

1 MR. CORNELIUS: Yes, sir.

2 THE COURT: You may step down.

3 You're free to go, ma'am. Thank you.

4 THE WITNESS: Thank you.

5 THE COURT: State, call your next.

6 MS. MAGNESS: State calls Sergeant
7 French.

8 THE COURT: Would you raise your
9 right hand?

10 *(Witness sworn.)*

11 THE COURT: Have a seat, please.

12 You may proceed.

13 MS. MAGNESS: Thank you, Judge.

14 **JONATHAN FRENCH,**

15 having been first duly sworn, testified as follows:

16 **DIRECT EXAMINATION**

17 **BY MS. MAGNESS:**

18 Q. It's still morning, so good morning.

19 A. Good morning.

20 Q. Would you introduce yourself to our
21 jury, please?

22 A. Yes, I'm Sergeant Jonathan French with
23 the Houston Police Department, Homicide Division.

24 Q. Sergeant French, how long have you
25 worked for the Houston Police Department?

1 A. This will be my 13th year.

2 Q. And have you spent all that time in
3 Homicide?

4 A. No, I have not.

5 Q. Where have you been assigned?

6 A. I was assigned to North Shepherd Patrol.
7 Mainly worked the Greenspoint area and Acres Homes
8 neighborhoods.

9 Q. And how long have you been in the
10 Homicide Division?

11 A. Just over three years.

12 Q. As part of your duties in the Homicide
13 Division, are you tasked with investigating
14 homicides and going to murder scenes?

15 A. Yes, I am.

16 Q. And back in November of 2011, what shift
17 did you work?

18 A. Back in November, 2011, I was assigned
19 to day shift.

20 Q. And what are the hours for day shift?

21 A. Day shift is 7:00 a.m. to 3:00 p.m. and
22 then part of that day shift duty is an on-call
23 status. And do you want me explain further?

24 That's kind of divided up. We all have
25 one month of being on what they call weeknight

1 call-out. So you'll work your Monday through Friday
2 shift, but after 3:00 p.m. you're on call during the
3 night until the following morning. And you have
4 five squads that, you know, basically after you're
5 home that night, if you're No. 2, one scene comes
6 in, then you're No. 1. If another one comes in,
7 then you're called up.

8 Q. So that explains how day shift
9 investigators end up working crime scenes that occur
10 clearly after your shift is over?

11 A. Yes.

12 Q. Okay. I want to call your attention
13 to -- it would be Thursday, November the 3rd of
14 2011. How were you notified that your assistance
15 was needed with this case?

16 A. I was at home asleep and received a call
17 from the night shift desk. The night shift, they
18 have someone that operates the desk, basically
19 answers phone calls. If something comes in, they
20 notify who's on call, the investigators of what
21 happened. At approximately 12:18 a.m. I received a
22 phone call of a shooting scene.

23 Q. And what location were you directed to?

24 A. The scene dropped at 5360 Madden.

25 Q. So I'm assuming you got up and got ready

1 to go to work?

2 A. I did.

3 Q. Okay. You mentioned that you work in
4 squads. Who else is part of your squad?

5 A. The squad that I was on, I was assigned
6 a partner. Warren Meeler, a sergeant, was my
7 partner at the time. At that time I was an officer
8 so they typically assign a sergeant an officer to
9 work together and we had several other investigators
10 that are part of that squad.

11 Q. And how is it determined who's going to
12 be, say, the primary or lead investigator versus
13 who's going to do the other follow-up tasks?

14 A. Well, that night Sergeant Meeler and I
15 would have been the No. 1 pair to go out when that
16 call came in. So, you know, if we need help,
17 someone else -- for example, Investigator Lujan
18 would be called out to come and help us, assist with
19 the scene.

20 Q. What time did you arrive at your scene?

21 A. Approximately 12:45 a.m.

22 Q. And when you arrived there, did you
23 debrief with Officer Hutson?

24 A. I did.

25 Q. At the time that you arrived, had the

1 complainant already been transported from the scene?

2 A. Yes, he had.

3 Q. En route to the scene or while out at
4 the scene, did you contact Sergeant Meeler?

5 A. Yes, I did. I made contact with
6 Sergeant Meeler. And oftentimes en route to these
7 scenes, you're going to touch base with your partner
8 and, hey, partner, what have we got out there and
9 you kind of talk about what you're going to do when
10 you get there. And we knew that the complainant in
11 this, Mr. Little, had been transported to Ben Taub
12 Hospital.

13 So at that point in time it was decided
14 that Sergeant Meeler would go to the hospital and I
15 would go out to the scene and kind of assess what we
16 had out there.

17 Q. Now, did you know at the time that you
18 were contacted that Mr. Little had already been
19 pronounced deceased?

20 A. Yes.

21 Q. Okay. So the purpose of Sergeant Meeler
22 going to the hospital is what?

23 A. The purpose of Sergeant Meeler going to
24 the hospital is, you know, to view the complainant.
25 We have to -- we have to document the condition that

1 he was in when at the hospital, also to find out who
2 the physician was, ambulance information, just
3 general medical information, and, again, to view the
4 complainant prior to his release to the Medical
5 Examiner.

6 Q. So when you arrived at the Madden
7 location, did you meet with the Crime Scene
8 Investigator, Officer Thompkins?

9 A. I did.

10 Q. And did the two of you do a walk-through
11 and sort of see what you had?

12 A. Yes. And I'll back up a little bit.
13 When I got out there, we -- we basically had two
14 scenes. You had basically a whole block of Martin
15 Luther King Boulevard blocked off with squad cars
16 and crime scene tape. The call had originally been
17 dropped as an accident; and so upon arrival, I first
18 stopped off at the first scene out there, which
19 was -- I'm sorry.

20 Q. Canterway?

21 A. Canterway, yes, and Martin Luther King,
22 that intersection there. A car had crashed through
23 a backyard fence and there was quite a big scene out
24 there. I then learned that the original scene had
25 happened over at 5430 Madden. And so it was decided

1 I was going to go out there because there was
2 evidence at the Madden scene I didn't want to lose.

3 Q. Okay. So the -- if you were at the
4 Canterway scene, then you saw the complainant's car?

5 A. I did.

6 Q. And what can you tell us about the
7 damage that you observed?

8 A. I saw the complainant's car. It was a
9 blue Chrysler Sebring, from what I remember. It was
10 heavy front end damage to the vehicle. I saw that
11 it had crashed through more than one fence actually
12 and also had destroyed a backyard shed. It looked
13 like a bomb had gone off.

14 I also noted on the front -- or, I'm
15 sorry -- the driver's passenger side door, I saw a
16 bullet strike and what appeared to be one to the
17 window as well.

18 Q. Okay.

19 A. To the door and window.

20 Q. Okay. Back up for me and say that one
21 more time because I want to make sure that I
22 understand the location.

23 A. Sure.

24 Q. Tell me again where you saw a bullet
25 strike.

1 A. The driver's side back passenger door.

2 Q. Okay. So that is separate and distinct
3 from another defect that you observed?

4 A. Correct.

5 Q. Okay. Tell me about the second defect
6 that you observed.

7 A. The second defect I observed -- or I'm
8 sorry. Let me slow down. The driver's side
9 passenger window, it also had been shot.

10 Q. Okay. So if -- if you could tell from
11 your observations, and perhaps you couldn't, but did
12 that appear to you to be two separate strikes or the
13 same strike?

14 A. It appeared to be separate strikes.

15 Q. Okay. Let's talk about -- well, switch
16 back over to that Madden scene.

17 A. Sure.

18 Q. Did you make contact with the homeowner
19 for 5430 Madden?

20 A. I did.

21 Q. And what is that individual's name?

22 A. Rhonda Eaglin.

23 Q. And when you spoke with Ms. Eaglin, were
24 you able to determine that she had, in fact, not
25 ordered pizza?

1 A. I was.

2 Q. The jury has already seen some
3 photographs, but I'd like for you to describe for
4 them your impression of the residence that was
5 located next to Ms. Eaglin's home. Let me pull up
6 the picture real quick.

7 I'm not really sure our photograph,
8 State's Exhibit No. 18, does it justice; but what
9 can you tell the jury about that house?

10 A. This is located next to 5430 Madden, and
11 I'm trying to give you the exact address. It's 5434
12 Madden. So this is right on the corner of Madden
13 and Martin Luther King. You basically have Martin
14 Luther King right next to it. This is an abandoned
15 house. It's unoccupied. One of the first things I
16 noticed, if you see the tree right there
17 (indicating), you'll see a sign posted. That's a
18 City of Houston violation notice.

19 And there were two marked violations
20 that I saw, trash and debris in the yard as well as
21 what they call house burned, meaning it had prior --
22 prior to that it had been on fire. It had been
23 burned in the past, and then openly vacant.

24 You can see the garage right there
25 (indicating) is a double garage door. The doors are

1 just -- they're not even there. Inside there's
2 broken glass. And that's just basically a
3 trashed-out, abandoned home.

4 Q. So when you mention that there's no
5 garage doors there, anybody walking up that driveway
6 would have easy access into at least the garage if
7 not the house itself?

8 A. Access to the whole home, yes.

9 Q. Okay. And did you -- did you walk into
10 the garage or look at all into it?

11 A. I did. Once I arrived out to Madden,
12 there were several uniformed officers and I advised
13 them, let's go clear this house and make sure we
14 don't have a possible suspect inside and so we did.
15 We walked the entirety of the house.

16 Q. If -- if there were somebody that had
17 hidden themselves in that house, would they -- or in
18 that garage, would they have an easy view or a clear
19 view of the street?

20 A. They would.

21 Q. And was there sufficient lighting that
22 they could see a vehicle, you know, pulling up and
23 stopping?

24 A. Yes.

25 Q. It is a little difficult to tell from

1 the photographs, but what kind of distance are we
2 talking about from that garage area to in front of
3 the driveway of 5430 Madden?

4 A. Maybe 25 yards. And I'm not very good
5 with measurements but, you know, just -- you know,
6 25 yards, a few car lengths, a very short distance.

7 Q. Okay. So let's -- let's calculate it
8 this way. If I'm, say, standing at the back of this
9 courtroom, at that back wall, and that represents
10 that garage area, if I start walking, tell me at
11 what point I stop to get to around the driveway of
12 5430 Madden.

13 A. Probably no further than where I'm at.

14 Q. Okay. So, from the back wall to where
15 you are, that's the distance from the garage to the
16 driveway?

17 A. Approximately.

18 Q. Did you look inside of the blue Sebring?

19 A. I did.

20 Q. And inside did you note whether or not
21 there were any pizza delivery bags?

22 A. I remember seeing a pizza heating bag,
23 and there was a piece cardboard where they kind of
24 put all the stickers for their orders. That was
25 also inside.

1 Q. And on that piece of cardboard was there
2 an order sticker associated with 5430 Madden?

3 A. There was.

4 Q. Do you know whether the heating bag
5 still contained the order contents?

6 A. I don't recall.

7 Q. It's okay.

8 A. I think it did, though.

9 Q. While there did you make contact with
10 Claudia Williams?

11 A. Yes, I did.

12 Q. And did you learn that she was the
13 manager of the Domino's storefront that the order
14 was generated from?

15 A. Yes.

16 Q. Based on the information that
17 Ms. Williams provided to you, did you give Officer
18 Lujan a specific task?

19 A. Yes, I did.

20 Q. And what did you task him with doing?

21 A. I actually tasked him with going to the
22 Domino's Pizza with Ms. Williams to obtain the order
23 information and any other information she could get
24 about Phillip Little.

25 Q. You waited there while Officer Thompkins

1 processed the scene, correct?

2 A. Yes, and there was -- there was a lot
3 going on. So while he's processing one thing, I'm
4 either talking to somebody or jotting notes. We had
5 a lot going on.

6 Q. Okay. So let's take a break for a
7 moment and talk about -- obviously, you're trying to
8 gather information, correct?

9 A. Yes.

10 Q. So did you -- did you canvass the
11 neighborhood? Did you see if you could find any
12 witnesses that saw something, heard something?

13 A. One of the patrol sergeants out there
14 had just left the Homicide Division, a friend of
15 mine, and he assisted me with some of his units in
16 going and knocking on some of the neighbors' doors.

17 At that time there was very little
18 information that we were able to receive. The
19 impression we got from speaking with some of these
20 neighbors, and Ms. Eaglin included, was that it was
21 not uncommon to hear gunshots in the neighborhood,
22 police sirens, very common thing.

23 And I did end up speaking with -- to the
24 neighbors that lived over on Canterway where that
25 accident happened, and I was able to speak with one

1 that saw the vehicle go in the opposite lanes,
2 northbound, and crash through the fence.

3 Q. So -- and that's one of the points that
4 I want to make. The scene initially dropped -- or
5 I'm sorry. The event is called in at the Canterway
6 location?

7 A. Yes.

8 Q. Okay. Based on where the shell casings
9 are found, the shooting occurred on Madden?

10 A. Correct.

11 Q. Okay. But there were no calls from
12 Madden reporting a shooting?

13 A. No.

14 Q. Okay. And after talking with residents
15 there on Madden, did you draw a conclusion as to why
16 nobody called in anything from Madden Street?

17 A. I did. Unfortunately, the gunshots are
18 not uncommon out there -- excuse me -- uncommon in
19 that area. You know, it was late at night. People,
20 you know, they hear that and --

21 Q. Didn't think twice?

22 A. No.

23 Q. Both you and the other investigators are
24 talking to people, trying to gather information,
25 correct?

1 A. Correct.

2 Q. After talking to people that evening and
3 into the early morning hours, did you have any solid
4 leads?

5 A. We did.

6 Q. Tell me what leads you had.

7 A. Based upon that order from Domino's
8 Pizza, we were able to find out a certain phone
9 number had been used to call in that order.
10 Domino's Pizza has a caller identity system that
11 basically pops that number up, and so that was our
12 first solid lead was the phone number that called in
13 that order.

14 Q. So no eyewitnesses to the shooting
15 itself?

16 A. Correct.

17 Q. No description of an individual or
18 individuals involved in the shooting?

19 A. Correct.

20 Q. Obviously no video surveillance, nothing
21 captured on camera?

22 A. No.

23 Q. So you're basically starting your work
24 on this murder case with a phone number?

25 A. Correct.

1 Q. Did you make note in your report of the
2 number that was your first solid lead?

3 A. Correct.

4 Q. And is that number 832-696-6280?

5 A. That is.

6 Q. Let's -- let's take that information and
7 now walk us through what you did with it to further
8 your investigation.

9 A. My partner, Sergeant Meeler, very good
10 at doing research, and we were lucky -- we have a
11 lot of access to databases, and one in particular
12 that we used is call Cop Link. What this database
13 does is it takes all the HPD offense reports, it
14 takes some from Harris County, if you're stopped and
15 you get a ticket, your license plate, the ticket
16 number, your information goes into that database.

17 And what that does is helps us, for
18 instance, run a plate or in this case run a phone
19 number and find out what that's been associated
20 with. And --

21 Q. So when you say that it takes
22 information from police reports, that's -- that's
23 police reports whether I'm the victim of a crime or
24 I'm the person committing the crime?

25 A. Correct, complainant, witness, suspect,

1 it doesn't matter.

2 Q. Okay. Officer Meeler does the research
3 in the database. Does he -- does he pull up a name
4 associated with that phone number?

5 A. Yes, he does.

6 Q. And what name is that?

7 A. There were -- there were more than one
8 name that came up, one being Eleanor Thompson.

9 Q. And that name, Eleanor Thompson, is
10 actually reflected in State's Exhibit No. 35, the
11 call logs from Domino's?

12 A. Yes.

13 Q. Okay. Now, let's move forward to --
14 we're now into Friday, November the 4th. The
15 morning of November the 4th, do you get a break or a
16 lead that helps further your investigation?

17 A. Yes, I do.

18 Q. And who did you get a phone call from?

19 A. I received a phone call from Eleanor
20 Thompson.

21 Q. And Eleanor Thompson is a name that
22 you've already discovered associated with that --
23 with that phone number, correct?

24 A. Correct.

25 Q. Was Ms. Thompson able to provide you

1 information related to the shooting?

2 A. Yes, she was.

3 Q. And did she -- did she provide you a
4 name or a nickname of who the suspected shooter was?

5 A. Yes, she did.

6 Q. And the name that she provided, was
7 it -- was it a real name or a nickname?

8 A. It was a nickname.

9 Q. And what nickname did you get?

10 A. Collarbone.

11 Q. And did that help you with anything?

12 A. Not at the moment.

13 Q. Okay. Did you learn, based on an
14 analysis of the police reports that Sergeant Meeler
15 accessed, whether there was a relationship between
16 an individual by the name of Curtessa Levi and
17 Eleanor Thompson?

18 A. Yes.

19 Q. And what is the relationship between
20 those two individuals?

21 A. Mother/daughter, Curtessa is Eleanor's
22 daughter.

23 Q. So, in talking with Ms. Thompson, did
24 you get any additional information pertaining to her
25 daughter?

1 A. I did.

2 Q. And did you learn where she attended
3 high school?

4 A. I did.

5 Q. And once you got that information, what
6 did you do with it?

7 A. Sergeant Meeler and I contacted the
8 Houston Independent School District Police
9 Department and I spoke with an Officer Jones who was
10 very helpful. As police officers at the schools,
11 they know the students. They can tell you classes
12 they attend, whether they're going to be there, if
13 they've been truant. And he was very helpful in
14 letting us know Curtessa attended Sterling High
15 School and helped us set up a time to go meet with
16 her.

17 Q. And did you go and meet with Curtessa?

18 A. Yes.

19 Q. And did that occur at Sterling High
20 School?

21 A. It did.

22 Q. Okay. Prior to going to Sterling High
23 School, did you talk with a Margaret Thompson?

24 A. I did.

25 Q. And what is Margaret Thompson's

1 relationship to Curtessa Thompson?

2 A. That is Curtessa Thompson's older
3 sister.

4 Q. Did you also receive a call from Dolores
5 London?

6 A. Yes, I did.

7 Q. And why is it that Dolores London is
8 reaching out to you?

9 A. Word has already gotten out on the
10 street that we're trying to locate her daughter
11 Jalessa.

12 Q. Did she know where her daughter was?

13 A. She did not at the time. She explained
14 to me that her daughter was listed as a runaway
15 and --

16 MR. CORNELIUS: Judge, I'm going to
17 have to object to the hearsay.

18 THE COURT: Sustained.

19 Q. (By Ms. Magness) Did you ask for her
20 assistance in locating her daughter?

21 A. I did.

22 Q. And was she cooperative?

23 A. Very cooperative.

24 Q. Ultimately was Jalessa London located?

25 A. Yes, she was.

1 Q. Okay. You then proceeded to Sterling
2 High School?

3 A. Yes.

4 Q. The first person that you met with, was
5 it Curtessa Levi or some other individual?

6 A. We met with two people when we went to
7 Sterling High School. Curtessa had a boyfriend
8 named Tranard Lovings, and that name had popped up
9 in some of the reports that we had researched. So
10 we met with him and Curtessa Levi. And forgive me
11 if I don't remember the exact order, but it was on
12 the same date and the same time that we went to
13 Sterling.

14 Q. Okay. So Ms. Levi is brought in to meet
15 with you?

16 A. Yes.

17 Q. Tell the jury what her attitude was, her
18 demeanor.

19 A. Very shy, not very talkative. We
20 thought right off the bat that she knew what we were
21 referring to. She cried during the interview, but
22 was generally cooperative with us.

23 Q. Okay. Did she -- did she initially
24 there at the high school give you any information
25 that helped you identify a suspect?

1 A. Yes, she did.

2 Q. And did she give you a name?

3 A. Yes.

4 Q. What name did she give you?

5 A. She gave us the name Jacobe White.

6 Q. So at this point you've got a phone
7 number, you've talked to Curtessa Levi, you've got
8 the name Collarbone and you've got a name Jacobe
9 White?

10 A. Correct.

11 Q. And then I guess from word on the street
12 Jalessa London?

13 A. Correct.

14 Q. Okay. Did you seize any evidence from
15 Ms. Levi?

16 A. We did.

17 Q. And what did you seize from her?

18 A. We took a broken cell phone -- actually
19 a functioning cell phone that was missing the
20 screen.

21 MS. MAGNESS: May I approach,
22 Judge?

23 THE COURT: You may.

24 Q. (By Ms. Magness) I'm going to show you
25 what's been marked for identification purposes as

1 State's Exhibits 36, 37 and 38. Is that the cell
2 phone that you recovered from Ms. Levi?

3 A. Yes.

4 Q. And is that cell phone associated with
5 that same phone number that placed the order for the
6 pizza to be delivered at the Madden Street location?

7 A. Yes, that's the phone that was used.

8 MS. MAGNESS: Tendering State's
9 Exhibits 36, 37 and 38 to opposing counsel and
10 offering into evidence.

11 (State's Exhibits No. 36 through
12 38, Photographs, offered.)

13 MR. CORNELIUS: No objection.

14 THE COURT: No objection, 36, 37
15 and 38 are admitted.

16 (State's Exhibits No. 36, 37 and 38
17 admitted.)

18 MS. MAGNESS: May I publish them,
19 Judge?

20 THE COURT: You may.

21 Q. (By Ms. Magness) Okay. The first thing
22 I'm showing the jury is State's Exhibit No. 36. The
23 first thing that we note about this is that it
24 appears to be a flip phone?

25 A. Yes.

1 Q. Okay. The top part of the phone, I
2 guess what would be the display screen, is missing
3 completely?

4 A. Correct.

5 Q. But the phone is still operational?

6 A. Yes, it is if you use the speaker phone.

7 Q. Okay. So if you're talking on that
8 phone, you're not necessarily seeing who the
9 incoming call is coming from but you could still
10 have a conversation so long as you use the speaker
11 function?

12 A. Correct.

13 Q. Okay. On the back of the phone has what
14 appears somebody has written L-E-V-I, which is
15 Curtessa's last name?

16 A. Yes, Levi.

17 Q. And in State's Exhibit No. 38, what's
18 important about this photograph?

19 A. That photograph shows the serial number
20 to the phone and also where the SIM card would go.

21 Q. Okay. And the SIM card is missing?

22 A. Yes.

23 Q. So the SIM card is -- I'm horrible with
24 technology so help me out if I use the wrong terms.
25 That's what records information that's coming into

1 that cellular phone, correct?

2 A. Yes. And I'm not great with technology
3 either; but that SIM card, the most important
4 function of that is the phone number is assigned to
5 that SIM card. So you could take it out and put it
6 in another phone, but that 832-696-6280 is going to
7 be assigned to that SIM card.

8 Q. Okay. So the -- and does the phone have
9 a battery in it?

10 A. Not at that point.

11 Q. Okay. So we know that the SIM card has
12 been removed at the time it's given to you?

13 A. Yes.

14 Q. Okay. We're still on November the 4th?

15 A. Okay.

16 Q. 12:52 p.m., do you get a call from
17 Dolores London?

18 A. I do.

19 Q. And has Jalessa London been located?

20 A. She has.

21 Q. All right. Once you get that
22 information, what do you do with it?

23 A. Constant communication with my partner.
24 So I let him know, hey, partner, Jalessa London is
25 at home. I need to go over there, need to talk to

1 her.

2 Q. And is that where you went?

3 A. Yes.

4 Q. And where was her residence located?

5 A. 11511 Rockford.

6 Q. And when you met with Ms. London, was
7 her mother present?

8 A. Yes, she was.

9 Q. And we've already identified her as
10 Dolores London?

11 A. Yes.

12 Q. Did you -- was there any other
13 individual that was there at the location?

14 A. I believe her Uncle Raymond and I cannot
15 remember the last name, but he was there and kind of
16 recognized me when I walked in which kind of caught
17 me off guard.

18 Q. Where did he recognize you from?

19 A. He remembered that I had worked a
20 cousin's murder of his prior, about a year prior to
21 that.

22 Q. How initially did Jalessa respond to
23 your request for information and cooperation?

24 A. She had a pretty bad attitude.

25 Q. And did either her mother or her uncle

1 encourage her to cooperate with you?

2 A. Yes, her uncle very much encouraged her
3 to cooperate.

4 Q. And did you and Ms. London and her --
5 did you and Jalessa London and her mother proceed to
6 a secondary location?

7 A. Yes, we did.

8 Q. Where did you go?

9 A. We went to 1200 Travis, which is our
10 headquarters and where our Homicide office is
11 located.

12 Q. And once there, what occurred?

13 A. Once there, Jalessa was interviewed with
14 her mother's permission.

15 Q. So as Jalessa is providing information,
16 her mother is present, she knows what she's saying
17 and the information that she's disclosing?

18 A. Yes.

19 Q. Okay. Did Jalessa provide you with
20 information that furthered your investigation?

21 A. Yes.

22 Q. And at this point, you've got Jalessa
23 London's name and I believe you said you've got
24 Jacobe White's name. Did you get any other names
25 out of Jalessa?

1 A. I believe at that time we got the name
2 Timothy Robinson.

3 Q. And if you know, was there a
4 relationship between Timothy Robinson and Jalessa
5 London?

6 A. Yes, they were boyfriend/girlfriend.

7 Q. All right. Let's move later in the day.

8 THE COURT: Well, why don't we stop
9 here. This seems like a good stopping point for
10 lunch.

11 Ladies and gentlemen, we'll go
12 ahead and send you to lunch. So we'll send you back
13 to the jury room. Once the bailiffs are ready for
14 you, they'll go ahead and take you to lunch.

15 THE BAILIFF: All rise.

16 *(Jury retired.)*

17 *(Lunch recess.)*

18 THE BAILIFF: All rise for the
19 jury.

20 *(Jury seated.)*

21 THE COURT: Y'all may be seated.
22 Welcome back from lunch. Everybody like
23 Treebeard's?

24 THE JURY: Yes, sir.

25 THE COURT: Anybody been there

1 before? Oh, a couple of you have. So the rest of
2 y'all, you know where to come now when you're back
3 downtown. There's, like, five of them downtown. So
4 if you meet somebody, make sure they know the one
5 you're going to because you'll mess that up.

6 All right. We had on the stand --
7 MS. MAGNESS: Excuse me. Sergeant
8 French.

9 THE COURT: Okay. Why don't we go
10 get him and -- we won't have any other court stuff
11 in the background, you know, breaking us up, so
12 we'll probably just take a break about every hour.
13 And if you need anything other than that, just get
14 my attention.

15 All right. Sergeant.

16 And, Ms. Magness, you may proceed.

17 MS. MAGNESS: Thank you, Judge.

18 **DIRECT EXAMINATION CONTINUED**

19 **BY MS. MAGNESS:**

20 Q. All right. Good afternoon.

21 A. Good afternoon.

22 Q. When we left off before our break, we
23 had made our way to 2:11 p.m. on Friday, November
24 the 4th. At that time did you receive a phone call
25 from HPD Officer Ellis?

1 A. Yes, I did.

2 Q. And did Officer Ellis advise you as to
3 whether or not he had an individual that had
4 information relevant to your investigation?

5 A. Yes, he did.

6 Q. Did he provide the information to you or
7 did you actually talk to the individual who had come
8 forward?

9 A. He provided information to me and
10 another one of our sergeants spoke with this
11 individual over the phone and it was arranged for
12 them to come and speak with us in person.

13 Q. Do you know which of the sergeants spoke
14 to that individual?

15 A. Yeah, I believe it was Sergeant
16 Cisneros.

17 Q. And the individual who had information
18 related to your murder investigation, did you later
19 identify her as Juvonia Hackett?

20 A. Yes, I did.

21 Q. And what was Ms. Hackett's relationship
22 to the Defendant in this case?

23 A. She's Darryl Reed's sister.

24 Q. She is the sister of Darryl Reed?

25 A. Sister of the Defendant, yes.

1 Q. Okay. Based on the information that she
2 provided, did she come to the police station and
3 give a statement or provide information to Sergeant
4 Cisneros?

5 A. Yes, she did.

6 Q. Is she the individual that first
7 provided you with the suspect name Darryl Reed?

8 A. The correct name of Darryl Reed, yes.

9 Q. Okay. So up until that point you had
10 Collarbone, Timothy Robinson, Jacobe White, Jalessa
11 London; but you have never been able to put
12 Collarbone to an actual person?

13 A. Correct.

14 Q. So after meeting with Ms. Hackett,
15 that's where the name Darryl Reed is established?

16 A. Yes.

17 Q. Okay. Did Jalessa London give a
18 voluntary statement?

19 A. Yes, she did.

20 Q. And was that statement custodial or
21 noncustodial?

22 A. That was noncustodial.

23 Q. And based on the information that
24 Ms. London provided to you, did she implicate or
25 incriminate herself in the plan to commit the

1 robbery of Phillip Little?

2 A. Yes, she did.

3 Q. And after obtaining information from
4 Ms. London, did either you or one of the other
5 sergeants seek criminal charges against her?

6 A. Yes.

7 Q. And were criminal charges accepted?

8 A. They were.

9 Q. And what was Ms. London charged with?

10 A. Capital murder.

11 Q. Let's move forward to Sunday, November
12 the 6th. And on that date, I show from your report
13 you document that that is the date that the autopsy
14 was performed on Phillip Little?

15 A. It had been performed on November 3rd --

16 Q. Okay.

17 A. -- and that's when we received
18 information from the Harris County Medical Examiner
19 as to a cause of death.

20 Q. Cause of death. So autopsy's on the
21 3rd, and you get the information as to cause of
22 death on the 6th?

23 A. Correct.

24 Q. Okay. Anything else of investigative
25 significance occur on that date?

1 A. No.

2 Q. Moving forward to -- let's move to
3 Thursday, November the 10th of 2011. Did you
4 conduct an interview with Timothy Robinson?

5 A. I did.

6 Q. And where did that interview occur?

7 A. That interview occurred at 1200 Travis,
8 which again is the Homicide headquarters downtown.

9 Q. And the -- was that a custodial
10 interview?

11 A. It was a custodial interview, yes.

12 Q. So, in other words, Timothy Robinson had
13 already been arrested?

14 A. Yes, he had.

15 Q. At the point that you interviewed
16 Mr. Robinson, had you obtained criminal --
17 authorization for criminal charges against him?

18 A. I believe at that point there was a
19 probable cause warrant to -- to arrest him and
20 interview him.

21 Q. And what was the offense that the
22 warrant was issued for?

23 A. Capital murder.

24 Q. Ultimately did Timothy Robinson provide
25 you with a voluntary statement?

1 A. Yes, he did.

2 Q. And in detailing his involvement in this
3 capital murder, did he tell you what his role was
4 and incriminate himself?

5 A. Yes, he did.

6 Q. Based on that information, was Timothy
7 Robinson charged with capital murder?

8 A. Yes, he was.

9 Q. On that same date, was there an
10 interview conducted with Jacobe White?

11 A. Yes, there was.

12 Q. And who was responsible for interviewing
13 Mr. White?

14 A. I believe Sergeant Cisneros interviewed
15 Jacobe.

16 Q. And was that also a custodial interview?

17 A. Yes, it was just like Timothy's.

18 Q. After the interview of Jacobe White,
19 were there charges, criminal charges sought against
20 him?

21 A. Yes, he as well was charged with capital
22 murder.

23 Q. So at this point, Jalessa London,
24 Timothy Robinson and Jacobe White are all charged
25 with capital murder?

1 A. Correct, and Darryl Reed is charged as
2 well.

3 Q. Okay. Was Reed charged before or after
4 Robinson and White, if you remember? And if you
5 don't, that's okay.

6 A. I believe he was charged before.

7 Q. Okay. So basically it's all sort of
8 happening at the same time?

9 A. Yes, a lot happening at once.

10 Q. Okay. Without going into the contents
11 of Ms. London's statement, Mr. White's statement and
12 Mr. Robinson's statement, once they each provided a
13 statement, did you compare their statements with
14 each other?

15 A. Yes.

16 Q. And were they consistent as to what role
17 each of the players had in this capital murder?

18 A. Yes.

19 Q. Do you know ultimately whether or not
20 Darryl Reed gave a statement?

21 A. Yes, I do.

22 Q. And did you review that statement after
23 it was provided?

24 A. Yes.

25 Q. Did you compare Darryl Reed's statement

1 to that of his three co-defendants?

2 A. Yes.

3 MR. CORNELIUS: Judge, before he
4 answers, I just want to renew our objection that the
5 Court's already ruled on because that goes into the
6 statement. So I don't want to waive it. I renew
7 the objection.

8 THE COURT: Your objection is noted
9 and overruled as it was previously.

10 Q. (By Ms. Magness) Was Darryl Reed's
11 statement consistent as to his role in the capital
12 murder with the other three co-defendants'
13 statements?

14 A. Yes, it was.

15 Q. Sergeant French, were you present when
16 the -- when the complainant's car was processed at
17 the -- at the -- I keep wanting to call it the Dart
18 lot.

19 A. Vehicle exam building?

20 Q. Yes.

21 A. No, I was not.

22 Q. Okay.

23 MS. MAGNESS: Then I'll pass this
24 witness.

25 THE COURT: Mr. Cornelius.

1 MR. CORNELIUS: Yes.

2 **CROSS-EXAMINATION**

3 **BY MR. CORNELIUS:**

4 Q. Sergeant French, I'm Skip Cornelius. I
5 know we've never talked about this case before. I'm
6 not sure if we've talked about other cases, but
7 we've not ever talked about this one, right?

8 A. No, sir.

9 Q. Okay. A few questions, if I might.

10 Going back to the car, you processed the
11 car, at least looked at the car yourself out at the
12 scene, right?

13 A. I did.

14 Q. And you saw what you thought was a
15 bullet strike on the driver's side back door?

16 A. Correct.

17 Q. Okay. And was that a bullet hole or a
18 dent that you thought was a strike?

19 A. I cannot recall exactly. I believe it
20 was a bullet hole.

21 Q. Okay. Okay. I'm looking at your
22 report -- and mine's got big print. I don't know if
23 the numbers are going to come out the same.

24 A. Okay.

25 Q. But the number is 2.018. Do you have

1 that? It says "immediate findings." I think that
2 means at the scene.

3 A. I do have that.

4 Q. All right. You correct me if I'm wrong,
5 because I don't know, but it appears to me from
6 looking at the pictures and the reports and all
7 there's what might be a bullet hole through the
8 window, the back driver's side window, because
9 there's picture of a hole in the window. Remember
10 that?

11 A. Yes, I do.

12 Q. Okay. And then there's what might be a
13 bullet strike somewhere on the door?

14 A. Correct.

15 Q. But you do not remember whether that --
16 well, let me ask it this way.

17 From your investigation in the case, was
18 it ever determined that there was more than one
19 bullet that ever went into the car?

20 A. Not to my knowledge.

21 Q. Okay. So the person that was shot was
22 only shot one time, correct?

23 A. Correct.

24 Q. And there were no other bullet holes or
25 strikes inside the car that you know of, right?

1 A. Not to my knowledge. And, again, I
2 wasn't present when the car was processed. We have
3 some better -- better trained experts to do that
4 type of processing than me.

5 Q. Okay. So what you can tell the jury is
6 there was what looked like a bullet strike on the
7 door but you can't remember if it actually went into
8 the car or not or do you remember that it didn't go
9 in the car?

10 A. I have here -- the way we document this,
11 we document movable evidence. For example, movable
12 evidence may be a shell casing that you find on the
13 ground. And we also document immovable evidence.
14 And by that I mean, you know, a bloodstain or in
15 this case I put two bullet strikes and I have in
16 parenthesis (one penetrating) and that is most
17 likely going to be the window.

18 Q. Okay. All right. That's the way I was
19 reading it, too.

20 And there were two shell casings
21 recovered, correct?

22 A. Yes, sir, there were.

23 MR. CORNELIUS: May I have just a
24 moment to look at these, Judge?

25 THE COURT: Yes, sir.

1 *(Brief pause.)*

2 MR. CORNELIUS: Judge, I don't have
3 anything further at this time, but I might -- I
4 might need to recall him.

5 THE COURT: Okay. Ms. Magness, do
6 you have anything further for this witness?

7 MS. MAGNESS: Not right now, Judge.
8 I may actually need to recall him later in the case
9 as well, but we're not there yet.

10 THE COURT: Okay. You may step
11 down. Just make sure we have a good phone number
12 for you.

13 THE WITNESS: Absolutely.

14 THE COURT: Thank you.

15 THE WITNESS: Thank you.

16 THE COURT: All right. Call your
17 next.

18 MS. MAGNESS: State calls Juvonia
19 Hackett.

20 THE BAILIFF: She has not been
21 sworn, Your Honor.

22 THE COURT: All right. Come on up
23 here, ma'am. Right up here. Raise your right hand.

24 *(Witness sworn.)*

25 THE COURT: Have a seat, please.