

1 State, call your next.

2 MR. GILLIAM: State calls Marvin
3 Perkins.

4 THE COURT: All right.

5 THE BAILIFF: Your Honor, this
6 witness has not been sworn.

7 THE COURT: Come up, sir.

8 Raise your right hand.

9 *(Witness sworn.)*

10 THE COURT: Have a seat, please.
11 You may proceed.

12 **MARVIN PERKINS,**
13 having been first duly sworn, testified as follows:

14 **DIRECT EXAMINATION**

15 **BY MR. GILLIAM:**

16 Q. Will you please introduce yourself to
17 us?

18 A. Detention Officer Marvin Perkins.

19 Q. And, Mr. Perkins, how long have you been
20 a detention officer over there at the jail?

21 A. Approximately a year and ten months.

22 Q. And I'm going to take you back to July
23 23rd of 2014. Did you have an incident with an
24 inmate over there named Weylin Allford?

25 A. Yes, sir.

1 Q. Do you see Mr. Allford in the courtroom
2 today?

3 A. Yes, sir.

4 Q. Will you identify him by an article of
5 clothing and where he's sitting?

6 A. Yes, sir.

7 Q. What's he wearing?

8 A. Like, a brown and white long-sleeved
9 shirt.

10 MR. GILLIAM: Your Honor, may the
11 record reflect the witness identified the defendant?

12 THE COURT: It will so reflect.

13 Q. (By Mr. Gilliam) What was the nature of
14 the incident you had with the defendant back on July
15 23rd of 2014?

16 A. He threw an unidentified liquid on me.

17 Q. And how did he throw -- or how did he
18 come to throw an unidentified liquid at you?

19 A. I was walking in 2J1 -- 2J1, passing up
20 the end cell, and he threw it through the pan hole.

21 Q. And so was the pan hole open?

22 A. Yes, sir.

23 Q. Were you able -- did he actually make
24 contact with you with that liquid?

25 A. Yes, sir.

1 Q. Were you able to determine what that
2 liquid was?

3 A. No, sir.

4 Q. After he threw the liquid at you, did he
5 make any comments to you or threats against you?

6 A. Yes, sir.

7 Q. What he did he say?

8 A. He told me, "You on my hit list, Bitch."

9 Q. After he throws the liquid at you, makes
10 the threat against you, what do you do?

11 A. I immediately closed his pan hole.

12 Q. And then did you write a report
13 regarding this incident?

14 A. Yes, sir.

15 Q. And are you aware if he was provided the
16 opportunity to write a statement?

17 A. Yes, sir. He refused.

18 MR. GILLIAM: Pass the witness,
19 Your Honor.

20 THE COURT: All right. Defense?

21 MR. SCOTT: Yes, Your Honor.

22 **CROSS-EXAMINATION**

23 **BY MR. SCOTT:**

24 Q. Mr. Perkins, right?

25 A. Yes, sir.

1 Q. All right. You talked about the pan
2 hole. Did you open the pan hole?

3 A. No, sir.

4 Q. Who had opened the pan hole?

5 A. The pan hole must have already been
6 opened from first shift.

7 Q. I'm sorry?

8 A. The pan hole must have already been
9 opened from first shift.

10 Q. So these pan hole doors are not always
11 closed. Some are open, some are not open. It just
12 depends on what somebody might feel like about
13 whether or not they close it or not, right?

14 A. Yes, sir.

15 Q. Okay. Is there -- at that particular
16 location was there a requirement to check the
17 inmates every half an hour or so or not?

18 A. Yes, sir, every 25 minutes, something
19 like that.

20 Q. So if that was done, then someone just
21 either didn't bother to check or was busy and didn't
22 close the pan hole? They're supposed to be closed,
23 aren't they?

24 A. Yes, sir.

25 Q. The pan hole is to put in, what, food or

1 stuff like that, right?

2 A. Uh-huh.

3 Q. You weren't feeding him, were you?

4 A. No, sir, I was doing a security round.

5 Q. So how long ago -- what time of day was
6 this?

7 A. It was around 6:40.

8 Q. And when was -- in the morning or
9 evening?

10 A. Evening.

11 Q. So what time was supper that evening?

12 A. I don't remember.

13 MR. SCOTT: Pass the witness.

14 THE COURT: State?

15 MR. GILLIAM: Nothing further.

16 THE COURT: May he be excused?

17 MR. GILLIAM: Yes, Your Honor.

18 MR. SCOTT: Yes, Your Honor, he
19 can.

20 THE COURT: You're free to go.

21 Thank you.

22 State, call your next.

23 MR. GILLIAM: State calls Sergeant
24 Palomares.

25 THE BAILIFF: Your Honor, this

1 witness has not been sworn.

2 THE COURT: All right. Come up,
3 sir. Please raise your right hand.

4 (*Witness sworn.*)

5 THE COURT: Have a seat, please.
6 You may proceed.

7 **FERNANDO PALOMARES,**

8 having been first duly sworn, testified as follows:

9 **DIRECT EXAMINATION**

10 **BY MR. GILLIAM:**

11 Q. Will you please introduce yourself to
12 us?

13 A. My name is Fernando Palomares. I'm a
14 sergeant with the sheriff's office.

15 Q. How long have you been a sergeant with
16 the sheriff's office?

17 A. A year and six months.

18 Q. And what are you -- I assume you've
19 worked at the Harris County Sheriff's Office before
20 you were promoted to sergeant?

21 A. Correct, 14 years.

22 Q. Where is your current job assignment?

23 A. I'm assigned to the sixth floor at 701.

24 Q. And 701 is what?

25 A. The jail, the county jail, 701 North San