

1 12:51 something on 7. Mr. Davis is first seen and
2 I know at 1 or at 1:19 or so, the three guys and
3 Davis are seen. Okay. Just find that for me.

4 All right. Mr. Davis, come up this way right
5 over here. Thank you for your patience.

6 CHRISTOPHER DAVIS,

7 after having been first duly sworn, was examined
8 and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. KNIZLEY:

11 Q. State your name, please, sir.

12 A. Christopher Davis.

13 Q. Where do you live, Mr. Davis?

14 A. I live with my mom on Moffett Road.

15 Q. Are you married?

16 A. Engaged.

17 Q. Do you have children?

18 A. Yes, sir.

19 Q. And where are you employed?

20 A. Offshore at HOS.

21 Q. All right. And were you employed back in August of
22 '20?

23 A. Yes, sir. Yes, sir.

24 Q. Where were you working?

25 A. I was working with a company offshore.

1 Q. You were working back then too?

2 A. Yes, sir.

3 Q. Where do y'all go out of?

4 A. We go out of Louisiana.

5 Q. You have something in your hand there?

6 A. Yes, sir, my witness statement.

7 Q. Okay. Just so we note what this is, I'm showing
8 you what's marked as Defendant's Exhibit 2. Is
9 that what you got in your hand, that's the same
10 thing, is it about the same, or is that a different
11 statement?

12 A. Yes, sir, the same thing.

13 Q. You can hang onto that. All right. Do you have a
14 TWIC card?

15 A. Yes, sir.

16 Q. All right. Did you work on July 31st, 2020?

17 A. I can't go back that far. I don't know.

18 Q. The day of this accident, had you worked that
19 morning, that day?

20 A. I don't remember.

21 Q. Did you work the next day, the day of -- you
22 remember going to the Comfort Inn, right?

23 A. Yes, sir. I remember going to the Comfort Inn.

24 Q. Did you work the day after you went to the Comfort
25 Inn, if you remember?

1 A. I don't remember.

2 Q. Okay. And when you went to -- do you remember what
3 you had done earlier that day before you got in the
4 car to go to the Comfort Inn?

5 A. Yes, sir. I was at my mom's house.

6 Q. Your mom's house is on Moffett Road you said?

7 A. Yes, sir.

8 Q. Whereabouts? Is it way out, close in, what? Near
9 the interstate?

10 A. Yeah, near the interstate.

11 Q. Before you get to Wolf Ridge Road?

12 A. Right there close to Wolf Ridge, right there.

13 Q. You take Wolf Ridge to Bear Fork or not?

14 A. No, right there on Wolf Ridge.

15 Q. Right there at Wolf Ridge? All right, Somewhere
16 right in there. I just don't want your mother's
17 address published here. Right around Wolf Ridge
18 and Moffett is where you were?

19 A. Yes.

20 Q. Did you have anybody with you, like, your
21 girlfriend and her mom or your kids' mom?

22 A. My wife and my son, yes, sir.

23 Q. Were you married back then?

24 A. No, sir.

25 Q. Are you married now?

1 A. Just engaged.

2 Q. When you call her your wife, were you married or is
3 it someone else?

4 A. That's just what I call her.

5 Q. That's okay. There's nothing wrong with that.
6 Sometimes you might refer to her as your wife,
7 sometimes you may just be engaged, right? Is that
8 right?

9 A. Yes, sir, fiance, engaged.

10 Q. Okay. And how old were your children back then?

11 A. I want to say four-years-old.

12 Q. One child or more than one child?

13 A. Just one at that time.

14 Q. Okay. And you and your wife and your child were at
15 your mama's on Moffett, and you don't remember what
16 you had done at all that day, anything?

17 A. I was just at the house.

18 Q. The best can you recall, all day long? And did you
19 then decide to leave the house and go to the
20 interstate and the service road?

21 A. Yes, sir.

22 Q. What made you do that? What made you decide to go
23 do that?

24 A. That's where my friends stayed. Told me where they
25 was meeting up at the Comfort Inn.

1 Q. Who is your friend that said that?

2 A. That's when my brother-in-law had told me they was
3 at the Comfort Inn.

4 Q. That'd be Harry?

5 A. Yes, sir.

6 Q. Harry said they were at the Comfort Inn. Did he
7 call you on the phone and tell you that or
8 Facebook?

9 A. No, I found out on Facebook.

10 Q. So it was that afternoon or that evening or right
11 before you went, or when?

12 A. I don't remember what time.

13 Q. Well, best recollection? Was it an hour or so
14 before you went, 10 minutes before you went or way
15 up earlier in the day?

16 A. I'm not sure.

17 Q. Your best recollection?

18 MS. RICH: Judge, he's already said he's not
19 sure.

20 THE COURT: If he says he doesn't know, he
21 doesn't know, Mr. Knizley.

22 Q. Okay. And Harry sent you a Facebook -- tell us
23 what this is called, Facebook message or what do
24 you call it?

25 A. It was just on Facebook.

1 Q. Okay. Your group of friends on Facebook, you
2 exchange messages, is that how it goes or what?

3 A. I don't remember that.

4 Q. Okay. And he said who was coming into town?

5 A. Two of my friends that's in the Navy.

6 Q. What's their names?

7 A. Roman and Emanuel.

8 Q. What's Roman's last name?

9 A. I'm not sure.

10 Q. Do you have any idea what his last name is?

11 A. I'm not sure.

12 Q. You're not very close to him, right?

13 A. Not that close.

14 Q. Do you know where he was stationed in the Navy?

15 A. During that time, I want to say South Carolina, I
16 think.

17 Q. Are you sure?

18 A. I'm not sure. No, I'm not sure.

19 Q. Where is he stationed today?

20 A. I'm not a hundred percent sure.

21 Q. Is he still in the Navy?

22 A. That I know of, yes.

23 Q. Have you ever seen him since that night?

24 A. No.

25 Q. When is the last time you've seen him before that

1 night?

2 A. I hadn't seen him before that night.

3 Q. Well, I mean, you've seen him at some time before
4 that night. Back in high school, you hadn't seen
5 him since high school or what?

6 A. Since high school, no.

7 Q. 9th Grade? 10th grade?

8 A. Since graduation, yes, sir.

9 Q. What year did you graduate from BC Rain?

10 A. 2017.

11 Q. So you hadn't seen him in three years. You saw him
12 one time, and you hadn't seen him since then?

13 A. No.

14 Q. How about Emanuel, what's his last name?

15 A. I'm not sure.

16 Q. And when is the last time you saw him before that
17 night?

18 A. The same thing, I don't know, sir, since high
19 school.

20 Q. Where was he stationed?

21 A. I want to say somewhere in California.

22 Q. Where is he stationed now?

23 A. I'm not sure.

24 Q. Is he still in the military?

25 A. That I know of.

1 Q. Have you ever talked to him since that night?

2 A. No.

3 Q. Would you consider yourself a close friend with
4 these two people in August of 2020?

5 A. Yes, we was friends.

6 Q. And I want to be clear. Have you ever talked to
7 them on the phone or had any communication with
8 them since high school, that would be Roman and
9 Emanuel?

10 A. No. Not -- no.

11 Q. And have you had any communication with them by
12 e-mail, telephone, text message, Facebook since
13 that night?

14 A. Not that I remember.

15 Q. All right. What's the wife's name?

16 A. Chante.

17 Q. Their wife's name?

18 A. Oh, I don't know.

19 Q. Emanuel's wife?

20 A. I don't know.

21 Q. Is he married?

22 A. I don't know.

23 Q. Got any children?

24 A. I don't know.

25 Q. You really don't know him very well, do you?

1 A. We all work out of town. I don't know. I work 316
2 days out the year, sir.

3 Q. Sir, you really don't know these two people very
4 well, do you?

5 A. I just know them from high school, that's it.

6 Q. And you've never spoke a word to them since high
7 school and never spoke a word to them since then?

8 A. I don't know.

9 Q. You don't know or that's correct?

10 A. I don't know.

11 Q. All right. And what time of day or night did you
12 decide to go meet Harry, Roman, and Emanuel?

13 A. I don't know the time. I just know it was dark
14 outside, that's it.

15 Q. Did you leave -- did you decide to take your wife
16 and one four-year-old child with you that evening
17 or not?

18 A. They just -- I asked them did they want to come,
19 and she said yes, to go see her brother. That was
20 it.

21 Q. Okay. And her brother is Harry?

22 A. Yes.

23 Q. How often does she see Harry?

24 A. That's her brother. I'm not sure. I'm not really
25 home.

- 1 Q. He lives in Mobile?
- 2 A. He works out of town that I know of.
- 3 Q. Where does he work?
- 4 A. I don't know the company. I don't know. I just
5 know he works out of town. That's it.
- 6 Q. Okay. But she sees her brother pretty often,
7 doesn't she?
- 8 A. I guess.
- 9 Q. When he's in town, where does he live? Do you
10 know?
- 11 A. I don't know.
- 12 Q. Okay. But she wanted to see him?
- 13 A. Yes.
- 14 Q. It was important for her to go see him that night;
15 is that right?
- 16 A. I don't know.
- 17 Q. She wanted to go see her brother or not?
- 18 A. We just wanted to go see him, yes. We wanted to go
19 to the hotel to go see her brother.
- 20 Q. All right. And your mama was home?
- 21 A. Yes.
- 22 Q. Did your mama ever take care of your four-year-old?
- 23 A. When she'd get a chance, yes.
- 24 Q. Well, did she have a chance that night?
- 25 A. No.

1 Q. Why not?

2 A. I'm not sure if she was still in the house or not.

3 Q. It was 11:30 at night, and you don't know whether
4 your mama was there or not?

5 A. No, I don't know.

6 Q. Okay. What's your mother's name?

7 A. Harriet.

8 Q. What's her last name?

9 A. Paige.

10 Q. All right. Did she work at that time back then?

11 A. She worked. She retired. Since she retired, I'm
12 not sure.

13 Q. She's retired now?

14 A. Yes.

15 Q. Was she retired back in 2020?

16 A. I can't remember.

17 Q. So did you go anywhere when you left the Moffett
18 and Wolf Ridge area? Did you go anywhere else
19 except directly to the Comfort Inn?

20 A. Directly to the Comfort Inn.

21 Q. And did you have your cell phone with you?

22 A. Yes.

23 Q. And do you ever get on Facebook on your cell phone?

24 A. Yes.

25 Q. Had you had anything to drink in the way of alcohol

1 that day?

2 A. No.

3 Q. Did you have any alcohol in your vehicle?

4 A. No.

5 Q. I'm not suggesting that you do use controlled
6 substances or anything, but have you taken any
7 prescription medication that day?

8 A. No. No.

9 Q. Had you smoked any marijuana that day?

10 A. No.

11 Q. Had you taken any other chemical or drug that may
12 alter your reflexes?

13 A. No.

14 Q. Okay. And you went directly from Moffett Road
15 there, right?

16 A. I went to mom's -- when I left her house --

17 Q. Mom's house?

18 A. My mom's house. When I left my mom's house on
19 Moffett, I went towards the interstate, right there
20 by Clark's. I went down the interstate, went
21 towards Airport, got off on Airport and I went,
22 like, northbound and went to the hotel.

23 Q. Did you know which hotel you were going to?

24 A. No, I didn't know.

25 Q. When you hopped in the car, you didn't know --

1 where did you think you were going to go?

2 A. No. When I went to the hotel -- I mean, when I got
3 in the car, I didn't know what hotel I was directly
4 going to. That's when I -- my phone was already
5 connected to the Bluetooth, that's what I use on my
6 steering wheel. So I called my brother-in-law to
7 see what hotel he was at.

8 Q. And what did he tell you?

9 A. He just told me the Comfort Inn.

10 Q. Okay. And did you know about what hotel it was, or
11 the general area it was when you got in the car?

12 A. When I got in the car I kind of -- kind of didn't
13 really know. But when I got on the interstate,
14 that's when I kind of seen it. That's when I got
15 off on Airport.

16 Q. You hadn't seen it, what are you talking about it?

17 A. The Comfort Inn, the hotel.

18 Q. Well, had you already called Harry by that time or
19 not?

20 A. No.

21 Q. Well, how did you know it was the Comfort Inn if
22 you hadn't called Harry?

23 A. Well, I looked on the -- looked on the road, on the
24 interstate.

25 Q. Well, I thought Harry was the one that told you it

1 was the Comfort Inn; did he tell you that before
2 you left home?

3 A. When he told -- when I was at home, that's when
4 they said they was at a hotel. I didn't know what
5 hotel at that point.

6 Q. Well, you said you were on the interstate, you were
7 looking for the Comfort Inn, but how did you know
8 it was the Comfort Inn? When did Harry tell you
9 that?

10 A. When I was on my way to -- on my way to the hotel.

11 Q. All right. Before you looked off to the interstate
12 or not?

13 A. That was -- I'm not sure.

14 Q. All right. Well, so had you ever been to a hotel
15 along the service road before?

16 A. I don't remember.

17 Q. Maybe?

18 A. I don't know. I don't remember.

19 Q. You don't know?

20 A. I don't remember.

21 Q. Not one time. You have zero recollection of ever
22 being there before?

23 MS. RICH: Asked and answered, Your Honor.

24 THE COURT: Make an objection and I'll rule
25 on it.

1 MS. RICH: Objection. Asked and answered.

2 THE COURT: All right. One more time. I
3 have to go by thorough and sifting confrontation
4 clause consideration. Anything else on this issue,
5 Mr. Knizley?

6 Q. You have no recollection of ever being at any hotel
7 on the service road between Dauphin Street and
8 Airport Boulevard in your life or do you?

9 A. I don't know.

10 Q. All right. Okay. You now know it would have been a
11 shorter path just to get on Dauphin than to go up
12 Moffett and get on the interstate and get on
13 Dauphin to go that way, right if you're going up to
14 Airport, right?

15 A. From which direction?

16 Q. From Moffett Road and Wolf Ridge Road. Go ahead and
17 give an answer.

18 A. I just want to read my statement right here.
19 That's all.

20 Q. I know. But I'd just like to ask you a few quick
21 questions. Did Ms. Rich talk to you about why you
22 took the path that you took?

23 A. No.

24 Q. All right. Has Ms. Rich ever talked to you about
25 this case?

1 A. The only thing I know, Ms. Rich just subpoenaed me,
2 that was it.

3 Q. Never talked to you about it though, right?

4 A. No.

5 Q. Okay. Never spoke a word to her about it?

6 A. No.

7 Q. Okay. Now, you came down the road and you -- was
8 your wife in the front seat or the back seat?

9 A. She was in the passenger seat.

10 Q. And your child was in the back seat in a car seat?

11 A. Yes.

12 Q. And you're going down there, you turn into the
13 Comfort Inn, right?

14 A. Turned left into the Comfort Inn with my turn
15 signal on, yes, sir.

16 Q. Did you turn your blinker on?

17 A. Yes, sir.

18 Q. Have you seen the video? Has Ms. Wright showed you
19 -- Ms. Rich, not Ms. Wright. Has Ms. Rich talked
20 to you about this case? Have you heard of any
21 conversation? That's who I'm talking about. If I
22 said Wright, I apologize. Have you and Ms. Rich
23 ever talked about this case?

24 A. No.

25 Q. Okay. Did Ms. Rich or Ms. Walsh show you the video

1 where you turned in?

2 A. No.

3 Q. You've never seen that video? You've been here
4 since Monday?

5 A. Yes, sir.

6 Q. And they've never showed you any videos related to
7 this, okay. You say you did turn on the blinker
8 you say, right?

9 A. Yes.

10 Q. And you're positive, you remember that?

11 A. Yes, sir.

12 Q. Unquestionably?

13 A. Yes, sir.

14 Q. And did you see any cars coming towards you before
15 you made the turn?

16 A. I saw a car up in the distance.

17 Q. How far a distance?

18 A. A long distance.

19 Q. How long would you -- you played football in high
20 school?

21 A. Yes, sir.

22 Q. You know how long a football field is then?

23 A. The yards, yes, sir.

24 Q. What position did you play?

25 A. I played quarterback.

1 Q. You did, at BC Rain?

2 A. Yes, sir.

3 Q. Great. Fantastic. So you know how long a football
4 field is and how far -- you can throw a football 50
5 or 60 yards, right?

6 A. Yes, sir.

7 Q. So you knew what that distance is. Was that car
8 more than a hundred yards?

9 A. Yes, sir. It was like, I want to say, probably 400
10 yards.

11 Q. 400 yards. And you saw the car, right?

12 A. Yes, sir. I saw the headlights.

13 Q. Saw the headlights?

14 A. Yes, sir.

15 Q. And then you thought it was safe to make a turn?

16 A. I had clearance to make a turn, yes, sir.

17 Q. 400 yards, you certainly had clearance?

18 A. Yes, sir.

19 Q. And that's four football fields; right?

20 A. Yes, sir.

21 Q. And you turned?

22 A. Yes, sir.

23 Q. And there was no other cars anywhere around?

24 A. No, sir.

25 Q. Okay. Now, when you turned in, did you hear a

1 crash?

2 A. I just heard a loud noise, that was it.

3 Q. Did you go to see if there was a crash?

4 A. When I turned in the parking lot of the Comfort Inn
5 hotel, I went to the rear end of the hotel. I
6 parked the car, and that's when I just wanted to go
7 see if -- heard about the crash.

8 Q. And have you talked with Harry since that time,
9 since your first phone call when he told you where
10 the --

11 A. Yes, sir. I talked to him.

12 Q. You did?

13 A. Yes, sir. That's when I called my friends and I
14 told them I heard a loud noise, and that's when we
15 went to go see.

16 Q. Your friends, which friends?

17 A. Roman and Emanuel.

18 Q. Roman and "Ezekiel" too?

19 A. Roman and Emanuel.

20 Q. Emanuel, excuse me. Were y'all on a group text or
21 some group Facebook thing or something?

22 A. I don't remember.

23 Q. Who is Devin?

24 A. I don't know him.

25 Q. You don't know Devin that you were talking to at

1 about the same time on Facebook?

2 A. No.

3 Q. Okay. And you talked to your friends, and did you
4 meet up with them and then go toward the wreck
5 scene?

6 A. Yes, sir.

7 Q. And where did you meet up with them?

8 A. I don't remember that. I just remember we went to
9 the scene. That was it, for a few minutes.

10 Q. What do y'all do there?

11 A. We just went up there for a few minutes and saw a
12 car in the ditch and that was it.

13 Q. Okay. And then what did you do?

14 A. We walked back to the hotel.

15 Q. When you got back to the hotel, what did you do?

16 A. I went to tell them bye, and that was it and I
17 left.

18 Q. Did you just tell them bye in the parking lot or
19 what?

20 A. I went to the room and told them bye and that was
21 it.

22 Q. Just so I know how you did that, you got there and
23 you saw your friends, and you talked to your
24 friends and said I just heard a loud crash, and
25 they came to meet up with you, and y'all went to

1 see what happened, right?

2 A. Yes, sir.

3 Q. And then y'all walked back, right?

4 A. Yes, sir.

5 Q. Give it to me slow now. And you hadn't been
6 drinking or smoking dope or anything like that?

7 A. No, sir.

8 Q. Taking drugs?

9 A. No, sir.

10 Q. And you went and you come back to the parking lot,
11 okay, and then you went to tell them bye. Tell me
12 what you did. When you got back to the parking
13 lot, tell me what you did to go tell them bye?

14 A. I went to the room, and I just told them bye and
15 that was it.

16 Q. And I don't mean to belabor you, Mr. Davis, but did
17 you go up there and you come in and stay there 30
18 seconds, a minute, two minutes, or a longer or
19 shorter time or do you know?

20 A. I don't know.

21 Q. Did you do anything other that tell them bye?

22 A. No. I just told them bye and that was it.

23 Q. You made one trip up there and went -- did you go
24 inside the door?

25 A. I don't know. I don't remember.

- 1 Q. Did you just go to the doorway?
- 2 A. I don't know. I don't remember.
- 3 Q. You don't know, but you do know you went up there
- 4 and told them bye, don't you?
- 5 A. Yeah, I told them bye.
- 6 Q. And that's all you did, you didn't do anything
- 7 else; right?
- 8 A. I didn't do anything else.
- 9 Q. Nothing else?
- 10 A. Nothing else.
- 11 Q. And I guess your wife and baby were down in the
- 12 car?
- 13 A. Yes, sir.
- 14 Q. Did you take more than two or three minutes to tell
- 15 them bye? Did you hang around?
- 16 A. I just told them bye and that was it.
- 17 Q. You told them bye and that was it, and then you
- 18 walked back downstairs and left?
- 19 A. Yes, sir.
- 20 Q. Got in your car? How long were you there?
- 21 A. No less than 30 minutes, if that.
- 22 Q. And you didn't make two or three trips up there,
- 23 did you?
- 24 A. No.
- 25 Q. Just one trip --

1 A. One trip.

2 Q. To say bye?

3 A. That's it.

4 Q. Okay. Did Harry or someone tell you that the
5 police came by looking for you?

6 A. No, I don't know, no.

7 MS. RICH: Context, Judge. Objection.

8 Context. Did the police come by when, where, how.

9 THE COURT: Mr. Knizley, why don't you
10 rephrase your question a little bit.

11 Q. Did anyone say to you the police wanted to talk to
12 you about the accident?

13 A. I don't remember.

14 Q. You have no recollection of that? And how long have
15 you been up in this courthouse this week in
16 connection with this case?

17 A. I want to say since the first -- what was that, the
18 20th?

19 Q. Was it Monday?

20 A. I guess so, yeah.

21 Q. Monday? So you've been here five days?

22 A. Yes, sir.

23 Q. And have you been in the DA's Office? Where have
24 you been staying in here?

25 A. In the hallway.

1 Q. I know you hadn't talked to any of the DAs or
2 nothing, you told me that, right?

3 A. No.

4 Q. All right. So the day after the accident, the
5 police wanted to talk to you, you don't remember
6 that, right?

7 A. I don't.

8 Q. Did you remember talking to your uncle about going
9 to see the police?

10 A. I don't remember.

11 Q. Okay. And did you go with your uncle to see the
12 police?

13 A. Yes.

14 Q. You did?

15 A. Yes.

16 Q. Do you remember when you and your uncle got
17 together to go do that?

18 A. I don't remember that day.

19 Q. Okay. But do you remember doing it though?

20 A. Yes, sir.

21 Q. Tell me where y'all met up?

22 A. He came to me from my mom's house.

23 Q. Did y'all talk before that time?

24 A. No.

25 Q. Well, how did he just appear and say let's go see

1 the police? Somebody had to know -- somebody had
2 to go to the police.

3 A. That's when my mom got a phone call telling me,
4 hey, you need to -- somebody called and said, hey,
5 you need to come down and give a witness statement,
6 and that was it.

7 Q. And her brother used to be a policeman. She called
8 her brother and said why don't you take Chris to
9 the station, and you went down there, right?

10 A. Yes.

11 Q. And you went down there. He told you don't talk to
12 them, didn't he?

13 A. No. He just told me to do a written statement,
14 that was it.

15 Q. And he told you do not talk to them, didn't he?

16 A. He just told me to do a written statement, that's
17 it.

18 Q. Isn't that the same thing he said --

19 MS. RICH: The third time. Objection. Asked and
20 answered, third time.

21 THE COURT: One last thorough, specific, you
22 have a right to confirm. Go ahead, Mr. Knizley.

23 Q. Is telling them only to make a written statement
24 the same thing as not making an oral statement?

25 A. I don't know.

1 Q. I gotcha.

2 A. That would require me to speculate. I don't know.

3 Q. Sir?

4 A. That requires me to speculate. I don't know.

5 Q. That requires you to speculate?

6 A. Yes, I don't know.

7 Q. And did an investigator from my office come to see
8 you, Mr. Michael Golson?

9 A. No, I never met that person.

10 Q. I know. But did a card get left with your wife
11 that said would you please call Mr. Golson if you'd
12 like to talk about this case?

13 A. I wasn't home.

14 Q. I know that. But did your wife tell you that?

15 A. No.

16 Q. Well, then, how do you know you weren't at home if
17 he came by?

18 A. When I got there, there was just a paper sitting on
19 the kitchen counter, that's it.

20 Q. A subpoena to come to court, right?

21 A. Yes, sir.

22 Q. And a card that said please call me, right?

23 A. It's just a card there, yeah.

24 Q. And he saw you here at the courthouse and stopped
25 you, talked to you, and said will you talk to me

1 about the case, didn't he, two days ago?

2 A. Yes, sir.

3 Q. And what did you tell him?

4 A. I don't want to talk.

5 Q. Okay. He told you that he was from the defense
6 lawyer's office too, right?

7 A. I guess so, yes.

8 MR. KNIZLEY: May I approach the witness,
9 Your Honor?

10 THE WITNESS: Is there any way I could read
11 my statement? Is there any way I could read my
12 statement?

13 THE COURT: Yes. Do you mean read it out
14 loud?

15 THE WITNESS: Yes.

16 THE COURT: Well, not yet. You just have to
17 respond to questions.

18 THE WITNESS: Okay.

19 MR. KNIZLEY: May I approach the witness,
20 Your Honor?

21 THE COURT: Sir?

22 MR. KNIZLEY: May I approach the witness?

23 THE COURT: Yes.

24 Q. Mr. Davis, I want you to take a look at this at
25 what's called a Facebook report from your Facebook

1 account. Do you know a man named Isaiah Evans?

2 A. No.

3 Q. You don't know Isaiah Evans?

4 A. No.

5 Q. And I'm going to mark it as Defendant's Exhibit 3
6 for this purpose. Okay? On Defendant's Exhibit 3,
7 at the top, what's marked page 263; is that your
8 name right there?

9 A. Yes.

10 Q. Okay. And --

11 MS. RICH: Dennis, can you direct me to a
12 page or something you're showing in the Facebook
13 records?

14 MR. KNIZLEY: 263 on the Facebook report, and
15 I'm marking this excerpt as Defendant's Exhibit 3
16 which I'll mark.

17 THE COURT: Is this out of that 900-page
18 exhibit?

19 MR. KNIZLEY: Yes, sir, Judge.

20 THE COURT: This is page 263 of it?

21 MR. KNIZLEY: Yes.

22 THE COURT: Go ahead.

23 MS. RICH: Ours doesn't have that name on it,
24 Judge.

25 (OFF THE RECORD)

1 Q. You don't know Isaiah Evans, we know that, right?

2 A. No.

3 Q. And that is your name right there, right?

4 A. Yes, sir.

5 Q. We see it one, two, three, four, five times. Do you
6 know somebody that writes their name Devin,

7 D-E-V-I-N? Do you know that person?

8 A. No, sir.

9 Q. Never heard of him?

10 A. No.

11 Q. Don't know anything about him? Never communicated
12 with him by Facebook?

13 A. No.

14 Q. All right. How about Latonya on page 264, Latonya
15 Rippmoma Haygood; do you know her?

16 A. That's my mother-in-law.

17 Q. Okay. And she's on here twice, right? Right there
18 again, right? Right?

19 A. Yes.

20 MS. RICH: What page are you on?

21 MR. KNIZLEY: Let's see. I was on page 264
22 just then.

23 MS. RICH: Are you going to mark that?

24 MR. KNIZLEY: Judge, I'm going to offer
25 Defendant's Exhibit 3, pages 263 and 264.

1 THE COURT: It is in without objection for the
2 purpose of this hearing.

3 MR. KNIZLEY: Yes, sir.

4 THE COURT: Not for trial purposes, none of
5 these exhibits are for trial purposes.

6 MR. KNIZLEY: Yes, sir.

7 THE COURT: Give her a second to get that
8 down.

9 THE REPORTER: I've got it.

10 THE COURT: Okay. Go ahead, Mr. Knizley.

11 (DEFENDANT'S EXHIBIT 3 MARKED AND ADMITTED IN
12 EVIDENCE)

13 Q. Other than Harry, Roman, and Emanuel, did you see
14 another person in the room when you went up to tell
15 them bye?

16 A. I don't remember.

17 Q. Did you ever see anyone that was ill in the room,
18 that did not feel well?

19 A. I don't remember.

20 Q. Did you see any regurgitation in the room?

21 A. I don't remember.

22 Q. Is that because you were only in there just a short
23 period of time?

24 A. I don't remember.

25 Q. All right. Was Harry and Roman and Emanuel in just

1 one room, or did they have more than one room?

2 A. I don't remember that.

3 Q. You don't remember much of anything, do you?

4 A. No.

5 Q. Let me ask this: If you don't remember that, how
6 do you remember you had your blinker on?

7 A. Because I always turn my blinkers on.

8 Q. And how do you remember it was 400 yards?

9 A. Because the car was up in at a distance.

10 Q. Well, how you do remember? You don't remember
11 going up there, you don't remember how many people
12 was in there, you don't remember how many rooms
13 they had. If you don't remember any of that, how
14 do you remember it's 400 yards, because it was
15 important to you; is that right, how far that car
16 was away?

17 A. What you mean?

18 Q. Well, you seem to have a memory lapse on a lot of
19 things; can we agree on that? Sir?

20 A. No.

21 Q. We can agree, you have a good memory?

22 A. Yes, sir.

23 Q. Okay. But you don't remember how many people were
24 in the room, right?

25 A. Right.

1 Q. You don't remember whether there was more than one
2 room, right?

3 A. Right.

4 Q. And you don't remember how long you stayed there?

5 A. Right.

6 Q. You don't remember whether you went inside the room
7 or not, right?

8 A. Correct.

9 Q. You don't remember anything about that, but you do
10 remember about 400 yards, right?

11 A. Because of my statement.

12 Q. Look on your statement there where it says 400
13 yards.

14 A. It doesn't. I have clearance.

15 Q. Sir?

16 A. I said it doesn't, I have clearance.

17 Q. I can't hear you. You have clearance?

18 A. Yes, sir.

19 Q. Does clearance and 400 yards mean the same thing?

20 A. I mean, from a vehicle that's 400 yards, I mean, of
21 course you're going to have clearance, right?

22 Q. You don't have 400 yards written on this piece of
23 paper, do you?

24 A. No.

25 Q. Do you have anything written about that blinker on

1 that piece of paper?

2 A. No.

3 Q. Have you had a chance to read it?

4 MS. RICH: What are we doing? I'm sorry.

5 THE COURT: What's the question?

6 MR. KNIZLEY: He's wanting to read, he's
7 asking an opportunity to read over his document
8 about whether or not it includes anything about a
9 blinker.

10 Q. Have you had a chance to read it?

11 MS. RICH: About a what? I didn't even hear you.
12 What?

13 THE COURT: He said about a blinker.

14 Q. Have you had a chance to read it?

15 A. Yes, sir.

16 Q. Does it say anything about a blinker?

17 A. No, sir.

18 Q. All right. Last question. It's around 12:15 or
19 12:30 at night, you're at your mother's with your
20 wife and your four-year-old child, and you get a
21 call from her brother to come see two old high
22 school acquaintances at the Comfort Inn; is that
23 what happened?

24 A. What was the question?

25 Q. Sir?

1 A. What was the question?

2 Q. The night this happened, you were at your mother's,
3 right?

4 A. Yes, sir.

5 Q. And you got a call from your wife's brother, Harry?

6 A. No. I found out on Facebook.

7 Q. Facebook communication from your wife's brother
8 Harry; is that right?

9 A. No. It was just on Facebook, yes, sir.

10 Q. Okay. And your wife wanted to see her brother,
11 right?

12 A. I mean, we all went to see him because we all work
13 out of town.

14 Q. You told us earlier your wife wanted to see her
15 brother; is that why your wife went, because she
16 wanted to see her brother or not?

17 A. Yes, sir.

18 Q. And you wanted to see your two acquaintances from
19 high school?

20 A. Yes, sir.

21 Q. And you got in the car at 12:20, 12:30 at night?

22 A. I don't know what time it was.

23 Q. You arrived at the hotel at 12:40 at night?

24 A. I don't know.

25 Q. Well, if that's what the record says; would you

1 disagree with that? If your car is in the picture
2 there at 12:40; would you disagree with that?

3 A. No, I don't know.

4 Q. And you get there at 12:40 at night, and you see
5 these friends out in the parking lot, you go up
6 there to tell them bye, right? That's what
7 happened?

8 A. Yes, sir.

9 Q. If your wife wanted to see her brother, why didn't
10 she go in?

11 A. My son was asleep in the car by the time we arrived
12 there.

13 MR. KNIZLEY: That's all I have.

14 THE COURT: Questions, Ms. Rich?

15 MS. RICH: Yes.

16 CROSS-EXAMINATION

17 BY MS. RICH:

18 Q. So do you know that I'm a DA?

19 A. Yes, ma'am.

20 Q. Okay. So I subpoenaed you, right, to this trial?

21 A. Yes, ma'am.

22 Q. And so we've had conversations before this week
23 about you coming to court, right?

24 A. Yes, ma'am.

25 Q. Have we ever had any conversations about the facts,

1 or did I ever ask you anything about any of the
2 facts of this case prior to today?

3 A. No, ma'am.

4 Q. I mean, prior to this week? Excuse me.

5 A. No, ma'am. Just to tell the truth, that was it,
6 no.

7 Q. Did we ever talk about anything prior to the
8 trial --

9 A. Oh, no, ma'am.

10 Q. -- about anything other than you coming to court --

11 A. No, ma'am.

12 Q. -- pursuant to a subpoena?

13 A. Yes, ma'am. Just come to court, that's it.

14 Q. In fact, I talked to your boss, didn't I?

15 A. Yes, ma'am.

16 Q. You got mad at me.

17 A. Yes, ma'am.

18 Q. Because I talked to your boss, because I have to
19 have you as a witness in this case, right?

20 A. Yes, ma'am.

21 Q. Okay. When did you and I first talk about the
22 facts of this case?

23 A. I just know you just told me to come to court, that
24 was it.

25 Q. But Chris, we talked back here.

1 A. Yes, ma'am.

2 Q. When did we talk back here --

3 MR. KNIZLEY: Well, Judge, I don't know whose
4 witness is whose, and if it's cross or direct
5 but --

6 THE COURT: Let me refer counsel to Rule 608
7 -- actually 607. "Credibility of a witness may be
8 attacked by any party, including the party calling
9 the witness."

10 And of course I set the hearing. I don't
11 know who called the witness, but even if this
12 witness is deemed to be called by the State, she
13 can attack his credibility. 607, that's a new
14 trend.

15 In the old days, when we were young lawyers,
16 we vouched for the witness to be put on the stand,
17 you could not do that. This is a new rule, 607.
18 Overruled. Go ahead.

19 Q. Do you recall talking to me at any point about the
20 facts of this case?

21 A. Yes, ma'am.

22 Q. Okay. When?

23 A. This week.

24 Q. Yes.

25 A. I want to say yesterday or sometime.

1 Q. And that was the first time you and I went over the
2 facts of this case, wasn't it?

3 A. Yes, ma'am.

4 Q. This week?

5 A. Yes, ma'am.

6 MR. KNIZLEY: Judge, just so it's evident on
7 the stand and it is a little confusing, if you
8 will, as to whose witness it is, but she is greatly
9 leading the witness.

10 THE COURT: She is. But I think it's within
11 the realm of a 607 impeachment, and I'm going to
12 allow it at this point. All right.

13 MS. RICH: Nothing else, Your Honor.

14 THE COURT: And this is outside the presence
15 of the jury anyway. So we're just trying to get at
16 the truth here. I don't think that fact is really
17 much in dispute, whether he recalled it accurately
18 or not.

19 This Facebook business record, can a person
20 -- whose Facebook does this come from, or is this
21 just a neutral thing you go collect? Educate me
22 about this. How do y'all have this?

23 MR. KNIZLEY: I received it from the District
24 Attorney.

25 THE COURT: It's not on Facebook, right? Where

1 did the State get this from?

2 MS. RICH: We subpoenaed it from Facebook.

3 THE COURT: This is Facebook records of blank?

4 MS. RICH: Of Christopher Davis.

5 THE COURT: Of Christopher Davis, okay.

6 MS. RICH: Yeah.

7 THE COURT: Okay. That's what I was trying
8 to get at. I'm totally not familiar with how
9 Facebook works, that's why I'm asking. I've never
10 had a Facebook page other than my campaign one
11 time.

12 MS. RICH: Your Honor, when you look at that
13 Facebook record, okay, if there's a group -- there
14 needs some explanation for the Judge.

15 So when you look -- I don't know what you're
16 looking at, per se, but I think what Mr. Knizley
17 has referenced, that page 264 -- what page are you
18 on?

19 THE COURT: I don't have that. I'm not even
20 on a page here.

21 MS. RICH: Okay. Then never mind. I won't
22 explain it but --

23 THE COURT: I'm not even on that issue.

24 MS. RICH: It shows on the Facebook record
25 not just communications of the person whose

1 Facebook it is, but anything anybody else writes on
2 the Facebook page.

3 THE COURT: Right, I understand.

4 MS. RICH: Okay?

5 THE COURT: Yes. I've seen those. My wife
6 does Facebook so she can see pictures of
7 grandchildren and stuff like that, you know. I
8 mean, so I've seen that before.

9 Can I get the State -- I ask you to locate
10 that particular spot on camera 7 or 6?

11 MS. RICH: Yes, sir.

12 THE COURT: Where's Mr. Preston, is he in
13 here?

14 MR. HOWARD: I'm right here, Judge.

15 THE COURT: Preston, will you make sure his
16 screen is turned on? This is Camera 7. Hang on, let
17 me see where we are. Okay, yeah. Is this where the
18 three guys leave?

19 MS. WALSH: Yes.

20 THE COURT: Okay. Play it.

21 (PLAYING VIDEO)

22 MS. WALSH: It's playing.

23 THE COURT: Watch that, Mr. Davis.

24 THE WITNESS: Yes, sir.

25 THE COURT: Okay. Stop right there. Who's

1 that guy?

2 THE WITNESS: I don't know.

3 THE COURT: Okay. Go to the next one.

4 (PLAYING VIDEO)

5 THE COURT: Who's that guy? Stop.

6 THE WITNESS: That's my brother-in-law.

7 THE COURT: That's Mr. Matthews?

8 THE WITNESS: Yes, sir.

9 THE COURT: Okay. Go ahead, Ms. Walsh.

10 (PLAYING VIDEO)

11 THE COURT. Stop. Who's that guy?

12 THE WITNESS: I don't know.

13 THE COURT: Stop. So Matthews, that's your
14 brother in law, the guy that had the T-shirt that
15 said -- what did it say, "HOT"?

16 MS. WALSH: There were more words. It's a
17 Pizza Hut shirt.

18 THE COURT: It's a Pizza Hut shirt. But these
19 other two guys with your brother-in-law, you don't
20 know who they are?

21 THE WITNESS: No, sir.

22 THE COURT: Have you ever seen them before
23 that night?

24 THE WITNESS: No, sir.

25 THE COURT: You don't know their first or last

1 name?

2 THE WITNESS: No, sir.

3 THE COURT: Or how to get in touch with them?

4 THE WITNESS: No, sir.

5 MS. WALSH: Judge, I have the other camera
6 angle if you want to see it.

7 THE COURT: All right. Go ahead. Yes,
8 please. Okay. Play it. It's a little slower this
9 time.

10 MS. WALSH: I slowed it down.

11 (PLAYING VIDEO)

12 THE COURT: And so Mr. Davis, just as the
13 people enter the room, tell me who those are, the
14 guy that says "HOT" on it, coming in, "HOT," that's
15 your brother-in-law?

16 THE WITNESS: Yes, sir.

17 THE COURT: And then the next guy. Okay,
18 who's that guy?

19 THE WITNESS: I don't know.

20 THE COURT: Okay. The next guy, who's that
21 guy?

22 THE WITNESS: I don't know.

23 THE COURT: And then the guy, "Just Do It."
24 That's you?

25 THE WITNESS: Yes, sir.

1 THE COURT: All right. Ms. Walsh, go to
2 about 12:19 on Camera 7.

3 MS. WALSH: You said 12:19?

4 THE COURT: Yes, ma'am.

5 (PLAYING VIDEO)

6 THE COURT: That's close enough.

7 MS. WALSH: Are you looking at the bottom,
8 Judge, 12:19 there?

9 THE COURT: No.

10 MS. WALSH: Okay. If we're talking about the
11 same thing there, that means it's going to be 43
12 seconds.

13 THE COURT: Okay. I didn't note seconds on
14 my notes. It's just too much to write it. As this
15 is happening in real time, I just wrote the minute
16 and the hour. So I just wrote 12:19. Okay. Now, I
17 want you to slow this down.

18 MS. WALSH: I don't think I can slow it down.

19 THE COURT: Okay. Well, just play it and let
20 me look at it. Before you start playing it, Mr.
21 Davis, I'm going to want you to tell me who these
22 people are. Okay? So play it.

23 (PLAYING VIDEO)

24 THE COURT: Okay. Stop right there. This guy
25 that's carrying a person by the shoulders, he's got

1 a black T-shirt on with no writing on it with
2 glasses; do you know who that is?

3 THE WITNESS: That's my other brother-in-law.

4 THE COURT: And what's his name?

5 THE WITNESS: Jaquarius Matthews.

6 THE REPORTER: Jaquarius?

7 THE COURT: Jaquarius Matthews, and that's
8 the name that's on page 393 of the Facebook.
9 Jaquarius Matthews?

10 THE WITNESS: Yes, sir.

11 THE COURT: Jaquarius Matthews?

12 THE WITNESS: Yes, sir.

13 THE COURT: Okay. And who's the person that's
14 being carried?

15 THE WITNESS: That's my friend that's in the
16 Navy.

17 THE COURT: What's his name?

18 THE WITNESS: Roman.

19 THE COURT: So that night, did you ever talk
20 to Roman?

21 THE WITNESS: No, sir.

22 THE COURT: Why not?

23 THE WITNESS: I didn't talk to him.

24 THE COURT: What?

25 THE WITNESS: I didn't talk to him.

1 THE COURT: Why not?

2 THE WITNESS: I don't know. I just didn't
3 talk to him.

4 THE COURT: Was he conscious when you got
5 there?

6 THE WITNESS: I don't remember.

7 THE COURT: Now, this guy with the glasses
8 that you said is your other brother-in-law, his
9 name is Jaquarius Matthews?

10 THE WITNESS: Yes, sir.

11 THE COURT: All right. Did you talk to him
12 that night?

13 THE WITNESS: No, sir.

14 THE COURT: And then the T-shirt that says,
15 "HOT," that's your brother-in-law, Mr. Matthews?

16 THE WITNESS: Yes, sir.

17 THE COURT: Are they brothers?

18 THE WITNESS: Yes, sir.

19 THE COURT: They are?

20 THE WITNESS: Yes, sir.

21 THE COURT: Are they married to sisters?

22 THE WITNESS: No.

23 THE COURT: How is Jaquarius Matthews your
24 brother-in-law?

25 THE WITNESS: I'm married -- well, I'm

1 engaged to his sister.

2 THE COURT: Oh, that's your wife, that's your
3 wife's brother? I got it. Okay. See, I don't know
4 them.

5 THE WITNESS: Yes, sir.

6 THE COURT: Who is the person named Cousin
7 Earl; do you know who that is?

8 THE WITNESS: No, sir.

9 THE COURT: Do you know what the last name is
10 of Cousin Earl?

11 THE WITNESS: No, sir.

12 THE COURT: What about Shelby Green?

13 THE WITNESS: No, sir. I don't know who that
14 is.

15 THE COURT: I'm going to show you what's
16 going to be marked as Court's Exhibit D, D as in
17 dog. This is starting on page 391 of the Facebook
18 business record.

19 I'm going to show you some pictures. You
20 know, the only word I can come up with in some of
21 these pictures is that they're gross. Okay. It's
22 got vomit and such in it, but I've got to show it
23 to you.

24 I'm looking at page 392 of a person whose got
25 vomit on him, looks like he's passed out; who is

1 that?

2 THE WITNESS: That would be my friend from
3 out of town. That's one of the Navy guys.

4 THE COURT: That's the Navy guy?

5 THE WITNESS: Yes, sir.

6 THE COURT: And what's his name?

7 THE WITNESS: Roman.

8 THE COURT: Roman what?

9 THE WITNESS: I don't know his last name.

10 THE COURT: You really don't know his last
11 name?

12 THE WITNESS: I don't know.

13 THE COURT: Did he go to high school with you?

14 THE WITNESS: Yes, sir.

15 THE COURT: And you don't know his last name?

16 THE WITNESS: No, sir.

17 THE COURT: Okay. Then on page 394 of the
18 record, there's two guys asleep in the bed. The
19 guy on the left, who is that?

20 THE WITNESS: I don't know.

21 THE COURT: And the guy on the right, who's
22 that?

23 THE WITNESS: I don't know.

24 THE COURT: You don't know either one of
25 them?

1 THE WITNESS: No.

2 THE COURT: Do you know who took this picture?

3 THE WITNESS: No, I don't.

4 THE COURT: You didn't take it?

5 THE WITNESS: No.

6 THE COURT: And then page 396, there's a
7 person asleep, looks like something beside his
8 head; do you know who that person is that's asleep?

9 THE WITNESS: Friend from out of town in the
10 Navy.

11 THE COURT: What's his name?

12 THE WITNESS: Roman.

13 THE COURT: That's Roman again, that's the
14 guy that had the other picture earlier?

15 THE WITNESS: Okay.

16 THE COURT: Okay. When you went in the room,
17 do you remember seeing him passed out or had vomit
18 on him?

19 THE WITNESS: No.

20 THE COURT: I'm going to show you picture
21 402. This guy on the upper left of 402, can you
22 tell who that is?

23 THE WITNESS: I don't know who that is.

24 THE COURT: And the person below down here
25 who has the hand up by his hair; do you know who

1 that is?

2 THE WITNESS: I don't know.

3 THE COURT: You can't see the face. I didn't
4 know if you knew. Okay.

5 Go to, if you would, Camera 19, 12:50. I
6 just wrote the earlier minute in reference to what
7 I did.

8 MS. WALSH: That's where we just were, 12:50.

9 THE COURT: Okay. So we covered that?

10 MS. WALSH: Yes.

11 THE COURT: Okay, good. 12:21 on Camera 6.

12 (PLAYING VIDEO)

13 THE COURT: There's going to be a guy with no
14 shirt on, I think, in this scene. While she's
15 looking for that, Mr. Davis, that other
16 brother-in-law, not Harry Matthews, but the other
17 one, what was his first name? Emanuel?

18 THE WITNESS: No, Jaquarius.

19 THE COURT: Yes, Jaquarius Matthews.

20 THE WITNESS: Yes, sir.

21 THE COURT: Watch the video now.

22 THE WITNESS: Yes, sir.

23 MS. WALSH: You said 12:21, Judge?

24 THE COURT: Yes, ma'am.

25 (PLAYING VIDEO)

1 THE COURT: This may not be the one I'm
2 looking for. This is just the other angle of what
3 we've already seen. What I'm looking for is the
4 picture of the guy with no shirt. He's a husky
5 guy, kind of a heavy-built guy. It may be right
6 after this. Try 12:41. No, not 12:41, that's not
7 going to be it.

8 MS. WALSH: Do you want me to keep it on
9 12:21 for a minute?

10 MR. KNIZLEY: Have you looked at the
11 gentleman having a little difficulty walking?

12 THE COURT: Yes.

13 MR. KNIZLEY: 12:21:02.

14 THE COURT: It is 12:21, okay. That's what I
15 thought. Yes, that's it. I had it right. The judge
16 is usually right, isn't he?

17 All right. Mr. Davis, I'm looking at the guy
18 right in the middle, he's on the front of your
19 screen, he's got no shirt on. The guy in the white
20 jacket hoodie is going up to him, and there's a
21 person behind the guy with no shirt on. The guy
22 with the white hoodie, you don't know who he is,
23 right?

24 THE WITNESS: No, sir. I don't know.

25 THE COURT: But the guy with no shirt; do you

1 know who that is?

2 THE WITNESS: No, sir. I don't know.

3 THE COURT: The guy behind him, do you know
4 who that is?

5 THE WITNESS: No, sir. I don't know.

6 THE COURT: Okay. So the people you do know
7 that you saw that night were Jaquarius Matthews,
8 right?

9 THE WITNESS: Yes, sir.

10 THE COURT: Harry Matthews?

11 THE WITNESS: Yes, sir.

12 THE COURT: Roman, who was the guy that was
13 passed out you saw, right?

14 THE WITNESS: Yes, sir.

15 THE COURT: And who was the other person,
16 your other friend? You had two friends you were
17 going to see.

18 THE WITNESS: Yes, sir. Emanuel, but he was
19 not -- I don't think he was there.

20 THE COURT: He wasn't there?

21 THE WITNESS: No, sir.

22 THE COURT: But you went there to see him,
23 but you didn't see him?

24 THE WITNESS: Yes, sir. I don't think he was
25 there.

1 THE COURT: Do you remember Emanuel's last
2 name?

3 THE WITNESS: No, sir.

4 THE COURT: I got it. All right. Anything
5 else from either side of this witness?

6 BY MS. RICH:

7 Q. Now, when the Judge showed you all these camera
8 views and everything, were you there yet at the
9 Comfort Inn?

10 A. Where you just saw me when I was walking up the
11 steps?

12 Q. No, no, no. Never mind. Never mind. I'll get it
13 in through the detective.

14 THE COURT: Okay. Thank you, Mr. Davis.
15 We'll get you to wait out in the hallway. If
16 you'll get Mr. Harry Matthews to step in here for
17 us.

18 HARRY MATTHEWS,
19 after having been first duly sworn, was examined
20 and testified as follows:

21 THE COURT: Have a seat right here,
22 and I'm going to get you to scoot up about six
23 inches to a foot from that mic. Okay, a little bit
24 closer. Mr. Knizley, your witness.

25 DIRECT EXAMINATION