

1 WHEREUPON, BEVERLY REYNOLDS, a witness called by and on behalf
2 of the State, testified as follows:

3 DIRECT EXAMINATION: By Mr. Salmon

4 Q Now, your name is Beverly Reynolds?

5 A Yes, sir.

6 Q Miss Reynolds, your mother's name was Grace Reeves,
7 is that right?

8 A Yes, sir.

9 Q And your stepfather, is he Gary Reeves?

10 A Yes, sir.

11 Q Now if you don't mind, speak up a little bit, because
12 this lady is having to record all of this as it's said. And
13 is Gary Reeves your stepfather?

14 A Yes, sir.

15 Q Is that Gary Reeves sitting by his attorney
16 there?

17 A Yes, sir.

18 Q Now, let me call your attention back to the 13th
19 day of August of this year and ask you whether or not you
20 had occasion to see any difficulty or not between your mother
21 and Gary Reeves?

22 A I don't understand what you mean.

23 Q Well, did you see any trouble between the two?

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A No, sir.

Q What was it that happened there then?

A Well, we left the tavern and as we got home, we was all sitting out on the front porch.

Q Now who was we that was there on the front porch?

A Gary and Mother.

Q All right. And yourself?

A And a friend, Richard Holcombe.

Q Richard Holcombe?

A Yes, sir. And my sister, Charlotte Reynolds and me and Bobby Salmon.

Q Okay.

A And we were all sitting out there talking. And Richard Holcombe, he went home Bobby Salmon, he went in the house. He went to bed. And Gary was out there. He was talking about shooting lights out over the Kay's and mother told him he wasn't going to do it. Go on in the house and go to bed. And Charlotte went on in and made her a bed on the couch. And I went on in and laid down on the bed in my bedroom. They built my bedroom on the back porch. And I was laying there playing some records and they came in. Mother was going into the bedroom of their little boy and Gary wouldn't let her. They had an

1 argument, and I just don't know what it was about. I didn't
2 hear the argument.

3 Q All right. Now the little boy is == was that your
4 mother's son?

5 A Yes, sir. Gary and hers.

6 Q All right.

7 A And they came into the kitchen. He said he was
8 going to go down to the Waffle House and get him something
9 to eat.

10 Q That's Gary?

11 A That was Gary. And she told him that he shouldn't
12 because he would get caught for D.U.I. He got mad. They
13 came into the kitchen. He was wanting her to cook something
14 to eat. And she turned the stove on to light her a
15 cigarette. And I imagine she turned around or something
16 because she said, I knew the day would come. And Gary
17 said, it is here. And that's when the first shot was
18 fired.

19 Q And where were you when the first shot was fired?

20 A Laying on the back porch on the bed.

21 Q Now when the first shot was fired, could you see your
22 mother and your stepfather at that time?

23 A No, sir.

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12 because he would get caught for D.U.I. He got mad. They
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14 to eat. And she turned the stove on to light her a
15 cigarette. And I imagine she turned around or something
16 because she said, I knew the day would come. And Gary
17 said, it is here. And that's when the first shot was
18 fired.

19 Q And where were you when the first shot was fired?

20 A Laying on the back porch on the bed.

21 Q Now when the first shot was fired, could you see your
22 mother and your stepfather at that time?

23 A No, sir.

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Q Now after the first shot was fired, what, if anything, did you do?

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A I jumped out.

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Q And where did you go?

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A I come to the back door.

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Q And who did you see when you did that?

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A Gary.

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Q And where was your mother then?

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A She was standing up.

10

Q And what was Gary doing?

11

A He was still holding the gun.

12

Q Had the gun pointed at her?

13

A Yes, sir.

14

Q Was that a rifle, shotgun, pistol?

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A No, sir, it was a .38.

16

Q Had you seen that gun before?

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A Yes, sir.

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Q Now after you saw them there, what happened then?

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A Well, he kept shooting and she fell

20

Q And where did == you say Gary kept shooting, where did

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he have the gun pointed when he was shooting?

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A He had it pointed at her. It hit her in the chest,

23

the second shot.

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1 Q Now after the first shot was fired, what, if anything,
2 did you do?

3 A I jumped out.

4 Q And where did you go?

5 A I come to the back door.

6 Q And who did you see when you did that?

7 A Gary.

8 Q And where was your mother then?

9 A She was standing up.

10 Q And what was Gary doing?

11 A He was still holding the gun.

12 Q Had the gun pointed at her?

13 A Yes, sir.

14 Q Was that a rifle, shotgun, pistol?

15 A No, sir, it was a .38.

16 Q Had you seen that gun before?

17 A Yes, sir.

18 Q Now after you saw them there, what happened then?

19 A Well, he kept shooting and she fell.

20 Q And where did == you say Gary kept shooting, where did
21 he have the gun pointed when he was shooting?

22 A He had it pointed at her. It hit her in the chest,
23 the second shot.

- 1 Q And about how far away or how close?
- 2 A As close as from me to you.
- 3 Q A little more than arms length?
- 4 A Yes, sir.
- 5 Q Now, after == how many shots did you actually see
- 6 fired after you got in and saw them there?
- 7 A Four.
- 8 Q You actually saw four shots fired?
- 9 A Yes, sir.
- 10 Q And what happened after the last shot was fired?
- 11 A He walked out of the kitchen. He turned off the
- 12 light and walked out of the kitchen.
- 13 Q Now at what point in time that you've described here
- 14 did your mother fall, if she ever fell?
- 15 A She fell after the second shot.
- 16 Q After the second shot?
- 17 A Yes, sir.
- 18 Q After the second shot you saw or the second shot you
- 19 heard?
- 20 A I saw all of it.
- 21 Q You were on the back porch, I believe, when you heard
- 22 the first shot?
- 23 A Yes, sir, I was laying down and she didn't even let out

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Q Now this occurred on == out here on Maple Street?

A Yes, sir.

Q And that is in the City of Rome, Floyd County?

A Yes, sir.

Q As best to your recollection, was that on the 13th of August, about that time?

A Yes, sir.

Q About what time of the day or night was it? That this thing happened?

A It was about 2:15.

Q In the ==

A In the morning.

Q Okay, that would be in the dark hours?

A Yes, sir.

Q I don't have any more questions. This lawyer here may have a few questions.

CROSS EXAMINATION: By Mr. Kermish

Q You say you all left together from where? I didn't quite catch that.

A Maple Street.

Q All four of you were together at that time?

A Yes, sir.

1 you got there?

2 A Charlotte Reynolds, my sister Bobby Salmon, her
3 fiancée and Richard Holcombe, a good friend of Bobby's.

4 Q All right, and you all sat outside on the porch?

5 A Yes, sir.

6 Q And then who left? Richard left?

7 A Richard left, and went home.

8 Q All right, that left your sister's fiancée, you, your
9 mother and Gary?

10 A Yes.

11 Q Is that correct?

12 A (Nods head yes).

13 Q What happened then? Where did you go after you left
14 the porch?

15 A Where did I go?

16 Q Yes.

17 A Straight to my bedroom.

18 Q And what did == you said you turned on your record
19 player?

20 A Yes, sir.

21 Q Where is your bedroom to the kitchen?

22 A It's right there at the back door out of the kitchen.

23 Q Is there a door that leads from the kitchen to the
bedroom?

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Q Okay.

A And she was standing at the stove and he was over here to the sink and the door is right here (Indicating).

Q Could either one of the two people see you from where you were?

A She couldn't.

Q She didn't.

A She couldn't.

Q And could Gary Reeves see you from where you were standing in your doorway?

A Yes, sir.

Q So he was aware of the fact that you were standing in the doorway watching what was occurring in the kitchen?

A No, sir. He didn't even look at me.

Q Well, we won't go into that. You don't know that he didn't see you?

A No.

Q It is possible to see that doorway from where he was standing?

A Yes, sir.

Q There were five shots fired altogether?

A Yes, sir.

Q And did your sister come out?

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No.

No one else came out but you?

No one else until Gary was gone.

And what did you do while this was going on?

I couldn't do anything. I was scared to do anything.

Did you think about waking your sister, calling for help?

No, sir.

She was in another part of the house on the other side of the house.

Did you run out and try to get help?

No, sir.

After you say you saw Gary Reeves shoot your mother, he just walked out?

He switched off the light.

And he had the gun with him at that time?

Yes, sir.

Did you say that was a .38?

Yes, sir.

How did you know it was a .38?

Because I saw the gun before.

All right, and he walked out with that?

(Nods head yes).

Then what did you do after Gary Reeves left the house?

1 A I went into my sister. I went in there and she told
2 me to call the police.

3 Q Did you?

4 A So I called them.

5 Q Have you discussed this thing with anyone before?

6 A No.

7 Q This is the first time you've told anybody this story?

8 A No, sir.

9 Q I don't understand. No, sir, it is or no, sir, it
10 isn't?

11 A I described it to Detective Barnette.

12 Q Is he the only person you've talked to?

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A I went into my sister. I went in there and she told me to call the police.

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A No.

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A No, sir.

Q I don't understand. No, sir, it is or no, sir, it isn't?

A I described it to Detective Barnette.

Q Is he the only person you've talked to?

A Yes, sir.

Q About this?

A Yes.

Q Have you made any statments about the defendant to anyone else?

A No, sir.

MR. KERMISH: I don't believe I have any more questions of the witness.

Q (By Mr. Salmon) One other thing. Were you there when the police officers arrived?

A Yes, sir.

1 Q And in regard to any discussion that you've had with
2 anyone else, just to keep the record straight; do you recall
3 whether I read from the statement and pointed out the points
4 that I was going to go over with you?

5 A I don't understand it.

6 Q I say this in order to keep the record straight, let
7 me ask you whether or not I referred to the file in explain-
8 ing the questions that I was going to ask you just a moment
9 ago, and went over that I was going to ask you so and so and
10 so and so?

11 A Yes, sir.

12 Q But as far as you telling me what happened, you
13 didn't do it, did you? Or did you?

14 A Yes, sir. I told you what happened.

15 Q Okay.

16 MR. SALMON: So that you can see, Mr. Kermish
17 what I was talking about, I am handing you a
18 copy of the statement I was referring to when
19 I was reading it to her.

20 MR. KERMISH: I can have this for my file?

21 MR. SALMON: No. That's the only one I have.

22 MR. KERMISH: I thought this was a copy.

23 MR. SALMON: No. That is all the questions.

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You can come down.

MR. SALMON: Step back out just a minute. Come back up to the stand. Raise your right hand. Do you solemnly swear that the evidence you have given here in this preliminary matter in the State versus Gary Reeves charged with murder to be the truth, the whole truth and nothing but the truth so help you God?

A Yes, sir.

Q Now is the testimony that you have just given, the statement you have just made, on the record here, when I had not given you the oath, is that true or not?

A Yes, sir.

MR. SALMON: I don't care to go back into it, but she's ==

MR. KERMISH: I do, and if I might just ask her one question.

CROSS EXAMINATION: By Mr. Kermish

Q As to the time this occurred and the time you called the police; did you make a statement of time before, and I know you said you left the tavern around twelve. Do you know what time it was you actually called the police?

1 A No, sir, I don't.

2 Q Well, I'm sorry. I thought you had just stated a time
3 a little earlier.

4 MR. SALMON: It is the truth to the best of
5 your knowledge and belief.

6 THE WITNESS: Yes, sir.

7 MR. SALMON: All right. Now you can come down.

8 -----
9 WHEREUPON, MR. LARRY TREGLOWN, a witness called by and on
10 behalf of the State, after having first been duly sworn,
11 testified as follows:

12 DIRECT EXAMINATION: By Mr. Salmon

13 Q Now you're Larry Treglown of the City of Rome Police
14 Department?

15 A Yes, sir.

16 Q Mr. Treglown, do you know Gary Reeves when you see him?

17 A Yes, sir.

18 Q Is that Gary Reeves seated here by his lawyer?

19 A Yes, sir.

20 MR. SALMON: Let the record reflect that the
21 witness identified the defendant.

Q Now, I call your attention back to == back around the
13th of August of 1974, and ask you if you had occasion or not

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1 to go to Mr. Reeves' home? 3
0

2 A Yes, sir, I did.

3 Q And who was the first person you saw when you arrived
4 there that you recall?

5 A It was Cheryl Reynolds.

6 Q All right. And don't go into any words that passed
7 back and forth between you, but did you get a report of some
8 kind from her.

9 A Yes, sir.

10 Q And as a result of that report, what did you do, where
11 did you go?

12 A At that time we went into the home.

13 Q What did you find?

14 A We went to the kitchen, and we found immediately, I
15 believe her first name was Grace.

16 Q Grace Reeves?

17 A Yes, sir. She was lying on the floor in a pool of blood

18 Q What movements, if any, did she appear to be making?

19 A She didn't have any movements.

20 Q What sounds, if any, did she appear to be making at
21 that time?

A No sounds.

Q Did she appear to be breathing or not?

1 A No, sir, she did not.

2 Q She appeared to be dead or alive?

3 A She appeared to be dead.

4 Q And what kind of wounds, if any, did you observe there
5 at that time?

6 A The only particular wounds I observed it looked like
7 she had one in the upper neck.

8 Q Had what in her upper neck?

9 A A wound.

10 Q And what time of the day or night was it that you
11 arrived there?

12 A It was approximately 2:15 a.m.

13 Q Okay. And that's in the City of Rome, Floyd County,
14 Georgia?

15 A Yes.

16 Q You mention a Charlotte Reynolds, did you see Beverly
17 Reynolds there?

18 A Yes, she also goes by the name of Charlotte.

19 Q Did you see either of the people here?

20 A Yes, sir.

21 Q All right. Which one did you see?

A I know the two ladies there on the end as Charlotte
10 and the other one is Cheryl.

1 Q Okay. The two ladies on the end you know both of them
2 as Charlotte?

3 A Yes, sir.

4 Q Which of the two did you first see there, the one on
5 the end or the one sitting next to her?

6 A The one sitting next to her.

7 Q And for the records that is, Mrs. Reporter, Beverly
8 who just testified.

9 MR. SALMON: No further questions, Your Honor.
10 -----

11 CROSS EXAMINATION: By Mr. Kermish

12 Q You arrived and found the victim == appeared to be
13 in a lifeless state?

14 A Yes, sir.

15 Q Did you bother to call an ambulance then?

16 A Yes, sir.

17 Q Had one already been called?

18 A Not to my knowledge.

19 Q And you say you were called at about 2:15 is when you
20 got there?

21 A About probably 2:15, yes, sir.

Q Did you do any ballistics work at the time in that you
looked for slugs or that sort of thing?

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A No, sir, I did not.

Q Do you have with your own knowledge the number of shots that were fired?

A No, sir.

Q After you got the call, what did you then do?

A We were met in the driveway by the young girl, and she made a statement to us. We went into the house, and we left the house and went to Park Road.

Q You were the arresting officer?

A I was in the party, yes, sir.

Q And how did you know to go to Park Road?

A We were told at the scene that Gary's mother and daddy lived there on Park Road and he could be there.

Q And he was, in fact, at Park Road?

A Yes, sir.

Q And were you present when Mr. Reeves was placed under arrest?

A Yes, sir.

Q Did he come along voluntarily?

A Yes, sir.

Q Thank you.

MR. KERMISH: No further questions. You may come down.

1 MR. SALMON: Your Honor, the State rests.

2 -----
3 WHEREUPON, MRS. REEVES, after having first been duly sworn,
4 testified as follows:

5 DIRECT EXAMINATION: By Mr. Kermish

6 Q Mrs. Reeves, on the night that the police arrived at
7 your house, did you have a chance to see your son before the
8 police arrived?

9 A Yes.

10 Q If you will, speak up, please.

11 A He was in bed when they came.

12 Q All right. Did he make any statements to you?

13 A Huh-uh.

14 Q Were you able to observe him for == as he came in, did
15 you see him at all?

16 A I was in bed and Gary and his baby came in, and they
17 went to bed.

18 Q They just came in and went straight to bed?

19 A Right.

20 Q Okay.

21 MR. KERMISH: That's all the questions.

22 MR. SALMON: We have none.

23 THE COURT: All right. You may come down,