

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE COURT: You are Mark Free; is that right?

MR. FREE: Yes, sir.

THE COURT: Mr. Free, I need to explain something to you. I know your attorneys have already talked to you about this, but I want to explain it to you again.

MR. FREE: Okay.

THE COURT: You are indicted and charged with the same offenses that Mr. Watkins is charged with. Do you understand that?

MR. FREE: Yes, sir.

THE COURT: In a separate indictment?

MR. FREE: Yes, sir.

THE COURT: You are being called as a witness to testify and you have been given what is called the use immunity. That means that you are required to testify. You do not have a privilege to refuse to testify. Do you understand that?

MR. FREE: Yes, sir.

THE COURT: Nothing that you say can ever be used -- in here in this courtroom today, nothing you say can ever be used against you in any other case at any other time for any other



1 reason unless you lie.

2 MR. FREE: Yes, sir.

3 THE COURT: Then you can be prosecuted for
4 perjury?

5 MR. FREE: Yes, sir.

6 THE COURT: Do you understand that?

7 MR. FREE: Yes, sir, I do.

8 THE COURT: Now you could admit from the
9 witness stand you shot the Queen of England or
10 poisoned her food or make up anything you want
11 to.

12 MR. FREE: Yes, sir.

13 THE COURT: You could admit anything, any
14 criminal act from this witness stand and you can
15 never be prosecuted for that other criminal act;
16 nor could your testimony ever be used against
17 you about that. Do you understand?

18 MR. FREE: Yes, sir.

19 THE COURT: It goes even further than that.
20 That is, if you said that you did something and
21 the police didn't know about it, they can't go
22 out and gather other evidence based on what you
23 say today and use it against you. Do you see
24 what I am saying?

25 MR. FREE: Yes, sir.

1 THE COURT: It is part of use immunity;
2 that is, they can't use what you say either to
3 convict you or to gather other evidence to try
4 to convict you.

5 MR. FREE: Yes, sir.

6 THE COURT: Okay? Are you with me?

7 MR. FREE: Yes, sir.

8 THE COURT: Your lawyers have explained
9 that to you?

10 MR. FREE: Yes, sir.

11 THE COURT: You do not have the privilege
12 to refuse to testify, and you must testify.

13 MR. FREE: Yes, sir.

14 THE COURT: Do you understand that?

15 MR. FREE: I do.

16 THE COURT: Raise your right hand.

17 [Mr. Free is given the oath.]

18 MS. COLSTON: Thank you, Your Honor.

19 *****

20 **MARK FREE**

21 was called as a witness by and on behalf of the
22 State, and after being first duly sworn, was examined
23 and testified as follows:

24 **DIRECT EXAMINATION**

25 **BY MS. COLSTON:**

1 Q Just a -- I want to clarify one thing that
2 -- you understand you are still going to be charged
3 with this crime?

4 And you are still going up for trial on this crime?
5 Joey Watkins -- the same thing Joey Watkins is?

6 A Yes, ma'am.

7 Q All right. State your name for us, please.

8 A Timothy Mark Free.

9 Q And where do you live at, Mr. Free?

10 A 142 Rising Fawn Trail.

11 Q Where is that?

12 A Swan Lake Mobile Home Park.

13 Q Where is Swan Lake Mobile Home Park?

14 A It is located off of Old Dalton. There are
15 a couple of other streets to get to it. I am not
16 sure of the names of them.

17 Q Okay. You are incarcerated right now
18 though at the Floyd County jail; right?

19 A Yes, ma'am.

20 Q On this charge?

21 A Yes, ma'am.

22 Q All right. Have you been friends with Joey
23 Watkins?

24 A Yes, ma'am.

25 Q How long?

1 A About nine years.

2 Q About nine years.

3 Q When did y'all become friends?

4 A I would say about '92, '93.

5 Q And you have remained friends up until
6 today?

7 A Yes, ma'am.

8 Q How close friends are you? How often do
9 you see each other?

10 A We are real good friends. We have our
11 times where we hang out a lot, and then separate
12 maybe two weeks, a month, two months before we see
13 each other again, just going on our way to see other
14 people or different friends that we have.

15 Q All right. On or around the time -- you
16 remember when Isaac Dawkins was shot January 11th,
17 2000?

18 A Yes, ma'am.

19 Q All right. About that time what kind of
20 friends were you and Joey?

21 A We were still good friends, but we hadn't
22 been hanging out much because he was dating a girl by
23 the name of Aislinn Hogue. I was hanging out with
24 David Brown at the time.

25 Q So you weren't hanging out much in January

1 of 2000. What is not much? How often would you see
2 him?

3 A Well, we really didn't start seeing each
4 other again until after the shooting.

5 Q Until after the shooting?

6 A Yes, ma'am.

7 Q Y'all did not hang around together before
8 the shooting for how long? How long were y'all apart
9 from each other?

10 A I would say maybe two or three months.

11 Q Who were you dating?

12 A Meka Rogers.

13 A When were you dating Meka Rogers?

14 A We started talking in October, and then I
15 got arrested November the 2nd of '99.

16 A So just that one month -- is that 1999?

17 A We started seeing each other after I got
18 out of jail when I got arrested November 2nd. I got
19 out December 8th.

20 Q Is that '99 or 2000?

21 A That is '99.

22 Q '99?

23 A Yes, ma'am.

24 Q Was that the forgery?

25 A Yes, ma'am.

1 Q Okay.

2 A I was on probation for that, yes, ma'am.

3 Q And you are presently on probation for that
4 forgery?

5 A Yes, ma'am.

6 Q Mr. Free, were you with Joey Watkins on
7 January 11th, 2000, between seven and seven-thirty in
8 the evening?

9 A No, ma'am, I wasn't.

10 Q Were you with Joey Watkins at any time that
11 you saw Isaac Dawkins on January 11th, 2000?

12 A No, ma'am.

13 Q Not at all?

14 A Not at all.

15 Q You are absolutely certain of that?

16 A I am positively certain of that.

17 Q Were you on Highway 27 on January 11th,
18 2000, between the hours of seven and seven-thirty
19 p.m.?

20 A Yes, ma'am, in Armuchee on my way to my
21 sister's house.

22 Q You were on 27 at that time going toward
23 your sister's house in Armuchee?

24 A Yes. From the West Rome Bypass, hit the
25 bypass, turn left there on 27 to go to Armuchee.

1 Q What is your sister's name?

2 A Lisa Lawson.

3 Q Lisa Lawson?

4 A Yes, ma'am.

5 Q Is she married?

6 A Yes, ma'am.

7 Q What is her husband's name?

8 A Shannon Lawson.

9 Q Was he there?

10 A Yes, ma'am.

11 Q Who else was there?

12 A My niece, Ashley Mathis, and my smaller
13 niece, Haley Coots.

14 Q All right. Did you give a statement to the
15 county police at one time that you were at home or
16 either at David Brown's house?

17 A Yes, I did. I was at David's house. I
18 left there with Meka, went to my sister's house and
19 then after my sister had left for work, we stayed
20 there for a little while. I talked with Shannon, and
21 I went home and got me some clothes and I went back
22 to David's house and spent the night with him.

23 Q So you are saying you were at David Brown's
24 house and you spent the night with him?

25 A Yeah, yes, ma'am, but that was after nine

1 o'clock that night.

2 Q After nine o'clock that night?

3 A Yes, ma'am.

4 Q And you are saying you were with Meka
5 Rogers also?

6 A Yes, ma'am.

7 Q And you saw David Brown, your sister, her
8 husband and your niece?

9 A Yeah, and my dad. I saw him that night
10 too, because I had to go home and get some clothes.

11 Q Saw your dad?

12 A Yes, ma'am.

13 Q And your dad is Tim?

14 A Tim Free, yes, ma'am.

15 Q All right. Have you told anyone that you
16 were with Joey Watkins on Highway 27 on January 11th,
17 2000, between seven and seven-thirty?

18 A No, ma'am, I didn't.

19 Q Not told one soul that?

20 A Not one soul.

21 Q When you were in jail on the forgery
22 charge, was it a violation of probation?

23 A Yes, ma'am.

24 Q All right. So when you were in jail on
25 that, did you -- were you in jail with a David Jones?

1 A That was after I got -- left the diversion
2 center back to jail till October 5th.

3 Q So around October, were you in jail with
4 David Jones?

5 A From August to -- he got moved out of the
6 block I would say in September. From August to
7 September, August 12th till September -- probably
8 the middle of September.

9 Q So you were in jail with David Jones?

10 A Yes, ma'am.

11 Q Did you tell him that you were with Joey
12 Watkins and you were in the back seat passed out on
13 pills?

14 A No, ma'am, I didn't.

15 Q You never said that?

16 A No, ma'am.

17 Q Did you tell David Jones that you woke up
18 and heard gunshots?

19 A No, ma'am.

20 Q You never said that?

21 A No, ma'am, I didn't.

22 Q Did you tell -- let me ask you if you
23 remember a fellow by the name -- did you tell him
24 that there was another guy in the car too named Brian
25 who was in the front seat --

1 A No, ma'am.

2 Q -- with Joey?

3 A No, ma'am.

4 Q Do you know who shot and killed Isaac
5 Dawkins?

6 A No, I don't.

7 Q Have you ever told anybody you knew?

8 A No, I told people I had suspicions of who
9 might have, but I can't prove it.

10 Q Did you tell anybody you knew?

11 A No, I didn't tell them I knew who shot him,
12 no, ma'am.

13 Q Did you ever tell anybody, I know -- Joey
14 and I know who did it, but we are going to keep it to
15 ourselves?

16 A No, ma'am, I didn't.

17 Q You never told anybody that?

18 A No, ma'am.

19 Q Do you remember a fellow by the name of
20 Joey Samples?

21 A Yes, ma'am.

22 Q Did you not tell Joey Samples that you knew
23 who did it?

24 A No, I didn't.

25 Q And that you were going to keep it to

1 yourself?

2 A No, I didn't.

3 Q Who is Keri Wilkey?

4 A An ex-girlfriend of mine.

5 Q A former girlfriend of yours?

6 A Yes, ma'am.

7 Q Somebody you are still friends with; isn't
8 it?

9 A You could say that.

10 Q You still call her occasionally and get her
11 to pick you up and take you -- take you somewhere and
12 that type of thing?

13 A Not anymore. She is with somebody else
14 now.

15 Q But up until the time that shortly after
16 Isaac's death, you still felt like you could call her
17 and get --

18 A Yeah, yeah.

19 Q -- her to do things for you?

20 A Yes, ma'am.

21 Q But you were on good terms; correct?

22 A Yes, ma'am.

23 Q Did you ever tell Keri Wilkey that you knew
24 -- that you and Joey knew who did it, but you were
25 going to keep it to yourself?

1 A No, ma'am.

2 Q You never said that?

3 A No, ma'am.

4 Q Did you tell Joey Samples that you shot and
5 killed Isaac -- y'all shot and killed Isaac's dog?

6 A No, ma'am, I didn't know he had a dog.

7 Q You didn't know he had a dog?

8 A No, ma'am.

9 Q You had never heard that in this case?

10 A I have heard rumors that a dog had been
11 shot of Isaac's.

12 Q And you never heard anything about it? You
13 didn't know -- you have never said anything about
14 being the one to shoot it?

15 A No, ma'am.

16 Q You didn't tell Joey Samples that you were
17 worried about that because they -- there was a bullet
18 casing or something found and you were afraid your
19 fingerprints were on it?

20 A No, ma'am.

21 Q You never said that?

22 A I wasn't worried because we didn't do it.

23 Q Did you tell Joey Samples that you were a
24 sharp shooter in the military?

25 A Yeah, we talked about old times, high

1 school, playing football, and I told him I was in the
2 military, told him I wanted to be a patrol officer
3 for Floyd County and thought that might help me. We
4 just talked about old times.

5 Q Did you tell him you were an expert with
6 .9mm's?

7 A Yes, I did.

8 Q You did tell him that?

9 A Yes, ma'am.

10 Q And you are an expert with a .9mm; are you
11 not?

12 A In the military, yes, ma'am.

13 Q In the military, you were considered a
14 sharp shooter?

15 A Expert shot.

16 Q And you filled out an application with the
17 Floyd County PD and sent them a resume saying you
18 were an expert with --

19 A Yes, ma'am.

20 Q -- a sharp shooter?

21 A Yes, ma'am.

22 Q Did you tell Joey Samples -- do you
23 remember telling Joey Samples or did you tell Joey
24 Samples that you needed to get out of jail because
25 you had a good alibi, but you didn't know about Joey

1 and y'all needed to get your stories straight.

2 A No, I never said nothing about getting no
3 story straight. There is not a story to get
4 straight.

5 Q You never said anything to him. Did you
6 talk to him at all about this case?

7 A Well, when I got arrested -- the day I got
8 arrested they put reward posters in every block, and
9 I went up to read it and it was about Isaac, you
10 know, the death of Isaac and if anybody had
11 information about it. I had told Joey Samples that
12 one of my friends had been questioned about it.

13 Q That one of your friends had been
14 questioned about it?

15 A Yes, ma'am.

16 Q And who was that friend?

17 A Joey Watkins.

18 Q Joey Watkins. Did you tell him anything
19 more about it?

20 A No, ma'am.

21 Q Nothing else?

22 A Nothing else.

23 Q Did you tell him why Joey Watkins was
24 questioned or anything, speculation?

25 A No, ma'am.

1 Q Then how does he know of the name Brianne?

2 A I don't know.

3 Q You don't have a clue how he knows that?

4 A No.

5 Q Did you tell him about Joey Watkins' father
6 having a car lot and something about having to do
7 with a car lot?

8 A No. He already knows that.

9 Q Joey Samples already knew that?

10 A He already knew that.

11 Q He already knew that?

12 A He lives in Rome.

13 Q He lives in Rome.

14 A I mean I don't know. I am guessing --

15 Q So he would know --

16 A -- knowing that they own a car lot.

17 Q So he would just know that from that, from
18 the fact that he lived in Rome and that Joey Watkins
19 was the son of Johnny Watkins who owns the car lot in
20 South Rome?

21 A Yeah. To my knowledge, yes.

22 Q That is common knowledge in your opinion to
23 90,000 plus citizens of Rome, Georgia?

24 A Yes, ma'am.

25 Q You think that. Mr. Free, are you denying

1 having made all these statements to all these people?

2 A Yes, ma'am, I am.

3 Q Every one of them?

4 A Every one of them.

5 Q Every one of them? You have never said the
6 things that I had outlined to you?

7 A I have never said them.

8 Q Okay.

9 MS. COLSTON: That is all I have.

10 *****

11 CROSS-EXAMINATION

12 BY MR. O'DELL:

13 Q Mark, I just have a couple of questions so
14 we can clear up a few issues. First, in August of
15 last year did you at any time speak to a Billy Pasley
16 or Passly at a gas station across from Heritage
17 Nissan on Martha Berry?

18 A No, sir. I don't know Bill Pasley.

19 Q Did you ever tell him that you took care of
20 Isaac's dog?

21 A No, I didn't know he had a dog.

22 Q Now this was in August of last year. Where
23 were you August of last year?

24 A Up to August 12th I was at the diversion
25 center. After that, I was put out and went back to

1 jail till October 5th and got out.

2 Q All right. So you were in custody the
3 entire month of August?

4 A Yes, ma'am -- sir.

5 Q All right. Either at the diversion center
6 or out them at the jail?

7 A Yes, sir.

8 Q And you don't --

9 A Pretty much the whole year.

10 Q To the best of your recollection and
11 knowledge, you don't have any friendship or
12 relationship at all with a Billy Pasley?

13 A No, sir, I don't.

14 Q Now back in January 11th of last year, were
15 you working?

16 A I was working part time at Governor's being
17 a bouncer. I was staying -- I spent a lot of time
18 with David, my other friend, David Brown.

19 Q David Brown?

20 A Yes, sir.

21 Q Did he also work out there?

22 A Yes, sir, he is the one that helped me get
23 the job there.

24 Q So it was common for the two of you to
25 spend time together?

1 A I spent the night over there plenty of
2 nights.

3 Q Okay. And you also were dating a young
4 lady at that time; correct?

5 A Yes, sir.

6 Q What was her name?

7 A Meka Rogers.

8 Q How long had you been dating her?

9 A We met in October. We knew each other from
10 way back. We used to go out eight years ago. We
11 started talking again in October. We stayed
12 together, I guess, probably up until the first month
13 of February -- I mean the first couple of days of
14 February.

15 Q Now did you and Meka socialize at all prior
16 to January 11th with Joey and his girlfriend,
17 Aislinn?

18 A No. I didn't know Aislinn until after the
19 shooting.

20 Q So you didn't even --

21 A I never even met her till after.

22 Q So to the best of your knowledge, you don't
23 remember even meeting Aislinn until afterwards?

24 A Yes, sir.

25 Q And to the best of your knowledge, you

1 hadn't even seen Joey in several months; is that
2 correct?

3 A Yes, sir.

4 Q You had your girlfriend, and he had his.
5 You were in your world with David Brown.

6 A Yes, sir.

7 Q Did you even know what was going on in
8 Joey's world?

9 A I had no idea.

10 Q On January 11th at any time did you receive
11 a phone call from Joey Watkins?

12 A No, sir.

13 Q Of 2000?

14 A No, sir, not until after shooting -- we
15 started --

16 Q Y'all started talking?

17 A I was wondering why he was a suspect, you
18 know, and we just talked.

19 Q So you had heard he was a suspect and
20 contacted him?

21 A Yes, sir. This was while I was in jail.

22 Q All right. So you heard about it in jail?

23 A Yeah. As a matter of fact, I called David
24 Brown from jail, and he said that Joey was a suspect.
25 And I was like -- I couldn't believe it. I mean,

1 there is no way.

2 Q Did you at any time call Joey Watkins on
3 January 11th of 2000?

4 A No, sir, I didn't.

5 Q So if your phone records -- did you have a
6 cell phone at that time?

7 A No, sir.

8 Q Just a regular house phone?

9 A Yes, sir.

10 Q Did you have a phone?

11 A Yes, sir.

12 Q And that was just a regular house phone?

13 A Yes, sir.

14 Q So if your records were subpoenaed by the
15 police and everything, you would feel very
16 comfortable that there would be no call either coming
17 in or going out to Joey Watkins?

18 A No. I feel perfectly comfortable with it.

19 Q Could you have possibly told Keri Wilkey
20 that you had someone that you guys suspected did the
21 killing; that you didn't know who did the killing,
22 but you --

23 A Right. I told her that, you know, I had my
24 suspicions.

25 Q You had suspicions.

1 A Right.

2 Q But you didn't --

3 A Right. I didn't know -- you know, I
4 couldn't prove it or anything. I didn't know --

5 Q So when Ms. Colston asked did you know who
6 did it, you don't know who did it?

7 A No, I don't know who did it.

8 Q You have suspicions of who did it?

9 A Suspicions.

10 Q Hang on.

11 MR. O'DELL: That is all I have. Thank
12 you.

13 *****

14 REDIRECT EXAMINATION

15 BY MS. COLSTON:

16 Q Mr. Free, do you recall asking Meka Rogers
17 if not remember, don't you remember we were together
18 that night Isaac was killed. You talked to her about
19 that; didn't you?

20 A I asked her if she remembered.

21 Q And she doesn't remember; does she?

22 A I have no idea.

23 Q She told you she didn't about a hundred
24 times; didn't she?

25 A No.

1 Q She didn't?

2 A No, ma'am.

3 Q You can't sit here and say that if we bring
4 her in this courtroom that she is going to confirm
5 that; is she?

6 A Confirm that she told me that a hundred
7 times?

8 Q No. She is going to confirm that she was
9 with you?

10 A If she could remember or not, I don't know.
11 That is --

12 Q Are you saying you didn't talk to her about
13 it and you didn't tell her, don't you remember you
14 were with me?

15 A I told her when we was dating the whole
16 time we was always together.

17 Q You don't remember -- did you say that to
18 her or not? Don't you remember, you were with me?

19 A I said that to her.

20 Q And she said, no; didn't she?

21 A She sat there and thought about it.

22 Q And she said no; didn't she?

23 A I guess she did.

24 Q And she did. Several times; didn't she?

25 A Once or twice. I told her to sit there and

1 think about it for a minute.

2 Q And then did she sit there and think about
3 it for a minute?

4 A Yeah.

5 Q And then she still said no; didn't she?

6 A Yeah.

7 Q All right. Now also David Brown that you
8 supposedly spent the night with that night that you
9 were with, you did the same thing with him; didn't
10 you?

11 A No, I didn't.

12 Q Called him up and said we were together;
13 weren't we?

14 A He knew I was at his house. I spent a lot
15 of time with him.

16 Q You were at his house on the night that you
17 were arrested; weren't you? Arrested for something -
18 - arrested on your probation?

19 A No, I was at home when I got arrested.

20 Q You were at home when you got arrested.

21 A That was the 12th.

22 Q But weren't you at David's house that night
23 before?

24 A I was there that day, yeah. I spent a lot
25 of time over there.

1 Q Didn't you talk to David about that and
2 tell him that you were with him the night of the
3 11th, and he recalled it to be the night you were
4 arrested?

5 A Well, I didn't think nothing about it until
6 Johnny Williams called me the 12th and asked me --
7 Johnny Williams and I were friends and asked me --
8 told me something about Isaac Dawkins being shot. I
9 was like, who? Who is that? Do you remember
10 Samantha Dawkins? Yeah, I know her through Josh
11 Flemister.

12 Q When was that?

13 A When?

14 Q What are you talking about? When you got
15 that call, where were you at?

16 A I was at David Brown's house on the 12th.

17 Q You were at David Brown's house on the
18 12th?

19 A Yes, ma'am.

20 Q Correct? And that is the night you were
21 with David Brown; right? Because you were arrested
22 later that evening?

23 A At home.

24 Q At home you were arrested later that
25 evening?

1 A Yes. Meka took me home.

2 Q And that is the date that David Brown says
3 -- will say that you were with him when he comes in
4 that courtroom; isn't it?

5 A Yeah. He will say he was with me on the
6 12th.

7 Q And not the 11th; is it? You have talked
8 to him about it; haven't you, Mr. Free?

9 A To my knowledge -- I have read the
10 statements where I got -- about the case, and he said
11 he couldn't remember for sure or not. But he knows
12 we were hanging out a lot.

13 Q So you have read all the statements that
14 are in this case?

15 A I read statements, yes.

16 Q Okay. So you have read all the statements
17 in this case, and you knew -- you know what David
18 Brown is going to say when he comes in here.

19 A I don't know what he is going to say.

20 Q You know that he has not confirmed that you
21 were with him on the 11th?

22 A On the 11th, yes, ma'am.

23 Q And neither has Meka Rogers?

24 A Yes, ma'am.

25 Q Only your family; correct?

1 A Correct.

2 Q What time did you get over to your sister's
3 house?

4 A The 11th or the 12th?

5 Q The 11th?

6 A On the 11th, we left David's house about
7 six forty-five, got to my sister's about seven, maybe
8 five after. She was rushing to go to work. She
9 works the night shift at the time. I remember her
10 rushing trying to find her keys because she usually
11 leaves about seven-fifteen or seven-twenty.

12 Q Was David with you?

13 A No, ma'am.

14 Q At your sister's house?

15 A No, ma'am.

16 Q You just left out of his house and went to
17 your sister's house and then you went back to David's
18 house?

19 A No, I went to my home and got some clothes
20 and went back to David's house.

21 Q Then went to David's house?

22 A Yes, ma'am.

23 Q All right. So at no time were you alone on
24 the 11th?

25 A No, ma'am.

1 Q At no time?

2 A No, ma'am.

3 THE COURT: Mr. O'Dell.

4 *****

5 RE-CROSS-EXAMINATION

6 BY MR. O'DELL:

7 Q Mr. Free, you spent a lot of evenings and
8 days and all with David Brown; didn't you?

9 A Yes, I did.

10 Q All right. It wasn't unusual at all for
11 you to spend the night or y'all work together and go
12 and spend the night at his house, whatever; is it?

13 A Yeah. I stayed most of the week with him.
14 I would go home maybe one day a week or so and get
15 some clothes or something.

16 Q All right. So you spent a great deal of
17 time at his house?

18 A Yes, I did.

19 Q All right. And during this time, you were
20 doing that?

21 A Yes, sir.

22 Q Until the very next day, the 12th, you were
23 arrested that night? This was for a parole --
24 probation violation?

25 A Probation violation technicality, yes, sir.

1 Q What was that technicality?

2 A Behind on my fine.

3 Q Okay. You hadn't paid all your fines. So
4 they came and picked you up?

5 A That was the City, yes.

6 Q And Ms. Colston said you read all these
7 transcripts and statements in this thing. You have
8 read some of them; haven't you?

9 A I have read some of them, yes, sir.

10 Q And that is normal to go over transcripts
11 with your attorneys to see what people are saying
12 about you?

13 A Yes, sir.

14 Q So that we can ask you about it?

15 A Yes, sir.

16 Q Not to see what someone is going to testify
17 about in court.

18 A Correct.

19 Q Now you didn't even become a suspect until
20 a good time later; did you?

21 A Yeah, it was about -- whenever Stanley
22 Sutton got on and started on the case, that is when I
23 became a suspect.

24 Q And do you recall why that was?

25 A To the --

1 MS. COLSTON: I am going to object, Your
2 Honor, in that that calls for speculation as to
3 why he would become a suspect.

4 MR. O'DELL: I will withdraw it.

5 Q [By Mr. O'Dell]: Now you then were asked
6 to try to remember back several months about every
7 bit of movement that you did that day?

8 A Yes, sir.

9 Q And you're answering to the best of your
10 recollection, these are the things I did?

11 A Yes, sir.

12 Q All right. And it turns out that you might
13 be wrong about one little twist or one little turn.
14 Would that necessarily surprise you?

15 A It wouldn't surprise me. I mean, it is a
16 lot to think about back then, and it has been awhile
17 since all that had happened.

18 Q All right. But you do know the very
19 following day on the 12th you got picked up?

20 A Correct.

21 Q And you knew you got picked up at your
22 house, not at David's?

23 A Yes, sir.

24 Q And you knew you were at David's right
25 around that time. Did any other things occur right

1 around the 11th, such as any family situations going
2 on?

3 A Yeah. I was at David's house the 11th, and
4 I called my sister's house, Lisa Lawson, and she said
5 that Ashley, my little niece, had skipped school or
6 something and tried to run away. I said, well, all
7 right, I said, I am going to come over there and talk
8 to her about it.

9 Q She was sort of a favorite niece of yours;
10 wasn't she?

11 A Yes, sir.

12 Q And she listened to you?

13 A Yes, sir.

14 Q All right. What about your grandfather?
15 Was there any problems with him at that time?

16 A My grandfather?

17 Q Or did you have any family member in the
18 hospital?

19 A Oh, yeah, my Paw-Paw Peyton. He was in
20 intensive care unit at the hospital. The doctor said
21 he didn't have but a few days to live, but he did
22 beat what -- he caught pneumonia, and he did beat
23 that and came back home. He wanted to die at home,
24 and he did pass away this past October.

25 Q And this was going on right at that very

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

same time too; wasn't it?

A Yes, sir.

Q All right.

MR. O'DELL: Thank you.

MS. COLSTON: Nothing further.

THE COURT: All right. Step down, please.

[End of immunity testimony.]