

1 A. That's fine.

2 Q. And hold on one second. Okay. County, Harris
3 County, do you need to speak with her?

4 No, we've got everything we need, Ashleigh, just
5 stay inside and wait for the deputies okay?

6 A. Thank you.

7 Q. You're welcome.

8 [Audio Playback End]

9 MS. DOWNING: We are ready to call our next
10 witness.

11 THE COURT: Go ahead.

12 MS. DOWNING: State calls Officer Nguyen.

13 THE COURT: Do you want to have a seat over
14 here, sir.

15 In case you will anticipate this will take a
16 little bit so you see the lady there in the front-middle, yeah,
17 take her to Cherie because she's going to talk to her.

18 THE BAILIFF: This one?

19 THE COURT: Yes. I am sorry.

20 You may proceed when you're ready State?

21 MS. DOWNING: Thank, you, Your Honor.

22 **LANG NGUYEN,**

23 having been first duly sworn, testified as follows:

24 **DIRECT EXAMINATION**

25 BY MS. DOWNING:

1 Q. Officer Nguyen would you please introduce yourself to
2 the jury?

3 A. My name is Deputy Nguyen. I am employed with the
4 Harris County Sheriff's Department?

5 Q. How long have you been with that sheriff's
6 department?

7 A. For 24 years, ma'am.

8 Q. And what division are you assigned to?

9 A. I am assigned to district four patrol.

10 Q. And could you tell the jury what patrol means, what
11 your duties are?

12 A. Patrol means that I am out in the street. I answer
13 calls to anybody that needs help, cat in a tree, assault,
14 theft, anything that the public wants us to come out to answer
15 their questions, we come out.

16 Q. Are you a certified police officer?

17 A. Yes, ma'am, I am.

18 Q. Can you describe a little bit of your education and
19 training for the jury?

20 A. I went to the academy in 1993, took about 400 hours
21 worth of classes, that means everything from law to traffic
22 laws to handgun retention, handgun training and going to
23 Courts, going to study all kind of Court's procedures and you
24 name it.

25 Q. Have you been called out to domestic disputes often?

1 A. Yes, ma'am.

2 Q. And were you called out to a dispute on November 23rd
3 of 2013?

4 A. I did not respond to the November 23rd call, it was
5 picked up by someone else. But the follow up was the
6 girlfriend the complainant who called about a week later saying
7 that the defendant was at her house, so I did not make the
8 preliminary call, no, ma'am?

9 Q. But you did make contact with Ashleigh Ebans?

10 A. Yes, I did.

11 Q. And can you describe that contact to the jury?

12 A. I met Ashleigh at a gas station about two blocks away
13 from her home, and she was very shaken up. Apparently, the
14 incident happened a week before where her boyfriend assaulted
15 her numerous times with hands, fists, and even threatened to
16 kill her with a knife and things like that.

17 So she was very scared and she did not even want
18 to lead us to her house. She just gave us the address, says,
19 hey, go in there, that is my house, get the doors unlocked, you
20 can find him inside.

21 And so when she didn't follow us, we basically
22 said okay we will go. We knocked on the door, nobody answered,
23 but when the door was unlocked, we opened the door, came in,
24 announced ourselves, and we found the defendant in the bedroom.

25 Q. And did she give you a picture?

1 A. Yes, she did.

2 Q. And is that picture of someone that's in the
3 courtroom today?

4 A. Yes, the picture matched who I am looking at right
5 now.

6 Q. And can you describe an article of clothing that he
7 is wearing to fully identify him, please.

8 A. He is the man on the far left, my side, long hair,
9 white shirt.

10 MS. DOWNING: May the record reflect that the
11 witness has identified the defendant.

12 THE COURT: The record will so reflect.

13 Q. (BY MS. DOWNING) Did you have any further follow up
14 with the complaining witness after that arrest?

15 A. No, ma'am, I did not.

16 MS. DOWNING: State will pass the witness.

17 THE COURT: It's your witness.

18 **CROSS EXAMINATION**

19 BY MR. MARTIN:

20 Q. So again, you were not involved in the initial call?

21 A. No, sir.

22 Q. So whatever allegedly occurred on November 23rd, you
23 don't have any knowledge of it; is that correct?

24 A. I read the report.

25 Q. Other than what was in the report?

1 A. Yes.

2 Q. When you met with the young lady at the service
3 station, okay did you request any identification from her?

4 A. From her, yes.

5 Q. Do you remember what form of identification it was?

6 A. She gave me her driver's license. She identified
7 herself and it matched her driver's license. The driver's
8 license picture matched her.

9 Q. Now, do you recall if the address on the
10 driver's license was the same address that you went to, to make
11 the arrest?

12 A. I could not recall that, but she gave me the address
13 as 11930.

14 MR. MARTIN: Pass the witness, Your Honor.

15 THE COURT: It is your witness.

16 MS. DOWNING: Permission to approach,
17 Your Honor.

18 THE COURT: Certainly.

19 **REDIRECT EXAMINATION**

20 BY MS. DOWNING:

21 Q. Officer Nguyen, can you explain a little bit to the
22 jury about what the booking process is?

23 A. The booking process is when we take someone into
24 custody from anything from a warrant, a warrant is something
25 that's already been given out to be arrested, we pick them up.

1 If we arrest somebody while in the process of the act,
2 basically, we take them into custody, we take them downtown,
3 and they got booked in. Getting booked in is when they get
4 fingerprinted and they basically stay in jail until either they
5 get bonded out or until their court date.

6 Q. And are photographs taken of the defendant during the
7 booking process?

8 A. Yes, ma'am.

9 MS. DOWNING: Permission to approach,
10 Your Honor.

11 THE COURT: Certainly.

12 Q. (BY MS. DOWNING) And you are the one that arrested
13 the defendant?

14 A. Yes.

15 Q. On December 1?

16 A. Yes.

17 Q. And you were able to get a good look at him?

18 A. Yes.

19 Q. I am going to show you what's been marked as
20 State's Exhibit No. 6, do you recognize this?

21 A. That is him.

22 Q. You recognize it as a photograph of the defendant?

23 A. Yes.

24 Q. And is it a fair and accurate depiction of what he
25 looked like the evening that you were there?

1 A. Yes.

2 MS. DOWNING: The State would move to admit
3 State's Exhibit No. 6 pending objection.

4 (State's Exhibit 6 offered)

5 MR. MARTIN: No, objection, Your Honor.

6 MS. DOWNING: Permission to publish, Your Honor.

7 THE COURT: Yes. State's Exhibit No. 6 will be
8 admitted.

9 (State's Exhibit No. 6 admitted)

10 MS. DOWNING: Permission to approach again, Your
11 Honor.

12 THE COURT: Certainly.

13 Q. (BY MS. DOWNING) Showing you State's Exhibits 1, 2,
14 and 3, which have already been admitted, do you recognize
15 State's Exhibit No. 1?

16 A. Looks like the complainant's house.

17 Q. And State's Exhibit No. 2, do you recognize that?

18 A. Yes.

19 Q. And do you recognize this area in
20 State's Exhibit No. 3?

21 A. Yes. That looks like the street where the
22 complainant lives.

23 Q. Now, showing you State's Exhibit No. 3, and you said
24 which street was that?

25 A. The street is called Silver Island.

1 Q. And State's Exhibit No. 2, that's where you arrested
2 the defendant?

3 A. Yes, ma'am.

4 MS. DOWNING: Pass this witness, Your Honor.

5 MR. MARTIN: No further questions of this
6 witness, Your Honor.

7 THE COURT: All right. You can go ahead and
8 step down.

9 State, call your next witness.

10 MS. DOWNING: State calls Deputy Roy.

11 THE COURT: Is he free to go or do you want to
12 keep him around?

13 MS. DOWNING: We don't need him, Your Honor.

14 MR. MARTIN: Your Honor.

15 THE COURT: Keep him around?

16 MR. MARTIN: I'm sorry. I just want you to
17 remind him regarding the rule, Your Honor.

18 THE COURT: Right. The rule has been invoked so
19 you can't talk to anybody about the issues.

20 But do you want to keep him around?

21 MR. MARTIN: He's free to leave.

22 THE COURT: You can come on up.

23 The rule has been invoked.

24 You may proceed when you're ready.

25 MS. DOWNING: Thank you, Your Honor.

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PARNELL ROY,

having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. DOWNING:

Q. Deputy Roy, would you introduce yourself to the jury, please?

A. Deputy Roy, Harris County Sheriff's Office.

Q. And how long have you been with the Sheriff's?

A. Since 1991, November of 1991.

Q. And can you tell the jury what division you are assigned to?

A. I didn't hear you, ma'am.

Q. What division you are assigned to?

A. I am in patrol in district 1, that's out of Cypresswood Station.

Q. And can you tell them what it means to be on patrol?

A. That's when you go out and you get calls for service and you are dispatched to certain areas of Harris County. You go there and you find out what is the situation, and you make a report.

Q. Again, have you had training and education in order to become a police officer?

A. Yes, ma'am. Right now, it's more intense. Before I became one, right now, it's like six months of training 500 and I think 37 hours of training that you get. Most of the time,