

1 THE COURT: All right. Come up,  
2 Deputy -- Sergeant.

3 THE BAILIFF: Your Honor, this  
4 witness has not been sworn.

5 THE COURT: Please raise your right  
6 hand.

7 *(Witness sworn.)*

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

10 **R. B. LEACHMAN,**  
11 having been first duly sworn, testified as follows:

12 **DIRECT EXAMINATION**

13 **BY MR. GILLIAM:**

14 Q. Sergeant Leachman, will you please  
15 introduce yourself?

16 A. Sergeant R. B. Leachman, Harris County  
17 Sheriff's Office.

18 Q. And how long have you been with the  
19 Harris County Sheriff's Office?

20 A. Been there since 1991.

21 Q. So what is that? It's 14 years?

22 A. 14 years?

23 Q. Is that correct?

24 A. 24.

25 Q. That's why I'm a lawyer, not a



1 record reflect the witness identified the defendant?

2 THE COURT: It will so reflect.

3 Q. (By Mr. Gilliam) After you learned of  
4 the incident that happened in this courtroom on  
5 October 2nd, what did you do?

6 A. Conducted a cell search in his single  
7 cell.

8 Q. Did you find anything in the defendant's  
9 single cell?

10 A. Detention Officer Allen found a homemade  
11 shank.

12 MR. SCOTT: May it please the  
13 Court, I'm going to object unless he knows of his  
14 own knowledge, Your Honor.

15 THE COURT: Sustained.

16 Q. (By Mr. Gilliam) Were you there when  
17 the actual cell search was done?

18 A. Yes, sir.

19 Q. And what did you observe being found in  
20 that cell?

21 A. Detention Officer Allen found a piece of  
22 metal approximately -- two or three pieces of metal  
23 approximately -- the longest was probably about 12  
24 to 18 inches long.

25 Q. And what did it appear to you that these

1 pieces of metal were going to be used for?

2 A. Some type of homemade weapon.

3 Q. And during your career, have you dealt  
4 with shanks that have been found in the jail before?

5 A. Yes, sir.

6 Q. How did you -- generally how are those  
7 shanks made that you found?

8 A. Various pieces of metal made from  
9 whatever inmates can find, pieces of mop bucket  
10 ringers, drawer slides.

11 Q. And the pieces of metal you found in the  
12 cell for that day, did they look like they had been  
13 sharpened to a point or where were they in that  
14 process?

15 A. They had been sharpened on something in  
16 what we call angle iron. I mean, I've worked around  
17 metal people in the inmate education area.  
18 90-degree angle, like this (indicating), bright,  
19 shiny --

20 Q. And --

21 A. -- chrome type things.

22 Q. -- when a shank is sharpened, is that a  
23 long process or a short process; or are you aware of  
24 how long it takes to sharpen those points?

25 MR. SCOTT: May it please the

1 Court, I would object as conjecture on this witness'  
2 part, Your Honor.

3 THE COURT: Overruled.

4 A. Well, I've never sat down and tried to  
5 make one myself; but I don't think you can just sit  
6 down, like, on a grindstone and knock one out right  
7 quick if you had a full shop full of tools. It  
8 would take a while to do that.

9 Q. And this cell, Inmate Allford's cell, is  
10 that a single cell or a multiple person cell?

11 A. Single cell. It has a sole occupant of  
12 that cell.

13 Q. Do you remember or recall where the  
14 pieces of metal were found in that cell?

15 A. It was found in the southeast corner.

16 Q. Okay. Was it under a mattress, under a  
17 bunk or --

18 A. In the corner -- the metal bunk has  
19 another piece of angle iron, heavier type metal, and  
20 it's maybe not even an inch clearance around the  
21 wall the way it's installed into the building into  
22 the cell. So Detention Officer Allen had to put his  
23 head up against the wall and look down to be able to  
24 see the piece of metal. It was well hidden.

25 Q. And after you found -- or after you and

1 Detention Officer Allen found the shanks -- the  
2 pieces of metal, what steps did you take?

3 A. Detention Officer Allen held on to them  
4 and he passed them on to another sergeant and they  
5 were placed in the property.

6 Q. And did you, in fact, testify about what  
7 you had found in the defendant's trial?

8 A. I did.

9 Q. And that was on October 2nd of 2014?

10 A. Yes, sir.

11 Q. And after you testified against the  
12 defendant, did you have another incident with him on  
13 November 4th --

14 A. Yes.

15 Q. -- of 2014?

16 A. Yes, sir.

17 Q. What happened during that incident?

18 A. Detention Officer -- if I can refer back  
19 to my report.

20 Okay. We were in the process of moving  
21 Inmate Allford from one cell to another; and he  
22 threatened to, quote, "whip my ass" when he got out  
23 of jail for testifying against him on Thursday,  
24 October the 2nd, in this courtroom.

25 Q. And did you write a report regarding

1 what had happened?

2 A. Yes, sir.

3 Q. And did you serve the defendant with a  
4 what's called a confirmation of service?

5 A. Yes, sir.

6 Q. And did the defendant make any threats  
7 towards you when you served him with that?

8 A. Yes, sir, he did.

9 Q. What did he tell you?

10 A. He said, quote, he would "knock my pussy  
11 ass out," end quote, for coming into his cell and  
12 charging him with a violation of the inmate  
13 handbook.

14 MR. GILLIAM: Pass the witness,  
15 Your Honor.

16 THE COURT: Defense?

17 MR. SCOTT: Thank you, Your Honor.

18 **CROSS-EXAMINATION**

19 **BY MR. SCOTT:**

20 Q. Sergeant, sounds like the inmate was  
21 rather possessive of his cell, would you say?

22 A. Could be.

23 Q. Could be?

24 A. Yes, sir.

25 Q. Might be, maybe not, you don't know,

1 right? Huh?

2 A. He didn't like me being in there.

3 Q. Okay. When this report was drawn up,  
4 the one about the shank and Allen finding it, you  
5 were not really physically present inside that cell  
6 when he found it, were you?

7 A. No, sir, I was present.

8 Q. Inside the cell when he found it?

9 A. Yes, sir.

10 Q. So did he state to you that he had found  
11 it then and that you did not see him find it and he  
12 had to tell you that he found it?

13 A. Can you say that again? I was present  
14 and what?

15 Q. You were present, but he had to tell you  
16 that he had found it. You did not see him find it,  
17 did you?

18 A. No, I had my back turned, but he was --

19 Q. Right.

20 MR. SCOTT: No further questions,  
21 Your Honor.

22 THE COURT: State?

23 MR. GILLIAM: Nothing further, Your  
24 Honor.

25 THE COURT: All right. May the



1 sergeant be excused, gentlemen?

2 MR. GILLIAM: Yes, sir.

3 MR. SCOTT: He may be excused.

4 THE COURT: All right. You're free  
5 to go.

6 THE WITNESS: Thank you, Judge.

7 THE COURT: State?

8 MR. GILLIAM: State rests, Your  
9 Honor.

10 THE COURT: All right. This is  
11 what we'll go ahead and do, folks. My plan was if  
12 you were deliberating to have you come back in the  
13 morning but if we were still in testimony have you  
14 come back, like, around lunchtime already fed but  
15 we're going to kind of split the difference here.

16 So since I'm not exactly sure what  
17 we'll be doing in the morning -- but we may be going  
18 right into argument and begin your deliberations.  
19 The Defense may put on -- I don't know what's going  
20 to happen at this point.

21 So why don't we plan on being here  
22 at 9:30 tomorrow morning. Be back here at 9:30 and  
23 we'll see where we're at and we'll definitely get  
24 you deliberating tomorrow. We'll just see how early  
25 it is in the morning. And with that, see y'all