

DATE: MARCH 1, 2000
TIME: 9:45 A.M.
CASE: HOMICIDE - #00-0255

THE FOLLOWING IS AN INTERVIEW CONDUCTED BY DET. JIM MOSER OF THE ROME POLICE DEPARTMENT WITH BARRY MULLINAX IN REFERENCE TO THE HOMICIDE OF ISAAC DAWKINS.

MOSER: This is Det. Jim Moser along with Lt. Debbie Burnett at the Floyd County Jail, today is Wednesday, March 1, the year 2000, the time is 9:45 a.m. and with me is Mr. Barry Mullinax. And Mr. Mullinax is here to uh, relate some information that he has concerning the incident involving the shooting death of one Isaac Dawkins on January 11, year 2000. Uh, Barry let me just start uh, by saying that you have uh, made a, an outcry, you made a step to contact someone to give them information and that's the reason why we're here, I think you had spoke with uh, Lieutenant Payne?

MULLINAX: Yes sir.

MOSER: Okay. And uh, we're all yours. You can just start off however you want.

MULLINAX: Well what it is on-on January 11t of this year, I was coming back from Cedartown which is Polk County.

MOSER: Uh-huh.

MULLINAX: I's coming back, well as I was coming to the hill right there near the Peanut Factory and stuff I had happened to see two cars, a truck and small car speeding. I didn't really think nothing about it till the truck speed by me and then the car come back by me and whooped out in front of me, and the next thing I know I heard-I seen this arm stick out the window and I seen a gunshot. I seen this other car run off the road going off to oncoming traffic going up the little hill.

So I's going down to catch up with the truck, the little car that had shot through the window of the truck. He turned around right there near the Lighthouse Church, turned back around, went back up to the left. And I seen, I don't know who the woman is, but I seen Joey Watkins in that truck. I don't know if he shot or the woman shot.

MOSER: Now you said—in a truck—.

MULLINAX: Yeah, no, he shot the man in the truck.

MOSER: Okay.

MULLINAX: They was in the small car.

MOSER: Okay.

MULLINAX: I don't know who shot the man in the truck—

MOSER: (inaudible).

MULLINAX: --all I know is I seen the gunshot come from the driver's side window.

MOSER: All right, do you have any idea about what time this was?

MULLINAX: It had to be right at, right after dark, not long after it gets dark.

MOSER: Okay. Uh—

MULLINAX: I want to say—

MOSER: You got any approximate time frame you think it was around pitch dark?

MULLINAX: I want to say about, I want to say about 7:30, 7:15 or 7:30. It ain't been too long ago I was on my way back from Cedartown.

MOSER: Were you with anyone?

MULLINAX: No, I was-I was by myself but actually I had two people that was behind me and her name was Jamie Wyatt and Kevin, I don't know Kevin's last name.

MOSER: Uh-huh.

MULLINAX: But they was behind me, we'd went down there to—I think it was Harriett-Henderson—we went to Harriett-Henderson and also went to Hon Manufacturing in Cedartown trying to find a job.

MOSER: Uh-huh.

MULLINAX: (inaudible).

MOSER: Did you find put in any applications?

MULLINAX: Yes, we put in an application at Harriett-Henderson and at Hon.

MOSER: Okay. Now, the uh, two people you were talking about were behind you, could you see them in your rearview mirror or were they way back?

MULLINAX: Oh, they was in my review-I could see 'em they was like from here to me (inaudible). They were, actually was in this lane at first then here come those speeding cars and he-he got over behind me, and these two cars sped up and got back and were like VA-VOOM. I didn't know what the hell-I thought they was

playing games with each other really, the next thing I know I seen the gunshot POW, goddamn.

MOSER: All right, let me-let me take you back a little bit. Um, the two lanes you know, on a-on a road one's the inside lane which is the lane closest to the median, and then one's the outside closest to the curb, which lane were you in?

MULLINAX: I was on the inside-I was in the outside.

MOSER: Okay.

MULLINAX: Towards where like if you going down the road and there's two lanes this way and two lanes that way, I's in this lane.

MOSER: You were in the farthest lane, outside lane.

MULLINAX: Yes.

MOSER: All right, did they come up on your left?

MULLINAX: They come up directly behind me.

MOSER: Okay.

MULLINAX: Behind us, and that one car, the little truck whooped up and passed us, by pass us and then the little car come up WOOM jumped right directly in front of me. If I wasn't hitting the brakes I'd probably hit him. And then the next I know we-as we's topping the hill we got right there at the Angelica what used to be the Angelica, and I heard the gunshot and seen the gunshot go through the thing I seen the car, little truck. I seen the gunshot come from the car, then I seen uh, I seen the truck bear off and go across to the oncoming traffic. There wasn't really,

there wasn't no traffic coming and I don't know if they had a wreck of what I just kept going. Cause I though maybe that car was gone turn around and see what happened. I thought actually he shot the tire, his tire out. But (inaudible) I mean—

MOSER: Have you heard about it on the news?

MULLINAX: I hadn't—I been locked up since January 28th.

MOSER: Okay, but prior to that had you—

MULLINAX: I was on the run, I was running myself.

MOSER: Okay.

MULLINAX: I was trying to get the hell out of Rome.

MOSER: You didn't hear any talk about it or radio or anything?

MULLINAX: I ain't heard nothing.

BURNETT: What kind of car were you driving?

MULLINAX: A Ford Ranger.

MOSER: Pickup?

BURNETT: Pickup? What color?

MULLINAX: It was red and gray.

BURNETT: What about Jamie?

MULLINAX: He was in a red Ford F150 about a '77 model.

BURNETT: Okay.

MOSER: Okay, who was James was in what?

BURNETT: A '77, it was about a '76 or a '77 uh, Ford F150.

MOSER: All right, now this car and this truck, what color was the truck?

MULLINAX: Actually I thought it was a light blue I couldn't really tell at the time it come by so fast.

BURNETT: The truck or the car?

MULLINAX: The truck was a light color.

BURNETT: Okay.

MULLINAX: But the car was like a Nissan Sentra, Altima. It was a, I want to say uh, it was like a medium blue, it-it was a medium color and I would say anywhere from between a green or something but I could really tell it was dark, and it passed us so quick it scared the shit out of me. I didn't know what to do.

MOSER: You think it was a greenish color?

MULLINAX: A greenish color or it might've been a gray.

MOSER: Could you tell what the gender was the sex was of the person diving?

MULLINAX: The sex in the car that did the shooting was a male.

MOSER: Okay.

MULLINAX: But there was a female, blonde-headed female in the car.

MOSER: Was the male driving?

MULLINAX: Yes sir.

MOSER: So what caught your attention was when they passed you?

MULLINAX: Well yeah, I mean well hell man, I'm driving 65, 70 miles an hour myself and they passed me like I'm sitting still. That truck did then here come this durn car WHOOM whooped went right out in front of me, so I speed up, I said uh, they made me mad I's gone speed up and ask them what in the hell is going on. Get up beside 'em next think I know, BAM, the man stuck his arm out and BAM shot the car SHHH truck, little truck went off, he flew on down took off, turn right there at Lighthouse Church where the fence, is backed back out and went that way. I thought maybe—

MOSER: But you stopped down there?

MULLINAX: No I didn't stop I kept going.

MOSER: Okay, I thought you said earlier you stopped.

MULLINAX: No, he stopped.

MOSER: Right.

MULLINAX: But the car then she turned into the Lighthouse I kept going.

MOSER: All right, now just bear with me this is for my own thought is how can you see the driver, how could you see Joey Watkins?

MULLINAX: Well I bright lighted him, I threw my brights on when they come flying around like that.

MOSER: Okay, so when you-when he passed you you bright lighted him.

MULLINAX: Yes sir.

MOSER: And saw—

MULLINAX: Him, I know Joey.

MOSER: Saw Joey—how long have you known Joey?

MULLINAX: I don't-I don't really know him personally but I know him through Late Night.

BURNETT: Through what?

MULLINAX: Late Night Amusement.

MOSER: Okay, so when he passed you this truck darted past and then you see Joey pass, and he got out in front of you that's when you bright lighted him.

MULLINAX: Yeah.

MOSER: All right, now if you bright light him how can you see his face?

MULLINAX: I could see him through his rearview mirror.

MOSER: Okay. So there's no doubt in your mind—

MULLINAX: I know-I know it was Joey.

MOSER: You know it was Joey.

MULLINAX: I can take a lie detector test or whatever I know.

MOSER: Okay. But on-on-on this particular night you know without a doubt it was Joey that passed you and you saw his arm come out of the window and shoot. Could you tell which hand it was?

MULLINAX: His left hand, well I don't know I'd have to say his left hand because he was driving, so he could've done it with his right hand like this.

MOSER: Okay. And then the blonde-headed girl—

MULLINAX: There was a blonde-headed girl in there with him.

MOSER: Anybody else?

MULLINAX: That's it.

MOSER: But you didn't stop when he went down to the church, you didn't stop you kept on going?

MULLINAX: Well, well hell no, he had a gun I don't have nothing you know.

MOSER: Now, once he got in front of you was he a pretty good ways down there?

MULLINAX: Actually I sped up.

MOSER: Okay.

MULLINAX: I know when I-when I whooped in must've been when he was fixing to turn off, on my-my truck it was registered 85, it was at least past-a little past 85, that's, so I said hell man I just seen where he turned off, I said I'm gone get the hell out of here cause you know.

MOSER: So he turns off and you see him stop and back up?

MULLINAX: As I's coming—okay, I don't know if you know but here's the little Lighthouse Church.

MOSER: Uh-huh.

MULLINAX: After you get through the curve you can see that little road where it comes out, he went and went and went back—like here's the little thing right here, here's this little road, as I got right there at the corner I seen him come back out and go back that way. Back towards Cedartown.

MOSER: Okay.

BURNETT: Was that the only time that car pulled off to—

MULLINAX: To my knowledge-to my knowledge—

BURNETT: But you saw—you were right with 'em though right?

MULLINAX: Yeah, yeah, I was there.

MOSER: Had you been behind them to you knowledge any at all?

MULLINAX: Uh-uhh, no, any-not that I know of.

MOSER: So the first time you saw this white car and this uh, green or gray Altima, was when they passed you—or this white truck?

MULLINAX: The white truck, I want to say—

MOSER: Or this light colored truck.

MULLINAX: It was uh, like uh, I want to say it's a light, light—I don't know it could've been white but it looked like a light gray.

MOSER: Did it have anything on the—I mean did it have any roll bars or anything?

MULLINAX: Actually uh, I think—

MOSER: Do you think—

MULLINAX: I'm thinking, if I ain't badly mistaken it had a toolbox on the back, in the back of the truck..

MOSER: And the-the toolbox what, what color do you think?

MULLINAX: That's it, that's what I'm saying it looked black.

BURNETT: Did you see the driver of the truck?

MULLINAX: Uh, uh, no, I didn't really actually see the driver of the truck but I did see the driver of the car. I-well actually think, I think that little truck was a S10, I ain't for sure S10, either a S10 or a Ford Ranger small, it ain't a big truck.

MOSER: Do you think you were just past uh, Angelica when you heard the shots or saw the shots?

MULLINAX: Yeah.

MOSER: I'm gone show you a picture and I'm gone mark on the back of it it's for my own purpose, 1. What do you see in that picture as far as vehicles?

MULLINAX: That's the, that might be the, uh it might be that truck cause that truck right there.

MOSER: Okay, what do you see here, what's this? Is that a white Dodge?

MULLINAX: Yes, that's a Dodge Dakota.

MOSER: Okay, that's a Dodge Dakota truck, and this is a greenish Pontiac car is that right?

MULLINAX: Yeah, that looks, that, now that I'm think right there that looks like the, that's looks something like the truck that was, that guy, the guy that got shot was driving, and that looks identical to that damn car the person was driving that got shot.

MOSER: Okay, so the car looks like it, okay.

MULLINAX: At-at night it-it looked like an Altima, but (inaudible) looks just like the car. I don't even know what kind it was though.

MOSER: You remember anything about the front of the truck, anything?

MULLINAX: I-I couldn't really see it it was going so fast.

MOSER: Okay.

MULLINAX: But it looked like one of the headlights was out. But uh, it looked like—I call 'em, what we call 'em Popeyes—when you dim but the bri-the-the dimmer was out but the bright light was in.

MOSER: I'm gone show you a picture of uh, a (inaudible) truck, does that look similar to what you saw as far as the boy driving it or the person driving it got shot?

MULLINAX: I don't know.

MOSER: Okay, it's a little hard to tell.

MULLINAX: With it wrecked.

MOSER: All right.

MULLINAX: It is-it was a small truck.

MOSER: Okay. (inaudible) You saw, no doubt in your mind, and you think a polygraph will even confirm what you're saying, a vehicle driven by—matching the description of the one I just showed you—Joey Watkins—

MULLINAX: Yes sir.

MOSER: --shoot?

MULLINAX: Yeah, the only thing I could actually tell about the driver of the white truck, is he was-he wasn't acting-he was-he had a different kind, I want to say he didn't have, he wasn't all Caucasian. He had like a some kind of, I don't know might be Italian or something like that (inaudible).

MOSER: Okay.

MULLINAX: That's all I can—he was a dark skinned guy.

MOSER: How could you tell that much of him?

MULLINAX: Because, cause I could, actually, I mean when you go down the road I sped up, when I seen him—I said damn, what the hell these muther-fuckers doing you know—and then here come this other car I said damn, I said I'm gone go after these muther-fuckers—excuse my language—I said I'm gone ask these damn old punks what the hell they're doing. Well hell I had my girlfriend and her three kids in the damn car.

MOSER: Who's your girlfriend?

MULLINAX: At the time of the damn thing, Tina Proux. And uh, I didn't really want to get her involved.

MOSER: Okay.

MULLINAX: But sin-since I'm gone have to I will, but she was with me.

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MULLINAX
Catching on*

MOSER: Tina Proux?

MULLINAX: Yeah, we were on the way back from Cedartown, and when we was coming (inaudible) I said I'm gone go over there and see what the hell their damn problem is you know, hell, there's three kids in the car. And when I got up right through the back of 'em I looked, at first—here's how the green car was and here's how the truck was they's like this. Then the truck sped up trying to get away and I sped up. When I got about right here I could see that they guy was a dark skinned guy. He got, as they was topping the (inaudible) well then they parallel of each other at the top of the hill at Angelica. I don't even know what it's called, I don't know if it's Angelica's but there Angelica's and the Peanut Factory and the (inaudible) building and the gun went I-I seen him when he—POW—I said goddamn, I just drove off. I didn't want-it scared me.

BURNETT: Barry a moment ago you said you were by yourself.

MULLINAX: I know, I didn't want to get nobody else involved.

BURNETT: Okay.

MOSER: Tina Proux, how do you spell her last name?

MULLINAX: P-R-U-X

MOSER: She, a phone number or an address?

MULLINAX: Actually she didn't-only phone number I got for her is 386-which is in Cartersville.

MOSER: Uh-huh.

MULLINAX: It's her work number, 3030.

MOSER: Where does she stay?

MULLINAX: In Armuchee, she's moved back in with her daddy and I don't know where her daddy lives, but I do know it's off of the Old Dalton Road, and I don't know the exact address.

BURNETT: Is she, are y'all still girlfriend—

MULLINAX: No.

BURNETT: No?

MOSER: What's her dad's name?

MULLINAX: Charles Hall, Chuck Hall, Charles Hall.

MOSER: Charles Hall?

MULLINAX: Yeah.

MOSER: Okay. Now you understand that the questions I'm asking you is not to question you—

MULLINAX: I understand.

MOSER: --per se, it's just for clarification. Because as you know, a normal person would think how in the world is Barry gonna know so much when it's dark down there, and when a car comes by him so quickly, you know how can he see that. So that's why I'm you know, asking. I'm not asking like hey man—

MULLINAX: Well I understand, I understand completely.

MOSER: Well I'm just asking for clarification.

MULLINAX: But I do know that it was—I'm trying to think cause it happened so quickly it's, it was a smaller truck.

MOSER: Uh-huh.

MULLINAX: And I don't know if-I can't remember actually if it was a king cab or a regular cab, but I do know it was a smaller truck.

MOSER: Now the truck, was he to the-in the inside lane or outside lane when he got shot at?

MULLINAX: (inaudible).

MOSER: Was it the lane closest to the median?

MULLINAX: Yeah, and he-and he went across.

MOSER: Okay.

MULLINAX: The oncoming traffic. I don't know if he hit another car or what I got the hell out of there.

MOSER: Now you said that he went up a hill.

MULLINAX: He, there's a little hill—okay when you're going—

MOSER: In the median?

MULLINAX: Yeah, and BOOM that's all I seen, I don't know if he hit another car or whatever, anything, any tree I don't know anything about that.

MOSER: Okay.

MULLINAX: All I know is when he did hit that median thing, I seen him when the front-end popped up. I kept going, I would normally stop, but I had no protection for myself and that-and that man could've shot me whoever that man Joey—I know for a fact it was Joy. He could've shot me and left me there and then I'd been screwed you know. I wanted to run myself, cause I'm running from the law and I sit there, if I were to sit there and they'd of run my whole (inaudible) and all that you know they all-all the cops know me.

BURNETT: So we had warrants on you...

MULLINAX: Yeah, had warrants on me. So you know I'm on-I'm on the run myself, I's wanted for probation violation and failure to appear in court for no insurance.

MOSER: But your speedometer was clocked out at—

MULLINAX: Eighty-five.

MOSER: And you were still behind this car? I mean—

MULLINAX: I was-I was about-I'd say between me and that wall, end of that wall.

MOSER: All right, so did you have the break for him case he had to break to stop to turn?

MULLINAX: I can't, I just went on...

MOSER: You just went on (inaudible).

MULLINAX: (inaudible) I should have.

MOSER: So when he turned, when he turned and went in by the church did you look back, stop and see?

MULLINAX: I slowed down, and as I was coming around the curve at the Lighthouse Church and had, I looked in my rearview mirror and my side mirror and I saw him go back out left toward Cedartown.

MOSER: Okay, so he actually turned and went back up 27 South? Okay. Now you haven't said anything about this until last night, why was that?

MULLINAX: Actually because my understanding I hadn't heard anything about what—my understanding that Joey Watkins was already incarcerated for this charge. And I wasn't going actually come forward and say anything because I figured they done had enough evidence you know. But if I wanted to kill somebody I would want, I would (inaudible) crime. If somebody killed some of my family or my son I would want somebody myself to do-come forward and say something to get the right person.

MOSER: Uh-huh.

MULLINAX: Not have somebody else come to the law.

MOSER: All right. Now this car, let's go back over this car so I'll understand. You feel that it pretty much matched the description of the car I showed you in the picture?

MULLINAX: Yeah, it matches that description, but I had-I was-I was thinking...

MOSER: It was more—

MULLINAX: ...without looking at the, actually seeing another picture, of seeing a picture of that car, then I'd say it was something like an Altima, but uh, but it was shaped—

MOSER: Was it a four-door or two-door?

MULLINAX: It was a four-door car.

MOSER: Now, have you ever seen Joey drive any vehicles, you ever seen him on the road?

MULLINAX: Yeah, actually I seen him—he uh, if I ain't bad mistaken his mama and them owns uh, Watkins Auto Center, and I happen to see him drive uh, as a matter of fact it might've been his truck cause I'm not, he got off his daddy's lot over there off of, North Broad.

MOSER: Uh-huh.

MULLINAX: I think that's the truck he got from his dad, I ain't for sure. Because he said, he was up at Late Night one night and he said his daddy was gone get him a new truck.

MOSER: Now do you hang around Joey?

MULLINAX: No.

MOSER: You just know of him?

MULLINAX: I know of him from Late Night.

MOSER: Okay. You ever seen him drive that car, that little car I just showed you in the picture?

MULLINAX: With a blonde-headed girl before.

MOSER: You've seen him in that driving? How long ago was that do you think?

MULLINAX: Yeah, it was a couple days, I want to say, I was on the run January on a Friday, it was on January the 7th, I think-I ain't-I can't actually say it was on a Friday, but was on run (inaudible) I went out Governor's that Thursday, I went to the Turner McCall Waffle House to eat and he pull up with her in there in that, pulled up that green car.

MOSER: What day was that?

MULLINAX: It was-the night, it was Thursday night I guess, I can't actually come to the real dates but.

MOSER: Like the 6th or something? If the 7th was on a Friday.

MULLINAX: The 7th was on Friday you can't-I can't for sure, but I know the Thursday before, I-I seen 'em on Thursday on Thursday night, I can actually see the date, tell you the exact date, but I seen 'em on a Thursday and I was leaving Governor's with this girl, I was with a girl named Janet McCormick.

MOSER: Before or after the shooting?

MULLINAX: This was after, this was—

MOSER: (inaudible) driving his car?

MULLINAX: Before the shoo—this is before the shooting.

MOSER: Okay. Now, when you were coming up the highway into town uh, you said 7:15 to 7:30 were-were there other-was there other traffic behind you that you know of? Besides your friends?

MULLINAX: Yeah, but I couldn't tell you who they were.

MOSER: Right, but there were more cars?

MULLINAX: Yeah.

MOSER: Okay. Uh, and you were in the of course the lane closest to the gutter, the curb running uh, in excess of the speed limit, right?

MULLINAX: Yeah.

MOSER: And these two people passed you.

MULLINAX: Like I was sitting still.

MOSER: Okay. Which one passed you first?

MULLINAX: The white truck like I was saying, the white truck. I was going down I don't know if it was 27, I don't know if it was going south, north, I can't I don't, can't think—

BURNETT: Coming into town or going out?

MULLINAX: Going in, coming in town towards the city limits of Rome. Uh, a white pickup truck come around me first, and then here come the car around me, jerked off in front of me, I said what the hell these people doing you know, and I's gone go get 'em, and when I seen him shoot I just said to hell with this shit you know. I took off.

MOSER: Okay, but you-but you took off to accelerate instead of backing off?

MULLINAX: Yeah I was going, I was gone catch him at first and ask them what in the hell they think they doing you know, there's kids there on the streets you know, I-I know they was young. I's gone say man what the hell y'all doing out here, y'all need to consider that there's children on the streets, there's mothers and fathers on the street you don't have to act like a fool. And you know, when he shot I said hell I ain't saying nothing you know if I ain't got a gun, you know I'm wanted myself. But if I stopped and told 'em all what I seen then I'm going to jail anyway, and I didn't want to go to jail.

MOSER: At what point did you know it was Joey Watkins?

MULLINAX: From the-at the time that I-right when I got in behind him like this.

MOSER: Before the shot or after?

MULLINAX: Before the shot.

MOSER: Okay. Now did you know, do you know Joey Watkins' current girlfriend or do you know of any past girlfriends?

MULLINAX: Uh-uhh.

MOSER: Okay, did you know, do you know Isaac Dawkins, do you know him at all? You ever heard of him?

MULLINAX: No.

MOSER: Okay.

MULLINAX: I don't even know the boy that he got, supposed to've been driving the truck. All I do know is I can tell you, it's my understanding I seen from the side view he looked like he was the type he's uh, I want to say Italian, some kind of Italian dark skinned.

BURNETT: How was his hair cut?

MULLINAX: It's like it's kind of short, (inaudible) back is all I could see, might've been parted over to the side or.

MOSER: Did he have a cap on?

MULLINAX: I don't-I can't exactly remember, he might've had a (inaudible) in the truck at the time I couldn't-I couldn't tell you.

MOSER: Were the windows very dark the tint—

MULLINAX: No, mine are factory tint, uh-uhh.

MOSER: Not too bad?

BURNETT: When-when you would see Joey at Late Nigh hanging out was he ever with a girl?

MULLINAX: Yeah, a blonde-headed girl, that's-that's the only person I can't—in other words I ain't but, I don't, I'm a lot older than these people I'm almost 25 year old. I'm older than these people and I just went out there to shoot pool (inaudible) I never hung around people that 18 stuff you know, I—

MOSER: When was the last time you saw him there at Late Night with a girl, with this blonde-headed girl?

MULLINAX: It was in January.

MOSER: Would you recognize her again if you saw her?

MULLINAX: Uhhh, yeah.

MOSER: You ever known or seen or heard of Joey Watkins having a gun?

MULLINAX: No. I ain't never known him to have a gun until that night of the shooting. But I ain't never known to him come to like—what you mean by known, you've got me confused. If known—

MOSER: Have you ever heard that he's carried a gun?

MULLINAX: No sir, I ain't never heard.

MOSER: Now what you've told us today is you're basically telling us that Joey Watkins shot this man.

MULLINAX: That's the honest truth.

MOSER: And you understand that?

MULLINAX: And that's-that's what I seen.

MOSER: That's-that's quite a liability factor you've told us. In other words you can
I mean—

MULLINAX: I'd go on—put it this way I'd say it on—I'd go—I'd get on the stand and say
it, exactly what I told you that night.

MOSER: Okay.

MULLINAX: But if his family come toward me I'll let it be known that I'm gone protect
myself.

MOSER: Uh-huh, I understand that. Um, I gonna uh, stop this tape for just a second
it's uh, 10:09 a.m. What I'm gone do is I'm gone ask you to step outside here for
a just a second and I want to ask Lieutenant something, and we'll start it back in
just a second. I'm gone pause just for a minute. Okay Barry, we just had about a
minute here where I-I needed some clarification from Lieutenant, and I think
she's got a couple of questions.

BURNETT: Barry you-you say you-you know Joey or you know who Joey is.

MULLINAX: I don't him personally but I know him as-from appear-appearances.

BURNETT: That's what-that's what I want to clarify to you—do you know of Joey
like to say that Joey's done this-that-or-the-other or do you just know who Joey
is?

MULLINAX: I know who he is and I know that he's got a tendency with saying he's gone this and that (inaudible) gone stomp this boy's ass or that boy's ass you know.

BURNETT: And that's just what you hear him say? Okay. Describe Joey—go ahead—describe Joey for me.

MULLINAX: Well I would say he's a medium built type guy, he's about 6 foot tall if not a little shorter, he's taller than me. And uh, he's got a brownish reddish tint brownish color hair. I don't know exactly how high-high it is, at one point in time I don't, I don't know if he's got it cut or let it grown out, it was-it was longer than mine but not-not long like a woman's, but it wasn't actually it might've been a little, about a little shorter than yours or a little younger than yours.

BURNETT: Okay.

MULLINAX: And he always dressed, he dressed pretty nice but sometimes he gets with a gangster look with a—

BURNETT: Okay.

MULLINAX: --with a like hip-hop you know how the kids dress today they wear that, wannabe's, excuse me I hate to say it but wannabe's, wants to wear jewelry all the time.

BURNETT: Okay. Describe for me the vehicles that you-you know, you've seen Joey driving.

MULLINAX: Well actually a seen him drive a uh, actually I've seen him drive it's a green color, I don't know exactly what brand it is, green colored four-door car. I have him seen him drive motorcycles I don't know if he's still got a motorcycle

but I have seen him drive a motorcycle. And seen him several drive-drive several cars off the lots of his grandma's thing you know, uh, S10's and stuff like that from his grandma's lot out there in West Rome. But other than that he drives several different cars.

BURNETT: But you and Joey weren't buddies or—

MULLINAX: No, I ain't never...

BURNETT: You and Joey never had any run ins or no fights no arguments you just knew who he was?

MULLINAX: Well, I knew him as from, not known, known, known him, but from people telling me hey, hey look, hearing Joey hey Joey what you doing you know, uh, that's all.

BURNETT: Okay.

MOSER: I'm gone show you a picture of a guy and don't look at the back of it, but do you know him? You ever seen him or know his...

MULLINAX: I've seen him, I see him at Late Night.

MOSER: Do you know his name?

MULLINAX: I'm trying to think. I can't really tell, I ain't got my glasses.

MOSER: I'm gone tell you, his name is Paul Allen, does that ring a bell?

MULLINAX: Uh-uhh.

MOSER: Did you ever see him any that night on January 11th?

MULLINAX: No.

MOSER: And you are specific about January 11th is that correct?

MULLINAX: It was, it was January 11th, I got locked up January for about 18 days after that, or 17 days. I was—I tell you, my parents will tell you I was on the run.

MOSER: Uh-huh.

MULLINAX: I didn't go home, I stayed here, there, everywhere I wasn't gone turn myself—I saving my money up and move out of town. But what happened I went, realized—this hasn't got anything to do with that, but (inaudible) come to the conclusion I had a drug problem. So I went to sign myself in the Three Rivers, to RTU and they ran my name and they knew I had a warrant and they called the law and they come and got me there.

BURNETT: How much longer do you have to serve Barry?

MULLINAX: About, let's see, if I go through the Diversion Center I got four-three months to do there, so between-anywhere, at least six months. I got six months if I don't leave here by let me see—February, March, April—I leave here the first of August and I get out. I do six months here or go to Diversion Center. So I can do five months (inaudible) four times six months be up and still have to go to the Diversion Center.

BURNETT: Okay.

MOSER: What's your date of birth?

MULLINAX: 6/17/75.

MOSER: And your address?

MULLINAX: 104 Hosea Street, H-O-S-E-A.

MOSER: And social?

MULLINAX: 253-57-6095.

MOSER: Phone number?

MULLINAX: Uh, 234-3695.

MOSER: Okay, is there anything else, anything that you think we haven't covered, haven't covered thoroughly enough uh, that you remember we haven't talked about? And as we've talked it is very important for you to understand that you have—I mean you have taken a big leap onto the limb stating that you saw Joey Watkins shoot a gun.

MULLINAX: I seen him.

MOSER: Okay.

MULLINAX: And you know, like I's telling you while ago, if it get's to a point where I have to protect myself from his family, cause he's got some family people I know parts of his family are pretty crazy. They come towards me I'm gone protect myself.

MOSER: Now how do you know parts of his family?

MULLINAX: Cause his, the guy that I seen you know I know his cousin, there's a tall girl from school I know how her daddy got pissed off cause how people used to do her at school and he'd come in there and he'd raise damn hell at the high school. And I just know they temperamental, and if they come toward me I got, I'm gone protect myself. Now I mean, I ain't gone shoot nobody or nothing.

MOSER: Right.

MULLINAX: But by, I'll be dang if I'm gone let somebody jump on me.

MOSER: Okay.

MULLINAX: And (inaudible) I've heard they will do it, I know.

MOSER: Uh, you talk about and we briefly mentioned about taking a polygraph it's a uh, electronic instrument you know, tool to confirm what you've told us— would you have any objection to that? Maybe tomorrow?

MULLINAX: I can do it any day.

MOSER: Okay.

MULLINAX: But I do have, I don't know if that'll have any affect, I do have a serious drug problem.

MOSER: Okay.

BURNETT: Do you take any medication for that?

MULLINAX: I'm supposed to.

BURNETT: But are you taking any right now? Okay.

MOSER: All right, it's just a matter of—

MULLINAX: I mean I-I'll take a polygraph, I'll pass a polygraph test it don't bother me.

MOSER: It's just a matter of confirming—

MULLINAX: It's just—

MOSER: ---what you've told us.

MULLINAX: And that-that's the truth I mean you can give me a polygraph test, and I take the test and you'll see that it's true. You know I'm just, I don't know I'm just kind of scared to (inaudible) I'm mean you expect me to tell you know I could get killed you know.

BURNETT: Okay, I'm not accusing you of anything (inaudible) if you're just being straight up, are you telling us the truth?

MULLINAX: Yeah.

BURNETT: Are you adding anything to the statement?

MULLINAX: I ain't added nothing.

BURNETT: Okay.

MULLINAX: Telling you straight to my knowledge from what I seen with my own eyes.

BURNETT: Okay.

MOSER: All right.

BURNETT: But I'm just, I'm scared for my safety once I get out of here to be honest with you. If-if, if I have to, if I got on the stand and testify.

MOSER: If I need to talk to you again would you talk to us?

MULLINAX: Yeah.

MOSER: Or if we do, okay. I appreciate you talking to us, do you have anything else you can think of?

MULLINAX: That's it.

MOSER: All right, I'm gone stop the interview the time is 10:17.

Det. Jim Moser
Lt. Debbie Burnett
Rome Police Department

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