

1 sir.

2 MR. CORNELIUS: I think 22 minutes
3 and 58 seconds.

4 THE COURT: Thank you,
5 Mr. Cornelius. Appreciate that.

6 (*Witness sworn.*)

7 THE COURT: Have a seat, please.
8 You may proceed.

9 MS. MAGNESS: Thank you, Your
10 Honor.

11 **ELI CISNEROS,**
12 having been first duly sworn, testified as follows:

13 **DIRECT EXAMINATION**

14 **BY MS. MAGNESS:**

15 Q. Will you state your name for the record,
16 please?

17 A. Eli Cisneros.

18 Q. And who are you employed by?

19 A. The Houston Police Department.

20 Q. How long have you worked for the Houston
21 Police Department?

22 A. For 21 years.

23 Q. Are you a certified peace officer?

24 A. I am.

25 Q. What division are you currently assigned

1 to?

2 A. The Homicide Division.

3 Q. How long have you been in the Homicide
4 Division?

5 A. Six years.

6 Q. Were you tasked with certain duties
7 concerning the investigation of the murder of
8 Phillip Little?

9 A. Yes.

10 Q. And as part of your duties, did you
11 conduct an interview of the Defendant in this case?

12 A. Yes.

13 Q. Do you see the individual that you
14 interviewed here in the courtroom?

15 A. Yes.

16 Q. And could you point to him, please, and
17 describe an article of clothing that he's wearing?

18 A. The gentleman sitting next to his
19 attorney here wearing the white, long-sleeved shirt
20 and the black vest.

21 Q. And what do you know his name to be?

22 A. Darryl Reed.

23 MS. MAGNESS: Judge, if the record
24 could reflect that he's identified the Defendant?

25 THE COURT: It will so reflect.

1 Q. (By Ms. Magness) Did you conduct an
2 interview of this Defendant?

3 A. Yes.

4 Q. And can you explain to the Court how it
5 is that you came to interview him?

6 A. I was interviewing his sister, Juvonia
7 Hackett, and at the conclusion of that interview she
8 received a phone call on her cell phone and she
9 indicated to me that it was her brother, Darryl
10 Reed, and that he requested to speak to me. So I
11 took the phone, introduced myself, he introduced
12 himself and he requested that I come talk to him at
13 the Harris County Jail regarding this specific case.

14 Q. When you were speaking with the
15 Defendant's sister, Ms. Hackett, where did that
16 conversation occur?

17 A. Inside the interview room.

18 Q. And was that -- was she voluntarily
19 there and providing information to you?

20 A. Yes.

21 Q. Was she in any way under arrest or in
22 custody?

23 A. No.

24 Q. When you spoke with the Defendant over
25 the phone, you indicated that you went to see him in

1 the Harris County Jail. Were you aware prior to him
2 providing that information to you that he was in
3 custody?

4 A. Yes.

5 Q. And how did you become aware that he was
6 already in custody?

7 A. I received that information from his
8 sister, Juvonia Hackett.

9 Q. And did his sister represent to you what
10 she believed he had been taken into custody for?

11 A. Yes.

12 Q. And what was her belief?

13 A. That it was a weapons charge.

14 Q. What date did this conversation with
15 Ms. Hackett and then the Defendant occur?

16 A. Friday, November 4th, 2011.

17 Q. And after talking to the Defendant, did
18 you proceed to the Harris County Jail?

19 A. Yes.

20 Q. Did anyone accompany you?

21 A. Yes.

22 Q. And who went with you?

23 A. That was Homicide Sergeant Warren
24 Meeler.

25 Q. And when the two of you arrived at the

1 jail, were you able to meet with the Defendant?

2 A. Yes.

3 Q. And where did that meeting take place?

4 A. In the booking area. The sergeant who
5 is in charge of that area has an office adjacent to
6 the booking area. It took place in that office.

7 Q. When you made contact with the
8 Defendant, were you able to determine whether he was
9 under the influence of any alcohol or controlled
10 substances?

11 A. He didn't appear to be to me.

12 Q. And in speaking with the Defendant, were
13 you able to determine whether he could read and
14 write the English language?

15 A. That was a question I did not ask, if he
16 could read or write the English language.

17 Q. Was there anything about your
18 interaction with him that would indicate that he was
19 of below average intelligence?

20 A. No.

21 Q. And anything that indicated at the time
22 that you interviewed him that he was suffering any
23 type of mental disease or defect?

24 A. No.

25 Q. He was already in custody -- in the

1 custody of the sheriff's department for an unrelated
2 charge. Did he, prior to you interviewing him,
3 indicate to you in any way that he wanted an
4 attorney present during the questioning?

5 A. No.

6 Q. And were you able to record your
7 interview with the Defendant?

8 A. Yes.

9 Q. And the recording that was made, was it
10 an accurate recording and the copy that -- or the
11 copy that we are about to listen to now, is it the
12 same as the original copy?

13 A. Yes.

14 Q. No alterations or deletions?

15 A. No.

16 Q. And who was the operator of the
17 recording device?

18 A. I was.

19 Q. And do you know how to operate that
20 recording device properly?

21 A. I do.

22 Q. Prior to questioning the Defendant, did
23 you advise him of his Miranda rights?

24 A. Yes.

25 Q. And after advising him of his Miranda

1 rights, did you ask whether or not he would freely
2 and voluntarily waive those rights and speak with
3 you?

4 A. Yes.

5 Q. And did he indicate that he would?

6 A. Yes.

7 Q. And to be clear, you were there at the
8 Defendant's invitation, correct?

9 A. Yes.

10 Q. At any point during the interview
11 process did the Defendant indicate that he wished to
12 terminate the interview?

13 A. No.

14 Q. Did he indicate to you that he needed to
15 use the restroom or he was hungry or he was having
16 any type of physical distress?

17 A. No.

18 Q. Throughout the course of the interview
19 was he cooperative with you?

20 A. Yes.

21 Q. Obviously the recording speaks for
22 itself; but prior to the beginning of the recorded
23 interview, did you make any promises of benefits or
24 leniency to the Defendant?

25 A. No.

1 Q. Did you threaten or coerce him or in any
2 way, pressure him into making his statement?

3 A. No.

4 Q. And at the time that you interviewed the
5 Defendant, had you already interviewed other
6 suspects in the case?

7 A. Yes.

8 Q. And specifically which suspects had you
9 interviewed?

10 A. Jalessa London.

11 Q. And? I'm sorry.

12 A. Well, I had interviewed Curtessa Levi,
13 Margaret Thompson, Jalessa London, and, of course,
14 the sister who was not a suspect, Juvonia Hackett.

15 Q. And of those individuals, Jalessa London
16 was the only other suspect. The rest were
17 witnesses?

18 A. Yes.

19 Q. At the time that you interviewed the
20 Defendant, had Timothy Robinson been interviewed?

21 A. I'm not aware if he had or had not been.
22 I was assisting in this.

23 Q. All right. Do you know whether or not
24 Jacobe White had been interviewed?

25 A. I'm not aware if he was or wasn't at

1 that time.

2 Q. The basis of your knowledge was
3 information that you had gathered during the course
4 of the investigation and your interview with
5 Curtessa and Ms. London?

6 A. Yes.

7 Q. Yesterday we -- and we met in my office.
8 State's Exhibit 50 --

9 MS. MAGNESS: May I approach,
10 Judge?

11 THE COURT: You may.

12 Q. (By Ms. Magness) I'll show you what's
13 been marked for identification purposes as State's
14 Exhibit No. 50, the audio-recorded interview of
15 Darryl Reed. That is a duplicate copy. Can you
16 tell me where the original is kept?

17 A. In the Homicide case file.

18 Q. Okay. And the interview that we're
19 talking about and the process that you went through,
20 all of that is depicted here on State's Exhibit 50?

21 A. Yes.

22 MS. MAGNESS: Tendering 50 to
23 opposing counsel.

24 (State's Exhibit No. 50,
25 Defendant's recorded statement, offered.)

1 MR. CORNELIUS: No objection -- are
2 you offering it?

3 MS. MAGNESS: I am offering it.

4 MR. CORNELIUS: No objection for
5 purposes of this hearing.

6 THE COURT: It is admitted for the
7 purpose of this hearing. And you may publish.

8 (State's Exhibit No. 50 admitted.)

9 (State's Exhibit No. 50 published.)

10 Q. (By Ms. Magness) Sergeant Cisneros,
11 it's captured there on the end of the recording,
12 Sergeant Meeler identified himself as also being
13 present in the interview room. Were there any other
14 individuals present besides you, Sergeant Meeler and
15 the Defendant?

16 A. No.

17 MS. MAGNESS: I'll pass this
18 witness.

19 THE COURT: Mr. Cornelius?

20 MR. CORNELIUS: I don't have any
21 questions, Judge.

22 THE COURT: Okay. All right. You
23 may step down. Thank you.

24 Any other witnesses?

25 MS. MAGNESS: No, Your Honor.