

1 that, the form of --

2 MS. COLSTON: Nothing further.

3 THE COURT: All right. Step down, please. Call
4 the State's next witness.

5 MS. COLSTON: Thank you. Tiffany Sledge.

6 *****

7 **TIFFANY SLEDGE**

8 was called as a witness by and on behalf of the State, and
9 after being first duly sworn, was examined and testified as
10 follows:

11 **DIRECT EXAMINATION**

12 **BY COLSTON:**

13 Q Tiffany, if you will, speak into that microphone
14 and speak up so that the jury can hear you.

15 A Okay.

16 Q Tell us your name.

17 A Tiffany Sledge.

18 Q Where do you live at?

19 A 100 Bowman Road.

20 Q And how long have you lived there?

21 A I've lived there for three years.

22 Q And do you know the defendant in this case, Joey
23 Watkins?

24 A Yes, ma'am.

25 Q How long have you known him?

1 A Around a year.

2 Q Around a year? How did you get to know him?

3 A He worked where I worked at Bob Williams' Dodge.

4 Q Okay. And what period of time did you work at Bob
5 Williams' Dodge?

6 A I worked there for about three years.

7 Q From when to when?

8 A From January of '99 until right after 2001.

9 Q Okay. Did you know the victim in this case, Isaac
10 Dawkins?

11 A No, ma'am.

12 Q Now when did Joey Watkins work for Bob Williams'
13 Dodge?

14 A Around May or July 1999.

15 Q Somewhere between May and July of what year?

16 A 2000.

17 Q 2000? You had a year?

18 A Yeah, it was '99.

19 Q '99, the year before?

20 A Yeah.

21 Q During the time that he worked there, was there a
22 period of time that Joey was out for a few days?

23 A Yes, ma'am.

24 Q Okay. When he came back was he talking about what
25 had happened to him while he was out?

1 A Well, he said he had been out because a gang of
2 people jumped on him, which was Isaac and a gang that he was
3 in supposedly.

4 Q Isaac Dawkins?

5 A Yes, ma'am.

6 Q Did he specifically say that name?

7 A Yes, ma'am.

8 Q You're sure?

9 A Yes, ma'am.

10 Q And did he make any comment?

11 A Yes, ma'am.

12 Q Did he take some ribbing for having been out?

13 A Yes, ma'am, because he had a broke nose.

14 Q He had a broke nose? And the ribbing that he took,
15 was he taking it very well?

16 A No, ma'am.

17 Q He wasn't? Did he make any comments?

18 A Yeah, one day at the time clock he was clocking
19 out, going to lunch. The men had stirred him up and he was
20 running his mouth saying that if it was the last thing that
21 he had to do that Isaac would pay if he had to kill the son
22 of a bitch.

23 MS. COLSTON: Thank you very much. Oh, that's
24 okay. Thank you.

25 MR. ABERNATHY: Thank you, Ms. Colston.

1 *****

2 CROSS-EXAMINATION

3 BY MR. ABERNATHY:

4 Q Ms. Sledge, my name is Rex Abernathy and I have
5 just a couple of questions for you.

6 A Uh-huh.

7 Q So the ladies and gentlemen of the jury can hear
8 this. Now what is your husband's name?

9 A Tim. I'm not married.

10 Q I'm sorry?

11 A I'm not married.

12 Q Were you married?

13 A No, I have not been married.

14 Q Do you have a fiance?

15 A No, I do not.

16 Q Who is Tim?

17 A Tim is my boyfriend, the father of my children.

18 Q He has a drug charge pending here in this court;
19 doesn't he?

20 MS. COLSTON: I going to object, Your Honor.

21 THE WITNESS: He does not have drug charges
22 pending.

23 THE COURT: Just a second. Whoa, whoa, whoa, stop.
24 When an objection is made, you stop.

25 THE WITNESS: Okay. I'm sorry.

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THE COURT: Let me hear from the lawyers.

MS. COLSTON: If this is relevant, I don't have a problem. I just think we have enough witnesses in this case to keep from having to go to something irrelevant.

MR. ABERNATHY: Judge, I can tell you how it's relevant. I have a right to cross-examine this witness as to her bias and motive to testify in this court.

THE COURT: That's correct because if she's living with him -- is this someone you're living with now?

THE WITNESS: Yes, sir.

THE COURT: Is that what I understand?

THE WITNESS: Yes, sir.

THE COURT: You may certainly go ahead.

MR. ABERNATHY: Thank you, Judge.

Q [By Mr. Abernathy] And as a matter of fact you've talked to the prosecutors, this district attorney's office about trying to cut a deal for Tim and help him to testify in this case; haven't you?

A No, sir, Tim has already been sentenced and done his time.

Q And that's what deal you struck for your testimony in this case, isn't it, Ms. Sledge?

A No, sir.

Q Well, Ms. Sledge, let me ask you a little bit. You talked to the police before and gave them a statement; didn't

1 you?

2 A Yes, sir.

3 Q And tell the ladies and gentlemen of the jury when
4 you worked at Bob Williams again?

5 A I worked there from -- I've worked there for round
6 about five years altogether on and off.

7 Q When did you start?

8 A I actually started in '97 and worked for about
9 three weeks.

10 Q And then when did you start back?

11 A I started back in '98 and worked for about three
12 months. And then I stayed for about a year and a half
13 straight, up until I had my last child.

14 Q And you gave a statement -- what police officer did
15 you talk to when you gave them a statement about hearing this
16 alleged comment by Mr. Watkins?

17 A Stanley Sutton.

18 Q Stanley Sutton? And isn't it true that you told
19 him that you were working there and Joey was working there
20 and while y'all were at the time clock, Joey made this
21 statement about Isaac; isn't that true?

22 A Yes, ma'am -- yes, sir.

23 Q All right. And you told the police that it was
24 probably the end of November or the first of December of '99;
25 didn't you?

1 MS. COLSTON: Object, Your Honor. If he has
2 something in a statement or a good faith basis for that
3 question I'd like to see it.

4 MR. ABERNATHY: I can show her, Judge.

5 THE COURT: Did you ask -- if you're asking her
6 about something in a statement she gave, then you need
7 to show her where it is and ask her if that's what she
8 said and if it's true.

9 MR. ABERNATHY: Judge, I was asking her the
10 question to get her to answer and then refresh her
11 memory.

12 THE COURT: All right. Well, show it to her and
13 see.

14 Q [By Mr. Abernathy] Do you recall talking to
15 Detective Sutton?

16 A Yes, sir.

17 Q Does that refresh your memory as to when you told
18 him it happened? Let me see what page.

19 MS. COLSTON: Are you showing her the statement?

20 Q Page three.

21 MR. ABERNATHY: I'm showing her a statement Stanley
22 Sutton took, page three.

23 A Yes, sir.

24 Q And that's when you told them it happened; isn't
25 it?

1 A Yes, sir.

2 Q Well, isn't it true Joey Watkins wasn't even
3 working there in November or December of '99; was he?

4 A Sir, this has been all going on so long, a time and
5 a date I could not place for sure.

6 Q Well, you told this jury just now it happened back
7 in May and July. Your memory was better back when you gave
8 this statement a long time ago than it is today; wasn't it?

9 A Yes, sir.

10 Q It sure was and isn't it true that Joey made that
11 statement about --

12 A He did make that statement. He did not make it
13 directly to me. He was just mouthing.

14 Q Oh, he didn't make it directly to you? Well, you
15 told the police, didn't you, that you and he were the only
16 ones there?

17 A No, I did not.

18 Q Well, let me ask you, Ms. Sledge, you just told Ms.
19 Colston on direct exam, told the ladies and gentlemen of this
20 jury that he said it because of what Isaac did to him, he was
21 going to get him if it was the last thing he ever did?

22 A Yes, sir.

23 Q And isn't it true you told the police back then
24 that he said he was going to get the fellow that broke his
25 nose?

1 A He said, that it was -- Isaac would pay if it was
2 the last thing he had to do is kill the son of a bitch.

3 Q He said the fellow that broke his nose; didn't he?

4 A He said, Isaac.

5 Q Well, let me --

6 MR. ABERNATHY: May I approach, Your Honor?

7 THE COURT: Yes,

8 Q Let me show page two of the statement with Stanley
9 Sutton. Right there. Isn't that what you told the police?
10 breaking his nose?

11 A Yes, sir.

12 Q That's what you told him; wasn't it?

13 A Yes, sir.

14 Q That's when your memory was fresh. And you know
15 good and well that it was Buddy Vines that broke his nose;
16 don't you?

17 A I don't know Buddy Vines. All I knew it was Isaac
18 and his gang.

19 Q Isaac and his gang? Well, isn't it true that it
20 was the 501 gang?

21 A I don't know, sir.

22 Q And isn't it true that it was Buddy Vines, the same
23 fellow that pled guilty to breaking his nose in this court?

24 A I don't know, sir.

25 Q You don't know?

1 A I don't know Buddy Vines.

2 Q But you come in here and tell these ladies and
3 gentlemen of the jury today that it was the fellow -- you
4 told him back then it was the fellow that broke his nose;
5 didn't you?

6 A Yes, sir.

7 Q All right. And now you come in here and say he was
8 talking about Isaac?

9 A That was the name he said, Isaac.

10 Q And you're sure? Tell the ladies and gentlemen of
11 the jury again, was it November or December?

12 A No, sir.

13 Q It wasn't that? So this is just wrong, what you
14 told them back then?

15 A Just like when I talked to Stanley, I finally told
16 him I did not know the exact month. This had been going on
17 for a long time.

18 Q You told him he was clocking out and running his
19 mouth?

20 A Yes, sir.

21 Q And you just testified to the ladies and gentlemen
22 of the jury that he was mouthing off to everybody and he
23 wasn't talking to you?

24 A No.

25 Q Well, isn't it true that you told Investigator

1 Sutton back months ago when your memory was fresh and Sutton
2 came looking for you to talk to you, you told him that nobody
3 was around when he told you this and he told you
4 specifically; isn't that what you told him back then?

5 A He did not tell me direct.

6 MR. ABERNATHY: May I approach, Your Honor?

7 THE COURT: You can.

8 Q Let me show you your statement again, Ms. Sledge,
9 page four. Mr. Sutton asked you what -- basically what did
10 you tell him? You said, nobody was around; didn't you?
11 nobody but you?

12 A The time clock is here. A podium is here. I
13 worked on the podium. The time clock is right here. There
14 was no individuals on the podium with me. He was coming
15 through the cleanup shop to clock out to go to lunch,
16 mouthing.

17 Q Right here. Line 76, Sutton says: Okay. Anybody
18 around when he told you this?

19 What's your response?

20 A No.

21 Q No. There wasn't anybody there. It was a big
22 secret back then. You just happened to hear it by yourself;
23 didn't you?

24 A No.

25 Q And the fellow that broke his nose named Buddy

1 Vines was in the 501 gang; wasn't he?

2 A I don't know Buddy Vines. I don't know nothing
3 about no 501 gang.

4 Q Well, you know that Joey Watkins wasn't working in
5 November and December; don't you?

6 A I don't know when Joey was terminated.

7 MR. ABERNATHY: Maybe we can find out a little
8 later. Thank you, Ms. Sledge. That's all I have.

9 THE COURT: Ms. Colston, anything further?

10 MS. COLSTON: Yes. Yes, Your Honor.

11 *****

12 REDIRECT EXAMINATION

13 BY MS. COLSTON:

14 Q Tiffany, is this the same statement he showed you?
15 I've got it marked and highlighted, my copy. Does that look
16 about like the same statement he was just showing you, the
17 one you gave Stanley Sutton? Is that your statement to
18 Stanley Sutton, Tiffany?

19 A Yes.

20 Q And the area that I have already highlighted there
21 and circled on page two, the question was: Stanley Sutton:
22 Okay. You remember during that conversation you told me
23 about what you knew about Isaac Dawkins' death and you said,
24 yes and then Stanley said, you told me back in June. Now
25 we've talked verbally.

1 Is that what you said, that first it happened in June.

2 A Yes, ma'am.

3 Q Okay. The first thing you said was that it
4 happened in June and then on page three when Stanley told you
5 this happened in January; that the death of Isaac was in
6 January and that's when he got shot. From that point
7 backwards did Joey tell you -- at what point did he tell you
8 that and you were guessing -- you guessed at that point,
9 well, it was probably be the end of November or December?

10 A Yes.

11 Q Were you just thinking that it was just a few
12 months before Isaac's death you heard this?

13 A Yes.

14 Q But your statement, was it not, Tiffany, that you
15 said, June? Is that not right?

16 A Yes, ma'am.

17 Q And that turns out to be correct; doesn't it?

18 A Yes, ma'am.

19 Q And are you absolutely certain just like you told
20 Stanley it was in June the first time --

21 A Yes, ma'am.

22 Q Are you absolutely certain he was talking about
23 Isaac?

24 A Yes, ma'am.

25 Q Do you know why -- him mouthing off and the way he

1 was mouthing off about somebody breaking his nose and he's
2 taking this ribbing and he's taking all this stuff, do you
3 even know? I mean, you just know he said something about
4 Isaac Dawkins?

5 A Yes, ma'am.

6 Q If it turned out that Buddy Vines did break his
7 nose at some point, would that surprise you?

8 A No.

9 Q Would it change your mind about what he said that
10 day?

11 A No, ma'am.

12 Q Okay. You heard him say and I think you told
13 Stanley Sutton there, did you not say on page two of your
14 statement, when Joey Watkins told you that he was going to
15 kill that son-of-a-bitch, Isaac Dawkins, if it was the last
16 thing he did, and you said, yes, that's correct.

17 A Yes, ma'am.

18 Q And he asked you, is that the truth?

19 A Yes, ma'am.

20 Q And you said, yes? And he said, is that the truth
21 today?

22 A Uh-huh.

23 Q And you said, yes. Is that the truth today,
24 Tiffany, as we're sitting here on June 26th, 2001?

25 A Yes, ma'am.

1 Q Have you ever asked me for any consideration on Tim
2 -- what's his name?

3 A Tim Williams.

4 Q Okay. Have you ever asked me for any consideration
5 on Tim Williams?

6 A No.

7 Q Have we ever talked about Tim Williams?

8 A No, ma'am.

9 Q And Tim's already done his time?

10 A Tim done six months.

11 Q All right.

12 A He was incarcerated.

13 Q Have you asked for anything in return?

14 A No, ma'am.

15 MS. COLSTON: Tiffany, thank you so much.

16 MR. ABERNATHY: Just a couple more questions.

17 *****

18 RE-CROSS-EXAMINATION

19 BY MR. ABERNATHY:

20 Q Did you tape the statement before with Sutton,
21 before you taped this one?

22 A No, sir.

23 Q And there's no record of what you told him back
24 when you wanted to talk to him, back in -- when did you say
25 it was?

1 A June.

2 Q And isn't it true that his nose was broken back in
3 March when he was still working there at Bob Williams?

4 A His nose was broke while he worked at Bob Williams.
5 I don't know what month it is. I don't keep records.

6 Q And that was back before he was even -- before
7 Isaac was even dating Brianne; wasn't it?

8 A I don't know Isaac or Brianne.

9 Q You don't know? But there's no question that you
10 told Sutton that he told you this individually and no one
11 else heard it?

12 A I did not, no. He did not tell me individually.
13 Me and Joey did not talk on a one-on-one basis.

14 Q My question to you, Ms. Sledge, isn't that what you
15 told Detective Sutton; that no one else heard it and it was
16 just you and him?

17 A Yes, sir.

18 MS. COLSTON: Okay. I'm going to object, Your
19 Honor. He's mischaracterizing what is stated in that
20 statement. Was there anybody else around? She doesn't
21 know if anybody else heard it or not, from somewhere
22 else around the corner. It was, anybody else around?

23 THE COURT: She can't testify -- she can only
24 testify as to what she observed.

25 MR. ABERNATHY: Judge, I didn't ask if anybody

1 heard it. I asked her didn't she tell Stanley Sutton
2 that she was the only one there?

3 THE COURT: Okay.

4 Q [By Mr. Abernathy] Isn't that true?

5 A I was the only one standing at the podium, yes,
6 sir.

7 Q And said, he's going to get that fellow that broke
8 his nose?

9 A He said that he would get that son-of-a-bitch,
10 Isaac, if it was the last thing he had to do and kill him.

11 Q Ms. Sledge, isn't it true that you told him, you
12 said, I'll get that son-of-a-bitch for what he done, for
13 breaking my nose at the mall? He said it happened at the
14 mall; didn't he?

15 A I know it happened at the mall.

16 Q Okay. And that's what he was talking about isn't
17 it? That's what Joey Watkins was talking about?

18 A He was talking about getting his nose broke and he
19 was mad.

20 MR. ABERNATHY: That's all I have of this witness.

21 THE COURT: Ms. Colston?

22 *****

23 REDIRECT EXAMINATION

24 BY MS. COLSTON:

25 Q And he was talking about Isaac Dawkins?

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A Yes, ma'am.

MS. COLSTON: Okay. Thank you, Tiffany.

THE COURT: Anything else? Step down, please. Don't discuss your testimony with anybody, please. Call your next witness.

MS. COLSTON: We call Paul Allen.

THE COURT: Do you want this witness to stay or is she released?

MS. COLSTON: No, we can call her if we need her back. Thank you so much, Tiffany.

THE COURT: Any objection? All right. You're free to leave. Counsel, come up just a second.

[Inaudible colloquy between Court and counsel outside the hearing of all others.]

PAUL ALLEN

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

DIRECT EXAMINATION

BY MS. COLSTON:

Q Move up and speak into the microphone and tell us your name, please.

A Paul Allen.

Q Wow, I don't think you need to speak that loud.