

1 **THE COURT:** Yes.

2 **MS. VICKERS:** Thank you.

3 For the record, I'm handing the jury what has been
4 entered into evidence as Defense 2 through 9. Your
5 Honor, may I proceed?

6 **THE COURT:** You may.

7 **MS. VICKERS:** Defense calls Deanna Washington.
8 Thereupon,

9 **DEANNA WASHINGTON**
10 was called as a witness and, having first been duly sworn,
11 testified as follows:

12 **THE COURT:** You may inquire.

13 **MS. VICKERS:** Thank you, Your Honor.

14 **DIRECT EXAMINATION**

15 **BY MS. VICKERS:**

16 **Q** Good afternoon.

17 **A** Good afternoon.

18 **Q** Could you please state your name and spell your
19 last name so the court reporters can take it down correctly?

20 **A** Deanna Washington. W-A-S-H-I-N-G-T-O-N.

21 **Q** Thank you. And where are you from?

22 **A** Georgia.

23 **Q** Okay. And back in October of 2006, where were you
24 living?

25 **A** In Georgia.

1 **Q** And have you ever lived in Orlando before?

2 **A** No.

3 **Q** Back on October 25th of 2006, were you visiting
4 Orlando?

5 **A** Yes.

6 **Q** And who were you with?

7 **A** John Dobbs.

8 **Q** All right. On the night of October 25th of 2006,
9 did you and Mr. Dobbs have an occasion to go to Thee
10 Dollhouse?

11 **A** Yes.

12 **Q** And do you recall what time you arrived there?

13 **A** 1:30 a.m.

14 **Q** And do you recall what time you left?

15 **A** 2:00 a.m.

16 **Q** So you were there for approximately thirty
17 minutes?

18 **A** Yes.

19 **Q** And during that thirty minute time period, did you
20 and Mr. Dobbs have anything to drink?

21 **A** Yes.

22 **Q** And do you recall what you had?

23 **A** Patrone. It is a liquor.

24 **Q** Okay. And how many drinks did you and Mr. Dobbs
25 have?

1 **A** One drink.

2 **Q** One drink each?

3 **A** Each.

4 **Q** All right. Now, what kind of car were you-all
5 driving in that night of October 25th 2006?

6 **A** We both drove in an Acura 2006.

7 **Q** All right. What color was it?

8 **A** Gray.

9 **Q** Now, when you-all -- did you and Mr. Dobbs leave
10 Thee Dollhouse together?

11 **A** Yes, we did.

12 **Q** As you were walking out to the Acura --

13 **A** Yes.

14 **Q** I will refer to it as the Acura. When you are
15 walking out to the Acura, did you hear anything out of the
16 ordinary?

17 **A** I heard yelling across the parking lot to us two.

18 **Q** Could you hear what the yelling was about?

19 **A** I heard the yelling as who, like, you know,
20 walking me and the girl to the car, John Dobbs and me to the
21 car, and, like, that was what I heard.

22 **Q** I am sorry. Could you just clarify for the jury,
23 you said you heard some yelling. Could you tell what the
24 yelling, what the people who were yelling at you, what they
25 were saying?

1 **A** They yelled out, like, umm, who is this, you know,
2 walking out to the car right now, like, you know, who in the
3 world is walking me, you know, John Dobbs and I to the car
4 as in the valet parking people. They were walking behind
5 us.

6 **Q** Okay. So you think the people were yelling about
7 that?

8 **A** Uh-huh.

9 **Q** You have to say yes or no.

10 **A** Yes.

11 **Q** Okay. So they were yelling about the fact that
12 valet was walking behind you as you were all walking to your
13 car?

14 **A** Yes.

15 **Q** Did you get into the car?

16 **A** Yes, we got into the car.

17 **Q** Did Mr. Dobbs open the door for you, you got in?

18 **A** No, I got in the car as he unlocked the door with
19 the key.

20 **Q** Okay. And he went over to his side of, the
21 driver's side of the car?

22 **A** Yes.

23 **Q** Okay. You were in the passenger side?

24 **A** Yes.

25 **Q** Okay. Now at some point did you notice anybody

1 approaching the car?

2 **A** I noticed a guy come walking to the passenger side
3 of where I was sitting at to the car door.

4 **Q** I am sorry?

5 **A** To the car door.

6 **Q** Do you know who he was?

7 **A** No.

8 **Q** Was he saying anything?

9 **A** No.

10 **Q** Now, the gentleman that was walking to your car, I
11 want you to describe for us how he was walking. Was he kind
12 of just walking casually or was he walking kind of
13 aggressively?

14 **A** He was walking aggressively to the car.

15 **Q** Okay. Did that scare you?

16 **A** Yes, it did.

17 **Q** All right. So, what did Mr. Dobbs do at that
18 point?

19 **A** Mr. Dobbs said to me to stay in the car and he
20 would get out to find out what's going on with this young
21 man walking up to the car.

22 **Q** Okay. Now, did you expect at that point for there
23 to be a fight?

24 **A** No, I didn't.

25 **Q** What was your expectation at that point of what

1 was going to happen?

2 **A** My expectations were like for them to just talk
3 and for John Dobbs to say, you know, good night to this
4 young man that was walking up to the car.

5 **Q** Now, did you see this man throw a punch at John
6 Dobbs?

7 **A** Yes, I did.

8 **Q** And had John Dobbs hit the man before?

9 **A** No.

10 **Q** Okay. So basically who threw the first punch?

11 **A** The guy that approached the car, the car we were
12 in.

13 **Q** Okay. All right. And did you still stay in the
14 car at this point?

15 **A** Yes.

16 **Q** Now, and then after the gentleman who approached
17 the Acura swung at Mr. Dobbs, did Mr. Dobbs start fighting
18 back?

19 **A** Yes.

20 **Q** Were you scared at that point?

21 **A** Yes.

22 **Q** Did you notice anybody else approach after those
23 first punches were thrown?

24 **A** I noticed three other guys walking up to John
25 Dobbs and surround him.

1 **Q** Okay. And these guys, do you know if they were
2 White, Black, Hispanic, can you describe them at all for us?

3 **A** They were black.

4 **Q** Okay. Light-skinned black males or dark-skinned?

5 **A** I can't really tell, you know, how these guys
6 looked, but I knew they were black.

7 **Q** Okay. Was it dark outside?

8 **A** Yes.

9 **Q** Not a lot of lighting in the parking lot?

10 **A** No.

11 **Q** Now, did you -- what kind of car these guys had
12 come from?

13 **A** No. Because I didn't pay attention to what they
14 were driving.

15 **Q** So, I'm sorry. We will get back on track. You
16 said that three guys had walked over and surrounded
17 Mr. Dobbs?

18 **A** Yes.

19 **Q** And that was after Mr. Dobbs and the one gentleman
20 had already started getting physical?

21 **A** Yes.

22 **Q** So then the three come up and surround them?

23 **A** Yes.

24 **Q** At that point did you do anything to help?

25 **A** At that point I got out the car and I grabbed the

1 guys that were on John Dobbs and began hitting them.

2 **Q** Okay. And did any of the -- when I am talking
3 about the guys, I'm going to refer to the other guys
4 involved in the fight and I will refer to Mr. Dobbs as
5 Mr. Dobbs.

6 **A** Okay.

7 **Q** So did any of those four guys do anything
8 physically to you?

9 **A** No. They yelled out, grab the girl and I felt
10 someone grab me and swung me around so that they can get in
11 front of me to continue attacking John Dobbs.

12 **MS. LASKOFF:** Objection, speculation.

13 **THE COURT:** Overruled.

14 **BY MS. VICKERS:**

15 **Q** Can you repeat the last part of that again?

16 **A** The guys that ran over and that were surrounding
17 John Dobbs, that's when I got out of the car and they
18 yelled, grab the girl, and kind of like swung me around
19 behind them to get in front of me to surround him again by
20 beating him up.

21 **Q** Were you paying attention to blow by blow exactly
22 what was going on, or was it moving kind of quickly?

23 **A** Everything was moving quickly.

24 **Q** All right. Now, how did this all stop? How did
25 the fight end?

1 **A** Well, John Dobbs fell down to one knee and was
2 kind of like hurted badly, and I seen blood everywhere and
3 these guys kind of like backed off when they seen him like
4 not able to take anymore of their punches.

5 **Q** Okay. So you are saying he went down to the
6 ground and the other three backed off?

7 **A** Yes.

8 **Q** All right. What did you and Mr. Dobbs do?

9 **A** Me and Mr. Dobbs got in the car, get ready to
10 drive out of this parking lot from the scene.

11 **Q** Okay. And as you were leaving the parking lot,
12 did you notice anybody, if anybody was following you?

13 **A** I noticed a red truck come pulling out the parking
14 lot as we pulling out the parking lot.

15 **Q** Okay. And had you seen this red truck before?

16 **A** No.

17 **Q** Okay. And what did you think the red truck was
18 following you for?

19 **A** I think that they was gonna continue to follow us
20 to make us scared and just, you know, knock us off the road
21 or something.

22 **Q** Okay. Did you think it was still people from the
23 fight who were coming after you?

24 **A** Yes.

25 **Q** Okay. Were you scared at that point?

1 **A** Yes.

2 **Q** So, this truck, it was following you, the Acura.
3 Did it -- did it try to ram you off the road?

4 **A** The truck was very close to where when we pulled
5 out the parking lot, they were pulling out at the same time
6 and they were right besides us.

7 **Q** Okay. And at any point as you-all were driving
8 and this truck was following you, did the truck hit the
9 Acura?

10 **A** No.

11 **Q** Okay. At any point did you see a gun?

12 **A** I seen a gun.

13 **Q** Okay. And when was the first time that night you
14 saw a gun?

15 **A** Was when we were in the car leaving out their
16 parking lot and it was in John's lap.

17 **Q** All right. Now, as you-all were driving, did
18 Mr. Dobbs do anything with this gun?

19 **A** I didn't see John Dobbs do anything with the gun
20 as in making any fire with it.

21 **Q** You mean shooting it?

22 **A** Yeah. Shooting it.

23 **Q** Okay. So you never heard or saw a gunshot?

24 **A** Yes, I never heard anything.

25 **Q** All right. Now, did Mr. Dobbs do anything with

1 the gun?

2 **A** The gun he had -- what he did was -- I -- you
3 know -- our windows were rolled up from the Acura, and he
4 just pointed it to the red truck.

5 **Q** Okay.

6 **A** But he didn't make no fire, like no shot with it.

7 **Q** Were the windows still rolled up when the gun was
8 pointed?

9 **A** Yes.

10 **Q** All right. So, if the gun had been fired,
11 obviously it would have had to travel through the glass and
12 the glass would have broken?

13 **A** Yes.

14 **Q** So you are sure the gun wasn't fired?

15 **A** I am sure.

16 **Q** Now, after that, did the red truck back off?

17 **A** Yes.

18 **Q** Okay. And it stopped following you-all?

19 **A** Yes.

20 **Q** Did that make you feel a little safer at that
21 point?

22 **A** Yes.

23 **Q** And then just a little later the police pulled
24 you-all over, is that correct?

25 **A** Yes.

1 **Q** All right. Now, Ms. Washington, back in October
2 of 2006, you were dating Mr. Dobbs, is that correct?

3 **A** Yes.

4 **Q** Are you dating him now?

5 **A** No.

6 **Q** Do you have a new boyfriend?

7 **A** Yes.

8 **Q** And how long have you been with the new boyfriend?

9 **A** Three months.

10 **Q** And do you-all live together?

11 **A** Yes.

12 **Q** Umm, do you have any children with Mr. Dobbs?

13 **A** No.

14 **Q** Were you ever married to Mr. Dobbs?

15 **A** No.

16 **Q** So in your opinion, you have no ties or
17 obligations to Mr. Dobbs at this point?

18 **A** Yes.

19 **Q** Yes, you do have obligations to him or no, you
20 don't?

21 **A** No, I don't have any obligations to John Dobbs.

22 **Q** Thank you.

23 **MS. VICKERS:** Nothing further.

24 **THE COURT:** Cross-examination?

25 **CROSS-EXAMINATION**

1 **BY MS. LASKOFF:**

2 **Q** Hi, Ms. Washington.

3 **A** Hi.

4 **Q** How you doing?

5 **A** Fine.

6 **Q** Fine?

7 **A** Yes.

8 **Q** All right. Now, we talked about what happened
9 outside the club. All right. Let's talk about what
10 happened inside the club.

11 **MS. VICKERS:** I am going to object as to outside
12 the scope.

13 **THE COURT:** Overruled.

14 **BY MS. LASKOFF:**

15 **Q** When you were inside the club, you had seen a guy
16 with dreads that was kind of annoying you, didn't you?

17 **A** Yes.

18 **Q** And he was standing by the door and by the bar
19 close to closing time, is this correct?

20 **A** Yes.

21 **Q** And you were talking to one of the other women at
22 Thee Dollhouse and -- about the fact that you kind of shared
23 the same name and almost a common birthday, correct?

24 **A** Yes.

25 **Q** And this guy with the dreads, he was kind of being

1 snotty and making some comments towards you, is that not
2 correct?

3 **A** Yes.

4 **Q** And this is right before you are going out of the
5 club?

6 **A** Yes.

7 **Q** Okay. And John is there and hears part of this,
8 is that not also correct?

9 **A** Yes.

10 **Q** And John says something back to him or does he
11 leave it alone at this point?

12 **A** He leaves it alone.

13 **Q** Okay. And you thought it was kind of rude what
14 the guy in dreads was saying to you, didn't you?

15 **A** Yes.

16 **Q** And the guy in dreads is one of the gentlemen that
17 was in the fight outside, is that not correct?

18 **A** Yes.

19 **Q** Okay. I am going to show you what's previously
20 been marked as State's Exhibit 4. Okay? Is this the guy in
21 dreads I am referencing? Do you recognize that?

22 **A** Uh-huh, yes.

23 **Q** Okay. Yeah, you got to say yes or no for the
24 court reporter.

25 **A** Yes.

1 **Q** Okay. So this gentleman is the one that was being
2 a smart mouth to you inside the club that John was
3 overhearing?

4 **A** Yes.

5 **Q** Okay. Now, how did it end inside the club? Did
6 this guy with the dreads just finally leave or what
7 happened?

8 **A** Yes, that was what the guy did. He left the club.
9 I didn't see him around after that.

10 **Q** Okay. Now, you want John to do something about
11 what the guy with the dreads was saying to you. You did not
12 appreciate what the guy with dreads, what he was saying to
13 you?

14 **A** Yeah, I didn't appreciate it. And I did want
15 Mr. Dobbs to do something about it.

16 **Q** Okay. Now, from the time that the guy was being
17 kind of snotty and making these comments about who cares
18 about your birthdays being similar and who cares that you
19 have the same name, was there anything other than that that
20 he was commenting to you-all on at that point?

21 **A** No. That was all he said.

22 **Q** Okay. So you kind of felt like he was
23 disrespecting you, is that not correct?

24 **A** Yes.

25 **Q** And it was rude?

1 **A** Yes.

2 **Q** And it was out of line?

3 **A** Yes.

4 **Q** Okay. And that's why you wanted John Dobbs to do
5 something about it at this point, correct?

6 **A** Yes.

7 **Q** All right. Now after this conversation, how much
8 time passes before you exit the club?

9 **A** It wasn't not long after that we exit the club.

10 **Q** Okay. Is it like minutes?

11 **A** Yes, like a minute, two.

12 **Q** Okay. Now the lights in the club had come on at
13 this point and the club is closed?

14 **A** Yes.

15 **Q** Okay. Now, you-all walked and when you say
16 you-all, I mean you and John Dobbs walked to your car,
17 correct?

18 **A** Yes.

19 **Q** And you get into the vehicle, in your car?

20 **A** Yes.

21 **Q** And we are talking about the silver Acura that if
22 I could show you what has been marked as evidence as State's
23 3. Is this the silver Acura you are talking about?

24 **A** Yes.

25 **Q** Okay. Now, when you go to the silver Acura, you

1 get into the passenger seat, correct?

2 **A** Yes.

3 **Q** And John Dobbs gets into the driver's seat,
4 correct?

5 **A** Yes.

6 **Q** And you-all sit there, correct?

7 **A** Yes.

8 **Q** And at this point you see the guy with dreads with
9 three of his friends, correct?

10 **A** Yes.

11 **Q** Had you seen the other gentleman inside the club
12 too, aside from the one with the dreads?

13 **A** No.

14 **Q** No? So you hadn't had any other previous contact
15 or problems with the other gentlemen in the club, had you?

16 **A** No.

17 **Q** Okay. Now, when you are outside, what happens
18 when you're in the car? What is it? Who says something
19 outside of the group, not you or John, but one of the other
20 people?

21 **A** I didn't see who said anything, but I heard
22 someone said something about the valet parking people
23 walking us to our car.

24 **Q** Okay. Now, they were kind of -- the four
25 gentlemen kind of saying, making fun of you-all, weren't

1 they?

2 **A** Yes.

3 **Q** Kind of mocking you, saying you-all got to have
4 security walk you out. Kind of something like that?

5 **A** Right. Yes, yeah.

6 **Q** And you thought their comments were kind of sassy,
7 sloppy and rude, right?

8 **A** Yes.

9 **Q** Okay. And you didn't appreciate that comment, did
10 you?

11 **A** No.

12 **Q** And how many of the men in the other group were
13 actually saying these things?

14 **A** I heard just one loud voice out saying that.

15 **Q** So it is was one of them?

16 **A** Yes.

17 **Q** Okay. Was it the guy with the dreads?

18 **A** I wasn't looking.

19 **Q** Okay. Now, how far from them was your car parked,
20 because they were by their car, correct?

21 **A** Yes.

22 **Q** And were there a couple of them already in the
23 car?

24 **A** I don't know.

25 **Q** Okay. So you don't know if some were out or some

1 were in or vice versa?

2 **A** Yes, I don't know.

3 **Q** Okay. And then that happened? You were somewhat
4 offended, is that not correct?

5 **A** Yes. Yes.

6 **Q** Okay. Now, were those comments in such a way that
7 John Dobbs could hear them once you were outside the club?

8 **A** Yes.

9 **Q** Are you aware that he actually heard the comments
10 that the guys were making, smart comments?

11 **A** Yes.

12 **Q** Okay. Now, you are saying that one of the guys
13 from the group started walking over to your car?

14 **A** Yes.

15 **Q** And you point out to John Dobbs, basically, you
16 say, yes, yes, there's a guy coming over to the car?

17 **A** Yes.

18 **Q** Is that not correct?

19 **A** Yes.

20 **Q** All right. Now, John Dobbs didn't stay in the
21 car, did he at this point, when the guys started walking
22 over?

23 **A** No.

24 **Q** Okay. So he was sitting in the driver's seat.
25 Was the car door open or was his car door shut, do you

1 remember?

2 **A** My car? The car we were in?

3 **Q** Right. Let me ask you specifically, the seat
4 where John Dobbs was sitting at, was his car door open or
5 was it closed or do you not know?

6 **A** I do not know.

7 **Q** Okay. So he gets out of the car, whether you
8 recall the door open or closed, correct?

9 **A** Correct.

10 **Q** And then he walks behind the vehicle, correct?

11 **A** Correct.

12 **Q** Okay. And then the other guy from the group of
13 four is still walking over?

14 **A** Correct.

15 **Q** Okay. And you are telling the jury that the other
16 guy, just without saying anything, without anything
17 happening, just walked up and suddenly punched John Dobbs,
18 is that correct?

19 **A** That is correct.

20 **Q** And isn't it true that you never saw any of,
21 either the first guy that, with the dreads, or the gentleman
22 that first walked up to John Dobbs and punched him, you
23 never saw any of them with a weapon, did you?

24 **A** That is correct.

25 **Q** Okay. And you never saw a knife on one of them?

1 **A** That is correct.

2 **Q** And you never saw John Dobbs with a knife, did
3 you?

4 **A** That is correct.

5 **Q** Okay. And when this first gentleman hit John
6 Dobbs, isn't it true that what happened at this point is
7 John hit him so hard, he knocked him to the ground?

8 **A** All I remember is, umm, blood everywhere. I
9 remember from that first guy that was walking to our car
10 attacked John Dobbs.

11 **Q** Right.

12 **A** And --

13 **Q** He knocked that first guy down, John Dobbs hit
14 pretty hard, right?

15 **A** Yes.

16 **Q** Okay. So you saw this first guy fall to the
17 ground?

18 **A** No, I didn't see that.

19 **Q** Okay. And then when did you see somebody else
20 come up?

21 **A** I seen someone come up after the fact that the
22 guy -- he was still trying to attack and get like strength
23 --

24 **Q** Now, are we still talking about the first guy?

25 **A** Yes, we are.

1 **Q** Okay. And I am going to show you what has been
2 moved into evidence as State's Exhibit 1. Okay?
3 Specifically I am showing you D4. Is this the first guy
4 that you are talking about that approached John Dobbs?

5 **A** Yes.

6 **Q** Okay. And John messed him up pretty good, didn't
7 he?

8 **A** It looks like it.

9 **MS. VICKERS:** Objection to speculation, and
10 improper characterization.

11 **THE COURT:** Sustained.

12 **MS. VICKERS:** Could we approach?

13 (Conference at the Bench held on the record.)

14 **MS. VICKERS:** I'd ask that that response to the
15 answer be stricken and the Court instruct them to
16 disregard that.

17 **THE COURT:** All right.

18 (Whereupon, the following was in open court.)

19 **THE COURT:** Ladies and gentlemen, you will
20 disregard the last answer.

21 **BY MS. LASKOFF:**

22 **Q** Now, you are telling me after the first guy came
23 over, you don't know at what point the second guy came over?

24 **A** Excuse me?

25 **Q** You are telling me after the first guy came over,

1 the guy I just showed you the picture of.

2 **A** Okay.

3 **Q** You are not sure when the second guy came over?

4 **A** No.

5 **Q** And you were still in your car at this point?

6 **A** Yes.

7 **Q** All right. All right. And when did you get out
8 of your car?

9 **A** I got out the car when I noticed the other three
10 guys from the group run over and surround him, John Dobbs.

11 **Q** Okay. And when the other guys you say surrounded
12 him, was John Dobbs, in fact, punching them?

13 **A** Yes. He was trying to get them away.

14 **Q** Well, but he was punching them, right?

15 **MS. VICKERS:** Object, as to letting the witness
16 finish her answers.

17 **THE COURT:** Sustained.

18 **BY MS. LASKOFF:**

19 **Q** You can finish.

20 **A** Okay. The guys from the three, as in from walking
21 from their car came over and attacked John as in surrounding
22 him and all he could do is swing on whoever that was coming
23 towards him and --

24 **Q** Well, let me ask you this, did you then get out of
25 your car?

1 **MS. VICKERS:** Objection, Your Honor. Again, it is
2 narrative and nonresponsive at this point?

3 **THE COURT:** I'm going to sustain the State's
4 objection and overrule the defense objection, ask
5 another question.

6 **BY MS. LASKOFF:**

7 **Q** I have to remember where I am. I am sorry. At
8 this point you get out of the car, you jump on one of the
9 guy's backs, correct?

10 **A** Not, no on anyone's back.

11 **Q** You didn't jump on anybody's back?

12 **A** No.

13 **Q** You started hitting on them, didn't you?

14 **A** Yes.

15 **Q** Okay. And they kind of pushed you out of the way,
16 correct?

17 **A** Yes.

18 **Q** You were still hitting on them, correct?

19 **A** Yes.

20 **Q** Okay. Now, if they had had a knife, would you
21 have seen the knife?

22 **MS. VICKERS:** Objection, speculation.

23 **THE WITNESS:** No.

24 **THE COURT:** Overruled.

25

1 **BY MS. LASKOFF:**

2 **Q** No what?

3 **A** I wouldn't have seen the knife. Everything was
4 going so fast.

5 **Q** Okay. Let me ask you this, you were involved in
6 the fight, correct?

7 **A** Yes.

8 **Q** Okay. And do you remember talking to the
9 detectives right after this happened back on October 25th,
10 2006?

11 **A** Yes.

12 **Q** Okay. It was approximately 8:00 in the morning at
13 this point?

14 **A** Okay.

15 **Q** Do you remember them talking to you about a knife?

16 **A** The detectives?

17 **Q** Right.

18 **A** I remember them talking to me about it.

19 **Q** Okay. I am going to show you, for counsel's
20 reference, page 22, and lines -- if you could read lines 9
21 through 16. Okay. If you can look at those.

22 **A** Okay. Would you like me to read them now?

23 **Q** Not out loud. Read them to yourself. Did you
24 finish reading the whole part?

25 **A** No.

1 **Q** Okay. Go ahead and finish.

2 **A** (Witness complying).

3 **Q** Okay. Have you had a chance to look through that?

4 **A** Uh-huh.

5 **Q** Okay. I am going to ask you, again, when you were
6 there, do you recall whether or not you would have seen a
7 knife, if anybody had a knife?

8 **A** I would have seen it.

9 **Q** Okay. And why would you have seen the knife?

10 **A** Because everyone was attacking John and I, me.
11 Meanwhile, I was out the car after these three guys were
12 attacking him, trying to get them off of him by punching
13 these guys in the face, and I kind of seen whatever guys
14 coming on him, onto him, John Dobbs.

15 **Q** Okay. And you were involved in the fight,
16 correct?

17 **A** Yes.

18 **Q** So you were right there. You saw the guys. You
19 were in close proximity to them, correct?

20 **A** Excuse me?

21 **Q** You were right with them. You weren't far away
22 from them like I to you, you were face-to-face to them in a
23 confrontation, correct?

24 **A** I was fighting with these guys.

25 **Q** Okay. And they were just trying to get you off of

1 them, correct?

2 **MS. VICKERS:** Objection, this is speculation.

3 **THE COURT:** Overruled.

4 **THE WITNESS:** They were trying to get me away from
5 John Dobbs.

6 **BY MS. LASKOFF:**

7 **Q** Okay. Now, you saw the guy with dreads fall to
8 the ground at one point, correct?

9 **A** Yes.

10 **Q** And at what point was it that you saw him fall to
11 the ground?

12 **A** After the fight being stopped.

13 **Q** Okay. And there were other guys falling to the
14 ground too, right?

15 **A** I didn't see that.

16 **Q** You only saw one guy fall to the ground, is that
17 what you are telling me?

18 **A** Yes.

19 **Q** Okay. And when the fight first started and the
20 guy was walking up to the car and John Dobbs was in the car,
21 you knew there was going to be a fight break out?

22 **A** No, didn't know.

23 **Q** Okay. And at what point is it that you knew there
24 was a fight going to be breaking out?

25 **A** When the guy came up real close and I told John

1 about it, and that's when that young man attacked.

2 Q Okay. But John wasn't out of the car yet, right?

3 A No, I told John Dobbs there's a guy walking up to
4 our car. And once I told him, he said, look, sit in the
5 car, and I said, okay. I was, you know, responding to him,
6 okay. And that's when he got out his car, out the driver's
7 side and walked around to the car door of where I was
8 sitting at and that's when that young man attacked.

9 Q Okay. So it was -- let me ask you, was your
10 driver's side or you were in the passenger, was your window
11 up or was it down at this point when the guy started walking
12 over to your car?

13 A My window was down.

14 Q Okay. And so was John's down too, so he heard the
15 comments?

16 A No. He heard it through my window.

17 Q So his window was up?

18 A Yes.

19 Q Okay. And so the fight stops at one point when
20 the guy in dreads falls to the ground, correct?

21 **MS. VICKERS:** Objection, asked and answered.

22 **THE COURT:** Sustained.

23 **BY MS. LASKOFF:**

24 Q Then what happens after the guy in dreads falls to
25 the ground, let me ask you this.

1 **MS. VICKERS:** Objection, asked and answered.

2 **THE COURT:** Overruled.

3 **THE WITNESS:** After this young man with the dreads
4 falls down to the ground, we were at our car and
5 everything like that, umm, getting into our car door
6 and, umm, just getting ready to leave from the scene.

7 **Q** Okay. Now, there were other people in the parking
8 lot, correct, that weren't part of the guy with the dreads
9 or the first guy that hit John, correct?

10 **A** I don't know.

11 **Q** You didn't see anybody else besides you guys and
12 the other guys?

13 **A** Yes.

14 **Q** Okay. Now, you have a cell phone, right?

15 **A** Yes.

16 **Q** And did you utilize that cell phone to call for
17 help?

18 **A** No.

19 **Q** Okay.

20 **A** I didn't have the phone on me. John Dobbs had it
21 in his pocket and that was during the fight of thinking
22 about calling 911.

23 **Q** Okay. Now, there was a point during the fight
24 where John was hitting them and the guys were starting to
25 back off, is that correct?

1 **A** Yes.

2 **Q** Okay. And did you notice the guys were bleeding?

3 **A** I noticed blood being everywhere because there was
4 blood on my pants and blood on my sneakers.

5 **Q** Okay. And you noticed that John Dobbs had blood
6 on him?

7 **A** Yes.

8 **Q** And you noticed that other guys, some of them had
9 blood on them, correct?

10 **A** Yes.

11 **Q** Okay. And some of them were bleeding from the
12 face?

13 **A** I didn't see that.

14 **Q** Okay. And did you see the fact that some of them
15 were bleeding through their clothing or part of their body?

16 **A** Yes, I seen blood draining down their shirts.

17 **Q** Okay. Now, during the fight, was John swinging
18 his arms?

19 **A** Yes.

20 **Q** Okay. And you are saying you never saw a knife on
21 John Dobbs?

22 **A** Never seen.

23 **MS. VICKERS:** Objection, asked and answered.

24 **THE COURT:** Sustained.

25

1 **BY MS. LASKOFF:**

2 **Q** And I am showing you State's 6.

3 **MS. VICKERS:** Objection Your Honor, the witness
4 has already answered this question.

5 **THE COURT:** There's not a question on the table at
6 the moment, so the objection is overruled.

7 **BY MS. LASKOFF:**

8 **Q** Did you ever see this knife that night?

9 **A** No.

10 **MS. VICKERS:** Objection, Your Honor. May we
11 approach?

12 **THE COURT:** You may.

13 (Conference at the Bench held on the record.)

14 **MS. VICKERS:** I would object to relevance and
15 asked and answered. This witness has already testified
16 she never saw a knife on anyone, and so now we are
17 showing her a knife that she never saw.

18 **THE COURT:** Overruled.

19 (Whereupon, the following was in open court.)

20 **BY MS. LASKOFF:**

21 **Q** Did you ever, not necessarily during the fight,
22 but any time during the night see this knife?

23 **A** No.

24 **Q** Had you ever seen this knife before that night or
25 before now?

1 **A** No.

2 **Q** John would carry a knife on him for work, wouldn't
3 he?

4 **A** Yes.

5 **Q** And --

6 **A** He did construction work.

7 **Q** Okay. And so it was common for him to carry his
8 work knife?

9 **A** Yes.

10 **Q** Correct?

11 **A** Yes.

12 **Q** Okay. And this night it wasn't until you two got
13 into the car that you realized the defendant might have had
14 a knife, correct?

15 **A** Correct.

16 **Q** And you realized that because he said he thought
17 he stabbed someone, right?

18 **A** Yes.

19 **Q** Now, as you are leaving the parking lot after the
20 fight and get into the car, you are pulling out, this red
21 truck is coming, correct, and you're almost leaving the
22 parking lot, correct?

23 **A** Correct.

24 **Q** Okay. And you hear them still talking outside,
25 somebody yelling?

1 **A** I heard a yell out of getting our tag number.

2 **Q** And was that because your window was still down?

3 **A** Yes.

4 **Q** Okay. And at that point did you drive to any
5 other locale or did you just go straight down the road?

6 **A** Straight down the road.

7 **Q** Okay. Now, you and John don't live in Orlando,
8 correct?

9 **A** Correct.

10 **Q** And you and John Dobbs had never met the guy with
11 the dreads or any of the other guys in his group before this
12 night, is that correct?

13 **A** Correct.

14 **Q** Okay. Now, once you're in the car and this red
15 truck is following you and it runs into the, into your car,
16 correct?

17 **A** Uh-huh, yes.

18 **Q** And you are telling the jury that John Dobbs had a
19 gun in his lap, correct?

20 **A** Correct.

21 **MS. LASKOFF:** If I could approach the witness?

22 **THE COURT:** You may.

23 **BY MS. LASKOFF:**

24 **Q** Ma'am, I am showing you what's previously been
25 marked as State's 5. You recognize what this is?

1 **A** A gun.

2 **Q** Okay. Is this not, in fact, the same gun that
3 John Dobbs pointed out the window?

4 **A** Yes.

5 **Q** Okay. And this is John Dobbs' gun, right?

6 **A** Yes.

7 **Q** Now, after he pointed the gun out the window at
8 the guy, the guy slammed on his brakes, right, or he somehow
9 disappeared from next to you?

10 **A** Yes.

11 **Q** Okay. And at this point who stuffed the gun in
12 the back seat?

13 **A** I don't know.

14 **Q** It just somehow got back there?

15 **A** I don't know.

16 **Q** Okay. Well, let me ask you this, how long of a
17 time passed between this red car coming up next to you and
18 John pointing the gun at him and the cops pulling you-all
19 over?

20 **A** Are you asking me like where was the gun then?

21 **Q** No, I am asking you how much time passed between
22 the guy in the red truck next to you with the gun --

23 **A** Okay.

24 **Q** -- to the time when the cops stopped you-all at
25 the stop sign or the stop light?

- 1 **A** I don't know. The police --
- 2 **Q** How much time?
- 3 **A** Police had pulled us over by then.
- 4 **Q** Well, that's my question. Was it five minutes
- 5 between the time that the red truck pulled up next to you to
- 6 the time the cops stopped you-all, more time, less time?
- 7 **A** Less time.
- 8 **Q** What's that time?
- 9 **A** It was less time.
- 10 **Q** So it was pretty quick, right?
- 11 **A** Yes.
- 12 **Q** Okay. Did you see John put the knife in the
- 13 center console of your car?
- 14 **A** No.
- 15 **Q** Did you see John Dobbs put the gun in the back
- 16 seat?
- 17 **A** No.
- 18 **Q** Did you see them throw it in the back seat?
- 19 **A** No.
- 20 **Q** What did you see happen with the gun from the time
- 21 he pointed it at the man at the window to the time the cops
- 22 stopped you?
- 23 **A** The gun was still in his lap.
- 24 **Q** Okay. But isn't it true that the police found the
- 25 gun in the back?

1 **A** I don't know where the cops found the gun at,
2 ma'am.

3 **Q** Okay. And John had had that gun for at least a
4 couple months, correct?

5 **A** Correct.

6 **Q** John never pulled the gun out at the club during
7 the fight, did he?

8 **A** No.

9 **Q** Okay. Are you aware of whether he carried the gun
10 on him at all times, or was it something he left in the car
11 at all times?

12 **A** I am not aware.

13 **Q** You don't know?

14 **A** I don't know.

15 **Q** Okay. Now, do you remember, again, talking to the
16 police right after the incident, the morning of?

17 **A** Yes, I remember.

18 **Q** Okay. And if I could reference counsel to page
19 34, and specifically line 16, if you could review this
20 ma'am.

21 **MS. LASKOFF:** If I could approach the witness,
22 Your Honor?

23 **THE COURT:** You may.

24 **BY MS. LASKOFF:**

25 **Q** Can you read lines 16 through 21 to yourself,

1 quietly to yourself, and let me know when you're finished.

2 **A** (Witness complying).

3 **MS. VICKERS:** Your Honor, can we approach?

4 **THE COURT:** You may.

5 (Conference at the Bench held on the record.)

6 **MS. VICKERS:** I am a little unclear as to whether
7 we are impeaching or refreshing recollection. If we
8 are impeaching, I have no objection to that. If we are
9 refreshing recollection, I do. I am unclear of what
10 the State is doing.

11 **MS. LASKOFF:** I am giving her a chance to refresh
12 her memory before I impeach her.

13 **MS. VICKERS:** I would object to the transcript
14 being used for impeachment. First of all, there is two
15 different transcripts. One might be a cleaned up copy
16 of the other. I also object to the validity of it.
17 When we received the transcript, for example, of the
18 defendant's statements in this case, we actually
19 received a videotape right after the hearing on the
20 motion to suppress, and the videotape and the actual
21 transcript were in great conflict. We never received a
22 tape of this actual transcript and I would be concerned
23 as to its accuracy as we found several mistakes in the
24 other transcripts, and we just never received the tapes
25 in order to listen to it to verify whether or not -- so

1 I would object. This is not a correct transcript that
2 can be used for impeachment purposes.

3 **MS. LASKOFF:** I would say, one, it has never been
4 asked for.

5 **THE COURT:** A tape?

6 **MS. LASKOFF:** Correct. Number two, the
7 transcripts have been provided of two separate
8 interviews. It is a continuation and that is all I can
9 tell the Court. The defense has been aware of it. So
10 --

11 **THE COURT:** I would assume that the witness can
12 indicate whether or not this is what she said. She may
13 say that what is written here is not what I said. And
14 then your objection will be valid and we'd have to have
15 the tape, but we are not at that point here.

16 **MS. VICKERS:** I would also, for the record, just
17 object that it is not proper impeachment, the form of
18 it, and the best use for impeachment purposes would be
19 the audio tape instead of the transcript.

20 **THE COURT:** All right. Thank you. I don't know
21 if she's trying to impeach her. She indicated she's
22 attempting to give her an opportunity to refresh her
23 recollection if she can.

24 **MS. LASKOFF:** If my intention, first, and then if
25 not, then --

1 **MS. VICKERS:** I didn't understand that. Okay,
2 thank you.

3 (Whereupon, the following was in open court.)

4 **BY MS. LASKOFF:**

5 **Q** Did you have a chance to review that?

6 **A** Uh-huh.

7 **Q** Okay. Did that refresh your memory somewhat?

8 **A** Yes.

9 **Q** Okay. After the gun was shown to the man in the
10 truck, John tried to put it away, correct?

11 **A** Yes.

12 **Q** Okay. And he actually put it under the seat,
13 correct?

14 **A** Uh-huh, correct.

15 **Q** Is that a yes?

16 **A** Correct.

17 **Q** Just the court reporter can't type uh-huh.

18 **A** Okay.

19 **Q** Okay. And it is true that the whole chaos of that
20 night started because Will, the guy with dreads, had a fresh
21 mouth in the club, correct?

22 **A** Correct.

23 **Q** Okay. And then once outside with his friend, his
24 friends were being smart alecks, correct?

25 **A** Correct.

1 **MS. LASKOFF:** All right. I have nothing further,
2 Your Honor.

3 **THE COURT:** Redirect?

4 **MS. VICKERS:** Yes, please.

5 **REDIRECT EXAMINATION**

6 **BY MS. VICKERS:**

7 **Q** Now, Ms. Washington?

8 **A** Hi.

9 **Q** When you say that you wanted Mr. Dobbs to do
10 something about the men who were making comments, did you
11 mean you just wanted him to talk to them?

12 **A** Yes.

13 **Q** Straighten out the situation?

14 **A** Yes.

15 **Q** So that everybody is cool?

16 **A** Yes.

17 **Q** And can go on about their lives?

18 **A** Yes.

19 **Q** You didn't want him or ask him to go stab anybody,
20 did you?

21 **A** No.

22 **Q** You didn't want him or ask him to go fight
23 anybody, did you?

24 **A** No.

25 **Q** Now, from the time when you were walking out of

1 the club, and then after the fight, the Acura never moved
2 between that time, did it?

3 **A** No.

4 **Q** You-all walked directly out to the Acura, guys
5 walked up and then that's when the fight started?

6 **A** Yes.

7 **Q** And you never saw any guys in a tuxedo out there
8 with mace saying, stop the fight, I am going to mace you if
9 you don't stop?

10 **A** No, I didn't see no guy in a tuxedo with mace, no.

11 **Q** You didn't hear anybody say get back in your cars,
12 stop the fight, you didn't hear that?

13 **A** No, I didn't hear that neither.

14 **Q** Now, when you-all were in the car, you had said
15 that the window was rolled up and the gun was just pointed
16 at the window, is that correct?

17 **A** Correct.

18 **Q** Okay. And were you in -- while you were in the
19 car, after the fight happened, what were you doing most of
20 the time?

21 **A** I was patting John Dobbs down with a napkin, blood
22 was draining down his face and he also had an open wound on
23 his arm. So I was patting his face down and his arm down.

24 **Q** Okay. So you were trying to kind of wipe up
25 blood?

1 **A** Yes.

2 **Q** As it was streaming down?

3 **A** Yes.

4 **Q** Okay. So you were paying exact attention to
5 exactly what the red truck was doing?

6 **A** No.

7 **Q** Were you paying exact attention to where a knife
8 might have been in the car?

9 **A** No.

10 **Q** All right. And do you know the difference between
11 guns?

12 **A** Umm, what do you mean?

13 **Q** I mean, do you know about guns, do you own a gun?

14 **A** No.

15 **Q** Are guns a hobby?

16 **A** No.

17 **Q** Do you know the difference between a 9 millimeter
18 and a .38?

19 **A** No.

20 **Q** Okay. Now, during the fight, we established it
21 was moving really quickly?

22 **A** Yes.

23 **Q** At any point did you have an opportunity to step
24 back and kind of watch the fight and notice who was hurt,
25 and who wasn't hurt?

1 **A** No.

2 **Q** Did you have a chance to step back and maybe lean
3 up against the car and say, okay, that gentleman has a cut
4 on his face, and that gentleman has a cut on his arm, did
5 you have a chance to do that?

6 **A** No.

7 **Q** Okay. Nothing further.

8 **A** Everything was moving quickly.

9 **Q** Okay. Thank you.

10 **THE COURT:** Any recross?

11 **MS. LASKOFF:** Just briefly, Your Honor.

12 **REXCROSS EXAMINATION**

13 **BY MS. LASKOFF:**

14 **Q** When the fight first broke out, you didn't ask the
15 defendant, John Dobbs, to go fight anyone, correct?

16 **A** Correct.

17 **Q** But you were actually shouting back at the guys in
18 the group for being smart mouths, weren't you?

19 **A** No.

20 **Q** So if a witness said you were, that is not true?

21 **A** If a witness said I was?

22 **MS. VICKERS:** Objection, Your Honor.

23 **THE COURT:** Sustained.

24 **BY MS. LASKOFF:**

25 **Q** Now, when John Dobbs got out of the car that you

1 are talking about, didn't he make the comment that he didn't
2 need no one to back him up?

3 **A** No. I don't know.

4 **Q** Okay.

5 **MS. VICKERS:** I have nothing further, Your Honor.

6 **THE COURT:** Any redirect?

7 **MS. VICKERS:** No, Your Honor.

8 **THE COURT:** May this witness be excused?

9 **MS. VICKERS:** Yes.

10 **THE COURT:** State, may this witness be excused?

11 **MS. LASKOFF:** Yes, ma'am.

12 **THE COURT:** You are free to go ma'am, thank you.

13 Counsel, could you approach for a moment, please.

14 (Conference at the Bench held on the record.)

15 **THE COURT:** Would this be an appropriate time to
16 take a break?

17 **MS. VICKERS:** It would.

18 **THE COURT:** I will let the jury know that they'll
19 get a longer break. Is he going to be your last
20 witness?

21 **MS. VICKERS:** Yes.

22 **THE COURT:** All right. Do you anticipate any
23 rebuttal?

24 **MS. LASKOFF:** Possibly. It depends on what he
25 says if I have to call the detective as rebuttal.