

1 September 21st, correct?

2 A. Yes, sir.

3 Q. But in reality, the bond had already been
4 revoked, hadn't it? It was already set at zero bond
5 before September 21st, specifically on September --

6 A. The bond was revoked on September 8th.

7 Q. What you did on the 21st was basically
8 superfluous. What need was it to revoke it again if it
9 was already at zero? Do you have an answer to that
10 question, or is that something you just do because you
11 were told to do it?

12 A. I don't have an answer to that question. I was
13 instructed to do so and did it.

14 MR. SASSER: No further questions. Pass
15 the witness.

16 MR. BREWER: Pass the witness, Judge.

17 THE COURT: All right. You may step down.
18 Call your next, please.

19 MR. BREWER: Stim Bowie.

20 (Witness sworn)

21 **STIM BOWIE,**

22 having been first duly sworn, testified as follows:

23 **DIRECT EXAMINATION**

24 **BY MR. BREWER:**

25 Q. Mr. Bowie, please turn to the ladies and

1 gentlemen of the jury and introduce yourself with your
2 first and last name.

3 A. My name is Stim Bowie.

4 Q. Mr. Bowie, spell your first and last name for
5 the court reporter.

6 A. First name is S-t-i-m. Last name, B-o-w-i-e.

7 Q. Mr. Bowie, have you ever had to testify before?

8 A. No, sir.

9 Q. How is it the first time? You nervous?

10 A. A little, slightly. Not really, but, you
11 know...

12 Q. You can make it through it.

13 A. I can make it through it.

14 Q. How are you employed?

15 A. I'm employed with Cox Bail Service. I am a
16 bonding agent.

17 Q. You're a bonding agent. We've used terms like
18 bail bondsman --

19 A. Bail bondsman.

20 Q. All right. So she doesn't throw things at me
21 or hit you, let me finish before you talk and I'll try
22 to do the same.

23 A. Yes, sir.

24 Q. Thank you.

25 Do you operate a bail bonds business here

1 in Harris County, Texas?

2 A. Yes, I do.

3 Q. Do you make bonds or bail for defendants
4 charged in Harris County, Texas?

5 A. Yes, I do.

6 Q. Do you also make bonds for defendants charged
7 outside of Harris County?

8 A. Yes, I do.

9 Q. How far off -- give us an idea how far your
10 business extends.

11 A. We go to surrounding counties as far as
12 Montgomery County, Fort Bend, Brazoria, and Jefferson
13 County as well.

14 Q. All right. In the southeastern area, you are
15 capable, licensed, and willing to make bonds in the
16 appropriate case, correct?

17 A. That's correct.

18 Q. Let's talk a little bit about the bail bonds
19 business. Explain basically the -- they heard a little
20 about what happens when somebody gets arrested and how
21 they get out of jail. Explain it briefly from your
22 perspective. What happens when somebody comes and says:
23 There's somebody in jail that I need to help?

24 A. Generally, a co-signer -- we have to have a
25 co-signer come in the office and cosign as the

1 individual taking responsibility of the defendant to
2 show for court. And as well, they're signing on the
3 amount of the bond. Say, it's a 10, \$20,000 bond, it's
4 the co-signer's -- actually, so to speak, it's a loan or
5 they're taking responsibility of that individual to show
6 in court until the case is completely disposed of.

7 Q. Let me stop you there. You've had a relative
8 or friend, whoever, come in and start the process,
9 right?

10 A. That's right.

11 Q. You call them a co-sign because you want them
12 to be responsible for paying, too, if something goes
13 wrong?

14 A. That's correct.

15 Q. If you agree to do a bond, do you charge a fee?

16 A. Yes, I do.

17 Q. What's the fee typically?

18 A. Ten percent of the total amount of the bond.

19 Q. All right. So, if it is \$15,000 bond, what
20 would the fee be?

21 A. The fee would be 1500 bucks.

22 Q. Do they get the \$1500 back?

23 A. Nonrefundable. No, they don't get it back.

24 Q. Once you receive your fee or have been made
25 happy somehow, do you go to the government, in this case

1 the county, and say: I'm willing to stand for this
2 case, I'm willing to be the bail bondsman for this case,
3 and do you file a document with them?

4 A. That's correct.

5 MR. BREWER: May I approach the witness,
6 Your Honor?

7 THE COURT: You may.

8 Q. (By Mr. Brewer) Let me show you what's been
9 marked State's Exhibit No. 4. Do you recognize that
10 document (indicating)?

11 A. Yes, I do.

12 Q. We just talked about you going to the county
13 and saying: Hey, I'm going to make a bond for this
14 person. When you do that, whose money is going on the
15 line with the county?

16 A. It's the bonding company's.

17 Q. In this case, it would be your boss?

18 A. That's correct.

19 Q. In this particular case involving LaJuan
20 Bailey, Cause No. -- here we go -- 1212467, is this the
21 bail bond agreement between the defendant, Ms. Bailey,
22 you, and the county (indicating)?

23 A. Yes, it is.

24 Q. What date was it signed on?

25 A. On April 23rd, 2009.

1 Q. All right. And did the co-signer sign it?

2 A. Yes, she did.

3 Q. Who was that, if you recall?

4 A. Ms. Sharon Bailey.

5 Q. And did you sign it?

6 A. Yes, I did.

7 Q. All right. Where it says LaJuan Bailey, is
8 that a signature or is that somebody writing in the name
9 of the person that the bond is for?

10 A. That's the defendant's actual signature.

11 Q. All right. And so, is this the bail bond or
12 the agreement that says the defendant in this case has
13 got to show up when the Court tells her to?

14 A. Yes.

15 Q. Is it really that simple? When the Court says:
16 Be here, it's her responsibility to be here?

17 A. Yes, absolutely that simple.

18 Q. Absolutely that simple.

19 MR. BREWER: State offers State's
20 Exhibit 4, Judge.

21 **(State's Exhibit No. 4 Offered)**

22 MR. SASSER: No objection.

23 THE COURT: Admitted without objection.

24 **(State's Exhibit No. 4 Admitted)**

25 Q. (By Mr. Brewer) There's also a thumbprint on

1 the bottom of this document. Whose thumbprint is that,
2 Mr. Bowie (indicating)?

3 A. On the right side of that document, it should
4 be the defendant's thumbprint.

5 Q. Let's get a look at the document. For the
6 first time, we see a thumbprint here on the right side
7 as you look at the paper. That's the defendant's
8 thumbprint (indicating)?

9 A. That's correct.

10 Q. Whose thumbprint is on the bottom left
11 (indicating)?

12 A. Ms. Sharon Bailey's thumbprint, presenter of
13 the bond.

14 Q. Are you familiar with LaJuan Cecile Bailey?

15 A. Yes, sir.

16 Q. Were you at the time you made this bond?

17 A. Yes, sir.

18 Q. You made this bond for LaJuan Bailey?

19 A. Yes, sir.

20 Q. Do you see her in the courtroom today?

21 A. Yes, sir, I do.

22 Q. Please point her out and describe something she
23 has on.

24 A. The young lady with the black jacket and
25 baby-blue blouse (indicating).

1 MR. BREWER: Your Honor, may the record
2 reflect the witness pointed out the defendant and
3 described the defendant?

4 THE COURT: The record will so reflect.

5 Q. (By Mr. Brewer) This is the thing that says if
6 my company puts \$15,000 on the line, you show up in
7 court, period, until the case has --

8 MR. SASSER: I object to the prosecutor
9 continuing to testify. If he would limit it to
10 questions instead of basically testifying to the jury.

11 Q. (By Mr. Brewer) Is this a contract between you
12 and the defendant and the Court saying this defendant
13 has to show up?

14 A. Yes.

15 Q. On this same day, did you complete another
16 contract for a bail with the defendant?

17 A. Yes, I did.

18 Q. And --

19 MR. SASSER: Object to relevance. He's
20 talking about bails other than for this case.

21 MR. BREWER: May we approach, Judge?

22 THE COURT: You may.

23 (AT the Bench, on the record)

24 THE COURT: What is the relevance?

25 MR. BREWER: Just so you'll know, I did

1 talk to Jeff about this. I did talk to Jeff about this.
2 I didn't know he was going to object. I would have
3 asked to approach beforehand. I thought we had cleared
4 this before this. The relevance is Mr. Sasser asked
5 about an asserted open warrants, would open warrants be
6 a cause for a person not to show up. You may remember
7 he asked Diane about that. What happens in this case is
8 Mr. Bowie makes a bond for the Harris County case and he
9 makes bonds for Beaumont. What happens is that the
10 defendant gets the Beaumont bond forfeited. All right.
11 So, it's the exact case that Mr. Sasser --

12 MR. SASSER: It's a different case.
13 There's no bond jumping case filed on her in Beaumont.

14 MR. BREWER: It doesn't go to whether it's
15 a case. It goes to her intent or knowledge. In voir
16 dire, Mr. Sasser said, essentially, she was not aware of
17 this. She has to intentionally and knowing not shown
18 up. There's two things -- let me finish. There's two
19 things, because she has to intentionally and knowingly
20 not show up, meaning as Mr. Sasser implied in voir dire,
21 that she did not know about the reset.

22 MR. SASSER: Judge, this is the wrong
23 witness. Because if Brian Roberts wants to get up in
24 front of this jury and tell the jury that he told her
25 about it, that's fine, but not through this witness. He

1 doesn't know anything about that.

2 MR. BREWER: He does. Brian will say that,
3 but this witness does know about all of this.

4 MR. SASSER: Through this witness, all he's
5 trying to do is get in the fact she has another charge
6 somewhere. In my opinion, that's highly prejudicial.
7 If he's offering it to prove intent, I don't think he's
8 made that leap yet.

9 MR. BREWER: There's two things. I
10 understand the two things, but --

11 MR. SASSER: Judge, I anticipate it's going
12 to come out, but I don't think this is -- I don't think
13 he's laid the proper foundation.

14 MR. BREWER: We'll just work along and I'll
15 ask to approach.

16 (Open court, jury and defendant present)

17 Q. (By Mr. Brewer) Okay. Mr. Bowie, so on
18 April 23rd of 2009, the defendant -- you make a bond for
19 this defendant in the amount of how much, do you recall?

20 A. \$15,000.

21 Q. And if the defendant doesn't show up in court,
22 who's responsible for \$15,000?

23 A. Cox Bail Bonds.

24 Q. That's your boss?

25 A. Yes.

1 Q. How do things go in the bail bond business when
2 defendants take off and bail bondsmen are responsible
3 for \$15,000?

4 A. Well, the very first thing we do is try to
5 contact the defendant.

6 Q. Hold on. Not that. How does your boss feel
7 about losing 15k?

8 A. Not happy with that.

9 Q. What are you in business for?

10 A. To write bonds and make money.

11 Q. If the defendants don't show up, do you make
12 money?

13 A. No, sir, we do not.

14 Q. How serious do you take the defendants being in
15 court?

16 A. Extremely serious.

17 Q. Is your business set up in a way to ensure that
18 defendants show up in court as best as possible?

19 A. Yes.

20 Q. Do you have procedures in place to ensure that
21 defendants show up as often as humanly possible?

22 A. Yes.

23 Q. Do you have notification procedures in place?

24 A. Yes.

25 Q. All right. Let's start exploring some of those

1 things. After a defendant is released from jail, do
2 they have to come see you in person?

3 MR. SASSER: Judge, at this point, unless
4 he's trying to qualify this person as an expert, I would
5 like to confine it to this particular case rather than
6 other cases.

7 MR. BREWER: I'm happy to, Judge.

8 Q. (By Mr. Brewer) When the defendant in this case
9 was released from jail, did this defendant have to come
10 see you?

11 A. Yes, sir.

12 Q. Is that one of the rules?

13 A. Yes, sir.

14 Q. When this defendant came to see you, did she
15 have to fill out some paperwork?

16 A. Yes, sir.

17 Q. Additional paperwork?

18 A. Yes, sir.

19 Q. Did that paperwork include something called an
20 application or information form?

21 A. Yes, sir.

22 Q. What is the purpose of that form?

23 A. Skip tracing purposes in the event the
24 defendant decides not to show up for Court.

25 Q. When you say skip tracing, what do you mean by

1 skip tracing?

2 A. Locating the defendant that's fleeing.

3 Q. What information do you ask for on the form?

4 A. All of the personal information, family,
5 references and friends, banking information, and vehicle
6 information.

7 Q. Why do you ask for all that information? How
8 does that help you if the person decides not to show up
9 in court?

10 A. We can use it to track them.

11 Q. Do you -- and let's stick to this case. In
12 this case at some point did you use that information to
13 try to track the defendant?

14 A. Yes.

15 Q. Let's take a step back. After the defendant
16 filled out that application, did you also get an
17 application from the -- what did you call them co --

18 A. Co-signer.

19 Q. Co-signer. Yes or no?

20 A. Yes.

21 Q. Did the co-signer -- was the co-signer required
22 to give you all that information as well?

23 A. Yes.

24 Q. Now you've got information from a second
25 person, right?

1 A. Yes.

2 Q. If you know, was the co-signer in this case a
3 relative of the defendant?

4 A. Yes.

5 Q. What kind of relative, if you know?

6 A. Sister, I believe.

7 Q. After you get that information from the
8 defendant and from the co-signer, let's talk about the
9 process of this defendant going back and forth to court.

10 What is it that your company does to try
11 and ensure a defendant -- this defendant knows when
12 their court dates are? What are some of the procedures
13 you follow?

14 A. One, we ask all the defendants to stop by our
15 office after court to bring us whatever documentation
16 the Court gives them so we can make copies of it and
17 keep it in the folder. Also, we ask that -- excuse
18 me -- all defendants call us the day prior to court.
19 Okay. And then if for those that they're not calling or
20 do what they're supposed to, we call them, we take the
21 initiative to make the phone call the day prior to
22 Court.

23 Q. All right. Do you have access to the computer
24 system -- it's called JIMS. Do you have access to the
25 computer system that allows you to look and see when

1 cases are set?

2 A. Yes.

3 Q. Is that something you use in your business
4 regularly?

5 A. Yes.

6 Q. Is that something you could use to determine
7 even if someone didn't bring you a reset sheet after
8 court like they're supposed to, can you look at the JIMS
9 system and see if the case is on the docket for the next
10 day?

11 A. Absolutely, yes.

12 Q. Can you look at the JIMS system and see if the
13 case has been off-docketed or moved?

14 A. Yes.

15 Q. Do you do that as part of the normal course of
16 your business?

17 A. Yes, I do.

18 Q. Let's go ahead and take this case up to
19 September 7th, September 8th of 2010. Do you -- have
20 you reviewed some paperwork to kind of refresh your
21 recollection on some of the dates involved in this case?

22 A. Yes, sir.

23 Q. Have you ever seen a docket sheet before?

24 A. Yes, I have.

25 Q. Does this looks like the kind of docket sheet

1 you've seen in the past? Does that help a little
2 (indicating)?

3 A. No. I've never seen this here before.

4 Q. Okay. Let me ask you to take a look at
5 something to see whether you've seen it before or not.

6 MR. SASSER: Well, I'm -- never mind. I'll
7 strike that.

8 Q. (By Mr. Brewer) On September 8th -- let me ask
9 you if you know this. Did you know on September 8th the
10 bond was revoked, the bond issued for Ms. LaJuan Bailey,
11 did you know that?

12 A. Yes, sir.

13 Q. All right. What happened in your house, in
14 your office when you found out that there was a warrant
15 issued for the defendant and that her bond was revoked?

16 A. We immediately notified the defendant and the
17 attorney, called them, try to track them down to see
18 what happened.

19 Q. Do you recall which attorney you talked to?

20 A. I'm not absolutely sure. I have an idea. Chip
21 Lewis.

22 Q. Okay. Was it the attorney that was handling
23 the case at the time?

24 A. Correct.

25 Q. Or an associate?

1 A. Yes, sir.

2 Q. So, you weren't talking to a previous attorney,
3 you were talking to somebody that was handling the case
4 at the time?

5 A. That's correct.

6 Q. Fair enough.

7 You called the attorney. And were you able
8 to reach the defendant?

9 A. Yes.

10 Q. Did you talk -- did you talk to her?

11 A. Yes.

12 Q. All right. What did she tell you about the
13 September 8th date?

14 A. That there was a reset, an off-docket reset.

15 Q. So, let me ask you this question. Based on
16 your conversation with her, was she aware of the
17 off-docket reset?

18 A. Yes, sir.

19 Q. Are you positive?

20 A. Yes, sir.

21 Q. There was a warrant issued for her arrest,
22 correct?

23 A. Yes, sir.

24 Q. Did that concern you?

25 A. Yes, it did.

1 Q. Okay. What was her story to you?

2 A. That there was an off-docket reset and that her
3 attorneys will be taking care of it. It was some sort
4 of mistake in the courtroom.

5 Q. So, did you believe, based on that
6 conversation, she had been talking to her attorneys?

7 A. At that time, it was fifty-fifty. I needed to
8 speak to the attorney myself.

9 Q. I'm not asking about whether you believed her.
10 I'm asking about, based on what she told you, was she
11 talking to attorneys?

12 A. Yes.

13 Q. Now, let me ask you what you were just
14 answering. Based on what she told you, did you believe
15 her?

16 A. Not absolutely. Not 100 percent.

17 Q. As a general matter in your business, do you
18 believe what defendants tell you?

19 MR. SASSER: Objection, Your Honor, to
20 relevance as to whether he believes other defendants.
21 It doesn't matter in this case. What matters is if he
22 believed her in this case.

23 MR. BREWER: I'll rephrase the question,
24 Judge.

25 THE COURT: Please.

1 Q. (By Mr. Brewer) Did you believe this defendant
2 when she told you there was an off-docket reset?

3 A. Not 100 percent.

4 Q. Did you do something to try to verify what she
5 told you?

6 A. Yes, I do.

7 Q. What did you do?

8 A. I tried to contact her attorney.

9 Q. Were you able to confirm her story, if you
10 recall?

11 A. Yes.

12 Q. There's an off-docket reset at this point. You
13 know and she knows about it. Is that right?

14 A. That's right.

15 Q. Did you look in the computer to try to find the
16 off-docket reset?

17 A. Yes, I did.

18 Q. Was there an off-docket reset? If you recall.
19 I know you don't have the paperwork in front of you. If
20 you recall.

21 A. I don't remember seeing the document stating
22 when the new reset was, but I do remember speaking with
23 the attorney that there definitely was an off-docket
24 reset.

25 Q. Were you put at ease at that point?

1 A. Yes, I was.

2 Q. Were you also, though, aware that there was a
3 warrant issued by the Court?

4 A. Yes.

5 Q. Okay. The two things you had been made aware
6 of: There was a warrant out for the defendant's
7 arrest --

8 A. Correct.

9 Q. -- and you were aware she was talking to her
10 lawyer and she knew about the off-docket reset?

11 A. Correct.

12 Q. Did you tell her that there was a warrant for
13 her arrest?

14 A. I remember telling her that it was still
15 showing -- it was showing in the system, that it was --
16 I believe at the time it was showing a bond forfeiture,
17 which was an open warrant, yes.

18 Q. Okay. So, that's part of the conversation you
19 had with her?

20 A. Yes.

21 Q. So, the date you're talking to her is what
22 date?

23 A. I believe it was September 8th.

24 Q. Okay. So, on September 8th, we know three
25 things. Did she know she had an open warrant? Yes or

1 no?

2 A. Yes. Yes.

3 Q. Was she communicating with her lawyers?

4 A. Yes.

5 Q. Did she know that there was an off-docket
6 reset?

7 A. Yes.

8 Q. Now, after September 8th did your ability to
9 contact the defendant change?

10 A. Yes.

11 Q. How? In what way?

12 A. Almost -- well, not immediately after the 8th
13 because we were in contact --

14 MR. SASSER: Objection. Asked and
15 answered. If we could keep it question and answer.

16 MR. BREWER: I'll restate to make it
17 easier.

18 Q. (By Mr. Brewer) Listen to the question
19 carefully. After September 8th, did your ability to
20 communicate with her change at some point?

21 A. Yes.

22 Q. All right. Let's try to figure this out. So,
23 the lawyer has given you a story that you believe and
24 the defendant has given you a story. So, you're
25 comfortable with the fact there's an off-docket reset,

1 correct?

2 A. Yes.

3 Q. But there's still a warrant for your person,
4 the defendant's arrest; is that correct?

5 A. Yes.

6 Q. Is that a good thing or bad thing for you?

7 A. That's a bad thing for me.

8 Q. So, what are you trying to do in that scenario?
9 Do you go try to go find her and turn her in? What's
10 going through your mind at that point?

11 A. At that point, no, I wasn't trying to find her
12 because I was still under the impression that the
13 attorney was going to fix the situation.

14 Q. Okay. Does the situation get fixed, as in
15 specifically does the warrant get recalled or does that
16 warrant stay out there for her arrest?

17 A. That warrant stayed out there.

18 Q. What happens in your mind when this thing
19 doesn't get changed?

20 A. That's when I worried again.

21 Q. What do you do to take care of your worry?

22 A. What I did, I actually tried to release the
23 company from the Jefferson County bond.

24 Q. Let's not talk about Jefferson County. Let's
25 talk about Harris County. In terms of communicating

1 with the defendant as the days go on, do you get
2 increasingly worried about her showing up in court?

3 A. Yes.

4 Q. Do you try to communicate with her more?

5 A. Yes.

6 Q. How does that go?

7 A. Not so well.

8 Q. So, what happens when you try to keep in touch
9 with her?

10 A. I think at the time I didn't have a way to
11 contact her.

12 Q. Why not?

13 A. Numbers had changed.

14 Q. So, even though you've got that application
15 filled out, got cell phone numbers, home numbers,
16 relatives' numbers, addresses, were you able to get in
17 contact with her?

18 A. No. I was able to get in contact with her
19 references, not relatives.

20 Q. I was going to ask you. Were some of the
21 references actually relatives as well?

22 A. Yes.

23 Q. Don't tell us what they said, but after you
24 talked to them, were you able to find her?

25 A. Not find her.

1 Q. Were you able to communicate with her at all?

2 A. There were a couple of times when I reached a
3 reference and I received a call back from her.

4 Q. And do you know where she was staying?

5 A. No.

6 Q. Did you try to find out where she was staying?

7 A. Yes.

8 Q. Would she not tell you?

9 A. No.

10 Q. You had addresses for her, right?

11 A. Correct.

12 Q. Were any of the addresses good?

13 A. No.

14 Q. Okay. Let's go to the date of 9-15.

15 A. Okay.

16 Q. At that point, did you believe that she was on
17 the run or not?

18 A. I did.

19 Q. What did you do -- did you do anything else to
20 try to track her down?

21 A. We actually contracted out fugitive recovery
22 officers.

23 Q. I promise I've never referred to this in trial.
24 Is that like the bounty hunter kind of guy?

25 A. Yes, sir.

1 Q. It's a bounty hunter, right?

2 A. Yes.

3 Q. If you know, what type of procedures do those
4 people use to try to find people?

5 A. Well, they make phone calls, they do
6 drive-bys --

7 MR. SASSER: At this point, I object to
8 relevance as to whether she's guilty of the offense of
9 bail jumping. This is stuff way after the fact. The
10 date alleged is September 21st, 2010.

11 MR. BREWER: We're not there yet. We're at
12 9th, February of 2010, Judge. I'm not up to the 21st
13 yet.

14 THE COURT: That will be overruled. Let's
15 go on.

16 Q. (By Mr. Brewer) Between the 15th and the 21st,
17 does the person that you contract out to, do they make
18 attempts to find the defendant?

19 A. Yes.

20 Q. Are any of the attempts successful?

21 A. No, sir.

22 Q. Did you have an address?

23 A. I had several addresses for them to try.

24 Q. Was she at any of them?

25 A. No, sir.

1 Q. Well, did you have any -- did you have
2 telephone numbers that worked for her?

3 A. No, sir.

4 Q. Come 9-21, was she expected in this courthouse
5 in this court in Harris County, Texas? Was the
6 off-docket -- was the off-docket for 9-21 --

7 MR. SASSER: Objection. He testified
8 earlier he never saw the specific date for reset. He
9 was relying on the attorneys to notify her, unless
10 something changed since his last answer.

11 Q. (By Mr. Brewer) Mr. Bowie, when you spoke to
12 her, you said she's the one that told you about the
13 off-docket, right?

14 A. Yes, that's correct.

15 Q. So, let me show you a reset form.

16 MR. SASSER: Again, he specifically asked
17 Mr. Bowie if he remembered the date of September 21st.
18 He said no. He remembered talking to the attorney and
19 relying on the attorney to let him know.

20 MR. BREWER: Judge, I'm going to refresh
21 his memory.

22 THE COURT: Refresh it.

23 Q. (By Mr. Brewer) Have you ever seen a reset
24 before, Mr. Bowie?

25 A. Yes, I have.

1 Q. Is this a reset for this case (indicating)?

2 A. Yes, it is.

3 Q. And when does this reset say Ms. Bailey is
4 supposed to be in court?

5 A. September 21st, 2010.

6 Q. Is this the off-docket reset that Ms. Bailey
7 told you about? Does it appear to be?

8 A. It appears to be.

9 Q. It appears to be. Okay.

10 Lastly, for technicality purposes, do you
11 know if the defendant was released on bail from the
12 Harris County Jail?

13 A. Yes.

14 Q. Was she released with bail on the condition
15 that she appear in this court when expected to by the
16 Court?

17 A. Yes.

18 Q. Was that the bail you made for her?

19 A. Yes.

20 Q. Did she appear in this court on September 21st,
21 2010 as required in terms of her release? Yes or no?

22 A. No.

23 MR. BREWER: Pass the witness, Judge.

24 **CROSS-EXAMINATION**

25 **BY MR. SASSER:**

1 Q. Mr. Bowie, do you remember me coming to see you
2 at your office about a month-and-a-half, two months ago?

3 A. Yes.

4 Q. Why is your recollection now so different than
5 when I went to visit you?

6 A. I actually studied the case.

7 Q. You actually studied the case.

8 You'd agree with me your testimony today is
9 360 from what you told me back when I visited you in
10 your office? Would you agree with me on that?

11 A. No, sir.

12 Q. Let's go over what you did tell me in your
13 office, see if you agree or disagree.

14 A. Okay.

15 Q. Do you remember telling me in your office -- I
16 told you the State subpoenaed you and I wanted to find
17 out what you were going to testify to, correct?

18 A. Yes, sir.

19 Q. I told you all I wanted to know is the truth?

20 A. Yes, sir.

21 Q. I expressed that I needed to know everything
22 about the defendant because I needed to know whether I
23 would call you as a witness?

24 A. Correct.

25 Q. I specifically asked you: Do you remember

1 calling the defendant and telling her about the
2 September 21st date and you said no. Do you remember
3 telling me that?

4 A. Yes, I do.

5 Q. Do you remember telling me why you said you
6 didn't call her?

7 A. No, I do not.

8 Q. If you told me that the reason I didn't call
9 her was because her bond had been revoked on September
10 8th, 2011 and as far as you were concerned you were off
11 the bond, do you remember telling me that?

12 A. No, sir, I do not.

13 Q. You don't?

14 A. No, sir.

15 Q. Do you remember telling me: I was a little
16 confused because the Court had revoked her bond on the
17 8th, but then they forfeited it on the 21st, and you
18 said you had never even seen that before; do you
19 remember telling me that?

20 A. Yes, sir, I did.

21 Q. That was a learning experience for you?

22 A. Yes, sir.

23 Q. Do you remember telling me that when the Court
24 revoked her bond on September 8th, you told me that Cox
25 Bail bonds was -- they were off the case, they didn't

1 have to pay the \$15,000 anymore; do you remember telling
2 me that?

3 A. I do not remember telling you that.

4 Q. Did you pay -- did Cox Bail Bonds pay the
5 \$15,000?

6 A. No, sir.

7 Q. They didn't, did they?

8 A. No, sir.

9 Q. You went through a big deal with John about how
10 you had this fugitive recovery team. Why would you pay
11 the money for somebody to go out and find her when you
12 weren't losing any money to start with?

13 A. We didn't pay the money.

14 Q. Who did?

15 A. We didn't have to. She was never found.

16 Q. Didn't you have to pay someone to go try to
17 find her, or do they just do that for free?

18 A. That's not the procedure. You have to locate
19 the defendant before you actually pay on it.

20 Q. Sir, when I came to your office before this
21 case was set for trial last time, you never, ever
22 mentioned anything about any fugitive recovery team, did
23 you?

24 A. I'm not sure if I did. No, sir.

25 Q. Okay. You seem sure that you had the recovery

1 team and you called them. Did you bring any notes here
2 today --

3 A. No, sir, I didn't.

4 Q. -- to show you hired this company?

5 A. No, sir, I didn't.

6 Q. When you hire somebody for a particular case, I
7 would expect there's some signed kind of paperwork
8 that's opened up?

9 A. Yes, sir.

10 Q. Where is that paperwork?

11 A. Well, I have documents at my office.

12 Q. Excuse me?

13 A. I have documents at my office.

14 Q. Regarding her -- you hiring this fugitive
15 recovery team to try to find her?

16 A. Yes, sir. I have notes, actually.

17 Q. Excuse me?

18 A. I have notes of them -- of the work that they
19 actually performed trying to locate her.

20 Q. Okay. If we give you a little break, you can
21 go to your office and bring that back so I can talk --

22 A. When I was here earlier, I had it. When I took
23 the break, I left the folder at the office.

24 Q. You agree you never mentioned anything about
25 that when I came to your office, correct?

1 A. I agree.

2 Q. In fact, you told me that you really didn't
3 want to make any waves in this case, I don't want to
4 make the prosecutor upset in the case?

5 A. I do not.

6 Q. Your business is doing bonds and that's what
7 the criminal courthouse is all about, giving people
8 bonds?

9 A. That's correct.

10 Q. So they can fight their cases, hopefully, and
11 be out until their case goes to trial; is that correct?

12 A. That's correct.

13 Q. Isn't it true that when her bond was revoked on
14 September 8th, 2010, that let you off the hook, and
15 that's why to this day, Cox Bail Bonds hasn't been on
16 the hook for that \$15,000, have they? Answer the
17 question, please. Have they?

18 A. Repeat the question, please.

19 Q. John Brewer, earlier he said to you: Did you
20 make a bond with Ms. Bailey? You said yes. He asked
21 the amount. You said it was \$15,000. And then he said:
22 Well, if she doesn't come to court when she's supposed
23 to, who's on the hook for \$15,000. Do you remember
24 that?

25 A. Yes, sir.

1 Q. You said Cox Bail Bonds would be, correct?

2 A. That's correct.

3 Q. Cox Bail Bonds hasn't lost a single dime in the
4 case?

5 A. I believe there was \$382.00.

6 Q. That's a long way from \$15,000. How did you
7 not have to pay \$15,000 when she didn't --

8 A. She was scheduled before the deadline.

9 Q. What deadline?

10 A. It's a grace period for how long the defendants
11 can actually be out of custody before we have to pay the
12 complete amount of bond, the complete \$15,000.

13 Q. How long do they have to be out of custody
14 before you do?

15 A. I want to say ten or twelve months, a year on
16 felonies.

17 Q. This is your job. How long have you been doing
18 this?

19 A. Ten years.

20 Q. And you're not sure?

21 A. It's a year.

22 Q. Now you are sure?

23 A. It's between ten months and a year. I'm not
24 absolutely sure on felonies. I believe it's between ten
25 months and twelve months, misdemeanors six months.

1 Q. Tell me, how does that work? What happens
2 during the ten months to a year?

3 A. Well, during that time, that's the amount of
4 time the courts give us to locate the defendants.

5 Q. Are you telling this jury that in every case
6 where a defendant's bond is forfeited or revoked that
7 you get a whole year before y'all have to pay that?

8 A. Yeah, on bond forfeitures.

9 Q. In every single case?

10 A. On the felonies. It's different between a
11 felony and misdemeanor. You have less time on
12 misdemeanors, more on felonies.

13 Q. Sir, why, when I was in your office, did you
14 tell me that when you looked on your computer and saw
15 her bond revoked on September 8th for her case it was a
16 non-issue at that point, she was no longer in custody,
17 there was a warrant for her arrest, and for you -- that
18 nobody was asking you for the \$15,000? Do you remember
19 telling me that?

20 A. Yes, sir, but they changed -- it was a
21 forfeiture. There's a difference. You're saying
22 revoked and bond forfeiture. Those are two different
23 things.

24 Q. Sir, remember telling me you didn't know that
25 at the time? Remember you told me you just found that

1 out on this case?

2 A. That's correct.

3 Q. What did you find out in this case that you
4 didn't know before about the difference between
5 revocation and forfeiture?

6 A. I didn't understand that if you -- if your bond
7 was already revoked, you still cannot forfeit that bond
8 if you don't show up on that day. That's what I did not
9 know.

10 Q. You've been doing this for ten years and you
11 didn't understand how that worked, did you?

12 A. No, sir.

13 Q. Certainly, this defendant wouldn't be expected
14 to know that?

15 MR. BREWER: Objection. Calls for
16 speculation.

17 A. I would --

18 THE COURT: Sustained.

19 Q. (By Mr. Sasser) Sir, you're saying -- you're
20 telling this jury -- I specifically asked you --
21 remember when I was in your office, I specifically asked
22 you: Do you remember calling my client and reminding
23 her and telling her of the September 21st date; remember
24 me asking you about that?

25 A. Yes, sir.

1 Q. Do you remember what you said?

2 A. No, I did not call her.

3 Q. You did not call her, correct?

4 A. That's correct.

5 Q. You said there was no need to, there was a
6 warrant for her arrest and for your purposes there were
7 no future court dates until she got arrested, correct?

8 A. Correct.

9 Q. That's the key when you have a warrant for your
10 arrest, everything is kind of in limbo until you get
11 arrested, correct?

12 A. Correct.

13 Q. If you have this trial setting and you're not
14 in custody, why would you have witnesses, people coming
15 in, maybe flying in from out of state when you don't
16 have the defendant in custody? Correct?

17 A. Correct.

18 Q. Now, you said -- you were talking about you
19 don't remember when you talked to Chip Lewis or Brian
20 Roberts.

21 A. I don't know exactly.

22 Q. You have no idea?

23 A. No.

24 Q. Okay. So -- but you know it was one of them?

25 A. It was one of the attorneys that was

1 representing her at the time.

2 Q. When did you talk to them?

3 A. The day of that -- I think it was the 7th,
4 September 7th, the day that she was on the docket.

5 Q. Okay. Sir, if you don't know, please say: I
6 don't know. It's okay to say: I don't know. In fact,
7 it's better to say that than like tell us what you think
8 we want to hear.

9 A. Okay.

10 Q. My question to you is: Do you recall
11 specifically a particular date you talked to Chip Lewis
12 or Brian Roberts?

13 A. Not the exact date.

14 Q. Okay. You say the 7th, but it might not have
15 been the 7th?

16 A. It could have been the 8th. It could have been
17 the day after.

18 Q. Okay. What do you remember about that
19 conversation?

20 A. The attorney said they were going to take care
21 of it, the situation. That's what made me ease up a
22 little bit.

23 Q. Are you sure it was either the 7th or 8th or --
24 it wasn't before the 7th, was it?

25 A. No, sir.

1 Q. So, basically, because the attorney had not
2 contacted you before September 7th to let you know he
3 had off-docketed the case --

4 A. No, he didn't.

5 Q. -- you had no idea the case was off-docketed?

6 A. Had no idea.

7 Q. Until you saw him the 8th, the month it was
8 revoked?

9 A. That's correct.

10 Q. That's when it becomes your issue. Whoa, why
11 isn't my defendant in court. That's when your ears go
12 up. Like you said, this is your money, this is your
13 living, correct?

14 A. That's correct.

15 Q. She wasn't supposed to be there on the 7th, was
16 she, as you found out later?

17 A. No, she wasn't supposed to be there.

18 Q. When on the 7th -- when you talked to somebody
19 on the 8th, you found out, hey, she really wasn't
20 supposed to be there on the 7th?

21 A. That's correct.

22 Q. But you also saw where her bond had been
23 revoked and you knew at that point her bond was revoked
24 not because she didn't show up for court, but because
25 she had these other cases up in Brazoria, right?

1 A. That's correct.

2 Q. That makes a big difference?

3 A. Yeah, makes a big difference. Yes, sir.

4 Q. Not like she intentionally or deliberately did
5 not show up, right? Let's talk about a regular case you
6 have handled when you put a defendant on bond.

7 MR. BREWER: I object to Mr. Sasser using
8 some case other than his case.

9 MR. SASSER: I'll qualify him as an expert.
10 The prosecutor hasn't. I'll be more than happy to.

11 Q. (By Mr. Sasser) You say you've been doing this
12 ten years?

13 A. That's correct.

14 Q. In those ten years, would you say you've
15 handled few or many bonds?

16 A. Many.

17 Q. Hundreds?

18 A. Thousands.

19 Q. Okay. And as for as bond representatives in
20 Harris County, would you say you're up to speed in
21 comparison to any other bond agent that works for any
22 other bonding company?

23 A. I would say.

24 Q. Would you consider yourself an expert in
25 matters that pertains to bonds?

1 A. In some areas, yes.

2 Q. So, on this particular case, whenever
3 September 7th rolls around, you're thinking, because you
4 had called her -- you said you have a system. Did you
5 call her before September 7th and say: LaJuan, you have
6 got a case coming up? Do you remember doing that?

7 A. No, I do not.

8 Q. You don't have any notes here today?

9 A. No, sir.

10 Q. If Chip Lewis or Brian Roberts on
11 September 2nd, 2010, which is the date one of them came
12 into this courtroom and reset that case off-docket, if
13 they had called you on the 2nd or the 3rd or the 4th or
14 the 5th or the 6th, you would have known that LaJuan
15 Bailey wasn't going to be in court on the 7th, wouldn't
16 you?

17 A. Yes, sir.

18 Q. Would be no problems, you wouldn't have any
19 reason to think anything unusual about the case if you
20 had known that, right?

21 A. That's correct.

22 Q. But nobody from that office called you to let
23 you know that, did they?

24 A. No, sir.

25 Q. You had to find that out on your own?

1 they basically said everything was okay.

2 THE COURT: Are we going to argue back and
3 forth?

4 MR. SASSER: I'll rephrase the question. I
5 apologize.

6 THE COURT: That will be sustained.

7 Q. (By Mr. Sasser) So, whenever you talked to
8 Brian Roberts or Chip Lewis, you don't remember which
9 one, they assured you everything was going to be taken
10 care of; is that what your testimony is?

11 A. Yes, sir.

12 Q. You said LaJuan also told you that?

13 A. Yes, sir.

14 Q. Since it was the -- you realized -- maybe you
15 didn't realize at this point -- that Brian Roberts had
16 gone out of town and wasn't even in town on the 7th, he
17 had gone out of town on a family emergency. Were you
18 aware of that?

19 A. I wasn't at the time. I found out.

20 Q. If you did talk to somebody on the 7th or 8th,
21 it would probably be Chip Lewis, correct, if Brian
22 Roberts was out of town?

23 A. I guess somebody in the office or -- I don't
24 know them that well.

25 Q. Now, Chip Lewis wasn't representing LaJuan

1 Bailey. I mean, was it your opinion that he was
2 representing her or that he was helping Brian Roberts or
3 did you care?

4 A. I thought it was Chip Lewis or his -- someone
5 in his firm.

6 Q. Would it surprise you Chip Lewis --

7 A. Excuse me. Repeat the question.

8 Q. Would it surprise you that Chip Lewis was not
9 her attorney at any time?

10 A. Still today, I thought he had something to do
11 with the case.

12 Q. The prosecutor went through awhile ago this
13 whole hypothetical about how a defendant makes a bond,
14 gets out on bond, has court settings, doesn't show up
15 for court settings, bond is revoked and you're on the
16 hook. You're telling this Court just because she's
17 arrested within one year, as long as you guys can write
18 these bonds and get the person in custody in one year,
19 you guys never lose any money?

20 A. No. We'll lose a percentage. I'm saying that.

21 Q. What kind of percentage?

22 A. I don't know that for sure.

23 Q. Well, well, well. Give me an -- do you have
24 any idea? Is it 50 percent, 75 percent, 10 percent? Do
25 you have any idea what that percentage is? This is your

1 business.

2 A. I was told it was like 6 percent times --
3 6 percent of the bond fee times the amount of days the
4 defendant is actually off custody up until the whole --

5 Q. Six percent of the bond?

6 A. Yes.

7 Q. That \$300 that you talked about awhile ago
8 that -- because I asked you if you're on the hook for
9 15,000 and you said around 300 or something.

10 A. That's how much we paid after she was brought
11 back into custody.

12 Q. What was that for?

13 A. That was that -- the fees for the forfeiture,
14 forfeiture fees, bond forfeitures fees.

15 Q. That's not the fee you're talking about the
16 6 percent for. That's expenses charged to you for bond
17 forfeiture by the district attorney's office, correct?

18 A. Yes, sir.

19 Q. That's what that \$300 is for, that's the
20 district attorney's office fee, correct?

21 A. That was -- our receipt says bond forfeiture
22 fees.

23 Q. Are you telling the jury in court that \$300 is
24 6 percent times number of days?

25 A. If you recall, I said I wasn't sure of that.

1 You said give me an idea. I told you 6 percent, times
2 the amount of days.

3 Q. Do you know what she -- it was basically from
4 September 21st to September 21st -- from September 21st,
5 2010, to March 3rd, 2011, about five months, a little
6 over five months. Are you saying that \$300 is any
7 reflection of this equation that you just told me or is
8 it separate?

9 A. \$382.00 were the fees that we were charged from
10 September 7th up until the time she was captured. From
11 the date that they issued the bond forfeiture up until
12 the day she was captured, that's the fees.

13 Q. Who bills that to you?

14 A. Harris County, of course.

15 Q. So, can you -- when you come back later, can
16 you bring that also?

17 A. I sure can.

18 Q. You have that?

19 A. I have the receipt.

20 Q. So, how come you told me, when I came to visit
21 you in your office, why did you tell me once you saw her
22 bond had been revoked -- not forfeited, but once you saw
23 her bond revoked on September 8th you -- basically, your
24 job was done, you were off the case, there was nothing
25 else for you to do for your purposes, case closed,

1 correct?

2 A. That was Harris County.

3 Q. That's what we're talking about, Mr. Bowie. We
4 can talk about the other case later. There will be --
5 I'm not trying to keep anything from the jury, but right
6 now we're talking about she's charged with bond jumping
7 in Harris County. Let's talk about bond jumping in
8 Harris County.

9 A. Okay.

10 Q. To your knowledge, she's not charged with bond
11 jumping in Jefferson County?

12 A. No, sir.

13 Q. They didn't file bond jumping on her, did they?

14 A. I don't think so.

15 Q. Do you remember telling Ms. Bailey when she
16 called you after the 8th that not to worry about it
17 because the Judge had revoked -- the Judge, instead of
18 forfeiting it -- and that made a big difference. If the
19 Judge forfeited that bond on September 8th, you guys
20 would have been on the hook for that whole \$15,000?

21 A. That's correct.

22 Q. Because he revoked it, it does something
23 different, doesn't it? You've found that out now.

24 A. Yeah, that's correct.

25 Q. It makes it so you don't lose that money,

1 doesn't it?

2 A. If the bond is revoked.

3 Q. Versus forfeited.

4 A. But --

5 Q. That's all. Mr. Brewer can clean anything up.

6 And did you further tell her that
7 revocation by the Court, basically, cancels your
8 contract with her, there's nothing else for her to
9 perform, no other performance needed in that contract?

10 A. That is correct.

11 Q. Because you understand that a contract is all
12 about performance. When you have a contract, one side
13 is supposed to do something and the other side is
14 supposed to do something, correct?

15 A. That's correct.

16 Q. For a certain amount of money that's agreed to?

17 A. That's correct.

18 Q. In this case, on September 8th you told her it
19 was over, there was nothing else for her to do.

20 Correct?

21 A. No, that's not true.

22 MR. BREWER: I didn't hear the answer.

23 THE WITNESS: I said: No, sir.

24 Q. (By Mr. Sasser) What did you tell her?

25 A. I said at that time the attorney was telling me

1 he was going to take care of it. It's still
2 September 8th and the attorney is saying he was coming
3 in, it was a mistake.

4 Q. That might get you off from paying \$300 for
5 purposes of your bond, but you were no longer on that
6 bond after September 8th, you were no longer on the bond
7 anymore, correct? How could you be, it was revoked.

8 A. It was revoked, forfeited -- which one on the
9 8th?

10 Q. It was revoked on the 8th.

11 A. Okay.

12 Q. So, for purposes of her bond, her bail, it was
13 over. You didn't have any other duties to fulfill and
14 she didn't either on that day once the bond is revoked;
15 isn't that true?

16 A. That is correct.

17 MR. SASSER: No further questions.

18 MR. BREWER: May I proceed, Your Honor?

19 THE COURT: You may.

20 **REDIRECT EXAMINATION**

21 **BY MR. BREWER:**

22 Q. Mr. Bowie, what Mr. Sasser was asking you --

23 MR. SASSER: Your Honor, I object to the
24 prosecutor telling the witness what I'm asking. Again,
25 can he do this in question-and-answer form?

1 THE COURT: Overruled.

2 You may ask your question.

3 MR. BREWER: Thank you, sir.

4 Q. (By Mr. Brewer) Did you tell her not to show
5 up?

6 A. No, sir, I did not.

7 Q. Was she expected to show up on the off-docket
8 date, the 21st?

9 MR. SASSER: Your Honor, objection. Asked
10 and answered. He said he determined the contract was
11 over on September 8th.

12 THE COURT: Overruled.

13 Ask the question.

14 Q. (By Mr. Brewer) Was she expected to show up on
15 the 21st? Excuse me. You said you didn't know about
16 that date. I understand. Let me rephrase the question.

17 When you talked to her, did she tell you
18 the case had been off-docketed?

19 MR. SASSER: Your Honor, that's asked and
20 answered. The answer is yes. I mean, he asked that on
21 his direct earlier.

22 THE COURT: Sustained.

23 Q. (By Mr. Brewer) Did you advise the defendant at
24 any time that she was not to come to court?

25 A. No, sir.

1 Q. How much money did you have on the line, your
2 company?

3 A. \$15,000.

4 Q. Let's clear up the situation with the \$15,000.
5 The bond, is it a contract between you and the county?

6 A. Yes, sir.

7 Q. If someone breaches a contract, what has to
8 happen?

9 A. We would have to pay it.

10 Q. But you have to have a lawsuit first if you
11 don't agree to pay it, correct?

12 A. That is correct.

13 Q. Isn't that often how it happens --

14 MR. SASSER: Objection, leading.

15 Q. (By Mr. Brewer) Is that often how it happens in
16 the bond forfeiture industry?

17 A. Yes, sir.

18 Q. So, who files a lawsuit against Cox Bail Bonds
19 to get this \$15,000, if you know?

20 A. I believe it's the district clerk's office.

21 Q. It's the district attorney's office, isn't it?

22 A. It's the district attorney's office.

23 MR. SASSER: Objection. Now he really is
24 testifying, correcting the witness.

25 THE COURT: That's sustained. Please sit

1 down.

2 Q. (By Mr. Brewer) After the lawsuit is filed, is
3 it treated like any other civil lawsuit?

4 A. Yes, sir.

5 Q. Are the lawsuits settled sometimes?

6 MR. SASSER: Objection to relevance, civil
7 lawsuits.

8 MR. BREWER: Judge, Mr.--

9 THE COURT: Just a minute. That's
10 overruled. You may answer the question.

11 Q. (By Mr. Brewer) Are the lawsuits settled
12 sometimes for less than the face value of the bond?

13 A. Yes.

14 Q. Are the lawsuits filed immediately when the
15 person jumps bond or is there a delay sometimes?

16 A. There's a delay sometimes.

17 Q. Is that -- when you say eight to ten months, is
18 there a delay sometimes up to, say, a year?

19 A. Yes, sir.

20 Q. After the lawsuit is filed, does the district
21 attorney's office, if you know, assert: Hey, in the
22 lawsuit you owe us \$15,000, this person didn't show up,
23 is that what the lawsuit is about?

24 A. Yes, sir.

25 Q. All right. Does the district attorney's

1 office, if you know, sometimes take less than the
2 amount?

3 A. Yes, sir.

4 Q. What happens if the defendant is arrested
5 before the district attorney's office files this lawsuit
6 against your company?

7 A. That's when you get the break if you catch them
8 before.

9 Q. That's when the three hundred something dollars
10 you paid kicks in, correct?

11 A. That's correct.

12 Q. I'm going to ask you this question then. If
13 the defendant was not arrested, do you believe there
14 would have been a lawsuit filed?

15 A. I --

16 MR. SASSER: Objection. Calls for
17 speculation.

18 MR. BREWER: He's the one --

19 THE COURT: Just a minute. Let's not argue
20 before I have an opportunity --

21 MR. BREWER: Yes, sir.

22 THE COURT: That will be overruled.

23 Q. (By Mr. Brewer) So, if the defendant had not
24 been arrested, would you -- would your company have been
25 sued for the full face value of the bond?

1 A. Absolutely.

2 Q. Okay. Might it have been worked out for less
3 though?

4 A. No. It would have been more if she would never
5 have been apprehended.

6 Q. Okay. Let me make sure I'm clear and I
7 understand you. Once you're sued, is the case sometimes
8 settled for less than the face value of the bond, if you
9 know?

10 A. No, I don't know.

11 Q. Okay. In this case, were you sued by the
12 D.A.'s office for the breach of the bond contract?

13 A. Not for the full \$15,000, no, sir.

14 Q. All right. Was that because the defendant was
15 apprehended?

16 A. Yes, sir.

17 Q. All right. Now that we've got that straight.

18 Cases in Brazoria County, do you have
19 anything to do with bonds and cases in Brazoria County,
20 yes or no?

21 A. Dealing with --

22 Q. Bonds.

23 A. Bonds. Yes, I do. Bonds.

24 Q. Listen to the question. Do you have anything
25 to do with cases -- bonds on cases in Brazoria County at

1 this --

2 A. I'm not understanding you.

3 Q. Okay. Mr. Sasser asked about cases in Brazoria
4 County.

5 A. Uh-huh.

6 Q. While the I.D. theft case was pending in Harris
7 County, while this defendant was on your bond, did you
8 become aware of cases -- new cases in Brazoria County?

9 A. Yes.

10 Q. How did you feel about that?

11 MR. SASSER: Objection to relevance as to
12 how he feels about other charges.

13 THE COURT: Sustained.

14 Q. (By Mr. Brewer) In terms of your business, how
15 did that make you feel about the defendant as a risk?

16 A. High risk at that point.

17 Q. Okay. Now, let's be clear. When we say --
18 what we mean by cases in Brazoria County, had additional
19 charges been filed at that time in Brazoria County, yes
20 or no?

21 MR. SASSER: Objection. Unless he has
22 personal knowledge, it would be based on hearsay, unless
23 he has personal knowledge.

24 MR. BREWER: I'll lay more of a predicate.

25 THE COURT: Please do.

1 Q. (By Mr. Brewer) Mr. Bowie, do you have the
2 ability to check yourself in the records for Brazoria
3 County for cases?

4 A. Yes, sir.

5 Q. All right. Let me ask you the question again
6 then. When she was on your bond, you talked about being
7 aware of Brazoria County cases, new cases. Is that
8 correct?

9 A. Yes, sir.

10 Q. Were they cases that had been filed or cases
11 that might be filed?

12 A. Might be filed at that time.

13 Q. All right. So, were you aware that the
14 defendant had some -- let's call it -- trouble in
15 Brazoria County while on your bond?

16 A. Yes, sir.

17 Q. Did that make her a high risk?

18 A. Yes, it did.

19 Q. Did you want her to know that you knew this?

20 A. No, sir.

21 Q. Why not?

22 A. Because she -- I'd never find her if she was to
23 know something like that.

24 Q. Now, we talked earlier about September 15th
25 {sic} of 2010. That's six days before she was due here

1 on November 21st {sic}. Were you expecting her to be
2 someplace?

3 A. Repeat those dates again.

4 MR. SASSER: Your Honor, could we approach?

5 (At the Bench, on the record)

6 MR. SASSER: I guess we need to get a
7 ruling. He's going to try to go into the Beaumont
8 stuff.

9 MR. BREWER: You're the one that said
10 Beaumont.

11 THE COURT: He did.

12 MR. BREWER: You did, Jeff.

13 THE COURT: We're going -- quiet. We're
14 not going to go into Beaumont at this time.

15 MR. BREWER: Okay. Fair enough.

16 (Open court, defendant and jury present)

17 THE COURT: Approach the bench again.

18 (At the Bench, on the record)

19 THE COURT: My staff is over there and
20 doesn't want to come into this courtroom. I'm going to
21 excuse them from the Rule. You're not going to call
22 them back, are you?

23 MR. BREWER: No objection.

24 MR. SASSER: No objection.

25 (Open court, defendant and jury present)

1 MR. BREWER: May I proceed, Judge?

2 THE COURT: You may.

3 Q. (By Mr. Brewer) Mr. Bowie, I believe lastly I'm
4 trying to understand this. You did talk to the
5 defendant about the off-docket in Harris County; is that
6 correct?

7 A. Yes, sir.

8 Q. But you didn't tell her about the off-docket.
9 She told you about the off-docket; is that correct?

10 A. Yes, sir.

11 MR. BREWER: Pass the witness, Judge.

12 **RECROSS-EXAMINATION**

13 **BY MR. SASSER:**

14 Q. Okay. So, did this lawsuit ever get filed,
15 this civil lawsuit that y'all keep talking about?

16 A. No, sir.

17 Q. Okay. Then why did you have to pay the money?

18 A. The 382 bucks?

19 Q. Yeah.

20 A. The \$15,000 lawsuit -- the \$382.00 was for bond
21 forfeiture fees for the amount of days she was actually
22 out of custody. That's what the \$382.00 was for.

23 Q. So, therefore -- and you say you have paperwork
24 in regards to that, correct?

25 A. I do.

1 Q. And that paperwork, I guess it would show the
2 date -- the dates that were used to come up with that
3 monetary amount, correct?

4 A. I'm not sure what's on that receipt.

5 Q. I mean, if it's done at 6 percent or 10
6 percent, whatever the percentage is, times the number of
7 days that the person isn't in custody, then the number
8 of days a person isn't in custody is relevant, correct?
9 That's the most important thing in determining that
10 amount?

11 A. Yes, sir, that is relevant.

12 Q. We need to know -- and maybe you know -- was
13 that figure determined from September 8th of 2010 or was
14 it from September 21st?

15 A. That, I don't know.

16 Q. But you can get that paperwork and bring it
17 back, right?

18 A. Yes, sir.

19 Q. You said that you found out she had these
20 Brazoria County cases. When did you find that out?

21 A. Well, actually, detectives were contacting us
22 trying to locate her for the Brazoria County stuff.

23 Q. When were they contacting you?

24 A. I don't know the exact date.

25 Q. You don't know the exact days?

1 A. I don't know the exact days.

2 Q. Would it have been before September 8th --

3 A. No, sir. It was after.

4 Q. -- or was it after?

5 A. It was after September 8th.

6 Q. You know those warrants for Brazoria County,
7 they were out in August; did you know that?

8 A. Really --

9 MR. BREWER: Assuming facts not in
10 evidence.

11 MR. SASSER: I'm just asking the witness --

12 THE COURT: Sustained.

13 Q. (By Mr. Sasser) Did those officials call you
14 and tell you that?

15 A. No, sir.

16 MR. BREWER: Objection. Calls for hearsay.

17 THE COURT: Sustained.

18 Q. (By Mr. Sasser) In fact, everybody knew that,
19 LaJuan knew she had those cases --

20 MR. BREWER: Objection. Calls for
21 speculation.

22 MR. SASSER: If he knows. This is cross
23 examination. I'm trying to find out what he did know.

24 Q. (By Mr. Sasser) Do you know whether or not she
25 did know she had those warrants?

1 MR. BREWER: Objection. Calls for
2 speculation, hearsay.

3 THE COURT: Overruled. He may answer if he
4 knows.

5 A. Did she know she had the warrants?

6 Q. (By Mr. Sasser) Yeah. You said you talked to
7 her during this time. Are you telling the jury she
8 didn't know about these cases?

9 A. Yeah. I'm sure she -- yeah, she knew about it.

10 Q. What were you talking about when you said you'd
11 never find her if she knew about it?

12 A. Well, I don't know if she would flee further or
13 she would run out further or not.

14 Q. You don't know that. You have no idea to know
15 whether she was going to flee or not, right?

16 A. That's correct.

17 Q. When you said that, you were just trying to
18 get -- why did you say that?

19 A. Because that's procedure in our office. We
20 don't let the defendants know that we're actually -- you
21 know, that the heat is on them like that.

22 Q. I can understand that. We're not talking about
23 other cases. Let's stick with her.

24 MR. BREWER: Objection. Argumentative.
25 The defendant {sic} answered the question.

1 THE COURT: Sustained.

2 Q. (By Mr. Sasser) Mr. Bowie --

3 A. Yes, sir.

4 Q. -- you're talking about other defendants. I
5 want to know about this defendant. This defendant
6 didn't give you have any reason to think -- you could
7 have come in and surrendered the bond if you had any
8 worry about her going somewhere, couldn't you?

9 A. It was too late for that, sir.

10 Q. Isn't that what you normally do when somebody
11 becomes, quote, a high risk, you can go get off the
12 bond?

13 A. Yes, sir, that's correct.

14 Q. You didn't try to do that in this case, did
15 you?

16 A. No, sir.

17 Q. In fact, that's how you knew about the Brazoria
18 cases, she called and told you, right?

19 A. I heard it on TV.

20 Q. Okay. So, you heard it on TV. Did you call
21 her immediately? When you heard it on TV, that must
22 have really worried you, if you heard it on TV?

23 A. I heard it on TV.

24 Q. What date was that?

25 A. I don't know exactly what date it was.

1 Q. Do you remember calling her right away?

2 A. No, sir, I do not.

3 Q. And what did you hear on TV?

4 A. Just had her picture --

5 MR. BREWER: Objection. Hearsay.

6 THE COURT: Sustained.

7 MR. SASSER: Pass the witness, Your Honor.

8 MR. BREWER: Pass the witness, Judge.

9 MR. SASSER: I would like to not release
10 this witness. I'm going to be recalling him.

11 THE COURT: You may step down. You'll be
12 on-call.

13 MR. SASSER: I would ask that the witness
14 get the documents, Judge. So I do need to call him when
15 he has these documents.

16 THE COURT: And you can get the documents?

17 THE WITNESS: I'll be able to do that. Do
18 that now?

19 THE COURT: Do it now. Be on-call.

20 Y'all need to visit the indoor plumbing,
21 don't you?

22 (Recess)

23 (Open court, defendant and jury present)

24 THE COURT: Call your next witness.

25 MR. BREWER: Sergeant Hekimian.