MS. BAILY: Thank you.

JAMES ROSS STRECH,

having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. BAILY:

Q. Can you begin by stating your full name for the record?

A. James Ross Strech.

Q. And, Deputy Strech, who is it that you currently work for?

A. Harris County Sheriff's Office.

Q. How long have you been with the Harris County Sheriff's Office?

A. Thirteen years.

Q. And in what capacity do you currently work for them?

A. I'm a patrol deputy.

Q. Have you been a patrol deputy for your 13 years there?

A. No, ma'am. Approximately eight years of the thirteen.

Q. And what did you do before you were on patrol?

A. I worked transportation.

Q. And what --

A. Moving inmates from one jail to the next.

Q. Tell me what training and experience you had to have to become a sheriff's office -- or a deputy. Sorry.

A. You have to complete a police academy and then pass the TCLEOSE state license test.

Q. And how long is that academy?

A. Anywhere from six to eight months.

Q. And in addition to passing that test, do you have to go to trainings every year to stay current?

A. Yes, ma'am. They're required 20 hours of training every year.

Q. And when we're talking about the eight years you've been on patrol, what are your duties as a patrol officer?

A. Running traffic, running calls, calls for service, which would be if you call 911, we respond to that call.

Q. I want to turn your attention back to Thursday, December 3rd, 2009. Do you recall whether or not you worked on that specific day?

A. Yes, ma'am, I did.

Q. Okay. And what shift were you working?

A. Nightshift.

Q. And what is nightshift?

A. 10:00 p.m. to 6:00 a.m.

Q. 10:00 p.m. to 6:00 a.m.

Do you recall being dispatched at some point to 2519 Cadiz Circle?

A. Yes, ma'am, I do.

Q. And for what reason were you dispatched there?

A. The call slip advised that a shooting had taken place.

Q. And do you recall, I guess, where you were when you got that call?

A. Yes, ma'am. I was approximately at Veterans and West Mount Houston.

Q. And how long did it take you to arrive at Cadiz Circle?

A. Approximately a minute to a minute-and-a-half.

MS. BAILY: Permission to approach, Your Honor?

THE COURT: All right.

Q. (By Ms. Baily) Deputy, I want to show you what's been marked as State's Exhibit 21. Do you recognize this diagram (indicating)?

A. Yes, ma'am.

Q. Is this a fair and accurate depiction of the scene as you saw it on that, I guess, early morning, December 3rd, 2009?

A. Yes, ma'am.

Q. And do you think it would aid the jury in your testimony if they were able to view this?

A. Yes, ma'am.

Q. I also want to show you -- in addition to 21, I want to show you State's Exhibits 22 through 25 (indicating).

A. Yes, ma'am.

Q. Do you recognize the scenes in these photographs?

A. Yes, ma'am, I do.

Q. Are these fair and accurate depictions of the scene as they occurred on December 3rd, 2009?

A. Yes, ma'am.

Q. I also want to show you 27 through 33. Do you recognize these photographs --

A. Yes, ma'am.

Q. -- and the pictures within (indicating)?

Are these fair and accurate depictions of the scene at 2522 Cadiz Circle as they existed on December 3rd --

A. Yes, ma'am.

Q. -- 2009?

MS. BAILY: Your Honor, at this time I'll tender to opposing counsel State's Exhibits 21 through 25, 27 through 33 for any objections.

(State's Exhibit No. 21 through 25, 27 through 33 Offered)

MR. GRABER: Judge, we've seen these previously and we have no objections.

THE COURT: State's 21 through 25 and 27 through 33 are admitted.

(State's Exhibit No. 21 through 25, 27 through 33 Admitted)

MS. BAILY: Permission to publish, Your Honor?

THE COURT: All right.

Q. (By Ms. Baily) Deputy, I want to show you another exhibit. This is State's Exhibit 3. Do you recognize the culdesac in this picture (indicating)?

A. Yes, ma'am.

Q. And where is it on this picture -- you can press on your screen -- that you responded on December 3rd, 2009?

A. It would be 2519 Cadiz Circle.

Q. And that's this location where my finger is (indicating)?

A. Yes, ma'am.

Q. And is that in Harris County, Texas?

A. Yes, ma'am.

Q. And when you arrived at that location to

respond to a shooting, what is it that you see when you get there?

A. When I arrived, I see a male in the front yard of the 2519 Cadiz with -- complaining of not being able to breathe, in pain with what looked like numerous gunshot wounds.

Q. This male that you see, white, black, Hispanic?

A. Hispanic.

Q. And where is he located?

A. He's located in the front yard east of the driveway.

Q. I'm going to show you what's been admitted as State's Exhibit 21. This is a crime scene diagram, correct (indicating)?

A. Yes, ma'am.

Q. And on this, if we're looking at 2519 Cadiz Circle, where is it that you located this individual?

A. He would be next to the tree in the front yard.

Q. And if you press on that TV, it will actually show up. It should.

A. Oh, okay. (Indicating).

Q. Where you've just marked green?

A. Where I've just marked green, yes, ma'am.

Q. Okay. You're saying he's laying there. Is he laying on his stomach or his back or how?

A. He's actually sitting up. His neighbors and family are helping him sit up.

Q. And why were they propping him up?

A. He was complaining of pain, couldn't breathe. He wanted to lay down. They were afraid if he laid down, his lungs may fill up with blood. I'm not -- you know...

Q. And when you showed up, could you tell that he was physically injured?

A. Oh, yes, ma'am.

Q. And what was it that you were able to view?

A. His clothes were covered in blood in numerous places. The front torso was very bloody. His legs were bloody, the pants he had on. A lot of blood.

Q. Could you tell from looking at him, like, if and where he had been shot, or could you just see blood?

A. I could just see blood and him complaining of the pain.

Q. When you get to this location and you find our complainant, who's with him?

A. It would be Olga and some neighbors.

Q. And once you see him in this state, what is it that you do?

A. I notify dispatch to go ahead and move EMS up, which they showed up and they staged down the street, or

at their discretion as to where they staged. Once I know the scene is secured, then I notify dispatch to let them move forward and they come up on the scene and take care of him.

Q. Okay. So, when you say "staged," that means that EMS is there, they're just around the corner somewhere?

A. Correct.

Q. And then they have to wait for your call before they can actually show up in the culdesac?

A. Yes, ma'am.

Q. And why is it that they have to wait until you --

A. On a shooting scene, EMS will respond. They'll wait at a distance until we go in and make sure that there is no more shooters, it's not a hot scene, it's no threat to the EMS crew.

Q. So, as soon as you realize that there are no shooters around, that you need EMS, you call them in?

A. Yes, ma'am.

Q. Okay. What does EMS do when they get to Mr. Rodriguez?

A. They pulled up, assessed him, himself, decided that he needed to go to the hospital right away. They put him on a backboard and loaded him on the stretcher,

put him in the ambulance. Right after they got him in the ambulance, I believe their supervisor showed up, arrived on the scene, and he got in the ambulance with them and they left for the hospital.

Q. I want to show you what's been introduced as State's Exhibit 23. What is this vehicle that we're looking at (indicating)?

A. That would be the supervisor's vehicle that came up to the scene right before they left.

Q. And so, judging by the markings around him, he actually pulled up in your scene?

A. Yes, ma'am, he did.

Q. Is that common or uncommon?

A. In a hot scene to that matter, it's common. Not having the manpower to assess the scene other than that it's safe, they pull up and just jump out and take care of whatever they need to take care of.

Q. How normally is it that you make sure that people don't -- aren't allowed to enter your scene?

A. Once we decide what our scene is, then we mark it off with tape. At that point, I knew the house across the street was involved, but I did not know how -- that the shell casings or anything else was in the street. I had not assessed the scene at all.

Q. Okay. So, the supervisor shows up. Does he

leave his vehicle in this location?

A. Yes, ma'am.

Q. Okay. And you say he jumps in the ambulance and takes off with my complainant?

A. Right.

Q. Okay. Once they take Mr. Rodriguez from the scene, what is it that you do?

A. Okay. I -- the second deputy had shown up and then a third deputy showed up and he informed me that the 2522 Cadiz had had a home invasion occur.

Q. And show us -- I guess, if I move it like this, 2522 is by the green mark (indicating)?

A. Yes, ma'am.

Q. And that's basically across the street from where you locate Mr. Rodriguez?

A. Yes, ma'am.

Q. Do you recall the deputies that showed up with you?

A. Yes, ma'am. It was Deputy Pilkinton showed up first and then Deputy Jones showed up after that.

Q. And Deputy Jones is the one that explains to you how 2522 is involved?

A. Yes, ma'am.

Q. Okay. So, you learn that there's been a home invasion. What is your train of thought at that point?

A. At that point what we need to do is make sure there's no more injured individuals in that house or suspects. So, we proceed to that house and go in and make sure there's no one there.

Q. And what do you call that?

A. We call it clearing the house.

Q. So, who is it that goes with you to 2522 Cadiz to clear the house?

A. Deputy Pilkinton and Deputy Jones.

Q. And did you locate any persons or any weapons in that house?

A. No, ma'am.

Q. I want to show you State's Exhibit 27. What are we looking at here (indicating)?

A. That would be the garage door with the address right above it.

Q. And State's Exhibit 28 (indicating)?

A. That would be the front of the house with the bay window and the doors to the right.

Q. So, this is the front of 2522?

A. Yes, ma'am.

Q. And this here to the right of this white arch is the front door (indicating)?

A. The front door, yes, ma'am.

Q. And where would the garage be in relation to

this front door?

A. It would be further to your right.

Q. Okay. When you approach the front door, is that what we're looking at in State's Exhibit 29 (indicating)?

A. Yes, ma'am.

Q. Was the door fully opened when you arrived or was it partially opened?

A. It was partially closed.

Q. And when you guys get there to clear the house, what is it, if anything, you notice that's significant about the door?

A. When we approach, we noticed the door is open and the doorjamb has been damaged. As through our training, it would be where it was forced opened.

Q. So, State's Exhibit 30 here is a picture of the doorjamb (indicating)?

A. Yes, ma'am.

Q. And where is the damage to the door frame?

A. It would be on the inside of the opening.

Q. And is State's Exhibit 32 another view of that (indicating)?

A. Yes, ma'am. That would be the inside view of the damage.

Q. So, inside the house looking out?

A. Yes, ma'am.

Q. And this is -- this is the damage that you noticed?

A. Correct.

Q. What else did you notice as you make entry into that house?

A. The frame, which goes over this section of the door, was laid -- was almost in the living area, in the family room (indicating).

Q. And is that what we are seeing here in State's 32 (indicating)?

A. Yes, ma'am.

Q. So -- now, help me orient ourselves in this picture. State's Exhibit 32, if you're looking at this door frame and this TV stand to your right, is this you standing in the front entryway? And I'll show you State's 33 as well (indicating).

A. This one is standing inside the family room looking back towards the entry.

Q. Okay. And where --

A. The foyer.

Q. I'm sorry. Where is the front door in this picture, State's 33 (indicating)?

A. The -- through the large opening and to the right.

Q. And so, would it be --
A. Yes, ma'am.
Q. -- in this area (indicating)?
A. Yes, ma'am.
Q. You would have to actually walk there and take a right to get to the front door?
A. Correct.
Q. So, if we use this TV stand as a frame of reference, then this would be if you've just walked in the front door (indicating)?
A. Right. In the foyer looking into the family room. Yes, ma'am.
Q. And as you sweep the house, you don't find any people, right?
A. Right.
Q. What, if anything, was significant that you did find?
A. We noticed that first the TV is missing off the stand as we enter the -- as we enter. The master bedroom had marijuana residue and leafs on the dresser. There was -- in the family room, there was a table in the opposite corner that had marijuana and marijuana paraphernalia on top of the table.
Q. Anything else missing from the house that you could tell?

A. In the master bedroom, there was another -- the dresser had a place where a TV had been sitting, which had a dust ring where -- where there was no dust on the dresser. There was -- it appeared to be where a TV had been.

Q. Okay. After you sweep the house, you make these observations, do you touch anything?

A. No, ma'am.

Q. You don't correct any evidence?

A. No, ma'am.

Q. Why not?

A. At that point, depending on Mr. Rodriguez's outcome, we would notify our sergeant, which our sergeant would notify Homicide and CSU and ask -- as if they were -- as if they were going to come out and make the scene.

Q. And based on your assessment of Mr. Rodriguez when you arrived, was Homicide or CSU going to come out?

A. My opinion, yes, they would. The ambulance crew, before they left, they looked at me and said: We don't --

MR. GRABER: Judge, I'm going to object. Nonresponsive.

THE COURT: Sustained.

Q. (By Ms. Baily) What was it about the situation

that made you believe that Homicide and CSU would ultimately need to be called out?

A. Okay. The injuries Mr. Rodriguez had sustained were serious and...

Q. Do you call -- when we say "Homicide," somebody doesn't actually have to die for Homicide to come out, do they?

A. No, ma'am.

Q. What are other situations, other than a death, where it would be appropriate to call Homicide out?

A. It would be a shooting scene where the complainant could possibly die.

Q. So, at that point you know you need Homicide because it's that serious that he could die?

A. Right.

Q. And so, you don't collect anything or touch anything why?

A. That's our training. We don't -- until everything is decided, we don't collect any evidence.

Q. Who would come to the scene and collect evidence?

A. The CSU.

Q. At some point you call -- do you call for Homicide?

A. Our sergeant calls for Homicide and our Crime

Scene Unit.

Q. After you sweep the residence at 2522 and you notice the missing TVs and the marijuana residue, what is it that you do?

A. Okay. At that point, we've secured the scene, there is no more suspects, no more injured. We would go down the street as far as we felt we needed to and put up the yellow tape.

Q. And did you do that in this case?

A. Yes, ma'am.

Q. Where did you put that yellow tape up?

A. The first time we went from 2518 to 2515 and across the street so nobody could come down the street. Then later on we went further down the street towards Cordoba, which would be the street leading into Cadiz, and put it further down.

Q. And when you say "go across the street," you're talking from one yard you physically put a piece of tape to the other yard?

A. Actually, we would go from one house to the next and go all the way across the street with the tape.

Q. And that's the yellow crime --

A. The yellow crime scene tape, yes, ma'am.

Q. And you put it across the street so that cars can't come through?

A. Correct.
Q. And then you say not only did you put it from 2515 across, you put some further down the street?
A. Yes, ma'am.
Q. And that would be further away from the culdesac?
A. Correct.
Q. What is it that you do with residents that may still be in their homes at that time?
A. We keep them in their houses. If they're outside, we ask them to go back in the house and stay inside the house.
Q. And why is that?
A. So they cannot contaminate our crime scene.
Q. I want to show you a couple other photographs. State's 22, what are we looking at in this picture (indicating)?
A. Okay. That would be the shell casings from -- at 2519 in the front sidewalk -- or the street and the grass.
Q. And what is it that we're seeing back here where the 4 and 5 are indicated?
A. I believe that would be some of Mr. Rodriguez's blood.
Q. And is that in the approximate area that you

found him?

A. Yes, ma'am.

Q. In addition to the shell casings found here in the street by 2519 -- and, I guess, explain something to me. We see the yellow placards. Who are those put up by?

A. That would be put up by our Crime Scene Unit.

Q. What are these white cards or pieces of paper that look like make-shift placards?

A. That would be our way of marking evidence when we find it.

Q. And who is that?

A. The -- myself and the other deputies that arrived on the scene. Once we secured the scene, put up our crime scene tape, then we would start looking for evidence; shell casings, blood, anything else that may be pertinent to the case.

Q. So, anything that you note you mark for CSU?

A. Yes, ma'am.

Q. But, again, you don't touch anything?

A. Correct.

Q. State's Exhibit 23 -- show us, if you don't mind, on 21 -- I'll put it up -- where are we looking in State's Exhibit 21 (indicating)?

A. That would be in between 2527 and 2526, closer

to 2527's driveway, next to and around the SUV in the culdesac.

Q. So, this vehicle in our picture is the EMS vehicle (indicating)?

A. Yes, ma'am.

Q. And this photograph, State's 23, is showing shell casings that were found in that corner of the culdesac?

A. Yes, ma'am.

Q. In addition to the shell casings found at the complainant's -- end of his driveway, these shell casings by the EMS vehicle, did you find any shell casings anywhere else in the neighborhood?

A. Yes, ma'am. We found a shotgun casing approximately --

Q. Sorry. Let me clear that for you.

A. -- approximately in this area. And then a 9-millimeter casing was found over here in front of 2518 (indicating).

Q. And is that 9-millimeter casing what we're seeing here (indicating)?

A. Yes, ma'am.

Q. And is that what you've marked with this card (indicating)?

A. Yes, ma'am.

Q. And is State's -- that's State's 24. State's 25, is this a close-up of that casing (indicating)?

A. Yes, ma'am.

Q. And, again, you just mark these items, you don't move them?

A. Correct.

Q. After you secure the scene and you mark all these items, the complainant's gone to the hospital, what do you do on the scene?

A. We secure any witnesses in our back seats for Homicide to talk to. If we have any questions for them throughout our investigation before Homicide makes it, we know where they are. We keep them separate so they can't discuss the case with each other and their statements are not contaminated either.

Q. Who did you secure on this scene?

A. Olga was secured in the back seat of Deputy Pilkinton's car.

Q. And why is it that you guys didn't allow her to go to the hospital with Juan?

A. Because she was a witness and we needed her on the scene to give us some leeway -- or some knowledge as to exactly what happened.

Q. Did you have any conversations with Olga once she was in Deputy Pilkinton's car?

A. No, ma'am.

Q. Did you do anything else on the scene after securing Olga?

A. No, ma'am.

Q. Who did you ultimately turn the scene over to?

A. I believe it was Deputy Reynolds with Homicide. Excuse me. Sergeant Reynolds.

MS. BAILY: I'll pass the witness, Your Honor.

THE COURT: Mr. Graber.

MR. GRABER: Thank you, Judge.

CROSS-EXAMINATION

BY MR. GRABER:

Q. Deputy Strech, my name is Jerald Graber. And you and I had a chance to meet for the first time kind of during the lunch break, right?

A. Yes, sir. Yes, sir.

Q. And you and I, Mr. Loper, we talked with you a couple minutes about some of these items over here in the evidence bag, correct?

A. Yes, sir.

Q. And as a deputy -- excuse me. As a patrol deputy, your duties as a first responder are quite different than the other deputies that may come and do other work at the scene or the follow-up investigators,

correct?

A. Correct.

Q. There may be some overlapping duties that you and the CSU units have where you assist them a little bit, but you're pretty much the first guy at the scene; as you indicated you secured the scene, see if anybody needs help, see if any of the shooters -- for lack of a better term -- or any other witnesses are there, that's kind of your primary duty, correct?

A. Yes, sir.

Q. And because those are your duties separate than the other deputies and police officers, you didn't do any follow-up investigation in this case, did you?

A. No, sir.

Q. And because your duties are kind of at the very front end of the investigation, your report in the full police report was the first couple pages of that police report, was it not?

A. Yes, sir.

Q. And your police report, I believe, was a total of three pages long; is that correct?

A. Yes.

Q. The first page meaning -- being kind of a cover sheet with information?

A. Yes, sir.

Q. The second and third page being substantive entries, writings, and summaries, correct?

A. Correct.

Q. Would you agree with me because you got the information that you knew about this case on two pages of the supplement, what you had to do in this case was not extensive; would you agree with that?

A. Correct.

Q. Important, but not extensive?

A. Correct, correct.

Q. Okay. You spoke about one of the supervisors pulling up -- I believe it was a supervisor -- pulling up and pulling into the driveway, I believe, on State's Exhibit No. 23, correct?

A. It wasn't quite in the driveway. Are you talking about the --

Q. The Suburban.

A. -- EMS supervisor that appeared or came to the scene --

Q. Yes, the Suburban.

A. -- and he parked in the middle of it? Yes, sir.

Q. Okay. And from your knowledge of -- of recalling the information from that scene, does it appear to you that that Suburban in State's Exhibit

No. 23 could have traveled over some of the ballistic evidence in that driveway?

A. It could have. I mean...

Q. Do you want to look at 23 again?

A. Yeah.

Q. Would that help you to answer that question?

MR. GRABER: Judge, may I approach the witness?

THE COURT: Okay.

Q. (By Mr. Graber) Let me rephrase my question.

A. Sure.

Q. When I spoke of pulling in the driveway, I meant towards the curb.

A. Correct.

Q. My mistake.

A. No problem.

Q. My mistake.

And because you can see from the angle that that Suburban, if it's a Suburban --

A. Yes, sir.

Q. -- pulled up towards that curb, it appears that that vehicle could have possibly traveled over some of the important evidence in the case; would you agree with that?

A. Yes, sir.

Q. When you got to -- as part of your duties, when you got to 2522 Cadiz and you conducted your investigation by going inside of that home, nobody was there, were they?

A. Correct.

Q. But it appeared to you -- as a police officer who's probably conducted and gone to numerous scenes, it appeared to you that the house was being lived in at that time; would you agree with that?

A. Yes, sir.

Q. It was occupied?

A. Yes, sir.

Q. Meaning, not that anybody was there, but it appeared that it had recently been occupied?

A. Yes, sir.

Q. But when you got there, like you indicated, nobody was there?

A. Correct.

Q. They had fled, correct?

A. Yes, sir.

Q. But you conducted your investigation regarding 2522 Cadiz and you went through each of those rooms and conducted a search and an investigation regarding that property, correct?

A. Correct.

Q. And as you've indicated, the first thing you did, you cleared the home to make sure that there weren't any victims or any other suspects in that home?

A. Yes, sir.

Q. And after you did that is when you conducted your sweep of the entire home, correct, meaning regarding property or things that were left behind?

A. No, sir.

Q. The first thing you were looking for were humans --

A. Right.

Q. -- meaning any victims or suspects, correct?

A. Correct.

Q. After you did that, you went back through the home, different locations, and you indicated you found some evidence of maybe a missing TV and some marijuana, et cetera?

A. Actually, it was all at the same time. As we were looking for --

Q. Okay.

A. -- the injured person or suspects, then, you know, we noticed as we would go through a room what was -- you know, what else was in plain view or what else was missing or so forth.

Q. Okay. Fair enough. So, as you're doing that,

you've noticed the things that you spoke about on direct examination?

A. Yes, sir.

Q. Okay. And some of the items that you spoke about in the home at 2522 Cadiz was that there was marijuana that was observed in two or three different locations in that home, correct?

A. Yes, sir.

Q. And do you remember the amount of marijuana that was?

A. No, sir. I mean, I didn't pick it up to weigh it, so I'm not sure, you know, how much it was. It was -- I'd be estimating if I --

Q. Was it on the smaller side or --

A. Yes, sir.

Q. -- or was --

A. It was not large bundles. No, sir.

Q. Okay. And you also noticed in plain view, I believe your report indicates throughout the home, evidence of drug paraphernalia?

A. Yes, sir.

Q. And would that be drug paraphernalia that was tied to the marijuana that you found in two or three locations or drug paraphernalia tied to some other drug?

A. Mainly the marijuana.

Q. You spoke a little bit about noticing that there were some televisions that were missing based upon the stand that was empty and the dust around one of the dressers, correct?

A. Yes, sir. Yes, sir.

Q. You don't have any personal knowledge of when the last time a TV was at those two locations, do you?

A. No, sir.

Q. And you don't know, if there was a TV there, who took those TVs?

A. No, sir.

Q. It could have been taken by the homeowners who fled, correct?

A. Yes, sir.

Q. You just don't know?

A. Correct.

Q. That was something that you noticed that was peculiar to you and that you wrote in your report?

A. Yes, sir.

Q. Do you remember also going into the -- I believe you called it a family room and there was a closet in the family room that you went into to see what was in it?

A. Correct, yes, sir.

Q. And did you notice that there was a duffle bag

in that family room?
A. Yes, sir.
Q. Do you remember writing that in your report?
A. Yes, sir. Yes, sir.
Q. Do you remember memorializing in your report that in that duffle bag were a bunch of clear, plastic baggies?
A. Correct.
Q. And that was something to you, as a police officer, that you thought was relevant and peculiar enough to write in your police report, correct?
A. Yes, sir.
Q. Now, when we talk about a duffle bag and clear plastic baggies, are you talking about clear plastic baggies like I might put my son's lunch in, like a sandwich in?
A. Yes, sir.
Q. Or something smaller -- small like that?
A. Yes, sir.
Q. And to you, as a police officer, why did you memorialize seeing that in your police report? Why was that important to you?
A. Because that's also what marijuana and other dope or drugs are -- were transported in.
Q. Including that duffle bag?

A. Yes, sir.

Q. And that's why you --

A. Yes, sir.

Q. -- put that in your report?

A. Yes, sir.

Q. And because you came to the scene after the 911 calls and you got there after everybody had fled, you don't have any personal knowledge of what happened there before you got there, do you?

A. No, sir.

MR. GRABER: Judge, I'll pass the witness.

THE COURT: Ms. Baily.

MS. BAILY: No further questions, Your Honor.

THE COURT: You may step down, sir.

Call your next witness.

MS. BAILY: Yes, Your Honor. State calls Deputy Pilkinton.

THE COURT: All right. You may proceed.

MS. BAILY: Thank you, Your Honor.

MARCUS PILKINTON,

having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. BAILY:

Q. Can you begin by stating your full name for the