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STATE OF LOUISIANA * PARISH OF UNION
THIRD JUDICIAL DISTRICT COURT

REGINA CHATMAN AND DONZELL
HICKS

VERSUS

NO. 42,268

VICTOR MORRIS, ET AL

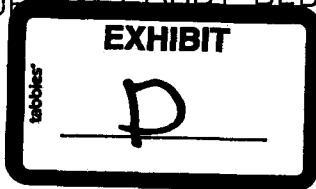
DEPOSITION OF

MR. ANTONIO DISMUKE

was taken commencing at 10:10 a.m. on August 8, 2008 at
the offices of Joe Cusimano, 301 N. Main Street,
Farmerville, LA on behalf of the Plaintiffs.

REPORTED BY:
Tina D. Miller
Certified Court Reporter
Certificate No. 24034
State of Louisiana

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APPEARANCES:

FOR THE PLAINTIFFS:

Law Office of Philip T. Deal
508 North 31st Street, Suite C
P. O. Box 7380
Monroe, LA 71211-7380

Appearing herein by and through
Mr. Philip T. Deal

FOR THE DEFENDANTS:

Mr. Frank H. Spruiell, Jr.
400 Travis Street, Suite 1000
Shreveport, LA 71101

Appearing herein by and through
Mr. Frank H. Spruiell, Jr.

FOR CITY OF BERNICE:

Hudson, Potts & Bernstein
Hudson Lane
Monroe, LA 71201

Appearing herein by and through
Mr. Ethan Hunt for Mr. Bob Baldwin

ALSO PRESENT:

Regina Chatman
Curtis Chatman

STIPULATIONS

This deposition is being taken pursuant to Notice for all purposes allowed by the Louisiana Code of Civil Procedure. All formalities in connection with the taking of the deposition are waived with the exception of the swearing of the witness and reduction of questions and

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1 answers to typewriting.

2 The witnesses and parties have waived the reading and
3 signing of the deposition.

4 * * * * *

5 MR. ANTONIO DISMUKE

6 a Defendant, called on behalf of the Plaintiffs, after
7 having been first duly sworn by Tina Miller, Certified
8 Court Reporter in and for the State of Louisiana,
9 testified as follows:

10 EXAMINATION

11 BY MR. DEAL:

12 Q Would you tell us your name and address, please?

13 A Yes. Antonio Dismuke, P. O. Box 743, Bernice,
14 Louisiana.

15 Q Is that a P. O. Box at a post office, or is that your
16 box out at the road where you live?

17 A At the post office there. I'm sorry.

18 Q Where is your physical address?

19 A 137 Third Street.

20 Q 137 -

21 A Third Street. Yes, I'm sorry.

22 Q - Third Street. In Bernice?

23 A Yes.

24 MR. DEAL:

25 Frank, have you talked to him about

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1 reading and signing?

2 MR. SPRUIELL:

3 I have not, but we'll make that decision
4 at the end of the deposition.

5 MR. DEAL:

6 Okay.

7 Q What's your date of birth, Mr. Dismuke?

8 A The 6th, 26th, '75.

9 Q Okay. And your mother is Carolyn Dismuke?

10 A Yes.

11 Q And your sister is Jerica Dismuke.

12 A Yes, sir.

13 Q We're here to ask you some questions about apparently
14 a birthday party for your sister Jerica at the Bernice
15 Social Club or Service Club, on March 24th, 2007. I'm
16 going to show you a document that I'll mark as AD Number 1
17 and ask you if that's a copy of the document that bears
18 your signature at the bottom.

19 A My wife did it and so I'm going to say yes because
20 she went and did all this, got the clubhouse.

21 Q Okay. So, your wife is the one that signed Tony
22 Dismuke -

23 A Yes.

24 Q - at the bottom of that exhibit?

25 A Yes, sir.

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1 Q And what is your wife's name?

2 A La Mesa Dismuke. She's here.

3 MR. SPRUIELL:

4 Would you spell it for me?

5 A L-a M-e-s-a.

6 Q Now, how did it come about that you and/or your wife
7 arranged to rent this Bernice club house for your sister's
8 birthday party? Is that something your mother asked you
9 to do, or something you -

10 A No, we -

11 Q - did on your own?

12 A Me and my brother was planning on giving her one for
13 her 17th birthday. But, you know, mostly I did all the
14 work, so

15 Q So your brother didn't come through with his end of
16 it.

17 A No.

18 Q So you were going to give your sister a party for her
19 17th birthday.

20 A Yes, sir.

21 Q Who decided that it would be at the Bernice club
22 house?

23 A Me and my sister.

24 Q You and Jerica?

25 A Yes.

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1 Q Had you ever been to a function at that club house
2 before that night?

3 A Yeah; a wedding reception. A wedding reception.

4 Q Okay. So you knew it was for rent -

5 A Yeah.

6 Q - to local people for certain occasions?

7 A Yes.

8 Q Where did you go or who did you talk to to make
9 arrangements to rent it for that night?

10 A My wife did all that, so ...

11 Q Okay. You didn't talk to anybody about it -

12 A No.

13 Q - or sign anything.

14 A No.

15 Q Okay.

16 **MR. SPRUIELL:**

17 Can I interrupt for one second? Be sure
18 to let him finish his question before you answer it.

19 **WITNESS:**

20 Okay.

21 **MR. SPRUIELL:**

22 That way we'll make it easier on the court
23 reporter and she won't have to try to discern between
24 who is saying what. Okay?

25 **WITNESS:**

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- 1 Okay. Yes.
- 2 Q Whose decision was it to have it at that club house?
- 3 A Me.
- 4 Q And then you asked your wife to take care of it for
- 5 you, to make the arrangements?
- 6 A Yes.
- 7 Q And where did she have to go to make arrangements for
- 8 this lease?
- 9 A The Town of Bernice.
- 10 Q City Hall? Do they have a City Hall there? Some
- 11 kind of city office?
- 12 A Yes, sir.
- 13 Q Do you know who she dealt with at Bernice City Hall,
- 14 or City of Bernice office?
- 15 A Diane Smith. I think that's her name.
- 16 Q She's a clerk that works in that office?
- 17 A Yes, sir.
- 18 Q How much did you have to pay to rent that facility
- 19 for that night?
- 20 A I don't know.
- 21 Q Your wife took care of that too?
- 22 A Yes.
- 23 Q Okay. On this document - I know you said your wife
- 24 signed it - but have you seen this before?
- 25 A No, sir.

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1 Q Did your wife tell you she had signed the agreement
2 or made arrangements to lease the facility for the party
3 that night?

4 A No, sir.

5 Q But you knew y'all had it reserved -

6 A I did.

7 Q - for you that night.

8 A Yes.

9 Q She just didn't give you the details about it?

10 A Yes.

11 Q And on that form you may know nothing about it since
12 she took care of everything, but it has a blank that asks
13 for the estimated number of people that would be attending
14 the event and that blank doesn't have a number in it.

15 A No.

16 Q Do you have any knowledge why that was left blank by
17 your wife?

18 A No, sir.

19 Q When you decided to have this party for your sister
20 did you have any idea of the number of people that would
21 be there?

22 A Yes, sir. Yes. Because we had made invitations out
23 for the party.

24 Q Okay. That was going to be my next question. Did
25 y'all mail invitations or just call all her friends?

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- 1 A No, we passed some out.
- 2 Q Okay.
- 3 A She passed some out and I did.
- 4 Q Okay.
- 5 A And my daughter.
- 6 Q Just handed them out rather than mailing them?
- 7 A Yes, sir.
- 8 Q Do you know how many invitations you all handed out?
- 9 A I want to say 150. That's how many we made.
- 10 Q Do you know how many people showed up that night at
11 that party?
- 12 A No, sir.
- 13 Q Did anybody try to keep a count or make a count?
- 14 A No, sir.
- 15 Q When you handed out or sent out - and when I say
16 "you," or your sister, your wife, whoever was passing out
17 the invitations, delivered 150 of them, were you expecting
18 that many people to come, or did you have in mind some
19 other number, half of them, or ...
- 20 A Yes. Because my sister talk to a lot of people.
- 21 Q You expected that many to come?
- 22 A More. More peoples, I'm saying.
- 23 Q Why did you think more than 150 might come?
- 24 A Because some people she deal - she go to school down
25 here in Farmerville, so she talk to people from

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1 Farmerville, too, so she was, you know ...

2 Q So she would just invite some people -

3 A Yeah.

4 Q - verbally in addition to the ones she handed out
5 invitations to?

6 A Yes.

7 Q Okay. If you would, try to speak up just a little
8 bit so when they start listening to the recorder to try to
9 type this up they won't have as much trouble. Who was
10 putting on or hosting this party other than you? You told
11 us first you and your brother were talking about it and he
12 didn't carry his end of the bargain. Were you and your
13 wife the only ones in charge of this party, or was there
14 someone else that helped you?

15 A It was me mostly, but - just me. It was just me.

16 Q Do you know how many people this club house holds, or
17 if there is any sign in there that says that capacity is a
18 certain number?

19 A No, sir.

20 Q But you had been in it before and had an idea what
21 size it was?

22 A Yes, sir.

23 Q What were the plans for the party and what was done
24 for it in the way of food, entertainment, or what did the
25 party consist of after you invited all these people to

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1 come?

2 A A DJ and food.

3 Q What about beverages? Any sort of beverages
4 provided?

5 A No. Like alcohol? No alcohol.

6 Q Well, both, soft drink and -

7 A It was drink.

8 Q - not soft drink.

9 A Punch. Punch. That would be it. Punch.

10 Q No bottles of water and Cokes and soft drinks and
11 things?

12 A No, sir. Just punch.

13 Q DJ, food, and punch.

14 A Yes.

15 Q Was there any thought to security for this party? In
16 other words, did you consider hiring an off-duty policeman
17 or some other security service or getting some other of
18 your friends or other adults or somebody to help you
19 chaperone or keep up with the crowd and try to keep things
20 calm?

21 A Yes, I had some chaperones.

22 Q Who were they?

23 A It was my cousin, Diana Heard, and Angelette Dismuke,
24 my wife.

25 Q Those were all adult people, those cousins?

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1 A Yes.

2 Q Did you have any other male chaperones?

3 A No, I was the only one. And well, he - he was - I
4 don't think he was grown but he's a teen-ager, he's like
5 17, so ...

6 Q About the same age as all the people coming?

7 A Yeah. He was just a little helper.

8 Q Where would the people who were invited from?

9 A Some -

10 Q Okay, go ahead.

11 A Some from Bernice and some from Spearsville and some
12 from Farmerville. You know, different places.

13 Q Okay. At any time before the party began that night
14 did it cross your mind that there might be some trouble
15 there with as many people as you were expecting, and that
16 you were the only adult male chaperone there?

17 A No, sir.

18 Q You didn't think anything would happen that you
19 couldn't handle?

20 A No.

21 Q Was Dorian Morris one of the people invited to the
22 party?

23 A Yes.

24 Q Okay. Was he one that was handed an invitation or
25 was he verbally invited by your sister or somebody else?

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1 A That part I really don't know because - I know his
2 name was on the list. So ...

3 Q What time did the party begin?

4 A At 8:00.

5 Q On the invitations was there an ending time for the
6 party, or did it say come from 8:00 to 10:00 or 8:00 to
7 11:00, 8:00 to 12:00, or just said the party is at 8:00?

8 A It didn't have no time on it really.

9 Q Tell me what happened after the party began in the
10 way of - I know it apparently lasted three or four hours?

11 A Yes, sir.

12 Q Or when did the party end? Let me go back to that.

13 A The party was to end at 12:00 because the DJ had to
14 leave because he lives so far so he have to go back home,
15 so he was going to close down before 12:00.

16 Q Do you know how much before 12:00?

17 A Really, no, sir, because I was outside.

18 Q Is that when the party ended, when people started
19 leaving when the DJ left, or how did the party end?

20 A When the DJ turned the light on and everybody was
21 leaving, everybody went outside.

22 Q Do you know what time that was?

23 A No, sir.

24 Q Or approximately? 11:00, 11:30, or some other time?

25 A Yeah, it could have been about that time somewhere up

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1 in there about 11:40 or somewhere. I don't know because I
2 was outside at that time.

3 Q Okay.

4 A When I saw the light come on inside it was time to
5 go, I know it was time to go.

6 Q Did you make any kind of announcement to people or -

7 A Yes.

8 Q - the DJ do anything over the loud speaker and say
9 the party's over, it's time to go home, or ...

10 A Well, I was outside, I saw the light on, and I said
11 it was time to go so I went inside. That's when everybody
12 was coming out. Yeah, I guess everybody know it was time
13 to come out, well, it was time for the party to be over
14 with. I didn't hear him say an announcement. Well, I
15 didn't hear any announcement, so - because I was outside.

16 Q Okay. Now, at the time the party ended, can you
17 estimate how many people were at the party?

18 A No, sir. There was a lot of people, because there
19 was some people outside, older people outside on the cars
20 and stuff, you know, just a lot of people. There was just
21 a lot of people.

22 Q There was a lot inside and a lot outside when it
23 ended?

24 A Yes.

25 Q You heard officer Doster testify earlier this morning

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1 that when he came back to the scene a second time there
2 were three or four hundred people there. Do you think
3 there were that many?

4 A There weren't that many people; not that many. There
5 was a lot of people but no two hundred or more people in
6 there.

7 Q Okay.

8 A Because it was like people's parents coming picking
9 them up, too, so it was like - it was a lot of people.

10 Q Do you know Lagarrio Thompson?

11 A Yes, sir.

12 Q How long have you known him?

13 A Uh, let's see. I want to say eight years because I
14 met him when I moved to Bernice when I got married, so,
15 I'm wanting to say about eight years.

16 Q Okay. And how long have you known Dorian Morris?

17 A I don't know him.

18 Q You just know after all this happened that his name
19 was on the list?

20 A Yes.

21 Q So you didn't know him before he showed up that
22 night. Is that correct?

23 A No.

24 Q Did you have any problems involving Dorian Morris
25 that night at the party before this end event that we're

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1 going to talk about in a little while?

2 A No. The only thing, like I say about that is when I
3 came out the door they was saying they was messing with -
4 there was a guy outside with a knife. So ...

5 Q Now, this is at the end of the party?

6 A No, this was before.

7 Q How much before?

8 A This was like - the party started at 8:00.

9 Q Uh-huh.

10 A It was like I'm going to say 8:20, somewhere around
11 there. I really don't know because it was like a couple
12 of minutes, so ...

13 Q Shortly after the party began.

14 A Yeah. They say a little boy outside got a knife. So
15 I went outside.

16 Q Who told you that?

17 A It was some guys just came through there, they said
18 he's got a knife. So I went outside. Dorian was down by
19 the steps and - him and another person.

20 Q Do you know who that was with him?

21 A Alicia Ferguson.

22 Q Okay.

23 A And I asked him did he have a knife and he said, no,
24 sir, I don't have a knife. So the guys, they was still
25 passing words back and forth, him and -

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1 Q Who was that guy?

2 A The Thompson boy.

3 Q Outside.

4 A Yes. And I said, well, y'all leave him alone. I
5 say, he's seemes kind of nice so leave him alone; so y'all
6 enjoy yourselves. You know, this was a teen-age party,
7 y'all enjoy yourself. So they went on in, then some more
8 guys came through and they said something - I don't know
9 the guys - they said something to him. So ...

10 Q Had he come inside by then?

11 A No. No, sir. He was outside. That's when I was
12 outside, too.

13 Q Okay.

14 A So all that time we was outside. So about like 10-
15 something, you know, we was going to eat, you know, the
16 food and drink and stuff. I went inside, he probably did
17 go inside too because we was going to eat. So, everything
18 was fine.

19 Q Had he stayed outside that whole time from 8:20 or so
20 until 10:00?

21 A Yes. Yes, sir.

22 Q And that's Dorian Morris.

23 A Yes.

24 Q Did he stay out there with some of his friends, or -

25 A Yes. It was his friend, Lisa Ferguson, they was

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1 outside, they was just talking. And I was by the step
2 watching them, you know.

3 Q Other than Lagarrio Thompson having some words with
4 him at around 8:20, or whatever prompted you to go outside
5 first about that time, did you hear anybody say that
6 Dorian Thompson was involved in any potential trouble with
7 anybody else outside -

8 A No.

9 Q - from then until 10:00 when you said he came in to
10 eat?

11 A No.

12 Q Okay. Now, when you went outside after hearing that
13 somebody was out there with a knife and you said you asked
14 Dorian if he had one and he said no did you check him at
15 all, touch him or pat him down or ...

16 A No, sir.

17 Q Did you follow up with whoever told you that - well,
18 when they said somebody had a knife did they tell you
19 Dorian is the one -

20 A Yes.

21 Q - that had the knife?

22 A Yes.

23 Q Okay. Did you ask any followup questions from those
24 people about why did you say he has a knife when Dorian
25 says he doesn't? I mean, did you ask them if they saw it?

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1 A I didn't ask no questions because they was talking.
2 Alicia say they been bothering Dorian at basketball games
3 and stuff, you know. Bernice has been picking with him
4 when they have basketball tournaments and I was just
5 listening to them what they was saying.

6 Q Said some Bernice boys had some bad blood with him?

7 A Yes.

8 Q And he's from Spearsville.

9 A Yes, sir.

10 Q Okay.

11 A And that was about it then. I said, well - when he -
12 the Thompson boy came back out I said, well, you leave him
13 alone, like that, and he say, yes, sir. So he went back
14 in, everybody was partying, you know. And at that time
15 Alicia Ferguson and Dorian, they was just sitting there
16 talking - they was talking and all of this stuff and they
17 say, well, Dorian, we're going to leave. Dorian say he's
18 not going to go. Then he said, well, I'm not going to go.
19 I said, he don't have to go because he's not doing
20 anything wrong.

21 Q About what time was that?

22 A I really don't know because that was when we was
23 outside, so about 8-something, or 9:00 or somewhere up in
24 there. I said, no, he don't have to go because he's not
25 doing anything. So he was standing there, just standing

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1 there. He was dancing, you know, and they was talking,
2 him and Alicia Ferguson.

3 Q Dancing outside?

4 A Yes.

5 Q Was there some music outside?

6 A No, you can hear it - they was right there by the
7 door, so the door was open, so it was loud and everything.

8 Q All right. And then what happened?

9 A And then about 10:00 we went in to eat. Like I say,
10 we went in to eat about 10-something. We served. I don't
11 know then because I didn't see him no more, so I don't
12 know. We got through eating, we didn't last long because
13 we turned the lights back off I'm going to say about - it
14 could have been about 11:00 or something, before 11:00, so
15 they started partying again. So I went back outside
16 again, everything was doing fine. There was some more
17 cars came up, you know, then he went inside, Dorian went
18 inside to dance, then he came back out, and they was out
19 there by the steps. That's it. That's all I can tell
20 you.

21 Q Did anybody there tell you Dorian had waved a knife
22 or shown or displayed a knife inside the party that night?

23 A Inside the party?

24 Q Yes.

25 A No, sir. No, sir.

1 Q And you never checked him to see if he actually had a
2 knife with him?

3 A No, sir.

4 Q Okay. What happened after that?

5 A After that? When the party was over I went back
6 inside to clean up and everything. They say they're out
7 there fixing to fight. So I went back outside.

8 Q Okay. Give me the names of anybody you remember
9 telling you that.

10 A Nobody didn't tell me. They was like - they was just
11 saying they was fixing to fight. The kids was saying they
12 was going to fight, so I went out there.

13 Q Did they say who was about to fight?

14 A No. They just said they was fixing to fight. So I
15 went out there. It was like Bernice was on this side and
16 Spearsville was on this side.

17 Q How many boys in each group?

18 A Oh, there was a bunch of people. There was a bunch
19 of people.

20 Q In each group?

21 A Yes. Yes. And so, it was like -

22 Q Where were they located outside?

23 A By the tree.

24 Q How far is that from the door where you go out the
25 front?

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- 1 A Uh -
- 2 Q Or door wherever they went out.
- 3 A Like from here to that door.
- 4 Q About 15, 20 feet?
- 5 A Yes, sir.
- 6 Q And was it paved out there, or grass, or what?
- 7 A Yes. It was grass and paved. Some of both.
- 8 Q Okay.
- 9 A So I walked out there and I said, y'all need to go
10 home.
- 11 Q Okay. Now, who did you see that you thought might be
12 about to fight?
- 13 A Oh, Lord.
- 14 Q If you know any of the names.
- 15 A I don't know all of them. I just know it was - I
16 can't that boy's name - I really don't know all the kids,
17 but I know their faces when I see them, so it was like
18 Temp (phonetic) was over on this side - this is a girl
19 from Spearsville - and it was like some boys from
20 Spearsville. We don't know their names, but anyway I know
21 they're from Spearsville and I know from Bernice. So it
22 was like - they was like arguing back and forth. I said,
23 I need to go home and call the police. So I went -
24 somebody gave me their cell phone, I don't know who it
25 was, they gave me their cell phone and I said I'm going to

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1 call the police. So after that time Dorian ran in front of
2 me, so it was like some guys chasing him. Then I said,
3 Oh, Lord. Then, you know, -

4 Q That's before -

5 A When I went out there to try to stop them.

6 Q Was that after someone had handed you the cell phone
7 but before you could call the police?

8 A No. This happened before. Before. Then it was like
9 - I don't know, y'all - I just - there was a lot of
10 people; it was a lot of people.

11 Q What did you see happen after you - you said that
12 some of them were running.

13 A Oh, when they was running? They was chasing Dorian
14 and -

15 Q Who -

16 A - he fell.

17 Q - who were they?

18 A They were some Bernice boys.

19 Q Do you know any of the names?

20 A No, sir. I don't know their names, none of their
21 names. It was a lot of people just running, just running,
22 just running. And then they knocked him over, and he got
23 up again. And that's when the police was coming there.
24 The police was coming up. That's all I can tell you.
25 And, now, when the police came up, when I was going down

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1 there the police pulled up and got out. I got my kids and
2 went inside, because I had my kids down there. So I went
3 inside. And that's all I can tell you.

4 Q Did you see Donzell Harrius Woods and Dorian Morris
5 have any exchange with each other?

6 A No, sir. I don't - No, sir.

7 Q Do you think whatever had happened between the two of
8 them was already over by the time you saw somebody chasing
9 Dorian and he fell down, or do you think that happened
10 after you went back inside the last time?

11 A See, I really don't know because there was so many
12 kids there and, you know, there was - I didn't see none of
13 it, so I really can't tell you. Because the only thing
14 they said, that Dorian was running and they pushed him
15 down, then they know he went down that way and then I was
16 heading that way, then the police came up and I stopped
17 and went and got my kids. Then I went and the police was
18 down there and, you know, that was it.

19 Q Did you know Donzell Harrius Woods before that night?

20 A No, sir.

21 Q Did you meet him at the party, or was he pointed out
22 to you at the party?

23 A I didn't know the guy until they told me at work the
24 next day who it was, whose son it was, then I know him
25 like that, because I know his mom.

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1 Q Okay. But you didn't see him in any kind of
2 altercation with Dorian Morris that night?

3 A No, sir.

4 Q Did you ever have any thought to calling the police
5 when those people told you earlier that somebody there had
6 a knife?

7 A No, sir.

8 Q And told you that it was Dorian?

9 A No, sir.

10 Q Did it appear to you that the trouble earlier that
11 evening, the 8:00 to 8:20, 8:30 time when you were first
12 called outside to talk to them, after you were told Dorian
13 had a knife out there, did you know that that problem at
14 that time was because of the Bernice boys and the
15 Spearsville boys didn't get along and hadn't gotten along
16 or a good while?

17 A I didn't know it the first - at the first beginning
18 of it until they told me about he had the knife. I didn't
19 know at first.

20 Q But when they told you about the knife and you went
21 out there at 8:20 or thereabouts -

22 A Yeah.

23 Q - and asked Dorian if he had a knife, it didn't cross
24 your mind that there was a good chance there was going to
25 be some trouble before the night's over between the

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1 Bernice boys and Spearsville boys?

2 A No.

3 Q Okay. Have you talked to anybody else since that
4 night that said they were a witness to just what took
5 place between Donzell Harrius Woods and Dorian Morris?

6 A I haven't talked to anyone. My wife gets phone calls
7 all the time. They tell her and she would, you know, say
8 something to me and I would tell her, you know, that it
9 just went down like that.

10 Q But nobody's given you the names of one or two or
11 three or four or five of the people out there that
12 supposedly saw exactly what took place?

13 A From my sister. She was there.

14 Q Jerica?

15 A Yes.

16 Q She was outside when -

17 A Yes.

18 Q - Donzell Harrius Woods and Morris got into it?

19 A Yes.

20 Q Did your mother have any involvement with this party
21 for your sister, or was it all your arrange -

22 A No. She didn't. It was mine.

23 Q Do you have homeowner's insurance that covers the
24 dwelling where you live?

25 A Yes.

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1 Q And where you live, is that a residential fixed
2 structure, a home, or is it a mobile home?

3 A It's a mobile home.

4 Q And who is your insurance with?

5 A Cosinco. (Phonetic)

6 Q What is it?

7 A Cosinco. No, Green Tree. Green Tree. I think
8 that's the name of it.

9 Q Is that the finance company?

10 A **MR. SPRUIELL:**

11 That's got to be the finance.

12 Q Okay. Who is the name of your insurance company?

13 A I don't know.

14 Q Is it Lafayette Insurance Company?

15 A I don't know.

16 Q Do you know the limits of your liability coverage?

17 A No.

18 **MR. DEAL:**

19 Frank, can you get me that without -

20 **MR. SPRUIELL:**

21 Sure.

22 **MR. DEAL:**

23 - interrogatory and all that difficulty?

24 **MR. SPRUIELL:**

25 Sure.

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1 MR. DEAL:

2 Okay.

3 Q At any time that evening from the time the party
4 began at 8:00 until the police arrived after Donzell
5 Harrius Woods had been stabbed, did you see or have any
6 reason to believe, or were you told by anybody, that any
7 of the people at the party, either inside or just outside,
8 were consuming alcoholic beverages?

9 A Wait a minute. Are you asking me did I know that -

10 Q Was any drinking going on there, inside or out?

11 A Oh, no, sir.

12 Q You didn't ever see any signs, no beer cans, no
13 whiskey bottles -

14 A No.

15 Q - wine bottles?

16 A I seen Red Bull, the energy drink, that's about it.
17 You know, they was drinking that.

18 Q And nobody came up to you and said, they're drinking
19 out here or -

20 A No, sir.

21 Q - smoking marijuana? Did you hear anything about
22 that?

23 A No, sir.

24 Q So, as far as you knew that night the only thing
25 anybody had was soft drinks or punch?

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1 A Or punch, yes, sir. And can I say why we were
2 serving punch? Because we had some 12-year-olds there,
3 too, and so we had punch.

4 Q What were the age differences of the people invited?
5 Was 12 the youngest?

6 A Yes, sir.

7 Q Twelve to what?

8 A I'm going to say 12 because they was our kinfolks, so
9 it was like 12.

10 Q Okay. But most of them were in the 16, 17, 18 year
11 range?

12 A Yes, sir.

13 Q That's all the questions I have.

14 **EXAMINATION**

15 **BY MR. HUNT:**

16 Q Just a couple of quick questions. You did say that
17 you had a cell phone and you were about to call the police
18 as all this fighting was getting started at the end, but
19 you never did; right?

20 A Yes, sir.

21 Q Because as you were getting ready to the police
22 showed up anyway; right?

23 A Yes, sir.

24 Q Do you have any idea - well, I'm sorry. At the time
25 did you have any idea why the police were showing up? Did

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1 you know anybody had called them or anything like that?

2 A No, sir. I didn't know nobody called them, but the
3 police did come by the first time, he was riding through.

4 Q You saw him when he rode through the first time?

5 A Yes, sir. And, the next I know, he came back through
6 again and that's when he drove up on the scene.

7 Q Do you recall how long, can you give me an idea of
8 how long it was between the two times he drove through?

9 A It couldn't have been 30 minutes or 45 minutes.

10 **MR. ETHAN:**

11 That's all the questions I have for him.

12 Thank you.

13 **MR. SPRUIELL:**

14 I have no questions. We'll waive reading
15 and signing. That's it.

16 (Witness excused at 10:40 a.m.)

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CERTIFICATE

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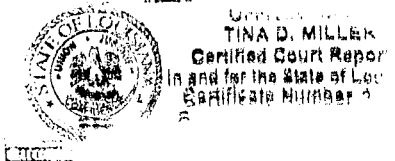
I, Tina Miller, Certified Court Reporter Number 24034, in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that Mr. Antonio Disumuke, a witness, called on behalf of the Plaintiffs, after having been first duly sworn by me upon authority of R. S. 37:3554, did testify as herein above set forth in the foregoing 30 pages that this testimony was reported by me by Stenomask and electronic reporting method, was prepared and transcribed under my supervision, and is a true and correct transcript to the best of my ability and understanding.

I further certify that I am not of counsel or related to any of the parties to this cause, or in the employ of any of them, and that I am in no wise interested in the result of said cause.

WITNESS MY HAND AND OFFICIAL SEAL at Monroe, Louisiana, this 25th day of August, 2008.

Tina D. Miller

Tina D. Miller
Certified Court Reporter No. 24034
State of Louisiana



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A. D. II,

Application for Rental of Bernice Clubhouse

Renting it for: Tony Disamuke

Renter is a: (check one) Individual Organization Business Other (please specify _____)

Name of person responsible for renting of clubhouse: Tony Disamuke

Address: PO Box 743 Bernice La. 71222

Phone #: 285-0446 Cell # _____

Type of function planned: Birthday Party

Date of rental: 3-24-07 Time of use: 3-24-07

Estimated number of people attending event: _____

Initial here when money is paid: TD Initial here when deposit is returned: _____

Rules to be followed during use of Clubhouse:

1. Renter must pay entire rental fee of \$175 before use of building occurs. \$50.00 must be paid when event is scheduled.
2. If building is cleaned and all rules were followed during rental of building a \$50 deposit will be refunded after person/persons are through with the Clubhouse. If person / persons who rented the building breaks any of the rules the deposit will not be returned.
3. No nails, tacks or sticky substance may be placed on or in the walls during use. If anything needs to be hung, clear tape may be used but all of tape must be removed before leaving. Nothing can remain on the walls.
4. Nothing may be hung on the ceiling fans.
5. No food of any form any be left in the refrigerator, stove or on the counters.
6. ALL tables and chairs used during rental must be wiped clean and placed back in storage room before leaving.
7. ALL trash must be taken with renter—no trash may remain in trashcans, on the floor or on the grounds outside building.
8. ABSOLUTELY no alcohol in the building or outside the building.
9. SMOKING is forbidden inside the building; if you must smoke go outside. Cigarette butts must be thrown in a trashcan.
10. No live bands, DJ's or loud music may be played.
11. If police are called for disturbing the peace in any way, deposit will be kept and you must leave the premises. This includes fighting or loud sounds that can disturb neighbors surrounding the clubhouse.
12. ALL functions must be ended by midnight. If function ends at midnight only the renter/renters may stay for cleanup.
13. NO loitering outside the building after dark—everyone must be inside.
14. No admission may be charged for any function being held in the clubhouse.
15. ALL lights, fans, air conditioners and heaters must be turned off before leaving.
16. Building must be secure when leaving, key due to be turned in the day after the rental, if on a Friday or Saturday it may be turned in on Monday by 10:00am.

Sign here saying you agree to all rental terms: Tony Disamuke

Please help us maintain the beauty of this building. The clubhouse was built many years ago and is now on the National registry in the state of Louisiana. We appreciate your use of this building and hope that you help us take care of it. Thank you for your service and kindness.

Sincerely,

The Bernice Service Club Members