

Trial on Merits  
June 1, 2015

1 (Court in session.)

2 THE COURT: Good morning, ladies and  
3 gentlemen.

4 JURY PANEL: Morning.

5 THE COURT: I'm Judge Mallai, I'll be  
6 sitting in for Judge Patrick for the rest of this trial.

7 Ms. Ramirez, State, call your next  
8 witness.

9 MS. RAMIREZ: The State calls Officer  
10 Seay.

11 THE BAILIFF: Your Honor, this witness has  
12 not been sworn.

13 **OFFICER SEAY,**  
14 having been first duly sworn, testified as follows:

15 **DIRECT EXAMINATION**

16 MS. RAMIREZ: May I proceed?

17 THE COURT: Yes, you may.

18 **BY MS. RAMIREZ:**

19 Q. Officer Seay, can you please introduce yourself  
20 to the ladies and gentlemen of the jury.

21 A. Officer Seay. I'm a Houston police officer.

22 Q. How long have you been a Houston Police  
23 Department?

24 A. A little over nine years.

25 Q. Okay. Can you describe to us the process how

Trial on Merits  
June 1, 2015

1 one becomes a police officer?

2 A. You apply, you go to the police academy, and  
3 pass the police academy, and go to field training, and  
4 then you become an officer.

5 Q. Approximately how long do you have to go to the  
6 police academy before you become an officer?

7 A. Six months.

8 Q. And what kind of training goes on when you're  
9 at the academy?

10 A. Everything from driver's education, to law, to  
11 defense tactics, physical.

12 Q. Where exactly are you currently, what's your  
13 current job?

14 A. I'm an officer with the South Central Tactical  
15 Division.

16 Q. Can you tell us a little about that?

17 A. Yes. We do high-level warrants, do street  
18 narcotics, vice, prostitution, any pro-active arrest  
19 that we need to do within our district, South Central.

20 Q. Do you work any particular area of town?

21 A. Yes, ma'am. It would be Third Ward and Second  
22 Ward is our main area.

23 Q. How long have you been working that area?

24 A. My whole career, nine years, nine plus.

25 Q. Officer, do you work alone generally, or do you

Trial on Merits  
June 1, 2015

1 have a partner that you work with?

2 A. I work with a partner, and we normally work  
3 within a team.

4 Q. Do you remember being employed with HPD on  
5 March 4, 2014?

6 A. Yes, ma'am.

7 Q. And to the best of your knowledge, were you  
8 working that day?

9 A. Yes, ma'am.

10 Q. Do you recall ever getting a phone call from a  
11 person by the name of Todd Woodyard?

12 A. Yes, ma'am.

13 Q. Can you tell us about that?

14 A. He called me and said his truck had been broken  
15 into. He said he had a very unique bow, like a fishing  
16 bow, stolen out of his truck. And he found it on one of  
17 the web sites, Craig's List. And it was at a pawnshop  
18 in the Second Ward, part of our district.

19 Q. So what did you do once you learned that  
20 information?

21 A. I talked with my sergeant, we could meet him at  
22 that pawnshop. And he showed us a string, and, like,  
23 knot and stuff he could tie. And he said the bow would  
24 have the same string, described it all.

25 I said, "Okay, well, you can meet us

Trial on Merits  
June 1, 2015

1 there." It was on the first, and we'll see if we can  
2 identify the bow.

3 Q. So it was on the first of April?

4 A. Yes, ma'am.

5 Q. Just to give you the timeline straight: He  
6 gave you a call on March 29, 2014?

7 A. Yes, ma'am.

8 Q. And then you guys went to the pawnshop on  
9 April 1st, 2014?

10 A. Yes, ma'am.

11 Q. So what happened once you arrived at the  
12 pawnshop?

13 A. We arrived at the pawnshop, spoke with the  
14 manager. The manager brought the bow out. Saw that the  
15 string matched up. The way he described the knot, the  
16 knot was tied. There was a couple of other things that  
17 you can see with the bow that he said this was his bow.

18 The manager said, okay, well, I don't know  
19 if y'all want me to go into it. He had a video of the  
20 guy that brought the bow in, sold the bow to him.

21 MS. RAMIREZ: Your Honor, may I approach  
22 the witness?

23 THE COURT: Yes, you may.

24 Q. (BY MS. RAMIREZ) Officer Seay, I'm going to  
25 show you what has been previously marked as State's

Trial on Merits  
June 1, 2015

1 Exhibit 6, 7, 8, 9, 10 and 11. Without going into the  
2 details of these, can you tell us what they are?

3 A. This is going to be the bow that we had  
4 recovered from the pawnshop.

5 Q. And is it a fair and accurate depiction of the  
6 bow you recovered on April 1st, 2014?

7 A. Yes, ma'am.

8 MS. RAMIREZ: At this time the State  
9 tenders to opposing counsel exhibits 6 through 11 into  
10 evidence.

11 MR. DAVIDSON: If I can have moment, Your  
12 Honor?

13 THE COURT: Yes.

14 MR. DAVIDSON: No objection.

15 THE COURT: State's 6 through 11 are  
16 admitted.

17 MS. RAMIREZ: Permission to publish,  
18 Judge?

19 THE COURT: Yes, you may.

20 Q. (BY MS. RAMIREZ) Now, Officer Seay, I'm going  
21 to show you what has already been introduced as State's  
22 Exhibit 6. Is this a part of the bow that you retrieved  
23 on April 1st, 2014?

24 A. Yes, ma'am.

25 Q. Officer Seay, do you see the numbers next to

Trial on Merits  
June 1, 2015

1 the big letters PSC?

2 A. Yes, ma'am.

3 Q. Do you mind telling the ladies and gentlemen of  
4 the jury what those numbers are?

5 A. 80152L, as in Lincoln.

6 Q. Now Officer Seay, the picture in State's  
7 Exhibit 7, was this the bow that Todd Woodyard  
8 identified on April 1st, 2014?

9 A. Yes, ma'am.

10 Q. And State's Exhibit 8?

11 A. Yes, ma'am.

12 Q. From what you remember, is there anything in  
13 particular that Todd Woodyard described about this bow?

14 A. He described the paint that's on that bow and  
15 the orange string. He had the same string that matched  
16 that particular string.

17 Q. Can you point to the string in State's Exhibit  
18 8. You can double tap on the screen next to you, and it  
19 will show up.

20 A. Right here. (Witness pointing.)

21 Q. Officer Seay, did Todd Woodyard describe  
22 anything about the knot made on the bow?

23 A. Yes, ma'am.

24 Q. Do you mind telling us what that is?

25 A. I'm not a boy scout. I really don't know a lot

Trial on Merits  
June 1, 2015

1 about knots, but he talked about the particular way he  
2 tied the knot; and it matched basically how the knot was  
3 tied when we got to the pawnshop.

4 Q. Officer Seay, I'm going to show you State's  
5 Exhibit 10. Is that the knot Todd Woodyard identified?

6 A. Looks like the knot, yes, ma'am.

7 Q. And how about State's Exhibit 11?

8 A. Yes, ma'am.

9 Q. Now Officer Seay, is State's Exhibit 9 just  
10 another angle of the bow that you recovered on  
11 April 1st, 2014?

12 A. Yes, ma'am.

13 Q. After you recovered the bow from the pawnshop,  
14 what did you do?

15 A. I contacted an investigator that normally works  
16 cases for our team.

17 Q. Okay. What's that investigator's name?

18 A. Gary Young.

19 Q. And what happened?

20 A. I turned evidence over to him, and he began  
21 investigating the case.

22 MS. RAMIREZ: Pass the witness, Judge.

23 THE COURT: Mr. Davidson.

24 **CROSS-EXAMINATION**

25 **BY MR. DAVIDSON:**

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 Q. Good morning.

2 A. Morning.

3 Q. About how much time does it usually take for  
4 stolen property to be converted into cash or drugs?

5 A. I have no idea.

6 Q. Well, you've been on the force for 9 years?

7 A. Yes, sir.

8 Q. So surely you've investigated some theft cases,  
9 haven't you?

10 A. I don't investigate thefts.

11 Q. Oh, you don't?

12 A. No.

13 Q. Not anytime in your career as a Houston Police  
14 Officer?

15 A. I'm sure we've done some small robberies.  
16 That's not my particular job, so I wouldn't know how  
17 long it takes to turn a profit from a theft.

18 Q. Okay. Do you know how often any stolen  
19 property from an incident, like, say a burglary of a  
20 vehicle, how often that property is recovered or not?

21 A. I don't know what the percentage would be.

22 MS. RAMIREZ: Objection, Your Honor,  
23 speculation.

24 THE COURT: Sustained.

25 Q. (BY MR. DAVIDSON) Do you know what time of day



Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 most vehicle burglaries would occur?

2 MS. RAMIREZ: Objection, speculation.

3 MR. DAVIDSON: Based on his training  
4 experience.

5 THE COURT: If you can answer, you can.

6 A. Any time of day burglaries happen.

7 Q. (BY MR. DAVIDSON) So you went to the pawnshop,  
8 the Cash America pawnshop on Telephone Road, correct?

9 A. That's correct.

10 Q. And you went there with Todd Woodyard?

11 A. That's correct.

12 Q. Now, previously we heard testimony about Cash  
13 America sharing information with HPD, are you aware of  
14 that?

15 A. No, I'm not.

16 Q. Are you familiar with something called Leads  
17 Online?

18 A. Yes, sir.

19 Q. Okay. That was discussed prior to you taking  
20 the stand. I want to ask you something about that: If  
21 you were at the pawnshop on April 1st, did you talk to  
22 the manager there?

23 A. Yes, sir.

24 Q. Who was that manager?

25 A. I don't recall his name.

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 Q. Okay. But you were at the store. The question  
2 I'm getting to is: Is the customers at Cash America who  
3 pawn items are going to be given notice that the  
4 information is shared with your agency, correct?

5 A. I don't know what the pawnshop's policies are.  
6 I would assume that they would know that, but I have no  
7 idea.

8 Q. Was there any sign that you saw there that  
9 would indicate that?

10 A. Again, I don't know what the pawnshop's  
11 policies are.

12 Q. What evidence did you get from the pawnshop  
13 other than the bow?

14 A. A video.

15 Q. Anything else?

16 A. No, I believe that was it. There's probably a  
17 pawn receipt. I can't remember though, I'm not sure.

18 Q. You can't recall?

19 A. No, sir.

20 Q. Now, just one moment, please.

21 Do you know who took the photographs that  
22 have been admitted?

23 A. I have no idea.

24 Q. You didn't take any photographs of the bow?

25 A. No, sir.

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 Q. Do you know where the bow is now?

2 A. I saw it earlier up here in the courtroom. I'm  
3 sure it's evidence.

4 Q. Did Mr. Woodyard have any, anything in his  
5 possession, that had the serial number of the bow on it?

6 A. I believe he did at the time. He might -- I  
7 think he recovered something later on, but he didn't  
8 have it on him at the time.

9 Q. So you took the bow from the pawnshop based on  
10 his representation to you that it was his bow in the  
11 first place?

12 A. That's correct.

13 Q. And that it had been stolen when?

14 A. In a burglary of a vehicle about a month prior  
15 to that.

16 Q. So he told you about the burglary a month  
17 prior. Did you learn anything else about that, that  
18 incident at that time?

19 A. The location of the incident.

20 Q. Where was that?

21 A. The Marquee, its over there off of I-10 and  
22 Silber.

23 Q. Was there an offense report that you looked at  
24 in reference to that?

25 A. Yes, sir. He gave me a case number to the

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 original offense report.

2 Q. So there was an incident number to that, and  
3 you would have reviewed the report?

4 A. I didn't review the report at the time.  
5 Probably before I went to the pawnshop I did. I don't  
6 remember exactly.

7 Q. All right. So you don't know who was called to  
8 the scene of that vehicle burglary?

9 A. No, sir.

10 Q. And you don't know if there were any witnesses?

11 A. No, sir, I don't know that.

12 Q. Or any surveillance video?

13 A. No, sir. Actually, I worked that as an extra  
14 job. There's a lot of areas in that parking lot where  
15 there's not video surveillance.

16 Q. But you're familiar with the Edwards Cinema?

17 A. Yes, sir.

18 Q. And fairly large?

19 A. Yes, sir.

20 Q. And it operates during what hours?

21 A. I know the nightclub closes at 2:00 o'clock,  
22 pretty much from the morning time until 3:00 o'clock in  
23 the morning.

24 Q. Pretty busy complex, right?

25 A. That's a fair assessment.

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 Q. Okay. And so is it something in your  
2 experience that has happened there -- how often do  
3 vehicle burglaries occur over there?

4 MS. RAMIREZ: Objection, Your Honor,  
5 speculation.

6 THE COURT: If you can answer.

7 A. I would be speculating, I have no idea.

8 Q. (BY MR. DAVIDSON) Okay. Is that area  
9 considered a high-crime area?

10 A. I wouldn't say particularly a high-crime area.  
11 Burglary of cars, but that's about it.

12 Q. Is there a security guard there?

13 A. Yes, sir.

14 Q. That's in addition to extra-job officers?

15 A. Yes, sir.

16 Q. Are there extra-job officers there early in the  
17 day or afternoon when it's dark?

18 A. I'm not sure what their schedule is.

19 Q. In other words, you work at night?

20 A. I work at night on the weekends.

21 Q. And they have security guards during the day, I  
22 would assume?

23 A. Probably so.

24 Q. Are they on foot or a guy in a golf cart?

25 MS. RAMIREZ: Speculation, Your Honor,

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 speculation.

2 Q. (BY MR. DAVIDSON) Only if you know, Officer.

3 THE COURT: You can answer, if you know.

4 A. The guys on weekends, they have a guy on foot,  
5 and a guy on a golf cart.

6 Q. (BY MR. DAVIDSON) Do they have radios?

7 A. I believe so.

8 MR. DAVIDSON: All right. Pass the  
9 witness.

10 THE COURT: Ms. Ramirez.

11 MS. RAMIREZ: Nothing further from this  
12 witness.

13 MR. DAVIDSON: Nothing further from  
14 Officer Seay.

15 THE COURT: Thank you. You may step down  
16 and be excused.

17 Ladies and gentlemen, we're going to take  
18 a quick break. We'll be back up at 10:35.

19 THE BAILIFF: All rise for the jury.

20 (Break take.)

21 (Jury seated.)

22 THE COURT: Call your next witness.

23 MS. RAMIREZ: The State calls Todd  
24 Woodyard.

25 BAILIFF: Your Honor, this witness has not

Officer Seay - June 1, 2015  
Cross-Examination by Mr. Davidson

1 been sworn.

2 MS. RAMIREZ: May I proceed?

3 THE COURT: Yes, you may.

4 **TODD WOODYARD,**

5 having been first duly sworn, testified as follows:

6 **DIRECT EXAMINATION**

7 **BY MR. WOODYARD:**

8 Q. Mr. Woodyard, may you introduce yourself to the  
9 ladies and gentlemen of the jury.

10 A. My name is Todd Woodyard.

11 Q. Can you tell us what you do for a living?

12 A. I'm an online broker.

13 Q. Can you explain that to us?

14 A. I worked for a dealership for a number of  
15 years, and after that, I started my own business. And I  
16 just broker to a list of clients that I have.

17 Q. Where do you work from?

18 A. I now work from home in Webster, Texas.

19 Q. Do you travel with any of your materials around  
20 the city of Houston?

21 A. Occasionally.

22 Q. What kind of materials do you travel with when  
23 you are traveling around Houston?

24 A. A Smart phone, I carry an iPad, necessary stuff  
25 for my line of work.