

1 A No, sir, I do not.

2 Q Have you ever seen Adam with one?

3 A I've never seen him with a gun.

4 MS. COLSTON: Nothing further. Thank you so much,
5 Chad.

6 THE COURT: You're free to leave, Mr. Redden, if
7 you wish.

8 MS. COLSTON: My last witness, Your Honor, Ronald
9 Vines.

10 MR. ABERNATHY: Who is that?

11 MS. COLSTON: Ronald Vines.

12 *****

13 **RONALD VINES**

14 was called as a witness by and on behalf of the State, and
15 after being first duly sworn, was examined and testified as
16 follows:

17 **DIRECT EXAMINATION**

18 **BY MS. COLSTON:**

19 Q Mr. Vines, if you'll speak up so the jury can hear
20 you and tell us your name.

21 A My name is Buddy Vines.

22 Q You go by Buddy but your name is Ronald; right?

23 A Yes, ma'am.

24 Q And do you know the defendant in this case, Joey
25 Watkins?

1 A Yes, ma'am.

2 Q Do you also know Mark Free?

3 A Yes, ma'am.

4 Q All right. How long have you known Joey Watkins?

5 A Not too long.

6 Q Not too long? How long have you known Mark Free?

7 A Not as long as I've known Joey.

8 Q Okay. So have you known Joey for over a year?

9 A Probably so.

10 Q Did you know him when -- did you know Isaac
11 Dawkins?

12 A No, ma'am.

13 Q Do you remember when that occurred?

14 A Yes, ma'am.

15 Q Did you know Joey then?

16 A Yes, ma'am.

17 Q So it's been over a year since you've known Joey?

18 A Yes, ma'am.

19 Q Back on around August the 25th of last year, just
20 this past August, did you have an occasion to have a little
21 altercation with Joey Watkins and several other guys at the
22 Burger King?

23 A Yes, ma'am.

24 Q Okay. Who all was with him?

25 A Joey Watkins, Todd Mann and about four other guys.

1 I don't know their names.

2 Q What happened?

3 A Well, we were talking to some of our friends. Me
4 and one of my buddies, Dustin Pape, were pulled over at Home
5 Depot and was talking to some of our friends. Joey and
6 about five other of his friends come walking by. They
7 didn't say nothing. We left, go through Burger King to get
8 something to eat. On our way back home, they come flying up
9 beside us going down Turner McCall and Joey was hanging out
10 the back window with his fingers like this, saying he was
11 going to kill me and he was going to get me tonight and I
12 went to the house and called the police.

13 Q Okay. January or February of last year did you
14 have an occasion to have a similar type incident with Joey
15 and Mark Free?

16 A Yes, ma'am.

17 Q Tell me what happened then.

18 THE COURT: Tell me when this was now.

19 MS. COLSTON: January or February 2000, right in
20 there.

21 Q Do you remember the date?

22 A Yes, ma'am. No, I don't. It happened at the new
23 mall.

24 Q It happened at the new mall?

25 A At the new mall.

1 Q And did it happen after the death of Isaac
2 Dawkins?

3 A Before.

4 Q Before the death of Isaac? So it would have been
5 like the first week of January or so?

6 A Uh-huh.

7 Q Okay. What happened?

8 A Well, I pulled -- we were already at the mall and
9 we were leaving from shopping and Joey and Mark pulls up and
10 they see me standing out there and start calling me names
11 and all this. And I tried to walk away and I was over here
12 arguing with Mark Free and Joey grabs me from behind. I
13 turned around and hit him because he'd clawed me on the face
14 and I turned around and hit him and then that was it for
15 him. And then Joey started -- Mark started saying
16 something. I turned around and was fixing to go after him
17 and he took off running through the mall and I left and that
18 was it.

19 Q Okay. Was there a time that somebody jumped out
20 of a car with a gun?

21 A Yes, ma'am. Joey, and I don't know who the other
22 guy was but they jumped out with a shotgun.

23 Q When was that?

24 A It's been close to -- it was before the mall,
25 before the incident at the mall.

1 Q Okay. Before that incident you just testified to?

2 A Uh-huh, because he was --

3 Q He jumped out of the car with somebody else and --

4 A Two guys. We pulled over because we thought it
5 was one of our friends at first. We pulled over and we see
6 Joey and some other guy with a blue Model hat on and they
7 jumped out and pointed a shotgun out on us and we jumped in
8 the car and left.

9 Q Good idea. Thank you. No questions.

10 THE COURT: Mr. Abernathy.

11 MR. ABERNATHY: Thank you, Judge.

12 *****

13 CROSS-EXAMINATION

14 BY MR. ABERNATHY:

15 Q Good afternoon, Mr. Vines. Do you go by Buddy
16 Vines?

17 A Yes, sir.

18 Q Now, Mr. Vines, you were explaining to Ms. Colston
19 about this incident at the mall where you had a fight with
20 Mr. Watkins.

21 A Yes, sir.

22 Q Now that would have been a year before Isaac's
23 death; wouldn't it?

24 A Probably so.

25 Q Yeah, about a year. It actually would have been

1 January of '99, not January of 2000 just a year ago. It was
2 about two years ago; wasn't it?

3 A I'm not sure of the dates, none of the dates.

4 Q Not sure of the dates? Well, you wouldn't
5 disagree with that; would you?

6 A Sir?

7 Q It happened about a year before Mr. Isaac Dawkins'
8 death; isn't that right?

9 A I'm not sure.

10 Q Well, would that be about right? It would have
11 been eight months to a year?

12 A It's not been that long, not too long, probably a
13 year maybe.

14 Q You went to court on that; didn't you?

15 A Uh-huh.

16 Q Did you go to trial or enter a plea?

17 A Entered a plea.

18 Q Entered a plea to what?

19 A Guilty of --

20 Q Of what charge?

21 A Aggravated battery.

22 Q Aggravated battery on Mr. Watkins; wasn't it?

23 A Uh-huh.

24 Q And you're serving probation for that now?

25 A Yes, sir.

1 Q And have you talked to Stanley Sutton about your
2 probation case in order to testify against Mr. Watkins?

3 A No, sir.

4 Q Well, isn't it true that when you pled guilty to
5 that, you have to pay restitution to Mr. Watkins for
6 breaking his nose; don't you?

7 A Uh-huh.

8 Q And you say you pled guilty to that. What did you
9 assault him with?

10 A My hand.

11 Q Your hand?

12 A Yes, sir.

13 Q You broke his nose and you pled guilty to the
14 aggravated battery?

15 A Yes, sir.

16 Q Now let's talk about this night or at the Burger
17 King or whenever or let's go back just a couple of months
18 ago. Didn't you call Mr. Sutton or talk to someone and have
19 them stop Mr. Watkins' car while he was driving with some
20 other boys? Isn't that true?

21 A No, sir, the night he stuck his hand out the
22 window and told me he was going to kill me, I went home and
23 called the police and they said they were going to pull his
24 car over.

25 Q And they did pull it over, in fact; didn't they?

1 A I have no idea if he did or not.

2 Q They searched his car and they didn't find any
3 gun; did they?

4 A I have no idea.

5 Q And you told them that he had a gun; didn't you?

6 A No, sir, I told them he may have a gun since he
7 pulled a shotgun out on me. Yeah, maybe he might have a gun
8 in his car.

9 Q Well, when they stopped and searched him, they
10 didn't find anything; did they?

11 A I have no idea.

12 MS. COLSTON: I'm going to object, Your Honor.
13 He's testified he wasn't there; he didn't even know if
14 the police stopped him. And this is all -- we don't
15 have any testimony as to whether they found anything or
16 not.

17 MR. ABERNATHY: Well, Judge --

18 THE COURT: Well, he said he wasn't present when
19 the police searched and doesn't know.

20 Q And you've called the police on different
21 occasions to Mr. Watkins; haven't you?

22 A No, sir, not that I know of.

23 Q To try to get them to search his car?

24 A No, sir, the only time I called the police on Joey
25 Watkins was the night he told me he was going to kill me.

1 Q How much restitution are you paying?

2 A I have no idea.

3 Q You told him you were going to kill him too that
4 night; didn't you, Mr. Vines?

5 A No, sir.

6 Q You didn't cuss him and shake your fist at him as
7 he was coming by and tell him that you were going to kill
8 him if he'd get out of that car?

9 A No, sir.

10 Q Well, why was it that you and he were fussing so?

11 A He's been started this for a long time.

12 Q Well, did you tell the police anything about this
13 incident that happened at the mall? Who called the police?

14 A I reckon he did.

15 Q He called the police at the mall; is that right?

16 A I have no idea. I left.

17 Q And you were arrested a little while later?

18 A Uh-huh.

19 Q Do you own a gun?

20 A No, sir.

21 Q Who do you live with?

22 A I live with my mom right now.

23 Q Do you have a gun at the house?

24 A No, sir.

25 Q Was Mr. Watkins in court with you when you entered

1 your plea and had to pay his restitution for aggravated
2 battery?

3 A No, sir, I didn't see him in there.

4 Q Well, you entered that plea because you were, in
5 fact, guilty of that; weren't you?

6 A Really I just took what I needed to get because my
7 lawyer wasn't no good and I didn't know what to do at the
8 time, so I just pled guilty.

9 Q Well --

10 A Really I should have took him to court, just like
11 this court, jury trial and I probably would have got out of
12 it.

13 Q And isn't it true --

14 A Because both of them ganged me.

15 Q Isn't it true that you're just a troublemaker and
16 you've been starting these fights?

17 A No, I ain't just a troublemaker.

18 MS. COLSTON: I object, Your Honor. This is
19 argumentative. It serves no purpose.

20 MR. ABERNATHY: This entire witness served no
21 purpose but I didn't call him, Judge. Thank you.
22 That's all I have.

23 MS. COLSTON: That's all.

24 THE COURT: Any other questions? Mr. O'Dell?

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CROSS-EXAMINATION

BY MR. O'DELL:

Q I'm not going to rehash much of what went on but the incident out at the mall, in fact, you didn't hit Mr. Watkins with a fist; you hit him with a metal pipe; didn't you?

A No, sir.

Q That's why his face got all busted up and he had a --

A Just because I have a strong punch don't mean he can say I had a pipe in my hand.

Q Now during that time you were a member of what was known as the 501 gang; weren't you?

A Yes, sir, I hung out with friends at 501. There is no gang.

Q But you were a member of it too; weren't you?

A Sir?

Q You were a member of that gang; weren't you?

A Yeah, I hung out up there.

Q At the Burger King incident, prior to the incident occurring, did you see or meet with Sgt. Sutton before the incident even occurred?

A No, sir.

Q You hadn't talked with him that day at all?

A No, sir.

1 Q He hadn't asked to talk to you?

2 A No, sir.

3 Q There was no meeting between you?

4 A No.

5 Q And when you saw the police, you actually told the
6 police he, in fact, pointed a gun or pistol at you?

7 A No, sir.

8 Q You didn't tell the police that?

9 A I told the police he had his hands pointing like a
10 gun and told me he was going to kill me and he was going to
11 get me that night.

12 Q Were you in a vehicle when this happened or were
13 you walking?

14 A Yes, sir, a vehicle.

15 Q Were you two side-by-side or did you pass?

16 A We were side -- we were driving. They come up
17 flying beside us, got beside us and he was hanging his hand
18 out the window.

19 Q Now how many people were in that car?

20 A There were about six in Todd Mann's car, the car
21 that Joey Watkins was in.

22 Q How many people were in your car?

23 A Two.

24 Q Just you and Dustin Pape?

25 A Yes, sir.

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Q Okay.

MR. ABERNATHY: Judge, may I ask just a couple others if Mr. O'Dell --

THE COURT: It's Ms. Colston's turn now.

MS. COLSTON: I have no other questions.

THE COURT: All right. Go ahead, Mr. Abernathy.

MR. ABERNATHY: Thank you, Judge. I'm not familiar with Rome, Judge, and I didn't know about this 501 gang and now --

RECROSS-EXAMINATION

BY MR. ABERNATHY:

Q In relation to this 501 gang, Buddy -- Mr. Vines, did you hold an office in that organization, that gang?

A No, sir.

Q Were you a member of that gang when you went over to Joey Watkins' home, you and five or six others, and shot it up and went over there and whipped Chad Redden?

A Shot it up? Nobody shot nothing up.

Q Well, what did you do when you went over there?

A Yeah, I went over to his house. We followed him over there.

Q Followed Joey Watkins?

A Yeah, because he told us to come on, come on; that he was going to take us to his house and he'll go get all

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1 his other buddies and they were going to fight us. So,
2 yeah, we went over there.

3 Q So all this testifying you're doing before the
4 Court, it's just as much you. As a matter of fact, you
5 testified it was you following him to go to his home and
6 fight him; wasn't it?

7 A Uh-huh.

8 Q These other people with you, who were they?

9 A Some of my friends?

10 Q Who?

11 A Does it -- I ain't got to tell no names. This
12 ain't got nothing to do with the shooting of them or
13 whatever they done. This ain't got nothing to do?

14 MR. ABERNATHY: Instruct the witness to answer the
15 question.

16 THE COURT: Mr. Abernathy -- Mr. Vines, you don't
17 get to choose which questions you get to answer, so you
18 answer the question that's put to you.

19 MR. ABERNATHY: Thank you, Judge.

20 Q Who was with you when you went over to Joey
21 Watkins' home?

22 A Me, Gary Highfield and who else was with us? A
23 couple other friends.

24 Q Gary Highfield and who else?

25 A I can't -- it's been so long, I can't even

1 remember who all went with us.

2 Q Well, were they members of this 501 gang?

3 A No, sir.

4 Q Just you?

5 A Me and Gary probably.

6 Q Gary was a member of the 501 gang?

7 A Maybe it ain't -- it really ain't no gang. All it
8 was was people sitting around, talking, having fun at a 501
9 number on an apartment number, the number of the apartment,
10 501. It ain't considered no gang.

11 Q What apartment was that, sir?

12 A 501 at Ashley Ridge, door number 501.

13 Q How many were with you and Gary Highfield when you
14 went over to Joey's house and started this fight?

15 A Maybe five people.

16 Q Five of you? Whose car were you in?

17 A Gary Holder's -- Highfield.

18 Q That happened before any of this incident that
19 you've testified before the Court here; didn't it?

20 A Sir?

21 Q That happened that before any of this incident at
22 the Burger King or when you called the police to search his
23 car; didn't it?

24 A Uh-huh.

25 MR. ABERNATHY: I have nothing further, Judge.

1 Thank you.

2 THE COURT: Mr. O'Dell?

3 MR. O'DELL: Nothing else, Your Honor.

4 THE COURT: All right. Step down.

5 MS. COLSTON: Thank you, Mr. Vines. Nothing
6 further from the State, Your Honor.

7 THE COURT: Do you have any other witnesses, Mr.
8 Abernathy?

9 MR. ABERNATHY: No, Judge.

10 THE COURT: Mr. O'Dell, are you going to have any
11 other witnesses?

12 MR. O'DELL: No, Your Honor.

13 THE COURT: All right. I'm going to tell you
14 what. I'm going to take a ten-minute break and then
15 I'll hear from you if you want to say anything.

16 [Court reconvenes after the brief recess.]

17 THE COURT: All right. Ms. Colston, what is the
18 State's position on a request for bond in each of the
19 defendants?

20 MS. COLSTON: Your Honor, it's seldom that a woman
21 gets the last word, but I think I do in this situation
22 and I hate to give it up.

23 THE COURT: I think they have the burden.

24 MS. COLSTON: Oh, that's right. They get to open
25 and close. Don't they want to waive their right to