

1 **ROGER WEDGEWORTH,**
2 having been first duly sworn, testified as follows:

3 **DIRECT EXAMINATION**

4 BY MS. DAVIDSON:

5 Q Can you introduce yourself to the ladies and
6 gentlemen of the jury?

7 A My name is Roger Wedgeworth.

8 Q How are you employed?

9 A I'm a sergeant with the homicide division
10 for the Harris County sheriff's office.

11 Q How long have you been a sergeant with the
12 homicide division?

13 A For about 20 years.

14 Q And as a sergeant assigned to the homicide
15 division of the sheriff's office, can you tell the
16 jury what you do?

17 A Well, I investigate murders, specifically
18 homicides and suicides. I'm called at all hours to
19 go out to scenes all over the county. Once I get
20 there, if I'm the particular lead on the case, I'll
21 make assignments to other investigators on specific
22 jobs that need to be done during the investigation.

23 Q How is it determined on who's the lead
24 investigator on a particular case?

25 A It's just we got four guys in the murder

1 squad. It's the one that's up is the one that was up
2 three times before. So, it's just kind of a
3 revolving assignment.

4 Q Are you assigned to any particular shift
5 with the sheriff's office, or is it just like a 24/7
6 deal?

7 A Well, I'm assigned to a 6:00 a.m. to
8 2:00 p.m. shift, but go through a call-out period.
9 Every fourth week I'm on-call for a week. During
10 that period of time I can be called out at any time.

11 Q Would it be during that period of time that
12 you are considered the lead detective of any call
13 that comes out?

14 A If I'm up for a murder, then, yes, that's
15 true.

16 Q Okay. Do you have any specific training in
17 order to be a detective in the homicide division?

18 A Over the past 20 years I've had over 1200
19 hours classroom instruction in investigating
20 homicides and everything that goes with it. It's
21 constant training. We are required to get training
22 every year.

23 Q Were you employed in that same capacity back
24 on May 16th of 2008?

25 A I was.

1 Q Were you the one scheduled to be the lead
2 detective if a murder call dropped?

3 A I was.

4 Q Were you awakened sometimes that night in
5 the middle of the night, and told to go to 6607
6 Springfield Garden Lane, Houston, Harris County,
7 detective?

8 A Yes, I was.

9 Q Approximately what time of the day or night
10 was it that you got called?

11 A It was right at midnight. I think the
12 reported time was about 1122, somewhere around there.

13 Q Where do you live in Harris County?

14 A I live down south toward League City.

15 Q And this address on Springfield Garden Lane,
16 where is it?

17 A It's near Tomball. So it's a long way.

18 Q You get the call at midnight. How long does
19 it take you to get to that address?

20 A It took me till right around 1:30 I think,
21 1:20, somewhere in there.

22 Q So, well over an hour?

23 A Well over an hour. Of course, when we're
24 called you're in bed asleep. You have to get up,
25 shower, get dressed and then go. It takes quite a

1 bit of time.

2 Q Do you have a private car you drive to a
3 scene like that?

4 A I'm furnished with a vehicle specifically
5 because every call-out -- the 24 hour call-out.

6 Q Is it like a marked patrol car or a car
7 that's assigned to you?

8 A No, it's a car that's assigned to me.

9 Q And as the lead detective, do you work
10 alone? So, you get up and drive out there, or do you
11 stop and get any other personnel to go with you?

12 A I drive alone. Everyone in the squad has an
13 assigned vehicle.

14 Q So, you get to that location about 1:20.
15 Could you tell the jury what you did?

16 A Well, upon arriving I had learned over the
17 telephone that it was a double murder. And it
18 appeared that the victims had been stabbed. So,
19 whenever I got there, it's the typical scene with
20 police cars -- marked units everywhere. Yellow tape
21 strung out around the scene of the event to keep
22 anyone from going in and contaminating the scene.

23 It's kind of like you see on TV. And
24 when I got there honestly I don't know how many
25 marked units were there, but individuals that are

1 assigned to my squad were already there. There were
2 three guys already there.

3 Q And who were those three guys?

4 A Phil Riviera, Larry Davis and Corey Pool.

5 Q And Phil Riviera, what does he do at that
6 time?

7 A Same thing I do.

8 Q Is he a detective in homicide?

9 A He is.

10 Q Corey Pool?

11 A Same thing.

12 Q He is a detective in homicide?

13 A Yes, he's a deputy.

14 Q Larry Davis?

15 A Larry's about to retire. He's done the same
16 thing for years as I have.

17 Q Do they -- you being the lead, had you
18 assigned them to do any particular thing before you
19 got there, or, do they kind of wait for you to get
20 there?

21 A No. Before I got there, I talked to Larry
22 Davis on the phone and Larry was making assignments
23 for me until I got there.

24 Q And when you say, "Making assignments," can
25 you tell the jury what assignments you were making?

1 A Well, what we have to do whenever we get to
2 the scene is to assign someone to oversee the scene,
3 processing documents, the detective's side of it,
4 CSU's processing it, but we have a detective with
5 them. We have to have people assigned to canvas the
6 neighborhood, knock on doors and talk to people and
7 ask them if they had seen anything or heard anything
8 like that.

9 Q Who was assigned to work with the crime
10 scene unit investigators?

11 A I believe that was Corey Pool.

12 Q And do you know who was assigned to knock on
13 doors and see if there were any neighbors that had
14 seen anything?

15 A I know Phil Riviera was doing a canvas. We
16 had another person, I can't think of his name now,
17 that was assigned to homicide, he's since gone to
18 robbery, that was Spanish speaking too and he talked
19 to a couple of people for us.

20 Q So, once you got there what did you do?

21 A Whenever I got there I met with Sergeant
22 Davis. He ran everything, the assignments down to
23 me, the processing that had taken place at that
24 point. And I was instructed on where witnesses were,
25 which is my job being the lead is to question

1 witnesses. That's my assigned job.

2 Q Did you go in and walk the house?

3 A I did.

4 Q And was it, at the time you got there, being
5 processed by Michael Sams, one of the crime scene
6 unit investigators?

7 A It was.

8 Q Can you tell the jury what you saw?

9 A Well, I saw two older females, an elderly
10 female in the kitchen and there was a female in the
11 bed with what appeared to be stab wounds.

12 There was quite a bit of blood there at
13 the scene. I observed that the blood in the
14 kitchen -- the blood in the bed from his mother was
15 soaked up in the covers. But the blood in the
16 kitchen was separating, you know, the solid blood was
17 separating.

18 You can see it when a blood drop has
19 been on the ground for a little while you have a
20 clear colored area around the blood. That is the
21 serum separating. I can't explain exactly how it
22 works. It happens over time -- a little bit of the
23 time.

24 Q I believe you said you were responsible for
25 interviewing witnesses; is that correct?

1 A That's correct.

2 Q Did you meet somebody out there you've come
3 to know by the name of Theron Owens?

4 A I did.

5 Q Where was he when you first met with him?

6 A He was inside a marked patrol car.

7 Q Do you see Theron Owens in the courtroom
8 today?

9 A Yes, I do.

10 Q Can you identify him by where he's sitting
11 and something he's wearing?

12 A He's sitting in the first chair with a
13 couple of yellow envelopes in front of him, with a
14 blue shirt and blue striped tie.

15 MS. DAVIDSON: Your Honor, may the
16 record reflect the witness has identified the
17 defendant.

18 THE COURT: It will so reflect.

19 Q (BY MS. DAVIDSON) How long had you been up at
20 that house when you met the defendant?

21 A I would guesstimate well over an hour before
22 I met specifically with him.

23 Q Okay. And what would have taken you so long
24 before you finally met with him?

25 A I was trying to gather as much information

1 as I could from inside the scene to give me an idea
2 of what had taken place.

3 Q Okay. And after doing your walk-through and
4 talking to the other detectives, based on your
5 training and experience, did you have some feeling as
6 to what you thought might have happened inside?

7 A I did formulate an opinion, and my opinion
8 was that this was probably someone the victims knew.
9 There was no forced entry. There did not appear to
10 be anything removed from it.

11 And just from what I was gathering from
12 the neighborhood, from the people in the neighborhood
13 that had provided us with information on Theron
14 Owens' coming and going, I just didn't see at that
15 time where it could be a total stranger coming in and
16 doing that to these two women.

17 Q When you met the defendant he was in a
18 patrol car?

19 A Yes, he was.

20 Q Did you go over and talk to him?

21 A I did.

22 Q What did you say to him?

23 A I told him basically something that we tell
24 all of our witnesses. That he's going to be
25 transported down to our office, to where I could sit

1 down with him in an office and talk to him, and try
2 to get all of the details he had about the day with
3 his mother and grandmother and his travels during
4 that time.

5 Q What would be the reason you want to
6 transport him to talk to him rather than just talk to
7 him there at the scene?

8 A Well, it's kind of hard to talk to somebody
9 that's sitting in the back of a patrol car, to get
10 facts and put them on paper. In this particular
11 case, whenever he was transported downtown, I first
12 took a written statement from him, which is typical.

13 Q Okay. So approximately what time was it
14 when he was transported to 601 Lockwood?

15 A He was transported at 3:46 a.m.

16 Q Okay. Can you tell the jury what is located
17 at 601 Lockwood?

18 A It's the detective bureau for County
19 Homicide, for the Harris County sheriff's office,
20 which has our offices in it. It has all of our
21 facilities for interviewing and dealing with people
22 basically.

23 Q Could you kind of describe its structure and
24 stuff at 601 Lockwood?

25 A It's a large, brown building that looks like

1 a warehouse. I have been working in that building
2 for the past 20 years. It's old. The homicide
3 office itself is just one big open room, that's
4 divided with partitions that are about, I guess,
5 8-foot tall. We're around there with doors
6 sectioning it off, to where each murder squad has
7 a -- has a unit with multiple desks in it.

8 Q Does it have offices?

9 A It does.

10 Q What about interview rooms?

11 A We've got three interview rooms that are
12 approximately 12 by 12. There is one door going into
13 each room. The walls are white, just slick kind of
14 enamel looking plastic with no windows, with gray
15 carpet on the floor. And we keep three chairs in
16 each room.

17 Q Who transported him to 601 Lockwood?

18 A A deputy constable transported him.

19 Q Did they meet you at 601 Lockwood?

20 A Yes. We all arrived at about the same time.

21 Q When you got to 601 Lockwood, can you tell
22 the jury where you took the defendant?

23 A He and I went into an office that has a
24 glass front on it. It's an administrative office.
25 It has a desk, a few chairs with a computer.

1 Q Is that an office that's assigned to
2 somebody or just an empty office?

3 A It's assigned to an administrative sergeant.

4 Q What was your purpose in taking him in that
5 office?

6 A It's just a room to separate us from
7 everyone out in the main office. It allows for
8 privacy for us to talk back and forth and taking his
9 statement.

10 Q And did you, in fact, take a written
11 statement from him?

12 A I did.

13 Q Can you explain to the jury how you went
14 about doing that?

15 A It's a process to where I will ask an
16 individual a question, or I will tell him, just tell
17 me about your day. And as he starts telling me about
18 what has taken place I will type it out. If I have
19 any questions on something that he's said, I'll ask
20 him to get it clarified and then I type it.

21 After I complete it I give it to the
22 person to read it, to make sure it's true and
23 correct. And at that -- at that point, if he says he
24 has changes, I make changes. If he says it's true
25 and correct, then I have him initial each paragraph

1 to show that he's read each paragraph and agrees that
2 it's truthful.

3 MS. DAVIDSON: May I approach the
4 witness, Judge?

5 THE COURT: You may.

6 Q (BY MS. DAVIDSON) Detective, I'm showing you
7 what I've marked for identification purposes as
8 State's Exhibit No. 1A. I'd like you to take a look
9 at that and tell me if you recognize that?

10 A I do.

11 Q Is that your signature on the very last page
12 subscribing to this statement?

13 A It is.

14 Q What is State's Exhibit No. 1A?

15 A It's a voluntary written statement.

16 Q Given my whom?

17 A Given by Theron Owens to me, Sergeant
18 Wedgeworth.

19 MS. DAVIDSON: Your Honor, I'd like to
20 offer into evidence State's Exhibit No. 1A, and
21 tender to Ms. Swallers for her inspection.

22 MS. SWALLERS: Judge, we have no
23 additional objections. But we reurge objections we
24 had previously regarding this exhibit.

25 THE COURT: All right. Thank you.

1 Over its previous objection, it's admitted. There
2 being no objections, it's admitted.

3 (State's Exhibit No. 1A was admitted.)

4 Q (BY MS. DAVIDSON) Detective, would you read
5 1A to the ladies and gentlemen of the jury.

6 A You want me to read the entire statement?

7 Q Yes, sir.

8 A It's Harris County Sheriff's Department
9 voluntary statement of Theron Owens Gregory Owens.
10 Case No. 08-58055. The '08 signifies the year, the
11 58055 just a number -- tracking number.

12 (Reading) Before me the undersigned
13 authority in and for the State of Texas, on this 17th
14 day of May, 2008 at 4:45 a.m., personally appeared
15 Theron Owens, who after being duly sworn deposes and
16 says.

17 (Reading) My full name is Theron
18 Gregory Owens. I'm a black male, 47 years of age. My
19 date of birth is 10/12/1960. My Social Security
20 number is 435-23-3201. I currently reside at 6607
21 Springfield Garden Lane, Spring, Texas, 77379. I
22 live there with my grandmother and my mother. My
23 cell phone (504)481-4636. I'm currently unemployed,
24 and was laid off approximately three weeks ago from
25 RBG Wind Turbine Company. A contact number for them

1 would be (281)279-1000.

2 (Reading) I have been informed that
3 under the Penal Code of the State of Texas, Section
4 37.02, a person commits the offense of perjury with
5 intent to deceive, and with the knowledge of a
6 statement's meaning, he makes a false statement under
7 oath, or swears to the truth of the false statement
8 previously made and the statement is required or
9 authorized by the law to be made under oath.

10 (Reading) My name is Theron Owens. I
11 live with my mother and grandmother at 6607
12 Springfield Garden Lane. My mother, Joyce Owens, and
13 my grandmother, Alberta Walker, and I have been here
14 in Houston since we came from New Orleans. We were
15 forced to come here because of the storm Katrina. We
16 have been living at the Springfield Garden house
17 since about 2006.

18 (Reading) I have been living with my
19 mother and grandmother. I have basically been the
20 caregiver for both of them. Since moving to Houston
21 I have not had a permanent job. I did work for about
22 seven weeks with Wind Turbine Company. During that
23 period of time I was out of town. The rest of the
24 time I have been living there with my mother. I
25 don't have any income at this time, and have not

1 filed for unemployment. I left the turbine company
2 because they laid me off.

3 (Reading) All of my clothing is in the
4 middle bedroom and that is my living quarters. That
5 is where I sleep and have since we moved into the
6 house. Of course, I use the entire house as does my
7 mother and grandmother. The bathroom I normally use
8 is the one across from my bedroom; however, if it's
9 occupied I will use the other in the master bedroom.
10 That's the room my grandmother sleeps in. My
11 mother's bedroom is the first bedroom nearest the
12 door leading to the garage.

13 (Reading) On Friday, 5/16/2008, I got
14 out of bed between 7:00 and 7:30 a.m. I took a
15 shower and prepared breakfast. After breakfast I
16 watched TV for a while. My mother left home at
17 approximately 10:30 a.m. and drove herself to
18 dialysis. She goes to DaVida located at FM1960 and
19 I-45. It takes three hours for her to finish her
20 dialysis.

21 (Reading) My mother drives a Nissan
22 Xterra that is white in color. That is what she
23 drove to dialysis in. My grandmother and I ate lunch
24 together. I just watched TV and made some phone
25 calls. My grandmother and I smoke, so we went

1 outside to smoke several times that day. My mother
2 returned home at approximately 4:00 or 5:00 p.m.
3 When she returned, she parked in the garage. When
4 she came inside, she told us she was home and asked
5 me to fix her something to eat. I got her medicine
6 for here, is what it says, but it should be for her.

7 (Reading) The medicine is something to
8 do with dialysis. My mother goes three times a week
9 and she has to take the medicine. I fixed dinner and
10 it was baked chicken and salad. I saw her eat that.
11 My grandmother had a greens and rice and some
12 chicken. After dinner I watched the 5:00 p.m. news.
13 It could have been the 6:00 p.m. news, but I'm not
14 sure. We were watching it in the living room. I
15 believe it was Channel 11 news. We keep all the TVs
16 going all the time. When we go to sleep we turn them
17 off.

18 (Reading) At approximately 6:00 p.m. I
19 backed the car out of the garage and parked it in the
20 driveway. I didn't want to get blocked in and I was
21 going to wash it, but then changed my mind because it
22 was getting kind of late. We have company that comes
23 by on occasion, and I planned to go to cousin
24 Charlie's house and didn't want to get blocked in. I
25 left the house at approximately 7:00 p.m. I told my

1 grandmother I was going to see my cousin Charlie's
2 house. He is my grandmother's nephew.

3 (Reading) Before I left, my grandmother
4 told me to call Julio the gardener. He was cutting
5 the yard. Julio came inside and he and my
6 grandmother talked. He barely speaks English, but
7 they talked about him mowing the yard before Memorial
8 Day. When I left, Julio was cutting the front yard
9 and still had to cut the backyard. It appeared to me
10 Julio and my grandmother got along fine.

11 (Reading) I left the house and drove
12 straight to cousin Charlie's. I got there somewhere
13 around 7:30 or 8:00 p.m. We sat outside and drank
14 beer and smoked. We just talked and laughed. My
15 grandmother told me to call when I got there so I did
16 call but she did not answer the phone. We both left
17 her a message. It should be on her phone. I told
18 Charlie my cousin, Jamel Knight was coming to town.
19 I did speak with Jamel and he told me he was going to
20 stay on Westheimer. He did say he would come over to
21 the house. After that conversation with him, I
22 didn't hear anything else from him. I was also
23 supposed to make contact with him after I charged up
24 my cell phone.

25 I left cousin Charlie's at

1 approximately 8:30 or 9:00. I went to the Chevron
2 gas station located at TC Jester and I-45 and bought
3 one single cigar. After that I just hung out around
4 Walters Road waiting on Jamel. We talked back and
5 forth while I was waiting on Jamel to make it into
6 town from Louisiana. I never met up with Jamel and
7 returned home around 11:00 p.m. I did stop at the
8 Walmart and picked up a cigar before going home.

9 (Reading) When I returned home, I
10 parked in the driveway. I raised the door up and
11 noticed the door to the house was open. I walked in
12 and noticed my mother was lying in the bed with a
13 pillow over her face. I then ran to the back of the
14 house to see my grandmother. I then checked my room
15 and then went in the living room. I saw her on the
16 floor. I ran to her and hugged her and kissed her
17 and told her to wake up. I fell to my knees. I did
18 notice the backdoor was open like she had just come
19 in from smoking.

20 (Reading) After I found them I started
21 crying and I was screaming and yelling and went
22 outside. A guy I never saw before came in the house
23 with me. He called 911 but was telling me to be
24 calm. I stayed inside the house and when the police
25 came I was hugging my grandmother. At that time the

1 policeman stood there for a minute and told me to get
2 up and walked me outside and handcuffed me and the
3 other guy and put us in a police car.

4 (Reading) My grandmother's cell phone
5 (504)975-5617. Cousin Charlie's cell phone
6 (713)962-8333. Jamel cell phone (504)616-1115. My
7 mother's cell phone (504)975-3944.

8 "QUESTION: Did you kill your mother
9 and grandmother?

10 "ANSWER: No, sir.

11 "QUESTION: Do you know who killed your
12 mother and grandmother?

13 "ANSWER: No, sir.

14 "QUESTION: Did you argue with your
15 mother or grandmother yesterday?

16 "ANSWER: No, sir.

17 "QUESTION: Do your mother or
18 grandmother have an insurance policy where you are
19 the beneficiary?

20 "ANSWER: They have insurance, but I'm
21 not the beneficiary. I think my daughter.

22 "QUESTION: Have you done any drugs in
23 the past week?

24 "ANSWER: No, sir. And I'll be willing
25 to take a drug test.

1 "QUESTION: How much alcohol did you
2 drink last night?

3 "ANSWER: I drank half a glass of beer.

4 (Reading) I am able to read and write
5 the English language. I read this statement which I
6 made and I find it to be true and correct to the best
7 of my knowledge.

8 And it is signed by Theron Owens. And
9 then: (Reading) Sworn and subscribed to before me the
10 undersigned authority while engaged in and related to
11 the performance of my duties as a peace officer in
12 and for the State of Texas on this the 17th day of
13 May, 2008.

14 Q After you took that statement from the
15 defendant, did you print it out and let him read it?

16 A I did.

17 Q And what did you have him do on it to
18 acknowledge that he was writing it, and then that it
19 was a true and correct statement?

20 A On each of the paragraphs I had him place
21 initials at the beginning of the paragraph and at the
22 end, to show that he's acknowledging he's read and
23 it's true and correct.

24 Q Approximately what time did you start taking
25 this written statement?

1 A It was at 4:45.a.m.

2 Q Do you recall what time the written
3 statement ended?

4 A I didn't put that down. It usually takes me
5 at least an hour, depending on how in-depth I go.
6 Sometimes an hour and a half, somewhere around there.

7 Q And after taking that written statement,
8 what did you do?

9 A After I took that, Sergeant Craig Clopton --
10 I had previously requested that he come to the office
11 to assist me at the office and I conferred with him.
12 I gathered all the details I could from the scene,
13 and after that, we had him go in one of our interview
14 rooms and we did a recorded interview.

15 Q First of all, would you explain to the jury
16 who Sergeant Craig Clopton is?

17 A Sergeant Craig Clopton is one of the
18 detectives in the office, very experienced detective.
19 And at that particular time he was in the same murder
20 squad as I was.

21 Q So, you basically asked him to come help you
22 out?

23 A Yes, he was called out at the same time I
24 was. Just requested that he come to the office to
25 assist me instead of going to the scene.

1 Q Okay. And then you -- I believe you said
2 you gathered some personal information about the
3 scene; is that correct?

4 A That's correct.

5 Q Based on the written statement, based on
6 your conversations with Sergeant Clopton, based on
7 the information you gathered about the scene and at
8 601 Lockwood, what was the reason you decided to
9 place the defendant in an interview room?

10 A I was finding inconsistencies just with the
11 information that I got in, and from the statement as
12 far as times. And there was a number of things that
13 I was keying on.

14 I looked at the state of the bodies,
15 and the length of time he had been gone. None of the
16 neighbors had heard anything out of the ordinary or
17 seen anything out of the ordinary. I just felt at
18 that time he was lying to us and not being truthful.

19 Q Okay. So then you take him in an interview
20 room?

21 A We did.

22 Q Approximately what time of the day or night
23 was it that you got to an interview room?

24 A We began the interview at 8:36 a.m.

25 Q On May 17th, 2008?

1 A That's -- that's correct.

2 Q This interview room, could you describe it
3 for the jury?

4 A It's about a 12 by 12 room, gray carpet on
5 the floor, white walls, no windows, one door in and
6 out, with three chairs inside. Got video recording
7 capability. Picks up the visual portion and audio
8 portion.

9 Q And who accompanied you into that room with
10 the defendant, Sergeant Clopton?

11 A Yes.

12 Q And your purpose of talking to him in the
13 interview room was just to get more details from him?

14 A Try to get as much of an accurate statement
15 from him. Just to pin him down on all the details we
16 possibly could.

17 Q Okay.

18 MS. DAVIDSON: May I approach the
19 witness, Judge?

20 THE COURT: You may.

21 Q (By MS. DAVIDSON) Detective, I'm going to show
22 you what I've marked for identification purposes as
23 State's Exhibit No. 2A. Have you had an opportunity
24 to view the statement that the defendant gave on
25 May 17th of 2008. Other than changes, additions, or

1 deletions, that were agreed upon by counsel, does it
2 fairly and accurately depict what occurred in that
3 room?

4 A It does.

5 MS. DAVIDSON: Your Honor, I'd like to
6 offer into evidence State's Exhibit No. 2A, and
7 tender it to Ms. Swallers for her inspection.

8 THE COURT: All right.

9 MS. SWALLERS: Judge, we renew our
10 previous objections.

11 (Confers.)

12 (Bench Conference.)

13 MS. DAVIDSON: I'm going to play it for
14 the jury. We need a few minutes to put it in and
15 make sure it is, in fact, the one that they redacted.

16 THE COURT: Sure.

17 MS. DAVIDSON: None of us have looked
18 at it.

19 THE COURT: Okay. So you want to
20 retire the jury?

21 MS. DAVIDSON: Yes.

22 MS. SWALLERS: Yes, Judge.

23 THE COURT: Members of the jury, we're
24 going to take a short break. And remember the
25 instructions I gave you. Do not discuss the case at

1 all, or do any kind of independent investigations.
2 Just have a good break and we'll talk to you in a
3 little bit.

4 THE BAILIFF: All rise.

5 (Jury exits courtroom.)

6 MS. DAVIDSON: For purposes of the
7 record, outside the presence of the jury, Judge, the
8 State offers into evidence State's Exhibit No. 2C,
9 which is the redacted transcript of State's Exhibit
10 2B. I apologize I matched it to 2A, it should be 2B.

11 For purposes of the jury to be allowed
12 to look at the transcript while they are listening.
13 However, I'm not offering it to the jury for any
14 purpose whatsoever and ask that all transcripts be
15 picked up afterward.

16 THE COURT: All right. Any objection?

17 MR. MORROW: Without waiving previous
18 objection, we do not object to the procedure based on
19 the Court's ruling.

20 THE COURT: Okay. You're -- there
21 were -- okay. And based on the Court's previous
22 ruling, without objection -- Statement 1A at a prior
23 hearing --

24 MS. DAVIDSON: 2C.

25 THE COURT: 2C. Okay.

1 I didn't recall it to be 2A. It is now
2 remarked as 2B. We used 2A.

3 MS. DAVIDSON: We did 2A, once it went
4 into the exhibits as the transcript that was not
5 redacted.

6 THE COURT: Okay. Clean transcript?

7 MS. DAVIDSON: It's the clean
8 transcript and I marked it as 2A. The tape now is
9 2B, the redacted tape.

10 THE COURT: Redacted tape now?

11 MS. DAVIDSON: Redacted tape, and
12 redacted transcript will be 2C.

13 MR. MORROW: Not to be admitted before
14 the jury but for the Court's record, right?

15 THE COURT: And 2C is redacted 2B?

16 MS. DAVIDSON: Yes, sir.

17 THE COURT: All right. And defense
18 objects to all of these, 1A, 2A, 2B.

19 MR. MORROW: Yes, sir.

20 THE COURT: 2C.

21 MR. MORROW: We understand you ruled,
22 so this evidence is coming in. So we just don't
23 waive our previous objections. We don't have any
24 particular additional objection to the -- considering
25 the Court's ruling of the transcript itself or to the

1 tape, in addition to what we made.

2 THE COURT: All right. And you're
3 referring right now to 2C.

4 MR. MORROW: Yes, sir. Same ruling on
5 all previous objections, no new objections.

6 (Discussion off the record.)

7 THE COURT: Bring in the jury, please.

8 (Jury Panel enters courtroom.)

9 (Open court; defendant and jury panel
10 present.)

11 THE COURT: Be seated, please.

12 Okay. Mr. Davidson.

13 MS. DAVIDSON: Your Honor, prior to the
14 break, I introduced the CD which is the video
15 statement the defendant gave on May 17th of 2008. I
16 marked it 2A. I misspoke, it should have been 2B and
17 I offered it into evidence.

18 THE COURT: The record will so reflect.
19 Any objections to 2B?

20 MS. SWALLERS: Without waiving the
21 previous one, no additions.

22 THE COURT: Same ruling, 2B admitted.

23 (State's Exhibit No. 2B was admitted.)

24 MS. DAVIDSON: Permission to play it
25 for the jury?

1 THE COURT: You may.

2 Now, members of the jury, you have a
3 script of the video. Just follow along and read,
4 listen closely.

5 (Exhibit 2B begins to play.)

6 THE COURT: Excuse me. I want to give
7 you instructions. You can read this. If it aids you
8 in following along, you can do that. But I instruct
9 you right now, after you listen to this and you read
10 that, if you do, the trial will go on. And you will
11 not keep these. This is just to aid you if you
12 cannot hear, or it is also to aid you to know what
13 you're hearing in the transcript. But be aware of
14 that, okay? Don't think well, I'll read it later.
15 You have to do that at this time now.

16 All right. You may continue.

17 (Video continues.)

18 THE COURT: Counsel, approach the
19 bench, please.

20 (Bench Conference.)

21 THE COURT: How many questions?

22 MS. DAVIDSON: Quite a few.

23 THE COURT: Okay.

24 MS. DAVIDSON: We haven't got to the
25 20th yet.

1 THE COURT: We can stay late today or
2 we can break them right now. I'll break them in ten
3 minutes and come back Monday.

4 MS. DAVIDSON: Okay.

5 (Bench Conference Concluded.)

6 THE COURT: Members of the jury, we're
7 going to take a 10 minute break. And we're going to
8 come back and we'll work a little while past 5:00,
9 but not terribly past 5:00 but we will go past 5:00.

10 If you would, remember the
11 instructions. Don't discuss the case. We'll take a
12 break.

13 THE BAILIFF: All rise.

14 (Jury exits courtroom.)

15 THE COURT: Be seated, please. Ten
16 minutes.

17 (Recess taken.)

18 THE COURT: Both sides ready for the
19 jury?

20 MS. SWALLERS: Yes, sir.

21 MS. DAVIDSON: Yes, sir.

22 THE COURT: All right. Bring them in,
23 please.

24 (Jury Panel enters courtroom.)

25 (Open court; defendant and jury panel

1 present.).

2 THE BAILIFF: All Rise.

3 THE COURT: Be seated, please.

4 Ms. Davidson, you may proceed.

5 MS. DAVIDSON: Thank you, Judge.

6 Q (BY MS. DAVIDSON) Detective Wedgeworth, I've
7 noticed from the end of the tape, the tape got over
8 about 10:35; is that correct?

9 A It did. Sergeant Clopton completed that
10 portion of the interview at 10:34.

11 Q Okay. All right. After taking this
12 statement from the defendant on May 17th of 2009,
13 what did you do with the defendant?

14 A Sergeant Clopton and Deputy Pool took him
15 home.

16 Q And was that your intent all along to give
17 him a ride home?

18 A Yes, it was.

19 Q What was the next thing you did in the
20 course of your investigation?

21 A Sergeant Clopton and I just continued follow
22 up over the next couple of days getting any
23 information that we could. I had -- I know during
24 that period of time is whenever I learned about -- I
25 didn't know it at the scene, that he was wearing a

1 pair of sweatpants under his britches. So, I was
2 conferring with CSU, trying to get information from
3 them and everyone else. I think it was that Sunday,
4 Sergeant Clopton and I met with the family --

5 Q When you say the Sunday, are you talking
6 about Sunday, May 18th --

7 A The 18th.

8 Q Of 20 --

9 A Yes, ma'am.

10 Q What time of the day or night was it that
11 you met with the family?

12 A I want to say it was about the middle of the
13 day.

14 Q Okay. And where did you meet with the
15 family?

16 A At -- at the scene of the event. And this
17 is cousins, as I recall. I know I conferred with a
18 cousin. He goes by the name of Corey I believe his
19 name was. And talked to him at length and explained
20 to him exactly what was going on.

21 And at that point, I explained to them
22 that it was our belief that he actually committed the
23 murder.

24 Q And when you talked to the family on that
25 Sunday, at the time you were telling the family he

1 was y'all's primary suspect, was the defendant there?

2 A He did show up while we were talking to
3 them.

4 Q Approximately what time of the day or night
5 did he show up?

6 A It was shortly after we began talking to the
7 family.

8 Q And do you know where he had been coming
9 from?

10 A I do not.

11 Q And did you have any conversations with him
12 at the house?

13 A I just told him he needed to come clean and
14 tell the truth.

15 Q Did Sergeant Clopton in your presence have
16 any conversations with him?

17 A Not that I recall.

18 Q Okay. What was the next thing y'all did in
19 your investigation?

20 A The next thing took place -- well, after we
21 left the scene of the event later that evening, I
22 didn't know it at the time until Sergeant Clopton
23 called me, but he advised me that he had been
24 contacted by Quanell X.

25 Q And so that was on Sunday, May 19th?

1 A It was late in the evening. I think
2 whenever he got the call. And then the following
3 day, around noon on the 20th -- on the 20th, I
4 believe. Tuesday the 20th, Quanell X and Theron
5 Owens arrived at homicide. And we were advised by
6 Quanell X that Mr. Owens had confessed to him about
7 the murders.

8 Q And this was about noon on December 20th --
9 excuse me, May 20th, correct?

10 A That's correct, Tuesday, May 20th.

11 Q When -- when they got to the -- I'm assuming
12 when you say they arrived and Quanell X brought him
13 in, Quanell X bring him to 601 Lockwood?

14 A He did, to the homicide office.

15 Q Okay. And did you see him come in with the
16 defendant?

17 A I did.

18 Q What happened?

19 A Quanell X talked to Sergeant Clopton. Told
20 us -- and I was there -- and told us that he had, in
21 fact, confessed to him and wanted to confess, tell
22 the truth. And we placed him in an interview room.
23 At that time, Quanell X met with Larry Davis --

24 MS. SWALLERS: Judge, I'm going to
25 object to the narrative.

1 THE COURT: All right.

2 Q (BY MS. DAVIDSON) Okay. Let me stop you and
3 ask you questions.

4 THE COURT: Question and answer.

5 THE WITNESS: Okay.

6 Q (BY MS. DAVIDSON) You said you placed him in
7 an interview room?

8 A I did.

9 Q Can you describe for the jury the interview
10 room you placed him in on May 20th?

11 A It's the exact same interview room that we
12 had him in with the prior interview. Just a 12 by 12
13 blank room basically, with video capabilities.

14 Q Okay. And you said that Quanell X met with
15 Sergeant Larry Davis?

16 A He did.

17 Q And what was the purpose of Quanell X
18 meeting with Sergeant Larry Davis?

19 A He gave a written statement.

20 Q Who gave a written statement?

21 A Quanell X gave a voluntary written statement
22 to Sergeant Davis.

23 Q About the conversation he had with the
24 defendant?

25 A That's correct.

1 Q And what did you and Sergeant Clopton do?

2 A At that time, we met with Theron Owens in
3 the interview room and I produced a blue card that
4 we're given from the district attorney's office, that
5 has the legal warning that we are to give every
6 individual that we deal with. And I read him his
7 rights off the blue card.

8 Q Do you have a DA blue card with you today?

9 A Yes, I do.

10 Q Can you pull it out, please?

11 A Yes, ma'am. It's a little card like that
12 (indicating).

13 Q And those are issued to law enforcement and
14 they have the Miranda warnings on them, correct?

15 A That's correct.

16 Q Can you read to the jury the warnings that
17 you gave the defendant on May 20th of 2008?

18 A "You have the right to remain silent and not
19 make any statement at all. And that any statement
20 you make may be used against you and probably will be
21 used against you at your trial. Any statement you
22 make may be used as evidence against you in a court.
23 You have the right to have a lawyer present to advise
24 you prior to and during any questioning. If you're
25 unable to employ a lawyer, you have the right to have

1 a lawyer appointed to advise you prior to and during
2 any questioning. You have the right to terminate
3 this interview at any time."

4 Q And after you gave him those rights on that
5 day, did he indicate to you he understood those
6 rights?

7 A He did.

8 Q And what, if anything, did he tell you
9 during the course of you -- of him saying he
10 understood his rights?

11 A Well, at that point he said he wanted an
12 attorney -- he wanted to confess and he wanted us --
13 he wanted to give us details of the event, but he
14 wanted a lawyer present.

15 Q And what did you do based on that
16 information?

17 A Well, at that point I walked out of the
18 office and went and met with the -- the lieutenant
19 over homicide.

20 I discussed to him what Theron Owens
21 wanted and was advised, as I had previously been
22 advised by the district attorney's office, that
23 because he's not in custody and charged -- he hasn't
24 been charged, then he can stop the interview, get his
25 own attorney, but it's not up to us to have one

1 appointed for him. That's my understanding and
2 that's what I told him.

3 Q So, after you went out and talked to the
4 lieutenant, did you go back into the interview room?

5 A I did.

6 Q Tell the jury what happened?

7 A I took a telephone directory in with me,
8 gave it to him, said he could find him an attorney
9 and I put him on the phone.

10 Q Where was Sergeant Clopton during this?

11 A He's sitting inside the interview room with
12 Theron Owens.

13 Q And once you give him a telephone book and
14 tell him he can call an attorney, does he call an
15 attorney?

16 A No. He -- he stated if he called one, you
17 know, attorney's not going to take his case without
18 money. So, you know, he couldn't afford -- he
19 couldn't afford to hire one.

20 Q Did he make any other requests of y'all?

21 A He asked to speak to Quanell X.

22 Q And Quanell, I'm assuming at this time, was
23 still at 601 Lockwood?

24 A Yes, he was.

25 Q So, when he requested to see Quanell X, what

1 did y'all do?

2 A Well, I told him in the recorded interview,
3 that if I was an attorney, I'd tell him not to talk
4 at all. Not to say anything. And he thought about
5 that for a few minutes and said, you told me not to
6 talk about anything. And I said, I told you --

7 MS. SWALLERS: Judge, I'm going to
8 object to the narrative testimony.

9 THE COURT: And that's overruled.
10 That's just one little conversation.

11 Q (BY MS. DAVIDSON) What did he tell you?

12 A He said -- I -- I told him that I told you
13 that if I was an attorney, but I'm not an attorney. I
14 mean, if you want to give your confession, you give
15 your confession. If you don't, it's up to you.

16 Q Well, I guess my other part of my question
17 to you was, when he requested to see Quanell X, what
18 did y'all do?

19 A I went and notified Quanell X that he wanted
20 to talk to him, and he came in and talked to him.

21 Q And at the time Quanell X met with the
22 defendant in the interview room, after -- at his
23 request, did you and Sergeant Clopton stay in the
24 room?

25 A No, we did not.

1 Q At some point, did Quanell X come out of the
2 interview and come and see you and Sergeant Clopton?

3 A He did.

4 Q And what was his request?

5 A He said Theron Owens had asked to speak to
6 Sergeant Clopton. He didn't want to speak to me.

7 Q And did you see Sergeant Clopton go back
8 into the interview room?

9 A I did.

10 Q And you did not go back into the interview
11 room again with the defendant, did you?

12 A I did not.

13 Q After he talked to Sergeant Clopton, were
14 charges subsequently filed on him for capital murder?

15 A They were.

16 MS. DAVIDSON: I'll pass the witness,
17 Judge.

18 THE COURT: All right. Any questions?

19 MS. SWALLERS: Yes, Judge.

20 THE COURT: You may proceed.

21 MS. SWALLERS: Thank you.

22 **CROSS-EXAMINATION**

23 BY MS. SWALLERS:

24 Q Good afternoon, Mr. Wedgeworth. How are
25 you?

1 A I'm good.

2 Q What time was it that you said you arrived
3 on -- on the scene?

4 A I arrived on the scene at approximately
5 1:26 a.m.

6 Q And Mr. Owens was in the backseat of the
7 patrol car, handcuffed when you got there?

8 A He was certainly in the backseat of a patrol
9 car, but I -- I couldn't tell you if he was
10 handcuffed. Probably was.

11 Q And were you aware that he had been in the
12 back of that car for about two hours by that point?

13 A And that is typical. I'm aware of that.

14 Q You remember if he was wearing an orange
15 jumpsuit when you got there?

16 A Absolutely not.

17 Q Were you advised that his clothes that he'd
18 previously been wearing were taken from him?

19 A Yes.

20 Q Do you know who did that?

21 A I think it was CSU Carpenter and Deputy
22 Pool.

23 Q So, but he was in civilian clothes when you
24 saw him?

25 A As I recall, yeah. The same clothes he was

1 wearing during the interview.

2 Q Do you know where those clothes came from
3 when he got them?

4 A I -- I really don't. It took place before I
5 got there.

6 Q You didn't question Mr. Padilla, did you?

7 A No, another investigator did.

8 Q And he was questioned on the scene?

9 A He was.

10 Q Was Mr. Padilla ever asked to come down to
11 the homicide office?

12 A No, he was not.

13 Q And other neighbors and people were talked
14 to out at the scene, correct?

15 A That's correct.

16 Q Nobody else was asked to go down to the
17 homicide office?

18 A No, they weren't.

19 Q You didn't ask Mr. Owens if he wanted to go
20 down to the office, did you?

21 A No, I had him transported down.

22 Q You didn't ask him if he wanted to take a
23 cab?

24 A No.

25 Q You didn't ask him if he wanted to have a

1 friend drive him?

2 A No.

3 Q You said you had walked through the scene
4 before speaking with Mr. Owens; is that correct?

5 A That's correct.

6 Q And you did that so that you could gather
7 some -- some evidence, or some idea about what was
8 going on at the scene before you spoke with him; is
9 that correct?

10 A That's correct.

11 Q And other officers had already decided
12 Mr. Owens was a suspect by the time you got there,
13 hadn't they?

14 A Not at that point.

15 Q By the time you did your walk-through, did
16 you have enough evidence in your mind that Mr. Owens
17 was a suspect?

18 A Mr. Owens was --

19 Q Yes or no. I'm sorry.

20 A Yes.

21 Q So, by the time you spoke with Mr. Owens, in
22 your mind he was a suspect?

23 A Possible suspect.

24 Q You could have taken his statement there at
25 the scene, couldn't you? Yes or no.

1 A No.

2 Q But you took everyone else's statement at
3 the scene, correct?

4 A Correct.

5 Q So, you didn't have enough evidence to
6 arrest him at that point, did you?

7 A No, I did not.

8 Q But you had him transported to homicide?

9 A I did.

10 Q And you didn't have anybody else transported
11 to homicide?

12 MS. DAVIDSON: Objection; asked and
13 answered, Judge.

14 THE COURT: Sustained.

15 Q (BY MS. SWALLERS) Was Mr. Owens read his
16 Miranda rights at the scene; do you recall?

17 A No, he was not.

18 Q When you got to -- by the time you got to
19 homicide, what time was it again?

20 A I got back to homicide at 4:18.

21 Q So, by this time Mr. Owens had been in the
22 backseat of a police car for about five hours by the
23 time you got to homicide, correct?

24 A That's -- that's correct.

25 Q And you escorted him to a room -- an office

1 at the beginning?

2 A That's correct.

3 Q And how many hours were you in that room
4 with him in the -- in the office?

5 A I'm guessing about an hour and a half, to
6 take a written statement.

7 Q So, then that puts you at around 6:00 or so?

8 A I would say somewhere around there.

9 Q So, then that means by that point he had
10 been in the presence of police officers for about
11 seven hours?

12 A That's correct.

13 Q But you didn't read him his Miranda rights
14 before you took his written statement, correct?

15 A That's correct.

16 Q And then you said, I believe, your testimony
17 was you -- you thought there were inconsistencies in
18 what he said in his written statement; is that
19 correct?

20 A That's correct.

21 Q From -- you said inconsistencies regarding
22 information from the scene, and the times and a
23 number of things?

24 A Correct.

25 Q What were those? Could you name me one

1 right now?

2 A His times.

3 Q And those times were inconsistent as
4 compared with what?

5 A My view at the scene.

6 Q What exactly about your view of the scene
7 are you comparing it to, when you say that his
8 statement was inconsistent?

9 A The drying blood.

10 Q So, you wanted to try to pin him down a
11 little further, right?

12 A That's correct.

13 Q And you started asking him questions after
14 you put him in the interview room, right?

15 A That's correct.

16 Q How big did you say the room was?

17 A Approximately 12 by 12. I -- it could be
18 bigger, but I'm just, you know -- 12 by 12.

19 Q And there aren't any windows in the room,
20 right?

21 A No windows.

22 Q There -- is there any ornamentation or
23 decoration in the room?

24 A No, blank walls.

25 Q And it was just you and he?

1 A It was Sergeant Clopton and I in the
2 interview room.

3 Q And was the door open or closed?

4 A Closed.

5 Q Were you and Sergeant Clopton wearing your
6 guns?

7 A We've got -- honestly, at this point I don't
8 recall that. Ordinarily we have lockboxes that we
9 put them in, so...

10 Q So, you may or may not have had your -- your
11 gun on you at the time?

12 A It's possible I had my gun.

13 Q So, there were two officers in the interview
14 room with Mr. Owens, yourself and Mr. Clopton,
15 correct?

16 A That's correct.

17 Q With a closed door?

18 A That's correct.

19 Q You may or not have had your weapons on you?

20 A That's correct.

21 Q And you just go right into the questioning?

22 A That's correct.

23 Q And even though you said he was a suspect,
24 you didn't read him his Miranda rights?

25 A That's correct.

1 Q You didn't tell him he was free to leave at
2 any time?

3 A No, I did not.

4 Q Even though you just said in your testimony
5 that you read the blue card to people that you're
6 dealing with when you ask them questions, you still
7 didn't read him a Miranda?

8 A That's correct.

9 Q And then you started throwing some facts out
10 there, to try and see if you could catch him in a
11 lie, right?

12 A That's correct.

13 Q And you told him that the -- the lawn guy
14 had been talked to, right? You thought the lawn guy
15 was -- that you guys had discussed the lawn guy
16 Julio, right?

17 A That's correct.

18 Q But you hadn't talked to the lawn guy by
19 that point, had you?

20 A Not to my knowledge.

21 Q And you told him you had the DNA evidence.
22 The DNA was going to show everything, right?

23 A That's correct.

24 Q But the DNA hadn't been analyzed at that
25 point, had it?

1 A No, it had not.

2 Q In fact, they were still collecting the
3 evidence at that point?

4 A That's correct.

5 Q He also had mentioned to you about his
6 grandmother's dialysis. You were worried about
7 times, right. The times when things happened,
8 correct?

9 A That's correct.

10 Q And you told him you were going to check
11 with the dialysis folks, right?

12 A That's correct.

13 Q Did you check with the dialysis people?

14 A I did not.

15 Q Do you know if anybody in your office
16 working this case checked with the dialysis people to
17 see what time Ms. Owens left dialysis?

18 A Not to my knowledge.

19 Q You also said there -- you saw blood in the
20 bathtub. You told him that, right?

21 A That's correct.

22 Q There wasn't any blood in the bathtub, was
23 there?

24 A Not to my knowledge.

25 Q But you told him the luminol -- what is

1 luminol, by the way?

2 A Luminol is a substance that you can put on
3 areas that have had blood that will fluoresce.

4 Q And you told him they were doing that right
5 now. Isn't that what you told them?

6 A No, I didn't say that, Sergeant Clopton did.

7 Q And you told Mr. Owens that the only person
8 that could have done this is you?

9 A That is what I told him.

10 Q That's not true, though, is it?

11 A Well, I -- I suppose --

12 Q Is it -- is it true that he's the only
13 person that could have done it by that point, or not?

14 A In my opinion, yes.

15 Q So, you had formed your opinion without
16 analyzing any of the other evidence that he's the
17 person?

18 A That's correct.

19 Q I want to ask you a question about the --
20 the AFIS fingerprint system. What does that stand
21 for?

22 A Automated Fingerprint Index System. It
23 automatically identifies fingerprints if you're in
24 the system.

25 Q Is that a nationwide database?

1 A It is.

2 Q Do all states and -- and agencies report, or
3 upload -- however they do it. Do all agencies
4 unilaterally submit their fingerprints to AFIS?

5 A No.

6 Q So, this unidentified fingerprint that we've
7 heard about from -- that was lifted from the bathroom
8 sink, that was run just through AFIS?

9 A I honestly can't answer that question.
10 You'd have to talk to CSU on that.

11 Q So, but you -- you're aware that the AFIS
12 doesn't -- like you said, it doesn't -- not every
13 agency reports what they find, or what the
14 fingerprints are that they have, right?

15 A That's true.

16 Q Did you ask the CSU folks to run that print
17 somewhere else?

18 A CSU just told me it was an unidentified
19 print, if I recall correctly.

20 Q And you didn't follow up any further to look
21 into it more?

22 A That's their job to follow up on
23 fingerprints.

24 Q You are -- you were the lead detective
25 though, correct?

1 A That's correct.

2 Q And it didn't cause you any pause that there
3 was an unidentified fingerprint. You weren't really
4 sure if AFIS would have it, but you didn't think that
5 you needed to tell them to check again?

6 A They're responsible for conducting searches
7 on fingerprints. They'll run them through any system
8 they had. It's not something that I have anything to
9 do with. They just let me know whether the print has
10 been identified or it hasn't been identified.

11 Q It's important to -- to analyze all the
12 evidence at the scene, is it not?

13 A Yes, it is.

14 Q Sometimes things get overlooked, don't they?

15 A It's happened before.

16 Q And a fingerprint is a pretty significant
17 piece of information, if it's found at a crime scene,
18 and it's not identified with any of the people who
19 live in that house; wouldn't you say that?

20 A It could be.

21 Q And you testified earlier that Mr. Owens,
22 after -- after you spoke with him initially on the
23 20th, that he asked you for a lawyer right away,
24 correct?

25 A After I read him his rights, he did.

1 Q And then you left the room?

2 A That's correct.

3 Q And you had conversation with, I believe you
4 said it was Larry Davis?

5 A Lieutenant John Denholm.

6 Q Oh, I'm so sorry, John Denholm. And based
7 on that, you came back and told Mr. Owens, I can give
8 you a phone book, but I can't provide you an
9 attorney, correct?

10 A That's correct.

11 Q And then you also told him -- you encouraged
12 him though, that well, if you went to talk to Clopton
13 that's between you and him. Do you remember telling
14 him that?

15 A I think that was after I told him, if I was
16 an attorney I'd tell him not to talk. But, yeah, I
17 probably said that.

18 Q Was Mr. Owens free to leave at that point?

19 A Not at that point, because Quanell X had
20 told us that he had confessed to him. And before I
21 would have released him, I would have reviewed
22 everything with the district attorney.

23 Q So, about -- at what point -- at what point
24 then were you sure in your mind that Mr. Owens -- you
25 weren't letting him leave there?

1 A Whenever Quanell X told us that he had
2 confessed to him.

3 Q Was this at the same time that Mr. Owens was
4 sitting in the interview room?

5 A Well, as soon as he showed up he told us
6 that he had confessed to it.

7 Q So you knew he was going to be charged
8 pretty soon, didn't you?

9 A I knew it would be up to the district
10 attorney for them to make that decision. It's not a
11 decision that I make.

12 Q But you knew it was close, didn't you?

13 A I knew it was close.

14 Q And you knew he'd get a lawyer once he was
15 formally charged. You knew for sure he'd get a
16 lawyer then, didn't you?

17 A Once he's charged a lawyer would be
18 appointed to him. Up until that point, it's up to
19 him to furnish his own attorney.

20 Q But -- but you had just told him he had the
21 right to a court-appointed lawyer, right?

22 A I did.

23 Q And you knew if he got a lawyer, he probably
24 wouldn't talk to you, didn't you?

25 A I told him that.

1 MS. SWALLERS: No further questions.

2 MS. DAVIDSON: I don't have any further
3 questions.

4 THE COURT: All right. May Sergeant
5 Wedgeworth be excused, subject to recall?

6 MS. SWALLERS: Yes, sir.

7 MS. DAVIDSON: Yes, Judge. I've got
8 contact --

9 THE COURT: Thank you, sir.

10 THE WITNESS: Yes, sir. Thank you,
11 Judge.

12 THE COURT: They'll let you know.

13 All right. We're going to shut it down
14 for today. We're going to resume Monday morning at
15 9:00 o'clock.

16 Do you want to bring some snacks with
17 you. It's going to be a long day. Well, a morning
18 snack and an afternoon snack. But lunch will be
19 here -- we'll take you to lunch.

20 Remember the instructions I gave you.
21 You do not look at any TV reports, listen to any
22 radio accounts, if any. Change the channel or turn
23 the volume down. Newspapers, don't read any
24 articles, if any, any blogs, anything like that.

25 Don't do any independent -- don't do

1 any independent investigation. Don't Google any
2 person, place, or thing, or issue. Don't Google the
3 witnesses. Don't Google locations, addresses. Don't
4 make any scene investigations. Don't do any kind of
5 research involving the law, medicine, scientific
6 evidence, or anything of that nature.

7 Just have a good weekend, and don't
8 talk about the case among yourselves or with anyone
9 else. Have a good weekend. I'll see you Monday,
10 9:00 o'clock.

11 THE BAILIFF: All rise.

12 (Jury exits courtroom.)

13 THE COURT: And remember your parking.

14 (Jury exits courtroom.)

15 (Court adjourned.)

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