

Robert Schobey - 10-26-12
Recross-Examination by Ms. Foote

1 A Yes.

2 Q Will he remain uncharged?

3 A Until we can develop additional evidence that
4 will allow us to charge him or until the statute of
5 limitations runs out.

6 MS. FOOTE: I have no other questions,
7 Your Honor.

8 THE COURT: All right. Anything else?

9 MR. BILY: Nothing further, Judge.

10 THE COURT: All right. Sergeant Schobey,
11 you may be excused.

12 Anything else? You're free to go take a
13 brief break. Off the record.

14 (Recess was taken.)

15 THE COURT: Both sides ready?

16 MR. BILY: The State calls Officer David
17 Dedo. He's been sworn Your Honor.

18 THE WITNESS: Afternoon, Judge.

19 **DAVID DEDO,**

20 having been first duly sworn, testified as follows:

21 **DIRECT EXAMINATION**

22 BY MR. BILY:

23 Q Officer Dedo, please reintroduce yourself to
24 the Judge because it's been a couple of month.

25 A Yes, sir. I'm an officer in the Houston Police

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1 Department Gang Unit.

2 Q And you testified, previously, in this case; is
3 that right?

4 A Yes, sir. That's correct.

5 Q This is a PSI hearing. I want to take your
6 attention -- we're going jump right into it, back to
7 June 12th of 2010 and ask you about two aggravated
8 assault cases that you were involved in the
9 investigation of. Do you recall that investigation?

10 A Yes, sir, aggravated assault cases.

11 Q Okay. And the two complainants in this case
12 were Carol Boston and Zachary Thrasher?

13 A Yes, sir. That's correct.

14 Q Those are two cases that Mr. Jerome Goody has
15 pled guilty to. So what I want you to do, if you would,
16 Officer Dedo, tell the Judge in a distinct way, tell him
17 about the case and what happened, and tell him about
18 your investigation.

19 A Yes, sir. Ms. Carol Boston was outside her
20 residence. She came in contact with Mr. Goody. They
21 exchanged words. Mr. Zachary Thrasher intervened on
22 Ms. Boston behalf. Mr. Goody went and retrieved a
23 pistol and took a shot at the ground at where
24 Mr. Thrasher was standing, exited where they were at,
25 fired three additional shots into the vehicle that was

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1 owned by Mr. Thrasher.

2 THE COURT: Where was Mr. Thrasher at when
3 the three shots were fired?

4 MR. BILY: Did you hear what the Judge
5 asked you?

6 A Yes, sir.

7 He was standing a few feet away from
8 Mr. Goody, near, Ms. Boston, sir.

9 Q All right. All right. And those three shots,
10 I know that you said Mr. Goody fired one kind of at the
11 feet or between the feet of Mr. Trasher; is that right?

12 A Yes, sir.

13 Q And, additionally, those other three shoots
14 Mr. Goody fired didn't strike anything, those three
15 bullets?

16 A One struck the vehicle, sir, Mr. Trasher's
17 vehicle.

18 Q And let me ask you the gun Mr. Goody used, what
19 was the caliber?

20 A One moment, sir.

21 I don't have it in here, sir.

22 Q May I approach the witness, Your Honor?

23 THE COURT: You may.

24 Q (By Mr. Bily) Let me show you what I have
25 marked as State's Exhibit No's 59 and 60. Let me show

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1 you State's Exhibit 59 through 62. Do you recognize
2 those photographs?

3 A Yes, sir.

4 Q Do those fairly and accurately depict the
5 bullet strikes on Mr. Trasher's vehicle?

6 A Yes, they do.

7 MR. BILY: At this time, I move to
8 introduce into evidence State's Exhibit 59 through 62.

9 THE COURT: All right. State's 59 through
10 62 admitted.

11 Q (By Mr. Bily) And can you tell the Judge,
12 officer Dedo, what vehicle, where the strikes are?

13 A Yes, sir. The first strike is a bullet hole in
14 the rear on the trunk lid, sir. And the other two or on
15 the driver side front and rear doors where there are two
16 bullets or two bullet holes.

17 Q Okay. Let me turn your attention real quick to
18 Page 2.00504 of your report.

19 A Yes, sir.

20 Q I know you did the follow-up investigation on
21 this, correct?

22 A Yes, sir.

23 Q Do you know the officers that went out there?

24 A Officer Adam Chester.

25 Q Under Officer Chester's action toward the end

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1 of the page, and it talks about the officer gathering
2 shell casings. Do you see that part?

3 A Yes, sir.

4 Q Let me reask you: Do you know what type of gun
5 or caliber of gun that Mr. Goody used in the aggravated
6 assault against Ms. Boston on Mr. Thrasher?

7 A A nine-millimeter, sir.

8 MR. BILY: I'll pass the witness, sir.

9 THE COURT: Any questions?

10 **CROSS-EXAMINATION**

11 BY MR. RAY:

12 Q A few questions, Your Honor.

13 Good afternoon, Officer. I'm representing
14 Mr. Goody. Do you know what this argument was about
15 that resulted in this shooting?

16 A It was based on a glance, sir.

17 Q A glance?

18 A A glance between Ms. Boston and Mr. Goody, sir.

19 Q So you're talking about two automobiles, sir.

20 A A look.

21 Q And do you know when Mr. Goody was arrested for
22 these this particular charge, this offense?

23 A No, sir, I don't recall.

24 Q You didn't make the arrest?

25 A No, sir.

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1 Q And did you investigate this shootings just
2 prior or just after, subsequent to the shooting?

3 A A few months after, sir.

4 Q A few months?

5 A Yes, sir.

6 Q Do you know whether or not it was immediately
7 reported to HPD after the shooting? Was it immediately
8 reported by Ms. Boston or Mr. Thrasher?

9 A Yes, sir. It was reported on the 12th of June,
10 2010.

11 Q And do you know whether or not the
12 nine-millimeter that you testified was used in that --
13 was it ever recovered?

14 A I do not believe it was, sir.

15 MR. RAY: Pass the witness, Your Honor.

16 **REDIRECT EXAMINATION**

17 BY MR. BILY:

18 Q Just briefly, Judge, if I could.

19 Officer, I know that you were in the gang
20 unit.

21 A Yes.

22 Q And you operate out there in the northeast; is
23 that right?

24 A Yes, sir. That's correct.

25 Q And you, previously, testified as a gang

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1 expertize on the streets; is that correct?

2 A Yes, sir.

3 Q Do you know Jerome Goody?

4 A Yes, sir. I have had interactions with him
5 before.

6 MR. RAY: Your Honor, I'm going to object.
7 This is beyond the scope of cross-examination.

8 THE COURT: It's overruled.

9 Q (By Mr. Bily) You said you know Jerome Goody;
10 is that correct?

11 A Yes, sir. Do you know him to be in gang?

12 Q Which gang is that?

13 A A Five Deuce Crips, sir.

14 Q And will you tell the Judge what your opinion,
15 or not your opinion -- let me ask you this way. What is
16 Mr. Goody's standing in that gang? How powerful is he
17 in a Five Deuce Crips, if you know?

18 A I've never heard anyone deliberately tell me
19 what his official standing in a gang was.

20 Q What about Mr. Garrison over here? Do you know
21 of him to be in a gang?

22 A Yes, sir. I always know him to be Five Deuce
23 Crips Gang, sir.

24 MR. BILY: I'll pass the witness.

25 THE COURT: Anything else?

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1 MR. RAY: Nothing from defense.

2 THE COURT: All right.

3 MR. NWULI: Nothing from defense.

4 **CROSS-EXAMINATION**

5 BY MS. FOOTE:

6 Q Yes.

7 Do you have any information about
8 Ms. Feona Mason being in a gang?

9 A I do not have any information of Ms. Mason
10 being in a gang.

11 THE COURT: Officer, you're excused.

12 MR. BILY: Yes, Your Honor.

13 THE WITNESS: Yes, Your Honor.

14 THE COURT: What says the State?

15 MR. BILY: The State calls Officer Kevin
16 Bowen. This witness has been sworn, Your Honor.

17 THE COURT: All right. Good afternoon,
18 Officer Bowen.

19 THE WITNESS: Good afternoon, sir.

20 THE COURT: Feel free to adjust the chair
21 and microphone. Answer the series of questions just as
22 directly as you can.

23 THE WITNESS: Yes, sir.

24 THE COURT: You may proceed.

25