

1 held in the presence of the jury.)

2 THE COURT: Okay, ladies and gentlemen,
3 this witness has been sworn in. He's under oath.
4 And for the record, please call your next witness.

5 MS. WATERS: Thank you, Your Honor. At
6 this time, the State would call Deputy Sams.

7 THE COURT: You may proceed.

8 MS. WATERS: Thank you.

9 **DEPUTY MICHAEL SAMS,**

10 having been first duly sworn, testified as follows:

11 **DIRECT EXAMINATION**

12 BY MS. WATERS:

13 Q. Deputy, would you state your name for the jury,
14 please?

15 A. Michael Sams.

16 Q. Where are you employed?

17 A. At the Harris County Sheriff's Department.

18 Q. How long have you worked for the Sheriff's
19 Department?

20 A. About 18 years.

21 Q. What do you do for the Sheriff's Department?

22 A. At the moment, I'm a crime scene investigator.

23 Q. And how long have you done that?

24 A. Approximately eight years now.

25 Q. What did you do before that?

1 A. Before that, I was in the jail, then I was
2 undercover narcotics for about three years. So, it's been
3 my main job at the Sheriff's Department.

4 Q. Are you a certified peace officer in the state
5 of Texas?

6 A. Yes, I am.

7 Q. And did you go to -- do y'all have your own
8 academy?

9 A. I went to HCC Academy and applied for the
10 Harris County Sheriff's Department.

11 Q. And did you -- once you get a job with the
12 Harris County Sheriff's Department, what kind of training
13 do they have once you are actually working for the County?

14 A. I went through -- well, for a peace officer,
15 it's -- well, when I was in the jail, we had a program set
16 up for dealing with inmates within the jail, the confines.
17 Then when I was an OC, which is basically narcotics, I
18 went through training of how to purchase narcotics, and
19 things of that nature, and make arrests and things. Then
20 when that ended, I went back into the jail for a short
21 stint, and then came out into the crime scene.

22 Q. Do you have training to be a Crime Scene Unit
23 officer?

24 A. Yes, ma'am. There's a myriad of education we
25 have to go through from fingerprint training to blood

1 spatter analyst to processing different types of evidence;
2 just a myriad of outside and inside training that we
3 receive.

4 Q. Now, on this day, were you called to go out to
5 a scene in 1960 and Humble-Westfield area?

6 A. Yes, I was.

7 Q. Were you called to go out to that Shell Station
8 out in that area?

9 A. Yes, ma'am.

10 Q. Is that in Harris County, Texas?

11 A. Yes, ma'am.

12 Q. And were you the primary Crime Scene Unit
13 officer on the scene, or were you there to help someone
14 else?

15 A. I was there to assist CSI Carpenter.

16 Q. Do you recall what time you went out to that
17 location?

18 A. It was approximately -- it was at night, early
19 in the morning, I believe. I don't know the exact time.
20 The call slip would probably illustrate which time it was.

21 Q. When you got there, were you asked to do
22 certain things?

23 A. Yes.

24 Q. And, so, what is it that you did on this case
25 on September 2, 2011, when you responded to that Shell

1 Station?

2 A. In assistance to CSI Carpenter, I assisted him
3 with measuring of evidence, the collection of evidence
4 also at the Shell Station, I photographed people of
5 interest that were brought to me, I administered GSR kits
6 to them and took buccal swabs, which is basically a DNA
7 swab that is used for analysis later.

8 Q. And those were three people that were brought
9 to the Shell Station while you were there?

10 A. Yes.

11 MS. WATERS: May I approach, Your Honor?

12 THE COURT: Yes, ma'am.

13 Q. (By Ms. Waters) Deputy, I'm going to start out
14 showing you State's Exhibits 64, 65, 66 and 67. Do you
15 recognize the people in those photographs?

16 A. Yes, I do.

17 Q. And 64 and 65, are those the same person?

18 A. Yes, they are.

19 Q. And 66 and 67 are two different people?

20 A. Yes, they are.

21 Q. And you came in contact with them on
22 September 2, 2011?

23 A. Yes.

24 Q. At the Shell Station?

25 A. Yes, I did.

1 MS. WATERS: At this time, I would offer
2 into evidence 64, 65, 66 and 67.

3 MR. DUARTE: No objection, Your Honor.

4 THE COURT: They are admitted. Give me
5 those numbers one more time.

6 MS. WATERS: 64, 65, 66 and 67.

7 THE COURT: Okay.

8 (Whereupon State's Exhibit Nos. 64-67
9 are is admitted into evidence.)

10 Q. (By Ms. Waters) And, Deputy, did you also --
11 you mentioned doing a GSR kit on them?

12 A. Yes, ma'am.

13 Q. And could you tell the jury what that is?

14 A. A GSR kit is a gunshot residue kit. Basically,
15 it's for the collection of any gunshot residue on the
16 hands in case that person has fired a weapon, and if
17 there's any -- enough residue left on the hand, the kit,
18 hopefully, will pick that up for analysis.

19 Q. And is that residue that -- are you familiar
20 with the results of that and the way -- the ability to get
21 positive results from those kits? You have some training
22 in that?

23 A. Yes, on how to apply and administer.

24 Q. On how to administer it?

25 A. Yes, ma'am.

1 Q. Do you have much training on what the
2 likelihood is of getting a result from it?

3 A. It's so many different factors. It depends on
4 did they actually fire it, or were they just close to it,
5 how quickly you are able to get to these people after they
6 have shot a weapon, have they wiped their hands down, have
7 they been touching things. The GSR can be removed from
8 their hands as they touch things.

9 Q. So, I'm going to show you what's been marked as
10 State's Exhibit 103. Is this a blank GSR kit?

11 A. Yes, it is. Yes.

12 Q. And when you start your process, is that what
13 you start with?

14 A. Yes, ma'am.

15 Q. Does it come to you like that?

16 A. It comes sealed.

17 Q. Okay. What's contained within -- in those
18 kits?

19 A. Usually, there's a form you fill out, an
20 instruction sheet.

21 Q. Is there a form in that kit?

22 A. Yes, there is. It's pulled out like this. In
23 it we have three swabs. There is a label, a sealed label.

24 Q. Evidence tag?

25 A. Evidence tag. There's a pair of gloves,

1 sterile gloves; and once again, there's a form you fill
2 out and an instruction.

3 Q. And the form is something that you -- you ask
4 the same person every question as you are administering
5 this test?

6 A. Usually, I will do it either before or after
7 the test, not during.

8 Q. But -- okay. But you ask each person -- they
9 do the form so you are always asking each person the same
10 thing?

11 A. Yes.

12 Q. Because it will kind of determine what they
13 need to know --

14 A. Correct.

15 Q. -- for you to get from the person when you are
16 filling it out?

17 A. Yes.

18 Q. And do you remember on this case whether you
19 did it before or after talking to them?

20 A. No, I don't remember whether I did it before or
21 after.

22 Q. Now, on these vials, they are marked right
23 hand, left hand, and control?

24 A. Yes, ma'am.

25 Q. What does that mean?

1 A. The right and left hand are for the person
2 person of interest that you're going to actually
3 administer the test to. The control is for myself.
4 Basically, I would put on the gloves in such a manner or
5 fashion. It's a little tough for me to get these on.

6 Q. Do they come in a larger size?

7 A. No. This is usually the size that comes with
8 it, and usually I put them both on, and then I remove the
9 control swab from the vial.

10 Q. Can you kind of hold that up and show the jury
11 what's inside?

12 A. Basically, it is a flat piece of metal. We
13 call it a swab that has like little sticky -- just sticky
14 on the end. And then you go over each finger, down the
15 palm, go back up, and you come back down, try to cover the
16 entire hand, and onto the thumb, and then on the backside.
17 I continue the process like this until I've covered the
18 entire hand, and then to the palm. And once that's
19 completed on both hands, I use the same swab on both
20 hands.

21 Q. For the control?

22 A. For the control. I then enclose it. And,
23 basically, what that does is if I have GSR on myself, I'm
24 not transferring it onto the person. So, I always do
25 myself first, not last, because if I do myself last, then

1 I have it on me and I transfer it onto them, then they are
2 going to have it. So, I usually will do it to myself.
3 And, also, as a backup -- if I can illustrate on you.

4 Q. Yes, sir.

5 A. I will -- I never grab their hands. I always
6 grab up around their wrist so that I don't touch their
7 hands, and then I will administer left or right hand,
8 whichever is proper, onto them and and seal it up.

9 Q. Without gloves?

10 A. Yeah, they don't have gloves on. I'm the only
11 one that has gloves on. Basically, I'm doing it with my
12 gloves because that's what I'm touching them with. So,
13 once I've completed that, I discard the gloves.

14 Q. Okay. So, then, you -- after you did -- you do
15 the right hand, you put it in here?

16 A. Right, and the same thing with the left hand.

17 Q. Okay.

18 A. I do their hands individually; I do my hands
19 together on the control.

20 Q. Okay. And on this form that you -- it's got
21 certain questions for you to ask them?

22 A. Yes.

23 Q. Is that right?

24 A. Correct.

25 Q. And certain things for you to know; is that

1 correct?

2 A. Yes.

3 Q. Now, I'm going to show you a photograph of 64
4 and 65. Do you remember taking the GSR samples from the
5 suspect?

6 A. Yes, I do.

7 Q. Is this person present in the courtroom today?

8 A. Yes, he is.

9 Q. And could you identify him and describe
10 something that he's wearing?

11 A. He's sitting at the table. He has a gray
12 striped shirt on.

13 THE COURT: He's identified the defendant.

14 MS. WATERS: Thank you, Your Honor.

15 Q. (By Ms. Waters) Does he look different today
16 than he did back on September 2, 2011?

17 A. Yes, his hair is much longer now.

18 Q. Back then did he just have short hair?

19 A. Short hair, yes, ma'am.

20 Q. And did you ask him his name?

21 A. Yes, ma'am.

22 Q. What did he tell you his name was?

23 A. Told me his name was Kendell Davis.

24 Q. And did you write that on the piece of paper
25 and put it in front of him, or you or Carpenter?

1 A. I did, yes, ma'am.

2 Q. And did you also do the same test on another
3 suspect who's identified in 66?

4 A. Yes, I did.

5 Q. And what was the name of that person?

6 A. Juan Ybarra.

7 Q. Did you also do a test on another suspect -- of
8 another person of interest on State's Exhibit No. 67?

9 A. Frederick Johnson.

10 Q. And you did the same procedure for all three of
11 them?

12 A. Yes, ma'am.

13 Q. Let's talk about -- going back to Kendell
14 Davis. Did you -- I'm going to show you what's been
15 marked as State's Exhibit No. 16. Is this the form you
16 would have filled out when you were doing his GSR test?

17 A. Yes, it is.

18 MS. WATERS: And, Your Honor, if I could,
19 I'd like to put a picture of him on the stand while
20 the officer is talking about it.

21 THE COURT: Sure.

22 Q. (By Ms. Waters) Did I say 16 or 116? I meant
23 116. Okay, is this the person we're talking about that
24 told you his name was Kendell Davis?

25 A. Yes, it is.

1 Q. And when you spoke to him --

2 MS. WATERS: May I approach, Your Honor?

3 THE COURT: Yes, ma'am.

4 Q. (By Ms. Waters) And I'm referring to 116. When
5 you talked to him and you filled out the form, did you --
6 what were the questions -- what were the questions that
7 you asked?

8 A. I asked if he's left- or right-handed.

9 MR. DUARTE: I'm going to object, Your
10 Honor. If he's going to be testifying from the form
11 she needs to introduce it into evidence so I can make
12 proper objections to that form, Your Honor.

13 THE COURT: What is the document?

14 MS. WATERS: It's the standard GSR form
15 that he filled out each time he's doing the test.
16 This is the one he filled out when he was doing the
17 test.

18 MR. DUARTE: Can we approach, Judge?

19 THE COURT: Yes, sir.

20 (Whereupon counsel approached the
21 bench out of the hearing of the jury.)

22 MS. WATERS: Standard form.

23 THE COURT: What's your objection, sir?

24 MR. DUARTE: I was going to object -- if I
25 can see if that's the same one that I've seen. May I

1 see it, Judge?

2 THE COURT: Yes, sir.

3 MR. DUARTE: Here's that statement that he
4 says that he handled a shotgun shell that same day.
5 I'll object to that as being hearsay and under 403,
6 Your Honor.

7 THE COURT: It's overruled.

8 MS. WATERS: Thank you, Your Honor.

9 (Whereupon the following proceeding is
10 held in the hearing of the jury.)

11 MS. WATERS: At this time, I would offer
12 into evidence State's Exhibit 116.

13 THE COURT: All right. And your objection
14 has been noted for the record.

15 MR. DUARTE: Thank you, Judge.

16 THE COURT: It's admitted.

17 (Whereupon State's Exhibit No. 116 is
18 admitted into evidence.)

19 MS. WATERS: Thank you, Your Honor.

20 Q. (By Ms. Waters) Okay, Deputy. So, when you
21 spoke to the defendant who identified himself as Kendell
22 Davis, what were the questions that you asked him?

23 A. I asked him if he's left- or right-handed. I
24 look at his hands to see if there was any debris on his
25 hands. Also, I'll ask the subject his occupation, what he

1 does for a living.

2 Q. Let me back up. Did you see any debris on his
3 hands?

4 A. No. I asked what has he been doing since the
5 incident occurred.

6 Q. What did he tell you?

7 A. Sitting in the backseat of a patrol vehicle.

8 Q. And --

9 A. And he was also chased up into a tree and on a
10 roof.

11 Q. Okay.

12 A. And, also, I asked him -- specifically, I
13 usually will read this question to the person, and the
14 question is: Have you recently shot a firearm, handled a
15 discharged firearm, or been in close proximity to a
16 firearm that has been discharged? And he said, "No."

17 Q. And then what else did he say?

18 A. And then he stated that he had handled shotgun
19 shells on that day.

20 Q. That day. So, he said he had been handling
21 shotgun shells, but he denied anything else?

22 A. Yes.

23 Q. And then I'm going to show you State's
24 Exhibit 117. Is this the actual vials and the envelope
25 that you filled out for the defendant known to you at that

1 time as Kendell Davis?

2 A. If it was placed into that package, yes. The
3 vials themselves, I don't write on, but I place them into
4 a package and seal them.

5 Q. And any notations that would have been done on
6 them would have been done at a later time by whoever is
7 analyzing them?

8 A. Correct.

9 Q. And does this form also go inside that or is it
10 attached with this envelope?

11 A. It goes inside. I usually will -- at work will
12 make a copy of it and then I will place the original into
13 the packaging.

14 Q. All right.

15 MS. WATERS: At this time, I would offer
16 into evidence State's Exhibits 117 and its contents.

17 MR. DUARTE: There's no objection, Judge.

18 THE COURT: All right, 117 is admitted.

19 (Whereupon State's Exhibit No. 117 is
20 admitted into evidence.)

21 Q. (By Ms. Waters) Now, Deputy, did you do the
22 same thing when you spoke to Juan Ybarra?

23 A. Yes, I did.

24 MS. WATERS: At this time, may I approach
25 the projector, Your Honor?

1 THE COURT: Yes, ma'am. Use the well as
2 you need.

3 MS. WATERS: Thank you, Your Honor.

4 Q. (By Ms. Waters) Deputy, do you recognize this
5 person here?

6 A. Yes, I do.

7 Q. How did he identify himself to you?

8 A. As Juan Frank Ybarra.

9 Q. And did you do the same thing with him as you
10 had done with Mr. Davis at the time you were doing the
11 gunshot residue analysis on his hands?

12 A. Yes, I did.

13 Q. And I'm going to hand you State's Exhibit 119.
14 Is that the form you filled out, or a copy of the form you
15 filled out when you were talking with Mr. Ybarra?

16 A. Yes.

17 Q. And what did he tell you regarding that in
18 response to the same questions you had asked Mr. Davis?

19 A. He was right-handed, there's no debris on his
20 hands, he did not have a job at the time, he had been
21 sitting in the backseat of the patrol vehicle, and when I
22 read him the question, he said, "Yes."

23 Q. When you read him the question, "Have you
24 recently fired a handgun, fired a firearm -- well, the
25 question, "Have you recently shot a firearm, handled a

1 discharged firearm, or been in close proximity to a
2 firearm when it was discharged?," he said, "Yes." What
3 was his explanation?

4 A. And he said he was in the vehicle when the
5 firearm was discharged.

6 Q. All right. Now, the next person was a person
7 of interest named Frederick Johnson. Did you go through
8 the same process with him?

9 A. Yes, I did.

10 Q. And did he indicate to you that he had been
11 anywhere near a firearm at that time?

12 A. No.

13 Q. Where had he been previous to the test being
14 done?

15 A. He said he had been standing around waiting for
16 patrol to release him.

17 Q. And you don't know how Mr. Johnson got to the
18 station, or Mr. Ybarra, or Mr. Davis?

19 A. No, I don't.

20 MS. WATERS: At this time, Your Honor, I
21 would offer into evidence State's Exhibits 119 and
22 122.

23 MR. DUARTE: No objection, Judge, to 119 or
24 122.

25 THE COURT: 119 and 122 are admitted.

1 (Whereupon State's Exhibit Nos. 119
2 and 122 are admitted into evidence.)

3 MS. WATERS: Thank you, Your Honor.

4 Q. (By Ms. Waters) Now, Deputy Sams, did you also,
5 when you're with these three individuals, get a buccal
6 swab from them?

7 A. Yes, I did.

8 Q. Could you tell the jury what that is?

9 A. Buccal swab is basically a swab that checks
10 DNA. It's taken from a sterile container. We put on
11 gloves, we open it from -- the swab looks like a long
12 Q-tip, but it's only one swab on the end of it, one end.
13 We open the sterile container, we place it in the person's
14 mouth, usually swab one side and then the other, and then
15 once it's complete, we place it into a sterile box and
16 seal it.

17 Q. And did you do that on each of those three
18 individuals?

19 A. Yes, I did.

20 Q. Did you also fill out a form for each three,
21 and did they consent to their buccal swab -- I say buccal
22 you say buccal swab -- being obtained?

23 A. Yes.

24 Q. I'm going to show you State's Exhibit 81, 83
25 and 85. Do you recognize these forms?

1 A. Yes, I do.

2 Q. And 81, was that signed by Kendell Davis, the
3 defendant?

4 A. Yes, it was.

5 Q. And is 83 signed by Juan Ybarra?

6 A. Yes, it is.

7 Q. And 85 would have been signed by Frederick
8 Johnson?

9 A. Yes.

10 Q. Did they all three agree to allow you to
11 collect the DNA evidence?

12 A. They voluntarily allowed me to do that.

13 Q. And after you did the Q-tip swab on their
14 mouth, did you place each of these swabs in the envelopes?

15 A. Yes.

16 Q. That would be -- 82 would be the swab belonging
17 to Kendell Davis?

18 A. Yes.

19 Q. And 84 would be the swab belonging to Juan
20 Ybarra?

21 A. Yes.

22 Q. And 86 being the swab belonging to Frederick
23 Johnson?

24 A. Yes.

25 MS. WATERS: At this time, I would offer

1 into evidence 81 through 86.

2 MR. DUARTE: There's no objection, Judge.

3 THE COURT: They are admitted.

4 (Whereupon State's Exhibit Nos. 81-86
5 are admitted into evidence.)

6 Q. (By Ms. Waters) Now, these envelopes, when you
7 turn them in, they don't have the evidence tape on them,
8 right?

9 A. Correct.

10 Q. You just seal them?

11 A. I just close them up for the time.

12 Q. And anytime there's any evidence tape would be
13 indicative of someone opened it and they have to close it,
14 tape it, and then initial it; is that correct?

15 A. That's correct.

16 Q. Deputy Sams, did you do anything else in
17 relation to this case?

18 A. No, ma'am.

19 Q. And what I didn't offer was State's
20 Exhibit 123, and that would be the test that you did on
21 Frederick Johnson; is that correct?

22 A. Yes, I did the same GSR test on him also.

23 MS. WATERS: I would also offer that into
24 evidence.

25 MR. DUARTE: There's no objection, Judge.

1 THE COURT: It's admitted. What number?

2 MS. WATERS: 123.

3 THE COURT: Okay. Thank you.

4 (Whereupon State's Exhibit No. 123 is
5 admitted into evidence.)

6 Q. (By Ms. Waters) I'm sorry, did you do anything
7 else?

8 A. No, ma'am.

9 Q. You were there to assist Carpenter with this
10 particular part of the investigation?

11 A. Correct. Yes, ma'am.

12 Q. Did you also transport the vest back to the
13 station, or did Carpenter handle the vest?

14 A. I believe I turned it over to Carpenter and he
15 took it back. I believe I placed it into a bag at the
16 office. I believe I handed all that evidence over -- I
17 know I turned the GSR, the photographs I had taken, also
18 the buccal swabs, and the vest over to Carpenter.

19 MS. WATERS: Pass the witness.

20 THE COURT: All right. Any cross?

21 MR. DUARTE: Yes, sir. Thank you.

22 THE COURT: You may proceed.

23 **CROSS-EXAMINATION**

24 BY MR. DUARTE:

25 Q. Good afternoon, Deputy Sams. How you doing?

1 Just a couple of questions. You went out on this
2 investigation to the Shell Station at 1960 and Westfield,
3 correct?

4 A. Yes, I did.

5 Q. When you got there, there were several people
6 that you had contacted, Mr. Ybarra, a person that
7 identified himself as a Kendell Davis, and then this other
8 gentleman, a Mr. Johnson, correct?

9 A. Yes, sir.

10 Q. And the photographs that we've seen here this
11 afternoon, this one right now with Juan Ybarra, you took
12 that picture, correct?

13 A. Yes, sir.

14 Q. And their hands are behind them, their hands
15 are handcuffed; is that correct, at that point?

16 A. I believe so. Yes, sir.

17 Q. Before you do a GSR test on a person of
18 interest, a suspect, or whomever you are asked to take a
19 GSR test, is it customary that their hands be what,
20 bagged?

21 A. Yes, sir.

22 Q. And can you explain to the jury -- the ladies
23 and gentlemen of the jury what I mean by the hands being
24 bagged?

25 A. Usually, if it's available and there's a person

1 of question that's been in a shooting, paper bags will be
2 placed over their hands and then taped around the wrist;
3 this is to prevent them from wiping their hands off and
4 also from them getting any GSR on them. So, it is normal
5 to have their hands bagged.

6 Q. And the purpose of the bagging is to preserve
7 evidence; is that correct?

8 A. Yes, sir.

9 Q. So, to the best of your recollection, the three
10 individuals that you had contact with out there at the
11 Shell Station on that morning, they had their hands
12 bagged; is that correct?

13 A. Let me check and see. Yes, Mr. Davis had his
14 hands bagged. I failed to note on here. There's not a
15 space for it. Usually, I will just write it up in the
16 corner. I have that Mr. Davis had his hands bagged, but I
17 failed to note whether Mr. Ybarra or Mr. Johnson had their
18 hands bagged.

19 Q. But on the form that you filled out for the
20 individuals that identified himself as Kendell Davis --

21 A. Yes.

22 Q. -- you did make a specific notation that his
23 hands had been preserved for the collection of potential
24 GSR, correct?

25 A. Yes, sir. Yes, sir.

1 Q. And, again, GSR is --

2 A. Gunshot residue.

3 Q. Gunshot residue?

4 A. Yes, sir.

5 Q. And, I guess, later on the tests that you
6 collect are sent to a laboratory; is that correct?

7 A. That is correct, sir.

8 Q. There's analysis done on the test that you've
9 taken to see if there are any particles that would be
10 consistent with what?

11 A. What they look for is lead, antimony and
12 barium.

13 Q. And those would be articles that would be
14 consistent with gunshot --

15 A. Residue.

16 Q. -- residue?

17 A. Yes, sir.

18 Q. Gunshot residue that comes out of a person
19 maybe firing a weapon?

20 A. Yes, correct.

21 Q. Handling a weapon that had been fired?

22 A. Correct.

23 Q. Being in close proximity to a weapon that had
24 been fired?

25 A. Correct.

1 Q. And you mentioned that in the GSR form,
2 information form with regard to Kendell Davis, that he --
3 you noted that he had mentioned to you that he had handled
4 shotgun shells earlier, correct?

5 A. That is correct, sir.

6 Q. Now, can a person get GSR from handling
7 ammunition?

8 A. Yes, sir.

9 Q. Again, as far as the vehicles at the scene, did
10 you notice if there were -- Deputy Whitlock's vehicle was
11 at the scene still when you arrived, or had it already
12 been transported over to Lockwood?

13 A. It was at the scene.

14 Q. You didn't do anything such as processing the
15 deputy's vehicle?

16 A. No, sir.

17 Q. Was a white, four-door Cadillac at that scene
18 already or do -- if you remember?

19 A. I do not recall it.

20 Q. So, you didn't process either of those vehicles
21 I just mentioned?

22 A. No, sir.

23 Q. Over at Lockwood, you had nothing to do with
24 processing those vehicles either?

25 A. No, sir.

1 MR. DUARTE: I pass this witness, Judge.

2 THE COURT: Redirect?

3 MS. WATERS: No, Your Honor.

4 THE COURT: All right. Thank you, sir.

5 You may step down. Call your next witness.

6 MS. WATERS: May this witness be excused?

7 MR. DUARTE: Yes, Judge, he can be excused.

8 THE COURT: Yes. Okay. I'm sorry, I
9 didn't hear what you said. You said he can be
10 excused?

11 MS. WATERS: Yes, sir.

12 THE COURT: You are excused.

13 THE WITNESS: Thank you.

14 MS. WATERS: At this time, the State would
15 call Deputy Carpenter. Come forward, sir.

16 THE BAILIFF: The witness needs to be
17 sworn, Judge.

18 THE COURT: Step up.

19 (Whereupon the witness is sworn by the
20 Court.)

21 THE COURT: Ms. Waters, your witness?

22 MS. WATERS: Yes, sir.

23 THE COURT: You may proceed.

24 **DEPUTY MAURICE CARPENTER,**

25 having been first duly sworn, testified as follows: