

1 A Uh huh (Affirmative)

2 Q With you being involved in a fight, give me one second.

3 (Nextel conversation, door opened and closed)

4 **(DETECTIVE TALTON)**

5 Q Like he was saying (inaudible) fight that took place in the parking lot.

6 A Uh huh (Affirmative)

7 Q Okay and we already know all that, okay.

8 A Uh huh (Affirmative)

9 Q And uh, (inaudible) just want your side of the story of what happened.

10 A (Inaudible)

11 Q That's the only thing we want, you know.

12 A Uh huh (Affirmative)

13 Q There's a couple of guys we know that got stabbed, okay. So we just want your

14 side of the story of what happened, all right. Cause there's always two sides to

15 every story.

16 A Uh huh (Affirmative)

17 Q You know what I mean. And uh, we just want you to tell us what (inaudible).

18 (Door opened and closed)

19 Q (Inaudible)

20 **(DETECTIVE PHELAN)**

21 Q I know he was explaining, but basically this is what, how it goes. Uh, (inaudible)

22 got blood all over you, we know you're involved in (inaudible). We all know how

23 it started; we got one side of it. We got their side of what happened, okay.

24 A (Inaudible) do you have surveillance cameras for the parking lot?

25

1 Q Yes they do. But unfortunately for you, the surveillance cameras only covered
2 the front half of the parking lot. The area where you were, you know, (inaudible).
3 But the area where the fight occurred, you know.

4 A (Sigh)

5 Q So yeah, (inaudible), we have the people working there.

6 A (Inaudible)

7 Q Huh?

8 A (Inaudible)

9 Q Yeah, we'll get to that, okay, but all this, you know, I'm just laying this out for you.
10 We got those, those (inaudible), we got your girlfriend, we're gonna talk to her.

11 A (Inaudible)

12 Q Yeah, she's here. And uh, we (inaudible) side of what happened. I mean this;
13 it's not that, it's not that difficult to (inaudible)

14 A (Inaudible)

15 Q Okay, first before we (inaudible), I have to read you your rights, okay, because
16 this is a crime. And you do have rights, okay.

17 A (Inaudible)

18 Q (Inaudible). Our whole intentions, uh, to get your side, so we have both sides. I
19 don't just arrest, I don't arrest a person just to be arresting because somebody
20 said this happened. I look at both sides.

21 A (Inaudible) even arrested.

22 Q Okay. We have the right, well you haven't been until you go (inaudible); you see
23 what I'm saying.

24 A (Inaudible)

25 Q Okay you have the right to remain silent. Do you understand that?

1 A Yes.

2 Q (Inaudible) anything you say is used against you in court. Do you understand
3 that?

4 A Yes.

5 Q You have the right to talk, talk to a lawyer before and during questioning. Do you
6 understand that?

7 A Yeah.

8 Q Okay. Okay. Now as I was saying, my whole intentions is to get your, to get
9 your girlfriends side, to get your side. I got their side of what happened. I don't
10 know what started this, they, they, they were pretty vague on what started this.

11 A (Inaudible)

12 Q Okay, so uh, why we're here is to get the whole story.

13 A Uh huh (Affirmative)

14 Q Okay and with that in mind do you want to tell us what happened?

15 A (Inaudible)

16 Q Yall were inside the, yall met inside the club?

17 A (Inaudible)

18 Q (Inaudible)

19 A (Inaudible)

20 **(DETECTIVE TALTON)**

21 Q What about his hair, did he have long hair, short hair?

22 A It looked like some kind of braided, dread thing.

23 Q Like braids coming to the side (inaudible).

24 A No they were more going up (inaudible). It was like (inaudible) out the door.

25 Q Okay.

1 A (Inaudible)
2 (DETECTIVE PHELAN)
3 Q (Inaudible)
4 A (Inaudible)
5 Q (Inaudible)
6 A (Inaudible)
7 Q And what transpired then?
8 A (Inaudible) questioning me about (inaudible) playing around talking to the dancer
9 (inaudible) he was like, "Oh you got whores" and I was like, "Why you think that
10 because somebody call me daddy that I got whores". And the he, he (inaudible)
11 leaving so. I went outside and I guess (inaudible).
12 Q Okay when you say they, how many?
13 A I mean I seen at least 3 or 4 other guys.
14 Q Okay and were they all outside the club when you got out or were they...
15 A Well I was getting in my car and they was getting in the car, you know,
16 (inaudible).
17 Q What kind of car? What kind of car did he have?
18 A I wasn't watching all that, I just heard them say something like, "Oh you see he
19 got the security around him and he grabbed his girl and he left". You know, and
20 he called me a player before so I figured it was just gonna be a conversation, you
21 know. So, I mean, basically he said that and I was like kinda thrown off like. You
22 know and they was kinda laughing so I was like you know, (inaudible). So
23 (inaudible) to get in the car. I went to the back of my car but one of the guys
24 started walking towards me fast then I caught the vibe. Hold up, this guy looks
25 like he wants to fight.

1 Q Is this the same one you were talking to inside?

2 A This is a different one, a big heavy set one, right.

3 Q (Inaudible)

4 A (Inaudible) I know that much.

5 Q A white tank top?

6 A Yeah, I think was like a shirt over it, (inaudible) at the top. (Inaudible) or

7 something like that.

8 Q Okay and as he approached you what happened?

9 A As he approached me he looked like he was getting ready to right. And that's

10 when I say, "Hold up". I said, "We're not gon' fight".

11 Q Where are you at at this time?

12 A Standing at the trunk of my car.

13 Q So you, you were (inaudible).

14 A Yeah, you know, (inaudible) was gon' come over there.

15 Q So were actually in, like in conversation or...?

16 A Well you know, I heard what he said and I was getting ready to say, "Hey yo

17 man", you know what I'm saying, "There's plenty of girls available, I (inaudible).

18 You know, but then I seen his boy rushing towards me like, you know, like I said,

19 boom. So then (inaudible) started swinging and man I'm telling them, boy yo,

20 ain't gon' be no fighting or none of that shit, right, you know, my girl already

21 sitting in the car cause I unlocked the door for her. And um, all of a sudden he hit

22 me, boom. Let he came up to me and he just hit me, boom, and I'm like, where

23 the hell is this coming from. You know, so I tried to back him up a little bit and I...

24 **(DETECTIVE TALTON)**

25 Q When this guy hit you did he hit you in the face?

1 A Yeah he hit in the face kinda but I kinda like moved a little bit. And he still hit me
2 in the face though, you know, he still hit me in the face. Anyway, boom, you
3 know but I was dizzy after that.
4 **(DETECTIVE PHELAN)**
5 Q Did you have anything to drink?
6 A Me I had, I had a drink.
7 Q How many different drinks?
8 A Like 1 or 2. (Inaudible) matter of fact I had one
9 Q What, what was it?
10 A Heineken.
11 Q Heineken beer?
12 A Uh huh (Affirmative)
13 Q Had you had anything to smoke anything, any drugs that would alter your...?
14 A (Inaudible) no drugs.
15 Q So your recollection is clear of what happened?
16 A Up until the point where the, I mean, the, the, the kid was banging me around like
17 a rag doll and (inaudible)
18 Q (Inaudible)
19 A Huh?
20 Q This is the one that's stout, the first one?
21 A Yeah, but all of them was bigger than me.
22 Q Okay.
23 A I mean, you know.
24 Q So he hit you.
25 A He hit me (inaudible)

1 Q You got in his face?

2 A Well, you know, was it was was like he hit me and it was automatically a fight.

3 And you know (inaudible) then I was thinking like you know, I'm gonna have to hit

4 this guy in his head.

5 Q Uh huh (Affirmative)

6 A So I tried to hit him and then, you know, I seen the other guys coming, you know,

7 and that's when I, I had a pocket knife, so I pulled it out you know what I'm

8 saying.

9 Q Where was it at?

10 A Where was the pocket knife?

11 Q In your front pocket?

12 A It was in my back pocket. I had originally told them that it wasn't mine but it was.

13 Then after that I couldn't remember nothing because the guy is on my shirt and

14 one of the big guys they was on my shirt. Cause one guy came up, I remember

15 that, and I was like, I looked at him, he didn't move.

16 Q Uh huh (Affirmative)

17 A So I said this guy is gonna faint and I said it out loud.

18 Q Uh huh (Affirmative)

19 A So then I just, you know, boom, turned left and I remember, matter of fact, then

20 my girl got out the car because they jumping on me.

21 Q Uh huh (Affirmative)

22 A And she tried to push them, get off of him, get off of him, you know. And ...

23 Q Did you see any of the workers or the bouncers or anything (inaudible)?

24

25

1 A I couldn't see nobody, actually I couldn't see nobody I was blacked out. I mean
2 during the whole process I was trying to grab, I was getting hit so many times I
3 was trying to grab, focus, but I was still swinging with the knife.

4 Q Okay.

5 A And that was it, that's all I can remember. That's, that's all I can remember
6 except for...

7 **(DETECTIVE TALTON)**

8 Q Let me ask you this, how'd you (inaudible) those guys hit you (inaudible) ^{if you had to...}

9 A (Pause) I don't know, it was different people hitting me at different times because
10 it was one guy (inaudible), he really had me by my shirt, he musta hit me.
11 ^{like a hot hand} (Inaudible), I can't remember, I can't remember. But I know it was...

12 Q Was he the first one that came (inaudible) at you?

13 A Huh?

14 Q The one that had you by your shirt, was he the first one that came at you or one
15 of the others?

16 A I think he was the other guy. Yeah he was another guy cause he was the one, I
17 think he was the one who I said is not fighting and I turned around, turned my
18 back on him.

19 Q Uh huh (Affirmative)

20 A And then he was like, (Inaudible).

21 Q Do you know why we was (inaudible)

22 A He had (inaudible) too. But actually I don't remember much, you know, all I
23 remember is that I couldn't see, I couldn't even see nothing and they laid off me
24 for a second.

25 Q Uh huh (Affirmative)

1 A And it was a point that...

2 Q (Inaudible)

3 A I was grabbing at some of they stuff, trying to grab it, you know, like you know
4 cause I know they had the knife. They had a knife trying to cut me; you know
5 what I'm saying.

6 Q You know which one had the knife?

7 A I don't know.

8 Q Did they ever cut you?

9 A Yeah they cut my arm.

10 Q The left arm?

11 A Yeah the left arm, they cut it. ^{You know} (Inaudible). Matter of fact that's actually, you know,
12 ~~going~~ going on at the same time that I pull out mine because you know, I always
13 consider myself with a (inaudible) But I don't remember a lot of stuff because it
14 was like, I was surprised that I didn't get knocked out.

15 Q Uh huh (Affirmative)

16 A Like every second I was like, "Oh shit, I got knocked out", you know what I'm
17 saying, that's what I was thinking.

18 Q Have you ever been in a fight before?

19 A I've been in plenty of fights.

20 Q Right, so you knew, you know that surprise is like a guy in his first fight, you know
21 that you can take a lick pretty good.

22 A Yeah I know I can take, (inaudible) years old but I don't still fight.

23 Q So you've been fights before, you know, real fist knuckle down fights.

24 A Yeah when I was a kid coming up.

25

1 Q (Inaudible) like me, you know, I've been like, (inaudible) like I say, I've been in a
2 few fights (inaudible).
3 A (Inaudible) so even in the (inaudible)
4 Q What I'm saying is you know, you were fighting the whole time, you were trying to
5 keep them off of you the whole time?
6 A Basically.
7 Q I'm saying...
8 A (Inaudible) left me alone when they seen me with the knife.
9 Q Right, they didn't get you down.
10 A No they didn't get me down.
11 Q Okay.
12 A I don't think so, yes I did, yes they did cause that's why my knee hurts. They did
13 let me down. See my pants like that, they got me down that's why the knee,
14 that's where...(Pause) Yeah they did knock me down, they knocked me down
15 and my knee is swollen. I can't remember a lot of stuff because it, because the
16 way it was, you know, I was taking a beating, you know; you know what I'm
17 saying. And the only thing I could do was like get away from me, get away from
18 me.
19 Q Uh, (inaudible) when did you get the knife? When did you put the knife from your
20 pocket?
21 A When did I put it back?
22 Q When did you put it in your pocket? When, did you go in the club, did you have it
23 when you went in the club?
24 A The knife?
25 Q Yeah.

1 A Yeah, it's a um, it's a knife I use to use (inaudible) construction.

2 Q Uh huh (Affirmative)

3 A And I use to hang my jack hammer up when I worked construction for years, so,
4 you know, but I use to (inaudible) sometimes you got to cut the ropes...

5 Q But I'm saying you had it when you went in the club?

6 A Yeah I had that, I had that, I kept it on me.

7 Q They didn't search you when you went in the club?

8 A Nall.

9 **(DETECTIVE TALTON)**

10 Q Is that something you always do is keep your knife on you, be honest, (inaudible)
11 you know, you might have some trouble or something like that?

12 A Basically.

13 Q Okay.

14 A You know because ^{its illegal knife} (inaudible) you know, I got, you know, the police told me it
15 was all right as long as it wasn't (inaudible).

16 Q Was that the blade that locks when you open it does it locks on it own?

17 A Yeah it locks.

18 Q Okay.

19 **(DETECTIVE TALTON)**

20 Q Uh, but after it was over with, you got in the car.

21 A After it, after it was over with, actually I didn't even look, all I remember is trying
22 to stay focused.

23 Q Uh huh (Affirmative)

24 A That's the main thing that I remember, just trying to stay focused, so, cause you
25 know, it, when the, when the police took me out the car.

1 Q Uh huh (Affirmative)

2 A You know, and I was standing up, I just went blank, you know I was about to
3 pass out. I knew that I would pass out; I passed out before, so I knew if I stayed
4 up, I'm a pass out. So I laid on the car.

5 Q Uh huh (Affirmative)

6 A I told them, I'm getting ready to pass out, can we sit down. But now that, you
7 know, I got my wind and stuff, I'm all right, so boom, okay, then, anyway.

8 Q Do you recall firing a gun?

9 A (Inaudible) I didn't fire a gun. I didn't fire the gun, it's not my gun. This is the
10 point, the point is I didn't realize I had the gun until I was already in the car and it
11 was on my lap and I was like I musta grabbed this from one of them. And I was
12 (inaudible) you know, like I grabbed it off of somebody's waist or I grabbed it off
13 the ground.

14 **(DETECTIVE TALTON)**

15 Q Okay, so now, you're say that the gun that you had is not your gun.

16 A It is not my gun.

17 Q Do you know who that gun got into your car?

18 A (Inaudible) I might have brought it to the car, but I'm just saying, I don't know how
19 I got it in my hands.

20 Q So you're saying that gun then belongs to someone else...

21 A Yeah,

22 Q That you were fighting with, is that what you're saying?

23 A Yeah that's what I'm saying, I'm thinking they probably (inaudible). What I did
24 was scared them up and that's probably why they stopped fighting. (Inaudible), I
25 don't know why they stopped fighting me.

1 Q Uh huh (Affirmative)

2 A You know what I'm saying, so basically I figured it was that cause then, matter of
3 fact, I think it was when I hit the floor but after that, what, what I did was go to the
4 car and I had it in my lap.

5 Q Uh huh (Affirmative)

6 A And I didn't know what to do with it. So I was just like, let me see if it's loaded
7 and so I unloaded it, like you know, unloaded it, like you know, just (inaudible)

8 Q Is this when you were sitting still in the parking lot or had you already started to
9 leave and you were trying to fool with the gun?

10 A (Inaudible)

11 Q When you got like the pistol when you told me that you had the pistol.

12 A Uh huh (Affirmative)

13 Q Were you checking the pistol while you were still in the parking lot?

14 **(DETECTIVE PHELAN)**

15 Q Are while you were driving down the road?

16 A I don't know. I don't know if I was still sitting when I was doing that. I know
17 basically I made sure that it was nothing in it, in the chamber.

18 Q Uh huh (Affirmative)

19 A And I took the clip out but then I had it sitting on my lap and I was doing like, you
20 know, wipe, wiping my handprints off of it.

21 Q Okay.

22 A And then I was (inaudible) then I thought about giving it to my girl, I was like nall;
23 I don't want her to touch it. So then what I did was reach over to the back and try
24 to put it some, I was gon' put it somewhere I said let me try to squeeze it in
25

1 between the seat in the back. (Inaudible) when I was, when I got even further
2 down the road, the police stopped me.
3 **(DETECTIVE TALTON)**
4 Q So they stopped you at that point.
5 **(DETECTIVE PEHLAN)**
6 Q Do you recall...
7 A They stopped me like, you know, they stopped me a while, I, I drove with it on my
8 lap for a while.
9 Q Uh huh (Affirmative)
10 A And then I didn't know if I was gon' throw it out the window or the car, matter of
11 fact it was a car that came up to me and the car, you know, mater of fact, and I
12 had it sitting on my lap and I was taking the clip out and the seen me taking the
13 clip out and the just (shrieking sound make) like tried to make a U turn. It was a
14 truck, it was a burgundy truck.
15 Q Uh huh (Affirmative)
16 A Matter of fact.
17 Q (Inaudible) following you.
18 A He was following me (inaudible)
19 Q And he say you shoot at him.
20 A I didn't shoot at nobody (inaudible), I didn't shoot at nobody, nobody shot at me.
21 And ...
22 Q So uh, you ain't gon' have no gun shot residue on your hand from shooting the
23 gun?
24 A No.
25

1 Q Okay, so you don't mind if we take a test that check and see if you fired a gun
2 tonight.

3 A Of course not.

4 (DETECTIVE TALTON)

5 Q Hey uh John, let me ask you, at the point where you go pulled your knife out,
6 okay, you thought the guys (inaudible).

7 A Uh huh (Affirmative)

8 Q Beat you half to death, okay; at that point do you recall when you pulled your
9 knife out? You know, at the point you pulled your knife out, do you know if you
10 stabbed someone then or you tired to cut someone then, can, can you kind of
11 explain that to me?

12 A ^{I know} Um, first I wanted to make sure that he seen it so he would have backed up, I
13 know that much.

14 (Inaudible, more than one person speaking)

15 Q Is that how you did? Just, you just popped the knife open like this.

16 A Yeah and then I tried to like, you know, I went up to hit him but I, he was hitting
17 me on this side as a matter of fact. I remember the beginning, he was hitting me
18 on this side so I was blocking with my left and I wanted to hit him with my right.

19 Q Okay.

20 A And it came to the point where I couldn't hit him no, I had the knife in my hand
21 but I was trying to hit him with my hand actually.

22 Q Okay.

23 A You know what I'm saying, at the same time I wanted him to back up but he just,
24 he just wouldn't back up. So I guess I might have said, fuck it, like tried to
25 scream at him like cut him, you know what I'm saying, so...

1 Q So at that point when you went to swing at him you actually hit him but the knife
2 cut him, is that what you're saying?

3 A Well actually I was trying but, like you know, (inaudible) ^{punch him}

4 Q Yeah.

5 A Like I know I wasn't gon' get a good hit cause my, the way my hand was
6 positioned.

7 Q Uh huh (Affirmative)

8 A It was just (inaudible) I, I didn't think the whole thing was gon' be that serious. It
9 just jumped off crazy.

10 Q So after you, so, so the first one that was there, he was trying to punch you from
11 the left and you, and you had your knife here in your right, so when you came
12 around and you swung at him like that, right?

13 A Yeah, I think I swung at him like that...

14 Q (Inaudible)

15 A Then I said, after I kept getting hit I just was swinging.

16 Q Okay, so you just started swinging the knife back and forth?

17 A Basically.

18 Q Now did you ever like when you had the knife, I understand cause I been in a
19 couple of fights before when if there's more than a couple of guys that jumping
20 on you, I would be trying my best to try and get, get these guys off of me. So you
21 don't recall when you made like a slashing motion and then you stabbed
22 someone?

23 A (Inaudible) Nuh

24 Q Okay, you know, let me explain to you cause this guy had been stabbed in the
25 chest, had a puncture wound in the chest like where you were stabbing like that,

1 instead of a cut, okay. I mean ^(he's not dead or anything) (inaudible) but what I'm saying is he stabbed.

2 To tell you the truth, all 3 of them was stabbed in the chest, okay. And what

3 those guys are saying is that you stabbed them, okay.

4 (Inaudible, more than one person speaking)

5 A I'm standing by my car, ^{they} he comes all the way over there, I, I'm getting hit, I don't

6 know what I...

7 (Inaudible, more than one person speaking)

8 A I never stabbed nobody before, you understand, I just keep swinging the knife,

9 you understand.

10 Q Okay, let me ask you this, how many...

11 A I didn't even know if I hit (inaudible). I thought, I thought maybe I was missing.

12 Q Yeah, I understand. John but you know if you had to say, how many times do

13 you think you stabbed those guys?

14 A Oh my God, (inaudible). I don't know what the hell was going on man.

15 Q Okay.

16 A I don't know, I would was barely able to stand.

17 Q Okay.

18 A The only reason I was really trying ^{probably} to stand ^{ing} cause the guy was holding my shirt.

19 Q Okay, I've been in some fights before, okay, and I know (inaudible). ^{when a fight's going on} ^{Doobs: (spraks over)}

20 A (Inaudible) I told you everything man. (Inaudible) ^{Listen, I don't want to talk about it no more. I} ^{Quit. I'm not going} ^{listen, listen, I don't} ^{want to talk about} ^{it anymore}

21 Q Well, ^{that's up to you} ^{can} ^{can} ^{man is} ^{can} ^{Tell us: cuz you} ^{to talk} ^{you've excited.} What's it to you, I mean, you couldn't, you couldn't explain it to us if you want to

22 or I mean, but I'm here to try to help you, that's all I'm trying to do. But, but these

23 guys are...

24 A (Inaudible) the whole thing was self defense. You know it was somebody else, if

25 somebody else could be saying self defense or whatever, (inaudible)

1 Q John, John, okay, okay, okay let me ask you this last thing, now when you went
2 to your car did you go and sit inside of your car or were you standing out on the
3 side of your car the entire time?
4 A (Inaudible)
5 Q Yeah.
6 A (Inaudible)
7 Q Yeah, when you first came outta the club.
8 A Uh huh (Affirmative)
9 Q Did you go to your car?
10 A I think I was getting ready to sit down.
11 Q Okay.
12 A And then, you know, they was talking, I didn't understand exactly what they said,
13 so I got out and I stood up, like you know, I think I went half way down. I think I
14 just unlocked the door for my girl and went half way down. And then I was trying
15 to understand what they said to her, you know, and you know, and then I was like
16 (inaudible). But I think he had went half way down and then I, you know, stood
17 up and you know, entertained the conversation, whatever, went to the back. I
18 said (inaudible).
19 Q So you went to sit down in your car and then these guys start talking some shit to
20 you...
21 A Well they came, they came up to me.
22 Q Okay.
23 A You understand. They came up to me; I didn't come up to them.
24 Q Uh huh (Affirmative), okay.

25

1 A They came up to me, I say it's not gon' be no fighting, (inaudible) fight or
2 whatever. And you know, the guy (inaudible), and then he swung on me.
3 (DETECTIVE PHELAN)
4 Q Did, out of all those 4 guys, had you ever seen any of them before tonight?
5 A I never seen, I've only been here, I only came down here to see my kids. I only
6 been here for 2 days.
7 Q (Inaudible)
8 A (Inaudible). I'm staying in a hotel.
9 Q And uh, you've only been here 2 days.
10 A I've only been here 2 days, I haven't seen my kids in about a year and you know,
11 I was having a hard time, you know, seeing them, so I went to go see them. You
12 know, I went to go see them and I spent the day with them after school yesterday
13 and I did that today. And I was getting ready to leave in a couple of hours and
14 my girl said, "Yo, lets go to the strip club", and I said I don't know where there's
15 one up here and I went over to the strip club.
16 Q So you didn't have nothing planned on going there, it's just something that came
17 up, yall just (inaudible).
18 A It just came up cause we wasn't even there for about, we was only there, we got
19 there about 1:30 something.
20 Q So it would be fair to say you've never seen these guys before.
21 A Oh never seen them, don't know them, I mean the whole thing just, you know, it
22 as crazy to me.
23 Q What stopped you from getting in the car and leaving?
24 A When?

25

1 Q When, as, as, I mean, when they, when you were at the car and they started
2 running his mouth, what stopped you from getting in the car and leaving?
3 A (Inaudible) I was surprised the club was closing at 2:00.
4 Q Uh huh (Affirmative)
5 A And you know, I thought they, you know, we was just gon' talk shit, you know.
6 (Inaudible) introduce myself.
7 Q Uh huh (Affirmative)
8 A To more people, that's it. I figured I was gon' be sociable, you know, I figure I
9 was gon be like you know, (inaudible) saying something smart, you know, I didn't
10 figure we was gon' get, you know, serious, I mean we grown men, what the hell
11 we gon' do something like that (inaudible).
12 Q Your girlfriend, did anybody say anything out the way to her or anything, you
13 know.
14 A Nobody said nothing to her except for when, when they was jumping me, she
15 was pushing, they was like, get her, matter of fact, that's when I, I started swing
16 the knife.
17 Q Uh huh (Affirmative)
18 A That's when, cause they was saying get her and I was like what, you know, I tried
19 to get somebody (inaudible), get somebody away from her.
20 Q And what's her name again?
21 A Deanna.
22 Q Deanna, okay.
23 A Cause I already, I already had the knife in my pocket and I already, you know,
24 was like you know curious but I've been in situations like that before and nothing
25 ever happened, you know. I didn't think nothing was gonna happen.

1 Q All right, okay, let me go talk to her right quick and I'll get back with you. You
2 need any water or anything?

3 A Yeah, I appreciate some water.

4 Q You want some water.
5 (Door opened and closed)

6 A Let me ask you something, how long you think I'm a be in here?

7 Q A while, a while, we got, we got to interview all them and all that sort of stuff. We
8 are talking to the people out there at the club. (Inaudible).

9 A I know (inaudible). I just left because I didn't want nothing else to happen
10 (inaudible) you know. That's the only reason I drove off.

11 Q Yeah, we can understand that, I mean, you know, believe me I'm just saying, you
12 know.

13 A You know...

14 Q At the beginning, get in your car and...

15 A Yeah, yeah, yeah, yeah, but you know (inaudible).

16 **(DETECTIVE TALTON)**

17 Q Here you go bro (inaudible)

18 **(DETECTIVE PHELAN)**

19 Q So you want to get out and talk shit, shoot the shit?

20 A (Inaudible) people been doing since I came down to the south for like most of the
21 time.

22 Q Okay. (Inaudible)

23 A (Inaudible)I meant the whole thing was just, (snapping sound) it just jumped off
24 crazy (inaudible) you know what I'm saying, like, you know what I'm saying. I
25 don't supposed to be here, you know what I'm saying, I ain't supposed to be in

1 handcuffs right now, (inaudible) you know what I'm saying. I mean you know the
2 whole thing is that I didn't call you guys, you know what I'm saying, that's the only
3 thing.

4 Q All right lets go see what (inaudible)

5 A Cause if I, you know if I'd had call you guys (inaudible)

6 Q Hold on a second, you had a weapon, they didn't, that's what, you didn't fire a
7 weapon.

8 A They didn't have a weapon.

9 Q (Inaudible)

10 A Then how the hell did they cut me?

11 Q (Inaudible)

12 A I mean I seen the weapon, I seen it, all I did was see it real quick but I seen it.

13 Q Uh huh (Affirmative)

14 A You know what I'm saying, I kept, that's why I kept like really kinda like kept
15 focusing away from the guy that was punching me in my head so hard.

16 Q Uh huh (Affirmative)

17 A I didn't even mess with him (inaudible), you know what I'm saying, really even
18 pay attention to him.

19 **(DETECTIVE TALTON)**

20 Q Hey John, you got a cell phone (inaudible)?

21 A I got 2 cell phones somewhere, they probably in my property that yall got.

22 Q So can you tell me why you didn't call the Sheriff's Office when all this
23 happened?

24 A Man I was just like, let me get the hell outta here man. Then I was driving real
25 slow just, (inaudible) and thinking.

1 Q All right.

2 A You know, and then I, like I said, I was mostly thinking about that gun, like, you
3 know, what I'm a do with this; you know what I'm saying. And then I was like...

4 Q So you was thinking of, you know, as far as the gun, you were thinking what you
5 could do with the gun instead of calling the Sheriff's Office.

6 A I was thinking about what I was gon' do with it if I'm a keep it, throw it away,
7 whatever; you know what I'm saying. I was like you know, I was like man let me
8 just go and I was thinking about my blood that was dripping down my face. I had
9 a lot of blood dripping down my face at the moment. And I was asking my girl if I
10 need stitches and stuff like that and she was like, well you might need stitches,
11 lets go to the hospital then you can call the police. And I was like, you know, I
12 said let me go to the hotel and look in the mirror first.

13 Q See that's the other thing there see, because you had a cell phone with you I was
14 wondering why you didn't call the Sheriff's Office. I mean if I had just been in a
15 fight, I mean, as a practical person and you appear to me to be a practical, you
16 know (inaudible).

17 A I'm a practical person but I, I'm not gonna lie, I've never called the police.

18 Q Sure I understand that but (inaudible). I mean I can understand if you were just
19 in a fist fight, but you, you know, there's some guys that's getting stabbed.

20 A Yeah, I didn't even realize I was poking them. I, I didn't even realize that I was
21 actually getting to them.

22 Q Okay.

23 A You understand. I (inaudible) I realized it at the last second.

24 Q Now did you ever see any of those guys all to the ground?

25

1 (UNKNOWN MALE)
2 Q All right go ahead and have a seat.
3 (Door closed)
4 (Pause)
5 (Inaudible talking)
6 (Door opened)
7 (DETECTIVE PHELAN)
8 Q (Inaudible)
9 A (Inaudible) music.
10 Q Music, okay, DJ (Inaudible)
11 A (Inaudible) some of them are on cd's.
12 Q Is that a rental car?
13 A Nall that was a loaner from uh, the company that my cousin (inaudible)
14 Q Okay, a loaner.
15 (Door closed)
16 (Pause)
17 A (Inaudible)
18 (Pause)
19 A (Inaudible)
20 (Pause)
21 A (Inaudible). This is crazy man. Crazy (inaudible)
22 (Pause)
23 (Knocking sound)
24 A Hey what's up? What's up? Excuse me.
25 (Door opened)

1 A Yes, how you doing, um, I was saying, is it possible that (inaudible) take my
2 property to my brother.

3 Q (Inaudible)

4 A Are yall gonna keep me?

5 Q Yeah, you gon' be charged.

6 A Gon' be charged with what?

7 Q Aggravated battery, aggravated battery.

8 A I mean it's not obvious self defense. I mean were this aggravated battery come
9 in with getting jumped by 3 or 4 guys, I mean (inaudible)...

10 Q (Inaudible) you were at your car...

11 A I had an opportunity to run, leave. To leave but I didn't know I had a problem yet.
12 Do you understand that?

13 Q I'm, I'm trying to understand that.

14 A Okay I didn't know I had a problem. We didn't have words of conflict at any point
15 and time. You understand?

16 Q Yeah.

17 A We had no words of conflict. I did not know I had a problem, why would I leave?

18 Q Uh huh (Affirmative)

19 A You understand? (Inaudible) and then I didn't go towards them. I was at my car.

20 Q Uh huh (Affirmative)

21 A Do you understand? I don't have a, I don't have the right to stand by my car? I
22 mean this is gonna ruin my life. It's gonna ruin my girls life and everything and,
23 and, and I know that you guys gotta know that basically there's, there's no,
24 there's no way that I, I was um, I initiated anything.

25 Q You're in a parking lot, you guys get involved in a fight, you bring out a knife.

1 A Hold, hold, hold up. I'm in a parking lot; I'm standing by my car, these guys start
2 running at me. One of them starts walking to me fast; he swings on me, then the
3 other one start running at me. I, I (inaudible), I thought it was 4 or 5 guys.

4 Q Uh huh (Affirmative)

5 A You understand.

6 Q Uh huh (Affirmative)

7 A And I'm getting hit so hard I can't see what's going on. I'm just grabbing for what
8 I can. You understand? And I was...

9 Q I understand what you're saying...

10 A Well what, what, what is the law about me, you know, cause I, I been locked up
11 before for something I never did.

12 Q Uh huh (Affirmative)

13 A You understand? And I was locked up for 8 months for that before I even made
14 bail (inaudible)

15 Q Uh huh (Affirmative)

16 A You understand? Now this is crazy man, cause, you know, I got my kids. I just
17 seen them for the first time, came up here to see them and I mean, you know, it's
18 been a while where I could see them and I just got my relationship back with
19 them. You understand?

20 Q Uh huh (Affirmative)

21 A My rent is due, I'm gon' loose my apartment. My girl doesn't have, you know,
22 she doesn't know her way around here. She's, she's totally dependant on me
23 right now, you understand?

24 Q I hear you.

25

1 A Now, now, basically, you know, you guys are allowing, I mean, I don't know what,
2 I don't understand how it's aggravated, what'd you say?
3 Q Battery.
4 A Battery, because I'm getting the hell beat outta me and I'm just barely awake
5 during the whole thing.
6 Q Uh huh (Affirmative)
7 A You understand
8 Q Uh huh (Affirmative)
9 A I mean, where, where does it, what sense does that make. I mean (inaudible).
10 How do you, how do you judge that as aggravated battery? I mean that wasn't
11 even aggravated, it was all self defense and the moment that they stopped hitting
12 on me is the moment that I got in my car and left.
13 Q Uh huh (Affirmative), yeah but John based on all the facts of the case.
14 A What facts?
15 Q The facts (inaudible)
16 A Yeah, did they say...
17 Q Based on what you told me and based on what they told me, there was
18 opportunity enough for you to leave. You said (inaudible).
19 A Hold up, hold up, hold up I told you they was holding me.
20 Q Uh huh (Affirmative)
21 A I told you that they was holding me and that's probably the reason why...
22 Q You started swinging too.
23 A No I was swinging (inaudible). With one hand.
24 Q Uh huh (Affirmative)

25

1 A I wasn't free swinging, I (inaudible). I couldn't even see where the hell I was
2 going.

3 Q Uh huh (Affirmative)

4 A Half the time I'm bouncing off of my (inaudible). I was not in any position to leave
5 at any moment before that or else I would have ran. Come on now man, come
6 on now man, look at my face man. You think I'm gonna sit here, I'm (inaudible)

7 Q Right. Hey I...

8 A I mean (inaudible), you know what I'm saying. The only thing I know is
9 (inaudible) they, they, they backed up or whatever so, you know and I just ran
10 straight to my car. At the moment I got a chance to leave, I went straight to my
11 car, the moment. I didn't wait a second, I didn't discuss anything with anybody, I
12 was not free to leave at any point between, before then.

13 Q All right, well I need to tell you, one of them died. The one in critical died.

14 A (Inaudible)

15 Q I'm serious.

16 A (Inaudible). Listen man, yo listen man, I have no (inaudible). I had no point that I
17 could leave man. I had no point that I could leave man. The moment that I had a
18 chance to leave, I left. If I was fighting with a gun, believe me, I would have, I felt
19 that scared that I would (inaudible) at that point.

20 Q Uh huh (Affirmative)

21 A And none of that happened. None of that happened, you know, listen man, listen
22 man, I mean, listen man, I'm gonna loose everything I got. I'm a come out with
23 nothing and I don't really have anything right now, you understand?

24 Q Uh huh (Affirmative)

25

1 A I got a couple of things that supposed to be coming on TV for me rapping, that's
2 it. I don't have any money from it, anything, my kids I just keep making promises
3 and stuff that I was gon' do. Man listen, this was, (inaudible), I musta been about
4 two minutes, not even two minutes, you understand?

5 Q Uh huh (Affirmative)

6 A (Inaudible), it was, it was crazy at that moment. And I had no way to leave man.
7 I had no way to leave and the only time that I could a left was before I started to
8 conversate with them.

9 Q Uh huh (Affirmative)

10 A But I didn't go over there thinking I was gon' fight those dudes, big ass dudes.
11 Come on man, come man (inaudible) if you are the one who's gonna say, you
12 know, whether or not this case is aggravated battery, I mean, (inaudible), you
13 know. I mean if you the one that make, you gotta, you gotta know that man. I
14 mean, I mean, just listening to what they say, I know that they provided people
15 who would say I had a chance to leave during the fight. During the conflict, once
16 it started I know they didn't say I had a chance to leave. Cause they, first of all,
17 the only chance that I might have been able to run was the time my girl was
18 pushing one of them off me and I was trying to get then not to hit her.

19 Q Uh huh (Affirmative)

20 A That was the only chance that I had to, an opportunity where I was free with both
21 hands.

22 Q See the thing is you introduced a weapon into a fist fight.

23 A A fist fight, man, I'm cut, I'm cut. I...

24 Q (Inaudible) no weapon. None of them left.

25 A How, how, how hard is that to, to, to leave (inaudible)

1 Q Uh huh (Affirmative)

2 A I mean how hard is that? I mean, I mean...

3 Q I mean (inaudible) witnesses; they said no weapons other than yours.

4 A No weapons other than mine.

5 Q Uh huh (Affirmative)

6 A So, so what am I doing now, what am I doing. I'm standing outside my car

7 (inaudible).

8 Q (Inaudible). You get in front of the four guys; they (inaudible) and you swing your

9 knife and go to work.

10 A I mean, listen, their car was at least 20, 15 feet away from me. They came to

11 me. They came at me. You know, I'm standing there and I don't know what's

12 going on.

13 Q Let me tell you what she's gon' do, she gon' document all your injuries, uh, she

14 gon' photograph you as you are so it will all be on, on record.

15 A Man, listen man, you're ruining my life man. My credit, I just got the car

16 (inaudible) put a new transmission in it. That's why I got the loaner, the only,

17 that's why I came down here to see my kids. I say, you I got a decent car to do

18 some traveling with, let me take advantage of this moment, you understand.

19 Now, right now, you know what I'm saying, I mean, this is not the life I'm living

20 man. And, and, you know what I'm saying, not throwing me back in there, you

21 know, I mean, but I don't even know. I think that the guys that was there, this

22 deputy was there and the valet parking people (inaudible) something man. I

23 don't know, (inaudible), but I think that, cause I know all those people calling, not

24 everybody, I don't know their name or nothing but I knew that they (inaudible),

25

1 you know what I'm saying. When I was leaving the club. But I didn't think it was
2 gon' be no problem like that, you understand. And ...

3 Q I, I understand that...

4 A (Inaudible) I think they seen me and my girl, I didn't think he was gonna come
5 and try to jump me. I mean, who does that? Who does that as grown men?

6 Q (Inaudible) I don't think you went there; went there with any intention or came out
7 with any intention of hurting anybody, but the situation itself...

8 A It was self defense.

9 Q That's your, that's what you (inaudible)

10 A I mean, I mean, I mean...

11 Q (Inaudible)

12 A (Inaudible)

13 Q The charges are right now aggravated battery, aggravated battery, and homicide.

14 A Now how can you charge me with that? What do you do to, when a victim, I
15 mean what do you do? I mean how do you (inaudible).

16 Q How can I not charge you?

17 A (Inaudible)

18 Q How can I not charge you?

19 A How can you not charge me, I mean, you, you look at the evidence, you say, yo,
20 I (inaudible).

21 Q I know that you cut, I know that you cut 2 of them, I know you stabbed one too.
22 So what else can I do?

23 A Look man.

24 Q Huh, I can let you walk.

25 A You could recognize that I couldn't even see what I was doing.

1 (Phone ringing)

2 A You can recognize that I could not even see what I was doing. Every time a kid
3 hit me...

4 Q Go ahead.

5 A One of the kids hit me; the other kid would hit me at the same time. Every time
6 the kid hit me, the other kid would hit me at the same time. I couldn't even see,
7 do you understand getting knocked (inaudible)

8 Q (Inaudible). We got your, we got that on (inaudible) I mean, I got that, I got that
9 what you told me and I, I, hey, trust me, I'm writing that down, but I, with what
10 happened (inaudible), I gotta write it up as a agg. battery, agg battery, homicide.
11 It's no way around it. That's, that's the truth.

12 A There's no way around it.

13 Q No way around it.

14 A No matter what nobody's story is about how much it is self defense, there's no
15 way for you...

16 Q (Inaudible) your defense.

17 A (Inaudible) my defense.

18 Q That's what you're claiming; your defense is that they were beating you to the
19 point that you had to do what you did. (Inaudible)

20 A I mean, I mean, I'm not gonna say that, you know, I wanted to, to hurt the guy
21 like that, you know what I'm saying, (inaudible), you know.

22 Q I can't, I can't

23 (Inaudible, more than one person speaking)

24 A What I wanted to do was get them, to get away from me, you know what I'm
25 saying?

1 Q Uh huh (Affirmative) Okay, she's gon', we gotta go ahead and get this done; I
2 know I gotta do, a lot of writing to do. (Inaudible).

3 A Oh my God man, this is crazy, this is crazy man, this is so crazy man.

4 Q That's what I'm saying, usually in a situation like this uh, just a little, (inaudible)
5 And all of a sudden you whole life has changed. I mean...
6 (Inaudible, more than one person speaking)

7 A (Inaudible)

8 Q (Inaudible)

9 A I can't afford...

10 Q (Inaudible)

11 A (Inaudible), you know what, I need to (inaudible) a list of things for my girl to do.
12 Is that possible?

13 Q (Inaudible)

14 A Because she has to go and get her life together man. She don't, (inaudible).
15 She been with me for 2 and a half, 3 years now.

16 Q Let me tell you what, as soon as she get through and we get through with her
17 here, I'll bring her in here and let you talk to her.

18 A You would?

19 Q Yeah.

20 A I appreciate that man.

21 Q All right.
22 (Door opened and closed)

23 **(UNKNOWN FEMALE)**

24 Q Do you actually have a cut right here on your lower...
25 A (Inaudible) I think it's cut, I don't think it's just blood cause it hurts when I touch it.

1 Q Okay.

2 A I can't believe that kid died man.

3 Q All right, I'm gonna need you to stand up so I can take n overall picture and then

4 I'm gonna move in and document all your injuries, all right.

5 A (Inaudible) I don't know (inaudible).

6 Q Okay.

7 A You look like a girl off of TV.

8 Q (Inaudible)

9 A (Inaudible) Are you (inaudible)?

10 Q Uh huh (Affirmative)

11 A I mean right now I still see spots.

12 Q (inaudible) and I'm gonna put something (inaudible) all right. I'll try not to hurt

13 you too much.

14 (Pause)

15 Q (Inaudible)

16 A Is it true what he was telling me about that kid? (Inaudible)

17 Q (Inaudible) Did you get cut (inaudible)

18 A (Inaudible) I don't know if I got banged in my head.

19 Q Okay.

20 A And cut on my arm.

21 Q Yeah, I'll be back in a minute.

22 A That's all I know (inaudible)

23 Q All right let me turn you around. Do you know if there's any way to (inaudible)

24 A My shirt?

25 Q Yeah.

1 A Oh no, I (inaudible)

2 Q (Inaudible) What about putting his hand (inaudible)

3 A (Inaudible)

4 Q Um, I don't know if it'll fit you.

5 A (Inaudible)

6 Q Okay.

7 A (Inaudible)

8 Q Huh?

9 A Have you ever heard of anything like this?

10 Q Self defense, yeah.

11 A (Inaudible) I'm being attacked. All these guys are bigger than me and all these

12 guys are hitting me. My head is going every direction and I'm just thinking to

13 myself, wow another hit, I didn't go down. I mean, I mean, not that I didn't go

14 down but I'm not knocked out because it feel like I was getting ready to be

15 knocked out.

16 Q (Inaudible)

17 A And then I feel like I'm (inaudible). Oh my God I can't believe this man, I can not

18 believe this, this is crazy, this is crazy man.

19 (Inaudible talking)

20 Q He's gonna put your handcuffs in the front.

21 A (Inaudible) I was just talking to my kid's mom. I think she told them about my

22 temper and stuff, but I'm like, you know, I don't get down like that now, you know.

23 She talking about something I did when I was 15, when she was 15. (Inaudible)

24 a thing in there.

25 **(UNKNOWN MALE)**

1 Q Yeah, I know that. (Inaudible)
2 A Is that thing coming off of my face?
3 **(UNKNOWN FEMALE)**
4 Q Yeah, it's already (inaudible).
5 A That's crazy. (Inaudible). Man this shit just makes (inaudible)
6 Q (Inaudible)
7 A (Inaudible) That kid didn't really (inaudible) What the hell (inaudible).
8 **(UNKNOWN MALE)**
9 Q All right, turn around.
10 A (Inaudible)
11 Q Turn around again, please.
12 A This is crazy man (inaudible)
13 **(UNKNOWN FEMALE)**
14 Q All right, (inaudible)
15 (Pause)
16 (Clicking sound)
17 A (Inaudible) back in the back again.
18 Q Just like that, all right.
19 (Pause)
20 A (Inaudible)
21 Q (Inaudible)
22 A I didn't even know what I was doing; I know I was punching him.
23 Q (Inaudible) there you go, hold it just like, just, towards me.
24 A (Inaudible)
25 Q Okay, can you hold it like that?

1 A (Inaudible)
2 (Pause)
3 Q (Inaudible)
4 (Pause)
5 (Inaudible talking)
6 Q You can close the door.
7 A You see, I told you they was cutting me man.
8 Q (Inaudible) there you go.
9 (Pause)
10 Q (Inaudible) this way, there.
11 (Pause)
12 Q All right (inaudible)
13 A You wanna see my leg, my knee or something?
14 Q Yeah, do you have anything on your knees, do you know?
15 A I believe so, I feel like it. (Inaudible)
16 Q Okay, good.
17 (Pause)
18 Q (Inaudible)
19 (Pause)
20 Q All right, anything on your other knee?
21 A I don't think so (inaudible).
22 Q All right.
23 A (Inaudible). Are you gon' take this off to check it or no?
24 Q Um, I don't know, can you get Dave.
25 A (Inaudible)

1 Q Yeah I know, I just don't know if we'll be able to put it back on and (inaudible)
2 A (Inaudible) because I, they sitting there like this guy ain't got no weapon on me
3 and then, and, and, you know, like they was fighting a justified fight so, whatever.
4 (Pause)
5 A (Inaudible) oh my God.
6 Q (Inaudible)
7 A Have they arrested anybody else?
8 Q (Inaudible)
9 A Arrested.
10 Q Oh arrested, I don't know.
11 A (Inaudible), this is crazy man. So it was just a little (inaudible)
12 (Pause)
13 Q (Inaudible)
14 A (Inaudible) you know today is the first day that my kids ever spoke to their
15 grandfather. My father's a lawyer and he lives in Detroit right, and I called him up
16 and let them talk to him. He was all happy, everybody's happy (inaudible).
17 (Pause)
18 A (Inaudible)
19 **(UNKNOWN FEMALE #2)**
20 Q Here they are.
21 **(UNKNOWN FEMALE)**
22 Q Thank you.
23 **(UNKNOWN FEMALE #2)**
24 Q Uh huh (Affirmative)
25 A (Inaudible) aggravated assault (inaudible). I wasn't assaulting nobody man.

1 (Inaudible talking in background)

2 A I wasn't assaulting anybody.

3 (UNKNOWN FEMALE)

4 Q Um, his wounds, do I need to take the bandages off and if so what are we doing

5 with them?

6 A God man this is so fucked up man, this is so fucked up man. So fucked up man.

7 Any time I come to Florida it's some crazy shit man.

8 (Pause)

9 A I mean what the hell is my girl gon' do. Are yall gonna give her my car?

10 Q (No audible response)

11 A Do you know?

12 Q (No audible response)

13 A Please man, please give her the car and some directions man. Don't put her out

14 there on the street man.

15 (Pause)

16 A Fucked up, what's wrong with these kids. I bet you they was high on all kinds of

17 drugs man, I bet you.

18 (Pause)

19 Q Okay, I'm gonna go ahead and do your bical swabs, if we need to, we'll

20 photograph (inaudible)

21 A If we need to do what?

22 Q These are cheek swabs (inaudible)

23 A (Inaudible) what's that for?

24 Q Uh, DNA.

25 A DNA.

1 Q Uh huh (Affirmative)
2 (Pause)
3 A I mean, I know point and time cause I done turned away. Every time I look one
4 direction I would get punched in the other. There's no way for me to go. No
5 where for me to go. I didn't have a chance to look the way I wanted to look. I
6 ain't had a chance to see the faces of the guys (inaudible). I didn't have a chance
7 to speak. Talking bout I had a chance, I had a chance for nothing.
8 (Pause)
9 A The guy that was talking to me, that I thought I was gonna be talking to, is not
10 even the guy that walked up to me and hit me.
11 (Pause)
12 A That I thought that I was gonna be, you know, starting shit with, he's not even the
13 guy that walked up to me and hit me. It was 2 of them other guys that I didn't
14 know, I didn't have a word with (inaudible).
15 Q (Inaudible)
16 A (Inaudible)
17 Q Huh?
18 A (Inaudible)
19 Q I have to do all this first.
20 (Pause)
21 Q Okay I need you to give me you initials, half on the tape, half on the um,
22 envelope just like I did.
23 A What, what it say evidence for? What's in there just the swabs?
24 Q This is for the swabs, yeah.
25 A That's it.

1 Q Yeah.
2 (Pause)
3 Q And what's your name.
4 A John Dobbs.
5 Q I'm sorry.
6 A (Inaudible) Dobbs.
7 Q John Dobbs. D O B B S?
8 A Uh huh (Affirmative)
9 Q What's your date of birth?
10 A 9/18/74.
11 Q And what's your current address?
12 A 1855 (Inaudible) Road.
13 Q Elsberry?
14 A Elsberry, (inaudible)
15 Q And where's that?
16 A Marietta Georgia.
17 (Pause)
18 A (Inaudible)
19 Q Okay, I need you to sign right here, (inaudible). Can you sign? (Inaudible).
20 (Pause)
21 Q (Inaudible)
22 A Oh my God man this is ridiculous (inaudible).
23 Q Okay, this is a GSR kit.
24 A What's that for?
25

2 morning.

3 A (Inaudible)

4 Q (Inaudible)

5 A (Inaudible)

6 Q (Inaudible)

7 A (Inaudible) I take her to school and everything (inaudible).

8 (Pause)

9 A So how do you tell?

10 Q It's a uh...

11 A It goes into the (inaudible).

12 Q Yeah, it goes into (inaudible).

13 (Pause)

14 A (Inaudible)

15 Q Today, okay, (inaudible)

16 (Pause)

17 A (Inaudible)

18 (Pause)

19 A (Inaudible) me to jail. (Inaudible) I ain't seen my kids in a year and a half.

20 Q Are you right or left handed?

21 A Right.

22 (Pause)

23 Q Do you have an occupation? Do you work?

24 A (Inaudible)

25 Q Do you have any hobbies?

1 A (Inaudible)
2 Q Okay.
3 A Oh my God.
4 Q (Inaudible)
5 A (Inaudible). This is crazy. This is crazy man, this is crazy man. (Inaudible).
6 (Inaudible) everything I'm saying, right. (Inaudible). This ain't no fucking game
7 this is fucking real. Is it possible (inaudible) get my girl (inaudible).
8 (Inaudible talking)
9 **(DETECTIVE PHELAN)**
10 Q They don't need your clothes.
11 A (Inaudible)
12 Q Yeah, I'm a take care of that. Uh, you need to change into that and she's gon'
13 need those clothes.
14 A For what?
15 Q It's all evidence.
16 **(UNKNOWN FEMALE)**
17 Q Pants.
18 **(DETECTIVE PHELAN)**
19 Q You got your blood on it, their blood on it.
20 **(UNKNOWN FEMALE)**
21 Q His uh wound I couldn't get to because their all covered up and I don't have
22 anything and I don't know what you wan to do about...
23 (Inaudible, more than one person speaking)
24 A (Inaudible) in the spots where I was cut. This is where I blocked the cut
25 (inaudible) cut me, so (inaudible).

1 Q (Inaudible)
2 **(DETECTIVE PHELAN)**
3 Q Uh huh (Affirmative)
4 A (Inaudible) you need to let them know that they did have a weapon.
5 Q (Inaudible)
6 A Yeah.
7 Q Go ahead.
8 A (Inaudible)
9 Q Yeah.
10 A (Inaudible)
11 **(UNKNOWN FEMALE)**
12 Q (Laughter) (Inaudible)
13 A Hey you got anything I can bandage it back with.
14 **(DETECTIVE PHELAN)**
15 Q I don't have any. I can check, I'll check around and see if got any tape. I know
16 we got a first aid kit somewhere.
17 **(UNKNOWN FEMALE)**
18 Q I need to un-bandage (inaudible) take those off of his fingers too.
19 A (Inaudible)
20 Q So hot pink (inaudible).
21 **(DETECTIVE PHELAN)**
22 Q Yes shoes. Shoes, uh jeans, shirt.
23 A (Inaudible)
24 **(UNKNOWN FEMALE)**
25 Q (Inaudible)

1 A (Inaudible)
2 **(DETECTIVE PHELAN)**
3 Q I ran out of boxers, I'm wearing these stringy ass briefs that my girl told me too
4 wear. She bought it for me I told her nall (inaudible). And this is what (inaudible)
5 **(UNKNOWN FEMALE)**
6 Q I'm gonna give you this to wear.
7 A (Inaudible). (Inaudible). I was thinking I was watching Whoopi Goldberg
8 yesterday, she was saying something bout how, (inaudible) mother use to say,
9 (inaudible) cause you never know what's gon' happen to you. (Inaudible)
10 Q Yeah it's gonna sting a little bit because it's stuck on there.
11 A (Inaudible)
12 Q (Inaudible) can you scoop back just a little bit more?
13 A (Inaudible)
14 Q All right
15 A (Inaudible) I told me I don't need stitches, I need stitches don't I? (Inaudible) Try
16 to throw me around. You know he was doing worse the police. (Inaudible)
17 Q Okay I'm gonna have to take these off too so I can get the ones on your fingers.
18 (Inaudible)
19 A See, I knew it, that's what I'm trying to say, I was blocking (inaudible) that knife. I
20 was blocking that knife (inaudible). I can't even remember everything man cause
21 I, everything was a reflex. They was cutting me up man. (Inaudible)
22 Q This one.
23 A I wasn't trying to stab them; I was trying to punch them. If you look at my hand
24 you can tell, I was trying to punch them. Cause I knew that's what I was trying to
25 do. I wasn't trying to kill nobody. But it came to a point where, you know; I was

1 getting hit up (inaudible) I was just like yo, you know, come on man. (Inaudible), I
2 ain't try to come up and kill somebody. This is ruining my life though, I ain't gon
3 have sh, nothing after this. Nothing, no place to live, no nothing. No credibility
4 with my friends and family, nothing. And the whole thing is I got locked up
5 before. For something I never did, for something I never knew about. Somebody
6 pointed me out in a mug shot and brought me in to the judge and I was facing a
7 whole lot of time, you know. This is, in two thousand and, you know, 1994.

8 Q All right, um...

9 A The police came to my house.

10 Q Do you wanna un-cuff him and I need you to take all of your clothes off except for
11 your underwear.

12 A Don't laugh at me (inaudible)

13 Q This is a one piece suit, and you just zip up the front. (Inaudible)

14 (Inaudible talking)

15 (Clicking sound)

16 Q (Inaudible)

17 A (Inaudible) get infected. (Inaudible) I'm getting fucking killed by them man. I'm
18 getting killed. (Inaudible). They don't know me. (Inaudible) I didn't say nothing to
19 them. I didn't even curse at them dudes. (Inaudible)

20 Q Uh huh (Affirmative)

21 A You do need this one.

22 Q Uh huh (Affirmative). Cause it's torn. I need everything except for your (inaudible)

23 A That's gonna be cold. (Inaudible)

24 Q I need your shoes too.

25 A (Inaudible)

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THIS TRANSCRIPT HAS BEEN REVIEWED FOR ACCURANCY

Signed this 15 day of November, 2006.



DETECTIVE PHELAN, OCSO DEPUTY SHERIFF