

1 A. At 14418 Wadebridge Way.

2 Q. Okay. And who was living with you at
3 that time at that location?

4 A. Ms. Tidwell and her daughter.

5 Q. And how long had they been living with
6 you at that location?

7 A. Maybe a month.

8 Q. Was she living there temporarily with
9 you?

10 A. Correct.

11 Q. And why was she not living in her own
12 residence?

13 A. She had gone through a divorce and had
14 problems with her ex-husband.

15 Q. Okay. So, did you also have a person
16 who worked on your yard as well as other yards in
17 the neighborhood by the name of Agapito Rangel?

18 A. Yes.

19 Q. And I believe y'all refer to him as
20 Pete?

21 A. Correct.

22 Q. Now, on this particular day, what time
23 did you get home from work?

24 A. I want to say a little before 3:00.

25 Q. And had you been home earlier that day?

1 A. Yes.

2 Q. What time did you leave to go to work?

3 A. I do motorcycle escorts. And I recall
4 leaving just before that and it took me about 30
5 minutes to do the escort and then I came back.

6 Q. So you were --

7 A. I had just got home.

8 Q. So you were -- I beg your pardon, sir.
9 I thought you were finished. So you had just gotten
10 home.

11 So you would have gone to work sometime
12 after 12:00?

13 A. Correct.

14 Q. I'm going to show you some photographs
15 and see if you recognize these.

16 State's Exhibit No. 1, is that your
17 house?

18 A. It is.

19 Q. All right, sir.

20 State's Exhibit No. 1, can you see it
21 from here?

22 A. Can I -- I'm sorry.

23 Q. That's okay. State's Exhibit No. 1, can
24 you see it okay?

25 A. Yes, sir. Yes, sir.

1 Q. And do you see a black substance there
2 around your chimney?

3 A. Yes, sir.

4 Q. Okay.

5 A. I want to get my glasses.

6 Q. What is that?

7 A. Some kind of black algae stuff.

8 Q. Okay. And on this particular day, May
9 27th, 2010, do you know whether or not Ms. Belinda
10 Tidwell had attempted to do any cleaning in that
11 area?

12 A. Yes, I do.

13 Q. And what was she trying to do?

14 A. Clean that algae off that chimney, both
15 sides of that chimney.

16 Q. And do you know what she was using to
17 clean it with?

18 A. I do now.

19 Q. Okay. And what was that?

20 A. Some muriatic acid.

21 Q. Okay, sir. On that occasion did you
22 actually see her physically cleaning on the outside
23 there on the bricks?

24 A. Yes, sir.

25 Q. And had she placed anything up there --

1 or had the two of you placed up anything up outside
2 your home to keep people from walking into that
3 area?

4 A. Yes.

5 Q. What was that?

6 A. I had some 5-inch wide yellow crime
7 scene tape, some old crime scene tape that I had
8 from some scenes that said "Sheriff's line, do not
9 cross" taped from pedestal to pedestal where my
10 little wall is.

11 Q. Okay. And on one end it was tied and on
12 the other end it was simply sitting on that brick;
13 is that correct?

14 A. Yes, sir.

15 Q. Okay. And that would be on the right
16 side as you walked up to your residence; is that
17 correct, sir?

18 A. Well, it was on both sides. The little
19 wall that goes across has got brick pedestals on
20 either side.

21 Q. All right. Well, I mean, did you have
22 it tied or did you -- on one end did you have it
23 sitting under a brick, you know, supporting it?

24 A. As I recall, we tied it on one end and
25 stretched it across and then set a brick on top of

1 the other side.

2 Q. Okay. And this -- this tape is a
3 lightweight plastic tape, is it not?

4 A. Yes, sir.

5 Q. All right, sir. Okay. So you got home
6 that day right before 3:00; is that correct?

7 A. It is.

8 Q. When you got home, what did you do?

9 A. I went and got into the
10 air-conditioning. It was hot.

11 Q. It was hot. And you -- I believe you
12 testified you had just come off of an escort; is
13 that correct?

14 A. Correct.

15 Q. What type of escort was that, if you
16 recall?

17 A. Truck or funeral, one or the other.

18 Q. Which means that you're out in the sun
19 on your motorcycle going through the lights and
20 doing what escorts do --

21 THE COURT: Mr. Williams, let's
22 move forward.

23 MR. WILLIAMS: All right, Judge.

24 Q. (By Mr. Williams) So that day you came
25 home and sat down in the chair; is that correct?

1 A. Yes, sir.

2 Q. Did you take off your uniform?

3 A. No, sir.

4 Q. Why didn't you take off your boots and
5 your uniform and your belt and everything?

6 A. I was just tired. I just wanted to cool
7 off first.

8 Q. Okay. So as you sat there in the chair,
9 did you see what Ms. Tidwell was doing?

10 A. Well, she was going in and out and
11 working on that stuff outside.

12 Q. Okay. Incidentally, the lady seated to
13 my right, is this Ms. Tidwell that we're talking
14 about?

15 A. Yes.

16 Q. Now, at some point in time did she ever
17 do anything that -- excitable to you or caused or
18 drew your attention to her specifically?

19 A. Yes.

20 Q. What was that?

21 A. I heard her say, "Ooh, ooh, ooh," and I
22 looked up and she was running across the back part
23 from the kitchen, the back part of my living room
24 towards the door.

25 Q. Okay. What was she carrying?

1 A. This bucket.

2 Q. Okay. And --

3 MR. WILLIAMS: May I approach
4 again, Your Honor?

5 THE COURT: Yes, sir.

6 Q. (By Mr. Williams) Was it a bucket
7 similar to this (indicating)?

8 A. Similar to it.

9 Q. Okay. That is, by size and --

10 A. Yes, sir.

11 Q. -- everything. Okay.

12 And was she carrying it with both hands
13 or do you recall?

14 A. I believe she was.

15 Q. Okay.

16 A. Because --

17 THE COURT: You've answered the
18 question.

19 Q. (By Mr. Williams) Was she running with
20 it? Was she walking in a hurry? How was she
21 proceeding to the front door?

22 A. Hurriedly, walking fast.

23 Q. Okay. And could you see why she was
24 going, "Ooh, ooh," and running fast or walking fast?

25 A. No.

1 Q. Okay. Could you smell any fumes or
2 anything coming from the bucket?

3 A. Not that set -- not right then, no.

4 Q. As she's going across the room, how was
5 she holding her head as she was carrying the bucket?

6 A. It was turned.

7 Q. And what impression did that give you by
8 her turning her head away from the bucket?

9 A. That she was smelling something.

10 Q. Okay. What did you do when you saw her
11 going across the room with the bucket?

12 A. Well, I got up to assist to see what,
13 you know, what was going on. I didn't understand
14 what was going on.

15 Q. Could you tell where she was going or
16 what she intended to do with the bucket?

17 A. She was headed for the door.

18 Q. And did you get up and -- well, what did
19 you do when you saw her headed for the door?

20 A. I got up and headed for the door.

21 Q. And what were you going to do when you
22 got there?

23 A. Either help her or assist her open the
24 door or take the bucket from her. I just got up to
25 assist.

1 Q. Okay. And when you got up to go to the
2 door, did you make it to the door or open it for
3 her?

4 A. No, she -- she beat me there.

5 Q. Okay. What happened when she got there?

6 A. She opened the door.

7 Q. And could you see the door as it opened?

8 A. No.

9 Q. Okay. Could you see her going through
10 the motion of opening the door?

11 A. Yes.

12 Q. Okay. What did she do next?

13 A. Then she threw the bucket out.

14 Q. Okay. When she threw the bucket out,
15 what did you hear -- the next thing you heard?

16 A. I want to say "Ahh" or like somebody
17 screamed.

18 Q. Okay. You couldn't see who it was at
19 the time?

20 A. Well, it took me a couple seconds to get
21 up to the door.

22 Q. So when you got there, could you see who
23 it was at the time?

24 A. Yes, I did.

25 Q. Okay. And did Dawn Tidwell or Belinda

1 Tidwell say anything that you recall?

2 A. I want to say she said, "Oh, my God," or
3 I don't recall exactly what she said -- surprised.

4 Q. Have you heard the videotape?

5 A. I have not.

6 Q. If she said, "Oh, shit," would you be
7 surprised that's what she said?

8 A. No, sir, not at all.

9 Q. All right. So you heard her say
10 something, whatever you recall she said, but felt
11 like surprise to you?

12 A. Yes, sir.

13 Q. What did you do at that point, Sergeant
14 Sieck?

15 A. I was shocked, also. I kind of stood
16 there for a minute and the lady said, "Well, what
17 was that?" And seems like I recall Dawn saying,
18 "What did you come through the tape for," or -- and
19 she was saying, "It was -- it's burning."

20 Q. Okay.

21 A. And then her husband --

22 Q. What did you do?

23 A. I'm sorry?

24 Q. What did you do after hearing that?

25 A. I was going to go out and assist her.

1 Q. Okay.

2 A. I took a step onto the patio and the
3 fumes burned my nose.

4 Q. All right, sir.

5 A. So I stepped back in the house for a
6 second. And at that point her husband came and got
7 her and there were some words said then and he took
8 her over to the hose on the side of the house.

9 Q. All right, sir. And then at what point
10 did you exit the house?

11 A. Seconds after that.

12 Q. Okay. And where did you go?

13 A. I held my breath and walked through the
14 acid stuff to go around over by the hose where she
15 was.

16 Q. Okay. Did you say anything to Belinda
17 Tidwell or to the -- first of all, let me ask you,
18 was Madison, the child, there?

19 A. She was.

20 Q. Okay. And at the point where you are
21 standing at the door, the acid smell is there and
22 before you go out, did you see Madison come to the
23 door?

24 A. No, sir.

25 Q. Okay. So you went on outside; is that

1 correct?

2 A. It is.

3 Q. And what did you do when you got
4 outside?

5 A. I went over and I want to say I
6 apologized to her.

7 Q. Okay. Did you take the hose and kink it
8 up so you could stop the water flow to her body?

9 A. No, sir.

10 Q. Okay. Did you assist in any way with
11 the hose?

12 A. I've thought about this. Her husband
13 was --

14 THE COURT: Just listen to the
15 question. Answer the question.

16 THE WITNESS: I'm sorry.

17 Q. (By Mr. Williams) Do you recall whether
18 or not you touched the hose?

19 A. Yes.

20 Q. Okay. And when you touched the hose,
21 what were you doing?

22 A. I was helping her hold it on so that the
23 water would go on her.

24 Q. And where was her husband at that time?

25 A. Behind her.

1 Q. Okay. How long do you suppose you were
2 there doing that, helping put the water on her?

3 A. Just a few seconds.

4 Q. Okay. Then where did you go?

5 A. We had called 9-1-1 and the neighbor
6 said that it was overloaded or something.

7 Q. So what did you do?

8 A. I went back through the acid and got my
9 police radio --

10 Q. Okay.

11 A. -- to summon assistance via radio.

12 Q. Were you able to make contact to get
13 assistance?

14 A. I did.

15 Q. Now, did you ever see any of the EMTs
16 that arrived there attending to Dawn Tidwell or
17 talking to her?

18 A. I did.

19 Q. And did they try to help her or to see
20 if there was anything wrong with her?

21 A. Yes.

22 Q. Okay. Now, when you went back in the
23 house -- I'm going to show you what's been admitted
24 into evidence as State's Exhibit No. 2 and ask if
25 you recognize that photograph?

1 A. Yes, sir.

2 Q. Okay. And that's a photograph of your
3 front doorway; is that correct?

4 A. That's correct.

5 Q. You see how this yellow substance is
6 accumulated on this side (indicating)?

7 A. I do.

8 Q. When it rains at your house, does not
9 water accumulate in the same way to this side?

10 A. It does.

11 Q. Why is that?

12 A. It's in a low spot right there.

13 Q. So, in other words, liquids will run
14 from this side to that and pool as it is in that
15 particular location?

16 A. Yes, sir.

17 MS. REYNA: Objection, Your Honor,
18 to leading.

19 THE COURT: Don't lead the witness.

20 MR. WILLIAMS: Thank you, Judge.

21 Q. (By Mr. Williams) What is this
22 (indicating)?

23 A. Those are the carpet tiles.

24 Q. Those are carpet tiles?

25 A. Yes, sir.

1 Q. Okay. Is that normally where those
2 carpet tiles would be found at your home?

3 A. No.

4 Q. Where would those carpet tiles have
5 been?

6 A. I had two in front of the door.

7 Q. Speak into the microphone.

8 A. I had two in front of the door on these
9 two concrete pads (indicating).

10 Q. Okay, sir.

11 A. And two just inside the door.

12 Q. All right.

13 A. Floor mats.

14 Q. Okay. So right where the bucket is
15 laying you would have had two in that position under
16 the bucket in that area (indicating)?

17 A. Yes.

18 Q. And two inside on that white tile
19 (indicating)?

20 A. Yes, sir.

21 MR. WILLIAMS: And, Judge, may I
22 show that -- publish it to the jury?

23 THE COURT: You can show it to
24 them.

25 (Exhibit published.)

1 Q. (By Mr. Williams) Okay. Those tiles,
2 as they're positioned there, are outside the house;
3 is that correct?

4 A. Yes, sir.

5 Q. Can you tell how they got outside the
6 house?

7 A. In fact, I kicked them out there.

8 Q. Okay. And when did you do that?

9 A. After I came in after the second time
10 that I came back in the house.

11 Q. And why did you kick them out of the
12 house?

13 A. We had walked on them and that chemical
14 was on those tiles and it was fuming and the fumes
15 from outside were coming in the house and I just
16 kicked everything out.

17 Q. You kicked the brown tiles out into that
18 area?

19 A. Yes.

20 Q. There's a shoe there also. Do you see
21 the shoe there in that photograph?

22 A. Yes, sir, I do see it.

23 Q. Okay. Did you kick that out there as
24 well?

25 A. Probably. If it was laying there, I

1 kicked it all out.

2 Q. So whatever was laying in the doorway
3 smelled like acid. You kicked it out into the
4 front; is that correct?

5 A. That's correct.

6 Q. All right. Now -- and this was done at
7 the time you went to get the radio or as you
8 remember coming out from getting the radio or do you
9 recall?

10 A. After I came back after the radio was
11 done.

12 Q. Okay. Now, did Ms. Roberson ever accuse
13 you of throwing acid on her?

14 A. Yes, sir.

15 Q. And when did that take place?

16 A. When I -- when I first went out there.

17 Q. And what did she say to you?

18 A. "Why did you do that?"

19 Q. Why did you do what?

20 A. "Why did you throw that on me?"

21 Q. Okay. Did she ever say that she saw you
22 at the front door with Dawn Tidwell?

23 MS. REYNA: Objection, Your Honor,
24 to the hearsay.

25 THE COURT: Overruled.

1 Q. (By Mr. Williams) Did you hear my
2 question, sir?

3 A. No, sir.

4 Q. Did she ever say to you that she saw you
5 standing at the door with Dawn Tidwell?

6 A. Not right then, no, sir.

7 Q. Not right then. When -- did she ever
8 say that to you, I asked you?

9 A. I don't recall that.

10 Q. All right. All you recall that she said
11 is "Why did you throw that on me"; is that correct?

12 A. Yes.

13 Q. Now, did you ever see the substance that
14 Dawn Tidwell was using to wash down the concrete?

15 A. After -- after it happened.

16 Q. And how was that substance contained?

17 A. In a white plastic jug.

18 Q. Okay. And was it a liquid or powder?

19 A. Liquid.

20 Q. And how many jugs did she have?

21 A. Two.

22 Q. And when was the first time you saw
23 those jugs in your home?

24 A. I believe I saw her bring them in
25 when -- before she started the job, she brought them

1 in.

2 Q. Would that have been that day or the
3 week before or what?

4 A. That day.

5 Q. Okay, sir.

6 A. Just before we put the tape up.

7 Q. Okay. Deputy Sieck, with your training
8 and all -- and how many years have you been a
9 deputy?

10 A. Thirty-three.

11 Q. Okay. Would you see someone suffering
12 from some pain or irritation from an acid or
13 substance stop the flow of water to help them?

14 A. No, sir.

15 Q. Would you do any such thing like that
16 with Ms. Roberson?

17 A. No, sir.

18 Q. Now, your gardener, your yardman,
19 Mr. Agapito Rangel, had he been at the house that
20 day?

21 A. Yes, sir.

22 Q. And do you know approximately when he
23 was at the home?

24 A. He got there -- we put the tape up
25 around noon.

1 THE COURT: Restate the question.
2 Restate the question. Answer the question as asked.
3 Don't volunteer information.

4 A. Between noon and 3:00.

5 Q. (By Mr. Williams) If I ask a question,
6 try to figure it out in your head and then give me
7 an answer.

8 A. I'm sorry.

9 Q. All right. Okay. So you think he got
10 there between noon and 3:00; is that correct, sir?

11 A. Yes.

12 Q. And do you know when he left?

13 A. Around 3:00.

14 Q. So was he present at the time when
15 the -- Ms. Tidwell threw the acid out of the house?

16 A. No.

17 MR. WILLIAMS: We pass the witness.

18 THE COURT: Ms. Reyna.

19 MS. REYNA: Thank you, Judge.

20 CROSS-EXAMINATION

21 BY MS. REYNA:

22 Q. Mr. Sieck, you and I have never met
23 before, have we?

24 A. No, ma'am.

25 Q. Okay. Never talked about this case?

1 A. No.

2 Q. Never had any other cases together,
3 correct?

4 A. No.

5 Q. You said you've known Ms. Tidwell since
6 high school; is that correct?

7 A. Correct.

8 Q. At the time of this episode, she was
9 living in your home, correct?

10 A. That's correct.

11 Q. Was she paying rent to you?

12 A. No.

13 Q. Okay. Is she still living with you now?

14 A. No.

15 Q. Okay. So she wasn't paying rent to you.

16 Were you in some form of dating relationship with
17 Ms. Tidwell?

18 A. No.

19 Q. Were you helping her pay her bills?

20 A. I did help her, yes.

21 Q. Pay her cell phone bill?

22 A. Yes.

23 Q. What other bills did you pay?

24 A. Cell phone bill and I think I helped her
25 a couple of times with her note on her house.

1 Q. Help her with any attorney's fees for
2 matters unrelated to this?

3 A. I'm sorry?

4 Q. Help her with attorney's fees?

5 A. Yes.

6 Q. Okay. So you've given her a lot of
7 money?

8 A. Yes, ma'am.

9 Q. And -- but there was no dating
10 relationship; is that correct?

11 A. No, ma'am.

12 Q. Okay. So you said that you got home --
13 well, let me back up.

14 Did you go to work that morning at all,
15 that Thursday morning?

16 A. I work kind of sporadically, yes. I go
17 in the morning and afternoon. I work all day.

18 Q. Okay. What time -- was Ms. Tidwell and
19 her daughter, Madison, were they there at the home
20 that morning or did they come later?

21 A. No, they were at her farm up in Katy
22 that morning.

23 Q. Okay. Do you know about what time they
24 got to your residence?

25 A. Around noon, before noon.

1 Q. And did they have the muriatic acid with
2 them at that point?

3 A. Yes.

4 Q. And you've already testified the goal
5 was to clean the algae off the front entryway. What
6 time approximately did you-all put the crime scene
7 tape up?

8 A. Around noon is when she started.

9 Q. And why did you put crime scene tape up?

10 A. To keep -- because we had done this
11 before and --

12 Q. Done this before with muriatic acid?

13 A. No.

14 Q. Okay. With what?

15 A. With another kind of chemical bleach I
16 think she used.

17 Q. Okay. So you've used it with bleach.
18 Why did you have to put crime scene tape up?

19 A. Because we wound up tracking that bleach
20 into my house.

21 Q. And so the crime scene tape was to help
22 keep you from tracking --

23 A. Keep anybody out, keep everybody out of
24 there.

25 Q. Okay. Although y'all could obviously

1 still track it in the home if you were coming in and
2 out of the front door, correct?

3 A. The person that's working on it would
4 be, yes.

5 Q. Right. So it keeps anybody, neighbors,
6 mailman, yard guy from coming up to the front door?

7 A. Correct.

8 Q. And because this is -- it's muriatic
9 acid, also it's not the safest of substances, right?

10 A. I don't know anything about it, ma'am.

11 Q. Okay. But you smelled it, right?

12 A. I know it hurts you when you breathe it.

13 Q. Yeah. And it hurt you just to breathe
14 it?

15 A. Correct.

16 Q. So imagine it thrown on your face, on
17 your person and in your mouth. It's pretty bad,
18 huh?

19 A. Yes, ma'am.

20 Q. So you put the crime scene tape up
21 around noon, and then you said you had to leave for
22 an escort. Do you remember approximately what time
23 you left?

24 A. I want to say around 1:00.

25 Q. Okay. At that time did you see

1 Ms. Tidwell -- she already tried to use the acid to
2 clean one side of the chimney; is that correct?

3 A. I didn't actually stand out there and
4 watch her; but, yes, I saw her working on it.

5 Q. And this was before you left?

6 A. Before I left.

7 Q. Okay. And I'm sorry. You left around
8 1:00. And approximately what time did you get back?

9 A. 2:00, 2:30.

10 Q. When you left around 1:00, did you go
11 out the front door or the side door?

12 A. I always go out the back. My motorcycle
13 is in the back.

14 Q. Okay. So you didn't see if the crime
15 scene tape was still up when you left at 1:00?

16 A. No.

17 Q. And when you got back 2:00 to 2:30, did
18 you go in the front door?

19 A. I drove in the driveway.

20 Q. Okay. So you went in the same back
21 door. So you didn't know if the crime scene tape
22 was still up between 2:00 to 2:30?

23 A. When I came back home, I glanced at it
24 when I pulled in and it was still up.

25 Q. Okay. And did you see Ms. Tidwell take

1 the tape down in front of Madison?

2 A. No.

3 Q. So you weren't out there for that part?

4 A. (Shakes head.)

5 Q. So you get home and you're obviously
6 pretty hot in your high leather boots. They have to
7 be hot in themselves. You're riding around on your
8 motorcycle in Houston in May so you go in and you
9 want to cool down. You sit in your chair. And this
10 you said was shortly before 3:00. Is that -- I'm
11 sorry. She's taking down everything we say.

12 A. Yes.

13 Q. Okay. Do you notice when Mary Roberson
14 and her husband drive up?

15 A. No.

16 Q. And you know it's Thursday around 3:00,
17 correct?

18 A. Normally they come around 3:00, yes.

19 Q. Right. So it's Thursday. The normal
20 pattern is for somebody to come pick up Madison at
21 your residence?

22 A. Correct.

23 Q. So were you expecting them that day?

24 A. Yes, ma'am.

25 Q. Do you know if Ms. Tidwell was expecting

1 them that day?

2 A. Yes, ma'am.

3 Q. Was Madison expecting them that day?

4 A. Yes.

5 Q. In fact, wasn't Madison in the bathroom
6 washing off her dog so she could take her dog with
7 her?

8 A. I believe she was, yes.

9 Q. So everybody knows they're coming?

10 A. Correct.

11 Q. And do you hear a honking outside?

12 A. No.

13 Q. Because you know the Robersons try not
14 to have too much contact --

15 MR. WILLIAMS: Objection, Your
16 Honor, to the statement she's making.

17 THE COURT: How about the form of
18 the question?

19 Q. (By Ms. Reyna) Do you know from prior
20 experience whether the Robersons liked to have
21 contact with Ms. Tidwell when they come to pick
22 up --

23 MR. WILLIAMS: Objection, Your
24 Honor, to the form of the question and the relevance
25 of the question, Your Honor.

1 THE COURT: Sustained.

2 Q. (By Ms. Reyna) So what you're saying is
3 you didn't hear the honking?

4 A. I did not hear honking, no.

5 Q. Okay. Then you testified -- did you
6 actually observe Ms. Tidwell mixing the acid inside
7 the home?

8 A. I'm sorry. Miss the what?

9 Q. Did you actually observe the Defendant
10 mixing the muriatic acid inside the house in the
11 bucket?

12 A. Missing?

13 Q. Mixing. I'm sorry.

14 A. Mixing?

15 Q. Mixing.

16 A. No.

17 Q. Okay.

18 A. I heard her.

19 Q. You heard her. And did you actually see
20 the bucket when she started running with it?

21 A. Yes.

22 Q. And do you know approximately how much
23 liquid was in there?

24 A. I had no way of knowing.

25 Q. So you never knew at any point how much

1 liquid was in there?

2 A. No.

3 Q. Do you remember having a conversation
4 with Deputy Fisher with the sheriff's office at a
5 substation?

6 A. Yes.

7 Q. And do you remember it being recorded?

8 A. Yes.

9 Q. Do you remember that it was recorded? I
10 need an answer.

11 A. Okay.

12 Q. Okay. Do you remember that this took
13 place on June 14th, 2010?

14 A. That sounds right.

15 Q. At about 11:51 a.m.?

16 A. Okay.

17 Q. Do you remember telling him that the
18 bucket was approximately three-quarters full?

19 A. No, I don't recall that.

20 Q. Could you have told him that the bucket
21 she was using was only about three-quarters full?

22 A. I may have. I may have told him that.

23 Q. And do you remember telling him that she
24 came inside the kitchen, put water and acid in the
25 bucket and that it started to smoke?

1 A. Yes.

2 Q. But you just testified that you never
3 saw it smoking and you didn't observe her mixing it?

4 A. Well, I know that it was smoking when
5 she started running with it.

6 Q. Okay. And --

7 MS. REYNA: Permission to approach
8 the witness, Your Honor?

9 THE COURT: You may.

10 Q. (By Ms. Reyna) Let's get to that. So
11 at some point you say it's three-quarters full; is
12 that correct?

13 A. Yes.

14 Q. So a five-gallon bucket, three-quarters
15 is going to be pretty heavy?

16 A. Okay.

17 Q. So you said you saw her running with it
18 saying "Ooh, ooh"; right? Is that correct?

19 A. Yes.

20 Q. Okay. And it's smoking, correct?

21 A. Correct.

22 Q. And you saw her running with it
23 two-handed because there's liquid, it's smoking and
24 it's heavy, correct?

25 A. Yes.

1 Q. You've got it two-handed by this metal
2 handle?

3 A. Yes.

4 Q. Okay. So then I'll show you what's
5 marked as State's Exhibit No. 8. It's been entered
6 into evidence. Do you recognize that?

7 A. Yes.

8 Q. What is it?

9 A. It's my front entranceway.

10 Q. Okay. So the door opens inward if
11 you're standing outside the door, correct?

12 A. It does.

13 Q. And so if Ms. Tidwell is running with
14 this bucket two-handed, runs up to the door -- now,
15 you don't open the door for her, right? She beats
16 you to it?

17 A. I didn't make it.

18 Q. So she's got to take one hand off the
19 bucket to open the door, correct?

20 A. Uh-huh.

21 Q. Push it back and then she's got to take
22 two hands, one on the bottom of the bucket to throw
23 the acid out, correct?

24 A. Uh-huh.

25 Q. And you, in fact, you saw her do that?

1 A. Well, I hadn't quite made it to -- but,
2 yes, she did throw -- pitch the bucket out.

3 Q. So you saw her open the door with one
4 hand --

5 A. Uh-huh.

6 Q. -- put her hand back on the bucket and
7 then throw the contents out?

8 A. Yes.

9 Q. Were you standing where you could see
10 Ms. Roberson at the door?

11 A. Not until I got to the door.

12 Q. But you heard her scream, right?

13 A. Yes.

14 Q. And you heard her screaming as if she's
15 in pain, correct?

16 A. I'm sorry?

17 Q. You heard her screaming as if she's in
18 pain?

19 A. I did.

20 Q. And you went out there and the fumes hit
21 you and you were in pain from the smell of it?

22 A. I was.

23 Q. So did you call 9-1-1 immediately to get
24 her help?

25 A. No, I went to assist her myself.

1 Q. Okay. So you --

2 A. What I -- I backed away from the fumes
3 and caught my breath initially.

4 Q. Okay. But didn't you have a radio on?

5 A. No, I didn't have it on me.

6 Q. Did you tell Ms. Tidwell to call 9-1-1
7 while you go out and check on her because if it
8 hurts when you breathe it, it's going to hurt when
9 it's on your skin?

10 A. No, I backed away shortly and then I
11 went through the acid, told her where she had --
12 they had gone by the hose, went to assist them over
13 there.

14 Q. Okay. And from there did you yell at
15 Ms. Tidwell to call 9-1-1, call an ambulance?

16 A. No, I told -- my neighbor had came out
17 because she heard the scream and my neighbor had
18 came out and I told her to call 9-1-1 and she did.

19 Q. And you've said you went over and you
20 apologized to Ms. Roberson?

21 A. I did.

22 Q. And that was nice of you to do because
23 it wasn't you who threw the acid, correct?

24 A. Well, it was an accident.

25 Q. You weren't standing in Ms. Tidwell's

1 position, were you?

2 A. No.

3 Q. You can't say whether Ms. Tidwell saw
4 Ms. Roberson standing there, can you?

5 A. All I know is what she told me.

6 Q. So all you know is what she told you,
7 right?

8 A. Yes.

9 Q. And she, of course, is telling you it's
10 an accident?

11 A. She did.

12 Q. And so you're testifying in front of
13 this jury that this was an accident because she told
14 you that?

15 A. Yes.

16 Q. Not based on fact, correct?

17 A. Well, I don't know what's in her head.

18 Q. Thank you.

19 And you did assist with the hose,
20 correct, because she was trying to water herself
21 down, hose herself down, get the stuff off of her,
22 right?

23 A. Yes.

24 Q. Is it possible, did you -- you did say
25 with Connie that you touched the hose, correct?

1 A. I did touch the hose.

2 Q. And is it possible you were rolling it
3 and may have kinked it inadvertently?

4 A. No.

5 Q. No. Okay.

6 A. No.

7 Q. And even inadvertently just trying to --

8 A. No.

9 Q. -- get them more access?

10 A. There's no way I did that.

11 Q. I mean, I'm saying even accidentally?

12 A. No.

13 Q. Okay. Now, you said -- and, you know,
14 as attorneys in trial, there's certain words that we
15 don't like and you can probably understand this.
16 You testified with Mr. Williams, you said "I think I
17 kicked the tiles out there," and "I probably kicked
18 the shoe out." Those -- those are not words of
19 certainty.

20 MR. WILLIAMS: Judge, I'm going to
21 object to the statement. Ask that she ask him a
22 question.

23 THE COURT: Sustained.

24 Q. (By Ms. Reyna) You're not certain that
25 you kicked those tiles out, are you?

1 A. I'm pretty sure I did, yes, ma'am.

2 Q. You're pretty sure?

3 A. I'm pretty sure.

4 Q. Okay. But you're not 100 percent
5 certain?

6 A. No, that's been two years.

7 Q. And you're pretty sure you kicked the
8 shoe out?

9 A. I think -- if it was inside that door, I
10 kicked all that out.

11 Q. Okay. And you said the yard man was
12 there, correct?

13 A. I said what?

14 Q. The yard man was there, Mr. --

15 A. Not when the incident occurred, no. He
16 was there earlier.

17 Q. Earlier. Okay.

18 MS. REYNA: I'll pass the witness,
19 Judge.

20 THE COURT: Anything further?

21 MR. WILLIAMS: One other question,
22 Your Honor.

23 REDIRECT EXAMINATION

24 BY MR. WILLIAMS:

25 Q. Mr. Sieck, are you the ex-brother-in-law

1 of Ms. Tidwell?

2 A. I am.

3 Q. She was married to your brother; is that
4 correct?

5 MS. REYNA: Objection, Your Honor,
6 to the leading.

7 THE COURT: Don't lead your
8 witness.

9 MR. WILLIAMS: All right.

10 Q. (By Mr. Williams) Who was she married
11 to that would make her your -- make you her
12 brother-in-law?

13 A. I was married to her sister.

14 Q. Oh, okay. You were married to her
15 sister. Okay.

16 MR. WILLIAMS: We'll pass the
17 witness, Your Honor.

18 THE COURT: Anything further?

19 MS. REYNA: Nothing further from
20 the State.

21 THE COURT: You may stand down.
22 Wait in the hall.

23 Call your next.

24 MR. WILLIAMS: May I make an
25 inquiry about the interpreter? She was supposed to