

1 Q Was he already gone when you got there, or?

2 A No, he wasn't gone yet when we got there --
3 when I got there, but he was being treated. He was -- she
4 had mentioned to him that she thought it was the suspect.

5 Q She did that in your presence?

6 A Yeah. And he said that, I think so too, but he
7 wouldn't give a positive answer, either. Now, the suspect
8 was standing outside during this time. I went out there.

9 I noticed that he was very nervous, and I talked to
10 him. I asked what he was doing there and he said he lives
11 in the next-door apartment. So I got his name and
12 everything and the way he was look -- and he was looking
13 around. He was acting very suspicious and nervous.

14 Q Was anybody else -- were any other neighbors
15 there?

16 A Yeah. I don't know what their names were. I
17 think they were across from her.

18 Q Did you talk to either of them?

19 A No.

20 Q Did you hear either of them say anything?

21 A No. They were there -- I don't think they were
22 there prior to us getting there, but I think when they saw
23 the police cars, then they came out and they heard her
24 screaming.

25 Q Now, you say the defendant was acting nervous.

1 Would you be a little more specific? What led you to that
2 conclusion?

3 A He wouldn't look at me in the eyes. I can tell
4 that his chest was pounding. I could tell he had a rapid
5 heart beat. He was wearing a tank top-type shirt.

6 Q What color?

7 A I believe it was red. Let me check. I believe
8 it was. It was a red shirt. I'm not positive.

9 Q But it was a tank top, you believe that?

10 A Right.

11 Q What kind of pants was he wearing?

12 A Jeans. He cooperated with me. He gave me his
13 name and where he lived, his date of birth and everything,
14 and I told him I was just getting names from everybody at
15 the scene.

16 Q I'd like to step back a little bit when you
17 said while you were talking to the victim, Cheryl --

18 A Yeah.

19 Q And the other victim was being bandaged?

20 A Right.

21 Q Was that what was going on? Okay. Can you
22 tell me as precisely as possible how this reference to the
23 defendant occurred?

24 A From her talk to me?

25 Q Well, both to you and to the other gentleman,

Read the entire deposition in the
"Documents" section of our website