

IN THE THIRD JUDICIAL DISTRICT COURT
PARISH OF UNION, STATE OF LOUISIANA

STATE OF LOUISIANA

IN THE INTEREST OF

JUVENILE DOCKET

DORIAN MORRIS

PROCEEDINGS HAD in the above entitled and numbered cause before His Honor R. Wayne Smith, Judge of the Third Judicial District Court, State of Louisiana, at Farmerville, Louisiana, on the 27th day of March, 2007.

APPEARANCES:

FOR THE STATE OF LOUISIANA:

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1 Q. Is he a juvenile?
2 A. No, sir.
3 Q. Okay. He's an adult?
4 A. Yes, sir.
5 Q. Did he go to the party with Dorian Morris?
6 A. Yes, sir.
7 Q. And it was his story that Dorian Morris had been
8 jumped? Is that right?
9 A. Yes, sir.
10 Q. Did you understand him to be a friend of Dorian Morris?
11 A. Yes, sir.
12 Q. Do you know whether or not his story is true that
13 Dorian Morris was jumped?
14 A. Not at this time.
15 MR. HAMPTON: No further questions, Your
16 Honor.
17 MR. EARLE: I have no recross.
18 THE COURT: Thank you for your testimony. You
19 may step down.
20 (Witness excused)
21 MR. HAMPTON: Call Officer Danny Doster.
22 May I proceed, Your Honor?
23 THE COURT: You may proceed.
24 -----
25 DANNY DOSTER
26 -----
27 called as a witness by counsel
28 for the State, being first duly
29 sworn, testified as follows:
30 DIRECT EXAMINATION
31 BY MR. HAMPTON:
32 Q. Officer, state your name and your occupation, please.

1 A. Danny Doster. I'm a police officer for the Town of
2 Bernice.
3 Q. All right. Were you so employed on March 24 of this
4 year?
5 A. I was.
6 Q. Were you working that night?
7 A. I was.
8 Q. Okay. Were you called out for an incident that led to
9 the arrest of Dorian Morris?
10 A. I was.
11 Q. Okay. When did you first become aware that there was a
12 problem that night?
13 A. 23:46 hours.
14 Q. Okay. What made you aware of that, Officer?
15 A. I received a telephone call that there was a
16 disturbance.
17 Q. Okay. And where was the disturbance?
18 A. At the Bernice club house.
19 Q. Do you know who called you?
20 A. Yes, I do.
21 Q. Who was it?
22 A. Brian Walton.
23 Q. Okay. And who is he?
24 A. He's a white male lives on Maple Street just behind the
25 club house.
26 Q. Okay. So he called you. Did you proceed to the club
27 house?
28 A. Yes, sir.
29 Q. Was anyone with you when you went over there?
30 A. Not in my unit. There was another unit that came with
31 me, and that was Officer Jackson.
32 Q. Okay. Who arrived at the scene first?

1 A. I did, sir.

2 Q. Okay. What did you do when you got to the scene?

3 A. When I pulled up the driveway, I turned on my emergency
4 lights and hit my siren because there was too many people
5 that were -- I couldn't get up the driveway.

6 Q. Okay. What happened when you did that, when you turned
7 your lights on and hit your siren?

8 A. Some of them moved out of the way, and I got on up a
9 little ways and stopped my unit and got out of the unit, and
10 when I did, about that time they brought the victim over
11 there and laid him down on the asphalt in front of me.

12 Q. Do you know who brought the victim over?

13 A. No, I do not, sir.

14 Q. What is the victim's name?

15 A. His name is Donzell Harrius (phonetic spelling) Wood.

16 Q. Did you know him before that night?

17 A. No, sir, I did not.

18 Q. What did you observe about the victim's condition when
19 he was brought over to you?

20 A. That he was saturated with blood on his shirt. His
21 shirt was saturated with blood, and he was motionless.

22 Q. Was he speaking or anything?

23 A. No, he was not.

24 Q. Could you tell where he had been wounded?

25 A. Approximately in the neck area.

26 Q. Did you see a cut or a stab wound?

27 A. No, I did not. I did not examine him.

28 Q. After they brought the victim over, what happened after
29 that? What did you do?

30 A. Some people asked me where was the ambulance, and I
31 advised them the ambulance was not on the way -- it was on
32 the way, they'd be here shortly. Well, they grabbed up the

1 victim, loaded him in a private vehicle and carried him to
2 Tri-Ward.

3 Q. Did you later check on the victim's condition?

4 A. Well, Officer Jackson -- they hollered. The people
5 that was in the parking lot hollered and said, "There goes
6 the guy right there that done it." Well, Officer Jackson
7 was parked behind me, and he got in his unit and took out in
8 pursuit of the vehicle that had left the scene, at which
9 time he did make a stop just down the highway just before
10 you get outside the city limits of Bernice.

11 Q. Did you later follow him to where he made the stop?

12 A. I did. I arrived on the scene where he was at about
13 approximately 23:57 hours.

14 Q. And what was Officer Jackson doing at that point in
15 time?

16 A. He was taking the young man into custody.

17 Q. Okay. Did you observe him, any statements made by this
18 young man, Dorian Morris? Did you hear him say anything?

19 A. The only thing that he made a statement to, that he
20 made while he was in Officer Jackson's unit was he said the
21 man shouldn't have hit him.

22 Q. Is that all that you heard?

23 A. That is correct.

24 Q. Okay. Did you observe, I mean, or hear any statements
25 from the other person, Mr. Loyd?

26 A. No, sir. Officer Jackson was conducting that.

27 Q. But that was outside your presence, is that right?

28 A. Yes, sir.

29 Q. Okay. You couldn't hear what was being said?

30 A. Not to Mr. Loyd, no, sir.

31 Q. Did you observe any weapons?

32 A. No, sir, I did not. I was advised where the weapon

*Why did he
not focus on
the people at
the crime
scene?*

1 was, though.

2 Q. Okay. What were you advised about the weapon?

3 A. The weapon was in the glove box.

4 Q. Did you ever see the knife?

5 A. Not until after Mr. Jackson took it into custody. Or

6 took it in his possession.

7 Q. Were you involved at all in searching the car?

8 A. No, sir, I was not.

9 Q. Okay. After you observed Officer Jackson taking the

10 juvenile into custody, what did you do?

11 A. I received a dispatch that there was a disturbance at

12 the hospital and they need an officer up there so I went --

13 I left the scene and went to the hospital.

14 Q. And what was that disturbance about?

15 A. Because the victim had passed and they all were all

16 emotional and carrying on up there and causing a lot of

17 racket.

18 Q. Is that the last involvement you had with the

19 investigation in this matter?

20 A. Yes, sir.

21 Q. You haven't taken any statements from any witnesses,

22 have you?

23 A. No, sir.

24 Q. I understand it's been turned over to the Sheriff's

25 Office for further statements. Is that right?

26 A. Sheriff's Office is conducting the investigation now,

27 sir.

28 Q. Do you have any knowledge about how this incident

29 occurred?

30 A. No, sir.

31 Q. Did you talk to any witnesses that saw it?

32 A. No, sir.

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MR. HAMPTON: No further questions, Your Honor.

THE COURT: Witness is tendered to the defense.

MR. EARLE: Just a second, Your Honor.

CROSS-EXAMINATION

BY MR. EARLE:

Q. Officer Doster, you said you arrived at 23:46 hours on the 24th of March, right?

A. Yes, sir, that's correct.

Q. And I think Mr. Hampton asked you if you had any evidence or gathered any evidence as to what actually started this fight or brawl, whatever it was; and I think your answer is you don't have any knowledge?

A. No, sir.

Q. You have any reason to believe that what, if anything, that this juvenile did would have been in self-defense?

A. I don't know. I do not have any knowledge of that.

Q. It could have been, couldn't it?

A. Well, I don't know, sir. I don't know. I haven't had no statements give to me and so I couldn't base opinion right now on it, sir.

Q. So you don't know that it should be manslaughter either, do you?

A. Well, it could either be manslaughter or second-degree murder.

Q. Or self-defense, couldn't it?

A. Or it could be self-defense, but I mean --

Q. But you don't know?

A. I don't know 'cause I haven't taken any statements or anything.

Q. Okay. All you know is you got there at 23:46 and there

biased!

1 were a lot of people there and then somebody says, "There he
2 goes," somewhere, and 11 minutes from 23:57 when you got to
3 Officer Jackson's car, all this had happened in 11 minutes,
4 right?

5 A. That's correct.

6 Q. And you didn't talk to anybody, other than you just --

7 A. No, sir. I was there with the victim laying on the
8 ground.

9 Q. Okay. But you didn't talk to anybody while the victim
10 was there?

11 A. No, sir.

12 Q. What did you do --

13 A. I mean, people were hollering, but I mean, only thing I
14 was telling them, I said, "Well, the ambulance is on the
15 way."

16 Q. What did you do for those 11 minutes?

17 A. Sir?

18 Q. What did you do for the 11 minutes you were there until
19 you went to Officer Jackson's vehicle?

20 A. I was with the victim, watching him.

21 Q. That's it?

22 A. Yes, sir.

23 Q. Okay. And you never talked to Mr. Loyd at all?

24 A. No, sir.

25 Q. And you said that you knew where the -- someone had
26 told you or I think I heard you say you knew where the knife
27 was.

28 A. Officer Jackson made me aware where the knife was.

29 Q. But you didn't -- other than what he told you, you had
30 no idea where it was?

31 A. No, sir. Not until he told me.

32 Q. Did you observe the juvenile Dorian Morris when Officer

1 Jackson was questioning?

2 A. No, sir.

3 Q. Did you look at him?

4 A. No, sir.

5 Q. So you didn't have any contact with the juvenile who is
6 here with me today at all that night?

7 A. No, sir.

8 Q. I think you testified that you didn't see the cut or
9 wound on the victim, on the one that died. Is that correct?

10 A. The only thing I observed was a saturated shirt with
11 blood, sir.

12 Q. But you said you also thought it was a cut on the neck.

13 A. Yes, sir. From where the blood was running down onto
14 his shirt, it looked like it might been along in there, yes,
15 sir.

16 MR. EARLE: That's all the questions I have,
17 Your Honor.

18 MR. HAMPTON: No further questions, Your
19 Honor.

20 THE COURT: Thank you for your testimony. You
21 may step down.

22 (Witness excused)

23 MR. EARLE: We have no evidence, Your Honor.

24 MR. HAMPTON: State rests.

25 THE COURT: State rests. All right. Do
26 either one of you wish to argue it, or do you
27 submit it?

28 MR. EARLE: We'll submit it, Your Honor.

29 MR. HAMPTON: We submit it.

30 THE COURT'S RULING

31 THE COURT: All right. Of course, this is a
32 continued custody hearing. The issue is whether