT  
5       MINE SO I CAN SAY NO TO IT, BUT IN REALITY AND IN  
6       REAL LIFE, NO, THERE IS NEVER A TIME TO LIE.  YOU  
7       DON'T LIE FOR NO REASON.  THERE IS NO REASON UNDER  
8       THE SUN FOR TO YOU TO LIE.  YOU ARE SUPPOSED TO TELL  
9       THE TRUTH AND SO I TOLD, I TOLD HIM I SAID, IT CAN'T  
10      BE.  AND I STARTED MORE AND MORE TO DOUBT EVERYTHING  
11      THAT I HAD BEEN SAYING.  AND I HAD STARTED TO  
12      FORMULATE ALL THESE IMAGES IN MY HEAD AND HE SAID,  
13      YOU REALIZE MR. COPE YOUR DAUGHTER WAS MOLESTED, YOUR  
14      DAUGHTER WAS BEATEN, YOUR DAUGHTER WAS, SHE WAS  
15      MURDERED.  AND I SAID YES, SIR, I UNDERSTAND THAT,  
16      BUT I DIDN'T DO IT.  AND HE SAID YOU DID.  YOU AND I  
17      KNOW YOU DID.  WE MIGHT BE THE ONLY TWO KNOW IT  
18      BESIDES GOD, BUT YOU KNOW IT AND I KNOW IT.  I  
19      STARTED TO DOUBT IT.  I STARTED TO DOUBT IT.

20     Q     HOW WERE YOU FEELING AT THAT POINT?

21     A     I STARTED TO DOUBT MYSELF.  I FELT WEAK.  I FELT  
22     MAYBE I DID.  MAYBE I DID.  MAYBE THIS IS, I COULDN'T  
23     SAY FOR SURE.  I REALLY DID NOT KNOW.  THEN HE SAID  
24     THAT GREEN WRAP IS STILL, WAS STILL ON HER NECK, AND  
25     HE KEPT, THEY KEPT BRINGING THAT.  IT WASN'T JUST

1 HIM, BUT HERRING SAID THE SAME THING, AND I KNEW  
2 BETTER. BUT I COULDN'T UNDERSTAND -- I STARTED TO  
3 PUT THESE IMAGES IN MY HEAD. THEN I ASKED HIM, HE  
4 SAID, HE SAID DID YOU REALIZE HOW BAD SHE WAS  
5 BRUTALLY RAPED AND I SAID NO. I MEAN, I DON'T KNOW.  
6 I DIDN'T SEE NO SIGNS WHEN I WENT IN THERE.  
7 EVERYTHING WAS FINE. ALL I SAW WAS HER RIGHT BREAST  
8 WAS UNCOVERED AND I PULLED HER SHIRT DOWN. THAT'S  
9 ALL I SAW OF ANYTHING AS FAR AS SEXUAL IN THE ROOM.  
10 I DIDN'T KNOW. I THOUGHT MAYBE SHE STRUGGLED AND I  
11 DIDN'T KNOW HER BRA WAS UNPOPPED. I DIDN'T KNOW NONE  
12 OF THAT. ALL I KNEW WAS THAT MAYBE SHE STRUGGLED AND  
13 SHE PULLED HER BRA AND HER SHIRT AND ALL JUST CAME UP  
14 AND WAS UP AROUND HER NECK STRUGGLING AND THAT'S WHAT  
15 I HAD TOLD HIM. BUT HE KEPT INSINUATING, NO, THAT'S  
16 NOT WHAT HAPPENED, MR. COPE. THAT IS NOT WHAT  
17 HAPPENED. AND I STARTED TO DOUBT EVERYTHING THAT,  
18 THAT I HAD BEEN TELLING HIM.

19 Q WHY DID YOU START TO DOUBT IT?

20 A I FELT VULNERABLE. I LISTENED TO WHAT HE SAID.  
21 I TRUSTED THE MACHINE. IT SAID I WAS A LIAR. I  
22 TRUSTED MY OWN MIND. I TRUSTED MY, MY, MY MEMORY.  
23 BUT I HAD NO MEMORY OF THAT EVER HAPPENING. I KNEW I  
24 DIDN'T DO IT.

25 Q WHAT ABOUT THE GREEN STRIP ON THE BLANKET?

1 A FINALLY I SAID IS IT POSSIBLE THAT I COULD HAVE  
2 DONE THIS AND NOT KNOW ABOUT IT.

3 Q HOW LONG WAS THIS PROCESS GOING ON?

4 A OH, THIS WENT ON, IT WAS A LONG PROCESS. IT  
5 WASN'T NO--IT DIDN'T LAST A LONG TIME BUT IT WASN'T  
6 LIKE --

7 Q WASN'T LIKE ---

8 A LIKE LAST NIGHT. EXCEPT IT WAS LIKE, THIS  
9 PROCESS LASTED PROBABLY 20-25 MINUTES AND HE JUST  
10 KEPT ON, KEPT ON TRYING TO PULL MORE AND MORE OUT OF  
11 ME AND FINALLY I STARTED TO FORMULATE IMAGES. I HAD  
12 BEEN FORMULATING IMAGES, WELL, WHAT WAS SHE RAPED  
13 WITH? WHAT HAPPENED TO HER? I MEAN, HE SAID THE  
14 PATHOLOGIST SAID IT WASN'T A HUMAN PENIS. HE SAID  
15 WHATEVER IT WAS IT WAS HARD AND IT WAS LONG. HE SAID  
16 IT WAS RAMMED UP IN HER. THAT WAS THE WORDS I GOT.  
17 IT WAS RAMMED UP IN HER. SO I STARTED TO FORMULATE  
18 AND I STARTED PUTTING THESE IMAGES INTO MY HEAD.

19 Q WHY WERE YOU DOING THAT?

20 A BECAUSE I DIDN'T HAVE NO MEMORY OF IT. BUT HE  
21 SAID I WAS A LIAR. THE MACHINE SAID I WAS A LIAR.  
22 HE WAS TELLING ME I DID OTHER THINGS. I STARTED TO  
23 FEEL LIKE I DID IT. BUT I DIDN'T HAVE NO MEMORY OF  
24 IT, SO I FORMULATED IMAGES IN MY HEAD. I COULDN'T  
25 THINK ABOUT WHAT WAS IN MY MEMORY BECAUSE THERE WAS

1       NOTHING IN MY MEMORY.   SO I STARTED TO COME UP WITH  
2       THESE IMAGES THAT WAS THERE THAT I COULD GIVE HIM.  
3       AND I SAID WELL, IF THE DILDO IS MISSING, IF THE  
4       GREEN WRAP IS STILL ON HER, I MUST HAVE DONE THIS.  I  
5       MUST HAVE DONE IT AND THIS WENT ON FOR SHORT TIME AND  
6       I SAID, AM I A MONSTER.  DID I--DID I DO THIS.  THEN  
7       I STARTED TO BREAK DOWN.  HE STARTED ASKING ME  
8       QUESTIONS.  WELL, WHAT DID YOU DO WHEN YOU GOT UP.  
9       AND I SAID I GOT UP AND I WENT THROUGH THAT  
10      STATEMENT.  EVERYTHING I TOLD HIM IS THE IMAGES THAT  
11      IS WAS IN MY HEAD.  IT WASN'T SOMETHING I DID.  IT  
12      WASN'T SOMETHING I DID.  IT WASN'T FROM A MEMORY.  IT  
13      WAS FROM THE IMAGES THAT I HAD FORMULATED.  I  
14      COULDN'T THINK STRAIGHT.  I WAS SO CONFUSED BY BEING  
15      TOLD ALL THIS STUFF WITHIN 24 HOURS AFTER IT  
16      HAPPENED.  WELL, 28 HOURS AFTER IT HAPPENED.  ALL  
17      THESE THINGS BEING, I COULDN'T, I CRIED.  I SAID I  
18      CAN'T HANDLE NO MORE.  I DON'T UNDERSTAND.  BUT I, I,  
19      I JUST DIDN'T KNOW AND THEN I JUST STARTED TELLING  
20      HIM EVERYTHING THAT WAS IN MY HEAD.  EVERYTHING THAT  
21      WAS, THESE IMAGES.

22      Q       WHAT DO YOU MEAN BY THAT?

23      A       WELL, I FORMULATED THESE IMAGES IN MY HEAD OF  
24      THE PERPETRATOR MAINLY TO TRY TO HELP THEM TO FIND  
25      OUT WHO IT WAS TO SEE WHAT HAPPENED TO HER AND I

1       STARTED PUTTING THESE THINGS INTO MY HEAD. YOU KNOW  
2       THEY SAID IT WAS LONG. I MEAN HE SAID IT WAS LONG  
3       AND IT WAS RAMMED UP INSIDE HER AND IT WASN'T A HUMAN  
4       PENIS. AND I WENT, THE ONLY THING I COULD THINK OF  
5       WAS A BROOM, AND I SAID BROOM. THIS IS INCREDIBLE.  
6       I SAID BROOM. I COULDN'T REMEMBER. THEN HE SAID  
7       WELL, WHAT COLOR BROOM. I SAID, AND I SAID I DON'T  
8       KNOW. I DON'T KNOW. I DIDN'T SEE THIS. I MEAN ALL  
9       I SAW WAS BROOM, WOODEN BROOM IS ALL I SAID, AND THEN  
10      I GAVE THE CONFESSION. THAT FIRST CONFESSION. IT  
11      WAS PREFABRICATED. IT WAS A LIE. BUT I GAVE IT  
12      BECAUSE IT WAS THE IMAGES THAT IS IN MY HEAD. IT WAS  
13      ALL I HAD TO GO ON AND I GAVE IT. I THOUGHT I HAD  
14      DID IT. I THOUGHT I WAS THE MAN AND IT HURT. IT  
15      HURT ME. THEN I STATED NOT AM I A MONSTER. I AM A  
16      MONSTER. AND I EVEN TOLD LIEUTENANT HERRING WHEN WE  
17      GET BACK TO THE POLICE STATION I WANT YOU TO HELP ME  
18      SO I DON'T HAVE TO PUT WITH EVERYBODY ELSE BECAUSE  
19      THEY KILL CHILD MOLESTERS IN JAIL. I DONE HEARD THE  
20      STORIES AND I WASN'T, I JUST, I KNEW WHAT WOULD  
21      HAPPEN TO ME AND I EXPECTED IT BECAUSE I THOUGHT I  
22      WAS THE PERSON THAT DID IT. I TRULY DID. I THOUGHT  
23      I HAD DONE IT. WE GOT DONE. I EVEN SHOOK HIS HAND  
24      AND THANKED HIM. I WAS RELIEVED I HAD GOTTEN IT OUT  
25      AND NOW MY DAUGHTER'S DEATH COULD BE AVENGED. AND

1        THEN WE GOT IN THE CAR AND WE LEFT.  I DON'T REMEMBER  
2        TELLING NOBODY NO JOKES.  I WAS RELIEVED.  I WAS, I  
3        WAS GLAD TO GET THAT OFF--THE IMAGES OUT OF MY HEAD.  
4        I WAS ABLE TO SAY WHAT HAD BEEN FORMULATING ALL NIGHT  
5        LONG IN MY HEAD.  IT STARTED WITH DO YOU REALIZE THAT  
6        SHE WAS BRUTALLY BEATEN.  DO YOU REALIZE, I MEAN,  
7        WOULD YOU BE SURPRISED IF I TOLD YOU THAT SHE WAS  
8        BRUTALLY RAPED, SODOMIZED HE EVEN SAID.  I DIDN'T  
9        KNOW, SO I GAVE HIM THE EXACT CONFESSION THAT IS IN  
10       EVIDENCE.

11      Q        WHEN LIEUTENANT HERRING TOOK THAT STATEMENT FROM  
12      YOU WITH INVESTIGATOR BAKER, HOW DID THEY GO THROUGH  
13      THAT STATEMENT WITH YOU?

14      A        WELL, I DON'T KNOW IF IT WAS A CODE OR WHAT IT  
15      WAS, BUT RIGHT IN BEHIND US OVER HERE WAS A DOOR AND  
16      MR. BAKER WALKED UP TAPPED ON THE DOOR A COUPLE TIMES  
17      AND THEN IN WALKED MR. HERRING.  MR. HERRING SAT  
18      RIGHT IN BEHIND ME AND MR. BAKER WENT BACK OVER THIS.  
19      SAID OKAY NOW MR. COPE, YOU GOT UP AT 3 O'CLOCK IN  
20      THE MORNING, WHAT HAPPENED AFTER THAT, AND I TOLD HIM  
21      AND HE WROTE IT DOWN.  AND IT WAS THE SAME STORY THAT  
22      I HAD JUST, I GAVE THEM IN THE, IN THE, IN HIS  
23      SUMMARY THAT HE --

24      Q        THAT YOU HAD BEEN TALKING TO BAKER ABOUT BEFORE?

25      A        YEAH, ALL THE STUFF I TOLD HIM HE PUT IT ON THE



1 PAPER AND HE HANDS IT TO ME.

2 Q HOW DID THAT STATEMENT COME ABOUT? DID YOU  
3 WRITE THAT STATEMENT?

4 A NO, SIR, I DIDN'T WRITE THIS STATEMENT. THAT'S  
5 NOT MY HANDWRITING. MR. HERRING SAT IN BEHIND ME AND  
6 AS BAKER TALKED TO ME AND I TOLD HIM THE SAME THING  
7 THAT WE HAD ALREADY TALKED ABOUT, HE WAS TAKING  
8 NOTES, HE ALREADY HAD HIS NOTES OUT, AND THEN HE JUST  
9 SIT THERE AND WROTE IT BEHIND ME. AS A MATTER OF  
10 FACT HE STOPPED ME A COUPLE TIMES AND SAID UH, HOLD  
11 UP A MINUTE, I'M STILL, AS HE WAS WRITING HE WAS  
12 TRYING TO GET ALL THE WORDS DOWN, AND THAT'S WHAT I  
13 GAVE HIM. I WAS RELIEVED.

14 Q HOW DID YOU GIVE HIM THAT STATEMENT THOUGH?  
15 WHAT I'M GETTING AT, WAS THAT A FREE-FLOWING  
16 STATEMENT BY YOU OR WAS THERE SUGGESTIONS MADE OR  
17 QUESTIONS ASKED?

18 A THIS ONE, THIS ONE HERE, THE FIRST ONE WAS, I  
19 WAS, HE, YOU KNOW, BAKER WAS SUGGESTING, YOU KNOW,  
20 TRYING TO HELP ME TO, BECAUSE HE JUST KEPT SAYING I  
21 WAS A LIAR AND, YOU KNOW, THE MACHINE DON'T TELL NO  
22 LIES. THE PICTURES DON'T TELL NO LIE. I DIDN'T  
23 KNOW, YOU KNOW, SO I STARTED JUST TELLING HIM WHAT  
24 WAS IN MY HEAD. HE WAS USING HIS NOTES AND READING  
25 BACK AND SAID NOW MR. COPE, REMEMBER YOU SAID THIS

1 AND YOU SAID THIS, REMEMBER AFTER THIS, AND ALL THE  
2 WAY THROUGH, AND THE WHOLE STATEMENT, YOU KNOW, HE  
3 TOOK IT. I WAS RELIEVED. I WAS RELIEVED BECAUSE I  
4 THOUGHT I WAS THE MAN. I THOUGHT I HAD DONE IT. I  
5 COULDN'T -- I EVEN ASKED HIM, AM I GOING TO FRY FOR  
6 THIS BECAUSE I DIDN'T KNOW. I HONEST TO GOD DIDN'T  
7 KNOW. I KNEW I HAD, I HAD DONE IT. THAT'S WHAT WAS  
8 THERE. AS FAR AS I WAS CONCERNED I WAS THE MAN THAT  
9 DONE THAT. AND I STARTED TO FEEL A LITTLE BETTER.  
10 BECAUSE FIRST THEY WERE LOOKING, THEY WEREN'T HAVING  
11 TO LOOK FOR NOBODY ELSE. I HAD THOUGHT I HAD DONE  
12 IT. AND THEN WE GOT IN THE CAR.

13 Q THE STATEMENT, LET ME GO BACK TO THIS A LITTLE  
14 BIT?

15 A OKAY.

16 Q IT TALKS ABOUT THINGS THAT YOU SAID YOU DID,  
17 THAT YOU HAD AN ERECTION, YOU WENT IN HER ROOM, YOU  
18 MASTURBATED, SHE WOKE UP AND SAID OH GROSS DADDY,  
19 THOSE KINDS OF THINGS, HOW DID THOSE STATEMENTS GET  
20 ON THAT PAPER LIKE THAT? WHAT WAS THE PROCESS BY  
21 WHICH LIEUTENANT HERRING, DID LIEUTENANT HERRING TELL  
22 YOU THAT HE NEEDED TO HEAR THAT FROM YOU.

23 MR. POPE: YOUR HONOR, I OBJECT TO THE  
24 LEADING.

25 THE COURT: YES, I SUSTAIN THE LEADING.

1 Q SORRY. TELL US HOW THAT GOT ON THERE, BILLY?  
2 YOU UNDERSTAND WHAT I'M SAYING?

3 A YEAH, WE FINISHED THE CONVERSATION BAKER AND I  
4 AND BAKER TOLD ME, HE SAID NOW MR. COPE, YOU ARE  
5 GOING TO HAVE TO GIVE HERRING A FORMAL STATEMENT  
6 BECAUSE THIS WAS JUST, THESE ARE JUST MY NOTES, BUT  
7 YOU ARE GOING TO HAVE TO GIVE A STATEMENT THAT YOU  
8 CAN SIGN, AND SO HE WENT BACK THROUGH IT. NOW THE  
9 THINGS THAT WERE SAID IN THIS STATEMENT ARE THE  
10 THINGS THAT I TOLD BAKER AND BAKER JUST REMINDED ME  
11 OF THING CERTAIN THINGS. HE SAID MR. COPE, REMEMBER  
12 YOU SAID THIS OR MR. COPE, REMEMBER THIS PART ABOUT  
13 THE OH GROSS DADDY. HE EVEN MENTIONED THAT AND I WAS  
14 KIND OF CONCERNED ABOUT IT BECAUSE I NEVER SAID  
15 NOTHING TO HIM ABOUT THAT. SO I ASSUME THAT THAT WAS  
16 PART OF WHAT HERRING HAD TOLD HIM FROM THE NIGHT  
17 BEFORE BECAUSE ON THAT VIDEO, I MEAN ON THAT TAPE  
18 IT'S MENTIONED ON THERE THAT I TOLD THEM ABOUT OH  
19 GROSS DADDY.

20 Q IN WHAT REGARD?

21 A THAT REGARD WOULD BE TO MY WIFE. EVERY TIME MY  
22 WIFE AND I WOULD KISS AMANDA WOULD GO OH GROSS DADDY  
23 AND PUT HER HANDS UP OR OH GROSS MOMMA.

24 Q SO, SO WHEN YOU WENT THROUGH THAT STATEMENT THEY  
25 WERE SAYING DO YOU REMEMBER TELLING ME AND SUCH AND

1 SUCH?

2 A IT WASN'T, IT WASN'T WHAT I WOULD CALL COACHING  
3 BUT IT WAS, HE WAS TRYING TO LEAD ME TO HELP ME TO  
4 SAY WHAT I HAD ALREADY TOLD HIM, BUT HE WAS LEADING  
5 ME ON TRYING TO HELP ME TO, WITH THE THINGS THAT I  
6 HAD TOLD HIM ALREADY.

7 Q BUT AGAIN BILLY, YOU THOUGHT AT THE END OF THAT?

8 MR. POPE: YOUR HONOR --

9 THE COURT: THAT'S A LEADING QUESTION.

10 MR. MORTON: I'M SORRY.

11 Q WHAT, HOW LONG WERE YOU OVER THERE WITH

12 MR. BAKER THAT DAY, DO YOU REMEMBER?

13 A UH.

14 Q DO YOU REMEMBER WHAT TIME THAT STATEMENT --

15 A WE GOT --

16 Q WHAT TIME THAT STATEMENT --

17 A WE GOT STARTED A LITTLE LATER THAN WHAT, WHAT  
18 HERRING WANTED. I THINK HERRING WAS GOING TO TRY TO  
19 LEAVE THE STATION BY 9:30. I THINK WE LEFT LIKE 9:45  
20 WE GOT THE STATION IT WAS A FEW MINUTES, JUST A FEW  
21 MINUTES AFTER TEN, AND WE WENT INTO THE ROOM AND THAT  
22 LASTED FROM, IT LASTED UNTIL ABOUT 2:30. THERE WAS,  
23 I CAN'T REMEMBER EXACTLY. CAN I SEE THE STATEMENT  
24 AGAIN.

25 Q THAT'S OKAY. IT'S ABOUT 2:30 AGAIN I'M GOING

1 TO ASK YOU, HOW DID YOU FEEL WHEN YOU LEFT THERE  
2 AFTER ---

3 A I FELT LIKE I WAS THE PERSON THAT DONE IT. I  
4 HAD, I HAD PRETTY MUCH CONVINCED MYSELF THAT I WAS  
5 THE PERSON AND IT WAS ALL BECAUSE OF WHAT THE MACHINE  
6 SAID, IT WAS ALL BECAUSE OF WHAT THE, WHAT HERRING,  
7 WHAT HERRING SAID THE NIGHT BEFORE, WHAT WALDROP SAID  
8 THE NIGHT BEFORE, WHAT BAKER WAS SAYING TO ME ABOUT  
9 THE GREEN, THAT GREEN WRAP IS THE ONE THING I COULD  
10 NOT UNDERSTAND BECAUSE I KNEW I TOOK IT OFF. BUT  
11 THEY SAY THEY HAVE PICTURES. I TRUSTED, I TRUST  
12 POLICE OFFICERS. I NEVER, I NEVER THOUGHT THAT  
13 PEOPLE WOULD LIE TO ME. I NEVER THOUGHT FOR ONCE  
14 THAT PEOPLE WOULD LIE TO ME. I TRUSTED THEM.

15 Q DID YOU TRUST THE MACHINE?

16 A I TRUST --

17 Q THE RESULTS OF THAT MACHINE?

18 A I TRUSTED THE MACHINE MORE SO, I ALSO FELT GOD  
19 HAD LET ME DOWN. I THOUGHT GOD HAD LET ME DOWN AND  
20 THE REASON I SORT OF STARTED TO THINK WAS OKAY, I  
21 DONE IT, AND GOD DON'T WANT NOTHING TO DO WITH ME ANY  
22 MORE. GOD SAYS ALL MURDERS WILL HAVE THEIR PART IN  
23 THE LAKE OF FIRE AND I KNEW THAT. AND I THOUGHT I  
24 MUST HAVE DONE IT. WHY, I MEAN, GOD AIN'T GOING TO  
25 LET THESE THINGS HAPPEN TO ME. I HADN'T DONE NOTHING

1       WRONG.  BUT THEN WHEN I LEFT THERE, I WAS CONVINCED  
2       THAT I HAD DONE IT.

3       Q     SO LIEUTENANT HERRING TOOK YOU BACK TO THE  
4       POLICE STATION?

5       A     YEAH, GOT BACK TO THE STATION AND THEN THAT'S  
6       WHEN I WAS, THEY TOOK MY CLOTHES, TOOK MY SHOES,  
7       THEY TOOK EVERYTHING FROM ME, AND PUT IT IN A BAG AND  
8       THEY TOLD ME I WAS UNDER ARREST AND THAT THE WARRANT  
9       WAS, HAD STUCK.  AND THEN A LITTLE BIT LATER THEY  
10      COME IN THERE WITH FOUR MORE WARRANTS.

11     Q     ALL RIGHT.  SO THEN YOU STAYED AT THE ROCK HILL  
12     POLICE STATION THAT NIGHT?

13     A     I STAYED, YEAH, THAT NIGHT.  I ATE DINNER THERE  
14     AND THEN I READ, I READ THE BIBLE ALL NIGHT, PRETTY  
15     MUCH ALL NIGHT.

16     Q     AND YOU STAYED THERE ALL NIGHT THE NIGHT OF THE  
17     30TH OF NOVEMBER 2001?

18     A     THAT'S CORRECT.

19     Q     AND THEN THEY TOOK YOU BACK TO THE MOSS JUSTICE  
20     CENTER?

21     A     WELL, ACTUALLY THEY WOKE ME UP THE NEXT MORNING  
22     EARLY.  I WAS ARRAIGNED, I MEAN NOT ARRAIGNED BUT I  
23     WAS --

24     Q     TAKEN IN FRONT OF A JUDGE?

25     A     TAKEN IN FRONT OF A JUDGE.

1 Q OKAY.

2 A AND THEN AFTER THAT THEY TOOK ME TO, OFFICER  
3 HARMON COME AND GOT ME AND TOOK ME, STARTED OUT THE  
4 DOOR WITH ME, AND I TOLD HIM I SAID WAIT, WAIT A  
5 MINUTE, I WANT TO TALK TO THE OFFICERS. I MADE A  
6 MISTAKE. I HAD STARTED TO THINK, I DIDN'T HAVE  
7 NOBODY SITTING THERE BEATING ON ME, NO. I DIDN'T  
8 HAVE HIM SITTING THERE CONSTANTLY TALKING TO ME. I  
9 WAS SITTING THERE MYSELF. THAT CAN'T BE RIGHT. THAT  
10 CAN'T BE RIGHT. AND SO I WENT TO, I WENT TO HARMON  
11 BEFORE WE LEFT AND I SAID I WANT TO TALK TO THE  
12 OFFICER. THIS AIN'T RIGHT. I MADE A MISTAKE. AND  
13 HE SAID.

14 Q MADE A MISTAKE --

15 A WHAT I WAS INTENDING WHAT, WHAT MY INTENSIONS  
16 WAS I SAID I MADE A MISTAKE BUT MY INTENTIONS WAS, I  
17 DID MAKE A MISTAKE.

18 Q WHAT DID YOU MEAN BY MISTAKE?

19 A I MADE A MISTAKE. I GAVE A STATEMENT THAT I  
20 DIDN'T DO NOTHING WRONG. I COULDN'T HAVE DONE THAT.  
21 I KNOW BETTER. MY MEMORY IS NOT THERE. THE MEMORY  
22 IS NOT THERE. THERE IS NO MEMORY OF ME DOING THAT  
23 AND I KNEW THAT I DIDN'T DO IT. SO I TRIED TO GET  
24 HIS ATTENTION. AND HE WOULDN'T, HE SAID, HE SAID,  
25 UH, I GUESS, HE SEEMED TROUBLED SO I THINK HE

1       PROBABLY TOOK THAT THE WRONG WAY. HE PROBABLY TOOK  
2       THAT THE WAY HE THOUGHT BECAUSE I SAID I MADE A  
3       MISTAKE.

4       Q       SO HE TOOK YOU BACK TO MOSS JUSTICE?

5       A       HE BROUGHT ME HERE TO MOSS JUSTICE AND THEY  
6       BOOKED ME IN AND I SAT IN BOOKING. I SAT IN BOOKING  
7       AND I LISTENED TO, I FIRST WHILE I WAS WAITING ON  
8       THEM WHILE THEY WAS BOOKING ME IN THEY WERE ASKING ME  
9       QUESTIONS LIKE DO YOU HEAR VOICES AND I THOUGHT NO I  
10      DON'T HEAR VOICES, BUT I GOT BACK IN THE ROOM AND I  
11      STARTED THINKING, YOU KNOW.

12      Q       HOW LONG WERE YOU IN THAT ROOM?

13      A       THAT ROOM, I WAS IN THAT ROOM FROM MONDAY  
14      MORNING.

15      Q       NO --

16      A       TUESDAY MORNING ON THE FIRST OF DECEMBER.

17      Q       FIRST WAS ON A FRIDAY?

18      A       WAS IT FRIDAY?

19      Q       OR SATURDAY.

20      A       OKAY. IT WAS FRIDAY. OKAY, YEAH, BECAUSE I  
21      STAYED THE WHOLE WEEKEND.

22      Q       OKAY.

23      A       AND ON MONDAY MORNING I WAS THERE THAT WHOLE  
24      WEEKEND.

25      Q       WAS ANYBODY IN THAT CELL WITH YOU?



1 A NO, THERE IS NOBODY IN THE CELL. IT'S CLOSED  
2 IN. IT'S ABOUT TWICE THIS SIZE OUT. IT'S ABOUT THIS  
3 SIZE. THERE IS A BED ON THIS SIDE AND IT'S HARD  
4 CONCRETE AND THAT'S WHAT I SLEPT ON. THEY GAVE ME A  
5 BLANKET.

6 Q WAS THERE A PAD?

7 A NO PAD, NO NOTHING LIKE THAT. IN BOOKING THEY  
8 DON'T GIVE YOU A PAD TO SLEEP ON. THEY GIVE YOU A  
9 BLANKET, A BIG WHITE BLANKET AND YOU SLEEP ON THE  
10 BLANKET.

11 Q SO YOU STAYED THERE FOR TWO DAYS?

12 A I STAYED THERE FOR ACTUALLY THREE DAYS: FRIDAY,  
13 SATURDAY, AND SUNDAY.

14 Q COULD YOU, DID YOU TALK TO ANY OF YOUR FAMILY OR  
15 DID YOU TALK --

16 A NO, I WAS NOT ALLOWED PHONE CALLS, NO VISITS, NO  
17 NOTHING AT THAT TIME.

18 Q WHAT DID YOU DO FOR THOSE TWO OR THREE DAYS?

19 A I SAT IN THE CELL AND THOUGHT ABOUT WHAT I HAD  
20 SAID. WHAT HAD BEEN GOING ON. WHAT I TRIED TO GET  
21 ACROSS TO HARMON, EVERYTHING. I TOOK EVERYTHING INTO  
22 CONSIDERATION. I STARTED THINKING. I THOUGHT I DONE  
23 MADE A MISTAKE. HOW AM I, I DON'T KNOW HOW TO GET  
24 OUT OF THAT ONE BECAUSE I DONE CONFESSED TO SOMETHING  
25 I DIDN'T DO AND THEY ARE NOT GOING TO BELIEVE ME. SO

1 I STARTED TO FORMULATE MY OWN LITTLE, THE WAY, THE  
2 WAY I, THE WAY I SAID WELL, IF I CAN'T, YOU KNOW, I'M  
3 GOING TO HAVE TO DO SOMETHING. I GOT TO GIVE THEM  
4 SOMETHING DIFFERENT, GIVE THEM A SECOND STORY. THAT  
5 WAS THE THOUGHT THAT WAS IN MY HEAD. I THOUGHT WELL  
6 MAYBE, MAYBE, AND I TRIED TO STAY WITH THE SAME, THE  
7 SAME IDEA. I MEAN I WASN'T SURE WHAT HAPPENED. I  
8 DIDN'T KNOW WHAT HAPPENED. BUT I HAD TO DO  
9 SOMETHING. I WAS SCARED. I WAS SCARED. I DIDN'T  
10 KNOW WHAT TO DO AND I WAS AFRAID AND I WAS LOOKING  
11 FOR A WAY OUT. THAT'S THE TRUTH. AND SO I BEAT ON,  
12 I BEAT ON THE DOOR OF THE JAIL CELL. I BEAT ON THE  
13 DOOR MORE TIMES THAN WHAT HAS BEEN MENTIONED. MANY  
14 TIMES I BEAT AND THEY DIDN'T WANT TO HEAR ME. THEY  
15 WERE BUSY AND THEY WAS BUSY, BUT FINALLY I GOT THE  
16 ATTENTION OF ONE OFFICER. AND I SAID LOOK, I NEED TO  
17 TALK TO OFFICER HERRING, OFFICER WALDROP OR  
18 LIEUTENANT WALDROP, I THINK I SAID OFFICER WALDROP.  
19 AND SHE SAID WHO IS THAT. I SAID HE WORKS AT THE  
20 ROCK HILL POLICE DEPARTMENT. I SAID I NEED TO TALK  
21 TO. SHE SAID WHAT ABOUT. AND I SAID I NEED TO TELL  
22 HIM, BECAUSE I DIDN'T KNOW WHAT ELSE TO SAY, THEY  
23 WASN'T GOING TO LISTEN TO ME. THEY NEVER LISTENED TO  
24 ME BEFORE, SO I SAID I NEED TO TELL HIM WHAT I DID TO  
25 MY DAUGHTER.

1 Q MEANING WHAT?

2 A MEANING THE STORY THAT I HAD MADE UP. THAT WAS  
3 THE WHOLE, I DIDN'T KNOW WHAT TO DO. I WAS CONFUSED.  
4 AND I WAS SAYING, WAIT A MINUTE, I KNOW I DIDN'T DO  
5 THIS, BUT I THOUGHT THAT THE POLICE HAD TO PROVE WHAT  
6 WAS SAID. THEY HAD TO GO BACK THROUGH THE STATEMENT  
7 AND EVERYTHING HAD TO MATCH UP. AND THE WAY THEY  
8 WERE TALKING AND WHAT THEY HAD ALREADY TOLD ME, THAT  
9 STATEMENT MATCHED UP PERFECT. BECAUSE THEY, I TOOK  
10 IT STRAIGHT FROM WHAT THEY SAID. WHAT THEY SAID  
11 THAT'S WHAT I TOOK UP. AND THAT'S WHAT I WROTE. I  
12 WROTE THE WAY THEY TOLD ME THAT IT HAPPENED. I SAID  
13 THAT, THE ONLY THING I DIDN'T KNOW WAS, I SAID WELL,  
14 I, I DON'T KNOW. I WASN'T SURE ABOUT, WELL, THERE IS  
15 A LITTLE PLACES I DIDN'T KNOW ABOUT BECAUSE I DIDN'T  
16 KNOW, BUT I, I THOUGHT WELL WAS IT IN ONE PLACE  
17 BEFORE THE OTHER. I DIDN'T KNOW. SO I JUST MADE UP  
18 THE WHOLE, YOU KNOW, THE STORY. THAT PART I SAID  
19 WELL, I STUCK IT IN HER BUTT FIRST. THAT'S THE  
20 TRUTH, OF THE STORY.

21 Q YOU MEAN THAT'S THE TRUTH OF WHAT YOU TOLD THEM?

22 A OF WHAT I TOLD THEM, YEAH, OF THE STORY.

23 Q ALL RIGHT.

24 A OF THE STORY BECAUSE I DIDN'T KNOW. I ALREADY  
25 HAD ALL THE IMAGES UP HERE, BUT I DIDN'T HAVE THAT

1 ONE. I DIDN'T KNOW IF WHETHER IT WAS THIS, THIS,  
2 WHERE, I DIDN'T KNOW.

3 Q SO OVER THOSE TWO DAYS IN THAT HOLDING CELL YOU  
4 DECIDED TO DO WHAT?

5 A MADE UP ANOTHER STORY.

6 Q WHAT, WHAT?

7 A MADE UP THAT STORY AND I STARTED TO THINK ABOUT  
8 A DREAM.

9 Q WHY DID YOU DO THAT?

10 A BECAUSE I WAS SCARED. I DIDN'T KNOW WHAT ELSE  
11 TO DO. I KNEW I HADN'T DONE NOTHING WRONG, BUT, AND  
12 I WANTED--I DIDN'T KNOW. HONESTLY I DIDN'T KNOW. I  
13 SAID, I GOT TO GIVE THEM ANOTHER STORY. SO I GAVE  
14 THEM A DREAM STORY AND THE RAGE. I KNEW THAT HE SAID  
15 THAT IT WAS RAMMED UP IN HER PRETTY DEEP. SOMEBODY  
16 HAD TO BE ENRAGED FOR THAT. SO I SAID I KNOW I'LL  
17 SAY IT WAS A DREAM. I'LL SAY IT WAS A DREAM I HAD  
18 AND THAT IT WAS ALL A DREAM AND THAT ALL THESE THINGS  
19 HAPPENED AS A RESULT OF A BAD DREAM I WAS HAVING AND  
20 I SLEEPED WALKED AND DONE IT.

21 Q DID YOU THINK THAT WOULD HELP YOU?

22 A I THOUGHT THAT IT WOULD GET ME SOME HELP. I  
23 THOUGHT I WOULD GO TO AN INSANE ASYLUM INSTEAD OF  
24 GOING TO A PRISON AND BE RAPED OR KILLED BY SOMEBODY.  
25 I DIDN'T KNOW. I WAS SCARED. SO I STARTED TO

1 FORMULATE THIS WHOLE DREAM IDEA ON A DREAM ABOUT,  
2 ABOUT HOW I GOT UP AND WALKED AND THE RAGE CAME  
3 BECAUSE OF THE FEMALE THAT WAS INVOLVED, TERESA.  
4 TERESA GARRISON IS THE ONE I WAS TALKING ABOUT. AND  
5 I, ACTUALLY HER NAME WAS TERESA ALMOND, GARRISON WAS  
6 HER MAIDEN NAME. AND I SAID I WAS SO ENRAGED AND  
7 THAT MAKES ME SO ANGRY BECAUSE I LOVE MY CHILDREN AND  
8 TO EVEN THINK ABOUT THE FACT THAT SOMEBODY HAD  
9 ABORTION WITH ONE OF MY CHILDREN THAT MADE ME VERY  
10 MAD AND MY WIFE KNEW THAT. I GOT ANGRY AND I THOUGHT  
11 THAT'S THE ONLY RAGE THAT I COULD COME UP WITH THAT I  
12 COULD DO SOMETHING LIKE THAT. SO I MADE UP THAT  
13 STORY THAT I WAS DREAMING ABOUT HER. SHE, SHE WAS  
14 LAUGHING AT ME, SAYING I HAD THE ABORTION AND YOUR  
15 CHILD, WHICH SHE DID THESE THINGS AND SHE LAUGHED AT  
16 ME AND I SAW ALL THESE IMAGES WHEN SHE DONE TOLD ME  
17 ABOUT IT THE FIRST TIME.

18 Q SO YOU DECIDED THAT THAT'S --

19 A SO I SAID I'M GOING TO TRY TO GET SOME HELP, SO  
20 I TRIED TO GET ME SOME HELP BECAUSE I DON'T WANT TO  
21 GO TO PRISON FOR SOMETHING I DIDN'T DO OR I DON'T  
22 WANT TO DIE FOR SOMETHING I DIDN'T DO. SO I MADE UP  
23 THE STORY. I STARTED LYING AND I LIED THROUGHOUT THE  
24 WHOLE THING.

25 Q THROUGHOUT THE THING WITH DETECTIVE --

1 A YEAH, I'M TALKING ABOUT --

2 Q CHARLES CABANISS?

3 A YEAH, I'M TALKING ABOUT THE FIRST PART OF THAT,  
4 THE FIRST PART WHEN I FIRST WENT IN, WHEN I-- WELL,  
5 LET'S GO BACK. I GOT THE ATTENTION OF THAT OFFICER  
6 AND SHE SAID I'LL GO TALK TO LIEUTENANT WALDEN HERE  
7 AT THE JAIL. HE'S IN THE LIEUTENANT ON ONE OF HER  
8 SHIFTS WAS HER BOSS AT THE TIME, SHE WENT AND TALKED  
9 TO HIM. HE CONTACTED THE ROCK HILL POLICE DEPARTMENT  
10 AND THEY SAID THAT THEY WAS GOING TO, SHE COME BACK  
11 AND TOLD ME AND SHE SAID MR. COPE, THEY SAID THEY ARE  
12 GOING TO COME BACK AND SEE YOU TOMORROW. AND I SAID  
13 OKAY. I SAID AND SO I JUST SAT THERE IN THE JAIL. I  
14 HAD A LITTLE MORE TIME TO THINK THIS STORY THROUGH.  
15 I GOT INTO THE OFFICER DUGAN AND HANOKA. THEY BOTH  
16 CAME AND PICKED ME UP. THEY WERE REAL QUIET, THEY  
17 DIDN'T TALK, NOT LIKE THE OTHER OFFICERS WHO ALWAYS  
18 TALK TO ME IN THE CAR OR IN THE VAN AND EVERYTHING  
19 LIKE THAT. SO I WENT, I SAT IN THE CAR ALL THE WAY  
20 TO THE POLICE STATION, OVER AND OVER TRYING TO FIGURE  
21 OUT WHAT I'M GOING TO SAY, HOW AM I GOING TO SAY IT.  
22 I GOT INTO THE POLICE STATION. THEY BROUGHT ME INTO  
23 THE SALLY PORT AND I WENT IN TO THE POLICE STATION  
24 AND I WAS SITTING THERE. WHILE I WAS SITTING THERE  
25 THEY PUT ME IN A CELL. I SAT THERE FOR I GUESS ABOUT

1 30 MINUTES OR SO, MAY HAVE EVEN BEEN AN HOUR, AND  
2 THEN AN OFFICER COME AND GOT ME AND TOOK ME, MIGHT  
3 HAVE EVEN BEEN CHARLENE BLACKWELDER, I CAN'T  
4 REMEMBER, COME AND GOT ME AND TOOK ME TO CHARLENE  
5 BLACKWELDER'S OFFICE. AND IN THERE WAS OFFICER  
6 BLACKWELDER AND CAPTAIN CABANISS, THEY BOTH WERE  
7 SITTING, THERE WERE, CABANISS WAS STANDING AND SHE  
8 WAS SITTING. SHE SAT DOWN BESIDE ME. THERE WAS  
9 PROBABLY ABOUT 8 INCHES IN BETWEEN OUR CHAIRS. THE  
10 FIRST THING I SAID WAS I THOUGHT I'LL APPEAL ONE LAST  
11 TIME AND SAY I DIDN'T DO IT. AND SO I, I SAID, I DID  
12 NOT DO IT. AND HE SAID AND HIS EXACT WORDS WAS, WE  
13 DON'T BELIEVE YOU. DON'T COME HERE WITH THAT STUFF.  
14 WE DON'T WANT TO HEAR NO MORE ABOUT THAT. AND I  
15 SAID, SO I SAID OKAY AND I STARTED TELLING HIM THAT  
16 STORY.

17 Q THE DREAM?

18 THE DREAM. THE STORY, THE STORY I MADE UP  
19 ABOUT A DREAM. AND I GAVE THAT STORY TO HIM AND  
20 AFTER I GAVE HIM THAT STORY AND HE LOOKED AT ME AND  
21 HE GOES I AIN'T BUYING THIS UNLESS, UNLESS YOU  
22 ACCOMPANY US BACK TO THE HOUSE. I WANT TO SEE HOW  
23 YOU DID IT. YOU ARE GOING TO HAVE TO SHOW ME HOW YOU  
24 DID THIS ON THIS TAPE. THIS DREAM, I WANT TO SEE IT.  
25 SO WE WENT BACK -- WELL, ACTUALLY THEY PUT ME BACK IN

1 A CELL FOR A LITTLE WHILE. THEY WENT AND MADE ALL  
2 THE ARRANGEMENTS AND A LITTLE LATER THEY COME AND GOT  
3 ME AND WENT OVER TO THE HOUSE. WHEN I GOT TO THE  
4 HOUSE, THERE WAS CHARLENE BLACKWELDER, THERE WAS  
5 CAPTAIN CABANISS, THERE WAS, I'M THINKING THE OFFICER  
6 I'M THINKING ABOUT IS TRAVIS MCDANIEL, AND THERE WAS  
7 ONE OTHER, ONE OTHER PERSON I CAN'T REMEMBER WHO IT  
8 WAS, BUT I REMEMBER THEY STARTED THE VIDEO. HE SAID  
9 WE'RE GOING TO BE VIDEO TAPING, MR. COPE. THIS IS  
10 GOING TO BE VIDEO TAPED, DO YOU MIND. I SAID NO, I  
11 DON'T MIND. SO HE STARTED A VIDEO TAPE. AND THEN  
12 WHEN WE GOT THERE, THEY LOOKED AT EACH OTHER AND SAID  
13 WHOSE GOT THE KEY. WHOSE GOT THE KEY TO THE HOUSE.  
14 NOBODY HAD THE KEY TO THE HOUSE. THEY FORGOT THE  
15 KEY. ONE OF THE OFFICERS WALKED AROUND TO THE BACK  
16 OF THE HOUSE. I DON'T KNOW HOW HE GOT IN, I DON'T  
17 KNOW WHAT HE DONE, BUT HE GOT IN THE BACK DOOR OF MY  
18 HOUSE, AND THEY CAME THROUGH THE BACK DOOR. THAT'S  
19 WHY WHEN YOU SEE THE VIDEO YOU SEE MY BACK DOOR  
20 STANDING OPEN IN THAT VIDEO. THEY CAME IN AT THE  
21 BACK DOOR. AND LEFT THE DOOR STANDING OPEN. THEY  
22 CAME AROUND, THEY GOT ME, I WAS SHACKLED AND  
23 HANDCUFFED AND BROUGHT ME IN THE HOUSE. THE FIRST  
24 THING I WANTED TO DO WAS GET MY GLASSES BECAUSE I  
25 COULDN'T SEE NOTHING. I HADN'T BEEN ABLE TO SEE THE



1       WHOLE WEEKEND, EVER SINCE THAT TUESDAY, THAT THURSDAY  
2       MORNING.  ACTUALLY THE LAST TIME I HAD MY GLASSES WAS  
3       WEDNESDAY NIGHT BEFORE I WENT TO BED.  AND I TOOK, I  
4       PUT MY GLASSES ON.  THEY ALLOWED ME TO GET MY  
5       GLASSES, I PUT MY GLASSES ON.  I FELT A LOT BETTER,  
6       BUT I HAD TO GIVE THEM A PERFORMANCE.  THAT'S THE WAY  
7       I FELT.  HE SAID PROVE IT TO ME AND THAT'S WHAT I HAD  
8       TO DO.  I MADE UP THE, THERE WAS SECTIONS IN THERE  
9       THAT I WENT, UH, OR OOPS, NO THAT IN THE TAPE BECAUSE  
10      I ACTUALLY FORGET WHAT I HAD WRITTEN ON THE PAPER.  I  
11      ACTUALLY FORGETTEN WHAT I HAD WRITTEN ON THE PAPER,  
12      SO I HAD TO ADD LIB SOME OF IT.

13      Q       DID YOU THINK THAT BY TELLING THEM THAT DREAM  
14      THAT IT WOULD HELP YOU?

15                   MR. POPE:  YOUR HONOR, I OBJECT.  IF HE  
16      WANTS TO ASK --

17                   THE COURT:  THAT'S A LEADING QUESTION.

18      Q       WHAT DID YOU THINK BY TELLING THEM THIS DREAM  
19      WOULD DO?

20      A       I FELT LIKE THIS WOULD HELP ME GET, GET, I  
21      WOULDN'T GO TO PRISON FOR THE REST OF MY LIFE.  IT  
22      WOULD HELP ME TO, I WOULD GO TO A INSANE ASLUYM, STAY  
23      THERE FOR, FOR A SHORT TIME, GET MY HEAD, THEY WOULD  
24      SAY I GOT MY HEAD STRAIGHT, MY HEAD WAS STRAIGHT.  I  
25      KNEW IT WAS STRAIGHT.  BUT I SAID I GET MY HEAD

1 STRAIGHT AND THEN I'D BE RELEASED TO THE PUBLIC AGAIN  
2 AND EVERYTHING WOULD BE FINE.

3 Q THAT'S WHAT YOU --

4 A I-- THAT WAS A BETTER CHOICE THAN ANYTHING ELSE.  
5 THAT WAS BETTER THAN ANYTHING ELSE THAT I COULD, AT  
6 THAT TIME I COULD THINK OF BECAUSE WHAT I WAS LOOKING  
7 AT WAS EITHER LIFE IMPRISONMENT OR THE DEATH PENALTY  
8 AND I DIDN'T KNOW FOR SURE. THEN I WENT THROUGH THAT  
9 WHOLE THING AND YOU SAW THE VIDEO. I MEAN. AND THEN  
10 AFTER THAT I CAME BACK TO, CAME BACK TO THE POLICE  
11 STATION. AS A MATTER OF FACT, ON THAT DAY SOMETHING  
12 ELSE HAD HAPPENED ANOTHER MURDER. THERE WAS TWO  
13 PEOPLE, A MAN AND WOMAN, WERE KILLED BY A YOUNG BOY  
14 IN CHESTER. OR I'M ASSUMING IT WAS ON THIS SIDE OF  
15 CHESTER. I CAN'T REMEMBER. BUT WHEN THEY WERE  
16 BRINGING ME IN THE CAMERA WERE ALL OUT THERE. AND  
17 THE CAMERA GOT A LOOK AT ME AND THEY SAID OH, THAT'S  
18 MR. COPE, THAT'S MR. COPE. AND HE SAID WE'RE GOING  
19 TO TRY TO GET YOU IN HERE REAL QUICK AND SO THE  
20 POLICE OFFICER TRIED TO RUSH ME IN TO THE SALLY PORT  
21 WHERE THE CAMERA. CAMERA WERE ALL STANDING AROUND  
22 THE POLICE DEPARTMENT. THEY WERE WAITING ON THEM TO  
23 BRING THEM TWO BOYS OR THAT BOY OR WHOEVER IT WAS AND  
24 THAT WAS THE WHOLE IDEA BEHIND. I MEAN, I REMEMBER  
25 THAT PART. AND THEN I GOT BACK --

1 Q LET ME TALK TO YOU ABOUT THE VIDEO?

2 A OKAY.

3 Q ON THAT VIDEO YOU TALK TO CAPTAIN CABANISS AND  
4 CHARLENE ABOUT JUMPING ON YOUR DAUGHTER'S BACK?

5 A YES, SIR.

6 Q WHAT ABOUT THAT?

7 A THAT WAS ALL PART OF THE DREAM. I HAD  
8 ENVISIONED IN MY DREAM THAT IT WAS TERESA. I WASN'T  
9 THINKING ABOUT AMANDA. AND I SAID THAT IN THE DREAM  
10 THAT I WAS TALKING ABOUT TERESA AND WHEN I JUMPED,  
11 AFTER I JUMPED ON HER AND DONE WHAT I SAID IN THE  
12 VIDEO, THEN THE, I SAID I GOT OFF OF THE BED AND I  
13 PULLED HER BRITCHES DOWN AND RAMMED THE BROOM IN HER  
14 AND CAME BACK, FELL, AND IT JARRED MY MEMORY REALIZED  
15 WHAT I HAD DONE. I KNEW ALL ALONG THAT I HADN'T DONE  
16 NONE OF THAT. THAT'S WHAT I, BECAUSE I KNEW I DIDN'T  
17 DO IT, BUT HE SAID PROVE IT TO ME. THAT WAS HIS  
18 WORDS PROVE IT TO ME. PROVE THAT THIS IS WHAT  
19 HAPPENED AND I'LL BELIEVE IT. I THOUGHT THE OTHER  
20 ONE WAS THE REAL THING. I THOUGHT THAT WAS THE TRUTH  
21 BECAUSE THEY GAVE ME THE INFORMATION. I REALLY  
22 THOUGHT THAT THAT WAS TRUE.

23 Q YOU THOUGHT ALL THE OTHER --

24 A ON THAT FIRST CONFESSION I THOUGHT EVERYTHING  
25 THERE WAS THE TRUTH, EVERY BIT OF THAT HAPPENED,

1 BECAUSE THEY GIVE ME THE PIECES OF INFORMATION.  
2 EVERYONE GIVE ME INFORMATION. I DIDN'T GET, I DIDN'T  
3 KNOW ONE THING THAT HAPPENED.

4 Q SO AT THAT TIME DID YOU THINK THAT THAT HAD  
5 HAPPENED AND YOU WERE TRYING TO SAY THAT IT HAD  
6 HAPPENED, YOU STILL BELIEVED THAT YOU HAD DONE IT?

7 A NO. NO, I'M SAYING, AT THAT TIME --

8 Q AT WHAT TIME?

9 A I BELIEVED ALL OF THAT --

10 Q AT WHAT TIME?

11 A AT THE BEGINNING I BELIEVED EVERY BIT OF IT.

12 Q AT THE BEGINNING OF WHAT?

13 A AT THE FIRST CONFESSION. WHEN I LEFT THAT FIRST  
14 CONFESSION I BELIEVED IT. I SAT IN THEMSELVES AND I  
15 KNEW I DIDN'T DO IT. I KNEW I DIDN'T DO IT. AND  
16 THEN I MADE UP THIS STORY BECAUSE I KNEW THAT THAT  
17 FIRST CONFESSION WOULD PROBABLY BE THE ONE THEY WENT  
18 WITH BECAUSE THEY GAVE ME ALL THE INFORMATION.  
19 THAT'S WHAT I WAS GETTING AT. I JUST SUPPLIED THE  
20 MEANS, I MEAN THE, NOT THE MEANS, BUT THE, WHAT  
21 HAPPENED TO THEIR MEANS. THEY TOLD ME WHAT HAPPENED  
22 AND I TOLD THEM HOW IT HAPPENED. I MADE, I DIDN'T  
23 KNOW. IT WAS ONLY WHAT I THOUGHT, SOME, WHAT I  
24 THOUGHT ABOUT WHO COULD HAVE DONE THAT. I PUT THOSE  
25 IMAGES IN MY HEAD BECAUSE I WANTED TO KNOW WHAT

1 HAPPENED TO MY DAUGHTER. I SAID IT MANY A TIMES,  
2 WHAT HAPPENED. I'VE ASKED YOU. I'VE ASKED PHIL  
3 BAITTY. I'VE ASKED EVERYBODY WHAT HAPPENED. I STILL  
4 DON'T KNOW EVERYTHING THAT HAPPENED BECAUSE I'VE BEEN  
5 SHIELDED FROM PHOTOGRAPHS AND A LOT OF THAT IS SELF  
6 SHIELDED. I DIDN'T WANT TO SEE THEM BECAUSE IT  
7 BRINGS BACK MEMORIES OF THAT NIGHT.

8 Q OR THAT MORNING?

9 A NO, THAT NIGHT WHEN SHE KISSED ME ON THE SIDE OF  
10 THE FACE. ALL THE MEMORIES BEFORE THAT. I DON'T  
11 LIKE TO PONDER ON THE PAST. I CAN'T. IT ABOUT KILLS  
12 ME. I DON'T HAVE PICTURE. MY FAMILY SENT PICTURES  
13 IN. THEY ARE IN MY PROPERTY. I DON'T WANT TO SEE  
14 THEM. I DON'T WANT TO SEE THEM. I CAN'T HANDLE  
15 THAT. IT HURTS TOO BAD.

16 Q YOU FEEL RESPONSIBLE?

17 A I DO. I DON'T, I DIDN'T DO IT, BUT I FEEL  
18 RESPONSIBLE, TOTALLY RESPONSIBLE BECAUSE WHAT MAN IS  
19 IN HIS HOUSE AND HIS DAUGHTER IS KILLED AND HE HAS NO  
20 EXPLANATION FOR WHAT HAPPENED. HE DOESN'T, HE DIDN'T  
21 HEAR NOTHING. WHAT MAN DOES THAT? I'VE TALKED TO  
22 MANY PEOPLE, I'VE TALKED TO YOU, I'VE TALKED TO PHIL,  
23 AND BOTH OF Y'ALL AGREE I HEAR THINGS THAT HAPPEN IN  
24 MY HOUSE BUT I DIDN'T HEAR IT AND I FELT RESPONSIBLE,  
25 COMPLETELY RESPONSIBLE.

1 Q BEG THE COURT'S INDULGENCE JUST ONE SECOND, YOUR  
2 HONOR.

3 (BENCH CONFERENCE AT 12:29 PM.)

4 THE COURT: WE'LL STOP FOR LUNCH. IT'S  
5 ABOUT 12:30 SO WE'LL COME BACK AT 1:45. THAT IS AN  
6 HOUR AND 15 MINUTES. HAVE A GOOD LUNCH AND WE'LL SEE  
7 YOU AT 1:45. THANK YOU.

8 (THE JURY EXITS THE COURTROOM AT 12:30  
9 PM.)

10 THE COURT: ALL RIGHT. WE'LL BE AT EASE  
11 UNTIL 1:45.

12 MR. POPE: YOUR HONOR, WILL HE BE  
13 SEQUESTERED FROM HIS COUNSEL.

14 THE COURT: RIGHT. SINCE YOU ARE, MR.  
15 COPE, SINCE YOU ARE ON THE STAND YOU CAN'T DISCUSS  
16 YOUR CASE WITH YOUR --

17 A I UNDERSTAND.

18 THE COURT: WELL --

19 A I UNDERSTAND. I'LL BE LOCKED IN THE ROOM. I  
20 WON'T BE ABLE TO SAY NOTHING. I WON'T BE ABLE TO  
21 TALK TO NOBODY.

22 THE COURT: ANYTHING REGARDING THAT, MR.  
23 MORTON.

24 MR. MORTON: I DON'T THINK SO.

25 THE COURT: OKAY. THANK YOU.

1 (COURT'S IN RECESS AT 12:31 PM.)

2 (COURT RESUMES.)

3 THE COURT: IS THE STATE READY.

4 MR. POPE: YES, YOUR HONOR.

5 THE COURT: MR. MORTON AND MR. GREELEY.

6 MR. GREELEY: YES.

7 MR. MORTON: YES, SIR.

8 THE COURT: BRING IN THE JURY.

9 (THE JURY RETURNS TO THE COURTROOM.)

10 THE COURT: YOU MAY PROCEED.

11 DIRECT EXAMINATION CONTINUED BY MR. MORTON:

12 Q MR. COPE, WE WERE TALKING ABOUT THE DEATH OF  
13 AMANDA AND HOW YOU FELT RESPONSIBLE FOR THAT. DO YOU  
14 FEEL RESPONSIBLE FOR IT?

15 A YES, I DO.

16 Q AND WHY IS THAT?

17 A YES, I DO. BECAUSE I'M HER FATHER. I WAS IN  
18 THE HOUSE. I SHOULD HAVE HEARD SOMETHING. I FEEL  
19 LIKE I SHOULD HAVE HEARD SOMETHING. SHE'S MY  
20 DAUGHTER. I FEEL RESPONSIBLE.

21 Q AFTER YOU FINISHED TALKING TO CAPTAIN CABANISS  
22 AND MRS. BLACKWELDER AND AFTER WHAT WE CALL THE VIDEO  
23 RE-ENACTMENT, WHAT HAPPENED?

24 A WELL, I WAS TAKEN BACK, TAKEN BACK TO THE POLICE  
25 DEPARTMENT AND PUT IN A CELL WHERE I HAD MY LUNCH.

1 AND THEN SHORTLY AFTER THAT THEY BROUGHT ME BACK OUT  
2 AND BROUGHT ME BACK IN THAT SAME ROOM. AND THE FIRST  
3 THING THAT WAS SAID ONCE WE GOT BACK IN THE ROOM WAS,  
4 THE COMMENT WAS MADE BY CAPTAIN CABANISS, HE SAID I  
5 DON'T BUY THAT. I DON'T BELIEVE NONE OF IT. I DON'T  
6 BELIEVE THE FIRST ONE. I DON'T BELIEVE THIS ONE. I  
7 DON'T BELIEVE NONE OF THEM. HE SAID AND HE REACHED  
8 OVER TO THE TELEPHONE AND HE PICKED UP THE TELEPHONE  
9 AND HE HELD THE TELEPHONE. HE SAID YOU WHO I'VE BEEN  
10 ON THE PHONE WITH? AND I SAID WHO? HE SAID THE  
11 SOLICITOR. YOU KNOW, TOMMY POPE. AND I SAID WHO?  
12 HE SAID THE SOLICITOR. THE SOLICITOR SAID EITHER YOU  
13 TELL US THE TRUTH THIS TIME, NO MORE GAMES, WE'RE NOT  
14 GOING TO BUY NO MORE OF YOUR GAMES, EITHER YOU TELL  
15 US THE TRUTH OR HE IS GOING TO GO FOR THE DEATH  
16 PENALTY, TAKE WHAT HE'S GOT AND WE JUST GO TO TRIAL  
17 LIKE THIS AND THAT WAS HIS EXACT WORDS OR SOME CLOSE  
18 TO THAT. AND I GOT SCARED. I GOT REAL SCARED.  
19 THERE WAS A LOT OF TALK. THERE WAS, HE SAID YOU  
20 KNOW, MR. COPE, WE KNOW YOU ARE GUILTY. KNOW IT.  
21 YOU KNOW IT, I KNOW IT, THAT POLYGRAPH KNEW IT, ALL  
22 OF THEM KNOW IT; AND MRS. BLACKWELDER WAS SITTING  
23 THERE ACROSS THE TABLE AND SHE WAS SAYING MR. COPE,  
24 WE GOT EVIDENCE THAT YOU DIDN'T UNWRAP HER NECK. WE  
25 GOT EVIDENCE THAT YOU FAILED THE POLYGRAPH TEST. WE



1 GOT ALL THIS EVIDENCE AGAINST YOU. BETWEEN BEING  
2 SCARED OUT OF MY WITS BY THE POLY, BY THE SOLICITOR'S  
3 OFFICE AND TALKING TO CHARLENE BLACKWELDER, THEY WERE  
4 JUST SAYING, I GIVE UP.

5 Q AT SOME POINT CAPTAIN CABANISS, DID YOU STAND  
6 UP?

7 A THERE WAS ONE POINT WHEN WE FIRST COME IN THE  
8 ROOM AFTER HE STARTED TO TELL ME THAT I WAS GUILTY I  
9 STOOD UP AND I SAID I DIDN'T DO IT, AND HE STOOD UP  
10 AND HE HAD A SIDE ARM AND HE HAD HIS SIDE ARM ON THIS  
11 SIDE AND HIS BEEPER ON THIS SIDE AND HE WAS WEARING  
12 HIS BLUE POLICE SHIRT AND I THINK IT SAID SWAT TEAM  
13 OR POLICE OR SOMETHING ON THE BACK AND THAT WAS WHAT  
14 HE WAS WEARING THAT DAY AND I HAD SEEN HIM WALKING  
15 PAST THE CELL, JUST SEVERAL TIMES. AND ONCE TIME I  
16 SEEN HIM IN HIS SUIT AND ANOTHER TIME I SEEN HIM IN  
17 HIS BLUE SHIRT. BUT THIS DAY HE WAS IN HIS BLUE  
18 SHIRT AND THIS WAS THE FIRST TIME THAT I HAD SEEN HIM  
19 SINCE ALL THIS TOOK PLACE. SO I KNEW ABOUT THAT BLUE  
20 SHIRT, YOU KNOW. THAT'S ALL I SAW HIM IN AT THAT  
21 TIME AND I SAID, I STOOD UP AND I SAID I DIDN'T DO IT  
22 AND WHEN HE STOOD UP IT WAS LIKE HE STOOD UP OVER ME  
23 LIKE THAT AND I SAT BACK DOWN REAL QUICK AND I WAS  
24 SCARED OF HIM. I MEAN I WAS SCARED OF HIM. I WAS  
25 SCARED HE HAD BEEN THREATENING ME. HE HAD BEEN

1 TALKING, I MEAN. I GOT SCARED OF HIM. AND THEN WHEN  
2 EVERYBODY TALKING ABOUT THE SAME THINGS OVER AND OVER  
3 AND OVER ADDED THE GUILT THAT I FELT ALREADY, THE  
4 RESPONSIBLE THAT I FELT, OF THE BEING IN THE HOUSE.  
5 I GIVE UP. I SAY, YOU KNOW, IN MY OWN MIND I DIDN'T  
6 SAY OUT LOUD BUT IN MY OWN MIND THE DEATH PENALTY  
7 SOUNDS GOOD, SOUNDS GOOD. I'M TIRED OF THE PRESSURE.  
8 I'M TIRED OF THE, THE JUNK THAT'S BEEN GOING ON, SO  
9 THE DEATH PENALTY SOUNDS REAL GOOD TO ME RIGHT THEN.  
10 BECAUSE I DIDN'T, I GOT TIRED OF THE PRESSURE. I GOT  
11 TIRED OF BEING TOLD WHAT I DID. WHAT I DIDN'T DO. I  
12 KNEW WHAT I DID OR WHAT I DIDN'T DO AND I DIDN'T DO  
13 NONE OF THAT. NONE OF IT. NOT NOTHING. I WAS, LIKE  
14 I SAID BEFORE AND I'LL SAY IT A MILLION TIMES, I WAS  
15 IN MY BED ASLEEP, BUT THE POLICE DEPARTMENT WOULD NOT  
16 TAKE NO FOR AN ANSWER. THEY WOULD NOT TAKE IT.  
17 EVERY TIME I TRIED THAT, WE DON'T WANT TO HEAR THAT,  
18 WE DON'T WANT TO HEAR THAT. MRS. BLACKWELDER: WE  
19 DON'T WANT TO HEAR THAT. MR. CABANISS: WE DON'T  
20 WANT TO HEAR THAT. MR. BAKER: WE DON'T WANT TO HEAR  
21 THAT. EVERYONE SAID THE SAME THING: WE DON'T WANT  
22 TO HEAR WHAT YOU GOT TO SAY, WE KNOW WHAT HAPPENED,  
23 AND YOU KNOW WHAT HAPPENED. SO THAT WAS IT. FORGET  
24 IT. I GIVE UP AND I GAVE COMPLETELY UP. I SAID  
25 FINE. THE DEATH PENALTY DOES SOUND GOOD. WRITE WHAT

1 YOU WANT AND SHE STARTED TALKING TO ME AND I STARTED  
2 TALKING TO HER AND SHE CAME UP WITH THAT LAST  
3 CONFESSION. SOMEWHERE IN THE MIDDLE OF THAT  
4 CONFESSION OFFICER, I MEAN CAPTAIN CABANISS GOT A  
5 PAGE AND HE LEFT THE ROOM. SHE KEPT ON TALKING. WE  
6 KEPT ON TALKING. AND HE CAME BACK IN THE ROOM, GOD  
7 FORGIVE ME, HE WALKED IN ROOM AND HE GOT A PIECE OF,  
8 HAD A PIECE OF PAPER IN HIS HAND AND HE WALKED, HE  
9 JUST STORMS BACK IN THE ROOM AND HE SLAMS IT DOWN ON  
10 THE PAPER AND HE SAYS DAMN. AND I, I LOOKED AT HIM,  
11 SHE LOOKED AT HIM AND HE LOOKED AT HER, SHE PICKS UP  
12 PAPER AND SHE LOOKS AT IT. SHE READS IT. SHE PUTS  
13 IT DOWN. AND SHE LOOKS AT HIM ALMOST LIKE WHAT, WHAT  
14 IS IT, YOU KNOW, AND THEN I SAID WHAT IS THAT. HE  
15 SAID WE'LL TALK ABOUT THAT LATER. AND THEN WE KEPT  
16 ON TALKING. HE KEPT ON TALKING TO ME. AND IT WAS A  
17 CONSTANT BACK AND FORTH. SHE WOULD TALK, HE WOULD  
18 TALK, THEY GOT THEIR CONFESSION JUST ABOUT DOWN TO  
19 THE END OF IT, AND HE SAID UH, MR. COPE, DO YOU KNOW  
20 WHO B. J. BARROWCLOUGH IS. AND I SAID NO, SIR. HE  
21 SAID WELL HE SAYS HE'S YOUR ATTORNEY, HE'S OUT THERE,  
22 DO YOU WANT TO TALK TO HIM? I DIDN'T FEEL NO NEED TO  
23 TALK TO HIM. I DIDN'T CARE NO MORE. IT DIDN'T SEEM  
24 LIKE I WAS GOING TO GET NOTHING DONE. NOBODY DIDN'T  
25 CARE ABOUT ME. EVERYBODY WAS TELLING ME THE SAME

1       THING: WE DON'T WANT TO HEAR YOU. I SAID GO AHEAD.  
2       I SAID NO, I DON'T. ALL I GOT LEFT TO DO IS TO SIGN  
3       THIS. SO HE LEFT. I MEAN, HE WAS HAPPY. AT FIRST  
4       HE WAS REALLY SCARED, YOU KNOW, SORT OF LIKE THE WAY  
5       HE MOVE AROUND THE SHIRT, HE WAS KIND OF SCARED.  
6       THEN HE GOT, HE HAD ASKED CHARLENE FOR A PIECE OF  
7       PAPER AND CHARLENE AND HE SAT DOWN AND HE WROTE OUT  
8       REAL FAST, HE SAID YOU SURE AND I SAID YEAH AND HE  
9       SIGNED. HE WAS CHEERFUL AFTER THAT. HE WAS CHEERFUL  
10      AFTER THAT. I SIGNED IT. HE SIGNED IT. HE PUT THE  
11      DATE ON IT AND THE TIME AND HE SAID, HE LOOKED AT  
12      CHARLENE AND HE LEFT, HE WENT OUT AND HE TALKED TO  
13      B.J. BARROWCLOUGH. NOW IN BETWEEN THAT HE GOT  
14      SEVERAL PAGES, I MEAN. BECAUSE HE KEPT LOOKING AT,  
15      IT WAS ALMOST LIKE HE KNEW THAT HE HAD TO GET TO HIM  
16      TO TALK TO HIM TO TELL HIM SOMETHING, AND THEN AFTER  
17      THAT HE COME BACK IN AND HE SAID NOW UH, AND CHARLENE  
18      WAS TALKING ABOUT SOME MORE STUFF, AND AFTER WE GOT  
19      THROUGH WITH THE INTERVIEW SHE SAID NOW I'M GOING TO  
20      PUT YOU BACK IN THE CELL. THIS WAS PROBABLY ABOUT  
21      3:30-15 TO FOUR. SO THEY PUT ME BACK IN THE CELL AND  
22      I SIT IN THE CELL UNTIL ABOUT FOUR, PROBABLY ABOUT 15  
23      TO FIVE, AND THEY COME BACK IN AND BROUGHT ME BACK IN  
24      AND I SIGNED THE PAPER AND THEN.

25      Q       DID YOU READ THE PAPER?

1 A I DIDN'T. I DIDN'T CARE. SHE HAD ALREADY DONE  
2 TOLD ME, SHE READ ABOUT WHAT SHE WAS WRITING, AND IT  
3 DIDN'T MATTER TO ME. I MEAN, I DIDN'T CARE TO  
4 ANYMORE. HONEST TO GOD I DIDN'T CARE ANYMORE.

5 Q ANYTHING ON THAT STATEMENT ABOUT ANY BROOMS?

6 A NO, THERE WAS NO STATEMENT ON THE BROOM.

7 Q SO SHE GAVE YOU THE STATEMENT?

8 A SHE GAVE ME THE STATEMENT, I SIGNED IT, AND  
9 IMMEDIATELY AFTER THAT MR. CABANISS SAID, B.J.  
10 BARROWCLOUGH IS HERE, HE WANTS TO TALK TO YOU, SO  
11 THEN THEY LEFT OUT OF THE ROOM AND SENT B.J. IN AND  
12 B.J. COMES STORMING IN WITH A PIECE OF PAPER, DID YOU  
13 SIGN THIS, AND SLAMMED IT DOWN ON THE TABLE. I SAID  
14 YES. I SAID THEY FORCED ME, THEY TOLD ME THEY WERE  
15 GOING TO GIVE ME THE DEATH PENALTY, AND THAT WAS THE  
16 TRUTH.

17 Q TALKING ABOUT THE STATEMENT?

18 A TALKING, I WAS TALKING ABOUT THE STATEMENT.  
19 THAT'S WHAT I THOUGHT HE WAS HOLDING IN HIS HAND. I  
20 DIDN'T KNOW HE WAS HOLDING THE OTHER THING AS HE HAD  
21 TESTIFIED, I THOUGHT HE WAS HOLDING THE STATEMENT IN  
22 HIS HAND.

23 Q AND HE WAS HOLDING THE STATEMENT SAYING HE  
24 DIDN'T WANT TO SEE YOU?

25 A YEAH. I GUESS, THAT'S WHAT HE TESTIFIED TO. I

1 THOUGHT IT WAS THE STATEMENT AND HE LAID IT DOWN AND  
2 I TOLD HIM THE TRUTH. I MEAN, AND THEN.

3 Q TOLD HIM WHAT?

4 A I TOLD HIM THAT THEY FORCED, TOLD, THEY FORCED  
5 ME TO SIGN, TALKING ABOUT THE DEATH PENALTY. I MEAN  
6 I DIDN'T CARE NO MORE. HONEST TO GOD I DIDN'T CARE  
7 ANYMORE ABOUT NONE OF IT. I WAS TIRED OF THIS PLACE.  
8 I WAS TIRED OF THE JAIL SYSTEM. I WAS TIRED OF THE  
9 WAY THEY WERE DOING ME IN THERE, SO I, I SIGNED IT  
10 AND GOT OUT OF THERE. THAT'S WHAT I WANTING. I  
11 WANTED OUT.

12 Q WHOSE POCKET BOOK IS THAT?

13 A IT'S MARY SUE'S. THAT WAS ONE, THAT WAS HER  
14 POCKET BOOK, IT WAS ALWAYS KEPT ON THE BOOK SHELF IN  
15 THE HALL ON TOP. MARY SUE DIDN'T CARRY HER POCKET  
16 BOOK TO WORK WITH HER. SHE ALWAYS CARRIED A LITTLE  
17 PURSE WITH HER LICENSE AND A LITTLE BIT OF MONEY TO  
18 GET HER SOMETHING TO EAT ON. AND THAT WAS HER POCKET  
19 BOOK.

20 Q SO THAT POCKET BOOK THAT I SHOWED YOU ON STATE'S  
21 EXHIBIT 68 WAS NOT SOMETHING THAT AMANDA WOULD KEEP  
22 IN --

23 A NO, IT WOULD NOT BE IN HER ROOM. WHEN Y'ALL,  
24 WHEN Y'ALL SHOWED ME THAT PICTURE THE FIRST TIME I  
25 SAID THE SAME THING. I SAID THAT WAS MARY SUE'S

1 POCKET BOOK.

2 Q AND AMY SIMMONS. YOU KNEW AMY SIMMONS SORT OF  
3 FROM, BECAUSE SHE WENT TO THE SAME CHURCH YOU DID,  
4 RIGHT?

5 A WE MET, WE MET AMY, I AM THINKING IT WAS THE,  
6 WHEN I MET AMY, I SHOULD SAY, THE EASTER BEFORE  
7 AMANDA WAS KILLED. THAT'S WHEN I, I'M ALMOST  
8 POSITIVE THAT'S WHEN IT WAS. IF IT WASN'T THAT ONE,  
9 IT WAS THE EASTER BEFORE THAT BUT I DON'T THINK IT  
10 WAS THAT FAR BACK BECAUSE WE HAD A EASTER EGG HUNT,  
11 WE HAD A BIG PARTY, WE WERE TALKING ABOUT THE QUIZ  
12 TEAM. SHE HELPED OUT ON THE QUIZ TEAM BEFORE I TOOK  
13 IT OVER, AND I HAD JUST TOOK IT OVER THAT YEAR, AND  
14 SO IT HAD TO HAVE BEEN THAT EASTER WHEN I MET HER FOR  
15 THE FIRST TIME. WE WAS, IT WAS EASTER PARTY THAT WE  
16 WERE HAVING AT CHURCH IN THE ACTIVITY CENTER.

17 Q WERE Y'ALL CLOSE BEFORE AMANDA DIED?

18 A NO. I DIDN'T REALLY KNOW AMY EXCEPT FOR THROUGH  
19 THE CHURCH. I MEAN, JUST HERE AND THERE. I HAD  
20 HEARD SOME THINGS AND I DIDN'T TRY TO GET IN THE  
21 MIDDLE OF THAT AND IT WAS, SO I LEFT. I REALLY  
22 DIDN'T KNOW AMY. I JUST KNEW HER FROM, LIKE I SAID,  
23 THAT I THINK MAYBE ONE OR TWO ENCOUNTERS IS ALL I  
24 REALLY HAD OF AMY.

25 Q I BELIEVE WHEN MARY SUE PASSED AWAY WAS WHEN?

1 A WAS ON FEBRUARY FIRST OF 2002.

2 Q AND SHE HAD BEEN STAYING WITH FRIENDS, SHE WAS  
3 STAYING WITH AMY I BELIEVE AT THE TIME?

4 A WELL, SHE STAYED WITH LEILA FOR A SHORT TIME AND  
5 THEN LEILA HAD TO HAVE SOME SURGERY AND THEN SHE WENT  
6 AND STAYED WITH AMY. AMY TOLD HER SHE WOULD TAKE  
7 CARE OF HER FOR A FEW DAYS OR SO AND SO SHE WENT AND  
8 STAYED WITH AMY. I DON'T KNOW THIS AT THE TIME, I  
9 DIDN'T LEARN THIS UNTIL THE DAY THAT, I DIDN'T -- I'M  
10 THINKING BACK IF ANYBODY, IF ANYBODY HAD EVER SAID  
11 ANYTHING ABOUT AMY AND MARY SUE STAYING AT AMY'S, MOM  
12 MIGHT HAVE SAID SOMETHING ABOUT IT. I DON'T KNOW.  
13 BUT.

14 Q WHEN DID AMY SUE START WRITING YOU IN THE JAIL?

15 A WHEN DID WHO?

16 Q WHO DID AMY SUE START WRITING. I'M SORRY. WHEN  
17 DID AMY START WRITING TO YOU?

18 A I RECEIVED, OKAY --

19 Q WHEN DID YOU START WRITING HER?

20 A IT STARTED, IT STARTED BACK, I THINK, IN APRIL.

21 Q OF?

22 A OF THAT, LET'S SEE, 2003. AMY WAS OVER AT MOM'S  
23 HOUSE AND I WAS TALKING TO MOM ON THE TELEPHONE AND  
24 MOM WOULD SAY GUESS WHOSE HERE AND I SAID WHO AND SHE  
25 SAID AMY. AND I SAID AMY. I DIDN'T KNOW AMY EXCEPT



1 I KNEW THAT AMY, WAS AMY WAS AT, I MEAN MARY SUE WAS  
2 STAYING AT AMY'S HOUSE. THE PREACHER HAD TOLD ME  
3 THAT WHEN MARY SUE DIED AND SO I SAID WELL LET ME  
4 TALK TO HER. I WANT TO ASK HER A SPECIFIC QUESTION  
5 BECAUSE A FEW DAYS PRIOR TO OR BEFORE MARY SUE'S  
6 DEATH I DREAMED, I THOUGHT, I MEAN, I DREAMED THAT  
7 MARY SUE HAD DIED AND I WANTED TO KNOW IF EXACTLY  
8 WHAT I DREAMED WAS THE SAME THING BECAUSE I DREAMED  
9 THAT SHE WAS LAYING ON THE FLOOR, YOU KNOW, CARPETED  
10 ROOM. I BELIEVE IT WAS GREEN CARPET AND THERE WAS A  
11 WINDOW IN FRONT OF HER AND SOMEBODY WAS STANDING IN  
12 FRONT OF THE WINDOW, BUT I COULDN'T TELL WHO IT WAS  
13 AND I ASKED HER THAT ON THE TELEPHONE. AND SHE  
14 WOULDN'T TALK ABOUT IT. WELL I ASKED HER ANOTHER  
15 QUESTION AND I ASKED HER AND SINCE IT'S ALREADY BEEN  
16 BROUGHT UP, I ASKED HER DID SHE KNOW ANYTHING  
17 CONCERNING THE POLICE COERCEING MARY SUE, YEAH, MARY  
18 SUE, AND SHE SAID SHE DID, SO I JUST LEFT THAT ALONE.  
19 SO I SAID AND MOMMA I SAID, MOMMA I SAID I WANT TO  
20 TALK TO HIM, SO SHE GAVE MOMMA THE PHONE BACK AND  
21 THEN MOM TALK.

22 Q SO Y'ALL TALKED?

23 A I WROTE AMY THE NEXT WEEK, THAT WAS IN I THINK  
24 IN APRIL, AND THAT WAS THE FIRST LETTER AND I WROTE  
25 HER TO HER OLD ADDRESS WHERE HER MOMMA TOLD ME SHE

1 WAS STAYING, AND THEN I WAS TOLD SHE DIDN'T LIVE  
2 THERE NO MORE, SO I ASSUMED SHE DIDN'T GET THE  
3 LETTER. AND THEN ON CHRISTMAS WEEK OF 2003 I  
4 RECEIVED A LETTER FROM AMY AND THAT WAS THE START OF  
5 IT. IT WAS A CHRISTMAS CARD LETTER WRITTEN ON  
6 CHRISTMAS STATIONERY WITH SANTA CLAUS AND ALL THIS  
7 STUFF ALL AROUND IT. THAT WAS THE FIRST LETTER THAT  
8 I RECEIVED FROM AMY. THAT WAS ON CHRISTMAS 2003.

9 Q AND IN BETWEEN CHRISTMAS OF 2003 AND THE END OF  
10 MAY OF 2004 DID YOU AND AMY CORRESPOND BACK AND  
11 FORTH?

12 A WE WROTE. WE WROTE QUITE A BIT. WE DID.

13 Q DID YOU HAVE FEELINGS FOR AMY?

14 A THE TRUTH IS I DID. I STARTED TO HAVE FEELINGS  
15 FOR AMY. HER LETTERS, YOU KNOW, SHE WOULD TALK ABOUT  
16 THINGS THAT HAPPENED AT HOME. I WOULD WRITE BACK AND  
17 TELL HER I WAS PRAYING FOR HER, PRAYING FOR THE  
18 THINGS THAT WAS GOING ON AT HOME. THERE WAS TIMES  
19 WHEN MONEY WAS HARD. THERE WAS TIMES WHEN JAMIE GOT  
20 HURT AND THERE WAS DIFFERENT TIMES AND THAT'S WHAT I  
21 WROTE ABOUT. I WROTE HER ABOUT THAT. THEN I WROTE  
22 HER ABOUT MY OWN FEELINGS AND WHAT I WANTED TO DO  
23 WHEN I GOT OUT OF JAIL. AND I WROTE, LIKE I SAID, I  
24 WROTE QUITE A FEW, YOU KNOW, I THINK WROTE 14 LETTERS  
25 IN ALL THAT I CAN REMEMBER WRITING TO HER. I'VE BEEN

1        SHOWN I THINK 11 AND THERE IS THREE I NOTICED THAT'S  
2        NOT, THAT'S NOT BEEN -- LET ME CHANGE THAT.  THERE IS  
3        THREE ENVELOPES THAT'S MISSING BECAUSE I KNOW.  I  
4        DREW PICTURES ON THE ENVELOPES AFTER THE FIRST, THAT  
5        LETTER YOU ARE HOLDING UP IN YOUR HAND, I STARTED  
6        DRAWING PICTURES ON MY ENVELOPE BECAUSE I DIDN'T  
7        TRUST NOBODY.

8        Q        LET ME DRAW YOU BACK TO THIS FIRST?

9        A        OKAY.

10       Q       THIS IS A LETTER, STATE'S EXHIBIT STATE'S  
11       EXHIBIT 90, THAT I GUESS ALL THIS GOES TOGETHER, THE  
12       LETTER AND ENVELOPE GOES IN THE SAME EXHIBIT.  THIS  
13       IS A LETTER THAT'S DATED, IT'S NOT DATED, AND IT'S IN  
14       AN ENVELOPE ADDRESSED TO AMY SIMMONS AND IT'S POST  
15       MARKED DECEMBER 31.  THERE IS AN ENVELOPE POST MARKED  
16       DECEMBER 31, ENVELOPE POST MARKED DECEMBER 31  
17       ADDRESSED TO AMY SIMMONS  2425 ALLENDALE DRIVE,  
18       ANDERSON, SOUTH CAROLINA, AND HAS A RETURN ADDRESS  
19       THAT'S GOT COPE, GOT YOUR INMATE NUMBER, MOSS JUSTICE  
20       CENTER, NOW IS THAT YOUR WRITING?

21       A        THAT IS MY HANDWRITING.  THAT IS MY HANDWRITING  
22       RIGHT THERE.  I DID WRITE THAT LETTER, THAT ENVELOPE.  
23       I DID NOT WRITE THAT LETTER.

24       Q        OKAY.

25       A        I DON'T KNOW WHERE THAT LETTER COME FROM.

1 Q THIS ENVELOPE DOESN'T HAVE A DATE ON IT. YOU  
2 SEE THE KIND OF PAPER THAT IT IS ON?

3 A YES, SIR.

4 THE COURT: YOU ARE NOT SHOWING HIM THE  
5 ENVELOPE NOW. YOU'RE SHOWING HIM THE LETTER.

6 Q I'M SORRY. I'M SHOWING YOU THE LETTER NOW?

7 A YES, SIR.

8 Q OKAY. AND THE LETTER SAYS: DEAR AMY, I NEED TO  
9 SEE YOU IN-PERSON AS SOON AS POSSIBLE. CAN YOU COME  
10 TO ROCK HILL AND SEE ME NEXT WEEK ON MONDAY. I HAD A  
11 DREAM LAST NIGHT ABOUT YOU AND MARY SUE AND AMANDA.  
12 I NEED TO TELL YOU WHAT I REALLY DID TO AMANDA BEFORE  
13 IT'S TOO LATE. GOD WILL FORGIVE ME IF I CONFESS TO  
14 ANOTHER CHRISTIAN AND REPENT. KEEP THE FAITH,  
15 ALWAYS, BILLY TINKER COPE, WITH THE CROSSES AND THE  
16 FISH. IT'S NOT, DOESN'T HAVE A DATE ON IT. DID YOU  
17 WRITE THAT LETTER?

18 A NO, I DID NOT.

19 Q DO YOU HAVE THAT KIND OF PAPER IN JAIL?

20 A WE DO. WE, YOU SAW THE THREE KINDS. WE DON'T  
21 HAVE, ALL WE HAVE IS THOSE THREE KINDS OF PAPER.  
22 THAT'S THE ONLY KIND WE CAN GET.

23 Q SO YOU TELL THE JURY?

24 A I'M TELLING YOU, I DIDN'T WRITE THAT LETTER. I  
25 DON'T KNOW WHO WROTE IT. I DON'T KNOW WHERE IT COME

1 FROM. I KNOW I DIDN'T WRITE IT. I KNOW I DIDN'T  
2 WRITE IT. THAT'S NOT EVEN MY HANDWRITING.

3 Q AFTER THIS LETTER TURNED UP AND AMY GAVE IT TO  
4 US AND WE GAVE IT TO OUR HANDWRITING EXPERT, WHAT DID  
5 YOU START TO DO WITH THE LETTERS THAT YOU WROTE TO  
6 ANYBODY, TO THE ENVELOPES I SHOULD SAY THAT YOU  
7 WROTE?

8 A AFTER I TALKED WITH YOU AND YOU TOLD ME WHO  
9 RECEIVED THE LETTER AND WHAT ALL WAS GOING ON ABOUT  
10 IT, I DIDN'T TRUST ANYBODY. I DIDN'T TRUST THE JAIL.  
11 I DIDN'T TRUST, I KNOW THAT, YOU KNOW, A LOT OF  
12 THINGS GO ON BEHIND THE DOORS IN THE JAIL AND I DON'T  
13 TRUST NOBODY. SO I STARTED MY OWN LITTLE CODE. I  
14 STARTED DRAWING PICTURES ON THE FRONT OF THE  
15 ENVELOPE.

16 Q AND I'M GOING TO SHOW YOU THESE, WHAT'S MARKED  
17 I'M GOING TO TRY AND, STATE'S EXHIBIT 37, 36. 37 IS  
18 A ROSE I BELIEVE?

19 A YES, SIR.

20 Q 36 IS A POST MAN?

21 A THAT'S CORRECT.

22 Q THIS ONE IS IN JULY SO THERE, JULY 203 SO THERE  
23 WASN'T ANYTHING ON THERE, IS THAT RIGHT?

24 A THAT'S THE INITIAL ONE THAT I WROTE HER AFTER I  
25 TALKED WITH HER ON THE TELEPHONE AT MOM'S.

1 Q 21 OF APRIL OF 2004 IS A?

2 A TEDDY BEAR.

3 Q TEDDY BEAR.

4 A TEDDY BEAR. SHE WASN'T THE ONLY ONE I DREW ONE  
5 OF THOSE FOR. I DREW ONE FOR MY MOM. I DREW ONE FOR  
6 SUSAN ARCHIE MY SISTER AND I ALSO DREW ONE FOR YOU.

7 Q EXHIBIT 42 IS A PHOTOGRAPH, I MEAN NOT A  
8 PHOTOGRAPH, AN ENVELOPE WITH THE DRAWING OF LOOKS  
9 LIKE CAT IN THE HAT?

10 A CAT IN THE HAT AND THAT PICTURE SOME FRIENDS HAD  
11 ANOTHER PICTURE, LET ME SEE ONE OF THOSE ENVELOPES  
12 JUST ONE SECOND, INSTEAD OF HAVING THE PIGLET RIGHT  
13 THERE OR WINNIE THE POOH RIGHT THERE, IT WOULD HAVE  
14 THE CAT IN THE HAT UP THERE IN THE CORNER AND I TOOK  
15 AND DREW THAT LARGER RIGHT THERE AND FROM SOMEONE  
16 ELSE'S PICTURE AND THAT'S HOW I ENDED UP WITH THAT  
17 ONE. THAT WAS THE LAST LETTER THAT I SENT TO AMY  
18 SIMMONS AND THAT LETTER WAS, THAT, THAT PICTURE WAS,  
19 IS EXACTLY WHAT IT SAYS. IT'S A MAN HOLDING, IT'S A  
20 NEWSPAPER MAN HOLDING UP A NEWSPAPER AND IT SAYS  
21 BILLY COPE FOUND INNOCENT OR NOT GUILTY ON THE FRONT  
22 OF THE PAGE.

23 Q AND THAT IS -- YOU HAVE NAMES FOR --

24 A THAT ONE IS CALLED POLLY. IT HAS A LITTLE  
25 PARROT UP IN THE TREE.

1 Q ROSE AGAIN?

2 A ROSE AGAIN. THAT WAS AN EASTER ONE. THAT ONE  
3 THERE IS CALLED TINKER MOUSE IN A BUBBLE. MY  
4 NICKNAME IS TINKER AND THERE IS ACTUALLY TWO TINKER  
5 MOUSE, ONE OF THEM YOU DON'T HAVE THE ENVELOPE FOR.  
6 IT'S A BOX OF CEREAL IN THE CORNER, IT'S GOT A BUSTED  
7 HOLE AND THERE IS A MOUSE RUNNING AWAY FROM THE HOLE  
8 AND THE CEREAL IS POURING OUT. THEN THERE IS ANOTHER  
9 MOUSE IN A MOUSE TRAP AND HE SITTING THERE LIKE THIS  
10 RIGHT HERE, HE DON'T KNOW WHAT'S GOING ON, AND HE'S  
11 GOT ON YCDC UNIFORM.

12 Q IN THOSE LETTERS THAT HAD THOSE DRAWINGS ON  
13 THOSE ENVELOPES ON THE OUTSIDE, WOULD THERE BE A  
14 REFERENCE IN THE LETTER TO THE DRAWING ON THERE?

15 A IN MOST OF, MOST OF THE, IT STARTED LATER ON. I  
16 STARTED TO SAY, WELL, I'M NOT GOING TO JUST CODE IT  
17 THIS WAY, BUT I'M GOING TO CODE IT BY PUTTING  
18 REFERENCE TO THE THING ON THE OUTSIDE OF THE ENVELOPE  
19 INSIDE THE LETTER. WHAT I NOTICED WAS, WELL YOU  
20 HADN'T GOT TO IT YET.

21 Q WHAT DID YOU NOTICE ABOUT THE LAST?

22 A THE LAST LETTER IT'S IN THE RIGHT, IT'S IN THE  
23 WRITE ENVELOPE AND IT SAYS, IT SAYS, I COME UP WITH  
24 THIS IDEA, EXTRA, EXTRA READ ALL ABOUT IT. THE POWER  
25 WAS OFF AT THE JAIL, WE HAD A POWER SHORTAGE, AND WE

1 HAD TO SIT IN OUR CELL, THEY LOCKED US IN OUR CELL,  
2 AND I SIT IN THE CELL AND JUST DREW. I FIRST DREW IT  
3 ON A PIECE OF CARDBOARD AND THEN I LATER PUT IT ON AN  
4 ENVELOPE AND I EXPLAINED TO HER ABOUT BEING STUCK IN  
5 THE CELL FOR.

6 Q I'M GOING TO SHOW YOU, AND I DON'T THINK IT'S  
7 BEEN SPECIFICALLY MARKED, IT'S STATE'S EXHIBIT 91,  
8 THE SLED IDENTIFICATION LETTER IS L-0114271, IT'S TWO  
9 PAGES, JUST AS AN EXAMPLE. THAT IS A LETTER THAT YOU  
10 WROTE TO AMY SIMMONS?

11 A THAT IS THE LETTER THAT I WROTE TO AMY SIMMONS  
12 THAT WAS IN THE SO CALLED SECOND LETTER ENVELOPE.

13 Q OKAY.

14 A AND I KNOW BECAUSE OF THE REFERENCE.

15 Q AND THIS IS YOUR HANDWRITING?

16 A YES, THAT'S MY HANDWRITING. THAT'S MY LETTER.  
17 IT EVEN STATES IN THERE, HOW DO YOU LIKE THE OR I  
18 HOPE YOU LIKE THE LION AND THE KITTIES AND THE REASON  
19 THAT I KNOW THAT IS THE NEXT TO THE LAST LETTER I  
20 WROTE IS BECAUSE THE VERY LAST LETTER I WROTE AND THE  
21 LAST LETTER THAT SHE RECEIVED WAS THE ONE WITH THE  
22 PAPER BOY HOLDING THE NEWSPAPER UP AND THE ONE RIGHT  
23 BEFORE THAT WAS THE ONE THAT YOU ARE HOLDING IN YOUR  
24 HAND RIGHT NOW. THERE WAS NO OTHER REFERENCES TO  
25 LION AND KITTY. APPROXIMATELY IN THAT SAME MONTH,



1 EARLIER IN THE MONTH, SHE MADE REFERENCE TO, IN ONE  
2 OF HER LETTERS TO ME, OF CUTE KITTEN ON THE COUCH,  
3 AND IF YOU READ THE BACK OF MY ENVELOPES AND ON THAT  
4 LETTER IT SAYS SEE C-K-A CUTE KITTEN ARTS. THAT'S  
5 WHERE I GOT THAT FROM AND THAT ONLY COME FROM THE  
6 LETTER THAT SHE WROTE TO ME AND THE VERY LETTER THAT  
7 I WROTE RIGHT AFTER THAT IS THAT ONE RIGHT THERE AND  
8 I WROTE ONE AFTER THAT AND IT WAS THE LAST ONE THAT  
9 SHE GOT AND SHE CALLED I THINK YOU SAID THE ENOCUOUS  
10 LETTER.

11 Q INNOCUOUS LETTER?

12 A INNOCUOUS LETTER.

13 Q BECAUSE IT CAME AFTER THIS. IN OTHER WORDS,  
14 THESE WHICH HAVE BEEN BLOWN UP, THESE ENVELOPES  
15 WRITTEN, STATE'S EXHIBIT 95, THIS ENVELOPE STATE'S  
16 EXHIBIT 95 IS ADDRESSED TO AMY SIMMONS?

17 A THAT'S CORRECT.

18 Q 2425 ALLENDALE ROAD, ANDERSON, SOUTH CAROLINA.  
19 DID YOU ADDRESS THIS ENVELOPE?

20 A I DID ADDRESS THAT ENVELOPE. THAT'S MY DRAWING  
21 AND ON THE BACK YOU GOT THE LITTLE KITTEN RIGHT HERE  
22 WITH MY INITIALS RIGHT THERE AND THEN ON THE BACK OF  
23 THE ENVELOPE IT SAYS, IT HAS ANOTHER LITTLE KITTEN AT  
24 THE BACK PROBABLY RIGHT, RIGHT ABOUT HERE, AND IT  
25 SAYS C-K-A UP UNDER IT.

1 Q AND YOU SENT HER A LETTER IN THAT ENVELOPE?

2 A I DID AND I SEE THAT'S THE LETTER THAT YOU JUST  
3 HELD UP.

4 Q AND YOU LICKED THE ENVELOPE?

5 A I LICKED THE ENVELOPE AND SEALED IT AND HANDED  
6 IT TO THE OFFICER AT ABOUT 15 MINUTES TO 12 ON THE  
7 NIGHT BEFORE, ON THE 19TH OF MAY.

8 Q AND THESE ENVELOPES HERE ARE ALSO YOUR WRITING?

9 A THAT'S CORRECT.

10 Q YOU WROTE, YOU LICKED, YOU SEALED?

11 A THAT'S CORRECT.

12 Q AND THIS ONE IS THE QUOTE INNOCUOUS LETTER THAT  
13 SHE GOT?

14 A CORRECT.

15 Q AFTER MAY WHATEVER 20, RIGHT?

16 A THAT'S CORRECT.

17 Q BECAUSE RIGHT HERE AND I'M SORRY I APOLOGIZE.

18 THEY HAD SCRATCHED THAT OUT AND PUT TWO BECAUSE SHE  
19 HAD MOVED OR SOMETHING?

20 A RIGHT. SHE HAD TOLD ME, SHE MADE REFERENCE TO A  
21 NEW ADDRESS AND SHE NEVER GAVE ME THE NEW ADDRESS SO  
22 I SENT IT, I ALWAYS SEND ALL HER LETTERS TO 2526  
23 ALLENDALE ROAD.

24 Q SEE THIS LETTER RIGHT HERE, STATE'S EXHIBIT 96?

25 A I DO. I DO SEE IT.

1 Q DID YOU WRITE THAT?

2 A NO, I DID NOT. I DO NOT. I RECOGNIZE IT  
3 BECAUSE YOU'VE SHOWED IT TO ME, BUT NO, I DID NOT  
4 WRITE THAT.

5 Q IS THAT YOUR WRITING?

6 A THE WORDS ARE MINE, THE SENTENCES ARE MINE, BUT  
7 THANKS TO SOME GOOD DETECTIVE WORK, PEOPLE HAVE  
8 SHOWED ME HOW THAT LETTER HAD BEEN REPRODUCED BY  
9 TAKING ALL OF MY LETTERS AND REPRODUCING ONE SENTENCE  
10 HERE, ONE SENTENCE THERE, CHANGING A WORD HERE IN THE  
11 SENTENCE, AND PUTTING ANOTHER ONE IN.

12 Q LET ME ASK YOU THIS. DOES THAT LOOK LIKE YOUR,  
13 DO YOU FORM YOUR PARAGRAPHS YOUR SENTENCES, MARGINS?

14 A NO, I DO NOT. OH, YES. MY LETTERS, FIRST OF  
15 ALL ON MY LETTERS, MY LETTERS GO ALL THE WAY ACROSS  
16 THE PAPER BECAUSE PAPER IS SO EXPENSIVE IN THE JAIL  
17 AND WHAT I HAVE TO DO SINCE I'M ON INDIGENT I HAVE TO  
18 GIVE UP A TRAY OF FOOD FOR A NOTE PAD. SOMETIMES TWO  
19 TRAYS OF FOOD, IT DEPENDS ON WHO YOU GET IT FROM, AND  
20 I DON'T WRITE LETTERS WORD WHERE IT'S JUST LOOSE AND  
21 JUST LAID OUT. MY LETTERS GO ALL THE WAY ACROSS AND  
22 I SQUEEZE IN AS MUCH AS I CAN GET IN THE LETTERS.  
23 YOU CAN READ EVERY ONE OF MY LETTERS THAT'S THERE  
24 WITH EXCEPTION OF MAYBE THAT FIRST ONE THAT WAS BACK  
25 IN APRIL BECAUSE I HAD A MORE ABUNDANT SUPPLY OF

1 PAPER AT THAT TIME AND, BUT ALL MY LETTERS,  
2 ABSOLUTELY, I WENT ALL THE WAY ACROSS. I INDENT IN  
3 MY LETTERS. PARAGRAPHS ARE MADE. THERE IS SOME  
4 SENSE TO MY WRITING. A LOT OF THAT LETTER DIDN'T  
5 MAKE NO SENSE IN PUTTING IT INTO WORDS THE WAY THEY  
6 PUT IT, BUT IT'S, I UNDERSTAND HOW COME IT'S LIKE  
7 THAT BECAUSE THEY GOT ALL FROM ME. THEY GOT IT FROM  
8 EVERY ONE OF MY LETTERS EXCEPT FOR, I KNOW OF ONE  
9 WORD AND I THINK THERE IS WAS SOME IDEA ABOUT THE  
10 LORD'S STREETS BUT I FOUND THAT VERY SAME STREET IN  
11 ONE OF MY LETTERS WHEN I WAS TALKING ABOUT SOMETHING  
12 TOTALLY DIFFERENT. WHAT I'M GOING TO DO WHEN I GET  
13 ON THE STREET, THAT'S WHAT IT SAID, AND THEY JUST  
14 ADDED AN 'S' TO IT AND PUT THE LORD'S STREETS. SHE'S  
15 IN THE LORD'S STREETS OR SOMETHING LIKE THAT. I  
16 DIDN'T WRITE THAT LETTER AND I KNEW I DIDN'T WRITE  
17 THAT LETTER. I KNEW I DIDN'T WRITE THE LETTER. THE  
18 DAY THAT Y'ALL BROUGHT IT TO ME AND SHOWED ME, I DO,  
19 SCRIBBLE SOMETIMES, AND THE REASON I DO THAT, LORD  
20 KNOWS I DON'T LIKE TO GET INTO JUDGING PEOPLE, BUT  
21 I'VE HEARD AND SEEN WHERE PEOPLE IN THE JAIL HOLD  
22 YOUR LETTERS UP TO THE LIGHT TO READ YOUR LETTERS. I  
23 DON'T THINK IT'S ANYBODY'S BUSINESS WHAT'S IN MY  
24 LETTERS AND I WROTE AMY, I WROTE AMY MANY, I MEAN 14  
25 LETTERS, 13 LETTERS I THINK IN ALL, AND I'VE ONLY

1 SEEN 11, MAYBE 14 LETTERS, AND I THINK THE REASON  
2 THAT I SAID THAT IS BECAUSE THERE WAS A LETTER IN THE  
3 ENVELOPE THAT THAT FIRST LETTER CAME IN, THAT FIRST,  
4 THAT LITTLE ONE, THERE WAS A LETTER THAT GOES TO THAT  
5 ONE, IT'S MISSING. I DON'T KNOW WHERE, I AIN'T SEE  
6 IT. AND THEN THERE IS THE TINKER MOUSE ENVELOPE,  
7 THERE WAS A LETTER IN IT, THAT'S NOT THERE. AND  
8 THERE WAS ONE MORE ENVELOPE WHERE I HAD TINKER MOUSE  
9 UNDER A GLASS. I HAD THREE, THERE WAS A SERIES OF  
10 THREE TICKER MOUSE. ONE WAS HE WAS CAUGHT IN A TRAP.  
11 THE NEXT, IT WAS ACTUALLY -- YEAH, THAT WAS THE ONE  
12 CALLED TINKER MOUSE. THE OTHER ONE IS THE SOAP  
13 BUBBLES AND BUBBLES GOING UP AND HE'S STUCK IN THERE  
14 GOING, HELP, LET ME OUT. AND THEN THERE IS THE THIRD  
15 ONE WHERE HE IS STUCK UNDER A GLASS WITH THE WORDS  
16 YCDC WROTE AT THE TOP.

17 Q OKAY. LET ME. BILLY, YOU KNOW THIS MAN RIGHT  
18 HERE?

19 A (NO RESPONSE.) UNFORTUNATELY I KNOW HIM NOW.  
20 UNFORTUNATELY I KNOW HIM NOW.

21 Q HOW DO YOU FEEL ABOUT THAT MAN?

22 A THE BIBLE, THE BIBLE SAYS LOVE THY NEIGHBOR AND  
23 LOVE YOUR ENEMIES AND DO GOOD TO THEM, AND SO HELP ME  
24 GOD I'VE TRIED, BUT I HATE HIM. I HATE HIM SO BAD I  
25 CAN'T STAND IT. I SEE HIM WALK PAST ME, WALKING BACK

1 INTO THE JAIL SMIRKING AND YOU KNOW WHAT I DO? I HIT  
2 THE WALL. I CAN'T, I GET SO MAD. PEOPLE SAY CALM  
3 DOWN, CALM DOWN. THE GUARDS SAY CALM DOWN BACK  
4 THERE. I HATE HIM.

5 Q WHY?

6 A AND MY HEAD AND MY HEART CAN'T TAKE THAT BECAUSE  
7 I KNOW WHAT I'M SUPPOSED TO DO TO BE A CHRISTIAN.  
8 BUT THEN YESTERDAY I WAS TALKING TO A BROTHER ABOUT  
9 THIS VERY INCIDENT AND HE SHOWED ME A VERSE IN THE  
10 BIBLE THAT WOULD HELP ME. SAYS IN ECCLESIASTES THREE  
11 AND IT'S THE 8 VERSE IT SAYS THERE IS A TIME TO LOVE  
12 AND THERE IS A TIME TO HATE AND I HATE HIM. I HATE  
13 YOU FOR WHAT YOU DID. DON'T SIT THERE LIKE THAT. I  
14 HATE YOU. MANY TIMES I'VE EVEN TOLD PEOPLE JUST GIVE  
15 ME ONE CHANCE, GIVE ME A MOP WRINGER AND ONE CHANCE.  
16 LET ME IN THE CELL WITH HIM WITH A MOP I WILL BEAT  
17 THE MUD OUT OF HIM. I HATE HIM. I HATE HIM BAD. I  
18 DIDN'T WANT. OH, I HATE THAT MAN.

19 Q WHAT ARE YOU GOING TO DO?

20 A HE DIDN'T JUST TAKE MY DAUGHTER, BECAUSE OF THE  
21 COMPLICATIONS MY WIFE IS DEAD. I DON'T HAVE MY OTHER  
22 TWO GIRLS. I DON'T HAVE, I'M IN HERE. I HATE HIM.  
23 I HATE HIM BAD.

24 Q IF YOU GET OUT WHAT'S THE FIRST THING YOU ARE  
25 GOING TO DO?

1 MR. POPE: OBJECTION TO RELEVANCE.

2 THE COURT: I SUSTAIN THE OBJECTION.  
3 DISREGARD THAT QUESTION. DON'T ANSWER IT. ASK  
4 ANOTHER QUESTION.

5 MR. MORTON: BEG THE COURT'S INDULGENCE,  
6 YOUR HONOR.

7 Q BILLY, PLEASE ANSWER ANY QUESTIONS ANYBODY MIGHT  
8 HAVE.

9 MR. POPE: YOUR HONOR, COULD I HAVE JUST  
10 ONE MINUTE.

11 THE COURT: WE'LL TAKE A SHORT BREAK  
12 BEFORE WE GET INTO CROSS EXAMINATION.

13 (THE JURY EXITS THE COURTROOM AT 02:49  
14 PM.)

15 THE COURT: MR. COPE, YOU CAN STEP DOWN IF  
16 YOU WISH AND GET REFRESHED.

17 MR. COPE: I'M OKAY.

18 (COURT'S IN RECESS AT 02:49 PM.)

19 (COURT RESUMES AT 03:01 PM.)

20 THE COURT: IS THE STATE READY.

21 MR. POPE: THE STATE IS READY, YOUR HONOR.

22 THE COURT: MR. MORTON.

23 MR. MORTON: YES, YOUR HONOR.

24 THE COURT: MR. GREELEY.

25 MR. GREELEY: YES, YOUR HONOR.

1 THE COURT: BRING IN THE JURY.

2 (THE JURY RETURNS TO THE COURTROOM AT  
3 03:02 PM.)

4 THE COURT: MR. POPE.

5 MR. POPE: MAY IT PLEASE THE COURT, YOUR  
6 HONOR.

7 CROSS EXAMINATION BY MR. POPE:

8 Q MR. COPE, I NOTICED WHEN YOU STARTED THIS  
9 MORNING -- BY THE WAY, I AM TOMMY POPE. I'M THE  
10 SOLICITOR HERE. I'VE BEEN TAKING NOTES OF WHEN YOU  
11 ARE TESTIFYING, BUT IF SOMETHING I SAY DIFFERS FROM  
12 THE WAY YOU TESTIFIED, IF YOU'LL CORRECT ME. I GET  
13 TO GOING KIND OF FAST SOMETIMES AND I JUST WANT TO  
14 MAKE SURE YOU UNDERSTAND KIND OF THE GROUND RULES,  
15 YOU UNDERSTAND THAT?

16 A YES.

17 Q OKAY. I NOTICED THAT WHEN YOU STARTED THIS  
18 MORNING THAT YOU HAD SOME NOTES THAT YOU HAD WRITTEN,  
19 COULD I SEE THOSE NOTES?

20 A YOU SURE CAN.

21 Q OKAY. DID YOU ALSO HAVE A LEGAL PAD UP HERE  
22 THIS MORNING?

23 A NO, I DIDN'T.

24 Q THIS IS THE ONLY SHEET?

25 A THAT'S ALL I HAD.



1 Q AND THIS IS JUST IN RELATION TO WHERE YOU WORKED  
2 AT DIFFERENT TIMES?

3 A RIGHT.

4 Q ALL RIGHT. I NOTICED FROM YOUR TESTIMONY THAT  
5 YOU ARE PRETTY GOOD WITH DATES AND NUMBERS?

6 A I TRY TO BE, YES, SIR.

7 Q OKAY. AS FAR AS WHEN YOU TOLD US A LETTER THAT  
8 YOU MAILED AT 12:45 BACK MAY 20 OF LAST YEAR OR THIS  
9 YEAR, IS THAT CORRECT? I'M SORRY 11:45?

10 A 11:45. THE REASON THAT I SAID THAT IS BECAUSE  
11 WE GET LOCKED DOWN AT 12 O'CLOCK AND I MEAN AT 11  
12 O'CLOCK AND OFFICER LEAVES THE BLOCK TO GO TO THE  
13 NEXT BLOCK AT 12 O'CLOCK AND SHE CAME AROUND AND MADE  
14 THAT LAST ROUND BEFORE AND I HANDED HER THE NOTE.  
15 SHE OPENED THE DOOR AND TOOK THE NOTE FROM ME  
16 PERSONALLY HERSELF. THAT'S HOW COME I REMEMBER THAT.

17 Q SO YOU WERE ABLE TO ASSOCIATE EVENTS TO TELL YOU  
18 KIND OF WHAT TIME THINGS HAPPEN, IS THAT A FAIR  
19 STATEMENT?

20 A IN MOST CASES, YES, SIR. I GUESS YOU COULD SAY  
21 THAT.

22 Q AND UNDERSTANDING YOUR EDUCATION, YOU GRADUATED  
23 NORTHWESTERN HERE, IS THAT CORRECT?

24 A THAT'S CORRECT.

25 Q OKAY. AND THEN YOU'VE GOT TWO DIFFERENT DEGREES

1 FROM YORK TECH, IS THAT RIGHT?

2 A THAT'S ALSO CORRECT, YES, SIR.

3 Q WHAT ARE THOSE DEGREES?

4 A ONE IS COMPUTER ENGINEER AND ONE IS ELECTRONIC  
5 ENGINEER. BOTH OF THEM ASSOCIATE DEGREES.

6 Q OKAY. AND I THINK YOU WERE TALKING ABOUT WHEN  
7 YOU HAD THAT LIST YOU WERE TALKING ABOUT YOUR JOB  
8 THAT THEY PRETTY MUCH CONSIDERED YOU MANAGER  
9 MATERIAL, IS THAT YOUR TESTIMONY?

10 A IN SEVERAL OF THE JOBS, YES, SIR. AT THE CONOCO  
11 STATION THAT'S WHERE THAT, THAT'S WHERE THAT MAINLY  
12 HAPPENED AT, YES, SIR.

13 Q NOW IS THAT THE ONE YOU SAID YOU LOST THE JOB  
14 AFTER AN INSPECTION?

15 A YES, SIR.

16 Q OKAY. AND THEN IN THIS PARTICULAR CASE, OF  
17 COURSE THERE HAS BEEN A NUMBER OF LETTERS AND WE'LL  
18 TALK ABOUT THAT A LITTLE BIT LATER, ALSO ARE THERE A  
19 NUMBER OF OTHER MATERIALS THAT YOU HAVE REVIEWED IN  
20 THIS CASE?

21 A I DON'T UNDERSTAND EXACTLY WHAT YOU ARE TALKING  
22 ABOUT.

23 Q OKAY. ARE THERE OTHER DOCUMENTS THAT YOU LOOKED  
24 AT IN THIS CASE?

25 A YES, SIR. I'VE REQUESTED MY MOTION OF DISCOVERY

1 AND I HAVE RECEIVED IT.

2 Q WHEN YOU SAY MOTION TO DISCOVERY, THE JURY MAY  
3 NOT UNDERSTAND?

4 A ALL THE DISCOVERY FROM, THAT WAS FROM YOUR,  
5 INITIALLY FROM YOUR OFFICE. IT WAS GIVEN TO MY  
6 ATTORNEYS, THEY GIVE IT TO ME.

7 Q OKAY. AND THAT WOULD BE ALL THE DOCUMENTS AND  
8 REPORTS, ALL THE DIFFERENT STUFF THAT'S BEEN TALKED  
9 ABOUT HERE, RIGHT?

10 A I WON'T SAY ALL OF THEM, NO, SIR, BECAUSE I A  
11 LOT OF THEM I DIDN'T RECEIVE. I DIDN'T RECEIVE  
12 ANYTHING FROM ANY OF THE STATE'S WITNESSES OTHER THAN  
13 WHAT YOU GAVE MY ATTORNEY THE INITIAL, THE INITIAL  
14 PACKAGE AND I DIDN'T RECEIVE ANYTHING FROM MY  
15 ATTORNEYS AS FAR AS THE, FROM MY, FROM MY WITNESSES  
16 FOR THE MOST PART.

17 Q SO YOU DIDN'T KNOW WHAT YOUR WITNESSES WOULD  
18 TESTIFY TO?

19 A I HAD -- NO, SIR, NOT TOTALLY. NO, SIR, I  
20 DIDN'T. I HAD A GENERAL IDEA, YOU KNOW, WHAT.

21 Q AND HOW DID YOU GET THAT GENERAL IDEA?

22 A THE DIFFERENT, THE DIFFERENT INTERVIEWS WITH MY  
23 ATTORNEYS.

24 Q OKAY. AND I THINK EARLIER YOU HAD MENTIONED  
25 THAT YOU WERE TALKING ABOUT TELLING THE SAME STORY TO

1 A NUMBER OF DIFFERENT PEOPLE AND YOU MENTIONED A  
2 NUMBER OF YOUR ATTORNEYS, IS THAT CORRECT?

3 A YES. I'VE TOLD QUITE A FEW ATTORNEYS.

4 Q AND YOU'VE SAID MR. MORTON?

5 A THAT'S CORRECT.

6 Q MR. BAITY?

7 A THAT IS CORRECT.

8 Q MR. SMITH?

9 A THAT'S CORRECT.

10 Q WHOM AM I FORGETTING? MR. WOOD?

11 A MR. WOOD.

12 Q MR. BLOOM?

13 A THAT IS CORRECT.

14 Q I THINK YOU SAID?

15 A THAT'S CORRECT.

16 Q WHO ELSE?

17 A I TOLD, I STARTED TELLING MY STORY TO DATELINE.

18 Q DATELINE. OF COURSE, THEY ARE NOT ATTORNEYS. I  
19 GUESS THEY HAVE ATTORNEYS?

20 A I DIDN'T SAY ATTORNEYS. I SAID PEOPLE.

21 Q OH, OKAY.

22 A I SAID PEOPLE DIFFERENT PEOPLE. I DIDN'T SAY  
23 DIFFERENT ATTORNEYS. I SAID OF COURSE THERE WAS MY  
24 ATTORNEYS BUT THEN THERE WAS OTHER PEOPLE. I ALSO  
25 STATED CAROL.

1 Q AND WHO IS CAROL?

2 A CAROL GABLE WORKS FOR DATELINE NBC.

3 Q AND YOU'RE ON A FIRST NAME BASIS WITH HER?

4 A I WOULD ASSUME. SHE HAS BEEN TO, YOUR KNOW, SHE

5 CAME ALONG WITH MY ATTORNEYS TO TALK, I MEAN, WE

6 TALK.

7 Q SHE'S BEEN TO VISIT YOU?

8 A YES, SIR.

9 Q WHERE IS THAT AT?

10 A AT THE YORK COUNTY DETENTION CENTER.

11 Q OKAY. AND BEFORE I LEAVE THE ATTORNEYS, WE KNOW

12 THERE WERE OTHER ATTORNEYS, WERE THERE, I THINK, YOU

13 SAID CORNELL STUDENTS OR SOMETHING, WHAT IS THAT?

14 A I NEVER SAID CORNELL STUDENTS.

15 Q THERE WERE CORNELL STUDENTS?

16 A BUT, I NEVER SAID THOSE. YOU, THERE WERE

17 CORNELL STUDENTS WHO COME TO VISIT ME. I DIDN'T

18 ACTUALLY GIVE THEM THE STORY, NO, SIR.

19 Q WHAT DID YOU DISCUSS WITH THEM?

20 A THEY WERE TALKING ABOUT MY FAMILY COURT ISSUE.

21 Q OKAY. OKAY. AND YOU SAY YOU DIDN'T SAY CORNELL

22 STUDENTS. IS IT POSSIBLE YOU SAID THAT IN SOME OF

23 THE WRITINGS WHERE THESE LETTERS THAT YOU ARE

24 REFERRING THAT YOU DISCUSSED CORNELL STUDENTS IN

25 THOSE LETTERS?

1 A ACTUALLY, NO. THE LETTER YOU ARE REFERRING TO  
2 AMY SIMMONS TOLD ME ABOUT THE CORNELL STUDENTS.

3 Q AND YOU MENTIONED IT IN YOUR LETTER?

4 A I DON'T REMEMBER WHETHER I MENTIONED IT TO HER  
5 OR NOT. I KNOW SHE MENTIONED TO ME. I MAY HAVE OF  
6 CORRESPONDED BACK WITH HER CONCERNING IT, BUT I DON'T  
7 REMEMBER EXACTLY WHAT WAS SAID, IF IT WAS SAID. I  
8 MEAN, I'D HAVE TO SEE THE LETTER TO KNOW.

9 Q I UNDERSTAND. AND THE LETTERS THAT WE HAVE  
10 HERE, THESE, YOU'VE HAD A CHANCE TO LOOK AT THESE?

11 A I'VE HAD A CHANCE TO LOOK AT THOSE, YES, SIR.

12 Q AND THESE ARE THE ONES THAT YOU CONFIRMED TO MR.  
13 MORTON THAT YOU DID WRITE, IS THAT CORRECT?

14 A I DID WRITE, YES.

15 Q AND ALL OF THESE ARE LETTERS THAT YOU SENT TO  
16 HER, IS THAT CORRECT?

17 A YES. THOSE ARE THE LETTERS THAT I SENT TO HER,  
18 THAT IS CORRECT.

19 Q OKAY. NOW WHEN YOU TALKED, I THINK YOU ACTUALLY  
20 ULTIMATELY ENDED UP WITH SO MANY ATTORNEYS YOU GAVE  
21 THEM A NAME, DIDN'T YOU?

22 A THE FREEDOM TEAM.

23 Q RIGHT. OKAY. AND THE FREEDOM TEAM, WHEN YOU  
24 WOULD MEET WITH THE FREEDOM TEAM, WHERE WOULD YOU  
25 MEET WITH THEM?

1 A AT THE YORK COUNTY DETENTION CENTER.

2 Q OKAY. AND HOW WOULD YOU MEET WITH THEM? DID

3 YOU GET TO SIT DOWN AND TALK TO THEM?

4 A IT WAS CONTACT VISIT.

5 Q WHAT DOES THAT MEAN?

6 A CONTACT VISIT MEANS THAT I'M BROUGHT FROM THE

7 CELL TO A ROOM AND I'M SIT DOWN WITH THEM AT A, IN A

8 LITTLE, IN A LITTLE ROOM, A LITTLE CUBICLE ROOM,

9 SEATS PROBABLY FIVE-SIX PEOPLE AT THE MOST.

10 Q OKAY. AND SO WOULD THERE BE TIME MORE OF THE

11 FREEDOM TEAM AND Y'ALL HAD ROOM TO SIT IN OR WOULD

12 THERE BE NO MORE THAN FIVE OR SIX THERE?

13 A MORE THAN THE FREEDOM TEAM?

14 Q ON THESE CONTACT VISITS?

15 A ON THE CONTACT VISITS, THE ONLY PERSONS THAT HAS

16 EVER COME TO VISIT ME WERE MY ATTORNEYS, THERE WAS A

17 COUPLE OF ATTORNEYS THAT WERE HELPING THEM THAT CAME,

18 AND THREE OF THE CORNELL STUDENTS.

19 Q OKAY. AND IT WAS CONTACT VISITS THEN?

20 A THAT WAS CONTACT VISIT.

21 Q OKAY.

22 A BUT ALL OF THEM DIDN'T COME AT THE SAME TIME.

23 Q THE ROOM WOULDN'T HOLD THEM ALL?

24 A NO, IT WOULDN'T. NO MORE THAN MAYBE FIVE PEOPLE

25 I THINK THE MOST HAS EVER BEEN TO VISIT ME.

1 Q OKAY. AND WHEN YOU HAVE CONTACT VISITS AND  
2 AGAIN I'M NOT WORRIED ABOUT SPECIFICALLY WHAT YOU  
3 DISCUSSED, BUT YOU WOULD BE TALKING ABOUT YOUR CASE  
4 OR LOOKING AT SOME OF THE DISCOVERY WE WERE TALKING  
5 ABOUT. DID YOU LOOK AT THE DIFFERENT DOCUMENTS WHERE  
6 THEY WOULD ASK IF YOU HAD SIGNED THESE DOCUMENTS AND  
7 THINGS OF THAT NATURE?

8 A I SAW MY MOTION OF DISCOVERY. I SAW WHAT WAS IN  
9 THE DISCOVERY, WHAT THEY BROUGHT ME, I SAW THAT, AND  
10 THEY ASKED ME ABOUT MY STATEMENTS. YES, SIR. I MEAN  
11 THE THINGS THAT WERE IN MY DISCOVERY. I WAS GIVEN A  
12 PACKAGE AND I PUT IT TOGETHER MYSELF AND I KNEW WHAT  
13 WAS IN THAT PACK, YOU KNOW, WHAT WAS IN MY MOTION,  
14 THE DISCOVERY.

15 Q SO YOU UNDERSTOOD THE MATERIALS THAT WERE IN  
16 THERE, IS THAT A FAIR STATEMENT?

17 A FOR THE MOST PART. I DIDN'T UNDERSTAND HOW SOME  
18 PEOPLE GOT SOME OF THE DISCOVERY THEY SAID, BUT YEAH  
19 I.

20 Q YOU MIGHT NOT AGREE WITH IT, BUT YOU UNDERSTOOD  
21 IT?

22 A RIGHT. I UNDERSTOOD WHAT IT WAS.

23 Q AND WHEN YOU WERE IN THERE TALKING WITH THEM  
24 WERE YOU ALLOWED TO TAKE NOTES?

25 A I MAY HAVE BEEN -- I WAS ALLOWED TO TAKE NOTES



1 AT ANY TIME. I'VE NEVER TAKEN NOTES AT ANY OF MY  
2 MOTIONS, AT ANY OF MY VISITS WITH MY ATTORNEYS. I  
3 ALWAYS WENT BACK AND WROTE DOWN SOME THINGS  
4 AFTERWARDS LIKE, YOU KNOW, SOME BRIEF THINGS ABOUT  
5 EACH VISIT. AND I KEPT UP WITH MY VISITS.

6 Q NOW IS THAT PART OF YOUR JOURNAL, KEEPING THOSE  
7 NOTES OF YOUR VISITS IN YOUR JOURNAL?

8 A NO, SIR. THAT'S A PART OF MY LAW BOOK. WHAT I  
9 KEEP ALL THE STUFF ABOUT WHAT GOES ON IN MY CASE.  
10 THAT'S NOT A PART OF MY JOURNAL, NO.

11 Q SO THE JOURNAL THAT YOU ARE WRITING IS SEPARATE,  
12 IS THAT RIGHT?

13 A THAT'S CORRECT.

14 Q OKAY. AND WHEN YOU WERE TALKING TO THEM, WOULD  
15 THEY WRITE THINGS DOWN?

16 A YES, SIR. I THINK ANY ATTORNEY WOULD WHENEVER  
17 THEY COME IN, EVEN EVERY ATTORNEY I HAVE EVER SEEN  
18 HAS COME IN WITH A NOTE PAD AND PIECE OF PAPER AND  
19 STARTED WRITING AS I WAS TALKING.

20 Q OKAY. AND NOW DID YOU GIVE THEM THAT PAPER?  
21 THE NOTE PADS AND PAPER THAT THEY WERE WRITING ON?

22 A NO. THEY BROUGHT THEIR OWN PAPER.

23 Q OKAY. AND THEY BROUGHT NOTE PAD, KIND OF LIKE  
24 WHAT I HAVE?

25 A THAT'S CORRECT.

1 Q HOW MANY TIMES YOU THINK THE DIFFERENT PEOPLE  
2 CAME IN THAT HAD LEGAL PADS THAT MET WITH YOU?

3 A HOW MANY? I'D SAY QUITE A FEW.

4 Q QUITE A FEW PEOPLE AND QUITE A FEW TIMES?

5 A QUITE A FEW LEGAL PADS, YES, SIR.

6 Q NOW THE --- MR. MORTON HAS ALREADY ADDRESSED  
7 THIS. BACK IN 1999 YOU WERE FOUND GUILTY OF THREE  
8 CHARGES, IS THAT CORRECT, THE CARRIED OVER A YEAR?

9 A THAT'S CORRECT. MY WIFE AND I BOTH PLEADED  
10 GUILTY TO THAT, YES.

11 Q BUT NOW WHEN YOU STAND UP, YOU HAVE TO DO IT ON  
12 YOUR OWN; IT'S NOT LIKE YOU DO WHATEVER SHE DOES,  
13 RIGHT? I MEAN, YOU ARE YOUR OWN MAN, IS THAT A FAIR?

14 A RIGHT. BUT WE BOTH WENT IN TOGETHER, WE BOTH  
15 PLEAD TOGETHER. SHE HAD HER ATTORNEY. I HAD MY  
16 ATTORNEY.

17 Q I WANT TO ASK YOU ABOUT THAT TIME. YOUR HOME,  
18 WE'VE TALKED A LOT ABOUT IT AND YOU'VE TALKED A LOT  
19 ABOUT IT TODAY, AS FAR AS THE SITUATION THAT WAS  
20 GOING ON AT YOUR HOUSE BACK NOVEMBER 29 OF 2001.

21 A THAT'S CORRECT.

22 Q AGAIN I'VE TRIED TO TAKE NOTES, BUT IF I'VE MISS  
23 WRITTEN SOMETHING YOU SAID, YOU CORRECT ME, OKAY.  
24 FROM A WORK STANDPOINT, YOU WORKED AT THE STEAK OUT  
25 THERE IN ROCK HILL, IS THAT RIGHT?

1 A THAT IS CORRECT. I WORKED FOR STEAK OUT  
2 APPROXIMATELY FIVE YEARS.

3 Q OKAY. FOR FIVE YEARS?

4 A APPROXIMATELY FIVE YEARS, YES.

5 Q SO WHEN DID YOU START THEN, LIKE THE MID-90'S  
6 LATE-90'S?

7 A '96.

8 Q OKAY.

9 A I WOULD SAY AROUND '96. I WAS STILL GOING TO  
10 SCHOOL. LET'S SEE. IT WAS FOUR YEARS. IT WAS FOUR  
11 YEARS, NOT FIVE. I SAID APPROXIMATELY FIVE. IT'S  
12 FOUR YEARS BECAUSE I STARTED IN '97 RIGHT AFTER I  
13 STARTED WORKING, I MEAN, GOING TO SCHOOL.

14 Q OKAY. AND YOU WERE GOING TO SCHOOL AND SO YOU'D  
15 WORK ABOUT 20 TO 25 HOURS A WEEK, DOES THAT SOUND  
16 RIGHT?

17 A THERE, BUT I WAS ALSO WORKING AT THE HESS  
18 STATION PART-TIME AT NIGHT.

19 Q OKAY. THIS WAS IN '97?

20 A THAT'S CORRECT.

21 Q OKAY. AND YOUR WIFE, WHEN WAS IT THAT SHE  
22 STARTED WORKING THE THIRD SHIFT?

23 A SHE STARTED WORKING THE THIRD SHIFT IN '99.

24 Q OKAY. SO YOU LEFT THE HESS STATION IN '99?

25 A THAT IS CORRECT.

1 Q OKAY. SO AFTER '99 YOU WERE JUST WORKING AT THE  
2 STEAK OUT, IS THAT RIGHT?

3 A THAT'S CORRECT.

4 Q OKAY. AND YOU WOULD WORK DURING THE DAYTIME  
5 HOURS?

6 A IN STEAK OUT, NO, I WOULD WORK UP UNTIL TIME FOR  
7 HER TO GO TO WORK. I WOULD WORK LIKE FOUR O'CLOCK IN  
8 THE AFTERNOON UNTIL THE TIME FOR HER TO GO WORK. I  
9 WORK APPROXIMATELY FOUR, ABOUT FOUR OR FIVE NIGHTS A  
10 WEEK AND THEN ON WEEKENDS I WORK UNTIL CLOSE WHICH  
11 WAS 11 O'CLOCK ON FRIDAY NIGHT AND 12 O'CLOCK ON  
12 SATURDAY.

13 Q OKAY. MARY SUE WORKED JUST DURING THE WEEK  
14 DAYS?

15 A YES, THAT'S CORRECT.

16 Q OKAY. AND SO YOU WOULD GO IN AND YOU SAID YOU  
17 WOULD GET HOME SOMETIME PRIOR TO MARY SUE GOING IN TO  
18 WORK AND SHE WENT IN ABOUT 10:30 OR SO, IS THAT  
19 RIGHT?

20 A SHE WENT, SHE WENT TO WORK AT, SHE LEFT THE  
21 HOUSE AT ABOUT TEN O'CLOCK AND SHE HAD TO BE AT WORK  
22 ABOUT 11. SHE WOULD STOP, GET HER SOMETHING TO  
23 DRINK, SOME CRACKERS OR SOMETHING, AND GO ON TO WORK.

24 Q NOW SHE WORKED, DID YOU SAY IS IT LIGHTNER?

25 A IT'S LEINER.

1 Q LEINER.

2 A L-E-I-N-E-R.

3 Q NOW WHERE IS IT LOCATED?

4 A IT'S A PHARMACEUTICAL COMPANY THAT'S IN FORT  
5 MILL OVER THERE NEXT TO BLACK AND DECKER.

6 Q SO SHE'D LEAVE IN TIME TO STOP AND GET HER  
7 SOMETHING AND LET TO WORK BY?

8 A AND GET ON TO WORK, YES.

9 Q AND HER HOURS WERE FROM ELEVEN UNTIL SEVEN, THAT  
10 IS RIGHT?

11 A THAT IS CORRECT.

12 Q OKAY. NOW I'M CONFUSING AN ISSUE A LITTLE BIT.  
13 AS FAR AS YOU WORKING AT STEAK OUT I UNDERSTAND AT  
14 THIS PARTICULAR NIGHT YOU WERE HOME, WERE YOU THE ONE  
15 WHO USUALLY PICKED THE KIDS UP AT SCHOOL.

16 A I AM THE ONE WHO USUALLY PICKS THE KIDS UP AT  
17 SCHOOL. I COME, WHAT I WOULD DO IS UP UNTIL, UP  
18 UNTIL TWO WEEKS BEFORE THIS HAPPENED, I WAS WORKING  
19 SOME MORNINGS, WORKING DOING THE SALADS. I WOULD  
20 MAKE THE SALADS AND TAKE CARE OF ALL OF THE TOMATO  
21 AND LETTUCE AND STUFF LIKE THAT FOR THE SANDWICHES  
22 AND THINGS. THEN I WOULD LEAVE AND GO HOME AND COME  
23 BACK AT FIVE O'CLOCK FOR THAT SHIFT AND I WOULD WORK  
24 FROM FIVE UNTIL 9:30 - 15 TO TEN SO THAT I COULD GET  
25 HOME JUST IN TIME FOR MARY SUE TO LEAVE AND I WOULD

1 COME IN THE HOUSE.

2 Q SO YOU SAID THAT WAS TWO WEEKS PRIOR TO THAT.  
3 WHAT CHANGE WHERE YOU ACTUALLY STARTED COMING AND  
4 BEING HOME IN THE EVENING?

5 A HE NEEDED SOMEBODY TO WORK THE SALADS AND I  
6 STARTED WORKING. I MEAN, I STARTED COMING IN.

7 Q SO YOU WORKED THE SALADS INSTEAD OF DELIVERY?

8 A NO, I DONE BOTH. I WORKED SALADS AND THEN COME  
9 BACK AT FIVE O'CLOCK AND WORK IN THE AFTERNOON.

10 Q OKAY. I GUESS WHAT I'M TRYING TO UNDERSTAND IS  
11 THIS NIGHT OF THE 29, WHY WEREN'T YOU WORKING THEN?

12 A OKAY. HE ONLY USED ME ON CERTAIN NIGHTS. ON  
13 WEDNESDAY NIGHT THAT WAS CHURCH, THAT WAS OUR CHURCH  
14 NIGHT, AND HE HAD TOLD ME THAT, HE TOLD ME HE WOULD  
15 GIVE ME WEDNESDAY NIGHTS OFF FOR CHURCH.

16 Q OKAY. SO THAT WAS, WAS THAT THE ONLY NIGHT YOU  
17 ARE OFF?

18 A NO, SIR. I WAS OFF ON, I WAS OFF ON SEVERAL  
19 NIGHTS. HE DIDN'T, HE WOULD ONLY USE ME WHEN HE  
20 COULD BECAUSE HE HAD SO MANY DRIVERS AND HE DIDN'T  
21 WANT TO OVERLAP AND I WAS ALREADY WORKING THE  
22 MORNINGS. I WOULD WORK EVERY MORNING FROM 8 O'CLOCK  
23 UNTIL 12 DOING SALADS.

24 Q SO YOU DROPPED THE GIRLS OFF AT SCHOOL AND THEN  
25 GO ON AND DO THE SALADS.

1 A GO ON AND DO THE SALADS EXACTLY, THAT'S CORRECT.

2 Q OKAY. AND YOU ARE STILL, YOU'RE RUNNING ABOUT  
3 20 TO 25 HOURS A WEEK, DOES THAT SOUND RIGHT?

4 A THAT IS CORRECT. SOMEWHERE IN THAT NEIGHBORHOOD.  
5 I.

6 Q NOW AT ONE POINT -- I DIDN'T MEAN TO INTERRUPT  
7 YOU. I'M SORRY. GO AHEAD.

8 A THAT'S OKAY. I.

9 Q AT SOME POINT HE OFFERED YOU MORE HOURS WITH  
10 MORE DELIVERY. YOU COULD MAKE MORE MONEY WITH MORE  
11 DELIVERY, IS THAT RIGHT?

12 A HE DID OFFER ME TO WORK A LITTLE MORE DURING THE  
13 WEEKENDS. HE WORK, HE TRIED TO WORK ME AS MUCH AS HE  
14 COULD, BUT HE ALSO UNDERSTOOD THAT I HAD TO BE HOME  
15 IN ORDER TO PICK THE GIRLS UP FROM SCHOOL AND I ALSO  
16 HAD TO BE HOME FOR WHEN MARY SUE WENT TO WORK.

17 Q OKAY. SO BASICALLY AS FAR AS THE GIRLS, YOUR  
18 RESPONSIBLE FOR TAKING THEM TO SCHOOL, PICKING THEM  
19 UP, AND RESPONSIBLE FOR THEM AFTER SHE GOES TO WORK,  
20 IS THAT A FAIR STATEMENT?

21 A THAT'S CORRECT.

22 Q OKAY. AND AS FAR AS THE GIRLS, YOU HAD BEEN  
23 KIND OF RUNNING THAT SCHEDULE FOR ABOUT THREE YEARS,  
24 DOES THAT SOUND RIGHT? ABOUT THE TIME SHE STARTED  
25 WORKING THE THIRD SHIFT?

1 A NO. THERE WAS ABOUT THREE WEEKS IN THERE THAT  
2 MARY SUE WASN'T, IT WASN'T WORKING. SHE, I'M TRYING  
3 TO REMEMBER. SHE HAD SOME, SOME FEMALE PROBLEMS AND  
4 SHE HAD TO BE OUT OF WORK FOR A SHORT TIME.

5 Q WHEN WOULD THAT HAVE BEEN?

6 A THAT WAS, UH. IT WAS A SHORT TIME BEFORE ALL  
7 THIS HAPPENED BECAUSE SHE HAD JUST GOT BACK TO WORK  
8 GOOD AND WAS GOING, WAS GETTING BACK IN A REGULAR  
9 ROUTINE.

10 Q BUT RIGHT PRIOR TO THEN?

11 A RIGHT PRIOR, YES.

12 Q SHE HAD FEMALE PROBLEMS THAT SHE HAD TO STAY  
13 HOME?

14 A SHE WAS HOME, YES.

15 Q NOW WAS SHE HOME THERE ALL THE TIME THEN? DID  
16 YOU WORK A DIFFERENT SCHEDULE, WERE YOU GONE --

17 A NO, DURING THAT TIME I ACTUALLY WORKED EXTRA  
18 HOURS AT WORK. SHE WAS ABLE TO TAKE CARE OF THINGS  
19 AROUND THE HOUSE. THE ONLY THING WAS I HAD TO BE  
20 HOME EARLY ENOUGH TO GET THE GIRLS, BUT THEN I COULD  
21 WORK AND I COULD WORK UNTIL CLOSE WHICH WAS 11  
22 O'CLOCK ON ANY GIVEN NIGHT.

23 Q SO AT THAT POINT YOU WEREN'T, WITH THE EXCEPTION  
24 OF THREE WEEKS DURING THAT THREE YEAR PERIOD, YOU  
25 WERE THE RESPONSIBLE PARENT AT HOME IN THE NIGHTTIME



1 EXCEPT FOR THAT THREE WEEK PERIOD, IS THAT A FAIR  
2 STATEMENT?

3 A NO, SIR, BECAUSE I WAS ALSO GOING TO SCHOOL AT  
4 THAT TIME. I GRADUATED 2001 AND THERE WAS TIME IN  
5 THERE THAT DURING THE DAYTIME I WENT TO SCHOOL. AS A  
6 MATTER OF FACT, DURING THAT TIME MARY SUE WOULD TAKE  
7 ME TO SCHOOL, TAKE THE GIRLS, WOULD TAKE JESSICA AND  
8 KYLA TO SCHOOL, TAKE ME TO SCHOOL, TAKE AMANDA TO  
9 SCHOOL, AND THEN SHE WOULD COME BACK AFTER ME AND  
10 THEN I TOOK CARE OF THE GIRLS AFTER THAT UNTIL IT WAS  
11 TIME FOR ME TO GO TO WORK.

12 Q OKAY.

13 A AND THAT WENT ON FOR ABOUT, ABOUT TWO AND A HALF  
14 YEARS.

15 Q FROM NIGHTTIME AT TEN O'CLOCK WHEN SHE WENT TO  
16 WORK UNTIL MORNING TIME WHEN BASICALLY IT WAS TIME TO  
17 GO TO SCHOOL, SHE GOT OFF AT SEVEN, SHE WOULD COME  
18 GET YOU ABOUT QUARTER TO 8, DOES THAT SOUND RIGHT, TO  
19 GET THE GIRLS TO SCHOOL, SHE WOULD TAKE YOU TO  
20 SCHOOL, ALL OF YOU TO SCHOOL TOGETHER?

21 A SHE WOULD BE, YEAH, SHE WOULD BE THERE BETWEEN  
22 7:30 AND QUARTER OF 8, YES, SIR.

23 Q OKAY. ALL RIGHT. AND I BELIEVE YOU TOLD DSS  
24 DURING THAT TIME YOU HAD BUILT A ROUTINE OF WHAT TIME  
25 THE GIRLS WENT TO BED, IS THAT CORRECT?

1 A RIGHT.

2 Q AND KYLA GOES TO BED AT?

3 A THEIR NORMAL BED TIMES, YES, SIR.

4 Q 8:30, 9:30, AND 10:30, IS THAT CORRECT?

5 A THAT---YES, THAT'S CORRECT. I HAD TO STOP AND

6 THINK. IF IT WAS 9:30 I MEAN 8:30 --- 7:30, 8:30,

7 OR 9:30 OR 9:30 - 10:30. IT WAS. IT WAS 8:30, 9:30,

8 AND 10:30 BECAUSE I ALWAYS GIVE AMANDA A LITTLE EXTRA

9 TIME TO PLAY HER VIOLIN. SHE WOULD GO INTO THE

10 BEDROOM, CLOSE HER DOOR, AND PRACTICE THE VIOLIN A

11 LITTLE BIT AFTER MARY SUE WENT TO WORK. IT WAS HARD

12 FOR HER TO PRACTICE IN THE HOUSE IF MARY SUE, WHILE

13 MARY SUE WAS SLEEPING.

14 Q I GOT YOU BECAUSE SHE COULDN'T SLEEP?

15 A RIGHT.

16 Q LET ME ASK YOU ABOUT THE SITUATION AT THE HOUSE.

17 YOU TALK A LOT ABOUT THE COMPUTER. YOU HAD A

18 COMPUTER AS YOU COME IN THE DOOR OVER THERE ON YOUR

19 DESK, THE ONE THAT KIND OF BLOCKED THAT OTHER DOOR?

20 A YEAH, THAT WAS, THAT WAS THE ONLY ACTUAL

21 OPERATIVE COMPUTER IN THE WHOLE HOUSE.

22 Q SO THE TWO OTHER COMPUTERS IN THE HOUSE DIDN'T

23 WORK?

24 A THEY DID NOT WORK. THEY WERE, ONE OF THEM WAS

25 MY MOM'S. THE LIGHTNING RUN IN ON THE HARD DRIVE AND

1 BLOW IT AND SHE AND RATHER THAN JUST GETTING ANOTHER  
2 HARD DRIVE AND PUT IN IT, SHE SAID SHE JUST DIDN'T  
3 WANT TO FOOL WITH IT NO MORE, SO I GOT IT AND PUT IT  
4 IN THE CLOSET IN MY BEDROOM. THE OTHER COMPUTER I  
5 PICKED UP OFF THE SIDE OF THE ROAD. IT WAS, IT WAS  
6 SO OLD IT DIDN'T, IT DIDN'T HAVE A HARD DRIVE AS WE  
7 CALL IT. IT USED TAPE DRIVES AND DISK DRIVES AND YOU  
8 DIDN'T, I DIDN'T HAVE THE PROPER DISKS TO RUN THAT.

9 Q SO BASICALLY THAT ONE, WHEN YOU COME IN THE  
10 DOOR, IS THE ONE THAT FUNCTIONED?

11 A THAT'S THE ONLY COMPUTER THAT FUNCTIONED IN THE  
12 HOUSE.

13 Q NOW WAS IT HOOKED UP TO THE INTERNET?

14 A YES, IT WAS.

15 Q OKAY. AND WHAT SERVICE, INTERNET SERVICE DID  
16 YOU HAVE?

17 A RJS ON LINE DOT NET.

18 Q OKAY. AND YOU SAID THAT COMPUTER STAYED ON ALL  
19 THE TIME?

20 A THAT COMPUTER STAYED ON 24 HOURS A DAY.

21 Q NEVER GOT SHUT DOWN?

22 A NO, SIR.

23 Q WHY WAS THAT?

24 A WELL, YOU KNOW, IN THE COMPUTER CLASS WE WERE  
25 TAUGHT THAT IF YOU TURN THE COMPUTER ON AND TURN IT

1 OFF, EACH TIME YOU TURN IT ON IT TAKES A LITTLE MORE  
2 LIFE OF THE COMPUTER BECAUSE IT TAKES SO MUCH ENERGY  
3 TO REBOOT THE SYSTEM UP AND TO RERUN ALL THE SYSTEM,  
4 YOU WEAR OUT THE TRANSISTORS IN A LOT OF THE PARTS,  
5 SO I ALWAYS LEFT MINE ON 24 HOURS A DAY.

6 Q KIND OF LIKE CRANKING YOUR CAR, YOU WEAR YOUR  
7 CAR OUT, RIGHT?

8 A RIGHT.

9 Q SO YOU JUST LEFT IT RUNNING?

10 A WELL, I WON'T SAY I LEFT MY CAR RUNNING, NO.  
11 SIR. BUT I LET THE COMPUTER RUN, YES, SIR.

12 Q OKAY. BUT YOU ALSO SAID THAT YOU HAD SOME  
13 SOFTWARE THAT DID SOME STUFF ON THERE, SOME  
14 MAINTENANCE SOFTWARE OR SOMETHING?

15 A YES, SIR.

16 Q WELL, I THOUGHT THAT'S WHY YOU SAID YOU LEFT IT  
17 RUNNING?

18 A WELL, THERE IS A MAINTENANCE PROGRAM THAT RUNS  
19 IN THE BACKGROUND THAT IS, I THINK IT'S CALLED  
20 WINDOWS ENHANCED, WINDOWS ENHANCED MAINTENANCE  
21 SOFTWARE OR MAINTENANCE UTILITY, THAT'S WHAT IT IS,  
22 SOMETHING LIKE THAT, AND WHAT IT DOES IT HAS VARIOUS  
23 JOBS. IT RUNS A, IT PERIODICALLY SHUTS DOWN THE  
24 SYSTEM AND RUNS A TEST ON ALL THE HARD DRIVE SPACE.  
25 IT DOES QUITE A FEW THINGS TO THE COMPUTER. THERE IS

1 A UTILITY THAT SHUTS IT DOWN AND GETS RID OF UNWANTED  
2 FILES. THERE IS A SYSTEM THAT GOES IN AND CLEANS OUT  
3 THE TRASH CAN, THE VARIOUS TRASH CANS THROUGHOUT THE  
4 COMPUTER, THE PROGRAM. THERE IS, IT GETS RID OF ALL  
5 THE DELETE FILES. IT'S JUST A SYSTEM THAT SET UP AND  
6 I HAD IT, I HAVE IT SET UP TO COME ON AT CERTAIN  
7 TIMES THROUGHOUT THE SYSTEM.

8 Q WHAT TIME DID YOU HAVE IT SET TO COME ON, DO YOU  
9 KNOW?

10 A IT HAS A SET TIME BUT IT DEPENDS ON WHAT'S  
11 RUNNING AND THE PROCESS SO I REALLY COULDN'T STATE A  
12 TIME.

13 Q AND THE THINGS YOU ARE TALKING ABOUT YOU CAN  
14 ALSO DO MANUALLY IF YOU CHOOSE, LIKE EMPTY THE TRASH  
15 AND THINGS OF THAT THE NATURE?

16 A YEAH THOSE THINGS, YEAH, I MEAN --

17 Q YOU KNOW HOW TO DO THEM IS WHAT I'M SAYING?

18 A OH, YES, SIR. YES, SIR, OF COURSE. BUT I  
19 DIDN'T HAVE NO REASON TO WHENEVER THE SYSTEM DID IT  
20 FOR ME.

21 Q RIGHT?

22 A I DIDN'T --

23 Q SO IT TOOK CARE OF TAKING OUT THE TRASH SO TO  
24 SPEAK?

25 A RIGHT. IF I, YOU KNOW, AS I WAS SAYING, IF IT

1 AIN'T BROKE, DON'T FIX IT, SO I MEAN, I JUST LET IT  
2 TAKE CARE OF ITSELF.

3 Q NOW THE TRUTH IS YOU PROBABLY NEEDED ONE OF  
4 THOSE FOR THE HOUSE TOO, DIDN'T YOU?

5 A ACTUALLY I COULD SAY SO, YES, SIR.

6 Q YES, SIR. BECAUSE THE CONDITION IN THE HOUSE, I  
7 THINK YOU INDICATED, YOU WERE A PACK RAT, IS THAT  
8 RIGHT?

9 A I WAS A PAT RAT, YES, SIR.

10 Q AND SO THERE WAS, THERE WAS LOADS OF STUFF, YOU  
11 JUST NAMED TWO THINGS: YOU GOT A COMPUTER OFF THE  
12 SIDE OF THE ROAD AND PUT IT IN THERE?

13 A THAT'S CORRECT, YES, SIR.

14 Q OKAY. AND YOU HAD STUFF IN THE FLOORS, YOU HAD  
15 STUFF IN THE CLOSETS, YOU HAD STUFF IN THE CABINETS,  
16 YOU NAME IT, IT WAS STUFFED IN THERE. YOU HAD MORE  
17 STUFF THAN YOU HAD HOUSE, DIDN'T YOU?

18 A YES, SIR. WELL, YES, SIR. I EVEN HAD BUILDING  
19 OUT BACK THAT HAD A LOT OF STUFF IN IT, BUT THOSE,  
20 BUT THE STUFF, THERE WASN'T ANYTHING IN THE CLOSET AT  
21 THE TIME BECAUSE I HAD TAKEN EVERYTHING OUT OF THE  
22 CLOSET. WE HAD TAKEN MOST OF THE STUFF OUT OF THE  
23 CLOSETS. WE HAD TAKEN MOST OF THE CLOTHES BECAUSE WE  
24 WERE SPRAYING.

25 Q OKAY. AND WHEN YOU TALK ABOUT THE SPRAYING, YOU

1 WERE TALKING ABOUT BEFORE Y'ALL LEFT TOWN FOR THAT  
2 WEEKEND YOU DID THE FOGGERS?

3 A THAT'S CORRECT.

4 Q IS THAT RIGHT?

5 A YEAH. WELL, YES, SIR. IT WAS AROUND THAT TIME,  
6 YES, SIR.

7 Q WELL, I WANT TO MAKE SURE YOU UNDERSTAND. YOU  
8 SAY AROUND THAT TIME?

9 A YEAH, I'M THINKING THAT WAS ACTUALLY, THAT  
10 ACTUALLY WAS DONE ON SUNDAY BEFORE WHILE WE WAS AT  
11 CHURCH BECAUSE WE SPENT SUNDAY AFTERNOON AT MOMMA'S  
12 HOUSE. I'M THINKING THAT HAPPENED ON SUNDAY BECAUSE  
13 THE DOOR, LIKE I SAID, IN MY KITCHEN WAS OPEN AND  
14 THAT WASN'T NO, THAT WASN'T WORKED IN THE HOUSE.  
15 WHEN WE CAME HOME FROM CHURCH, THERE WAS, I WAS THE  
16 LAST ONE, I WAS THE ONE THAT SET THOSE FOGGERS OFF  
17 AND.

18 Q THE LAST MAN OUT HAS GOT TO PULL THE PIN AND GET  
19 OUT THE DOOR?

20 A YOU GOT THAT AND YOU HAD, AND YOU HAVE TO HAVE A  
21 SPECIFIC WAY OF DOING IT. LIKE I STARTED I THINK IN  
22 AMANDA'S ROOM, FURTHEST HOUSE, AND THEN I SAT ONE,  
23 YOU KNOW, ACTUALLY IN BETWEEN AMANDA'S ROOM AND  
24 JESSICA'S ROOM BECAUSE ONE FIRE COVERED BOTH SPACES  
25 IN THERE AND THEN I SET ONE OFF IN THE BATHROOM

1 BECAUSE WE HAD THEM PRETTY BAD IN THE BATHROOM AND  
2 THEN I WOULD SET ONE OFF IN MY BEDROOM, ONE OFF IN  
3 THE KITCHEN, I MEAN THE LIVING ROOM, BUT ACTUALLY I  
4 WOULD GO TO THE KITCHEN FIRST. SET ONE OFF IN THE  
5 KITCHEN, ONE OFF IN THE DINING ROOM, AND ONE OFF IN  
6 THE LIVING AND OUT THE DOOR.

7 Q SO YOU SAID OUT THE FRONT DOOR?

8 A I WENT OUT THE FRONT DOOR, YES, SIR.

9 Q OKAY. AND WHEN YOU COME BACK AT, AND AGAIN I  
10 DON'T WANT TO PUT WORDS IN YOUR MOUTH, BUT THE WAY I  
11 UNDERSTOOD IT YOU SAID WHEN YOU CAME BACK FROM YOUR  
12 TRIP THAT'S WHEN THE DOOR WAS OPEN, RIGHT?

13 A THAT'S TRUE THE DOOR WAS OPEN.

14 Q THE ROACHES WERE EVERYWHERE AND THE FOG POWDER  
15 WAS EVERYWHERE?

16 A THERE WAS, I NEVER SAID THE ROACHES WERE  
17 EVERYWHERE AND FOG WAS EVERYWHERE WHEN WE COME BACK  
18 FROM THE TRIP. I NEVER SAID THAT. WE HAD ROACHES IN  
19 THE HOUSE AT THAT TIME.

20 Q I'M TALKING ABOUT THE DEAD ONES NOW?

21 A THAT WAS, I'M ALMOST POSITIVE THAT WAS SUNDAY  
22 AFTER CHURCH. I MEAN, DURING CHURCH BEFORE CHURCH  
23 BECAUSE IF IT WASN'T THEN IT WAS THE DAY WE LEFT.  
24 BUT I'M THINKING I WAS THE LAST ONE. SEE, I WASN'T  
25 SURE ABOUT WHAT HAPPENED TO THE BACK DOOR. I WASN'T



1 SURE WHETHER SOMEBODY HAD ACTUALLY BROKE IN THE BACK  
2 DOOR OR WHETHER MY DAUGHTERS HAD LEFT IT OPEN AND  
3 SO---

4 Q WHEN THEY WERE TAKING THE TRASH OUT THE BACK?

5 A RIGHT, OUT THE BACK AND I THINK I STATED THAT.  
6 SO I'M, I'M ALMOST, I'M ALMOST POSITIVE THAT WE DONE  
7 THAT WITH THE HOUSE, CLEARING OUT THE HOUSE, ON THE  
8 SUNDAY BEFORE CHURCH. BECAUSE I DID IT ON SATURDAY  
9 AFTER I GOT IN, AFTER I GOT OUT FROM WORK BECAUSE MY  
10 WIFE WAS THERE AT WORK AND I WAS CLEANING OUT, I MEAN  
11 MY WIFE WAS IN THE BED AND I WAS CLEANING OUT THE  
12 CLOSETS IN THE LIVING ROOM AND SUNDAY MORNING WE TOOK  
13 CARE OF ALL THE OTHER STUFF. ON FRIDAY BEFORE, THE  
14 WEDNESDAY BEFORE WE LEFT, I ACTUALLY CLEANED OUT THE  
15 CLOSETS AND WAS PREPARING, THAT'S WHY THERE WAS STUFF  
16 SITTING ON MY BED, STUFF SITTING ON MY DRESSER, STUFF  
17 SITTING ON THE, WE HAD EVERYTHING CLEARED OUT.

18 Q AGAIN YOU HAD EVERYTHING CLEARED OUT BEFORE YOU  
19 WENT ON YOUR TRIP?

20 A BEFORE WE WENT ON THE TRIP, YEAH.

21 Q OKAY.

22 A I'M NOT SURE, I HONESTLY CAN'T SAY, I'VE BEEN  
23 THINKING ABOUT THIS SO LONG I REALLY CAN'T SAY  
24 WHETHER WE ACTUALLY DID IT BECAUSE I REMEMBER THE  
25 GIRLS WOULD HAVE BEEN THE ONES WHO BROUGHT THE TRASH

1 CAN IN, SO I'M THINKING WE DIDN'T SET THE FOGGERS OFF  
2 ON THAT DAY.

3 Q THE DAY THE GIRLS BROUGHT THE TRASH CAN IN?

4 A THAT'S CORRECT.

5 Q SO THE TRUTH OF THE MATTER IS YOU KNOW IT  
6 HAPPENED BUT YOU CAN'T REMEMBER ALL THE SPECIFIC  
7 DETAILS OF WHEN?

8 A I'M ALMOST POSITIVE IT WAS ON SUNDAY.

9 Q AND THAT'S THE SUNDAY BEFORE AMANDA WAS KILLED?

10 A THE SUNDAY BEFORE AMANDA WAS KILLED, RIGHT.

11 Q OKAY. SO GOING BACK TO THE DOORS?

12 A YES.

13 Q THE BACK DOOR I THINK YOU INDICATED OPENS A  
14 LITTLE BIT THEN STICKS, IS THAT RIGHT?

15 A IT DOES STICK, YES, SIR.

16 Q IT'S LIKE THE HOUSE IS OUT OF SQUARE OR  
17 SOMETHING?

18 A ACTUALLY I THINK THE TERM FOR THAT IS ONE OF THE  
19 JACKS IS FELL OUT FROM UNDER THE HOUSE.

20 Q THAT SUPPORT --

21 A THE SUPPORT JACK.

22 Q AND I'M SORRY. I INTERRUPTED YOU.

23 A THAT'S OKAY. I THINK THE SUPPORT JAKE HAS  
24 FALLEN IN SEVERAL PLACES UNDER THE HOUSE.

25 Q ONE OF THE JACKS HAD FALLEN APPARENTLY UNDER

1 AMANDA'S DOOR?

2 A THAT'S CORRECT.

3 Q BECAUSE THE SAME SITUATION, RIGHT?

4 A RIGHT.

5 Q AND YOU COULD EITHER LIFT IT UP BUT YOU GOT TO  
6 LIFT IT UP ENOUGH TO BREAK ENOUGH CONTACT BECAUSE IT  
7 SCRAPES THOSE FLOORS, RIGHT?

8 A THE BATHROOM, I MEAN THE BACK DOOR DOES BUT  
9 AMANDA'S DOOR, YOU JUST, YOU CAN PUSH IT AND IT WILL  
10 PUSH RIGHT ON PAST.

11 Q IT MAKES NOISE WHEN IT SCRAPES?

12 A IT MAKES A LITTLE NOISE, RIGHT.

13 Q BUT YOU DON'T HAVE TO LIFT IT?

14 A I HADN'T EVER TRIED TO LIFT THAT DOOR. I JUST  
15 PUSH THAT DOOR.

16 Q AND IT GOES ON IN?

17 A RIGHT.

18 Q AND THEN YOUR DOOR, DID I UNDERSTAND YOU TO SAY  
19 YOUR DOOR WAS BLOCKED OUT, LIKE BLOCKED OPEN?

20 A IT WAS OPEN, YEAH. IT WAS OPEN.

21 Q IT JUST STAYED OPEN?

22 A IT JUST, IT STAYED OPEN, YES.

23 Q AND OF COURSE THE JURY HAS SEEN THE PICTURES BUT  
24 SOMETIMES IT'S HARD TO VISUALIZE WITH PICTURES. THIS  
25 IS YOUR BEDROOM?

1 A RIGHT.

2 Q OR BETTER YET, YOU'RE IN YOUR BEDROOM?

3 A I'M IN MY BEDROOM, ALL RIGHT.

4 Q BATHROOM IS RIGHT HERE?

5 A THAT'S, YEAH, YOU ARE TALKING ABOUT AMANDA'S

6 ROOM THAT WAY?

7 Q YES.

8 A THE BATHROOM DOOR IS RIGHT THERE.

9 Q SO YOU ARE SITTING ON THE CORNER OF YOUR BED?

10 A RIGHT.

11 Q THE BATHROOM IS RIGHT HERE?

12 A THAT'S CORRECT.

13 Q I'M STANDING LIKE AMANDA'S DOOR?

14 A JUST A LITTLE FURTHER BACK, ABOUT RIGHT THERE IS

15 AMANDA'S DOOR.

16 Q I'M AT AMANDA'S DOOR AND YOU ARE SITTING?

17 A THIS IS MY DOOR RIGHT HERE, YES, SIR.

18 Q OKAY. SO THEN, AND THEN THE JESSICA AND KYLA'S

19 DOOR IS THIS, GOING IN THERE, THEY WOULD BE SITTING

20 WHERE THESE FOLKS ARE AT?

21 A IF WOULDN'T BE QUITE THAT FAR. IF WHERE YOU ARE

22 STANDING IS AMANDA'S DOOR, KYLA AND JESSICA, THEY

23 WOULD BE EVEN WITH THAT, BUT SEE, YOU HAD STEPPED

24 OVER THAT WAY A LITTLE BIT, BUT IF YOU ARE STANDING

25 RIGHT WHERE YOU ARE AT NOW, YEAH, IT WOULD BE EVEN

1 WITH THAT RIGHT THERE.

2 Q OKAY. NOW DOES IT FACE TOWARD YOUR BEDROOM,  
3 TOO?

4 A IT FACES TOWARD THE BATHROOM.

5 Q OKAY. AND THEN YOU COME ON OVER HERE, IT'S LIKE  
6 THAT LITTLE TABLE AND STUFF AND YOU GO IN HERE TO GO  
7 IN THE DEN, IS THAT RIGHT?

8 A WELL, YOU, ACTUALLY YOU CAN COME OUT OF MY ROOM,  
9 TURN BACK, AND IT'S RIGHT THERE. THE, MY DOOR FACING  
10 IS HERE, RIGHT HERE, AND THE LIVING ROOM DOOR FACING  
11 IS HERE, AND THERE IS A WALL RIGHT HERE THAT HAS THE  
12 LIGHT SWITCH ON IT.

13 Q THE LIGHT SWITCH WOULD BE LIKE RIGHT HERE COMING  
14 OUT OF THE DOOR?

15 A YEAH, IN BETWEEN THE TWO.

16 Q SO THE FRONT DOOR IS OVER HERE?

17 A THE FRONT DOOR WOULD BE RIGHT BACK HERE, YES.

18 Q OKAY.

19 A BEHIND THE WALL.

20 Q OKAY. AND WE WERE TALKING A LITTLE BIT ABOUT  
21 THE LOCKS ON THE FRONT DOOR AND YOU'RE TALKING ABOUT  
22 THE DIFFERENT KINDS OF LOCKS?

23 A THAT'S CORRECT.

24 Q AND AT SOME POINT YOU WERE CONCERNED ABOUT IT  
25 BEING LOOSE, SO YOU REPLACED THE FRONT LOCK?

1 A THAT'S CORRECT, I DID.

2 Q AND IF I UNDERSTOOD YOU SAID THAT YOU REPLACED

3 IT WITH THE KIND THAT DOESN'T HAVE A PIN?

4 A THAT'S CORRECT.

5 Q WHAT DID YOU CALL THAT KIND?

6 A IT'S -- I THINK IT'S A DEAD LOCK.

7 Q OKAY. BUT THIS IS A DEAD LOCK?

8 A THAT'S A DEAD LOCK, SIR.

9 Q AND YOU DIDN'T GET THE DEAD LOCK?

10 A NO, SIR.

11 Q AND WHY DIDN'T YOU GET THE DEAD LOCK?

12 A IT COSTED MORE.

13 Q IT COST MORE?

14 A IT WAS LIKE \$8 MORE.

15 Q AND SO YOU SAID YOU COULDN'T AFFORD TO DO THAT?

16 A I COULDN'T AFFORD THAT AT THE TIME, NO, SIR.

17 Q OKAY. LET ME ASK YOU. HOW MUCH DID YOUR

18 INTERNET SERVICE COST?

19 A INTERNET SERVICE WAS 995.

20 Q A MONTH?

21 A A MONTH.

22 Q YOU COULD HAVE DONE ONE MONTH WITHOUT INTERNET

23 AND YOU COULD HAVE HAD ONE OF THOSE LOCKS, COULDN'T

24 YOU?

25 A OH, YEAH, SURE COULD HAVE.

1 Q LET ME ASK YOU ABOUT YOUR TELEVISION. YOU SAID  
2 YOU WERE TALKING ABOUT THAT NIGHT ABOUT THREE O'CLOCK  
3 IN THE MORNING WATCHING TV?

4 A THAT'S CORRECT.

5 Q OKAY. WHAT, DID YOU HAVE CABLE?

6 A NO, WE HAD, AT THE TIME WE JUST HAD REGULAR TV.  
7 WE HAD DIRECT TV.

8 Q SO THAT'S WHAT THE DISH WAS OUT ON THE PORCH?

9 A THAT'S CORRECT.

10 Q SO YOU HAD DIRECT TV?

11 A RIGHT.

12 Q HOW MANY CHANNELS DID YOU HAVE ON DIRECT TV?

13 A I DON'T, I DON'T RECALL EXACTLY HOW MANY IT IS.

14 Q A HUNDRED? A COUPLE HUNDRED?

15 A I GUESS. I COULDN'T STATE EXACTLY.

16 Q MORE THAN \$8 WORTH, RIGHT?

17 A IT WAS I THINK 3495 A MONTH.

18 Q NOW YOU TALKED ABOUT THE ROACHES AND THE THINGS  
19 YOU TRIED TO DO ABOUT THE ROACHES. ACTUALLY DIXIE  
20 EXTERMINATING HAD SENT YOU A CARD TO CONTACT THEM  
21 SOMETIME I THINK ABOUT WHAT 2000, DOES THAT SOUND  
22 RIGHT?

23 A WE HAD DIXIE TO COME OUT AND THEY SPRAYED, THEY  
24 FOGGED MY HOUSE. I MEAN, THEY, THEY USED ONE OF THEM  
25 BIG FOG MACHINES AND SPRAYED MY HOUSE AND THEN FOGGED

1 UNDER THE HOUSE AND FOGGED MY HOUSE. TWO WEEKS LATER  
2 WE STILL SAW A LOT OF ROACHES, SO I CALLED, I CALLED  
3 THE LANDLORD AND HE CALLED THE DIXIE AND THEY CAME  
4 BACK OUT. AND DIXIE SAID THEY WENT IN AND FOGGED, HE  
5 REDID THE THING AGAIN, FOGGED IT, AND SET IT UP. AT  
6 THAT TIME I WAS GOING TO PURCHASE THE \$25 I THINK IT  
7 WAS A MONTH TO HAVE THEM TAKE CARE OF IT, BUT HE  
8 TOLD, THE MAN TOLD ME THAT THE ROACHES WERE EMBEDDED  
9 IN THE HOUSE. HE SAID IT'S GOING TO BE HARD TO GET  
10 RID OF THEM AND HE SAID YOU'LL BE BETTER OFF USING  
11 FOGGERS AND JUST BUYING FOGGERS EVERY ONCE IN AWHILE  
12 AND JUST SPRAYING.

13 Q THAT IS WHAT THE DIXIE EXTERMINATING MAN WAS  
14 TRYING TO SELL YOU \$25 A MONTH SAID?

15 A I WASN'T GOING PAY THE \$25.

16 Q THAT'S MY POINT.

17 A AND I TOLD THEM.

18 Q YOU MADE A CONSCIOUS DECISION NOT TO PAY THAT  
19 25?

20 A I DID BECAUSE IT WASN'T WORKING. I NEVER SAW NO  
21 DIFFERENCE IN THE ROACHES.

22 Q OKAY.

23 A THEY DIDN'T KILL THEM AND I TOLD HIM, THERE  
24 WASN'T NO SENSE IN ME DOING THAT.

25 Q AND DID I UNDERSTAND YOU TO SAY THAT WHEN YOU



1 DID IT YOURSELF YOU CLEANED OUT THE HOUSE OR YOU JUST  
2 TAKING ABOUT TAKING ALL THE JUNK OUT OF THE CLOSETS?

3 A I JUST SAID I CLEANED AWAY FROM THE WALLS AND  
4 CLEANED OUT THE CABINETS, MOVED STUFF AWAY FROM THE  
5 WALLS, BECAUSE THAT'S WHAT, THAT'S WHAT THE  
6 EXTERMINATOR TOLD ME WAS THE BEST WAY TO DO IT.

7 Q AND WHEN YOU RAN THAT, THAT WAS ON THE SUNDAY  
8 BEFORE THAT THURSDAY, IS THAT CORRECT?

9 A THAT'S CORRECT.

10 Q OKAY. AND AT THAT POINT DID YOU HAVE  
11 INFORMATION THAT DSS WAS COMING TO INSPECT YOUR HOME?

12 A WE DID HAVE, WE -- I THINK IF I'M NOT MISTAKEN  
13 MARY SUE TOLD ME THAT DAY, THAT, THE 28 THAT.

14 MR. MORTON: APPROACH JUST A MINUTE.

15 THE COURT: OKAY.

16 (BENCH CONFERENCE AT 03:44 PM.)

17 Q WHEN WE APPROACHED YOU SAID YOU FOUND OUT THAT  
18 DAY AND THEN YOU WERE, YOU GUYS WERE TRYING TO SQUARE  
19 UP THE HOUSE?

20 A WE TRIED TO SQUARE, TRY TO TAKE CARE OF THE  
21 THINGS THAT NEEDED TO BE TAKEN CARE OF. WE DIDN'T  
22 KNOW EXACTLY WHEN THEY WERE COMING. WE KNEW THEY HAD  
23 SAID THEY WERE COMING THAT WEEK, BUT WE GOT WORD, I  
24 THINK MARY SUE TOLD ME ON THE 28 THAT THEY WERE  
25 COMING ON THE FOLLOWING TUESDAY.

1 Q OKAY.

2 MR. MORTON: YOUR HONOR, MAY WE APPROACH  
3 AGAIN.

4 (BENCH CONFERENCE AT 03:45 PM.)

5 Q YOU GUYS ALSO HAD CATS IN THE HOUSE?

6 A NO, WE DID NOT HAVE CATS IN THE HOUSE.

7 Q YOU DIDN'T?

8 A NO, SIR, WE DID NOT. THE POLICE OFFICERS LET  
9 THOSE CATS IN THE HOUSE WHEN THEY LEFT THE DOOR OPEN  
10 IN THE HOUSE THAT DAY.

11 Q OKAY. SO THE CATS NEVER BEEN IN THAT HOUSE?

12 A THE CATS DID NOT COME IN THE HOUSE. IF THEY  
13 COME IN THE HOUSE, WE TOOK THEM BACK OUT OF THE  
14 HOUSE. WHEN THE BACK DOOR WAS OPEN DURING THE TIME  
15 WHILE WE WERE GONE, THE CATS GOT IN THE HOUSE AND WE  
16 GOT THE CATS OUT OF THE HOUSE WHEN WE COME HOME.

17 Q SO THE CATS BASICALLY WOULD COME IN THE HOUSE,  
18 WOULD THEY JUST KIND OF HUNG AROUND THE PORCH OR  
19 SOMETHING AND WAIT TO GET A CHANCE TO COME IN YOUR  
20 HOUSE? DID Y'ALL FEED THEM OR SOMETHING?

21 A THEY WERE OUR CATS, BUT THEY WERE OUT DOOR CATS.

22 Q I GOT YOU. WOULD THEY KIND OF HANG OUT AND IF  
23 THEY GOT A CHANCE, HANG OUT ON THE PORCH OR SOMETHING  
24 AND IF THEY GET A CHANCE THEY WILL TRY TO SLIDE IN  
25 THE HOUSE?

1 A (NO RESPONSE.)

2 Q BECAUSE YOU KEPT SAYING IF THEY COME IN THE  
3 HOUSE I'LL TAKE THEM OUT OF THE HOUSE?

4 A WELL, I MEAN THERE WERE SEVERAL TIMES WHEN THEY  
5 ACTUALLY DID COME IN THE HOUSE. THEY WOULD COME IN  
6 THE HOUSE, MOST OF THE TIME THEY GO TO THE, JUST LIKE  
7 IN THE VIDEO, THEY GO STRAIGHT TO THE BATH TUB AND  
8 START LAPPING AT THE WATER.

9 Q IN THE BATH TUB?

10 A YEAH, IN THE BATH TUB.

11 Q OR THE TOILET?

12 A NO, THE BATH TUB.

13 Q I GOT YOU. THEY DIDN'T HAVE WATER OUTSIDE?

14 A OH, THEY HAD WATER. WE KEPT, WE FED THEM. IF  
15 YOU ARE INSINUATING WE DIDN'T TAKE CARE OF OUR CATS,  
16 NO, WE TOOK CARE OF OUT CATS. WE FED THEM. WE TOOK  
17 CARE OF THEM. THEY STAYED OUTSIDE. ONLY  
18 OCCASIONALLY WHEN THE DOOR WAS LEFT OPEN THEY WOULD  
19 COME IN AND WE WOULD HAVE TO GET THEM OUT OF THE  
20 HOUSE.

21 Q THAT'S BASICALLY WHAT I'M ASKING. THEY GET IN  
22 THE HOUSE BUT YOU DON'T HAVE THEM LIVING IN THE HOUSE  
23 DEFECATING IN THE HOUSE?

24 A NO. THEY DID NOT LIVE IN THAT HOUSE, NO.

25 Q OKAY. WERE THERE ANY CATS IN THE HOUSE THAT

1 MORNING WHEN YOU WOKE UP AND FOUND AMANDA?

2 A THERE WERE NO CATS IN THE HOUSE THAT MORNING  
3 WHEN I FOUND AMANDA. THE DOOR WAS LEFT OPEN WHEN THE  
4 POLICE, WHEN THE POLICE, WHEN THE FIRE DEPARTMENT  
5 CAME IN, EVERYBODY COME IN, THAT DOOR STAYED OPEN THE  
6 WHOLE TIME. THE SCREEN DOOR WAS OPEN. PEOPLE WERE  
7 COMING IN AND OUT OF THE HOUSE. THE CATS CAME IN THE  
8 HOUSE.

9 Q AND THAT'S WHAT I'M ASKING. I UNDERSTAND LAW  
10 ENFORCEMENT, ONCE THEY STARTED WORKING THE CRIME  
11 SCENE.

12 A YEAH.

13 Q THEY COME IN. BUT WHAT I AM SAYING IS WHEN YOU  
14 GOT UP THAT MORNING?

15 A NO, THERE WAS NO CATS IN THE HOUSE.

16 Q I THINK THAT YOU HAD INDICATED THAT THE MORE  
17 THAT MARY SUE WORKED THE LESS SHE CLEANED, IS THAT  
18 RIGHT?

19 A I DIDN'T SAY THE MORE SHE WORKED. I JUST SAID  
20 OVER A PERIOD OF TIME SHE GOT TO THE POINT WHERE SHE  
21 DIDN'T CLEAN AS MUCH AS SHE USED TO CLEAN WHEN WE  
22 FIRST GOT MARRIED.

23 Q AND THE, THE NIGHT WHEN YOU WERE THERE, I THINK  
24 YOU SAID OFTEN TIMES YOU STAY UP ALL NIGHT ON THE  
25 COMPUTER AND WATCH TV AND THINGS OF THAT NATURE,

1 RIGHT?

2 A YES, SIR, I'M LAZY. I'M LAZY. I DON'T CLEAN  
3 HOUSE LIKE I SHOULD HAVE.

4 Q AND OF COURSE THAT'S ONE OF THE ISSUES HERE.  
5 THAT HOUSE WAS, USE THE TERM, IT WAS NASTY, WASN'T  
6 IT?

7 A NASTY, UH. IT WAS MESSED UP, YES, IT WAS. I  
8 WOULDN'T SAY IT'S NASTY-NASTY. NO, I WOULDN'T SAY  
9 THAT, NO.

10 Q IT WAS CLOSE TO NASTY-NASTY, RIGHT?

11 A WELL, IT WASN'T, IT WAS NOT AS BAD AS WHAT I SAW  
12 IN THE VIDEO.

13 Q OH, REALLY?

14 A NO, IT WAS NOT. NOT WHEN I LEFT THERE IT WAS  
15 NOT.

16 Q OKAY. I'M TALKING ABOUT NOW --

17 A IF THAT WAS THE CASE THEN HOW COME THE DISHES,  
18 AND WE SAW THE VIDEO, THE DISHES WERE IN THE DRAINER,  
19 THEY HAD BEEN WASHED AND PUT AWAY.

20 Q RIGHT.

21 A THAT WAS IN THE WINDOW THAT WAS OPEN. EVERYBODY  
22 SAID YOU COULDN'T GET IN THERE BECAUSE THE DISHES  
23 WERE IN THE WAY. THERE WAS A FEW DISHES IN THE OTHER  
24 SINK.

25 Q THE TRUTH IS THAT BACK SINK AND MAYBE THE

1 BATHROOM WERE THE TWO CLEANEST PLACES?

2 A WELL --

3 Q IS THAT A FAIR STATEMENT. YOU CAN EXPLAIN YOUR  
4 ANSWERS BUT IS THAT A FAIR STATEMENT?

5 A I WON'T SAY THAT'S A FAIR STATEMENT. I'LL SAY  
6 THIS, I'LL SAY, AFTER ALL THE TRAMPLING THROUGH WITH  
7 THE POLICE AND EVERYBODY ELSE, MY HOUSE BECAME A  
8 DISASTER ZONE.

9 Q MR. COPE --

10 A I WON'T SAY IT'S TOTALLY OUR FAULT. I WON'T SAY  
11 IT'S TOTALLY THEIR FAULT, BUT OUR HOUSE WAS NOT AS  
12 BAD AS WHAT Y'ALL DEPICTED IN THAT VIDEO.

13 Q OKAY.

14 A IT WASN'T.

15 Q OKAY. AND IN WHAT REGARD?

16 A IN WHAT REGARD.

17 Q YOU TALK ABOUT THINGS BEING OUT PLACE?

18 A IN THE FIRST PLACE I THINK IT WAS KIND OF LOW  
19 DOWN, IF YOU WANT TO KNOW THE TRUTH, THAT THEY WOULD  
20 BRING THE VIDEO CAMERAS IN THERE AT NINE OR TEN  
21 O'CLOCK AT NIGHT WHEN YOU KNOW THE ROACHES ARE OUT.

22 Q YOU THINK LAW ENFORCEMENT PLANNED THAT TO --

23 A I CAN'T SAY THEY PLANNED IT, BUT I DON'T THINK  
24 THAT WAS RIGHT. I DON'T THINK IT WAS RIGHT TO SHOW A  
25 VIDEO WITH THAT LIKE THAT BECAUSE THAT DID NOT DEPICT

1 THE WAY MY HOUSE USUALLY IS.

2 Q LET ME ASK YOU, NINE OR TEN O'CLOCK AT NIGHT  
3 YOUR WIFE IS AT WORK, GOES TO WORK AT TEN, RIGHT?

4 A THAT'S CORRECT.

5 Q THE CHILDREN ARE HOME, RIGHT?

6 A YES, THAT'S CORRECT.

7 Q STUDYING, READING, SLEEPING, THEY ARE THERE IN  
8 THAT HOUSE AT NINE OR TEN O'CLOCK AT NIGHT, THAT'S  
9 TRUE, RIGHT?

10 A THAT IS TRUE, YES, SIR.

11 Q AND THEY WERE IN THOSE SAME CONDITIONS OF THE  
12 BUGS, THEY DIDN'T PUT -- LAW ENFORCEMENT DIDN'T PUT  
13 THE BUGS IN THERE, DID THEY?

14 A NO, SIR, THEY DID NOT PUT -- I TOLD YOU AMANDA'S  
15 ROOM DIDN'T HAVE THAT, HARDLY NO ROACHES IN. AMANDA  
16 SLEPT IN HER BED. THE OTHER IN JESSICA AND KYLA'S  
17 ROOM, IT WAS THE FAN. I THINK I STATED THAT, THAT  
18 THE FAN BLOWING ACROSS THE BED KEPT MOST OF THE  
19 ROACHES AWAY FROM THEM. WE DIDN'T HAVE PROBLEM  
20 EXCEPT AT NIGHT WITH THE ROACHES. THEY WEREN'T REAL  
21 BAD IN THE DAYTIME AND, YES, WE DID TRY TO GET RID OF  
22 THEM MANY TIMES. AND WHEN WE WOULD GET RID OF THEM  
23 OR THINK WE GOT RID OF THEM, THE NEIGHBOR WOULD SPRAY  
24 AND THEN WE WOULD END UP WITH THEM AGAIN. SEEMED  
25 LIKE WE NEVER GOT RID OF THEM. I--- THAT'S JUST, I

1 MEAN, I'M NOT GOING TO SIT HERE AND SAY THAT WAS A  
2 FAIR STATEMENT BECAUSE THAT WASN'T A FAIR STATEMENT.

3 Q LET ME TRY ANOTHER FAIR STATEMENT. THERE WERE  
4 ROACHES PHYSICALLY IN THE FOOD IN THE REFRIGERATOR --

5 A AND THAT HAPPENED BECAUSE THEY OPENED THE  
6 REFRIGERATOR AT NIGHT AND THE ROACHES WERE ALONG THE  
7 SEAL. IT'S GET COOL AROUND THE REFRIGERATOR AND  
8 EVERYBODY KNOWS THAT ROACHES LIKE TO GET AROUND THAT  
9 SEAL. THEY OPEN IT UP, THEY FELL IN ON THE FOOD, AND  
10 CRAWLED ACROSS. THAT DID NOT HAPPEN, THAT WAS NOT  
11 LIKE IN THERE, THEY COULD NOT HAVE LIVED INSIDE THAT  
12 REFRIGERATOR WITH IT SHUT UP AND THE ROACHES IN  
13 THERE.

14 Q SO THE ROACHES WERE AROUND THE RIM OF THE  
15 REFRIGERATOR AND FELL INTO THE REFRIGERATOR?

16 A THAT IS CORRECT.

17 Q OKAY. AND THE ROACHES THAT WERE CRUSHED IN THE  
18 LINER OF THE REFRIGERATOR, NOW LAW ENFORCEMENT DIDN'T  
19 DO THAT?

20 A NO, I WILL, NO, I WILL SAY THAT WAS PROBABLY  
21 DONE BY US BECAUSE THE ROACHES WILL GET IN THE DOOR,  
22 WE WOULD SHUT THE DOOR, OPEN IT UP BECAUSE THAT'S  
23 WHERE THEY LIKED TO BE. YEAH, I WILL ADMIT THAT.

24 Q MR. COPE, YOU AGREE THAT THESE WERE NOT PROPER  
25 CONDITIONS FOR THOSE CHILDREN TO BE IN?



1 A (NO RESPONSE.) I HAVE A PROBLEM WITH PROPER  
2 CONDITIONS. WE TOOK CARE OF OUR GIRLS THE WAY WE HAD  
3 TO TAKE CARE OF OUR GIRLS. WE, THE GIRLS WERE NOT IN  
4 NO DANGER, WE TOOK CARE OF THE GIRLS. THE GIRLS WERE  
5 OUR LIFE.

6 Q I'M SORRY.

7 A THEY WERE OUR LIFE AND --

8 Q MORE SO THAN THE COMPUTER?

9 A MORE SO THAN THE COMPUTER, YES, SIR.

10 Q MORE SO THAN THE TELEVISION?

11 A MORE SO THAN THE TELEVISION, YES, SIR.

12 Q MORE SO THAN THE TELEPHONE?

13 A JUST BECAUSE WE HAD SOME OF THESE LUXURIES OR  
14 THESE THINGS THAT SOME PEOPLE CALL LUXURIES, THIS  
15 HAPPENED, THE ROACHES STARTED TO GET WORSE AND WORSE,  
16 WE TRIED TO TAKE CARE OF THEM. WE SPRAYED, WE BOUGHT  
17 SPRAY. LET ME TELL YOU, YOU TALK ABOUT MONEY, YOU  
18 TALK ABOUT MONEY, WE SPENT A LOT OF MONEY ON FOGGERS.  
19 WE SPENT A LOT OF MONEY ON RAID CANS OF SPRAY. WE  
20 SPENT A LOT OF MONEY ON TRYING TO GET RID OF THE  
21 ROACHES.

22 Q YOU WOULDN'T SPENT 8 BUCKS ON A LOCK, RIGHT?  
23 ACCORDING YOUR TESTIMONY?

24 A I WOULDN'T SPEND \$8 ON A DEAD LOCK. I DIDN'T  
25 SAY ON A LOCK. I SPENT I THINK IT WAS \$11 ON THE

1 OTHER LOCK.

2 Q LET'S TALK ABOUT THAT. THE PURPOSE OF GETTING  
3 THE OTHER LOCK WAS TO MAKE YOUR HOME MORE SECURE,  
4 RIGHT?

5 A THE REASON -- OF COURSE, YEAH.

6 Q OKAY.

7 A AT FIRST I DIDN'T KNOW THE DIFFERENCE BETWEEN A  
8 DEAD LOCK AND A LOCK AT THAT TIME.

9 Q WHEN DID YOU LEARN THAT?

10 A WHEN DID I LEARN IT?

11 Q DID YOU LEARN IT FROM MRS. POPE LAST FRIDAY?

12 A NO. I LEARNED WHAT THE DIFFERENCE BETWEEN A  
13 REGULAR LOCK AND A DEAD LOCK FROM HER, BUT I DID NOT  
14 LEARN WHAT, I MEAN, I DIDN'T KNOW IT WAS MORE SECURE,  
15 MORE, IT DIDN'T SAY THAT ON THE PACKAGE WHEN I WAS  
16 GOING TO BUY IT.

17 Q SO YOU BOUGHT A LOCK LIKE THIS THAT CAME WITH A  
18 KEY?

19 A THAT'S CORRECT.

20 Q OKAY. AND IT WAS A LOCK LIKE THIS. IT  
21 DEFINITELY WAS NOT A LOCK WITH THIS PIN?

22 A NO, I DIDN'T SEE, THERE WAS NO PIN ON IT, AND IT  
23 DIDN'T SAY DEAD LOCK ON THE BOX. IT JUST SAID  
24 STANDARD LOCK.

25 Q OKAY. WITH A KEY ON IT.

1 A WITH A KEY, IS THAT CORRECT. WITH THOSE, THOSE,  
2 IT COME WITH A DOOR HANDLES, THE WHOLE THING.

3 Q THE WHOLE SHOOTING MATCH?

4 A THE DOOR KNOB AND EVERYTHING.

5 Q YOU REPLACED IT TO SECURE YOUR HOME?

6 A YES.

7 Q OKAY. AND YOU ALSO HAD THE CHAIN LOCK ON THE  
8 DOOR, IS THAT CORRECT?

9 A THE CHAIN LOCK WAS ONLY USED WHEN WE WERE ALL  
10 HOME.

11 Q OKAY. AND WHAT WAS THE PURPOSE OF THAT?

12 A WELL, MARY SUE WOULD BE IN THE BED ASLEEP. IF I  
13 WAS ON THE COMPUTER, SOMEBODY KNOCKED ON THE DOOR,  
14 SOMEBODY COULD GO, AMANDA OR EVEN I WOULD GO TO THE  
15 DOOR AND LOOK, OPEN THE DOOR AND LOOK AND SEE WHO IT  
16 WAS. BUT WE DIDN'T USE THE LOCK AT NIGHT BECAUSE  
17 MARY SUE HAD A HARD TIME TRYING TO GET IN THE DOOR  
18 WHEN SHE COME IN, IF I OVERSLEPT, AND THAT HAPPENED  
19 QUITE A FEW TIMES. I MEAN, YOU CAN CHECK BACK ON THE  
20 SCHOOL RECORDS, THEY WERE TARDY BECAUSE OF THAT.

21 Q AND YOU WOULD OVERSLEEP AND SO THEY WOULDN'T GET  
22 TO SCHOOL ON TIME, IS THAT RIGHT?

23 A THAT'S CORRECT.

24 Q SO YOU CHOSE NOT TO EVER, EVER USE THAT CHAIN  
25 LOCK, IS THAT CORRECT?

1 A I DIDN'T SAY I CHOSE NEVER TO EVER USE IT. WE  
2 JUST KIND OF LEARNED OUR LESSON ABOUT USING IT WHEN  
3 MARY SUE WASN'T HOME.

4 Q BECAUSE IT KEPT HER FROM GETTING IN THE DOOR?

5 A BECAUSE IT KEPT, SHE HAD TO COME AROUND, TRY TO  
6 WAKE ME OR WAKE ONE OF US, THE GIRLS WERE LATE. THE  
7 GIRLS HAD TO BE READY TO GO TO SCHOOL BY THE TIME  
8 MARY SUE GOT HERE BECAUSE THEN SHE WOULD COME, I  
9 WOULD KISS HER, I WOULD GET IN THE VAN, THE GIRLS  
10 WOULD GET IN THE VAN, AND WE WOULD LEAVE.

11 Q LET ME ASK YOU THIS. YOU HAVE A SMOKE ALARM IN  
12 THE HOUSE?

13 A SMOKE ALARM?

14 Q YES.

15 A THERE WAS, THERE WAS ONE IN THE HOUSE WHEN WE  
16 MOVED THERE.

17 Q YOU AGREE THAT WOULD BE APPROPRIATE TO PROTECT  
18 YOUR CHILDREN, RIGHT?

19 A THAT WOULD BE APPROPRIATE, YES, SIR.

20 Q OKAY. SO DID YOU HAVE ONE?

21 A I THINK THERE WAS ONE IN THE HOUSE, YES, SIR.

22 Q OKAY. DID YOU SET IT OFF THAT DAY WHEN THE FOOD  
23 BURNED?

24 A NO, SIR. IT WAS, IT WAS IN THE, THE ONE THAT WE  
25 HAVE IT WAS IN THE HALL I BELIEVE.

1 Q OKAY. THE ONE IN THE HALL, WHAT KIND OF NOISE  
2 DID THAT MAKE?

3 A IT MADE A HIGH PITCH WHINE.

4 Q YOU'VE HEARD THAT ONE BEFORE?

5 A OH, I HEARD THAT ONE BEFORE, YES, SIR.

6 Q WHEN DID YOU HEAR IT?

7 A UH, WHEN I TESTED IT TO SEE IF THE BATTERY WOULD  
8 WORK.

9 Q SO YOU DID TEST IT?

10 A OH, YEAH, I'VE TESTED IT SEVERAL TIMES.

11 Q WHERE IS THIS LOCATED?

12 A I'M THINKING THAT'S THE ONE, THERE IS ONE IN THE  
13 HALL THERE. I CAN'T REMEMBER, YEAH, I THINK IT'S IN  
14 THE HALL.

15 Q WHERE IN THE HALL?

16 A I BELIEVE IT'S NEXT TO THE BATHROOM. THAT'S  
17 BEEN THREE YEARS AGO. I CAN'T REMEMBER EXACTLY.

18 Q YOU CAN'T REMEMBER STUFF --

19 A I THINK IT'S RIGHT THERE BETWEEN THE TWO, THE  
20 TWO BEDROOMS IN THE HALLWAY.

21 Q OKAY. SO AT NIGHT WHEN YOUR WIFE WAS GOING TO  
22 WORK FROM TEN O'CLOCK ON, WHAT WAS YOUR  
23 RESPONSIBILITY?

24 A MY RESPONSIBILITY WAS TO MAKE SURE THE GIRL WERE  
25 SAFE.

1 Q OKAY.

2 A AND I DIDN'T DO THAT.

3 Q OKAY. LET'S TALK ABOUT THE OTHER THINGS. YOU  
4 ARE SUPPOSED TO MAKE SURE THEY ARE IN BED AT A  
5 CERTAIN TIME?

6 A OH, YEAH. AMANDA GOES TO BED, JUST LIKE WE  
7 SAID, AT 8:30, 9:30, AND 10:30.

8 Q THAT'S WHAT YOU TOLD DSS HAPPENED?

9 A THAT'S THE NORMAL, THAT'S THEIR NORMAL BED TIME.  
10 THAT'S WHAT I TOLD DSS THAT WAS THEIR NORMAL BED  
11 TIME. I NEVER SAID, MARY SUE NEVER SAID THIS WAS A  
12 NORMAL NIGHT. THEY NEVER ASKED US. I THOUGHT THEY  
13 HAD ALREADY DONE SEEN THE POLICE REPORT. THEY DONE  
14 BEEN TO THE POLICE STATION. I'D SEEN THEM THERE.

15 Q RIGHT.

16 A SO I THOUGHT THEY KNEW THAT THE KIDS DIDN'T GO  
17 TO BED UNTIL 1 O'CLOCK. THEY NEVER ASKED ME ABOUT  
18 THAT. THEY ASKED ME WHAT WERE THE NORMAL BED TIMES  
19 FOR THE GIRLS, AND THAT'S EXACTLY WHAT SHE TESTIFIED  
20 TO IN HERE.

21 Q I BELIEVE, THE JURY CAN DETERMINE WHAT SHE  
22 TESTIFIED TO, BUT YOU ARE TALKING ABOUT THE YOUNG  
23 LADY ON THE TELEVISION?

24 A I'M TALKING ABOUT MS. HERRING, YES.

25 Q AND SHE TESTIFIED SHE ASKED YOU SPECIFICALLY

1 ABOUT WHAT HAPPENED THAT NIGHT?

2 A NO, SHE DID NOT. NO, SHE DID NOT. AND THAT'S  
3 NOT WHAT SHE TESTIFIED TO EITHER. SHE SAID WHAT ARE  
4 THE NORMAL HOURS, NORMAL BED TIME HOURS.

5 Q YOU DO REMEMBER THAT SHE WAS THERE AND OFFICER  
6 HUITT WAS THERE, RIGHT, DO YOU REMEMBER?

7 A OFFICER HUITT, HE GOT THAT THING ALL MIXED UP.  
8 I DON'T KNOW WHERE HE GOT THAT REPORT FROM.

9 Q WHAT REPORT?

10 A THE REPORT THAT HE GAVE. I GOT A COPY OF IT.

11 Q YOU BEEN READING IT?

12 A I READ THAT REPORT, YES, SIR, I DID AND THAT  
13 REPORT IS ALL WRONG.

14 Q SO FOR EXAMPLE THE PART ABOUT AMANDA PRACTICING  
15 HER VIOLIN, YOU NOW TELL US THAT SHE DIDN'T HAVE HER  
16 VIOLIN.

17 A SHE DID NOT HAVE HER VIOLIN THAT NIGHT. IT WAS  
18 LEFT, IT WAS LEFT AT SCHOOL. SHE COME, SHE TOLD ME,  
19 THE FIRST THING WHEN WE GOT IN THE VAN SHE SAID  
20 DADDY, THE VIOLIN, SHE SAID, I COULDN'T GET MY VIOLIN  
21 AND I SAID I'M SORRY. I SAID YOU CAN DO WITHOUT IT  
22 TONIGHT. DON'T WORRY ABOUT IT. EVERYTHING WILL BE  
23 OKAY. YOU CAN GET BY ONE NIGHT WITHOUT IT. SHE DID  
24 NOT HAVE THE VIOLIN. THE VIOLIN WAS LEFT AT SCHOOL.  
25 HER TEACHER HAD TO LEAVE AND GO SOMEWHERE AND THEY

1 LOCKED THE DOOR UP AND THE, MUSIC DOOR.

2 Q SO THE VIOLIN WASN'T EVEN REALLY AN ISSUE IN  
3 THIS CASE?

4 A NO, BUT HE MADE IT AN ISSUE WHEN HE SAID THAT  
5 SHE PRACTICED THE VIOLIN THAT NIGHT. SHE NEVER  
6 PRACTICED THE VIOLIN THAT NIGHT. I NEVER SAID THAT.

7 Q WHEN DID YOU FIRST MET OFFICER HIT?

8 A I WASN'T FINISHED. THEY SAID --

9 Q EXCUSE ME, SIR. I EXTEND YOU THE COURTESY?

10 A I UNDERSTAND.

11 Q I'LL LET YOU EXPLAIN ANY TIME?

12 A OKAY. I UNDERSTAND.

13 Q IF YOU ARE NOT FINISHED, GO AHEAD.

14 A OKAY. OFFICER HIT WAS STANDING THERE WHEN SHE  
15 ASKED ME WHAT THE NORMAL BED TIME HOURS WERE. THAT'S  
16 WHAT HE WROTE DOWN. HE WROTE, HE DIDN'T WROTE, I  
17 DON'T KNOW WHERE HE GOT THAT REPORT FROM. I LOOKED  
18 AT THAT REPORT AND THAT'S NOT WHAT ME AND MY WIFE  
19 EITHER ONE TOLD HER. AND HE WAS JUST STANDING TO THE  
20 SIDE. WHERE HE GOT THAT REPORT WAS FROM HER REPORT  
21 WHEN HE GOT BACK TO THE OFFICE. BECAUSE HE, IT WAS  
22 MENTIONED THAT HE LOOKED AT THE REPORT OR HE HAD THE  
23 REPORT. I HEARD HIM SAY SITTING RIGHT HERE IN THIS  
24 CHAIR THAT HE SAID HE LOOKED AT THE REPORT.

25 Q THE DSS REPORT?



1 A YEAH, THE DSS REPORT.

2 Q AND DID YOU TALK ABOUT THE VIOLIN THAT DAY?

3 A WE DID TRY. SHE SAID --

4 Q THAT'S ALL --

5 A WHAT'S THE NORMAL HOURS AND I TOLD HER THE

6 NORMAL HOURS, THEIR NORMAL HOURS, AND I SAID THE

7 REASON THAT AMANDA STAYS UP FROM TEN, FROM TEN TO,

8 THAT EXTRA 30 MINUTES IS SO AFTER AMANDA, I MEAN

9 AFTER MARY SUE GOES TO WORK, AMANDA CAN PLAY HER

10 VIOLIN AND PRACTICE.

11 Q LET'S TALK ABOUT YOUR HOUSE THAT NIGHT, OKAY?

12 A OKAY.

13 Q WE'VE ALREADY KIND OF TALKED ABOUT THE

14 DIMENSIONS OF THE HOUSE, RIGHT?

15 A THAT'S CORRECT.

16 Q AND DID YOU SEE ANY INDICATION OF ANY WINDOWS

17 THAT WERE AJAR OR BROKEN OR ANYTHING OF THAT NATURE?

18 A WHEN ARE YOU -- YOU SAID THAT NIGHT, ARE YOU

19 TALKING ABOUT THAT MORNING.

20 Q WELL, LET ME ASK YOU THIS. WHEN YOU GO TO BED

21 THAT NIGHT DID, YOU SAID IT YOURSELF, YOU ARE LAZY,

22 DO YOU JUST GO IN AND LET THE GIRLS LOCK UP THE HOUSE

23 AND TAKE CARE OF THE HOUSE?

24 A NO, I DON'T. THE GIRLS WERE THE LAST ONES IN

25 THERE. THEY ARE THE ONE WHO LOCKED THE DOOR AND

1 AMANDA CONFIRMED TO ME THAT SHE LOCKED THE DOOR.

2 Q OKAY. SO AMANDA, AS FAR AS THE CONDITION OF THE  
3 DOOR, AMANDA AND JESSICA WOULD BE IN A BETTER  
4 POSITION TO KNOW ABOUT THE DOOR THAN YOU BECAUSE YOU  
5 WERE IN LAYING IN YOUR BED RIGHT THERE, RIGHT?

6 A BUT I GOT UP --

7 Q YOU CAN ANSWER ME AND THEN YOU CAN EXPLAIN?

8 A YES. YES. WELL, TO A CERTAIN DEGREE. I GOT UP  
9 AT THREE O'CLOCK. THAT CHAIN WAS NOT ON THE DOOR.

10 Q AT THREE O'CLOCK?

11 A AT THREE O'CLOCK THAT CHAIN WAS NOT ON THE DOOR.

12 Q YOU REMEMBER THAT SPECIFICALLY?

13 A YES, I DO BECAUSE I WENT TO THE DOOR.

14 Q FOR WHAT PURPOSE?

15 A THE LIGHT, THE PORCH LIGHT WAS ON.

16 Q OKAY.

17 A I AM THE ONE WHO CUT THE PORCH LIGHT OFF AND I  
18 CUT THE HALL LIGHT OFF AND I CUT THE LIVING ROOM  
19 LIGHT OFF AND I WENT AND I GOT IN THE BED.

20 Q WAS THE BACK DOOR LOCKED?

21 A I DIDN'T CHECK THE BACK DOOR.

22 Q SO THE GIRLS WERE IN CHARGE OF SECURING THE  
23 HOUSE THAT NIGHT?

24 A I WON'T ---

25 Q IS THAT TRUE OR NOT?

1 A NO, SIR, THAT'S NOT TRUE. THEY LOCKED THE DOOR.  
2 WE LOCKED THE DOOR AFTER MARY SUE LEFT AND WENT TO  
3 WORK. NORMALLY THEY DON'T GO BACK TO THE DOOR. THE  
4 DOOR WAS LOCKED AS SOON AS MARY SUE LEFT AND I ASKED  
5 AMANDA WAS IT LOCKED AND SHE SAID YES.

6 Q SO AT TEN O'CLOCK THAT NIGHT YOU GUYS WERE  
7 LOCKED IN FOR THE EVENING?

8 A PRETTY MUCH, YES, SIR.

9 Q OKAY. OKAY. AND WHEN YOU FIRST TALKED TO LAW  
10 ENFORCEMENT YOU DIDN'T TALK ABOUT THREE O'CLOCK,  
11 RIGHT?

12 A NO, SIR, I DIDN'T.

13 Q OKAY. AND THEN I'M GOING TO COME BACK TO THREE  
14 O'CLOCK BUT LET ME ASK YOU, WHERE IS IT THAT YOU TOLD  
15 LAW ENFORCEMENT ABOUT YOU CHECKING THE DOOR AT THREE  
16 O'CLOCK, CHECKING THAT CHAIN LOCK AT THREE O'CLOCK?

17 A I DIDN'T, I SAID I CUT THE LIGHTS OFF.

18 Q I WAS JUST ASKING. YOU'VE BEEN IN THIS  
19 COURTROOM DURING THIS WHOLE TRIAL, HADN'T YOU?

20 A THAT'S RIGHT.

21 Q YOU'VE HEARD EVERYBODY'S TESTIMONY?

22 A THAT'S RIGHT.

23 Q WHEN DID YOU TELL LAW ENFORCEMENT ABOUT THAT  
24 CHAIN LOCK THAT YOU JUST TOLD ME ABOUT?

25 A (NO RESPONSE.)

1 Q IT ABSOLUTELY WASN'T ON. I SAW IT AT THREE  
2 O'CLOCK. WHEN YOU DID TESTIFY TO THAT?

3 A IF YOU ARE INSINUATING THAT I DIDN'T CHECK THE  
4 CHAIN, THAT'S NOT TRUE. I CHECKED THE CHAIN. I  
5 DON'T HAVE, I DIDN'T, WHAT WAS I SUPPOSED TO DO, STOP  
6 AND TELL HER EVERY LITTLE DETAIL, EVERY LITTLE THING?

7 Q SIR, YOUR DAUGHTER WAS LAYING DEAD, YOU HEARD  
8 THAT A THOUSAND TIMES --

9 A I WAS --

10 Q WOULDN'T IT BE APPROPRIATE TO TELL EVERY LITTLE  
11 THING.

12 A I TOLD HER ALL THAT I KNEW AT THE TIME.

13 Q OKAY. SO YOU DON'T KNOW THAT AT THE TIME, IS  
14 THAT YOUR POINT?

15 A WHAT I. -- NO, I DIDN'T. I DIDN'T EVEN REMEMBER  
16 GETTING UP AT THREE O'CLOCK. REMEMBER? YOU JUST GOT  
17 THROUGH SAYING THAT I DIDN'T EVEN TELL IT TO LAW  
18 ENFORCEMENT. BUT THEN AFTER I SIT AND THOUGHT OF IT,  
19 I REMEMBERED I HAD TO GO TO THE BATHROOM.

20 Q OKAY. AND WHEN YOU SAT THERE THEN YOU  
21 REMEMBERED THE CHAIN LOCK?

22 A WHEN I SAT HERE? NO, SIR, I REMEMBERED THE  
23 CHAIN LOCK A LONG TIME BEFORE THAT. BUT, YOU KNOW,  
24 AFTER I TALKED TO MY ATTORNEYS AND AFTER I TALKED TO  
25 EVERYBODY, I DON'T GO BACK AND TALK TO THE POLICE. I

1 DON'T TRUST THEM.

2 Q YOU DON'T?

3 A NO, I DON'T.

4 Q SO YOU TALKED TO YOUR ATTORNEYS AND THAT'S WHEN  
5 YOU MADE THESE DETERMINATIONS, RIGHT?

6 A NO, SIR. I MADE THE DETERMINATION LONG TIME  
7 BEFORE THAT.

8 Q LET ME ASK YOU ABOUT, SO YOU TOLD LAW  
9 ENFORCEMENT FROM THE BEGINNING THAT THE HOUSE WAS  
10 SECURE, IS THAT A FAIR STATEMENT?

11 A I SAID -- YES, SIR, THAT'S TRUE BECAUSE I  
12 THOUGHT, I THOUGHT THAT IT WAS, BUT I DIDN'T CHECK  
13 THE WINDOWS. I DIDN'T CHECK THE DOORS. I MEAN, I  
14 DIDN'T NOTHING ELSE. ALL I CHECKED WAS THE TWO  
15 DOORS.

16 Q AND ---

17 A AND THAT'S EXACTLY WHAT I EXPLAINED TO THEM.  
18 REMEMBER, I SAID I LOOKED AT THE FRONT DOOR AND THEN  
19 I WENT TO THE BACK DOOR. I WENT TO THE KITCHEN DOOR  
20 AND LOOKED IN THERE TO THE BACK DOOR AND IT WAS SHUT.

21 Q RIGHT.

22 A AND LOCKED.

23 Q RIGHT.

24 A THAT'S EXACTLY WHAT I TOLD THEM THAT NIGHT.

25 Q THAT'S WHAT I'M GETTING AT. WE GOT THE BACK

1 DOOR LOCKED, WE GOT THE FRONT DOOR LOCKED, NOW WE'RE  
2 TALKING ABOUT THE WINDOWS, RIGHT?

3 A I DIDN'T LOOK AT THE WINDOWS. I DIDN'T LOOK FOR  
4 THE WINDOWS.

5 Q THAT'S WHAT I, I WANT TO ASK YOU SOME QUESTIONS  
6 ABOUT THE WINDOWS.

7 A OKAY. GO AHEAD.

8 Q FOR STARTERS, OF COURSE YOU'VE SEEN THE TRIAL  
9 AND YOU'VE SEEN THE PICTURES, RIGHT?

10 A I'VE SEEN THE TRIAL. I'VE SEEN THE PICTURES.

11 Q THE INSIDE OF THE HOUSE WAS NOT IN THE BEST OF  
12 SHAPE, YOU AND I ALREADY DISCUSSED THAT, RIGHT?

13 A WE ALREADY DISCUSSED THAT.

14 Q AT WHAT POINT DID YOU GO OUTSIDE AND CLEAN THE  
15 WINDOWS AND CLEAN THE WINDOWS SILLS AND CLEANED THE  
16 HOUSE?

17 A THEY WEREN'T. THEY WEREN'T CLEAN.

18 Q THEY WERE FILTHY, WEREN'T THEY?

19 A THEY WERE FILTHY.

20 Q EVERY SINGLE ONE OF THEM WAS FILTHY?

21 A THAT'S TRUE. THEY WERE REAL FILTHY. I MEAN, SO  
22 THAT, YOU KNOW.

23 Q YOU WOULDN'T WANT TO CLIMB OVER IT IN YOUR WHITE  
24 SHIRT, WOULD YOU?

25 A IT DEPENDS ON WHO I WAS AND WHAT I WAS DOING.

1 Q I GOT YOU.

2 A IF I WAS, IF I WAS A THIEF AND I WAS GOING TO  
3 BREAK IN A HOME, IT WOULDN'T MAKE NO DIFFERENCE  
4 NORMALLY WHAT, I WOULDN'T, IT WOULDN'T HAVE MATTERED  
5 TO ME.

6 Q WELL, THEN YOU'D HAVE ONE CLEAN WINDOW, WOULDN'T  
7 YOU?

8 A WOULDN'T IT HAVE BEEN CLEAN? I DON'T THINK IT  
9 WOULD HAVE BEEN CLEAN. NOT IF IT WAS AS FILTHY AS  
10 WHAT MY MINE WAS.

11 Q AND YOU DON'T THINK IT WOULD HAVE WIPED ANYTHING  
12 OFF OF THAT LEDGE?

13 A NO, I DON'T THINK IT WOULD HAVE BEEN THAT BAD,  
14 NO, I DON'T. THERE WAS TOO MUCH DIRT, TOO MUCH DUST,  
15 TOO MUCH LEAVES, THE WIND WAS BLOWING THAT NIGHT.  
16 THE WIND WOULD HAVE BLEW THE LEAVES BACK.

17 Q WE'RE NOT EVEN TALKING ABOUT LEAVES NOW. WE'RE  
18 TALKING ABOUT GRIME, RIGHT?

19 A WE'RE TALKING ABOUT.

20 Q WE'RE TALKING ABOUT BLACK MILDEW BASICALLY IS  
21 WHAT IT WAS?

22 A I WOULDN'T SAY IT WAS MILDEW, NO.

23 Q YOU DON'T THINK THAT'S WHAT IT WAS?

24 A NO, I DON'T THINK IT WAS MILDEW. I THINK IT WAS  
25 DIRT AND DEBRIS THAT JUST BLEW IT UP ON THE WINDOW.

1       THEM WINDOWS HAVE BEEN LIKE THAT, I MEAN, PROBABLY  
2       SINCE WE'VE BEEN THERE.

3       Q     OKAY.

4       A     THE ONLY THING WE DONE IS CLEAN THE WINDOWS  
5       THEMSELVES, THE GLASSES.

6       Q     I'M SORRY.

7       A     I SAID WE JUST CLEANED THE GLASSES THEMSELVES.

8       Q     OKAY. THAT NIGHT, BETWEEN WHAT YOU KNEW, WHAT  
9       THE GIRLS TOLD YOU THE HOUSE WAS SECURED, WE'RE  
10      SQUARE ON THAT PART, RIGHT?

11      A     I WOULD SAY SO, YES, SIR.

12      Q     OKAY. OKAY. AND THEN AS FAR AS AMANDA'S ROOM,  
13      NOW ONE OF AMANDA'S WINDOWS DID HAVE PLASTIC OVER IT  
14      WHERE KYLA OR JESSICA HAD BOUNCED INTO THE WINDOW,  
15      RIGHT?

16      A     ACTUALLY IT WAS KYLA. KYLA WAS JUMPING, SHE  
17      JUMPED OFF THE DRESSER, JUMPED ONTO THE BED, AND WAS  
18      BOUNCING ON THE BED.

19      Q     WENT STRAIGHT ON IN TO THE WINDOW?

20      A     FELL BACK ON THE WINDOW AND BUSTED IT AND SOME  
21      OF THE BOARDS WERE BUSTED OUT AND THE BED WAS SHIFTED  
22      AROUND, MOVED AROUND. WE TOOK, WE TOOK THE BED APART  
23      AT THAT TIME AND CHANGED IT AROUND BECAUSE SOME OF  
24      THE SLATS ON THE BOTTOM WAS BROKEN AND WE FIXED IT SO  
25      THAT AMANDA COULD USE IT AGAIN AND WE TURNED THE BED



1       SIDE WAYS SO THAT KYLA COULDN'T GET, JUMP TO THE BED  
2       FROM THE DRESSER NO MORE.

3       Q       AND MARY SUE GOT SOME PLASTIC AND USED THE  
4       STAPLER AND BASICALLY FIXED THE WINDOW SO BECAUSE I  
5       MEAN THIS WAS WHAT NOVEMBER NOW, SO THERE WOULDN'T BE  
6       WIND BLOWING IN ON AMANDA, RIGHT?

7       A       I HONESTLY CAN'T SAY THAT SHE USED A STAPLER  
8       BECAUSE I THOUGHT SHE HAD TOLD ME SHE USED TAPE AND  
9       TAPED IT UP. I REALLY CAN'T SAY FOR SURE.

10      Q       I GOT YOU. OF COURSE, YOU LOOKED AT IT, RIGHT?

11      A       I LOOKED AT IT? NO. NO, BECAUSE IT WAS JUST A  
12      COUPLE NIGHTS PRIOR TO THIS HAPPENING THAT SHE  
13      ACTUALLY STAPLED IT UP. SEE THE GIRLS, JESSICA AND  
14      KYLA AND AMANDA, ALL SLEPT IN THE SAME BED FOR A  
15      SHORT TIME UNTIL WE, UNTIL AMANDA GOT TIRED OF NOT  
16      BEING ABLE TO SLEEP WITH THE NIGHT ON AND SHE ASKED  
17      FOR HER ROOM BACK AND MARY SUE WENT IN THERE WHILE I  
18      WAS AT WORK A COUPLE NIGHTS BEFORE THAT AND EITHER  
19      STAPLED OR TAPED, BUT Y'ALL SAY STAPLED. SHE TOLD  
20      ME, I THOUGHT SHE TOLD ME, TAPED IT.

21      Q       BUT YOU SAW IT, RIGHT? YOU SAW IT THAT MORNING,  
22      RIGHT?

23      A       I SAW, I SAW THE PLASTIC, I DIDN'T SEE THE  
24      STAPLES, I DIDN'T SEE THE TAPE, BECAUSE I WASN'T  
25      LOOKING FOR THAT.

1 Q OKAY. LET ME ASK YOU THIS. WHEN DID YOU CLEAN  
2 OUT AMANDA'S CLOSET?

3 A AMANDA'S CLOSET. SHE'S, SHE WAS RESPONSIBLE FOR  
4 CLEANING THAT OUT. A LOT OF HER STUFF WAS OUT AND IN  
5 THE FLOOR OF HER, IN THE FLOOR THERE OF HER CLOSET.  
6 IT WAS BACK OVER IN THE CORNER.

7 Q OKAY. CLEARLY NOBODY COULD FIT IN THAT CLOSET,  
8 COULD THEY?

9 A I WOULDN'T SAY THAT, NO, SIR. I SAY THAT, YES,  
10 SOMEBODY COULD. AND I BELIEVE SOMEBODY DID.

11 Q AND WHY DO YOU BELIEVE THAT?

12 A WHY, WHY ELSE WOULD THE DOOR IN, TO THE CLOSET  
13 BE AJAR SO THAT I COULDN'T GET IN FROM THE DOOR THAT  
14 MORNING?

15 Q COULD SHE HAVE HUNG HER STUFF UP BEFORE SHE WENT  
16 TO BED?

17 A I DON'T THINK SO, NO. I REALLY BELIEVE BECAUSE  
18 OF WHAT HAPPENED, THE WAY IT ALL HAPPENED, THAT'S  
19 EXACTLY WHAT IT WAS. SOMEBODY WAS IN HER CLOSET.

20 Q SOMEBODY HID IN THAT CLOSET. GOT IN SOMETIME  
21 EARLIER --

22 A I TOLD YOU THAT HER, THAT WAS, THAT THE, THE  
23 FRONT DOOR WAS STANDING OPEN.

24 Q NOW WHEN WAS THIS?

25 A THIS WAS WHEN I CAME HOME FROM WORK EARLIER THAT

1 AFTERNOON.

2 Q WAIT A MINUTE. ALL RIGHT. WHEN YOU TESTIFIED A  
3 LITTLE BIT AGO ---

4 A RIGHT.

5 Q YOU SAID THE FRONT DOOR WAS OPEN. WHEN YOU CAME  
6 HOME FROM WORK AND YOUR FAMILY IS ALL THERE AND THE  
7 FRONT DOOR WAS OPEN?

8 A AND I QUESTIONED MARY SUE ABOUT IT, SHE SAID SHE  
9 COULD HAVE LEFT IT OPEN.

10 Q SO YOU THINK MAYBE SOMEBODY GOT IN THAT CLOSET  
11 THEN?

12 A I DON'T KNOW IF THEY GOT IN THEN, BUT I KNOW  
13 THAT I DIDN'T, AFTER I COME BACK FROM GETTING AMANDA  
14 AT FIVE O'CLOCK AND MARY SUE LEFT AND WENT TO THE  
15 STORY, I DIDN'T LEAVE THE HOUSE, AND I CAN'T THINK OF  
16 NO OTHER WAY NOBODY GOT IN.

17 Q OKAY. BECAUSE IT WASN'T BREAKING IN, WAS IT?

18 A I CAN'T SAY THAT. I DON'T KNOW.

19 Q OKAY. LET ME ASK YOU THIS. HAD YOU BEEN IN HER  
20 ROOM THAT WEEK?

21 A HAVE I?

22 Q HAVE YOU BEEN IN YOUR DAUGHTER'S ROOM IN THAT  
23 SMALL HOUSE THAT WEEK?

24 A NO, I HAVE NOT. I DIDN'T GO IN MY DAUGHTER'S  
25 ROOM. THAT WAS HER ROOM. MARY SUE, IF SHE WANTED TO

1       HELP HER CLEAN IT, SHE HELPED HER CLEAN IT, BUT I  
2       DIDN'T GO IN HER BEDROOM, NO, I DIDN'T.

3       Q     SO HOW DID YOU KNOW HER CLOSET WAS EMPTY?

4       A     UH?

5       Q     HOW DID YOU KNOW HER CLOSET WAS EMPTY?

6       A     BECAUSE SHE TOLD ME SHE EMPTIED OUT THE CLOSET  
7       SO THAT SHE COULD, SHE HAD CLEANED OUT HER CLOSET  
8       BECAUSE WE WERE GOING TO, WE WERE SPRAYING.

9       Q     WHO TOLD YOU THAT?

10      A     AMANDA TOLD ME THAT.

11      Q     SO AMANDA TOLD YOU SHE EMPTIED OUT THAT CLOSET,  
12      SO THAT NIGHT WHEN YOU WERE TALKING TO JERRY WALDROP  
13      AND THOSE GUYS, YOU GO, HEY, SOMEBODY COULD HAVE HID  
14      IN THE CLOSET BECAUSE AMANDA HAD EMPTIED OUT THAT  
15      CLOSET, RIGHT?

16      A     NO, THAT'S NOT TRUE.  WHEN I DID THE FOGGERS HER  
17      CLOSET DOOR WAS OPEN.  I COULD SEE IN HER CLOSET.  
18      HER CLOSET, SHE STILL HAD A FEW BAGS IN THE BOTTOM OF  
19      IT, BUT I COULD SEE IN HER CLOSET.  I DIDN'T GO INTO  
20      HER ROOM.  WE PUT, I PUT THE FOGGERS AT THE DOOR, AT  
21      HER DOOR, SO THE TWO OF THEM, HER CLOSET DOOR WAS  
22      OPENED AND HER STUFF WAS OUT LIKE SHE SAID SHE WOULD  
23      DO.

24      Q     HER CLOSET DOOR WAS OPEN?

25      A     YES.

1 Q SO HOW DID YOU GET HER DOOR OPEN IF HER CLOSET  
2 DOOR WAS OPEN? I THOUGHT THEY HUNG UP ON EACH OTHER?

3 A NO. NO. NO. I, THEY, IT'S THE WAY THEY HUNG  
4 UP. THE HANDLES HUNG UP ON THE TWO. BUT YEAH, YOU  
5 COULD OPEN HER DOOR AT ONE TIME AND THEN THE OTHER  
6 ONE WOULD OPEN UP THE OPPOSITE. THEY OPENED LIKE  
7 THIS SO THEY BOTH WOULD OPEN, NOT AT THE SAME TIME,  
8 BUT ONE RIGHT AFTER THE OTHER.

9 Q WHEN YOU TALKED TO DSS YOU TOLD THEM THAT YOU  
10 HAD NOT BEEN IN HER ROOM, YOU DENIED, YOU DON'T EVER  
11 GO IN HER ROOM BASICALLY?

12 A NO, I DON'T GO HER ROOM.

13 Q DO YOU GO IN THE OTHER GIRLS' ROOM?

14 A IN -- I.

15 Q THE OTHER GIRLS' ROOM?

16 A VERY RARELY IF I DO. I THINK I WENT THERE TO  
17 HELP THEM SET THAT DESK UP IN THERE.

18 Q OKAY. THAT'S THE ROOM OVER HERE WE'RE TALKING  
19 ABOUT, RIGHT? AND I'M STANDING IN AMANDA'S?

20 A IN JESSICA, IN JESSICA AND KYLA'S ROOM, YES.

21 Q YOU SLEEP THERE, THE BATHROOM IS THERE, YOU  
22 DON'T GO INTO THIS ROOM MAYBE OTHER THAN FOR ONE TIME  
23 FOR SETTING UP A DESK, AND YOU DON'T GO IN THIS ROOM?

24 A I DON'T GO IN THE GIRLS' ROOM. I RESPECT THEIR  
25 PRIVACY.

1 Q BUT THEIR DOOR'S WIDE OPEN, RIGHT?

2 A YEAH, THEIR DOOR'S, MOST OF THE TIME THEIR DOORS  
3 ARE OPEN, BUT AMANDA CLOSES HER DOOR AT NIGHT BEFORE  
4 SHE GOES TO SLEEP.

5 Q AND YOU MADE TO CLEAR TO DSS THAT YOU DON'T GO,  
6 OR DIDN'T GO --

7 A I DON'T GO INTO THEIR ROOM.

8 Q OKAY. AND DID I UNDERSTAND YOU TO SAY THAT YOU  
9 HAD HEARD THAT AMANDA AND THE NEIGHBOR TALK ALL THE  
10 TIME?

11 A WHAT, WHAT I SAID WAS THE NEIGHBOR BESIDE OF US,  
12 RANDY CROWDER WAS HIS NAME, WOULD TALK TO MARY SUE  
13 AND AMANDA AND JESSICA AND KYLA FOR THAT MATTER FROM  
14 HIS PORCH TO OUR LITTLE STOOP OF A PORCH THERE OR HE  
15 WOULD COME TO THE FENCE AND TALK WHEN THEY WERE OUT  
16 THERE. I THINK THE LAST TIME THEY WERE WASHING THE  
17 VAN AND MARY SUE TOLD ME THAT. AS A MATTER OF FACT,  
18 HE HAD PROMISED HER SOME TOMATOES AND WE NEVER GOT  
19 THEM AND SHE WAS ASKING ABOUT THEM.

20 Q NOW AS A STANDARD COURSE YOU PICKED THE GIRLS UP  
21 AT SCHOOL. YOU, I THINK I UNDERSTAND, YOU MADE TWO  
22 TRIPS, IS THAT RIGHT?

23 A THAT'S CORRECT.

24 Q AND WHEN YOU PICK AMANDA UP FROM SCHOOL, SHE  
25 PRETTY MUCH STAYS WITH YOU UNTIL THE NEXT MORNING?

1 I BELIEVE YOU SAID IN ONE OF YOUR STATEMENTS. IN  
2 OTHER WORDS, I MEAN, YOU WENT DIFFERENT PLACES, I'M  
3 NOT SAYING THAT, BUT SHE'S WITH YOU THERE AT THE  
4 HOUSE, SHE'S NOT GONE VISITING FRIENDS OR WALKING  
5 AROUND THE NEIGHBORHOOD OR ANYTHING OF THAT NATURE.

6 A NO, WE DIDN'T ALLOW HER TO WALK AROUND THE  
7 NEIGHBORHOOD. WE DIDN'T ALLOW HER TO GO OFF ON HER  
8 OWN OR TO, SHE WOULD GO TO FRIENDS HOUSE. SHE WENT  
9 TO LEILA'S HOUSE AFTER CHURCH SEVERAL TIMES. SHE'S  
10 WENT TO, WE GO TO MY MOM'S HOUSE, THINGS LIKE THAT,  
11 BUT YEAH, FOR THE MOST PART, SHE STAYS AT THE HOUSE.

12 Q SCHOOL DAYS PARTICULARLY SHE COMES HOME?

13 A YEAH.

14 Q SO SHE WAS BASICALLY WITH YOU FROM THE TIME SHE  
15 GETS OUT OF SCHOOL TIL THE NEXT MORNING, RIGHT?

16 A WELL, EXCEPT WHEN I'M AT WORK.

17 Q AND WHEN WOULD THAT BE?

18 A WELL, FROM FIVE O'CLOCK IN THE AFTERNOON UNTIL  
19 TEN, UNTIL NINE, ABOUT 9:45.

20 Q UNLESS IT'S WEDNESDAY OR SOME OTHER DAY?

21 A UNLESS IT'S ON WEDNESDAY, THEN WE HAVE CHURCH  
22 AND WE WOULD ALWAYS GO TO CHURCH.

23 Q OKAY. AND YOU INDICATED AMANDA'S DOOR WAS HARD  
24 TO OPEN, IT MAKES NOISE, BUT IT DOESN'T STICK, RIGHT?

25 I JUST WANT TO BE SURE ---

1 A YOU SAID AMANDA'S.

2 Q RIGHT.

3 A NO, IT WOULD STICK. IT DIDN'T MAKE NOISE. IT  
4 WASN'T LOUD LIKE, IT WASN'T LIKE, WHAT WAS LOUD WAS,  
5 I THINK SHE HAD A LOCK OR SOMETHING ON THE BACK THAT  
6 WOULD RATTLE, CLINK, CLINK, CLINK, YOU KNOW, MAKE A  
7 RATTLE WHEN YOU PUSH ON IT, BUT HER DOOR IT MADE A  
8 SCRAPINGNOISE, BUT IT WASN'T LOUD OR NOTHING LIKE  
9 THAT.

10 Q OKAY. AND THAT PARTICULAR NIGHT AND I'VE SEEN  
11 SEVERAL DIFFERENT VERSIONS SO AGAIN I WANT YOU TO  
12 CORRECT ME. THE GIRLS ARE DOING THEIR HOMEWORK. IT  
13 GETS TO BE ONE O'CLOCK, HAD YOU GONE TO BED BECAUSE I  
14 THOUGHT IN ONE OF YOUR STATEMENTS YOU WENT TO BED AND  
15 SET THE ALARM TO WAKE BACK UP, BUT YOU HEAR THE  
16 STAPLER GOING RIGHT BEFORE YOUR ALARM GOES OFF?

17 A NO, SIR, THAT'S NOT WHAT THE, THAT'S NOT WHAT  
18 THE STATEMENTS SUPPOSEDLY, SUPPOSED TO SAY. I DON'T  
19 KNOW. I DON'T EVEN REMEMBER, I DON'T EVEN REMEMBER  
20 SEEING THAT STATEMENT. WHAT I SAID WAS AT 12 O'CLOCK  
21 I GOT UP FROM THE COMPUTER OR SOMEWHERE AROUND ABOUT  
22 12 O'CLOCK, AROUND MIDNIGHT, I GOT UP FROM THE  
23 COMPUTER AND I WENT TO MY BEDROOM WITH MY BIBLE AND  
24 WITH THE QUIZ BOOK, WITH THE, THE NOTE PAD WAS  
25 ALREADY IN THE BEDROOM, THE LITTLE COMPOSITION



1 BOOKLET, AND THEN THERE WAS A LIST OF QUESTIONS THAT  
2 I WOULD HAVE FOR AMANDA. WHAT I WOULD DO IS I WOULD  
3 ASK HER QUESTIONS AND SHE WOULD JUMP UP AND ANSWER  
4 THE QUESTIONS.

5 Q THAT'S AROUND 12 O'CLOCK?

6 A THAT'S WHEN I WENT INTO THE BEDROOM AND I SAT  
7 OPEN THE BED, AT THE FOOT OF THE BED.

8 Q YOU SITTING ON YOUR BED AGAIN.

9 A RIGHT.

10 Q YOU ARE SITTING FACING THE DOOR?

11 A NO, I'M SITTING FACING THE FAN.

12 Q THE FAN AT THE END OF YOUR BED DOWN THERE?

13 A WELL, IF I WAS TURNING, YES, I'D BE FACING THE  
14 BED.

15 Q OKAY. SO YOU ARE FACING THE END WHERE THEY  
16 WERE?

17 A THEY ARE IN THE LIVING ROOM.

18 Q OKAY. THAT'S WHAT I'M SAYING. WHERE ARE THE  
19 GIRLS AT?

20 A OH, THE GIRLS. THEY ARE IN THE HALLWAY.

21 Q SO RIGHT HERE?

22 A THEY COME OUT OF THE LIVING ROOM AND COME TO SIT  
23 IN THE HALLWAY ON THE FLOOR FOR A SHORT TIME THEN  
24 THEY GOT UP AND STOOD AT THE, WE HAD A SEWING MACHINE  
25 SITTING RIGHT THERE IN THE HALL, WE HAD JUST GOT IT.

1 I HADN'T HAD A CHANCE, LIKE I SAID, I WAS CLEANING  
2 OUT THE BEDROOM SO WE COULD PUT SOME STUFF AWAY AND  
3 THAT WAS ONE OF THE THINGS THAT WAS GOING IN THE  
4 BEDROOM AND IT WAS SITTING IN THE HALLWAY, SORT OF  
5 OUT OF THE WAY, AND THEY WERE, THEY WERE SITTING UP,  
6 AT FIRST THEY WERE SITTING IN THE FLOOR. THEN THEY  
7 STOOD UP ON THE SEWING MACHINE AND AMANDA WAS HELPING  
8 HER WITH HER HOMEWORK.

9 Q NOW HOW LONG HAD THAT SEWING MACHINE BEEN OUT  
10 THERE? DID I UNDERSTAND YOU TO SAY THAT YOU ARE  
11 MOVING IT OUT OR SOMETHING?

12 A WE WERE MOVING IT TO OUR BEDROOM. IT WAS, MY  
13 MOM HAD JUST GIVE IT TO MY WIFE AND I.

14 Q HOW LONG HAD IT BEEN OUT THERE?

15 A THREE OR FOUR DAYS.

16 Q OKAY. NOW IS THAT THE SAME TABLE THAT THE RAG  
17 IS UNDER?

18 A NO.

19 Q OKAY.

20 A NO. THAT WASN'T UNDER A TABLE. THAT WAS UNDER  
21 A BOOK SHELF. THAT WAS IN THE, THERE WAS A BOOK  
22 SHELF THERE AND THERE IS A BOOK SHELF HERE, AND IT  
23 WAS UP UNDER, ACCORDING TO THE POLICE DOCUMENTS AND  
24 ALL, WAS UP UNDER SIDE OVER THERE.

25 Q SO THAT'S UNDER THAT BOOK SHELF, THAT RAG IS

1 UNDER THAT BOOK SHELF FACING TOWARDS YOUR BEDROOM?

2 A FACING TOWARDS MY BEDROOM, YES.

3 Q OKAY. OKAY. SO ANYWAY YOU WORK UNTIL ABOUT 12.

4 AT WHAT POINT DO YOU GO TO SLEEP?

5 A I DID NOT GO TO SLEEP UNTIL AFTER THE GIRLS HAD  
6 FINISHED THEIR HOMEWORK. I WAS SITTING UP WORKING ON  
7 THE BIBLE STUDY AND THE COMPUTER PROGRAM. I MEAN THE  
8 QUIZ PROGRAM.

9 Q OKAY. YOU ARE WORKING ON YOUR BIBLE QUIZ  
10 PROGRAM FROM ROUGHLY 12 UNTIL ONE, IS THAT ABOUT  
11 RIGHT?

12 A FROM 12, YEAH, ABOUT 12 TO ONE. WELL, I STOPPED  
13 LONG ENOUGH TO WRITE MY JOURNAL ENTRY OUT FOR THAT  
14 DAY.

15 Q OKAY. NOW YOU TALK ABOUT AN ALARM THEN YOU TALK  
16 ABOUT THE PHONE. LET'S START WITH THE PHONES. WHAT  
17 PHONES DID YOU HAVE IN YOUR HOUSE?

18 A I HAD TWO PHONES. I HAD ONE YOU SEEN IN THE  
19 PICTURE, THAT ONE SIT ON THAT LITTLE TABLE, ACTUALLY  
20 IT'S A STOOL WITH A COVER ON IT, IT SIT RIGHT BESIDE  
21 OF MY DESK.

22 Q THAT'S THE COMPUTER?

23 A RIGHT, RIGHT IN FRONT OF THE COMPUTER.

24 Q OKAY.

25 A AND THE COMPUTER SITS RIGHT THERE, THERE IS A

1 LITTLE TABLE THAT SITS RIGHT HERE BESIDE OF THE DESK  
2 AND IT HAS THE ONE PHONE ON IT. THEN WE HAVE ANOTHER  
3 PHONE IN THE BEDROOM THAT WAS A CORDLESS PHONE THAT  
4 IT HAD A DISTINCT RING TO IT AND IT WOULD RING THE,  
5 WHEN YOU CALLED WAKE UP, IT WOULD RING APPROXIMATELY  
6 FIFTY TIMES AND THAT WOULD GET MY ATTENTION AND I  
7 COULD HEAR IT AND I WOULD WAKE UP. AND I THINK I  
8 ANSWERED YOUR QUESTION.

9 Q DID YOU HAVE AN ALARM IN THERE TOO?

10 A I DID HAVE AN ALARM CLOCK IN THERE.

11 Q BUT YOU USED?

12 A AND IT HAD A LITTLE BEEP, BEEP, BEEP, THAT'S ALL  
13 YOU HEAR.

14 Q KIND OF LIKE A SMOKE ALARM ALMOST?

15 A ALMOST, YEAH.

16 Q RIGHT. AND SO YOU USED THAT ALARM? YOU USED  
17 USE THE ALARM CLOCK AND THE PHONE?

18 A I USED, WELL, I USED THE PHONE IS WHAT I USE.  
19 BUT THE ALARM CLOCK IS JUST A SECONDARY, I HEAR BOTH,  
20 I DON'T HEAR THE ALARM CLOCK UNTIL AFTER I HEAR THE  
21 PHONE.

22 Q AND THE PHONE, IS THAT SOME KIND OF SERVICE YOU  
23 GOT WITH COMPORIUM OR SOMETHING?

24 A IT'S NOT, IS IT A SERVICE?

25 Q IS THAT THE PHONE COMPANY DOES THAT?

1 A YEAH, THE PHONE COMPANY DOES IT.

2 Q SO YOU PAY FOR THAT?

3 A I DON'T, I DON'T KNOW IF THAT WAS A CHARGE OR IF  
4 THAT'S JUST PART OF THE PHONE SERVICE. I CAN'T  
5 REMEMBER.

6 Q I GOT YOU. AT SOME POINT THEN THEY FINISH UP  
7 AND NOW I'M JUST TRYING TO PICTURE, YOU ARE THERE ON  
8 YOUR BED, SO YOU CAN SEE WHATEVER THEY ARE DOING  
9 RIGHT HERE COMING THROUGH THE HALL. YOU CAN SEE  
10 AMANDA'S ROOM, YOU CAN SEE THE OTHER GIRLS' ROOM,  
11 RIGHT?

12 A THAT'S CORRECT.

13 Q OKAY. FROM RIGHT WHERE YOU ARE SITTING?

14 A THAT'S CORRECT.

15 Q AND SO WHAT WAS TAKING PLACE?

16 A OKAY. JESSICA AND KYLA WERE, I WAS SITTING,  
17 LIKE I WAS FACING THE, THE JUDGE'S BENCH THERE AND  
18 THE FAN WOULD BE SITTING RIGHT HERE ON THE DRESSER,  
19 AND THEN I WAS SITTING ON AT THE FOOT OF THE BED LIKE  
20 THIS AND I HAD MY BIBLE AND I HAD MY, THE QUIZ BOOK  
21 AND THE QUESTIONS SITTING RIGHT HERE. AT ONE POINT I  
22 EVEN MADE THE STATEMENT TO AMANDA, YOU ONLY GOT A FEW  
23 QUESTIONS, I THINK 8 OR 9 QUESTIONS THIS TIME.

24 Q YOU TALKING ABOUT THE QUIZ BOOK. YOU ARE NOT  
25 TALKING ABOUT MATH NOW?

1 A IN THE QUIZ BOOK, RIGHT. AMANDA SAID OH, GOOD.

2 I'M TIRED OF ALL OF THESE QUESTIONS AND THEN BUT --

3 Q WHERE WAS SHE WHEN YOU WERE TALKING, YOU WEREN'T

4 SEEING HER. YOU WERE HEARING HER?

5 A NO, I WAS SEEING. SHE WAS STILL SITTING THERE

6 IN THE HALL.

7 Q IN THE HALLWAY?

8 A YEAH.

9 Q OKAY. OKAY?

10 A BECAUSE I LOOKED DIRECTLY IN HER FACE WHEN I

11 TOLD HER THAT.

12 Q ALL RIGHT. THEN AT SOME POINT WHEN YOU HEAR ALL

13 THE STAPLING AND STUFF, IS THAT IN HER BEDROOM?

14 A HER BEDROOM, SHE-- WHAT HAPPENED IS WHEN THEY

15 GOT UP AND I GUESS PROBABLY ABOUT 15 UNTIL THEY GOT

16 UNCOMFORTABLE AND THEY WENT TO HER BEDROOM AND SAT

17 DOWN ON HER BED AND FINISHED---

18 Q YOU COULD SEE HER STRAIGHT ACROSS FROM YOU?

19 A YOU CAN SEE INTO THE ROOM BUT YOU CAN'T SEE IF

20 ANYBODY'S WHERE THEY ARE AT. I SAW THE SHADOWS.

21 Q I GOT YOU.

22 A IN THE ROOM AND I KNEW THEY WERE SITTING ON THE

23 BED DOING THE WORK AND THEN --

24 Q LET ME STOP YOU ONE SECOND. SO AT THAT POINT

25 BOTH AMANDA AND JESSICA ARE IN THAT, IN AMANDA'S

1 BEDROOM?

2 A THAT'S CORRECT.

3 Q OKAY.

4 A THAT'S CORRECT. AND THEN AT ABOUT TWO OR THREE  
5 MINUTES TIL THE PHONE, I SAID TWO OR THREE UNTIL ONE  
6 BY THE PHONE, NOW I UNDERSTAND THAT THE PHONE HAS A  
7 FIVE MINUTE LEEWAY EITHER, YOU KNOW, THAT IT EITHER  
8 COMES ON OR IT COMES ON AT EITHER FIVE MINUTES AFTER  
9 OR FIVE MINUTES TIL IT RINGS, BECAUSE SO MANY PEOPLE  
10 ARE USING THAT SYSTEM. SO, YOU KNOW, YOU CAN'T, YOU  
11 DON'T KNOW IF YOU ARE GOING TO BE EXACTLY AT SIX  
12 O'CLOCK OR AT WHATEVER TIME. AT ONE O'CLOCK WHENEVER  
13 I THOUGHT IT WAS EXACTLY ONE O'CLOCK AND SO I SAID  
14 OKAY, GIRLS, THE PHONE WENT OFF, IT'S TIME TO GO TO  
15 BED. I HEARD THE STAPLER JUST BEFORE THE ALARM WENT  
16 OFF AND I LOOKED AT AMANDA AND I SAID AMANDA, ARE  
17 Y'ALL DONE AND SHE SAID YES, DADDY, AND JESSICA WAS  
18 GETTING INTO HER BED.

19 Q COULD YOU SEE THAT --

20 A I COULD SEE THAT.

21 Q FROM HER GOING INTO THAT ROOM?

22 A I COULD SEE, YES.

23 Q OKAY.

24 A JESSICA WAS GETTING INTO HER BED AND AMANDA WAS,  
25 SHE WAS AND SHE WAS COMING BACK TOWARDS ME. I SAID

1 WILL YOU COME HERE A MINUTE AND SHE SAYS YUP.

2 Q SO SHE COMES IN TO WHERE YOU ARE IN THE BEDROOM.

3 A YEAH, AND I SCOOT BACK UP IN THE BED. I ADMIT  
4 I'M LAZY. I SCOOT UP IN THE BED AND I ASK HER WOULD  
5 SHE GO AHEAD AND TURN THE NIGHT OUT FOR ME, TURN THE  
6 FAN ON, AND SHE DID.

7 Q OKAY. SO BEFORE THEY ARE THERE IN THE HALL IS  
8 THAT WHEN YOU ARE LOCKING THE DOORS AND EVERYTHING?

9 A OH, THE DOORS WERE LOCKED. THE DOOR WAS LOCKED  
10 AT TEN O'CLOCK. AMANDA TOLD ME SHE LOCKED -- WHEN  
11 THEY WERE SITTING IN THE HALL SHE TOLD ME THE LIGHTS  
12 WERE OFF AND THE DOORS WERE LOCKED.

13 Q YOU ASKED HER THAT SPECIFICALLY?

14 A SHE TOLD ME. I DIDN'T ASK HER ANYTHING.

15 Q SHE'S SITTING IN THE HALL WORKING ON MATH AND  
16 SHE SAID DADDY THE LIGHTS ARE OUT AND THE DOORS ARE  
17 LOCKED?

18 A NO. NO. SHE SAID DADDY, WE ARE GOING TO SIT IN  
19 HERE AND THE LIGHTS ARE OUT AND THE DOORS ARE LOCKED.

20 Q OKAY.

21 A AND THAT'S WHERE SHE SAT, THEY SAT.

22 Q OKAY. AND THEN AT THAT POINT AT ONE O'CLOCK  
23 THEY GO TO BED, RIGHT? EVERYBODY GOES TO BED?

24 A YEAH, EVERYBODY GOES TO BED. WELL, KYLA OF  
25 COURSE SHE WAS ALREADY IN THE BED ASLEEP.



1 Q OKAY. AND SHE SLEEPS SOLID, RIGHT?

2 A WELL SO DOES JESSICA. THEY BOTH SLEEP PRETTY  
3 SOLID.

4 Q OKAY. AND SO AMANDA GOES ON INTO HER ROOM, DO  
5 YOU EVER GET OUT OF YOUR BED AT THAT POINT?

6 A AT THAT POINT? NO.

7 Q OKAY.

8 A NO. SHE TURNED THE LIGHT OUT. OH, SHE'S  
9 STARTED OUT OF THE ROOM, THE PHONE BEEPED, THE --

10 Q WEAK BATTERY?

11 A THE CHARGER, WEAK BATTERY, AND I ASKED HER WOULD  
12 SHE GIVE ME THE PHONE, SHE HANDED ME THE PHONE AND I  
13 WENT AHEAD AND SET IT FOR SIX O'CLOCK AND TOLD HER TO  
14 PUT IT ON THE CHARGER FOR ME AND SHE PUT IT ON THE  
15 CHARGER.

16 Q OKAY. THE BED IS GOING ACROSS HERE. NOW I'M  
17 CREATING THIS ROOM.

18 A RIGHT.

19 Q NOW YOUR BED IS GOING ACROSS HERE. YOUR CHARGER  
20 IS UP HERE SOMEWHERE?

21 A IT WAS ON THE CORNER, IT WAS ON THE CORNER OF  
22 THE DRESSER, BUT THE THING HAD FELL ON THE FLOOR AND  
23 SHE SAID I CAN'T FIND IT AND I SAID LOOK DOWN ON THE  
24 FLOOR AND SO SHE MOVED THE, OUR DRESSER, OUR DRESSER  
25 HAS TWO DOORS THAT OPEN UP LIKE THIS, AND THEN THE

1 DRAWERS COME OUT, AND ONE OF THE DOORS WAS LIKE THIS  
2 RIGHT HERE, AND THE CHARGER WAS IN BEHIND IT.

3 Q AND THAT'S AT THE FOOT OF YOUR BED?

4 A THAT'S AT THE FOOT OF THE BED.

5 Q OKAY. OKAY. SO SHE GETS UP AND PUTS THE PHONE  
6 ON THE CHARGER AND YOU ARE LAYING IN THE BED OVER  
7 HERE?

8 A I'M ALREADY IN THE BED AND I GET THE MASK AND  
9 PUT IT ON.

10 Q TELL US ABOUT THAT MASK. IT'S A CPAP, IS THAT A  
11 GENERAL NAME OR SOMETHING. IT'S BASICALLY YOU ARE  
12 NOT GETTING ENOUGH OXYGEN IN AT NIGHT, RIGHT?

13 A WELL, WHAT HAPPENS IS, REMEMBER AT THAT TIME I  
14 WAS 385 POUNDS.

15 Q RIGHT.

16 A AT 385 POUNDS IS A LOT OF FAT TISSUE RIGHT HERE  
17 AND WHAT WAS CAUSING IT, IT WAS CAUSING ME NOT TO BE  
18 ABLE TO GET ENOUGH AIR INTO MY SYSTEM AND I WOULD  
19 SNORE, I WOULD SNORE REAL LOUD. I MEAN, SOUNDED  
20 LIKE, TO QUOTE WHAT MY WIFE SAID, A FREIGHT TRAIN,  
21 AND SHE SAID AND SO I HAD A LOT OF PROBLEMS TRYING TO  
22 GET HOME WHEN I WAS WORKING FOR CONOCO, AND I HAD A  
23 LOT OF PROBLEMS ALMOST, ONCE I WAS DRIVING AND ALMOST  
24 WENT OFF THE SIDE OF THE ROAD.

25 Q WAS THAT WHEN YOU LOOKED AT THAT CHECK?

1       A     NO.   NO.   NO.   I WAS, THAT WAS YEARS BEFORE I  
2       EVEN GOT MARRIED, BUT I WAS ON MY WAY HOME AND I FELL  
3       ASLEEP.   I FELL ASLEEP AT THE WHEEL AND I CAUGHT  
4       MYSELF JUST AS I WAS FIXING TO GO OFF THE SIDE OF THE  
5       ROAD.   AND ONE TIME I ACTUALLY DID GO OFF THE SIDE OF  
6       THE ROAD.   IT WAS RED RIVER ROAD RIGHT IN FRONT OF  
7       ALL THOSE PEOPLE AND I WENT OFF THE ROAD AND SLID OFF  
8       INTO, I WAS HEADING STRAIGHT FOR A TREE AND I SLAMMED  
9       ON BRAKES AND TURNED AND THEY STARTED LAUGHING AT ME  
10      ON THE PORCH.

11                               NOW I WAS WATCHING A EDUCATIONAL  
12      PROGRAM ON ETV AND THEY WERE TALKING ABOUT SLEEP  
13      APNEA ITSELF, AND I THOUGHT WELL MAYBE THAT'S THE  
14      PROBLEM.   AND THEN I WENT TO, I HAD TO GO TO THE  
15      HOSPITAL WHEN I WAS WORKING FOR WALMART FOR MY CHEST  
16      STARTED HURTING AND MY WHOLE RIGHT SIDE WENT NUMB ON  
17      ME.   I WAS UP ON A LADDER HELPING A CUSTOMER AND MY  
18      WHOLE SIDE WENT NUMB AND SO I CALLED MY WIFE AND THEY  
19      COME GOT ME AND TOOK ME TO THE HOSPITAL.   WHILE I WAS  
20      IN THE HOSPITAL THEY RUN EXTENSIVE TESTS ON ME TO SEE  
21      WHAT WAS CAUSING THAT AND THE MAN WAS PUTTING  
22      SOMETHING ON MY, HE PUT SOMETHING ON MY, RIGHT THERE,  
23      SOME ELECTRODES AND ALL AND HE ASKED ME TO GO TO  
24      SLEEP AND I DOZED OFF WHILE HE WAS WORKING.   AND WHEN  
25      I GOT UP HE SAID HAVE YOU EVER BEEN TESTED FOR SLEEP

1 APNEA. I SAID WHY. HE SAID YOU WAKE UP QUITE OFTEN  
2 IN YOUR SLEEP. HE SAID YOU WAKE UP A WHOLE LOT AND  
3 SO I SAID NO. I'VE HEARD OF IT BUT I DON'T KNOW  
4 EXACTLY WHAT IT IS, SO I THINK I WOULD HAVE IT TESTED  
5 OUT. WELL, THEY ADMITTED ME IN THE HOSPITAL AND I  
6 WAS, I HAD, THEY HAD TO PUT A OXYGEN THING ON MY  
7 FINGER AND MY WIFE HAD TO SIT BY THE BED THE WHOLE  
8 NIGHT AND IF MY OXYGEN LEVEL GOT TOO LOW, SHE HAD TO  
9 WAKE ME UP TO MAKE SURE I WAS BREATHING, TO MAKE SURE  
10 I WAS OKAY, AND THAT HAPPENED QUITE OFTEN AND SO.

11 Q SO IT IS A MASK THAT GIVES YOU OXYGEN.

12 A YEAH, IT'S A MASK THAT GIVES ME OXYGEN.

13 Q OKAY. AND WHAT SIZE IS THE MASK THAT, THERE IS  
14 DIFFERENT BRANDS, WHAT KIND OF MACHINE IS YOUR CPAP  
15 MACHINE?

16 A I CAN'T REMEMBER THE NAME OF THAT MACHINE. I'VE  
17 HAD IT SO LONG. I CAN'T REMEMBER THE NAME OF IT.

18 Q OKAY. DOES IT FUNCTION PROPERLY?

19 A YEAH, IT FUNCTIONS PROPERLY.

20 Q OKAY. AND IT BASICALLY A MASK, FROM WHAT I  
21 UNDERSTAND, OF COURSE I DON'T HAVE ONE.

22 A RIGHT.

23 Q I KNOW A LOT OF PEOPLE DO, BUT IT'S A MASK AND  
24 IT'S GOING TO MAKE SURE YOU KEEP GETTING SOME OXYGEN,  
25 RIGHT?

1 A RIGHT. IT'S OVER YOUR NOSE AND IT'S GOT TWO  
2 STRAPS. ONE'S AT THE TOP PART OF THE MASK AND ONE IS  
3 ON THIS SIDE AND IT COMES AROUND.

4 Q AND THAT'S TO KEEP YOU FROM KNOCKING IT OFF AT  
5 NIGHT.

6 A RIGHT, THAT WAY KEEPS YOU SO YOU CAN MOVE AROUND  
7 IN YOUR SLEEP.

8 Q IS IT LIKE ELASTIC STRAPS?

9 A NO, SIR.

10 Q WHAT'S THE STRAP MADE OUT OF?

11 A IT'S MADE OUT OF VELCRO.

12 Q SO YOU VELCRO IT BACK HERE?

13 A RIGHT. WELL, ACTUALLY YOU VELCRO IT AT THE  
14 SIDES WHERE, THE WAY IT WORKS IS IS ONE PIECE HAS  
15 GOT, IT'S GOT ACTUALLY FOUR STRAPS, ONE HERE, ONE  
16 HERE AND ONE HERE AND ONE HERE AND YOU BRING THEM  
17 AROUND AND THEY GO THROUGH THIS LITTLE HOLE ON THE  
18 MASK AND THEN THEY ARE VELCROED DOWN ON THE SIDES.

19 Q IT'S TO HOLD IT SO YOU CAN MOVE IN YOUR SLEEP,  
20 RIGHT?

21 A YEAH, IT KEEPS YOU.

22 Q OKAY. AND IT ALSO HAS AN EXHAUST PORT, RIGHT  
23 TOO, THAT LETS BAD AIR OUT SO TO SPEAK, RIGHT?

24 A IT'S GOT A LITTLE WHISPER VALVE IS WHAT I CALL  
25 IT.

1 Q A DIAPHRAGM OR SOMETHING?

2 A RIGHT, AND IT JUST MAKES A HIGH SHHHH-SHHH  
3 SOUND.

4 Q AND WHAT'S THAT, THAT SHH-SHH, IS THAT FROM YOU  
5 BREATHING OUT OR IS THAT THE AIR FROM THE MACHINE?

6 A ACTUALLY IT'S THE AIR THAT'S NOT MAKING IT INTO  
7 MY LUNGS BECAUSE IT'S BEING FORCED OUT SO FAST AND  
8 ALSO THE EXHAUST WHEN I'M BREATHING AND BREATHING  
9 BACK IN THE MASK IT'S BLOWING BACK IN.

10 Q SO THE NOISE THAT IT MAKES WITH THE AIR AND THE  
11 SHHH-SHHH SOUND IS, IT'S NOT LOUD AS THE FREIGHT  
12 TRAIN USED TO BE, RIGHT.

13 A NO. NO.

14 Q OKAY. YOU WERE MUCH LOUDER?

15 A BUT IT STILL KEPT MY WIFE AWAKE AND SO WHAT I  
16 DONE WAS, I ASKED HER LET'S TRY THIS. I TOOK A TOWEL  
17 OR A SHEET AND I WOULD TAKE AND FOLD IT AND PUT IT  
18 OVER MY FACE THAT WAY SHE WOULDN'T HAVE TO HEAR, IT  
19 WOULD MUFFLE OUT A LOT OF SOUNDS FROM HER. SHE  
20 DIDN'T HEAR A LOT OF IT.

21 Q OKAY. SO YOU WOULD WRAP A TOWEL AND NOW WHEN  
22 DID YOU START WRAPPING A TOWEL AROUND?

23 A OH, A LONG TIME AGO TO KEEP HER FROM, YOU KNOW,  
24 WHEN SHE WAS, WHEN SHE WAS HOME NOT HAVING TO HEAR  
25 IT, NOT HAVING TO, BUT IT WASN'T JUST THAT. IT ALSO

1 KEPT LIGHT OUT OF MY FACE.

2 Q SO YOU HAVE A TOWEL AROUND AT THIS PARTICULAR  
3 NIGHT?

4 A YES, SIR. I HAD IT AROUND EVERY NIGHT. I STILL  
5 DO IT TODAY.

6 Q OF COURSE SHE WAS AT WORK, RIGHT?

7 A THAT'S CORRECT.

8 Q BUT YOU HAD A TOWEL AROUND IT TO PREVENT---

9 A I DO IT EVERY NIGHT. IT WAS A REGULAR HABIT.  
10 IT WAS A HABIT. I ALWAYS DO IT.

11 Q OKAY. AND NOW WHEN YOU TALKED ABOUT YOUR  
12 MACHINE YOU NEVER TOLD LAW ENFORCEMENT ABOUT WRAPPING  
13 A TOWEL AROUND YOU?

14 A NO, I DIDN'T. I DIDN'T TELL NOBODY. I STILL DO  
15 IT THOUGH.

16 Q SITTING RIGHT THERE IS THE FIRST TIME WE HEARD  
17 ABOUT A TOWEL BEING WRAPPED AROUND YOUR HEAD TODAY,  
18 THOUGH, RIGHT?

19 A POSSIBLE IT IS THE FIRST TIME YOU HEARD IT.

20 Q OKAY.

21 A I CAN'T SAY THAT IT'S THE FIRST TIME THAT I'VE  
22 SAID IT, BUT IT'S THE FIRST TIME THAT YOU'VE, YOU  
23 PROBABLY HEARD IT. OF COURSE, I'M NOT AROUND YOU  
24 THAT OFTEN.

25 Q OR ACTUALLY AT ALL UNTIL THIS TRIAL, RIGHT?

1 A NOPE, NOT UNTIL THIS TRIAL.

2 Q AND THE --

3 THE COURT: IS THIS A GOOD PLACE TO TAKE A  
4 BREAK, MR. POPE?

5 MR. POPE: YES, SIR, I BELIEVE IT WOULD  
6 BE.

7 THE COURT: LET'S TAKE AN AFTERNOON BREAK.

8 (THE JURY EXITS THE COURTROOM AT 04:36  
9 PM AND COURT IS IN RECESS.)

10 (COURT RESUMES AT 04:49 PM.)

11 THE COURT: BRING IN THE JURY. WHILE THE  
12 JURY IS COMING IN, WE WILL GO UNTIL ABOUT 6:30 OR SO  
13 AND IF WE HAVE TO FINISH UP MR. COPE TOMORROW  
14 CERTAINLY WOULDN'T PRESENT A PROBLEM, BUT I DON'T  
15 WANT TO GO MUCH LATER. I CERTAINLY WANT YOU TO TAKE  
16 ALL THE TIME YOU NEED.

17 MR. POPE: YES, SIR.

18 MR. BAITY: CAN I LET MY OTHER WITNESS GO  
19 THEN?

20 THE COURT: I WOULD SAY YES. YOU CAN HOLD  
21 ME TO THAT THEN.

22 MR. BAITY: THANK YOU, YOUR HONOR.

23 (THE JURY RETURNS TO THE COURTROOM.)

24 THE COURT: YOU MAY PROCEED.

25 MR. POPE: MAY IT PLEASE THE COURT, YOUR



1 HONOR.

2 CROSS EXAMINATION CONTINUED BY MR. POPE:

3 Q MR. COPE, APPROXIMATELY ONE O'CLOCK THE GIRLS GO  
4 TO BED AND YOU GO TO BED. EVERYBODY IN THE HOUSE IS  
5 EITHER ALREADY IN BED OR GOING TO BED, IS THAT A FAIR  
6 STATEMENT?

7 A THAT'S A FAIR STATEMENT, YES, SIR, EVERYBODY  
8 WENT TO BED AT ONE O'CLOCK.

9 Q AND AT THAT JUNCTURE THE HOUSE IS LOCKED AND THE  
10 LIGHTS ARE OUT?

11 A THE LIGHTS ARE OUT AND THE DOORS ARE LOCKED,  
12 YES.

13 Q OKAY. AND THE NEXT THING YOU KNOW YOU WAKE UP  
14 AT THREE O'CLOCK TO GO TO THE RESTROOM, RIGHT?

15 A THAT'S CORRECT.

16 Q OKAY. YOU COME OUT OF YOUR ROOM INTO THIS  
17 BATHROOM, CORRECT?

18 A RIGHT.

19 Q OKAY. AND AT THAT POINT, AMANDA'S DOOR IS OPEN  
20 OR SHUT?

21 A AMANDA DOOR IS CLOSED BECAUSE SHE SHUTS HER DOOR  
22 AT NIGHT.

23 Q OKAY. AND AMANDA'S DOOR WAS SHUT WHEN YOU WENT  
24 TO BED. WELL, OF COURSE, YOUR HEAD WAS UP THAT WAY,  
25 RIGHT?

1 A THAT'S RIGHT.

2 Q SO YOU ACTUALLY, THIS IS THE FIRST TIME YOU'VE  
3 SEEN AMANDA'S DOOR, THAT NIGHT, RIGHT, ONCE YOU WENT  
4 TO BED?

5 A THAT'S CORRECT.

6 Q SO WHEN SHE WENT OFF TO BED YOU DON'T KNOW IF  
7 SHE OPENED OR SHUT IT OR NOT, RIGHT?

8 A BUT THAT'S HER NORMAL PRACTICE IS TO.

9 Q BUT OF COURSE ON THIS PARTICULAR NIGHT YOU  
10 DIDN'T FOLLOW YOUR NORMAL PRACTICE WITH YOUR FAMILY  
11 EITHER, DID YOU?

12 A THAT'S CORRECT. I WAS IN MY BEDROOM, THAT IS  
13 CORRECT.

14 Q OKAY. AND THEN JESSICA AND KYLA, THEIR DOOR WAS  
15 OPEN?

16 A THEIR DOOR STAYS OPEN. THERE WAS A FAN IN FRONT  
17 OF IT.

18 Q THERE IS A FAN IN FRONT OF THEIR DOOR?

19 A YES.

20 Q OKAY. AND YOU WOKE UP AT THREE O'CLOCK, WENT TO  
21 THE RESTROOM, AND THEN DID WHAT?

22 A I WENT TO THE RESTROOM. I, AS I WAS WALKING OUT  
23 OF THE BATHROOM I NOTICED THAT JESSICA HAD A, I MEAN  
24 KYLA HAD A COVER ON HER BECAUSE SHE'S THE ONE, SHE'S  
25 THE ONE WHO KICKS IT OFF OF HER AND I LIKE TO, HER

1 DOOR, HER DOOR IS OPEN.

2 Q RIGHT. YOU ARE COMING---

3 A OKAY.

4 Q ---OUT OF THE BATHROOM AND THEY ARE OVER HERE,  
5 RIGHT?

6 A RIGHT. YOU CAN SEE STRAIGHT ACROSS INTO THEIR  
7 BED ROOM AND THAT'S ALL THAT I NORMALLY CHECK  
8 WHENEVER, AMANDA'S DOOR IS CLOSED, SHE IS FINE.  
9 THAT'S THE WAY IT NORMALLY IS WHEN I GET UP AT THREE  
10 O'CLOCK. I WOULD GO TO, I WALK INTO THE LIVING ROOM.  
11 THE HALL LIGHT WAS ON.

12 Q WHICH LIGHT IS THE HALL LIGHT?

13 A WHERE I WAS JUST STANDING, THAT WAS ON WHEN I  
14 GOT UP.

15 Q IT WAS OFF WHEN YOU WENT TO BED?

16 A IT WAS OFF--- ALL THE LIGHTS WAS OFF EXCEPT FOR  
17 KYLA'S BEDROOM, KYLA AND JESSICA'S BEDROOM LIGHT.

18 Q THEY GOT THE MAIN LIGHT IN THEIR BEDROOM --

19 A RIGHT.

20 Q ----OR A LITTLE LIGHT IN THE BEDROOM?

21 A HUH?

22 Q IS IT THE MAIN LIGHT OR JUST LIKE A NIGHT LIGHT  
23 OR SOMETHING?

24 A NO, IT'S THEIR MAIN LIGHT.

25 Q THAT'S THE ONLY LIGHT THAT WAS ON?

1 A THAT'S CORRECT.

2 Q OKAY. SO NOW AT THREE O'CLOCK YOU GET UP?

3 A THE HALL LIGHT IS ON. THAT'S THE FIRST THING I  
4 NOTICED. I WENT INTO THE BATHROOM, USED THE  
5 BATHROOM, AND COME BACK, WENT INTO THE LIVING ROOM.  
6 THE LIVING ROOM LIGHT WAS ON AND THE PORCH LIGHT WAS  
7 ON AND I THOUGHT THAT WAS ODD BECAUSE AMANDA HAD SAID  
8 SHE CUT THE LIGHTS OFF AND LOCKED THE DOORS.

9 Q LET ME ASK YOU THIS. DID THE GIRLS GET UP  
10 DURING THE NIGHT AND USE THE RESTROOM BEFORE THREE  
11 O'CLOCK?

12 A I WOULDN'T KNOW ABOUT THAT.

13 Q WHY IS THAT?

14 A BECAUSE I DON'T KNOW WHEN, YOU KNOW, IF THEY GET  
15 UP, KYLA, KYLA WET THE BED OCCASIONALLY SO. I  
16 WOULDN'T SAY SHE WOULD. I DON'T KNOW IF JESSICA OR  
17 AMANDA EITHER ONE WOULD GET UP AND GO TO THE  
18 BATHROOM.

19 Q IS IT SOMETIMES SHE WETS THE BED AND YOU'LL HEAR  
20 HER CRYING AT NIGHT? YOU KNOW, LIKE WHERE SHE WET  
21 THE BED, DOES SHE COME AND TELL YOU WHEN SHE WET THE  
22 BED?

23 A NO. NO, SHE DIDN'T. NO, SHE WILL TRY TO HIDE  
24 IT FROM US. SHE WOULDN'T TELL NOBODY ABOUT IT UNTIL  
25 THE NEXT MORNING AND A LOT OF TIMES SHE WOULD TAKE

1 HER SHEETS OFF THE BED.

2 Q OKAY. THE GIRLS EVER HAD NIGHTMARES AND YOU  
3 HAVE TO GO IN AND CHECK ON THEM?

4 A NIGHTMARES.

5 Q IS THERE ANY TIME THE WHOLE TIME YOU WERE  
6 WATCHING THOSE GIRLS FOR THOSE THREE YEARS THEY EVER  
7 WAKE UP AT NIGHT?

8 A I CAN'T, CAN'T RECALL NO NIGHTMARES, NOT THAT I  
9 CAN RECALL, ESPECIALLY WITHIN THAT, THAT THREE YEAR  
10 PERIOD AS I THINK YOU SAID OR ANY TIME THAT I CAN'T  
11 REMEMBER ANY NIGHTMARES. I REMEMBER WHEN AMANDA WAS  
12 YOUNGER, A SMALL CHILD, SHE HAD NIGHTMARES.

13 Q OKAY. WAS THERE EVER A TIME IN THAT THREE YEAR  
14 PERIOD THAT THEY WOULD CALL OUT TO YOU, YOU KNOW, OR  
15 TO BE AFRAID. YOU KNOW HOW YOUR KIDS DO, YOU KNOW  
16 THEY CALL AND YOU KNOW HELP OR DADDY CHECK ON ME OR  
17 WHATEVER?

18 A EVERY ONCE IN AWHILE I WOULD, AMANDA WOULD ASK  
19 ME TO SHUT HER DOOR FOR HER AND IF IT DIDN'T SHUT  
20 OPEN AND THE LIGHT WAS BOTHERING HER.

21 Q LIKE SOMETIME ON INTO THE NIGHT OR SOMETHING?

22 A RIGHT, ESPECIALLY IF SHE, IF IT WAS BETWEEN, IT  
23 WAS BEFORE I WENT TO BED AND IT WAS AFTER SHE WENT TO  
24 BED, IT WAS AS I WAS COMING AROUND TO GO TO BED SHE  
25 WOULD --

1 Q ASK YOU TO SHUT THE DOOR?

2 A YEAH AND I WOULD SHUT THE DOOR.

3 Q I'M TALKING ABOUT ONCE YOU GO TO BED DO YOU EVER

4 HAVE TO TEND TO THEM OR TAKE CARE OF THEM.

5 A I NEVER HAD TO GET UP AND GO TO THEM, NO.

6 Q HAVE YOU EVER HAD TO TALK TO THEM. YOU KNOW HOW

7 SOMETIMES, LIKE MY LITTLE BOY WILL WAKE UP AND HE'S

8 GOING DADDY AND I'M GOING WHAT AND MAYBE YOU NEVER

9 GET UP GET OUT OF BED, WAS THERE EVER A TIME YOU

10 STAYED IN THE BED AND TALKED TO THEM. YOU KNOW,

11 AGAIN THEY NEED SOMETHING OR WANT SOMETHING OR WANT

12 WATER OR WHATEVER THE CASE MAY BE?

13 A I CAN'T THINK OF NO TIME. THERE WAS, THERE WAS

14 TIMES WHEN AMANDA WOULD, LIKE I SAID, AMANDA WOULD

15 CALL ME AND I WOULD GET UP AND GO AND CLOSE HER DOOR

16 FOR HER.

17 Q THAT'S WHAT I AM SAYING.

18 A YEAH. BUT I MEAN THIS WAS BEFORE I WENT TO

19 SLEEP AND IT WAS AFTER SHE HAD SUPPOSEDLY BEEN TO BED

20 AND SHOULD HAVE BEEN ASLEEP IS ABOUT THE TIME I GO TO

21 BED.

22 Q OKAY. ANY TIME AFTER YOU WENT TO BED THAT

23 YOU'VE EVER TAKEN CARE OF YOUR CHILDREN IN THE MIDDLE

24 OF THE NIGHT?

25 A TO GET UP AND TO GO IN THERE TO TAKE CARE OF

1 THEM.

2 Q TEND TO THEM, CHECK ON THEM, DO ANYTHING, HELP  
3 THEM OUT, WATCH OVER THEM IN ANY WAY?

4 A JESSICA GOT SICK ONE TIME AND SHE WAS THROWING  
5 UP AND I WOULD, I WENT IN THE BATHROOM WITH HER AND  
6 HELPED HER WHILE SHE WAS IN THE BATHROOM.

7 Q THAT'S WHAT I AM SAYING. PARENT STUFF?

8 A YEAH. THOSE THINGS, YEAH.

9 Q OKAY. SO IT WASN'T NECESSARILY UNUSUAL. YOU  
10 GOT THREE KIDS IT'S NOT UNUSUAL THAT IN THE MIDDLE OF  
11 THE NIGHT THERE WOULD BE SOME REASON THEY'D NEED YOU?

12 A I WOULDN'T SAY UNUSUAL BECAUSE I HADN'T REALLY,  
13 THAT WAS WHEN JESSICA WAS A LOT YOUNGER AND I HADN'T  
14 REALLY HAD NO PROBLEM SINCE THEN. NO REAL PROBLEMS  
15 WITH HAVING TO GET UP AND GO CHECK ON THEM OR TO SEE  
16 WHAT WAS WRONG WITH THEM OR NOTHING. NOTHING LIKE  
17 THAT AT ALL.

18 Q OKAY. ALL RIGHT?

19 A AND BEFORE THAT MARY SUE WAS HOME, BEFORE THOSE,  
20 THAT THREE YEAR PERIOD MARY SUE WAS HOME AND SHE  
21 WOULD GO WHEN THEY HAD A STOMACHACHE OR SOMETHING  
22 LIKE THAT OR WHATEVER.

23 Q SO DURING YOUR THREE YEAR PERIOD?

24 A I CAN'T THINK OF.

25 Q ---YOU HAD A PRETTY EASY WATCH?

1 A I CAN'T THINK OF MAYBE ONE TIME WHEN JESSICA WAS  
2 SICK THROWING UP, THAT'S THE ONLY THING I CAN THINK  
3 OF.

4 Q YOU HEARD CRYING OR CALLED OUT TO YOU OR  
5 SOMETHING OF THAT NATURE?

6 A NO, SHE JUST STARTED THROWING UP AND I HEARD HER  
7 AND WENT IN THERE TO HER.

8 Q OKAY. NOW YOU GET UP AT THREE O'CLOCK AND AGAIN  
9 YOU'VE TALKED ABOUT THE DIFFERENCES IN THE LIGHTS AND  
10 YOU GO IN AND YOU GET ON THE COMPUTER. AND AGAIN I'M  
11 TAKING YOU OUT OF YOUR ROOM. THE COMPUTER IS --

12 A ACTUALLY NO, I GOT, I SAT DOWN ON THE COUCH. I  
13 WAS PUZZLED BECAUSE OF THE LIGHTS AND I THOUGHT,  
14 WELL, MAYBE AMANDA LIED TO ME, MAYBE SHE DIDN'T CUT  
15 THE LIGHTS OFF, BUT THAT'S NOT NORMAL FOR HER. SHE'S  
16 ALWAYS BEEN A PRETTY TRUTHFUL CHILD AND SO I WENT  
17 AHEAD AND I ASSUMED THAT SHE LEFT THEM ON BY ACCIDENT  
18 OR MAYBE SHE GOT UP, I DIDN'T KNOW. SO I WENT AHEAD  
19 AND WENT ON TO, I SAT THERE ON THE CHAIR AND I LOOKED  
20 INTO THE HALL WAY AND WENT INTO THE DINING ROOM AND  
21 THAT'S WHEN I SAW THE, THE DRYER DOOR WAS OPEN AND  
22 THE LIGHT WAS ON. THAT WAS THE FIRST THING THAT  
23 CAUGHT MY ATTENTION.

24 Q NOW WHICH LIGHT IS THAT, THE DRYER LIGHT?

25 A THE DRYER LIGHT.



1 Q OKAY. SO YOU ARE SITTING ON THE COUCH AND YOU  
2 SEE THE DRYER LIGHT IS ON AT THREE O'CLOCK IN THE  
3 MORNING?

4 A RIGHT.

5 Q OKAY. AND WHAT DID YOU DO THEN?

6 A I SAW THE CLOTHES ON THE FLOOR. I ASSUMED THE  
7 GIRLS HAD WENT IN THERE AND GOT THEIR SCHOOL CLOTHES  
8 OUT OF THE DRYER OR LOOKED FOR UNDERWEAR AND STUFF  
9 LIKE THAT. I WASN'T SURE.

10 Q I GOT YOU.

11 A WHAT WAS IN THERE.

12 Q NOW IS THAT WHEN YOU STARTED PLAYING OR WORKING  
13 ON THAT COMPUTER GAME, THE AGE OF EMPIRE?

14 A I GOT UP AND WENT TO THE COMPUTER AT THAT TIME,  
15 YES, I DID.

16 Q SO YOU ARE SITTING ON THE COUCH, THE TV IS RIGHT  
17 THERE. I TURNED THE HOUSE AROUND NOW. I'M SITTING  
18 ON THE COUCH, THE TV IS THERE AND THE KITCHEN AND THE  
19 DINING ROOM GOES ON THROUGH THERE. YOUR COMPUTER IS  
20 OVER HERE, IS THAT RIGHT?

21 A NO, SIR. IF I'M SITTING ON THE COUCH.

22 Q RIGHT.

23 A AND THE DINING ROOM IS THERE, THE TV WOULD BE  
24 THERE.

25 Q OKAY.

1 A THE COMPUTER WOULD BE OVER THERE.

2 Q OKAY. AND THAT'S --

3 A BUT IT'S FACING, THE COUCH IS FACING THE  
4 COMPUTER.

5 Q I GOT YOU. SO IT'S OVER LIKE AGAINST THE, BE  
6 BACK AGAINST YOUR BEDROOM, THE BACK OF THE COUCH?

7 A THE COUCH, YEAH, THE COUCH, YEAH.

8 Q THE COUCH IS HERE AND THE COMPUTER IS OVER HERE.  
9 SO YOU GET UP AND GO TO THE COMPUTER?

10 A THAT'S CORRECT.

11 Q AND IT'S THREE O'CLOCK IN THE MORNING, RIGHT,  
12 OKAY. AND WHAT WERE YOU DOING ON THE COMPUTER.

13 A I WAS GOING TO PLAY THE AGES OF EMPIRE GAME BUT  
14 WHEN I RUN IT I KILLED REAL QUICK. IT DIDN'T RUN  
15 RIGHT.

16 Q AGE OF EMPIRE, IS THAT THE THING YOU WERE SAYING  
17 YOU WERE PROGRAMMING EARLIER THAT AFTERNOON?

18 A YEAH, WHAT YOU DO IS YOU BUILD, I HAVE WHAT THEY  
19 CALL THE SCENARIO BUILDER AND WHAT YOU DO IS YOU TAKE  
20 THE SCENARIO AND YOU BUILD THE BOARD AND FROM THE  
21 BOARD YOU PUT HOW MANY ANIMALS OR HOW MANY ENEMY YOU  
22 WANT TO FIGHT AND ALL THAT, YOU PUT ALL THAT ON THE  
23 BOARD. YOU PUT HOW MANY PEOPLE YOU WANT. WHAT YOU  
24 HAVE TO DO IS YOU ACTUALLY HAVE TO GET BEYOND THAT  
25 CIVILIZATION LEVEL. YOU MIGHT BE IN IRON AGE AND YOU

1 GOT TO MAKE IT TO THE ROMAN EMPIRE AGE AND --

2 Q NOW YOU WERE DOING THAT AT THREE, YOU WERE  
3 BUILDING AT THREE O'CLOCK OR?

4 A I BUILT IT AT EARLIER, BUT I GOT KILLED REAL  
5 QUICK IN THE SET BECAUSE I DIDN'T FINISH PUTTING MY  
6 PEOPLE ON THERE. I DIDN'T PUT, I PUT TOO MANY  
7 ENEMIES FOR ME, TOO MANY ANIMALS ON A SET, AND I ONLY  
8 HAD THREE PEOPLE. I WAS GOING TO TRY TO SEE HOW FAST  
9 I COULD BUILD MY WALLS AROUND, BUT THEY COME AND  
10 DESTROYED ME REAL QUICK AND THAT WAS THE END OF IT.

11 Q SO THE ONE YOU CREATED THERE AT NIGHT BUT THE  
12 ENEMIES GOT ON YOU BEFORE YOU COULD FINISH THE GAME?

13 A NO, THAT GAME ENDED. IT SAID GAME OVER BECAUSE  
14 I KILLED ALL MY MEN OFF AND I DIDN'T HAVE NOBODY TO  
15 PLAY.

16 Q HOW LONG DID YOU THINK YOU PLAYED THAT GAME?

17 A PROBABLY ABOUT, I WOULDN'T SAY NO MORE THAN  
18 MAYBE, I REALLY CAN'T SAY. PROBABLY.

19 Q YOU LOOSE TIME WHEN YOU GET TO PLAYING GAMES  
20 LIKE THAT?

21 A SOMETIMES BUT NOT ON THIS NIGHT BECAUSE I DIDN'T  
22 GET A CHANCE TO REALLY GET INTO THE GAME. I DIDN'T  
23 GET A CHANCE TO GET STARTED AND PROBABLY MAYBE  
24 TEN-FIFTEEN MINUTES AT THE MOST.

25 Q WHAT AGE DID YOU GET UP TO?

1 A I DIDN'T. I DIDN'T EVEN GET STARTED.

2 Q OKAY. AND THEN, SO AFTER YOU FINISHED THAT,  
3 WHAT DID YOU DO THEN?

4 A I WENT BACK. WELL, I TURNED OFF THE PORCH  
5 LIGHT. WELL, BOTH OF THE LIGHTS, THEY ARE ON THE  
6 SAME SET, I JUST TURNED BOTH THE PORCH AND THE LIVING  
7 ROOM OFF AT THE SAME TIME, WALKED INTO A HALLWAY, CUT  
8 THE HALLWAY LIGHT, AND COME AND GOT IN BED.

9 Q NOW IS THERE SOMETHING IN THE AGE OF EMPIRE THAT  
10 WOULD STIMULATE YOU TO WANT TO MASTURBATE?

11 A NO, SIR.

12 Q OKAY. SO DID YOU MASTURBATE BEFORE YOU PLAYED  
13 AGE OF EMPIRE OR AFTER YOU PLAYED AGE OF EMPIRE?

14 A FIRST OF ALL I SAID I DON'T REMEMBER IF I DID  
15 MASTURBATE THAT NIGHT. I CANNOT REMEMBER IF I DID OR  
16 IF I DIDN'T. I KNOW. I JUST CAN'T REMEMBER. I'VE  
17 BEEN TRYING TO REMEMBER WHETHER I ACTUALLY DID OR DID  
18 NOT THAT NIGHT, SO I REALLY CAN'T SAY.

19 Q IS THE REASON IT WOULD BE BEFORE OR AFTER  
20 PLAYING THE GAME OR THAT REALLY, THE GAME AND  
21 MASTURBATION ARE UNRELATED?

22 A IT DIDN'T HAVE ANYTHING TO DO WITH THE  
23 MASTURBATION. SOMETIMES I GO TO THE COMPUTER,  
24 SOMETIMES I JUST MASTURBATE AND JUST GO BACK TO BED.

25 Q OKAY. AND YOU STAND OUT IN THE HALL?

1 A NO.

2 Q WHEN YOU MASTURBATE.

3 A NO. NO. NO. IT'S EITHER THE BATHROOM OR FOR  
4 THE MOST PART IT EITHER THE BATHROOM OR IN MY  
5 BEDROOM.

6 Q OKAY. AND YOU MASTURBATE PRIMARILY INTO A RAG?

7 A THAT'S CORRECT.

8 Q THEN YOU GOT THAT SPECIAL PLACE UNDER THE BOOK  
9 SHELF THAT YOU STASH IT?

10 A THAT'S CORRECT.

11 Q OKAY.

12 A BECAUSE I DIDN'T WANT THE GIRLS TO GET A HOLD TO  
13 IT OR NOT JUST THE GIRLS BUT MARY SUE OR ANYBODY.

14 Q AND TRUTH IS NOBODY DID GET A HOLD OF IT UNTIL  
15 YOU POINTED LAW ENFORCEMENT TO IT, RIGHT?

16 A YES, SIR. I GUESS. I MEAN.

17 Q IT MUST HAVE BEEN A GOOD HIDING PLACE, WASN'T  
18 IT?

19 A WELL, I MEAN, YOU CAN'T SAY THAT BECAUSE  
20 ACCORDING TO WHERE THE LAW ENFORCEMENT FOUND IT IS  
21 NOT WHERE I PUT IT.

22 Q SO YOU THINK SOMEBODY DISCOVERED YOUR  
23 MASTURBATION HIDING PLACE?

24 A I DON'T KNOW. I DON'T KNOW WHAT HAPPENED THERE.  
25 I KEEP IT ON, I ALWAYS HIDE IT UP UNDER THE BOTTOM OF

1 THE FULL, FULL BOOK SHELF, NOT THE ONE WITH THE LEGS  
2 THAT'S OVER IN THE CORNER. I DIDN'T STICK IT UP  
3 UNDER. I STICK IT ALL THE WAY UP UNDER THE BOOK  
4 SHELF. I NEVER STUCK IT OVER THERE WHERE IT WAS  
5 REPORTED THAT WAS IT FOUND.

6 Q YOU THINK SOMEBODY SAW YOU PUTTING IT THERE?

7 A I DON'T KNOW WHAT HAPPENED.

8 Q WHEN YOU SAY YOU DON'T WHAT HAPPENED AS FAR AS  
9 HOW IT CAME TO BE FROM YOUR HIDING PLACE TO UNDER  
10 THE --

11 A THAT IS CORRECT, I DON'T KNOW HOW, I DON'T KNOW  
12 HOW IT GOT THERE. ALL I KNOW IS THAT'S NOT WHERE I  
13 PUT IT.

14 Q AND YOU TOLD LAW ENFORCEMENT WHERE YOU PUT IT?

15 A I SAID UNDER THE BOOK SHELF. I DIDN'T SAY  
16 WHERE. WE GOT FIVE BOOK SHELVES IN THE HOUSE.

17 Q DID YOU TELL THEM UNDER THE BOOK SHELF IN THE  
18 HALL?

19 A I SAID UNDER THE BOOK SHELF IN THE HALL. THERE  
20 IS TWO BOOK SHELVES IN THE HALL.

21 Q YOU TOLD THEM THAT IN CONJUNCTION WITH YOUR  
22 STATEMENTS, RIGHT?

23 A THAT'S CORRECT, YES, SIR. I TOLD THEM WHILE I  
24 WAS TALKING.

25 Q I'M SORRY, SIR?

1 A YES, SIR. I TOLD THEM WHILE I WAS TALKING.

2 Q OKAY. I WANT TO CALL YOUR ATTENTION NOW TO THAT

3 MORNING?

4 A OKAY.

5 Q WHEN YOU CALLED LAW ENFORCEMENT, WHEN YOU CALLED

6 911 THAT MORNING?

7 A THAT'S CORRECT.

8 Q OKAY. WHEN YOU FIRST GET UP THAT MORNING YOU

9 SIT UP ON THE BED AND YOU CALL OUT AMANDA'S NAME?

10 A NO, I SAID I ROLLED OVER ON THE BED AND CALLED

11 AMANDA'S NAME. I DIDN'T SAY I GOT UP.

12 Q YOU DIDN'T EVEN SIT UP. YOU JUST ROLLED OVER?

13 A I JUST ROLLED OVER AND CALLED AMANDA'S NAME. I

14 DIDN'T GET A ANSWER.

15 Q DID YOU CALL JESSICA AND KYLA?

16 A THAT'S NOT THE NORMAL THING BECAUSE KYLA AND

17 JESSICA NEVER HEAR ME. I HAVE TO GO TO THEM AND

18 ACTUALLY SHAKE THEM SOMETIMES.

19 Q OKAY. BECAUSE THEY SLEEP THAT SOLID?

20 A THEY SLEEP SOLID.

21 Q OKAY. SO YOU CALL AMANDA, RIGHT?

22 A THAT'S CORRECT.

23 Q OKAY. THEN YOU CALL HER AGAIN?

24 A I CALLED HER TWICE, THAT'S CORRECT.

25 Q OKAY. ARE YOU CALLING HER LOUD OR QUIET?

1 A I CALLED, CALLED HER LOUD ENOUGH FOR THEM, SHE'S  
2 HEARD ME IN THE PAST.

3 Q OKAY. AND THEN YOU INDICATED FROM YOUR EARLIER  
4 TESTIMONY THAT YOU TIPPED TOED OVER TO CHECK AND SEE  
5 IF SHE WAS THERE, IS THAT RIGHT?

6 A NO, I TIPPED TOED TO CHECK TO SEE IF JESSICA AND  
7 KYLA WERE IN THE BED BECAUSE OF THE RAPTURE.

8 Q WE'RE GOING TO TALK ABOUT THAT, SO YOU DID TIP  
9 TOE?

10 A YEAH.

11 Q SO YOU CALLED HER NAME LOUD ENOUGH TO WAKE HER  
12 UP, BUT THEN YOU TIP TOE OVER TO SEE IF THE OTHER  
13 GIRLS ARE STILL IN BED, RIGHT?

14 A THAT'S CORRECT BECAUSE I, BECAUSE OF WHAT I  
15 BELIEVED ABOUT THE RAPTURE. IF THE OTHER TWO GIRLS  
16 WAS THERE, THEN I KNOW THE RAPTURE DIDN'T TAKE PLACE.

17 Q WELL, IF THE RAPTURE DID OR DIDN'T TAKE THEM  
18 WHETHER YOU TIP TOE OR NOT IS REALLY OF NO INSTANCE?

19 A NO, I WAS CONCERNED. I WAS NERVOUS. I WAS  
20 AFRAID TO GO IN AND ACTUALLY LOOK BECAUSE I WAS  
21 AFRAID I WASN'T GOING TO FIND THEM.

22 Q WERE YOU AFRAID OF WHAT YOU WERE GOING TO FIND  
23 IN THAT OTHER ROOM?

24 A NO. I DIDN'T KNOW WHAT WAS IN THAT OTHER ROOM.

25 Q OKAY. SO YOU GO AND YOU SEE THEM AND THEY ARE



1 IN THERE SO THE RAPTURE HAS NOT COME SO THEN WHAT DO  
2 YOU DO?

3 A THEN I TURN AND HOLLER AMANDA'S NAME, SCREAM  
4 AMANDA'S NAME REAL LOUD, AND I BEAT ON HER DOOR.

5 Q YOU ARE SCREAMING NOW RIGHT HERE. I'M HER DOOR,  
6 RIGHT, I'M RIGHT HERE, AND HERE'S THE LITTLE GIRL'S  
7 ROOM?

8 A RIGHT AND I'M TRYING TO GET HER DOOR, AND I'M  
9 TRYING TO GET HER DOOR OPEN, YES, SIR.

10 Q OKAY. YOU ARE SCREAMING RIGHT HERE AT THIS  
11 DOOR?

12 A RIGHT.

13 Q WHAT ARE YOU SCREAMING?

14 A AMANDA'S NAME.

15 Q OKAY. SO YOU YELLED IT KIND OF AVERAGE OVER  
16 THERE TWICE, AND THEN YOU COME OUT HERE TIP TOE INTO  
17 HERE AND THEN START SCREAMING RIGHT HERE?

18 A I'M SCREAMING. I'M, I AM TURNED, I LOOK IN, I  
19 PEAK IN ON JESSICA AND KYLA. I SEE THEY ARE THERE  
20 AND I RUN OVER TO HER DOOR AND I PUSH ON HER DOOR AND  
21 SCREAM REAL LOUD HER NAME. I CAN'T, I CAN'T GET HER  
22 ATTENTION. NO, I DON'T HEAR NOTHING FROM HER, AND  
23 THEN I GET REAL WORRIED AND THEN I START PUSHING AND  
24 SHOVING ON THE DOOR AND THE DOOR GIVE BUT IT WON'T  
25 OPEN.

1 Q OKAY. AND THE THING THAT'S CAUSED YOU SO MUCH  
2 CONCERN IS WHEN YOU WAKE UP AND SHE DOESN'T ANSWER  
3 YOU BELIEVE THAT THE RAPTURE MAY HAVE COME?

4 A WELL, I HAD A DREAM ABOUT THE RAPTURE. I  
5 THOUGHT MAYBE MY DREAM WASN'T JUST A DREAM, MAYBE IT  
6 WAS FOR REAL.

7 Q AND IN THAT DREAM AMANDA WENT UP OR WAS CALLED  
8 UP, IS THAT RIGHT?

9 A ALL OF THEM BUT I HEARD AMANDA SAY, I LOVE YOU,  
10 DADDY.

11 Q AND THAT WAS IN THE DREAM THAT NIGHT?

12 A WELL, THAT'S IN MOST OF THE DREAMS, NOT JUST  
13 AMANDA, BUT ALL OF THEM, BUT I DISTINCTLY HEARD  
14 AMANDA'S VOICE THAT NIGHT.

15 Q OKAY. AND SO THAT MORNING AND I THINK MR.  
16 MORTON TOUCHED ON THIS WITH YOU, THAT MORNING YOU  
17 BELIEVED THE RAPTURE MIGHT HAVE COME, BUT YOU ARE  
18 STILL HERE?

19 A WELL, I --

20 Q IS THAT CORRECT?

21 A I THINK I EXPLAINED THAT BY SAYING THAT I WAS  
22 ASHAMED OF MASTURBATION.

23 Q THE NIGHT BEFORE?

24 A I WON'T, I WON'T, I DON'T KNOW WHEN I  
25 MASTURBATED, BUT IT IS NOT, THAT IS MY OPINION

1 MASTURBATION IS A SIN.

2 Q OKAY.

3 A TO ME IT IS ANYWAY.

4 Q SO YOU GET THE DOOR OPEN AND SHE IS LAYING ON  
5 THE BED AS YOU COME IN THE BED, IN THE BEDROOM, SHE'S  
6 THERE IN FRONT OF YOU, IS THAT RIGHT?

7 A SHE'S LAYING ON THE BED, STRAIGHT IN HER BED  
8 JUST LIKE SHE WAS JUST LAYING THERE, BUT HER HANDS  
9 WAS LIKE I SAID. SHE WAS LAYING FACE DOWN ON THE  
10 VIDEO GAME WITH HER HANDS UP LIKE THIS. SHE WAS  
11 DOWN. HER SHIRT WAS RAISED UP AROUND HER NECK.

12 Q OF COURSE AT THIS POINT YOU CAN'T SEE HER HANDS,  
13 RIGHT?

14 A NO, I COULD ONLY, I REMEMBER WHAT HAPPENED WHEN  
15 I ROLLED HER OVER HER HANDS---

16 Q LET'S TAKE IT ONE STEP AT A TIME. WHEN YOU COME  
17 SHE'S LAYING AND SHE'S LAYING ON HER HANDS BUT OF  
18 COURSE ALL YOU SEE IS HER BACK?

19 A ALL I SEE IS ELBOWS WHERE SHE'S LAYING.

20 Q AND HER SHIRT IS UP?

21 A RIGHT.

22 Q WAS HER BRA SNAPPED OR UNSNAPPED?

23 A I CAN'T TELL THAT BECAUSE ALL THAT WAS UP UNDER  
24 THE SHIRT.

25 Q OKAY. AND AS YOU FACE THEN YOU GO, NOW WHICH

1 SIDE OF THE BED DO YOU GO TO?

2 A I WAS, I COULDN'T GET TO THAT SIDE OF THE BED.

3 Q WHY IS THAT?

4 A BECAUSE THERE WAS BAGS OF SHOES AND BAGS OF  
5 CLOTHES AND THERE IS A COMPUTER OVER THERE AND A  
6 COUPLE OTHER THINGS. I WENT STRAIGHT TO HER BED  
7 RIGHT HERE.

8 Q NOW WAS ANYBODY IN THAT CLOSET WHEN YOU WENT BY  
9 THAT CLOSET?

10 A I DIDN'T PAY NO ATTENTION TO THAT CLOSET AT THAT  
11 TIME.

12 Q HOW BIG IS THAT CLOSET?

13 A IT'S --

14 Q BIG AS THIS TABLE?

15 A IT'S ABOUT, I WOULD SAY IT'S ABOUT THAT SIZE BUT  
16 IT'S, YEAH.

17 Q AND THE DOOR, IS IT'S BASICALLY JUST A TAD WIDER  
18 THAN THE DOOR, RIGHT?

19 A WELL, YEAH, I WOULD SAY IT'S JUST A LITTLE BIT  
20 BIGGER THAN THE DOOR, BUT I MEAN.

21 Q THE DOOR IS OPEN NOW, RIGHT?

22 A SOMEBODY COULD FIT INSIDE OF IT IF THAT'S WHAT  
23 YOU ARE ASKING, YES.

24 Q I'M JUST ASKING WHAT YOU SAW?

25 A WHAT I SAW -- I DIDN'T PAY NO ATTENTION TO THAT.

1 I WAS MORE CONCERNED ABOUT HER.

2 Q OKAY. BUT THE DOOR IS OPEN NOW, RIGHT?

3 A YEAH, BOTH OF THEM WERE FLUNG OPEN, YEAH.

4 Q OKAY. AND THEN YOU GO AND YOU GO AROUND THIS

5 SIDE OF THE BED AND SHE'S FACE DOWN, RIGHT?

6 A SHE'S FACE DOWN STRAIGHT ON HER STOMACH RIGHT

7 JUST LIKE AND I KNELT DOWN THERE AT HER HEAD.

8 Q OKAY. AND WHAT DID YOU DO? DID YOU SIT DOWN ON

9 THE BED?

10 A NO, I DIDN'T SIT DOWN ON THE BED.

11 Q WHAT DID YOU DO?

12 A I SAID I KNELT DOWN.

13 Q YOU KNEELING ON THE FLOOR OR I'M JUST TRYING TO

14 UNDERSTAND WHAT YOU ARE SAYING?

15 A I'M SAYING I GOT DOWN LIKE THIS RIGHT HERE, DOWN

16 HERE TO HER AND I TRIED, I ROLLED HER OVER. WHEN I

17 ROLLED HER OVER, THAT'S WHEN I SAW HER HANDS DROP.

18 Q SO YOU ARE KNEELING DOWN HERE.

19 A RIGHT, BECAUSE I'M GOING TO PUT HER UP HERE TO

20 MY CHEST AND I DID.

21 Q OKAY. WE'LL GET TO THAT.

22 A OKAY.

23 Q YOU ROLLED HER OVER AWAY FROM YOU, RIGHT?

24 A NO. YES, I ROLLED, I PUSHED, I ROLLED HER AWAY

25 TO SEE WHAT WAS WRONG WITH HER BECAUSE I DIDN'T KNOW.

1 Q OKAY. SHE'S FLAT AND WHEN YOU ROLLED HER, YOU  
2 ROLLED HER ALL THE WAY OVER OR YOU ROLLED HER JUST  
3 HALFWAY UP?

4 A I JUST ROLLED HER OVER WITH HER HANDS DROP DOWN  
5 AND THAT'S WHEN I SAW THE GREEN RIGHT THERE.

6 Q LET ME ASK YOU THIS FIRST. YOU ROLL HER OVER,  
7 HER HANDS DROP DOWN, SHE'S NOW LAYING ON HER BACK?

8 A THAT'S CORRECT.

9 Q AND HER HANDS ARE DOWN BY HER SIDE?

10 A RIGHT.

11 Q AND THE FIRST THING YOU SEE IS THE GREEN FROM  
12 THIS BLANKET, IS THAT RIGHT?

13 A THAT'S ABSOLUTELY CORRECT.

14 Q NOW ARE YOU STANDING ON THIS BLANKET AT THIS  
15 POINT?

16 A NO, I'M RIGHT HERE NEXT TO THE BLANKET, NOT ON  
17 THE BLANKET, THE BLANKET IS RIGHT HERE, AND I'M  
18 STANDING RIGHT HERE.

19 Q OKAY.

20 A AT HER. THE BLANKET IS RIGHT HERE ON THE FLOOR  
21 BESIDE HER. I DIDN'T SEE ALL THAT.

22 Q OKAY. YOU DIDN'T SEE THE BLANKET?

23 A NO, I DIDN'T SEE THAT.

24 Q BUT YOU ARE SQUATTING RIGHT HERE AND SHE'S RIGHT  
25 HERE, RIGHT?

1 A THAT'S CORRECT.

2 Q AND THIS IS ROUGHLY PROXIMITY TO THE BLANKET?

3 A THAT'S CORRECT.

4 Q YOU ROLL HER OVER, HER HANDS GO DOWN, AND THAT'S

5 WHEN YOU SEE IT WRAPPED AROUND HER NECK?

6 A WELL, ACTUALLY I SAW HER BREAST AND I PULLED HER

7 SHIRT DOWN. WHEN I PULLED HER SHIRT DOWN IS WHEN I

8 SAW THE GREEN.

9 Q AND YOU INDICATED THAT HER SHIRT WAS UP --

10 A AND I COULD SEE HER RIGHT BREAST AND THAT'S THE

11 ONLY SIDE I COULD, WHEN I ROLLED UP, THAT'S WHAT I

12 SAW.

13 Q LET'S SEE. SHE IS ON BOTTOM, THEN YOU ROLL HER

14 OVER?

15 A RIGHT.

16 Q OKAY.

17 A I DIDN'T ROLL HER ALL THE WAY OVER, NO, SIR.

18 Q THAT'S WHAT I'M TRYING TO UNDERSTAND?

19 A I ROLLED HER ON HER SIDE.

20 Q SO HER SIDE IS NOW FACING TOWARD YOU?

21 A YEAH, I'M HOLDING HER UP AND HER HANDS DROP AND

22 ALL I CAN SEE IS RIGHT HERE.

23 Q HER HANDS DROP TOWARD YOU?

24 A AND I CAN SEE HER BREAST.

25 Q HER HANDS DROP TOWARD YOU?

1 A THEY DROP DOWN LIKE THAT.

2 Q OKAY.

3 A YES.

4 Q AND NOW YOU SEE HER RIGHT BREAST EXPOSED?

5 A THAT'S CORRECT.

6 Q WHICH WOULD BE IN FRONT AND YOU PULLED THAT

7 DOWN?

8 A I PULLED HER SHIRT DOWN BECAUSE I HADN'T EVER

9 LOOKED AT HER BREAST.

10 Q YOU COVERED HER RIGHT BREAST.

11 A I COVERED HER RIGHT, YES.

12 Q YOU DID NOT COVER HER LEFT BREAST?

13 A NO, I DID NOT.

14 Q OKAY. AND SO YOU LEFT HER COVERED, HER BODY

15 COVERED OR SHIRT PULLED DOWN?

16 A I PULLED IT DOWN ON THE SIDE HERE AND THEN SHE

17 ROLLED OVER.

18 Q ROLLED OVER WHICH WAY?

19 A WELL, WHEN I, WHEN I --- AFTER I LAID HER DOWN

20 SHE ROLLED OVER LIKE THIS ON HER BACK. SHE WAS UP

21 AGAINST I THINK IT WAS SOME BOOKS OR SOMETHING UP

22 UNDER HER OR.

23 Q ---ON HER BED?

24 A BLANKET OR PILLOW SOMETHING.

25 Q WHERE WERE HER HANDS AT THAT POINT?



1 A HER HANDS WERE LIKE THIS RIGHT HERE.

2 Q SO HER HANDS WERE BESIDE HER.

3 A THAT IS CORRECT.

4 Q AND YOU COVERED HER RIGHT BREAST?

5 A THAT IS CORRECT.

6 Q OKAY. OKAY. AND YOU NOTE THE GREEN BLANKET,  
7 THIS I THINK IT IS CALLED SELVAGE, THIS IS WRAPPED  
8 AROUND HER NECK.

9 A THAT'S WRAPPED AROUND HER NECK ABOUT FOUR OR  
10 FIVE TIMES.

11 Q AND YOU SAID THAT SEVERAL TIMES?

12 A AND I UNWRAPPED IT MYSELF.

13 Q SO IT WAS WRAPPED AROUND HER NECK FOUR OR FIVE  
14 TIMES?

15 A YES, SIR.

16 Q RIGHT? OKAY. AND THEN YOU UNWRAPPED IT?

17 A I UNWRAPPED IT.

18 Q YOU UNWRAPPED IT?

19 A I WAS HOLDING HER HEAD UP AND DOING LIKE THIS  
20 RIGHT HERE. I MEAN IT WAS FLINGING AGAINST HER HAIR  
21 AND ALL THAT, BUT I UNWRAPPED IT, YES, I DID.

22 Q OKAY. AND HOW DO YOU KNOW THE FOUR OR FIVE?  
23 YOU WERE COUNTING?

24 A I SAID APPROXIMATELY FOUR OR FIVE.

25 Q A BUNCH OF TIMES?

1 A YEAH, IT WAS ABOUT FOUR OR FIVE TIMES. I CAN'T  
2 SAY EXACTLY HOW MANY IT WAS BUT IT WAS A BUNCH OF  
3 TIME.

4 Q IT WASN'T JUST LOOPED AROUND HER NECK?

5 A NO.

6 Q IT WAS AROUND HER NECK?

7 A IT WAS AROUND HER NECK.

8 Q OKAY.

9 A THAT'S WHY I THOUGHT SHE HAD STRANGLERD HERSELF.

10 Q BECAUSE YOU TOLD LAW ENFORCEMENT FROM THE  
11 BEGINNING THAT YOU HAD WARNED HER ABOUT THAT BLANKET.

12 A I HAVE WARNED HER ABOUT THAT BLANKET. I WARNED  
13 ALL OF THEM ABOUT THAT BLANKET BUT PARTICULARLY HER  
14 BECAUSE THAT WAS HER FAVORITE BLANKET.

15 Q OKAY. AND THAT WAS HER FAVORITE BLANKET THAT  
16 STAYED ON THE COUCH BUT SHE'D SLEEP WITH IT?

17 A SHE GOT IT, SHE HAD IT, I CAN'T REMEMBER WHEN IT  
18 WAS. I REMEMBER SOMETIME BACK I TOLD HER DO NOT  
19 SLEEP WITH THE BLANKET NO MORE BECAUSE YOU CAN GET  
20 CHOKED ON IT AND I MEAN, I WAS BEING SERIOUS WITH  
21 HER. I WAS BEING THE PARENT THAT I THOUGHT I WAS  
22 SUPPOSED TO BE. I DIDN'T WANT HER TO GET CHOKED ON  
23 IT.

24 Q AND WAS SHE THE ONE MOST INCLINED OF YOUR THREE  
25 KIDS TO ROLL IN HER SLEEP?

1 A OF THE -- YEAH, AMANDA ROLLED IN HER SLEEP QUITE  
2 A BIT, YEAH.

3 Q SHE WAS THE MOST ROLLING ONE?

4 A THE MOST ROLLING ONE?

5 Q WELL, THAT'S PROBABLY NOT THE BEST ENGLISH?

6 A SHE DIDN'T ROLL EVERY NIGHT, BUT I MEAN, THERE  
7 WAS SOME ROLLING. YEAH, SHE DID ROLL IN HER SLEEP.

8 Q AND YOU TOLD EVERYBODY THAT?

9 A I TOLD THE POLICE THAT, I DID.

10 Q THAT SHE HAD A HISTORY OF ROLLING?

11 A YES, I THINK I TOLD 911 THAT TOO.

12 Q AND YOU BELIEVE THAT SHE ROLLED --

13 A I THOUGHT SHE---

14 Q AT LEAST FIVE TIMES AND WRAPPED THAT AROUND HER  
15 NECK?

16 A BECAUSE WHEN WE WERE LITTLE AS LITTLE KIDS THERE  
17 WAS A BABY THAT WE HEARD ABOUT THAT HAD GOTTEN, THE  
18 CRIB WAS PUSHED UP TOO CLOSE TO THE WINDOW BLINDS AND  
19 THE STRINGS WERE HANDING DOWN, THIS BABY GOT HER/HIS  
20 NECK WRAPPED UP IN IT AND.

21 Q SO YOU HAD SEEN SOMETHING LIKE THAT BEFORE?

22 A I HAD HEARD SOMETHING ABOUT THAT BEFORE. MOMMA  
23 HAD TOLD US WHEN ABOUT IT WHEN WE WAS YOUNGER.

24 Q AMANDA IS 12 YEARS OLD, RIGHT?

25 A THAT'S CORRECT.

1 Q OKAY. THEN YOU CALLED 911 AT THAT POINT, IS  
2 THAT RIGHT?

3 A THAT'S CORRECT.

4 Q OKAY. NOW WHEN YOU LEFT HER ON THE BED HOW IS  
5 SHE LAYING?

6 A SHE WAS LAYING JUST LIKE, JUST LIKE THE  
7 PHOTOGRAPH SHOWED. THAT'S THE WAY I LEFT HER.

8 Q OKAY. AND YOU SAID THAT YOU WERE CALM ON 911  
9 BECAUSE YOU GOT RED CROSS TRAINING, IS THAT RIGHT?

10 A THAT WAS NORMAL PRACTICE, YEAH. I TRIED TO BE  
11 CLEAR AND CONCISE WHEN I TALK ON THE TELEPHONE  
12 PERIOD. BUT YEAH, IT WAS BECAUSE OF THE, BECAUSE OF  
13 THE TRAINING WITH THE RED CROSS.

14 Q AND YOU TOLD THEM ON 911 THAT IT WAS AT TWO  
15 O'CLOCK AND THEN YOU CAUGHT YOURSELF?

16 A I SAID TWO O'CLOCK. I SAID I MEAN ONE O'CLOCK.  
17 THAT'S CORRECT.

18 Q OKAY. NOW YOU TOLD THE FIRST RESPONDERS THAT  
19 SHE HAD BEEN DEAD FOR FOUR HOURS AND YOU DIFFERED  
20 WITH THAT?

21 A NO, I DID NOT SAY THAT.

22 Q OKAY. YOU SAID SHE'S BEEN DEAD FOR HOURS?

23 A I SAID FOR HOURS. I DIDN'T SAY FOUR HOURS.

24 Q OKAY. YOU SAID AGAIN, TELL ME WHAT YOU SAID?

25 A I DID NOT SAY FOUR HOURS. I SAID FOR HOURS.

1 Q FOR HOURS?

2 A FOR HOURS.

3 Q OKAY.

4 A NOT FOUR HOURS.

5 Q OKAY. SHE'S BEEN DEAD FOR HOURS AND THAT WAS

6 BASED ON YOUR RED CROSS TRAINING TOO?

7 A THAT WAS BASED ON THE FACT THAT SHE WAS ALREADY

8 STARTING TO STIFFEN.

9 Q OKAY. AND THEN THE, THE CLOTHING THAT SHE HAD

10 ON AT THAT POINT WAS WHAT? WHAT WAS SHE WEARING?

11 A WHAT WAS SHE WEARING? SHE WAS WEARING A PINK

12 SHIRT AND A BLACK PAIR OF SWEAT PANTS HAS I THINK TWO

13 STRIPES ON THE SIDES.

14 Q YOU SEEN THOSE IN THE COURTROOM TOO?

15 A I SEEN THEM IN THE COURTROOM TOO, THAT IS

16 CORRECT.

17 Q AND SO YOU DISPUTE THAT YOU TOLD THE FIRST

18 RESPONDERS THAT SHE WAS NAKED WHEN YOU FOUND HER?

19 A ABSOLUTELY. I DISPUTE THAT BECAUSE I DIDN'T SAY

20 THAT.

21 Q SO YOU DIDN'T SAY NAKED, YOU SAID SHE DIDN'T

22 HAVE COVERS ON?

23 A THAT'S EXACTLY RIGHT. I DIDN'T SAY NAKED. I

24 SAID SHE DIDN'T HAVE COVERS ON.

25 Q OKAY. YOU DIDN'T SAY SHE DIDN'T HAVE CLOTHES

1 ON. YOU SAID COVERS --

2 A I DIDN'T SAY SHE DIDN'T HAVE CLOTHES ON.

3 Q ALL RIGHT. THEN ONCE YOU CALLED 911 WHERE DO  
4 YOU GO THEN?

5 A I'M STILL ON THE PHONE. I CALLED MY, I TRIED TO  
6 CALL MY WIFE AT WORK AT LEINER.

7 Q AND THAT'S WHEN YOU WERE SITTING AT THE  
8 COMPUTER, YOU WOULD HAVE BEEN THERE?

9 A I'M SITTING AT THE COMPUTER THE PHONE IS SITTING  
10 RIGHT IN FRONT OF ME. THAT'S WHY YOU SEE IT IN THE  
11 ALL THE PICTURES.

12 Q OKAY.

13 A I COULDN'T SEE THE PHONE.

14 Q AND ULTIMATELY, START WITH THAT MORNING, LAW  
15 ENFORCEMENT TALKS TO YOU A LITTLE BIT WHILE YOU ARE  
16 THERE AT THE BEGINNING, RIGHT? THE FIRST RESPONDERS.

17 A THE FIRST RESPONDERS, THE FIRST RESPONDERS COME  
18 UP WHILE I'M ON THE PHONE TRYING TO GET SOMEBODY AND  
19 I GO TO THE DOOR, OPEN THE DOOR, AND LET THEM IN.  
20 AND THEN I GO BACK TO THE PHONE AND WORK AND WELL, I  
21 SHOWED THEM WHERE, I GO IN THERE AND SHOWED THEM  
22 WHERE AMANDA IS AT AND THEN I COME BACK AND I GO ON  
23 THE PHONE AND I GET ON THE PHONE AND THAT'S WHERE I,  
24 I'M STILL TRYING TO GET IN TOUCH WITH MY WIFE.

25 Q YOU ARE TRYING TO CONTACT YOUR WIFE AND

1 DIFFERENT PEOPLE?

2 A MY WIFE. I'M TRYING TO CONTACT --

3 Q AND DIFFERENT ONES, FIRE FIGHTERERS AND  
4 DIFFERENT PEOPLE, COMING UP AND TALKING AND THAT'S  
5 WHEN YOU TOLD THEM THE HISTORY OF HER ROLLING IN HER  
6 SLEEP.

7 A THAT'S CORRECT.

8 Q THAT YOU TOLD HER TO GET RID OF THIS SHEET?

9 A I DIDN'T SAY GET RID OF IT, I NEVER TOLD HER TO  
10 GET RID OF THIS SHEET OR THE BLANKET OR THE SPREAD OR  
11 NOTHING ELSE. WHAT I SAID WAS NOT TO SLEEP WITH THE  
12 SHEET. DO YOU NEED, YOU NEED TO LEAVE THIS ON THE  
13 COUCH. WE USE THAT AS A COVER FOR COVERING AT WHEN  
14 WE WATCH TV AT NIGHT.

15 Q ISN'T THE TRUTH THIS WAS HER FAVORITE BLANKET.

16 A THAT WAS HER FAVORITE BLANKET BUT SHE DIDN'T, WE  
17 DIDN'T ALLOW HER TO TAKE IT TO BED WITH HER. IF SHE  
18 USED IT IT WAS ON THE AND THE SEWING MACHINE SINCE WE  
19 GOT IT, MARY SUE WAS GOING TO SEW THE SELVAGE BACK  
20 ON.

21 Q WHEN YOU SAY YOU DIDN'T ALLOW HER TO TAKE IT TO  
22 BED WITH HER, YOU WOULD HAVE DEALT WITH THAT WHEN YOU  
23 TUCKED HER IN AT A NIGHT?

24 A NO. IT WAS USUALLY ON THE COUCH WHENEVER I WAS  
25 IN THERE ON THE COMPUTER THAT'S HOW I KNEW SHE DIDN'T

1 HAVE IT.

2 Q OKAY. SO IT'S UNUSUAL THIS NIGHT THAT YOU'D BE  
3 LAYING IN BED WHEN SHE GOES TO BED?

4 A THAT WAS UNUSUAL, YEAH, BECAUSE I'M USUALLY ON  
5 THE COMPUTER WHEN SHE GOES TO BED.

6 Q AND WHEN LAW ENFORCEMENT WAS THERE AT THE HOUSE  
7 THAT'S WHEN YOU ASKED THEM DIRECTLY IS ANYTHING BAD  
8 GOING TO HAPPEN TO YOU BECAUSE YOUR DAUGHTER HAS BEEN  
9 FOUND IN THERE STRANGLER BY HER BLANKET, RIGHT?

10 A THAT'S CORRECT. I DIDN'T KNOW, I DIDN'T KNOW  
11 WHAT WAS GOING TO HAPPEN. I DIDN'T KNOW, THEY WERE  
12 STARTING TO PUT UP YELLOW TAPE, THEY WERE TALKING, I  
13 DIDN'T KNOW WHAT WAS GOING ON.

14 Q I MEAN IN YOUR MIND IT WAS AN ACCIDENT, RIGHT?

15 A I THOUGHT IT WAS AN ACCIDENT AND I STILL --  
16 WELL, I WOULD STILL BELIEVE THAT TODAY BUT WE KNOW  
17 DIFFERENT BECAUSE OF THE EVIDENCE.

18 Q OKAY. AND THEN ULTIMATELY DURING THAT DAY YOU  
19 BEGAN A SERIES OF STATEMENTS TO LAW ENFORCEMENT,  
20 RIGHT? I MEAN IN ADDITION TO THE ONES WE JUST TALKED  
21 ABOUT SHOWING UP, ULTIMATELY YOU WENT AND HAD SOME  
22 MORE FORMAL STATEMENTS WHERE YOU WENT AND TALKED TO  
23 LAW ENFORCEMENT, RIGHT?

24 A I TALKED WITH BURRIS.

25 Q AND HERRING AND WALDROP AND HERRING ON INTO THE



1 EVENING?

2 A RIGHT.

3 Q CORRECT? OKAY. AS A MATTER OF FACT, YOU TALKED  
4 TO DSS THAT DAY ALSO?

5 A THAT'S CORRECT. I DID TALK TO DSS.

6 Q AND YOU STATED IN THAT FIRST TAPE THAT YOU  
7 UNDERSTOOD LAW ENFORCEMENT HAD A JOB TO DO IN THIS  
8 CASE, RIGHT?

9 A THAT'S CORRECT.

10 Q OKAY. I MEAN, YOU UNDERSTOOD THAT FROM --

11 A RIGHT.

12 Q AND YOU WERE COOPERATIVE.

13 A AND I THOUGHT THAT'S WHAT THEY WERE DOING UNTIL  
14 THEY STARTED POINTING THE FINGER AT ME.

15 Q SO IT'S OKAY FOR THEM TO DO THE BEST JOB THEY  
16 CAN AS LONG AS THEY ARE NOT POINTING A FINGER AT YOU?

17 A NO. NO, I DIDN'T SAY IT THAT WAY. I'M SAYING I  
18 THOUGHT THEY WERE DOING THEIR JOB BUT THEN THEY  
19 STARTING POINTING THE FINGER AT ME AND THEN I KNEW  
20 THEY WEREN'T DOING THEIR JOB BECAUSE THEY WERE  
21 LOOKING AT THE WRONG MAN.

22 Q OKAY. SO LET ME ASK YOU AT THE BEGINNING YOU  
23 VOLUNTEERED ASSISTANCE?

24 A YEAH, I VOLUNTEERED AND CONTINUED TO VOLUNTEER  
25 AND CONTINUE TO VOLUNTEER.

1 Q OKAY. NOW YOU GAVE THEM ACCESS TO YOUR HOUSE?

2 A THAT'S CORRECT.

3 Q OKAY. YOU SIGNED THESE CONSENTS THAT WE HAVE IN  
4 EVIDENCE?

5 A SURE DID. SURE DID.

6 Q SIGNED CONSENTS TO GIVE BODY FLUIDS AND THINGS  
7 OF THAT NATURE?

8 A THAT'S CORRECT.

9 Q OKAY.

10 A BECAUSE I, I DIDN'T, I KNEW THEY WASN'T GOING TO  
11 FIND NOTHING, I MEAN, ON ME. I KNEW I DIDN'T DO  
12 NOTHING.

13 Q THEY WEREN'T GOING TO FIND ANYTHING ON YOU.  
14 THEY WEREN'T GOING TO FIND YOUR SEMEN ON AMANDA, WERE  
15 THEY?

16 A DID THEY FIND IT?

17 Q I THINK I ASKED YOU. THEY WEREN'T GOING TO FIND  
18 YOUR --

19 A I'M TELLING YOU --

20 Q YOU KNEW THAT NIGHT THEY WEREN'T GOING TO FIND  
21 IT, RIGHT?

22 A HOW DID I KNOW THAT? I KNEW THAT BECAUSE I KNEW  
23 I DIDN'T DO IT.

24 Q WELL, I THINK ALSO BECAUSE YOU MASTURBATED IN A  
25 RAG AND HIDE IT, RIGHT?

1 A (NO RESPONSE.) YES, I MASTURBATE IN A RAG AND  
2 HIDE IT, BUT I DIDN'T HIDE IT THAT NIGHT.

3 Q THEY WOULDN'T HAVE --

4 A THAT I KNOW OF.

5 Q OKAY.

6 A SO LET'S DON'T.

7 Q WELL, LET'S DON'T.

8 A I'M JUST TELLING YOU.

9 Q OKAY. SO MAYBE YOU DID, MAYBE YOU DIDN'T?

10 A I CAN'T SAY THAT I DID. THAT'S NORMAL --

11 Q THAT'S A PRETTY IMPORTANT ISSUE, YOU AGREE WITH  
12 THAT?

13 A THAT'S SOMETHING NORMALLY DO AT NIGHT.

14 Q I'M SORRY, SIR.

15 A THAT IS SOMETHING THAT I NORMALLY DO AT NIGHT IS  
16 MASTURBATE. I DON'T KNOW. HOW COULD I SAY WHICH ONE  
17 I DID? WHETHER DID I DO IT THAT NIGHT OR THIS NIGHT.  
18 I CAN'T REMEMBER.

19 Q WELL, SIR, I GUESS --

20 A I DO IT, I DID IT QUITE OFTEN.

21 Q WITH YOUR DAUGHTER BEING FOUND AND THE CONDITION  
22 THAT SHE WAS BEING FOUND, WITH YOU BEING ABLE TO  
23 EXPLICITLY REMEMBER THE AGE OF THE EMPIRE GAME THAT  
24 YOU CREATED, IT MIGHT BE OF INSTANCE THAT YOU WOULD  
25 REMEMBER SOMETHING LIKE THAT. YOU AGREE WITH THAT,

1       WOULDN'T YOU?

2       A     WELL, YEAH, BUT I, I MEAN, I DON'T THINK I DID  
3       BECAUSE I CAN'T REMEMBER DOING IT.

4       Q     OKAY.  SO ULTIMATELY YOU GO AND YOU TALK TO MR.  
5       BURRIS, RIGHT?

6       A     THAT'S CORRECT.

7       Q     OKAY.  AND YOU HAVE BASICALLY, A BASIC STATEMENT  
8       IN WHICH YOU BASICALLY REITERATE WHAT WE'VE HEARD  
9       TODAY, RIGHT?  AS FAR AS WHAT YOU FOUND, WHAT WAS  
10      GOING ON, THINGS OF THAT NATURE?

11      A     CORRECT.  THAT'S CORRECT.

12      Q     OKAY.  AND THEN YOU INDICATED YOU TALKED TO  
13      BURRIS AND HERRING THERE AT THE POLICE DEPARTMENT,  
14      RIGHT?

15      A     THAT'S CORRECT.

16      Q     OKAY.  AND THEN THAT EVENING YOU TALKED TO  
17      WALDROP AND HERRING, RIGHT?

18      A     THAT'S CORRECT.

19      Q     OKAY.  AND YOU WOULD AGREE FROM THAT TAPE, MUCH  
20      LIKE YOU AND I HAVE BEEN DOING TODAY, THEY ALLOWED TO  
21      YOU TALK?

22      A     THAT'S CORRECT.

23      Q     AND SO PART OF THE REASON THAT THAT THING WENT  
24      FOR FOUR HOURS IS THERE WAS A LOT OF EXPLAINING YOU  
25      DID ON A LOT OF OTHER ISSUES, DIDN'T IT?

1 A FOR FOUR -- NO. I WOULDN'T SAY THAT, NO, SIR,  
2 BECAUSE EVERY ONE OF THE QUESTIONS I ANSWERED, I  
3 ANSWERED THE QUESTIONS THEY ASKED ME. IT MIGHT HAVE  
4 BEEN A LITTLE BIT LONGER, I MIGHT HAVE SAID A LITTLE,  
5 A COUPLE WORDS EXTRA OR A COUPLE SENTENCES EXTRA.  
6 NO, I DIDN'T SPEND A WHOLE LOT OF TIME THE FIRST, I  
7 THINK THE FIRST 15 MINUTES WAS THE LONGEST TWO  
8 CONVERSATIONS THAT I HAD.

9 Q OKAY. THEN DURING, YOU HAVE THAT CONVERSATION  
10 WITH THEM AND THEN AFTER THAT'S OVER, TALKING ABOUT  
11 WALDROP AND HERRING.

12 A RIGHT.

13 Q AFTER THAT'S OVER IN THE MORNING HOURS, YOU ARE  
14 ARRESTED, RIGHT?

15 A THAT'S CORRECT.

16 Q AND YOU ARE SERVED A WARRANT FOR AMANDA MURDER,  
17 RIGHT?

18 A I'M TOLD THAT THEY ARE GOING TO HOLD ME UNTIL  
19 THE NEXT MORNING, THAT'S CORRECT.

20 Q YOU WERE SERVED A WARRANT---

21 A THEY DID GIVE ME A WARRANT, BUT HE TOLD ME  
22 EXPLICITLY HIMSELF THAT THAT WOULD, THAT WAS ONLY  
23 UNDER THE CONDITION THAT I FAILED THE POLYGRAPH.  
24 THAT I WOULD BE LET GO IF I PASSED THE POLYGRAPH.

25 Q WELL, AND LET ME ASK YOU, WHAT WERE YOU WEARING

1 AT THAT TIME?

2 A I WAS WEARING MY CLOTHES. I WAS WEARING MY  
3 CLOTHESS.

4 Q OKAY. AND YOUR CLOTHES BEING WHAT?

5 A BEING THE BLUE SHIRT THAT I HAD ON, A PAIR OF  
6 DARK SWEAT PANTS AND MY SHOES. I HAD A PAIR OF  
7 SHOES, BLACK SHOES, ESPECIALLY MADE SHOES FROM VOC  
8 REHAB.

9 Q IS THAT THE \$400 SHOES?

10 A THAT'S CORRECT.

11 Q IS THAT THE ONES THAT YOU WONDER WHAT HAPPENED  
12 TO THEM?

13 A I WOULD LIKE TO KNOW WHERE THEY AT, YES.

14 Q WELL, YOU THINK LAW ENFORCEMENT TOOK THOSE  
15 SHOES?

16 A I DON'T KNOW WHAT HAPPENED. I THINK THEY MIGHT  
17 HAVE MISPLACED THEM. I'VE HEARD QUITE A BIT OF  
18 MISPLACING OF PROPERTY.

19 Q OF SHOES?

20 A OF PROPERTY.

21 Q I GOT YOU. LET ME ASK YOU THIS, THAT MORNING  
22 WHEN YOU WOKE UP WHEN YOU WERE TALKING TO LAW  
23 ENFORCEMENT AT THE HOUSE, YOU HAD ON, DID I  
24 UNDERSTAND YOU TO SAY YOUR DAUGHTER'S SWEAT PANTS AND  
25 YOUR UNDERWEAR?

1 A NO. I SAID DARK SWEAT PANTS.

2 Q IT'S NOT YOUR DAUGHTER'S SWEAT PANTS?

3 A NO.

4 Q AREN'T THESE IN FACT FEMALE SWEAT PANTS THAT YOU  
5 HAD ON?

6 A THEY MIGHT HAVE BEEN MARY SUE'S.

7 Q OKAY.

8 A I WORE HER SWEAT PANTS OCCASIONALLY. I THINK SHE  
9 GAVE THEM TO ME.

10 Q SO THEY COULD BE FEMALE SWEAT PANTS THEN?

11 A SURE.

12 Q OKAY. AND YOU HAVE THAT AND UNDERWEAR ON,  
13 THAT'S ALL YOU HAD ON AT THE HOUSE?

14 A AT THE HOUSE WHEN EVER?

15 Q WHEN ALL THIS TOOK PLACE?

16 A YEAH, THAT'S ALL I HAD ON.

17 Q AND THEN WHEN YOU, ON DOWN AT THE POLICE STATION  
18 THAT'S THE SAME SWEAT PANTS AND UNDERWEAR THAT YOU  
19 HAD ON?

20 A OF COURSE, IT IS, SIR. THAT'S WHAT I SAID,  
21 THAT'S ALL I HAD ON.

22 Q THAT'S WHAT I WANTED TO MAKE SURE I UNDERSTAND.

23 A SURE.

24 Q SO THAT'S WHAT YOU HAD WHEN YOU WENT DOWN THERE.  
25 AND THEN LET'S SEE, AT FOUR O'CLOCK IN THE MORNING

1           WHEN THEY WENT AND SERVED THE WARRANT ON YOU, THEY  
2           TOOK THOSE PANTS AND THOSE UNDERWEAR FROM YOU AT THAT  
3           POINT AND PUT YOU IN A JUMP SUIT, DON'T THEY?

4           A     NO, THEY DID NOT.

5           Q     ARE YOU SURE ABOUT THAT?

6           A     I'M ALMOST POSITIVE.

7           Q     ALMOST POSITIVE.

8           A     I WOULD SAY I'M POSITIVE BECAUSE THEY DID NOT.

9           Q     TELL ME THE TIME THEY RECOVERED THOSE ITEMS FROM  
10          YOU ON THIS BAG RIGHT HERE PLEASE SIR?

11          A     SAYS 4:10 AM ON 11/31 I MEAN 11/30.  THEY DID  
12          NOT THAT NIGHT.

13          Q     SO THEY LEFT YOU IN, YOU'RE IN THE JAIL AND JUST  
14          YOUR WHITE SWEAT PANTS AND YOUR UNDERWEAR.

15          A     RIGHT.

16          Q     AND --

17          A     AND MY SWEAT PANTS AND MY SHIRT AND MY SHOES.

18          Q     OKAY.  YOU HAD THOSE \$400 SHOES ON THEN TOO?

19          A     YES.

20          Q     OKAY.  AND THEN FRIDAY MORNING COMES AND THEY  
21          GIVE YOU BREAKFAST, RIGHT?

22          A     FRIDAY, THAT'S CORRECT.

23          Q     OKAY.  AND AT SOME POINT LES HERRING IS RUNNING  
24          A LITTLE BIT LATE, BUT YOU END UP LOADING UP OVER  
25          HERE AND COMING TO TAKE YOUR POLYGRAPH, RIGHT?



1 A THAT'S CORRECT.

2 Q WITH MIKE BAKER, RIGHT?

3 A YEAH, THAT WAS ABOUT, I THINK WE LEFT OUT ABOUT  
4 15 TIL OR SOMETHING LIKE.

5 Q 15 TIL WHAT?

6 A I MEAN 15 AFTER NINE, SOMETHING LIKE THAT.

7 Q OKAY.

8 A WE WERE SUPPOSED TO LEAVE I THINK, I THINK HE  
9 WANTED, NO, HE WANTED TO LEAVE AT 9:15. WE LEFT AT  
10 9:30. THAT'S WHAT IT WAS. HE SAID WE'RE RUNNING A  
11 LITTLE BIT LATE, BUT HE WANTED TO GET OVER HERE,  
12 SPEND A LITTLE BIT OF TIME WITH HIM.

13 Q AND YOU WANTED TO GO, RIGHT?

14 A YEAH, I WANTED TO GO. I AIN'T DONE NOTHING  
15 WRONG.

16 Q AND YOU HAD YOUR JUMP SUIT ON THEN?

17 A I DID NOT HAVE A JUMP SUIT ON.

18 Q YOU ARE STILL WEARING THOSE CLOTHES?

19 A YES. I MEAN, THAT'S WHAT I CAN REMEMBER, YES,  
20 SIR.

21 Q COULD IT BE THEY GOT THEM AT FOUR AND YOU ARE  
22 JUST WRONG ABOUT A POINT SUCH AS THE JUMP SUIT?

23 A (NO RESPONSE.) I DON'T THINK SO, NO, SIR.

24 Q OKAY. YOU THINK THAT'S WHAT YOU WERE WEARING?

25 A I THINK, I'M ALMOST POSITIVE I WAS WEARING MY

1 OWN CLOTHES.

2 Q SO YOU COME OVER HERE IN YOUR OWN CLOTHES AND  
3 YOU GO TO THE POLYGRAPH AND HE READS YOU YOUR RIGHTS,  
4 RIGHT?

5 A THAT'S CORRECT.

6 Q AND STATE'S EXHIBIT 11, IS THAT THE RIGHTS FORM?  
7 IF YOU WOULD TAKE A MINUTE AND LOOK AT THAT?

8 A (EXAMINES DOCUMENT.)

9 Q IS THAT THE RIGHTS FORM THAT YOU HAD THAT  
10 MORNING?

11 A THAT'S CORRECT, IT IS.

12 Q OKAY. AND DID YOU SIGN THAT?

13 A I DID SIGN IT.

14 Q AND YOU FREELY CONSENTED TO DO THAT, RIGHT?

15 A RIGHT.

16 Q NOBODY IS THREATENING YOU IN ANY WAY?

17 A THAT'S CORRECT.

18 Q NOBODY IS PROMISING YOU ANYTHING?

19 A NO. I WANTED TO GET THIS OUT. I WANTED TO  
20 PROVE MY INNOCENCE.

21 Q OKAY. SO YOU ARE MORE THAN WILLING TO DO THIS,  
22 YOU, BASICALLY YOU WAIVED ALL YOUR RIGHTS AND SAID  
23 I'M MORE THAN WILLING TO TALK TO YOU, THERE IS NO  
24 THREATS, NO PRESSURE, NO NOTHING, RIGHT?

25 A AT THAT TIME THERE WAS NONE, NO, SIR.

1 Q SO UP UNTIL THAT POINT EVERYTHING THAT WE HAVE  
2 THUS FAR THERE IS NO PRESSURE ON YOU, IS THAT WHAT  
3 YOU ARE SAYING?

4 A WELL, I'M SAYING THAT I, AT THAT TIME WHEN I  
5 SIGNED THAT PAPER I WANTED TO GET, I WANTED TO GET  
6 THE STORY, I WANTED THE TRUTH. I WANTED PEOPLE TO  
7 SEE I WAS INNOCENT AND I WAS TOLD, I WAS TOLD, OVER  
8 REPEATEDLY AND REPEATEDLY AND REPEATEDLY THAT I HAD  
9 DONE SOMETHING THAT I DIDN'T DO.

10 Q YOU WANTED THE POLYGRAPH?

11 A I WANTED THAT POLYGRAPH TEST.

12 Q AND THEY BROUGHT AND GAVE YOU ONE, DIDN'T THEY?

13 A THAT'S CORRECT.

14 Q AND YOU ACTUALLY SIGNED THIS ALSO, YOU TAKE A  
15 LOOK AT THAT, DO YOU RECOGNIZE THAT DOCUMENT?

16 A YES, I SIGNED THAT.

17 Q OKAY. AND WHAT WAS THAT FOR?

18 A THAT WAS THE CONSENT TO POLYGRAPH.

19 Q AND IT SAYS YOU HAVE THE RIGHT TO REFUSE TO TAKE  
20 THE POLYGRAPH, YOU READ THAT, RIGHT?

21 A BUT I WANTED TO TALK THE POLYGRAPH.

22 Q I UNDERSTAND. I'M JUST TALKING ABOUT THE FORM  
23 NOW. THIS IS STATE'S EXHIBIT 12?

24 A YES, BUT I WANTED TO TAKE THE POLYGRAPH. I WAS  
25 EAGER TO SIGN. I WAS WILLING TO SIGN.

1 Q YOU WAIVED ALL YOUR RIGHTS, LAW ENFORCEMENT,  
2 NOBODY IS THREATENING YOU OR DOING ANYTHING. Y'ALL  
3 ARE ON THE SAME SHEET OF MUSIC AT THIS POINT?

4 A ALL I WANTED TO DO WAS PROVE MY INNOCENCE.

5 Q OKAY. AND SO YOU ARE READY TO DO IT?

6 A I WAS WANTING TO PROVE MY INNOCENCE.

7 Q SO WHEN YOU GAVE THE PRETEST INTERVIEW, YOU  
8 KNOW, HE HAS TO ASK -- OF COURSE, MIKE BAKER WORKS  
9 WITH THE SHERIFF'S OFFICE, RIGHT?

10 A THAT'S CORRECT.

11 Q BECAUSE YOU CAME OVER HERE, RIGHT? IT'S NOT  
12 LIKE HE WAS ONE OF THOSE ROCK HILL FOLKS, RIGHT?

13 A RIGHT.

14 Q SO HE WORKS WITH THE SHERIFF'S DEPARTMENT. HE  
15 DOESN'T REALLY KNOW ANYTHING ABOUT THE CASE OTHER  
16 THAN WHAT LES HERRING TELLS HIM ON THE FRONT END, IS  
17 THAT RIGHT?

18 A WHAT LES HERRING TELLS HIM, YEAH, THAT'S TRUE.  
19 I MEAN.

20 Q I MEAN, HE DIDN'T INVESTIGATE, HE WASN'T  
21 AROUND --

22 A NO, BUT HE HAD TOLD ME HE HAD HEARD SOME STUFF  
23 EARLIER ABOUT THE CASE BEFORE.

24 Q NOW WHEN WOULD HAVE THAT BEEN IF ---

25 A IT WAS EARLIER IN THE DAY HE MENTIONED IT, WHEN

1 I TALKED TO HIM HE HAD MENTIONED THAT HE ALREADY  
2 HEARD SOME OF THE CASE BEFORE HERRING AND HE ALSO, IF  
3 I RECALL CORRECTLY TESTIFIED THAT HE DID.

4 Q THAT HE HEARD THAT MORNING. I'M SAYING HE  
5 WASN'T THERE AT YOUR HOUSE --

6 A NO. NO. HE DIDN'T COME AND INVESTIGATE, NO,  
7 BUT HE DID SAY THAT HE HAD HEARD ABOUT THE CASE  
8 BEFORE HE WAS TOLD.

9 Q OKAY. AND THEN YOU ACTUALLY TAKE THE TEST, THE  
10 POLYGRAPH TEST, FROM MR. BAKER AT ABOUT 11:50 IN THE  
11 MORNING, RIGHT?

12 A I DON'T REMEMBER EXACTLY WHAT TIME IT WAS.

13 Q OKAY. YOU DID THE TALKING, DID THE PRETEST, YOU  
14 TALKED ABOUT DIFFERENT THINGS, YOU TOLD HIM WHAT THE  
15 DEAL WAS, AND THEN YOU TAKE THE POLYGRAPH, RIGHT?

16 A WE, WE TALKED, THAT'S RIGHT. YEAH, I DON'T KNOW  
17 EXACTLY WHAT TIME THE POLYGRAPH WAS TAKEN, BUT, YEAH,  
18 I TOOK THE POLYGRAPH TEST EVENTUALLY.

19 Q OKAY. NOW YOU TOLD HIM AT FIRST THAT YOU DIDN'T  
20 SAY ANYTHING ABOUT GETTING OUT OF BED AT THREE  
21 O'CLOCK AND THEN YOU TOLD HIM, AFTER YOU TALKED A  
22 LITTLE BIT MORE, BEFORE THE POLYGRAPH, AND THEN YOU  
23 TOLD HIM ABOUT GETTING UP, THAT YOU WERE UP AT THREE  
24 O'CLOCK, RIGHT?

25 A I TOLD HIM THAT -- WELL, I DIDN'T REMEMBER ABOUT

1 THE THREE O'CLOCK SO I, THAT WAS WHEN I FIRST STARTED  
2 TO REMEMBER ABOUT THE THREE O'CLOCK.

3 Q OKAY. OF COURSE, YOU DIDN'T SAY ANYTHING ABOUT  
4 MASTURBATION AT THAT POINT, RIGHT?

5 A NO, SIR.

6 Q AND AGAIN AT THIS POINT REALLY HE'S JUST TALKING  
7 TO YOU TO KIND OF GET THE GROUND WORK LAID OUT FOR  
8 THE POLYGRAPH, RIGHT? ISN'T THAT WHY Y'ALL TALK AT  
9 THE BEGINNING?

10 A I DON'T KNOW IF HE WAS DOING THAT OR IF HE WAS  
11 JUST TRYING TO INTERVIEW ME TO GET ALL THE  
12 INFORMATION HE CAN FROM ME.

13 Q OKAY. AND YOU TOLD HIM WHEN YOU WOKE UP AT SIX  
14 O'CLOCK YOU HAD A DREAM OF GOD SAYING COME UP AND  
15 THAT'S ABOUT THE RAPTURE AGAIN, IS THAT RIGHT?

16 A THAT'S RIGHT.

17 Q AND THEN ULTIMATELY HE GIVES YOU THE POLYGRAPH,  
18 RIGHT?

19 A HE DOES GIVE ME THE POLYGRAPH.

20 Q OKAY. AND YOU FAILED THAT TEST, RIGHT?

21 A THAT'S WHAT YOU SAY.

22 Q I DIDN'T SEE IT --

23 A I DON'T TOTALLY BELIEVE THAT.

24 Q YOU DON'T BELIEVE YOU FAILED?

25 A NO, SIR. I BELIEVE IT WAS A TACTIC AND A LIE

1 PLANTED BY ROCK HILL AND SHERIFF'S DEPARTMENT TO TRY  
2 TO COERCE A STATEMENT OUT OF ME.

3 Q OKAY. SO THEY WORKED TOGETHER TO COERCE THE  
4 STATEMENT OUT OF YOU BY TELLING YOU YOU DIDN'T PASS  
5 THE POLYGRAPH?

6 A WELL, HE SAID I DIDN'T PASS THE POLYGRAPH. I  
7 JUST DON'T BELIEVE THAT BECAUSE I HAD NOTHING TO  
8 HIDE. I DIDN'T DO IT.

9 Q OKAY.

10 A I DIDN'T HAVE NOTHING TO DO WITH IT. AND  
11 FRANKLY, I DON'T UNDERSTAND WHY PEOPLE DON'T  
12 UNDERSTAND THAT BECAUSE.

13 Q IN FAIRNESS, YOU CAN SEE YOU'VE TOLD SO MANY  
14 DIFFERENT STORIES THAT THERE MAY BE DIFFICULT FOR  
15 PEOPLE TO KNOW WHAT YOU --

16 A DIFFERENT STORIES. I WOULDN'T SAY DIFFERENT  
17 STORIES. I'VE TOLD, I'VE ADDED, I PROGRESSED TO IT.  
18 I DIDN'T TELL EVERYTHING BECAUSE I DIDN'T REMEMBER  
19 EVERYTHING. MY MEMORY WASN'T ALL BUT I DO KNOW THAT  
20 I DID NOT DO IT.

21 Q OKAY. DO YOU KNOW WHO DID?

22 A NO, SIR. ALL I KNOW IS WHAT THE EVIDENCE POINTS  
23 TO.

24 Q SO AFTER YOU FINISHED THE POLYGRAPH, HE  
25 EXPLAINED THAT THIS COULD NOT HAVE HAPPENED, AND YOU

1 ASKED HIM, YOU SAID COULD I HAVE DONE IT AND NOT  
2 REMEMBER, YOU SAID THAT?

3 A WELL, I MEAN, LIKE I SAID --

4 Q YOU CAN EXPLAIN, SIR. IF YOU'LL JUST ANSWER,  
5 DID YOU SAY THAT?

6 A I SAID IT AND I EVEN TESTIFIED THAT I SAID IT  
7 BUT IT'S THE CIRCUMSTANCES BEHIND IT.

8 Q OKAY. AT THAT POINT YOU SAID COULD I HAVE DONE  
9 IT AND NOT REMEMBERED?

10 A WELL, I MEAN WITH WHAT HE WAS SAYING TO ME IS  
11 TRUE, YES. I MEAN, HE KEPT TALKING TO ME AND KEPT  
12 TELLING ME AND I FAILED IT. HE WAS TALKING ABOUT THE  
13 GREEN WRAP, HE WAS TALKING ABOUT ALL THIS THING, WHAT  
14 ELSE WAS I SUPPOSED TO -- I MEAN, I COULDN'T  
15 CONCENTRATE.

16 Q SO YOUR ANSWER IS YOU DID SAY COULD I HAVE DONE  
17 IT AND NOT REMEMBER IT?

18 A I DID.

19 Q OKAY.

20 A BECAUSE I DIDN'T KNOW. I MEAN, I TRUSTED THE  
21 POLYGRAPH MACHINE.

22 Q OKAY. AND HE SAID NO. HE TOLD YOU, NO, YOU  
23 COULDN'T HAVE DONE IT AND NOT REMEMBER, DIDN'T HE?

24 A HE SAID NO, I DON'T THINK SO.

25 Q OKAY. THEN YOU SAID COULD I HAVE DONE IT IN MY



1 SLEEP, LIKE SLEEP WALKING THING OR A DREAM?

2 A I SAID COULD I HAVE DONE IT IN MY SLEEP. I DID  
3 SAY THAT, YES.

4 Q AND HE SAID NO, RIGHT?

5 A HE SAID, ACTUALLY HE SAID I DON'T THINK SO  
6 BECAUSE I JUST DON'T THINK THAT'S POSSIBLE.

7 Q BECAUSE YOU WOULDN'T HAVE KNOWLEDGE OF IT, IS  
8 THAT RIGHT?

9 A WELL, I MEAN ---

10 Q IS THAT WHAT HE EXPLAINED TO YOU THAT YOU  
11 WOULDN'T HAVE KNOWLEDGE OF IT IF YOU HAD DONE IT IN A  
12 DREAM OR YOU DONE IT AND NOT KNOWING, THEN YOU  
13 WOULDN'T FAIL THE POLYGRAPH BECAUSE YOU WOULDN'T HAVE  
14 KNOWLEDGE OF IT, WOULD YOU?

15 A WELL, THAT'S THE TRUTH.

16 Q THAT'S WHAT HE TOLD YOU --

17 A THAT'S BASICALLY -- WELL, WHAT HE TOLD ME WAS:  
18 NO, I DON'T THINK SO. AND I SAID WELL, WHAT ABOUT IF  
19 I-- I SAID WHAT ABOUT COULD I HAVE DONE IT IN A DREAM  
20 OR IN MY SLEEP AND HE SAID.

21 Q HE SAID NO.

22 A HE SAID I DON'T THINK SO. HE DIDN'T SAY NO. HE  
23 SAID I DON'T THINK SO.

24 Q OKAY. SO HE TELLS YOU RIGHT UP FRONT, RIGHT  
25 AFTER YOU FAILED THE POLYGRAPH, THAT COULD HAVE DONE

1 IT AND NOT REMEMBER IS NOT REALLY AN OPTION. HE SAYS  
2 NO I DON'T THINK SO. SLEEPING AND DOING IT IS NOT AN  
3 OPTION. HE SAID I DON'T THINK SO, RIGHT?

4 A WELL, I MEAN HE WAS TRYING TO MAKE HIS POINT  
5 THAT HE DIDN'T THINK IT COULD HAPPEN, NO.

6 Q DID HE TRY TO GET YOU TO SAY, YOU KNOW, MAYBE  
7 YOU DREAMED IT AND THAT'S HOW IT HAPPENED? HE DIDN'T  
8 DO THAT, DID HE?

9 A WHAT HE SAID WAS EXACTLY WHAT I SAID BEFORE, HE  
10 WAS, WE WENT THROUGH THIS TIME WHERE HE KEPT TELLING  
11 ME ABOUT THE BLANKET, HE KEPT TELLING ME ABOUT THE  
12 POLYGRAPH MACHINE, BEING, CALLING ME A LIAR.

13 Q HE WAS CALLING YOU A LIAR?

14 A I SAID THE MACHINE WAS CALLING ME A LIAR. I'M  
15 NOT A LIAR. I DIDN'T DO IT. I DIDN'T KNOW WHO DID  
16 IT. I DIDN'T SEE WHO DID IT. I WAS IN THE BED  
17 ASLEEP AND I KNEW THAT.

18 Q OF COURSE, WE'VE HEARD YOU SAY THAT FOUR HOURS  
19 ON THE AUDIO TAPE?

20 A YEAH, AND ABOUT SIX HOURS IN HERE TODAY.

21 Q ALL RIGHT. AT SOME POINT AFTER THAT, AFTER YOU  
22 ARE CONFRONTED THAT WHAT YOU ARE SAYING CAN'T BE  
23 TRUE, THEN YOU TELL A DIFFERENT STORY, DON'T YOU?

24 A WHEN I HAD BEEN TOLD OVER AND OVER REPEATEDLY  
25 THAT WHAT I SAID I DID ABOUT THE BLANKET I DIDN'T DO,

1       THEY HAD PICTURES TO PROVE IT, WHAT THE POLYGRAPH,  
2       WHAT I BELIEVED THE POLYGRAPH WOULD SAY WAS NOT WHAT  
3       IT SAID.

4       Q     WELL, LET'S TALK ABOUT THE BLANKET THING FOR A  
5       SECOND. WE KEEP SAYING THEY ARE TELLING YOU YOU  
6       DIDN'T UNWRAP THE BLANKET AROUND HER NECK?

7       A     THAT'S EXACTLY WHAT THEY WERE SAYING.

8       Q     AND YOU WENT IN, YOU KNEW THAT, YOU WEREN'T  
9       ASLEEP, YOU WEREN'T ANYTHING. YOU KNEW YOU WENT IN  
10      AND UNWRAPPED THAT BLANKET?

11      A     THAT'S RIGHT. I KNEW THAT I HAD UNWRAPPED THE  
12      BLANKET.

13      Q     YOU TOLD 911 --

14      A     I POINTED TO IT.

15      Q     YOU TOLD LAW ENFORCEMENT WHEN THEY GET THERE?

16      A     RIGHT. BUT EVERYBODY KEPT TELLING ME THAT IT  
17      WASN'T TRUE, THAT THE BLANKET WAS STILL WRAPPED  
18      AROUND HER NECK. THEY KEPT TELLING ME, YEAH, WE GOT  
19      PICTURES TO PROVE IT. WE GOT A POLICE REPORT THAT  
20      PROVES IT.

21      Q     OKAY. AND SO THAT BEING WRAPPED AROUND HER NECK  
22      WHEN YOU BELIEVED YOU UNWRAPPED IT, SUDDENLY MADE YOU  
23      THINK YOU DID IT?

24      A     IT WASN'T THAT. IT WAS EVERYTHING BUT THAT HAD,  
25      THAT WAS PROBABLY THE BIGGEST PART. THAT'S WHAT THEY

1 KEPT SAYING THE MOST. IS WHAT THEY KEPT TALKING  
2 ABOUT THE MOST.

3 Q THAT IT WAS STILL WRAPPED AROUND HER NECK?

4 A THAT IT WAS STILL WRAPPED AROUND HER NECK.

5 Q OKAY.

6 A AND HE ALSO TALKED ABOUT THE POLYGRAPH MACHINE.  
7 HE TALKED ABOUT THE FACT THAT I LIED ABOUT THE DILDO.

8 Q AND YOU ADMITTED TO LYING ABOUT THAT, RIGHT?

9 A YEAH, I ADMITTED ABOUT LYING ABOUT THAT.

10 Q OKAY. HE SAYS THAT ONCE, AT SOME POINT AFTER HE  
11 CHALLENGED YOUR DIFFERENT THEORIES ABOUT SLEEPING AND  
12 DREAMING AND NOT REMEMBERING, THEN YOU SAID I MUST  
13 HAVE DONE RIGHT IT, RIGHT?

14 A WELL, HE SAID AFTER I THINK HE SAID ABOUT, TEN  
15 OR 15 MINUTES LATER I, I SAID I MUST HAVE DONE IT AND  
16 DON'T REMEMBER. IT WAS ACTUALLY A LITTLE BIT LONGER  
17 THAN THAT AND IT WAS AFTER I HAD BEEN REPEATEDLY TOLD  
18 THE SAME THING OVER AND OVER AND OVER.

19 Q BUT YOU, THE NIGHT BEFORE YOU WERE TOLD, JERRY  
20 WALDROP WAS FIRE AND BRIMSTONE AND YOU MAINTAINED?

21 A BUT IT WAS -- I TRUSTED THE POLYGRAPH. WHAT WAS  
22 THE ONE THING, THE ONE THING THAT I BELIEVED WAS THE  
23 POLYGRAPH WOULD PROVE MY INNOCENCE. I BELIEVE IN  
24 THAT POLYGRAPH. I BELIEVED THAT IT WOULD SHOW THAT I  
25 WAS TELLING THE TRUTH.

1 Q OKAY.

2 A THEN I WAS TOLD A LIE, WASN'T I?

3 Q APPARENTLY NOT.

4 A WELL.

5 Q THE POLYGRAPH IS ACCURATE THEN YOU, TO USE YOUR  
6 WORDS, YOU MUST HAVE DONE IT, RIGHT?

7 A I SAID THAT AFTER HE KEPT ON SAYING THAT ABOUT  
8 THE POLYGRAPH MACHINE AND ABOUT THE BLANKET AND ABOUT  
9 THE DILDO AND ABOUT THE PICTURES AND THE POLICE  
10 REPORT.

11 Q OKAY. BUT YOU DIDN'T SAY I MUST HAVE DONE IT  
12 AND I DON'T KNOW HOW OR WHY OR WHAT HAPPENED. YOU  
13 JUST SAID I MUST HAVE DONE IT, RIGHT, AND THEN YOU  
14 START EXPLAINING, DIDN'T YOU?

15 A I THOUGHT THAT I HAD DONE IT.

16 Q OKAY.

17 A I WAS TOLD THAT.

18 Q OKAY.

19 A OVER AND OVER AND OVER.

20 Q SO NOW AT THIS POINT, BECAUSE IT CHANGES A LOT,  
21 NOW AT THIS POINT IN THE POLYGRAPH, AFTER THE  
22 POLYGRAPH, NOW YOU'VE DECIDED, I MUST HAVE DONE IT,  
23 AND YOU ARE TELLING US IN YOUR MIND YOU HAD AT THAT  
24 POINT BELIEVED YOU DID IT?

25 A WAIT A MINUTE. I SAID -- YES, I BELIEVE THAT.

1 I BELIEVED IN MY MIND, YES.

2 Q OKAY. RIGHT THEN YOU BELIEVED YOU DID IT, SO  
3 THAT'S WHEN YOU STARTED TELLING THAT EVERYTHING I  
4 SAID IS PRETTY TRUE, BUT YOU DID REMEMBER THAT YOU  
5 HAD GONE INTO AMANDA'S ROOM AFTER YOU WENT TO THE  
6 BATH ROOM AT THREE O'CLOCK, YOU TOLD HIM THAT, RIGHT?

7 A AS HE WAS TALKING TO ME, YES, AFTER THAT AND  
8 AFTER I THOUGHT ABOUT ALL THE IMAGES THAT I HAD  
9 STARTED FORMING IN MY HEAD. SOMEBODY HAD TO GO IN  
10 AMANDA'S ROOM AND SO I KNEW SOMEBODY HAD TO GO IN  
11 AMANDA'S ROOM, I KNEW THAT AMANDA'S, HAD BEEN  
12 SODOMIZED BECAUSE JERRY WALDROP ME TOLD ME THAT. I  
13 KNEW EVERY OTHER PIECE OF DETAIL THAT'S MENTIONED IN  
14 THAT REPORT.

15 Q OKAY. WHEN WAS IT THAT LAW ENFORCEMENT DECIDED  
16 THAT YOU HAD A HARD ON AT 3 O'CLOCK IN THE MORNING?

17 A I SAID THAT BECAUSE THAT'S THE ONLY LOGICAL  
18 THING THAT I COULD HAVE THOUGHT OF AT THE TIME. THEY  
19 SAID THEY FOUND A SPOT OF SEMEN ON AMANDA OR THEY  
20 THOUGHT IT WAS A SPOT OF SEMEN. AND THEY HAD ME DO A  
21 TEST SO, AND I MEAN, AND SO I THOUGHT, OKAY, I MUST  
22 HAVE WENT INTO, THE FIRST THING I DONE IS WENT INTO  
23 HER BEDROOM AND JACKED OFF ON HER BED OVER HER, BUT I  
24 DIDN'T.

25 Q BUT YOU DIDN'T?

1 A NO, I DIDN'T.

2 Q BUT YOU TIED THAT IN TO THE I MASTURBATED QUITE  
3 FREQUENTLY AND SO THAT'S WHERE YOU GOT THAT PICTURE  
4 FROM? WHERE DID YOU GET THAT PICTURE FROM?

5 A WHERE DID I GET THAT PICTURE FROM?

6 Q THAT'S WHAT YOU ARE TELLING, ALL THESE PICTURES?

7 A THEY SAID I, THEY SAID, I WAS TRYING TO PIECE  
8 TOGETHER WHAT EVERYBODY SAID ABOUT AMANDA. WHAT WAS,  
9 WHERE SHE WAS RAPED, WHERE SHE WAS HARMED, THE  
10 SODOMY, THE EVERYTHING, I WAS LOOKING AT ALL THOSE  
11 PIECES. I WAS LISTENING TO WHAT EVERYBODY WAS  
12 TELLING ME.

13 Q OKAY. AND YOU STATED --

14 A AND I KNEW I WAS INNOCENT.

15 Q OKAY. YOU KNEW YOU WERE INNOCENT THEN? I  
16 THOUGHT YOU JUST TOLD US THAT YOU THOUGHT YOU DID IT?

17 A I SAID I KNEW I WAS INNOCENT FROM THE BEGINNING.  
18 BY THE TIME THAT HE HAD HOUNDING ME ABOUT THE  
19 MACHINE, ABOUT THE BLANKET, ABOUT THE PICTURES, ABOUT  
20 EVERYTHING.

21 Q NOW THIS IS MR. BAKER HOUNDING YOU?

22 A MR. BAKER.

23 Q THIS IS MR. SOFT SPOKEN MR. BAKER?

24 A AND HE WAS SPEAKING SOFTLY. IT WAS A HOUNDING.

25 YES, SIR, IT WAS A HOUNDING, BUT IT WASN'T A HOUNDING

1       LIKE, LIKE YOU'VE BEEN DOING, OR LIKE SOME OF THE  
2       OTHERS HAVE BEEN DOING.  THAT'S NOT THE WAY HE WAS  
3       HOUNDING.  HE WAS HOUNDING ME LIKE, MR. COPE, YOU  
4       KNOW, WE HAVE PICTURES.  WE HAVE PROOF.

5       Q     SO HE WAS LESS STRIDENT THAN EVEN I'VE BEEN WITH  
6       YOU, RIGHT?

7       A     YES.

8       Q     YOU WOULD ADMIT I'VE BEEN FAIRLY COURTEOUS TO  
9       YOU, HAVE I NOT?

10      A     YES, SIR.  I WOULD SAY YOU'VE BEEN COURTEOUS.  I  
11      MEAN, INTERRUPT ME A COUPLE TIMES, I MEAN.

12      Q     BUT I THINK WE'VE DONE THAT TO EACH OTHER?

13      A     AND I'VE DONE THAT.  I'LL AGREE, YES, SIR.

14      Q     BUT LET ME ASK YOU A QUESTION.  I'LL TRY TO GET  
15      US BACK ON TRACK, YOU TOLD HIM THAT YOU DON'T  
16      REMEMBER EJACULATING BUT YOU MUST HAVE EJACULATED  
17      BECAUSE YOU REMEMBER IT FEELING GOOD, DO YOU REMEMBER  
18      TELLING HIM THAT?

19      A     WELL, I DID TELL HIM THAT BECAUSE FIRST I KNEW  
20      ABOUT THE SPOT OF SEMEN THAT WAS ON AMANDA.

21      Q     OKAY.  YOU TOLD HIM YOU NORMALLY MASTURBATE IN A  
22      WASH CLOTHE BUT YOU HAD NOT BROUGHT THE WASH CLOTH  
23      WITH YOU INTO AMANDA'S ROOM, RIGHT?

24      A     I DID TELL HIM THAT BUT I DON'T NORMALLY GO, I  
25      DON'T NEVER EVER GO TO AMANDA'S ROOM TO MASTURBATE.



1 I ALWAYS GO TO EITHER THE BATHROOM OR MY BEDROOM.

2 Q OKAY. AND YOU SAID YOU DID NOT KNOW WHERE IT  
3 WENT, BUT YOU DIDN'T CLEAN IT UP, RIGHT?

4 A I DIDN'T. I -- THAT'S WHAT I TOLD HIM I DIDN'T  
5 CLEAN IT UP BECAUSE THEY SAID THERE WAS A SPOT OF  
6 SEMEN ON HER.

7 Q AND THESE ARE IMAGES THAT WERE IN YOUR HEAD AND  
8 ALL BOTTLED UP INSIDE, RIGHT?

9 A I DIDN'T SAY THEY WERE ALL BOTTLED UP INSIDE. I  
10 SAID THESE WERE IMAGES THAT WAS IN MY HEAD AND THAT'S  
11 ALL I, THAT'S ALL I KNEW TO GO BY.

12 Q SO COPE STATED IT WAS ALL BOTTLED UP INSIDE ME.  
13 YOU DIDN'T SAY THAT?

14 A I DIDN'T THINK I SAID IT, NO, SIR.

15 Q OKAY. AND THEN --

16 A BECAUSE, I MEAN, HE'S NOT, HE'S WRITING FROM HIS  
17 NOTES AND HE'S ALSO WRITING FROM HIS MEMORY. HE EVEN  
18 STATED THAT.

19 Q WHAT ARE YOU TESTIFYING FROM?

20 A I'M TESTIFYING FROM WHAT I KNOW.

21 Q OKAY.

22 A THE TRUTH.

23 Q OKAY.

24 A THAT NEEDS TO BE BROUGHT UP.

25 Q THAT'S WHAT I'M TRYING TO DO, SIR.

1 A WELL, IT'S OUT ACTUALLY.

2 Q APPARENTLY SO, WE'RE HERE, AREN'T WE?

3 A I --

4 Q OKAY. IT'S BEEN REPORTED THAT AMANDA HAD WOKE  
5 WHILE HE WAS MASTURBATING OVER HER AND SAID OH GROSS  
6 DADDY?

7 A RIGHT, OKAY. WHERE DID HE GET THAT FROM BECAUSE  
8 I DIDN'T SAY THAT.

9 Q YOU DIDN'T SAY THAT?

10 A NO, I DIDN'T SAY THAT. I SAID THAT THE NIGHT  
11 BEFORE. THAT WAS SOMETHING THAT HERRING MUST HAVE  
12 TOLD HIM.

13 Q YOU ARE SAYING YOU SAID THAT THE NIGHT BEFORE ON  
14 THE TAPE?

15 A RIGHT. WHEN WE WERE TALKING ABOUT WHAT MOMMA  
16 DOES. I NEVER SAID THAT ABOUT HER. HE SAID THAT  
17 MUST BE WHERE, WHEN YOU HEARD OH GROSS DADDY. I  
18 NEVER SAID THAT.

19 Q OKAY. YOU NEVER SAID THAT IN THERE WITH HIM?

20 A NO.

21 Q OKAY. SO THE NIGHT BEFORE YOU WHEN YOU TALKED  
22 TO THE OFFICERS ON THAT FOUR HOUR RECORDING, YOU ARE  
23 SAYING THAT'S WHERE THAT CAME FROM?

24 A WHAT I SAID WHEN I TALK ON THE FOUR, ON THE FOUR  
25 HOUR CONVERSATION WAS, WHEN AMANDA, WHEN ME AND MARY

1 SUE WOULD KISS AMANDA WOULD SAY, OH GROSS DADDY.

2 Q ACTUALLY IT'S ON THE TAPE SHE SAYS EW, RIGHT?

3 A SHE SAYS OH GROSS DADDY.

4 Q OKAY. BUT YOU DIDN'T SAY THAT THAT NIGHT BEFORE  
5 AND THAT'S NOT ON THAT TAPE, IS IT?

6 A SHE SAYS EW GROSS DADDY. HE SAID OH GROSS  
7 DADDY, NOT ME.

8 Q OKAY. BUT ON THE TAPE THE NIGHT BEFORE WHEN YOU  
9 WERE EXPLAINING ABOUT SEEING YOUR WIFE KISSING, YOU  
10 SAID AMANDA SAID EW, SO NO WHERE DID OH GROSS DADDY  
11 COME FROM THE NIGHT BEFORE, DID IT?

12 A IT SAYS EW GROSS DADDY.

13 Q YOU ARE SURE ABOUT THAT, SIR?

14 A I KNOW IT SAYS IT.

15 MR. POPE: BEG THE COURT'S INDULGENCE.

16 A BECAUSE SHE SAYS EW, GROSS MOMMA. EW, GROSS  
17 DADDY. EW GROSS. IT'S THERE.

18 MR. POPE: BEG THE COURT'S INDULGENCE.

19 Q MY DAUGHTER DID NOT EVEN, SHE WAS LIKE OOOH WHEN  
20 ME AND MY WIFE WOULD KISS?

21 A THERE IS ANOTHER PLACE ON THERE WHERE IT SAYS OH  
22 GROSS.

23 Q SHE WOULD SAY EW GROSS MOMMA?

24 A OR EW GROSS DADDY. I SAID THAT.

25 Q SO THAT'S WHERE HE GOT THAT FROM?

1 A THAT'S WHERE THEY GOT THAT FROM. I DIDN'T SAY  
2 THAT.

3 Q YOU STATED THAT THAT WAS THE SAME VOICE THAT YOU  
4 HAD HEARD WHEN YOU WERE REFERRING TO THE, SAID THE  
5 SAME VOICE IN THE RAPTURE, THAT'S THE SAME VOICE YOU  
6 HEARD THAT SAID EW GROSS?

7 A WELL, THE SAME VOICE THAT I HEARD IN RAPTURE?  
8 NO, THAT WASN'T. NO, IT WAS THE I LOVE YOU DADDY  
9 PART.

10 Q WHERE DID I LOVE YOU DADDY COME IN?

11 A WELL, I TOLD HIM THAT AND I TOLD EVERYONE THAT.  
12 THAT I HEARD HER SAY OH I LOVE YOU DADDY.

13 Q OKAY. AND THAT WAS IN YOUR DREAM?

14 A THAT WAS IN THE DREAM, YES.

15 Q AND SO OH GROSS DADDY CAME FROM THE NIGHT  
16 BEFORE, RIGHT? THAT'S AMANDA SPEAKING, RIGHT? WHEN  
17 SHE SAYS THAT THAT CAME FROM THAT STATEMENT BEFORE?

18 A RIGHT. IT ALSO COMES FROM THE NOODLES THAT WAS.

19 Q SO MIKE BAKER GOT THAT FROM THERE?

20 A I DON'T KNOW WHETHER HE GOT IT FROM THERE OR  
21 WHETHER HE GOT IT FROM HERRING. I MEAN HERRING  
22 MENTIONED IT A COUPLE TIMES. HE MAY HAVE WROTE IT  
23 DOWN AND TOLD HIM. I DON'T KNOW.

24 Q OKAY. NOW ON 12-3 IN THE STATEMENT YOU GAVE SHE  
25 SAID DADDY HELP ME?

1 A I DID SAY -- I SAID HELP ME BECAUSE THE, I  
2 THOUGHT THAT THAT'S WHAT I HAD HEARD AT FIRST. I  
3 THOUGHT SHE WAS SAYING HELP ME BECAUSE IT BOTHERED ME  
4 A LITTLE BIT THE FACT THAT I WASN'T, I DIDN'T HEAR  
5 NOTHING AND I WASN'T THERE. AND ALL, AND SO I  
6 STARTED TO FORMULATE THE FACT THAT, I SAID SHE SAID  
7 HELP ME DADDY, THAT WOULD MAKE ME FEEL A LITTLE  
8 BETTER. THAT HELP ME --

9 Q THAT MAKE YOU FEEL BETTER IF SHE WAS SAYING HELP  
10 ME DADDY?

11 A WELL, NO, IT WAS--I SAID HELP ME DADDY BECAUSE  
12 AMANDA, IF I KNEW THAT SHE SAID HELP ME DADDY AND  
13 FEAR CAME UPON ME, I WOULDN'T HEAR HER. I MEAN, I  
14 COULDN'T MOVE, I COULDN'T GO TO HER, AND I FELT  
15 DIFFERENT. I SAID THAT. I'VE STATED THAT, I'VE  
16 STATED THAT A COUPLE OF TIMES, BUT IT WASN'T THE  
17 TRUTH. WHAT WAS THE TRUTH WAS, THE OH GROSS DADDY IS  
18 WHAT HE SAID AND I SAID IT SHE SAID---

19 Q WHAT DID AMANDA SAY?

20 A IN MY DREAMS SHE SAID I LOVE YOU.

21 Q OKAY. IN YOUR DREAMS SHE SAID LOVE YOU. WHAT  
22 DID SHE SAY THAT NIGHT?

23 A I DON'T KNOW BECAUSE I DIDN'T HEAR NOTHING.

24 Q OKAY. WHAT ABOUT, YOU'D ALSO INDICATED IN ONE  
25 OF YOUR LETTERS AS FAR AS HEARING HER SAY STUFF, WHEN

1 YOU HEARD THE ANGEL MUSIC, SHE SAID DADDY I LOVE YOU  
2 GOODBYE?

3 A BECAUSE.

4 Q DO YOU REMEMBER THAT?

5 A WHEN MY GRANDMOTHER DIED I WAS, WE WERE GOING,  
6 ME AND MY WIFE AND ALL WERE GOING TO, WE WERE COMING  
7 AWAY FROM THE HOSPITAL, I DIDN'T WANT TO BE THERE IN  
8 THE HOSPITAL WHEN MY GRANDMOTHER DIED. NOW I HEARD  
9 THIS BEAUTIFUL MUSIC AND I HEARD MY GRANDMOTHER SAY  
10 IT IS FINISHED.

11 Q YOU HEARD THAT WHEN YOU HEARD HER STATE IT OR YOU  
12 HEARD THAT IN YOUR MIND?

13 A NO I HEARD THAT AND I LOOKED AT MY GRANDMOTHER  
14 AND I SAID, I LOOKED AT MARK AND I SAID MARK GRANDMA  
15 JUST PASSED AWAY. MARK WAS MY COUSIN. I SAID WHAT  
16 TIME IS IT AND HE TOLD ME IT WAS LIKE I THINK 1:15.  
17 WHEN I GOT BACK TO THE HOSPITAL I SAW MY MOM, MY  
18 WIFE'S, I MEAN MY GRANDMOTHER'S PREACHER SITTING  
19 THERE AND I ASKED HIM. I SAID WHAT TIME DID SHE PASS  
20 AWAY AND HE SAID AT 1:15 AND THAT WAS EXACTLY WHAT  
21 TIME MARK TOLD ME IN THE CAR WHEN THEY WERE LEAVING  
22 THE AWAY FROM THE HOSPITAL. WE WAS CROSSING OVER THE  
23 RAILROAD TRACKS THAT'S WHEN I HEARD IT.

24 Q SO YOU HEARD --

25 A AND I BELIEVE THAT IN MY DREAM I, THAT WAS TAKEN

1 PLACE AT THE RAPTURE THAT I ACTUALLY HEARD THE ANGEL  
2 MUSIC AND THAT AMANDA SAY I LOVE YOU DADDY, BYE.

3 Q NOW THIS IS THE SAME DREAM THAT YOU ARE HAVING?

4 A ABOUT THE RAPTURE.

5 Q THAT NIGHT?

6 A YES.

7 Q OKAY. SO YOU HAD A DREAM THAT NIGHT ALSO. NOW  
8 YOU ARE TALKING ABOUT YOUR GRANDMOTHER?

9 A NO. NO. NO. I'M TALKING ABOUT AMANDA NOW. I'M  
10 TALKING ABOUT THAT NIGHT.

11 Q YOU ARE TALKING ABOUT YOUR GRANDMOTHER, THAT  
12 WASN'T --

13 A NO, THAT WAS NOT A DREAM.

14 Q SO WHEN YOU HEARD AMANDA SAY DADDY I LOVE YOU  
15 AND GOODBYE AND YOU HEARD THE ANGEL MUSIC, THAT WAS  
16 THE NIGHT SHE DIED? THAT WAS AT THE MOMENT SHE DIED?

17 A I DON'T KNOW THAT FOR SURE. I DON'T KNOW. I  
18 KNOW I HAD A DREAM. THE DREAM -- NO, IT COULDN'T  
19 HAVE BEEN BECAUSE I HAD THE DREAM BETWEEN THE TIME  
20 AFTER I GOT UP AT THREE O'CLOCK AND THE TIME THAT I,  
21 SIX O'CLOCK IN THE MORNING, THAT'S WHEN I HAD THE  
22 DREAM ABOUT THE RAPTURE.

23 Q OKAY. SO THE DREAM CAME AFTER SHE WAS DEAD,  
24 BETWEEN TWO AND THREE?

25 A RIGHT.

1 Q OKAY. AND ONCE YOU FINISHED UP AT THE POLYGRAPH  
2 YOU WENT THROUGH A NUMBER OF DETAILS AND YOU'RE  
3 SAYING EACH AND EVERY DETAIL LAW ENFORCEMENT GAVE TO  
4 YOU AND YOU DIDN'T, YOU DIDN'T GIVE THEM ANY DETAILS  
5 ON, ALL THE ISSUES, ALL THE PHRASES, THEY CAME UP  
6 WITH ALL OF THAT?

7 A THEY CAME UP WITH, WHAT THEY CAME UP WITH THEY  
8 TOLD ME, YES, AND I PUT ALL THESE IMAGES INTO MY HEAD  
9 AS TO WHO THAT PERSON COULD HAVE BEEN WHO DONE THAT.  
10 I WAS TRYING TO HELP THEM.

11 Q AND YOU HELPED THEM BY SAYING THAT YOU BECAME  
12 ENRAGED AND JUMPED ON AMANDA AND BEGAN TO BEAT HER,  
13 RIGHT?

14 A I SAID THAT BECAUSE I THOUGHT I WAS THAT PERSON.

15 Q YOU EVEN SHOWED THEM HOW YOU SWUNG YOUR HANDS,  
16 DIDN'T YOU?

17 A I SURE DID. I THOUGHT I WAS THAT PERSON.

18 Q OKAY. AND YOU THOUGHT YOU WERE THAT PERSON FROM  
19 THE END OF THE POLYGRAPH THROUGH SOME TIME THAT  
20 WEEKEND, YOU THOUGHT YOU WERE THAT PERSON, RIGHT?

21 A I THOUGHT I WAS THAT PERSON.

22 Q OKAY. AND YOU TOLD THEM ABOUT HER FACE AND HOW  
23 YOU SLAMMED HER FACE AND HOW HER FACE GOT MESSED UP.  
24 YOU PHYSICALLY DEMONSTRATED AND THEY ASKED YOU EVEN  
25 ABOUT PUTTING THE KNEE, THEY KIND OF SUGGESTED ABOUT



1 PUTTING THE KNEE IN HER STOMACH AND YOU SAID NO, I  
2 STRADDLED HER, RIGHT?

3 A I SAID THAT BECAUSE OF THE WAY, THE WAY THEY  
4 SAID THAT. I HAD, SHE WAS ON HER STOMACH AND I, WHAT  
5 I SAID WAS, I SAID NO I DIDN'T PUT MY KNEE INTO HER  
6 BACK. I PUT MY KNEE, I STRADDLED HER. I DID SAY  
7 THAT, YES.

8 Q AND THEN THEY KIND OF TRIED TO GET YOU TO SAY  
9 YOU DID IT WITH ONE HAND AND YOU SAID NO, I DID IT  
10 WITH TWO?

11 A THEY EVER SAID THAT. THEY ASKED NEVER ASKED ME  
12 IF I DID IT WITH ONE HAND.

13 Q THEY ASKED YOU IF YOU HAD CHOKED HER WITH ONE  
14 HAND AND YOU REPLIED NO, THAT YOU USED TWO HANDS AND  
15 YOU DEMONSTRATED IT WITH YOUR THUMBS AND INDEX  
16 FINGERS.

17 A NO. WHAT THEY SAID WAS, WAS IT ONE HAND OR TWO  
18 HANDS.

19 Q THAT'S WHAT I SAID.

20 A IS WHAT I SAID. THEY ASKED ME DID I DO IT WITH  
21 ONE HAND AND THEY DIDN'T, THEY SAID, DID YOU DO IT  
22 WITH ONE HAND OR TWO HANDS AND THEN I SAID WELL TWO  
23 HANDS LIKE THIS BECAUSE I DIDN'T REALLY KNOW.

24 Q BUT I THOUGHT AT THAT POINT YOU THOUGHT YOU HAD  
25 DID IT, RIGHT?

1 A I DID. I DID. BUT I DIDN'T KNOW HOW SHE WAS  
2 KILLED. I DIDN'T -- I DIDN'T KNOW IF IT WAS TWO  
3 HANDS OR ONE HAND.

4 Q OKAY. AND YOU SAID YOU HELD HER FOR AWHILE.

5 A I DID HOLD HER FOR AWHILE.

6 Q I'M TALKING ABOUT CHOKING HER.

7 A YES, IN MY, IN MY, IN MY VISION WHAT I SAW, THE  
8 IMAGES IN MY HEAD, YES.

9 Q AND THEN THEY ASKED ABOUT THE BLANKET AND YOU  
10 EXPLAINED HOW YOU WRAPPED IT AROUND HER HEAD?

11 A I DID SAY THAT BECAUSE I KNEW THE BLANKET WAS ON  
12 HER NECK. ALL THESE IS THE IMAGES THAT WAS IN MY  
13 HEAD, YES.

14 Q AND THEY DIDN'T ASK YOU TO DEMONSTRATE, YOU  
15 SHOWED, YOU EVEN WENT AND YOU SHOWED THEM HOW YOU DID  
16 IT, RIGHT?

17 A I THOUGHT I HAD DID IT.

18 Q AND YOU SHOWED THEM?

19 A I THOUGHT I HAD DID IT, SO I MEAN, I DIDN'T HAVE  
20 MUCH CHOICE. I MEAN, THAT'S THE WAY IT WAS.

21 Q AND YOU CONTINUED TO CHOKE HER TO SHUT HER UP,  
22 RIGHT?

23 A I JUST --IN MY VISION I SAID I KEPT MY HANDS ON  
24 HER FOR AND I KEPT HOLDING HER AND HOLDING HER AND  
25 THEN I WRAPPED THE STRING AROUND HER.

1 Q WAS SHE SCREAMING AT THAT POINT OR WAS SHE JUST  
2 MOANING OR WHAT? YOU KNOW WHEN IT SAYS TO SHUT HER  
3 UP, WHAT WAS HAPPENING THERE?

4 A WELL, SHE WAS ON HER BACK. I DIDN'T REALLY HEAR  
5 HER SCREAMING. I WAS HOLDING HER DOWN AND.

6 Q I GOTCHA. THEN THEY WERE ASKING, NOW AFTER THAT  
7 THEY ASKED YOU ABOUT THE INJURIES TO HER ANUS AND HER  
8 VAGINA, RIGHT?

9 A RIGHT.

10 Q AND THIS WAS AFTER YOU HAD TOLD THEM ALL THIS  
11 STUFF, RIGHT? THAT THEY START ASKING ABOUT HER  
12 SEXUAL INJURIES FOR LACK OF A BETTER TERM, RIGHT?

13 A RIGHT. THIS WAS, HE SAID, HE SAID, THEN WHAT  
14 DID YOU DO? I MEAN, DID YOU -- HE WAS ASKING ME  
15 QUESTIONS ABOUT WHAT INJURIES DID I DO. HOW DID I DO  
16 IT. HE WAS ASKING ABOUT --

17 Q YOU TOLD HIM YOU COULDN'T HAVE DONE SOMETHING  
18 LIKE THAT, RIGHT? THE SEXUAL PART OF IT?

19 A I DID. I---

20 Q AT THAT JUNCTURE YOU TOLD HIM YOU COULDN'T HAVE  
21 DONE SOMETHING LIKE THAT?

22 A RIGHT, I COULDN'T -- BECAUSE I STILL HAD MY OWN  
23 THOUGHTS THAT I JUST COULDN'T HAVE DONE IT, BUT I  
24 MEAN, I WASN'T, ALL I SAW WAS WHAT WAS IN MY HEAD.

25 Q OKAY. A MINUTE AGO YOU WERE TELLING ME AT THAT

1 POINT YOU WERE CONVINCED THAT YOU DID DO IT?

2 A I WAS. I MEAN I WAS CONVINCED, BUT STILL  
3 SOMEWHERE I COULDN'T HAVE DONE THAT. I MEAN, I SAW  
4 IT, IT WAS MY, THEY WERE TALKING ABOUT MY DAUGHTER  
5 THERE.

6 Q OKAY. AND YOU SAID THAT YOU BROUGHT UP THE  
7 WOODEN HANDLE BROOM, RIGHT?

8 A THEY SAID, HE SAID THAT IT WAS RAMMED UP IN HER  
9 DEEP. HE SAID IT WAS LONG AND IT WAS HARD AND THE  
10 PATHOLOGIST SAID THAT IT WAS NOT A HUMAN PENIS.

11 Q RIGHT. AND SO AT THAT POINT YOU SAID THERE WERE  
12 TWO BROOMS IN THE HOUSE. ONE HAD A PLASTIC HANDLE  
13 AND THE OTHER ONE HAD A WOODEN HANDLE, RIGHT? AND  
14 YOU STATED YOU USED THE WOODEN HANDLE ON HER?

15 A I DID SAY I USED THE WOODEN HANDLE.

16 Q OKAY. SO YOU DISTINGUISHED AGAIN, YOU GAVE THEM  
17 THAT IMAGE, RIGHT?

18 A THAT'S WHAT I WAS, THAT WAS THE IMAGE, YEAH.  
19 THAT'S THE ONLY THING I COULD THINK OF. I MEAN, THE  
20 PLASTIC HANDLE, I DIDN'T KNOW. I MEAN, I DIDN'T  
21 KNOW. I JUST ASSUMED THE WOODEN HANDLE BECAUSE IT  
22 WAS, THE WAY THAT, THE WAY HE WAS TALKING THAT IT WAS  
23 LONG AND HARD AND IT WAS DEEP UP IN HER.

24 Q OKAY. AND YOU STATED THAT YOU POKED THE BROOM  
25 IN HER BUTT FIRST, I'M QUOTING HERE, IS THAT RIGHT?

1 A I THINK THAT WAS THE IMAGE IS IN MY HEAD, YES.

2 Q OKAY. AND THEN YOU POKED HER UP FRONT,

3 REFERRING TO HER VAGINA, RIGHT?

4 A THAT'S WHAT I SAID, YEAH.

5 Q WAS SHE ON HER STOMACH OR ON HER BACK WHEN THE

6 BROOM WAS POKED IN HER REAR END?

7 A SHE WAS ON HER STOMACH.

8 Q OKAY. WAS SHE ON HER STOMACH OR HER BACK WHEN

9 SHE WAS POKED IN THE VAGINA?

10 A I NEVER STATED IT. I NEVER SAID IT.

11 Q OKAY. WHAT DO YOU RECALL?

12 A I RECALL I DIDN'T DO IT. I RECALLED THAT WAS

13 IMAGES IN MY HEAD.

14 Q OKAY. THESE WERE IMAGES IN YOUR HEAD.

15 A THESE WERE IMAGES IN MY HEAD. THESE WERE IMAGES

16 THAT I THOUGHT I HAD DONE, SO THESE WERE IMAGES WAS

17 THERE. THESE WERE THE IMAGES THAT I TRIED TO FIND

18 WHAT WAS GOING ON. THEY HAD TOLD ME ALL THE PIECES.

19 Q THEY GAVE YOU ALL THE PIECES?

20 A THEY GAVE ME THE PART ABOUT THE, HER VAGINA,

21 THEY TOLD ME ABOUT HER ANUS, THEY TOLD ME ABOUT

22 HER --

23 Q AND YOU JUST PUT THE PIECES TOGETHER FOR THEM?

24 A I STARTED PUTTING THE PIECES TOGETHER.

25 Q OKAY.

1 A BECAUSE THAT'S WHAT I SAW IN MY HEAD.

2 Q AND YOU STATED TO THEM, THEY SAID WELL, YOU  
3 KNOW, YOU JUST SAID YOU MASTURBATED, RIGHT. THEY  
4 SAID, YOU JUST TOLD US YOU MASTURBATED SO WHY ARE YOU  
5 SEXUALLY ASSAULTING HER NOW IF YOU MASTURBATED OVER  
6 HER AND SHE BASICALLY CAUGHT YOU MASTURBATING, WHY  
7 YOU SEXUALLY ASSAULTING HER NOW, AND YOU SAID, I JUST  
8 WANTED TO PLAY WITH MY DAUGHTER?

9 A I DIDN'T KNOW ANY OTHER REASON TO, FOR THAT, FOR  
10 THAT TO BE. I MEAN, I WAS CONVINCED THAT I DID IT.

11 Q SO AS FAR AS SEXUAL GRATIFICATION, THAT HAPPENED  
12 THROUGH MASTURBATION, IS THAT RIGHT?

13 A IN MY, IN MY -- I WAS CONVINCED THAT I DID IT.  
14 I DIDN'T --

15 Q YOU UNDERSTAND WHAT I'M ASKING?

16 A YEAH, I KNOW WHAT YOU'RE SAYING. WHEN I, WHEN I  
17 SUPPOSEDLY MASTURBATED THAT WOULD HAVE BEEN CORRECT,  
18 BUT I DIDN'T MASTURBATE THAT NIGHT OVER HER.

19 Q OVER HER?

20 A NO, I DIDN'T.

21 Q YOU MASTURBATED INTO A RAG?

22 A I DIDN'T MASTURBATE IN A RAG. I DO NOT KNOW  
23 WHETHER I MASTURBATED OR NOT. I CAN'T SAY. I DO  
24 MASTURBATE IN A RAG EVERY ONCE IN A WHILE.

25 Q OKAY. DID YOU STATE ALSO THAT YOU REMEMBER, YOU

1 DID NOT REMEMBER WHAT YOU DID WITH THE BROOM, RIGHT?

2 A YEAH, I SAID THAT.

3 Q OKAY. AND THAT WAS A WOODEN BROOM, NOT ALL  
4 THESE OTHER BROOMS, RIGHT?

5 A IT WAS JUST WHATEVER I COULD THINK OF. I SAID A  
6 WOODEN BROOM BECAUSE I THOUGHT WE HAD A BROOM IN THE  
7 HOUSE AND I THOUGHT WE HAD A PLASTIC BROOM IN THE  
8 HOUSE. I DIDN'T KNOW WE HAD TEN THOUSAND BROOMS.

9 Q BUT THOSE TEN THOUSAND BROOMS, THEY DIDN'T COME  
10 AND GET YOU TO SAY WHETHER IT WAS THIS ONE OR THIS  
11 ONE, DID THEY? THEY DIDN'T GET YOU TO IDENTIFY ONE  
12 OF THESE, DID THEY?

13 A I JUST SAID WHAT WAS ON, WHAT WAS IN MY HEAD.

14 Q OKAY. AND THEN AT THAT POINT WHEN THAT FINISHES  
15 YOU GAVE A STATEMENT, IS THAT CORRECT?

16 A YEAH.

17 Q GAVE A WRITTEN STATEMENT?

18 A HE WENT YOU WANT TO MAKE A STATEMENT AND I TOLD  
19 HIM THE SAME THING, PRETTY MUCH THE SAME THING. I  
20 KNOW THAT THERE IS--

21 Q AND YOU WERE KIND OF DESCRIBING IT AS, SO IT IS  
22 YOU AND MIKE BAKER AND LES HERRING COMES IN AND LES  
23 IS DOING THE WRITING AND MIKE IS KIND OF ASKING YOU  
24 QUESTIONS AGAIN?

25 A NO, HE IS NOT ASKING ME, HE JUST SAYS OKAY NOW,

1 HE'S TRYING, HE'S MORE OR LESS NOT COACHING BUT HE'S  
2 JUST TRYING TO LEAD ME ON TO SAY EVERYTHING. I SAID  
3 BAKER COULD WRITE IT DOWN EXACTLY LIKE HE HAD IT.

4 Q AND STATE'S EXHIBIT FOUR, YOU TAKE A LOOK AT  
5 THAT. YOU SEEN THAT BEFORE?

6 A YES, I'VE SEEN THIS.

7 Q WHAT IS THAT ITEM?

8 A THIS IS THE VOLUNTARY STATEMENT THAT I GAVE.

9 Q AND YOU GAVE TO HIM, RIGHT?

10 A I GAVE IT.

11 Q BECAUSE AT THAT POINT YOU BELIEVE THAT YOU  
12 COMMITTED THE CRIME, RIGHT?

13 A THAT'S CORRECT.

14 Q OKAY. AND YOU STATED THAT YOU GOT UP AND WENT  
15 TO THE BATHROOM AT THREE O'CLOCK. YOU HAD A HARD ON  
16 AFTER URINATING. WENT IN MY DAUGHTER AMANDA'S  
17 BEDROOM. WHILE IN THE ROOM BEGAN MASTURBATING.  
18 WHILE I'M DOING THIS AMANDA WOKE UP. REMEMBER  
19 HEARING AMANDA SAY OH GROSS DADDY. I THEN JUMPED ON  
20 TOP OF HER, STRADDLED HER, AND I THEN BEGAN TO HIT  
21 HER WITH MY HANDS ON THE SIDE TO THE TOP OF HER HEAD.  
22 SHE WAS STRUGGLING. I GRABBED HER BY THE NECK. I  
23 TOOK HER HEAD AND BEAT IT DOWN ON BED ON TOP OF VIDEO  
24 GAME. SHE SLOWED UP IN HER STRUGGLE AND BECAME LIMP.  
25 I THEN GRABBED THE END OF PART OF THE BLANKET AND



1 WRAPPED IT AROUND HER NECK. I THEN GRABBED A WOODEN  
2 BROOM. I STARTED TO POKE IT INTO HER. I THINK I  
3 POKED IT INTO HER BUTT FIRST AND THEN HER VAGINA. I  
4 THEN WENT BACK INTO MY BED, PUT MY BREATHING MASK  
5 BACK ON AND WENT TO SLEEP. THESE ARE THE IMAGES THAT  
6 COME TO MY MIND?

7 A THAT'S CORRECT.

8 Q THAT'S RIGHT. OKAY. AND YOU SIGNED THAT  
9 PARTICULAR STATEMENT, RIGHT?

10 A THAT'S CORRECT.

11 Q OKAY. AND THEN YOU GO WHERE FROM THERE? YOU GO  
12 BACK TO THE LAW ENFORCEMENT CENTER?

13 A YES, SIR.

14 Q OKAY. AND WHEN YOU GET BACK TO THE LAW  
15 ENFORCEMENT CENTER?

16 A THAT'S WHEN I'M TOLD I'M ARRESTED.

17 Q NOW YOU WERE ARRESTED THE NIGHT BEFORE, RIGHT?

18 A BUT THAT'S WHEN HE SAID THAT IT STUCK. THAT I  
19 WAS FORMALLY ARRESTED. AS A MATTER OF FACT I WORE  
20 HANDCUFFS BACK TO THE POLICE STATION.

21 Q SO THEY DIDN'T PUT YOU IN HANDCUFFS BEFORE?

22 A NO.

23 Q OKAY. AND SO WHEN YOU'RE BROUGHT BACK, THEY  
24 BROUGHT YOU IN HANDCUFFS. OF COURSE, A WARRANT HAD  
25 BEEN SERVED THE NIGHT BEFORE, RIGHT?

1 A THAT'S CORRECT.

2 Q OKAY. AND SO THEN YOU GAVE THAT STATEMENT TO  
3 LES HERRING AND THEN YOU SAID YOU WENT BACK AND READ  
4 THE BIBLE ALL NIGHT LONG?

5 A I READ THE BIBLE, YEAH. I WOULDN'T SAY ALL  
6 NIGHT BUT PRETTY MUCH.

7 Q THAT'S WHAT YOUR TESTIMONY WAS EARLIER?

8 A RIGHT. I SAID PRETTY MUCH ALL NIGHT.

9 Q YOU ATE DINNER THAT NIGHT?

10 A YEAH, I ATE DINNER.

11 Q AND THAT WAS OVER AT ROCK HILL CITY?

12 A THAT'S CORRECT.

13 Q SO AT THIS POINT IN TIME THAT NIGHT IS NOW  
14 FRIDAY NIGHT, YOU HAD THE POLYGRAPH THAT MORNING, AND  
15 WHERE ARE YOU AT THAT NIGHT? DID YOU STILL DO IT  
16 THEN? OR HAVE YOU DECIDED YOU DIDN'T DO IT THEN?

17 A I'M NOT SURE. THAT'S PROBABLY ONE REASON WHY  
18 I'M READING THE BIBLE. I WANT SOME ANSWERS. I WANT  
19 TO KNOW FIRST OF ALL KNOW WHY GOD LET ME DOWN.

20 Q OKAY. GOD LET YOU DOWN ON THIS?

21 A I FELT LIKE GOD DID BECAUSE I KNEW I WAS  
22 INNOCENT.

23 Q OKAY. AND SO THAT NIGHT, YOU GET UP THE NEXT  
24 MORNING AND THE NEXT MORNING YOU WAKE UP AND THEY  
25 FEED YOU BREAKFAST, RIGHT?

1 A YEAH, THEY FEED ME BREAKFAST.

2 Q OKAY. AND THE NEXT MORNING WHERE ARE YOU AT  
3 NOW? HAVE YOU DECIDED THAT YOU DIDN'T DO IT AGAIN OR  
4 DO YOU STILL THINK YOU DID DO IT OR YOU, I'M JUST  
5 TRYING TO UNDERSTAND WHAT YOU ARE TELLING US HERE.  
6 DID YOU, SATURDAY MORNING ARE YOU NOW CONVINCED YOU  
7 DID IT OR YOU THINKING MAYBE YOU DIDN'T DO IT?

8 A I'M, THAT PART OF THE TIME I'M THINKING THAT  
9 MAYBE, THAT I DIDN'T DO IT, THAT I'M STARTING TO  
10 THINK I'M ALL WRONG. THIS IS NOT RIGHT. I DIDN'T DO  
11 IT.

12 Q AND UP UNTIL THIS POINT HAS LAW ENFORCEMENT  
13 FORCED YOU TO DO ANYTHING?

14 A HAVE THEY FORCED ME TO DO ANYTHING? WELL, IT  
15 DEPENDS ON THE WAY YOU USE THE WORD FORCE. I MEAN IF  
16 YOU --

17 Q WHEN THEY TOLD YOU ARE LYING, YOU CONSIDER THAT  
18 FORCE?

19 A (NO RESPONSE.) I WON'T SAY THEY FORCED ME THAT  
20 AWAY. THEY JUST, I MEAN. THEY WORKED WITH MY MIND.  
21 I MEAN MY MIND WAS GONE. I WAS CONVINCED I DID IT.

22 Q OKAY.

23 A AND WHENEVER I WAS CONVINCED, I MEAN, I FELT, I  
24 FELT IN A WAY I WAS FORCED.

25 Q OKAY.

1 A BECAUSE I KNEW I DIDN'T BUT THEY KEPT TELLING ME  
2 LIES THEN THEY TOLD ME THAT THAT WASN'T TRUE ABOUT  
3 THE GREEN BLANKET.

4 Q YOU KNEW THE TRUTH, RIGHT?

5 A I KNEW THAT BUT WHY WERE THEY SAYING PICTURES.  
6 I TRUST THE POLICE OFFICERS.

7 Q OKAY.

8 A I TRUST THEM.

9 Q AND YOU TRUST THE POLICE OFFICERS AND YOU TRUST  
10 THE POLYGRAPH AND THE POLICE OFFICERS AND POLYGRAPH  
11 TELL YOU YOU DID THIS THEN YOU MUST HAVE DONE IT?

12 A THAT'S WHAT.

13 Q OKAY. AND THAT EFFECT --

14 A WAS GOING THROUGH MY MIND.

15 Q AND THAT LASTED UNTIL, WHAT, MAYBE IS IT EVEN 24  
16 HOURS? THAT NIGHT YOU SAY, SO 12 HOURS? WHEN DID  
17 THAT SPELL WEAR OFF THAT LAW ENFORCEMENT PUT ON YOU?

18 A IT WASN'T A SPELL. I MEAN IT WAS, THEY WERE, MY  
19 MIND WAS NOT, WAS NOT WORKING. I WAS BEING TOLD OVER  
20 AND OVER AND OVER. I MEAN.

21 Q OKAY. WHEN YOU WERE LAYING THERE READING THE  
22 BIBLE WHO IS TELLING YOU THAT?

23 A WHO IS TELLING ME WHAT?

24 Q WHO IS TALKING TO YOU ONCE LEAVE THE POLYGRAPH,  
25 WHO IS TALKING TO YOU?

1 A NOBODY I'M STARTED TO PIECE THINGS TOGETHER  
2 AGAIN AND I KNOW I WASN'T WRONG. I WAS TELLING THE  
3 TRUTH. I DIDN'T DO IT.

4 Q SO STARTING THAT NIGHT, OF COURSE, YOU COME BACK  
5 OVER HERE ABOUT WHAT MIDAFTERNOON, COME EAT SUPPER AT  
6 THE ROCK HILL CITY, YOU COME BACK ABOUT MIDAFTERNOON,  
7 IS THAT RIGHT? BECAUSE THE STATEMENT WAS LIKE AT TWO  
8 OR SOMETHING?

9 A I THINK THEY EAT SOMEWHERE AROUND SIX. THE SAME  
10 LIKE THE JAIL HOUSE.

11 Q SO YOU WENT, YOU WERE AT ROCK HILL BY SUPPER  
12 TIME.

13 A BY SUPPER TIME.

14 Q SO SUPPER TIME YOU GO IN AND START READING YOUR  
15 BIBLE IN THERE AND THEN NOBODY IS TELLING YOU  
16 ANYTHING AND NOW YOU ARE THINKING AGAIN YOU DIDN'T DO  
17 IT, FRIDAY NIGHT?

18 A I AIN'T SAYING I'M THINKING I DIDN'T DO IT. I'M  
19 STARTING TO PIECE THINGS BACK TOGETHER.

20 Q PIECE WHAT BACK TOGETHER?

21 A THAT WHAT THEY SAID IS NOT TRUE, ABOUT THAT  
22 POLYGRAPH, THAT MAN LIED ABOUT THE POLYGRAPH. I  
23 WASN'T SURE ANYMORE. I MEAN HE SHOWED ME 97 PERCENT  
24 IN THE GREEN. AT THE TIME I DIDN'T THINK ABOUT IT  
25 BUT GREEN DON'T MEAN BAD. GREEN USUALLY MEANS GOOD.

1 RED MEANS BAD. I SAW RED AND GREEN THERE. I STARTED  
2 TO PIECE THESE THINGS BACK TOGETHER IN MY HEAD. I'M  
3 AWAKE NOW, SOMETHING IS NOT RIGHT.

4 Q IF THAT IS THE CASE HE COULD HAVE NOT EVEN RUN  
5 THE POLYGRAPH, COULDN'T HE? HE COULD HAVE JUST  
6 SHOWED YOU THE GREEN LIGHT AND RED LIGHT AND TOLD YOU  
7 THAT YOU FAILED?

8 A NO, I WOULDN'T SAY THAT BUT.

9 Q WELL, THAT'S MY POINT.

10 A HE TOLD ME I FAILED.

11 Q YOU'RE COLLEGE EDUCATED, RIGHT?

12 A YEAH, I'M COLLEGE EDUCATED.

13 Q YOU ARE A SMART MAN, RIGHT?

14 A (NO RESPONSE.)

15 Q YOU'RE --

16 A I DON'T KNOW IF YOU CALL ME SMART, BUT YEAH, I'M  
17 PRETTY SMART, BUT I TRUSTED THE POLYGRAPH MACHINE. I  
18 TRUST THE POLICE OFFICERS.

19 Q SO YOU TRUST, SO REALLY THAT WAS THE END OF THE  
20 CASE. IF YOU TRUSTED ALL THAT, HOW COME FRIDAY NIGHT  
21 YOU START CHANGING YOUR MIND?

22 A BECAUSE I STARTED TO PIECE BACK TOGETHER, WAIT A  
23 MINUTE, I DID TAKE THE BLANKET OFF OF HER NECK. THEY  
24 CAN'T, THEY AIN'T NO WAY. I DID DO THAT. I DID TAKE  
25 THE BLANKET OFF. I-- THE POLYGRAPH I WASN'T SURE

1 ABOUT. I KNEW THERE WAS SOME RED THERE AND I KNEW  
2 THERE WAS SOME GREEN AND I KNEW THAT THE, IT SAID 97  
3 PERCENT AND IT WAS IN GREEN.

4 Q YOU KNOW WHAT 97 PERCENT EVEN MEANS?

5 A NO, I DO NOT, BUT HE SAID IT MEANT THAT I WAS 97  
6 PERCENT A LIAR.

7 Q I GOT YOU.

8 A AND GREEN, I WASN'T SURE. I STARTED TO  
9 THINKING, OKAY, WELL DOES IT MEAN 97 PERCENT IT WAS  
10 TELLING ME I WAS A LIAR. THAT IT WAS GREEN MEANT  
11 POSITIVE YOU'RE A LIAR OR THE RED MEANT YOU'RE A  
12 LIAR. I WASN'T SURE.

13 Q SO YOU PUT SOME THOUGHT INTO IT?

14 A I STARTED TO THINK ABOUT IT, YEAH, FOR A GOOD  
15 BIT OF TIME.

16 Q BECAUSE YOU KNEW WHAT YOU KNEW?

17 A I KNEW---

18 Q YOU KNEW WHAT YOU KNEW.

19 A I KNEW WHAT I KNEW.

20 Q BECAUSE YOU WERE THERE THAT NIGHT.

21 A THAT I WAS INNOCENT. I KNEW THAT.

22 Q YOU LIVED THAT NIGHT. OKAY. SO THE NEXT  
23 MORNING YOU GET UP, AND I'M TRYING TO GET IT AND MOVE  
24 US ON NOW, AND IT'S SATURDAY MORNING, OKAY.

25 A RIGHT.

1 Q GET UP AND EAT BREAKFAST. YOU HAD ALL NIGHT TO  
2 THINK ABOUT IT AND YOU NOW DECIDED YOU DIDN'T DO IT  
3 AGAIN, RIGHT?

4 A I'M PRETTY MUCH CONVINCED THAT I DID NOT DO IT.

5 Q OKAY. SO AGAIN, I CALLED IT A SPELL, WHATEVER  
6 THEIR EFFECT PRETTY MUCH WORE OFF WHEN THEY PARTED  
7 COMPANY FROM YOU, RIGHT?

8 A IT STARTED WEAR, IT STARTED WEARING OFF BECAUSE  
9 I DIDN'T HAVE SOMEBODY BOMBARDING ME.

10 Q I UNDERSTAND.

11 A SPEAKING TO ME OVER AND OVER AND OVER AND HE  
12 WASN'T TELLING ME THE SAME THINGS.

13 Q YOU GET THE CHANCE TO GET IN THE WORD AND THINK  
14 ABOUT IT AND THINK THINGS OUT, RIGHT?

15 A RIGHT.

16 Q OKAY. AND THEN THE NEXT MORNING, NOW YOU DIDN'T  
17 BELIEVE THAT YOU DID IT AGAIN, RIGHT?

18 A I'M START, YEAH, I'M, I'M STARTING TO THAT I'M  
19 ALMOST CONVINCED THAT I DIDN'T DO IT.

20 Q OKAY. AND THE NEXT MORNING YOU BELIEVE THAT YOU  
21 DIDN'T DO IT AND IS THAT WHEN YOU CALLED LAW  
22 ENFORCEMENT AND SAID HEY COME HERE, I DIDN'T DO IT?

23 A NO, IT'S NOT.

24 Q OKAY.

25 A IT WAS, I SAW HARMON BROUGHT ME BACK OVER HERE



1       AND WHEN HE BROUGHT, BEFORE HE BROUGHT ME HERE, ON  
2       THE WAY OUT OF THE DOOR I WAS TELLING HIM I MADE A  
3       MISTAKE.

4       Q     OKAY.  AND ANYBODY ELSE THAT DAY, THAT MORNING,  
5       DID YOU SEE SOMEBODY AND SAID HEY, YOU KNOW, YOU  
6       DON'T UNDERSTAND.  I CONFESSED TO KILLING MY DAUGHTER  
7       YESTERDAY BUT I DIDN'T DO IT.  WHO DID YOU TELL THAT  
8       TO?

9       A     I DIDN'T TELL IT TO NOBODY BECAUSE I DIDN'T  
10      TRUST THEM NO MORE.

11     Q     YOU DIDN'T?

12     A     THEY'D BEEN LYING TO ME.  NO.

13     Q     OKAY.

14     A     THEY LIED TO ME.

15     Q     SO AT THAT POINT YOU REALLY DIDN'T HAVE ANYBODY  
16      TO TELL, YOU COULDN'T TRUST LAW ENFORCEMENT, RIGHT?

17     A     I --

18     Q     IS THAT A FAIR STATEMENT?

19     A     I DIDN'T TALK TO NOBODY.  I JUST TOLD HARMON I  
20      WANTED TO TALK TO DETECTIVES AGAIN.  I WANT TO TELL  
21      THEM THE TRUTH.  THAT'S THE WAY OUT DOOR BECAUSE I  
22      KNEW WHERE WE WERE HEADING, WE WERE HEADING BACK TO  
23      THE JAIL.  WE WERE HEADING BACK TO THE JAIL.

24     Q     WHAT TIME DID Y'ALL COME OVER HERE THAT DAY?

25     A     IT WAS EARLY IN THE MORNING, ABOUT 8 O'CLOCK I

1 GUESS.

2 Q BUT BEFORE YOU LEFT THERE.

3 A I MADE THAT STATEMENT TO HIM.

4 Q YOU TALKED TO A JUDGE RAY LONG, RIGHT?

5 A I DID TALK TO RAY LONG, YES.

6 Q AND YOU ACTUALLY, WHEN YOU TALKED TO RAY LONG,

7 IT WAS JUST AND RAY LONG IN THAT LITTLE ROOM WITH

8 THAT LITTLE DESK, NOT THE SAME LITTLE ROOM I DON'T

9 GUESS?

10 A RIGHT.

11 Q BUT IN HIS OFFICE?

12 A AND HE TOLD ME WHAT MY CHARGE WAS AND.

13 Q TALKED ABOUT --

14 A SETTING MY BOND.

15 Q AND SO TALK ABOUT BOND AND PAPER WORK AND?

16 A RIGHT.

17 Q OUR SYSTEM AND HOW YOU GET COUNSEL APPOINTED AND

18 ALL THAT STUFF, RIGHT?

19 A I WOULDN'T SAY HE WENT INTO ALL THAT. HE DID

20 SAY, HE DID SAY I'LL SET YOU UP FOR A PUBLIC

21 DEFENDER, HE DID SAY THAT.

22 Q AND YOU WERE ASKING FOR A PUBLIC DEFENDER THEN,

23 THAT WAS PART OF THE PROCESS, RIGHT?

24 A THAT WAS, YES, IT WAS PART OF THE PROCESS.

25 Q SO I MEAN YOU DIDN'T SAY, RAY LONG, THANK GOD

1 YOU'RE HERE, I NEED TO ASSERT MY RIGHTS, YOU DIDN'T  
2 DO THAT, DID YOU?

3 A NO, SIR, I DIDN'T.

4 Q OKAY. AS A MATTER OF FACT, WHEN YOU AND RAY  
5 LONG WERE IN THERE WITH THAT DOOR SHUT YOU DIDN'T  
6 SAY, JUDGE, HE'S TELLING YOU ABOUT YOUR RIGHTS AND  
7 STUFF, AND HE'S GETTING YOU AN ATTORNEY APPOINTED AND  
8 ALL KINDS OF STUFF, RIGHT?

9 A THAT'S RIGHT.

10 Q YOU DIDN'T SAY, JUDGE, YESTERDAY THE DAMNDEST  
11 THING HAPPENED, I CONFESSED TO SOMETHING I REALIZE I  
12 DIDN'T DO AND I PRAYED ABOUT IT ALL NIGHT AND I  
13 THOUGHT ABOUT IT ALL NIGHT, AND NOW I WANT TO TELL  
14 YOU, RAY, WHAT I DIDN'T DO.

15 A WELL --

16 Q YOU CAN EXPLAIN.

17 A OKAY. I'M SORRY.

18 Q YOU DIDN'T TELL ONE WORD ABOUT THAT, DID YOU?

19 A NO, I DIDN'T SAY NOTHING TO HIM BECAUSE I DIDN'T  
20 KNOW HE COULD HELP ME.

21 Q SO THEN YOU GO GET, YOU DON'T SAY ANYTHING TO  
22 RAY LONG ABOUT YOUR KIND OF SPELL WORE OFF, YOU DON'T  
23 TELL RAY LONG ANYTHING ABOUT THAT, IS THAT RIGHT?

24 A IT WASN'T A SPELL BUT NO, I DIDN'T SAY ANYTHING  
25 TO HIM ABOUT THAT. ALL I SAID, I JUST GOT WHAT I

1 NEEDED TO GET FROM HIM AND WE WENT ON OUT THE DOOR.

2 Q AND HE WASN'T LAW ENFORCEMENT, RIGHT? THAT WAS

3 A NEUTRAL JUDGE, RIGHT?

4 A I DIDN'T KNOW THAT. HE WAS IN THE POLICE

5 DEPARTMENT.

6 Q TALKING ABOUT YOUR RIGHTS AND WHAT HE COULD DO

7 FOR YOU, RIGHT?

8 A HE DIDN'T SAY WHAT HE COULD DO FOR ME. HE JUST

9 TOLD ME ---

10 Q YOU APPOINTED YOU AN ATTORNEY, DIDN'T HE?

11 A THAT'S ALL HE DONE WAS APPOINTED ME ATTORNEY.

12 Q AND HE WENT THROUGH YOUR BOND?

13 A AND HE GAVE ME A BOND AND HE TOLD ME THAT HE

14 DENIED MY BOND THAT MORNING. THAT'S ALL HE SAID.

15 Q SO THEN YOU PACK UP AND COME ON OVER HERE TO

16 YORK, RIGHT?

17 A THAT'S CORRECT.

18 Q AND --

19 A WELL BEFORE I LEAVE HERE I TELL HARMON ON THE

20 WAY OUT THE DOOR.

21 Q YOU TELL HARMON?

22 A THAT I WANTED TO TALK TO THE DETECTIVE BUT HE

23 DIDN'T, HE SAID YOU'LL HAVE TO DO THAT WHEN YOU GET

24 OVER HERE TO CALL THEM AND LET THEM KNOW AND THEY

25 WILL BRING YOU BACK OVER.

1 Q SO YOU WANTED TO TALK TO THOSE FOLKS THAT YOU  
2 COULDN'T TRUST, RIGHT?

3 A I WANTED TO TALK TO SOMEONE. I WANTED TO TALK  
4 TO WALDROP AND I WANTED TO TALK TO HERRING BECAUSE I  
5 TOLD THEM I DIDN'T DO IT AND I DIDN'T DO IT AND I  
6 FIGURED THEY WOULD BE THE ONES TO TALK TO.

7 Q OKAY. SO YOU GET OVER HERE SATURDAY AND YOU ARE  
8 HERE ALL DAY SATURDAY. NOW IN YOUR MIND YOU CLEARLY  
9 HADN'T DONE IT, RIGHT?

10 A NO, I KNEW I DIDN'T DO IT THEN.

11 Q OKAY. AND THEN YOU ARE HERE INTO THE DAY SUNDAY  
12 AT WHICH POINT YOU CALL ONE OF THE LADIES HERE AT THE  
13 JAIL AND KIND OF FLAG HER DOWN AND SAY SOMETHING TO  
14 THE EFFECT THAT YOU WANT TO GO, YOU NEED TO TALK TO  
15 LAW ENFORCEMENT AND YOU WANTED TO TELL THEM ABOUT  
16 WHAT HAPPENED WITH AMANDA, RIGHT?

17 A I DID TALK TO POLICE OFFICER BUT THE REASON, I  
18 MEAN I TALKED TO AN OFFICER IN THE JAIL. ACTUALLY I  
19 TALKED TO SEVERAL OFFICERS. I TALKED TO NUMEROUS  
20 OFFICERS BUT THEY WERE, THERE WAS ONLY TWO OF THEM  
21 THAT HAVE ACTUALLY, WELL, ONE OF THEM ACTUALLY IT  
22 SEEMED LIKE CAME THROUGH. THE OTHER ONE JUST MADE A  
23 STATEMENT AFTERWARDS.

24 Q OKAY. AND NOW THIS, AGAIN THIS IS THE SHERIFF'S  
25 OFFICE HERE, THE JAIL OR DETENTION CENTER OVER HERE

1 YOU ARE TALKING ABOUT NOW, CORRECT?

2 A DETENTION CENTER, THAT'S CORRECT.

3 Q SO THOSE FOLKS WORK FOR THE SHERIFF'S DEPARTMENT  
4 NOT FOR ROCK HILL CITY, RIGHT?

5 A THAT'S CORRECT.

6 Q OKAY. AND ONE OF THEM ACTUALLY LISTENED TO YOU  
7 AND TALKED TO YOU, RIGHT?

8 A YES, SHE.

9 Q WHAT WAS IT YOU TOLD HER? WHAT WAS IT YOU TOLD  
10 HER YOU WANTED TO DO?

11 A SAID I, SAID I WANTED --WELL, I TRIED TO GET HER  
12 ATTENTION. I TRIED TO GET ALL OF THEM'S ATTENTION.  
13 I WANTED TO COME OVER HERE AND I WANTED TO GO BACK TO  
14 ROCK HILL AND TELL THEM I DIDN'T DO IT, BUT THEY  
15 WASN'T LISTENING TO ME. SO I SAID, I NEED TO TALK TO  
16 THE OFFICER WALDROP AND SHE SAID, SHE SAID WHAT'S IT  
17 ABOUT AND I SAID AND I THOUGHT I DONE TRIED  
18 EVERYTHING ELSE, THEY ARE NOT LISTENING TO ME, SO I  
19 SAID I WANT TO TELL THEM WHAT I DONE TO MY DAUGHTER,  
20 WORD FOR WORD.

21 Q WORD FOR WORD THAT'S WHAT YOU SAID?

22 A CLOSE TO IT.

23 Q OKAY. YOU TOLD THEM YOU WANTED TO TELL THEM  
24 WHAT YOU HAD DONE TO YOUR DAUGHTER, OKAY. AND THAT  
25 WAS ON SUNDAY?

1       A     THAT WAS ON SUNDAY AND SHE CAME BACK AND TOLD ME  
2       THAT WAS -- WELL, SHE TOLD ME SHE WAS GOING TO GO  
3       TALK TO LIEUTENANT WALDEN WHO IS HER LIEUTENANT AND  
4       HE TOLD HER THAT, HE TOLD HER THAT HE WOULD CONTACT  
5       THE ROCK HILL POLICE DEPARTMENT. HE CONTACTED THEM  
6       AND TOLD HER THAT THEY SAID THAT IT WOULD BE MONDAY  
7       MORNING BEFORE THEY COULD GET TO ME. THAT WAS ON THE  
8       NEXT DAY. AND SO I SAT IN THE CELL THAT DAY. AND I  
9       STARTED TO, ACTUALLY I STARTED FORMULATING THIS STORY  
10      ON, WHEN I FIRST, AFTER I FIRST GOT OVER TO THE  
11      BLOCK, OVER TO THE CELL OVER HERE.

12      Q     OVER TO HERE?

13      A     OVER TO HERE.

14      Q     HERE AT MOSS JUSTICE?

15      A     MOSS JUSTICE BECAUSE I KNEW I DIDN'T DO ANYTHING  
16      WRONG.

17      Q     SO YOU GOT OVER HERE SATURDAY MORNING SO THAT'S  
18      WHEN YOU START WORKING ON THE NEW STORY, RIGHT?

19      A     RIGHT, SATURDAY MORNING.

20      Q     AND YOUR NEW STORY ISN'T I DIDN'T DO IT, YOUR  
21      NEW STORY IS ABOUT THIS DREAM ABOUT AN ABORTION,  
22      RIGHT?

23      A     THAT'S RIGHT.

24      Q     OKAY. SO WHAT, WHEN YOU SAY YOU KIND OF WORKED  
25      ON THAT OVER THE WEEKEND IN YOUR MIND, HOW DID YOU

1 WORK THAT OUT?

2 A WELL, I WAS TRYING TO COME UP WITH SOMETHING  
3 THAT WOULD HELP ME GET, IT WOULD HELP ME GET MAYBE A  
4 CRAZY INSTITUTION BECAUSE I KNEW I DIDN'T DO IT AND I  
5 DIDN'T WANT TO GO TO PRISON BECAUSE I DIDN'T DO IT.

6 Q RIGHT.

7 A AND I HAD GAVE A CONFESSION TO SOMETHING THAT  
8 WAS IMAGES IN MY HEAD.

9 Q OKAY. AND YOU GAVE A CONFESSION TO THOSE IMAGES  
10 AND THEN THE NEXT DAY YOU START WORKING ON YOUR CRAZY  
11 DEFENSE BASICALLY, RIGHT?

12 A PRETTY MUCH, YEAH. I GUESS. I WANTED OUT. I  
13 WANTED OUT OF THAT.

14 Q SO YOU COME UP WITH THE CRAZY DEFENSE AND YOU  
15 INTERJECT, NOW YOU DON'T HAVE LAW ENFORCEMENT GIVING  
16 YOU IDEAS THEN BECAUSE YOU'RE BY YOURSELF NOW?

17 A I'M BY MYSELF.

18 Q SO YOU ARE HAVING TO COME UP WITH THEM ON YOUR  
19 OWN NOW, RIGHT?

20 A PRETTY MUCH. I TRIED TO USE THE SAME FORMAT  
21 THAT WAS IN THE.

22 Q BUT YOU INTERJECTED THIS LADY, WHAT WAS HER  
23 NAME?

24 A HER NAME WAS TERESA GARRISON. TERESA ALMOND  
25 ACTUALLY.



1 Q NOW YOU SAID THAT YOU DREAMED THAT SHE HAD, THAT  
2 SHE HAD AN ABORTION AND SHE WAS LAUGHING AT YOU.

3 A NO, SHE HAD AN ABORTION AND SHE ACTUALLY DID  
4 LAUGH. I WAS DREAMING AND I SAID I WAS DREAMING  
5 ABOUT WHAT SHE ACTUALLY DID.

6 Q ALL RIGHT. LET ME BREAK IT DOWN A LITTLE BIT.

7 A OKAY.

8 Q YOU TOOK SOMETHING THAT REALLY HAPPENED, SHE HAD  
9 AN ABORTION, THAT'S TRUE?

10 A THAT'S RIGHT. THAT'S CORRECT.

11 Q OKAY. AND SHE WAS LAUGHING ABOUT IT?

12 A RIGHT.

13 Q AND YOU TOOK THAT AND PUT IT IN FOR SOMETHING  
14 YOU TOLD LAW ENFORCEMENT?

15 A A DREAM, THAT'S CORRECT.

16 Q SO YOU TOOK THAT IN YOUR DREAM SO YOU TOOK  
17 THINGS THAT REALLY HAPPENED AND KIND OF FLOWED THEM  
18 INTO A DREAM, WRAPPED IT IN A DREAM KIND OF, RIGHT?

19 A I SEE WHERE YOU ARE GOING. NO, I SEE--- NO, I  
20 DID NOT DO THAT. WHAT I'M SAYING IS I CREATED THIS,  
21 THIS WHOLE DREAM FROM SOMETHING, YES, THAT REALLY  
22 HAPPENED BUT IT HAPPENED FROM ABOUT THREE YEARS PRIOR  
23 TO THAT. NO, ACTUALLY, I'M SORRY. THREE YEARS  
24 BEFORE I GOT MARRIED. ABOUT 15-16 YEARS AGO.

25 Q AND YOU USE THAT, DID I UNDERSTAND FROM YOUR

1 TESTIMONY, YOU USED THAT BECAUSE YOU WANTED SOMETHING  
2 THAT WOULD MAKE YOU ANGRY, DID I UNDERSTAND THAT  
3 RIGHT? THAT MADE YOU ANGRY, THAT REALLY MADE YOU  
4 ANGRY AND YOU WANTED TO USE SOMETHING IN THE DREAM  
5 THAT WOULD MAKE YOU ANGRY?

6 A WELL, THE WAY HE EXPLAINED IT TO ME WAS THAT IT  
7 WAS, IT WAS FORCED AND IT WAS FORCED UP INTO HER REAL  
8 DEEP AND I SAID WELL WHAT COULD CAUSE SOMEBODY TO DO  
9 THAT AND THEN SO I CREATED THE ANGER IMAGE.

10 Q OKAY. SO THE ANGER IMAGE YOU WROTE IN THERE TO  
11 EXPLAIN WHY YOU DID IT, RIGHT?

12 A PRETTY MUCH, YES, SIR.

13 Q OKAY. AND SO YOU WORKED ON THAT, ONCE YOU GOT  
14 OVER HERE, SO SATURDAY AND SUNDAY YOU WORK ON YOUR  
15 MONDAY STORY WITHOUT ANY HELP FROM LAW ENFORCEMENT,  
16 RIGHT?

17 A RIGHT. BECAUSE I WAS, I MEAN, I WAS SITTING IN  
18 THE CELL TRYING TO HELP MYSELF, TRYING TO GET OUT OF  
19 SOMETHING THAT WAS NOT TRUE.

20 Q OKAY. YOU TALKED A LOT ABOUT HELPING YOURSELF  
21 AND GETTING OUT OF STUFF, YOU HEARD YOUR EXPERT  
22 TESTIFY ABOUT THAT KIND OF STUFF, DIDN'T YOU?

23 A I CAME UP WITH THIS, THIS LONG TIME, THIS IS  
24 WHAT HAPPENED TO ME AND I COME UP WITH THIS A LONG  
25 TIME AGO BEFORE, BEFORE EVEN CAME INTO THE PICTURE.

1 I DIDN'T EVEN KNOW WHAT HE WAS GOING TO TESTIFY  
2 ABOUT.

3 Q I GOT YOU. SO YOU CAME UP WITH IT AND THEN THEY  
4 GOT HIM?

5 A OH, SO I JUST HEARD ABOUT IT WHAT THREE DAYS  
6 AGO, FOUR DAYS. NO, TWO DAYS AGO, THREE DAYS AGO. I  
7 HAD THAT MUCH TIME TO SIT DOWN AND FIGURE ALL THIS  
8 OUT, NO, I DON'T THINK SO. IT WAS A LONG TIME.

9 Q WELL, THIS IS THE FIRST --

10 A BECAUSE I KNEW WHAT HAPPENED.

11 Q WELL, YOU ADMIT THAT TODAY IS THE FIRST TIME  
12 WE'VE HEARD THE EXPLANATION OF OH, I REALLY DID  
13 BELIEVE THAT I REALLY DIDN'T BELIEVE THAT I DIDN'T DO  
14 THIS. YOU KNOW, BECAUSE WHEN YOU SHOW UP TO LAW  
15 ENFORCEMENT YOU'RE NOT SAYING, OH, NOW HERE'S MY  
16 CRAZY STORY?

17 A NO.

18 Q YOU ARE SELLING IT FOR WHAT IT'S WORTH, RIGHT?

19 A BECAUSE THAT'S --

20 Q YOU ARE TRYING TO CONVINCEN THEM OF THAT, RIGHT?

21 A RIGHT. HE TOLD ME IN THEIR, OFFICER, I MEAN,  
22 CAPTAIN CABANISS TOLD ME HE WOULDN'T BELIEVE IT  
23 UNLESS WE WENT OVER AND PROVED IT. I --

24 Q WE'RE NOT EVEN TO THE HOUSE YET. YOU ARE ARMED  
25 WITH THE CRAZY STORY.

1           A     THE CRAZY STORY, YEAH, I WANTED, I TOLD HIM  
2           EXACTLY WHAT HAPPENED AND THEN I HAD TO WRITE IT  
3           DOWN, THAT'S CORRECT.

4                     MR. POPE:   PLEASE THE COURT, YOUR HONOR,  
5           I'M HEADING INTO.

6                     THE COURT:   IT IS FRIDAY, I THINK THIS IS  
7           PROBABLY A GOOD PLACE TO STOP FOR THE DAY.   IT'S  
8           ABOUT 6:30.   WE'LL START BACK AT NINE.   YOU ARE NOT  
9           YET TO MAKE UP YOUR MIND OR DISCUSS THE CASE OR LET  
10          YOURSELF BE EXPOSED TO ANY NEWS COVERAGE.   WE'LL SEE  
11          YOU BACK AT NINE IN THE MORNING.   THANK YOU.

12                    (THE JURY EXITS THE COURTROOM AT 06:27  
13          PM.)

14                    THE COURT:   ANYTHING FROM THE STATE BEFORE  
15          WE ADJOURN.

16                    MR. POPE:   NO, SIR, OTHER THAN EXPLAINING  
17          TO MR. COPE THAT HE'S STILL ON THE STAND.

18                    THE COURT:   OKAY.   ANYTHING FROM THE  
19          DEFENSE.

20                    MR. MORTON:   YOUR HONOR, THE ONLY THING WE  
21          WANTED TO DO, I THINK WE MADE THE MOTION ABOUT IT  
22          EARLIER, I'M NOT QUITE SURE TO BE HONEST, WE WANTED  
23          TO SEE IF WE COULD GET A PHOTOGRAPH OF THE HOLDING  
24          CELL HE WAS HELD IN.   IT PROBABLY WOULDN'T TAKE BUT  
25          JUST A MINUTE.   I DON'T THINK IT WOULD BE TOO

1           INCONVENIENT FOR THEM FOR US TO JUST GET A PHOTOGRAPH  
2           OF AN EMPTY HOLDING CELL THAT HE WAS HELD IN THOSE  
3           FIRST COUPLE OF DAYS.

4                         THE COURT:   MR. GREELEY.

5                         MR. GREELEY:  NOTHING FROM US.

6                         THE COURT:  WHAT'S THE STATE'S POSITION ON  
7           THAT?

8                         MR. POPE:   BEG THE COURT'S INDULGENCE.

9                         MR. BRACKETT:  CAN WE TALK ABOUT IT AND  
10          COME UP WITH AN ANSWER IN THE MORNING.  I HAVE NO  
11          IDEA WHAT THIS HOLDING CELL LOOKS LIKE.

12                        THE COURT:  YOU NEED THE WHOLE NIGHT TO  
13          COME UP WITH AN ANSWER?

14                        MR. BRACKETT:  WE JUST HAD 30 SECONDS TO  
15          HEAR ABOUT IT.

16                        THE COURT:  ALL RIGHT.  YOU ARE STILL ON  
17          THE STAND, MR. COPE AND SO YOUR LAWYERS, OF COURSE,  
18          WOULDN'T BE TALKING TO YOU ABOUT THE CASE.

19          A         CORRECT.

20                        THE COURT:  YOU UNDERSTAND.

21          A         I UNDERSTAND.

22                        THE COURT:  OKAY.  WE'LL SEE YOU BACK AT  
23          NINE IN THE MORNING.

24                                       (COURT'S IN RECESS AT 06:29 PM.)

25



1 IN THE CIRCUIT COURT OF YORK COUNTY, SOUTH CAROLINA

2 STATE OF SOUTH CAROLINA

3 VERSUS

4 BILLY WAYNE COPE &  
5 JAMES EDWARD SANDERS

6 INDICTMENT NUMBERS: 2002-GS-46-3232-3234  
7 2003-GS-46-1843-1844  
8 2004-GS-46-2614-2618  
9 2004-GS-46-196-199

10 HEARD AT THE MOSS JUSTICE CENTER,  
11 1675 YORK HIGHWAY, YORK, SOUTH CAROLINA, ON  
12 TUESDAY, SEPTEMBER 21, 2004, BEFORE THE  
13 HONORABLE JOHN C. HAYES, III AND A JURY.

14 APPEARANCES:

15 TOMMY POPE  
16 KEVIN BRACKETT  
17 WILLY THOMPSON  
18 16TH CIRCUIT SOLICITOR'S OFFICE  
19 1675 YORK HIGHWAY  
20 YORK, SC 29745  
21 REPRESENTING THE STATE

22 JAMES MORTON  
23 DAVID WOOD  
24 MICHAEL SMITH  
25 MORTON & GETTYS  
1051 OAKLAND AVENUE  
ROCK HILL, SC 29732

A. PHILIP BAITY  
POST OFFICE BOX 275  
FORT MILL, SC 29715  
REPRESENTING BILLY WAYNE COPE

LELAND GREELEY  
128 E. MAIN STREET SUITE 102  
ROCK HILL, SC 29732  
REPRESENTING JAMES EDWARD SANDERS

REPORTED BY: JANET M. RICH  
CIRCUIT COURT REPORTER  
1992 DOWNEY STREET  
ROCK HILL, SC 29732

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25

1 (COURT RESUMES ON SEPTEMBER 21, 2004 AT 09:05 AM.)

2 THE COURT: MR. GREELEY.

3 MR. GREELEY: YOUR HONOR, I HAVE TWO ITEMS  
4 PRIOR TO THE JURY RETURNING. MR. MORTON SPOKE TO ME  
5 THIS MORNING AT NINE O'CLOCK. THE FIRST ONE INVOLVES  
6 I BELIEVE HIS HONOR WILL REMEMBER IN PRE-TRIAL  
7 HEARINGS WE HAD A LETTER THAT MY CLIENT HAD WRITTEN  
8 TO THE SOLICITOR AND WE HAD SOME DISCUSSION ABOUT  
9 THAT. MR. MORTON INDICATED TO ME THAT HE PROBABLY  
10 WOULD LIKE TO INTRODUCE THAT LETTER INTO EVIDENCE. I  
11 TALKED WITH HIM, TOLD HIM THAT I DID NOT FEEL AT THIS  
12 POINT IN TIME THAT I WOULD HAVE AN OBJECTION TO IT AS  
13 LONG AS EVERYTHING WAS REDACTED EXCEPT FOR THAT PART  
14 THAT HE WANTED TO COME IN, SO I WANTED THE COURT TO  
15 KNOW ABOUT IT AND SO HE AND I WOULD HAVE TO WORK AT  
16 THE BREAK IN REGARDS TO REDACTION OF THAT LETTER.

17 THE SECOND THING THAT HE TOLD ME AT 9  
18 O'CLOCK WAS THAT THERE IS A GENTLEMAN IN THE JAIL BY  
19 THE NAME OF JAMES HILL WHO MR. MORTON TELLS ME THAT  
20 HE BELIEVES TO BE A JAIL HOUSE CONFESSION WITNESS IN  
21 REGARDS TO MY CLIENT. THIS IS THE FIRST THAT I HAVE  
22 HEARD ABOUT MR. HILL. THEY HAVE HAD, HE DID TELL ME  
23 THAT THEY HAVE KNOWN HIM ABOUT HIM FOR MONTHS. IN  
24 REVIEWING IT I DON'T BELIEVE I HAVE EVER REPRESENTED  
25 A JAMES HILL AND I'M GLAD FOR THAT BECAUSE THAT WOULD



1 THE COURT: WAIT JUST ONE SECOND UNTIL WE  
2 GET ORDER IN THE COURTROOM.

3 MR. POPE: MAY IT PLEASE THE COURT.

4 THE COURT: YES, SIR.

5 MR. POPE: THANK YOU.

6 CROSS EXAMINATION CONTINUED BY MR. POPE:

7 Q MR. COPE, YESTERDAY I KEPT TRYING TO KIND OF  
8 CREATE A PICTURE OF, THAT WAS YOUR BED. I WOULD BE  
9 STANDING IN AMANDA'S DOOR. THE GIRLS, THE OTHER  
10 GIRL'S ROOM WAS HERE, AND THEN THERE IS THE DESK,  
11 BOOK SHELVES IN THE HALL, AND THEN THERE IS A VIEW ON  
12 INTO THE DEN AS YOU STEP OUT OF YOUR DOOR, IS THAT  
13 CORRECT?

14 A YES, THAT'S CORRECT.

15 Q THE WAY WE WERE TALKING YESTERDAY?

16 A YES.

17 Q I SHOW YOU WHAT'S BEEN MARKED STATE'S EXHIBIT  
18 103 FOR IDENTIFICATION. ASK YOU TO TAKE A LOOK AT  
19 THAT ITEM.

20 A YES, SIR.

21 Q YOU RECOGNIZE THAT?

22 A I DO RECOGNIZE THAT.

23 Q OKAY. WOULD THAT BE THE VIEW IF I STEPPED OUT  
24 OF YOUR BEDROOM AND LOOKED KIND OF TOWARD THE FRONT  
25 DOOR AND INTO THE DEN OVER IN THAT DIRECTION?

1 A YES, SIR.

2 Q OKAY.

3 MR. POPE: YOUR HONOR, I MOVE STATE'S  
4 EXHIBIT 103 FOR IDENTIFICATION INTO EVIDENCE.

5 MR. MORTON: NO OBJECTION, YOUR HONOR.

6 MR. GREELEY: I HAVE VIEWED THE PICTURE  
7 AND I HAVE NO OBJECTION.

8 THE COURT: BE RECEIVED WITHOUT OBJECTION.

9 (STATE'S EXHIBIT 103 PHOTO RECEIVED INTO  
10 EVIDENCE.)

11 Q MR. COPE, YESTERDAY WHEN WE WERE TALKING YOU HAD  
12 SOME NOTES ON THE STAND, IS THAT CORRECT?

13 A THAT'S CORRECT.

14 Q AND THAT WAS ONE PAGE ABOUT WHERE YOU WORKED  
15 AND --

16 A THAT'S CORRECT.

17 Q ---THAT NATURE. I NOTICED TODAY WHEN YOU CAME  
18 IN YOU HAD A LARGE VOLUME OF WRITTEN MATERIALS. ARE  
19 THOSE MATERIALS YOU REVIEWED IN PREPARATION OF YOUR  
20 TESTIMONY?

21 A IN PREPARATION FOR MY TESTIMONY, NO, SIR. MY  
22 TESTIMONY IS THE SAME. I MEAN I CAN'T SAY THE TRUTH  
23 NO OTHER WAY. MY TESTIMONY IS THE SAME. BUT THAT'S  
24 MY MOTION OF DISCOVERY AND THE NOTES THAT I TOOK  
25 AFTER I COME BACK FROM MY ATTORNEY VISITS.

1 Q SO THAT'S THE, DID YOU REVIEW THOSE NOTES TO  
2 PREPARE YOU TO TESTIFY TODAY?

3 A NO, SIR.

4 Q OR BETWEEN YESTERDAY?

5 A NO, SIR. I DID NOT OPEN THAT BOOK UP TODAY.

6 Q LAST NIGHT YOU DID?

7 A DID NOT.

8 Q HOW ABOUT THE NIGHT BEFORE LAST BEFORE YOU  
9 TESTIFIED?

10 A NO, SIR.

11 Q OKAY. THAT'S WHAT I WANTED TO KNOW. NOW  
12 BRINGING YOUR ATTENTION BACK TO WHERE WE WERE  
13 YESTERDAY THE INCIDENT HAD HAPPENED WEDNESDAY  
14 NIGHT/THURSDAY MORNING, RIGHT? AND THEN YOU WOKE UP  
15 THURSDAY MORNING AND FOUND AMANDA, RIGHT?

16 A YES.

17 Q OKAY.

18 A NO. THAT WAS THURSDAY MORNING, YES, SIR, THAT'S  
19 CORRECT.

20 Q THURSDAY MORNING. AND THEN ON FRIDAY MORNING,  
21 YOU CAME UP HERE AND DID POLYGRAPH, RIGHT?

22 A THAT'S CORRECT.

23 Q OKAY.

24 A I, I WAS JUST GOING TO SAY, YES, SIR. THAT'S  
25 WHAT I DID. I CAME UP HERE. IT WAS ABOUT TEN

1 O'CLOCK I GUESS.

2 Q AND GOT FINISHED UP HERE SOMETIME AFTER TWO  
3 AFTER THE STATEMENT THAT WE TALKED ABOUT YESTERDAY,  
4 RIGHT?

5 A SOMEWHERE BETWEEN, YEAH ABOUT, WELL, LET'S SEE.  
6 IT WAS RIGHT AROUND TWO. WELL, ACTUALLY, NO, IT WAS  
7 ABOUT 2:30.

8 Q AND THEN YOU HEAD BACK DOWN TO ROCK HILL, RIGHT?  
9 WHEN YOU FINISH---

10 A THAT'S CORRECT.

11 Q OKAY. AND YOU WERE TELLING THE JURY YESTERDAY  
12 WHEN YOU LEFT MOSS JUSTICE CENTER OVER AT THE  
13 SHERIFF'S OFFICE THAT FRIDAY AT 2:30 IN YOUR MIND YOU  
14 COMMITTED THIS CRIME?

15 A THAT'S CORRECT.

16 Q OKAY. AND THEN YOU WENT BACK TO ROCK HILL CITY  
17 WHERE YOU SPENT THE NIGHT, CORRECT?

18 A THAT'S CORRECT.

19 Q OKAY. HAD DINNER OVER THERE, RIGHT?

20 A RIGHT. I HAD TIME TO START TO THINK.

21 Q RIGHT. AND AT SOME POINT ONCE YOU HAD TIME TO  
22 START TO THINK AWAY FROM THAT PRESSURE FROM MIKE  
23 BAKER, WAY FROM THAT PRESSURE, YOU STARTED THINKING  
24 YOU GOING, HEY, I REALLY DIDN'T DO THIS, RIGHT?

25 A YES, SIR. I -- THAT'S WHAT I STARTED TO THINK,

1       YEAH, I DID.

2       Q     OKAY.  SO WHEN DO YOU THINK YOU REALIZED AGAIN  
3       THAT YOU DIDN'T DO IT?

4       A     SOMETIME OVER IN THE MORNING.  WHILE I WAS  
5       SITTING BECAUSE THAT NEXT MORNING I GOT, THE NEXT  
6       MORNING AT 8 O'CLOCK WHENEVER WE STARTED TO LEAVE OUT  
7       TO COME OVER HERE, I TOLD HIM, HEY, I MADE A MISTAKE.  
8       I NEED TO TALK TO THE DETECTIVES AGAIN.

9       Q     SO OVER THE NIGHT YOU DECIDED THAT YOU DIDN'T DO  
10      IT, RIGHT?

11     A     THAT'S CORRECT.

12     Q     FRIDAY NIGHT, OKAY.  AND THEN LET ME ASK YOU  
13     FRIDAY AROUND SUPPER TIME DID YOU STILL THINK YOU DID  
14     IT?

15     A     FRIDAY AROUND SUPPER TIME.  I WASN'T SURE.  I  
16     MEAN, I REMEMBER WHEN MRS. BLACKWELDER CAME IN AND  
17     WAS ASKING ME ABOUT THE BROOM.  I WASN'T SURE.

18     Q     AND YOU WERE TELLING HER WHICH BROOM AT THAT  
19     POINT?

20     A     I SAT IN THE, I SAID IN THE ROOM IT REALLY  
21     DIDN'T START TO HIT ME UNTIL LATER ON THAT EVENING  
22     AFTER I STARTED THINKING ABOUT -- AS A MATTER OF  
23     FACT, I THINK IT WAS THE BROOM THAT STARTED IT.  I  
24     DIDN'T DO THAT.

25     Q     OKAY.  AND SO WHEN YOU TALKED TO MRS.



1 BLACKWELDER AROUND 6:25 SHE WASN'T THREATENING YOU OR  
2 ANYTHING AT THAT POINT, RIGHT?

3 A SHE JUST CAME TO THE DOOR SAID MR. COPE, WAS  
4 THAT A BLUE BROOM OR A RED BROOM.

5 Q AND YOU SAID --

6 A ACTUALLY I THINK SHE HAD THE BROOMS WITH HER AND  
7 SHE SHOWED ME THE BROOMS.

8 Q SHE SHOWED YOU THE BROOMS THERE THAT FRIDAY  
9 NIGHT IN THE HOLDING CELL OR IN THE, AT ROCK HILL?

10 A AT THE CITY. SHE SAID WAS IT THIS RED BROOM OR  
11 THIS BLUE BROOM.

12 Q AND YOU SAID IT WAS DEFINITELY THE BLUE HANDLED  
13 BROOM AND NOT THE DUST MOP, RIGHT?

14 A THAT'S EXACTLY WHAT I SAID, YES, SIR.

15 Q THEN YOU TOLD HER YOU DIDN'T RECALL WHAT YOU DID  
16 WITH THE BROOM AFTERWARDS, BUT YOU ARE TELLING US  
17 THAT SHE HAD THE BROOMS IN HER HAND, RIGHT?

18 A WELL I MEAN, THEY WENT, SHE SAID THEY WENT BACK  
19 AND THEY HAD FOUND THE BROOMS, WENT TO THE HOUSE AND  
20 FOUND BROOMS AND THAT'S WHAT I TOLD HER.

21 Q THEY DIDN'T FIND THE BROOM YOU ARE TALKING  
22 ABOUT, DID THEY?

23 A THE BROOM I'M TALKING ABOUT? I DON'T KNOW WHAT  
24 BROOM IT WAS IF IT WAS A BROOM.

25 Q OKAY. ALL RIGHT. SO SATURDAY MORNING NOW

1 YOU'VE DECIDED YOU DIDN'T DO IT AGAIN, RIGHT?

2 A SATURDAY MORNING, YES, SIR.

3 Q OKAY. AND YOU SAID YOU MADE A MISTAKE, RIGHT?

4 A I TOLD HARMON THAT I MADE A MISTAKE, THAT I  
5 WANTED TO TALK TO THE DETECTIVES.

6 Q YOU WANTED TO TALK TO DETECTIVES. YOU DIDN'T  
7 TELL HIM YOU DIDN'T DO IT OR ANYTHING. YOU SAID I  
8 MADE A MISTAKE, I WANT TO TALK TO THE DETECTIVES,  
9 RIGHT?

10 A RIGHT.

11 Q ALL RIGHT. WHEN YOU WANTED TO TALK TO THE  
12 DETECTIVES AT THAT POINT WAS THAT WHEN YOU KIND OF  
13 WORKED UP YOUR INSANITY STORY, THAT SATURDAY MORNING?  
14 DID YOU HAVE AN INSANITY STORY BY THEN?

15 A NO, SIR. I WAS GOING TO TELL THEM THAT I DIDN'T  
16 DO IT.

17 Q OKAY. THAT'S WHAT YOU WERE GOING TO TELL THEM  
18 SATURDAY MORNING?

19 A RIGHT, THE SAME THING THAT I TOLD THEM BEFORE I  
20 SAID THE INSANITY STORY.

21 Q OKAY. AND THAT'S WHAT I'M TRYING TO GET, WE  
22 KIND OF WENT INTO THIS YESTERDAY, BUT I'M TRYING TO  
23 UNDERSTAND. SO THE INSANITY STORY STARTS WHEN? WHEN  
24 DID YOU START WORKING --

25 A WHEN I GOT BACK OVER HERE TO THE CELL.

1 Q OVER HERE AT MOSS JUSTICE?

2 A IT WAS AFTER THEY STARTED TALKING ABOUT HEARING  
3 VOICES IN THE, IN MY, THEY WERE BOOKING ME IN, THEY  
4 WERE ASKING ME QUESTIONS. THEY ASKED ME ABOUT DO YOU  
5 HEAR VOICES. AT THAT TIME I SAID NO. BUT THEN I GOT  
6 TO BACK TO THE CELL AND I STARTED THINKING ABOUT IT.

7 Q I GOT YOU. OKAY. SO WHEN YOU COME UP HERE THAT  
8 SATURDAY MORNING AND THEY BOOK YOU IN HERE BECAUSE  
9 YOU HADN'T BEEN BOOKED IN OVER HERE YET, RIGHT?

10 A NO.

11 Q BECAUSE YOU WERE IN ROCK HILL'S CUSTODY NOT THE  
12 SHERIFF'S DEPARTMENT, RIGHT?

13 A RIGHT.

14 Q WHEN THEY BOOK YOU IN THEY GOT THAT LIST OF  
15 QUESTIONS LIKE ARE YOU TAKING ANY MEDICINE, ARE YOU  
16 SUICIDAL, DO YOU HEAR VOICES, THEY WERE ASKING ALL  
17 THAT STUFF AND YOU GOT --

18 A I GOT THAT IDEA FROM THERE.

19 Q OKAY. AND SO NOW YOU'RE OVER HERE AND IT'S  
20 SATURDAY AND SUNDAY AND YOU START WORKING THAT  
21 INSANITY IDEA AND YOU SEND WORD BECAUSE IT DOESN'T DO  
22 YOU ANY GOOD TO HAVE AN INSANITY IDEA IF YOU DON'T  
23 TELL IT, RIGHT?

24 A WELL, I TRIED TO GET THEIR ATTENTION AND TELL  
25 THEM LOOK, I WANT TO TALK TO SOMEBODY AT ROCK HILL

1        THAT AND I THINK I KNOW THAT WHEN MRS. HUDDLESTON,  
2        WHO IS NOW MRS. MCGEE, WHEN SHE CAME IN I SAID I WANT  
3        TO TALK TO WALDROP, BUT AT ONE POINT I SAID I WANT TO  
4        TALK TO ANYBODY, ANYBODY.

5        Q        ANYBODY FROM ROCK HILL?

6        A        YEAH, ANYBODY FROM ROCK HILL, BUT NOBODY, THEY  
7        WASN'T LISTENING TO ME AT THE JAIL.  THEY WERE KIND  
8        OF IGNORING ME.  THEY HAVE SO MANY PEOPLE BEATING ON  
9        THE DOOR TO USE THE BATHROOM AND EVERYTHING ELSE.

10      Q        I THINK YOU SAID IT WAS CROWDED THAT WEEKEND,  
11      WASN'T IT?

12      A        IT WAS CROWDED AROUND BUT I WAS THE ONLY ONE IN  
13      THAT CELL.

14      Q        I MEAN AS FAR AS THE NUMBER OF PEOPLE COMING  
15      THROUGH.  FROM WHERE YOU WERE IN THE CELL YOU CAN SEE  
16      THEM BOOKING PEOPLE IN?

17      A        WELL, I SEEN PEOPLE AROUND.  I SEEN A COUPLE  
18      GUYS WALKING BY.  I SEEN ONE GUY GRABBED A BROOM, LIKE  
19      I SAID, AND HE SAID I'M GOING TO USE THIS ON YOU.

20      Q        ON YOU?

21      A        ON ME, YES.

22      Q        I GOT YOU.  NOW WERE YOU THINKING INSANITY AT  
23      THAT POINT OR WHERE WE AT ON INSANITY THOUGHTS?

24      A        I'M STARTING TO, I MEAN, I'M STARTING TO -- I  
25      DON'T WANT TO GO TO PRISON.  I SAW WHAT HE WAS SAYING

1       AND HE WAS TALKING AND HE TOLD ME, HE SAID, I'M GOING  
2       TO USE, HE SAID -- HE WAS IN A BLUE CLOTHES, HE WAS  
3       ONE OF THE CHAIN GANG GUYS, I GUESS, HE WAS WALKING  
4       BY THE BOOKING AND HE HAD A MOP BUCKET IN HIS HAND  
5       AND HE GRABBED THE MOP OR THE BROOM AND WHATEVER IT  
6       WAS AND HE SAID I'M GOING TO USE THIS ON YOU. I'M  
7       GOING TO MAKE SURE I GO BACK TO THE PRISON THAT YOU  
8       AT AND I'M GOING TO USE THIS ON YOU LIKE YOU DID THAT  
9       LITTLE GIRL.

10      Q       THAT'S THE FIRST TIME WE HEARD THAT TOO, RIGHT?  
11      YOU DIDN'T TELL THAT IN YOUR DIRECT TESTIMONY, DID  
12      YOU?

13      A       THAT'S WHAT HE SAID IN THE ROOM.

14      Q       OKAY. AND SO NOW IT'S SATURDAY, NOW IT'S INTO  
15      SUNDAY, AND YOU CALLING AND FINALLY GET AN OFFICER'S  
16      ATTENTION AND YOU TELL HER THAT YOU WANT TO TELL THE  
17      ROCK HILL PEOPLE WHAT YOU DID TO YOUR DAUGHTER?

18      A       WELL, I TOLD THEM, AT FIRST I TRIED TO GET THEIR  
19      ATTENTION TO TELL THEM JUST TO GET SOMEBODY, I WANT  
20      TO TALK TO SOMEBODY, THEY WOULDN'T LET ME. I WANTED  
21      TO COME BACK AND SAY LOOK I DIDN'T DO IT.

22      Q       WAIT A MINUTE NOW. I'M GETTING A LITTLE  
23      CONFUSED. ON SUNDAY I THOUGHT YOU WERE WORKING ON  
24      YOUR INSANITY STORY?

25      A       I WAS WORKING ON MY INSANITY PLEA, BUT DID I NOT

1 SAY, THE FIRST THING I TOLD CABANISS WAS I DIDN'T DO  
2 IT AND THEY DIDN'T LISTEN, SO I USED THE INSANITY  
3 PLEA THAT I SIT THERE AND WORKED UP.

4 Q SO YOU THOUGHT YOU'D GIVE IT ONE MORE SHOT --

5 A ONE MORE CHANCE.

6 Q AND IF THAT DIDN'T WORK YOU HAVE THE INSANITY --

7 A AND I THINK I TESTIFIED THAT I WOULD DO THAT,  
8 YES, SIR.

9 Q OF COURSE, SHE'S TAKING DOWN?

10 A RIGHT.

11 Q OKAY. SO SUNDAY WHAT IS IT YOU TELL HER? WHAT  
12 IS IT YOU TELL HER TO GET YOU IN CONTACT WITH LAW  
13 ENFORCEMENT, MRS. HUDDLESTON?

14 A THAT I DONE SOMETHING, THAT I WANTED TO TELL  
15 THEM WHAT I DONE TO MY, MY KIDS I THINK I SAID OR  
16 CHILDREN OR DAUGHTER.

17 Q DAUGHTERS. TELL THEM WHAT YOU DID TO YOUR  
18 DAUGHTERS?

19 A I SAID DAUGHTER.

20 Q OKAY.

21 A I THINK.

22 Q YOU THINK?

23 A I'M ALMOST POSITIVE. I THINK SHE MIGHT--I HAVE  
24 SEEN THAT. I THINK SHE MISQUOTED THAT. I SAID MY  
25 DAUGHTER.

1 Q OKAY. AND THEN, SO IT WAS ARRANGED, THEY DIDN'T  
2 TALK TO YOU THAT DAY, RIGHT?

3 A NO, THEY DIDN'T TALK TO ME THAT DAY.

4 Q OKAY.

5 A SHE CAME BACK LATER THAT AFTERNOON AND TOLD ME.

6 Q THAT THEY WOULD COME SEE YOU, YOU HAD WORD SO  
7 SOMEBODY WAS COMING TO SEE YOU OR COMING TO GET YOU  
8 MONDAY MORNING?

9 A THAT'S CORRECT.

10 Q OKAY. AND SO JUST TO RECAP FRIDAY YOU GO IN  
11 BELIEVING YOU DIDN'T DO IT, YOU COME OUT BELIEVING  
12 ABSOLUTELY YOU DID DO IT, RIGHT?

13 A WELL, I MEAN IF YOU HAVE SOMEBODY STANDING OVER  
14 YOU TELLING YOU DID IT, YOU DID IT, THE COMPUTER SAYS  
15 IT, AND I WAS BELIEVING IT. I STARTED TO BELIEVE IT.

16 Q THAT'S MY POINT ---

17 A NOW WAIT A MINUTE. SO YEAH, I WAS TOTALLY  
18 CONVINCED I HAD DONE IT. YES, I WAS.

19 Q AND YOU WERE CONVINCED YOU HAD DONE IT AND THEN  
20 THAT EVENING OVER IN THE NIGHT YOU START THINKING YOU  
21 DIDN'T DO IT AGAIN AND THAT SATURDAY MORNING YOU GET  
22 UP AND YOU CLEARLY THINK YOU DIDN'T DO IT, BUT YOU  
23 START WORKING THE INSANITY THING SATURDAY PRETTY MUCH  
24 WHEN YOU GET OVER HERE AND THAT'S THE FIRST TIME  
25 INSANITY EVER CROSSED YOUR MIND, RIGHT?

1 A THE FIRST TIME? I NEVER THOUGHT ABOUT NOTHING  
2 ELSE AT THAT TIME. I WAS CONVINCED I DID IT.

3 Q I UNDERSTAND AND YOU'VE EXPLAINED WHY. WE'RE  
4 GOING TO TALK ABOUT THE INSANITY PORTION, BUT YOU  
5 REALLY CRAZY PORTION YOU THOUGHT AFTER YOU HEARD  
6 BROOM MAN OVER HERE, RIGHT? THAT'S WHEN YOU STARTED  
7 THINKING ABOUT THAT WHEN YOU GOT THE --

8 A THAT AND THE FACT THAT THEY HAD ASKED ME DID I  
9 HEAR VOICES, SO I SAID WELL, THAT'S A GOOD IDEA.  
10 MAYBE THAT'S SOMETHING I CAN LOOK INTO BECAUSE I  
11 DIDN'T KNOW. I KNEW THAT I DIDN'T DO IT BY THAT  
12 TIME. I SIT THERE ALL NIGHT THINKING, READING THE  
13 BIBLE, THINKING, PRAYING, TRYING TO FIND OUT. I  
14 THOUGHT GOD HAD LET ME DOWN.

15 Q SO THEY REALLY PLANTED THAT INSANITY SEED KIND  
16 OF WHEN YOU HAD INTAKE OVER HERE, RIGHT?

17 A THAT'S WHEN, THAT'S WHEN IT MAINLY STARTED, YES,  
18 SIR, WHEN I GOT BACK OVER HERE.

19 Q FRIDAY WHEN YOU TALKED TO MIKE BAKER, WHEN YOU  
20 BELIEVED YOU DID IT, YOU SAID YOU WANTED TO KNOW IF  
21 YOU COULD PLEAD INSANITY AND HE TOLD YOU I CAN'T  
22 ANSWER THAT QUESTION?

23 A WELL, I DID ASK HIM THAT QUESTION AND THAT'S IN  
24 HIS STATEMENT. I DID ASK HIM THAT QUESTION AND HE  
25 SAID NO. BUT THAT WASN'T, THAT'S NOT WHERE THAT



1       STARTED.  THAT I -- I HAD THOUGHT ABOUT THAT BUT IT  
2       WASN'T RIGHT.  THEN HE CONVINCED ME, TOTALLY  
3       CONVINCED ME, THAT I WAS GUILTY.  WHEN HE TOTALLY  
4       CONVINCED ME THEN I DIDN'T CARE ABOUT NOTHING ELSE.

5       Q     HE TOTALLY CONVINCED YOU YOU WERE GUILTY, YOU  
6       ARE SO GUILTY YOU CONFESSED, AND THEN YOU STILL ASKED  
7       ABOUT INSANITY, DIDN'T YOU?

8       A     I'M TELLING YOU, SIR, I DIDN'T DO IT, OKAY.  
9       THAT'S ALL I GOT TO SAY.  I DIDN'T DO THAT.

10      Q     THAT'S YOUR ANSWER?

11      A     THAT'S MY ANSWER.  I DIDN'T DO IT.

12      Q     THEN YOU COME OVER MONDAY AND THE FIRST THING  
13      THEY DO WHEN THEY SIT DOWN IS ADVISE YOU OF YOUR  
14      RIGHTS, CORRECT?

15      A     YOU KNOW, I DON'T REMEMBER THEM ADVISING ME OF  
16      MY RIGHTS.  I REMEMBER SIGNING A FEW PAPERS, BUT I  
17      DON'T EVER REMEMBER SEEING NO RIGHTS PAPER.

18      Q     SHOW YOU STATE'S EXHIBIT FIVE AND I THOUGHT YOU  
19      TESTIFIED ABOUT THIS ON DIRECT.  IF YOU, READ THAT  
20      AND TELL ME IF YOU SIGNED THAT DOCUMENT?

21      A     OKAY.  YES, SIR, I SIGNED THE DOCUMENT, BUT CAN  
22      YOU SHOW ME A DATE.

23      Q     SO YOU DIDN'T SIGN IT THAT MORNING?

24      A     I DON'T THINK I SIGNED IT THAT MORNING, NO.

25      Q     WHEN DID YOU SIGN THIS?

1 A I--LET ME SEE. I DON'T KNOW. I DON'T REMEMBER  
2 SIGNING NO CONSENT FORM WITH HER.

3 Q OKAY. SO MAYBE YOU DIDN'T SIGN THIS ONE, YOU  
4 THINK? YOU THINKING SOMEBODY --

5 A THAT'S MY SIGNATURE.

6 Q YOU THINK SOMEBODY WROTE THAT ON THERE?

7 A BUT WHERE'S THE DATE? I DON'T SEE A DATE ON  
8 THAT ONE.

9 Q WELL, SIR, YOU LIVED IT AND I DIDN'T. DID YOU  
10 SIGN IT THAT DAY?

11 A I CAN'T SAY THAT I DID AND I CAN'T SAY THAT I  
12 DIDN'T. I JUST SAY THERE IS NO DATE ON IT.

13 Q SUBSEQUENT TO THAT DID YOU TELL, DID YOU TELL  
14 CAPTAIN CABANISS THAT I WANT TO REMAIN QUIET, I WANT  
15 AN ATTORNEY BECAUSE I'M INNOCENT?

16 A NO, SIR, I DIDN'T. I DIDN'T HAVE AN ATTORNEY AT  
17 THAT TIME AS FAR AS I KNEW. I WENT TO HIM. I JUST  
18 SAID LOOK, I DIDN'T DO IT.

19 Q OKAY. YOU NOW DECIDED THAT MAYBE YOU DIDN'T  
20 SIGN THIS ONE, YOU DON'T DISPUTE --

21 MR. MORTON: YOUR HONOR, THAT'S NOT WHAT  
22 HE SAID.

23 THE COURT: WELL, I'LL LET HIM ASK THE  
24 QUESTION. IF HE SAYS THAT'S NOT WHAT HE SAID HE CAN  
25 SAY THAT'S NOT WHAT HE SAID.

1 Q MR. COPE, YOU SAY --

2 A I SAID I CAN'T SAY WHETHER I DID OR I DIDN'T  
3 SIGN THAT ONE.

4 Q YOU ARE NOT DISPUTING IN FRONT OF THIS JURY THAT  
5 THROUGHOUT THIS PROCESS AT THE APPROPRIATE TIMES YOU  
6 WERE GIVEN YOUR RIGHTS, WEREN'T YOU?

7 A I DID SAY THAT I WAS GIVEN MY RIGHTS. THE FIRST  
8 TIME I WAS GIVEN MY RIGHTS WAS WITH MR. BAKER.

9 Q RIGHT. THAT'S THE FIRST TIME YOU WERE IN  
10 CUSTODY AND NOT FREE TO LEAVE, RIGHT?

11 A I WAS, ACCORDING TO Y'ALL, ARRESTED BEFORE THAT  
12 BUT I DIDN'T, BUT THEY DIDN'T TELL ME I WAS ARRESTED  
13 UNTIL AFTER I COME BACK.

14 Q BUT YOU ALSO WEREN'T QUESTIONED AFTER YOU WERE  
15 ARRESTED UNTIL YOU WENT TO MR. BAKER, WERE YOU?

16 A I THINK THAT INTERROGATION SAYS, SPEAKS FOR  
17 ITSELF.

18 Q OKAY. WERE YOU ARRESTED THEN?

19 A NO, SIR.

20 Q OKAY. ALL RIGHT. SO REGARDLESS, YOU UNDERSTAND  
21 WHAT YOUR RIGHTS WERE AND YOU KNEW WHAT YOUR RIGHTS  
22 WERE AT THAT TIME: TO HAVE AN ATTORNEY, TO STOP  
23 TALKING AT ANY TIME, NOT TO GIVE A STATEMENT, YOU  
24 KNEW ALL OF THAT, CORRECT?

25 A I KNEW THAT I HAD GIVEN MY RIGHTS, YES, SIR, AND

1 I HAD SIGNED THE RIGHTS PAPER.

2 Q SIR, YOU GOT TWO COLLEGE DEGREES, CORRECT?

3 A THAT'S CORRECT.

4 Q YOU GRADUATED HIGH SCHOOL?

5 A WHAT DOES GRADUATE -- I MEAN, WHAT DOES THAT  
6 HAVE TO DO WITH ANYTHING? I MEAN, I WAS DISTRAUGHT.  
7 MY DAUGHTER HAD BEEN KILLED.

8 Q DID YOU GRADUATE HIGH SCHOOL?

9 A I HAD BEEN TOLD ALL KIND OF INFORMATION.

10 Q DID YOU GRADUATE HIGH SCHOOL?

11 A YES, SIR. I SAID I DID GRADUATED HIGH SCHOOL.

12 Q I THINK --

13 A I THINK I TESTIFIED TO THAT.

14 Q I THINK YOU TOLD THE JURY YOU WATCH COURT TV ALL  
15 THE TIME, YOU KNOW YOUR RIGHTS, YOU HAD YOUR RIGHTS  
16 EXPLAINED TO YOU, THAT'S ALL I'M ASKING. YOU KNEW  
17 AND UNDERSTOOD YOUR RIGHTS, DID YOU NOT?

18 A YES, SIR, I KNEW MY RIGHTS.

19 Q OKAY. AND AT THAT POINT, NOW THIS IS MONDAY  
20 NOW, RIGHT, SO THIS IS INSANITY DAY?

21 A THAT'S CORRECT.

22 Q AND THAT MONDAY YOU WERE GIVEN A SHEET OF PAPER  
23 AND ASKED TO WRITE WHAT HAPPENED, RIGHT?

24 A I WAS GIVEN A SHEET OF PAPER AFTER I TOLD HIM I  
25 DIDN'T DO IT AND HE DIDN'T ACCEPT IT AND THEN I TOLD

1 HIM THAT STORY THEN I WROTE IT DOWN FOR HIM AFTER HE  
2 ASKED ME TO.

3 Q DID THEY ONLY HAVE ONE SHEET OF PAPER?

4 A I DON'T REMEMBER. ALL I KNOW IS THAT'S WHAT  
5 THEY HANDED ME AND THAT'S WHAT I WROTE.

6 Q OKAY. YOU DIDN'T WRITE ANYTHING ON THE BACK,  
7 DID YOU?

8 A NO, SIR.

9 Q NOTHING PREVENTED YOU FROM WRITING WHAT YOU ARE  
10 TELLING US NOW, DID IT?

11 A NOTHING PREVENTED ME FROM TELLING YOU -- I MEAN,  
12 FROM WRITING WHAT I'M TELLING YOU NOW?

13 Q I DID NOT DO IT. I THOUGHT I DID IT FRIDAY, BUT  
14 I DIDN'T DO IT. I REALIZED SATURDAY I DIDN'T DO IT  
15 AND I DID NOT DO IT. I DID NOT DO IT. NOTHING  
16 PREVENTED YOU FROM WRITING THAT, DID IT?

17 A NO, SIR, BUT I DIDN'T DO IT SO I MEAN I CAN ONLY  
18 TELL YOU THE TRUTH.

19 Q YOU DON'T HAVE TO WRITE THAT BECAUSE YOU DIDN'T  
20 DO IT, RIGHT? YOU HAVE TO WRITE IT, RIGHT?

21 A I DIDN'T DO IT.

22 Q SIR?

23 A I DIDN'T DO IT.

24 Q OKAY. BILLY COPE, NOW THIS HAS A DATE, RIGHT?

25 A IT HAS A DATE.

1 Q DECEMBER THIRD 2001 9:45?

2 A THAT'S CORRECT.

3 Q OKAY. WHO WROTE THIS?

4 A I WROTE THAT.

5 Q OKAY. TELL ME WHAT IT SAYS.

6 A SAYS I WAS ASLEEP IN MY BED. I HAD A BAD DREAM

7 ABOUT AN OLD GIRLFRIEND WHO HAD AN ABORTION. THE

8 THOUGHTS OF HER MAKES ME CRINGE. IN MY DREAM SHE WAS

9 TELLING ME THAT I HAD AN ABORTION WITH YOUR CHILD AND

10 I TOLD HER NO. I BECAME SO ENRAGED THAT I GOT OUT OF

11 BED, ALL I COULD HEAR WAS THAT LAUGHING SOUND. I DO

12 NOT KNOW WHAT CAME OVER ME BUT I SNAPPED AND I JUMPED

13 ON THE BED AND STRADDLED HER AND I HIT HER IN THE

14 HEAD AND STARTED CHOKING HER. I DID NOT KNOW IT WAS

15 MY OWN DAUGHTER UNTIL AFTER I HAD SHOVED A BROOM

16 STICK IN HER PRIVATES. I FELL BACK JARRING ME TO MY

17 SENSES AND I REALIZED IT WAS MY DAUGHTER. I BECAME

18 SO CONFUSED THAT I TRIED TO RID THE HOUSE OF ALL THE

19 STUFF IN THE HOUSE THAT WOULD MAKE ME LOOK GUILTY. I

20 GRABBED A BROOM AND PULLED IT FROM HER VAGINAL. I

21 PULLED HER PANTIES AND PANTS UP. I DID NOT KNOW IT

22 WAS MY OWN DAUGHTER UNTIL I FELL BACKWARDS. THE NEXT

23 MORNING AT 6:02 WHEN THE ALARM AND PHONE RANG OUT I

24 WAS HOPING IT WAS A VERY BAD DREAM.

25 Q OKAY. NOW THAT'S YOUR INSANITY DEFENSE?

1 A THAT'S WHAT I TOLD THEM.

2 Q THEN AT SOME POINT IT WAS DETERMINED THAT YOU  
3 WOULD GO TO THE HOUSE, RIGHT?

4 A YEAH. HE SAID HE DIDN'T BELIEVE WHAT I SAID.  
5 THE ONLY WAY HE WOULD BELIEVE IT IS IF I ONLY WENT  
6 THERE AND CONVINCED ME HIM THAT'S WHAT HAPPENED.  
7 HE DIDN'T BELIEVE. HE SAID HE DIDN'T BELIEVE NEITHER  
8 STORY, NONE IT?

9 Q HE DIDN'T BELIEVE YOUR INSANITY?

10 A HE DIDN'T BELIEVE NONE OF IT, THE INSANITY, THE  
11 DREAM, NONE OF IT.

12 Q TELL US HOW YOU CAME UP WITH THIS STORY? TELL  
13 ME HOW YOU CAME UP WITH THIS STORY?

14 A I TOLD YOU THAT I THOUGHT ABOUT THE FACT THAT IT  
15 TOOK A PERSON WHO WAS ENRAGED. I MADE UP THE DREAM  
16 BECAUSE OF AN EX-GIRLFRIEND NAMED TERESA. SHE HAD AN  
17 ABORTION WITH MY CHILD AND IT MADE ME VERY ANGRY AND  
18 I SAID THAT'S THE ONLY KIND OF RAGE THAT COULD DO  
19 SOMETHING LIKE THAT BECAUSE MR. BAKER SAID THAT  
20 WHATEVER IT WAS WAS RAMMED UP IN HER WAS RAMMED UP IN  
21 HER DEEP AND SO, SO I STARTED TO PUT THINGS TOGETHER  
22 IN MY HEAD AND THAT'S THE STORY I CAME UP WITH.

23 Q OKAY. NOW SO YOU NEEDED TO DO SOMETHING THAT  
24 MADE YOU RAGED, RIGHT? YOU NEEDED TO CREATE  
25 SOMETHING THAT MADE YOU ENRAGED AND SHE ---

1 A BECAUSE I'M NOT A, I'M NOT AN ENRAGED PERSON.

2 Q YOU'RE NOT?

3 A I'M NOT A VIOLENT PERSON.

4 Q YOU'RE NOT?

5 A NO, SIR.

6 Q YOU DON'T HAVE A TEMPER?

7 A I HAVE A TEMPER SOMETIMES, YES, SIR, BUT I DON'T

8 HAVE NO, NOT A TEMPER THAT WOULD KILL SOMEBODY.

9 Q AND THE DAMAGE DONE TO IN YOUR DAUGHTER COULD BE

10 DONE BY AN ENRAGED PERSON?

11 A COULD HAVE BEEN, YES, SIR.

12 Q COULD HAVE BEEN DONE BY A DELIBERATE PERSON,

13 COULDN'T IT?

14 A I DON'T KNOW ABOUT THAT. I THINK IT HAD TO BE

15 DONE BY SOMEBODY WHO IS ENRAGED.

16 Q WHAT KIND OF, YOU KNOW, WHAT WOULD MAKE SOMEBODY

17 ENRAGED LIKE THAT?

18 A I DON'T KNOW. I DON'T KNOW. I NEVER REALLY

19 THOUGHT ABOUT THAT.

20 Q YOU THINK AMANDA THREATENING TO TELL HER MOTHER

21 THINGS WOULD ENRAGE SOMEBODY?

22 A AMANDA HAD NOTHING TO TELL.

23 Q SHE DID THAT NIGHT, DIDN'T SHE?

24 A NO, SHE DID NOT. I DONE TOLD YOU, I DIDN'T DO

25 IT. I WAS NOT IN THAT SECTION AT ALL, WAS NO WHERE



1        A        AROUND THESE PEOPLE.

2        Q        WHAT PEOPLE?

3        A        WHOEVER BROKE IN MY HOUSE AND MY DAUGHTER.

4        Q        OKAY.    SO YOU GO TO YOUR HOUSE AND CAPTAIN

5        CABANISS HAD ASKED YOU TO GO SHOW HIM WHAT TOOK

6        PLACE, RIGHT?

7        A        THAT'S CORRECT.

8        Q        OKAY.    AND HE BASICALLY, OF COURSE, THE VIDEO

9        SPEAKS FOR ITSELF?

10      A        THAT'S CORRECT.

11      Q        OKAY.    AND HE BASICALLY GAVE YOU FREE REIGN TO

12      SHOW HIM, RIGHT?

13      A        AND THAT WAS PURE DREAM TOO.

14      Q        WHAT?

15      A        I SAID DREAM AT THE BEGINNING, I SAID THIS IS

16      JUST WHAT I DREAMED.    THIS IS THE IMAGES IN MY HEAD.

17      Q        THAT'S WHAT YOU'VE BEEN SAYING ALL ALONG, RIGHT?

18      A        THAT'S CORRECT BECAUSE THAT'S THE TRUTH.

19      Q        OKAY.    YOU'VE ALWAYS CALLED IT IMAGES OR DREAM,

20      YOU NEVER ACKNOWLEDGED SEEING THAT CHILD'S FACE, HAVE

21      YOU?

22      A        I DIDN'T SEE HER FACE UNTIL WHEN I WENT IN THERE

23      AND WOKE HER UP AND SAW, AND TRIED TO WAKE HER UP AND

24      SAW WHAT I SAW.

25      Q        BECAUSE YOU SAID IF YOU HAD SEEN HER FACE, YOU

1 WOULD HAVE SNAPPED OUT IT, RIGHT?

2 A THAT'S WHAT I SAID IN THE DREAM THING, YES.

3 Q OKAY. SO WHEN WE'RE AT THE HOUSE, THE HOUSE IS  
4 JUST AN EXTENSION OF THIS STATEMENT, THE HOUSE IS THE  
5 DREAM STORY?

6 A THAT'S CORRECT.

7 Q OKAY. AND YOU WERE USING YOUR DREAM THAT YOU  
8 WORKED TOGETHER COUPLED WITH PIECES OF WHAT LAW  
9 ENFORCEMENT SAID, RIGHT?

10 A THAT'S CORRECT.

11 Q OKAY. AND YOU WERE TRYING TO JUST COMPLY WITH  
12 WHAT THEY WERE GIVING YOU AND FIT THOSE THINGS  
13 TOGETHER, RIGHT?

14 A THAT'S EXACTLY WHAT I WAS TRYING TO DO, YES,  
15 SIR.

16 Q OKAY. AND SO WHATEVER THEY SAID WENT WITH YOU  
17 PRETTY MUCH, RIGHT?

18 A I WOULDN'T SAY -- WELL, I MEAN, I TRUSTED THEM,  
19 THEY WERE SUPPOSED TO BE TELLING ME THE TRUTH. I  
20 THOUGHT THEY WERE TELLING ME THE TRUTH. I THOUGHT  
21 THEY WERE TELLING ME EVERY LITTLE PIECE OF DETAIL AS  
22 IT WAS.

23 Q SO IF THEY HANDED YOU THIS BROOM AND SAID WAS  
24 THIS THE BROOM, WHY DIDN'T YOU JUST SAY YEAH, THAT IS  
25 THE BROOM?

1 A BECAUSE I DIDN'T KNOW. I DIDN'T KNOW WHAT BROOM  
2 IT WAS.

3 Q BUT YOU JUST TOLD US YOU ARE COOKING THIS STORY  
4 UP JUST TO MAKE THEM HAPPY?

5 A I WAS COOKING THE STORY UP BUT WHAT WAS I  
6 SUPPOSED TO DO, JUST COME OUT RIGHT AND SAY OH,  
7 THAT'S IT RIGHT THERE?

8 Q IT WASN'T IT, WAS IT?

9 A THERE WAS NO BROOM AS FAR I KNOW.

10 Q NOT IN THAT HOUSE, WAS THERE?

11 A THERE WAS NO BROOM USED.

12 Q IS THAT RIGHT? HOW DO YOU KNOW?

13 A THAT'S CORRECT. I HEARD THE DOCTOR SAY WHAT HE  
14 THINKS HAPPENED AND I BELIEVE THAT.

15 Q OH, YOU DO?

16 A I SURE DO.

17 Q OKAY. BASED ON WHAT?

18 A BASED ON THE FACTS, THE EVIDENCE.

19 Q WHAT FACTS?

20 A WHAT'S THE EVIDENCE, THE FACTS OF THE EVIDENCE.

21 Q WELL, TELL ME. YOU DECIDED THE BROOM WASN'T  
22 USED IN THIS CASE EVEN THOUGH YOU'VE TOLD LAW  
23 ENFORCEMENT THROUGHOUT A BROOM WAS USED, EVEN YOU  
24 SAID A WOODEN BROOM WITHOUT A CAP, RIGHT?

25 A THAT'S CORRECT.

1 Q OKAY. SO YOU THAT, DID THAT COME FROM THE OLD  
2 GIRLFRIEND, SHE USED TO HAVE A BROOM LIKE THAT?

3 A NO, NOT IN MY MIND.

4 Q WHERE DID YOU COME UP WITH A BLUE WOODEN BROOM  
5 WITHOUT A CAP?

6 A HE SAID IT WAS SOMETHING DEEP. I DIDN'T KNOW  
7 WHAT IT WAS.

8 Q OKAY.

9 A I ASSUMED BECAUSE THE, BECAUSE SHE WAS TORN UP I  
10 FIGURED THAT IT WASN'T BROOM WITH A CAP.

11 Q OKAY. AND AFTER YOU GO DOWN TO THE HOUSE, YOU  
12 COME BACK AND YOU GET SOME LUNCH THEN, IS THAT RIGHT?

13 A I WAS GIVEN LUNCH, YES, SIR.

14 Q YOU HAD ABOUT AN HOUR AND A HALF FOR LUNCH,  
15 SOMETHING LIKE THAT? YOU WENT TO ANOTHER PLACE, YOU  
16 DIDN'T HAVE TO SIT THERE AND EAT LUNCH WITH CAPTAIN  
17 CABANISS, DID YOU?

18 A NO. I SAT IN THE HOLDING CELL. I DON'T KNOW  
19 HOW LONG WE WAS IN THERE.

20 Q OKAY. BUT YOU HAD LUNCH?

21 A I DON'T THINK IT WAS NO HOUR AND A HALF THOUGH.  
22 IT PROBABLY ABOUT 45 MINUTES.

23 Q YOU WERE HAVING LUNCH AND YOU WERE AWAY FROM  
24 THEM, RIGHT?

25 A FOR A SHORT TIME, YES.

1 Q TELL THE JURY WHAT YOU ARE THINKING NOW. YOU'VE  
2 GONE TO THE HOUSE, YOU'VE GIVEN THIS STATEMENT THAT  
3 YOU WROTE IN YOUR OWN HANDWRITING, RIGHT?

4 A RIGHT.

5 Q OKAY. AND THEN YOU HAVE GONE TO THE HOUSE AND  
6 DONE THIS VIDEO, RIGHT?

7 A THAT'S RIGHT.

8 Q OKAY. SO NOW YOU ARE BACK AT THE POLICE STATION  
9 BY YOURSELF, WHAT ARE YOU THINKING AS FAR AS THE  
10 INSANITY STORY VERSUS BELIEVING YOU DID IT VERSUS I  
11 DIDN'T DO IT, WHAT ARE YOU THINKING NOW?

12 A I'M THINKING, HE PROBABLY THINKS THAT'S WHAT  
13 HAPPENED BECAUSE I GAVE THE STORY AND I LEFT IT AT  
14 THAT BECAUSE I DIDN'T KNOW.

15 Q SO AT THAT POINT YOU ARE THINKING HE BOUGHT THE  
16 INSANITY STORY EVEN THOUGH YOU ADMIT SOME OF THE  
17 STUFF YOU ARE SAYING ON THAT VIDEO IS INCREDULOUS,  
18 RIGHT, THE WAY YOU TELL IT?

19 A LIKE, WHAT DO YOU MEAN?

20 Q LET'S SEE. YOU'RE DREAMING, BUT YOU THINK  
21 YOU'RE DREAMING BUT YOU WOKE UP, BUT YOU GO IN THERE  
22 BUT YOU ARE REALLY DREAMING, AND THEN YOU WAKE UP IN  
23 THE MORNING AND YOU THINK YOU WERE DREAMING. YOU  
24 KNOW, THAT'S NOT CREDIBLE, IS IT?

25 A IT'S --

1 Q HE DIDN'T BELIEVE THAT, DID HE?

2 A HE DIDN'T -- NO, HE DIDN'T BELIEVE IT BECAUSE HE  
3 TOLD ME HE DIDN'T BELIEVE IT WHEN HE COME BACK.

4 Q THE FACT THAT YOU DREAMED IT, HE DIDN'T BELIEVE,  
5 DID HE?

6 A HE DIDN'T BELIEVE IT WAS A DREAM, NO.

7 Q HE DIDN'T BELIEVE THAT YOU STARTED THE ASSAULT  
8 AND DIDN'T REALIZE THAT IT WAS AMANDA BECAUSE I THINK  
9 YOU SAID SOMEWHERE IF YOU HAD ONLY SEEN HER FACE YOU  
10 WOULD HAVE SNAPPED OUT OF IT, RIGHT?

11 A I SAID THAT IN THE DREAM, YEAH.

12 Q YOU SAID THAT IN THE DREAM?

13 A I SAID THAT IN THE DREAM STATEMENT, IN THE  
14 STATEMENT.

15 Q DREAM STATEMENT?

16 A IT WAS A DREAM, THAT IS CORRECT.

17 Q AND THE DREAM STATEMENT IS THE HANDWRITTEN  
18 STATEMENT?

19 A THAT'S CORRECT.

20 Q SO THEN AFTER LUNCH YOU SIT BACK DOWN WITH THEM,  
21 RIGHT?

22 A THAT'S CORRECT.

23 Q OKAY. AND HE SAYS HE DOESN'T BELIEVE YOU?

24 A HE DOESN'T BELIEVE ME.

25 Q OKAY. AND IN YOUR MIND ARE YOU STILL GOING TO

1       SELL HIM THE INSANITY STORY AGAIN?

2       A     NO-- WELL, THEY DIDN'T BUY IT.  HE SAID HE  
3       DIDN'T BUY IT, SO I DIDN'T KNOW WHAT ELSE TO DO AND  
4       THEN THEY STARTED ON ME ABOUT THE GREEN, THE GREEN  
5       WRAP AND THEY SAID, YOU KNOW, WELL, THE GREEN WRAP  
6       PROVES IT AND THE, AND WE TALKED ABOUT HER CLOTHES.  
7       WE TALKED ABOUT THE, EVERYTHING.  I TALKED ABOUT ALL  
8       THE, ALL THE PIECES OF THE EVIDENCE AND THAT WAS, I  
9       JUST GIVE UP.  I GAVE UP.  I DIDN'T CARE NO MORE.  HE  
10      HAD THREATENED ME AND WHEN HE HAD THREATENED ME, I  
11      MEAN, I DIDN'T CARE NO MORE.  I SAID HEY, MAYBE THE  
12      DEATH PENALTY SOUNDS GOOD IN THIS CASE.

13     Q     SO ONCE HE THREATENED YOU, AS YOU SAY, THEN YOU  
14      BAILED ON THE INSANITY PART, RIGHT?

15     A     WELL, HE DIDN'T BUY IT.

16     Q     SO YOU ARE NOT SELLING IT IF HE AIN'T BUYING?

17     A     I SAID HE DIDN'T BUY IT SO, I MEAN, I DIDN'T  
18      KNOW WHAT ELSE TO SAY.  HE SAID I DON'T BUY IT.  I  
19      DON'T BUY THE FIRST ONE.  I DON'T BUY THIS ONE.  I  
20      WANT TO KNOW WHAT HAPPENED.

21     Q     OKAY.  AT THAT POINT DID YOU -- WHAT ABOUT GOING  
22      BACK TO THE TRUTH AS YOU CALLED IT AND YOU DIDN'T DO  
23      IT?

24     A     I DID.  I HAD BEEN SAYING I DIDN'T DO IT.  I  
25      STOOD UP AND SAID I DIDN'T DO IT.

1 Q DID YOU SAY GIVE ME ANOTHER PIECE OF PAPER, I  
2 WANT TO WRITE OUT ANOTHER ONE?

3 A NO, I DID NOT.

4 Q AND ULTIMATELY THAT AFTERNOON AFTER TALKING TO  
5 HIM, THERE WAS ANOTHER STATEMENT THAT YOU MADE OF  
6 YOUR OWN FREE WILL AND ACCORD, WITHOUT HOPE, REWARD  
7 OR HOPE OF REWARD, AND HAVE NOT BEEN MISTREATED OR  
8 THREATENED IN ANY WAY. ALL THE ABOVE IS THE TRUTH,  
9 THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH SO HELP ME  
10 GOD. I HAD READ OR HAD READ TO ME STATEMENT THAT IS  
11 CONSISTING OF TWO PAGES AND RECEIVED A COPY OF THE  
12 SAME. IS THAT YOUR SIGNATURE THERE?

13 A THAT IS, THAT'S MY SIGNATURE.

14 Q YOU REVIEWED THIS DOCUMENT?

15 A I DIDN'T REVIEW IT.

16 Q STATE'S EXHIBIT 9?

17 A SHE READ IT TO ME, YES.

18 Q OKAY. SHE READ IT TO YOU?

19 A AND I SIGNED BOTH PAGES AND.

20 Q OKAY. LET'S TELL THE JURY WHAT THAT ONE SAYS.

21 A ON NOVEMBER 29, 2001, JESSICA HAD HOMEWORK. I  
22 HELPED HER A COUPLE OF HOURS AND THEN I GOT  
23 FRUSTRATED AND QUIT AND TOOK A BREAK. AMANDA SAID I  
24 WILL HELP JESSICA. I THEN GOT SOME JOKES OFF OF THE  
25 COMPUTER AND I SAID I'M GOING TO LAY DOWN AND STUDY



1 FOR MY BIBLE STUDY. AMANDA SAID I WILL HELP HER AND  
2 I SAID OKAY.

3 Q STOP RIGHT THERE, MR. COPE.

4 MR. POPE: BEG THE COURT'S INDULGENCE.

5 Q I'M SORRY, MR. COPE. IF YOU'LL CONTINUE PLEASE,  
6 SIR, FOR THE JURY?

7 A AMANDA SAID I WILL HELP HER AND I SAID OKAY BUT  
8 ALL HOMEWORK STOPS AT ONE AM. I SET THE ALARM FOR  
9 ONE AM AND AT ONE AM IT WENT OFF AND I SAID ARE Y'ALL  
10 FINISHED. AMANDA SAID YES. I SAID GOOD. Y'ALL CAN  
11 GET IN THE BED. I CALLED AMANDA BACK INTO MY BEDROOM  
12 TO COME AND TURN THE LIGHTS OUT AND PUT THE PHONE ON  
13 THE CHARGER. I TOLD AMANDA TO TURN THE LIGHTS OUT  
14 AND SHE DID. I PULLED MY MASK ON AND I WENT TO  
15 SLEEP. I WOKE UP AT THREE AM. I WENT TO THE  
16 BATHROOM. THEN I WENT INTO AMANDA'S ROOM. I HAD A  
17 HARD ON. I JACKED OFF IN THE ROOM AND THEN I USED A  
18 BLUE TOWEL TO CLEAN IT UP OR TO CLEAN UP. I STARTED  
19 GOING INTO AMANDA'S ROOM ABOUT THE END OF OCTOBER  
20 THROUGH THE FIRST PART OF NOVEMBER PLAYING WITH HER  
21 AND RUBBING HER AND FINGERING HER WHILE SHE WAS  
22 ASLEEP. THAT PART WAS STATED BECAUSE SHE ASKED ME  
23 HAD THIS BEEN GOING ON FOR A LONG TIME. I DIDN'T  
24 CARE ANYMORE. I DIDN'T CARE WHAT THEY THOUGHT. THE  
25 DEATH PENALTY SOUNDED GOOD. SO I SAID OKAY.

1 Q SO YOU JUST THREW THAT ONE IN THERE --

2 A JUST DO IT RIGHT NOW. I'VE BEEN GOING ON SINCE

3 OCTOBER.

4 Q OKAY.

5 A I NEVER TOUCHED MY DAUGHTER. NEVER.

6 Q NOW WHERE IS THAT IN HERE?

7 A IT'S NOT. I'M STATING THAT NOW.

8 Q IF YOU WOULD, OKAY. FINGER HER WHILE SHE WAS

9 ASLEEP, IF YOU'LL CONTINUE ON?

10 A AMANDA WAS ASLEEP ON HER STOMACH. I THINK THE

11 DILDO INSIDE HER IS WHAT WOKE HER UP. WHEN SHE WOKE

12 UP I JUMPED ON TOP OF HER TO KEEP HER FROM TURNING

13 AND LOOKING AT ME THEN I HEARD HER SAY DADDY HELP ME.

14 I STARTED STRANGLING HER WITH MY HANDS. AMANDA WAS

15 PULLING AT MY HANDS AND I LET GO AND STARTED HITTING

16 HER IN THE HEAD. THEN I WENT BACK TO STRANGLING.

17 THEN SHE WENT LIMP. I GOT UP, I SAW THE GREEN STRING

18 ON HER BLANKET, AND I WAS THINKING TO MYSELF THIS

19 WOULD LOOK LIKE SHE STRANGLED HERSELF. I TOOK THE

20 GREEN STRIP AND WRAPPED IT AROUND HER NECK. I WENT

21 STRAIGHT FOR THE WRAP FROM OFF OF THE FLOOR. I WENT

22 STRAIGHT WITH THE WRAP FROM OFF OF THE FLOOR AND I

23 WRAPPED IT AROUND HER THROAT. I PULLED BOTH ENDS SO

24 IT WOULD GOOD AND TIGHT. HER HANDS WERE ALREADY AT

25 HER NECK SO I LEFT THEM THERE. I JUMPED OFF THE BED

1 AND WENT AND PUT THE DILDO UP. I WIPED IT OFF FIRST  
2 WITH THE BLUE TOWEL THEN I PUT IT UP UNDER THE BED ON  
3 THE FLOOR IN THE BEDROOM. NORMALLY I PUT IT BETWEEN  
4 THE MATTRESS AT THE HEAD OF THE BED, BUT IT HAD  
5 FALLEN SO I PUT IT AT THE HEAD OF THE BED ON THE  
6 FLOOR WHERE IT WAS. THEN I FIXED THE DOORS IN  
7 AMANDA'S ROOM SO THAT THEY WOULD LOCK. I PULLED THE  
8 CLOSET AND MAIN DOORS TOGETHER. THAT IS HOW I LOCKED  
9 THEM. I DID THIS SO THAT THE KIDS WOULD NOT WAKE UP  
10 AND SEE HER BEFORE MORNING. I GOT BACK IN MY BED SO  
11 I PUT MY MASK ON AND WENT TO SLEEP. THEN I WOKE UP A  
12 AT 6:02 AM ACCORDING TO THE CLOCK IN MY BEDROOM. I  
13 SAT UP, CALLED AMANDA TWICE, SOMEHOW I KNEW SHE WAS  
14 NOT GOING TO ANSWER. IT WAS LIKE A DREAM. I THOUGHT  
15 IT WAS A DREAM. I DID NOT HEAR FROM AMANDA THOSE TWO  
16 TIMES. I CALLED HER. SIR OR YES, SIR. NO I CALLED  
17 HER. I DID NOT HEAR FROM AMANDA THOSE TWO TIMES I  
18 CALLED HER, SIR OR YES, SIR, SO I YELLED AT THE TOP  
19 OF MY LUNGS 'AMANDA' REAL LOUD. I THOUGHT THAT THE  
20 RAPTURE HAD TAKEN PLACE BECAUSE I HAD JUST FINISHED  
21 READING THE LEFT BEHIND SERIES ABOUT ONE MONTH AGO.  
22 I HAD HOPED THE RAPTURE HAD TAKEN PLACE. I WAS  
23 PRAYING IT HAD HAPPENED. I GOT UP AND LOOKED IN ON  
24 KYLA AND JESSICA AND THEY WERE STILL ASLEEP. I WENT  
25 TO AMANDA'S DOOR AND I FORGET I HAD SET THE DOORS SO

1 I PUSHED ON THE DOOR AND THEY WOULD NOT OPEN. I  
2 KICKED THE DOOR OPEN AND SAW AMANDA LAYING THERE  
3 PURPLE. I WALKED OVER TO HER AND TRIED TO WAKE HER.  
4 SHE WAS COLD. I SCREAMED, I UNWRAPPED THE CORD THAT  
5 I HAD PUT ON HER NECK. KYLA AND JESSICA WALKED INTO  
6 THE ROOM AND KYLA STARTED SCREAMING. JESSICA SAID  
7 DADDY IS SHE DEAD AND I SAID YES, GO AND GET ON THE  
8 COUCH AND PRAY AS HARD AS YOU CAN AND REMEMBER ONE  
9 THING SHE IS WITH JESUS. I RAN TO THE TELEPHONE  
10 WHICH IS EXACTLY IN FRONT OF THE COMPUTER AND I  
11 CALLED 911. I SAID MY DAUGHTER WAS DEAD AND SHE'S  
12 COLD AS A CUCUMBER. THE REALITY HAD NOT SET IN.  
13 THEY ASKED ME FIRE, POLICE, OR MEDICAL. I SAID  
14 MEDICAL AND THE LADY SAID DESCRIBE YOUR DAUGHTER. I  
15 SAID SHE WAS 11 OR 12 AND THEN I CALLED MY WIFE'S  
16 WORK. AT 802-1100 AND I GOT AN ANSWERING MACHINE.  
17 THEN I DIALED 802-1199. I DID NOT GET AN ANSWER. I  
18 CALLED MY SISTER-IN-LAW AT 802-8937. I ASKED HER DID  
19 SHE KNOW ANOTHER NUMBER TO CALL LEINER. HER HUSBAND  
20 WORKS THERE ALSO. SHE SAID NO. WHY? WHAT'S WRONG?  
21 I SAID AMANDA IS DEAD THEN I HUNG UP AND CALLED THE  
22 NUMBER AGAIN FOR LEINER. I TOLD THE MALE SUBJECT  
23 THAT ANSWERED THE PHONE THAT HE NEEDED TO HAVE MIKE  
24 COPE BRING MARY COPE HOME IMMEDIATELY AND THAT OUR  
25 DAUGHTER HAD BEEN FOUND DEAD. THE POLICE STARTED

1 COMING IN THE HOUSE AND THE PHONE RANG AND IT WAS MY  
2 WIFE. SHE WANTED TO KNOW WHAT WAS WRONG. I TOLD HER  
3 THAT I DID NOT WANT TO TELL HER ON THE PHONE BUT SHE  
4 MADE ME TELL HER. I THEN TOLD HER THAT AMANDA WAS  
5 DEAD. THEN I CALLED MY PASTOR AND SPOKE WITH HIS  
6 WIFE. I TOLD HER AND SHE SAID THAT THE PASTOR WOULD  
7 BE RIGHT OVER. THEN THE POLICE HAD ARRIVED AND  
8 SEALED OFF EVERYTHING AND THE PASTOR COULD NOT GET  
9 IN. MY DADDY DID COME AND GET MY GIRLS. NOT UNTIL  
10 12/03/01 HAVE I REALIZED WHAT I DONE. UP UNTIL NOW  
11 AFTER TAKING ME, TALKING WITH YOU AND THE OTHER GUY,  
12 I HAVE BLOCKED STUFF OUT. I'M TELLING THE TRUTH THIS  
13 TIME. EVERYTHING I SAID BEFORE NOW IS NOT THE TRUTH.  
14 WHEN I PUT MY FINGERS INSIDE AMANDA I PULLED HER  
15 PANTS AND PANTIES DOWN AND USED MY TWO FINGERS. I  
16 COULD HAVE JAMMED MY WHOLE HAND INSIDE. I REMEMBER I  
17 HAD WATERED DOWN JELLY ON MY FINGERS. AROUND THE  
18 FIRST OF OCTOBER WAS WHEN I STARTED MESSING WITH  
19 AMANDA AT NIGHT WHILE SHE WAS ASLEEP AND I WOULD GO  
20 INTO HER BEDROOM AND I WOULD FINGER HER AND USE A  
21 DILDO ON HER. I DID THIS MANY TIMES.

22 Q MR. COPE, WHILE YOU GOT THAT IN YOUR HAND, YOU  
23 SAID YOU COULD HAVE JAMMED YOUR WHOLE HAND INSIDE  
24 HER, COULD YOU TELL ME WHAT THAT LINE SAYS?

25 A SHE ASKED ME DID I USE MY FINGERS OR MY HAND AND

1 I SAID I REALLY DON'T KNOW. IT COULD HAVE BEEN MY  
2 HAND. AND SHE SAID, SHE SAID OKAY, SO THAT'S WHAT  
3 SHE PUT DOWN.

4 Q YOU JUST TOLD ME I COULD HAVE JAMMED MY WHOLE  
5 HAND INSIDE HER, WHAT DOES THAT DOCUMENT SAY?

6 A I COULD HAVE JAMMED MY HAND INSIDE OF HER.

7 Q OKAY. I WANT TO CALL YOUR ATTENTION NOW TO  
8 WHERE YOU'RE TALKING ABOUT YOUR SISTER-IN-LAW'S PHONE  
9 NUMBER 802-8937?

10 A THAT'S CORRECT.

11 Q WHAT IS THOSE INITIALS RIGHT ABOVE THAT NUMBER?

12 A BW COPE.

13 Q WHAT IS THAT?

14 A THAT'S WHERE --

15 Q WHAT'S THAT TALKING ABOUT?

16 A THAT'S WHERE I SCANNED OVER AND SEEN THE NUMBER  
17 WAS WRONG -- NO, SHE, SHE DID IT. SHE MARKED IT WHEN  
18 SHE WAS READING IT TO ME, SHE MARKED IT AND THEN SHE  
19 TOLD ME TO SIGN IT RIGHT THERE. THERE WAS ANOTHER  
20 PLACE THAT WAS SIGNED BUT IT'S BEEN WHITED OUT RIGHT  
21 NOW.

22 Q OKAY. AND SO THERE WERE PLACES WHERE YOU  
23 INITIALED OR SOMETHING WAS WRONG?

24 A I INITIALED. SHE MARKED IT AND HANDED IT TO ME  
25 AND SHOWED ME WHERE IT WAS AT.

1 Q SO THERE WAS AT LEAST TWO PLACES THAT YOU MARKED  
2 AND CHANGED THAT DOCUMENT?

3 A THAT'S CORRECT.

4 Q I MEAN TO MAKE SURE THAT NOBODY CHANGED IT AFTER  
5 YOU GOT THROUGH WITH IT, RIGHT? DID YOU MAKE ANY  
6 OTHER CHANGES ON THAT? I MEAN YOU CHANGED THE PHONE  
7 NUMBER, YOU CHANGED SOMETHING ELSE, DID YOU MAKE ANY  
8 OTHER CHANGES?

9 A NO, SIR.

10 Q AND SO AT THAT POINT WHEN YOU HAD THAT STATEMENT  
11 THAT WAS THE LAST WRITTEN STATEMENT YOU GAVE?

12 A YES, SIR, BUT IF YOU ALSO NOTICE THAT THAT  
13 CORRELATES A LOT WITH WHAT REALLY HAPPENED UP THE  
14 UNTIL THE POINT THAT WHERE I DON'T KNOW HAPPENED  
15 BECAUSE I WASN'T THERE, SO I FILLED IT IN WITH WHAT I  
16 THOUGHT IT WAS AND I DIDN'T CARE. BUT I KNEW WHAT,  
17 WHAT HAPPENED WHEN I WOKE UP.

18 Q SO PARTS OF THIS IS THE TRUTH?

19 A THE PARTS WHERE I WOKE UP AND WENT IN THERE AND  
20 CHECKED HER IS THE TRUTH.

21 Q OKAY. AND THE PART ABOUT WHEN YOU WENT TO BED  
22 IS THE TRUTH?

23 A AND THE PART WHERE I WENT TO BED IS THE TRUTH.

24 Q OKAY.

25 A BUT THE STUFF IN BETWEEN ANYTHING THAT HAPPENED

1 TO HER, I DID NOT DO IT.

2 Q THE BLUE TOWEL IS NOT THE TRUTH, IS IT?

3 A I'M TELLING YOU I DID NOT DO IT.

4 Q I ASKED YOU, THE BLUE TOWEL IS NOT THE TRUTH, IS  
5 IT?

6 A THE BLUE TOWEL IS NOT THE TRUTH, NO, IT'S NOT.

7 Q IT'S ACTUALLY A WHITE RAG, ISN'T IT?

8 A I DON'T KNOW ABOUT THE WHITE RAG. THE WHITE RAG  
9 WAS, HAD MY SEMEN ON IT. IT DIDN'T HAVE NOTHING  
10 ELSE.

11 Q RIGHT. HAD YOUR SEMEN ON IT FROM THAT NIGHT?

12 A I CAN'T SAY IT WAS THAT NIGHT.

13 Q YOU KNOW WHETHER IT WAS THAT NIGHT OR NOT?

14 A I TOLD YOU I DIDN'T -- I DO NOT KNOW WHETHER IT  
15 WAS THAT NIGHT.

16 Q OKAY. BECAUSE YOU HAD THIS LITTLE SPOT WHERE  
17 YOU HID YOUR RAGS WHEN YOU MASTURBATED?

18 A THAT'S CORRECT.

19 Q AND YOU SAID THE PLACE THAT, THE JURY IS GOING  
20 TO SEE THE PICTURE WHERE IT'S FOUND UNDER THE BOOK  
21 CASE, IT REALLY WASN'T THAT BOOK CASE. IT WAS THE  
22 PLACE --

23 A IT WAS UNDER THE OTHER BOOK CASE, THAT'S  
24 CORRECT.

25 Q OKAY. AND YOU WOULD HIDE THOSE RAGS THERE FOR



1 LONG?

2 A I DON'T KNOW. FOR A, FOR A GOOD LONG TIME.

3 Q HOW MANY RAGS WOULD YOU BUILD UP UNDER THERE?

4 A OH, NONE. I WOULD, THERE WOULD USUALLY BE,

5 SOMETIMES IT WOULD GO TWO OR THREE DAYS BEFORE I

6 WOULD CHANGE THE RAG.

7 Q OKAY. AND SO IT WOULD BE HIDDEN UP UNDER THAT

8 BOOK SHELF?

9 A THAT'S CORRECT.

10 Q RIGHT THERE IN THE HALL, RIGHT HERE IN THE HALL

11 WHERE WE WERE TALKING ABOUT, RIGHT?

12 A THAT'S CORRECT.

13 Q THAT'S WHERE THE BOOK SHELF IS?

14 A YES, SIR.

15 Q AND SO THIS STATEMENT DOESN'T SAY ANYTHING ABOUT

16 THAT NIGHT THAT YOU MASTURBATE, DOES IT?

17 A NO, SIR. I TOLD YOU THAT RAG PROBABLY HAD BEEN

18 THERE A COUPLE OF DAYS. I DIDN'T MAST--I PROBABLY

19 DIDN'T MASTURBATE THAT NIGHT.

20 Q OKAY. WELL, YOU ACTUALLY TOLD US THAT RAG

21 WASN'T EVEN IN THE PLACE WHERE ---

22 A IT'S NOT.

23 Q OKAY.

24 A IT'S NOT IN THE RIGHT PLACE.

25 Q AND THAT PARTICULAR NIGHT, AND OF COURSE, YOU

1 TOLD LAW ENFORCEMENT ABOUT CLEANING UP IN THESE  
2 STATEMENTS, RIGHT? CLEANING UP AND TRYING TO GET RID  
3 OF EVERYTHING OUT OF THE HOUSE, RIGHT?

4 A I DID SAY THAT. YES, I DID.

5 Q SO THE BLUE WOODEN BROOM WASN'T IN THE HOUSE,  
6 WAS IT? THAT NEXT MORNING THE BLUE WOODEN BROOM  
7 WASN'T IN THE HOUSE, WAS IT?

8 A I DON'T KNOW. I MEAN, ALL I KNOW IS WHAT YOU  
9 SAID YOU FOUND.

10 Q OKAY. YOU DON'T KNOW WHERE THE BROOM WAS?

11 A I DIDN'T -- I DIDN'T DO NOTHING. I TOLD YOU  
12 THAT ALREADY.

13 Q OKAY. LET ME ASK YOU THIS. THE RAG THAT THEY  
14 FOUND YOU DIRECTED THEM TO, THAT PART IS TRUE, RIGHT?

15 A YEAH. I KNEW THERE WAS A RAG THERE THAT I HAD  
16 USED PREVIOUSLY.

17 Q AND SO YOU KIND OF GAVE THEM THAT JUST TO KIND  
18 OF SPICE UP THIS STORY A LITTLE BIT?

19 A NO, SIR. I JUST -- IT WASN'T THAT. I JUST KNEW  
20 THAT I HAD THE RAG THERE AND THEN I HAVE BECAUSE I  
21 HAD MASTURBATED SEVERAL DAYS BEFORE MORE OR LESS.

22 Q NOW SEVERAL DAYS BEFORE --

23 A I'M NOT SAYING WHETHER I DID OR NOT. I DO NOT  
24 REMEMBER. THAT'S ALL I'M SAYING.

25 Q ALL RIGHT. YOU'VE TOLD ME THAT SEVERAL TIMES.

1 I UNDERSTAND THAT.

2 A SEVERAL TIMES.

3 Q YOU ARE SAYING, JUST TO MAKE CLEAR.

4 A THAT'S RIGHT.

5 Q SOMETIMES I ASK CONFUSING QUESTIONS. THAT NIGHT  
6 AMANDA'S IN THERE IN HER ROOM AND YOU CAN'T SAY THAT  
7 NIGHT WHETHER YOU MASTURBATED ON THAT RAG OR NOT, YOU  
8 DON'T REMEMBER, THAT'S YOUR TESTIMONY, RIGHT?

9 A I'M SAYING I DON'T REMEMBER WHEN I GOT UP OUT OF  
10 THE BED AND WENT TO THE BATHROOM IF I WENT BACK TO MY  
11 ROOM AND MASTURBATED BEFORE I WENT TO SLEEP.

12 Q I GOT YOU. OKAY. AND THIS STATEMENT IT DOESN'T  
13 TELL ANYTHING ABOUT WATCHING MR. SANDERS, DOES IT?

14 A WATCHING WHO? I DID NOT SEE NO MR. SANDERS. I  
15 DIDN'T EVEN KNOW WHO MR. SANDERS WAS.

16 Q OKAY. IT DOESN'T SAY ANYTHING ABOUT YOU  
17 WATCHING MR. SANDERS AND YOU MASTURBATING IN THE  
18 HALL, DOES IT?

19 A IT DOESN'T SAY THAT BECAUSE IT COULDN'T HAVE  
20 HAPPENED. I DON'T KNOW WHAT HAPPENED.

21 Q OKAY. LET ME ASK YOU. THE SEXUAL ISSUE, YOU  
22 HAD INDICATED THAT YOUR WIFE -- OF COURSE, YOU'VE  
23 INDICATED IN HERE THAT YOU WERE ABUSING YOUR  
24 DAUGHTER, RIGHT?

25 A I INDICATED IN THAT, YES, I DID.

1 Q OKAY. AND YOU EVEN WENT AS FAR AS TELLING WITH  
2 WHAT AND HOW, RIGHT?

3 A I WAS TRYING TO JUICE IT UP BECAUSE I DIDN'T  
4 CARE ANY MORE.

5 Q SO IF YOU DON'T CARE, YOU MINE AS WELL MAKE IT  
6 GOOD, RIGHT?

7 A HE SAID HE WAS GOING TO GO WITH THE DEATH  
8 PENALTY, WHAT ELSE COULD I-- I SAID IT SOUNDS GOOD TO  
9 ME.

10 Q OKAY.

11 A SO.

12 Q SO YOU ARE TRYING TO HELP HIM MAKE SURE HE GOT  
13 THE DEATH PENALTY?

14 A IT DIDN'T MAKE NO DIFFERENCE NO MORE. I DIDN'T  
15 CARE.

16 Q OKAY. THE DILDO WAS ACTUALLY MARY SUE'S, RIGHT?

17 A THE DILDO WAS MARY SUE'S, THAT'S CORRECT.

18 Q OKAY. AND ACTUALLY SHE HAD SOME FEMALE SURGERY  
19 EARLIER SO YOU GUYS WEREN'T HAVING SEX, RIGHT?

20 A NOT REGULARLY, NO. WELL, SHE HADN'T HAD THE  
21 SURGERY AT THAT TIME, NO. IT HAD BEEN EARLIER THAN  
22 THAT.

23 Q OKAY. AND YOU OFTEN TIMES HAD DIFFICULTIES  
24 GETTING ERECTIONS, DIDN'T YOU?

25 A NO, SIR. WELL, SOMETIMES THERE, EVERY ONCE IN A

1           WHILE, YES, SIR.

2           Q       AND OFTEN TIMES MARY SUE AND TERESA, YOU WOULD  
3           TALK ABOUT HAVING A THREE-SOME WITH A MAN OR A WOMAN  
4           IN ORDER TO GET SIMULATED, WOULDN'T YOU?

5           A       I NEVER NOTHING LIKE THAT, NO.

6                       MR. MORTON:   YOUR HONOR --

7                       THE COURT:   LET ME LET THE JURY GO TO THE  
8           JURY ROOM FOR JUST A MINUTE WHILE WE TAKE UP A  
9           MATTER.

10                      (THE JURY EXITS THE COURTROOM AT 09:56  
11           AM.)

12                      MR. POPE:   YOUR HONOR, I MOVE THIS WITNESS  
13           BE EXCUSED.

14                      THE COURT:   WELL, NO, HE'S THE DEFENDANT.  
15           HE CAN'T.

16                      MR. POPE:   WELL, HE CAN'T -- WE NEED TO  
17           APPROACH THE BENCH TO ADDRESS THIS ISSUE.

18                      MR. MORTON:   I MOVE FOR A MISTRIAL.  
19           WHAT'S HE DOING?

20                      THE COURT:   ALL RIGHT.   WHAT WAS THE  
21           QUESTION AGAIN THAT YOU ARE MOVING TO, ON WHAT BASIS  
22           ARE YOU MOVING FOR A --

23                      MR. MORTON:   I'M MOVING FOR A MISTRIAL ON  
24           THE FACT THAT MR. POPE IS NOW BRINGING UP SOME KIND  
25           OF EXTRANEOUS MATTERS ABOUT MY CLIENT HAVING A

1 THREE-SOME WITH MEN AND WITH WOMEN IN FRONT OF THIS  
2 JURY.

3 THE COURT: WHAT'S THE --

4 MR. POPE: PLEASE THE COURT, YOUR HONOR.

5 THE COURT: HOW DOES THAT GET INTO --

6 MR. POPE: I HAVE A GOOD FAITH BASIS OF  
7 MARY COPE STATED THAT BILLY WOULD ALWAYS TALK ABOUT  
8 HAVING A THREE-SOME WITH A MALE OR FEMALE. THAT HE  
9 WANTED, WHEN HE WANTED SEX, HE WOULD TALK OF  
10 THREE-SOME ACTIVITIES TO GET AN ERECTION AND  
11 MASTURBATE. WE ARE TALKING ABOUT MASTURBATION, WE'RE  
12 TALKING ABOUT ERECTIONS ISSUES, AND IT'S -- I GOT A  
13 GOOD FAITH BASIS FOR ASKING IT.

14 THE COURT: WELL, YOU GOT A GOOD FAITH  
15 BASIS ASKING IT BUT HOW IS IT RELEVANT?

16 MR. POPE: I THINK IT IS RELEVANT---

17 THE COURT: I MEAN I CAN SEE HOW IT'S  
18 RELEVANT BUT BASED ON WHAT'S IN THE RECORD.

19 MR. POPE: YES, SIR.

20 THE COURT: HOW IS IT RELEVANT?

21 MR. POPE: THIS IS EXACTLY HOW IT IS  
22 RELEVANT: THE EVIDENCE INDICATES THAT TWO  
23 INDIVIDUALS WERE INVOLVED THAT PARTICULAR NIGHT  
24 AND --

25 MR. MORTON: THE EVIDENCE DOESN'T POINT TO

1 ANY SUCH THING.

2 MR. POPE: WE GOT HIM CONFESSING TO DOING  
3 IT, YOU GOT HIM, THE SAME CASE THAT YOU'VE HEARD THE  
4 WHOLE TIME, AND THERE IS A CLEAR INDICATION THAT HE  
5 DID IN FACT MASTURBATE THAT NIGHT AND THERE IS A  
6 CLEAR INDICATION THAT HE MASTURBATED WITH THE TIME  
7 FRAMES WHILE WATCHING THIS MAN HAVE SEX WITH HIS  
8 DAUGHTER.

9 THE COURT: ALL RIGHT. BUT THAT'S BASED  
10 ON WHAT NOW? A STATEMENT BY HIS DECEASED WIFE?

11 MR. POPE: RIGHT, TO LAW ENFORCEMENT.

12 THE COURT: HOW DOES THAT GET IN?

13 MR. POPE: SIR?

14 THE COURT: HOW DID YOU GET THAT IN?  
15 THAT'S HEARSAY.

16 MR. POPE: I HAVE GOOD FAITH BASIS FOR  
17 QUESTIONING HIM JUST LIKE MR. MORTON DID EARLIER IN  
18 THE TRIAL AND SAYING, YOU KNOW, WHY WOULD SO AND SO  
19 SAY SUCH AND SUCH AND YOU ALLOWED THAT TO COME IN.  
20 YOU CAN ASK HIM THAT, THAT I MAY BE STUCK WITH HIS  
21 ANSWER, OF COURSE HE'S ALREADY ANSWERED IT, BUT I  
22 HAVE A GOOD FAITH BASIS FOR ASKING IT AND WOULD BE  
23 ALLOWED TO PURSUE IT.

24 THE COURT: ANYTHING ELSE, MR. MORTON?

25 MR. MORTON: I MOVE FOR A MISTRIAL. THIS

1 JURY HAS BEEN PREJUDICED BY THIS OUTRAGEOUS COMMENT  
2 BY THE SOLICITOR IN FRONT OF THIS JURY. IT DOESN'T  
3 HAVE ANYTHING TO DO WITH THIS TRIAL. YOU KNOW,  
4 WHETHER IT COMES FROM A STATEMENT OR ANYTHING, YOU  
5 DON'T BRING THAT UP IN FRONT OF THE JURY 10 DAYS INTO  
6 A TRIAL ABOUT HIM HAVING A SEX WITH MEN AND OTHER  
7 WOMEN AND YOU KNOW. WHAT IF IT HAD SAID A DOG OR  
8 SOMETHING? I MEAN, IT'S RIDICULOUS.

9 MR. POPE: WELL, YOU GOT TO HAVE A GOOD  
10 FAITH BASIS --

11 MR. MORTON: HE'S BEEN PREJUDICED BY IT  
12 AND THIS JURY HAS BEEN TAINTED BY IT AND I MOVE FOR A  
13 MISTRIAL.

14 THE COURT: WELL, I'M GOING TO DENY THE  
15 MOTION FOR A MISTRIAL. I WILL GIVE A CURATIVE  
16 INSTRUCTION.

17 MR. MORTON: YOUR HONOR, I WANT, YOU KNOW,  
18 I MOVING FOR, I AM REALLY MOVING FOR A MISTRIAL.

19 THE COURT: WELL, I HEARD YOU.

20 MR. MORTON: THIS JURY DOESN'T NEED TO  
21 HEAR ALL THAT AND HE NEEDS TO BE ADMONISHED AND THEY  
22 NEED TO BE TOLD THAT THEY ARE NOT TO CONSIDER ANY  
23 SUCH LUDICROUS THING.

24 THE COURT: WELL, THAT'S WHAT I'M GOING TO  
25 DO. IF YOU OVER THE BREAK WILL DRAW UP AND YOU DON'T



1 HAVE TO ACCEPT A CURATIVE INSTRUCTION, BUT IF YOU  
2 WILL, IF YOU WOULD LIKE, IF YOU WILL DRAW UP A  
3 CURATIVE INSTRUCTION. OR WOULD YOU RATHER ME JUST DO  
4 IT? YOU ARE NOT WAIVING YOUR --

5 MR. MORTON: I UNDERSTAND. I'LL BE GLAD TO  
6 DO IT.

7 THE COURT: ---YOUR MISTRIAL. WE'LL TAKE  
8 A SHORT BREAK.

9 MR. MORTON: THANK YOU, YOUR HONOR.

10 (COURT'S IN RECESS AT 09:59 AM.)

11 THE COURT: I HAVE THE CURATIVE  
12 INSTRUCTION AND COMMENTS FROM THE STATE.

13 MR. POPE: YES, SIR, YOUR HONOR. RULE 611  
14 B, SCOPE OF CROSS EXAMINATION, A WITNESS MAY CROSS  
15 EXAMINE ON ANY MATERIAL RELEVANT TO ANY ISSUE IN THE  
16 CASE INCLUDING CREDIBILITY. YOUR HONOR, THIS  
17 PARTICULAR CASE YOU CLEARLY ACKNOWLEDGE YOURSELF YOU  
18 SEE THE RELEVANCE IN THIS PARTICULAR ISSUE. I DIDN'T  
19 CUT IT OUT OF WHOLE CLOTH. IT CAME OUT OF THE  
20 DISCOVERY MATERIALS THAT THE DEFENSE HAS HAD. I GOT  
21 A GOOD FAITH BASIS FOR ASKING IT. THE FACT THAT MR.  
22 MORTON DECIDES TO GET MORE OUTRAGED DOES NOT CHANGE  
23 THE RULES OF EVIDENCE, YOUR HONOR, AND I SUBMIT TO  
24 GIVE -- NOW YOU'VE STRICKEN THINGS BEFORE AND I  
25 RESPECT THE COURT'S DETERMINATION IF YOU CHOOSE TO

1 STRIKE IT, BUT TO GIVE A CURATIVE INSTRUCTION ON THIS  
2 AREA BECAUSE MR. MORTON IS SOMEHOW MORE OUTRAGED WHEN  
3 THIS IS CLEARLY RELEVANT TO THE CASE WOULD IN ESSENCE  
4 BE HAVING YOU COMMENT THAT SOMEHOW THAT QUESTION WAS  
5 IMPROPER AND I SUBMIT TO YOU IT'S NOT IMPROPER, YOUR  
6 HONOR.

7 THE COURT: NOW TELL ME AGAIN, I KNOW THE  
8 QUESTION HAD TO DO WITH THE THREE-SOME, LET'S CALL  
9 IT, AND IT CAME FROM WHAT?

10 MR. POPE: MARY COPE WAS ASKED BECAUSE  
11 OBVIOUSLY THE MASTURBATION ISSUE HAD COME UP, THEN  
12 MARY COPE WAS ASKED ABOUT THEIR SEXUAL SITUATION  
13 BASED ON THE SEXUAL NATURE OF THIS CASE AND SHE  
14 STATED THAT BILLY WOULD ALWAYS TALK ABOUT HAVING A  
15 THREE-SOME WITH A MALE OR A FEMALE; SAID THAT  
16 WHENEVER BILLY WANTED SEX HE WOULD TALK OF A  
17 THREE-SOME ACTIVITIES TO GET AN ERECTION AND  
18 MASTURBATE, SO THAT'S THE QUESTION THAT I POSED AND  
19 OF COURSE HE DENIED IT. BUT I AM CONCERNED -- I  
20 UNDERSTAND MR. MORTON'S OUTRAGE BUT JUST BECAUSE HE'S  
21 OUTRAGED AND THEN WE COME AND SAY SOMEHOW THE  
22 PROSECUTION HAS DONE SOMETHING IMPROPER, WHICH IS  
23 CLEARLY NOT THE CASE, YOUR HONOR. AND MY CONCERN IS  
24 BY GIVING SOME INSTRUCTION MUCH LIKE YOU HAD THEN  
25 SOMEHOW THE SOLICITOR HAS DONE SOMETHING IMPROPER AND

1 THAT'S JUST NOT THE CASE, YOUR HONOR.

2 THE COURT: ANYTHING ELSE, MR. MORTON?

3 MR. MORTON: YES, SIR, I STILL MOVE FOR A  
4 MISTRIAL AS OPPOSED TO A CURATIVE INSTRUCTION.

5 THE COURT: I'M GOING TO, RULE 430 ALLOWS  
6 THE COURT EVEN IF IT IS RELEVANT TO EXCLUDE EVIDENCE  
7 IF ITS PROBATIVE VALUE IS SUBSTANTIALLY OUTWEIGHED BY  
8 THE DANGER OF UNFAIR PREJUDICE. I'M GOING TO GIVE A  
9 CURATIVE INSTRUCTION, BUT I'M NOT GOING TO GO INTO AS  
10 MUCH DETAIL AS THE DEFENSE ASKED. I'M JUST GOING TO  
11 INSTRUCT THE JURY, WITHOUT COMMENTING, TO DISREGARD  
12 THE LAST QUESTION AND ANSWER. QUESTION BY THE STATE  
13 AND THE ANSWER, OF COURSE HE DENIED IT, SO THE ANSWER  
14 BUT YOU CAN'T HAVE AN ANSWER WITHOUT A QUESTION, SO  
15 I'M JUST GOING TO TELL THEM TO DISREGARD THE QUESTION  
16 AND ANSWER. ALL RIGHT.

17 MR. MORTON: YOUR HONOR AND I'LL ASK THAT  
18 THE COURT, TELL THE JUDGE THAT THEY ARE TO CONSIDER  
19 THE FACTS OF THIS CASE AND THESE ARE NOT THE FACTS OF  
20 THIS CASE.

21 THE COURT: WELL, I'M GOING TO TELL THEM  
22 THAT AT THE END. I'M NOT GOING TO GIVE A MINI  
23 CHARGE.

24 MR. MORTON: I WILL -- I'M SORRY. I WANT  
25 THE RECORD TO REFLECT THAT IT'S MY PROPOSED

1 INSTRUCTION AS SOMETHING THE COURT ASKED ME TO ASSIST  
2 HIM, BECAUSE I'M NOT PROPOSING AN INSTRUCTION, I'M  
3 PROPOSING A MISTRIAL.

4 THE COURT: WELL, I'LL MAKE YOUR FORCED  
5 PROPOSAL OR WHATEVER YOU WANT TO CALL IT, YOUR  
6 PROPOSAL OVER YOUR OBJECTION --

7 MR. MORTON: WELL, YOU ASKED ME TO DO  
8 THAT.

9 THE COURT: I KNOW. I'M JUST TRYING TO  
10 PUT IT IN LANGUAGE THAT SAYS WHAT YOU WANT IT TO SAY.  
11 Y'ALL UNDERSTAND.

12 MR. MORTON: I UNDERSTAND.

13 THE COURT: YOU DIDN'T WANT TO DO THIS,  
14 THIS WAS FORCED, AND YOU DID A GOOD JOB, BUT I'M  
15 GOING TO MAKE IT PART OF THE RECORD AND NOT USE IT.

16 MR. MORTON: OKAY.

17 THE COURT: BRING IN THE JURY.

18 (THE JURY RETURNS TO THE COURTROOM AT  
19 10:19 AM.)

20 THE COURT: MEMBERS OF THE JURY PANEL, THE  
21 LAST QUESTION POSED BY THE STATE AND THE LAST ANSWER  
22 THE RESPONSE THERE TO I'M GOING TO STRIKE FROM THE  
23 RECORD, SO YOU ARE TO DISREGARD AND GIVE NO, NOT  
24 CONSIDER IN ANY FASHION THE LAST QUESTION AND THE  
25 ANSWER BY MR. COPE. THANK YOU.

1 MR. POPE: PLEASE THE COURT, YOUR HONOR.

2 MR. MORTON: AND MY OBJECTION IS NOTED FOR  
3 THE RECORD. CAN WE APPROACH.

4 (BENCH CONFERENCE AT 10:21 AM.)

5 MR. POPE: PLEASE THE COURT, YOUR HONOR.

6 CROSS EXAMINATION CONTINUED BY MR. POPE:

7 Q MR. COPE, WE WERE TALKING ABOUT STATE'S EXHIBIT  
8 NINE?

9 A THAT'S CORRECT.

10 Q OKAY. AND THAT WAS THE LAST WRITTEN STATEMENT  
11 THAT YOU GAVE ON THIS MATTER, IS THAT CORRECT?

12 A THE LAST WRITTEN STATEMENT. YES, SIR, THIS IS  
13 THE LAST STATEMENT, WRITTEN STATEMENT.

14 Q SO THAT MONDAY, ON INSANITY DAY, THE FIRST  
15 STATEMENT YOU GAVE WAS THE HANDWRITTEN ONE THAT YOU  
16 WROTE OUT, RIGHT?

17 A THAT IS CORRECT.

18 Q OKAY. AND THEN OF COURSE WE HAVE A VIDEO?

19 A THAT IS CORRECT.

20 Q OKAY. AND SO THE HANDWRITTEN STATEMENT AND THE  
21 VIDEO ARE UNDER THE INSANITY THEORY, RIGHT?

22 A YES, SIR.

23 Q OKAY. AND THEN THIS STATEMENT DONE IN THE  
24 AFTERNOON KIND OF BAILS ON THE INSANITY THEORY, THIS  
25 IS JUST I'LL TELL EVERYTHING YOU WANT YOU, Y'ALL PUT

1       WHAT YOU WANT HERE, RIGHT?

2       A     IT'S NOT A THEORY, SIR, IT'S THE TRUTH.

3       Q     SO THAT'S WHERE YOU ARE AT.  HERE YOU PUT, YOU  
4       JUST BASICALLY, THIS CONTAINS WHATEVER THEY WANTED TO  
5       PUT?

6       A     I, THAT'S CORRECT, YES, SIR.

7       Q     AND YOU DIDN'T REALLY HAVE A HAND IN THIS?

8       A     I DIDN'T SAY I DIDN'T HAVE A HAND IN IT.  THEY  
9       TALKED TO ME, I TOLD THEM, THEY WROTE IT DOWN.

10      Q     SO THEY WROTE WHAT YOU TOLD THEM?

11      A     YES, SIR.

12      Q     OKAY.  NOW WE TOUCHED ON THIS YESTERDAY.  IN  
13      ALMOST EVERY STATEMENT YOU HAVE YOU HAVE SOMETHING  
14      ABOUT AMANDA SPEAKING, DO YOU RECALL THAT?

15      A     YES, SIR, I CAN REMEMBER THAT.

16      Q     OKAY.  AND AT ONE POINT AND EVEN ON THE VIDEO I  
17      THINK IT'S COME HERE DADDY OR COME, IS IT COME UP  
18      HERE DADDY, COME HERE DADDY, WHAT IS IT SHE IS  
19      TELLING YOU ON THE VIDEO?

20      A     (NO RESPONSE.) I DON'T REMEMBER EXACTLY.

21      Q     OKAY.

22      A     BECAUSE I MEAN I CAN'T REMEMBER ONE TO THE NEXT  
23      BECAUSE IT WAS A LIE.  THAT ONE WAS A LIE.  ALL OF  
24      THEM WAS A LIE.

25      Q     SO DADDY HELP ME WAS A LIE TOO?

1 A THAT'S CORRECT. IT WAS A LIE.

2 Q OKAY. AND OH GROSS DADDY THAT WAS A LIE?

3 A THAT ONE WAS BROUGHT FROM WHAT I SAID EARLIER  
4 WHEN THEY WERE, WHEN ME AND HERRING WAS TALKING AND  
5 MR. BAKER BROUGHT UP THAT PART.

6 Q SO MR. BAKER, YOU ARE SAYING MR. BAKER GOT IT  
7 FROM THAT NIGHT BEFORE WHERE YOU SHOWED ME ON THE  
8 SHEET YESTERDAY?

9 A WHEN WE WERE TALKING ABOUT EW GROSS DADDY, YES.

10 Q SO MISTER --

11 A OR EW GROSS MOMMA.

12 Q MR. BAKER WASN'T INVOLVED THAT NIGHT BEFORE?

13 A HE WASN'T INVOLVED, NO, BUT HE GOT THE NOTES  
14 FROM MR. HERRING THE NEXT MORNING. HE GOT A LOT OF  
15 NOTES AND STUFF.

16 Q SO HE GOT THE NOTES WHERE SHE SAID EW GROSS  
17 DADDY?

18 A AND THEY BROUGHT UP OH GROSS.

19 Q ALL RIGHT. AND THEN YOU ALSO HEARD HER VOICE IN  
20 THE DREAM. HOW MANY DIFFERENT DREAMS DID YOU HAVE ON  
21 THAT NIGHT?

22 A HOW MANY DREAMS, I HAD JUST, THAT I CAN RECALL  
23 IS THE ONE THAT I WOKE UP WITH.

24 Q OKAY. AND YOU HEARD HER VOICE IN THAT DREAM?

25 A THAT'S CORRECT.

1 Q OKAY. NOW THE ANGEL MUSIC PART, YOU KNOW, WHERE  
2 YOU HEAR ANGLE MUSIC LIKE AT THE EXACT TIME THAT  
3 PEOPLE DIE AND SHE SAID DADDY I LOVE YOU, GOODBYE,  
4 WAS THAT IN THAT DREAM OR IS THAT SOMETHING YOU  
5 ACTUALLY HEARD?

6 A THAT WAS--IT WAS IN THE DREAM. I THOUGHT IT WAS  
7 THE RAPTURE.

8 Q OKAY. WE'VE BEEN OVER THIS. MASTURBATION, ONE  
9 TIME YOU SAY BLUE TOWEL, THEN YOU SAY NO TOWEL, WHITE  
10 RAG. I THINK WHEN YOU TESTIFIED FIRST YOU SAID YOU  
11 CAN'T REMEMBER THAT NIGHT WHETHER IT WAS A WASH CLOTH  
12 OR OLD T-SHIRT?

13 A I SAID IT DIDN'T, IT JUST VARIED FROM WHATEVER.  
14 IT COULD BE A WASH CLOTH, TOWEL, T-SHIRT.

15 Q OKAY. AND YOU SAID THAT YOU HAD THAT HIDING  
16 PLACE BECAUSE SOMEBODY MIGHT GET A HOLD OF IT, RIGHT?

17 A THAT'S CORRECT.

18 Q SO YOU ARE HIDING IT FROM YOUR FAMILY OR  
19 SOMETHING?

20 A I DIDN'T WANT A, ME AND MY WIFE, YOU KNOW, I  
21 DIDN'T WANT TO MAKE HER FEEL BAD BECAUSE I KNOW, YOU  
22 KNOW, THAT SHE HAVE HAVING PROBLEMS.

23 Q OKAY. AND YOU CALLED IT YOUR SPECIAL HIDING  
24 PLACE?

25 A I DIDN'T SAY IT WAS MY SPECIAL HIDING PLACE.



1 IT'S JUST PLACE WHERE I HID IT.

2 Q THAT'S ALWAYS THE PLACE YOU USED, RIGHT?

3 A YES, SIR.

4 Q OKAY. AS FAR AS THE DILDO, SOME STATEMENTS YOU  
5 SAID YOU USED IT ON AMANDA AND SOMETIMES YOU SAID  
6 ONLY THE BROOM, IS THAT RIGHT?

7 A I THINK THE DILDO AND THE BROOM WERE THE TWO  
8 ITEMS THAT WERE SAID THAT WAS USED, YES, SIR.

9 Q OKAY. SO THAT'S THE ONES THAT YOU USED IN YOUR  
10 STORY?

11 A IN THE STORIES THAT I TOLD AND WHEN I DIDN'T  
12 CARE NO MORE. I JUST SAID WHATEVER WAS ON MY MIND.  
13 I DIDN'T CARE.

14 Q WHATEVER WAS ON YOUR MIND?

15 A THAT'S RIGHT.

16 Q OKAY. AND THEN AS FAR AS THE BROOM, AGAIN  
17 YOU'VE BEEN IN COURT, THERE HAVE BEEN A NUMBER OF  
18 BROOMS AND YOU CONSISTENCY TOLD THEM IT'S A BLUE  
19 WOODEN BROOM WITH NO CAP ON THE END, RIGHT?

20 A I SAID BLUE WOODEN BROOM. I SAID NO CAP ON THE  
21 END BECAUSE SHE SHOWED ME TWO WITH A CAP.

22 Q OKAY. YOU UNDERSTAND NOW ABOUT THE WAY SHE WAS  
23 THERE THAT DAY THAT THE SCENE WAS STAGED. THAT IT  
24 WAS MADE TO LOOK LIKE SOMETHING IT REALLY WASN'T,  
25 RIGHT?

1 A WHAT DO YOU MEAN BY THAT?

2 Q YOU'RE AWARE NOW FROM ALL THAT YOU'VE READ THAT  
3 SHE WASN'T STRANGLED WITH THIS GREEN BLANKET, RIGHT?

4 A I'M AWARE THAT'S WHAT THEY SAID, YES, SIR.

5 Q YOU THINK MAYBE SHE STILL WAS STRANGLED BY THE  
6 BLANKET?

7 A I, ALL I KNEW IS WHAT I SAW WHEN I WENT IN THERE  
8 AND HOW HER HANDS WAS.

9 Q OKAY. AND YOU, OF COURSE, HAVE GIVEN STATEMENTS  
10 ABOUT YOU WRAPPING IT AROUND TO LOOK LIKE SHE WAS  
11 KILLED, RIGHT?

12 A WELL, I MEAN, THAT'S ALL I KNEW SO I PUT DOWN  
13 WHAT I--THE PARTS THAT I KNEW.

14 Q AND OF COURSE HER BRA WAS LOOSE THAT MORNING,  
15 RIGHT?

16 A I SAID I DIDN'T KNOW BECAUSE I DIDN'T SEE HER  
17 BRA.

18 Q OKAY. IT WAS PLACED ON HER, RIGHT?

19 A I DON'T KNOW THAT.

20 Q OKAY. YOU SAW HER BREAST, YOU SAW YOUR RIGHT  
21 BREAST?

22 A I SAW HER RIGHT BREAST WHEN SHE ROLLED OVER AND  
23 HER HANDS DROPPED DOWN, I SAW HER RIGHT BREAST.

24 Q AND, OF COURSE, HER PANTS WERE PULLED UP AND THE  
25 DOCTOR TESTIFIED ABOUT SOMEBODY ELSE BY THE WAY IT

1 ROLLED UNDER, RIGHT?

2 A I GUESS SO.

3 Q OKAY. AND YOU TOLD THEM THAT MORNING OF THE  
4 THIRD THAT I TRIED TO RID THE HOUSE OF ALL THE STUFF  
5 THAT WOULD MAKE ME LOOK GUILTY, RIGHT?

6 A THAT'S CORRECT BECAUSE I HAD BEEN TOLD THINGS  
7 WERE MISSING, I WAS TOLD THAT A DILDO WAS MISSING SO,  
8 AND I HAD ALREADY TOLD THEM IN THAT STATEMENT TO  
9 BAKER THAT I HAD RID THE HOUSE, I PUT, I THREW  
10 STUFF OUT OF THE BACK DOOR.

11 Q OKAY.

12 A ALL RIGHT.

13 Q LET ME ASK A LITTLE BIT ABOUT THESE LETTERS AND  
14 YOUR ART WORK AND STUFF, YOU'VE HAD A CHANCE TO LOOK  
15 AT THESE?

16 A YES, SIR.

17 Q AND THAT'S STATE'S EXHIBIT NUMBER 91. NOW THESE  
18 I THINK YOU TALKED IN DETAIL YESTERDAY, THESE ARE  
19 LETTERS THAT YOU WROTE AND YOU PUT ART WORK ON THE  
20 OUTSIDE OF THE LETTERS, IS THAT CORRECT?

21 A THAT'S CORRECT.

22 Q SO YOU HAD A CHANCE TO LOOK AT THEM, RIGHT?

23 A YES, I'VE HAD A CHANCE TO LOOK AT THEM.

24 Q SO THESE ARE YOUR ENVELOPES?

25 A THOSE ARE MY ENVELOPES.

1 Q YOUR SIGNATURES?

2 A THOSE ARE MY SIGNATURES.

3 Q I SAY SIGNATURES, ADDRESSES?

4 A YES.

5 Q AND THEN THIS WRITING IS ALL YOUR WRITING, IS

6 THAT RIGHT?

7 A YES, SIR. I THINK SO, YES, SIR.

8 Q OKAY. AND THESE WERE ONES THAT YOU JUST SENT TO

9 AMY SIMMONS, IS THAT RIGHT?

10 A YES, SIR.

11 Q AND IF I UNDERSTOOD FROM WHAT YOU SAID

12 YESTERDAY, I THINK THESE ARE DEFENSE EXHIBITS, I

13 THINK WHEN MR. BAITY PUT THEM UP IN THE FIRST PLACE

14 NO LONGER ARE THE LETTERS TIED TO THE PROPER

15 ENVELOPES, THEY'VE BEEN MIXED UP, THAT'S WHAT YOU'VE

16 TESTIFIED TO?

17 A NO, SIR. I SAID THAT THE ENVELOPE THAT THE

18 SECOND CONFESSION LETTER CAME IN IS NOT THE PROPER

19 ENVELOPE FOR THAT LETTER AND IT'S NEVER BEEN REMOVED

20 FROM THE TWO.

21 Q OKAY. AND NOW, BUT I'M SAYING THESE LETTERS,

22 I'M NOT EVEN TALKING ABOUT THOSE LETTERS YET, THESE

23 LETTERS HAVE BEEN MIXED UP TOO, RIGHT?

24 A WELL, I MEAN, THERE HAS BEEN A LOT OF PEOPLE

25 HANDLING THOSE LETTERS.

1 Q FROM THE FIRST DAY WHEN WE HAD TO TAKE A BREAK  
2 BECAUSE THEY WERE SO MIXED UP?

3 A LETTERS HANDLED FROM ONE PLACE TO THE NEXT, YES,  
4 SIR.

5 Q NOW THESE LETTERS ARE LETTERS THAT YOU SENT TO  
6 AMY SIMMONS, RIGHT?

7 A THAT'S CORRECT.

8 Q AND YOU SAID I THINK THERE WAS 13 OR 14 AND  
9 YOU'VE ONLY SEEN 11 OF THEM?

10 A I THINK I'VE SEEN 11, YES, SIR.

11 Q OKAY. NOW THESE WERE LETTERS THAT AMY HAD AND  
12 THEN AMY ALSO SENT YOU LETTERS, RIGHT?

13 A YES, SIR. YES, SIR.

14 Q OKAY. AND WHAT DID YOU DO WITH THOSE LETTERS?

15 A I GAVE THEM TO MY ATTORNEYS.

16 Q OKAY. AND THEN IN ADDITION TO THESE LETTERS TO  
17 AMY, DID YOU SEND OTHER PEOPLE LETTERS TOO?

18 A YES, SIR, I DID.

19 Q I MEAN, LIKE YOUR MOM OR SOMETHING?

20 A YES, I DID.

21 Q WHATEVER, OKAY. HOW MANY DIFFERENT PEOPLE DID  
22 YOU WRITE TO, YOU THINK?

23 A OH, I WROTE TO A GROUP OF CHURCHES. I WROTE TO  
24 SOME CHURCHES. I THINK THERE WAS 27 DIFFERENT  
25 CHURCHES I WROTE TO ASKING THEM FOR PRAYER. I ALSO

1 WROTE TO AMY. I WROTE TO MY MOM. I WROTE TO MY  
2 SISTER. I WROTE TO MY BOSS. AND I WROTE ONE TO MY  
3 COUSIN.

4 Q OKAY.

5 A AND I THINK I ALSO WROTE ONE TO MY WIFE BEFORE  
6 SHE DIED.

7 Q ALL RIGHT. AND THEN WHAT, WOULD ALL OF THEM BE  
8 PRETTY MUCH THE SAME FORMAT. YOU WROTE PRETTY  
9 EXTENSIVELY, DIDN'T YOU?

10 A NO, SIR. I STARTED WRITING WITH THAT FORMAT  
11 THERE WAS ALL THE WAY ACROSS WHEN PAPER BECAME REAL  
12 SHORT WHEN I COULDN'T AFFORD IT. IT WAS USUALLY, I  
13 GUESS IT WAS PROBABLY THE BEGINNING OF THIS YEAR OR  
14 MIDDLE OF LAST YEAR.

15 Q IS WHEN PAPER BECAME SHORT?

16 A IS WHEN IT BECAME HARDER TO GET PAPER.

17 Q HOW DO YOU GET PAPER?

18 A WELL, I USED TO HAVE MONEY COMING IN MY ACCOUNT  
19 I COULD GET PAPER, BUT BECAUSE OF MY HIGH BLOOD  
20 PRESSURE BECAUSE OF MY MEDICATION IT COST ME LIKE \$80  
21 EVERY FIFTY DAYS, A 100 PILLS IS \$80 DOLLARS AND IT  
22 KEEPS ADDING UP ON MY ACCOUNT AND MY MOM COULDN'T  
23 AFFORD TO PAY IT OFF SO I SAID JUST LET IT GO. I'LL  
24 JUST DO WHAT I CAN FOR PAPER AND SO I STARTED, I  
25 STARTED HAVING TO UH SELL TRAYS, YOU KNOW, SELL TWO

1 OF MY TRAYS OF FOOD AND GO HUNGRY.

2 Q WHAT DOES THAT MEAN YOU TRADE OUT A TRAY?

3 A TRADE OUT A TRAY, YEAH.

4 Q YOU TOLD ME I THINK EARLIER YOU WRITE IN A  
5 JOURNAL?

6 A YES, I KEEP A JOURNAL.

7 Q OKAY. AND YOU USE PAPER FOR THAT TOO?

8 A I DO USE PAPER FOR THAT.

9 Q OKAY. AND IN ADDITION YOU SAID AS FAR AS YOUR  
10 DRAWINGS, NOW YOU DRAW THOSE ON PAPER TOO?

11 A I DRAW ON PAPER, YES.

12 Q OKAY. AND I THINK YOU SAID YOU DRAW ON  
13 CARDBOARD SOMETIMES?

14 A YEAH, ON THE BACK OF, ON THE BACK OF CARDBOARD  
15 PAD, THE PAD IT COMES IN, THE PAPER COMES ON.

16 Q LIKE THE LEGAL PAD?

17 A YEAH.

18 Q I GOT YOU.

19 A TYPE OF LEGAL TYPE PAD.

20 Q SO YOU KEPT THE BACK PART OF THE CARDBOARD PART  
21 OF THAT LEGAL PAD AND YOU DRAW ON THAT?

22 A YEAH.

23 Q AND THEN YOU DRAW ON THE LEGAL PAD PAPER TOO?

24 A LEGAL PAD PAPERS, SOMETIMES, NOT OFTEN. USUALLY  
25 IT'S WHITE PAPER FROM INDIGENT PROGRAM.

1 Q I GOT YOU. AND THEN IN THESE LETTERS, I THINK  
2 IN ONE OF THESE, I MEAN YOU TALK ABOUT ALL KINDS OF  
3 STUFF, JUST WHATEVER'S ON YOUR MIND?

4 A USUALLY, USUALLY I'M REFERRING BACK TO WHAT SHE  
5 SAID THEN I WOULD TELL HER HOW I WAS FEELING.

6 Q KIND OF LIKE A PEN PAL KIND OF THING?

7 A YEAH, IT WAS AT ONE POINT, BUT THEN IT SEEMED TO  
8 GET SERIOUS. I EVEN THINK I TOLD HER I STARTED  
9 CARING ABOUT HER IN ONE OF THE LETTERS.

10 Q RIGHT. AND WHEN WAS THAT TAKING PLACE, DO YOU  
11 REMEMBER?

12 A IT WAS TOWARD THE END OF THE LETTERS.

13 Q OKAY. NOW I THINK, WHEN DID THE LETTERS START?

14 A I THINK THE FIRST ONE STARTED, I THINK I SAID  
15 APRIL BUT I MISSPOKE. I THINK IT'S JULY OF 2003.  
16 THAT'S WHEN THE FIRST LETTER STARTED.

17 Q OKAY. AND THEN WHAT MADE YOU REMEMBER THAT WHEN  
18 YOU SAID APRIL AND THEN --

19 A BECAUSE THEY, HE SHOWED ME THE LETTERS YESTERDAY  
20 AND I SAW THE--- HE SAID THAT'S THE JULY LETTER AND  
21 THAT'S HOW I REMEMBER IT WAS JULY AND NOT APRIL.

22 Q I GO YOU. SO STARTED IN JULY OF 2003?

23 A WELL, THAT WAS THE FIRST INITIAL LETTER.

24 Q RIGHT.

25 A THEN THERE WAS LIKE A LONG TIME AFTER THAT



1       BEFORE I WROTE HER AGAIN BECAUSE SHE WROTE ME THE  
2       NEXT TIME FIRST AND THEN I STARTED WRITING HER.

3       Q     I GOT YOU.  NOW WERE THERE LETTERS TOO THAT YOU  
4       WROTE HER OR DIFFERENT PEOPLE THAT YOU NEVER SENT?

5       A     THERE IS SOME LETTERS, YEAH.  I WROTE THEM AND  
6       THEN I DIDN'T SEND THEM AND.

7       Q     SOMETIMES I THINK YOU SAID IN HERE, OF COURSE  
8       I'LL LET YOU LOOK AT THEM IF YOU NEED TO, BUT  
9       SOMETIMES YOU SAID IN HERE, I WROTE A LETTER AND THEN  
10      TORN IT UP AND FLUSHED IT AND REWRITE IT AGAIN?

11      A     I DIDN'T FLUSH --WELL, I DID TEAR SOME OF THEM  
12      UP AND THROW THEM IN THE GARBAGE OR THREW THEM IN THE  
13      OR FLUSH THEM BECAUSE I DON'T LIKE PEOPLE GOING IN MY  
14      STUFF.  I DON'T TRUST PEOPLE.  I QUIT TRUSTING ANY  
15      KIND OF OFFICIAL, SO I JUST DON'T, I MEAN.

16      Q     THAT'S WHAT --

17      A     I DIDN'T HIDE, I JUST DON'T WANT ANYBODY TO KNOW  
18      WHAT I SAID IN MY LETTER.  IT WAS ACTUALLY EVERY ONE  
19      OF THEM WAS I'M BEGINNING TO FALL IN LOVE WITH YOU.

20      Q     I GOT YOU.

21      A     AND THAT'S THE TRUTH.  I MEAN, I'M SORRY.

22      Q     WHAT?

23      A     I MEAN.

24      Q     WHAT, SORRY?

25      A     I'M SORRY THAT I EVEN THOUGHT THAT WAY.

1 Q I'M SORRY. I'M NOT --

2 A THAT I EVEN THOUGHT THAT I LOVED HER. I'M SORRY  
3 BECAUSE OF WHAT I'VE SEEN AS EVIDENCE SHE WAS TRYING  
4 TO SET ME UP.

5 Q OH, OKAY. OKAY. AND YOU'VE SEEN THAT EVIDENCE,  
6 WHEN DID YOU SEE THAT EVIDENCE?

7 A I SAW THAT EVIDENCE SHORTLY, SHORTLY BEFORE IT  
8 WAS SHOWED IN HERE. I CAN'T SAY, PROBABLY A WEEK  
9 BEFORE IT WAS SHOWED IN HERE.

10 Q YOU TALKING WHEN MR. BAITY DID THE THING WITH  
11 TALKING YOUR STUFF?

12 A THAT'S CORRECT.

13 Q I GOT YOU. SO YOU ACTUALLY, YOU TALKED ABOUT  
14 THE SECURITY THING, YOU SAID YESTERDAY THAT SOMETIME  
15 YOU DO DO THE SCRIBBLE THINGS SO PEOPLE, ABOUT NOT  
16 TRUSTING PEOPLE?

17 A I DO, YEAH, BECAUSE I DON'T TRUST PEOPLE TO, YOU  
18 KNOW I MEAN, ESPECIALLY, IT ALL REALLY COMES DOWN TO  
19 WHEN I WRITE MY ATTORNEYS. I DON'T WANT PEOPLE TO  
20 KNOW WHAT I WRITE MY ATTORNEYS ABOUT.

21 Q YOU PUT SOMETHING LIKE AROUND IT, SCRIBBLE, SO  
22 THEY CAN'T HOLD IT UP AND LOOK AT IT LIKE YOU ARE  
23 SAYING?

24 A THAT'S CORRECT.

25 Q OKAY. AND THEN I THINK IN ONE OF YOUR LETTERS

1 YOU END UP EXPLAINING TO AMY HOW YOU DEVELOPED, YOU  
2 TALKED ABOUT THIS YESTERDAY, DEVELOPED YOUR KIND OF  
3 CODE WHERE YOU'LL DRAW PICTURES?

4 A RIGHT.

5 Q AND DRAW PICTURES AND REFERENCE THEM IN THE  
6 LETTER, IS THAT CORRECT?

7 A THAT'S RIGHT.

8 Q THAT'S A SECURITY CODE TOO, SO YOU DID THAT TOO?

9 A THAT'S CORRECT.

10 Q OKAY. YOU WERE TELLING ME, YOU GET LETTERS, YOU  
11 GOT LETTERS FROM AMY, WHAT WAS THE OTHER LADY THAT  
12 TESTIFIED, LEILA?

13 A LEILA, YEAH. I ACTUALLY WROTE LEILA ONE OR TWO  
14 I THINK AND SHE SENT ME TWO CARDS.

15 Q NOW WAS LEILA MEETING WITH YOUR ATTORNEYS?

16 A NO, SHE WAS NOT. NOT TO MY KNOWLEDGE SHE WAS  
17 NOT.

18 Q OKAY. YOU DIDN'T DISCUSS THAT WITH YOUR  
19 ATTORNEY?

20 A NO, I DID NOT.

21 Q WAS AMY MEETING WITH YOUR ATTORNEY?

22 A SHE WAS.

23 Q OKAY. AND WAS THERE A TIME WHEN YOU WERE  
24 CONCERNED THAT LEILA WAS AGAINST YOU?

25 A ACTUALLY THERE WAS.

1 Q ALL RIGHT. AND YOU WROTE AMY ABOUT THAT, RIGHT?

2 A WELL, I THINK SHE STARTED WRITING ABOUT IT  
3 BECAUSE SHE SAID DON'T TRUST NOBODY IN YOUR LETTERS  
4 AND SO.

5 Q AMY TOLD YOU THAT?

6 A YEAH, SHE SAID THAT.

7 Q OKAY. AND LET ME SEE. SO YOU GOT LETTERS FROM  
8 AMY OR SENDING LETTERS TO AMY JULY 2003, IS THAT  
9 RIGHT?

10 A THAT'S CORRECT.

11 Q AND THAT CONTINUED ON UP TO WHEN?

12 A THAT CONTINUED TIL MAY 2004.

13 Q AND SO THE LETTERS THAT YOU ARE TALKING ABOUT  
14 THAT WE DON'T HAVE, WOULD THAT BE AFTER MAY OR  
15 SOMETIME IN BETWEEN?

16 A WHAT LETTERS ARE YOU TALKING ABOUT? THE ONES  
17 THAT I WROTE AND I DIDN'T --

18 Q THE ONES YOU SAID YOU HADN'T SEEN?

19 A OH, THE ONES I HADN'T SENT, YOU MEAN.

20 Q SEEN. I'M SORRY. YOU SAID THERE WAS 13 OR 14  
21 LETTERS BUT YOU --

22 A OH, THOSE WERE WRITTEN, LET'S SEE, THERE WAS ONE  
23 WRITTEN, IT WAS PRIOR TO TINKER MOUSE IN A BUBBLE  
24 BECAUSE THE NAME OF IT WAS CALLED TINKER MOUSE. IT  
25 WAS THE FIRST ONE THAT I STARTED AND THE ONE BEFORE

1 THAT WAS, I'M NOT SURE. THERE WAS TWO LETTERS THAT  
2 DIDN'T HAVE ENVELOPES. I COULDN'T, I THINK THERE WAS  
3 ONE THAT---I THINK THAT WAS THE ONLY ONE THAT I  
4 TESTIFIED TO WAS TINKER MOUSE BECAUSE THE OTHER ONES  
5 WERE, THERE WERE TWO LETTERS THERE WITH NO ENVELOPES.

6 Q IN THIS PACK?

7 A YEAH. AND I NEVER SENT TWO LETTERS IN ONE  
8 ENVELOPE.

9 Q SO LIKE THERE WAS, MAYBE WHEN SHE TURNED THEM IN  
10 THERE IS MORE LETTERS THAN THERE ARE ENVELOPES HERE  
11 IS WHAT YOU ARE SAYING?

12 A TO A CERTAIN DEGREE BUT THEN THERE IS ONE LETTER  
13 THAT'S NOT THERE THAT TALKS ABOUT TINKER MOUSE  
14 BECAUSE I ACTUALLY EXPLAIN TO HER ABOUT TINKER MOUSE  
15 IN THE LETTER.

16 Q OKAY. OKAY. AND NOW YOU ARE SENDING LETTERS TO  
17 HER STARTING IN JULY 2003 ALL THE WAY YOU SAID MAY OF  
18 2004?

19 A ACTUALLY, NO, SIR, I SAID I, I WROTE HER FIRST  
20 LETTER IN, IN 2003. I DID NOT KNOW IF SHE GOT THAT  
21 LETTER OR NOT. THEN IN 2000, IN DECEMBER OF 2003 I  
22 GOT FIRST WORD FROM MY MOM YOU ARE GOING TO RECEIVE A  
23 LETTER FROM AMY AND I SAID OKAY. THEN ABOUT, I  
24 WAITED AND I WAITED AND I NEVER GOT THE LETTER. SO  
25 MOM OR SUSAN CONTACTED AMY AND TOLD AMY THAT I NEVER

1 GOT THE LETTER. SO SHE SAID IN HER NEXT LETTER SHE  
2 WROTE TO ME I DON'T KNOW WHY YOU DIDN'T GET THE  
3 LETTER. I USED THAT ADDRESS YOU SENT ME AND YOU GIVE  
4 OR I WAS GIVEN OR YOU GAVE ME OR SOMETHING. I DON'T  
5 KNOW HOW SHE SAID IT. I SAID AND I SAID, I MEAN THEN  
6 HER LETTER SAID BUT HERE'S ANOTHER ONE INSTEAD AND IT  
7 WAS A CHRISTMAS ONE. THAT WAS THE FIRST ONE IN THE  
8 SERIES THAT STARTED.

9 Q THAT IS THE FIRST --

10 A THAT IS THE FIRST ONE I RECEIVED FROM HER.

11 Q AND THAT WAS DECEMBER OF 2003?

12 A THAT'S CORRECT.

13 Q AND THEN YOU KIND OF BECAME PEN PALS FROM THERE,  
14 IS THAT RIGHT?

15 A THAT'S CORRECT, YES.

16 Q OKAY. AND IN THE LETTERS YOU WROTE YOUR MOM  
17 SPOKE HIGHLY OF HER AND YOU WERE GLAD TO HAVE A TRUE  
18 FRIEND LIKE HER, IS THAT CORRECT?

19 A THAT'S CORRECT.

20 Q OKAY.

21 A BECAUSE I THOUGHT SHE WAS BEING A TRUE FRIEND.

22 Q OKAY. WILL YOU SAY THANK YOU FOR YOUR  
23 FRIENDSHIP FROM MY ATTORNEYS AND MYSELF?

24 A CORRECT.

25 Q OKAY. JUST WANTED YOU TO KNOW THAT I'M GLAD TO

1 HAVE YOU ON MY SIDE?

2 A RIGHT.

3 Q I THINK YOU MADE HER A VALENTINE, RIGHT?

4 A I DID. I DID MAKE A VALENTINE. I DIDN'T SEND  
5 IT FOR A LONG TIME BECAUSE I WASN'T SURE HOW MY  
6 FEELINGS WERE. IT WASN'T FEELINGS IN FEBRUARY. I  
7 JUST WANTED, YOU KNOW, TO SEND, I SEND VALENTINE'S.  
8 I SENT MY MOM CARDS. I SENT EVERYBODY A VALENTINE AT  
9 THAT TIME.

10 Q YOU SAID THAT YOU SENT, WAS GOING TO SEND A  
11 VALENTINE BESIDES I WAS STILL NOT ABLE TO WRITE AT  
12 THAT TIME?

13 A I WASN'T ABLE TO WRITE BECAUSE THE FIRST LETTER  
14 CAME OUT, THAT FIRST LETTER CAME OUT, AND I DIDN'T  
15 TRUST NOBODY AND ACTUALLY TRUTHFULLY NEITHER DID MY  
16 ATTORNEYS OR ANYBODY ELSE IN MY FAMILY. WE WASN'T  
17 SURE WHAT TO TRUST AND THEN THINGS STARTED CHANGE. I  
18 REALLY DON'T KNOW THE BACKGROUND BEHIND IT. ALL I  
19 KNOW IS IT WAS OKAY FOR ME TO START WRITING AGAIN.

20 Q OKAY.

21 A SO I STARTED WRITING AGAIN.

22 Q WHO SAID IT WAS OKAY?

23 A MY ATTORNEYS.

24 Q OKAY. SO WHEN THAT FIRST LETTER, AMY GAVE THAT  
25 FIRST LETTER, LET'S SEE. I THINK IT'S STATE'S

1 EXHIBIT 90. AMY GAVE THAT FIRST LETTER TO YOUR  
2 ATTORNEYS RIGHT THE FIRST OF JANUARY, IS THAT RIGHT?

3 A YES, SOMEWHERE IN THERE.

4 Q OKAY. WHEN DID YOU FIRST SEE IT?

5 A SHORTLY AFTER THAT. AS A MATTER OF FACT,  
6 PROBABLY, IF I HAD MY BOOK, I COULD TELL YOU EXACTLY  
7 WHEN IT WAS.

8 Q OKAY. WHEN YOU SAW IT?

9 A BECAUSE I KEEP UP WITH ALL --

10 Q YOU WANT YOUR BOOK? YOU NEED IT?

11 A YEAH, GO AHEAD.

12 MR. POPE: HE NEEDS HIS BOOK.

13 A HE WANTS TO KNOW WHEN I RECEIVED, WHEN I SAW  
14 THAT LETTER.

15 MR. MORTON: YOUR HONOR, MAY WE APPROACH  
16 THE BENCH.

17 (BENCH CONFERENCE AT 10:45 AM.)

18 A I RECEIVED THE, JANUARY THE 12.

19 Q OKAY. SO JANUARY 12 THAT'S WHEN YOU HAD AN  
20 OPPORTUNITY TO VIEW STATE'S EXHIBIT 90, IS THAT  
21 RIGHT?

22 A THAT'S THE FIRST TIME I SEEN IT, YES, SIR. THEY  
23 HAD IT IN A BAG AND WOULDN'T LET ME TOUCH IT.

24 Q THE DEFENSE DID?

25 A YES.



1 Q OKAY. AND SO AMY, TO YOUR KNOWLEDGE, AMY HAD  
2 BROUGHT THAT TO THEM. SHE HAD RECEIVED IT FROM YOU  
3 AND BROUGHT TO THEM?

4 A THAT'S CORRECT. SHE SAID THAT SHE RECEIVED IT  
5 FROM ME.

6 Q OKAY. AND THEN LET'S SEE, THAT WAS JANUARY, SO  
7 ANYWAY THE PEN PAL THING CONTINUES UNTIL MAY, WHAT  
8 DID YOU SAY, MAY 20 I THINK. YOU GOT THAT DATE?

9 A MAY 20 WAS I THINK WHEN I WROTE THE LAST LETTER,  
10 YES. AND I THINK SHE RECEIVED THAT LETTER THERE THAT  
11 SHE SAYS SHE RECEIVED ON THAT DAY AND THEN THERE WAS  
12 ANOTHER LETTER AFTER THAT THAT I HAD WRITTEN THAT WAS  
13 ACTUALLY I THINK IT WAS ON MAY 19 AND SHE RECEIVED IT  
14 A COUPLE DAYS LATER OR ACTUALLY IT WAS LIKE A WEEK  
15 AND A HALF LATER BECAUSE I THINK IT GOT REDIRECTED  
16 BACK TO THE JAIL THEN AND THEN FOR SOME ODD REASON  
17 INSTEAD OF BEING PUT IN MY PROPERTY LIKE IT WAS  
18 SUPPOSED TO, IT WAS SENT RIGHT BACK TO HER HOUSE.

19 Q KIND OF RETURN AND SPUN BACK OUT?

20 A THAT'S NOT NORMAL. THAT'S NOT NORMAL PRACTICE  
21 FOR THE JAIL. I DIDN'T UNDERSTAND WHY THAT HAPPENED.

22 Q OKAY. AND THEN SO YOU MADE A DECISION TO QUIT  
23 WRITING HER ON THE 20TH?

24 A I DID THE SAME THING WE DID FROM THE BEGINNING,  
25 WE STOPPED TO SEE WHAT WAS GOING ON. I DIDN'T KNOW

1       WHAT HAD HAPPENED. I JUST KNEW I DIDN'T WRITE THAT  
2       LETTER. AND I SAW THE, I SAW THAT LETTER, THE FIRST  
3       TIME I SAW THAT LETTER WAS AT ONE OF MY FAMILY COURT  
4       HEARINGS.

5       Q     SO THAT'S ON IN JUNE SOMETIME, THE FIRST TIME  
6       YOU SAW THAT?

7       A     THAT WAS I THINK A WEEK OR TWO WEEKS, ABOUT A  
8       WEEK BEFORE MY TRIAL.

9       Q     OKAY. BECAUSE THAT SECOND LETTER INSTEAD OF  
10      TAKING IT TO YOUR ATTORNEY SHE BROUGHT IT TO ANDERSON  
11      SHERIFF'S DEPARTMENT, RIGHT?

12     A     I'M NOT SURE WHERE ALL IT WENT. I'VE HEARD SO  
13      MANY STORIES I DON'T REALLY KNOW.

14     Q     WELL, YOU UNDERSTAND YOUR ATTORNEY STIPULATED  
15      THAT'S WHERE IT WENT?

16     A     OKAY.

17     Q     OKAY. THEN WENT TO SLED?

18     A     INITIALLY, I MEAN, EVENTUALLY, YES.

19     Q     DO YOU KNOW WHEN YOUR EXPERT LOOKED AT THE FIRST  
20      LETTER SHE BROUGHT?

21     A     I DO NOT.

22     Q     OKAY. SO WAS THAT THE LAST CONTACT YOU HAD WITH  
23      HER ON THE 19-20?

24     A     THAT LAST LETTER THAT I ACTUALLY WROTE HER WAS  
25      THE LAST TIME I HAD CONTACT WITH HER, YES, SIR.

1 Q AND PRIOR TO THAT, LIKE THROUGH APRIL AND INTO  
2 MAY, I MEAN HECK, SOME DAYS YOU'D SEND AN EIGHT PAGE  
3 LETTER OR LONG LETTERS?

4 A SOMETIMES, YEAH. I THINK THERE WAS 19-20 PAGE  
5 LETTER ONE TIME.

6 Q SOMETIMES YOU WOULD WRITE A LETTER AND COME BACK  
7 AND KEEP WRITING IT, RIGHT?

8 A RIGHT.

9 Q OKAY. I THINK YOU TOLD HER IN ONE OF THE  
10 LETTERS THAT, SOMETHING ABOUT THAT YOUR HANDWRITING  
11 WOULD BE DIFFERENT IN DIFFERENT LETTERS. I THINK YOU  
12 APOLOGIZED FOR THAT?

13 A THAT'S, THAT'S, YEAH BECAUSE THAT'S THE WAY I'M  
14 SITTING OR THE WAY I'M STANDING OR YOU KNOW THE WAY  
15 I, THE WAY I AM. WHETHER I LAID DOWN OR WHETHER I  
16 SIT. A LOT OF TIMES I NOTICED MY HANDWRITING, I  
17 WRITE KIND OF SIDE WAYS WHEN I LAY DOWN OR IF I'M  
18 SITTING UP I WRITE ONE WAY OR IF I'M AT THE TABLE OR  
19 A DESK OUTSIDE MY ROOM I WRITE A DIFFERENT WAY.

20 Q AND YOU TOLD HER ONE TIME, YOU SAID AND THIS IS  
21 IN YOUR, MAKE SURE I TELL YOU THE RIGHT DATE, APRIL  
22 22 LETTER, YOU SAID PLEASE EXCUSE ME IF I HAVE  
23 DIFFERENT HANDWRITING, THAT'S WHAT YOU WERE TALKING  
24 ABOUT?

25 A THAT'S CORRECT, YEAH.

1 Q AND SOMETIMES I NOTICE YOU WRITE, SOMETIMES YOU  
2 PRINT AND SOMETIMES YOU WRITE, SOMETIMES YOU ARE IN A  
3 BIG HURRY BECAUSE IN THE LETTER YOU SAY YOU GOT TO  
4 GET IT OUT BY THE DEADLINE, IS THAT RIGHT, SO  
5 SOMETIMES YOU WRITE FASTER THAN OTHERS TOO, RIGHT?

6 A IF I WANTED A LETTER OUT, THE MAIL GOES OUT BUT  
7 FOR THE LAST TIME AT THE JAIL ON THURSDAY AFTERNOON.  
8 I MEAN THURSDAY NIGHT AT MIDNIGHT, THAT'S THE LAST  
9 TIME WE HEAR FROM THE, YOU KNOW, MAIL IS STOPPED  
10 UNTIL. WE RECEIVE MAIL ON FRIDAY, BUT ANY MAIL WE  
11 GIVE THEM ON FRIDAY IT'S HELD OVER UNTIL SUNDAY,  
12 UNTIL MONDAY MORNING WHEN THE WOMAN COMES IN.

13 Q OKAY. AND SO THERE ARE TIMES WHEN YOU ARE  
14 TRYING TO BEAT THE DEADLINE WHEN YOU WRITE?

15 A SOMETIMES, YES, SIR.

16 Q YOU SAY THAT IN YOUR LETTERS?

17 A YEAH, I MEAN.

18 Q THAT'S ALL I'M ASKING. ACTUALLY THAT MAY 19  
19 LETTER IS WHEN YOU TELL HER ABOUT YOUR CODE ABOUT  
20 DRAWING AND THE MATCHING THE DRAWINGS WHERE YOU SAY,  
21 YOU DO KNOW WHY I DRAW THEM ON THERE, DON'T YOU, AND  
22 YOU EXPLAIN THAT, RIGHT?

23 A THE MAY 19 LETTER.

24 Q YES, SIR. YOU NEED TO SEE IT. WOULD THAT HELP  
25 YOU?

1       A     THAT'S PROBABLY, THAT MAY BE TRUE BUT I HAD  
2       STARTED THE CODE A LONG TIME BEFORE THAT. I THOUGHT  
3       SHE RECOGNIZED IT SO I TOLD HER. I JUST TOLD HER IN  
4       THE LETTER.

5       Q     TOLD HER WHY YOU WERE --

6       A     YEAH.

7       Q     I GOT YOU.

8       A     THAT DIDN'T COME UNTIL LATER ON ANYWAY. I JUST  
9       DONE THE DRAWING AND REALLY TRUTHFULLY TO BE HONEST,  
10      I DIDN'T TRUST THE JAIL. I THOUGHT THAT THE JAIL WAS  
11      ACTUALLY CHANGING MY ENVELOPES BECAUSE I DIDN'T, I  
12      DIDN'T KNOW THAT WAS MY SIGNATURE. I LOOKED AT THE  
13      ENVELOPE AND I SAID WELL, YOU KNOW THAT'S A  
14      SIGNATURE, PEOPLE CAN'T FORGE IT, AND I THOUGHT IT  
15      WAS MY ENVELOPE. I MEAN IT WAS NOT MY ENVELOPE SO I  
16      THOUGHT MAYBE THE JAIL WAS CHANGING THEM OR THERE WAS  
17      SOMEBODY, SOMEBODY WAS, MAYBE ONE OF THE INMATES WAS  
18      GETTING THE MAIL OUT OF THE BOX, OPENING IT UP,  
19      PUTTING ANOTHER LETTER IN.

20      Q     SO YOU TRIED TO BUILD IN DIFFERENT KIND OF FAIL  
21      SAFES IF SOMEBODY FOUND YOUR STUFF, YOU'D BE COVERED?

22      A     WELL, IT WASN'T THAT. I JUST WANTED TO KNOW WHO  
23      WAS DOING IT. I FIGURED I'D FIND A WAY TO FIND OUT  
24      WHO WAS ACTUALLY DOING THIS, YOU KNOW, AND PREVENT IT  
25      FROM HAPPENING.

1 Q KIND OF LIKE A DETECTIVE?

2 A I WOULDN'T SAY A DETECTIVE, NO, SIR. I JUST.

3 MR. POPE: BEG THE COURT'S INDULGENCE.

4 Q MR. COPE, WE'RE GOING TO WRAP IT UP. I ASKED

5 YOU ABOUT, YOU HAD TOLD US AT THE BEGINNING ALL THE

6 PEOPLE YOU TALKED TO. NOW YOU TOLD US ABOUT THE

7 FREEDOM TEAM AND THEN YOU TOLD US ABOUT THE LADY

8 FIRST NAME -- CAROL?

9 A THAT'S CORRECT.

10 Q YOU SAID THAT WAS CAROL, WHAT WAS HER LAST NAME?

11 A GABLE.

12 Q WHERE SHE FROM?

13 A SHE'S FROM ANDERSON, SOUTH CAROLINA, FROM WHAT I

14 HEAR.

15 Q HOW DID YOU COME IN CONTACT WITH HER?

16 A MY ATTORNEYS TOLD ME ABOUT HER.

17 Q OKAY. WHAT'S SHE DO?

18 A SHE WORKS FOR DATELINE NBC.

19 Q YOU HAD CONVERSATIONS WITH HER, RIGHT?

20 A SHE'S THE PRODUCTION MANAGER I THINK.

21 Q OKAY. YOU'VE HAD CONVERSATIONS ON CAMERA WITH

22 DATELINE, RIGHT?

23 A THAT'S CORRECT.

24 Q OKAY. NOW IN ONE OF YOUR LETTERS TO AMY YOU

25 TELL HER ABOUT, AND LET ME JUST MAKE SURE I TELL YOU,

1 THE MARCH 16 LETTER?

2 A OKAY.

3 Q YOU REMEMBER THAT LETTER?

4 A YES, SIR.

5 Q TELL HER ABOUT THE PROPHET COMING TO JAIL?

6 A YES, SIR.

7 Q OKAY. HE SAW YOU ON A TV SHOW HOLDING UP A

8 BOOK?

9 A THAT'S CORRECT. THAT IS CORRECT.

10 Q HE SAW YOU IN A NICE SUIT STANDING BEFORE A

11 LARGE CONGREGATION PREACHING THE WORD?

12 A THAT IS CORRECT, SIR.

13 Q AND HE SAW YOU WITH LOTS OF MONEY?

14 A YES, SIR. THERE WAS A GUY BY THE NAME OF WILLIE

15 MCMULLEN WHO WAS ACTUALLY AN INMATE AND HE CAME UP

16 AND WE WAS TALKING ONE AFTERNOON AND HE SAID

17 MR. COPE, I HAD A VISION ABOUT YOU LAST NIGHT. I

18 SAID YOU DID. HE SAID YES, SIR. I SAW YOU IN THREE

19 STAGES OF YOUR LIFE. HE SAID I SAW YOU, YOU WERE

20 STANDING BEFORE A CONGREGATION PREACHING TO,

21 PREACHING TO A MULTITUDE OF PEOPLE, AND HE SAID THERE

22 WAS, ALSO A TALK SHOW, YOU WERE STANDING, YOU WERE ON

23 A TV TALK SHOW, AND YOU WERE HOLDING UP A BOOK AND I

24 SAID YES AND HE SAID AND I SAW YOU WITH A LOT OF

25 MONEY AND I SAID OKAY. THEN HE GOES, THEN HE SAYS DO

1 YOU KNOW ANYTHING ABOUT THIS. I SAID WELL GOD HAS  
2 CALLED ME TO PREACH. AND I SAID AND I SAID AND YOU  
3 ARE A WITNESS TO THAT. I MEAN YOU'VE SEEN ME HERE IN  
4 THE JAIL AND HE SAID YES, SIR. AND I SAID AND I SAID  
5 I AM WRITING A BOOK. I HAVE BEEN WRITING, IT'S A  
6 JOURNAL. IT'S BEEN MY JOURNAL SINCE THE 26ND DAY OF  
7 JANUARY WHEN I FIRST GOT NOTEBOOK PAPER. TIL THEN I  
8 NEVER HAD NOTEBOOK PAPER. NEVER HAD ANY KIND OF  
9 PAPER. I WAS IN MAX. I COULDN'T GET NOTHING.  
10 DIDN'T KNOW ABOUT THE INDIGENT PROGRAM. DIDN'T EVEN  
11 HAVE A INK PEN. THEN HE SAID OKAY. AND I SAID, HE  
12 SAID AND I ALSO SEE YOU ON A TALK SHOW. AND I SAID,  
13 I SAID AS LONG AS IT WASN'T, I CAN'T THINK OF THE  
14 WOMAN, ONE OF THE RISQUE SHOWS, I SAID AS LONG AS IT  
15 IS NOT SOMEONE LIKE THAT I'M FINE WITH THAT. AND HE  
16 SAID AND OTHER THAN THAT I DON'T KNOW. HE SAID HE  
17 SAID, I SAID OTHER THAN THAT I DON'T KNOW. AND HE  
18 SAID, HE SAID WELL EVERYTHING IS GOING TO GO GOOD FOR  
19 YOU AND I SAID OKAY AND I TOLD HER ABOUT IT. BUT  
20 THAT HAPPENED TWO YEARS BEFORE I WROTE THAT LETTER.  
21 Q YOU TOLD HER THAT, I MEAN, IN THE LETTER THAT  
22 YOU ARE ON TELEVISION AND YOU ARE HOLDING UP THAT  
23 BOOK?  
24 A THAT'S CORRECT.  
25 Q YOU TOLD HIM YOU HAD THAT JOURNAL AND YOU WERE



1 INTENDING TO PUBLISH IT, RIGHT?

2 A I DID TELL HIM THAT.

3 Q AND THAT JOURNAL IS GOING TO TELL WHAT HAPPENED,  
4 RIGHT?

5 A THAT JOURNAL IS THE TRUTH. IT'S, ACTUALLY IT'S,  
6 THE JOURNAL IS ABOUT WHAT HAPPENED IN THIS JAIL, ALL  
7 THE THINGS THAT HAPPENED IN THIS JAIL.

8 Q OKAY. ACTUALLY ONE OF THE LETTERS YOU EXPLAIN  
9 THAT YOU WERE WRITING BOOKS. ONE BOOK IS ABOUT SOME  
10 MAN DYING OF A HEART ATTACK AND THE OTHER BOOK YOU  
11 ARE WRITING WHAT HAPPENED THAT NIGHT --

12 A THAT'S CORRECT.

13 Q AND WHAT'S HAPPENED SINCE?

14 A THAT'S CORRECT.

15 Q SO IN YOUR BOOK ARE YOU GOING TO WRITE A VERSION  
16 OF THE TRUTH THEN?

17 A IT IS THE TRUTH AND IT'S EXACTLY WHAT I'VE BEEN  
18 TRYING TO TELL EVERYBODY. I WANT THE TRUTH OUT. I'M  
19 TIRED OF BEING HOUNDED BY PEOPLE LIKE YOU AND BY  
20 PEOPLE LIKE THE POLICE DEPARTMENT AND EVERYBODY ELSE  
21 AND ALL THE PEOPLE, THE PUBLIC WILL KNOW THE TRUTH,  
22 AND NOW THEY DO KNOW THE TRUTH.

23 Q I THINK YOU ARE RIGHT, SIR. I HAVE NO FURTHER  
24 QUESTIONS.

25 A I --

1 THE COURT: MR. GREELEY.

2 MR. GREELEY: MAY IT PLEASE THE COURT.

3 THE COURT: CERTAINLY.

4 CROSS EXAMINATION BY MR. GREELEY:

5 Q GOOD MORNING, MR. COPE.

6 A GOOD MORNING, SIR.

7 Q I WILL TELL YOU THAT I WILL TRY NOT TO HOUND  
8 YOU, OKAY?

9 A I WILL TRY TO BELIEVE YOU.

10 Q OKAY. LET'S SHIFT GEARS, OKAY. I'M WANT TO GO  
11 BACK AND JUST TALK A LITTLE BIT ABOUT THE DAY BEFORE  
12 AND BASICALLY YOU AND YOUR FAMILY THERE AT THE HOUSE?

13 A OKAY.

14 Q OKAY. NOW YOU'VE ALREADY TESTIFIED THAT ONE OF  
15 YOUR DOWN FALLS IS THAT, THAT YOU WERE LAZY?

16 A I WAS LAZY, YES, SIR. WELL I WAS VERY LAZY.  
17 I'M NOT ACTUALLY LAZY ANYMORE BECAUSE I DON'T HAVE  
18 THE WEIGHT THAT I USED TO. I USED TO WEIGHT 385  
19 POUNDS WHEN I CAME TO JAIL. NOW I EXERCISE A LITTLE  
20 MORE, DO A LITTLE MORE, WORK OUT, THINGS LIKE THAT.

21 Q AND SO NOW YOU ARE NOT LAZY, IS THAT CORRECT?

22 A I WOULDN'T SAY I'M NOT LAZY. I'M NOT AS LAZY AS  
23 I USED TO BE. I HAVE TO CLEAN MY ROOM AND I HAVE TO  
24 DO CERTAIN CHORES AROUND THE JAIL.

25 Q AND I JUST REMEMBER IN SOME OF THE EVIDENCE THAT

1 I'VE SEEN AND STATEMENTS THAT I'VE HEARD, I THINK  
2 MARY SUE WORKED AND YOU HAVE ALREADY SAID SHE WENT IN  
3 AT TEN AND SHE WOULD GET HOME ABOUT 7:30, IS THAT  
4 CORRECT?

5 A WELL, YEAH, THAT'S ABOUT TRUE BY 7:30.

6 Q AND SHE WORKED DURING THE WEEK MONDAY THROUGH  
7 FRIDAY?

8 A THAT'S CORRECT.

9 Q AND THIS, THIS WAS A WEDNESDAY EVENING, THE  
10 EVENING LEADING UP TO THIS INCIDENT?

11 A THAT'S CORRECT.

12 Q AND SO THAT WAS DURING THE WEEK AND SHE WAS  
13 WORKING THAT WEEK, IS THAT CORRECT?

14 A THAT'S CORRECT.

15 Q OKAY. AND THAT EVENING IT HAS BEEN DISCUSSED AS  
16 TO WHAT WAS EATEN FOR SUPPER AND I THINK YOU SAID  
17 THAT MARY SUE COOKED SUPPER THAT NIGHT, IS THAT  
18 RIGHT?

19 A SHE DID. SHE COOKED SUPPER, THAT'S CORRECT.

20 Q AND I BELIEVE THAT YOU HAD EVEN SAID THAT A LOT  
21 OF THE CLOTHES WERE OUT AROUND BECAUSE Y'ALL HAD  
22 FOGGED THE HOUSE AND MARY SUE HAD NOT HAD TIME TO  
23 WASH THOSE CLOTHES YET, IS THAT CORRECT?

24 A SOME OF THE CLOTHES. A LOT OF THE CLOTHES WERE  
25 THE CLOTHES WE BROUGHT BACK FROM THE MOUNTAINS WITH

1 US.

2 Q OKAY. BUT MARY SUE HAD NOT HAD TIME TO DO THAT?

3 A NOT ALL OF THEM, NO. I NOTICED SHE HAD GOTTEN  
4 SOME OF THE KITCHEN DONE, HER AND AMANDA I THINK  
5 WORKED SOME IN THE KITCHEN, SOME IN THE BATHROOM, AND  
6 A LITTLE IN THE LIVING ROOM. THE LIVING ROOM LOOKED  
7 A LITTLE WORSE THAN WHAT IT WAS BEFORE.

8 Q AND AMANDA BEING THE OLDEST DAUGHTER WOULD HELP  
9 HER MOTHER FROM TIME TO TIME?

10 A ALL THREE OF THEM WOULD, YES, SIR.

11 Q SO ALL THREE OF THE DAUGHTERS WOULD HELP MARY  
12 SUE IN TRYING TO KEEP UP WITH THE HOUSE AND KEEP UP  
13 WITH THE FAMILY, IS THAT A FAIR STATEMENT?

14 A I WOULD SAY THAT'S A FAIR STATEMENT, YES, SIR.

15 Q OKAY.

16 A THEY HELPED OUT. I MEAN THEY DONE THEIR PARTS.  
17 THEY HAD CHORES THAT THEY HAD TO DO AND THEY TOOK  
18 CARE OF IT. I MEAN, WE DIDN'T HAVE NO PROBLEMS.

19 Q AND I THINK THAT YOU MENTIONED THAT AMANDA WAS  
20 RESPONSIBLE FOR CLEANING HER ROOM AND HER CLOSET, IS  
21 THAT CORRECT?

22 A FOR, FOR, SHE WAS RESPONSIBLE FOR REMOVING THE  
23 CLOTHES AND STUFF OUT OF HER CLOSET SO WE COULD SPRAY  
24 FOR THE ROACHES AND SHE WAS RESPONSIBLE FOR CLEANING  
25 HER ROOM WHICH SHE NEVER DONE THAT. SHE WAS ALWAYS

1 DOING OTHER THINGS. SHE WAS HELPING MOM DO  
2 EVERYTHING ELSE. MOM HELPED HER IN HER ROOM QUITE  
3 OFTEN TOO.

4 Q OKAY. AND I THINK THAT DAY THAT YOU INDICATED  
5 THAT AFTER YOU PICKED UP AMANDA FROM SCHOOL YOU HAD  
6 TO STOP BY THE SCHOOL BECAUSE MARY SUE HAD ASKED YOU  
7 TO GET SOMETHING?

8 A THAT'S CORRECT. WHEN I COME IN FROM WORK THAT  
9 MORNING AND I HAD TALKED WITH MARY SUE SHE SAID  
10 SOMETHING ABOUT PICKING UP SOME WASHING POWDERS AND  
11 PICKING UP SOME, I THINK IT WAS SOME SUGAR OR  
12 SOMETHING.

13 Q OKAY. AND WHEN YOU GOT TO THE STORE YOU ALLOWED  
14 AMANDA TO GO IN AND GET THAT?

15 A AMANDA ASKED ME COULD SHE GO IN AND I TOLD HER I  
16 WOULD LET HER AND THEN I RODE AROUND THE BLOCK. MY  
17 ATTORNEY DIDN'T LET ME FINISH THAT BUT I UNDERSTAND  
18 FOR THE SAKE OF TIME I'M GOING TO FINISH IT NOW, IF  
19 YOU DON'T KNOW MIND.

20 Q GO RIGHT AHEAD?

21 A I WAS, AS I WAS CIRCLING AROUND WE STOPPED. I  
22 SAW THIS CHRISTMAS ORNAMENTS IN THE SALVATION ARMY  
23 WINDOW, A BIG PLAQUE OF SANTA CLAUSE AND A REINDEER.

24 Q AND LET ME SEE IF I CAN ASK IF I HAVE THIS  
25 CORRECTLY, YOU SAW THOSE AND THEY CAUGHT YOUR EYE

1 BECAUSE THEY WERE ORNAMENTS THAT YOU REMEMBERED AS A  
2 CHILD?

3 A THAT'S CORRECT.

4 Q OKAY. AND SO YOU GOT OUT OF THE TRUCK AND YOU  
5 WENT IN TO SEE IF YOU COULD SOMEHOW BARTER WITH THEM  
6 TO ACQUIRE THESE ORNAMENTS THAT WERE SPECIAL TO YOU  
7 AS A CHILD?

8 A NO, I WON'T SAY I --- WELL, FIRST OF ALL IT WAS  
9 A VAN WITH MY, I PULLED INTO THE PARKING LOT. WE  
10 WENT IN, I WENT INTO THE STORE, AND I ASKED THE MAN  
11 HOW MUCH WERE THEY. HE TOLD ME THEY WERE NOT FOR  
12 SALE, THEY WERE STORE PROPERTY, BUT THE THING WAS, I  
13 BEEN IN THE SALVATION ARMY A THOUSAND TIMES OR MORE  
14 AND WHEN YOU GO IN THERE AND THERE IS A STORE, STORE  
15 PROPERTY ITEM THEY HAVE A GREAT BIG PIECE OF TAPE  
16 WRITTEN ON THE BACK AND IT SAYS STORE PROPERTY. THIS  
17 DID NOT. IT HAD A PRICE ON IT. I WAS ACTUALLY GOING  
18 TO PURCHASE THEM. I WANTED TO KNOW IF BOTH OF THEM  
19 WERE THE SAME PRICE. HE SAID THEY ARE NOT FOR SALE,  
20 SO I DIDN'T GET THEM.

21 Q OKAY.

22 A AND WE --

23 Q BUT THEY CAUGHT YOUR EYE BECAUSE THEY WERE  
24 SOMETHING YOU REMEMBERED AS A CHILD?

25 A RIGHT. THERE WAS A CONFRONTATION THERE BETWEEN

1 ME AND HIM AT THAT TIME ALSO AND I WAS A LITTLE UPSET  
2 WITH HIM.

3 Q OKAY. AND THEN YOU WENT BACK TO THE STORE TO  
4 PICK UP AMANDA?

5 A ACTUALLY, NO. SHE CAME INTO, SHE WALKED TO, THE  
6 SALVATION ARMY IS RIGHT BESIDE THE DOLLAR GENERAL  
7 WHERE WE WERE AT, SHE JUST WALKED RIGHT OVER THERE  
8 WHERE I WAS AT.

9 Q OKAY. NOW ALSO THAT EVENING NOW JESSICA WAS  
10 HAVING HOMEWORK PROBLEMS?

11 A THAT'S CORRECT.

12 Q AND SHE WAS IN THE FIFTH GRADE AT THAT TIME, IS  
13 THAT CORRECT?

14 A THAT'S, THAT'S CORRECT.

15 Q AND YOU WORKED WITH HER FOR A LITTLE BIT,  
16 CORRECT?

17 A I WORKED WITH HER FOR TWO HOURS. MARY SUE  
18 WORKED WITH HER FOR TWO HOURS AND AMANDA WORKED WITH  
19 HER FOR TWO HOURS.

20 Q AND EVENTUALLY AMANDA BEGAN TO WORK WITH HER AND  
21 THAT'S WHAT TOOK IT LATE INTO THE EVENING IS BECAUSE  
22 OF HER HOMEWORK, IS THAT CORRECT?

23 A THAT'S, THAT'S CORRECT. WE STARTED, WE STARTED  
24 THE HOMEWORK EARLY. SHE STARTED THE HOMEWORK WHEN  
25 SHE COME IN AND SHE WAS DOING ALL THE OTHER HOMEWORK

1 AND THEN WHEN IT COME DOWN TO THE MATH, YES, SIR, WE  
2 STARTED DOING THAT AND IT DID TAKE A LONG TIME.

3 Q AND WHEN AMANDA BEGAN TO ASSIST JESSICA YOU WENT  
4 TO THE COMPUTER?

5 A THAT IS CORRECT.

6 Q OKAY.

7 A ACTUALLY, NO, SIR. THAT WAS WHILE MARY SUE WAS,  
8 IT STARTED WITH MARY SUE. THEN MARY SUE GOT UP AND  
9 SAID SHE WAS GOING TO BED AND THEN I HELPED AND THEN  
10 AFTER I HELPED, AMANDA SAID SHE WOULD HELP AND THEN I  
11 WENT BACK TO THE COMPUTER.

12 Q AT BED TIME THAT EVENING YOU WERE IN YOUR  
13 BEDROOM?

14 A THAT'S CORRECT.

15 Q AND I BELIEVE THAT THE PHONE RANG AT ABOUT ONE  
16 O'CLOCK OR SO LETTING KNOW THAT IT WAS TIME FOR THE  
17 GIRLS TO GO TO BED, CORRECT?

18 A THAT'S CORRECT.

19 Q AND YOU ASKED AMANDA TO COME TO YOUR BEDROOM TO  
20 CUT OFF THE LIGHT, CORRECT?

21 A CUT OFF THE LIGHT, TURN ON THE FAN, GIVE ME A  
22 KISS, AND THEN THE PHONE, THE PHONE BEEPED AND I  
23 ASKED WOULD SHE PUT IT ON THE CHARGER AFTER I SET IT  
24 FOR SIX AM.

25 Q AND SO YOU DIDN'T HAVE TO GET OUT OF THE BED OR



1 GET OFF OF YOUR BED TO MAKE SURE THAT THEY GOT INTO  
2 BED THAT NIGHT BECAUSE THAT WAS YOUR ROUTINE, IS THAT  
3 CORRECT?

4 A THAT'S CORRECT. THAT IS NOT MY ROUTINE, NO,  
5 SIR. MY ROUTINE IS NORMALLY I SIT UP. I'M USUALLY  
6 IN THE LIVING ROOM AT THE COMPUTER WHEN THEY GO TO  
7 BED.

8 Q OKAY. AND YOU WOULD JUST TELL THEM TO GO TO  
9 BED?

10 A THAT'S CORRECT. I HAD GOTTEN FRUSTRATED WITH  
11 THE COMPUTER, I GOT FRUSTRATED IN TRYING TO HELP HER,  
12 AND I KNEW THAT WE HAD, THIS BEING WEDNESDAY AND  
13 SUNDAY IS WHEN I HELPED HER WITH HER QUIZZING SO WE  
14 HAD THE, I HAD THE CHILDREN QUIZZING ON WEDNESDAY  
15 NIGHT AND I HAD THE TEAM QUIZZING ON SUNDAY  
16 AFTERNOON.

17 Q NOW THE NEXT MORNING I BELIEVE THAT YOU SAID  
18 THAT YOU CALLED FOR AMANDA AND YOU HAVE TESTIFIED  
19 THAT THAT WAS YOUR NORMAL ROUTINE, CORRECT?

20 A THAT WAS MY NORMAL ROUTINE, YES.

21 Q OKAY. YOU WOULD CALL HER FOR HER TO WAKE UP AND  
22 TO GET UP, CORRECT?

23 A THAT'S CORRECT.

24 Q AND AT THE TIME THAT YOU WOULD DO THAT YOU WOULD  
25 NOT HAVE YET GOTTEN OUT OF BED?

1 A NO, SIR.

2 Q OKAY.

3 A I WAS LAZY.

4 Q OKAY. NOW YOU'VE TESTIFIED THAT TWO WEEKS PRIOR

5 TO THIS INCIDENT WAS THE TIME THAT YOU BEGAN TO SLEEP

6 IN THE EVENINGS DURING THIRD SHIFT, CORRECT?

7 A THAT'S WHEN I GOT THE JOB WITH STEAK OUT.

8 Q RIGHT. YOU STARTED DOING THE SALADS?

9 A IN THE MORNING, RIGHT, SALADS.

10 Q SO YOU WERE TRYING TO REST AND GET SLEEP IN THE

11 EVENINGS?

12 A THAT'S CORRECT. NOW I DID HAVE SALADS ONCE

13 BEFORE THEN HE HIRED, HE FINALLY GOT A SALAD PERSON

14 HIRED AND I -- BUT THAT'S WHEN THAT RESTARTED, YES.

15 Q BUT PRIOR TO THAT TWO WEEK PERIOD YOU WOULD STAY

16 AND I BELIEVE YOU TESTIFIED TO THIS, THAT YOU WOULD

17 STAY UP AT NIGHTTIME SO THAT YOU COULD GO TO BED WITH

18 MARY SUE IN THE MORNING WHEN SHE WOULD COME HOME?

19 A THAT'S CORRECT.

20 Q OKAY. AND MARY SUE HAD BEEN WORKING THIRD SHIFT

21 FOR THREE YEARS, CORRECT?

22 A THAT'S CORRECT.

23 Q OKAY.

24 A BUT THAT DIDN'T ALWAYS HAPPEN NOW BECAUSE I WAS

25 ALSO WORKING AND GOING TO SCHOOL.

1 Q RIGHT?

2 A AND WHEN I WAS GOING TO SCHOOL THOSE FIRST, SEE  
3 I HAD ONLY BEEN OUT OF SCHOOL SINCE MAY 11 SO.

4 Q RIGHT. AND SO PROBABLY AT LEAST SINCE MAY 11 IT  
5 WAS YOUR NORMAL ROUTINE UP UNTIL TWO WEEKS PRIOR TO  
6 THE INCIDENT TO STAY UP IN THE EVENINGS SO THAT YOU  
7 COULD GO TO BED WITH MARY SUE?

8 A TO STAY UP FOR MOST PART, YES, SIR.

9 Q OKAY.

10 A I MEAN SOMETIMES I WOULD LAY DOWN AND GO TO  
11 SLEEP AND THAT'S ONE REASON WHY I WOULD HAVE A  
12 PROBLEM HEARING HER OR WAKING UP WITH THE PHONE OR  
13 WHENEVER SHE CALLED BECAUSE I WOULD LAY DOWN, I MIGHT  
14 LAY DOWN ABOUT FOUR OR FIVE O'CLOCK IN THE MORNING  
15 AND I GET SO TIRED I COULDN'T. THAT'S, YOU KNOW.

16 Q AND SO THE CHILDREN I BELIEVE YOU'VE TESTIFIED  
17 THEIR NORMAL, NORMAL BEDROOM TIMES WAS 8:30, 9:30,  
18 10:30.

19 A THAT'S RIGHT.

20 Q THAT'S IN SUCCESSIVE OF AGE?

21 A THAT'S RIGHT.

22 Q OKAY. AND SO IF AMANDA WENT TO BED AT 10:30 AND  
23 LET'S SAY SHE FELL ASLEEP BY 11 O'CLOCK THEN AND IF  
24 YOU STAYED UP, IF YOU STAYED UP THE WHOLE EVENING  
25 UNTIL MARY SUE GOT HOME, YOU HAVE ABOUT 8 HOURS THERE

1 AT THE HOUSE BY YOURSELF?

2 A THAT'S CORRECT.

3 Q OKAY. AND YOU CAN'T LEAVE THE HOUSE BECAUSE YOU  
4 HAVE THE CHILDREN THERE, CORRECT?

5 A THAT'S RIGHT.

6 Q AND SO YOU WOULD SPEND THE NEXT 8 HOURS DOING  
7 VARIOUS THINGS, IS THAT CORRECT?

8 A WORK ON THE COMPUTER, READ, AND SOME, BUT MOST  
9 OF THE TIME ABOUT FOUR O'CLOCK I WAS TIRED, SOMETIMES  
10 EVEN I GO AND LAY DOWN.

11 Q ALL RIGHT. SO YOU WOULD STAY UP UNTIL SOMETIMES  
12 FOUR OR FIVE IN THE MORNING AND THEN YOU WOULD GO TO  
13 BED, CORRECT?

14 A THAT'S TRUE.

15 Q AND THAT'S WHAT WOULD CAUSE YOU TO SLEEP LATE IN  
16 THE MORNINGS SOMETIMES?

17 A SOMETIMES, YES, SIR.

18 Q AND THAT'S WHY THE CHILDREN WERE TARDY FROM  
19 SCHOOL?

20 A THAT'S CORRECT.

21 Q NOW YOU SAID YOU WOULD SPEND TIME ON THE  
22 COMPUTER DURING THE EVENINGS. WOULD YOU SPEND ON  
23 LINE DURING THE EVENINGS?

24 A SOMETIMES, YES, SIR.

25 Q OKAY. AND I BELIEVE YOU WOULD AGREE WITH ME

1 THAT YOU SPENT A GOOD BIT OF TIME ON THE COMPUTER  
2 EITHER DURING THE DAY OR IN THE EVENING OR WHENEVER?

3 A I WAS A COMPUTER PROGRAMMER, YES. I PROGRAM IN  
4 THREE DIFFERENT LANGUAGES. I CREATED A LOT OF  
5 PROGRAM AND A LOT OF GAMES. I MEAN, YOU'VE SEEN THE  
6 DOCUMENTS SHOWING --

7 Q IS IT A FAIR STATEMENT TO SAY THAT IT WAS ONE OF  
8 YOUR PRIMARY INTERESTS?

9 A WELL, YES, SIR. COMPUTERS ELECTRONICS,  
10 ENGINEERING, THAT WAS ONE OF MY, THAT'S MOSTLY WHAT I  
11 DONE WAS WORK ON THE COMPUTER, PROGRAMS, STUFF LIKE  
12 THAT.

13 Q OKAY.

14 A PLAYED GAMES.

15 Q NOW YOU INDICATED, AND I'M NOT GOING TO DWELL A  
16 LONG TIME ON THIS, BUT YOU INDICATED THAT YOU WOULD  
17 MASTURBATE IN THE EVENINGS, CORRECT?

18 A AT NIGHT, YEAH. WELL, EARLY MORNINGS ACTUALLY,  
19 SOMETIME AROUND THREE - FOUR O'CLOCK IN THE MORNING.

20 Q OKAY. AND WOULD YOU DO THAT AFTER YOU HAD BEEN  
21 ON THE COMPUTER?

22 A AFTER I'VE BEEN ON THE COMPUTER?

23 Q YES, SIR.

24 A (NO RESPONSE.) NO MOST OF THE TIME IT WAS---IT  
25 WAS USUALLY AFTER I, ABOUT BEFORE I WENT TO BED.

1 USUALLY I WOULD READ A LITTLE WHILE THEN I WOULD GO  
2 TO BED THEN THAT'S WHEN I WOULD MASTURBATE.

3 MR. MORTON: MAY WE APPROACH THE BENCH.

4 (BENCH CONFERENCE AT 11:13 AM.)

5 Q NOW MR. COPE, I WANT TO TALK TO YOU. YOU HAD  
6 MENTIONED THAT, FOR YOU, YOU BELIEVE THAT  
7 MASTURBATION IS A SIN?

8 A THAT IS CORRECT. I BELIEVE.

9 Q AND THAT --

10 A MY DENOMINATION AND MY -- WELL, MY DENOMINATION  
11 OR WHAT USED TO BE MY DENOMINATION WHICH I FEEL IS NO  
12 DENOMINATION IS THAT, IS ARMENIAN WHICH MEANS WE  
13 BELIEVE THAT SIN IS SIN. YOU KNOW, THERE IS NO SUCH  
14 THING AS A ONCE SAVED ALWAYS SAVED, AS FAR AS I'M  
15 CONCERNED.

16 Q RIGHT. NOW YOUR PRIOR CHURCH WAS CHURCH OF  
17 NAZARENE?

18 A IS THAT CORRECT.

19 Q AND THAT'S JUST ANOTHER WORD FOR THE CHURCH OF  
20 THE JESUS BECAUSE HE WAS THE NAZARENE, JESUS OF  
21 NAZARETH, IS THAT CORRECT?

22 A THAT'S CORRECT, BUT IT WAS A DENOMINATION, YES.

23 Q RIGHT. THIS IS THE ONE THAT YOU GREW UP IN.

24 A I WON'T SAY I GREW UP IN. I GREW UP IN CHURCH  
25 OF GOD, BUT I STARTED GOING TO THE NAZARENE CHURCH

1 PROBABLY ABOUT NINE YEARS PRIOR TO THIS.

2 Q AND IN YOUR BELIEF EVERYBODY SINS, CORRECT? I  
3 MEAN, THAT'S PART OF THE HUMAN CONDITION, CORRECT?

4 A THAT'S CORRECT, YES.

5 Q AND THAT'S THE STRUGGLE THAT THAT BELIEVERS HAVE  
6 IS TRYING NOT TO SIN AND YET STILL DOING IT  
7 SOMETIMES, IS THAT CORRECT?

8 A BUT THE NAZARENE BELIEVE THAT YOU CAN LIVE ABOVE  
9 SIN.

10 Q OKAY.

11 A THEY BELIEVE THAT WITH THE HELP OF THE HOLY  
12 SPIRIT THAT THE HOLY SPIRIT WILL KEEP YOU. JESUS  
13 SAID BE THEREFORE PERFECT EVEN AS YOUR FATHER IS  
14 PERFECT AND I BELIEVE THAT YES, YOU CAN.

15 Q AND THAT WAS, THAT WAS YOUR GOAL?

16 A THAT WAS MY GOAL, YES, SIR.

17 Q AND THAT'S WHY YOU WERE STRUGGLING WITH THE FACT  
18 OF THIS MASTURBATION THAT YOU DOING, ISN'T THAT  
19 CORRECT?

20 A YES, SIR.

21 Q BECAUSE YOU WANTED TO LIVE ABOVE SIN BUT YOU  
22 KEPT GOING BACK AND SUBJECTED YOURSELF TO THE  
23 TEMPTATION OR WHATEVER IT MAY HAVE BEEN, CORRECT?

24 A YES, SIR. I MEAN, YOU KNOW, I'VE COME TO THE  
25 CONCLUSION THAT, YOU KNOW, I CAN'T BELIEVE THAT YOU

1 CAN LIVE ABOVE SIN. YOU HAVE TO DAILY, PAUL SAID I  
2 DIE DAILY, SO I HAVE TO DIE DAILY TO SIN.

3 Q AND WHEN YOU DIE DAILY THE WONDERFUL THING ABOUT  
4 IT IS THAT THERE IS REBIRTH AFTER THAT DYING?

5 A THAT'S CORRECT.

6 Q ISN'T THAT TRUE?

7 A THAT'S CORRECT, YES, SIR.

8 Q AND SO WE HAVE THE POSSIBILITY OF REBIRTH EVEN  
9 THOUGH WE HAVE THIS SIN THAT WE'RE TRYING TO FIGHT  
10 AGAINST, CORRECT?

11 A THAT'S CORRECT.

12 Q OKAY. NOW AND THERE ARE MANY DIFFERENT TYPES OF  
13 SIN, CORRECT? WE KNOW THE TOP TEN.

14 A THERE IS THE SIN OF OMISSION AND THE SIN OF  
15 COMISSION, THAT'S THE TWO TYPES, EITHER YOU KNOW  
16 ABOUT IT OR YOU DON'T KNOW ABOUT IT.

17 Q RIGHT. NOW ONE OF THE SINS IS BEARING FALSE  
18 WITNESS, IS THAT CORRECT?

19 A AND THAT'S ABSOLUTE RIGHT. THAT'S THE NINETH  
20 COMMANDMENT THOU SHALL NOT BEAR FALSE WITNESS AGAINST  
21 THY NEIGHBOR.

22 Q NOW I WANT TO ASK YOU ABOUT THIS A LITTLE BIT.  
23 THE FACT THAT YOU'VE ALREADY TESTIFIED BEFORE THIS  
24 JURY, OKAY?

25 A YES, SIR.



1 Q THAT IN THESE STATEMENTS?

2 A YES, SIR.

3 Q FOLLOWING THE FIRST ONE GIVEN TO DETECTIVE  
4 BAKER?

5 A THAT'S CORRECT.

6 Q THAT YOU LIED?

7 A I LIED.

8 Q NOW YOU WERE BEARING FALSE WITNESS AGAINST  
9 YOURSELF THOUGH, RIGHT?

10 A THAT'S CORRECT.

11 Q OKAY. DO YOU STILL CONSIDER YOU TO HAVE SINNED  
12 FOR THAT?

13 A GOD HAS FORGIVEN ME FOR IT.

14 Q OKAY. SO YOU DO CONSIDER THAT THAT WAS A SIN?

15 A THAT WAS A SIN.

16 Q OKAY. AND SO ONCE AGAIN WE GET, BELIEVERS GET  
17 CAUGHT IN THE TEMPTATION AND HAVING TO BE REBORN FROM  
18 THE SIN, IS THAT CORRECT?

19 A WE HAVE A PROBLEM WITH SIN AND WE HAVE TO ASK  
20 GOD TO FORGIVE US, THAT'S CORRECT.

21 Q OKAY. AND WOULD YOU AGREE THAT MANY TIMES  
22 SINNERS, EVEN THOUGH GOD KNOWS EVERYTHING THAT WE DO,  
23 MANY TIMES SINNERS WANT TO HIDE THEIR SIN, THEY ARE  
24 SHAMEFUL OF IT?

25 A I THINK WITH THE HELP OF THE HOLY SPIRIT, NO,

1 SIR, THAT'S NOT CORRECT. THE HOLY SPIRIT HELP US NOT  
2 TO HIDE IT. HE LETS US KNOW WHAT OUR SIN IS SO WE  
3 CAN GET IT OUT.

4 Q I UNDERSTAND. LISTEN TO MY QUESTION.

5 A I DID. AND I DON'T THINK I, I DON'T THINK THEY  
6 TRIED TO HIDE IT.

7 Q THERE ARE MANY SINNERS. I'M JUST SAYING IN  
8 GENERAL SINNERS?

9 A I CAN'T SAY THAT. I'M NOT MANY PEOPLE.

10 Q OKAY. BUT WOULD YOU AGREE THAT SIN SOMETIMES  
11 CAUSES PEOPLE TO HAVE SECRETS?

12 A SIN CAUSES.

13 Q RIGHT.

14 A SECRETS.

15 Q YES.

16 A NO, SIR. I THINK THE BIBLE PLAINLY SPEAKS  
17 AGAINST SECRETIVE, TO BE OF SECRET LIKE THAT. SO I  
18 CAN'T SAY EVERYBODY AND AGAIN I'M NOT MOST PEOPLE.

19 Q OKAY. BUT YOU HAVE THE SIN OF MASTURBATION  
20 ACCORDING TO YOUR BELIEF?

21 A THAT'S CORRECT.

22 Q AND YOU HAD A SECRET PLACE THAT YOU WOULD PUT  
23 THIS RAG TO HIDE?

24 A I NEVER IT WAS A SECRET PLACE. I TOLD YOU, I  
25 SAID BEFORE THAT WASN'T A SECRET PLACE, JUST A PLACE

1 THAT I PUT IT. THE NORMAL PLACE I PUT IT. IT WASN'T  
2 SECRETIVE.

3 Q WELL, YOUR WIFE DIDN'T KNOW WHERE YOU PUT IT?

4 A NO, SHE DIDN'T KNOW ABOUT IT. I DIDN'T WANT TO  
5 HURT HER FEELINGS.

6 Q I UNDERSTAND. AND THE CHILDREN DIDN'T KNOW  
7 ABOUT IT, DID THEY?

8 A NO, THE CHILDREN DIDN'T KNOW. THEY DIDN'T NEED  
9 TO KNOW ABOUT IT. I MEAN, MY WIFE KNEW I MASTURBATED  
10 BUT I DIDN'T BRAG. I DIDN'T BRING IT OUT HEY, YOU  
11 KNOW, I MASTURBATED TODAY. NO, THAT WAS MY PLACE TO  
12 PUT IT SO SHE WOULDN'T WORRY.

13 Q OKAY. OKAY. BUT YOU DIDN'T PUT IT ON TOP OF  
14 THE BOOK SHELF?

15 A NO, SIR.

16 Q YOU PUT UNDER THE BOOK SHELF?

17 A WHERE THE KIDS COULDN'T GET TO IT. YOU KNOW,  
18 THEY COULDN'T SEE IT. YOU KNOW, THEY DON'T GO UP  
19 UNDER THERE.

20 Q RIGHT. SO THAT THEY WOULDN'T SEE IT AND SO IT  
21 WAS HIDDEN FROM THEM, CORRECT?

22 A IT WAS HIDDEN FROM THEIR EYES, YES, THAT'S  
23 CORRECT.

24 Q OKAY. NOW PEOPLE WHEN THEY COMMIT THE SIN OF  
25 LYING WILL SOMETIMES COMMIT THAT SIN BECAUSE THEY ARE

1 TRYING TO HELP THEMSELVES, IS THAT CORRECT?

2 A I'M NO THEOLOGIAN. I CAN'T SAY WHY PEOPLE SIN.

3 Q OKAY. YOU ARE A THEOLOGIAN?

4 A I SAID I'M NO THEOLOGIAN.

5 Q YOU ARE NO THEOLOGIAN. OKAY. WHEN PEOPLE LIE

6 DO THEY SOMETIMES DO IT TO TRY TO HELP THEMSELVES?

7 WE'LL TAKE IT OUT OF THE CATEGORY OF SIN AND JUST --

8 A I CAN'T, I CAN'T SAY THAT IT'S, THAT IS ALL THE,

9 EVERY TIME THEY LIE THAT'S WHAT THEY ARE TRYING TO

10 DO. NO, I CAN'T SAY THAT.

11 Q I'M NOT ASKING YOU ABOUT --

12 A MAYBE IN SOME CASES MAYBE, YEAH, THAT'S TRUE.

13 Q OKAY. SO YOU AND I AGREE CAN THAT SOMETIMES

14 PEOPLE LIE TO HELP THEMSELVES?

15 A YES, I CAN SAY THAT SOMETIMES, YEAH, MAYBE.

16 Q OKAY. AND IN THIS PARTICULAR CASE WHEN YOU WENT

17 TO, WHEN YOU WENT TO CAPTAIN CABANISS ON MONDAY

18 MORNING?

19 A RIGHT.

20 Q YOU WENT AND I BELIEVE THE TERM YOU USED WAS

21 PREFABRICATION, IS THAT CORRECT?

22 A I THINK I DID SAY THAT, YES, SIR.

23 Q YES, SIR. YOU PREFABRICATED THIS STORY BECAUSE

24 YOU WANTED TO BE PUT TO A HOSPITAL RATHER THAN A

25 PRISON?

1 A I CAN SAY, YEAH, I WAS TRYING TO HELP MYSELF,  
2 YES.

3 Q OKAY. SO IN THIS CIRCUMSTANCE YOU ADMIT YOU  
4 TOLD MANY LIES THROUGHOUT THE COURSE OF THE DAY?

5 A YES, SIR, I WILL ADMIT THAT.

6 Q IN ORDER TO HELP YOURSELF?

7 A I DIDN'T CARE ANYMORE. YOU KNOW. I MEAN I JUST  
8 DIDN'T CARE.

9 Q WELL, THAT HAPPENED AFTER LUNCH, IS THAT  
10 CORRECT?

11 A THE ONES BEFORE THAT, YES. THAT.

12 Q OKAY.

13 A BUT I DIDN'T CARE, YOU KNOW.

14 Q RIGHT. SO YOU TOLD LIES IN ORDER TO HELP  
15 YOURSELF?

16 A I CONSIDER, YES, I DID. I DID.

17 Q ALL RIGHT. AND ONE OF THE THINGS THAT YOUR LIES  
18 DID, IF THEY WERE LIES AS YOU SAY THEY ARE, IS THAT  
19 THEY MISLEAD THE POLICE, CORRECT?

20 A I WASN'T TRYING TO MISLEAD THE POLICE. I WAS  
21 JUST TRYING TO GET A BETTER STORY. I MEAN, I DIDN'T  
22 --- THEY WERE LIES.

23 Q OKAY. BUT THE EFFECT OF IT, WHETHER YOU WERE  
24 TRYING TO MISLEAD THE POLICE OR NOT, THE EFFECT OF IT  
25 WAS FOR THE POLICE TO BE MISLEAD BY YOUR STATEMENT?

1 A I--

2 Q CORRECT?

3 A ---NO, THAT'S NOT CORRECT. THAT WAS NOT THE

4 INTENT. THE INTENT WAS --

5 Q I UNDERSTAND THE INTENT. I'M TALKING ABOUT THE

6 EFFECT?

7 A OKAY.

8 Q OKAY. I WILL SAY YOU DID NOT INTEND TO MISLEAD

9 THE POLICE, OKAY?

10 A I DID NOT INTEND TO MISLEAD THE POLICE.

11 Q BUT THE EFFECT, NOT THE INTENT, BUT THE EFFECT

12 OF YOUR LIES COULD HAVE RESULTED IN MISLEADING THE

13 POLICE IF THEY BELIEVED WHAT YOU WERE SAYING WAS

14 TRUE, ISN'T THAT CORRECT?

15 A MAYBE. I CAN'T SAY FOR SURE.

16 Q THE REASON I ASK THIS YOU HAVE SAID THAT THE

17 POLICE HAVE NOT DONE A GOOD JOB IN THIS CASE,

18 CORRECT, AND YOU DON'T TRUST THEM?

19 A THAT'S CORRECT.

20 Q OKAY. AND --

21 A THEY WERE STILL POINTING THEIR FINGER AT ME. I

22 DIDN'T DO NOTHING WRONG.

23 Q I UNDERSTAND THAT BUT YOU DID TELL THEM YOU DID?

24 A BUT, BUT THAT WAS AFTER THEY HAD DONE STARTED

25 POINTING THE FINGER AT ME AND CONVINCED ME THAT I DID

1 IT.

2 Q BUT ISN'T IT REASONABLE FOR THEM TO BELIEVE THAT  
3 WHAT YOU TOLD THEM WAS TRUE?

4 A FOUR HOURS OF INTERROGATION SHOULD HAVE LED THEM  
5 SOMEWHERE ELSE.

6 Q OKAY.

7 A I DIDN'T DO IT.

8 Q AND SO ---

9 A AND I KEPT REPEATINGLY SAYING THAT.

10 Q AND SO YOU ARE SAYING YOUR ACTIONS THAT DAY OF  
11 LYING TO THEM ON MONDAY SHOULD NOT BE CONSIDERED IN  
12 THE FORMULUA OF THE POLICE ALLEGEDLY BEING MISLEAD IN  
13 THIS CASE?

14 A I CAN'T SAY THAT. I REALLY DON'T KNOW WHAT'S ON  
15 THEIR MIND.

16 Q OKAY. WELL, ISN'T IT TRUE THAT YOU HAVE MADE  
17 ACCUSATIONS THAT THE POLICE DIDN'T DO THEIR JOB AND  
18 THAT THEY HAD CONSPIRED AGAINST YOU?

19 A THAT'S CORRECT, I SAID THAT.

20 Q OKAY. AND YET --

21 A EVIDENCE SHOWS IT.

22 Q DIDN'T THE POLICE HAVE STATEMENTS FROM YOU OF  
23 DOING HORRIBLE, HORRENDOUS THINGS TO YOUR NATURAL  
24 CHILD?

25 A THE STATEMENTS WERE -- YES, SIR.

1 Q OKAY. AND ISN'T IT REASONABLE TO BELIEVE THAT  
2 IT'S UNUSUAL FOR A NATURAL FATHER TO MAKE SUCH  
3 ALLEGED ADMISSIONS OF THESE HORRIBLE ACTS AGAINST  
4 THEIR NATURAL CHILD IF THEY WERE NOT TRUE?

5 A YOU WEREN'T THERE. YOU DON'T KNOW WHAT I WENT  
6 THROUGH.

7 Q UNDERSTAND THAT?

8 A YOU DO NOT KNOW WHAT I WENT THROUGH AT THE, AT  
9 THE MOUTHS OF THESE PEOPLE. YOU WEREN'T THERE. YOU  
10 DIDN'T HEAR IT.

11 Q I UNDERSTAND THAT.

12 A I HAD TO PUT UP WITH A LOT OF ABUSE.

13 Q OKAY. AND SO, AND I BELIEVE THAT YOU TESTIFIED  
14 THAT AT THAT POINT IN THE AFTERNOON TO WHERE YOU GAVE  
15 THE STATEMENT TO DETECTIVE CABANISS YOU SAID NOBODY  
16 CARED ABOUT ME. YOU TESTIFIED TO THAT ON DIRECT, IS  
17 THAT CORRECT?

18 A THAT'S CORRECT.

19 Q OKAY. AND SO YOUR ATTENTION AT THAT POINT IN  
20 TIME WAS ON YOU?

21 A NO, SIR. I WANTED THEM TO FIND WHO DID IT.

22 Q BUT YOU SAID NOBODY CARES ABOUT ME?

23 A WELL, THEY DON'T. I MEAN THEY DIDN'T. THEY  
24 WERE CONCERNED ABOUT, ALL THEY WANTED TO DO WAS TO  
25 DESTROY ME. THAT'S ALL THEY WERE OUT TO DO.



1 Q OKAY. ALL RIGHT. SO THE POLICE WERE OUT TO  
2 DESTROY YOU?

3 A THAT'S CORRECT.

4 Q AND NOBODY CARED ABOUT YOU, CORRECT?

5 A NOBODY CARED ABOUT THE TRUTH, I'LL PUT IT THAT  
6 WAY, AND IT SEEMS THEY STILL DON'T.

7 Q BUT THE FACT THAT YOU DID GIVE, LIE TO THEM IN  
8 STATEMENTS, YOU CAN'T HOLD THEM COMPLETELY  
9 RESPONSIBLE FOR NOT CARING ABOUT THE TRUTH?

10 A I DID SAY LIE. I DID SAY THAT I DID LIE TO  
11 THEM, YES, I DID.

12 Q OKAY. NOW IN THE VIDEO THAT YOU DID AND YOU'VE  
13 SAID THAT THIS WAS THE PREFABRICATION STORY, ALMOST  
14 EVERYTHING THAT YOU SAID ON THAT VIDEO EACH SENTENCE  
15 WAS A LIE THAT YOU MADE UP?

16 A (NO RESPONSE.) THAT WAS THE SAME, YEAH, THAT  
17 WAS A LIE. THAT WAS, PART OF THAT HAD SOMETHING TO  
18 DO WITH WHAT I HAD SAID EARLIER.

19 Q OKAY. BUT --

20 A BUT IT WAS ALL BUILDING AROUND THE DREAM.

21 Q RIGHT. AND BUT ONE OF THE THINGS THAT YOU  
22 TESTIFIED, NOT IN THE VIDEO BUT ABOUT THE VIDEO, IS  
23 THAT YOU HAD TO COME UP WITH AN IDEA THAT WOULD MAKE  
24 YOU ANGRY AND THAT'S WHY YOU CAME UP IN REGARDS TO  
25 THE IDEA ABOUT THE DREAM OF MS. GARRISON I BELIEVE?

1 A RIGHT. I DO HAVE ANOTHER REASON THAT I AM MORE  
2 ANGRY THAN I CAN SAY TOWARD THAT TERM THERE AND I  
3 THINK WE ALL KNOW WHAT THAT IS.

4 Q I UNDERSTAND.

5 A AND I THINK I'M --

6 Q LISTEN TO MY QUESTION NOW. SO WHEN YOU WERE  
7 REENACTING THIS VIDEO OR WHEN YOU WERE ACTING THIS  
8 VIDEO THAT YOU PUT ON, YOU PUT IN YOUR MIND AT THAT  
9 TIME WHAT THIS WOMAN HAD DONE TO YOU, CORRECT?

10 A THAT'S CORRECT.

11 Q AND I BELIEVE THAT IN YOUR OWN TESTIMONY YOU  
12 SAID THAT IS WHAT YOU GAVE YOU THE MOTIVATION TO ACT  
13 IN THE WAY YOU NEEDED TO SHOW THE RAGE THAT WOULD  
14 CAUSE YOU TO DO SOMETHING LIKE THIS?

15 A I NEVER SAID IT DID LIKE THAT, NO, SIR. I SAID,  
16 I SAID I WAS THINKING ABOUT WHAT KIND OF RAGE IT  
17 WOULD TAKE FOR A PERSON TO BE THAT PERSON WHO WOULD  
18 DO SOMETHING LIKE THAT.

19 Q OKAY.

20 A SO I THOUGHT ABOUT THAT RAGE.

21 Q OKAY. AND IT DID MAKE YOU VERY, VERY ANGRY?

22 A YES, SIR. BUT IF YOU ARE INSINUATING THAT MY  
23 ANGER.

24 Q I'M JUST ASKING A QUESTION.

25 A IF YOU INSINUATING THAT MY ANGER THE OTHER DAY

1 WAS BROUGHT OUT BECAUSE OF THAT, I MEAN, YESTERDAY  
2 WAS BROUGHT OUT BECAUSE OF MAYBE WHAT I WAS THINKING,  
3 THAT'S THE FARTHEST THING FROM THE TRUTH.

4 Q NO. I'M TALKING WITH YOU ABOUT TERESA GARRISON.  
5 THAT'S ALL?

6 A RIGHT. BUT I KNOW WHERE THIS IS GOING IT SEEMS  
7 LIKE.

8 Q NOW BUT IN REGARDS TO MS. GARRISON YOU HAD TO  
9 THINK OF SOMETHING THAT WOULD HAVE MADE YOU MAD  
10 ENOUGH, THAT WOULD CAUSE RAGE ENOUGH, TO ACT THAT  
11 WAY, CORRECT?

12 A THAT'S WHAT I STATED, YES.

13 Q RIGHT. IT HAD TO BE REAL LOOKING, RIGHT?

14 A I WOULDN'T SAY IT HAD TO BE REAL LOOKING, BUT I  
15 WAS TRYING TO CONVINCING THE MAN THAT BECAUSE HE SAID  
16 THAT IF I DIDN'T CONVINCING HIM AND I WAS WANTING TO  
17 CONVINCING HIM.

18 Q NOW --

19 THE COURT: MR. GREELEY, WHY DON'T WE TAKE  
20 A BREAK AT THIS POINT.

21 MR. GREELEY: OKAY, I AM AT A BREAKING  
22 POINT.

23 THE COURT: IT LOOKED LIKE YOU WERE AT A  
24 BREAKING POINT. LET'S TAKE A SHORT BREAK.

25 (COURT IN RECESS AT 11:30 AM.)

1 (COURT RESUMES AT 11:39 AM.)

2 MR. MORTON: I JUST WANTED TO MAKE MY  
3 NOTICE ON THE RECORD THAT AT THE BENCH CONFERENCE  
4 AFTER MR. COPE, AFTER MR. POPE'S COMMENT AND AFTER  
5 THE CURATIVE INSTRUCTION WAS READ BY THE COURT THAT I  
6 OBJECTED TO A CURATIVE INSTRUCTION AT ALL AND I THINK  
7 IT'S CLEAR THAT I WANTED A MISTRIAL WHICH WAS DENIED  
8 AND THEN I OBJECTED TO THE SUFFICIENCY OF THE  
9 CURATIVE INSTRUCTION AND THE COURT HAS PUT WHAT I  
10 PROPOSED IN THE RECORD AT THAT POINT.

11 THE COURT: THAT'S CORRECT.

12 MR. MORTON: THANK YOU, YOUR HONOR.

13 THE COURT: BRING IN THE JURY.

14 (THE JURY RETURNS TO THE COURTROOM AT  
15 11:41 AM.)

16 THE COURT: MR. GREELEY.

17 MR. GREELEY: THANK YOU, JUDGE.

18 CROSS EXAMINATION CONTINUED BY MR. GREELEY:

19 Q MR. COPE, I WANT TO GO BACK ON SOMETHING THAT WE  
20 TOUCHED ON ALREADY. IN THE CHRISTIAN TRADITION THERE  
21 IS A VERY BIG PART OF THE CHRISTIAN TRADITION IS THE  
22 ASPECT OF REBIRTH, ISN'T THAT CORRECT?

23 A THAT'S CORRECT.

24 Q AND I BELIEVE THAT YOU'VE ALREADY STATED THAT IN  
25 YOUR BELIEF NOW IS THAT THERE CAN BE MANY INSTANCES

1 OF REBIRTH OF SOMEONE, ISN'T THAT CORRECT? NOT  
2 NECESSARILY SPIRITUALLY BUT TO BECOME ANEW, AGAIN?

3 A I WOULD SAY THAT YOU CAN ONLY BE BORN AGAIN  
4 ONCE, BUT YOU JUST BE RENEWAL.

5 Q EXACTLY. AND I BELIEVE ALSO THE CHRISTIAN  
6 TRADITION TEACHES THAT OUT OF VERY BAD THINGS GOOD  
7 CAN COME AND THAT'S THE HOPE FOR THE FUTURE, IS THAT  
8 CORRECT?

9 A YEAH, JESUS CHRIST IS THE HOPE. HE'S THE GREAT  
10 HOPE.

11 Q AND SO WE HAVE THE HOPE FOR THE FUTURE DUE TO  
12 THESE REBIRTHS, IS THAT CORRECT, AND THE AVAILABILITY  
13 OF THOSE IF WE WILL TAKE ADVANTAGE OF THEM?

14 A YES, SIR. I CAN AGREE WITH THAT.

15 Q MAY I SHOW YOU MY TIE. CAN YOU LOOK AND SEE  
16 WHAT'S ON MY TIE.

17 A (COMPLIES.) ABSOLUTELY.

18 Q WHAT ARE THOSE?

19 A THOSE ARE BUTTERFLIES.

20 Q EXACTLY. THOSE ARE BUTTERFLIES AND THE  
21 BUTTERFLY IS A SYMBOL OF REBIRTH, ISN'T IT? OF BEING  
22 NEW AGAIN? OF LIFE?

23 A ACTUALLY I THINK IT'S A SYMBOL OF CHANGE BECAUSE  
24 YOU USED TO ONCE BE A CATERPILLAR.

25 Q RIGHT.

1 A AND IT CHANGES INTO A MOTH.

2 Q RIGHT.

3 A DOESN'T LAST LONG AND THEN IT DIES.

4 Q RIGHT. BUT IN THAT, IN THAT SCENARIO THERE IS

5 CHANGE?

6 A I CAN'T SAY---

7 Q AND REBIRTH?

8 A I CAN'T SAY IT'S REBIRTH BECAUSE IT WOULD, HE

9 WAS STILL A CATERPILLAR AND HE WAS STILL ALIVE. HE

10 DIDN'T DIE AND THEN COME ALIVE AGAIN. ONLY ONE

11 PERSON HAS EVER DONE THAT EVER.

12 Q BUT THERE IS CHANGE IN REBIRTH, ISN'T THERE?

13 THE OLD DIES AWAY AND YOU BECOME NEW; THAT'S IN THE

14 GOSPELS, CORRECT?

15 A TO SOME DEGREE, YES, SIR.

16 Q OKAY. AND --

17 A AS A MATTER OF FACT WHAT I THINK YOU WERE

18 QUOTING WAS IN, IT'S NOT IN THE GOSPEL, IT'S ACTUALLY

19 IN FIRST CORINTHIANS 5:17. IT SAYS --

20 Q SO PAUL WROTE IT?

21 A YEAH, PAUL WROTE IT.

22 Q OKAY. ALL RIGHT. AND YOU HAD TALKED ABOUT

23 SINCE THIS HORRIBLE ORDEAL THAT YOU'VE GONE THROUGH

24 YOU'VE LOST 200 POUNDS, IS THAT CORRECT?

25 A YES, SIR.

1 Q I MEAN YOU'VE TAKEN ON A WHOLE DIFFERENT LOOK,  
2 CORRECT?

3 A BUT THAT WASN'T MY IDEA. THAT'S, YOU KNOW, THIS  
4 THE JAIL, YOU KNOW, THEY DON'T FEED YOU LIKE I WAS  
5 EATING ON THE STREET.

6 Q I UNDERSTAND. BUT SURELY HEALTH WISE YOU ARE  
7 BETTER?

8 A I CAN SAY, YEAH. YES, SIR, I'M BETTER. I THINK  
9 A LOT OF THAT HAS TO DO WITH, WITH MY EATING HABITS,  
10 WITH THE EXERCISE. ALSO I THINK A LOT OF IT HAVE TO  
11 DO WITH SPIRITUAL. IT'S A SPIRITUAL ASPECT BECAUSE  
12 WHEN I FIRST CAME TO JAIL I WAS PRAYING, ASKING GOD,  
13 YOU KNOW, WHAT'S GOING TO TAKE PLACE. WHAT AM I  
14 GOING TO GO, YOU KNOW. AND AS I STARTED TO, GOD  
15 STARTED SHOWING ME THINGS AND ONE THING WAS IN THE  
16 BOOK OF DANIEL NOW HE, HOW HE WAS GIVEN THE KING'S  
17 MEAT TO EAT AND HE REFUSED IT. HE ASKED FOR PULSE  
18 AND WATER WHICH IS A SOUP, A STEW AND WATER, SO WHAT  
19 I DONE WAS I TOOK MY FOOD ON A DAY-TO-DAY BASIS AND  
20 MADE A SOUP OUT OF IT.

21 Q OKAY.

22 A AND A LOT PEOPLE SAY, YOU KNOW, JENNY CRAIG EAT  
23 YOUR HEART OUT BECAUSE OF THE FACT I'VE LOST THE  
24 WEIGHT AND I DIDN'T HAVE TO HAVE NO JENNY CRAIG DIET  
25 OR ANYTHING ELSE.

1 Q AND YOU'VE HAD THE OPPORTUNITY TO MEET WHAT YOU  
2 REFER TO AS YOUR FREEDOM TEAM, THESE LAWYERS WHO ARE  
3 ACTING IN YOUR INTEREST, IS THAT CORRECT?

4 A WELL, THE HEAD OF MY FREEDOM --

5 Q IS THAT CORRECT?

6 A THAT'S CORRECT TO ONE DEGREE, BUT THE HEAD OF MY  
7 FREEDOM TEAM -- YOU SHOWED ME SOMETHING. CAN I SHOW  
8 YOU SOMETHING.

9 Q NO. JUST GO AHEAD AND ANSWER THE QUESTIONS.

10 A I JUST WANT TO SHOW YOU WHO THE HEAD OF MY  
11 FREEDOM TEAM.

12 Q I HAVE AN IDEA OF WHO YOU BELIEVE.

13 A GOD IS THE HEAD OF MY FREEDOM TEAM.

14 Q OKAY. AND, AND YOU'VE ALSO HAD THE OPPORTUNITY  
15 TO MEET SOMEONE FROM A MAJOR NEWS NETWORK, IS THAT  
16 CORRECT?

17 A THAT CAME ABOUT TOWARD THE END OF LAST YEAR OR  
18 EARLY PART OF THIS YEAR.

19 Q OKAY. SO THAT BEGAN IN DECEMBER OR JANUARY OF  
20 THIS PAST YEAR, CORRECT?

21 A I'M THINKING THAT IT ALL STARTED ON NOVEMBER THE  
22 17.

23 Q AND IN FACT, YOU HAVE A MAJOR NEWS CHANNEL THAT  
24 IS FILMING THIS ENTIRE TRIAL, ISN'T THAT CORRECT?

25 A YES, SIR, BUT THAT'S NOT, THAT'S NOT MY DOING.



1 Q I UNDERSTAND. BUT THEN YOU'VE GIVEN ON CAMERA  
2 INTERVIEWS, CORRECT?

3 A I ATTEMPTED TO. I WILL SAY I ATTEMPTED TO. BUT  
4 I ALSO THINK THAT, YOU KNOW, THEY KNOW THE TRUTH TOO  
5 AND THEY WANT TO SEE IT.

6 Q OKAY.

7 A THEY WANT TO SEE JUSTICE.

8 Q AND SO NBC DATELINE BROUGHT A CAMERA IN AND  
9 ACTUALLY SAT DOWN WITH SOMEBODY TO INTERVIEW YOU ON  
10 CAMERA AND TO TALK, FOR YOU TO TALK WITH THEM ABOUT  
11 THIS, ISN'T THAT CORRECT?

12 A YES, SIR.

13 Q OKAY.

14 A THAT IS CORRECT.

15 Q ALL RIGHT. AND THE, YOU EVEN HAVE TOLD THE JURY  
16 BASED UPON THE CROSS EXAMINATION OF THE STATE THAT A  
17 HAD A FORMER INMATE TO COME IN AND PROPHECY FOR YOU,  
18 IS THAT CORRECT?

19 A I SAID HE CAME IN AND PROPHECY TO ME. I DIDN'T  
20 HAVE HIM COME IN AND PROPHECY ANYTHING.

21 Q OKAY.

22 A HE CAME TO ME THE SECOND DAY AFTER HE CAME TO  
23 JAIL. HE WAS ONLY HERE FOR TWO WEEKS.

24 Q I REMEMBER IN YOUR DIRECT TESTIMONY YESTERDAY  
25 ONE OF THE THINGS YOU SAID THAT YOU, WHEN YOU WERE

1 MAKING THE STATEMENT WAS, YOU SAID I DO NOT DWELL ON  
2 THE PAST. AND IN REBIRTH YOU DON'T DWELL ON THE  
3 PAST, DO YOU, MR. COPE?

4 A NO, SIR, YOU DON'T.

5 Q YOU ONLY LOOK TOWARDS THE FUTURE, IS THAT  
6 CORRECT, WITH HOPE?

7 A NO. BECAUSE I THINK THERE IS, THE BIBLE SAYS A  
8 MAN WHO PUTS HIS HAND TO THE PLOW AND THEN LOOKS BACK  
9 IS NOT FIT FOR THE KINGDOM OF GOD. I THINK WHAT HE'S  
10 TALKING ABOUT HERE, WHAT I UNDERSTAND THE HOLY SPIRIT  
11 TO TELL ME IS, THAT IF I'M STARTING TO WALK WITH THE  
12 LORD AND THEN I TURN BACK TO THE OLD WAYS, THERE IS A  
13 DIFFERENCE BETWEEN LOOKING BACK TO THE OLD WAYS AND  
14 GOING BACK TO THE OLD WAYS AND I BELIEVE IN MY HEART  
15 THAT A PERSON WHO HAS TO LOOK BACK TO SEE WHERE GOD  
16 HAS BROUGHT YOU FROM IN ORDER TO REALIZE WHERE THE  
17 FUTURE LEADS YOU.

18 Q RIGHT. AND YOU DON'T CARE TO GO BACK TO THE OLD  
19 WAYS, DO YOU, MR. COPE?

20 A I DON'T KNOW WHY YOU WOULD SAY THAT.

21 Q NOW --

22 A I DON'T WANT TO GO BACK TO THE 385 POUNDS. I  
23 DON'T WANT TO GO BACK TO THE MASTURBATION.

24 Q NOW IN YOUR STATEMENTS, IN EVERY STATEMENT I  
25 BELIEVE AND EVEN IN YOUR FIRST INTERVIEW, YOU TALKED

1 ABOUT YOUR EXPERIENCE THAT YOU HAD WITH THE DREAM  
2 ABOUT THE RAPTURE?

3 A THAT'S CORRECT.

4 Q OKAY. NOW THE RAPTURE IS A WONDERFUL THING,  
5 ISN'T IT?

6 A BEAUTIFUL THING.

7 Q IT'S PART OF THE SECOND COMING?

8 A IT IS THE SECOND COMING OF THE CHRIST.

9 Q WELL, IT'S PHASE ONE OF THE SECOND COMING, IS  
10 THAT CORRECT?

11 A IT IS THE INITIAL COMING OF CHRIST. I'LL SAY  
12 THAT.

13 Q RIGHT. SOME, SOME BELIEVERS OR SOME THEOLOGIANS  
14 DIVIDE IT, ISN'T IT TRUE, THEY DIVIDE IT INTO TWO  
15 PHASES: YOU HAVE THE RAPTURE AND THEN YOU HAVE THE  
16 TRIBULATION, CORRECT? BUT THE RAPTURE IS A WONDERFUL  
17 THING. WE CAN AGREE ON THAT, ISN'T THAT CORRECT?

18 A RIGHT. I CAN'T SAY THAT IT'S THE RAPTURE THEN  
19 THE TRIBULATION. I THINK IT'S THE INITIAL COMING IS  
20 JESUS CHRIST AND AFTER HE LEAVES THEN THERE IS  
21 TRIBULATION ON EARTH, BUT THEN THE SECOND PART.

22 Q RIGHT?

23 A THAT THEOLOGIAN TALKING ABOUT IS THE OFFICIAL  
24 COMING OF, THE SECOND COMING OF THE LORD, WHICH WHEN  
25 HE STEPS DOWN ON MOUNT ARARAT WHEN THE MOUNTAINS WILL

1 BE SPLIT OPEN.

2 Q THAT'S WHEN HE REUNITES HEAVEN AND EARTH UNDER  
3 HIS GUISE?

4 A THAT'S CORRECT, YES.

5 Q NOW AND THAT'S THE ULTIMATE COMING OF CHRIST BUT  
6 THE BELIEF IN THE RAPTURE IS THAT AT SOME POINT IN  
7 TIME HIS TRUE BELIEVERS?

8 A THAT'S CORRECT.

9 Q ARE GOING TO BE CALLED UP, ACTUALLY NOT EVEN  
10 CALLED UP, I BELIEVE RAPTURE COMES FROM THE GREEK  
11 WORD OF BEING SNATCHED UP, IS THAT CORRECT?

12 A IT COMES FROM THE GREEK WORD THAT MEANS CAUGHT  
13 UP, YES, SIR.

14 Q OKAY. AND SO AT SOME POINT IN TIME AND WE DON'T  
15 KNOW WHERE THAT'S GOING TO BE?

16 A NO, SIR, WE DON'T.

17 Q AT SOME POINT IN TIME JESUS IS GOING TO COME AND  
18 EITHER CALL UP OR SNATCH UP HIS TRUE BELIEVERS INTO  
19 THE HEAVENS TO BE WITH HIM AND THEN TO GO TO HEAVEN  
20 WITH HIM AND AT SOME POINT IN TIME THEY WILL COME  
21 BACK FOR THE FULL SECOND COMING?

22 A WELL, THAT'S --

23 Q IS THAT CORRECT?

24 A THAT'S WHEN WAR ON THE DEVIL AND THE ARCH  
25 ANGELS.

1 Q OKAY.

2 A THE DEMONS, YES.

3 Q AND I BELIEVE THAT THE RAPTURE TALKS ABOUT HOW  
4 JESUS WILL CALL UP OR SNATCH UP HIS TRUE BELIEVERS IN  
5 THEIR PHYSICAL GLORY, ISN'T THAT CORRECT?

6 A REPEAT THAT ONE MORE TIME?

7 Q HE WILL CALL UP OR SNATCH UP TRUE BELIEVERS IN  
8 THEIR PHYSICAL GLORY. WHAT THAT MEANS IS, ISN'T IT  
9 TRUE, THAT YOU SEE THE BUMPER STICKER SOMETIMES THAT  
10 SAYS IF THE RAPTURE APPEARS THIS CAR WILL BE  
11 UNOCCUPIED?

12 A THAT'S CORRECT. AND THE REASON FOR THAT IS  
13 FIRST JOHN ONE, I MEAN, FIRST, FIRST JOHN 3:2 SAYS WE  
14 WILL SEE HIM AS HE IS BECAUSE WE WILL BE LIKE HIM  
15 WHEN HE COMES.

16 Q RIGHT. AND SO THAT MORNING WHEN YOU AWOKE IT  
17 WAS YOUR INITIAL THOUGHT AFTER YOU CALLED AMANDA  
18 TWICE AND YOU DIDN'T GET AN ANSWER, IT WAS YOUR  
19 INITIAL THOUGHT THAT PERHAPS THE RAPTURE HAD  
20 OCCURRED?

21 A THAT'S CORRECT, I HAD DREAMED THIS, SO I THOUGHT  
22 THAT IT HAD ACTUALLY TOOK PLACE IN MY DREAM, YES.

23 Q ALL RIGHT.

24 A AND THAT IT WAS FOR REAL.

25 Q AND YOU DREAMED IT THAT NIGHT JUST RIGHT BEFORE

1 WAKING UP?

2 A RIGHT. I DREAMED IT RIGHT BEFORE I WOKE UP AND  
3 THAT'S NOT A NORMAL, THAT'S NOT ABNORMAL THING, THAT  
4 HAPPENS QUITE OFTEN. I DREAM ABOUT THE RAPTURE.

5 Q RIGHT.

6 A FOR ONE THING WAS THE MASTURBATION.

7 Q AND HAD THE RAPTURE OCCURRED THAT MORNING IT  
8 WOULD HAVE BEEN A GLORIOUS THING?

9 A IT WOULD HAVE.

10 Q FOR AMANDA?

11 A IT WOULD HAVE BEEN GLORIOUS THING FOR EVERYBODY  
12 WHO WAS PREPARED.

13 Q IT WOULD HAVE BEEN GLORIOUS THING FOR EVERYBODY,  
14 WOULDN'T IT?

15 A YES, SIR, FOR THOSE WHO WERE PREPARED.

16 Q OKAY. ONE OTHER THING. HAD THE RAPTURE  
17 OCCURRED THAT MORNING NOT ONLY WOULD IT HAVE BEEN A  
18 GLORIOUS THING BUT AMANDA'S BODY WOULD HAVE BEEN GONE  
19 AND HER BEDROOM WOULD HAVE BEEN EMPTY?

20 A THAT'S CORRECT, IT WOULD HAVE.

21 Q THANK YOU, SIR.

22 A AND SO WOULD JESSICA AND KYLA. THAT'S WHY I  
23 LOOKED.

24 THE COURT: REDIRECT.

25 MR. MORTON: JUST A COUPLE OF THINGS, YOUR

1 HONOR.

2 REDIRECT EXAMINATION BY MR. MORTON:

3 Q MR. COPE, MR. POPE ASKED YOU ABOUT LETTERS THAT  
4 AMY HAD SENT TO YOU.

5 A THAT'S CORRECT.

6 Q AND I BELIEVE THAT WE HAVE COPIES OF THOSE  
7 LETTERS, BUT I BELIEVE THE SOLICITOR'S OFFICE HAS  
8 THOSE LETTERS, THE ORIGINAL LETTERS, THAT AMY SENT  
9 TO, ARE THEY IN EVIDENCE?

10 MR. POPE: YES, SIR.

11 MR. MORTON: THE LETTERS THAT AMY SENT TO  
12 HIM.

13 Q WE'RE GOING TO GET THE ORIGINAL, MR. COPE, AND  
14 WE'LL INTRODUCE THOSE LETTERS INTO EVIDENCE.

15 A OKAY.

16 Q THIS LETTER THAT IS SIGNED, NOT SIGNED, BUT IS  
17 NUMBER BY SLED 1523, 1524, 1525, 1526, AND 1527, FROM  
18 THE SLED NUMBERS WHICH INDICATE THAT THIS LETTER I'M  
19 GOING TO SHOW YOU INSTEAD OF DIGGING IT OUT, I WOULD  
20 ASK PERMISSION JUST TO SHOW A COPY?

21 MR. POPE: NO OBJECTION.

22 Q THIS LETTER WHICH AND I WON'T HAVE YOU READ IT  
23 ALL, BUT IT REFERS TO HAPPY BELATED MOTHER'S DAY,  
24 CORRECT?

25 A THAT'S CORRECT.

1 Q AND THIS LETTER IS NOT, DOESN'T HAVE DATE ON IT?

2 A THAT IS CORRECT.

3 Q AND IT ALSO REFERS TO WELL COURT COMES UP,  
4 FAMILY COURT IN LESS THAN THREE WEEKS?

5 A THAT IS CORRECT.

6 Q WHICH WAS ON JUNE SEVEN?

7 A THAT IS CORRECT.

8 Q BUT THE ENVELOPE THAT THIS LETTER CAME OUT OF  
9 WHEN SLED RETRIEVED IT, WAS AN ENVELOPE DATED MAY 7,  
10 IS THAT RIGHT?

11 A IT SAYS MAY 7, THAT IS CORRECT.

12 Q OKAY. AND ALL ACTUALITY THIS LETTER WHICH  
13 REFERS TO A HAPPY BELATED MOTHER'S DAY AND FAMILY  
14 COURT COMING UP IN LESS THREE WEEKS SHOULD BE IN THE  
15 MAY 20 ENVELOPE, CORRECT?

16 A THAT IS CORRECT.

17 Q AND THE MAY 20 ENVELOPE IS THE I AIN'T LYING  
18 ENVELOPE?

19 A THAT IS CORRECT.

20 Q AND THE MAY 20 ENVELOPE WAS THE ENVELOPE THAT  
21 AMY SIMMONS SAYS THE FORGED LETTER CAME IN?

22 A THAT IS CORRECT, SIR.

23 Q OKAY.

24 A IT EVEN STATES IT IN THAT LETTER THAT THE  
25 ENVELOPE SAYS RIGHT HERE, WHERE IT ACTUALLY SAYS I



1 HOPE YOU LIKED THE KITTENS AND THE LION. I HOPE, I  
2 DON'T EVEN SAY I HOPED, YOU LIKE I SAID I HOPE AS IN  
3 THIS IS WHAT WAS IN THE ENVELOPE THAT WAS SENT TO  
4 HER. HOW, IF SHE NEVER RECEIVED IT, HOW DO WE HAVE A  
5 COPY OF IT? THAT'S WHAT I'M SAYING. I WAS SET UP.  
6 THERE IS FURTHER PROOF.

7 Q AND THIS ENVELOPE DATED MAY 7, POST MARKED MAY 7  
8 TALK ABOUT HAPPY BELATED MOTHER'S DAY WHICH I BELIEVE  
9 WAS ON MAY 9?

10 A THAT'S CORRECT.

11 Q IT'S ALSO BEEN REFERENCE TO A LETTER THAT YOU  
12 WROTE TO AMY SIMMONS BY MR. POPE IN WHICH YOU  
13 DESCRIBE TO HER IN THE LETTER ABOUT ANOTHER INMATE  
14 COMING TO YOU PROPHECYING AND HAVING SEEN YOU?

15 A YES.

16 Q SOMETHING ABOUT YOU'RE GOING TO BE SELLING BOOKS  
17 AND MAKING LOTS OF MONEY OR SOMETHING LIKE THAT, YOU  
18 REMEMBER THAT?

19 A I REMEMBER THAT, YES, SIR.

20 Q NOW I'M GOING TO SHOW YOU WHAT'S BEEN IDENTIFIED  
21 BY SLED AS 1515 AND I'M NOT SURE WHICH ACTUAL COURT'S  
22 IDENTIFICATION NUMBER IT IS AND READ THOSE LAST, THAT  
23 SENTENCE RIGHT THERE?

24 A I SHARED WITH HIM THAT I AM KEEPING A JOURNAL  
25 AND HOPE TO PUBLISH IT. I TOLD HIM THAT I WAS CALLED

1 TO PREACH AND, AND THE PART ABOUT THE MONEY, I'M NOT  
2 SURE ABOUT SINCE I DON'T CARE ABOUT MONEY.

3 Q THANK YOU. NOW YOU DIDN'T KNOW THAT THEY WERE  
4 GOING TO HAVE COPY OF THESE OR INTRODUCE THESE OR  
5 ANYTHING?

6 A NO, SIR, I DIDN'T.

7 Q OKAY. AND YOU DIDN'T KNOW ANYTHING -- I'M  
8 SORRY.

9 A IF THE TRUTH BE KNOWN I WAS JUST GOING TO SAY  
10 THAT ALSO I PLANNED TO HELP OTHERS WITH WHATEVER  
11 MONEYS THAT I RECEIVE FROM MY BOOKS, IF THAT EVER  
12 HAPPENS.

13 Q NOW EVERYONE WANTS TO WRITE A BOOK AND MAKE A  
14 LOT OF MONEY?

15 A OF COURSE. AND IF IT HAPPENS AND I DO, THERE IS  
16 ACTUALLY TWO THINGS I'M ACTUALLY GOING TO DO. FIRST  
17 I'M GOING TO MARY SUE LOVED TO PLAY THE PIANO, SO I'M  
18 GOING TO SET UP TWO MUSICAL SCHOLARSHIPS WITH, WITH  
19 COLLEGES, ONE IN THE VIOLIN BECAUSE AMANDA PLAYED THE  
20 VIOLIN AND ONE WITH MARY SUE BECAUSE, FOR MARY SUE  
21 BECAUSE SHE PLAYED THE PIANO A LOT. THOSE ARE THE  
22 TWO MAIN THINGS I INTEND TO DO WITH ANY, ANY KIND OF  
23 MONEY THAT I GET.

24 Q DON'T FORGET ABOUT ME.

25 A WELL, YOU'D BE SURPRISED HOW MANY PEOPLE HAVE

1 ACTUALLY SAID THAT, DON'T FORGET ABOUT ME, BILLY.

2 Q BECAUSE ON THE FREEDOM TEAM YOU REALIZE THAT MR.  
3 BAITY AND I WERE APPOINTED TO REPRESENT YOU, RIGHT?

4 A THAT'S CORRECT.

5 Q YOU REALIZE THAT THESE PEOPLE RIGHT HERE ARE  
6 WORKING FOR FREE?

7 A I DO REALIZE THAT. AS A MATTER OF FACT, I CAN  
8 RECALL ON THE 15TH OF, GOD HAS WITH ME FOR A LONG  
9 TIME, I GUESS I'M GIVING MY TESTIMONY SO THIS IS THE  
10 PROPER TIME I GUESS TO DO THIS. I WILL SAY THAT ON  
11 15TH OF DECEMBER OF 2001 I PRAYED AND ASKED FOR A  
12 GOOD ATTORNEY AND I WAS APPOINTED MR. BAITY AND MR.  
13 BAITY HAS BEEN WITH ME EVER SINCE. TWO DAYS LATER I  
14 RECEIVED A LETTER STATING THAT HE WAS MY ATTORNEY.  
15 TWO DAYS AFTER I PRAYED THAT, AND HE HAS BEEN MY  
16 ATTORNEY EVER SINCE THE 17 OF DECEMBER 2001 AND SINCE  
17 THEN GOD HAS MOVED IN NUMEROUS PEOPLE INTO MY LIFE.  
18 I HAVE BEEN INVOLVED IN MANY THINGS IN THE JAIL WHERE  
19 I MET MANY INMATES, 500 OR MORE, A LOT OF THEM HAVE  
20 COME TO KNOW THE LORD.

21 Q DID YOU KNOW WHEN YOU STARTED WRITING, I'M GOING  
22 TO CHANGE THE SUBJECT ON YOU.

23 A ALL RIGHT.

24 Q DID YOU KNOW BEFORE YOU STARTED YOUR WRITING TO  
25 AMY SIMMONS --

1                   MR. POPE: YOUR HONOR, I OBJECT TO  
2 LEADING. IF HE WANTS TO ASK WHAT HE DID.

3                   THE COURT: I SUSTAIN THE OBJECTION.  
4 REPHRASE YOUR QUESTION.

5 Q BEFORE YOU STARTED WRITING TO AMY SIMMONS?

6 A THAT'S CORRECT, YES, SIR.

7 Q DID YOU REALIZE THAT SHE WAS IN TROUBLE?

8                   MR. POPE: OBJECTION, YOUR HONOR, DID YOU  
9 REALIZE.

10                  THE COURT: I SUSTAIN THE OBJECTION.

11                  MR. POPE: ASK HIM WHAT HE DID.

12                  MR. MORTON: THAT'S WHAT I AM GOING TO ASK  
13 HIM. I DON'T KNOW ELSE HOW TO ASK IT.

14 Q DID YOU KNOW THAT SHE WAS IN TROUBLE FOR FORGING  
15 SIGNATURES?

16                  MR. POPE: WHAT DID YOU KNOW, HE KNOWS HOW  
17 TO ASK A QUESTION.

18                  THE COURT: I'LL ALLOW THE QUESTION. GO  
19 AHEAD.

20 Q DID YOU KNOW SHE WAS IN TROUBLE FOR FORGING  
21 SIGNATURES AND DIVERTING NARCOTICS?

22 A NO, SIR. I FOUND OUT ABOUT A, PROBABLY ABOUT A  
23 MONTH, A MONTH AFTER, A MONTH BEFORE THIS TRIAL  
24 STARTED. IF THAT LONG.

25 Q MR. POPE IS VERY ELOQUENT AND ARTICULATE IN HIS

1       QUESTIONS AND HE ASKED YOU ONE TIME THAT YOU GAVE A  
2       STATEMENT THAT THE GREEN, THAT THIS GREEN THING  
3       WRAPPED AROUND HER THAT YOU WRAPPED THIS GREEN THING  
4       AROUND HER NECK TO MAKE IT LOOK GOOD?

5       A     I DIDN'T MEAN, I DIDN'T, TO MAKE IT LOOK GOOD?  
6       I SAID TO MAKE IT APPEAR TO BE AN ACCIDENT AND THAT'S  
7       WHAT I SAID IN ONE OF MY STATEMENTS.

8       Q     THAT'S WHAT YOU SAID TO THE POLICE?

9       A     THAT'S CORRECT.

10      Q     NOW WAS THAT ACTUALLY WHAT HAPPENED?

11      A     NO, THAT'S NOT WHAT HAPPENED.

12      Q     OKAY. HE ALSO TALKS ABOUT YOU WORKING ON YOUR  
13      INSANITY PLEA AND THIS IS YOUR INSANITY DAY AND SO  
14      FORTH; BILLY, THIS PROCESS FROM BEGINNING TO END WITH  
15      THE POLICE I THINK STARTED ON THAT THURSDAY MORNING  
16      AT ABOUT SIX O'CLOCK, CORRECT.

17                   MR. POPE: I OBJECT TO MR. MORTON  
18      TESTIFYING.

19                   MR. MORTON: I'M SORRY.

20      Q     WHEN DID YOU TALK TO THE POLICE THE FIRST TIME?

21      A     THE FIRST TIME? AT MY HOME THAT MORNING.

22      Q     WHEN DID YOU TALK TO THEM THE NEXT TIME?

23      A     ACTUALLY THERE WAS LIKE THREE OR FOUR DIFFERENT  
24      QUICK INTERVIEWS WITH DIFFERENT OFFICERS ASKING ME  
25      AND THIS AND THAT AT THE HOUSE. AFTER THAT I WAS

1 CARRIED DOWNTOWN.

2 Q WHEN DID YOU TALK TO MR. BURRIS?

3 A I TALKED TO MR. BURRIS AS SOON AS I GOT INTO, AS  
4 SOON AS I GOT -- WELL, ABOUT 30 MINUTES AFTER I GOT  
5 INTO THE POLICE STATION.

6 Q WHEN DID YOU VOLUNTARILY GO TO THE HOSPITAL?

7 A SHORTLY AFTER THAT. HE ASKED ME WOULD I GO DOWN  
8 TO THE HOSPITAL AND WOULD I BE WILLING TO DO A DNA  
9 SAMPLE AND I TOLD HIM, YES, SIR.

10 Q WHEN DID YOU COME BACK AND TALK TO MR. HERRING  
11 AND MR. BURRIS AGAIN?

12 A IMMEDIATELY AFTER THAT. I MEAN, THEY SENT ME  
13 OUT INTO THE LOBBY FOR A SHORT TIME. I'M STILL NOT  
14 SURE WHETHER THEY SENT ME TO THE LOBBY FIRST OR  
15 WHETHER I WENT AND TALKED TO HIM AND THEN WENT TO THE  
16 LOBBY OR WHETHER I WENT TO THE LOBBY THEN WAS CALLED  
17 TO HIM. THAT'S ONE THING I JUST CAN'T SEEM TO  
18 REMEMBER EXACTLY. I KNOW I REMEMBER MEETING THE  
19 PASTOR OUT THERE ONE TIME. I REMEMBER MEETING THE  
20 PASTOR OUT THERE AND THEN MY WIFE CAME OUT THERE ONE  
21 TIME SO I DON'T KNOW. I CAN'T REMEMBER AS TO WHETHER  
22 WHEN I COME BACK FROM THE HOSPITAL IF I WAS USHERED  
23 OUTSIDE AND THEN BROUGHT BACK IN OR WHETHER I WAS  
24 BROUGHT STRAIGHT IN AND TAKEN STRAIGHT TO HIS OFFICE.

25 Q AND AFTER YOU TALKED TO MR. BURRIS YOU LATER

1 TALKED IN THE AFTERNOON TO ANOTHER POLICE OFFICER AND  
2 A DSS WORKER WHO CAME TO YOUR HOUSE, IS THAT CORRECT?

3 A THAT IS CORRECT.

4 Q THEN I BELIEVE YOU TALKED --

5 A ACTUALLY I DIDN'T TALK TO THE POLICE OFFICER.  
6 THE POLICE OFFICER STOOD PROBABLY ABOUT AS FAR FROM  
7 HERE AS I AM TO HER. HE STOOD AT THE BOTTOM OF THE  
8 PORCH AND ME AND MARY SUE SIT IN THE CHAIR ON THE  
9 PORCH WITH THE, WITH MRS. HERRING.

10 Q AND THEN LATER THAT NIGHT YOU SPOKE WITH  
11 DETECTIVES WALDROP AND HERRING, CORRECT?

12 A THAT IS CORRECT, YES.

13 Q AND YOU SPOKE WITH THEM FOR ALMOST FOUR HOURS,  
14 CORRECT?

15 A YEAH. I SAY PROBABLY LONGER THAN, LONGER THAN  
16 FOUR HOURS.

17 Q AND DURING THAT INTERVIEW DID YOU, WERE YOU, DID  
18 YOU INSIST ON TAKING A POLYGRAPH?

19 A I INSISTED, I COUNTED I THINK 13 TIMES. I THINK  
20 IT'S ALSO BEEN STATED IN THE RECORD 13 TIMES.

21 Q OKAY. AND THEN THE NEXT MORNING YOU WERE TAKEN  
22 AND SPOKE TO MR. BAKER AND MR. HERRING AGAIN?

23 A THAT IS CORRECT.

24 Q AND YOU GOT OVER THERE ABOUT QUARTER TO TEN, IS  
25 THAT WHAT YOU SAID, OR TEN O'CLOCK?

1 A NO, IT WASN'T MR. BAKER. OH, YEAH, MR. BAKER.  
2 AT THAT TIME, YES. IT WAS, I WOULD SAY WE PROBABLY  
3 GOT THERE ABOUT RIGHT AROUND TEN, RIGHT AROUND TEN  
4 O'CLOCK, YES, SIR.

5 Q AND THAT INTERVIEW LASTED UNTIL 2:25?

6 A THE LEAST 2:25, YES.

7 Q OKAY. AND THEN ON DECEMBER THIRD YOU GAVE A  
8 STATEMENT TO MR. CABANISS AND MRS. BAKER AND, I'M  
9 SORRY, MRS. BLACKWELDER. THAT STATEMENT, STATEMENT  
10 IN THE AFTERNOON, LASTED FROM 1:30 UNTIL FIVE  
11 O'CLOCK.

12 A THERE WAS A SHORT, A SHORT ABOUT 45 MINUTES  
13 WHERE I ATE, ATE LUNCH IN BETWEEN THAT, BUT, YES,  
14 SIR, PRETTY MUCH.

15 Q MR. POPE HAD YOU, MR. COPE, READ THIS STATEMENT?

16 A THAT IS CORRECT.

17 Q OKAY. AND IT TOOK YOU THREE TO FOUR MINUTES TO  
18 READ THIS STATEMENT, RIGHT?

19 A THAT IS CORRECT.

20 Q WAS THIS A THREE OR FOUR MINUTE ORDEAL?

21 A NO, SIR.

22 Q TELL THE JURY WHAT YOU FELT LIKE AND WHAT YOU  
23 WENT THROUGH ON THOSE DAYS WHEN YOU GAVE THOSE  
24 STATEMENTS. HAD YOU EVER HAD YOUR DAUGHTER MURDERED  
25 AND RAPED IN YOUR HOME BEFORE?



1       A     NO, SIR, THAT WAS THE FIRST TIME.  I DIDN'T---I  
2       WAS SHOCKED.  I DIDN'T KNOW WHAT--I--I DIDN'T KNOW  
3       WHAT TO THINK.  I DIDN'T KNOW WHAT TO DO.  I DIDN'T  
4       KNOW WHAT TO DO SAY.  I DIDN'T KNOW HOW TO ACT.  I  
5       DIDN'T KNOW ANYTHING.  THEN I STARTED GETTING  
6       BOMBARDED WITH QUESTIONS.  IT STARTED OUT AS A  
7       INNOCENT INTERVIEW AND I THINK THAT LASTED MAYBE,  
8       MAYBE 30 MINUTES, MAYBE 30 MINUTES, AND THEN IT WENT  
9       INTO AN INTERROGATION.  THEY STARTED ACCUSING ME  
10      TALKING ABOUT, DO YOU, I THINK THERE WAS SOME  
11      QUESTIONS IN THERE WHERE THEY SAID DO YOU ACTUALLY,  
12      DO YOU HAVE SOMETHING THAT YOU NEED TO GET OFF YOUR  
13      CHEST.  DO YOU, IS THERE, IS THERE SOMETHING THAT THE  
14      LORD NEEDS TO, TO FORGIVE YOU FOR.  IS THERE  
15      SOMETHING YOU NEED TO TALK TO THE LORD ABOUT.  YOU  
16      KNOW, GOD ALMIGHTY ABOVE IS LOOKING DOWN ON YOU.

17      Q     SO HOW DID THAT MAKE YOU FEEL?

18      A     DURING THAT INTERVIEW I WAS ANGRY BECAUSE I  
19      HADN'T DONE NOTHING.  AND I KEPT STATING THAT.  NO,  
20      SIR.  NO, SIR.  NO, SIR.  NO, SIR, I DIDN'T.  NO,  
21      SIR.  AND I HAD ALL RESPECT FOR AUTHORITIES.  I THINK  
22      I COUNTED, OF COURSE, BECAUSE I'M THE ONE WHO  
23      REVEALED IT TO EVERYONE ELSE, 660 -- LORD FORGIVE  
24      ME -- 666 TIMES AND I ASKED, I ASKED YOU AND MR.  
25      BAITY NOT TO USE 666.  YOU USED 665 BECAUSE THAT WAS

1 THE, NOT A NUMBER THAT I LIKED.

2 Q OKAY. YOU ARE AWARE THAT ALL THIS EVIDENCE  
3 THAT'S COME BACK, THE BROOMS?

4 A YES. I AM AWARE OF IT, YES, SIR.

5 Q AND YOU ARE AWARE THAT THERE IS NO PHYSICAL  
6 EVIDENCE AT ALL ON THE BROOMS OR ON THE DILDO OR  
7 ANYTHING ELSE?

8 A THAT'S CORRECT, SIR.

9 Q WHY IS THAT?

10 A BECAUSE I DIDN'T DO NOTHING. BECAUSE I DIDN'T  
11 DO NOTHING AT ALL.

12 Q YOU KNOW THIS MAN?

13 MR. GREELEY: OBJECTION, THAT IS OUTSIDE  
14 THE SCOPE.

15 THE COURT: I SUSTAIN THE OBJECTION. I  
16 SUSTAIN THE OBJECTION, MR. MORTON.

17 MR. MORTON: YOUR HONOR.

18 THE COURT: I SUSTAIN THE OBJECTION, MR.  
19 MORTON.

20 Q HAVE YOU EVER SEEN THIS MAN?

21 MR. GREELEY: OBJECTION.

22 THE COURT: I SUSTAIN THE OBJECTION. YOU  
23 WENT OVER THIS ON DIRECT.

24 MR. MORTON: I THINK HE BROUGHT IT UP IN  
25 CROSS.

1 THE COURT: LET'S GET TO IT. HE'S  
2 ANSWERED IT BEFORE I THINK.

3 MR. MORTON: ALL RIGHT.

4 Q HAVE YOU EVER SEEN THIS MAN?

5 A WHEN?

6 Q BEFORE NOVEMBER 29 AND BEFORE YOU CAME TO JAIL?

7 A NO, SIR. BEFORE I CAME TO JAIL I DID NOT, I DID  
8 NOT SEE THIS MAN. AS A MATTER OF FACT, I WAS PLACED  
9 IN A CELL WITH THIS, IN A, IN THE JAIL WITH THIS MAN  
10 IN A ROOM AND DIDN'T EVEN KNOW WHO HE WAS. THAT  
11 HAPPENED IN JUNE OF 2002. I DID NOT KNOW WHO HE WAS.  
12 HE ACTUALLY TOLD ME HE KNEW --

13 MR. GREELEY: OBJECTION, YOUR HONOR.

14 THE COURT: I SUSTAIN THE OBJECTION.

15 MR. GREELEY: IT'S NOT RESPONSIVE TO THE  
16 QUESTION.

17 Q THAT'S GOOD. MR. COPE.

18 A YES.

19 Q ARE THESE LETTERS THAT YOU RECEIVED FROM --

20 A YES.

21 Q ---AMY SIMMONS. AND HOW DO YOU KNOW THAT THEY  
22 ARE LETTERS FROM AMY SIMMONS, DO YOU RECOGNIZE HER  
23 WRITING?

24 A YES, I DO.

25 Q AND DO YOU KNOW THAT THOSE ARE LETTERS THAT YOU

1 RECEIVED FROM HER?

2 A YES, I DO.

3 MR. MORTON: I WOULD MOVE TO INTRODUCE  
4 THESE AT THIS TIME, YOUR HONOR.

5 THE COURT: ANY OBJECTION?

6 A THAT'S THE FIRST LETTER, THE CHRISTMAS LETTER I  
7 WAS TALKING ABOUT. THAT'S THE VERY FIRST LETTER I  
8 RECEIVED FROM HER.

9 THE COURT: ANY OBJECTION?

10 MR. POPE: YES, SIR. I GUESS I WOULD  
11 OBJECT TO THE AUTHENTICITY OF IT. I UNDERSTAND  
12 MR. COPE HAD THESE LETTERS AND GAVE THEM TO THE  
13 DEFENSE THAT WE RECEIVED FROM THEM YESTERDAY. BUT MY  
14 OBJECTION IS AUTHENTICITY. HE'S SAYING THIS IS AMY'S  
15 HANDWRITING. AMY SIMMONS' HANDWRITING AND I'M NOT  
16 SURE HOW TO AUTHENTIC THAT.

17 A THESE ARE THE LETTERS --

18 THE COURT: WAIT. WAIT, MR. COPE. ALL  
19 RIGHT, MR. GREELEY.

20 MR. GREELEY: I HAVE AN OBJECTION, YOUR  
21 HONOR, BECAUSE I HAVE NO INFORMATION ABOUT THE  
22 CONTENT OF THE LETTERS.

23 THE COURT: I SUSTAIN THE OBJECTION.

24 Q MR. COPE, LET ME ASK YOU ABOUT THESE, ABOUT THE  
25 LETTERS.

1 A YES.

2 Q DID YOU--WHEN THIS LETTER, WHEN AMY CALLED  
3 CHARLENE BLACKWELDER AND TOLD HER THAT SHE HAD THIS  
4 LETTER, STATE'S EXHIBIT 96?

5 A CAN I SEE THE ORIGINAL?

6 Q WELL.

7 A WHILE YOU ARE HOLDING THAT UP I JUST WANT TO SEE  
8 THE ORIGINAL TO THAT. YES.

9 Q STATE'S EXHIBIT 89?

10 A YES.

11 Q CORRECT?

12 A THAT'S CORRECT.

13 Q AND YOU WERE ASKED TO GIVE HANDWRITING  
14 EXEMPLARS, WERE YOU NOT?

15 A I WAS.

16 Q AND DID YOU VOLUNTEER TO DO THAT?

17 A OF COURSE, I DID. I STARTED OFF ---CAN I SEE  
18 THE OTHER LETTERS A SECOND.

19 Q WHICH ONES?

20 A THE ONES THAT SHE WROTE ME.

21 THE COURT: WAIT JUST A MINUTE. NOW THE  
22 WAY THIS WORKS, HE'S GOING TO ASK YOU QUESTIONS.

23 A I'M SORRY. I JUST WANTED TO SEE THE ORIGINALS.

24 THE COURT: YOU GOT TO ANSWER QUESTIONS.

25 Q YOU VOLUNTEERED TO GIVE YOUR HANDWRITING

1 EXEMPLARS TO --

2 A I DID.

3 Q AND YOU'RE AWARE THAT WE REQUESTED FINGERPRINTS  
4 BE TAKEN ON THOSE LETTERS, CORRECT?

5 A YES, I'M AWARE OF THAT.

6 Q OKAY. I'M GOING TO SHOW YOU THESE LETTERS FROM  
7 MS. SIMMONS AGAIN.

8 A RIGHT.

9 Q AND ASK YOU TO TAKE A LOOK AT THEM.

10 A THAT'S CORRECT. I SEE THEM.

11 Q DO YOU RECOGNIZE THEM?

12 A I DO RECOGNIZE THEM. I RECOGNIZE THEM AS BEING  
13 THE VERY LETTERS THAT SHE WROTE ME. THERE IS CARDS.  
14 ONE WITH --

15 THE COURT: HE JUST ASKED YOU IF YOU  
16 RECOGNIZE THEM?

17 A YES, I RECOGNIZE THEM.

18 Q HOW DO YOU RECOGNIZE THEM?

19 A I RECOGNIZE THEM BECAUSE THESE ARE THE VERY  
20 LETTERS THAT CAME IN THE VERY ENVELOPES THAT HAD HER  
21 NAME ON THEM.

22 Q ARE THOSE, DO THOSE LETTERS CONTAIN THE CONTENTS  
23 OF THE LETTERS THAT SHE WROTE TO YOU?

24 A THAT IS CORRECT. THESE LETTERS, THESE VERY  
25 LETTERS THAT I HANDED YOU, ALL THE LETTERS THAT SHE

1           WROTE ME.

2           Q     DO THEY CONTAIN THE SUBSTANCE OF WHAT SHE WROTE  
3           YOU?

4           A     YES, THEY DO.

5           Q     OKAY.  CAN YOU TELL FROM LOOKING AT THOSE  
6           LETTERS THAT THOSE ARE THE LETTERS THAT ARE  
7           DISTINCTIVE TO HER?

8           A     YES.  THEY HAVE JAMIE'S NAME ON THEM.  THEY  
9           HAVE--- YES, THEY DO.

10                   MR. MORTON:  YOUR HONOR, I MOVE TO  
11           INTRODUCE THOSE LETTERS, YOUR HONOR, UNDER RULE 901.

12                   THE COURT:  901 B TWO.

13                   MR. MORTON:  AND B FOUR.

14                   MR. GREELEY:  YOUR HONOR, I STILL HAVE MY  
15           OBJECTION.  I HAVE NO IDEA WHAT THE CONTENT IS IN THE  
16           LETTERS.  I'VE NEVER SEEN THEM.

17                   THE COURT:  I SUSTAIN THE OBJECTION.

18                   MR. MORTON:  I'M SORRY?

19                   THE COURT:  I SUSTAIN THE OBJECTION.  MR.  
20           GREELEY HADN'T SEEN THEM.

21                   MR. MORTON:  OKAY.

22                   THE COURT:  HADN'T HAD A CHANCE TO REVIEW  
23           THEM.

24                   (HANDED TO MR. GREELEY.)

25                   MR. GREELEY:  JUST FOR THE COURT TO KNOW,

1       THESE ARE A NUMBER OF LETTERS WITH A NUMBER OF PAGES  
2       AND IT IS GOING TO TAKE ME JUST A FEW MINUTES TO READ  
3       THEM.

4                   MR. MORTON:   YOUR HONOR, THAT'S ALL I HAVE  
5       OF THIS WITNESS.   IF YOU WANT TO DO THAT.

6                   THE COURT:   OVER LUNCH?

7                   MR. MORTON:   YES, SIR.

8                   THE COURT:   ALL RIGHT.   LET'S SEE.   WELL,  
9       YOU MIGHT HAVE SOME RECROSS.   WE'LL BREAK FOR LUNCH  
10      THEN.   IT'S 12:20.   LET'S BE BACK AT, LET'S SAY 1:30.

11                                (THE JURY EXITS THE COURTROOM AT 12:20  
12      PM.)

13                   THE COURT:   ANYTHING FROM THE STATE BEFORE  
14      LUNCH?

15                   MR. POPE:   NO, SIR, YOUR HONOR.

16                   THE COURT:   THE DEFENSE.

17                   MR. MORTON:   NO.

18                   THE COURT:   MR. GREELEY.

19                   MR. GREELEY:   NO, YOUR HONOR.

20                   THE COURT:   WE'LL RECONVENE AT 1:30

21      MR. COPE, YOU CAN STEP DOWN.

22                                (COURT'S IN RECESS AT 12:20 PM.)

23                                (COURT RESUMES AT 01:36 PM.)

24                   MR. MORTON:   WE HAD MOVED TO INTRODUCE  
25      THESE LETTERS.



1 THE COURT: ALL RIGHT. ANY OBJECTION?

2 MR. GREELEY: I'VE HAD A CHANCE. I'M  
3 SORRY.

4 THE COURT: ANY OBJECTION, THE STATE  
5 OBJECTS I BELIEVE.

6 MR. POPE: AS TO AUTHENTICITY. I MEAN, I  
7 UNDERSTAND IT COMPORTS, MY CONCERN IS, I DON'T OPPOSE  
8 WHETHER THEY ARE IN OR OUT. MY CONCERN IS I'M NOT  
9 STIPULATING THEY ARE AUTHENTIC.

10 THE COURT: ALL RIGHT. MR. GREELEY.

11 MR. GREELEY: YOUR HONOR, I HAVE HAD A  
12 CHANCE TO REVIEW THE LETTERS OVER LUNCH AND I HAVE NO  
13 POSITION.

14 THE COURT: I THINK UNDER THE RULES THAT,  
15 THEY'VE BEEN MAYBE NOT AUTHENTICATED COMPLETELY, THEY  
16 AT LEAST FALL WITHIN THE RULES, SO I'M GOING TO ALLOW  
17 THEM IN. ALL RIGHT. READY FOR THE JURY.

18 MR. MORTON: YES, SIR.

19 (DEFENSE EXHIBIT NUMBER 75 LETTERS IN  
20 A MANILA FOLDER WITH LETTERS RECEIVED IN EVIDENCE.)

21 (THE JURY RETURNS TO THE COURTROOM.)

22 MR. MORTON: WITHOUT OBJECTION I BELIEVE  
23 THAT WE WANTED TO INTRODUCE THESE PHOTOGRAPHS OF THE  
24 HOLDING CELL THAT MR. COPE WAS IN.

25 THE COURT: YOU WANT TO GET HIM TO

1 IDENTIFY THEM FIRST?

2 REDIRECT EXAMINATION BY MR. MORTON:

3 Q MR. COPE, DO YOU RECOGNIZE THESE PHOTOGRAPHS?

4 A YES, SIR. THIS IS THE FRONT OF --

5 Q ARE THOSE THE HOLDING CELLS --

6 A I THINK IT'S THE ACTUAL SAME HOLDING CELL.

7 THE COURT: ANY OBJECTION?

8 MR. POPE: NO OBJECTION, YOUR HONOR.

9 MR. GREELEY: NO OBJECTION, YOUR HONOR.

10 THE COURT: BE RECEIVED WITHOUT OBJECTION.

11 (DEFENSE EXHIBIT 76 PHOTOGRAPH  
12 RECEIVED INTO EVIDENCE.)

13 THE COURT: THE LETTERS ARE IN SUBJECT TO  
14 MY RULING OVER OBJECTION.

15 MR. MORTON: THAT'S ALL I HAVE.

16 RECROSS EXAMINATION BY MR. POPE:

17 Q JUST QUICKLY, MR. COPE. THE LETTERS MARKED  
18 DEFENSE EXHIBIT 75, WHAT ARE THESE LETTERS? YOU'VE  
19 INDICATED BEFORE THE JURY WENT OUT, DID YOU LOOK AT  
20 THAT AND TELL ME WHAT THOSE ARE?

21 A THESE ARE LETTERS AND CARDS THAT AMY WROTE ME OR  
22 SENT ME. I RECOGNIZE THEM ALL AS SUCH.

23 Q OKAY. AND SO YOU RECEIVED THOSE HERE AT MOSS  
24 JUSTICE CENTER?

25 A YES, SIR.

1 Q IS THIS ALL THE LETTERS THAT SHE WROTE YOU?

2 A THAT'S ALL -- YES, SIR, BECAUSE THAT'S ALL THAT  
3 I HAVE. I MEAN I DON'T KNOW IF THAT IS EVERY ONE OF  
4 THEM THAT'S BEEN INTRODUCED INTO, YOU KNOW, THE ONES  
5 THAT HAVE BEEN INTRODUCED INTO EVIDENCE, THAT'S ALL I  
6 GAVE MY ATTORNEY. I CAN'T SAY THAT THAT'S, YOU KNOW,  
7 THEY WERE IN YOUR POSSESSION OR IN, IN THE  
8 SOLICITOR'S OFFICE POSSESSION AFTER THEY WERE PAST, I  
9 MEAN, THEY WERE JUST PAST TO MY ATTORNEY JUST A FEW  
10 MINUTES AGO. I CAN'T SAY WHETHER THEY ARE ALL THERE  
11 NOW.

12 Q LET ME JUST MAKE SURE I UNDERSTAND, YOU GAVE  
13 THEM TO YOUR ATTORNEY WHEN?

14 A SOMETIME BACK AFTER, IF I HAD MY BOOK, I CAN  
15 TELL YOU EXACTLY WHEN.

16 Q LET ME GET YOUR BOOK FOR YOU.

17 A ACCORDING TO MY RECORDS JUNE THIRD.

18 Q JUNE THIRD YOU TOOK THESE LETTERS THAT YOU  
19 RECEIVED FROM MS. SIMMONS AND GAVE THEM TO YOUR  
20 ATTORNEYS, RIGHT?

21 A THAT IS CORRECT.

22 Q AND YOU GAVE THEM ALL OF THE LETTERS YOU'VE  
23 RECEIVED FROM MS. SIMMONS?

24 A THAT IS CORRECT.

25 Q OKAY. I'M GOING TO ASK YOU IF YOU'D TAKE A

1 LOOK. I NOTICE THIS HERE ON TOP HERE IT HAS TWO  
2 CIRCLED. IT SAYS FRIEND PERIOD I HAD PHYSICAL  
3 THERAPY THIS MORNING. COULD YOU TELL ME, AND I KNOW  
4 THEY APPEAR TO BE MIXED UP THERE, COULD YOU TELL ME  
5 WHERE SIDE ONE IS TO THAT?

6 A I DON'T SEE PAGE ONE FOR THIS ONE.

7 Q WAS THERE A PAGE ONE FOR THAT ONE?

8 A YES, THERE WAS.

9 Q OKAY. DID YOU TURN THAT OVER TO YOUR ATTORNEY?

10 A I WOULD THINK SO, YES. I MEAN, THEY WERE ALL  
11 PUT BACK IN THE ENVELOPES, PUT BACK IN THE THING. I  
12 WOULD SAY, YES, THEY WERE. I DON'T KNOW.

13 Q SO WITH THE EXCEPTION OF THAT PAGE ONE, THAT'S  
14 EVERYTHING YOU RECEIVED FROM AMY SIMMONS?

15 A WITHOUT GOING BACK TO MY JOURNAL WHICH IS.

16 Q YOU HAVE YOUR JOURNAL THERE WITH YOU?

17 A NO. I DON'T, I AIN'T KEPT UP WITH, THIS IS MY  
18 COURT JOURNAL. THIS WASN'T LETTERS AND STUFF LIKE.  
19 I KEPT THOSE IN MY JOURNAL ABOUT EACH DAY AND THOSE  
20 ARE IN MY ROOM.

21 Q OKAY.

22 A WITHOUT THAT I COULDN'T TELL YOU EXACTLY THAT  
23 THIS WAS THE, FOR A KNOWN FACT, THAT THIS WAS ALL THE  
24 LETTERS. I MEAN, I DON'T KNOW SOME HAS BEEN REMOVED.

25 Q SO YOU GAVE ALL THESE TO YOUR ATTORNEY BUT THESE

1 MAY NOT BE ALL OF THEM, IS THAT CORRECT?

2 A I CAN ONLY SAY THAT THESE HERE THAT ARE SITTING  
3 HERE DOES NOT SHOW ALL OF THE LETTERS BECAUSE OF THAT  
4 ONE PAGE IS MISSING. BUT I MEAN, THAT'S ALL I CAN  
5 SAY.

6 Q THANK YOU, SIR. LET ME ASK YOU REAL QUICK. YOU  
7 TALKING ABOUT YOUR JENNY CRAIG PLAN?

8 A THAT'S CORRECT.

9 Q WHEN YOU WERE BOOKED IN AT THE JAIL YOU GAVE  
10 THEM YOUR HEIGHT AND WEIGHT AND ALL THAT STUFF AT THE  
11 JAIL WHEN YOU ARE BOOKED IN DOWN AT ROCK HILL CITY,  
12 IS THAT RIGHT?

13 A SOMEWHERE AROUND THERE.

14 Q SIR?

15 A I SAY YEAH. YOU MEAN AT THE ROCK HILL CITY.

16 Q RIGHT.

17 A I DON'T REMEMBER GIVING THEM MY WEIGHT AND ALL  
18 THAT.

19 Q DO YOU REMEMBER GIVING THEM HEIGHT 5'11" AND  
20 WEIGHT 330?

21 A NO, SIR. I DON'T EVER REMEMBER TELLING THEM 330  
22 BECAUSE I KNEW I WAS 365.

23 Q I THOUGHT YOU WERE 385?

24 A IT WAS 365.

25 Q OKAY.

1 A THAT'S WHAT THEY HAVE ME HERE AT THE JAIL. 385

2 IS WHAT I WAS THE LAST TIME I WENT TO THE DOCTOR.

3 Q THANK YOU, SIR.

4 THE COURT: MR. GREELEY.

5 MR. GREELEY: NO QUESTIONS, YOUR HONOR.

6 THE COURT: YOU CAN STEP DOWN, MR. COPE.

7 AT 01:48 PM.