

1 V I R G I N I A :

2 IN THE CIRCUIT COURT OF THE COUNTY OF ALBEMARLE

3 *****

4 COMMONWEALTH OF VIRGINIA,

5 Plaintiff,

6

7 vs.

8 ROBERT PAUL DAVIS,

9 Defendant.

10 *****

11

12 POLICE INTERROGATION

13 February 22, 2003

14 1:57 a.m. - time unknown

15 Charlottesville, Virginia

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25 TRANSCRIBED BY: Cavalier Transcription

COPY

<p style="text-align: right;">Page 2</p> <p>1 (1:57 a.m., February 22, 2003)</p> <p>2</p> <p>3 Transcriptionist's note: The witness runs a nebulizer</p> <p>4 during the interview; at these times, which will be</p> <p>5 indicated, questions and answers cannot be easily heard</p> <p>6 and distinguished.</p> <p>7</p> <p>8</p> <p>9</p> <p>10 PROCEEDINGS</p> <p>11</p> <p>12 POLICE OFFICER: No, now, don't turn around.</p> <p>13 Just face the other way for me. And then, if you</p> <p>14 would, do the same thing to your other hand. Take two</p> <p>15 steps forward, and put your hands down at your side.</p> <p>16 Then you can have a seat and we'll get your nebulizer</p> <p>17 for you.</p> <p>18 THE WITNESS: Okay.</p> <p>19 POLICE OFFICER: Put that hand on your head</p> <p>20 for me. Now, take two steps forward. Turn around,</p> <p>21 relax and sit down there. Officer Snead should be here</p> <p>22 in just a couple of minutes.</p> <p>23 And your nebulizer is in your bag; is that</p> <p>24 correct? Is it okay if I go in your bag and look?</p> <p>25 THE WITNESS: It's in the big pocket.</p>	<p style="text-align: right;">Page 4</p> <p>1 THE WITNESS: A bathroom.</p> <p>2 POLICE OFFICER: A bathroom?</p> <p>3 THE WITNESS: Yeah. I got to pee.</p> <p>4 POLICE OFFICER: Yeah, we can go to the</p> <p>5 bathroom when you're done there.</p> <p>6 Are you done?</p> <p>7 THE WITNESS: Yeah.</p> <p>8 POLICE OFFICER: Okay. I'm going to take</p> <p>9 that and set it out here, and then we'll take you to</p> <p>10 the restroom, okay?</p> <p>11 THE WITNESS: No more cuffs, please.</p> <p>12 POLICE OFFICER: No, we won't use cuffs.</p> <p>13 I'll let you unplug it for me, and I'll just set this</p> <p>14 outside.</p> <p>15 THE WITNESS: We don't need cuffs to take me</p> <p>16 to the bathroom?</p> <p>17 POLICE OFFICER: No. As long as you behave,</p> <p>18 we appreciate it.</p> <p>19 THE WITNESS: Why am I being held? I didn't</p> <p>20 do nothing wrong, so I have no reason.</p> <p>21 POLICE OFFICER: I don't know. All I'm doing</p> <p>22 is just escorting you to Detective Snead.</p> <p>23 THE WITNESS: You know, I've seen you around,</p> <p>24 but I never knew you were a cop.</p> <p>25 POLICE OFFICER: Do you want to grab your</p>
<p style="text-align: right;">Page 3</p> <p>1 POLICE OFFICER: Big pocket. This one?</p> <p>2 THE WITNESS: It's a big machine.</p> <p>3 POLICE OFFICER: Huh?</p> <p>4 THE WITNESS: It's a big machine with grey.</p> <p>5 If you could, hand me one of them capsules in there.</p> <p>6 POLICE OFFICER: Do you need to plug it in or</p> <p>7 anything?</p> <p>8 I'm going to set this outside the door for</p> <p>9 Detective Snead.</p> <p>10 What's in your mouth? Okay.</p> <p>11 THE WITNESS: I chew on these when I get</p> <p>12 nervous, or when I can't have a cigarette.</p> <p>13</p> <p>14 (Nebulizer running)</p> <p>15</p> <p>16 THE WITNESS: I tell you what, man,</p> <p>17 [Unintelligible].</p> <p>18 Officer, did this get slammed to the ground?</p> <p>19 Did it hit the ground hard at all?</p> <p>20 POLICE OFFICER: I'm not aware of that. I'm</p> <p>21 just transporting you here.</p> <p>22 It wasn't slammed down or anything. I saw</p> <p>23 them take it out of the trunk and put it in the car.</p> <p>24 THE WITNESS: Is there a bathroom I could use?</p> <p>25 POLICE OFFICER: A what?</p>	<p style="text-align: right;">Page 5</p> <p>1 trash and we'll get rid of that? And come on down here</p> <p>2 with us, and we'll get you to the bathroom.</p> <p>3 He needs to use the restroom.</p> <p>4 DETECTIVE SNEAD: That's fine.</p> <p>5 POLICE OFFICER: I'll take him down there,</p> <p>6 and we'll be right back.</p> <p>7 DETECTIVE SNEAD: That's fine.</p> <p>8</p> <p>9 (Witness leaves room, 2:02 a.m.)</p> <p>10</p> <p>11 POLICE OFFICER: Miranda form. Miranda form.</p> <p>12 I need a Miranda form.</p> <p>13 OFFICER: Is there one in the drawer?</p> <p>14</p> <p>15 (Mumbled conversation between officers)</p> <p>16</p> <p>17 (Witness reenters room)</p> <p>18</p> <p>19 THE WITNESS: Hey, do I know you?</p> <p>20 DETECTIVE WALLS: Yeah, Detective Walls. I</p> <p>21 worked out there a couple of years ago. I talked to</p> <p>22 you -- you were like 16 at the time -- a couple of</p> <p>23 times.</p> <p>24 DETECTIVE SNEAD: Okay. Have a seat, Robert.</p> <p>25 I actually talked to you -- I think you went and stayed</p>

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1 down in Richmond or something with your aunt or
2 something; right?
3 THE WITNESS: You mean when I was headed to
4 the mental hospital?
5 DETECTIVE WALLS: I don't know if it was
6 then. I thought you went down there and stayed with
7 them.
8 THE WITNESS: I went down and stayed with my
9 aunt.
10 DETECTIVE WALLS: Yeah. It's been a while.
11 THE WITNESS: I didn't want to take my time
12 to read that.
13 DETECTIVE WALLS: That's fine.
14 DETECTIVE SNEAD: I'll read it to you,
15 actually.
16 What's your full name, Robert?
17 THE WITNESS: Robert Paul Davis.
18 They got kind of tight on me, didn't they?
19 DETECTIVE SNEAD: Well, when you're in the
20 car, it makes it worse.
21 THE WITNESS: Well, he said he double locked
22 them so they couldn't --
23 DETECTIVE WALLS: If they don't double lock
24 them, they get even tighter. All right.
25 THE WITNESS: I'm getting charged --

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1 Do you understand your rights as I have
2 explained them to you, Robert?
3 THE WITNESS: Yeah.
4 DETECTIVE SNEAD: All right. What I would
5 like for you to do is to write your initials in there,
6 in your own handwriting, after writing either yes or
7 no. Write yes or no first, and then put your initials.
8 Now, just so you know, Robert, you know you
9 asked about your mom û let me read this. Having these
10 rights in mind, do you wish to talk to us now?
11 And sign your name right there, your full
12 name.
13 THE WITNESS: My full name?
14 DETECTIVE SNEAD: However you sign it.
15 Whatever your signature is.
16 THE WITNESS: Okay.
17 DETECTIVE SNEAD: Now, all I'm going to do is
18 sign my name here. And Detective Walls is going to
19 sign right here.
20 THE WITNESS: You all are --
21 DETECTIVE SNEAD: Now, that's just a
22 formality, Robert. That is behind us.
23 THE WITNESS: That's a B and E man, that's a
24 felony.
25 DETECTIVE SNEAD: Well, me and you need to

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1 DETECTIVE SNEAD: Two a.m., okay. Two a.m.
2 Today's date is February 22nd, 2003. Okay?
3 THE WITNESS: Okay.
4 DETECTIVE SNEAD: Your name is Robert Paul
5 Davis; correct?
6 THE WITNESS: Right.
7 DETECTIVE SNEAD: I am Detective S. R. Snead
8 and this is Detective Terry Walls with the Albemarle
9 County Police Department here in Charlottesville.
10 THE WITNESS: This is a felony.
11 DETECTIVE SNEAD: Hold on, let me finish it,
12 okay? You're going to be interviewed in connection
13 with the investigation of the crime of B and E, and
14 other felonies. You have the right --
15 THE WITNESS: Other felonies?
16 DETECTIVE SNEAD: Yes. You have the right to
17 remain silent. Anything you say can and will be used
18 against you in a court of law.
19 You have the right to talk to a lawyer and
20 have him present with you while you are being
21 questioned. If you cannot afford to hire a lawyer, one
22 will be appointed to represent you before any
23 questions, if you wish. If you decide to answer
24 questions now without a lawyer present, you will still
25 have the right to stop answering at any time.

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1 sit down and talk, okay? Are you comfortable?
2 THE WITNESS: No, not really. I'm thirsty.
3 I need to take my penicillin and my prednisone.
4 OFFICER: Okay. Where --
5 THE WITNESS: If I take my prednisone, I'll
6 be bouncing off the walls. I'm scared that I'm going
7 to Avon Extended.
8 DETECTIVE SNEAD: Do you want something to
9 drink? We can get you something to drink.
10 THE WITNESS: Yes, I would like something to
11 drink.
12 DETECTIVE SNEAD: All right. What do you
13 want?
14 THE WITNESS: What do y'all got?
15 DETECTIVE SNEAD: Well, we've got water,
16 we've got sodas.
17 THE WITNESS: Could I get a Dr. Pepper?
18 DETECTIVE SNEAD: You want a Dr. Pepper? No
19 problem.
20 DETECTIVE WALLS: I'll take care of that.
21 DETECTIVE SNEAD: No problem at all.
22 THE WITNESS: I was just doing my job
23 (mumbles).
24
25 (Detective Walls exits room, 2:08 a.m.)

3 (Pages 6 to 9)

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1
2 DETECTIVE SNEAD: Now, Robert, I just want
3 you to understand, okay.
4
5 (Detective Walls reenters room, 2:09 a.m.)
6
7 DETECTIVE WALLS: Somebody is going to get
8 it, buddy.
9 DETECTIVE SNEAD: I want you to understand,
10 Robert, that me and you have some past. I pretty much
11 tell you the straight up deal, and we've gotten through
12 our situations. Now, I told you over across the
13 mountain this is a very serious situation that we are
14 getting ready to talk about, very serious. A lot more
15 serious than just that B and E. And I think you
16 understand that.
17 THE WITNESS: I'm being accused of starting
18 the fire, aren't I?
19 DETECTIVE SNEAD: Why do you stay that?
20 THE WITNESS: Because, man, that's worse than
21 B and E.
22 DETECTIVE SNEAD: Well, why don't you tell
23 me, Robert, what took place that night? You tell me
24 your story of what happened.
25 THE WITNESS: About what, man?

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1 DETECTIVE SNEAD: About the fire.
2 THE WITNESS: I woke up at 8 o'clock in the
3 morning and seen smoke and walked down there. I don't
4 know what time it was when I woke up, but by the time I
5 got down there, the fire department was down there, and
6 I was standing up there for a while, and then they
7 asked me and the person who was standing next to me if
8 we'd go run and get two oxygen tanks.
9
10 (Knock on door; soda handed into room, 2:10 a.m.)
11
12 THE WITNESS: So, that's what we did. That's
13 the only time I stepped foot on the property, was when
14 that happened.
15 DETECTIVE SNEAD: Uh-huh.
16 THE WITNESS: And that's straight up. And
17 then...
18 DETECTIVE SNEAD: Well, let's go back before
19 that, before the fire trucks, before the fire, the day
20 prior to that. What did you do that day?
21 THE WITNESS: Tuesday? I stayed home pretty
22 much. I went sleigh riding.
23 DETECTIVE SNEAD: Sleigh riding? Where at?
24 THE WITNESS: Sleigh riding. I went sleigh
25 riding up at the pasture up near Mint Springs.

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1 DETECTIVE SNEAD: Okay. What else did you do
2 that day?
3 THE WITNESS: Pretty much just stayed at
4 home.
5 DETECTIVE SNEAD: Anything else?
6 THE WITNESS: No.
7 DETECTIVE SNEAD: Okay. What did you do that
8 evening?
9 THE WITNESS: Just stayed at home.
10 DETECTIVE SNEAD: All right. I know
11 sometimes you stay at home, and that means walking up
12 and down the neighborhood around that area you call
13 home.
14 THE WITNESS: No, no.
15 DETECTIVE SNEAD: So that area is home?
16 THE WITNESS: No, I was sick. I was sick as
17 a dog. I stayed my ass at home. Okay? It was cold, I
18 didn't want to further get sick further. I had been
19 sick way too much this year. I've had the flu, I had
20 strep twice; I've got it again.
21 DETECTIVE SNEAD: Are you contagious right
22 now?
23 THE WITNESS: I don't know.
24 DETECTIVE SNEAD: Let's hope not. We don't
25 need to be getting sick. Okay.

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1 The thing I want to talk about, Robert, is
2 that night. What did you do that night?
3 THE WITNESS: That night I stayed at home and
4 went to sleep.
5 DETECTIVE SNEAD: The whole night?
6 THE WITNESS: The whole night.
7 DETECTIVE SNEAD: Now, Robert, did you think
8 about what I told you before we came across the
9 mountain?
10 THE WITNESS: I think about everything.
11 DETECTIVE SNEAD: Think about everything that
12 you did, and what took place at that house. I told you
13 about the fact that I talked to some other people --
14 THE WITNESS: Now, Tuesday night, Tuesday
15 night --
16 DETECTIVE WALLS: Robert, this is the most
17 important decision of your life.
18 THE WITNESS: I know, I know.
19 DETECTIVE WALLS: You need to think about
20 where you were at, because we know exactly where you
21 were at.
22 THE WITNESS: I'm trying to think Tuesday, or
23 was it Wednesday, that I went with my mom and her
24 boyfriend and her boyfriend's friend out to his house
25 while they played music.

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1 DETECTIVE SNEAD: No, you didn't.
2 THE WITNESS: It wasn't Tuesday night?
3 DETECTIVE WALLS: We know exactly where you
4 were at Tuesday night, and you know exactly where you
5 were.
6 THE WITNESS: I was at my house, man.
7 DETECTIVE WALLS: This is not the time to
8 lie, Robert.
9 THE WITNESS: I will take a polygraph test
10 right now to prove to you that I was at home, that I
11 did not do nothing. I will sign over whatever I have
12 to do to take a polygraph test right now to prove to
13 you that I did not do nothing.
14 DETECTIVE WALLS: Do nothing where?
15 THE WITNESS: Wherever.
16 DETECTIVE SNEAD: Nothing where? Tell me.
17 THE WITNESS: I mean, I stayed at home that
18 whole night, man.
19
20 (Detective Walls exits room, 2:12 a.m.)
21
22 DETECTIVE SNEAD: Where were you that
23 morning, Robert?
24 THE WITNESS: What morning?
25 DETECTIVE SNEAD: Early that morning?

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1 THE WITNESS: What morning? Tuesday morning?
2 DETECTIVE SNEAD: Yeah, the 19th. Today --
3 right now, it's the 22nd. That's Saturday. The 21st
4 was Friday, the 20th was Thursday, the 19th was
5 Wednesday. So, Tuesday night, you were at home. So,
6 what happens Wednesday morning? Tuesday night into
7 Wednesday morning?
8
9 (Detective Walls reenters room, 2:12 a.m.)
10
11 THE WITNESS: Wednesday morning I get up. I-
12 my cousin comes over and wakes me up. I seen the smoke
13 over there. Kevin went the opposite direction. I went
14 next door. I said, Billy, there's smoke down there,
15 because I thought it was Mr. Greenley's house. And
16 when it wasn't, I started to worry because I know the
17 people that lived there, because I know Nola from Amoco
18 when she worked there.
19 DETECTIVE SNEAD: Uh-huh.
20 THE WITNESS: And that's pretty much it.
21 After that, I pretty much stayed on the street all day.
22 DETECTIVE SNEAD: You ever been down to
23 Nola's house before?
24 THE WITNESS: No, I've never been down to
25 Nola's house before, except for that day when they

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1 asked me to go get two -- when they asked me to get the
2 oxygen tanks, and I set them up near the tree.
3 DETECTIVE SNEAD: Did you go in the house?
4 THE WITNESS: No, I did not.
5 DETECTIVE SNEAD: You never have been in that
6 house before?
7 THE WITNESS: I've never been in that house.
8 DETECTIVE SNEAD: Never been in that house?
9 THE WITNESS: No.
10 DETECTIVE SNEAD: Never been in that yard any
11 other times prior?
12 THE WITNESS: No.
13 DETECTIVE SNEAD: Robert --
14 THE WITNESS: I have no reason to lie to you,
15 Officer Snead. We've known each other way too long for
16 that.
17 DETECTIVE SNEAD: We certainly have. And I
18 also --
19 THE WITNESS: And I have no reason to lie to
20 you.
21 DETECTIVE SNEAD: Well, Robert, right now,
22 we're not getting off to a good start, all right? And
23 we've done that before, not gotten off to a good start.
24 And we're definitely not getting off to a good start.
25 THE WITNESS: I just want to know what I've

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1 done.
2 DETECTIVE SNEAD: That's what we want to
3 know. What have you done?
4 THE WITNESS: I haven't done nothing.
5 DETECTIVE SNEAD: That's the question.
6 THE WITNESS: I haven't done nothing.
7 DETECTIVE SNEAD: Well, Robert, we have
8 reason to believe you have.
9 THE WITNESS: Well, I want to know.
10 DETECTIVE SNEAD: Enough reason to obtain
11 some warrants for your arrest. And that's why you are
12 sitting here in this chair right now, okay. And when I
13 tell you it's very serious, I'm not kidding. It's very
14 serious.
15 THE WITNESS: I know. I know. I just want
16 to know what I've been accused of. Please, please tell
17 me, right now.
18 DETECTIVE SNEAD: Are you going to talk and
19 tell the truth, Robert, and not be --
20 THE WITNESS: I'm telling you the truth.
21 DETECTIVE SNEAD: No, you haven't, Robert.
22 THE WITNESS: Yes, I have.
23 DETECTIVE SNEAD: No, you haven't. You
24 haven't. You have not told me the truth. And the
25 reason I know that is, number one, evidence has been

5 (Pages 14 to 17)

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1 collected, okay?
2 Number two, people have seen you or they were
3 with you during this time, all right? You're not by
4 yourself when you do this, I know that. But the thing
5 is, when you are doing this, I need to know how much of
6 it you are doing so I can decipher what part of it you
7 had. And if you sit here and you try to play hard to
8 get along with it and say, I wasn't there at all, then
9 you're going to get the whole full blood, the whole
10 thing. Because I tell you what, when it comes down to
11 stuff like this, you have to take care of number one.
12 And you know who number one is; right?
13 THE WITNESS: It's me.
14 DETECTIVE SNEAD: That's you. Because
15 everyone else that was with you has taken care of
16 themselves. And they're not going to look out for you.
17 They're not worried about you now.
18
19 (Detective Walls exits room, 2:16 a.m.)
20
21 THE WITNESS: Can I ask you a question? Are
22 these adults, or are they adolescents my age?
23 DETECTIVE SNEAD: They're your age.
24 THE WITNESS: The only people I hang out with
25 my age is Kevin.

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1 (Detective Walls reenters room, 2:16 a.m.)
2
3 DETECTIVE SNEAD: Some of them even a little
4 bit younger than you.
5 THE WITNESS: Names, I need names. I don't
6 know nobody.
7 DETECTIVE SNEAD: All right.
8 DETECTIVE WALLS: Detective Snead, let's go
9 ahead and tell Robert what he's charged with.
10 DETECTIVE SNEAD: Robert, you're gonna be
11 charged -- you are charged with the murder of Nola
12 Charles, of Thomas Charles.
13 You are going to be charged with the
14 attempted murder of the two Charles daughters, Katie
15 and Wendy.
16 You are charged with breaking and entering
17 with the intent to commit larceny in the nighttime of a
18 dwelling.
19 You are charged with robbery.
20 Now it's really gotten serious, hasn't it?
21 THE WITNESS: Yes, it has.
22 DETECTIVE SNEAD: Exactly right. And you
23 would not be charged with that, Robert, if we didn't
24 have reason to believe or know that you were in that
25 house during the time that the things took place in

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1 that house. Now, this is the time right here, Robert,
2 where you need to step up and say what you saw, what
3 happened. Because we've already got most of it. And I
4 tell you what, if you don't speak for yourself, then
5 you were in that house by yourself and doing everything
6 yourself. And you are going to get the blame. And
7 this is where you need to step up and say, Officer
8 Snead, I'll tell you the truth. I'm going to help you
9 out here. This is what I did, this is what
10 whatchamacallit did, this is what whatchamacallit did.
11 But that's the only way that I can work with you and be
12 able to go to the Commonwealth and say, Robert was easy
13 to get along with. This is what he explained, this is
14 what he said. If you don't work with me and help me,
15 then I can't sit here and speak on your behalf to the
16 Commonwealth and to the judge. Do you understand that?
17 THE WITNESS: Yes, I understand that.
18 Officer Snead, I want you to understand that
19 I was with my mom Tuesday night, with her and her
20 boyfriend. I can take you to the place that we went
21 to. I can take you to the place that we went to. I
22 think it was Tuesday night. I'm not sure.
23 DETECTIVE SNEAD: I've already spoken to your
24 mom, and I know approximately what time you got home
25 Tuesday night, okay? And I also know that your thing

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1 is to leave the house at nighttime.
2 THE WITNESS: Not no more. It's hard for me.
3 DETECTIVE SNEAD: Well, maybe not no more.
4 But you did on this night, on this early Wednesday
5 morning.
6 THE WITNESS: I didn't do nothing. I swear
7 to you. I'm not going to lie to you. I'm not going to
8 lie to you.
9 DETECTIVE SNEAD: Then stop, and start
10 telling the truth.
11 THE WITNESS: I am telling you the truth. I
12 am telling you the truth. I had nothing to do with
13 this. I swear to God. I will take -- I swear to God,
14 on my life right now, that I did not do nothing in this
15 matter. I had nothing to do with this. I will take a
16 polygraph test right now to prove to you that I did not
17 have nothing to do with this. You know and I know that
18 I'm not capable of doing something like this.
19 DETECTIVE SNEAD: How do I know that?
20 THE WITNESS: You've known me for four years.
21 DETECTIVE SNEAD: I've known you for four
22 years, and I know that you have a temper.
23 THE WITNESS: I have a temper.
24 DETECTIVE SNEAD: Exactly. I know you've
25 done some things, you have broken in some homes before,

6 (Pages 18 to 21)

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1 some churches and stuff.
2 THE WITNESS: No, I have never broken into
3 churches. I've never broken into --
4 DETECTIVE SNEAD: But you've broken into
5 things.
6 THE WITNESS: I have broken into one house.
7 That was when I was young.
8 DETECTIVE SNEAD: Okay. So why do you keep
9 on saying you are not capable of doing it, Robert?
10 THE WITNESS: No, I-
11 DETECTIVE SNEAD: Don't sit here and tell me
12 you're not capable of doing something when your past
13 has showed that you are.
14 THE WITNESS: Yeah, but I ain't --
15 DETECTIVE SNEAD: Come on, now. I'm not
16 stupid. I didn't just fall off the truck yesterday.
17 As you said just a minute ago, I know you. I do know
18 you.
19 THE WITNESS: That's-
20 DETECTIVE SNEAD: You need to understand what
21 we are talking about.
22 THE WITNESS: Officer Snead, I did not kill
23 nobody. I cannot -- I cannot even kill a fucking fly,
24 man.
25 DETECTIVE WALLS: Robert, let's --

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1 do nothing. Who is everybody? Please tell me who it
2 is. Please tell me, who is everybody?
3 DETECTIVE WALLS: You tell us. We need to
4 know that you're being honest with us, Robert.
5 THE WITNESS: I am being honest. Honest,
6 right now.
7 DETECTIVE WALLS: No, you are not.
8 THE WITNESS: Y'all can put a gun to my head.
9 I'm being honest. I will take a polygraph test. I
10 have said that how many times.
11 DETECTIVE SNEAD: That doesn't matter,
12 Robert.
13 DETECTIVE WALLS: We don't have a polygraph
14 here.
15 THE WITNESS: I didn't do nothing. I did not
16 do nothing.
17 DETECTIVE SNEAD: That's not what we're
18 hearing, that's not what we're getting at, that's not
19 what the evidence that we have collected is saying.
20 None of it is saying that, Robert.
21 THE WITNESS: I swear to God I did not do
22 nothing. I swear.
23 DETECTIVE SNEAD: All right. Well, Robert,
24 if you're going to sit here and say that the whole
25 time, while we're sitting up here collecting evidence,

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1 DETECTIVE SNEAD: I'm not trying to say that
2 you killed somebody.
3 THE WITNESS: That's what you just said.
4 DETECTIVE SNEAD: Because you were there,
5 Robert.
6 THE WITNESS: I tell you, I was not there. I
7 will take a polygraph test right now to prove to you
8 that I was not there.
9 DETECTIVE WALLS: Robert, right now, we are
10 going through your house. We are getting your clues,
11 your shoes. Your house is being searched right now.
12 Your stuff is being taken. There is evidence in that
13 house.
14 THE WITNESS: There is no evidence in that
15 house, because I did not do nothing.
16 DETECTIVE WALLS: Well, we're going to check
17 that.
18 THE WITNESS: I did not do nothing.
19 DETECTIVE WALLS: And we've got people
20 telling us -- everybody is saying -- we've talked to
21 everybody involved. We've already talked to everybody,
22 Robert. We've talked to everybody.
23 THE WITNESS: Who is everybody?
24 DETECTIVE WALLS: You tell us.
25 THE WITNESS: I don't know, because I didn't

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1 have already collected evidence -- we have even gone as
2 far as finding the stuff that was hidden out in the
3 woods. We've already located that stuff.
4 THE WITNESS: What stuff?
5 DETECTIVE SNEAD: Stuff. I'm not going to
6 tell you what stuff, because you know what stuff.
7 THE WITNESS: Why won't you tell me?
8 DETECTIVE SNEAD: You know the answer.
9 THE WITNESS: Because I did not do nothing.
10 DETECTIVE SNEAD: Robert, Robert, Robert.
11 THE WITNESS: Officer Snead, I did not do
12 nothing. I swear to God I did not do nothing. If I
13 did, I would have avoided it the whole day. But I did
14 not. And you know this.
15 DETECTIVE SNEAD: No, I don't know this. You
16 came up to the scene, and you emotionally told me that
17 someone attacked you and said that you would do this,
18 and you started up to me to tell me that you did not do
19 it. And I didn't know what you had done.
20 THE WITNESS: It was the fire department dude
21 that started cussing me out, and then started saying,
22 Oh, you had something to do with it. I told him no.
23 DETECTIVE SNEAD: So this fireman just picked
24 you out of the crowd and --
25 THE WITNESS: No, because I asked him why did

7 (Pages 22 to 25)

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1 the Crozet Fire Department stand out there for ten
2 minutes without doing anything? That's all I asked
3 him, and he jumped down my throat.
4 Officer Snead, I'm not going to lie to you
5 about this, I did not do anything.
6 DETECTIVE SNEAD: I tell you, man, you're
7 tying my hands, Robert, I can't help you, man.
8 THE WITNESS: Officer Snead, I did not do
9 anything.
10 DETECTIVE SNEAD: I can't help you. I've got
11 to call your mom and tell your mom I can't help you,
12 because you're not helping yourself.
13 THE WITNESS: I can't help myself because I
14 didn't do nothing wrong.
15
16 (Detective Walls exits and reenters room)
17
18 DETECTIVE SNEAD: Robert, that's not what
19 we're hearing. That's not the evidence and that's not
20 the stories and stuff we're getting. They're not
21 collaborating. And I can't help you if you're going to
22 keep saying that. There's nothing I can do for you.
23 You know, you say you don't want to go down to Avon
24 Street. Well, you know --
25 THE WITNESS: Officer Snead, I don't --

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1 thing. You know, doing other things is another thing.
2 Let's establish -- let's do this. Don't -- we know you
3 were there.
4 THE WITNESS: I was not there.
5 DETECTIVE WALLS: We know you were there.
6 THE WITNESS: I was not there.
7 DETECTIVE WALLS: It's not that big of a deal
8 if you were just in the house, Robert.
9 THE WITNESS: I was not there.
10 DETECTIVE WALLS: It's not that big a deal.
11 THE WITNESS: I was not there.
12 DETECTIVE WALLS: We know you were.
13 THE WITNESS: I was not in the house.
14 DETECTIVE WALLS: This is serious stuff, man.
15 THE WITNESS: I know this is serious.
16 DETECTIVE WALLS: I mean, I'm sure that you
17 were in there.
18 Do you know what DNA is?
19 THE WITNESS: Yeah, it's blood.
20 DETECTIVE WALLS: No, it can be anything.
21 DETECTIVE SNEAD: It can be saliva on the
22 food that you eat.
23 DETECTIVE WALLS: We can get stuff off of
24 gloves now. If people have gloves on --
25 DETECTIVE SNEAD: You reach in to get

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1 DETECTIVE WALLS: Robert. Robert.
2 THE WITNESS: Please don't touch me. I
3 didn't do nothing. I did not do nothing.
4 DETECTIVE WALLS: We know you were in the
5 house, Robert.
6 THE WITNESS: I was not in the house. I was
7 never in the house.
8 DETECTIVE WALLS: Just hear me out. We know
9 you were in the house. We've got evidence that is
10 going to prove that you were in the house. But there
11 is a lot of things that happened in that house.
12 THE WITNESS: I want to see this evidence.
13 DETECTIVE WALLS: There was a lot of people -
14 you will.
15 THE WITNESS: I would like to, because --
16 DETECTIVE WALLS: But it's not going to be
17 right now.
18 THE WITNESS: Because I want to --
19 DETECTIVE WALLS: There was a lot of people
20 in this house. A lot of people who have different
21 roles. If you were just in the house, that's one
22 thing.
23 DETECTIVE SNEAD: Just standing guard or
24 something.
25 DETECTIVE WALLS: Being in the house is one

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1 something out of a stove or off of a countertop in a
2 certain way or something --
3 DETECTIVE WALLS: It comes right through
4 gloves. We know. We know. This stuff is going to
5 come out. You were in the house, man. You need to let
6 us know now.
7 THE WITNESS: I was not there. I was not
8 there.
9 DETECTIVE SNEAD: People are telling us --
10 THE WITNESS: I had no part. I have a lot of
11 enemies in Crozet.
12 DETECTIVE SNEAD: We know you were in the
13 house.
14 THE WITNESS: I was not in the house. I was
15 not in the house.
16 DETECTIVE WALLS: You were in the house.
17 THE WITNESS: I was not in the house.
18 DETECTIVE WALLS: It's not that big a deal.
19 THE WITNESS: Sure it's a big deal. Sure
20 it's a big deal. I was not in the house.
21 DETECTIVE WALLS: Not if you were just
22 downstairs.
23 THE WITNESS: I was nowhere in the house. I
24 was at my house. I was at my house. I was at my
25 house. After we got back with my mom, I went upstairs

8 (Pages 26 to 29)

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1 and went to bed.
2 DETECTIVE WALLS: You're not helping
3 yourself, Robert.
4 THE WITNESS: I can't help myself because I
5 didn't do nothing. I swear to you I did not do
6 nothing.
7 DETECTIVE WALLS: Things get out of hand,
8 accidents happen, people have different roles. We can
9 work with people like that. That's what we do, we deal
10 with every day.
11 DETECTIVE SNEAD: That's right.
12 DETECTIVE WALLS: I can tell just by looking
13 at you that you've got something in your heart that you
14 want to get out, that's just bothering you.
15 THE WITNESS: I've got nothing on my heart.
16 DETECTIVE WALLS: You are really bothered.
17 You were really bothered over there when they picked
18 you up. I can tell that. I can tell that. I know
19 that you are --
20 THE WITNESS: Well, have guns point at you.
21 DETECTIVE WALLS: I know that you are upset,
22 and I know you want to tell us.
23 THE WITNESS: I wish I could tell you
24 something, but I don't know nothing.
25 DETECTIVE WALLS: You do know. Your friends

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1 matches up with the evidence that we found. They are
2 telling the truth. We can prove that they're telling
3 the truth. And now we're here with you.
4 THE WITNESS: Well, how can --
5 DETECTIVE WALLS: We are going to give you
6 the opportunity to tell us the truth.
7 THE WITNESS: I'm giving you every
8 opportunity.
9 DETECTIVE WALLS: It makes a difference what
10 the --
11 THE WITNESS: I did not do nothing, though.
12 DETECTIVE SNEAD: Were you just in the house?
13 THE WITNESS: I was never in the house.
14 DETECTIVE SNEAD: Were you in the back yard?
15 THE WITNESS: I was not in the back yard.
16 DETECTIVE SNEAD: Sitting on the front porch?
17 THE WITNESS: Nowhere.
18 DETECTIVE SNEAD: At the bottom of the steps?
19 THE WITNESS: I was at my house.
20 DETECTIVE WALLS: So everybody else is lying?
21 THE WITNESS: I have a lot of enemies in
22 Crozet.
23 DETECTIVE WALLS: People are telling us, I
24 was there. I did it. I was there. I was involved.
25 THE WITNESS: I want to know who these people

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1 aren't going to back you up, buddy. Your friends are
2 telling us everything.
3 THE WITNESS: I will say this. I will say
4 this. I heard something today. I heard from this
5 person who said this little kid said that I had
6 something to do with this. And that's getting around.
7 That's getting around. But I didn't have nothing to do
8 with this.
9 DETECTIVE WALLS: You're not the only one
10 that's been in here today.
11 THE WITNESS: I didn't do nothing.
12 DETECTIVE WALLS: Those people are already in
13 jail for this.
14 THE WITNESS: I did not do nothing.
15 DETECTIVE WALLS: There's already people in
16 jail. You're not the only one.
17 THE WITNESS: I did not do nothing.
18 DETECTIVE WALLS: Everybody else is telling
19 the truth. We need --
20 THE WITNESS: I did not do nothing.
21 DETECTIVE WALLS: Everyone else is telling
22 the truth. Everybody else is telling the truth.
23 THE WITNESS: How do you know?
24 DETECTIVE WALLS: Because the things that
25 they are telling us matches up with what happened. It

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1 are.
2 DETECTIVE WALLS: They're not saying it was
3 you; they're saying it was all of us. But they're
4 saying people had different roles, people did different
5 things.
6 THE WITNESS: How can --
7 DETECTIVE WALLS: Why would someone come in
8 and admit to this, and then why would they bring you
9 up? I mean, they're admitting to it. Why would they
10 bring you up?
11 THE WITNESS: Probably it's because they
12 don't like you.
13 DETECTIVE SNEAD: Who doesn't like you?
14 THE WITNESS: A lot of people.
15 DETECTIVE SNEAD: So why does that person who
16 doesn't like you want to take you with them to court?
17 Why would they want to do that? Thinking, that, I
18 don't like him, he doesn't like me. He might tell
19 something on me. Why would they do that, then?
20 THE WITNESS: See, I can't tell nothing on
21 nobody, because I don't know nothing about this. All I
22 know is what has been in the newspapers and on the
23 news.
24 DETECTIVE WALLS: Is this what you want your
25 story to be in court? When we have evidence to prove

9 (Pages 30 to 33)

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1 it was you, and they come out and ask, What was
2 Robert's story when you first asked him? Was Robert an
3 honest and truthful person who come out and said, I
4 made a mistake, this happened, it got out of hand. I
5 was downstairs. Or did he say, No, I didn't have
6 anything to do with it. He flat out lied to us.
7 What do you want to come out? You don't want
8 that lie to come out.
9 DETECTIVE SNEAD: You don't want the judge to
10 hear that.
11 DETECTIVE WALLS: We're going to find out.
12 We know. We've got stuff. We're taking -- we're going
13 to take these. We're taking all of these clothes.
14 THE WITNESS: I have no boxers.
15 DETECTIVE SNEAD: Doesn't matter.
16 DETECTIVE WALLS: We'll get you some.
17 DETECTIVE SNEAD: We'll get you some.
18 DETECTIVE WALLS: We're taking these.
19 THE WITNESS: And these are Kevin's socks.
20 DETECTIVE WALLS: I don't care. We're taking
21 your shoes. We're taking your socks. We're taking
22 your clothes. We're taking your jacket.
23 THE WITNESS: Are you taking my glasses?
24 DETECTIVE SNEAD: No. We're taking this
25 stuff, all of this, plus what is at your house, and

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1 it's going to be analyzed.
2 THE WITNESS: I need my nebulizer, please.
3 DETECTIVE SNEAD: You need your nebulizer
4 right now?
5 THE WITNESS: Yes.
6 DETECTIVE WALLS: Okay. What all do you need
7 with it?
8 THE WITNESS: Just the nebulizer. Just do
9 not tip the thing over. Do not tip the mouthpiece
10 over.
11 DETECTIVE SNEAD: Is the medicine in the book
12 bag?
13 THE WITNESS: No, it's not in the book bag
14 still. I've already used it.
15 DETECTIVE SNEAD: Where is it at?
16 THE WITNESS: It's out there on the bench.
17 DETECTIVE SNEAD: Okay.
18 THE WITNESS: But I did not do nothing. I
19 swear to you I did not do --
20 DETECTIVE WALLS: You're trying to tell us
21 that? You're not telling us.
22
23 (Detective Snead exits room, 2:30 a.m.)
24
25 THE WITNESS: I'm trying to tell you this.

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1 I'm trying to tell you I had nothing to do with this.
2 DETECTIVE WALLS: We know you did. We know
3 you did. We've got the evidence.
4 THE WITNESS: Well, then I want to know what
5 it is.
6 DETECTIVE WALLS: You don't get to go and
7 look and see what --
8 THE WITNESS: I understand that.
9 DETECTIVE WALLS: This is your û
10 THE WITNESS: I can understand that
11 DETECTIVE WALLS: The reason we asked you to
12 come -- we don't have to bring you here. Do you
13 understand that? We bring you here because I worked
14 with you several years ago and I knew that you had some
15 problems. You had some family problems. And I want to
16 help you. Detective Snead has worked with you. We
17 don't have to sit here and be talking to you, buddy.
18 We are trying to help you.
19 THE WITNESS: I didn't do nothing.
20 DETECTIVE WALLS: We can't do that when
21 you're sitting here lying to us.
22 THE WITNESS: How are you trying to help you?
23 DETECTIVE WALLS: I know it's hard to say. I
24 know it's hard to take that first step.
25 THE WITNESS: I'm never taking that first

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1 step, because I did not do nothing.
2 DETECTIVE WALLS: We know you did.
3 THE WITNESS: No, you do not, because I was
4 not there. I was not there.
5 DETECTIVE WALLS: So this is the way you want
6 it to be? Did you hear what the charges were? Did you
7 hear what the charges were?
8 THE WITNESS: Yes, I heard what the charges
9 were.
10 DETECTIVE WALLS: Do you know there is a
11 three-year-old child, dead?
12 THE WITNESS: Yes.
13 DETECTIVE WALLS: There is a three-year-old
14 child dead. Three years old. Do you understand that?
15 THE WITNESS: Yes. I understand that.
16 DETECTIVE WALLS: Okay. We know you were in
17 that house. Do you want to take full responsibility
18 for that? Or were you just in the bathroom? Not the
19 bathroom, the bottom floor.
20
21 (Detective Snead reenters room, 2:31 a.m.)
22
23 THE WITNESS: I was nowhere. I swear to you.
24 I was nowhere.
25 DETECTIVE WALLS: Do you want to stick with

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1 that line in court, when we can prove you were there?
2 That's what you want to stick with? I mean, come on.
3 If there is an accident that happened, if things got
4 out of hand, if you were just waiting downstairs, if
5 you were just looking --

6
7 (Nebulizer running)

8
9 DETECTIVE WALLS: This is your last chance.
10 Once we leave here and go over to the jail, we can't do
11 anything. This is it. This is your opportunity to
12 tell what happened. So if you think your friends are
13 helping you out, you're doomed, because they don't give
14 a shit. They don't give a shit what happens to Robert.
15 They don't care.

16 THE WITNESS: How do I know that I am not the
17 first person here? That all of these answers -- how do
18 you know I'm not being an honest person by saying that
19 I had nothing to do with this?

20 DETECTIVE WALLS: I don't believe it, Robert,
21 I don't believe it because I know what happened.

22 THE WITNESS: You know what happened, but I
23 don't.

24 DETECTIVE WALLS: Yes, you do, Robert.

25 THE WITNESS: No, I don't.

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1 THE WITNESS: I know. I know.

2 DETECTIVE SNEAD: Okay? Look, I went over to
3 your mom. And I didn't give her much of a choice. I
4 didn't want to have to do what I had to do to get a
5 hold of you. And the reason I did what I did, I didn't
6 want to have to go to that boy's house and get you.
7 So, I showed some respect, and I showed respect by
8 working with your mom. Do you know why? Because I
9 brought the medications you might need and whatnot. I
10 was straight up with her, and I even told her why we
11 were having to talk with you. I told her that I had to
12 take you.

13 THE WITNESS: Did she start crying?

14 DETECTIVE SNEAD: I know your mom, okay.
15 Your mom is waiting on a phone call from me so that I
16 can let her know that Robert was straight up and honest
17 with me.

18 THE WITNESS: I am.

19 DETECTIVE SNEAD: And I'm going to tell you
20 right now, as we're going right now, I'm going to call
21 her up and say, Sandra, I'm having to put your son over
22 at Avon Street without any cooperation and I'm not
23 going to be able to help him now when he comes
24 downtown, to help him. He has to do it all by himself
25 and do it the hard way. That's the way he wants to

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1 DETECTIVE WALLS: Because you were there.

2 THE WITNESS: No. I swear to God I don't.
3 And that's the truth.

4 DETECTIVE WALLS: You want to go to jail?
5 You just keep up with that line, and think you're the
6 first on in here. You keep that up. Because once you
7 leave this door, that's it. You don't get a second
8 chance. Two murders, two attempted murders, B and E,
9 on you. This is your opportunity. We know you didn't
10 do it by yourself. There's other people sitting in
11 that jail right this minute. You don't want to go down
12 like that.

13 Your mother doesn't want you to be like that.
14 Your mother did not raise you to lie. She told you to
15 be truthful. Your mother doesn't want you to sit here
16 and lie to us. Detective Snead has already talked to
17 your mother. She doesn't want you to sit here and lie
18 to us.

19 THE WITNESS: I'm not lying to you. I want
20 to talk to Mom.

21 DETECTIVE SNEAD: Robert, you are 18 years
22 old now, son.

23 THE WITNESS: I know I'm 18.

24 DETECTIVE SNEAD: Look, you're an adult. You
25 speak for yourself now.

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1 play that game, that he wasn't in there and he didn't
2 have nothing to do with it. He didn't see anything, he
3 didn't hear anything, he didn't touch anything. We
4 will let the evidence and let the judge take care of
5 him with that, with the evidence. We don't have to get
6 nothing, because he didn't want to help himself.

7 THE WITNESS: I do want to help myself.

8 DETECTIVE SNEAD: So talk to us.

9 THE WITNESS: I'm telling you the truth.

10 DETECTIVE SNEAD: When? When did you start
11 telling me the truth.

12 THE WITNESS: I have been.

13 DETECTIVE SNEAD: No, you haven't. You said-
14 listen to me. You said, How do I know that I'm not the
15 first person to sit here and talk? Well, Robert, I
16 have told your mom and I have worked with your mom and
17 you know that. And I'm telling you, I am giving you my
18 word on everything. You are not the first person. I
19 guarantee you that. That's why we know everything,
20 along with the evidence, what happened. But I want to
21 know from Robert, from Robert's point of view what
22 Robert saw, what Robert did, what Robert's involvement
23 is. Because if Robert doesn't say it and speak up for
24 himself and tell the people that he did this, and he
25 did this, and did this, then Robert goes down for

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1 everything. Everything.
2 And Robert, if you go down for everything,
3 and you take that chance, there is no turning back and
4 coming back for help. I can't help you no more. And
5 I've got to go and tell your mom that. And I don't
6 want to have to do that. I want to be able to say,
7 Your son helped. I was able to sit there and talk to
8 your son. That's what I want to do. But I can't do it
9 if you play these games, man.
10 I know it worked before. I know at school,
11 everybody lies their way out of things in school.
12 THE WITNESS: I never lied in school.
13 DETECTIVE SNEAD: Everybody lies to the
14 teacher and stuff. You know that. You know? I know
15 that stuff works with them. But this is not a game,
16 son.
17 THE WITNESS: I know it's not a game.
18 DETECTIVE SNEAD: So start talking.
19 DETECTIVE WALLS: Robert, do this for your
20 mom. You don't want to -- do this for your mom.
21 THE WITNESS: No. I'm doing this for me.
22 DETECTIVE WALLS: Then do it for you. Do it
23 for you. It's time to be a man, and do it. Do what is
24 right. Do what is right. Sitting here and telling
25 these lies now, that are going to come out later, is

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1 not the way to do this, Robert. It's not the way your
2 mom wants to see this happened. This is not the way to
3 do this, Robert. It is going to come out. It is going
4 to come out. You don't want to be the one that sat in
5 here and denied anything and didn't talk. You don't
6 want to be that person, Robert, and get the worse deal
7 out of everyone. You don't want to be that person.
8 THE WITNESS: Because I'm 18; right?
9 DETECTIVE SNEAD: No, not just because you're
10 18. Just because you're not truthful.
11 THE WITNESS: But I'm being truthful. I
12 swear to you. I will do whatever -- I just -- I mean,
13 all I want to know is, am I in this because of when I
14 came up to you crying? Is that why?
15 DETECTIVE SNEAD: No.
16 DETECTIVE WALLS: No.
17 DETECTIVE SNEAD: You mean at the scene of
18 the fire? No. Just because you're crying doesn't make
19 you guilty. It's the actions that you took part in
20 beforehand that made you guilty.
21 THE WITNESS: By going down there and
22 watching them put the fire out and helping the fire
23 department?
24 DETECTIVE WALLS: No, by going in the house
25 during the time that the lady and the baby was killed,

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1 Robert. That is what makes you guilty.
2 DETECTIVE SNEAD: When the fire was set,
3 Robert.
4 THE WITNESS: How could that, when I have
5 never been in the house? How can I prove it to you
6 all? I mean, ask me a question. I don't know.
7 DETECTIVE WALLS: You know, I don't even know
8 why we're doing this. I don't know why we're doing
9 this. We might as well just go ahead and take him over
10 to Avon Street. (Knock on door.)
11 POLICE OFFICER: I'm sorry to interrupt.
12 Those other two, or the other ones, their statements
13 were typed up, and everything is good to go.
14 DETECTIVE WALLS: Let me look at those real
15 quick.
16 DETECTIVE SNEAD: All right, Robert.
17
18 (Detectives Walls and Snead exit room, 2:38 a.m.)
19
20 (Nebulizer running)
21
22 (Detectives Walls and Snead reenter room, 2:42 a.m.)
23
24 DETECTIVE SNEAD: Robert, are you okay now?
25 Do you need anything else, another drink or anything?

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1 THE WITNESS: A bullet put right there.
2 DETECTIVE WALLS: Why are you saying that?
3 THE WITNESS: Because I didn't do nothing,
4 and I'm being falsely accused, sir. I mean, I mean, I
5 mean -- sure, you guys say you got my DNA, but I don't
6 see how, because I've never been in the house. I've
7 never --
8 DETECTIVE WALLS: I don't understand why you
9 want to go like that. I just went and read these
10 statements again, from the other people that's been in
11 here today. And I just don't understand why -- they
12 had a hard time, too, coming out and saying it. They
13 did. They did. They had a hard time. It's hard. And
14 they were concerned. They were concerned about their
15 family. They were concerned what their family would
16 think.
17 THE WITNESS: My mom has disowned me.
18 DETECTIVE WALLS: Well, I don't think your
19 mom has disowned you.
20 THE WITNESS: That's bullshit.
21 DETECTIVE WALLS: Your mom is concerned about
22 you. Your mom loves you. And I can tell you that your
23 mom would tell you to sit here and tell the truth.
24 THE WITNESS: Man, I'm telling the truth.
25 DETECTIVE WALLS: We can -- you know, your

12 (Pages 42 to 45)

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1 mom would want you to be honest about it. Your mom
2 wouldn't want to find out later on when these lab
3 results come back in and say there's blood or there's
4 an accelerant -- do you know what an accelerant is?
5 Something that burns, something that speeds up a fire.
6 Something flammable. She don't want to read that in
7 the paper or hear that from Detective Snead when this
8 lab result gets back and we find it on your shoes, or
9 we find it on your pants or we find it on your shirt or
10 we find it on your coat, or we find your fingerprints
11 on a knife. Your mom does not want to see that.
12 THE WITNESS: I don't know. I didn't do
13 anything.
14 Can I please have a tissue or something?
15 DETECTIVE WALLS: Yeah. I'll get you a
16 tissue.
17 You just got to be honest.
18
19 (Detective Walls exits room, 2:45 a.m.)
20
21 THE WITNESS: I am, man, I am.
22 Officer Snead --
23 DETECTIVE SNEAD: Listen to me.
24 THE WITNESS: I swear.
25 DETECTIVE SNEAD: Listen to me. Listen to

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1 DETECTIVE SNEAD: That's a traffic stop,
2 where you know the vehicle is going to get searched
3 over there. And you know what, I've squashed that for
4 you. I mean, that issue is dead.
5 THE WITNESS: Thanks.
6 DETECTIVE SNEAD: I can't continue to sit
7 here and hear you say this, and you saying the same
8 thing over and over, knowing the evidence we have.
9 THE WITNESS: I would love to tell you
10 something.
11 DETECTIVE SNEAD: Knowing the people that
12 have also been, you know, part of this whole incident
13 and their statements.
14 THE WITNESS: I'm going to have to turn the
15 nebulizer on.
16
17 (Nebulizer running)
18
19 DETECTIVE SNEAD: That's where we're at, man.
20 I'm not here trying to help myself. I don't need no
21 help. You know what all my help is? My help is all
22 around me. This is my help. I got 20 to 30 other
23 people like him working right now; worked all the past
24 two days. It's a team effort and we've done a lot of
25 work.

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1 me, okay? Robert, there is a way, way bunch of
2 evidence, man.
3 THE WITNESS: But are you sure it's mine?
4 DETECTIVE SNEAD: Yes, Robert, we're sure.
5 And the thing is, if you don't come out and tell the
6 truth and admit to whatever part you did, then when we
7 go in front of the judge, I can't say that you
8 cooperated, and they're going to put you away for 90
9 years.
10 THE WITNESS: I'm trying to cooperate.
11 DETECTIVE SNEAD: Ninety years, if not worse.
12 I mean, if you cooperate, the judge is in control, the
13 judge looks at a guy and says, man, He cooperated, or
14 He didn't cooperate.
15 THE WITNESS: But I am.
16 DETECTIVE SNEAD: If you can cooperate and
17 work with me, and you started cooperating, then that
18 gives us something to say to the judge. Judge, he
19 cooperated.
20
21 (Detective Walls reenters room, 2:46 a.m.)
22
23 THE WITNESS: If I didn't cooperate -- I
24 could have said, No, there's nothing in my book bag;
25 right?

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1 And then we've got these people that are involved
2 with you. We've talked to a lot of people. And I tell
3 them the same thing as I told you. Can you help
4 yourself? What's the situation? You tell me what you
5 did. You know what, they started talking. They said
6 what they did. And they said what everybody else did,
7 and they said, This person did this, this person did
8 that. And if that's the case, then, Robert, you need
9 to say what Robert did or what Robert saw other people
10 do.
11 THE WITNESS: Officer Snead --
12 DETECTIVE SNEAD: Robert did this. Robert
13 said that he saw this. Robert did this part of this,
14 but he didn't do this part. Because Robert wouldn't do
15 that. Robert is in there in a bad spot, and he's in a
16 position where he can't change anything, and he doesn't
17 know what to do. He's scared.
18 That's why I'm here for you, Robert. If
19 you're scared, you've got to let me help you, but I
20 can't help you.
21 THE WITNESS: I'm scared shitless.
22 DETECTIVE SNEAD: I know you are, Robert. I
23 know you're scared.
24 THE WITNESS: I mean, even if I say that I
25 did something, still that would bring it down on me for

13 (Pages 46 to 49)

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1 something I didn't do.
2 DETECTIVE SNEAD: Robert, that's not true.
3 If you -- if you told the truth, and you work with me,
4 I'm going to walk you through everything. I'm going to
5 take you and I'm going to explain to you and I'm going
6 to tell you what's coming, how it's going to happen.
7 THE WITNESS: Well, what's coming and how is
8 it going to happen?
9 DETECTIVE SNEAD: Not until we get you to
10 talk to us truthfully and say your parts of it. We
11 can't move until we get the truth, son. I can't sit
12 here and just say, This is what I have, this is what I
13 have. Two other people -- or three other people,
14 actually, or four, or something like that, and tell us,
15 Hey, this is what happened, this is what took place.
16 And you are going to sit here and play the fool, like
17 nothing happened, I did nothing. Then I'm just going
18 to take what we have and go to court.
19 THE WITNESS: I know. I'm sorry.
20 DETECTIVE SNEAD: And tell the judge, I mean,
21 you know, Your Honor, he won't cooperate. He denies
22 anything, but look here. Here's the evidence. Here's
23 this. You've heard this person's story. You've heard
24 this person's story. And then you've got Robert's
25 story, that he didn't do nothing. And he's going to

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1 go. Well, you know what, guilty, blah, blah, blah.
2 Guilty, blah, blah, blah. Guilty, and you didn't
3 cooperate or help.
4 THE WITNESS: I wish I could help. See,
5 that's the only thing I wish I could help, but I don't
6 know nothing. I mean, just for me to know what you
7 know right now. I would love to know.
8 DETECTIVE SNEAD: I'm sure you would, because
9 you would like to know what I know. But I'm not going
10 to tell you what I know.
11 THE WITNESS: I know you're not.
12 DETECTIVE SNEAD: Because you know. I need
13 you to tell me what I already know. That's what I
14 need.
15 THE WITNESS: I will tell you -- I will take
16 a polygraph test to prove to you.
17 DETECTIVE SNEAD: Robert, we don't have that
18 available right now. We need --
19 THE WITNESS: Right now.
20 DETECTIVE SNEAD: The polygraph is you, now.
21 Your actions. Like I said, the polygraph is in the
22 evidence. The polygraph is in the action that has
23 already taken place. That's the polygraph. Actions
24 that have already taken place. Evidence doesn't lie.
25 Actions don't lie. They don't lie, son. This is --

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1 THE WITNESS: Okay. Okay. Check this out.
2 Check this out. What if somebody broke into my house
3 and took my things and I haven't realized it. Because
4 I know I am missing for about -- it's been about a week
5 now I am missing an old-timey knife that was given to
6 me for Christmas. But that could possibly still be in
7 my room, because my room is a mess.
8 DETECTIVE SNEAD: Yeah. They're getting --
9 it's going through right now. They're going through
10 everything up there.
11 THE WITNESS: And I take responsibility over
12 my bong, because I don't want my mom to lose her house.
13 DETECTIVE SNEAD: Well --
14 THE WITNESS: I want all responsibility,
15 because I can't do that to my mom. I cannot do that to
16 my mom, because she has worked so hard to have that
17 house, to put over my head.
18 DETECTIVE SNEAD: Well, what's going to
19 happen to your mom if you continue to sit here and do
20 this, I didn't do nothing thing?
21 THE WITNESS: She'll be devastated, but --
22 DETECTIVE SNEAD: So, you go to court. And
23 yeah, she might have to move out anyway. To get away
24 from things. Because you're not cooperating and
25 helping yourself at all. That's putting your mom in a

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1 bad spot.
2 Robert, you are already in the bad spot. You
3 remember how we used to talk in school? Talk to me.
4 Look at me, Robert. Talk to me. Look at me, man. You
5 know how we used to have to look at each other so we
6 would understand what each other is saying. When you
7 don't make eye contact, it shows you've got something
8 to hide or you are ashamed or something. So, let's
9 look eye-to-eye. Let's talk.
10 Do you remember the old saying when we are
11 doing something wrong, and we start going down that
12 hill? Until we get ourselves straight and start doing
13 the right thing, that's when we hit the brakes and we
14 start going back up the hill. Do you remember when we
15 talked about that?
16 THE WITNESS: No, it wasn't me.
17 DETECTIVE SNEAD: Yeah, we did. We talked
18 about it a few times, my friend. Talked about it in
19 class, and stuff. Now, right now, you are going down
20 the hill and you are at the bottom. We are at the
21 bottom. Now, the only thing you can do is to help
22 yourself start coming back up that hill. You've
23 already done the worst, but to top that off with the
24 real worst would be to start going and digging a hole.
25 You don't want to dig a hole, Robert.

14 (Pages 50 to 53)

<p style="text-align: right;">Page 54</p> <p>1 THE WITNESS: I'm not trying to dig a hole. 2 I'm trying to -- 3 DETECTIVE SNEAD: Then tell the truth. 4 THE WITNESS: I know. 5 DETECTIVE WALLS: You need to tell the truth, 6 Robert. 7 THE WITNESS: I am telling you the truth. I 8 wish -- I wish you could see that I am telling the 9 truth. I wish there was a polygraph test right here. 10 DETECTIVE WALLS: You know, I wish that there 11 wasn't no evidence to say that you were in the house. 12 THE WITNESS: I wish -- I was not in the 13 house, though. I was nowhere near that house. 14 DETECTIVE SNEAD: What do you think, 15 Detective Walls? Should we even keep wasting our time 16 with it? 17 DETECTIVE WALLS: Robert -- 18 THE WITNESS: I'm not going to lie to you 19 all, man. 20 DETECTIVE WALLS: Robert -- 21 THE WITNESS: I'm not going to lie to you. 22 Come on. Let's go. Let's go. Because you all are -- 23 DETECTIVE WALLS: Robert -- 24 THE WITNESS: You all are tired? You all are 25 tired? I am ready to go --</p>	<p style="text-align: right;">Page 56</p> <p>1 THE WITNESS: What was I wearing? Well, I'll 2 be damned. I think I was wearing this. I think I was 3 wearing -- I haven't changed in days. 4 DETECTIVE WALLS: Okay. So, these shoes, 5 these pants, that shirt, and your coat. 6 THE WITNESS: Probably not these shoes. 7 DETECTIVE WALLS: What shoes did you have on, 8 Robert? 9 THE WITNESS: I own too many pairs of shoes, 10 but I think I could have had these shoes on. 11 DETECTIVE WALLS: You may have. Okay. Now - 12 THE WITNESS: I honestly think I did, because 13 they were dry, because I went sleigh riding in my other 14 shoes. 15 DETECTIVE WALLS: And you went sleigh riding 16 Tuesday during the day? 17 THE WITNESS: Tuesday during the day. 18 DETECTIVE WALLS: And you had a different 19 pair of shoes on when you were sleigh riding? 20 THE WITNESS: Yes, I did. 21 DETECTIVE WALLS: Were they tennis shoes? 22 THE WITNESS: Yes, they were. 23 DETECTIVE WALLS: Okay. What kind are they? 24 THE WITNESS: What kind are these? Are these 25 my [Unintelligible]? So they were some off brand,</p>
<p style="text-align: right;">Page 55</p> <p>1 (All talking at once. None decipherable) 2 3 DETECTIVE SNEAD: I'm tired of -- 4 THE WITNESS: Bullshit. Bullshit. Because 5 you all are saying that I'm lying, I'm lying. Bull. 6 I'm lying. I'm not lying. 7 DETECTIVE WALLS: Let's talk about some of 8 the things that happened on Tuesday night. You went 9 to- you went with your mom. Where did you go with your 10 mom? 11 THE WITNESS: Behind Robin's fruit stand with 12 her and her boyfriend and her boyfriend's boss. 13 DETECTIVE WALLS: Okay. What did you all do 14 up there? 15 THE WITNESS: They played music. I was sick 16 as a dog. I laid there. 17 DETECTIVE WALLS: Okay. This is a friend's 18 house? 19 THE WITNESS: What? I don't know -- 20 DETECTIVE WALLS: Your mom's friend's house. 21 THE WITNESS: My mom's boyfriend. 22 DETECTIVE WALLS: Okay. 23 THE WITNESS: I think it's his boss. His 24 name is Andy. 25 DETECTIVE WALLS: What were you wearing?</p>	<p style="text-align: right;">Page 57</p> <p>1 because these are my good shoes. 2 DETECTIVE WALLS: Were they grey or white or- 3 THE WITNESS: They've got blue on them, 4 maybe. 5 DETECTIVE WALLS: Blue? 6 THE WITNESS: And white, I think. I couldn't 7 tell you, because I wear these mostly. But I know 8 they're like black and grey, and possibly blue. 9 DETECTIVE WALLS: And you had these pants. 10 THE WITNESS: I think so. 11 DETECTIVE WALLS: Do you know what time you 12 all went to eat, or went up there to play music? 13 THE WITNESS: It was about 10. I reckon we 14 got home around 12, 1 o'clock. 15 DETECTIVE WALLS: Okay. Who came home with 16 you? 17 THE WITNESS: Me, Mom, and my mom's new 18 boyfriend, Bruce. 19 DETECTIVE WALLS: Okay. Bruce. What 20 happened when you all got home? 21 THE WITNESS: I went upstairs and went to 22 sleep because I was just feeling miserable. I was so 23 sick. 24 DETECTIVE WALLS: Did you change clothes, or 25 do you sleep in your clothes?</p>

15 (Pages 54 to 57)

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1 THE WITNESS: I sleep naked.
2 DETECTIVE WALLS: You sleep naked?
3 THE WITNESS: Yes, I do. I sleep with a fan
4 on.
5 DETECTIVE WALLS: Okay. So you went home at
6 and went to bed at 12 o'clock or 1 o'clock?
7 THE WITNESS: I felt like shit. I told my
8 mom, I said, Look, I'm not having fun. We need to go
9 home. I don't feel good. So after a while we left, and
10 I went home and went to sleep.
11 DETECTIVE WALLS: Okay. Where do you sleep
12 at?
13 THE WITNESS: I sleep upstairs.
14 DETECTIVE WALLS: How many bedrooms do you
15 all have upstairs?
16 THE WITNESS: Two.
17 DETECTIVE WALLS: Which bedroom do you sleep
18 in?
19 THE WITNESS: The one over my mom's bedroom.
20 DETECTIVE WALLS: Okay. When you go up the
21 stairs, is it --
22 THE WITNESS: You take a right.
23 DETECTIVE WALLS: It's on the right. Okay.
24 Is there another bedroom upstairs?
25 THE WITNESS: Yes. There's nothing in it.

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1 DETECTIVE WALLS: There's nothing in that
2 one. Where does your mom sleep?
3 THE WITNESS: Downstairs.
4 DETECTIVE WALLS: Downstairs. Right
5 underneath your bed?
6 THE WITNESS: Right underneath my bedroom.
7 DETECTIVE WALLS: Right underneath your
8 bedroom?
9 THE WITNESS: Yes.
10 DETECTIVE WALLS: What time did your mom go
11 to bed?
12 THE WITNESS: Probably as soon as -- as soon
13 as she -- as we got there.
14 DETECTIVE WALLS: Did you get up in the
15 night?
16 THE WITNESS: Uh-uh.
17 DETECTIVE WALLS: Is there any reason anybody
18 would have said they saw you after midnight Wednesday
19 morning -- that would be Tuesday night after midnight--
20 any reason why anybody would have saw you on the street
21 that night, after midnight? Did you go out for any
22 reason after midnight? Any reason, out on the street.
23 THE WITNESS: No, because my asthma was bad
24 and I felt like shit. I could not move and as soon as
25 my head hit that pillow, I was out like a light. When

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1 I sleep, I sleep hard. I don't get up.
2 DETECTIVE WALLS: Did your mom get up any?
3 THE WITNESS: How am I supposed to know that?
4 You could stick a stick of dynamite underneath me.
5 DETECTIVE WALLS: You didn't hear -- did you
6 hear anything?
7 THE WITNESS: No, I did not.
8 DETECTIVE WALLS: Okay. And when did you
9 wake up? What time?
10 THE WITNESS: I woke up at about between 8
11 and 9:30. I couldn't tell you specific because I don't
12 know what time my friend got there and woke me up, but
13 I think it was 8:30.
14 DETECTIVE WALLS: What friend was that?
15 THE WITNESS: That would be the one that was
16 with me tonight.
17 DETECTIVE WALLS: Did he stay with you that
18 night?
19 THE WITNESS: No, he did not. He was, I
20 think, at his place in Staunton, with his father.
21 DETECTIVE WALLS: Okay. So was he there
22 whenever you went up to the fire?
23 THE WITNESS: What? He was there, and then
24 he left, because he didn't go. He didn't walk with me.
25 I went next door, and said, Billy, come on with me.

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1 DETECTIVE WALLS: Who do you hang out with?
2 Who would you say are some of your closest friends,
3 Robert?
4
5 (Detective Snead exits room, time unclear)
6
7 THE WITNESS: Kevin.
8 DETECTIVE WALLS: Kevin.
9 THE WITNESS: That's all.
10 DETECTIVE WALLS: That's your only friend?
11 THE WITNESS: Yes. I have accomplices, or
12 whatever that word is where you know people.
13 DETECTIVE WALLS: Accomplice --
14 acquaintances.
15 THE WITNESS: Yeah, acquaintances. I have
16 them. People I hang out with, but I stay with him,
17 because he keeps me out of trouble. I mean, he has
18 kept me out of so much trouble with fighting and
19 everything. Because I am 18, and I know a couple big
20 guys, about my size, that want to fight me. And one of
21 them's name is Ty Herman. He keeps -- I have taken him
22 to the office and he has denied it.
23 DETECTIVE WALLS: So what is his name?
24 THE WITNESS: Ty Herman.
25 DETECTIVE WALLS: Okay.

16 (Pages 58 to 61)

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1 THE WITNESS: He's a big guy with short black
2 hair. He's about my build.
3 DETECTIVE WALLS: And he wants to fight you?
4 Are you all like enemies?
5 THE WITNESS: I mean, I don't say I'm enemies
6 with nobody, because I want to get along with
7 everybody, I try to get along with everybody because I
8 know at this point, with me being 18, I've got to watch
9 a whole lot of things. And since he's younger than me,
10 I cannot hit him.
11 DETECTIVE WALLS: But he's trying to get you
12 to fight?
13 THE WITNESS: He's tried many times.
14 DETECTIVE WALLS: Well, why would he do that?
15 I mean, does he dislike you?
16 THE WITNESS: Yes, he dislikes me. I believe
17 so.
18 DETECTIVE WALLS: Why?
19 THE WITNESS: Because I believe it all
20 started when I said something to his sister on the bus,
21 and then the next morning he comes on the bus cussing
22 me out and wanting to fight me then.
23 DETECTIVE WALLS: When did this happen?
24 THE WITNESS: Towards the beginning of the
25 school year.

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1 THE WITNESS: There are people that I don't
2 like or don't like me.
3 DETECTIVE WALLS: Tell us. Now is the time
4 to tell us. I mean, if somebody is making this up,
5 this story against you, tell me who you have had
6 problems with.
7 THE WITNESS: When you say who I have
8 problems with, what do you mean?
9 DETECTIVE WALLS: Who do you think would
10 accuse you of killing someone?
11 THE WITNESS: I'm trying to think if anybody
12 would accuse me.
13 DETECTIVE WALLS: They have.
14 THE WITNESS: They have. I'm --
15 DETECTIVE WALLS: Do you think Ty?
16 THE WITNESS: I don't know. I couldn't tell
17 you. I don't think -- see, I know Ty. I don't think
18 he would do something that stupid. I don't think he
19 would do nothing like that.
20 DETECTIVE WALLS: Who else do you think might
21 do something like that?
22 THE WITNESS: I talk to this guy in school.
23 DETECTIVE WALLS: Who is that?
24 THE WITNESS: He's the one that broke into
25 the church the first time, one of the ones that broke

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1 DETECTIVE WALLS: So, like, October?
2 THE WITNESS: Probably not that late.
3 Probably not November.
4 DETECTIVE WALLS: So you all had words.
5 THE WITNESS: We've had words.
6 DETECTIVE WALLS: So you and Ty, you had
7 words?
8 THE WITNESS: Yes. I'm so nervous I can't
9 even spit.
10 DETECTIVE WALLS: It's okay. Just relax.
11 THE WITNESS: No, it's not okay. I have no
12 reason to be nervous, you know? I have no reason to be
13 nervous.
14 DETECTIVE WALLS: Who else may be your -- I
15 don't know if enemy is a good word, but anybody else?
16 THE WITNESS: I try to get along with
17 everybody, I honestly do.
18 DETECTIVE WALLS: Well, let's -- if we're
19 honest, we've got people who are saying you did this.
20 So, who do you think would say that?
21 THE WITNESS: I don't know. I mean, I
22 honestly don't know.
23 DETECTIVE WALLS: I mean, now is the time.
24 If you can think of any -- even if you don't know for
25 sure. If you have an idea --

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1 into the church the first time.
2 DETECTIVE WALLS: Who?
3 THE WITNESS: Michael Carter.
4 DETECTIVE WALLS: Okay.
5 THE WITNESS: I mean, we talk and what not.
6 It's just -- I don't know. We talk. We hang out at
7 school.
8 DETECTIVE WALLS: Okay.
9 THE WITNESS: We're cool with each other.
10 But honestly, other than that, I don't know anybody who
11 would accuse me of killing somebody. I mean, I'd never
12 wish death upon anybody. You know? I'd never want to
13 hurt anyone.
14 DETECTIVE WALLS: Any more? Anybody, and I
15 mean anybody, else? Anybody at all?
16 THE WITNESS: I don't know. I heard today,
17 like I said -- I was on my way to Staunton and Mark
18 Perry said something that this kid named Matt said that
19 I did it. And I said I didn't have nothing to do with
20 it.
21 DETECTIVE WALLS: Why would some kid named
22 Matt say that you did it?
23 THE WITNESS: Because he runs his mouth all
24 of the time. Runs his mouth, runs it, runs it, runs
25 it, runs it, doesn't quit. He likes to start things,

17 (Pages 62 to 65)

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1 get things started, see how far he can push people. I
2 mean, this kid is like 12. But, I mean, I don't know.
3 DETECTIVE WALLS: Let me ask you something
4 else, Robert. Who do you think did it? Who do you
5 think killed Ann?
6 THE WITNESS: Well, see, I have been hearing
7 that it could have possibly been her husband because
8 they were in the middle of a divorce, and I heard that
9 he was there that night but then left that morning
10 early. And that's what I heard.
11 DETECTIVE WALLS: What else have you heard?
12 THE WITNESS: Pretty much that's it.
13 DETECTIVE WALLS: That's the only story
14 you've heard?
15 THE WITNESS: Yeah.
16 DETECTIVE WALLS: Crozet's a little town.
17 There's a lot of stories going around.
18 THE WITNESS: And when I heard that there
19 were still people in there, I mean, it hurt me so bad
20 that I initially wanted to risk my life to go in there,
21 because I knew the fire department was just standing
22 there. I mean, I'm sure they were doing their jobs,
23 doing what they had to, but when I heard that there was
24 two people in there still -- I mean, I just wanted to
25 go in there and help.

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1 DETECTIVE WALLS: You just wanted to help?
2 THE WITNESS: I just wanted to help.
3 Because, you know, I know her from when she worked at
4 Amoco. She was a very nice person.
5 DETECTIVE WALLS: You worked at Amoco for a
6 while, didn't you?
7 THE WITNESS: I worked at Amoco for a while,
8 and I knew her from when she was working there. I think
9 she was working there after I had left. I knew her
10 from there. We were always nice to each other. She
11 would talk to me, I'd talk to her.
12 DETECTIVE WALLS: You know what, that's the
13 first thing that you've said that I believe, is that
14 you wanted to help.
15 THE WITNESS: I mean, if I didn't --
16 DETECTIVE WALLS: I believe that. But I
17 still think you know more than what you're telling us.
18 Maybe this happened and you didn't want it to happen,
19 or you didn't know it was going to happen. But I
20 believe you went in the house. And you know, we can't
21 reveal -- I can't tell you all the evidence we have.
22 But, Robert, do you think -- I mean, we don't get
23 warrants like this every day.
24 THE WITNESS: I know.
25 DETECTIVE WALLS: And do you think we would

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1 come to you for no reason? I mean, really. Do you
2 think we would come for you for no reason?
3 THE WITNESS: No, I do not.
4 DETECTIVE WALLS: So we do know some things.
5 And I believe that you were going to help.
6 THE WITNESS: I did. I did --
7 DETECTIVE WALLS: But, Robert --
8 THE WITNESS: Even when the fire department
9 told me to go get oxygen tanks.
10 DETECTIVE WALLS: You did. You did.
11 THE WITNESS: I ran down there, and I ran
12 back.
13 DETECTIVE WALLS: I know. I believe that. I
14 also believe you know who else went in that house. And
15 if you did this and didn't know that was going to
16 happen, now is the time. Now is the time.
17 THE WITNESS: I know, I know. But see, I
18 mean --
19 DETECTIVE WALLS: Because we're going to show
20 that you were in the house. We are going to be able to
21 prove that you were in the house. What we can't --
22 what we can't say for you is what you did. If you were
23 in the house looking through stuff, looking for money,
24 things like that --
25 THE WITNESS: See, I don't have to worry

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1 about money, though.
2 DETECTIVE WALLS: See, I don't know whether
3 it was for money.
4 THE WITNESS: If I need money, all I have to
5 do is ask my mom.
6 DETECTIVE WALLS: I don't know what was going
7 on.
8 THE WITNESS: If I want something, all I have
9 to do is just ask my mom.
10 DETECTIVE WALLS: Well, okay.
11 THE WITNESS: And she will try her hardest to
12 get it for me. Just like --
13 DETECTIVE WALLS: But I know -- I know that
14 you were in the house.
15 THE WITNESS: I was not in the house. I was
16 nowhere near the house. I was in my room sleeping.
17 DETECTIVE WALLS: I just -- I don't want --
18 because I know you, and I don't -- you probably don't
19 remember me as well as you remember Detective Sned,
20 but I --
21 THE WITNESS: You were standing up with
22 what's his name. I didn't like him.
23 DETECTIVE WALLS: Officer Diaz.
24 THE WITNESS: Yeah.
25 DETECTIVE WALLS: I come out there one time,

18 (Pages 66 to 69)

<p style="text-align: right;">Page 70</p> <p>1 and I think you and Officer Diaz was not getting along, 2 and we kind of -- me and you talked for a while. 3 THE WITNESS: That was back when we all sat 4 on the wall. 5 DETECTIVE WALLS: Yeah. We spent a long time 6 together. We spent a long time together. And I've sat 7 at your house. I've sat at your house. I found 8 marijuana in your room, and I didn't charge you with 9 it. 10 THE WITNESS: My bong. It was no marijuana, 11 it was my bong. 12 DETECTIVE WALLS: Your bong. I took that 13 bong, and I didn't charge you with it. 14 THE WITNESS: That was the night that I was 15 going to the hospital. 16 DETECTIVE WALLS: I think we took you to the 17 hospital, but then you were going to go stay with your 18 aunt or something. 19 THE WITNESS: No, they shipped me off to 20 Poplar Springs and they shipped me to Tucker's 21 Pavilion, and then I went home with my mom. 22 DETECTIVE WALLS: Is that how it went? Okay. 23 But you and your mom were having some problems then. 24 THE WITNESS: Yes, we were. 25 DETECTIVE WALLS: And you all have worked</p>	<p style="text-align: right;">Page 72</p> <p>1 But I didn't do nothing. 2 DETECTIVE WALLS: See, we've got to get past 3 this. It's going to show that you were in there. The 4 evidence shows you were in there. The evidence shows 5 you were in that house. 6 THE WITNESS: Is there any way I can get some 7 water to take my penicillin and my prednisone? 8 DETECTIVE WALLS: Sure. Sure. Yeah. Where 9 is that at? 10 THE WITNESS: I'm -- 11 DETECTIVE WALLS: It's in your book bag? 12 THE WITNESS: Officer Snead knows where it's 13 at. 14 DETECTIVE WALLS: Okay. 15 THE WITNESS: My prednisone should be in my 16 book bag, along with my hat and my wallet chain and my 17 wallet, and a piece of paper. 18 DETECTIVE WALLS: So Detective Snead knows 19 where all your medicine is. And you need your 20 penicillin and your -- 21 THE WITNESS: Prednisone. If we're going to 22 continue to work on this. And some water because I 23 can't spit and I can't swallow. 24 DETECTIVE WALLS: We'll get you some water. 25</p>
<p style="text-align: right;">Page 71</p> <p>1 that out. 2 THE WITNESS: I want to go home. I want to 3 go home now. I didn't do anything. 4 DETECTIVE WALLS: You did do something. But 5 I need to know what you did. You were in the house. 6 THE WITNESS: I did not go in the house. 7 DETECTIVE WALLS: You were in the house. 8 This is the threshold that we need to get to. Man, I 9 don't want to see this happen to you. I don't want to 10 see this happen to you. I don't want your mother to 11 see this happen to you. 12 THE WITNESS: I'll kill myself before -- 13 DETECTIVE WALLS: We don't want anybody to 14 kill anybody. 15 THE WITNESS: Because I do not want to go 16 down, because I did not have nothing to do with it. 17 DETECTIVE WALLS: We know you didn't. We 18 know you didn't. You didn't have anything to do with 19 what happened upstairs. But you need to at least let 20 us know that you were there, because everybody else was 21 saying what their role was. And if they're making this 22 up about what you did, I need to know what you did. I 23 need to know what you did in that house. Because it 24 makes a different. 25 THE WITNESS: I know it makes a difference.</p>	<p style="text-align: right;">Page 73</p> <p>1 (Detective Walls exits room, 3:10 a.m.) 2 3 (Nebulizer running) 4 5 (The witness knocks on door, 3:13 a.m.) 6 7 THE WITNESS: I don't want the prednisone. 8 It will keep me up all night. 9 DETECTIVE SNEAD: What? 10 THE WITNESS: I don't want the prednisone, it 11 will keep me up all night. 12 13 (Detective Snead reenters room, 3:13 a.m.) 14 15 (Nebulizer running) 16 17 THE WITNESS: Is there any chance that I'll 18 be able to talk to my mom? 19 DETECTIVE SNEAD: Well, once we get the story 20 and the truth about everything that took place, yes. I 21 can probably do that for you. But if you can't -- if 22 we can't get you to talk the truth, which you know it 23 is, but it's just a matter of us hearing it from you 24 about what your involvement was, then we'll be here I 25 don't know how much longer, and then I'll have to take</p>

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1 you over there.
2 THE WITNESS: Can I have a place to sleep?
3 DETECTIVE SNEAD: I can work with that. I
4 can work with you, Robert, if you work with me.
5 THE WITNESS: Because I am tired as hell.
6 DETECTIVE SNEAD: I understand you're tired.
7 But you have to understand this. I've been working
8 hard, too, and I'm tired. But the quicker you start
9 cooperating --
10 THE WITNESS: Officer Snead, I'm trying. I'm
11 trying to cooperate.
12 DETECTIVE SNEAD: The quicker we can get you
13 working with us --
14 THE WITNESS: I know. I know. But I'm
15 trying.
16 DETECTIVE SNEAD: Robert --
17 THE WITNESS: I'm trying my hardest to
18 cooperate.
19 DETECTIVE SNEAD: Robert, but you're not,
20 son. You're sitting here. And you know what, I'll pat
21 you on the back. You're trying to do your part and not
22 tell nobody, because that's what everyone said to do.
23 Don't say a word, we have to keep this between us.
24 That's fine. I even see you doing that.
25 But you know what? Guess what's happened?

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1 Were you drinking? Were you drinking some that night?
2 THE WITNESS: [Unintelligible]
3 DETECTIVE SNEAD: [Unintelligible] Maybe you
4 just stood guard. Maybe that's what you did. But
5 you've got to tell me that. If you don't tell me that,
6 Officer Snead, Detective Snead, I was down the steps, I
7 sat on the [Unintelligible], but I didn't do this, and I
8 didn't do that, this is who did. If you don't say that
9 and give me that to work with, then I [Unintelligible]
10 give you anything and that doesn't help you, that
11 doesn't help your mom. That doesn't help the
12 situation.
13 THE WITNESS: I know, because I'm dead. I'm
14 dead after the court session.
15 DETECTIVE SNEAD: Why is that?
16 THE WITNESS: Because I did not do nothing,
17 and I'm falsely accused. And I don't want to spend
18 life in jail or get the death penalty.
19 DETECTIVE SNEAD: Why would you be dead after
20 court? Who would bother you?
21 THE WITNESS: Who?
22 DETECTIVE SNEAD: Who would bother you?
23 THE WITNESS: Me. I swear, if I go down for
24 something I did not do --
25 DETECTIVE SNEAD: Robert, you're going to go

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1 THE WITNESS: I'm digging a hole that I'm not
2 supposed to be in.
3 DETECTIVE SNEAD: And no one else is keeping
4 that pact. No one. They are just -- I mean, everyone
5 who is involved, they're saying who all was involved.
6 But you know, the thing is -- the whole reason I'm
7 talking to you is because I want you to tell me what
8 part you were involved with, so I can go back and talk
9 to them again and say, You know what, Robert said he
10 did this part, but he didn't do this part. And Robert
11 said you did this part, and he didn't do this part.
12 I've got to be able to do that, to tell the judge that.
13 But if you don't tell me and give me something to work
14 with.
15 THE WITNESS: I understand. I understand.
16 I'm trying to give you stuff to work with, but how can
17 I give you stuff to work with if I don't know?
18 DETECTIVE SNEAD: By telling me who --
19 THE WITNESS: My asthma is really acting up,
20 man.
21
22 (Nebulizer running)
23
24 DETECTIVE SNEAD: By telling me who did what,
25 what was done by who, where you were, what you did.

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1 down for doing something you did not do --
2 THE WITNESS: But I --
3 DETECTIVE SNEAD: -- because evidence is
4 going to link everybody there. The attempt to hide
5 what was done failed. Okay?
6 I went down to the autopsy yesterday. I sat
7 in a lab in Richmond for about eight hours and saw the
8 evidence pulled off of people. Pulled off of pieces of
9 material. I did that. And I am telling you the God's
10 honest truth right now. And, son, the attempt to hide
11 what took place did not work. It didn't work. There
12 are certain things that just don't work, even as much
13 as people try to. And I think I need to tell you that--
14 THE WITNESS: When can I have my penicillin?
15 I need to take my third dose, because I haven't taken
16 it.
17 DETECTIVE SNEAD: I will give you the
18 penicillin once we get going, okay? You work with me
19 and I'll work with you. Okay? But you need to
20 understand --
21 THE WITNESS: Can you take me to the
22 bathroom, please?
23 DETECTIVE SNEAD: You want to go to the
24 bathroom? When we come back from the bathroom, are we
25 going to work together then?

20 (Pages 74 to 77)

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1 THE WITNESS: I'm working with you right now.
2 DETECTIVE SNEAD: But you know what I mean.
3 You've got to work better than this, because you know
4 what I'm talking about. And I just gave you one of my
5 cards. I didn't have to do that, but I felt like I'm
6 going to stand out on a ledge, because I think Robert
7 wants to know what exactly it is that I know. Well,
8 I'm telling you, Robert, stuff was not destroyed like
9 it was hoped to be. All right? And I know that for a
10 fact. The lab in Richmond, Virginia knows that.
11 And that's why we're here today. And that's
12 why lying is not going to do any good, and that's why I
13 want to try to help you as much as I can. But if you
14 don't start talking the truth and helping the situation
15 and explaining who did what and what Robert did, then I
16 don't know what else I can help you with. Do you
17 understand me, man? I'm really, sincerely trying to
18 help you.
19 THE WITNESS: And I'm really sincerely trying
20 to help you.
21 DETECTIVE SNEAD: Well, maybe you think you
22 are, but now that I just told you what I know.
23 THE WITNESS: You didn't tell me except for
24 the autopsy and --
25 DETECTIVE SNEAD: That's right. And stuff

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1 (Detective Snead and the witness exit room, 3:21 a.m.)
2
3 (The witness reenters room, 3:24 a.m.)
4
5 DETECTIVE SNEAD: Where is it, in this bag
6 here?
7 THE WITNESS: I guess that's where it is.
8 That's where -- I don't know where y'all put my stuff
9 when y'all took it out of my pockets.
10 DETECTIVE SNEAD: So it was in your pocket?
11 It's probably here then. Come here.
12
13 (The witness exits room, 3:24 a.m.)
14
15 DETECTIVE SNEAD: See, I'm willing to help
16 you, Robert. It's no big deal, man.
17 THE WITNESS: Have you gotten rid of the
18 [Unintelligible] in there yet?
19 DETECTIVE SNEAD: [Unintelligible].
20
21 (Detective Snead and the witness reenter room, 3:24
22 a.m.)
23
24 THE WITNESS: I'm going to say it one last
25 time. I've had that thing for three years. It was the

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1 was not destroyed. Stuff was not destroyed. It
2 wasn't. I can go down to the -- I could go down to
3 what [Unintelligible].
4 THE WITNESS: Huh?
5 DETECTIVE SNEAD: I mean, we can go as far
6 down as what was used. I could tell you that. But I'm
7 not. But I could tell you. After we get to talking,
8 maybe I can tell you what it was, because I know that
9 it wasn't destroyed. I mean, that's the problem. I
10 mean, lying -- I mean, that's like when we spoke to the
11 other subjects.
12 They started out the same way. They did the
13 same little trick, you know. I didn't do it, I didn't
14 do it, I wasn't there. Well, then I started telling
15 them, This is what we have. This is what we did. And
16 guess what? They started talking. And sure enough,
17 when they started talking, I started sharing. I
18 started sharing stuff that I had with them. And we
19 started getting somewhere. And then we came up with
20 what they did. But of course, they also spoke on what
21 other people did.
22 THE WITNESS: I need to go to the bathroom.
23 DETECTIVE SNEAD: You need to go to the
24 bathroom? All right. I'll take you to the bathroom
25 real quick.

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1 first one I ever used.
2 DETECTIVE SNEAD: Take your medicine, man.
3 THE WITNESS: It's cold in here.
4 DETECTIVE SNEAD: All right, Robert. Let's
5 get down to it, man. Let's get down to what we're both
6 here for. You know why. You know what we're talking
7 about.
8 THE WITNESS: You lied to me about that
9 thing.
10 DETECTIVE SNEAD: On what thing? This.
11 THE WITNESS: You just wrote down B and E.
12 DETECTIVE SNEAD: That's all I have to do, is
13 just write down one thing. I got a warrant for B and
14 E. I was hoping just to start out with that, and then
15 I would have had to --
16 THE WITNESS: That's not what you told me.
17 Because I didn't do nothing.
18 DETECTIVE SNEAD: Then tell me what you did
19 do.
20 THE WITNESS: Randy, I was in my house,
21 asleep. I swear to you. I could not go downstairs
22 without my mom waking up, because the stairs make too
23 much noise.
24 DETECTIVE SNEAD: I've been in your house,
25 Robert.

21 (Pages 78 to 81)

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1 THE WITNESS: You never went upstairs.
2 DETECTIVE SNEAD: Yeah, I did. I went
3 upstairs a little bit ago. I went to your room,
4 actually. Your room is on the right at the top of the
5 stairs. You've got your bed sitting right there, the
6 closet on the left.
7 THE WITNESS: And what was the first poster
8 that you see when you walk in?
9 DETECTIVE SNEAD: First poster? There was a
10 bunch of stuff on the walls.
11 THE WITNESS: What was the first thing that
12 you see?
13 DETECTIVE SNEAD: I didn't pay attention to
14 the posters. There was a poster of -- I didn't pay
15 attention to a certain posters. But I did see some
16 type of stick thing on the ground right there that I
17 stepped over.
18 THE WITNESS: What it did it look like?
19 DETECTIVE SNEAD: A kind of whitish, ivory
20 looking thing.
21 THE WITNESS: You were in my room.
22 DETECTIVE SNEAD: Yeah.
23 THE WITNESS: That was my walking stick. I
24 bought it --
25 DETECTIVE SNEAD: I thought that's what it

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1 THE WITNESS: From people.
2 DETECTIVE SNEAD: Who.
3 THE WITNESS: They said that they seen her
4 husband.
5 DETECTIVE SNEAD: Robert.
6 THE WITNESS: I heard that people think that
7 her husband was the one that did it, because they were
8 in the middle of a divorce.
9 DETECTIVE SNEAD: That's what everybody wants
10 to believe, yeah, that's right.
11 THE WITNESS: And that's all I've heard.
12 DETECTIVE SNEAD: And that's not true.
13 That's not true.
14 THE WITNESS: That's all I've heard.
15 DETECTIVE SNEAD: Well, you've heard wrong
16 and you've heard wrong and this whole charade about I
17 don't know nothing is getting old. And I've done
18 nothing but try to give my heart to you, and my efforts
19 to help you. And you don't want to do that, you don't
20 want to help yourself. I mean, you're leaving me with
21 very little to work with, if anything. I mean, I don't
22 have -- I mean, I might as well just serve warrants on
23 you and put you in jail.
24 THE WITNESS: But what if it comes back I'm
25 innocent? What if it comes back?

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1 was. I wasn't too sure.
2 THE WITNESS: I bought it from an antique
3 place on the Downtown Mall two years ago. I broke it
4 within a week.
5 DETECTIVE SNEAD: See, Robert. I'm not BS'ing
6 you. I was there. I was at your house. All right?
7 THE WITNESS: Please don't charge my mom with
8 nothing, will you? Please?
9 DETECTIVE SNEAD: Robert, you're asking me to
10 do a lot of things, and I can't get you to even
11 cooperate with telling me what you did when you were in
12 that house that night. And the reason why --
13 THE WITNESS: What if the evidence comes back
14 and says that I was not in that house? What if it
15 comes back and says I was not in that house, I was
16 nowhere around?
17 DETECTIVE SNEAD: Robert, it won't come back
18 and say that.
19 THE WITNESS: It will. It will, because I
20 was not there. I swear to you right now, God strike me
21 dead right now, that I was not there.
22 DETECTIVE SNEAD: Then tell me what you know,
23 Robert. I'll believe you.
24 THE WITNESS: What I know is what I've heard.
25 DETECTIVE SNEAD: From who?

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1 DETECTIVE SNEAD: Robert, it's done. How is
2 it going to change what's done? How is that going to
3 happen? How is it going to change?
4 THE WITNESS: Because I was not there.
5 DETECTIVE SNEAD: God, Robert.
6 THE WITNESS: I swear, I will take anything
7 to prove to you that I was not there. I will hook up
8 to a polygraph test to prove to you that I was not
9 there. I would love to do that right now, to prove to
10 you.
11 DETECTIVE SNEAD: You know what, you could
12 hook up to it, and maybe it will say you're telling the
13 truth. But you know what, you know why they're not
14 used in court? Because people who lie really well and
15 think they lie well get false readings on that
16 sometimes.
17 THE WITNESS: I can't lie. Because if I was
18 lying to you, I would be smiling right now.
19 DETECTIVE SNEAD: Robert, okay. Well, like I
20 said --
21 THE WITNESS: Let's get the whole charade
22 over with.
23 DETECTIVE SNEAD: Talk to me. Exactly.
24 THE WITNESS: I'm trying to talk to you. But
25 I swear to you, I don't know nothing about nothing.

22 (Pages 82 to 85)

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1 Things are missing out of my house, out of my room. I
2 don't know what it is.
3 DETECTIVE SNEAD: What things are missing?
4 How could you know it was missing out of that room?
5 THE WITNESS: I don't know exactly -- I know
6 my old-timey knife was in my room.
7 DETECTIVE SNEAD: Uh-huh.
8 THE WITNESS: I know that for a fact. And I
9 can't -- I haven't been able to find it for about a
10 week now.
11 DETECTIVE SNEAD: Uh-huh.
12 THE WITNESS: About three or four weeks ago,
13 I lost my onyx ring that my mother gave me for
14 Christmas last year.
15 DETECTIVE SNEAD: Uh-huh.
16 THE WITNESS: And my watch that she gave me
17 for Christmas this year.
18 DETECTIVE SNEAD: Uh-huh.
19 THE WITNESS: I'm missing a whole lot of
20 shit. And that old timer could have been used, and I
21 don't know about it. I don't know about it.
22 DETECTIVE SNEAD: Used to do what?
23 THE WITNESS: Whatever was done. Y'all
24 haven't told me what kind of weapon it was, y'all have
25 not told me nothing.

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1 DETECTIVE SNEAD: What was done?
2 THE WITNESS: I don't know. I wish you'd
3 believe me. I swear.
4 DETECTIVE SNEAD: I wish I could. But right
5 now, I can't.
6 THE WITNESS: I know. I know. I know. I
7 just wish --
8 DETECTIVE SNEAD: I can't.
9 THE WITNESS: I wish you would believe me,
10 because I would love to just go home.
11 DETECTIVE SNEAD: I can tell you this, it's
12 not going to happen. And if you know what it was, then
13 why keep playing a charade?
14 THE WITNESS: It's not playing a charade.
15 DETECTIVE SNEAD: To know that something is
16 not going to happen? What does that mean?
17 THE WITNESS: What?
18 DETECTIVE SNEAD: What does that mean?
19 THE WITNESS: [Unintelligible] evidence right
20 away.
21
22 (Detective Walls reenters room, 3:32 a.m.)
23
24 DETECTIVE WALLS: Look what I've got here,
25 man.

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1 DETECTIVE SNEAD: Another one?
2 DETECTIVE WALLS: Yes.
3 DETECTIVE SNEAD: That's it. We've gotten to
4 everybody now.
5 THE WITNESS: That's good.
6 DETECTIVE WALLS: What are the police going
7 to find in your house, Robert? You already told me you
8 had a bong. Anything else up there?
9 THE WITNESS: Knife. A little pocket knife
10 with resin on it.
11
12 (Detective Snead exits room, 3:32 a.m.)
13
14 THE WITNESS: They'll find bowl pieces.
15 They'll find little wooden hangers, tire valves.
16 That's all I have, to smoke weed with.
17 DETECTIVE WALLS: Are you smoking a lot of
18 weed?
19 THE WITNESS: No, I haven't. None. I will
20 tell you the truth, I was smoking weed every day. And
21 since about two weeks ago, I have not had no desire to.
22 I have done it since then, but --
23 DETECTIVE WALLS: Who did you smoke with?
24 THE WITNESS: Pretty much by myself.
25 DETECTIVE WALLS: Where do you get your weed?

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1 THE WITNESS: People.
2 DETECTIVE WALLS: Who?
3 THE WITNESS: From where they get it. I get
4 it, and they just give it to me.
5 DETECTIVE WALLS: Who? It doesn't make --
6 right now, this is --
7 THE WITNESS: It does, because I don't want
8 to be a narc, you know? I mean, I'll see people on the
9 street.
10 DETECTIVE WALLS: You know what? It's
11 interesting that you say that.
12 THE WITNESS: I know it's interesting, but
13 I'm talking about a drug narc.
14 DETECTIVE WALLS: I'm not.
15 THE WITNESS: Because, because, because,
16 because, because that could get them in trouble, and
17 let them lose their houses. You know?
18 DETECTIVE WALLS: We're not interested in
19 that, though. I was just wondering if you had smoked
20 in the last few days. When is the last day you smoked?
21 THE WITNESS: I would say about last Friday.
22 DETECTIVE WALLS: Did you smoke any Tuesday
23 night?
24 THE WITNESS: No.
25 I'm not going home, am I?

23 (Pages 86 to 89)

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1 DETECTIVE WALLS: Huh?
2 THE WITNESS: I'm not going home, am I? I
3 didn't think so. I wish I could help you all, but I
4 can't.
5 DETECTIVE WALLS: No, you're not going home.
6 THE WITNESS: I wish I could help y'all. I
7 swear I do. I wish I could help y'all. I wish I
8 could.
9 DETECTIVE WALLS: Robert --
10 THE WITNESS: I want to.
11 DETECTIVE WALLS: That's up to you.
12 THE WITNESS: I want to help y'all, but I
13 can't, because I don't know nothing.
14 DETECTIVE WALLS: It's up to you. And we're
15 not going to keep going on all night.
16
17 (Nebulizer running)
18
19 THE WITNESS: I have [Unintelligible].
20 DETECTIVE WALLS: Okay.
21 THE WITNESS: Maybe it will help you out.
22 Last week I got weed from a kid in school, okay? And
23 he went around telling people, I got scared and I
24 flushed it. Okay? And then later on that day, I heard
25 that he wanted to meet me somewhere to fight me because

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1 telling you right now.
2 DETECTIVE WALLS: What?
3 THE WITNESS: That they didn't have nothing
4 to do with it.
5 DETECTIVE WALLS: That's not what they're
6 telling us.
7 THE WITNESS: I would say that they are, that
8 I'm saying that too.
9 DETECTIVE WALLS: That's the third person.
10 That's all four of you.
11 THE WITNESS: Can we take a walk and get some
12 water?
13 DETECTIVE WALLS: No, we're not going to take
14 a walk right this minute. I'll get you some water.
15 THE WITNESS: I don't know why I'm thirsty.
16 DETECTIVE WALLS: Because you're nervous, and
17 that's normal.
18 THE WITNESS: But that's the thing, I have no
19 reason to be nervous.
20 DETECTIVE WALLS: Yeah, you do have a reason
21 to be nervous, Robert.
22 THE WITNESS: I have no reason to be nervous.
23 DETECTIVE WALLS: Like I said, we're not
24 going to sit here and do this all night.
25 THE WITNESS: I know.

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1 I flushed it. Because he came up to me and asked me if
2 he could get half of it back, and I told him no,
3 because you think I [Unintelligible] that I got scared
4 and I flushed it. And if he's one of the suspects, I
5 can see why he said that I did it.
6 DETECTIVE WALLS: Who is it?
7 THE WITNESS: His name is Lee Garrison.
8 DETECTIVE WALLS: Lee Garrison?
9 THE WITNESS: Lee Garrison.
10 DETECTIVE WALLS: Lee Garrison?
11 THE WITNESS: If he's one of the suspects, he
12 could have said I did it, just because of that. He
13 could have told his accomplices to say that I did it,
14 for that reason. Because like I said --
15 DETECTIVE WALLS: Who would his accomplices
16 be?
17 THE WITNESS: See, that, I don't know. If he
18 did it -- if he did it, I don't know who did it. I
19 would love to know who did it.
20 DETECTIVE WALLS: Who do you think is sitting
21 over here in this other room?
22 THE WITNESS: I don't know.
23 DETECTIVE WALLS: What do you think they're
24 telling us?
25 THE WITNESS: Probably the same thing I'm

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1 DETECTIVE WALLS: We are really going out on
2 a limb here with you. Would it make you feel better if
3 we told you exactly who was with you?
4 THE WITNESS: Yes, it would because I can
5 tell you who I hang out with, and I can tell you that I
6 would not hang out with these people, because I don't
7 like them.
8 DETECTIVE WALLS: But you know that kind of
9 defeats the purpose, though; right?
10 THE WITNESS: Yeah.
11 DETECTIVE WALLS: You understand that?
12 Because whenever we have to start telling you what you
13 already know --
14 THE WITNESS: See, I don't --
15 DETECTIVE WALLS: But if that helps you,
16 maybe we can do that, and I can tell you who --
17 THE WITNESS: I don't want you to tell me.
18 But I just want to know why they're saying it, because
19 I had nothing to do with this. I swear. I swear to
20 you. I would not sit here right now -- I cannot lie.
21 If I lie, I smile. You can ask anybody that. I just
22 can't do it.
23 DETECTIVE WALLS: I can tell you're lying. I
24 can tell you've been lying the whole time.
25 THE WITNESS: How?

24 (Pages 90 to 93)

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1 DETECTIVE WALLS: I can tell by the way
2 you're acting, the way you're all fidgety, right now.
3 See, you're wanting us to tell you everything. You're
4 wanting me to tell you why I know you're lying. You're
5 wanting me to tell you why I know you were in the
6 house. Because you think you got away with it. And
7 you haven't.
8 THE WITNESS: How could I get away with
9 something that I did not do?
10 DETECTIVE WALLS: Well, you can keep going on
11 with that all day long.
12 THE WITNESS: I mean, that's my story, and
13 I'm sticking to it.
14 DETECTIVE WALLS: And you're going to stick
15 to it.
16 THE WITNESS: Yes, because I did not have
17 nothing to do with it.
18 DETECTIVE WALLS: All right.
19 THE WITNESS: If you all are ready to put me
20 in jail, put me in jail right now because I'm tired,
21 and I'm ready to go to sleep.
22 DETECTIVE WALLS: And it doesn't matter what
23 Rocky says? It doesn't matter what Chastity says, and
24 it doesn't matter what Ty says, does it?
25 THE WITNESS: So Ty is in this?

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1 If they told you everything -- you all
2 obviously think I'm lying. But I'm not. But I'm not.
3 I swear to you that I'm not lying. But I'm ready to go
4 to sleep, so take me. I did not do nothing. You all
5 have evidence that says that I did, but I didn't.
6 DETECTIVE WALLS: Okay.
7 THE WITNESS: I'm tired. I want to go. I
8 want to call my mom and tell her that I love her and
9 I'm sorry for all the pain I've ever put her through.
10 I had nothing to do with this. I never hurt anybody in
11 my life. I've never hurt anybody.
12 DETECTIVE WALLS: We're not saying you hurt
13 anybody.
14 THE WITNESS: I never will hurt anybody.
15 DETECTIVE WALLS: We're not saying you hurt
16 anybody.
17 THE WITNESS: Bullshit.
18 DETECTIVE WALLS: We need to know who hurt
19 somebody.
20 THE WITNESS: Murdering and attempted murder
21 is hurting someone.
22 DETECTIVE WALLS: That's what you're charged
23 with.
24 THE WITNESS: That's what I'm charged with.
25 DETECTIVE WALLS: But that's not what

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1 DETECTIVE WALLS: So everything they're
2 telling us is a lie? Now, you know. You know who's
3 been in here. So you know I'm not full of shit.
4 THE WITNESS: I've had problems with Rocky
5 all my life.
6 DETECTIVE WALLS: So this is all a big
7 conspiracy. They all were willing to commit a murder
8 and go to jail so they can drag you into the middle of
9 it?
10 THE WITNESS: You can talk to my mom. Rocky
11 and I don't get along.
12 DETECTIVE WALLS: I know you and Rocky don't
13 get along. I was out there when you all were thrown
14 off of the bus one night. It still doesn't mean that
15 you all didn't go into that house together.
16 THE WITNESS: I don't associate with Rocky.
17 I talk to him, like the day that it happened. I went
18 up there, because they were all standing on their
19 porch. And then Jessie seemed real concerned about it.
20 I wouldn't think they done it.
21 DETECTIVE WALLS: They told us everything.
22 They told us everything.
23 THE WITNESS: Well, then, if they told you
24 everything, then let's go. I'm ready to go. I'm
25 tired.

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1 happened. That's why we need to talk to you. If you
2 were in that house, if you were in the downstairs and
3 didn't go up, that's what we need to know. In things
4 like this, everybody gets charged with everything. And
5 we work from there. We work from there. Everybody
6 gets charged with everything. But people do different
7 things. If you were just in the house, you were just
8 in the house. That is different. That's what we've
9 been trying to explain to you.
10 THE WITNESS: I understand that, but if I was
11 to say that, then that would link me up and tie me to
12 everything, which I did not do.
13 DETECTIVE WALLS: Why don't you -- if you
14 were in that house, looking through the living room or
15 looking through the kitchen, that's not the same thing.
16 THE WITNESS: I wasn't in the house.
17 DETECTIVE WALLS: That's not the same thing.
18 THE WITNESS: Sure it is. Sure it is.
19 DETECTIVE WALLS: That's the same thing?
20 THE WITNESS: Yes, because it's -- it's an
21 accomplice to a murder. You know? All together, it
22 binds up to the same thing.
23 DETECTIVE WALLS: It's not the same thing.
24 Are you saying that the guy who pulls the trigger is
25 the same as the guy who's driving the car?

25 (Pages 94 to 97)

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1 THE WITNESS: Because he was an accomplice.
2 DETECTIVE WALLS: But it's different. It's
3 different.
4 THE WITNESS: It's not different.
5 DETECTIVE WALLS: It's different. I know you
6 were there, but if you didn't kill them --
7 THE WITNESS: I didn't do nothing, though.
8 DETECTIVE WALLS: So explain to me why
9 somebody --
10 THE WITNESS: Because they don't like me.
11 DETECTIVE WALLS: Why three people would
12 bring you into it.
13 THE WITNESS: Because they don't like me.
14 DETECTIVE WALLS: They're not saying, I
15 didn't do it, it was Robert, they're saying, We all did
16 it, but Robert did this.
17 THE WITNESS: And see, I didn't do nothing.
18 I went home after I left with my mom from Andy's house
19 with my mom and Bruce, and I went straight to bed
20 because I did not feel good at all.
21 DETECTIVE WALLS: But you got up in the
22 middle of the night.
23 THE WITNESS: I did not do nothing. Once I'm
24 out, I'm out. I'm out cold.
25 DETECTIVE WALLS: Do you -- you remember what

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1 the these charges were; right?
2 THE WITNESS: Murder in I don't know what
3 degree, because you all didn't say. But two murders,
4 two attempted murders, breaking and entering and
5 larceny. And probably arson, also.
6 DETECTIVE WALLS: So if you weren't
7 responsible for the murders, you've got to tell us
8 about going into that house. If that's all you did,
9 you've got to tell us. But if you -- if that's all you
10 did, it's just going to show what you did. Everybody
11 is going to go and say you were there. Get your story
12 out. Get your story out.
13 THE WITNESS: My side is out. My side is
14 out.
15 DETECTIVE WALLS: Your side is out?
16 THE WITNESS: My side is out.
17 DETECTIVE WALLS: You've got to believe me
18 that if you went in that house, if that's all you were,
19 was downstairs, you've got to tell us. It is
20 different. It's different if you didn't -- you know
21 that we're going to find out. You know. You know.
22 We're going to check this stuff for what was poured in
23 the floor. We're going to find out. We're going to
24 find out who was there. You know? This stuff gets
25 tracked, and if you were downstairs-

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1 THE WITNESS: What if it proves that I was
2 not there?
3 DETECTIVE WALLS: If it proves it's not
4 there, you'll be found not guilty. If it proves that
5 you are not there, you will be found not guilty.
6 THE WITNESS: And then we're sitting here and
7 I'm traumatized for the rest of my life due to this
8 fact? I mean, I've sat here and talked about suicide
9 for something I didn't do. And if I'm find that I did
10 do it when I didn't do it, I don't care. I'm in life
11 in prison or death row anyways. It don't matter. It
12 will not matter, because that's where I'll be. You
13 know?
14 DETECTIVE WALLS: Do you have a religion?
15 THE WITNESS: Yes.
16 DETECTIVE WALLS: What is that?
17 THE WITNESS: Baptist.
18 DETECTIVE WALLS: Baptist. Okay. Do you go
19 to church?
20 THE WITNESS: No.
21 DETECTIVE WALLS: No?
22 THE WITNESS: You don't have to go to church
23 to believe in Jesus.
24 DETECTIVE WALLS: No, you don't. You do not.
25 That's absolutely right. A lot of people don't believe

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1 that, but that's right. I was just asking.
2 It makes a difference, what happened in that
3 house. The evidence is going to show what it's going
4 to show. It's going to show you were there.
5 THE WITNESS: And I know it's going to show
6 that I was not in there.
7 DETECTIVE WALLS: All right. I don't think
8 that's going to happen.
9 THE WITNESS: And then I'm going to go home
10 and continue to go on with my life.
11 DETECTIVE WALLS: That's exactly what I want
12 you to do.
13 THE WITNESS: But if it says that I'm guilty,
14 then I'm probably --
15 DETECTIVE WALLS: What do you think it's
16 going to show?
17 THE WITNESS: If it shows that I was in
18 there, I'll be going to jail or death row, put to
19 death.
20 DETECTIVE WALLS: What do you think it's
21 going to show?
22 THE WITNESS: It's not going to show nothing,
23 because I was not there.
24 DETECTIVE WALLS: None of the evidence is
25 going to show? Everybody is going to be proved a liar?

26 (Pages 98 to 101)

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1 THE WITNESS: Those that were there.
2 DETECTIVE WALLS: Everybody else is going to
3 say -- it is going to be proven that they are lying. I
4 just want to make sure that you understand everything
5 before we go out of here, because like we said before,
6 this is it, Robert. This is it. Once we leave through
7 that door and go over to the complex, that's it.
8 THE WITNESS: Will I at least get one phone
9 call to my mom?
10 DETECTIVE WALLS: Yeah.
11 THE WITNESS: I'm --
12 DETECTIVE WALLS: I think so. I think so.
13 We can talk to her. I can call her.
14 THE WITNESS: I want to talk to her.
15 DETECTIVE WALLS: I know you do, I know you
16 do.
17 THE WITNESS: I didn't do nothing. It's
18 true. I didn't do nothing.
19 DETECTIVE WALLS: Everybody is -- why? Why
20 would somebody drag you into this?
21 THE WITNESS: Because they --
22 DETECTIVE WALLS: People don't do that.
23 People do not do that. People don't drag somebody in
24 the middle of something, Robert.
25 THE WITNESS: It's happened many times

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1 before.
2 DETECTIVE WALLS: Not like this. They drag
3 people in or blame other people for throwing the rock
4 through the window. They blame other people for spray
5 painting the side of the school. You don't blame
6 somebody for going into a house and starting a fire.
7 That does not happen. They're saying you were there
8 because you were there.
9 I need to know where you were at. If you
10 went in the house, if you walked upstairs, that's fine.
11 We can deal with that. If you walked upstairs, that's
12 fine.
13 THE WITNESS: I was at my house. I'm not
14 going to sit here and lie to you. I'm not -- I refuse
15 to lie.
16 DETECTIVE WALLS: Why are you doing this to
17 yourself?
18 THE WITNESS: Because I know I'm right. I
19 know I'm right.
20 DETECTIVE WALLS: You know you're right.
21 THE WITNESS: I know I'm right, because I
22 know where I was that night. I was in my room, asleep.
23 DETECTIVE WALLS: You're sure nobody got up
24 and checked to make sure you were sleeping?
25 THE WITNESS: I was in my room, asleep.

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1 DETECTIVE WALLS: Are you sure?
2 THE WITNESS: I'm positive.
3 DETECTIVE WALLS: Are you sure nobody would
4 even say that you were outside? You're sure?
5 THE WITNESS: What do you mean?
6 DETECTIVE WALLS: What do you think I mean?
7 THE WITNESS: I know where I was at. I know
8 I was in my bed.
9 DETECTIVE WALLS: All night.
10 THE WITNESS: All night. First, I was with
11 my mother, and her boyfriend, and her boyfriend's boss.
12 DETECTIVE WALLS: Why don't you -- why? Why?
13 Why don't you tell us the truth, like everybody else?
14 THE WITNESS: I am telling you the truth. I
15 was not there. But I can't prove that nobody took my
16 shoes off the front porch. I cannot prove that.
17 DETECTIVE WALLS: What shoes?
18 THE WITNESS: I had -- I think I could
19 possibly have had a couple of pairs of shoes from
20 sleigh riding.
21 DETECTIVE WALLS: So somebody could have took
22 them and put them back?
23 THE WITNESS: That could have been. I'm not
24 for sure if I took my shoes inside that night.
25 DETECTIVE WALLS: You know, you keep coming

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1 up with all of these excuses to make this go away, and
2 this is not going away, Robert.
3 THE WITNESS: I'm not making it go away. I'm
4 not lying to you.
5 DETECTIVE WALLS: This is not going away.
6 THE WITNESS: I'm not lying to you.
7 DETECTIVE WALLS: The excuses doesn't add up,
8 Robert. We can do this for hours.
9 THE WITNESS: We have done this for hours.
10 I'm ready to go to sleep. Because I know I didn't do
11 nothing wrong.
12 DETECTIVE WALLS: I'll be back in a minute. I
13 need to make some arrangements.
14 THE WITNESS: Hey, I really want to talk to
15 my mom, please.
16 DETECTIVE WALLS: I can do that, but I need a
17 little cooperation.
18 THE WITNESS: I'm giving you all the
19 cooperation I can.
20 (Detective Walls exits room, 3:53 a.m.)
21
22 (The witness knocks on door, 4:00 a.m.)
23
24
25 (Officer stays out of view during conversation)

27 (Pages 102 to 105)

Page 106	Page 108
<p>1 2 OFFICER MADISON: What's up? 3 THE WITNESS: Are you a cop? I need to use 4 the bathroom. 5 OFFICER MADISON: All right. Hang on; it'll 6 be a little bit, all right? 7 THE WITNESS: Hey. Hey, my friend. In my 8 bookbag, I have things similar to these, not chewed up. 9 They have solution in them for my nebulizer. May I 10 please have one? 11 OFFICER MADISON: Hang on, I'll see. 12 THE WITNESS: Because my asthma is acting up. 13 OFFICER MADISON: Where is it? 14 THE WITNESS: It's right there in that black 15 book bag. 16 OFFICER MADISON: Black book bag? 17 THE WITNESS: Big pocket. 18 OFFICER MADISON: In the outside pocket? 19 THE WITNESS: Big pocket. 20 OFFICER MADISON: Big pocket. All right. 21 THE WITNESS: It will have a blue, white and 22 dark blue label on it. That's it. 23 OFFICER MADISON: You just need one of them? 24 THE WITNESS: Yeah, and a trip to the 25 bathroom.</p>	<p>1 time, I think. I'm not sure if she was or not. 2 THE WITNESS: I honestly don't remember. Are 3 you the one who kicked the door in my house? 4 OFFICER MADISON: No, no. When you used to 5 have some trouble with the kids in the neighborhood a 6 couple times. 7 THE WITNESS: Oh, when I would get beat up. 8 OFFICER MADISON: Yeah. So what's going on? 9 THE WITNESS: I have been -- I've been 10 accused of what happened in Crozet. I had nothing to 11 do with it. I've been saying that from when I got 12 here. And they're saying they've got three people that 13 I don't get along with, and they're saying that I was 14 in it too. And I really wasn't. And I couldn't do 15 nothing like that. 16 OFFICER MADISON: Right. Well, I'm not deep 17 in this case. I'm just sort of helping out where I 18 can. I will tell you this, though. I know-- 19 THE WITNESS: They say they've got evidence 20 that I was in the house, but I was never in the house. 21 OFFICER MADISON: Like I said -- you've never 22 been in that house? Never, ever? 23 THE WITNESS: I've never been in the house. 24 I've never been in the yard except for when the fire 25 was going on and the fire fighters were there, and they</p>
Page 107	Page 109
<p>1 OFFICER MADISON: That'll have to wait a 2 little bit. 3 Do you remember me? 4 THE WITNESS: No. 5 OFFICER MADISON: You have no idea who I am, 6 do you? 7 THE WITNESS: No. 8 OFFICER MADISON: I remember you when you were 9 about that big, about six years ago. 10 THE WITNESS: Who are you? 11 OFFICER MADISON: I'm a police officer. 12 THE WITNESS: Who are you? 13 OFFICER MADISON: Madison. 14 THE WITNESS: Huh? 15 OFFICER MADISON: Madison. 16 THE WITNESS: First name? 17 OFFICER MADISON: Robert. Should be an easy 18 one for you to remember. 19 THE WITNESS: Six years ago? 20 OFFICER MADISON: Yeah. 21 THE WITNESS: I was 12 at the time. 22 OFFICER MADISON: I know. I know. 23 THE WITNESS: That's when my mom was still 24 married to Timmy Seal. 25 OFFICER MADISON: It was right about that</p>	<p>1 asked me to go get the tank, the oxygen tank. The 2 farthest I stepped was that one tree, that little small 3 tree. 4 OFFICER MADISON: I don't know exactly what 5 they have and all, but I'm just sort of helping out 6 where I can here, all right? I do know this. Within 7 the last hour, they got some extremely good evidence. 8 I'm not sure what it is, but they pretty much wrapped 9 this thing up, I think. And, you know, if -- my only 10 advice to you is, if you were involved in this in any 11 way, if you knew about it -- 12 THE WITNESS: I don't know nothing about it. 13 OFFICER MADISON: Let me finish; all right? 14 THE WITNESS: Yes, sir. 15 OFFICER MADISON: If you knew about it 16 beforehand, that's something we need to know. You 17 know, in other words, if these other people were trying 18 to pull you into it after the fact just because they 19 told you about it beforehand and you didn't go along, 20 we need to know about that. If you were there, but 21 didn't take part, just sort of watching or whatever, we 22 need to know about that. Because all of it is going to 23 come into play. And when everyone starts pointing 24 fingers -- 25 THE WITNESS: It's coming to me.</p>

28 (Pages 106 to 109)

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1 OFFICER MADISON: Huh?
2 THE WITNESS: It's coming to me, because they
3 said two of them said it was me.
4 OFFICER MADISON: Two of them said it was
5 you?
6 THE WITNESS: Yeah. And I don't know what Ty
7 is going to say, but I named Ty because he's one of my
8 enemies that I'm not getting along with. I've had
9 problems with him since school started. And that could
10 be one of the reasons why, right there.
11 OFFICER MADISON: Okay.
12 THE WITNESS: Because this is scaring me
13 shitless. I mean, I was in Staunton, asleep, at my
14 friend's house. My mom says there is an emergency and
15 she told me to be at Wal-Mart, and the next thing I
16 know, I'm on the ground having guns pointing at me and
17 they say that I killed two people and attempted to kill
18 two others. And...
19 OFFICER MADISON: And?
20 THE WITNESS: And I had nothing to do with
21 it, and they won't believe me. And of course they're
22 not going to believe me because two people have said
23 it.
24 OFFICER MADISON: It's more than that. Like
25 I said, they've got some good evidence here in the past

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1 THE WITNESS: Walls?
2 OFFICER MADISON: Uh-huh.
3 THE WITNESS: And Randy -- I said, Look, if
4 I'm to be proven guilty when I'm not, I want to kill
5 myself.
6 OFFICER MADISON: Well, you don't want to do
7 that.
8 THE WITNESS: I'm not putting --
9 OFFICER MADISON: No one wants to see that.
10 THE WITNESS: I'm not going to rot in jail
11 for something I didn't do.
12 OFFICER MADISON: Well, man --
13 THE WITNESS: I mean, can you understand
14 where I'm coming from on that point?
15 OFFICER MADISON: Sure, I can. Sure, I can.
16 We're not even talking jail right now. That's down the
17 road anyway. There is a whole lot of factors that come
18 into play.
19 THE WITNESS: You're going to have to speak
20 up once I turn this on, because this is loud.
21 OFFICER MADISON: Well, I --
22
23 (Nebulizer running)
24
25 THE WITNESS: I won't do the whole thing,

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1 hour that's going to pretty much close it up.
2 THE WITNESS: Well, then I should be able to
3 go home tonight.
4 OFFICER MADISON: All I could say --
5 THE WITNESS: But I'm probably not, am I?
6 OFFICER MADISON: I don't know. Like I said,
7 I'm not high up in this case. I'm just helping out
8 where I can.
9 THE WITNESS: Is there any way I can go to
10 the bathroom?
11 OFFICER MADISON: Yeah, I'll work on that in
12 a little bit.
13 THE WITNESS: A little bit? How long is a
14 little bit?
15 OFFICER MADISON: I don't know. It depends
16 on what all they're doing out here. But, you know,
17 it's something you need to consider. If you had
18 something to do with it, you don't want to go down with
19 the ship.
20 THE WITNESS: I don't want to go down for
21 this shit because I did not have nothing to do with it.
22 OFFICER MADISON: Okay.
23 THE WITNESS: I told them, I told Welsh,
24 Ways, Wise, Welsh --
25 OFFICER MADISON: Walls?

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1 because I think talking about this is better, because
2 it -- just because I didn't have nothing to do with it.
3 OFFICER MADISON: Well, you know, no one is
4 talking jail or rotting in jail for the rest of your
5 life or anything like that right now. That's far down
6 the road.
7 THE WITNESS: They're talking about me going
8 to jail tonight, though.
9 OFFICER MADISON: Well, I don't know how
10 that's going to work out. From what they have, it's
11 probably a good chance of it, unless they learn
12 something --
13 THE WITNESS: I sat there and told him, I
14 said, Look, I had nothing to do with it. That's my
15 story and I'm sticking to it. They can say all they
16 want to say, I will take a polygraph test. But I'm
17 ready to go wherever you all want to take me, because
18 I'm tired.
19 OFFICER MADISON: Is there anyway that your
20 shoe prints could be anywhere?
21 THE WITNESS: Who?
22 OFFICER MADISON: Your shoes, shoe prints.
23 THE WITNESS: Yeah. From where I took the
24 oxygen masks and stuff down. But see, I went sleigh
25 riding on Tuesday. My shoes -- whatever shoes I was

29 (Pages 110 to 113)

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1 wearing were soaked. I don't think it was these ones,
2 but I think I could have possibly left them on the
3 porch because I changed out of two layers out on the
4 porch.
5 OFFICER MADISON: What shoes were those?
6 THE WITNESS: They're my other ones. And,
7 you know, what can I say?
8 OFFICER MADISON: Where are they now?
9 THE WITNESS: What?
10 OFFICER MADISON: Where are they now?
11 THE WITNESS: I don't know. They said --
12 Officer Snead and this guy said they've been in my
13 house taking shit all night.
14 OFFICER MADISON: Are they at your house?
15 THE WITNESS: Yeah, they're at my house.
16 OFFICER MADISON: Whereabouts at your house?
17 THE WITNESS: I don't know. I don't know if
18 they're still on the porch or whatever. But I told
19 them that I'm missing 'cause, see, during school, I
20 couldn't find my house keys for a couple of weeks, so
21 when I went to school I would leave the front door open
22 because we usually use the back door. I can't find my
23 old timer watch that was given for me to Christmas. I
24 can't find that.
25 Did I say watch?

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1 OFFICER MADISON: Uh-huh.
2 THE WITNESS: I said watch?
3 OFFICER MADISON: Uh-huh.
4 THE WITNESS: I meant to say knife.
5 OFFICER MADISON: Knife?
6 THE WITNESS: Yeah. I have an old timer
7 knife.
8 OFFICER MADISON: So you're saying somebody
9 might have stolen your sneakers and your knife and used
10 them over there?
11 THE WITNESS: Yes. And they said that --
12 OFFICER MADISON: And then brought the
13 sneakers back to you?
14 THE WITNESS: Yeah. Because I still can't
15 find my knife. I didn't really look. I think my knife
16 is still in my room somewhere. You know? I just don't
17 know.
18 OFFICER MADISON: Okay.
19 THE WITNESS: I mean, people have been egging
20 my house for the past two months.
21 OFFICER MADISON: They've been what?
22 THE WITNESS: Egging my house. But never
23 making it on the house-part. They always manage to
24 make it on the porch.
25 OFFICER MADISON: Huh.

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1 THE WITNESS: And a lot of the times it's
2 happened after I have a big confrontation with Ty. And
3 I won't hit him, because I'm 18 and he's not.
4 OFFICER MADISON: Well, there are more
5 factors that come into play than that. It comes into
6 play as to whether, you know -- for example with the
7 fire, whose idea it was, and you know, whether somebody
8 actively partook in it or whether they're just there
9 watching and just there to go along because they felt
10 scared not to go along. You know, those are all things
11 that come into play.
12 THE WITNESS: I know. But they are saying
13 that I had something to do with it. They want to know
14 what I had to do with it, and I had nothing to do with
15 it.
16 OFFICER MADISON: Well, it could be that you
17 had nothing to do with it in the sense that it wasn't
18 your idea to go but you sort of got pressured to go
19 into it.
20 THE WITNESS: See, I was with my mom that
21 night. I went with her and her boyfriend, because I
22 was the designated driver, because they had been
23 drinking.
24 OFFICER MADISON: Uh-huh.
25 THE WITNESS: I went with them to play music

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1 at my mom's boyfriend's boss's house. They played
2 music for a little bit, and then I was feeling like
3 shit.
4 OFFICER MADISON: Did you make any phone
5 calls that night or get any phone calls that night?
6 THE WITNESS: I didn't -- I don't know.
7 OFFICER MADISON: You don't know?
8 THE WITNESS: I think I possibly could have
9 called my friend Kevin in Staunton.
10 OFFICER MADISON: But there shouldn't be any
11 phone calls coming in or leaving your house to anybody
12 else in that neighborhood?
13 THE WITNESS: No. But what is strange is
14 somebody called my house last night at 1 o'clock.
15 OFFICER MADISON: Who was that?
16 THE WITNESS: It was -- me and my mom both
17 picked up the phone at the same time, and nobody
18 talked.
19 OFFICER MADISON: Okay. Well, hang on here
20 and I'll work on getting someone to take you to the
21 bathroom.
22 THE WITNESS: All right. Cool.
23
24 (Nebulizer running)
25

30 (Pages 114 to 117)

<p style="text-align: right;">Page 118</p> <p>1 (Witness knocks on door, 4:18 a.m.)</p> <p>2</p> <p>3 THE WITNESS: Can I go to the bathroom,</p> <p>4 please?</p> <p>5</p> <p>6 (Detective Walls reenters the room, 4:18 a.m.)</p> <p>7</p> <p>8 DETECTIVE WALLS: In a minute. We're working</p> <p>9 on getting somebody to transport you over to the</p> <p>10 complex. Just a couple of minutes.</p> <p>11 THE WITNESS: Will I be able to use the phone</p> <p>12 there?</p> <p>13 DETECTIVE WALLS: I think so, but it's up to</p> <p>14 the jail. Just have a seat.</p> <p>15</p> <p>16 (Detective Walls exits room, 4:19 a.m.)</p> <p>17</p> <p>18 (Nebulizer running)</p> <p>19</p> <p>20 (The witness knocks on door, 4:27 a.m.)</p> <p>21</p> <p>22 FEMALE OFFICER: Hi. Did I hear you knock?</p> <p>23 THE WITNESS: Yes. May I please use the</p> <p>24 bathroom?</p> <p>25 FEMALE OFFICER: Yeah. Let me go get the</p>	<p style="text-align: right;">Page 120</p> <p>1 of water. Come on, man. That ain't no problem.</p> <p>2 THE WITNESS: Damn, y'all some big</p> <p>3 motherfuckers.</p> <p>4</p> <p>5 (The witness, police officer and Detective Snead exit</p> <p>6 room, 4:29 a.m.)</p> <p>7</p> <p>8 (The witness reenters room, 4:32 a.m.)</p> <p>9</p> <p>10 POLICE OFFICER: There you go, man. I'll see</p> <p>11 about somebody getting you some water.</p> <p>12</p> <p>13 (Nebulizer running)</p> <p>14</p> <p>15 (Detective Snead reenters room to rummage through desk,</p> <p>16 time unknown)</p> <p>17</p> <p>18 THE WITNESS: When am I going to Avon?</p> <p>19 DETECTIVE SNEAD: It'll still be a little</p> <p>20 while.</p> <p>21 THE WITNESS: Still be a little while?</p> <p>22 DETECTIVE SNEAD: Yeah. They'll be here in a</p> <p>23 minute.</p> <p>24 THE WITNESS: Randy?</p> <p>25 DETECTIVE SNEAD: Yeah?</p>
<p style="text-align: right;">Page 119</p> <p>1 detective. He can take you.</p> <p>2 THE WITNESS: Which one?</p> <p>3 FEMALE OFFICER: I don't know. Who has been</p> <p>4 talking to you?</p> <p>5 THE WITNESS: Randy Snead.</p> <p>6 FEMALE OFFICER: Snead?</p> <p>7 THE WITNESS: Snead and I want to say his</p> <p>8 last name is Welsh, Wise, Wallace, Wells?</p> <p>9 FEMALE OFFICER: Okay. I'll be right back.</p> <p>10 Just have a seat, and I'll be right back.</p> <p>11</p> <p>12 (Nebulizer running)</p> <p>13</p> <p>14 (Detective Snead reenters room with a police officer,</p> <p>15 4:29 a.m.)</p> <p>16</p> <p>17 POLICE OFFICER: Hey, how are you doing? You</p> <p>18 have to use the bathroom?</p> <p>19 THE WITNESS: Yeah.</p> <p>20 POLICE OFFICER: Come on, I'll take you.</p> <p>21 THE WITNESS: Can I please get a sip of</p> <p>22 water?</p> <p>23 DETECTIVE SNEAD: Yeah, we'll get you that in</p> <p>24 a minute.</p> <p>25 POLICE OFFICER: Yeah, we'll get you a bottle</p>	<p style="text-align: right;">Page 121</p> <p>1 THE WITNESS: I wish I could help you all.</p> <p>2 DETECTIVE SNEAD: Huh?</p> <p>3 THE WITNESS: I really wish I could've helped</p> <p>4 you all.</p> <p>5 DETECTIVE SNEAD: It's not about helping me.</p> <p>6 I wish you could help yourself. I'm sorry.</p> <p>7</p> <p>8 (Detective Snead exits room, time unknown)</p> <p>9</p> <p>10 (The witness knocks on door, 5:15 a.m.)</p> <p>11</p> <p>12 DETECTIVE WALLS: What's wrong, Robert?</p> <p>13 THE WITNESS: May I have something to settle</p> <p>14 my stomach, please?</p> <p>15 DETECTIVE WALLS: What do you want?</p> <p>16 THE WITNESS: Do you all have any ginger ale</p> <p>17 or anything?</p> <p>18 DETECTIVE WALLS: Yeah.</p> <p>19 THE WITNESS: Either that or water.</p> <p>20 DETECTIVE WALLS: Either that or water?</p> <p>21 THE WITNESS: When am I going to be shipped,</p> <p>22 because I'm really tired? I've been laying right</p> <p>23 there, and I didn't want to turn off the light because</p> <p>24 I didn't --</p> <p>25 DETECTIVE WALLS: Yeah, we'll work on that.</p>

31 (Pages 118 to 121)

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1 Okay?
2 THE WITNESS: There's no chance that I'm
3 going home tonight is there? Or today?
4 DETECTIVE WALLS: I doubt it.
5 THE WITNESS: So you'll seriously check on
6 getting me something to drink?
7 DETECTIVE WALLS: Yeah.
8 THE WITNESS: Can I turn off this light?
9 DETECTIVE WALLS: No, we have to leave that
10 on.
11 THE WITNESS: Could I also have another
12 treatment?
13 DETECTIVE WALLS: Another what?
14 THE WITNESS: Treatment.
15 DETECTIVE WALLS: Where are they at?
16 THE WITNESS: In my book bag.
17 DETECTIVE WALLS: Okay.
18
19 (Detective Walls reenters room, 5:16 a.m.)
20
21
22 DETECTIVE WALLS: Okay. We have somebody
23 going to get a ginger ale.
24 THE WITNESS: Huh?
25 DETECTIVE WALLS: Somebody is going to get a

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1 ginger ale right now, okay. So, we did that for you.
2
3 (Officer enters with shackles and proceeds to shackle
4 witness, 5:16 a.m.)
5
6 THE WITNESS: Where am I going?
7 DETECTIVE WALLS: We're probably going to
8 take you to another room for a little bit.
9 THE WITNESS: Is it okay if I lay down?
10 DETECTIVE WALLS: We don't have a cot or
11 anything, but if you want to lay on the floor.
12 THE WITNESS: Will I be able to take my
13 nebulizer and medicine?
14 DETECTIVE WALLS: Yeah.
15 THE WITNESS: Not that part.
16 DETECTIVE WALLS: Not this part?
17 THE WITNESS: The other part.
18 Oh, that's too tight, man.
19 POLICE OFFICER: Where should we go?
20 DETECTIVE WALLS: I tell you, let's go right
21 here.
22 THE WITNESS: Hey, have you found it yet --
23 DETECTIVE WALLS: Have I found what?
24 THE WITNESS: The little capsules.
25 DETECTIVE WALLS: Right here.

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1 THE WITNESS: Okay. Thanks.
2 DETECTIVE WALLS: Is that it?
3 THE WITNESS: If I'm being transferred, I'll
4 just take this along with that, and my jacket.
5
6 (Detective Walls exits room, 5:18 a.m.)
7
8 DETECTIVE SNEAD: (From doorway) All right.
9 Robert, just sit tight for a second, okay? And I'll be
10 back with you. We've got to get some things straight,
11 okay? Understand? We have somebody getting you a
12 ginger ale.
13
14 (Detective Walls reenters room, 5:19 a.m.)
15
16 DETECTIVE SNEAD: Robert. Is this Sprite all
17 right? What's wrong? What's wrong? What's wrong,
18 buddy?
19 THE WITNESS: I want to die, man.
20 DETECTIVE WALLS: Why?
21 THE WITNESS: Because I didn't have nothing
22 to do with this, and I'm being blamed for it, by three
23 of my biggest enemies.
24 DETECTIVE WALLS: Who is that?
25 THE WITNESS: Ty and Rocky and his sister.

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1 DETECTIVE WALLS: You didn't tell me they
2 were your enemies before.
3 THE WITNESS: I told you Ty was.
4 DETECTIVE WALLS: Yeah, that's it. So now
5 they're your enemies?
6 THE WITNESS: They're not my enemies. I
7 mean, I talk to Rocky. It's just I don't hang out with
8 Rocky. I'm not like that with Rocky. I mean, me and
9 Rocky have had a past. He used to beat the shit out of
10 me when I was a little kid. I'm just worried about
11 getting a life sentence for something that I didn't do.
12 DETECTIVE WALLS: Do you think you're going
13 to get a life sentence?
14 THE WITNESS: I think I'm going to get death,
15 the death penalty for something I didn't do. I think
16 I'm -- I think I'm going to be in jail for a long, long
17 time for something I didn't do.
18 DETECTIVE WALLS: I think it would help if
19 you were being totally honest, because I think you were
20 in that house.
21 THE WITNESS: I was not in that house. I
22 swear to you, I was not in that house. I know you
23 don't believe me.
24 DETECTIVE WALLS: No, I don't, Robert.
25 THE WITNESS: That's why I'm scared.

<p style="text-align: right;">Page 126</p> <p>1 Thank you for the Sprite.</p> <p>2 DETECTIVE WALLS: You're welcome. Let us</p> <p>3 know if you need something, if you need anything to eat</p> <p>4 or anything.</p> <p>5 THE WITNESS: I'm hungry.</p> <p>6 DETECTIVE WALLS: You're hungry?</p> <p>7 THE WITNESS: Yeah.</p> <p>8 DETECTIVE WALLS: Want a candy bar or</p> <p>9 something?</p> <p>10 THE WITNESS: Sure. It doesn't matter what</p> <p>11 kind.</p> <p>12 DETECTIVE WALLS: Okay.</p> <p>13</p> <p>14 (Detective Walls exits room, 5:21 a.m.)</p> <p>15</p> <p>16 (Officer enters room, 5:24 a.m.)</p> <p>17</p> <p>18 POLICE OFFICER: All they had left was</p> <p>19 Snickers. Is that all right?</p> <p>20 THE WITNESS: Yeah. Thanks. Hey, man?</p> <p>21 POLICE OFFICER: Yeah?</p> <p>22 THE WITNESS: If I'm not going to be moved,</p> <p>23 why do I still have these things on? Am I going to be</p> <p>24 moved, or what's the deal? Do you know?</p> <p>25 POLICE OFFICER: They'll move you in a little</p>	<p style="text-align: right;">Page 128</p> <p>1 smoking.</p> <p>2 THE WITNESS: What about dip?</p> <p>3 POLICE OFFICER: Nope, can do that either.</p> <p>4 You got your caffeine, you got your candy bar, you got</p> <p>5 your nebulizer.</p> <p>6 THE WITNESS: I'm a caffeine freak.</p> <p>7 POLICE OFFICER: Well, the Dr. Pepper.</p> <p>8 THE WITNESS: That was earlier. That was</p> <p>9 when I first got here.</p> <p>10 POLICE OFFICER: Well, we can't let you have</p> <p>11 that here; all right?</p> <p>12 THE WITNESS: When am I going to be</p> <p>13 transferred, man?</p> <p>14 POLICE OFFICER: I don't know. We'll see.</p> <p>15 We're still working on that; all right?</p> <p>16 THE WITNESS: Did you mean what you said</p> <p>17 earlier?</p> <p>18 POLICE OFFICER: What's that?</p> <p>19 THE WITNESS: About more stuff.</p> <p>20 POLICE OFFICER: Having stuff? Oh, yeah.</p> <p>21 Yeah. We're just tacking it all together right now. I</p> <p>22 want you to remember what I was telling you.</p> <p>23 THE WITNESS: I want to help, man, but I</p> <p>24 can't.</p> <p>25 POLICE OFFICER: Robert.</p>
<p style="text-align: right;">Page 127</p> <p>1 bit. You're just required to leave those on, because</p> <p>2 that's what the boss says we have to do.</p> <p>3 THE WITNESS: The entire time?</p> <p>4 POLICE OFFICER: Uh-huh. It's either that or</p> <p>5 handcuffs, so those are more comfortable than the</p> <p>6 handcuffs.</p> <p>7</p> <p>8 (Officer exits room, 5:24 a.m.)</p> <p>9</p> <p>10 (Witness knocks on door, 5:28 a.m.)</p> <p>11</p> <p>12 (Officers do not enter room far enough to be clearly</p> <p>13 identified)</p> <p>14</p> <p>15 FEMALE OFFICER: Yeah?</p> <p>16 THE WITNESS: You all don't have anything to</p> <p>17 help fight nicotine cravings, do you all?</p> <p>18 FEMALE OFFICER: No, I'm sorry. You mean</p> <p>19 like patches?</p> <p>20 THE WITNESS: Well, I've got dip in my book</p> <p>21 bag. I usually smoke cigarettes, I'm just really</p> <p>22 needing something.</p> <p>23 POLICE OFFICER: This is a no -smoking</p> <p>24 facility, right here.</p> <p>25 FEMALE OFFICER: Yeah, we don't allow</p>	<p style="text-align: right;">Page 129</p> <p>1 THE WITNESS: I'm not going to lie to you,</p> <p>2 man. I cannot help them. I don't know nothing about</p> <p>3 it except for that note that said that I done it.</p> <p>4 POLICE OFFICER: Well, I think you know more</p> <p>5 than that.</p> <p>6 THE WITNESS: Well, I would be happy to go on</p> <p>7 any machine and tell you that.</p> <p>8 POLICE OFFICER: That's not a concern,</p> <p>9 Robert.</p> <p>10 THE WITNESS: I know.</p> <p>11 POLICE OFFICER: It's just not going to look</p> <p>12 good when other people have been cooperative and you</p> <p>13 haven't. It doesn't do a lot for the judge to show</p> <p>14 remorse at all, you know?</p> <p>15 THE WITNESS: Yeah, but see, why am I going</p> <p>16 to say I did something when I didn't do it?</p> <p>17 POLICE OFFICER: I don't want you to say</p> <p>18 something you didn't do. But I think you and I both</p> <p>19 know what your involvement was.</p> <p>20 THE WITNESS: My involvement was there was no</p> <p>21 involvement.</p> <p>22 POLICE OFFICER: Okay.</p> <p>23 THE WITNESS: I was asleep at home, being</p> <p>24 sick. And I'm still sick.</p> <p>25 POLICE OFFICER: Okay. If that's what you</p>

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1 want to stick to, that's fine. There's nothing more I
2 can do for you.
3 THE WITNESS: I wish I could say something,
4 but I don't have nothing to say. I can't, because I
5 don't know anything.
6 POLICE OFFICER: Sure you do.
7 THE WITNESS: I don't.
8 POLICE OFFICER: How much are you -- how much
9 of that are you supposed to take?
10 THE WITNESS: I'm actually supposed to do the
11 full ten to 15 minute treatments, but I never get to.
12 POLICE OFFICER: How often?
13 THE WITNESS: Well, see I don't have an
14 inhaler, so I can't --
15 POLICE OFFICER: Right. But you've been
16 taking a lot of that stuff, though.
17 THE WITNESS: I've only had three of them.
18 POLICE OFFICER: You've had more than three
19 since I've been here. I'm talking turning it on.
20 THE WITNESS: Well, see, I'm supposed to do
21 the whole thing.
22 POLICE OFFICER: How often?
23 THE WITNESS: Whenever I'm wheezy or what
24 not. See, I don't do the whole thing. I just take it
25 until I'm not wheezing no more. And then when I start

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1 again, I use it.
2 POLICE OFFICER: All right. All right.
3 Well, I can't do anything for you.
4
5 (Officer exits room, time unknown)
6
7 (Witness knocks on door, 5:36 a.m.)
8
9 THE WITNESS: Can I ask you a question, man?
10 Can you please loosen these up just one notch, one or
11 two notches, they're just --
12 POLICE OFFICER: No, they're fine.
13 THE WITNESS: I mean, they're digging in.
14 POLICE OFFICER: They're not comfortable.
15 They don't make them comfortable. But they don't hurt.
16 THE WITNESS: You couldn't help me out by
17 loosening them up one notch?
18 POLICE OFFICER: That's as loose as they can
19 be. I mean, you can move them around fine.
20 THE WITNESS: See, when I stand up, it hurts.
21 POLICE OFFICER: Well, don't stand up; all
22 right? Don't stand up. You'll be all right. You're a
23 big boy.
24
25 (Officer exits room, 5:36 a.m.)

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1
2 (Witness knocks on door, 5:59 a.m.; Officer enters
3 room)
4
5 POLICE OFFICER: What's up?
6 THE WITNESS: Is there any way that I can get
7 some heat in here?
8 POLICE OFFICER: No.
9 THE WITNESS: None whatsoever?
10 POLICE OFFICER: Nope. No. That's as hot as
11 it gets.
12 THE WITNESS: Man, it's freezing.
13 POLICE OFFICER: It's plenty warm. Put your
14 coat on. You've got your coat right there.
15 THE WITNESS: Yeah, but I'm using that to
16 cover my eyes from the light.
17 POLICE OFFICER: Cover your eyes from the
18 light? Why?
19 THE WITNESS: Because I can't sleep with the
20 lights on.
21 POLICE OFFICER: You can't sleep? I thought
22 you were nervous.
23 THE WITNESS: I'd rather sleep.
24 POLICE OFFICER: Huh?
25 THE WITNESS: I'd rather sleep, so that way I

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1 don't have to think about things.
2 POLICE OFFICER: Robert, you are telling me
3 that you have been arrested for something you didn't
4 do, and you're trying to go to sleep?
5 THE WITNESS: Yes, because nobody is talking
6 to me. Nobody believes me. Nobody is listening to me.
7 POLICE OFFICER: Well, I don't believe you.
8 I've listened to you, but I don't believe you. Not
9 what you've told me so far. All right? You are a
10 young man. I don't want to see you screw up. You're
11 an adult. I can't make decisions for you. And this
12 is one of those things you only get one shot at,
13 because once we come out with everything and we go to
14 court, there is nothing anyone can do to help you then.
15 So I will listen any time you want to say something to
16 me, but --
17 THE WITNESS: I've said all I can say. I
18 mean, everybody thinks I'm lying, so I'm just ready to
19 go.
20 POLICE OFFICER: Okay.
21 THE WITNESS: When are you all going to move
22 me?
23 POLICE OFFICER: When we get around to it.
24 It's either here or the jail. You're not going
25 anywhere for a long time, anyway, so, you know, it's --

<p style="text-align: right;">Page 134</p> <p>1 it's six of one, half a dozen of the other now. 2 THE WITNESS: What time is it now? 3 POLICE OFFICER: About 6 o'clock. About 6 4 o'clock. Time is something you're going to have a 5 whole lot of on your hands. That's something you don't 6 have to worry about. All right? 7 What's up? 8 THE WITNESS: What do you mean, what's up? 9 POLICE OFFICER: Well, you're thinking about 10 something. What are you thinking about? 11 THE WITNESS: I'm not thinking about nothing. 12 POLICE OFFICER: Okay. All right. If you 13 get chilly, put your jacket on; all right? 14 15 (Officer exits room, time unknown) 16 17 (Detective Snead reenters room, 6:40 a.m.) 18 19 DETECTIVE SNEAD: Robert. Hey, Robert. 20 THE WITNESS: Huh? 21 DETECTIVE SNEAD: Can you sit up for me for a 22 second, buddy? Move that thing for a minute, would 23 you? I don't want to mess it up. Can you move your 24 breather? 25 Well, Robert, where are we going to go from</p>	<p style="text-align: right;">Page 136</p> <p>1 talking, or I just start filling out paperwork and 2 you're on your own. I'm not gonna help you, Robert. I 3 just got off the phone talking to your mom, letting her 4 know that. 5 THE WITNESS: What did she say? 6 DETECTIVE SNEAD: She said she hopes to God 7 that you work with me, because I worked with her, 8 because she was honest with me, pretty much, and I 9 helped her out. Like I told her, if you're not willing 10 to help yourself, I can't help you. And I will tell 11 you what, man. The evidence is unreal now. Unreal. 12 And I'm trying to save you from something, 13 Robert. I'm trying to save you from something very 14 serious. But I can't do so if you don't talk, and you 15 don't work with me, man; I can't do it. I'm not going 16 to sit here and beg you, because I don't need to. I 17 don't need you. I don't need you for me, or these 18 charges. You need me for you, and you need yourself. 19 And this is why you've got to talk to me man, so I can 20 help you. It's a very serious thing that happened. 21 THE WITNESS: I know it is. 22 DETECTIVE SNEAD: It's a very bad thing. 23 THE WITNESS: It's a very sad thing. 24 DETECTIVE SNEAD: It's a very sad thing. 25 THE WITNESS: And it hurt me.</p>
<p style="text-align: right;">Page 135</p> <p>1 here? Are we going to talk, to communicate now, or are 2 we not? 3 THE WITNESS: We've tried. I told you 4 everything that there is that I know. 5 DETECTIVE SNEAD: All right. Well, you leave 6 me no choice, man. 7 THE WITNESS: What is this for? 8 DETECTIVE SNEAD: This ain't the only one. 9 We've got others; okay? Now, when I get through with 10 all of these, and you haven't talked at all, you've 11 left yourself out there, all by yourself. 12 Did you happen to see anybody else? Did you 13 happen to see the two guys there? Did you see them? 14 THE WITNESS: Pretty soon, I'm gonna talk to 15 you. I'm gonna talk to you [Unintelligible]. 16 DETECTIVE SNEAD: I know. I know. I want 17 you to think a minute. 18 THE WITNESS: All right. It's so cold in 19 here. 20 What time is it? 21 DETECTIVE SNEAD: It's 6:35 a.m. 22 THE WITNESS: I had started sleeping good. 23 DETECTIVE SNEAD: I'm sorry. I would like to 24 go and get you somewhere and get you some sleep, some 25 rest. But it's either we work together and you start</p>	<p style="text-align: right;">Page 137</p> <p>1 DETECTIVE SNEAD: I'm sure it did. 2 THE WITNESS: When it happened. 3 DETECTIVE SNEAD: I'm sure it did. Things 4 got out of control. It didn't mean to go that far. 5 But you know what? Hey, we all make mistakes, Robert. 6 THE WITNESS: I know that. 7 DETECTIVE SNEAD: You know what happened? 8 I'll tell you. You want to hear my theory? This is my 9 theory. You went there with one idea, to do one thing, 10 and things just started going haywire. It got out of 11 control. I'll believe you on that. And I understand 12 that you didn't -- I know you didn't want to hurt 13 nobody. 14 THE WITNESS: I didn't. 15 DETECTIVE SNEAD: I know that. I know you 16 didn't want to. But things went downhill, they got out 17 of control. 18 THE WITNESS: I just want to know what 19 evidence is against me. 20 DETECTIVE SNEAD: You're going to see it. If 21 I didn't have evidence, Robert -- you see your name? 22 You see your name? 23 THE WITNESS: Class IV? What's that? 24 DETECTIVE SNEAD: See your name? 25 THE WITNESS: Yeah.</p>

35 (Pages 134 to 137)

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1 DETECTIVE SNEAD: All right. Like I said,
2 I'm done playing games. I've sat there and talked to
3 your mom. Everybody else is trying to help themselves
4 out. I will be able to go up and talk to the judge and
5 say, Hey, they cooperated with me.

6 THE WITNESS: What can I say to help?

7 DETECTIVE SNEAD: The truth. The truth.
8 What took place in that house. I already know. I
9 already know, Robert, but I can't put the words in your
10 mouth for you, man. I need for you to tell me. That's
11 the only way I can help you. I already know. That's
12 the bad thing about it. I already know, and I can't
13 speak for you. You've got to speak for yourself. And
14 I'm sitting here, one on one, me and you in here now.

15 They didn't even want me to come back in here
16 and talk with you. They said, the heck with you. He
17 wants to play hard ball, let him go down hard ball.
18 But Robert, I know you, man, from school. I know your
19 mom. I told your mom I would sit there -- I told your
20 mom I would sit here and try to keep you from the most
21 ultimate punishment you can get. And I'm trying to do
22 that, and you're not even helping me help you. I can't
23 do no more. I can't speak for you, son.

24 THE WITNESS: All I seen that night out of my
25 window was three figures walking that way. That's all

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1 anything, the glove part you picked up, it would match
2 with this shirt. The same thing with the gloves. I
3 can match it to the exact glove you wore. That's the
4 deal. I can't hide it -- I can't -- I sat there and
5 talked to your mom, your mom is upset and crying.

6 And I'm trying to tell your mom that damn it,
7 I'm trying, Sandra. I'm trying. He won't talk to me.
8 He won't talk to me because he thinks I'm bull shitting
9 him. And I'm not bull shitting him. I'm telling the
10 damn truth. I know what took place, I know what
11 happened, I know who was there, but he won't talk to
12 me.

13 I can't keep -- I can't keep you from the
14 worst, Robert. If you won't talk to me, I can't keep
15 you from the worst.

16 THE WITNESS: But I wasn't there.

17 DETECTIVE SNEAD: Robert, you were. You were
18 there. The evidence shows you were there. The
19 evidence shows it. I can't lie about the evidence.
20 We've been on the scene. I've seen what the evidence
21 is.

22

23 (Both talking at same time, hard to distinguish
24 separate comments)
25

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1 I seen.

2 DETECTIVE SNEAD: Robert.

3 THE WITNESS: I want to help you, Randy. I
4 swear.

5 DETECTIVE SNEAD: No, you don't want to help
6 me, because damn it, Robert, you're not helping
7 yourself. What do you mean by helping me? I don't
8 need your help to solve this case. I don't need it.
9 I've got evidence out the ass. I've even got stuff
10 that's burnt, that supposedly was thrown in the dump.

11 Okay? I've even found that. I mean, articles that
12 were left inside. Anything -- let me show you
13 something. Let me prove something to you, okay? Look
14 at this. Say I've got a glove on, and I do this or I
15 grab something. Right there, I just left evidence.
16 You know how I did it? See this shirt? Is it not an
17 article?

18 THE WITNESS: It's an article.

19 DETECTIVE SNEAD: Pieces fall off of this.
20 Did you know your skin is the worst thing in the world
21 as far as dust? You can't even see it. Dust is made
22 up mostly of human dead skin.

23 THE WITNESS: I didn't know that.

24 DETECTIVE SNEAD: That can be picked up.
25 That's DNA. That stuff right there, if you touched

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1 THE WITNESS: What can I say that I did to
2 get me out of this?

3 DETECTIVE SNEAD: The only way you can get
4 out of this is by talking the truth and saying your
5 part of it. And the thing is, you're not going to get
6 out of it, Robert. I'm not going to lie to you.
7 You're not going to get out it. But you might save
8 your life.

9 THE WITNESS: How many years is it going to
10 be if I was just on the porch?

11 DETECTIVE SNEAD: How many years will it be
12 if you were just on the porch? Robert --

13 THE WITNESS: When will I go home?

14 DETECTIVE SNEAD: Huh?

15 THE WITNESS: When will I go home today?
16 Will I go home now?

17 DETECTIVE SNEAD: I can't promise you, but
18 let me tell you this way, like I told your mom: You
19 work with me, and I will do everything I can to make
20 sure your mom and me can maybe get you home. But until
21 I know the truth, and I get the truth -- and let me
22 tell you something. I know the truth, but until you
23 tell me the truth -- I know where you were in the whole
24 house, Robert, all ready. I already know. I already
25 know. But I can't sit here and tell it for you. Okay?

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1 And don't worry about the years. If you cooperate with
2 me, then I can work with the Commonwealth and say that
3 you cooperated with me. But, son, if you don't
4 cooperate with me, then I can't do that. Then I can't
5 tell your mom that I can save you from the ultimate. I
6 can't do it. Robert, I'm telling your mom the truth
7 and trying to help your momma. But I can't do that. I
8 can't tell her honestly that I can save Robert, because
9 Robert won't work with me.
10 And I just -- it killed me on that phone back
11 there. Your mom is upset. She loves you, Robert, no
12 matter what. She's loving you. And I'm doing my best
13 to try to keep that family tie alive no matter what
14 you've done. She said, I still love him. He's my son.
15 No matter what he has done. And I said, Sandra, I
16 know. And I'm trying to get him to work with me. If
17 he works with me, I will do everything I can to help
18 you see him and get through this. But I can't do that
19 without him telling me the truth. And the thing is, I
20 already know the truth, but I can't speak for him.
21 Robert, I can't, son. I mean, it's almost 7 o'clock.
22 I can't go much longer. I can't go much longer, son.
23 You've got to start talking to me. I can't, man. And
24 I'm going to be with you, Robert. You talk to me, I'm
25 going to be with you, son. I'm not going to let you go

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1 by yourself. I'm going to walk through the whole thing
2 with you. I'll be with you, Robert.
3 THE WITNESS: (Crying) You want to know am I
4 the killer. Is that what those people said, am I the
5 killer?
6 DETECTIVE SNEAD: I don't want to say that
7 you are. Okay?
8 THE WITNESS: Am I? Please tell me.
9 DETECTIVE SNEAD: No, you're not the only
10 one. No, you're not the only one. You're not the only
11 one. I know that. You're not the only one.
12 THE WITNESS: Because I didn't kill nobody.
13 DETECTIVE SNEAD: I know you're not the only
14 one.
15 THE WITNESS: I didn't kill nobody.
16 DETECTIVE SNEAD: Listen to me. Listen to
17 me.
18 THE WITNESS: I didn't kill nobody.
19 DETECTIVE SNEAD: Listen to me. Listen to
20 me. I know you weren't the only one up there.
21 THE WITNESS: I didn't go upstairs.
22 DETECTIVE SNEAD: Listen. I know.
23 THE WITNESS: I didn't go upstairs. I never
24 went upstairs. I stood right there at the door, and
25 when I heard something, I got scared and I ran.

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1 DETECTIVE SNEAD: Robert, don't forget I've
2 got the evidence, son. Right now, look, you're doing
3 great, now. Don't stop now.
4 THE WITNESS: I can't, man.
5 DETECTIVE SNEAD: Relax. I know you're
6 scared. You're strong. You're a big boy. You're a
7 big boy; people look to you for strength.
8 THE WITNESS: I want to go home.
9 DETECTIVE SNEAD: I know you do. But I'll
10 never be able to get you home if you don't tell the
11 truth. Because you know why? The judge is going to
12 hear that you lied to me, and the evidence is going to
13 say what you did. And I can't speak on that. I can't
14 speak against the evidence. I am only human, and I
15 can't get up there and say that Robert worked with me
16 if you don't tell the truth, son.
17 THE WITNESS: But I didn't kill nobody.
18 DETECTIVE SNEAD: Robert, you were up there
19 when it happened, son. You were up there. I know that
20 for a fact. All right. You were in the room.
21 And I know other things. I do. And the
22 evidence is -- shit, I can't hide it, son. See the
23 more you tell me, the more I can give you. All right?
24 THE WITNESS: What did I do?
25 DETECTIVE SNEAD: Now, we haven't gotten that

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1 far yet. Every little bit you give me, I've given you
2 a little bit back; correct? I told you I would. So
3 far you've told me you were in the bottom of the house,
4 only the basement. I told you, no, I have you
5 upstairs.
6 THE WITNESS: There is no basement.
7 DETECTIVE SNEAD: Exactly. You're right.
8 There is no basement.
9 Second, I said you were upstairs. All right?
10 And I know you were upstairs. Now you're asking me to
11 tell you what you did. I can't do that. Now is when
12 you give me something. Tell me a little bit about what
13 you did when you were upstairs in the room with them?
14 THE WITNESS: I sat there and watched them
15 pull out tape and an object, and that's when I ran.
16 DETECTIVE SNEAD: Robert, an object?
17 THE WITNESS: An object. I don't know what
18 it was. I swear to you, I do not know what it was.
19 DETECTIVE SNEAD: Robert, you couldn't have
20 run. I know why. You couldn't run. I've been in that
21 house since then. It's a small house. A big man like
22 yourself, if you run down those steps, for one thing,
23 it's going to make a lot of racket. It's going to wake
24 those kids up.
25 THE WITNESS: Not ran. I walked down the

37 (Pages 142 to 145)

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1 steps --
2 DETECTIVE SNEAD: You're going to --
3 eventually, you did walk out those steps. You're
4 right. Eventually, you did. Eventually, all of you
5 left. All right? But not until after acts took place.
6 And, Robert, sitting here trying to tell me and hiding
7 from the acts that took place is ridiculous.
8 THE WITNESS: I know it did.
9 DETECTIVE SNEAD: Because like I told you --
10 listen to me.
11 THE WITNESS: I know you've got the evidence.
12 DETECTIVE SNEAD: I told you I went down to
13 Richmond. I sat through something that is so -- I
14 never want to -- I mean, I had to sit through that, and
15 I saw what took place, and the evidence taken off of
16 that. I even know how the fire was started.
17 THE WITNESS: I don't know how the fire was
18 started. I wasn't there for that. How was the fire
19 started?
20 DETECTIVE SNEAD: You weren't there because
21 you were with -- I'll tell you, you were with Rocky
22 standing downstairs waiting on whatchamacallit to come
23 down.
24 THE WITNESS: No, I left before Rocky.
25 DETECTIVE SNEAD: Well, who else was there?

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1 THE WITNESS: Ty.
2 DETECTIVE SNEAD: So you've got Ty there. Is
3 that T, whoever his name is?
4 THE WITNESS: T?
5 DETECTIVE SNEAD: Ty? What's his name?
6 THE WITNESS: Ty Herman.
7 DETECTIVE SNEAD: Ty Herman. Where is he at?
8 THE WITNESS: He's somewhere.
9 DETECTIVE SNEAD: Somewhere. He's in the
10 house.
11 THE WITNESS: He's in the house.
12 DETECTIVE SNEAD: And then there's Rocky.
13 THE WITNESS: Then there's Rocky.
14 DETECTIVE SNEAD: And then there's--
15 THE WITNESS: Jessica.
16 DETECTIVE SNEAD: And yourself.
17 THE WITNESS: And me. And once everything
18 started, it seemed like they weren't going to do
19 nothing, everything blew up and I ran.
20 DETECTIVE SNEAD: Well, let's start at the
21 beginning, Robert. We've made it -- we've gotten a
22 long ways in about ten minutes. That's great.
23 THE WITNESS: I just want to go home.
24 DETECTIVE SNEAD: Well, we'll do the best we
25 can.

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1 THE WITNESS: Do you think by me telling you
2 this, it's going to get me home tonight? Today?
3 DETECTIVE SNEAD: Tonight? Today? I doubt
4 it.
5 THE WITNESS: Today you doubt it?
6 DETECTIVE SNEAD: No. You'll see a judge
7 Monday.
8 THE WITNESS: Then why am I lying about all
9 of this to you just so I can go home?
10 DETECTIVE SNEAD: You're not lying.
11 THE WITNESS: I am lying to you. I'm lying
12 to you full fledged, full front to your face. I am
13 lying to you.
14 DETECTIVE SNEAD: All right, Robert. You
15 know what? I'm going to have to call your mom, and I'm
16 going to tell her straight up that you are too damned
17 hard headed and bull headed. You didn't want to work
18 with nobody, because you didn't give a shit about her
19 and you don't give a shit about yourself. You're
20 sitting there lying, and I'm not going to play with you
21 no more. I'm not going to play with you no more.
22 THE WITNESS: All right. So I'll be at Avon
23 until when? Monday?
24 DETECTIVE SNEAD: You'll go to a judge,
25 that's correct. The judge is the one -- that's the

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1 best I can do for you. That's the best I can do for
2 you. And all I can do is tell the Commonwealth's
3 Attorney that he cooperated, and he did this. But if
4 you are going to sit here and tell me you're lying to
5 me now just to go home, that's a crock of shit, Robert.
6 That's a crock of shit. You might as well just spit in
7 my face or something. It's a lie. You might as well
8 spit on your mom. And I'm not going to help your mom
9 then. I don't know how I'm going to do that. I care
10 for that woman. She's your mother. I helped her out,
11 I'm trying to help you out, and you're going to sit
12 here and play games with me.
13 THE WITNESS: I just don't want to --
14 DETECTIVE SNEAD: Think I'm some dumb tree
15 out in the middle of the field.
16 THE WITNESS: I just don't want to go to jail
17 for a long, long, long time.
18 DETECTIVE SNEAD: Robert, I can't sit here
19 and tell you that you'll go for a long, long, long
20 time. But you might go for a short time, a period of
21 time.
22 THE WITNESS: Like -- like five years, ten
23 years?
24 DETECTIVE SNEAD: I don't know. It all
25 depends on how truthful you are. And right now, I

38 (Pages 146 to 149)

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1 would say it is more up in the 60s, 70s, and 80s
2 because you're not being truthful. That's what the
3 judge is going to look at. You are going to be in
4 there the rest of your life if you keep playing these
5 dumb ass games.
6 THE WITNESS: What can I do?
7 DETECTIVE SNEAD: Tell the damn truth is what
8 you can do. Tell the truth. Be honest. I've done
9 told you, I'm going to walk you through it, as far as
10 what you've done. I've got you on the porch, now I've
11 got you on the inside, now I've got you upstairs. Now
12 the fire is started.
13 THE WITNESS: If you didn't tell me -- I
14 don't know.
15 DETECTIVE SNEAD: No, I didn't tell you.
16 THE WITNESS: I don't know about the fire. I
17 know the fire started, but I don't know how it started.
18 I didn't know that they had started the fire. I did
19 not know that they had started the fire.
20 DETECTIVE SNEAD: Robert, there is something
21 that you did in that house, that I know you did.
22 Because we took the whole thing out of the house. We
23 took the whole thing.
24 THE WITNESS: And what is this?
25 DETECTIVE SNEAD: You know what it is.

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1 actions that you did. That way, I can go up and for
2 you and your mom go before the judge and the
3 Commonwealth's Attorney and say, Robert is taking
4 responsibility. Robert is cooperating. That would
5 keep you from the most ultimate punishment.
6 Son, I don't want to go tell your mom that
7 your going to get the most punishment in the world
8 because you won't cooperate. Imagine how it would
9 feel.
10 THE WITNESS: What if me doing this right now
11 and it comes out later it wasn't me?
12 DETECTIVE SNEAD: How is it going to come out
13 that it wasn't you, Robert? You were there.
14 THE WITNESS: I'm saying --
15 DETECTIVE SNEAD: I can tell you, there is
16 four people in that house. I've got three other people
17 telling me you were there, and you are going to tell me
18 you are not? That's not going to work. That's not
19 going to hold water. And you've already admitted it.
20 THE WITNESS: I know.
21 DETECTIVE SNEAD: Any way you go, it isn't
22 going to work. It isn't going to work. The only way
23 to work is to go the right way. That's the only way to
24 work. That's the only way you will get any kind of
25 assistance and you know what, you haven't --

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1 THE WITNESS: No I don't.
2 DETECTIVE SNEAD: Yes, you do.
3 Are we done? I'm going to go. I need to go
4 call your mom and just tell her.
5 THE WITNESS: I want to talk to my mom, too.
6 DETECTIVE SNEAD: Well, you're not going to
7 be able to. After Monday, maybe. I'll just tell her,
8 you know, I'll just have to tell her. You know, He's
9 playing games. I don't understand, man. We're
10 covering so much ground. All we've got to do is back
11 up and talk through it, and you want to start playing
12 games again. I've told you what I know. You know.
13 THE WITNESS: I've told you what I know.
14 DETECTIVE SNEAD: No, you haven't told me
15 everything. There's an item that you touched, all
16 right, that left some particles on it that did some
17 damage to somebody. I know that. Now, I've shared
18 that with you. I know that. Okay? Plain and simple.
19 That puts you doing that.
20 Now, Robert, I can't change that. I can't
21 change what you have done to that lady. Okay? I can't
22 do it. And I can't sit here and bullshit you and lie
23 about it. And the thing is, you can either stand up
24 and be a man for a change and stop playing these boy
25 games of lying and take the responsibility of the

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1 Do you know what this will do for you? It
2 will take a load of weight off of your shoulders to
3 tell the truth, get that guilt out of you, that
4 conscience that is sitting there saying, Robert, you
5 made a mistake. Admit it. You made a mistake. All
6 right. You did something that was wrong. But the only
7 way to fix it is to tell the truth and start working
8 your way back up that big old mountain. You're at the
9 bottom of the hill. You don't want to -- don't dig a
10 hole, Robert. You dig that hole, that's the ultimate
11 punishment. And you know what I mean by that. So
12 don't dig that hole, son. I'm trying to keep you from
13 it. I can't do it by myself. You have got to start
14 training your ass back up that hill. And the only way
15 you can do that is by telling the truth. All right?
16 And I will share things with you. I will share things
17 with you, to show you my sincere honesty about what I
18 know about the scene and what took place that night. I
19 know bits and pieces and things and acts that you were
20 involved in. But you have got to speak it yourself. I
21 can't put the words in your mouth for you. And until
22 you do, son, I can't save you from the ultimate and I
23 can't help your mom like I'm trying to do.
24 THE WITNESS: So I touched something that hit
25 her or struck the person?

39 (Pages 150 to 153)

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1 DETECTIVE SNEAD: And?
2 THE WITNESS: I didn't strike nobody. I
3 didn't hit nobody. I was only supposed to be a
4 lookout.
5 DETECTIVE SNEAD: Uh-huh. So you were only
6 supposed to be the lookout? But you were upstairs in
7 the bedroom with them. How could you be the lookout
8 upstairs in the bedroom with them?
9 THE WITNESS: Because I didn't want them to
10 do nothing. Really, I tried to talk them out, but they
11 just went ahead and did it. And that's when I got
12 scared and I left.
13 DETECTIVE SNEAD: Robert, the -- there's some
14 planning went into this; right? Talking about wanting
15 to rob somebody, and that's all you wanted to do, was
16 rob someone. Get some money?
17 THE WITNESS: No, they just asked me if I
18 wanted to go with them, and I said sure.
19 DETECTIVE SNEAD: And you all were going to
20 do what with the money?
21 THE WITNESS: I didn't know.
22 DETECTIVE SNEAD: Well, once you get with
23 them, they obviously told you where they were going.
24 THE WITNESS: No, they didn't tell me where
25 they were going. They said, We've got something to do,

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1 locked? Which door did they go through?
2 THE WITNESS: I think they went through the
3 back door.
4 DETECTIVE SNEAD: Robert, you should know
5 which door you went through, the back or the front.
6 THE WITNESS: I walked in at the front door.
7 DETECTIVE SNEAD: You went through the front
8 door.
9 THE WITNESS: Yes.
10 DETECTIVE SNEAD: Okay. And you go in the
11 front door. And of course you have to be quiet,
12 because you don't want to wake anybody up; right? Did
13 you know where anybody was at in the house?
14 THE WITNESS: No.
15 DETECTIVE SNEAD: Don't have no clue? Never
16 been in that house before?
17 THE WITNESS: I was never in that house
18 before.
19 DETECTIVE SNEAD: You had never been in that
20 house before?
21 THE WITNESS: I had never been in the house
22 before that night.
23 DETECTIVE SNEAD: Okay. So who do you
24 follow?
25 THE WITNESS: I'm following --

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1 and you are invited to go with us, and there was going
2 to be money involved. And I said yes, I would.
3 DETECTIVE SNEAD: And what would you do with
4 the money?
5 THE WITNESS: What would I have done?
6 DETECTIVE SNEAD: What were you all going to
7 do with the money?
8 THE WITNESS: I was going to pay some bills.
9 DETECTIVE SNEAD: Okay. But were you all
10 going to cut it half and half, or four ways?
11 THE WITNESS: I think they were going to cut
12 it into four ways.
13 DETECTIVE SNEAD: Four ways. That's what I'm
14 talking about, Robert, stuff like that is what I need
15 you to be honest about.
16 THE WITNESS: And I got --
17 DETECTIVE SNEAD: Let me ask you this: How
18 did you get in that house?
19 THE WITNESS: That I don't know, because I
20 didn't get into the house. I didn't touch the door
21 until it was open.
22 DETECTIVE SNEAD: Who opened the door?
23 THE WITNESS: I believe it was either Ty or
24 Rocky.
25 DETECTIVE SNEAD: Either Ty or Rocky? Was it

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1 DETECTIVE SNEAD: Or do you lead?
2 THE WITNESS: I'm following everybody.
3 DETECTIVE SNEAD: All right. So where -- who
4 goes to start?
5 THE WITNESS: They spreaded out, pretty much.
6 DETECTIVE SNEAD: Well, talk to me. Which
7 directions did they go? Who goes where, and which way
8 do you go?
9 THE WITNESS: Since it was dark, two of them
10 went upstairs. I followed two of them, and then I seen
11 one of them grab like something on a roll, you know?
12 DETECTIVE SNEAD: And that would be?
13 THE WITNESS: The tape.
14 DETECTIVE SNEAD: So the roll is the duct
15 tape?
16 THE WITNESS: Yeah.
17 DETECTIVE SNEAD: Okay.
18 THE WITNESS: And then I seen her -- I seen
19 something else -- some object that I had touched
20 before--
21 DETECTIVE SNEAD: What object is that,
22 Robert?
23 THE WITNESS: I don't know.
24 DETECTIVE SNEAD: That you say you touched
25 before. What is that object, Robert?

40 (Pages 154 to 157)

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1 THE WITNESS: I think it was a bat.
2 DETECTIVE SNEAD: It was a bat?
3 THE WITNESS: A bat. A baseball bat.
4 DETECTIVE SNEAD: Okay. Some type of --
5 THE WITNESS: Clubbing device.
6 DETECTIVE SNEAD: Clubbing device. So you've
7 touched the clubbing device now. Okay. All right. Go
8 ahead.
9 THE WITNESS: And once I seen them club her,
10 I said, I'm getting the fuck out of here, because I
11 don't -- I stood around and waited. I told them to
12 stop, and they didn't. Me and Rocky walked down the
13 stairs --
14 DETECTIVE SNEAD: So you saw the clubbing
15 take place?
16 THE WITNESS: I took -- I saw like two hits
17 take place.
18 DETECTIVE SNEAD: Now, let me stop you there.
19 Let's stop for a second. Okay. Take a deep breath.
20 You're doing okay right now.
21 THE WITNESS: I need something to drink, some
22 water.
23 DETECTIVE SNEAD: You want some water?
24 THE WITNESS: Some water please.
25 DETECTIVE SNEAD: Okay. We're going to pick

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1 THE WITNESS: I was with two big figures.
2 DETECTIVE SNEAD: Robert. Once again, we
3 have four people --
4
5 (Knock at door, water sent in, 7:06 a.m.)
6
7 DETECTIVE SNEAD: Yes? Thank you. Once
8 again --
9 THE WITNESS: Eww. Look at that shit, man.
10 What are they trying to do, kill me?
11 DETECTIVE SNEAD: No. It's just filtered
12 water does that some time. Want me to taste it?
13 THE WITNESS: With bugs and hair and stuff?
14 DETECTIVE SNEAD: I'm sure -- hair? Yeah, I
15 see what you're talking about. I'm sure you've drank
16 worse. Over in Ethiopia, they would die for that glass
17 of water right there. Just get it out with your finger
18 or something. There you go. That little piece of hair
19 right there. And if you missed it, it will be okay.
20 It was probably just in the cup from sitting up there
21 with the cups and whatnot.
22 But this is the deal, Robert. I've got four
23 people in the house.
24 THE WITNESS: Saying that I did it all.
25 DETECTIVE SNEAD: No, no. That's not it at

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1 up right back here, do you understand?
2 THE WITNESS: Yes, sir.
3 DETECTIVE SNEAD: Because I ain't got all --
4 I ain't playing these games no more today. We'll keep
5 right on going, okay?
6 THE WITNESS: Whatever it is that I can get
7 to use the phone to talk to my mom.
8 DETECTIVE SNEAD: Just stay put and I'll get
9 you some water. All right. (Walks to door, opens it,
10 then returns to desk)
11 They got water on the way. See how quick
12 that was? X-ray vision. Look right through the wall.
13 I'm listening. Did you see the clubbing device
14 used? You said two hits?
15 THE WITNESS: Two hits.
16 DETECTIVE SNEAD: Who does the two hits?
17 THE WITNESS: I believe it was Ty.
18 DETECTIVE SNEAD: Who?
19 THE WITNESS: Ty. You know, the kind of big,
20 black-haired kid?
21 DETECTIVE SNEAD: Uh-huh.
22 THE WITNESS: I believe it was him, but I'm
23 not real for sure.
24 DETECTIVE SNEAD: You don't know who you were
25 with upstairs?

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1 all. See, that's the thing. Look at me, Robert. I'm
2 not going to sit here and tell you you did at all. I
3 don't believe that one bit. And I'm not -- I tell you
4 what, I'm 98 percent sure that's not true, that you did
5 it all, okay? But I do know that you did some, and I
6 do know the fact that there's four of you in the house,
7 all right, and three people are saying the same story,
8 and all of a sudden you're saying something different.
9 That tells me that you are still trying to keep
10 something from me, as far as who was upstairs. I
11 already know who was upstairs. The other three have
12 admitted who was upstairs. Okay? So, I mean, don't
13 worry about being scared of somebody or whatnot,
14 because you know what, they've already admitted where
15 they're at. They've already went through where they're
16 at, and what parts they took place in, and what things
17 they did. They've already done that.
18 Now, it's you that I'm worried about, because
19 you want to play this hard game, and I don't want you
20 to end up taking the ultimate sacrifice, all right?
21 Just be honest and be straightforward. Make yourself
22 comfortable, I don't care. Relax. But the thing is, I
23 need the truth. And until I get the truth, I can't go
24 before anybody and say that you cooperated, and you
25 told me the truth. I mean, there are things that took

41 (Pages 158 to 161)

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1 place in that house that I know took place because I've
2 got three stories that say the same thing. They say
3 the same thing. And all of a sudden, you're going to
4 say something different? It doesn't work that way.
5 Okay? All right? Just speak the truth and we can get
6 rolling out of here, and we can get things moving. And
7 then when Monday comes and we see the judge, they can
8 say he has cooperated, or whatnot. I can tell the
9 Commonwealth's Attorney, This is what I have.
10 THE WITNESS: So I'm looking at up to 60 to
11 70 years?
12 DETECTIVE SNEAD: At worst. At worst. Right
13 now. If you cooperate, it could be better. I just
14 don't know what -- I can't promise you anything.
15 THE WITNESS: Yeah, I know.
16 DETECTIVE SNEAD: Nothing. But if you don't
17 cooperate, I can guarantee one thing: you won't get the
18 easy side. I guarantee you.
19 THE WITNESS: I won't get the -- if I don't
20 cooperate.
21 DETECTIVE SNEAD: If you don't cooperate, you
22 won't get the easy side. I guarantee it. And like I
23 said, I know what took place in the house. I know who
24 did what. I know what acts everybody did, because you
25 know why, I've got three people saying the same thing,

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1 want to make things right, and I want to pay for my
2 mistake. But I need you to help me through it,
3 Detective Snead. And I'm sitting here going, Yes.
4 Okay. You're headed in the right direction. That's
5 what I want Robert to do. I know Robert didn't mean
6 for this to happen.
7 THE WITNESS: Robert tried to stop this from
8 happening.
9 DETECTIVE SNEAD: But Robert's actions and
10 thoughts just overran him.
11 THE WITNESS: I was scared, because they said
12 if I ran out because I'm a coward, that I would be
13 next.
14 DETECTIVE SNEAD: So they made you
15 participate, too?
16 THE WITNESS: Yes.
17 DETECTIVE SNEAD: All right.
18 THE WITNESS: And they won't say that,
19 probably, because they'll say, Oh, he's lying, because
20 he just don't want to get in trouble. I'm not lying.
21 I just didn't want to get killed.
22 DETECTIVE SNEAD: So this is where you need
23 to tell me the exact act that you did. And I know what
24 it is, so don't BS me, Robert. And it's a very
25 difficult kind to say, but you're going to have to say

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1 now. All I need is for you to say it and verify what
2 they're saying and not to hide anything and be truthful
3 about what you touched, what you did.
4 THE WITNESS: I touched the dressers.
5 DETECTIVE SNEAD: That's fine. Robert,
6 listen to me, son. You did an act.
7 THE WITNESS: I didn't mean for anybody to
8 get hurt.
9 DETECTIVE SNEAD: I know you didn't mean to.
10 THE WITNESS: I didn't want anybody to get
11 hurt.
12 DETECTIVE SNEAD: I know you didn't mean it.
13 THE WITNESS: I tried to change it, no lie.
14 I tried to walk out. But-
15 DETECTIVE SNEAD: It just didn't happen.
16 THE WITNESS: Nobody would let me.
17 DETECTIVE SNEAD: It didn't happen. And
18 anyone --
19 THE WITNESS: Yes, it did. They said they
20 would pin it all on me.
21 DETECTIVE SNEAD: No. They all said the same
22 thing you just said. I didn't want anything to happen.
23 I got scared, I didn't know how to stop it. I was
24 trying to stop myself, but I couldn't stop myself. And
25 I did this act, and now I'm sorry that I did it. But I

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1 it.
2 THE WITNESS: I hit Nola two times.
3 DETECTIVE SNEAD: You hit Nola two times with
4 what?
5 THE WITNESS: With the clubbing device.
6 DETECTIVE SNEAD: With the clubbing device.
7 THE WITNESS: Because they said if I didn't,
8 I would be the next one. I'd be joining her.
9 DETECTIVE SNEAD: Robert, I've got three
10 other stories saying that someone else did the clubbing
11 device. So, let's get it straight. I know what you
12 did, son, and it's difficult to say. But you need to
13 say it. I mean, just say the truth. I know what you
14 did. Look at me, son. For your mom, for yourself, to
15 get through this, tell the truth. I know what you did.
16 THE WITNESS: I don't know what else went
17 down after I hit her.
18 DETECTIVE SNEAD: Robert, you were there.
19 The hitting her and stuff, that took place after tying
20 her up. You were there to help tie her up with the
21 duct tape.
22 THE WITNESS: I didn't help tie her up.
23 DETECTIVE SNEAD: You held her down.
24 THE WITNESS: I was looking for --
25 DETECTIVE SNEAD: You held her down. Do you

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1 know why? It took two other people to tie her up while
2 you held her down?
3 THE WITNESS: Well, then what was the fourth
4 person doing?
5 DETECTIVE SNEAD: Lookout. I know what the
6 fourth one was doing. I'm not bs'ing you, Robert.
7 Stop -- stop this game, man.
8 THE WITNESS: I just want to go home.
9 DETECTIVE SNEAD: You're not making it easy
10 to do that any time down the road. Because you keep
11 bullshitting me. I'm not throwing you a curve ball.
12 THE WITNESS: I held her down while they tied
13 her up.
14 DETECTIVE SNEAD: Yeah.
15 THE WITNESS: And then I hit her two times,
16 because they said if it was -- if I didn't hit her, it
17 would be --
18 DETECTIVE SNEAD: Wait a minute. Now, I've
19 got somebody else clubbing her, Robert. I've got
20 someone else doing that act. You did another act, and
21 you know what that act is, and we know. And that's the
22 thing that has something on it that's yours.
23 THE WITNESS: What would that be?
24 DETECTIVE SNEAD: Well, I'm not going to tell
25 you. You're not going to tell me what you did.

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1 THE WITNESS: I didn't rape nobody.
2 DETECTIVE SNEAD: No, no. I'm not saying
3 that.
4 THE WITNESS: If that's what you're trying
5 to--
6 DETECTIVE SNEAD: No.
7 THE WITNESS: I didn't kill the baby.
8 DETECTIVE SNEAD: No. No. I'm not saying
9 that. I'm not saying that you raped anybody.
10 THE WITNESS: I didn't cut nobody.
11 DETECTIVE SNEAD: I didn't say you cut --
12 THE WITNESS: I didn't shoot nobody.
13 DETECTIVE SNEAD: I didn't say you shot
14 nobody.
15 THE WITNESS: I hit her twice. Because they
16 said if I didn't, I'd be up there with her, too.
17 DETECTIVE SNEAD: Robert, I'm going to come
18 straight out and tell you what I'm getting, since you
19 are not going to tell me. All right? You did not --
20 you did another act; all right? You did another act to
21 that lady, and you can sit here and say it, but I've
22 got three other stories telling me what you did. Why
23 you keep not wanting to say it -- because you know,
24 clubbing and doing the other act are the same thing,
25 except for the fact that you know exactly what I'm

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1 talking about.
2 THE WITNESS: I don't know exactly what
3 you're talking about.
4 DETECTIVE SNEAD: Did you -- and I'm going to
5 ask you a -- I'm going to bring it out as a question,
6 but I know the answer.
7 Did you or did you not stab that woman?
8 THE WITNESS: No. I would not lie to you
9 about that. I did not stab her. I didn't know she had
10 been stabbed until afterwards.
11 DETECTIVE SNEAD: You did not know what?
12 THE WITNESS: That she had been stabbed until
13 afterwards.
14 DETECTIVE SNEAD: Until after what?
15 THE WITNESS: Until after all the things
16 happened. I had the knife, though. I don't know if it
17 stabbed her or not, but I didn't stab her. If I did, I
18 didn't mean to.
19 DETECTIVE SNEAD: If you stabbed her, you
20 didn't mean to. Come on, Robert, look, son --
21 THE WITNESS: There was too much stuff going
22 on.
23 DETECTIVE SNEAD: There was a lot of shit
24 going on. And I know that.
25 THE WITNESS: And I was scared for my life,

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1 as well.
2 DETECTIVE SNEAD: You were scared. The whole
3 situation is scary.
4 THE WITNESS: I was scared for my life.
5 DETECTIVE SNEAD: I understand. I
6 understand. But you know what, you know right from
7 wrong; correct?
8 THE WITNESS: Correct.
9 DETECTIVE SNEAD: You know yes and no;
10 correct?
11 THE WITNESS: Yes.
12 DETECTIVE SNEAD: You were in control of
13 these two feet, you were in control of these
14 extremities, these arms, these hands.
15 THE WITNESS: See, I was told one of them had
16 a gun. I was told one of them had a gun. But I didn't
17 know for sure.
18 DETECTIVE SNEAD: Okay. All right. But you
19 know what you did. And you stabbed that woman.
20 THE WITNESS: I stabbed her.
21 DETECTIVE SNEAD: You stabbed her, didn't
22 you?
23 THE WITNESS: One or two times.
24 DETECTIVE SNEAD: Where at?
25 THE WITNESS: I don't know. It was dark, I

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1 don't know.
2 DETECTIVE SNEAD: Whereabouts on her body?
3 THE WITNESS: It was in the middle.
4 DETECTIVE SNEAD: In the middle. All right.
5 And she was laying on what?
6 THE WITNESS: I think it was her stomach.
7 DETECTIVE SNEAD: And there was one other act
8 that was done, and someone else tried to do it and
9 didn't succeed. I know that. And you helped her.
10 THE WITNESS: I helped who?
11 DETECTIVE SNEAD: Somebody do something that
12 they didn't succeed at the first time.
13 THE WITNESS: What?
14 DETECTIVE SNEAD: You know what I'm talking
15 about.
16 THE WITNESS: No, because it was happening
17 way too fast. I don't know.
18 DETECTIVE SNEAD: You had the knife in your
19 hand, all right, and prior to stabbing her in the -- in
20 the back, all right, you cut her, all right? Did you
21 or did you not do that?
22 THE WITNESS: I did not do that.
23 DETECTIVE SNEAD: You did not do that?
24 THE WITNESS: I did not do that.
25 DETECTIVE SNEAD: Are you sure, Robert?

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1 THE WITNESS: I'm positive.
2 DETECTIVE SNEAD: Did you see who did do that
3 part? Do you know what part I'm talking about?
4 THE WITNESS: No, I did not see nobody cut --
5 cut her. Because after I stabbed her, I like freaked
6 out.
7 DETECTIVE SNEAD: So after you stabbed her,
8 you freaked out?
9 THE WITNESS: I freaked out, because I was
10 scared that since I didn't know where I stabbed her, I
11 didn't know for sure that I did stab her, but I'm
12 pretty sure that I did. I was scared, because they
13 said, Keep going, or we're going to do something to
14 you.
15 DETECTIVE SNEAD: Who was saying that?
16 THE WITNESS: It sounded like Ty. And see,
17 me and Ty, we've been having fights every day. You
18 don't believe, you can talk to my mom and she'll tell
19 you I've been in the office with him a lot. They said
20 if I didn't --
21 DETECTIVE SNEAD: Ty wasn't even upstairs.
22 Ty isn't upstairs with you. So, it's not him telling
23 you that, if anybody said it at all.
24 THE WITNESS: Then it was Rocky, because I
25 thought -- there was two big figures up there, other

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1 than me.
2 DETECTIVE SNEAD: Well, you could see who it
3 was. You know why? Because the bathroom light was on.
4 And you knew exactly where she was, what room she was
5 in, because you could see her. You could see someone
6 else in the room with her. And they're talking.
7 They're whispering back and forth to each other, what's
8 going on. I mean, Robert, come on, buddy. I'm not
9 saying nothing that's new news to you. You were there.
10 THE WITNESS: I was there, but I was really
11 scared. Really scared. Because I didn't want to do
12 it. I was scared for my life.
13 DETECTIVE SNEAD: You didn't want to do it,
14 scared for your life, but you did do it.
15 THE WITNESS: I did do it, because I was
16 scared for my life.
17 DETECTIVE SNEAD: Scared or nervous for your
18 life, whatnot. You knew right from wrong, Robert. Let
19 me ask you this, you do an act like this, and you put -
20 why put yourself in the situation? How would you feel
21 if someone would do that to your mom?
22 THE WITNESS: I'd feel real bad.
23 DETECTIVE SNEAD: Feel real bad.
24 THE WITNESS: I don't want anything to happen
25 to her.

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1 DETECTIVE SNEAD: And --
2 THE WITNESS: And I feel real bad.
3 DETECTIVE SNEAD: You feel real bad now?
4 THE WITNESS: Yes.
5 DETECTIVE SNEAD: Because of this.
6 THE WITNESS: I've felt real bad --
7 DETECTIVE SNEAD: Ever since?
8 THE WITNESS: -- ever since.
9 DETECTIVE SNEAD: And that's why I'm here
10 today, trying to help you get this off of your
11 shoulders so we can head in the other direction. But I
12 can't do so --
13 THE WITNESS: I know I should have called
14 when it happened, because even though I was scared for
15 my life, I was scared that I would get in trouble as
16 well.
17 DETECTIVE SNEAD: Well, Robert, everybody is
18 going to get in trouble. That's no secret. But you
19 know what, some people are in more trouble than others.
20 THE WITNESS: Well, am I in more trouble than
21 others?
22 DETECTIVE SNEAD: We're still working on
23 that, because there are things that aren't adding up
24 yet with who was where, what was done and who said
25 what. You did some other things downstairs that you

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<p>1 haven't talked about yet. 2 THE WITNESS: I was looking around for 3 things. 4 DETECTIVE SNEAD: Yeah. Did you cut anything 5 on or off? 6 THE WITNESS: I don't think I did. If I did, 7 it was a light and that was just for a split second. 8 DETECTIVE SNEAD: How about -- who cut the 9 power off in the house? 10 THE WITNESS: I don't know. 11 DETECTIVE SNEAD: You don't know who? 12 THE WITNESS: I don't know who flipped the 13 breakers. 14 DETECTIVE SNEAD: Are you sure of that? 15 Because we've got evidence on the breakers, actually. 16 THE WITNESS: Positive on that. I'm positive 17 on that. I don't know who flipped the breakers. 18 DETECTIVE SNEAD: Who started the fire? 19 THE WITNESS: I don't know that either. 20 DETECTIVE SNEAD: Where were you at when that 21 started? 22 THE WITNESS: I was downstairs, about to 23 start rolling. 24 DETECTIVE SNEAD: Waiting on them to come on 25 down?</p>	<p>1 DETECTIVE SNEAD: First degree murder. 2 THE WITNESS: What is that, life, usually? 3 DETECTIVE SNEAD: It depends. It all 4 depends. And the thing about it is, you knew that the 5 baby was in the house. 6 THE WITNESS: Yeah, after somebody had said 7 something. I don't know who said something. 8 DETECTIVE SNEAD: Did you know if anybody 9 else was in the house? 10 THE WITNESS: No. 11 DETECTIVE SNEAD: Well, there were two other 12 subjects in the house. Did you ever see them? 13 THE WITNESS: No. 14 DETECTIVE SNEAD: Do you know Wendy? 15 THE WITNESS: I know Wendy. 16 DETECTIVE SNEAD: And Katie. 17 THE WITNESS: I didn't know Katie. I know of 18 her. 19 DETECTIVE SNEAD: Both of them were in the 20 house, so -- 21 THE WITNESS: I knew Wendy because she rode 22 the bus. 23 DETECTIVE SNEAD: With -- they were in the 24 house when this whole thing went down. When the house 25 was set on fire. You are there, when this was done.</p>
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<p>1 THE WITNESS: Yeah. Because they said that's 2 all they were going to do. 3 DETECTIVE SNEAD: Who came down? 4 THE WITNESS: It was Jessie and Rocky. 5 DETECTIVE SNEAD: Jessie and Rocky? 6 THE WITNESS: Yeah. But I think Jessie was 7 already in the halfway, middle of the stairs. 8 DETECTIVE SNEAD: And Ty was downstairs the 9 whole time, wasn't he? 10 THE WITNESS: Yeah. 11 DETECTIVE SNEAD: Ty was never upstairs. 12 THE WITNESS: No. 13 DETECTIVE SNEAD: Positive? 14 THE WITNESS: I'm not real for sure positive. 15 DETECTIVE SNEAD: I wish you hadn't done this 16 stuff, Robert. 17 THE WITNESS: I do, too. I'm going to jail 18 for a long time now. 19 DETECTIVE SNEAD: I just -- it's very 20 serious, Robert. It's no joke. 21 THE WITNESS: I know it's serious. 22 DETECTIVE SNEAD: Very serious charges, very 23 serious situation. 24 THE WITNESS: What murder is it? Is it in 25 the first?</p>	<p>1 You're part of the same group that went in. You are an 2 associate. 3 THE WITNESS: I tried to run. I swear I did. 4 I didn't want to do this. 5 DETECTIVE SNEAD: Son, trying to run is like 6 saying, I tried not to stab her, but I stabbed her. 7 THE WITNESS: But I was -- 8 DETECTIVE SNEAD: The whole thing shouldn't 9 have happened by, first thing, breaking into the house 10 that's not yours. That's where it should have not 11 started. But it did. It did. And, I mean, you've got 12 robbery. I mean -- let me ask you this, where is the 13 ring? 14 THE WITNESS: What ring? 15 DETECTIVE SNEAD: The ring that was taken. 16 Do you remember anybody taking that ring? 17 THE WITNESS: What ring? 18 DETECTIVE SNEAD: I'm just asking. I mean, 19 how did you all split up the little bit of money you 20 got? 21 THE WITNESS: I got a small portion. 22 DETECTIVE SNEAD: How much? 23 THE WITNESS: About \$20. 24 DETECTIVE SNEAD: Twenty dollars? 25 THE WITNESS: They said I would have about</p>

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1 \$200 or \$300. I thought I would be able to help Mom
2 pay bills. But she didn't need my help.
3 DETECTIVE SNEAD: How much money did you all
4 take out of there?
5 THE WITNESS: I don't know how much they took
6 out of there. I perceived it to be a \$100 bill, and
7 then when I got home, it was only a 20.
8 DETECTIVE SNEAD: Who did you get that from?
9 THE WITNESS: Somebody handed it to me. I
10 couldn't tell you who handed it to me, because I really
11 wasn't paying attention. I was just -- tears were all
12 in my eyes and I was so nervous, I was so scared that I
13 was going to have to be the one that was going to stay
14 there and die with them.
15 DETECTIVE SNEAD: No one had to die.
16 THE WITNESS: No one had to die.
17 DETECTIVE SNEAD: But they did because people
18 got carried away.
19 THE WITNESS: Yes.
20 DETECTIVE SNEAD: Lost their temper.
21 THE WITNESS: Yes.
22 DETECTIVE SNEAD: Lost their control.
23 THE WITNESS: Yes.
24 DETECTIVE SNEAD: And you were one of them,
25 along with the others. And that's the said part about

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1 it, Robert. Because I would never have looked at you
2 in a million years and thought that you would have been
3 capable of doing something like that. But then again,
4 there are people that do things every day, that make
5 mistakes. And everyone is bound to make mistakes
6 sooner or later.
7 THE WITNESS: Is that cooperating?
8 DETECTIVE SNEAD: You're doing okay right
9 now.
10 THE WITNESS: Can I please call my mom?
11 DETECTIVE SNEAD: Let me ask you this: The
12 clothes you had on that night, what did you have on
13 that night?
14 THE WITNESS: This.
15 DETECTIVE SNEAD: You had on what you have on
16 right there. Same shoes?
17 THE WITNESS: I don't know.
18 DETECTIVE SNEAD: Do you remember what shoes
19 you had on?
20 THE WITNESS: Uh-uh.
21 DETECTIVE SNEAD: That was definitely the
22 clothes you had on that night?
23 THE WITNESS: I'm pretty sure.
24 DETECTIVE SNEAD: Same jacket?
25 THE WITNESS: I didn't wear my jacket.

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1 DETECTIVE SNEAD: You didn't wear a jacket
2 that night? You know what happened to your gloves,
3 right? I mean, you know what you did to them?
4 THE WITNESS: No.
5 DETECTIVE SNEAD: Huh?
6 THE WITNESS: Uh-uh. Because I don't
7 remember wearing gloves.
8 DETECTIVE SNEAD: You don't remember wearing
9 gloves?
10 THE WITNESS: No. But I think I threw them
11 away. If I was wearing them, I threw them away.
12 DETECTIVE SNEAD: Who was the ringleader?
13 Who was in charge?
14 THE WITNESS: I don't know.
15 DETECTIVE SNEAD: You don't know?
16 THE WITNESS: I don't know. My throat's
17 getting dry. My throat is so dry.
18 DETECTIVE SNEAD: Relax a little bit. You're
19 really shaking and nervous.
20 THE WITNESS: I'm scared.
21 DETECTIVE SNEAD: I understand.
22 THE WITNESS: It's tough because I'm scared
23 that now I'm going to get in more trouble. I'm scared
24 that they're going to send me --
25 DETECTIVE SNEAD: Robert, you are already in

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1 trouble. I wouldn't have had you down here if you
2 weren't in trouble. The only thing you are doing now
3 is trying to take a load off of your shoulders and get
4 the truth out.
5 THE WITNESS: Can I have some more water,
6 please?
7 DETECTIVE SNEAD: You want more water?
8 THE WITNESS: Yes.
9 DETECTIVE SNEAD: All right.
10 THE WITNESS: Can you fill this up with
11 water, so I can have more than that little bit?
12 DETECTIVE SNEAD: No, I'll just keep them
13 going. It's no big deal. (Goes to door, 7:27 a.m.)
14 THE WITNESS: I need some nicotine.
15 DETECTIVE SNEAD: Some what?
16 THE WITNESS: Some nicotine.
17 DETECTIVE SNEAD: I don't have any nicotine,
18 Robert.
19 THE WITNESS: I do.
20 DETECTIVE SNEAD: All right. I'll tell you
21 what, you keep cooperating and I'll get you out here
22 and get you nicotine.
23 THE WITNESS: I'd rather have a cigarette,
24 but I've got dip.
25 Will I be able to talk to my mom?

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1 DETECTIVE SNEAD: I will make sure you get a
2 phone call, okay?
3 THE WITNESS: Will it be in private, or will
4 there be somebody standing right there?
5 DETECTIVE SNEAD: You'll be out in the open,
6 but you'll be by yourself.
7 THE WITNESS: To talk to my mom?
8 DETECTIVE SNEAD: Yes.
9 THE WITNESS: I'm not sure I want to be by
10 myself.
11 DETECTIVE SNEAD: Do you want me to be with
12 you?
13 THE WITNESS: I want to be by myself.
14 DETECTIVE SNEAD: Are you sure?
15 THE WITNESS: Yeah.
16 DETECTIVE SNEAD: Because, I mean, I've got
17 to call her, too.
18 THE WITNESS: So I'll be out in the open, but
19 I'll be by myself?
20 DETECTIVE SNEAD: Yeah.
21
22 (Knock on door, water delivered, 7:28 a.m.)
23
24 DETECTIVE SNEAD: Mouth a little better?
25 Probably the water in this county or city or whatever

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1 you call it. Is there anything from that house,
2 Robert, that you know of hidden anywhere?
3 THE WITNESS: Uh-uh.
4 DETECTIVE SNEAD: That we haven't already
5 found.
6 THE WITNESS: Uh-uh.
7 DETECTIVE SNEAD: You know I've found the
8 other stuff; right?
9 THE WITNESS: What stuff?
10 DETECTIVE SNEAD: Well, I found the knife
11 that was used. I found the what you called a bat, the
12 [Unintelligible], whatever, that was used. We found
13 all of that that was hidden.
14 THE WITNESS: Where were they at?
15 DETECTIVE SNEAD: They were hidden down in
16 the woods. Weren't they?
17 THE WITNESS: I don't know.
18 DETECTIVE SNEAD: I'll -- you were testing me
19 to see if I was telling you the truth or not.
20 THE WITNESS: No, I don't know where they
21 were hidden.
22 DETECTIVE SNEAD: You didn't go with them to
23 hide them?
24 THE WITNESS: No.
25 DETECTIVE SNEAD: You and who didn't?

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1 THE WITNESS: Huh?
2 DETECTIVE SNEAD: You and who didn't go with
3 them?
4 THE WITNESS: I don't know. As soon as they
5 said, We've got to get the fuck out of here, I ran.
6 DETECTIVE SNEAD: But who ran with you?
7 THE WITNESS: I don't know. I was running so
8 fast --
9 DETECTIVE SNEAD: Which way did you run?
10 THE WITNESS: I ran toward my house.
11 DETECTIVE SNEAD: Out the back door, front
12 door, side door?
13 THE WITNESS: Front door.
14 DETECTIVE SNEAD: Have you talked to anyone
15 about what you had done since then?
16 THE WITNESS: No.
17 DETECTIVE SNEAD: Anyone at all?
18 THE WITNESS: No.
19 DETECTIVE SNEAD: You see me today, up in
20 Crozet? At the gas station?
21 THE WITNESS: I waved to you.
22 DETECTIVE SNEAD: Yeah.
23 THE WITNESS: When I was going to the
24 doctors.
25 DETECTIVE SNEAD: Yeah. Who was that guy you

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1 picked up?
2 THE WITNESS: That was one of the guys that
3 lives right across the street from me. He was walking
4 in the road.
5 DETECTIVE SNEAD: You don't know his name?
6 THE WITNESS: His name's Robbie. He was
7 walking in the rain. I saw him walking in the rain to
8 work. I don't know why I stopped. I know him from
9 school, as well.
10 DETECTIVE SNEAD: I tell you what, why don't
11 you -- I need to step out. I need to get something to
12 drink. My throat is getting dry. I'll be right back.
13 You think about things, and I'll be right back.
14 THE WITNESS: No more questions.
15 DETECTIVE SNEAD: Okay. Just hold tight,
16 I'll be right back.
17 THE WITNESS: You promise?
18 DETECTIVE SNEAD: Huh?
19 THE WITNESS: You promise?
20 DETECTIVE SNEAD: No more?
21 THE WITNESS: No.
22 DETECTIVE SNEAD: You don't want me to ask
23 you any more questions?
24 THE WITNESS: No; you promise you'll be right
25 back?

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1 DETECTIVE SNEAD: Yes. I'm not going to
2 leave you, Robert. I'll be right back.
3
4 (Detective Snead exits room, time unknown)
5
6 (Nebulizer running)
7
8 (The witness knocks on door, 7:35 a.m.)
9
10 POLICE OFFICER: Robert, he'll be right back.
11 THE WITNESS: Can I have some more water?
12 POLICE OFFICER: Randy will be right here for
13 you, okay?
14 THE WITNESS: That's all I want, is some more
15 water, please.
16
17 (Officer enters with water, 7:37 a.m.)
18
19 POLICE OFFICER: Here's your water, Robert.
20 There you go.
21 THE WITNESS: Thank you. I wish you could
22 tell me when he'll be back.
23 POLICE OFFICER: Stay right there. He'll be
24 right here.
25

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1 (Officer exits, 7:37 a.m.)
2
3 (Detective Snead reenters room, 7:37 a.m.)
4
5 DETECTIVE SNEAD: Robert, I just want to
6 clear up a few things and make sure we understand each
7 other, okay? Okay? Are we okay? Want some -- drink
8 some water, man. Drink some water. All right.
9 You know the situation I have; right? You
10 understand that the acts that you were involved in on
11 the 19th --
12 THE WITNESS: I'm going to jail.
13 DETECTIVE SNEAD: Listen to me.
14 -- on the 19th of February, 2003, were
15 illegal acts; correct?
16 THE WITNESS: Correct.
17 DETECTIVE SNEAD: And you understand that
18 those things that you did were against the law?
19 THE WITNESS: Correct.
20 DETECTIVE SNEAD: And you understand that no
21 matter what I -- no matter what we do here, I've got to
22 serve the warrants on you.
23 THE WITNESS: I've got to go there.
24 DETECTIVE SNEAD: I've got to take you before
25 the magistrate.

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1 THE WITNESS: Right now?
2 DETECTIVE SNEAD: We'll go here in just a
3 little bit.
4 THE WITNESS: Will I get my phone call?
5 DETECTIVE SNEAD: Yes, you'll get your phone
6 call.
7 THE WITNESS: Can I have a cigarette?
8 DETECTIVE SNEAD: Yes, I will get you a
9 cigarette. But you understand that I can't promise you
10 anything.
11 THE WITNESS: Like promise me what?
12 DETECTIVE SNEAD: With the magistrate.
13 THE WITNESS: Like a bond and all that?
14 DETECTIVE SNEAD: A bond and all that. I can
15 only speak on your behalf, that you cooperated. I
16 can't sit here and say, Robert, -- same thing goes with
17 the Commonwealth and the judge. And this is where
18 cooperation comes in. If you cooperate, I can speak on
19 your behalf to the Commonwealth and say, He cooperated.
20 This is what he did, and whatnot. Then they can
21 present that to the judge, and it's up to the judge. I
22 have no decision making power. You know what I mean?
23 You know the judge has the ultimate power.
24 THE WITNESS: Yeah.
25 DETECTIVE SNEAD: There is nothing that me

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1 and you have talked about, period, that I can change,
2 that I can sit back and say, Robert, if you tell me
3 this, I'll do this with you. I can't do that. The
4 only thing is, if you tell me this, the only thing I
5 can do for you is to try and help you. That's all I
6 can do; all right?
7 And you understand that one of these charges
8 is for first degree murder?
9 THE WITNESS: Just one of them?
10 DETECTIVE SNEAD: Well, there are two for
11 first degree murder.
12 THE WITNESS: I'm going to jail for life.
13 DETECTIVE SNEAD: That is not capitol, and
14 that is not the death sentence.
15 THE WITNESS: What is it?
16 DETECTIVE SNEAD: It's first degree murder,
17 it's years, or whatnot. That's the charge.
18 THE WITNESS: How many years?
19 DETECTIVE SNEAD: I would have to look it up
20 for sure, but that's up to the judge, too. I mean,
21 they give you limitations, and it's up to the judge
22 based upon your cooperation, your understanding, the
23 guidelines and stuff like that as to what happens in
24 court. But that's a long ways down the road. I just
25 want to make sure you understand and --

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1 THE WITNESS: Will you be there on Monday?
2 DETECTIVE SNEAD: I should be there Monday,
3 yes, sir. I mean, I'll be there, Robert.
4 THE WITNESS: I'm scared for my life.
5 DETECTIVE SNEAD: Well, you have to
6 understand that I will let the Commonwealth know
7 everything we've talked about, but I just want you to
8 know I can't promise you what the outcome is going to
9 be. Do you understand that?
10 THE WITNESS: Yes.
11 DETECTIVE SNEAD: Do you understand that -- I
12 mean, that you've told me today -- or everything that
13 you finally have told me and come clean on today --
14 THE WITNESS: I've helped -- I've --
15 DETECTIVE SNEAD: You've helped yourself.
16 THE WITNESS: And I --
17 DETECTIVE SNEAD: And you've been
18 cooperative.
19 THE WITNESS: Okay.
20 DETECTIVE SNEAD: And you understand that --
21 everything you've told me is true; correct?
22 THE WITNESS: True.
23 DETECTIVE SNEAD: Everything you've done,
24 been part of, is true; correct?
25 THE WITNESS: True.

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1 DETECTIVE SNEAD: I mean, you didn't leave
2 anybody out of the picture?
3 THE WITNESS: No.
4 DETECTIVE SNEAD: How many of you are there?
5 THE WITNESS: Four.
6 DETECTIVE SNEAD: Four.
7
8 (Knock on the door, time unknown)
9
10 POLICE OFFICER: Excuse me. Detective Snead,
11 can I talk to you for a minute?
12
13 (Detective Snead exits room, time unknown)
14
15 (Detective Snead reenters room, 7:43 a.m.)
16
17 DETECTIVE SNEAD: Okay. I have to fill out
18 some paperwork, okay?
19 THE WITNESS: May I read it?
20 DETECTIVE SNEAD: I'm going to read it to
21 you. Robert, this first warrant here says that on or
22 about 2/19/2003 did unlawfully and feloniously and in
23 violation of Section 18.2-26/18.2-32, Code of Virginia,
24 willfully, deliberately, and with premeditation attempt
25 to kill or murder the 11 year old minor child of Nola

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1 Annette Charles. That's your copy here. We want your
2 signature here. There is seven total, okay?
3 And you were asking me about the years and stuff.
4 That stuff I can't answer for you. I don't have the
5 answer, that's why I can't promise you anything. Do
6 you understand that?
7 THE WITNESS: Can I ask you something,
8 though?
9 DETECTIVE SNEAD: Yeah, you can ask me, and
10 I'll see if I can answer.
11 THE WITNESS: All right. Say somebody was
12 not in it and their DNA and all that stuff was found
13 there.
14 DETECTIVE SNEAD: Uh-huh.
15 THE WITNESS: They admitted to it, and the
16 report shows up that it is not them, then what?
17 DETECTIVE SNEAD: Hold on, let me finish with
18 this. Read this one again, real quick. This is on or
19 about 2/19/2003 did unlawfully and feloniously and in
20 violation of section 18.2-26/18.2-32, Code of Virginia,
21 of Albemarle County, did willfully and deliberately and
22 with premeditation did attempt to murder the 15 year
23 old minor child of Nola Annette Charles.
24 THE WITNESS: That's three felonies all
25 together right there, one, two, three. So I'm going to

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1 jail for life.
2 DETECTIVE SNEAD: No. No. No. No. Where
3 do you get this going to jail for life stuff?
4 THE WITNESS: Court TV.
5 DETECTIVE SNEAD: Court TV? I thought maybe
6 you'd heard it from somebody else around here.
7 THE WITNESS: Three felonies, and you're --
8 DETECTIVE SNEAD: No, that's -- I can't tell
9 you how that plays out. That's totally up to the
10 judge.
11 THE WITNESS: So I'm not the only one with
12 all of these; right?
13 DETECTIVE SNEAD: No, sirree. Everyone got
14 the same charges, the exact same charges. Okay?
15 Everyone is being charged for the same thing.
16 This one is in Albemarle County on or about
17 2/19/2003 did unlawfully and feloniously in violation
18 of Section 18.2-32 code of Virginia did willfully,
19 deliberately and with premeditation did kill and murder
20 the three year old minor child of Nola Annette Charles
21 in the first degree.
22 And that's your copy.
23 THE WITNESS: So you're willing to help me?
24 DETECTIVE SNEAD: As far as what?
25 THE WITNESS: As everything.

49 (Pages 190 to 193)

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1 DETECTIVE SNEAD: You mean speaking on your
2 behalf, saying you cooperated?
3 THE WITNESS: Yes.
4 DETECTIVE SNEAD: Yes, I will do that. You
5 finally did start coming around and cooperated. Yes.
6 There for a while, I didn't know if I was going to be
7 able to say that you did cooperate. I thought I was
8 just going to have to serve the warrants on you and
9 leave it be.
10 THE WITNESS: In that case, if that did
11 happen --
12 DETECTIVE SNEAD: On or about -- in Albemarle
13 County, on or about 2/19/2003, did unlawfully and
14 feloniously in violation of Section 18.2-58, Code of
15 Virginia, rob Nola Annette Charles of \$6 currency.
16 And that's your copy.
17 THE WITNESS: Would it have been better to
18 have had a lawyer here?
19 DETECTIVE SNEAD: I can't advise you either
20 way on that. I can only read you your rights. I can't
21 tell you, Robert, get a lawyer or Robert, don't get a
22 lawyer. I can't do that.
23 THE WITNESS: Okay.
24 DETECTIVE SNEAD: In Albemarle County, on or
25 about 2/19/2003, did unlawfully and feloniously in

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1 your court case, then it will be up to whoever, the
2 jury or the judge to find that, okay?
3 THE WITNESS: Okay.
4 DETECTIVE SNEAD: In Albemarle County on or
5 about 2/19/2003 did unlawfully and feloniously and in
6 violation of Section 18.2-77 Code of Virginia
7 maliciously burn or destroy by the use of explosives an
8 occupied dwelling, house or manufactured home belonging
9 to Nola Annette Charles.
10 THE WITNESS: This is not a felony is it? It
11 says class, unclassified. That's not --
12 DETECTIVE SNEAD: It's still a felony, but
13 it's unclassified.
14 THE WITNESS: I really thank you for getting
15 me a cigarette.
16 DETECTIVE SNEAD: I'll get you one. I told
17 you I would. I'm a man of my word.
18 THE WITNESS: I know. I'm saying thank you.
19 And thank you for letting me talk to my mom.
20 [Unintelligible].
21 DETECTIVE SNEAD: And the last one, Robert,
22 is that in Albemarle County on or about 2/19/2003 did
23 unlawfully and feloniously and in violation of Section
24 18.2-32 did willfully, deliberately and with
25 premeditation kill and murder Nola Annette Charles in

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1 violation of Section 18.2-89 Code of Virginia, while
2 armed with a deadly weapon, break and enter in the
3 nighttime to the dwelling house of Nola Annette Charles
4 with the intent to commit larceny or a felony.
5 THE WITNESS: That's how many right there?
6 DETECTIVE SNEAD: We're up to number --
7 THE WITNESS: Six.
8 DETECTIVE SNEAD: -- six.
9 THE WITNESS: So this is just being accused
10 of it; right?
11 DETECTIVE SNEAD: Right?
12 THE WITNESS: So I still have a chance --
13 DETECTIVE SNEAD: You are still innocent
14 until proven guilty in a court of law.
15 THE WITNESS: So I still have a chance that
16 even if the DNA does not match up to me; correct?
17 DETECTIVE SNEAD: The DNA doesn't match up to
18 you?
19 THE WITNESS: Or whatever y'all got.
20 DETECTIVE SNEAD: Well, it's evidence. Just
21 think of it as evidence.
22 THE WITNESS: If the evidence does not link
23 to me...
24 DETECTIVE SNEAD: If there is evidence -- if
25 there is a sufficient amount of reasonable doubt in

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1 the first degree.
2 THE WITNESS: So I -- if the evidence does
3 not link to me, I could get away.
4 DETECTIVE SNEAD: That's up to the judge.
5 Get away?
6 THE WITNESS: Well, not have jail time. If
7 the evidence does not link to me.
8 DETECTIVE SNEAD: Well, if you figure this
9 much, I mean, I can't tell you what is going to happen,
10 but look at it this way: You had a small part to play
11 in it or you can call it a big part, whatever you want
12 to call it. But you definitely had a part in what took
13 place that night.
14 THE WITNESS: But say --
15 DETECTIVE SNEAD: So there is going to be
16 some type of situation that the court is going to have
17 to look at. And it is up to the court to find guilt or
18 innocence. All right. Let me see if I've got time --
19 where are your cigarettes at?
20 THE WITNESS: I don't have no cigarettes.
21 The only thing I have is dip.
22 DETECTIVE SNEAD: Can I find you one?
23 THE WITNESS: Yes, please. I hate dip.
24 DETECTIVE SNEAD: All right. Let me see if I
25 can find you one.

50 (Pages 194 to 197)

<p style="text-align: right;">Page 198</p> <p>1 THE WITNESS: You think that would be easy?</p> <p>2 DETECTIVE SNEAD: I hope so. We'll see in</p> <p>3 just a second. I'll see.</p> <p>4 THE WITNESS: Yeah. Can I get some more</p> <p>5 water?</p> <p>6 DETECTIVE SNEAD: Yeah. Hold on let me find</p> <p>7 somebody and I'll have them come here and get it for</p> <p>8 you, all right?</p> <p>9 THE WITNESS: All right.</p> <p>10</p> <p>11 (Detective Snead exits room, 7:51 a.m.)</p> <p>12</p> <p>13 (Detective Snead reenters room, 7:53 a.m.)</p> <p>14</p> <p>15 DETECTIVE SNEAD: All right, Robert.</p> <p>16 Somebody is looking for a cigarette. Let me ask you</p> <p>17 something: If that's what you were wearing, those</p> <p>18 clothes that night, that you have on, they're going to</p> <p>19 put you in a uniform over here at the jail.</p> <p>20 THE WITNESS: That's what they do anyways,</p> <p>21 isn't it?</p> <p>22 DETECTIVE SNEAD: Yeah. You have any problem</p> <p>23 with me taking these clothes right here and putting</p> <p>24 them into a bag and taking control over them?</p> <p>25 THE WITNESS: As evidence?</p>	<p style="text-align: right;">Page 200</p> <p>1 (Detective Snead exits room, 7:54 a.m.)</p> <p>2</p> <p>3 (The witness knocks on door, 7:59 a.m.)</p> <p>4</p> <p>5 POLICE OFFICER: What's up?</p> <p>6 THE WITNESS: Can I get some water, please?</p> <p>7</p> <p>8 (Officer returns with water, 8:00 a.m.)</p> <p>9</p> <p>10 THE WITNESS: When is Randy going to be back?</p> <p>11 POLICE OFFICER: He'll be back in just a</p> <p>12 second.</p> <p>13 THE WITNESS: Okay. Can somebody take me to</p> <p>14 the bathroom real quick?</p> <p>15 POLICE OFFICER: We'll get you there in just a</p> <p>16 minute.</p> <p>17</p> <p>18 (Officer exits room, 8:00 a.m.)</p> <p>19</p> <p>20 (Detective Snead reenters room, 8:05 a.m.)</p> <p>21</p> <p>22 DETECTIVE SNEAD: I'm back.</p> <p>23 THE WITNESS: Can you take me to the</p> <p>24 bathroom?</p> <p>25 DETECTIVE SNEAD: Yeah. I got you a</p>
<p style="text-align: right;">Page 199</p> <p>1 DETECTIVE SNEAD: Yeah.</p> <p>2 THE WITNESS: Can I have them back?</p> <p>3 DETECTIVE SNEAD: Eventually, possibly, yes,</p> <p>4 but for the time being, no. What I'm doing is, I'm</p> <p>5 trying to get permission to take your clothes. If not,</p> <p>6 I'll just to have to get a search warrant for the</p> <p>7 clothes. But I'm asking your permission to take them,</p> <p>8 since we're getting along.</p> <p>9 THE WITNESS: But would I get something to</p> <p>10 wear, like boxers and stuff? Because I don't have no</p> <p>11 boxers.</p> <p>12 DETECTIVE SNEAD: Yeah. Yes, you will get</p> <p>13 something to wear. You will not run around naked over</p> <p>14 there.</p> <p>15 THE WITNESS: Well, then, go for it.</p> <p>16 DETECTIVE SNEAD: All right. I've got</p> <p>17 something for you set out, I'm just letting you know</p> <p>18 THE WITNESS: Anything that is going to help.</p> <p>19 DETECTIVE SNEAD: It may help you. You never</p> <p>20 know.</p> <p>21 THE WITNESS: Because this is what I was</p> <p>22 wearing that night.</p> <p>23 DETECTIVE SNEAD: Okay.</p> <p>24 THE WITNESS: Hey.</p> <p>25</p>	<p style="text-align: right;">Page 201</p> <p>1 cigarette like you asked, okay? Only one I could find.</p> <p>2 I had to hunt that thing down.</p> <p>3 Hey, Rob, I want to make sure you understand,</p> <p>4 okay? Because sometimes we're talking and things are</p> <p>5 moving quickly, and I want to make sure that what you</p> <p>6 have said tonight, up to this moment, to me, is that a</p> <p>7 true and accurate statement?</p> <p>8 THE WITNESS: Yes.</p> <p>9 DETECTIVE SNEAD: About your involvement,</p> <p>10 about who was there?</p> <p>11 THE WITNESS: Yes.</p> <p>12 DETECTIVE SNEAD: Okay. At any time --</p> <p>13 THE WITNESS: It's too late for me to say no.</p> <p>14 DETECTIVE SNEAD: At any time have I</p> <p>15 threatened you in any way, made you feel as if I'm</p> <p>16 gonna hurt you or anything like that? Or coerce you or</p> <p>17 anything like that?</p> <p>18 THE WITNESS: Of course not.</p> <p>19 DETECTIVE SNEAD: Did I promise you anything,</p> <p>20 as far as years or anything like that, or what's going</p> <p>21 to happen in court? Have I done anything like that for</p> <p>22 you? Do you feel like I've done that?</p> <p>23 THE WITNESS: All you've said is that I'm</p> <p>24 still innocent until proven guilty.</p> <p>25 DETECTIVE SNEAD: And then I told you I'd get</p>

51 (Pages 198 to 201)

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1 a cigarette.
2 THE WITNESS: But I'm not allowed to smoke
3 this right now.
4 DETECTIVE SNEAD: No, but I told you I would
5 do that for you. But you understand all that; right?
6 You understand that I've got no control over what the
7 courts do?
8 THE WITNESS: Right. Right.
9 DETECTIVE SNEAD: And I haven't promised you
10 or coerced you or told you -û threatened you --
11 THE WITNESS: So, I've got one more question.
12 DETECTIVE SNEAD: Okay.
13 THE WITNESS: Say none of the evidence comes
14 back linked to me.
15 DETECTIVE SNEAD: Then you might have a damn
16 good chance in court. That's up to the court to
17 decide.
18 THE WITNESS: That's -- because I knew
19 someone [Unintelligible] things. That's all I needed
20 to know.
21 DETECTIVE SNEAD: Okay? Okay. Well, let's
22 go out -- let's grab our trash up here.
23
24 (Conclusion of videotape, time unknown)
25 * * * * *

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1
2 CERTIFICATE OF TRANSCRIPTIONIST
3
4 I certify that the foregoing is a correct
5 transcript from the audio recording of the video
6 recording of the proceedings in the above-entitled
7 matter, to the best of my ability.
8
9
10
11
12 _____
13 Dana N. Rexrode
14
15
16 _____
17 Cathy K. Linebrink
18 For TCS, LLC d/b/a Cavalier Transcription
19
20 Dated 25 April 2003
21
22
23
24
25

52 (Pages 202 to 203)