

1 THE COURT: Mr. Plummer?

2 MR. PLUMMER: Nothing further.

3 THE COURT: Direct examination of Clarence "Skippy" Roberts on
4 his own behalf in his case-in-chief.

5 DIRECT EXAMINATION.

6 BY MR. BIEGLER:

7 Q. For the record, would you please state your full name?

8 A. Clarence Dean Roberts.

9 Q. Are you known by a nickname?

10 A. Yeah, "Skip".

11 THE COURT: I'm going to interrupt the presentation.

12 Mr. Roberts, you say "Skip". Throughout the record it
13 shows "Skippy". Is that incorrect?

14 A. Yes.

15 THE COURT: It should just be "Skip"?

16 A. Yeah, S-K-I-P.

17 THE COURT: Any motion to amend the court records?

18 MR. BIEGLER: I'm not sure there's a difference between "Skip"
19 and "Skippy".

20 THE COURT: I think everyone that comes into court should be
21 able to use the right name and the name they're known
22 by. If you want to proceed with "Skippy" on the court
23 records, that's fine. It's placed there in the
24 indictment not by the Judge.

25 You may continue, Mr. Biegler. This is Clarence

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1 "Skip" Roberts.

2 MR. BIEGLER: Yes.

3 THE COURT: Continue.

4 MR. BIEGLER:

5 Q. "Skip", I want to take you back to the night of May
6 16th or 17th. Trooper Dudley has testified that he
7 saw a vehicle, a white vehicle parked at the Duke and
8 Duchess Station, I believe. Were you in that vehicle?

9 A. Yes.

10 Q. What were you doing in the vehicle?

11 A. Sleeping.

12 Q. You woke up the next morning?

13 A. Yes.

14 Q. Where did you go?

15 A. Home.

16 Q. You went home?

17 A. (Witness nodded in the affirmative.)

18 Q. And what did you do after you went home?

19 A. I checked on my kids and made sure everything was all
20 right because I had been out all night.

21 Q. Now, Mr. Tuttle has testified that you were at his
22 house that morning. Is that correct?

23 A. Yes.

24 Q. Is that where you went from home?

25 A. Right.

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1 Q. And he testified that you were drinking beer at his
2 house. Would that be correct as well?

3 A. Yes.

4 Q. After you left Mr. Tuttle's house were you driving
5 around Buffalo as Jodey Dolan has testifies?

6 A. Yes.

7 Q. Were you also drinking beer during this time period?

8 A. Yes.

9 Q. Later that afternoon, May 17th, did you meet up with
10 Albert "Chip" Andrews, II, I believe, and John
11 LaFollete?

12 A. Yes.

13 THE COURT: I believe it's the third. That's what the court
14 records show but then they also showed "Skippy" but
15 you may continue.

16 MR. BIEGLER:

17 Q. You know Mr. Andrews by "Chip", is that correct?

18 A. Yes.

19 Q. So if I use the word "Chip" you know who I'm talking
20 about?

21 A. Yes.

22 Q. Where did you meet up with them?

23 A. At Mia Willey's residence.

24 Q. And from Mia Willey's residence where did the three of
25 you go?

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- 1 A. We started just riding around through town drinking
- 2 the beer that we had.
- 3 Q. When you say "town" what town do you mean?
- 4 A. Buffalo.
- 5 Q. Was it just within Buffalo or was it other places as
- 6 well?
- 7 A. A little bit all over. Out back side of Cherry Hill
- 8 and so forth.
- 9 Q. Jodey Dolan has testified that when she first saw you
- 10 driving around that you had license plates on your
- 11 car. Did you have license plates?
- 12 A. Yes.
- 13 Q. Did at some point you take license plates off?
- 14 A. Yes.
- 15 Q. Why did you do that?
- 16 A. Mainly because of the law and I had been drinking
- 17 neavy and if I had gotten stopped I didn't want to
- 18 have that much more of a charge on me.
- 19 Q. Were you driving the car?
- 20 A. For the first part of it.
- 21 Q. Did other people drive?
- 22 A. Johnnie LaFollete's brother. I had run into him and
- 23 we was looking for his brother earlier awhile and he
- 24 drove.
- 25 Q. So is this while you were driving around town?

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- 1 A. Yes.
- 2 Q. And do you know John LaFollete's brother's name?
- 3 A. I keep forgetting it right off. I hadn't seen him in
- 4 years but I know him as Mr. LaFollete.
- 5 Q. Okay. Did the license plates come off the vehicle
- 6 before you ran into "Chip" Andrews and John LaFollete?
- 7 A. Yes.
- 8 Q. Did at some point after meeting up with "Chip" Andrews
- 9 and John LaFollete did you go to a home that you now
- 10 know as Leo Sinnett's home?
- 11 A. Say that again.
- 12 Q. Did you end up going to Leo Sinnett's house?
- 13 A. Yes.
- 14 Q. Whose idea was it to go there?
- 15 A. Johnnie LaFollete's.
- 16 Q. Do you know why you were going there?
- 17 A. He wanted to see if he could get an advance on some
- 18 money on a job he was suppose to do for Leo.
- 19 Q. What's "a job"?
- 20 A. He said tree trimming.
- 21 Q. Who was driving the vehicle?
- 22 A. "Chipper".
- 23 Q. "Chipper" is the same as "Chip"?
- 24 A. Yeah.
- 25 Q. So "Chip" Andrews is driving?

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- 1 A. Yes.
- 2 Q. And where are you seated?
- 3 A. In the passenger seat.
- 4 Q. In the front?
- 5 A. Yes.
- 6 Q. And who is -- where is John LaFollete?
- 7 A. In the back passenger seat behind me.
- 8 Q. So you pull up to the house?
- 9 A. Yes.
- 10 Q. Did you know Leo Sinnett?
- 11 A. I know of Leo. I've never actually ever met him.
- 12 Q. All right. Once the car comes to a stop where was the
- 13 car stopped?
- 14 A. In front of the house.
- 15 Q. Does anyone get out of the car?
- 16 A. Yes.
- 17 Q. Who got out of the car?
- 18 A. Johnnie LaFollete.
- 19 Q. John LaFollete got out?
- 20 A. Yes.
- 21 Q. Did you stay in the car?
- 22 A. Yes.
- 23 Q. Did "Chip" Andrews stay in the car?
- 24 A. Yes.
- 25 Q. Where did John LaFollete go?

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- 1 A. Around the right side of the house to the back.
- 2 Q. And what did you do?
- 3 A. I sat there with "Chip" in the car and we were
- 4 listening to the radio.
- 5 Q. Did you ever get out of the car?
- 6 A. After a few minutes, yes.
- 7 Q. And where did you go?
- 8 A. I got out and went to the back of the house to check
- 9 on Johnnie, what was taking him so long; and I went to
- 10 the left side of the house cause it seemed like to me
- 11 the quickest path. It's a more straight line and I
- 12 went to the back of the house. He wasn't there. I
- 13 heard a car door then I returned to the car.
- 14 Q. And when you got back to the car was "Chip" the only
- 15 one still there?
- 16 A. No.
- 17 Q. Who else was there?
- 18 A. Johnnie LaFollete.
- 19 Q. And where was he?
- 20 A. In the back seat.
- 21 Q. Did you get into the car?
- 22 A. Yes.
- 23 Q. What happened after you got into the car?
- 24 A. "Chip" dropped it into gear and we pulled out.
- 25 Q. Did you squeal your tires?

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1 A. No.

2 Q. Were you in any great hurry?

3 A. No.

4 Q. Did you have a conversation with anybody after the
5 three of you were back in the car?

6 A. After we pulled out we asked Johnnie if he got the job
7 or the money and he said I had to kill the old
8 son-of-a-bitch. Well, first we thought it was more of
9 a joke until we looked around in the seat and he did
10 have blood all over the front of him.

11 Q. What else did you see?

12 A. He was in a slunched (sic) position like this and he
13 was clenching the knife, my knife that was in my
14 jacket in the back seat of the car with the sheath and
15 all like this like he was holding onto it.

16 Q. Like what?

17 A. well, I would call it like a death grip. He was pale
18 white and hunched over like this and when I seen the
19 blood I knew he must have been telling the truth.

20 THE COURT: Can you see what the defendant is demonstrating,
21 ladies and gentlemen of the jury? All right.

22 Continue, Mr. Biegler. They have indicated they can.

23 BY MR. BIEGLER:

24 Q. What was your and "Chip's" reaction to him telling you
25 that?

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- 1 A. Well, we were pretty shocked and startled about it and
2 we both sort of started cussing in a way. More or
3 less we like -- what was it we said, well you're about
4 a stupid son-of-a-bitch and a few other words. We
5 were both just rattling off and "Chipper" was all over
6 the road.
- 7 Q. Were you and "Chip" yelling?
- 8 A. Yes.
- 9 Q. You say you saw your knife in John LaFollete's hands?
- 10 A. Yes, sir.
- 11 Q. Do you know where that knife was prior to it being in
12 his hands?
- 13 A. In my leather jacket. I have an inside pocket and it
14 was just throwed (sic) in the back, which the knife
15 has a metal clip on it. It clips on and off and it
16 was hooked on the pocket.
- 17 Q. On the pocket of what?
- 18 A. My jacket.
- 19 Q. And your jacket was in the back seat?
- 20 A. Yes, sir.
- 21 Q. Did you come into possession of that knife?
- 22 A. Yes, sir.
- 23 Q. How did you get possession of it?
- 24 A. We was approximately almost by the Duke Station and I
25 got up on my knee, I reached into the back seat and I

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1 took the knife from him. I had to literally take it
2 from him. He was clenched to it. He wasn't turning
3 loose of it.

4 Q. And did you reach back with one hand, two hands?

5 A. At first one but I put both hands on his and pulled
6 them off, pulled the knife away.

7 Q. How did you turn when you reached into the back seat?

8 A. I turned to the right or to the left like this with
9 both knees and was like that and I got the knife away
10 from him and then went like this with the knife and I
11 went down like this and clipped it on my side because
12 you don't even have to look. It just clips right onto
13 the belt.

14 THE COURT: Off record.

15 (Whereupon, off the record.)

16 (Whereupon, on the record.)

17 THE COURT: We're back on record.

18 BY MR. BIEGLER:

19 Q. You reached back with both hands?

20 A. Yes, sir.

21 Q. You turned to your left and grabbed it?

22 A. Right.

23 Q. Came back around and used your right hand to clip the
24 knife to your belt, I think is what you said?

25 A. Yes, sir.

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1 Q. Did you look at your hands?
 2 A. Not right at that present second I didn't because we
 3 was still pretty much like in shock.
 4 Q. Did you eventually notice your hands?
 5 A. Yes.
 6 Q. What did your hands look like?
 7 A. Right here from where I grabbed him I had blood on the
 8 top of both hands and I took and tried to spit on my
 9 hands to wipe the blood and I went like this on my
 10 shirt and pants, which it didn't have a heavy residue
 11 but there was a residue of blood on my pants and
 12 shirt.
 13 Q. Now, you said you were almost to the Duke Station, is
 14 that correct?
 15 A. Yeah.
 16 Q. That's the Duke Station located right by Interstate
 17 77?
 18 A. Yes, sir.
 19 Q. Did you see a State Highway Patrolman then?
 20 A. Yes. After we passed underneath the underpass and me
 21 and "Chipper" was actually still more or less arguing
 22 with LaFollete and so forth just crazy stuff and we
 23 passed a State Patrolman and "Chipper" was still
 24 trying to look in the back seat and he swerved and
 25 that's what called, I think, the attention of the

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State Patrolman to us.

Q. I guess actually "Chipper" was the one that was driving so he was stopped by the State Highway Patrolman?

A. Yes, sir.

Q. After the stop the state highway -- actually two State Highway Patrolmen have testified that you tried -- excuse me. Strike that. The first State Highway Patrolman that stopped you said you tried to get out of the car, is that correct?

A. Yes, sir.

Q. He said he ordered you back in the car and you sat in the car. Is that correct?

A. Yes, sir.

Q. Eventually you get out of the car to talk to the State Trooper?

A. yes, sir.

Q. Did they notice your knife?

A. Not right that second.

Q. Later as you're discussing with them they notice the knife?

A. Yeah.

Q. Did they take the knife from you?

A. Yes.

Q. Now, according to Mr. Tuttle you ended up going to his

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- 1 house, is that correct?
- 2 A. Yes.
- 3 Q. When you went to his house where was Mr. LaFollete?
- 4 A. Still in the back seat of the car.
- 5 Q. After leaving Mr. Tuttle's house did you go back to
- 6 the car?
- 7 A. I had went in and asked Mr. Tuttle if it was all right
- 8 if we remained there while we got a ride because my
- 9 car was fixing to be impounded by the State Patrolman
- 10 for illegal registration.
- 11 Q. Then did you go back to the car?
- 12 A. Yes.
- 13 Q. Was Mr. LaFollete in the car this whole time?
- 14 A. At that time he was still there.
- 15 Q. Did you notice what Mr. LaFollete was doing?
- 16 A. He was turned trying to stay turned away from the
- 17 officer and he was hunched down in his seat and trying
- 18 to keep his face and his body turned away from the
- 19 officer most of the time.
- 20 Q. Was it dark at this time?
- 21 A. No, it was daylight.
- 22 Q. Still daylight?
- 23 A. Yes, sir.
- 24 Q. Did you end up going to Mr. Tuttle's house again?
- 25 A. Yes, sir.

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- 1 Q. Did Mr. LaFollete go to Mr. Tuttle's house?
- 2 A. Yes.
- 3 Q. Tell us what happened when you went to the house
- 4 again.
- 5 A. Well, at first the State Patrolman had already had
- 6 more or less released me. He was just going to tow
- 7 the car. Mr. LaFollete had already entered the house
- 8 right at that time and I was still outside.
- 9 Q. Did you see Mr. LaFollete go to the house?
- 10 A. Yes, sir.
- 11 Q. Can you characterize what -- how he got to the house?
- 12 A. He was almost a dead run.
- 13 Q. You got into the house and Mr. LaFollete is in the
- 14 house already?
- 15 A. Yes, sir.
- 16 Q. Where was he?
- 17 A. in the bathroom.
- 18 Q. Did you go into the bathroom as well?
- 19 A. Yes, sir.
- 20 Q. According to Mr. Tuttle's testimony John LaFollete's
- 21 sister was called, is that correct?
- 22 A. Yes, sir.
- 23 Q. And according to John LaFollete's sister she picked
- 24 you up and was originally going to take you to the
- 25 State Highway Patrol Post.

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- 1 A. Yes, sir.
- 2 Q. But you did not go there?
- 3 A. No, sir.
- 4 Q. Where did you go?
- 5 A. To the Spirit Lounge.
- 6 Q. Who went to the Spirit Lounge?
- 7 A. We all went there. Just me and Johnnie was dropped
- 8 off.
- 9 Q. What did you do when you got to the Spirit Lounge?
- 10 A. We went in and ordered a drink.
- 11 Q. After you had been there for a while what next
- 12 happened?
- 13 A. We was sitting there drinking our drink and then
- 14 pretty soon I guess it's Kimmie LaFollete, that's what
- 15 I always call her, and her husband now come in, come
- 16 back from the State Patrol Barracks.
- 17 Q. Did they come into the lounge?
- 18 A. Yes. Johnnie asked him to tell his sister to come
- 19 into the lounge.
- 20 Q. And did they both --

21 THE COURT: I apologize. I'm starting to having a bit of
 22 trouble in hearing. Mr. Gravens, will you adjust the
 23 microphone?

24 Mr. Roberts, I will ask you to keep your voice up
 25 so the jurors can hear you. I know it's normal to

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1 respond to your attorney's questions but it's the
 2 jurors that need to hear. I'm not sure the last
 3 answer to the question was heard. Did you hear him
 4 all right, ladies and gentlemen? All right. Just
 5 keep your voice up a little. They did hear you.
 6 Continue, please.

7 BY MR. BIEGLER:

8 Q. They both came into the lounge?

9 A. Yes, sir.

10 Q. And then did you leave?

11 A. No, not at that time.

12 Q. What happened?

13 A. Johnnie asked them to have a drink and he give his
 14 beer to his brother-in-law and she wanted a Mountain
 15 Dew or soda and she ended up getting a soft drink.

16 Q. You eventually left the Spirit Lounge, all four of
 17 you?

18 A. Yes, sir.

19 Q. Where did you go from there?

20 A. To Quality Farm & Fleet.

21 Q. All right. Why did you go to the Quality Farm &
 22 Fleet?

23 A. Well, as we was on our way out Mr. LaFollete said, he
 24 says you think we ought to get some shirts and I more
 25 or less said it probably wouldn't be a bad idea.

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- 1 Q. Why did you want to get shirts?
- 2 A. Because there was blood on both of our shirts.
- 3 Q. So you went to the Quality Farm & Fleet?
- 4 A. Yes, sir.
- 5 Q. Who went into the Quality Farm & Fleet?
- 6 A. Johnnie LaFollete.
- 7 Q. Did you give Mr. LaFollete any money?
- 8 A. No, sir.
- 9 Q. There has been testimony that you said you're afraid
10 of DNA testing because two different ways - you might
11 have killed somebody or you had a fight with somebody.
- 12 A. That was said but it wasn't me that said that.
- 13 Q. Who said that?
- 14 A. Johnnie LaFollete.
- 15 Q. Mr. LaFollete comes out. Does he have two shirts?
- 16 A. Yes, sir.
- 17 Q. What did the shirts look like?
- 18 A. Black with a moon scenery and a wolf picture on the
19 front of it.
- 20 Q. And what shirt did you have on before you put that one
21 on?
- 22 A. Black cut-off sleeve shirt.
- 23 Q. Did it have any markings on it?
- 24 A. Yes. It had white writing all over it Harley-Davidson
25 logo writing.

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- 1 Q. Was the shirt dirty?
- 2 A. Yes.
- 3 Q. Could you see a white emblem?
- 4 A. You could see the white emblems on it. It had grease
- 5 on the shirt is what it actually had on it when I had
- 6 been working.
- 7 Q. What did you do with that shirt?
- 8 A. I throwed (sic) it out.
- 9 Q. Did John LaFollete change his shirt, too?
- 10 A. Yes, sir. Same time.
- 11 Q. What did he do with his shirt?
- 12 A. Throwed (sic) his out, too.
- 13 Q. You're leaving the Quality Farm & Fleet parking lot.
- 14 Where did you go next?
- 15 A. We wanted to check on "Chipper" to see how things went
- 16 with him. So we asked Kimmie if she would take us to
- 17 Burraio to check on him.
- 18 Q. Okay. And where did you go?
- 19 A. To Buffalo.
- 20 Q. And when you got into Buffalo where did you go?
- 21 A. We started up through the back streets and Kimmie said
- 22 she was sick and she was really wanting to go home and
- 23 I made the suggestion well, take me to my house and I
- 24 can get my truck and we can check on "Chipper" later.
- 25 Q. And where is your house?

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- 1 A. Quaker City.
- 2 Q. Now, have you always lived in Quaker City?
- 3 A. No, just the past two years.
- 4 Q. Before that where have you lived?
- 5 A. Texas.
- 6 Q. Now, did you have some trouble with the law when you
- 7 were in Texas?
- 8 A. Yes, I have.
- 9 Q. Were you convicted of some felonies while you were in
- 10 Texas?
- 11 A. Forgery of a check.
- 12 Q. Anything else?
- 13 A. Possession of cocaine.
- 14 Q. But you haven't lived here your whole life. Texas
- 15 part of your life, here part of your life?
- 16 A. I was raised here as a young -- in my young -- as a
- 17 young man. Most of my adult life has all been in
- 18 Texas.
- 19 Q. So John LaFollete's sister takes you to your house in
- 20 Quaker City, is that correct?
- 21 A. Yes.
- 22 Q. Does she just drop you off, does she go in, what
- 23 happens?
- 24 A. She just pulled up and dropped us off and I got out of
- 25 the car with Johnnie and I told her thanks for

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bringing us over there and I give her \$10.00 for gas for taking me home.

Q. Did you go into your house?

A. Yes, sir.

Q. When you got into your house did you see your kids ?

A. Yes, sir.

Q. What kind of dialog did you have?

A. My kids and I walk in the house they always just come running up right to me daddy, daddy, daddy, that kind of thing. I give them a hug and told them I missed them, I loved them because I had been gone all night and Jessica told me that Josh had put his head up to the stove and burnt his hair and everything.

Q. How old is Josh?

A. Four. And I got ahold of him and showed him the hole in the stove and told him he needs to keep his head away from there because he did have the whole top of his head singed. I told the girls if they didn't stay away from there they were going to end up getting burned too and I sort of tried to scare them because I didn't want them to get burned. It's a brand new stove but it got busted and the glass is on order to get replaced.

Q. There is a glass piece that has been broken out of it and when it kicks on flames shoot out?

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- 1 A. Yeah. My other daughter put a cold rag to it when it
- 2 was hot and it blowed (sic) a hole in it.
- 3 Q. You talked about Jessica. Who is Jessica?
- 4 A. My niece.
- 5 Q. She was watching the kids?
- 6 A. Yes.
- 7 Q. Now, you testified that you went there to get your
- 8 truck, is that correct?
- 9 A. Yes.
- 10 Q. Did you get your truck?
- 11 A. Yes.
- 12 Q. You're in Quaker City, you've gotten your truck,
- 13 you're driving or is John LaFollete driving?
- 14 A. Johnnie LaFollete drove.
- 15 Q. And where did you go?
- 16 A. Well, we backed out of my back yard, we started out
- 17 down Broadway like you're going to leave town, headed
- 18 towards Lore City and the station there was already
- 19 closed and we started towards Quaker City -- or Lore
- 20 City.
- 21 Q. Did you make it the whole way?
- 22 A. Well, we got pretty close to Lore City and there's a
- 23 back road you can turn left and go and I was about out
- 24 of gas so I thought we'd try to take the shortcut to
- 25 make it to Buffalo so I could get gas and I run out of

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gas.

Q. So what do you do when you run out of gas?

A. Well, we took, and we was on the gravel road, I think it's basically gravel maybe asphalt or whatever; but we pushed the truck up into like a little parking place and we were fixing to start walking and "Peanut" Carpenter come by and picked us up.

Q. Did he give you a ride?

A. Yes.

Q. Where did he take you?

A. To Lore City.

Q. What did you do once you got to Lore City?

A. Johnnie said he knew where we could get some gas there in Lore City at a friend's house of his.

Q. Okay.

A. And so that's what we did. We went to his friend's and we got a gallon of gas.

Q. And what did you do with it?

A. We put it -- well, we had to make a phone call. We called from there because the resident wasn't there and we called the bar at the Airport Inn and I asked for "Butch" and the man from the bar was on the phone as "Butch", and I told him I wanted to talk to the other "Butch" and he put him on the phone and, then I asked him if he would come and help us get some gas

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1 and he told me he had gas in his garage.

2 Q. So did he come to his own house then?

3 A. Yes, sir.

4 Q. And what did you do then?

5 A. We went back to my truck and we put the gallon of gas
6 in it.

7 Q. Where did you go after you put the gas in the truck?

8 A. Well, we got the truck going and "Butch" asked us,
9 because he had already been at the Airport Inn, asked
10 us if we'd come up and have a couple drinks with him
11 and we said, yes.

12 Q. So did you go to the Airport Inn?

13 A. Yes, sir.

14 Q. Did have you a couple of drinks?

15 A. Yes, sir.

16 Q. What did you do after the Airport Inn?

17 A. Well, we was getting ready to leave and I told
18 Johnnie, I said we put a gallon of gas in that truck,
19 it's got that big four hundred in it. I said, we'll
20 be lucky to make it to the truck stop to get gas. You
21 ought to see if "Butch" will follow us out to get gas
22 again in case we don't get there we won't be stranded.

23 Q. You got in your truck. What happened?

24 A. He agreed to follow us. We took off, started towards
25 the top of the hill as you're going to the Shenandoah

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Truck Stop and we run out of gas again.

Q. So what did you do?

A. Well, we got in "Butch's" car and we took the same gallon jug we put the gas in before and went to the truck stop and got a gallon of gas.

Q. And then where did you go after the truck stop?

A. We went back to my truck, put the gallon of gas in my truck. We got the truck going and I told "Butch" that that gallon would be enough to get us to the truck stop, that he didn't have to follow us.

Q. Were you fairly close to the truck stop?

A. Well, it wasn't really close but yet not real far either.

Q. Were you able to get to the truck stop?

A. Yes, sir.

Q. What happened at the truck stop?

A. we pulled into the gas pump and Johnnie was driving and he said he would pump the gas while I paid. So I went inside and I paid for \$15.00 worth of gas.

Q. Now, did you have money to pay for that?

A. Yes.

Q. How did you have money?

A. I had \$200.00 from the very beginning of the day that I've been keeping stashed in my wallet for bills and stuff like that and usually when I'm out with people

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1 and low on money I don't let them know that.
2 Q. You don't let them know you have money?
3 A. Right. Because they say you can get a 12 pack or six
4 pack or something like that. So I kept it stashed in
5 my wallet.
6 Q. When you say "stashed" what you do you mean by that?
7 A. I fold it up and stick it in the back corner.
8 Q. So it's not -- if you open your wallet up you don't
9 see dollars?
10 A. No. You'd have to move my papers or something to see
11 it.
12 Q. You got \$15.00 worth of gas at the truck stop?
13 A. Yes.
14 Q. You get back in the truck?
15 A. Yes.
16 Q. Who's driving?
17 A. Johnnie.
18 Q. And where do you go?
19 A. We started back towards the Airport Inn.
20 Q. And did you get all the way to the Airport Inn?
21 A. No.
22 Q. What happened?
23 A. Johnnie stopped and he got out of the truck. I
24 thought he was getting out to take a leak at the time
25 but instead he started a fire; which, I guess,

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1 evidently when he pumped the gas from my truck he put
2 gas in that bucket sitting there on that shelf on that
3 stand.

4 Q. Had that been in the back of your truck?

5 A. Yeah, it's been in there a long time when I was
6 painting on my house.

7 Q. Is that what that wire is on it?

8 A. Yeah.

9 Q. So he lights that bucket?

10 A. Right.

11 Q. Do you know what's in the bucket?

12 A. I didn't right at that moment but I had a pretty good
13 idea.

14 Q. From there where did you go?

15 A. We went to the Airport Inn.

16 Q. What did you do at the Airport Inn?

17 A. we stopped there. I went in and got a six pack of
18 Busch beer.

19 Q. From there where did you go?

20 A. We went to the, I call it the pancake house. I don't
21 know what the actually name for it. It's right down
22 from the Spirit Lounge where the motel and all that
23 is.

24 Q. On Southgate Parkway here in Cambridge?

25 A. Yes, sir.

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- 1 Q. What did you do there?
- 2 A. We went in and got something to eat.
- 3 Q. After you got something to eat what did you do?
- 4 A. Well, we got back into the truck. Johnnie still got
- 5 behind the wheel. We pulled up to the motel, went to
- 6 get a room.
- 7 Q. Did you get a room?
- 8 A. Yes.
- 9 Q. Did you have to register for that room?
- 10 A. Yes.
- 11 Q. How did that registration take place?
- 12 A. Johnnie went in to register for the room and then I
- 13 was still sitting in the truck. He come back out and
- 14 he told me that he had to have an ID to rent the room
- 15 and I said well, I've got my ID So I went in and used
- 16 my ID and we wrote all that down -- or he wrote it
- 17 actually because I don't write real well and he wrote
- 18 it down and I put my ID back and he paid for the room.
- 19 Q. So you went to your hotel room?
- 20 A. Yes, sir.
- 21 Q. Can you describe where your hotel room is?
- 22 A. It's on the second floor and if you was facing this
- 23 way you'd go down the side right around the first
- 24 corner like first door.
- 25 Q. What did you do when you got to the hotel room?

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