

1 Q. That was?

2 A. For the death of Yvonne Layne.

3 Q. What happened during that interview?

4 A. I had admitted to it.

5 Q. You admitted to what?

6 A. Killing Yvonne Layne.

7 Q. Did you mention David Thorne during the

8 course of that interview?

9 A. Yes, I did.

10 Q. What did you tell them?

11 A. I told them that he wanted me to do it and

12 he had paid me to do it.

13 Q. In regards to State's Exhibit 1, the knife

14 that you used to kill Yvonne Layne, do you

15 know how it ended up here in court today?

16 A. I had told the police where it was.

17 Q. Did you just tell?

18 A. I took them to it.

19 Q. Would that have been the same day as when

20 you were interviewed by them?

21 A. Yes, sir.

22 Q. And what happened when you took them to it?

23 A. They found the knife.

24 Q. Did you take them to any other piece of

25 evidence?

- 1 A. To my -- to the pants.
- 2 Q. What had happened to the pants?
- 3 A. What do you mean?
- 4 Q. In other words, why did you have to take
- 5 them to the pants? What had you done with
- 6 the pants after the murder?
- 7 A. I had thrown them in the woods.
- 8 Q. Which woods?
- 9 A. The ones right off Lover's Lane.
- 10 Q. I'm going to show you what's been marked
- 11 for identification purposes as 59A, 59B,
- 12 59C, 59D, 59E, 59F, and 59J. Ask you to
- 13 look at those items.
- 14 A. (Witness complies with request.)
- 15 Q. Do you recognize those photographs?
- 16 A. Yes, sir, I do.
- 17 Q. What are those photographs?
- 18 A. That's where I put the pants.
- 19 Q. Sorry?
- 20 A. Where I had put the pants.
- 21 Q. And did you show them the pants the same
- 22 day as the knife?
- 23 A. Yes, sir, I did.
- 24 Q. In the interview. What happened to the
- 25 other clothing items that you were wearing?

1 A. I'm not sure.

2 Q. Did you tell the police anything during the
3 interview about the clothes?

4 A. I told them that I had put them in a bag
5 and gave them to David, but I didn't.

6 Q. Sorry?

7 A. I said I had put them in a bag and gave
8 them to David.

9 Q. Did you do that?

10 A. No, sir, I did not.

11 Q. Why did you tell the police that?

12 A. I don't know.

13 Q. Did you tell the police anything else that
14 was false or wrong?

15 A. Yes, I told them that he had taken me to a
16 friend's house, dropped me off there and he
17 took me home.

18 Q. When are you talking about?

19 A. After we went to the mall.

20 Q. You mean the first time you went to the
21 mall?

22 A. Yes.

23 Q. You told them that you went to a friend's
24 house?

25 A. Yes.

1 Q. Why did you tell them that?

2 A. Just --

3 Q. That's not true?

4 A. No.

5 Q. Anything else?

6 A. Not that I recall.

7 Q. What then happened in regards to the legal
8 system with your case?

9 A. I was put in jail.

10 Q. And tell us what happened?

11 A. I was put in jail.

12 Q. Do you recall the specific offenses you
13 were charged with?

14 A. Yes.

15 Q. What were they?

16 A. Murder for hire.

17 Q. And did you plead guilty to those specific
18 charges?

19 A. Yes, sir, I did.

20 Q. And what was your sentence?

21 A. Thirty to life.

22 Q. Did you face other potential sentences
23 prior to pleading guilty?

24 A. Yes, sir, I did.

25 Q. What other potential sentences do you think

1 you were facing?

2 A. Death row, life without chance of parole.

3 Q. In regards to your life sentence with 30
4 years, did you make any agreement of what
5 you would do?

6 A. Yes, I did.

7 Q. What did you agree to do?

8 A. I would testify truthfully.

9 Q. You told us earlier why you agreed to kill
10 Yvonne Layne. Why did you actually kill
11 Yvonne Layne?

12 A. Because I wanted to be number one in
13 David's life and it was a way to prove
14 myself.

15 Q. Did you get paid for it?

16 A. Yes, sir, I did.

17 MR. BAUMOEL: No further
18 questions.

19 THE COURT: Counsel approach.

20

21 (A conference was held at the bench
22 outside the hearing of the jury.)

23

24 THE COURT: I'm going to take a
25 recess now and let the jury go out first.

1 I want you to stay with the jury. If they
2 go downstairs, clear out those in the way
3 and let them go first and get their
4 coffee. And then go back upstairs. One of
5 you stay with them. Go upstairs. None of
6 them go downstairs unaccompanied. Keep
7 everyone away from them. First in line.
8 After they leave the room, we will take the
9 Thorne down first.

10 After they leave the room we will
11 take Thorne down and we will take Joe
12 down. Take your client down. We will keep
13 the other one downstairs. Any other
14 questions? Take about 20 minutes. Okay.

15 - - - - -

16 (Thereupon, the side bar conference
17 ended.)

18 - - - - -

19 THE COURT: Ladies and
20 gentlemen, we will go ahead and take our
21 morning recess at this time.

22 Everyone in the courtroom stay
23 where you are. It's about almost ten
24 after. I'm going to have this break until
25 about 10:30. So I'm going to give you

1 about 20 minutes. When you leave the
2 courtroom if you want to go downstairs to
3 get refreshments or something, I think Mrs.
4 Cady is going to be with you and we are
5 going to have you go to the head of the
6 line and she is going to kind of make sure
7 your path to the refreshment stand is
8 open.

9 So please go take whatever you
10 want. She will then take you back up to
11 the third floor. If you do not want to go
12 downstairs, and you have something on the
13 third floor, Mr. Purses will take you up
14 there. Once you get in there stay in that
15 room and we will escort you back up. We
16 will come in 20 minutes to get you, about
17 10:30. We stand in recess. Remember my
18 admonitions.

19 - - - - -
20 (Thereupon, court recessed at
21 10:07 a.m. and reconvened at
22 10:30 a.m. and the following
23 proceedings were had.)

24 - - - - -
25 (Defendant's Exhibits

1 I-M were marked for
2 identification.)

3 - - - - -

4 (The following proceedings were
5 had outside the hearing of the
6 jury.)

7 - - - - -

8 THE COURT: The Court is holding
9 in its hand a piece of discovery regarding
10 a statement that John Marsh has made. We
11 will mark it for the record. And the
12 defense is requesting that they be
13 permitted to show this to Joe Wilkes for
14 the purpose, and tell me if I am wrong, for
15 the purpose of whether or not he made a
16 knowingly and intelligent decision to
17 plea. Is that the reason to show him
18 this?

19 MR. KEITH: Well, yes. To
20 understand, there is United States Supreme
21 Court law that says a person can make a
22 decision to plea in order to control what's
23 happening to them for a lesser penalty.

24 In this case the question is did
25 he make a decision to plea for a lesser

1 penalty being aware of that statement.

2 THE COURT: State?

3 MR. BAUMOEL: We are strongly
4 opposed to that statement. Obviously, they
5 are trying to backdoor this information
6 in. They have gone through all the
7 Constitutional rights with him. They went
8 through what he waived. It's just not
9 relevant. It's no motivation as to whether
10 his credibility is truthful or not based on
11 this statement.

12 THE COURT: The Court finds
13 first of all, the statement is clearly a
14 hearsay statement. We have been over this
15 before. This is what John Marsh says some
16 other person said to him. And that's No.
17 1. That's not competent evidence.

18 Secondly, nowhere in the statement
19 is either David Thorne or Joe Wilkes even
20 implicated or mentioned in the statement.

21 Thirdly, the issue whether this
22 individual made a knowingly and intelligent
23 decision to plead is not your issue. The
24 issue is his attorney and his counsel.
25 Your concern of whether he made a knowingly

1 and intelligent decision is not your
2 concern and it's not the jury's concern.
3 That's a legal decision. And if he wishes
4 to make a move on his plea based on that
5 that's another issue. You can mark it.
6 You can proffer after you're done here as
7 to what reason you would want to do this.

8 But I'm going to sustain the
9 objection. I'm not going to permit you to
10 show this to the witness, Joe Wilkes, nor
11 question him about it, nor any attempt to
12 get this information through any door back
13 or sliding door, trap door. Do I make
14 myself clear?

15 MR. HAUPT: Yes, Your Honor.

16 THE COURT: You can mark it. We
17 will preserve it for the record.

18 Just mark that.

19 - - - - -

20 (Defendant's Exhibit
21 N was marked for identification.)

22 - - - - -

23 (Thereupon, the jurors were
24 returned to the courtroom
25 at 10:36 a.m. and the following

1 proceedings were had.)

2 - - - - -

3 THE COURT: Mr. Keith.

4 MR. KEITH: Thank you, Your
5 Honor.

6 CROSS-EXAMINATION

7 BY MR. KEITH:

8 Q. Mr. Wilkes, my name is George Keith. I do
9 not believe we have ever met before; is
10 that correct?

11 A. That's correct, sir.

12 Q. You testified here in this courtroom today
13 that you cut a woman's throat because you
14 wanted David Thorne to like you; is that
15 correct?

16 A. Yes, sir.

17 Q. You testified here today that the only time
18 you told the police something that was not
19 true was where you had gone at a specific
20 time and who with; is that correct?

21 A. Yes.

22 Q. Everything else you told them was true and
23 accurate; is that correct?

24 A. As I recall.

25 Q. Tell us once again how old you are?

1 A. Nineteen.

2 Q. Nineteen today. Back on March 31st you
3 were 18?

4 A. Yes, sir.

5 Q. You turned 19 in June?

6 A. Yes, sir.

7 Q. Did you begin school for the 1998-1999
8 school year?

9 A. Yes, sir, I did.

10 Q. When did you leave school?

11 A. I'm not exactly sure.

12 Q. You told the police you dropped out with
13 two months left to go. Was that accurate?

14 A. Approximately that time.

15 THE COURT: Let me ask you to
16 move that mic up just a little bit. It's
17 turned. Let's see if that's better.

18 BY MR. KEITH:

19 Q. So would you have graduated in June of
20 1998; is that correct, or 1999?

21 A. Yes.

22 Q. Approximately eight months ago; is that
23 correct?

24 A. Yes, sir.

25 Q. You dropped out two months earlier. That

1 would have been about April the 1st of
2 1999; is that correct?

3 A. Yes, sir.

4 Q. What school were you going to when you
5 dropped out?

6 A. Walnut.

7 Q. Mr. Wilkes, you have told us that at the
8 age of 12 you were adopted by I believe
9 Sterling and is it Brenda Wilkes?

10 A. Yes, sir.

11 Q. Where did they live at that time?

12 A. Atwater.

13 Q. Where in Atwater?

14 A. 6942 Waterloo Road.

15 Q. How far is that from the intersection of
16 Waterloo Road and State Route 44?

17 A. Quite aways.

18 Q. How far?

19 A. I'm not exactly sure.

20 Q. And at the age -- did you go to live there
21 at the age of 12, or did you live there for
22 a period of time before they adopted you?

23 A. No, I don't recall.

24 Q. You don't know or you don't recall?

25 A. From the age of 12. I've lived there since

1 I have been 12 years old.

2 Q. How long did they live at that address
3 after you went to live there?

4 A. Until approximately a year, year and-a-half
5 ago.

6 Q. A year or year and-a-half from right now?

7 A. From now.

8 Q. So they may have left there in January of
9 1999; is that right?

10 A. They moved out. They were living in my
11 father's trailer in Randolph during when I
12 dropped out.

13 Q. When you dropped out?

14 A. Yes.

15 Q. They were living in your father's trailer.
16 Were you living there?

17 A. No, sir, I was not.

18 Q. Where were you living in January of 1999?

19 A. I'm not exactly sure.

20 Q. Were you living there in June of 1998?

21 A. I might have been. I don't recall.

22 Q. Now we are going to go back now probably
23 two and-a-half years, the 1997-1998 school
24 year. Where did you go to school that
25 year?

1 A. I believe Waterloo. I'm not sure.

2 Q. You believe Waterloo. You are not sure.

3 A. Yes, sir.

4 Q. Where did you go to school in the 1998-1999

5 school year?

6 A. I went to Walnut School.

7 Q. When did you start there?

8 A. In Ravenna. I'm not exactly sure.

9 Q. Tell us again how long you were at

10 Maplewood Joint Vocational School?

11 A. For approximately maybe a month to two

12 months.

13 Q. Why did you leave?

14 A. I got kicked out.

15 Q. Why did you get kicked out?

16 A. Because I got into a fight.

17 Q. Who did you fight with?

18 A. Some kid in my class.

19 Q. Do you know his name? Was the fight in the

20 classroom?

21 A. It was, yeah.

22 Q. During class?

23 A. Um-hmm.

24 Q. And you can't tell us if that was 1997,

25 '98? Can you tell us if it was in January

- 1 of '99?
- 2 A. No, sir, I'm not sure.
- 3 Q. Well, you went to live at the home of Brent
4 and Karen Enoch on Saturday afternoon March
5 the 27th of 1999; is that correct?
- 6 A. Yes, sir.
- 7 Q. And where did you live immediately before
8 that?
- 9 A. In Kent.
- 10 Q. Where?
- 11 A. Down by the Country Manner at an apartment.
- 12 Q. The apartments on Spaulding Drive?
- 13 A. I'm not sure. I don't know the name of the
14 room.
- 15 Q. That is the west end of Kent almost to
16 Stow, is it not?
- 17 A. Yes, sir.
- 18 Q. And how long had you stayed there?
- 19 A. Couple of weeks.
- 20 Q. Couple weeks. Did you have a car at that
21 time?
- 22 A. No, sir, I did not.
- 23 Q. Where were you working at that time?
- 24 A. I did not have a job.
- 25 Q. Okay. You say a couple weeks. Are you

1 saying two weeks, three weeks, how long?

2 A. I'm not exactly sure.

3 Q. Okay. Who lived in that apartment?

4 A. My ex-girlfriend's brother and his wife.

5 Q. What were their names?

6 A. I don't remember their names.

7 Q. What is the name of your ex-girlfriend?

8 A. Jenna Hillis.

9 Q. Where had you met her?

10 A. I have known her ever since I have been

11 younger through her brother.

12 Q. Now, you moved into her brother and his

13 wife's apartment; is that right?

14 A. Yeah.

15 Q. Did they have children?

16 A. Yes, they did.

17 Q. Where did you sleep?

18 A. On the couch.

19 Q. How did you eat?

20 A. There.

21 Q. You didn't have a job at that time, you

22 didn't have a car; is that right?

23 A. That's right, sir.

24 Q. Before you lived there where did you live?

25 A. On South Chestnut.

1 Q. In Ravenna?

2 A. Yes.

3 Q. Near the old hospital?

4 A. The old hospital right across the road from
5 it.

6 Q. What we call the administration building?

7 A. Yes.

8 Q. Do you know where Eadie's is now that is
9 closed?

10 A. Yes.

11 Q. How far was it from there?

12 A. Right up the road. It was a block.

13 Q. Let's go back to Kent for a minute. At
14 2:00 in the morning on March 27th you start
15 frantically calling a number of people
16 looking for help for a ride; is that right?

17 A. Yes.

18 Q. Why is it that you suddenly need a place to
19 stay so bad?

20 A. Because I had got into a fight with my
21 girlfriend's brother and his wife.

22 Q. What were you fighting with them about?

23 A. Because he asked me if his wife was
24 cheating on him and I told her the truth.

25 Q. You got into a domestic argument in the

1 middle of the people you were living with?

2 A. Pretty much.

3 Q. So before that you lived on South Chestnut
4 Street. Who did you stay with there?

5 A. Dave Moffit, Hasty Moffit.

6 Q. David Moffit and who?

7 A. Hasty.

8 Q. Hasty like Hasty Pudding?

9 A. Yes, sir.

10 Q. And who were they?

11 A. Hasty was a friend of mine and Dave was her
12 dad.

13 Q. How long did you stay there?

14 A. I'm not sure.

15 Q. Were you there for Christmas?

16 A. I don't recall.

17 Q. You don't know where you were on Christmas
18 Day of 1999?

19 A. I know where I was Christmas Day.

20 Q. Where were you Christmas Day?

21 A. I know I was with my parents.

22 Q. Were you staying at their residence at that
23 time?

24 A. No, sir, I was not.

25 Q. Where did you go home to from there?

1 A. Hasty's.

2 Q. So you lived with them from at least
3 Christmas through sometime in March; is
4 that correct?

5 A. Yes, sir.

6 Q. And why did you leave there?

7 A. There was no reason.

8 Q. You just pack up and moved to Kent?

9 A. Yep.

10 Q. Okay. Now, how did you eat while you were
11 living at Hasty's?

12 A. Her dad.

13 Q. Did you have a job or a car at that time?

14 A. No, sir.

15 Q. Before you moved to Hasty's, where did you
16 live?

17 A. I do not recall.

18 Q. You don't recall?

19 A. No, sir.

20 Q. And you don't recall when you left your
21 parents' home; is that right?

22 A. No, sir, I do not.

23 Q. You indicated that your adoptive mother
24 cosigned for an automobile for you in
25 January of 1998; is that right?

1 A. Yes, sir.

2 Q. And you had an accident on State Route 14
3 somewhere east of Streetsboro; is that
4 correct?

5 A. Yes, sir.

6 Q. And as a result of that you went to the
7 hospital; is that correct?

8 A. Yes, sir.

9 Q. And you have told others and told the
10 prosecutor that your family was angry about
11 that; is that right?

12 A. Yes, sir, they were.

13 Q. Now, as part of having the vehicle were you
14 going to make payments on that vehicle?

15 A. Yes, sir.

16 Q. So in January you had a vehicle, but no job
17 and somebody else was feeding you; is that
18 right?

19 A. I just lost my job the day that I had
20 got my car.

21 Q. Where were you working?

22 A. I was working for Michael Sabaro.

23 Q. Who?

24 A. Concrete guy out of Brimfield.

25 Q. How did you lose your job?

1 A. It was during the wintertime and there was
2 concrete and they usually stop people from
3 working during the winter and that's what
4 happened.

5 Q. So you worked up into January and then lost
6 your job; is that right?

7 A. (Indicating.)

8 Q. I didn't hear your answer?

9 A. Yes, sir.

10 Q. How long did you work for Michael Sabaro?

11 A. I'm not exactly sure.

12 Q. Was it two years, three years?

13 A. It wasn't even a year.

14 Q. And what hours did you work?

15 A. I'm not exactly sure.

16 Q. What days of the week did you work?

17 A. Monday through Friday, sometimes even
18 Saturdays.

19 Q. What time did you start in the morning?

20 A. I do not recall. I usually got off around
21 anywhere between four and six, but I don't
22 recall when I started.

23 Q. What time did you finish?

24 A. Around four or six.

25 Q. What did you make as an hourly wage?

1 A. I'm not exactly sure. I think it might
2 have been \$7.25.

3 Q. I can't hear you.

4 A. \$7.25 might have been.

5 Q. Did you work 40 hours a week?

6 A. Yes, sir.

7 Q. When did you start that job?

8 A. I don't recall.

9 Q. What did you do during the summer of 1998?
10 Did you stay with your parents?

11 A. I don't recall that summer.

12 Q. Where did you work during that summer?

13 A. I'm not sure, but that might have been the
14 summer that I worked at East Park.

15 Q. How old were you when you worked at East
16 Park?

17 A. Seventeen. I think 17 or 18.

18 Q. Well, the summer of 1998 since you were
19 born in 1980 you were 18, so you didn't
20 work at East Park that summer, did you?

21 A. No. I didn't have a job that summer then.

22 Q. And where did you live once again?

23 A. I do not recall.

24 Q. Okay. You don't know where you lived, who
25 fed you or how you caused that to happen;

1 is that right?

2 A. No, sir, I do not.

3 Q. When you worked for Michael Sabaro and you
4 lived at I guess it's the Moffits, did you
5 pay them any kind of rent?

6 A. No, sir.

7 Q. You had a job and an income and you didn't
8 pay for any of your keep; is that right?

9 A. Yes, sir.

10 Q. You did have money, because you made about
11 \$300 a week before taxes. Did he pay you
12 cash or a paycheck?

13 A. A check.

14 Q. You probably took home about \$225 a week,
15 didn't you?

16 A. Yes, sir.

17 Q. And you didn't have any living expenses?

18 A. No, sir.

19 Q. How long did that go on for?

20 A. Until the end of January, beginning of
21 December. I mean end of December,
22 beginning of January.

23 Q. So you bought a car, you wrecked it. I
24 assume as part of the car loan you had to
25 get insurance, didn't you?

1 A. Yes, sir.

2 Q. The insurance protected the car, didn't it?

3 A. Yes, sir.

4 Q. So that accident was not going to cost your
5 mother any money, was it?

6 A. It did. She got it all back.

7 Q. From the insurance company?

8 A. Yes.

9 Q. Okay. And you're saying at that point the
10 family that you can't remember when you
11 left lived with abandoned you; is that
12 correct?

13 A. Yes, pretty much.

14 Q. What changed about your relationship?

15 A. What do you mean?

16 Q. Well, you weren't living at their house,
17 they weren't providing you with support,
18 and other than having cosigned for the loan
19 apparently you were living based on the
20 generosity of others; is that correct?

21 A. Yes, sir.

22 Q. Once again what then changed about that
23 relationship?

24 A. I don't understand.

25 Q. Well, how did they abandon -- what were

1 they doing before the accident that they
2 ceased to do afterwards?

3 A. Be a family.

4 Q. How so?

5 A. Help me out at a point in time, I'm not
6 sure how long I did, but I stayed there.
7 When I bought my car I was staying there.

8 Q. Now, you were staying there sometime in
9 January. This is in your adoptive parents
10 trailer in Ravenna?

11 A. Yes.

12 Q. What trailer park are they in?

13 A. It's in Randolph. It was right off 44.

14 Q. Down by the fairgrounds?

15 A. Yes.

16 Q. So when you told us you were living at the
17 Moffits that was not correct; is that
18 right?

19 A. I was not at that point in time.

20 Q. What point in time did you go to the
21 Moffits?

22 A. Christmas Day.

23 Q. Where were you living before then?

24 A. With my parents.

25 Q. Why did you leave there?

1 A. Because me and my mother got into an
2 argument. She kicked me out.

3 Q. She kicked you out and then a week
4 and-a-half later she cosigned for a fairly
5 new car?

6 A. We got into an argument in December. She
7 kicked me out. We was still talking. She
8 cosigned for my car. And after that, she
9 never talked to me.

10 Q. You were working at Michael Sabaro's
11 concrete at least from sometime in the fall
12 of 1998 through January; is that right?

13 A. Yes, sir.

14 Q. You worked generally a 40 hour week; is
15 that right?

16 A. Yes.

17 Q. Okay. Essentially, you told us that you
18 had been doing drugs, acid and cocaine, LSD
19 and cocaine?

20 A. Yes, sir.

21 Q. When did you first start using cocaine?

22 A. I do not recall.

23 Q. Would you have been 14, 15, 16?

24 A. I'm not exactly sure.

25 Q. Would you have been living at home at that

1 time?

2 A. No.

3 Q. Would you have been going to school at that
4 time?

5 A. Yes.

6 Q. And when did you first start using LSD?

7 A. Approximately three or four years ago.

8 Q. Three to four years ago, so somewhere
9 between the ages of 15 and 16; is that
10 right?

11 A. Yes, sir.

12 Q. Now, when did you start drinking?

13 A. I was 12 or 13 years old.

14 Q. How regularly did you drink over the next
15 six or seven years?

16 A. Quite often.

17 Q. Once a week, twice a week, every day?

18 A. Whenever there was a party.

19 Q. Whenever you had access to it? In other
20 words, you had access to it. What about
21 marijuana? Did you smoke marijuana?

22 A. Yes.

23 Q. You never smoked marijuana?

24 A. I have.

25 Q. Just not as regularly as these other

1 things?

2 A. No.

3 Q. How regularly did you use cocaine?

4 A. It wasn't -- it was every now and then, not
5 very often.

6 Q. You have told us that you spent time with
7 David Thorne over a couple of years; is
8 that right?

9 A. Yes, sir.

10 Q. Did you ever know him to use any of these
11 substances?

12 A. He told me he used cocaine before and acid,
13 yes.

14 Q. Did you see him do those things?

15 A. No, I didn't see him.

16 Q. Did he ever do them in your presence?

17 A. No, sir.

18 Q. Did you see any evidence of him suffering
19 from a hangover, the disabilities that go
20 with those things?

21 A. No, sir.

22 Q. So during the time you knew him you had no
23 reason to believe he was involved in that,
24 right?

25 A. No, sir.

1 Q. You have no reason to believe he was
2 involved in that?

3 A. No, sir.

4 Q. Now, when did your adoptive mother and
5 father split up?

6 A. I'm not exactly sure.

7 Q. Well, I think that you said either the
8 September after the summer of 1997 or 1998
9 you had lived where you could, you weren't
10 sure which summer it was. But that they
11 split up the summer of either 1997 or
12 1998. You don't remember which one; is
13 that correct?

14 A. No, sir, I do not.

15 Q. Was it the summer you worked at the East
16 Park or was it the summer --

17 A. Yes, it was the summer I worked there.

18 Q. So they split up the summer of 1997; is
19 that right?

20 A. There it is.

21 Q. You lived in his trailer in Ravenna for a
22 period of time; is that right?

23 A. He had an apartment at that point.

24 Q. Where was that?

25 A. It was on Highland.

1 Q. In Ravenna?

2 A. Yes.

3 Q. That's a little further uptown than the
4 Chestnut Street address?

5 A. Yes.

6 Q. So you lived on Highland. How long did you
7 live there?

8 A. I'm not exactly sure.

9 Q. Where did you go from there?

10 A. I was living with my ex-girlfriend on
11 Hazen.

12 Q. Who was your ex-girlfriend?

13 THE COURT: Repeat your answer.

14 A. I said that I was living on Hazen at a
15 different apartment.

16 Q. That's H-a-z-e-n?

17 A. Yes, sir.

18 Q. Okay. Which ex-girlfriend was that?

19 A. Her name was Debbie.

20 Q. And her last name?

21 A. Grafton.

22 Q. Okay. And so this is the summer you are 17
23 into the fall. You are living with Debbie
24 Grafton; is that right?

25 A. Yes, sir.

1 Q. Did you have an automobile at that time?

2 A. No, sir.

3 Q. Did you have a job at that time?

4 A. Around that area I was working at East
5 Park. I don't know what time though.

6 Q. Did Debbie have a job?

7 A. Yes, sir.

8 Q. How old was Debbie?

9 A. Twenty-three.

10 Q. Who paid the rent?

11 A. She did.

12 Q. And did you own an automobile through that
13 period of time?

14 A. No, sir, I did not.

15 Q. Now, the two cars you have told us about,
16 you said that was a Volkswagon Rabbit; is
17 that right?

18 A. Yes, sir.

19 Q. What year was that again?

20 A. I want to say an '87. I'm not exactly
21 sure.

22 Q. You have testified on direct it was an '87
23 or '88; is that right?

24 A. Yes, sir.

25 Q. And when was that purchased once again?

1 A. Not too long before I got my new car.

2 Q. So sometime November or December of 1998?

3 A. Anywhere in October to December.

4 Q. And you say that \$300 was given for that?

5 A. I'm pretty sure. I'm not exactly sure.

6 Q. Whose name was it titled in?

7 A. I think it was in mine.

8 Q. Did you have insurance for that?

9 A. Yes, sir, I did.

10 Q. You did.

11 A. Yes.

12 Q. So you had that car maybe in October, maybe
13 in December. You were not sure. Had you
14 ever had a car at your own disposal before
15 then?

16 A. No, sir.

17 Q. Before the summer of 1997 do you know where
18 you lived?

19 A. No, sir, I do not.

20 Q. Do you know when you went to your adoptive
21 father's apartment in Ravenna?

22 A. No.

23 Q. You have indicated to us that your birth
24 parents were some people named Brown in
25 Dover?

1 A. Brown, yes.

2 Q. You were born in Dover, Ohio?

3 A. Yes.

4 Q. There are a lot of people in Ravenna named
5 Brown. Were they related to any of those
6 people?

7 A. Not that I know of.

8 Q. Not that you were aware of?

9 A. No.

10 Q. So Bo Brown, Doug and Robert, you don't
11 know that they were kin to you; is that
12 right?

13 A. Not that I know of.

14 Q. So you owned this VW until December and
15 then your mom put it in a junkyard?

16 A. Yes.

17 Q. Why?

18 A. Because it didn't run.

19 Q. How long did it run for?

20 A. From when I bought it until about
21 December. I always had problems with it.

22 Q. Couple of weeks, a month?

23 A. Probably about a month or two.

24 Q. You had the accident. You went to Robinson
25 Memorial Hospital. How long were you in

1 the hospital?

2 A. Just for the day for about five hours.

3 Q. As long as it took for them to see you and
4 stitch you up?

5 A. Um-hmm.

6 Q. Where did you go home to from there?

7 A. I went to my friend Samantha Pegg's house.

8 Q. You went to Samantha Pegg's house?

9 A. Yes.

10 Q. How long did you stay there?

11 A. Just the day.

12 Q. And then where did you go?

13 A. Back to Hasty's.

14 Q. Back to Hasty's.

15 A. Um-hmm.

16 Q. So before that you had been living at
17 Hasty's?

18 A. Yes, sir.

19 Q. Other than the job at East Park and the job
20 with Sabaro Concrete, have you had any
21 other jobs?

22 A. Worked for my family.

23 Q. What did you do for them?

24 A. Mowed grass, helped my grandpa fix houses.

25 Q. Things around the house, in other words, as

1 part of the family?

2 A. Yes.

3 Q. Now, the Enochs when you moved in there the
4 end of March, there were two things going
5 on in terms of your working, wasn't there?

6 A. I don't know, sir.

7 Q. Let me ask you a better question. You
8 moved in with the Enochs. You were asked
9 to help Brent Enoch on a side job putting
10 dry wall and refinishing the basement of a
11 residence in Tallmadge; is that correct?

12 A. Yes, it is.

13 Q. And they also got you a job with somebody,
14 I'm not certain who it was, a relative or a
15 good friend working as a landscaper, did
16 they not?

17 A. Yes, they did.

18 Q. When did you start the job as a landscaper?

19 A. I am not exactly sure.

20 Q. Well, we know you didn't start it before
21 March the 27th. Would you agree with that?

22 A. Yes, sir.

23 Q. And how long after March the 27th would you
24 have started it?

25 A. It was in April sometime.

1 Q. And how long did you work that job?

2 A. I do not recall.

3 Q. Well, did you work it for two weeks, two
4 months?

5 A. At least two months.

6 Q. For two months?

7 A. At least.

8 Q. Did you continue to work at that job after
9 you left the Enoch residence?

10 A. Yes, I was there at least for two months.

11 Q. When did you come to quit working at that
12 job?

13 A. I moved out of the area and moved back into
14 Ravenna.

15 Q. Out of the area and into Ravenna. How far
16 is it from Ravenna to the Enochs?

17 A. I'm not exactly sure. Probably about I
18 think it's 15 miles from Atwater to
19 Ravenna.

20 Q. It would be a 20, 25 minute drive; is that
21 right?

22 A. Yes.

23 Q. So you moved back into Ravenna. Where did
24 you move to at that time?

25 A. My friend Herb Stacy's house.

1 Q. How long did you stay there?
2 A. Maybe two weeks.
3 Q. Then where did you go?
4 A. I moved down to Hazen.
5 Q. Who did you live with there?
6 A. Girl named Jennifer Beckwirth.
7 Q. How long did you stay there?
8 A. Until I was arrested.
9 Q. So from March to July 14th you kind of know
10 where you were; is that correct?
11 A. Yes.
12 Q. Before that you are really not certain of
13 any dates, places or time; is that right?
14 A. No, sir.
15 Q. And you did not have transportation of your
16 own other than maybe for a month
17 and-a-half; is that right?
18 A. No, sir.
19 Q. You have learned to ask people for things
20 you need; is that correct?
21 A. Yes, sir.
22 Q. I couldn't hear you.
23 A. Yes, sir.
24 Q. You learned to ask them for rides, food,
25 clothing, places to live, whatever it is

1 you need; is that correct?

2 A. Yes, sir.

3 Q. Let's take a step back. When did you first
4 meet David Thorne?

5 A. It was approximately four or five years
6 ago.

7 Q. Where at?

8 A. The first time I met him one of his -- I
9 was with one of his friends Marty and we
10 had went to his house.

11 Q. You had gone to David Thorne's house with
12 Marty?

13 A. Yes.

14 Q. You didn't meet him at a party?

15 A. That's when I first met him, was at his
16 house, but I never talked to him or
17 nothing after that.

18 Q. You just met him. When was the next time
19 you saw him?

20 A. At a party at Jim Brennan's house.

21 Q. So if you had told somebody that you had
22 met him first at the party at Jim Brennan's
23 house, that would not be correct; is that
24 correct?

25 A. No, it wouldn't.

1 Q. Where were you living at that time four or
2 five years ago?

3 A. With my mom.

4 Q. And your dad?

5 A. Yes.

6 Q. Where at, in Atwater?

7 A. In Atwater.

8 Q. How far away from where David Thorne's
9 house was?

10 A. Approximately two to three miles.

11 Q. Two to three miles. And how long did you
12 live within two or three miles of him?

13 A. I'm not exactly sure.

14 Q. You met him at his house briefly, you then
15 met him at a party. When did you see him
16 next?

17 A. It wasn't too long after that, within a
18 couple days.

19 Q. Where did you see him at?

20 A. He was with -- I think he was with Josh and
21 Amy. I'm not exactly sure.

22 Q. This would have put you at 14 or 15 years
23 old; is that right?

24 A. About that, yes.

25 Q. You meet him and then see him again with

1 Josh and Amy. Where is that at?

2 A. I'm not exactly sure.

3 Q. Is it a church, is it a grocery store, is
4 it at his house?

5 A. It wasn't in his house.

6 Q. You don't know where?

7 A. No.

8 Q. When is the next time you go to his house?

9 A. I'm not exactly sure.

10 Q. How do you get there?

11 A. (Indicating.) I don't recall.

12 Q. How did you get invited? Do you just go
13 there or are you invited, is there a
14 function?

15 A. I don't recall.

16 Q. Okay. Did you go there to ask him for
17 something, do you know?

18 A. No.

19 Q. No. You say at some point he becomes your
20 teacher or trainer; is that right?

21 A. Yes, sir.

22 Q. And that you and he tried to get together
23 once a week; is that right?

24 A. Yes, sir.

25 Q. After a while that didn't work out so well;

1 is that right? I didn't hear an answer.

2 A. Yes, sir.

3 Q. For how long did you go to his house once a
4 week?

5 A. I'm not exactly sure.

6 Q. Was it for a period of weeks, days, or
7 years?

8 A. Maybe a month or two.

9 Q. Okay. At that time you probably could walk
10 to his house, you could show up there,
11 couldn't you?

12 A. Yes, sir.

13 Q. Okay. Later it became somewhat harder to
14 get yourself to his house; is that right?

15 A. Yes, sir.

16 Q. I can't hear you.

17 A. Yes, sir.

18 Q. You say he was training you in his
19 basement; is that right?

20 A. Yes, sir.

21 Q. The shoot fighting is combination, there is
22 some kick boxing, there are grappling holds
23 like judo on the floor, a whole number of
24 things that go on; is that right?

25 A. Yes, sir.

1 Q. How do those events end? What are the ways
2 they can end?

3 A. Tap outs, pass outs.

4 Q. There is five ways it can end. Do you know
5 the five ways?

6 A. I only know two of them.

7 Q. What -- first of all, let's go into the
8 grappling and floor wrestling. What kind
9 of holds did you learn? What were the
10 names?

11 A. Achilles hook, leg bar. I don't remember
12 all of them.

13 Q. What about standing things? What did you
14 learn?

15 A. Tai kicking.

16 Q. Did you do the wrestling on the floor in
17 the basement?

18 A. Huh?

19 Q. Did you do this wrestling on the floor in
20 the basement?

21 A. Yes, sir.

22 Q. What's that surface?

23 A. It's cement.

24 Q. How many times were you at that house?

25 A. I'm not exactly sure.

1 Q. And do you know the people who lived there?

2 A. Yes.

3 Q. Do you know their names?

4 A. No, I do not.

5 Q. You don't know their names?

6 A. No.

7 Q. How many times did you see them, every time
8 you went there?

9 A. Not every time.

10 Q. Were there times you went there and David
11 wasn't there and his grandfather and
12 grandmother greeted you at the door?

13 A. Yes.

14 THE COURT: Speak up.

15 THE WITNESS: Yes.

16 BY MR. KEITH:

17 Q. Sometimes you would try to get into their
18 garage and they made you sleep in a car; do
19 you remember that?

20 A. Huh?

21 Q. Do you remember the grandfather -- you
22 tried to get into his garage late one night
23 because you didn't have a place to stay?

24 A. No.

25 Q. You don't recall that?

1 A. No.

2 Q. I don't hear you?

3 A. No.

4 Q. Does that mean it didn't happen or does
5 that mean you don't recall?

6 A. No, that means that it wasn't like that.

7 Q. It wasn't like that.

8 A. No.

9 Q. Tell me how it was.

10 A. I was staying in the basement with David
11 and I wanted to see my girlfriend and my
12 girlfriend came over and he told me that he
13 wasn't going to let me back in the house if
14 I went out, that I would have to sleep in
15 his car.

16 Q. Is that how it was?

17 A. Yes.

18 Q. The wrestling with David -- let me ask you
19 this: In 1998, how often did you go over
20 to David's house to wrestle?

21 A. I'm not exactly sure.

22 Q. Would it have been four times, five times?

23 A. I don't recall. It was many more than
24 that.

25 Q. Was it --

1 A. I don't recall.

2 Q. You don't know? I would like to take you
3 forward a little bit to July the 14th of
4 1999. Apparently the Alliance Police show
5 up at the Hazen Street residence and ask
6 you to come to the Ravenna Police
7 Department with them; is that right?

8 A. Yes, sir.

9 Q. How many police officers show up?

10 A. Four.

11 Q. Four. How many cars?

12 A. I think two. I'm not sure.

13 Q. How do you get to the Ravenna Police
14 Department?

15 A. They take me.

16 Q. In one of the cars?

17 A. Yes.

18 Q. Do they handcuff you?

19 A. No.

20 Q. They take you there. They take you to the
21 police department. They don't really tell
22 you the truth about why they want to talk
23 to you; is that right?

24 A. Not exactly.

25 Q. They leave you with the impression it's

1 something different?

2 A. Yes.

3 Q. Once you get there, they go through with
4 you at some point a form, they read you
5 your rights commonly called the Miranda
6 rights, but it says that you are not under
7 arrest. Do you remember that?

8 A. Yes.

9 Q. Before you get to that point -- when they
10 do that they turn on a tape recorder, don't
11 they?

12 A. Yes, sir.

13 Q. Before you get to that point, how long did
14 they talk to you?

15 A. I'm not exactly sure.

16 Q. Well, give us your best recollection. Talk
17 to you for five minutes, ten minutes, a
18 half an hour, an hour? How long do they
19 talk to you?

20 A. Approximately a half an hour.

21 Q. Before they turn on the tape recorder?

22 A. Yes.

23 Q. And what words did they say to you? What
24 did they tell you before they turned on the
25 tape recorder?

1 A. What they were there for.

2 Q. What else did they tell you?

3 A. That David -- that David asked for immunity
4 in order to give evidence on me.

5 Q. David asked for immunity in order to give
6 evidence on you?

7 A. Yes.

8 Q. They tell you that?

9 A. Yes.

10 Q. So at the time they turn the tape recorder
11 on that's what you believe; is that
12 correct?

13 A. Yes.

14 Q. You have no way of knowing whether or not
15 that's true, but just they have asked you
16 to believe that; is that right?

17 A. Yes.

18 Q. Okay. What else did they tell you?

19 A. They told me what happened and how I did it
20 and was showing me pictures.

21 Q. They told you what happened, how you did it
22 and was showing you pictures?

23 A. Um-hmm.

24 Q. Okay. They told you a lot of information
25 about that crime scene, didn't they?

1 A. Yes.

2 Q. After they begin to interview you they tell
3 you a lot of information about that crime
4 scene, don't they?

5 A. Yes.

6 Q. At some point in the interview they tell
7 you that you grabbed her hair, don't they?

8 A. Yes.

9 Q. Did you ever tell them that or did they
10 tell you that?

11 A. They came to me. They were the ones that
12 stated to me.

13 Q. Okay. Now, during that interview, the
14 prosecutor went through with you for a
15 minute the things that you told them that
16 were not true. First that you told them
17 that your clothes, you put them in a bag
18 and gave them to David. That was not true;
19 is that correct?

20 A. No, that was not true.

21 Q. And then you told them that David had taken
22 you to a friend's house. Is this at some
23 point in the afternoon of March the 31st or
24 when was that?

25 A. He did not take me to a friend's house. He

1 dropped me off at my -- he took me to a
2 friend's, which was Summer Enoch's house.

3 Q. Once again, when was that? What time frame
4 was that?

5 A. I'm not exactly sure.

6 Q. Everything else you told them that day was
7 true; is that right?

8 A. As far as I recall, yes.

9 Q. Okay. They then took you after they got
10 done with you and put you in a jail
11 somewhere, did they not?

12 A. Yes, they did.

13 Q. Where did they take you?

14 A. Stark County.

15 Q. And the next day on July the 15th they came
16 and got you and took you back to the
17 Alliance Police Department, didn't they?

18 A. Yes, sir.

19 Q. And they took you back there and they once
20 again read you your Miranda warnings, only
21 this time you knew you were under arrest;
22 is that right?

23 A. Yes.

24 Q. Now, when you went to the Ravenna Police
25 Department did you think you were free to

1 leave?

2 A. Did I believe --

3 Q. After they explained to you that they
4 wanted you for cutting someone's throat,
5 did you think they were going to let you
6 leave?

7 A. I doubt it.

8 Q. Okay. They told you what they thought
9 happened and who else was involved, didn't
10 they?

11 A. Yes, sir.

12 Q. Did they tell you before they turned on
13 that tape recorder that you needed to help
14 yourself or you needed to do something to
15 help yourself?

16 A. I don't understand what you mean.

17 Q. Well, did they talk to you about the
18 possible penalty for what they were
19 accusing you of?

20 A. They never told me what could happen.

21 Q. Did they talk to you that you were in a lot
22 of trouble and you needed to protect
23 yourself from what could happen?

24 A. They told me I was in a lot of trouble.

25 Q. Told you to stand up for yourself, didn't

1 they?

2 A. I do not recall.

3 Q. I am going to hand you what has been marked
4 as Defendant's Exhibit I, which is the
5 transcript of your taped statement on July
6 the 14th of 1999 and for the moment I want
7 you to just hold on to it, all right?

8 A. Yes, sir.

9 Q. I would like to simply look over the first
10 page. Are you able to read well enough to
11 read this?

12 A. Yes, sir, I am.

13 Q. Would you read it over and tell us what it
14 says? No, just read it over. I will ask
15 you a question. I apologize. This is the
16 very first page.

17 A. (Witness complies with request.)

18 Q. Are you ready? First sentence says that it
19 is July the 14th and it is 1309 hours. Do
20 you understand that to be about 1:09 in the
21 afternoon?

22 A. Yes, sir.

23 Q. Now, looking at that paragraph, the last
24 sentence says you know that you are not
25 under arrest at this time; is that correct?

1 A. Yes, sir.

2 Q. Go to page 2. Would you briefly review
3 that. Is that simply a review of your
4 rights?

5 A. Yes, sir.

6 Q. Now, I would like you to set that aside. I
7 want to ask you if you told them the truth
8 during that interview?

9 A. Yes.

10 Q. They came and got you on July the 15th and
11 they took you to the Alliance Police
12 Department. By then did you know how much
13 trouble you were in?

14 A. Yeah.

15 Q. Had you been to court yet?

16 A. No.

17 Q. You had not yet been to court. Had you
18 talked to a lawyer?

19 A. No.

20 Q. And why did you continue to talk to them?

21 A. I don't know.

22 Q. I'm going to hand you what is marked as
23 Defendant's Exhibit J, which is your
24 statement of July the 15th of 1999. I'm
25 going to ask you to hold on to that. All

1 right?

2 A. Yes, sir.

3 Q. Now, on July 15th, 1999, they took you
4 there once again. They turned on a tape
5 recorder, didn't they, at some point?

6 A. Yes, sir.

7 Q. How long were you at the Alliance police
8 station before they turned on the tape
9 recorder?

10 A. I'm not exactly sure.

11 THE COURT: Speak up.

12 Q. How long, do you know?

13 A. I'm not exactly sure.

14 Q. How long do you think?

15 A. Anywhere between 15 minutes to a half hour.

16 Q. How much of that time did they spend
17 talking to you?

18 A. Most of it.

19 Q. Most of it. Once again did they tell you
20 information about this situation?

21 A. I don't recall.

22 Q. You don't recall what they said to you?

23 A. No, sir, I do not.

24 Q. Did they ask you questions?

25 A. When they turned on the recorder.

1 Q. Did they before they turned on the
2 recorder?

3 A. Not that I recall.

4 Q. Now, let's take a step back. Were you
5 straight and sober when you got arrested on
6 July the 14th?

7 A. Yes, sir.

8 Q. Were you -- certainly you were straight and
9 sober by the time you got to the Alliance
10 Police Department on the 15th; is that
11 right?

12 A. Yes, sir.

13 Q. Okay. Now, do you recall a time, and it's
14 my understanding it may have been in
15 August, about a month and-a-half or a month
16 later that you met with Dennis Barr from
17 the Stark County Prosecutor's Office?

18 A. (Indicating.)

19 Q. Do you recall that?

20 A. Yes, sir, I do.

21 Q. Where did this meeting take place at?

22 A. Portage County Jail.

23 Q. He came to the Portage County Jail?

24 A. Yes, sir.

25 Q. And that was in August?

1 A. Yes, sir.

2 Q. And he took a statement from you. Had you
3 entered a plea of guilty at that time?

4 THE COURT: Go ahead.

5 Q. Had you entered a plea of guilty to
6 anything at that time?

7 A. Not that I recall.

8 Q. Okay. When did you finally go to court to
9 enter a plea of guilty?

10 A. It was after I gave that statement.

11 Q. After you gave that statement.

12 A. Yes.

13 Q. Okay. I'm going to show you now what is
14 marked as Defendant's Exhibit K. It is
15 entitled State of Ohio versus Joe Wilkes,
16 Judge Reinbold, plea of guilty. Would you
17 look at that, please.

18 A. (Witness complies with request.)

19 Q. Do you recognize that document, sir?

20 A. Yes, sir.

21 Q. I would like you to go to the last page
22 that you have in your hands. Look to the
23 lower left-hand corner. Does it say page 8
24 there?

25 A. Yes, sir, it does.

1 Q. And do you see your signature on that
2 paper?

3 A. Yes, sir, I do.

4 Q. And is it dated September 27th, 1999, at
5 the top?

6 A. Yes, it is.

7 Q. So you went into court, plead guilty at the
8 end of September, but they came out to meet
9 with you in August; is that right?

10 A. Yes, sir.

11 Q. Set the paper down.

12 A. (Witness complies with request.)

13 Q. That meeting was at the Portage County
14 Jail; is that right?

15 A. Yes, sir.

16 Q. And who was present at that meeting?

17 A. I think it was Detective Mucklo, myself, my
18 lawyer Steve LoDico.

19 Q. It would be Dennis Barr?

20 A. Dennis Barr.

21 Q. Who is Dennis Barr?

22 A. The prosecutor.

23 Q. He wanted to hear your story; is that
24 right?

25 MR. BAUMOEL: Objection, Your

1 Honor.

2 THE COURT: Overruled.

3 BY MR. KEITH:

4 Q. Is that right?

5 A. Right.

6 Q. Who actually did the interviewing of you?

7 A. I don't recall.

8 Q. Who asked you the questions?

9 A. I'm not exactly sure. I think that was his
10 name.

11 Q. Mr. Barr has short, straight, very dark
12 hair and he does not have any facial hair.
13 He has a very youthful face. Is that who
14 you recall?

15 A. I don't recall a face.

16 Q. In any event, they take a statement from
17 you on that date; is that correct?

18 A. Yes.

19 Q. You tell the truth?

20 A. Yes, I do.

21 Q. And then later apparently these two folks
22 sitting at the table here come out to the
23 Portage County Jail to interview you and
24 they get a statement from you; is that
25 right?

1 A. Yes, sir.

2 Q. Do you tell them at the time the truth?

3 A. As I recall, yes.

4 Q. Now, the first time you tell anybody about
5 drugs and all this is the end of August; is
6 that right?

7 A. I'm not exactly sure.

8 Q. You don't remember?

9 A. No.

10 Q. Did you tell the officers -- in the first
11 statement that was taped did you tell them
12 everything that was important?

13 A. As I recall.

14 Q. Were drugs important to this?

15 A. I was not thinking about it at the time.

16 Q. Say what?

17 A. I was not thinking about it at that time.

18 Q. When is the first time you tell anybody you
19 spent the night at some point in time at
20 Yvonne Layne's house?

21 A. I'm not exactly sure.

22 Q. If I told you the first time we have any
23 mention of it is in your statement in
24 January of this year to the prosecutors
25 here in the room, would I be incorrect?

1 A. I'm not sure.

2 Q. Okay. What did you tell people about that
3 earlier?

4 A. Excuse me?

5 Q. Well, you told the prosecutors here that
6 you had seen Yvonne Layne on three
7 occasions. Once when you went with David
8 and saw Eric. What was his last name?

9 A. I don't recall.

10 Q. It's Eric, right?

11 A. Yes.

12 Q. Eric Cameron. And once when you went there
13 in September the night on the couch; is
14 that right?

15 A. It was me and Mr. Thorne.

16 Q. Right?

17 A. Yes.

18 Q. Your behavior was to be there and be on the
19 couch overnight, was it not?

20 A. Yes.

21 Q. And then one time you went all by
22 yourself. David didn't take you, did he?

23 A. No, he didn't.

24 Q. Okay. First time you explain those three
25 things to anyone was in your conversation

1 with these folks; is that correct, or am I
2 mistaken?

3 A. I'm sure it was.

4 Q. Okay. Do you recall what you told the
5 police about it on July the 14th?

6 A. No, I do not.

7 Q. I would like you to pick up your statement
8 of July the 14th.

9 A. (Witness complies with request.)

10 Q. I would like you to look at the top of page
11 12.

12 A. (Witness complies with request.)

13 Q. You see the pop of page 12?

14 A. Yes.

15 Q. Your statement of July the 14th. Begins
16 with an answer and then there is a
17 question. "Okay. Joe, you had been to the
18 house before; is that correct?" You see
19 that question?

20 A. Yes, sir.

21 Q. What is your answer?

22 A. "Once, now twice."

23 Q. Okay. There is no indication of your
24 having spent the night, your having gone
25 there on your own or anything else, is

1 there?

2 A. No, sir.

3 Q. Okay. Is it possible you have been there
4 more often than just these three times?

5 A. No, sir.

6 Q. Not at all. Not during any of this period
7 where you don't know where you ate or who
8 lived with; is that right?

9 A. Not that I recall.

10 Q. When did you first meet Yvonne Layne?

11 A. When me and David went to her house to pick
12 up Brandon.

13 Q. How old was Brandon?

14 A. I do not know.

15 Q. What year was that in?

16 A. I don't recall.

17 Q. Where did you go with Brandon?

18 A. I'm pretty sure back to David's house.

19 Q. And Eric Cameron was at Yvonne Layne's
20 house at that time; is that right?

21 A. Yes, sir.

22 Q. And he was angry with David Thorne being
23 there, was he not?

24 A. Yes.

25 Q. You described they almost had a fight at

1 some point, didn't you?

2 A. An argument.

3 Q. You go there on another occasion and you
4 spend the night. That might have been a
5 memorable experience. Why didn't you tell
6 the police about that on July 14th?

7 A. I don't know.

8 Q. They didn't tell you about it, did they?

9 A. No, they didn't.

10 Q. Okay. And then you go there on another
11 occasion. Who drives you there at that
12 time?

13 A. I did. That was the point in time that I
14 had my '96 Metro.

15 Q. You drive yourself there?

16 A. Yes.

17 Q. So that must be in that two week window in
18 January; is that right?

19 A. Yes.

20 Q. You don't have any problem getting there?

21 A. No.

22 Q. Who else goes with you?

23 A. My friend Samantha Pegg. I don't recall
24 who all was with me. There was quite a few
25 people in the car.

1 Q. And did they stay in the car?

2 A. Yes, they did.

3 Q. You go in to see her?

4 A. Yes, sir.

5 Q. Eric Cameron is there at that time?

6 A. Yes, sir.

7 Q. How long do you stay?

8 A. Approximately maybe ten to 15 minutes.

9 Q. Is he angry at you?

10 A. No, sir.

11 Q. How often before that did you go spend the
12 night?

13 A. I'm not exactly sure.

14 Q. Well, was it in the summer of 1998, was it
15 in the fall of 1998, when was it?

16 A. I'm not exactly sure.

17 Q. Do you know when David began to visit with
18 his son?

19 A. No, I do not.

20 Q. Well, sir, was it recent enough that you
21 remembered how to get there all on your
22 own; is that correct?

23 A. Yes, sir.

24 Q. Okay. And you went there, you spend the
25 night. You told us that at some point Amy

1 Davis approached you about that; is that
2 right?

3 A. Yes, sir.

4 Q. And when she approached you if I understand
5 it correctly, you said you were rude to
6 her?

7 A. Yes, sir, I was.

8 Q. You were rude to her and she hasn't thought
9 much of you since then; is that right?

10 A. That's true.

11 Q. Okay. What did you do or say to be rude to
12 her?

13 A. I don't recall my exact words.

14 Q. You don't recall your exact words.

15 A. No, I do not.

16 Q. What were they in response to? Why were
17 you rude to her?

18 A. It was about Yvonne and me and David being
19 there at Yvonne's house. And I pretty much
20 told her it was none of her business and if
21 we had I wasn't going to tell her. She
22 hasn't really cared for me ever since.

23 Q. So you didn't step into that domestic
24 argument; is that right?

25 A. That's right.

1 Q. Once again you can't tell us if that was a
2 year ago, two years ago, three years ago,
3 you don't know, do you?

4 A. No, I don't.

5 Q. Okay. Take you to the date of the event of
6 all this. Your statement is that sometime
7 -- I guess sometime before the afternoon
8 you and David Thorne meet up on March the
9 31st; is that right?

10 A. Yes, sir.

11 Q. Now, you have been staying at the Enochs
12 since the 27th, which is a Saturday, so the
13 28th is a Sunday, Monday is 29th, Tuesday
14 is the 30th, Wednesday is the 31st; is that
15 right?

16 A. Yes, sir.

17 Q. And sometime on that Wednesday you and
18 David meet up and he drives you to the
19 Carnation Mall; is that right?

20 A. Yes, sir.

21 Q. And from there you go into the Carnation
22 Mall, you rent a room, you buy gloves?

23 A. Yes, sir.

24 Q. But you don't buy the knife because you're
25 in a hurry at this particular time; is that

1 right?

2 A. Yes, sir.

3 Q. You want to get back out, you're going to
4 kill somebody later in the day and you are
5 in a hurry; is that correct?

6 A. Yes, sir.

7 Q. Okay. And David, then you go run his
8 errands with him, things more important
9 than buying a knife for this murder?

10 A. Yes, sir.

11 Q. Excuse me?

12 A. Yes, sir.

13 Q. What errands are there? What is more
14 important than this little event?

15 A. I don't recall.

16 Q. You don't know.

17 A. No.

18 Q. All right. What time do you get back to
19 the Enochs house?

20 A. It had to be around I would say anywhere
21 between 4:00 and 6:00 on. It's when Mr.
22 Enoch got off -- Brent got off work.

23 Q. Anywhere between 4:00 and 6:00. Okay. How
24 long are you there before you leave again?

25 A. At the Enochs?

1 Q. Yes.

2 A. I don't know.

3 Q. Well, in any event, when do you next leave
4 the Enochs?

5 A. When I left with Brent Enoch to drop off
6 some dry wall.

7 Q. Where do you go to do that?

8 A. Up in Tallmadge.

9 Q. Okay. And how long does it take?

10 A. I'm not exactly sure.

11 Q. And how many sheets of dry wall is it?

12 A. I do not recall.

13 Q. You don't recall how many sheets of dry
14 wall. How long does it take to unload?

15 A. Anywhere between half an hour and an hour.

16 Q. Then where did you go next?

17 A. Then we were -- he was going to take me out
18 to the mall and I stopped and used the
19 phone, the pay phone.

20 Q. You stopped and used the pay phone.

21 A. Yes.

22 Q. You said you got a page, but you don't know
23 whose phone call you were returning; is
24 that correct?

25 A. That's right.

- 1 Q. But the records of that pay phone might
2 tell us what call you made. Do you know
3 that? You wouldn't know that, would you?
4 I'm sorry?
- 5 A. I'm sure I would.
- 6 Q. What call you made?
- 7 A. I'm sure the phone would.
- 8 Q. In any event, why did you tell Brent Enoch
9 you wanted to go to the Carnation Mall?
- 10 A. Because I was supposed to meet David out
11 there.
- 12 Q. For what reason?
- 13 A. Because we was going to go back to his
14 house and clean the garage.
- 15 Q. That's what you told him. What did you
16 tell Karen Enoch?
- 17 A. The same thing as I recall.
- 18 Q. Okay. And so you were very sure that Brent
19 Enoch drove you to the Carnation Mall on
20 that date; is that right?
- 21 A. Yes, sir.
- 22 Q. Okay. I would like you to look at your
23 statement of July the 15th.
- 24 A. (Witness complies with request.)
- 25 Q. And I would like you to look at the first

1 paragraph, which is your answer to a
2 question, okay?

3 A. Yes, sir.

4 Q. Let's go back to the bottom of page 3. You
5 were asked a question did you stay in the
6 car? I would like you to read your whole
7 answer there all the way down to where the
8 next question is asked on the next page.

9 A. He had dropped --

10 Q. Just read it to yourself, make sure you're
11 familiar with it. Don't read it out loud.

12 A. Yes, sir.

13 Q. Have you read it?

14 A. Yes, sir.

15 Q. Okay. Would you agree that the last --
16 essentially the last two lines or sentences
17 say then David had come back and picked me
18 up later. On he took me out there before
19 he went to shoot fighting class. Then he
20 picked me up from Brent's house and Brent
21 witnessed -- Brent Enoch and Summer and
22 Karen were home. They witnessed that he
23 picked me up.

24 That's describing him taking you
25 to the Carnation Mall on the evening --

1 A. Yes, sir.

2 Q. -- Of March 31st.

3 THE COURT: Just a minute.
4 Folks. Please. He was talking over you.
5 Let him -- he was answering while you were
6 still talking.

7 BY MR. KEITH:

8 Q. Sorry, Your Honor. Please finish your
9 answer.

10 A. I think that was a mistake from earlier
11 that morning. When I had this statement I
12 was recalling the day and I do not recall
13 the whole day. And that was a mess up
14 because he had picked me up earlier that
15 morning.

16 Q. Wasn't true, was it? You told them
17 something that was not true?

18 A. Yes, sir.

19 Q. At that point you don't know if they had
20 ever talked to Brent, Summer or Karen
21 Enoch, do you?

22 A. No, sir, I do not.

23 Q. Let's move on to page 8 of the same
24 statement. Are you at page 8?

25 A. Yes, sir.

1 Q. Would you read for yourself the whole page.

2 A. (Witness complies with request.)

3 Q. Did you read it?

4 A. Yes.

5 Q. And can you tell us or do you agree that
6 page also says that David dropped you off
7 at the Carnation Mall that evening and
8 picked you up the next morning?

9 A. Yes, sir, it does.

10 Q. Okay. So once again that was not true, was
11 it?

12 A. No, it was not.

13 Q. You had told us you got to the Carnation
14 Mall and went to the room. You went down
15 through the lobby, you go to some double
16 doors which are sort of to the left after
17 you walk into the lobby. The swimming pool
18 is over to your left and you go through
19 some double doors into the Carnation Mall;
20 is that right?

21 A. Yes.

22 MR. BAUMOEL: Your Honor, I would
23 ask for a reference as to which time we are
24 talking about.

25 THE COURT: That would be

1 helpful.

2 BY MR. KEITH:

3 Q. This is after you return that evening
4 whomever may have brought you; is that
5 right? Do you recall that? You come back
6 to the Carnation Mall, you rented a room
7 about 1:00. You come back that evening
8 later after you have left. Do you recall
9 that?

10 A. Yes, sir, I do.

11 Q. You recall you testified that you went to
12 your room, then you went back down through
13 the lobby into the mall and to the K-Mart?

14 A. Yes, sir.

15 Q. Do you remember that. And you met somebody
16 you knew in the K-Mart, somebody named Web?

17 A. Yes, sir.

18 Q. They were there while you bought the knife?

19 A. Yes, sir.

20 Q. You had some conversation with them?

21 A. Yes, sir.

22 Q. You are sure that was on that evening?

23 A. Yes.

24 Q. Okay.

25 THE COURT: Speak up.

1 Q. You then walk out of the K-Mart and as
2 you're walking through the food court you
3 see who?

4 A. Christopher Campbell.

5 Q. Where do you know Christopher Campbell
6 from?

7 A. Maplewood.

8 Q. And he is with a woman or a girl, a young
9 lady?

10 A. Yes.

11 Q. Is that right. Would you remember her if
12 you saw her again?

13 A. Possibly.

14 Q. Were you sitting at the food court or were
15 you walking through?

16 A. I was walking through.

17 Q. And how did you greet Christopher Campbell?

18 A. I had saw him and I walked up to him and he
19 was -- as I recall, he was sitting at a
20 table. I sat down, was smoking a cigarette
21 with him.

22 Q. And how long were you there once again?

23 A. I'm not exactly sure.

24 Q. And what was the nature of the
25 conversation?

1 A. I do not recall.

2 Q. Well, if I told you that you told him that
3 you got paid \$300 up front, would that
4 refresh your recollection?

5 A. No, sir, it would not.

6 Q. Could you have told him that?

7 A. I could have.

8 Q. Could you have told him you were there to
9 do a hit for your girlfriend?

10 A. I could have.

11 Q. Okay. Could you have shown him the knife?

12 A. Yes, it's possible.

13 Q. Okay. You have no recollection of that
14 event?

15 A. No, sir, I do not.

16 Q. How were you dressed at that time?

17 A. I had on a black wind pants and I'm not
18 sure, but I'm pretty sure I still had my
19 Nike jacket on.

20 Q. Nike jacket?

21 A. Yes.

22 Q. When you say pants, are you saying black
23 wind pants?

24 A. Yes.

25 Q. W-i-n-d, because I can't understand that.

1 A. Yes.

2 Q. And you told us that you have a lot of
3 pairs of those, but only one name brand
4 pair; is that right?

5 A. Yes.

6 Q. How many pairs did you have at that time?

7 A. Quite a few.

8 Q. Five, six, seven?

9 A. Five or six about.

10 Q. Okay. You could very well have told him
11 that you were there on behalf of your
12 girlfriend; is that right?

13 A. Could have.

14 Q. Now, what did you tell the police about the
15 money you claim you got paid? What did you
16 tell them the first time you talked to
17 them, do you recall that?

18 A. No, I do not.

19 Q. Okay. Would you have told them the truth,
20 excuse me.

21 A. I'm not exactly sure.

22 Q. You are not exactly sure. When you say you
23 are not exactly sure. Would you have lied
24 to them?

25 A. Could have.

1 Q. Or maybe they didn't tell you what you
2 wanted to hear?

3 MR. BAUMOEL: Your Honor, is that
4 a question or a statement?

5 THE COURT: Question or
6 statement.

7 BY MR. KEITH:

8 Q. It's a question. For instance, they told
9 you you grabbed her hair, didn't they?

10 A. Yes.

11 Q. They told you you pulled her head back,
12 didn't they?

13 A. Yes, they did.

14 Q. They told you a lot of other stuff about
15 this. They tried to tell you about a dog
16 that you hadn't seen, had you?

17 A. That's very true.

18 Q. And they tried to tell you about a young
19 child that was talking to you there that
20 you don't have any memory of, do you?

21 A. That's right.

22 Q. So the question once again is when you told
23 them how much money you got and when, were
24 you telling them the truth on July 14th?

25 A. I'm not exactly sure.

1 Q. You started out today telling us you were
2 telling the truth except for those two
3 things you remember.

4 A. As I recall.

5 Q. Why are you not sure if you are telling the
6 truth?

7 MR. BAUMOEL: Your Honor, may he
8 finish his answer?

9 THE COURT: Okay. Be quiet.
10 Overruled. Keep going.

11 BY MR. KEITH:

12 Q. Why are you not now sure? Did you lie to
13 them?

14 A. No, I didn't lie. There was some things
15 that I didn't state there that weren't
16 exactly true.

17 Q. Some things that were not exactly true?

18 MR. BAUMOEL: Is that a
19 question?

20 THE COURT: Sustained. Make the
21 objection, Mr. Baumael.

22 MR. BAUMOEL: Yes, Your Honor.

23 BY MR. KEITH:

24 Q. Tell us again what things were not exactly
25 true?

1 A. Him dropping me off at my friend's house,
2 and I don't remember.

3 Q. You also told them that you gave him a
4 bagful of clothes?

5 A. Yes, sir, I did.

6 Q. That wasn't true?

7 A. No, it wasn't.

8 Q. Now, you had on a nylon wind breaker.
9 Whose was that?

10 A. That was my friend Summer Enoch's.

11 Q. And you had on a shirt, I think we have
12 pictures of it. You had on a shirt; is
13 that right?

14 A. (Indicating.)

15 Q. Weren't you shown a picture of a white Nike
16 shirt this morning?

17 A. That was the jacket.

18 Q. That was the jacket.

19 A. Yes, sir, it was.

20 Q. Okay. And then you had on black pants; is
21 that right?

22 A. Yes, sir.

23 Q. And the black pants end up the far side of
24 Ravenna over -- what was the name of the
25 road?

1 A. Lovers Drive.

2 Q. Lovers Lane. And that is out actually on
3 the northwest side of Ravenna, is it not?

4 A. Yes, sir.

5 Q. How did you get there?

6 A. I do not recall.

7 Q. Who drove you there?

8 A. I do not recall. Somebody did --

9 Q. I'm sorry. You do not recall. Somebody
10 did?

11 A. Yes.

12 Q. How did you get these pants you were
13 concerned with being bloody out there to
14 get rid of them? What did you tell these
15 people?

16 A. Nothing. I was -- I was with my friend
17 that lives in the house there the day
18 before that and I told her that I was going
19 to come out. She told me to come out about
20 8:00. And she told me to knock on the
21 bedroom window because she had been
22 asleep. And I walked around the house and
23 I don't recall who dropped me off. I
24 walked around the house. I disposed of the
25 pants and knocked on her window.

- 1 Q. When was that, on April 1st, April 2nd,
2 when was that?
- 3 A. I'm not sure.
- 4 Q. Had you gone there for that purpose? Did
5 you just happen to have the pants with you?
- 6 A. No, I had the pants with me.
- 7 Q. Okay. So at that point you are carrying
8 them around with you?
- 9 A. Yes.
- 10 Q. What about the wind breaker? What did you
11 do with the wind breaker?
- 12 A. Summer has got it.
- 13 Q. What did you do with the shoes?
- 14 A. I don't know.
- 15 Q. Where did the shoes come from? How did you
16 get those shoes?
- 17 A. I don't know. I don't know.
- 18 Q. Did you steal them?
- 19 A. No, I didn't steal them.
- 20 Q. Did you ever steal anything?
- 21 A. Yeah.
- 22 Q. Okay. Did you ever steal and not get
23 caught?
- 24 A. Yes.
- 25 Q. You always got caught?

1 A. No, I have stole stuff and not got caught.

2 Q. Did you ever tell lies and not get caught?

3 A. Yeah.

4 Q. I'm going to show you now what has been

5 marked as Defendant's Exhibits L and M.

6 Would you look at that, please.

7 A. (Witness complies with request.)

8 Q. Have you had an opportunity to review

9 those, sir?

10 A. Yes, sir.

11 Q. The first page is a complaint that accuses

12 you on January 21st of 1999 of stealing a

13 pair of shoes?

14 A. Yes, sir.

15 Q. The second page is where you are sentenced

16 to jail and suspended when you pled guilty

17 to that; is that right?

18 A. Yes, sir.

19 Q. Okay. That wasn't the pair of shoes you

20 had on?

21 A. No, sir, I was -- I did not receive those

22 shoes. I was -- there were multiple

23 friends with me and they got busted and I

24 was already out of the store and one of my

25 friends snitched on me so I had to return

1 the shoes and so no, it was not those.

2 Q. You put them on, walked out of the store
3 with them and got caught later; is that
4 right?

5 A. Yes, sir.

6 Q. Do you have in front of you the plea that
7 we talked about?

8 A. Yes, sir, I do.

9 Q. Did you read that before you signed it?

10 A. Yes, I did.

11 Q. Did you go over it with your lawyers?

12 A. Yes, sir.

13 Q. And they talked to you about the evidence
14 in the case; is that right?

15 MR. BAUMOEL: Objection, Your
16 Honor.

17 THE COURT: Are you going from
18 the plea agreement?

19 MR. KEITH: Yes. Or I'll
20 withdraw that question.

21 BY MR. KEITH:

22 Q. Before you entered into this plea agreement
23 you talked it over very carefully with your
24 lawyers; is that right?

25 A. Yes, sir.

1 Q. And you became aware of the things that
2 could potentially happen to you, did you
3 not?

4 A. Yes, sir.

5 Q. And you were offered this plea agreement if
6 you testified truthfully; is that right?

7 A. Yes, sir.

8 Q. I want to look at the page that says page 5
9 at the bottom.

10 A. (Witness complies with request.)

11 Q. You got that page in front of you?

12 A. Yes, sir.

13 Q. Okay. You understand that for what you
14 were accused of you could be sentenced to
15 die in the electric chair, to life with no
16 possibility of parole, in other words, you
17 would leave prison when you died finally,
18 30 full years and then perhaps parole, but
19 there is no guarantee or 25 years and
20 perhaps parole, but there is no guarantee;
21 is that correct?

22 A. Yes, sir.

23 Q. And you're satisfied that you understood
24 all of that when you entered into that
25 agreement; is that right?

1 A. To the best of my ability, yes.

2 Q. An part of the reason for this agreement is
3 the second full paragraph on page 5, is it
4 not? Read that.

5 A. (Witness complies with request.)

6 Yes, sir.

7 Q. The Defendant shall testify truthfully and
8 with complete disclosure in any and all
9 other proceedings concerning the death of
10 Yvonne Layne. Is that the first sentence?

11 A. Yes, sir.

12 Q. The second sentence says if the Defendant
13 fails to testify truthfully and with
14 complete disclosure in any and all
15 proceedings concerning the death of Yvonne
16 Layne, the State of Ohio may void this plea
17 agreement; is that correct?

18 A. Yes, sir.

19 Q. Now, the judge doesn't get to void it, does
20 he? That's not your understanding, is it?

21 MR. BAUMOEL: Objection.

22 THE COURT: Overruled.

23 THE WITNESS: I don't know.

24 BY MR. KEITH:

25 Q. Mr. Haupt and I can't void it, can we?

1 A. I don't know.

2 Q. You don't know.

3 A. I don't know the law.

4 Q. What does it say?

5 THE COURT: That's his answer.

6 BY MR. KEITH:

7 Q. Well, sir, let me ask you, when you signed
8 that agreement, you were making an
9 agreement with the prosecutor, were you
10 not?

11 A. Yes, sir, I was.

12 Q. You did it to control what was happening to
13 you, didn't you?

14 A. Yes, sir.

15 Q. And as part of that, you have to repeat the
16 words that they want, do you not?

17 A. No, I do not.

18 Q. You don't?

19 A. The words that I stated are the words that
20 I have to state.

21 Q. The words that you stated are the words
22 that you have to state. Which set of
23 words, which time?

24 A. The truth.

25 Q. The truth.

1 THE COURT: Caution on the
2 comments, Mr. Keith.

3 MR. KEITH: Excuse me?

4 THE COURT: Caution on the
5 comments after the answer.

6 MR. KEITH: I apologize, Your
7 Honor.

8 THE COURT: Just a caution.

9 BY MR. KEITH:

10 Q. Did you and David Thorne ever discuss any
11 of this in front of any third person?

12 A. No, sir.

13 Q. Did any person ever see David Thorne give
14 you money?

15 A. No, sir. They never saw it, but he did.

16 Q. Wait a minute. Once again, your testimony
17 was you went and you cut Yvonne Layne's
18 throat because David Thorne wanted you to
19 do it; is that correct?

20 A. That is correct.

21 Q. Because he would feel good about the
22 result; is that correct?

23 A. That is correct.

24 MR. KEITH: Can I have a moment,
25 Your Honor.

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THE COURT: You may.

- - - - -

(Thereupon, a discussion was held off the record.)

BY MR. KEITH:

Q. Mr. Wilkes, from what age do you think you had to learn to take care of yourself?

A. Pretty much since I have been born.

Q. And you have told lies to take care of yourself; is that correct?

A. To a point, yes.

Q. You have stolen to take care of yourself; is that correct?

A. To a point, yes.

Q. And you have never hesitated to impose on others or ask others for help; is that correct?

A. That is correct.

Q. The Enochs take you in at 2:00 on a Saturday afternoon, into their home, they feed you, they house you, they do your laundry, they get you a job, and they give you some expectations of your behavior. They want to help you and follow some rules around their home, did not they?

- 1 A. Yes.
- 2 Q. And they don't want a whole gang of kids
3 running around their house or their yard?
- 4 A. Very true.
- 5 Q. And you don't respect any of that, do you?
- 6 A. I respect the fact -- I respected they did
7 want a bunch of people around their house.
- 8 Q. You didn't respect it enough to follow the
9 rules, did you?
- 10 A. I never had a bunch of people around their
11 house.
- 12 Q. Okay. You didn't hesitate to ask David
13 Thorne for help, did you?
- 14 A. No, sir.
- 15 Q. You didn't hesitate to start banging on his
16 answering machine at 2:00 in the morning on
17 March the 27th, did you?
- 18 A. No, sir.
- 19 Q. You didn't hesitate to call Karen Enoch at
20 2:00 this same morning and ask her to come
21 to Kent to get you, did you?
- 22 A. Yes, I did.
- 23 Q. You did that thing?
- 24 A. Yes, I did.
- 25 Q. Right. Okay. You have been in jail now

1 since July the 14th; is that right?

2 A. That's correct.

3 Q. And you have access to a telephone, do you
4 not?

5 A. That is correct.

6 Q. And you have called people from the pay
7 phone both in the Stark County and Portage
8 County Jails; is that correct?

9 A. That is correct.

10 Q. And you have talked to a Tad Simmons? Do
11 you know him?

12 A. (Indicating.)

13 THE COURT: You got to answer.
14 His question is a Tad Simmons.

15 Q. Would you have talked to any person named
16 Tad having made a call from the jail?

17 A. Ted no, but it was Tad.

18 Q. Tad?

19 A. Yes, Tad Simmons.

20 Q. Tad Simmons. Tad. Would you have told Tad
21 that you shouldn't have pled guilty?

22 A. Yes, sir.

23 Q. Okay.

24 MR. KEITH: I have no further
25 questions. Thank you, Your Honor.