

S E C R E T

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND
GRAND JURY PROCEEDINGS

IN RE:

Special Investigation

Grand Jury No. 83,537

TRANSCRIPT OF PROCEEDINGS

Grand Jury Room
County Courthouse
Upper Marlboro, Maryland
Tuesday, June 26, 2007

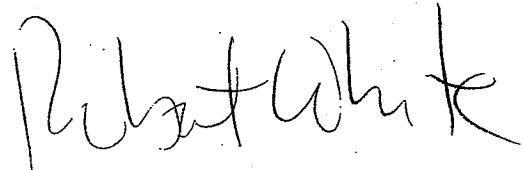
The Grand Inquest for the State of Maryland for
the Body of Prince George's County (Grand Jury for the
June "C" Term, 2007) was convened at 2:49 o'clock p.m.,
DELORES P. ANISTEAD, Foreman, presiding.

PRESENT:

(A quorum of nineteen members of the Grand Jury
was present.)

JOSEPH WRIGHT, ESQUIRE, Assistant State's Attorney
for Prince George's County.

PHYLLIS JACOBS, Clerk-Reporter to the Grand Jury.



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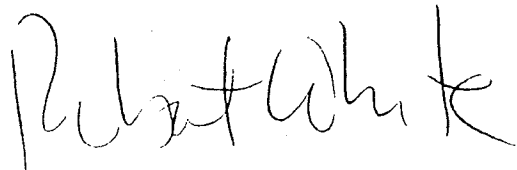
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S E C R E T

P R O C E E D I N G S

(Whereupon, the witness entered the room.)

MR. WRIGHT: Do you want his hand up?

THE FOREMAN: I'm sorry. Please raise your right hand.

You do solemnly promise and declare that the testimony you are about to give before this Grand Jury shall be the truth, the whole truth and nothing but the truth.

MR. WHITE: I do.

ROBERT WHITE,

having been first duly sworn, was examined and testified as follows:

BY MR. WRIGHT:

Q Good afternoon, sir.

A Good afternoon.

Q Can you please state your name for the reporter sitting right in front of you.

A Robert White.

Q You must also speak loud enough so the ladies in the back can hear you.

THE WITNESS: Can you all hear me?

A JUROR: A little louder.

BY MR. WRIGHT:

Q She said a little louder.

1 A Robert White.

2 Q Where do you live, sir?

3 A Southeast D.C. •

4 Q This is the Prince George's County Grand Jury,
5 and it is investigating possible violations of state
6 criminal law and other related matters.

7 You have just been sworn by the foreperson of
8 the Grand Jury, and you have taken an oath to testify
9 truthfully.

10 Do you understand that?

11 A Yes, sir.

12 Q You are under a legal obligation to testify
13 truthfully. You must give truthful answers today in
14 response to all of the questions put to you, either by me
15 or members of the Grand Jury.

16 Do you understand that?

17 A Yes.

18 Q If you should lie or knowingly make a false
19 statement in your testimony, you can be prosecuted for
20 the crime of perjury. If you are convicted of such an
21 offense, you could be sentenced to imprisonment and
22 fined.

23 Do you understand that?

24 A Yes, sir.

25 Q You do not have a right to remain silent, but

1 you do have a constitutional right to refuse to answer
2 any question if a truthful answer to the question would
3 tend to incriminate you.

4 Anything that you do say may be used against
5 you by the Grand Jury or in a subsequent legal
6 proceeding.

7 Do you understand that?

8 A Yes, sir.

9 Q You have the right to be represented by an
10 attorney. Are you represented by an attorney?

11 A Yes, I am

12 Q What is his or her name?

13 A Michael Winkelman.

14 Q Is he here today?

15 A No, he is not.

16 Q If you want to consult with him outside the
17 Grand Jury Room before answering any questions, you will
18 be given a reasonable opportunity to do so.

19 Do you understand that?

20 A Yes, sir.

21 Q We have discussed how you can reach him,
22 correct?

23 A Yes, sir.

24 Q And we have given you the opportunity to go out
25 and make a phone call to him, is that correct?

1 A Yes, sir.

2 Q Today I will be asking you a series of
3 questions about certain events that occurred in Prince
4 George's County. The purpose of asking these questions
5 is for the Grand Jury to receive this information, so you
6 will be called upon to highlight or summarize certain
7 information that may deal with possible violations of
8 criminal law.

9 Do you understand that?

10 A Yes, sir.

11 Q Where were you raised, sir?

12 A South Carolina.

13 Q Do you have family there still?

14 A Yes, I do.

15 Q What kind of family do you have in South
16 Carolina still?

17 A I have two sisters, one brother, mother,
18 father, grandmother.

19 Q How long have you lived up here?

20 A Almost two years.

21 Q What made you come up here?

22 A My fiancée.

23 Q She lives in Washington, D.C.?

24 A All her life. Yeah.

25 Q When you came up here, did you get a job?

- 1 A I had a job before I got here.
- 2 Q Where was the job?
- 3 A Indian Head Thrift.
- 4 Q Did you ever leave that job?
- 5 A Yes, I did.
- 6 Q What job did you take after that?
- 7 A Working for Marlo's.
- 8 Q What is Marlo's?
- 9 A Furniture company.
- 10 Q What did you do for Marlo's?
- 11 A We deliver furniture. We exchange and deliver
12 furniture to customers.
- 13 Q Who did you work with?
- 14 A Brandon Clark.
- 15 Q How do you know Mr. Clark?
- 16 A He's my cousin.
- 17 Q Do you remember the events of January 24, 2007?
- 18 A Yes.
- 19 Q What happened on that day?
- 20 A We arrived at Accokeek that evening. It was
21 dark and --
- 22 Q How did your day start?
- 23 A Well, he picked me up at 7:00.
- 24 Q Who is he?
- 25 A My cousin Brandon, he picked me up at 7:00 that

1 morning at the Popeye's. I got in the truck, and we
2 started our day out, and we went to our first route. I
3 don't know where we went because I don't know the area.

4 I only been on the job three weeks. And we
5 started out our day. We did all our deliveries, and when
6 we got to Accokeek, that was our last stop of the night.

7 Q How many deliveries did you have that day?

8 A I think ten. I'm not sure.

9 Q So what happened when you arrived in Accokeek?
10 How did you end up in Accokeek?

11 A Well, when we got there, it was dark, like I
12 say, and we phoned Mr. Washington before we got to his
13 house and let him know that we on our way, we like five
14 minutes away, and asked him could he turn a light on or
15 could he be standing outside when we get there because it
16 was dark. We couldn't really see the numbers on the
17 house.

18 And when we arrived, he was outside on his
19 porch. Brandon got out of the truck, went to talk to
20 him. I stayed in.

21 He comes back to the truck and he tell me,
22 "Man, this guy want to fight." I say, "Let's take his
23 furniture back to Marlo's." He say, "We can't do that."

24 So he asked to use my phone so he could call
25 our supervisor, which was Mike Robinson. So he called

1 the supervisor. The supervisor was supposed to call us
2 back, but he didn't call us back.

3 We waited so long he was like, "Well, just go
4 get the rails off the truck and just go and do this right
5 quick. It's only going to take 15 minutes to exchange
6 the bed rails."

7 So I went and got the rails out of there.
8 Mr. Washington direct us to a bedroom which was upstairs.

9 When we got in the house, we went upstairs.
10 Brandon kneeled down. I kneeled down. Brandon was
11 closest to the door. Mr. Washington was on the side of
12 him. I was to the far right.

13 We took the rails out, and he was upset
14 already. I don't know why he was upset, but he was upset
15 already, and he pushed Brandon.

16 Q When he pushed Brandon, where was Brandon?

17 A Kneeling down.

18 Q Okay. By what?

19 A In front of the bed.

20 Q Okay. Go ahead.

21 A He pushed him, and Brandon kind of laughed it
22 off, and he said, "Get the fuck out of my house," like
23 that. And he laughed at him again.

24 And the third time he pushed him, he was laying
25 on his side, so he jumped up real quick, and I just got

*Robins
verified
that we
did call on*

1 between them and I said, "Look, Brandon, let's just leave
2 the house, just leave the rails. Let's just get out of
3 here," and I'm trying to get Brandon out of the door.

4 He got his hands up, walking backwards, and I'm
5 in front of him, and all I heard was shots. So I see him
6 falling. So I caught him and I laid on top of him. I
7 laid on top of him.

8 I said, "Brandon, where is the phone," because
9 he had my phone because he called our supervisor.

10 So I got the phone -- I ain't never get the
11 phone because he said the phone was in his pocket, but I
12 couldn't get the phone because it wasn't in his pocket.
13 He was laying on it.

14 So when I got up and I turned around, that's
15 when two shots came to me, in my chest right here and in
16 my stomach. (Indicating)

17 Q Who made the -- who did the shots?

18 A Mr. Washington. When I turned around, he was
19 standing there with his gun like this, and he started
20 shooting. (Indicating)

21 He didn't say nothing. He just started
22 shooting.

23 Q Okay. Once you were shot twice, what happened?

24 A I got up, moved away from Brandon so he won't
25 shoot Brandon again or shoot me, and I went and laid by

1 another bedroom, in front of it. I didn't go in the
2 room. I just laid in front of the bedroom.

3 Q Okay.

4 A The door. I laid in front of the door.

5 Q So was this occurring in the foyer area of the
6 second floor?

7 A Right.

8 Q Okay.

9 A And I laid there for a few seconds and I got
10 up.

11 Q Why did you get up?

12 A Because I'm trying to get the phone so we could
13 get some help.

14 Q Okay.

15 A And he comes out of his room again and he
16 shoots me in my knee.

17 Q Okay.

18 A Then I went down. That's when I went down. I
19 just didn't move no more.

20 When I went down, I just put my head down and I
21 begged him to call for help, and he said he wasn't
22 calling for no help.

23 So he called somebody on the phone. I heard
24 part of the conversation. He called somebody on the
25 phone. He said, "Two guys just busted up in my house,

1 beat me up with a pipe. I shot both of them.

2 "One of them is dead, bleeding out nose and
3 mouth" -- he said, "I shot both of them. One of them
4 is -- both of them is bleeding all over my floor, and
5 they beat me up pretty good."

6 So when the cop arrived, the first cop arrived,
7 all I remember, he was a dark-skinned guy, he had on a
8 blue uniform, and he came to Brandon and handcuffed
9 Brandon and slammed him to the floor. Washington kicked
10 him a couple of times, and I just said, "I'm next."

11 So I just put my head down, closed my eyes,
12 stopped breathing and everything. I remember somebody
13 kicking me in my side or poking me in my side.

14 I remember somebody putting their hand over my
15 face, trying to see if I was breathing. But I wouldn't
16 breathe, I wouldn't talk, I wouldn't do nothing. I
17 wouldn't move.

18 I said the kick or the shove didn't hurt worse
19 than the bullet. So I just laid there.

20 When I did open my eyes --

21 Q So you could breathe. Why were you doing this?

22 A Because I didn't want them to know I was
23 breathing because somebody was standing over me. I knew
24 someone was standing over me.

25 Q You were playing dead, essentially?

1 A Right.

2 Q Okay. Go ahead.

3 A When I did open my eyes, I looked up and seen a
4 guy with a blue shirt, light blue shirt and tie, and I
5 grabbed his leg. He was like, "This man is not dead,"
6 and he was like, "What you doing in this man's house?" I
7 said, "I deliver furniture for Marlo's."

8 I said, "Don't you see the big truck in the
9 front?" And that's when paramedics arrived and
10 everything else was a blur.

11 Q Where did the paramedics take you?

12 A To the hospital, P.G. County Hospital.

13 Q What was your status in the Prince George's
14 County Hospital?

15 A Critical.

16 Q Were you in a coma at all or anything?

17 A Well, yes.

18 Q How long? Do you know?

19 A I don't know.

20 Q Describe Brandon.

21 A Brandon is 6-4, 270.

22 Q And what is your description?

23 A I'm 6-2, 280.

24 Q What happened to Brandon?

25 A Brandon died.

1 Q When did you find out?

2 A When I seen it on the news after I came out of
3 critical condition.

4 Q How many days after was that?

5 A I don't even remember what day I came out of
6 the ICU unit.

7 Q Do you know why all of this happened?

8 A No.

9 Q What were your thoughts while it was happening?

10 A This can't be happening. I know it ain't going
11 to go down like this.

12 Q I have showed you the reports from the
13 hospital, correct?

14 A Right.

15 Q From Prince George's Hospital?

16 A Yes, sir.

17 Q They did a lot of blood tests on you, correct?

18 A Yes.

19 Q And on the blood tests I showed you from Prince
20 George's Hospital, it had a lot of drugs listed, and it
21 said negative for this drug, negative for that drug.

22 By the word cocaine, it said positive, correct?

23 A Yes, it did.

24 Q Which means they found cocaine in your system
25 via a blood test?

1 A Yes, sir.

2 Q Were you doing cocaine that day?

3 A No, sir. I wasn't.

4 Q Were you doing it any time leading up to that
5 day?

6 A No, sir.

7 Q How did cocaine end up in your system?

8 A That a question I can't answer. I can't answer
9 that. I can't answer that. I mean, I don't know.

10 Q But you saw the blood test that said cocaine?

11 A Yes, I did.

12 Q Have you used cocaine before?

13 A No.

14 Q You do have a record?

15 A Yes, I do.

16 Q In terms of your prior convictions, correct?

17 A Yes, I do.

18 Q In South Carolina you were found guilty of an
19 unlawful entry before?

20 A Yes, I did.

21 Q Were you found guilty of that?

22 A No, that was in Hampton.

23 Q That was in Virginia?

24 A Right.

25 Q You were found guilty of that?

- 1 A Yeah. It was a misdemeanor.
- 2 Q You also had some type of peeping Tom charge.
- 3 A Yes.
- 4 Q That was in South Carolina?
- 5 A Yes.
- 6 Q You were found -- convicted of that?
- 7 A No.
- 8 Q You also had a grand larceny?
- 9 A Yes.
- 10 Q Grand theft case?
- 11 A Yes.
- 12 Q I believe that involved a car?
- 13 A Yes.
- 14 Q In South Carolina?
- 15 A Uh-huh.
- 16 Q You were found guilty of that, correct?
- 17 A Yes, sir.
- 18 Q You also had a sexual assault charge, correct?
- 19 A Yes.
- 20 Q That was also in South Carolina?
- 21 A Yes, sir.
- 22 Q That was about in '95?
- 23 A Yes, sir.
- 24 Q First degree, second degree assault -- I'm
- 25 sorry. First degree sexual assault, if you remember?

1 A I don't remember which one it was.

2 Q But you remember it was a sexual assault?

3 A It was attempt. It wasn't no first or second.

4 It was attempt.

5 Q Attempt sexual assault?

6 A Right.

7 Q I showed you another report from the police
8 involving the DNA, correct?

9 A Yes.

10 Q DNA examination that was done.

11 A Yes, sir.

12 Q They swabbed your clothes, they received a
13 saliva sample from you, is that correct?

14 A Yes, sir.

15 Q They looked at your tennis shoes. They also
16 looked at the gun and they took a DNA swab from the gun,
17 correct?

18 A Yes, sir.

19 Q From the gun, the DNA report showed that your
20 DNA was on the gun, correct?

21 A Yes, sir.

22 Q And the gun -- when I refer to the gun, I mean
23 Keith Washington's gun.

24 A Right.

25 Q Can you explain to the Grand Jury how your DNA

1 ended up on Keith Washington's gun.

2 A I don't even know. I never touched him. I
3 don't know if he touched me when I was on the floor when
4 I had my eyes closed. I don't know.

5 Q You don't know how your DNA got on the gun?

6 A No. I can't recall me touching him.

7 Q Did you two have an altercation where you were
8 hitting him in the head?

9 A No.

10 Q Or punching him?

11 A Never did.

12 Q Or Brandon, was Brandon ever punching him?

13 A No.

14 Q Kicking him?

15 A No.

16 Q You heard him call, make a phone call to say,
17 "They beat me up pretty bad."

18 A Right.

19 Q When he was making this call, did you say
20 anything?

21 A No.

22 Q Why not?

23 A I didn't know who he was talking to. I was
24 trying to just hear right, you know. I had a hard time
25 breathing.

1 Q Was this because of the gunshot?

2 A Right.

3 Q Did Brandon have a stuttering problem?

4 A Yes, he did.

5 Q All right. Was it a pretty bad stuttering
6 problem?

7 A I guess. I don't know.

8 Q Did Keith Washington understand everything
9 Brandon was saying to him?

10 A Yes, he did.

11 Q Did you ever go into the little girl's room,
12 one of the bedrooms up there?

13 A No.

14 Q Could you tell which room was a little girl's
15 room versus a boy's room versus the master bedroom?

16 A I don't even know the little girl's room or
17 what room he was talking about. All I know is we went in
18 one room and that was it. And that was the room that we
19 had the rails in. That's the only room that I be in.
20 That's the only room that Brandon be in.

* 21 Q What injuries did you sustain because of this?

22 A Chest, knee and my kneecap was blown away.

23 Q Have you had surgery?

24 A Well, Marlo's cut my insurance off, so I don't
25 have any insurance. So I can't get surgery. I just got

1 to walk around with this brace on my leg until I can get
2 some help.

3 Q Bullets, did they remove the bullets from you?

4 A I have a bullet in my chest and a bullet in my
5 cheek.

6 Q Where is the bullet in your chest?

7 A It's in my side.

8 Q All right. And where did it enter?

9 A Here. (Indicating)

10 Q And did it hit anything in there, or --

11 A No. It didn't damage anything.

12 Q You haven't had either bullet removed?

13 A No. The only thing they did was took -- I
14 think they got the one out of my knee, and I still got
15 bullet fragments in my knee. They tried to get most of
16 them out, but certain parts of them, they can't get to
17 them.

18 Q Where do you live now?

19 A Now, Southeast.

20 Q Have you gone back to South Carolina or
21 anything?

22 A Yes. I went back after I got out of the
23 hospital and went straight in the hospital down there.

24 Q Why?

25 A 'Cause P.G. County released me with an

1 infection, and I went down there and stayed down there
2 until I got the help that I needed to get rid of the
3 infection.

4 Then I came back here to get the medical
5 treatment so I could get my knee replaced.

6 MR. WRIGHT: Okay. Does anyone have any
7 questions?

8 Yes, sir.

9 A JUROR: As you entered the doorway of Keith
10 Washington's home, can you describe how it leads to
11 upstairs.

12 THE WITNESS: I don't remember exactly how you
13 go upstairs. I remember you going upstairs -- I think you
14 got to make a little turn, then you go up another piece.

15 A JUROR: Is it a dual stairway or one stairway?
16 You had to take the rails upstairs?

17 THE WITNESS: Yeah. I think when he went up --
18 if I'm not mistaken, I think when we went up, we had to
19 turn this way, then we was up on the other floor, the
20 second floor. (Indicating)

21 A JUROR: And so when you both were shot --

22 THE WITNESS: Right.

23 A JUROR: -- where were you in relationship to
24 the stairs and the bedroom?

25 THE WITNESS: We was outside of the room to the

1 stairs.

2 A JUROR: You were at the stairs?

3 THE WITNESS: Right.

4 A JUROR: You said you had to turn left to go to
5 the bedrooms?

6 THE WITNESS: No, no. The bedroom was right in
7 front of the stairs.

8 A JUROR: Right in front of the stairs?

9 THE WITNESS: Right.

10 BY MR. WRIGHT:

11 Q Do you want to explain anything based on what he
12 asked you? Do you want to explain more about that?

13 A I could.

14 What I'm saying was when -- Brandon went out of
15 the room backwards. I'm behind him. I don't know if he
16 was all the way out of the room or in the room because I
17 didn't really look back at him. I was trying to get me
18 and Brandon out of there before anything escalated, you
19 know, 'cause that was our last stop. I was tired. I was
20 ready to go home, and all I heard was the shots.

21 I never seen the gun. I never seen him pull
22 it. I didn't even know he had a gun on him.

23 Q Did you know he was a police officer?

24 A No.

25 A JUROR: So when Brandon was shot, you fell

1 over the top of Brandon at the top of the stairs?

2 THE WITNESS: I catch him. I was on the second
3 step, and I catch him and laid him down on just the plain
4 floor, and I laid over the top of him.

5 I asked him, "Let me get my phone. Where's the
6 phone, Brandon?" He said it was in his pocket.

7 MR. WRIGHT: Next question.

8 A JUROR: When you were going up the stairs to
9 deliver the bed rails, was there any kind of argument
10 between you and Mr. Washington and your partner Brandon?
11 Did you exchange words going up the steps?

12 THE WITNESS: No, ma'am.

13 A JUROR: So his temper -- he was calm,
14 collected?

15 THE WITNESS: I mean he started when -- Brandon
16 went to talk to him outside when I was sitting in the
17 truck, and he comes back to the truck saying the man
18 wanted to fight. I said, "Let's go. Let's just take his
19 furniture back."

20 After I got out, I really didn't see that he
21 had a problem, really, until we got inside. And then I
22 kind of feel it was kind of weird for him to tell his
23 wife to don't come up here. I didn't really think about
24 it until months after I got shot that he told his wife to
25 don't come upstairs.

1 I only caught the side of her face when I got
2 up the steps. I only caught the side of her face. I
3 can't say how she looked to the face because she was on
4 her side and she went in another room downstairs, and she
5 wasn't even up there.

6 A JUROR: So he was telling her as you were
7 going up the stairs?

8 THE WITNESS: Right. I was already on the top,
9 and I just caught the side of her face. I know she had
10 curls in her hair and she was a light-skinned lady.

11 MR. WRIGHT: Next question. Yes.

12 A JUROR: Was there ever any conversation about
13 an exchange for the rails? Like before I can drop this
14 new box of rails, you got to give me rails that's
15 upstairs?

16 THE WITNESS: No. We always do the exchange.
17 He already knew about that from when he went and purchased
18 the rails, that it's going to be, I guess -- I don't know
19 how they do it. They just exchange them. He just sign
20 the paper.

21 We go in, we hook the rails up. They supposed
22 to take the bed down. The customer is supposed to take
23 their own bed down. We just hook up and go.

24 A JUROR: Was there an argument about that?

25 THE WITNESS: I can't recall. All I know, he

1 was mad because, I guess, we got there late. But we just
2 got thrown behind time.

3 MR. WRIGHT: I will take this question next.

4 A JUROR: Does it take two people to carry the
5 rails, or is it small enough for one person?

6 THE WITNESS: It could be one person. I could
7 have taken them in by myself, but I was more like his
8 helper.

9 A JUROR: It's two rails?

10 THE WITNESS: It was in the same box.

11 MR. WRIGHT: Yes.

12 A JUROR: That night if he had had his gun on,
13 would you be able to see it?

14 THE WITNESS: If he had his gun on him?

15 A JUROR: When you walked in there, would you be
16 able to see it?

17 THE WITNESS: I really wasn't looking for it.

18 A JUROR: Do you know what kind of top he had
19 on?

20 THE WITNESS: I don't remember.

21 MR. WRIGHT: Yes.

22 A JUROR: When you were delivering the rails,
23 when you first took them into the house, did
24 Mr. Washington say to you, "Well, you don't need to bring
25 them upstairs. I will take them up"?

1 THE WITNESS: No, he never said that. He direct
2 us to the bedroom, and then he kept us right here -- I
3 don't know if he had a problem with Brandon, but he kept
4 saying, "I don't have a problem with you. It's just him."
5 So I asked Brandon, I said, "Brandon, do you know this
6 man?" He said, "No."

7 I know he didn't know me because I came from
8 South Carolina. I know he didn't know me, and I had only
9 been on the job three weeks. So I know he didn't know
10 me.

11 He was like, "I'm not talking to you. I'm just
12 talking to him. I want him out of my F-ing house right
13 now."

14 A JUROR: Three quick questions. Did you set up
15 the rails?

16 THE WITNESS: No, we didn't get a chance to.

17 A JUROR: So you left them in the box?

18 THE WITNESS: Yeah.

19 A JUROR: Okay. When you said he pushed
20 Brandon, what was the reason for pushing Brandon?

21 THE WITNESS: I have no idea.

22 A JUROR: He read off some of the crimes you had
23 been accused of. Are there any others that weren't
24 mentioned?

25 THE WITNESS: No.

1 A JUROR: Did you hear the wife come up, scream,
2 anything?

3 THE WITNESS: No. After we got shot, after we
4 got shot, she came. She came close by.

5 You could hear her voice, and he told her,
6 "Don't come up here." She never went upstairs. She
7 ain't seen nothing because where I was laying, I could
8 look right downstairs, and I couldn't see her, but I
9 could hear her.

10 MR. WRIGHT: Any questions in the back?

11 A JUROR: So did you know the wife was in the
12 house before you went up the steps?

13 THE WITNESS: Yes, ma'am.

14 A JUROR: You knew she was in the house?

15 THE WITNESS: Yes, ma'am. When we went in the
16 house and we got up the stairs, she came from a downstairs
17 room, wherever. I don't know where. But I just caught
18 the side of her face. That's when I caught the side of
19 her face.

20 I didn't see the whole face.

21 A JUROR: So when Brandon -- when you and
22 Brandon were going to try to put the rails on, he was
23 upset, he said, "Get the F out of my house"?

24 THE WITNESS: Actually, Brandon, he wasn't
25 starting to put the rails on. He was going to go out of

1 his way to help this man by taking his bed apart, which he
2 isn't supposed to do that.

3 A JUROR: As far as you know, out of the blue he
4 said, "Just get out of my house"?

5 THE WITNESS: He was telling Brandon -- I guess
6 he wanted me to do the rails or whatever.

7 A JUROR: Did he ask you to take the rails off
8 the bed?

9 THE WITNESS: No.

10 A JUROR: But it's our understanding that the
11 rails were already off the bed.

12 THE WITNESS: No, it was not. The bed was made
13 up. The bed was still made up.

14 A JUROR: Let's go back to before you took the
15 furniture in.

16 THE WITNESS: Right.

17 A JUROR: When Brandon went up to the door to
18 make sure that was the right house.

19 THE WITNESS: Right. Right.

20 A JUROR: And he came back and said, "This man
21 is looking for a fight."

22 THE WITNESS: Right.

23 A JUROR: He didn't say anything else, nothing
24 else, just those words?

25 THE WITNESS: Well, I asked him -- I did ask

1 Brandon, "Why he want to fight?" And he said, "Because we
2 came here this time of night."

3 We don't have a certain time that we get to a
4 customer house. We go by what's on the printout sheet,
5 and his name was the last name on the list.

6 A JUROR: So when Brandon said -- when he told
7 him that the person, Mr. Washington, was upset because the
8 furniture was late and he was looking for a fight, it
9 wasn't like maybe he spoke to me harsh, or nothing to
10 that, just that he was upset because you were late
11 delivering?

12 THE WITNESS: Right.

13 MR. WRIGHT: Next question. Yes.

14 A JUROR: Okay. You mentioned that when you
15 guys first arrived, Brandon got out the truck and went up
16 to the house.

17 THE WITNESS: Right.

18 A JUROR: You were still in the car.

19 THE WITNESS: I sit in the truck.

20 A JUROR: So you don't know if Brandon and him
21 got into an argument when Brandon went up to the door?

22 THE WITNESS: It was about from here to the lady
23 in the red right there. (Indicating)

24 A JUROR: So did you hear the conversation
25 between Brandon and --

1 THE WITNESS: I wasn't even listening to the
2 conversation.

3 A JUROR: So it's safe to say you were not sure
4 whether they got in an argument or exchanged words?

5 THE WITNESS: You are right.

6 MR. WRIGHT: Any other questions?

7 A JUROR: How long of a time was it between the
8 time Brandon went to the house and came back to the truck?

9 THE WITNESS: I mean, I could see him.

10 A JUROR: I know that. An estimation?

11 THE WITNESS: He walked up there, said something
12 and turned around and came back.

13 A JUROR: Was it five minutes, ten minutes?

14 THE WITNESS: It was a couple of seconds.

15 MR. WRIGHT: Yes.

16 A JUROR: You said that you called
17 Mr. Washington before you got there, and then the
18 supervisor was called.

19 THE WITNESS: Right.

20 A JUROR: Do they have that record on Brandon's
21 phone?

22 THE WITNESS: Well, it's on my phone. I got my
23 phone records. It shows where we called, we called him.
24 Really, my phone records show where we called every
25 customer.

1 But we called him, Mr. Washington, before we got
2 to his house. And then when Brandon told that he wanted
3 to fight, we called our supervisor. That is on there.
4 And it showed where my supervisor called back, but we was
5 already in the house, and I guess my phone, it had no
6 service.

7 MR. WRIGHT: Any other questions?

8 A JUROR: The reports show there was cocaine in
9 your system.

10 THE WITNESS: Yes. I never did cocaine.

11 A JUROR: That was my question. Did you ever do
12 it?

13 THE WITNESS: Never did it. I don't know how it
14 got in there. I can't explain it.

15 MR. WRIGHT: Yes.

16 A JUROR: At the time that you were working for
17 Marlo's, were you on probation?

18 THE WITNESS: No. I did my time. I did ten
19 years, did my time, maxed my time out, got out, started
20 working.

21 I got out 2004, worked on various jobs, like
22 Burger King, started from the bottom, until I could get
23 me something that was paying some money. And then me and
24 this female here was talking for awhile.

25 So she couldn't move to South Carolina with me,

1 so I quit my job there, got me a job here and came up
2 here to do good.

3 A JUROR: Is there any way you can prove that
4 you weren't taking cocaine, considering it was in your
5 blood?

6 THE WITNESS: I was back home. They never found
7 cocaine in my system then, and they took blood from me two
8 times a week, Monday and Thursday.

9 A JUROR: I mean how much of a gap between the
10 incident that happened and the last time you had to take
11 your blood?

12 THE WITNESS: Thirty days. I don't think it was
13 even 30 days because when I left here -- I can't remember
14 what day I left here, but when I left here, I went
15 straight in the hospital in South Carolina.

16 The day I got out of the hospital here -- I
17 think I got out on a Saturday, and we went to South
18 Carolina on Monday, and Tuesday I was in the hospital.

19 A JUROR: Let me ask you this: I really want
20 you to be honest, not that I don't think you wouldn't be.

21 That day when you were doing deliveries, were
22 you, Brandon or anybody else and you smoking marijuana?

23 THE WITNESS: No, ma'am.

24 A JUROR: Or anything?

25 THE WITNESS: No, ma'am.

1 A JUROR: Do you remember the paramedic when he
2 came in to service you?

3 THE WITNESS: I can't tell you. I remember a
4 paramedic coming in.

5 A JUROR: Do you remember the paramedic reviving
6 you or trying to treat you?

7 THE WITNESS: I don't remember. All I remember
8 was there was a paramedic that came in. He asked me where
9 I was hurt. How he looked, I can't tell you.

10 A JUROR: You knew it was a paramedic?

11 THE WITNESS: Yeah. He told me he was a
12 paramedic.

13 A JUROR: Do you remember where you were in
14 relationship to Brian when the paramedic came in?

15 THE WITNESS: Where was I?

16 A JUROR: Where were you and --

17 THE WITNESS: I was still -- not the bedroom we
18 took the rails in, but the other bedroom, I was in front
19 of the door.

20 A JUROR: In front of the door of the other
21 bedroom?

22 THE WITNESS: Right.

23 A JUROR: When you got shot, you said you fell
24 on top of Brian --

25 THE JURORS: Brandon.

1 THE WITNESS: No, no. Brandon got shot. I fell
2 on top of him, asked him where the phone was. I wasn't
3 even shot yet. I wasn't shot until I got up.

4 And when I turned around, I was facing
5 Mr. Washington, and he just pulled his trigger. And I
6 got up from there to move away from Brandon.

7 A JUROR: You got up and you got shot, then you
8 fell toward the other bedroom?

9 THE WITNESS: I walked toward the other bedroom,
10 and I laid in front of the door, and then when I laid
11 there for a few seconds and I got back up -- I wasn't shot
12 in the knee yet -- he comes out of his room and shoot me
13 in my knee.

14 A JUROR: I am trying to figure out the pattern
15 of the way things happened specifically.

16 THE WITNESS: No problem. Right.

17 A JUROR: When you were being shot, do you
18 remember grabbing for the gun, trying to get the gun away
19 from you?

20 THE WITNESS: (Shook head negatively.) I wasn't
21 close enough to grab his gun.

22 A JUROR: Was Mr. Washington in his bedroom when
23 he shot you?

24 THE WITNESS: When he shot me, he was standing
25 in front of his bedroom door, and I was on like the second

1 step.

2 A JUROR: The second step to go back downstairs?

3 THE WITNESS: Right.

4 A JUROR: One other question. Do you remember
5 why Marlo terminated your health benefits?

6 THE WITNESS: They wouldn't get in touch with
7 the insurance company, and the insurance company was
8 trying to get in touch with them, and my supervisor, Mike,
9 he wouldn't call them back.

10 I mean they wanted to pay the insurance -- the
11 insurance company wanted to pay, but they just wouldn't
12 get in contact with them. I guess they was thinking they
13 were going to get in trouble or something.

14 A JUROR: It was said that your DNA was on the
15 gun. Do you recall perhaps being like nudged with the gun
16 to see if you were breathing?

17 THE WITNESS: I mean he probably could have.

18 A JUROR: Do you remember that feeling?

19 THE WITNESS: I don't know. I don't know
20 because I remember somebody messing with me on my side,
21 and I could feel somebody trying to see if I was
22 breathing.

23 A JUROR: When they were messing with your side,
24 you couldn't tell if it was a hand or an object?

25 THE WITNESS: I didn't even look. I didn't even

1 look. I just know it was a nudge. I don't know if he
2 nudged me or kicked me, you know what I'm saying? But I
3 had my eyes closed. I wouldn't open my eyes because I
4 know it was him.

5 And after they left me, then I opened my eyes
6 and then I see this guy with this blue shirt and a tie
7 on. I said he can't be the same guy so that's when I
8 opened my eyes.

9 A JUROR: Does Marlo do any kind of
10 pre-employment drug testing?

11 THE WITNESS: No.

12 A JUROR: Do they do any kind of drug testing
13 during the time you were employed with them?

14 THE WITNESS: I haven't had any. I had only
15 been there three weeks.

16 A JUROR: But they didn't do anything before you
17 were hired?

18 THE WITNESS: No, ma'am.

19 A JUROR: My only question is with reference to
20 the shooting. You said that you were on the second step
21 when he shot you.

22 THE WITNESS: Yeah, like going down.

23 A JUROR: So not when he shot Brandon, but when
24 he shot you, you were on the second step?

25 THE WITNESS: Right.

1 A JUROR: So did you walk up and then over?

2 THE WITNESS: I'm right here. One, two step.
3 (Indicating)

4 A JUROR: I'm just trying to figure out if you
5 got shot, how you went forward and over.

6 THE WITNESS: Because if I tried to went
7 downstairs, he probably would shoot me in my back. I
8 wasn't taking no chance of going downstairs. I had to go
9 down stairs. It was closer for me to get on the top layer
10 than to go downstairs.

11 A JUROR: You did say that the bedroom that you
12 were taking the rails in faced the stairs?

13 THE WITNESS: It's right there. When you walk
14 up the stairs, the bedroom is right there.

15 A JUROR: My question is did he say anything to
16 you when he started shooting?

17 THE WITNESS: Did he say anything to me?

18 A JUROR: Uh-huh.

19 THE WITNESS: You got to make me understand that
20 one.

21 A JUROR: When he shot Brandon, did he say
22 anything to Brandon when he pulled the trigger?

23 THE WITNESS: He told Brandon -- I don't know if
24 he was talking to Brandon or talking to me. He kept
25 telling me he wasn't talking to me. Evidently he was

1 talking to Brandon.

2 He said, "I know how to get you the fuck out of
3 my house." That's when I heard the shots.

4 A JUROR: He never said he was police or
5 anything?

6 THE WITNESS: No. I never seen him reach for a
7 gun. He had this gun on him the whole time.

8 When we was leaving, I didn't see him reach to
9 go get a gun. He already had it on him. I kind of find
10 that odd for this man to be walking around his house with
11 his gun on him.

12 Then when he told his wife don't come up here,
13 that made me even more suspicious a couple of months
14 after I had a chance to think about it, and then Marlo's
15 was having problems with this man before, him and his
16 wife. And I kind of fault them because they didn't tell
17 me.

18 I don't know if they told Brandon, but they
19 never told me. I never would have went in there if I
20 knew they were having the problems that they had with
21 this man.

22 I didn't want to go in the house.

23 A JUROR: I'm trying to understand like what you
24 were saying.

25 When you got shot on the second step, you

1 walked back up the stairs?

2 THE WITNESS: Right.

3 A JUROR: And over to a bedroom?

4 THE WITNESS: Right.

5 A JUROR: You said you laid down?

6 THE WITNESS: I laid down.

7 A JUROR: You didn't fall?

8 THE WITNESS: I laid down in front of the
9 bedroom.

10 A JUROR: Was he looking at you?

11 THE WITNESS: He was watching both of us.

12 A JUROR: He just let you lay down?

13 THE WITNESS: Brandon was laying -- his head was
14 towards the stairs, and his feet was towards the door.

15 A JUROR: But I'm saying Mr. Washington just let
16 you do that? He didn't shoot you any more? He just let
17 you walk up and let you lay down?

18 THE WITNESS: Yeah.

19 A JUROR: I'm just having difficulty with this
20 because you said that he shot Brandon and you laid on top
21 of him, Brandon.

22 THE WITNESS: I caught him. Then I laid on top
23 of him and I said, "Where is my phone?"

24 A JUROR: From the second step?

25 THE WITNESS: Yeah.

1 MR. WRIGHT: Would you like some type of
2 reenactment of what we are talking about?

3 A JUROR: Yes, sir. Yes, sir. I'm confused.
4 It doesn't make sense to me.

5 BY MR. WRIGHT:

6 Q It's hard for you to move around, right, because
7 of the cane? Do you want me to be Brandon?

8 A Yeah.

9 Q Don't hurt yourself. Keep your cane with you.

10 A I'm on the second step. I laid him down. Then
11 I laid over him. (Indicating)

12 I'm not laying on top of him. I'm leaning over
13 him, whispering in his ear, "Brandon, where is the
14 phone?" It's not like I laying on top of him.

15 A JUROR: Okay. Okay. Then describe --

16 THE WITNESS: Then when I got up and turned
17 around, he was pointing his gun at me.

18 A JUROR: And he shot you. Then you moved in
19 the direction --

20 THE WITNESS: I went this way because the stairs
21 is like this, and I went and laid over by a bedroom over
22 there. (Indicating)

23 Brandon was over here. The door was here.
24 (Indicating)

25 A JUROR: Okay. Okay.

1 THE WITNESS: When I laid there, I guess he
2 figured I done got up again or whatever. He came out of
3 his room and started busting more shots.

4 A JUROR: Okay. Okay. That makes sense.

5 A JUROR: The bedroom that he was in was his
6 bedroom where he shot you from?

7 THE WITNESS: I don't know whose bedroom that
8 was.

9 A JUROR: Was that the bedroom you put all the
10 rails in?

11 THE WITNESS: That's the bedroom he guided us to
12 with the rails.

13 A JUROR: But you did say that he said, "I told
14 you to stay down"?

15 MR. WRIGHT: Talking to --

16 THE WITNESS: He was telling both of us.

17 A JUROR: But you got up anyway?

18 THE WITNESS: I was trying to get out of there.
19 I didn't want to get shot no more. I was looking for
20 help. That's why I was -- I'm looking for the phone. I'm
21 trying to call for help because we begged him, we begged
22 him to call somebody.

23 A JUROR: He said --

24 THE WITNESS: He said he wasn't calling nobody.
25 He wasn't giving us no phone. And we just laid there.

1 A JUROR: Through all this, there was no
2 conversation at all? All of a sudden you were getting
3 shot?

4 THE WITNESS: I didn't even know the man. I
5 wasn't saying nothing. I was in a strange place. I was
6 just standing there.

7 A JUROR: You didn't say, "Please don't shoot
8 me"?

9 THE WITNESS: I didn't have a chance to say,
10 "Please don't shoot me." When I turned around, he just
11 let off.

12 A JUROR: Did Mr. Washington ever see the phone?

13 THE WITNESS: Did he see the phone?

14 A JUROR: Cell phone?

15 THE WITNESS: I don't know.

16 A JUROR: Do you all have any pictures of the
17 upstairs area?

18 MR. WRIGHT: Yes. We actually submitted them to
19 you a couple of times before. Would you like me to get
20 another picture for you?

21 A JUROR: Uh-huh.

22 MR. WRIGHT: Hold on one second.

23 (Mr. Wright left the room momentarily and
24 returned.)

25 BY MR. WRIGHT:

1 Q I'm showing you what's been marked Grand Jury
2 Exhibit A. Do you recognize that?

3 A Uh-huh.

4 Q What is that?

5 A That's a picture of the stairs, but you really
6 can't see the other bedroom.

7 Q Okay. I'm showing you also here what's been
8 marked as Grand Jury Exhibit B. Do you recognize that?

9 A I'm not sure.

10 Q Or that one? Would either of these help you?
11 (Indicating)

12 A Because this is the bedroom that I was laying
13 down by. (Indicating)

14 Q You are looking at this picture here?

15 A Yeah.

16 Q I'm going to mark this as B1 up here and B2
17 down here.

18 Look at Number B2. Where were you when you
19 were shot?

20 A In front of this bedroom.

21 Q In front of this. Were you here on this little
22 part right here, or over here? (Indicating)

23 A I was in front of the door.

24 MR. WRIGHT: Okay. So on Number B2, he shows
25 where he was shot, right in front of this door right here.

1 THE WITNESS: I wasn't shot in front of that
2 door. I was laying in front of that door.

3 BY MR. WRIGHT:

4 Q You were laying in front of that door after you
5 were shot?

6 A Right.

7 Q This is the bedroom with the railings?

8 A Yeah. This is the bedroom.

9 Q That's the bedroom with the railings?

10 A Yes, sir.

11 Q I'm going to mark this as Grand Jury C. I
12 don't think the rest of these are too helpful.

13 Those are the stains from the blood,
14 bloodstains there?

15 A Right.

16 Q Whose bloodstains are those, do you believe?

17 A Brandon's..

18 MR. WRIGHT: I'm going to mark this as D. D is
19 where Brandon's blood is on the carpet.

20 All right. What I have for everyone here in
21 the Grand Jury, I have Grand Jury Exhibit A, which is a
22 picture of the foyer. You have seen this picture before.
23 You see the stairs and how they wind up.

24 I can pass them around for you all. That's A.
25 Who hasn't seen the stairs?

1 A JUROR: The stairs go up to the right.

2 MR. WRIGHT: Do you need to see it?

3 THE FOREMAN: No, I have seen it.

4 BY MR. WRIGHT:

5 Q For Grand Jury Exhibit A, Mr. White, describe
6 for the members here what's in your picture in terms of
7 your story telling. What happened in this picture?

8 A When we went up the stairs, I seen
9 Mr. Washington's wife down. That's when I got up to the
10 top. The bedroom, you can't really see the door, but the
11 bedroom was right in front of the steps. It was right in
12 front of the steps.

13 Like I say, when I leaned over to Brandon to
14 ask him where the phone was, I was on like the second
15 step, and he just was in his room.

16 When I turned around, he just started firing.
17 He fired two shots. He hit me in my stomach.

18 I didn't want to take the chance of going
19 downstairs because I just moved up on the top and I laid
20 down. I wanted to move away from Brandon.

21 MR. WRIGHT: I will now show him what's been
22 marked as Grand Jury Exhibit B.

23 Do you have a question?

24 A JUROR: Do you think he may have continued
25 shooting because he thought maybe when you were looking

1 for a phone, that you may have been looking for a weapon?

2 THE WITNESS: No. He knew what we were looking
3 for because Brandon told him -- I said, "Brandon, where is
4 the phone?" He is standing right here. He is standing
5 right there. (Indicating) He knew I wasn't looking for
6 nothing else. We didn't have any tools or anything.

7 The type of beds that they sell, it's the
8 little screw thing. We didn't take a screwdriver or
9 nothing. We didn't even have an Allen wrench.

10 It's up to you to tighten it the way you want
11 it. We just put it together.

12 A JUROR: I understand what you are saying now,
13 but I was thinking that the bedroom was situated in front
14 of the stairs rather than to the side of the stairs.

15 If it were in front, that would mean you would
16 have to go towards the shot and over.

17 THE WITNESS: Right.

18 A JUROR: That's what my question was.

19 THE WITNESS: Right.

20 A JUROR: So for awhile, Brandon was still alive
21 for maybe --

22 THE WITNESS: From what I heard, he lived for
23 maybe two weeks, a week and a half. If he did, I don't
24 really remember because when I came out of critical
25 condition, everybody was telling me -- my people was

1 coming in. I could hear things. I couldn't see. They
2 were just saying Brandon all right because I kept asking
3 about him. And I was just hearing voices. I couldn't see
4 anybody's face.

5 BY MR. WRIGHT:

6 Q Let me show you what's been marked as Grand Jury
7 Exhibit B1, B2. Do you recognize this up here?

8 (Indicating)

9 A Right.

10 Q In B2, what does that show? What's going on in
11 B2?

12 A What you mean?

13 Q Is this where you were sitting after you were
14 shot?

15 A That's where I was laying, right in front of
16 the door.

17 Q After you were shot, you went to this area here
18 and rested there, laid back down?

19 A Right. Right.

20 MR. WRIGHT: Did everybody hear that? Do you
21 want to see it again?

22 In B2, after he was shot, he went up to this
23 area right here and kind of laid down. B2.

24 I have it right here. After he was shot, he
25 was right there. (Indicating)

1 Anyone else?

2 BY MR. WRIGHT:

3 Q Then I want to show you Number C, Grand Jury
4 Exhibit C.

5 A Uh-huh.

6 Q This is a picture of the main bedroom with the
7 big bed in it and things of that sort, correct?

8 A Right.

9 Q And this is the room with the bed rails,
10 correct?

11 A Right. Right.

12 A JUROR: When was this picture taken?

13 MR. WRIGHT: I cannot really answer that
14 question.

15 BY MR. WRIGHT:

16 Q All right. And then I'm going to show you Grand
17 Jury Exhibit D. I don't know if you can recognize this
18 one or not.

19 Do you recognize that, based on the doors and
20 everything?

21 A I think that's where Brandon was laying at, if
22 I'm not mistaken.

23 MR. WRIGHT: I'm showing Grand Jury Exhibit D.
24 It's the picture down here in the lower right corner. He
25 said he thought this was Brandon's blood on the carpet

1 where he was shot.

2 A JUROR: Those pictures were taken the day of
3 the incident, right?

4 MR. WRIGHT: Actually, I cannot answer those
5 questions.

6 If you have a question?

7 A JUROR: Was Brandon laying in front of the
8 steps?

9 THE WITNESS: Right.

10 A JUROR: Right where you laid him?

11 THE WITNESS: Right. His foot was to the door,
12 and his head was to the steps. When I just caught him, I
13 laid him so he wouldn't fall. He wasn't on the step. I
14 was on the step to keep him from falling down the steps.

15 I didn't want him to fall down the steps because
16 he got shot first.

17 A JUROR: From what you can show from the
18 picture of the blood, are those your footprints, or is
19 that where he fell?

20 THE WITNESS: I said I think this is where
21 Brandon was laying at because the door right here and the
22 steps should be right there. They don't -- they are not
23 showing the whole picture of where the stairs at. That's
24 kind of confusing because the first pictures they showed
25 me, I couldn't say where the bedroom was because I didn't

1 know where the stairs end because you couldn't see it.

2 A JUROR: Were you and Brandon wearing a uniform
3 or like a T-shirt or anything that said that you worked
4 for Marlo's?

5 THE WITNESS: No. We was plain clothes.

6 A JUROR: What did you have on?

7 THE WITNESS: I had on a black T-shirt with some
8 graffiti on it, some Jordans and some jeans.

9 A JUROR: What about Brandon?

10 THE WITNESS: I don't remember what he had on.

11 MR. WRIGHT: Anything else?

12 A JUROR: Do you usually have about ten
13 deliveries every day?

14 THE WITNESS: Usually it be 14 sometimes.

15 A JUROR: Fourteen?

16 THE WITNESS: That's the highest we went, was
17 14.

18 A JUROR: When there are 14, what's the delivery
19 time, from when you start to when you end?

20 THE WITNESS: I have gotten off at 11:00 at
21 night with 14 deliveries.

22 When you get to these people house, either you
23 can't get the couch through the door -- you can't get
24 something through the door.

25 They order this big furniture with these little

1 doors. We went to one guy, he was living on the twenty
2 something floor, and we got all of the furniture in there
3 except for one couch.

4 And just to show you what type of person
5 Brandon was, I wasn't going to even deal with it. I was
6 like, "Take it back." Brandon said, "No, let's help
7 him."

8 We took the chair up the stairs. After we got
9 up the stairs, the stairs started closing in. We got to
10 the fifth floor. We couldn't move the couch no more.

11 We called the supervisor. We said the couch
12 was stuck, we couldn't get it back. He told us to bust
13 it up, break it up.

14 That's how we got the couch down. He had to
15 break it in half.

16 Brandon was the type of person, he just liked
17 to help people. If he go to your house, he is going to
18 make sure you are satisfied.

19 You see me, I was just a newcomer. I didn't
20 know anything about any of the people here, so I'm just
21 sitting back, kind of keep my mouth shut, because he know
22 the people. He was working there for like two or three
23 years.

24 A JUROR: Did you accept money or any kind of
25 compensation for doing these little extra favors?

1 THE WITNESS: No.

2 MR. WRIGHT: Anything else?

3 (No response.).

4 MR. WRIGHT: Sir, you are about to be excused.

5 At the beginning of your testimony, I indicated that you
6 would be highlighting information that you might possess
7 concerning possible violations of the criminal law, is
8 that correct?

9 A Yes, sir.

10 Q You have been testifying for approximately an
11 hour, is that correct?

12 A Yes, sir.

13 Q Prior to your appearance before the Grand Jury
14 today, you spent more than an hour reviewing these
15 matters with myself and others from my office in the back
16 room, correct?

17 A Correct.

18 Q Would it be fair to say on those occasions, you
19 have reviewed in greater length or detail most of your
20 testimony here today?

21 A Yes, sir..

22 Q Would it be fair to say that there may be some
23 minor additional details or information that you possess
24 concerning the subject matter of your testimony that were
25 not discussed here today?

1 A Probably so. I don't know.

2 Q We are about to excuse you. If after leaving
3 here today you decide or conclude that anything you have
4 said is incorrect, incomplete or untrue in any way, or if
5 you remember something that is relevant to your
6 testimony, or if you otherwise wish to make any additions
7 or modifications, you may be given an opportunity to
8 correct that testimony.

9 Any such correction, however, must be made
10 before this Grand Jury acts upon the testimony you have
11 given. If you want to make such a change, you must
12 contact my office immediately.

13 Do you have any questions about what I have
14 said?

15 A No, sir.

16 MR. WRIGHT: You are excused.

17 Anything else at this time from anyone?

18 (No response.)

19 MR. WRIGHT: I will be back in in 30 seconds.

20 (Witness excused at 3:50 p.m.)

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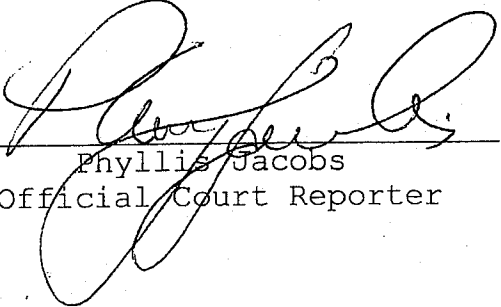
REPORTER'S CERTIFICATE

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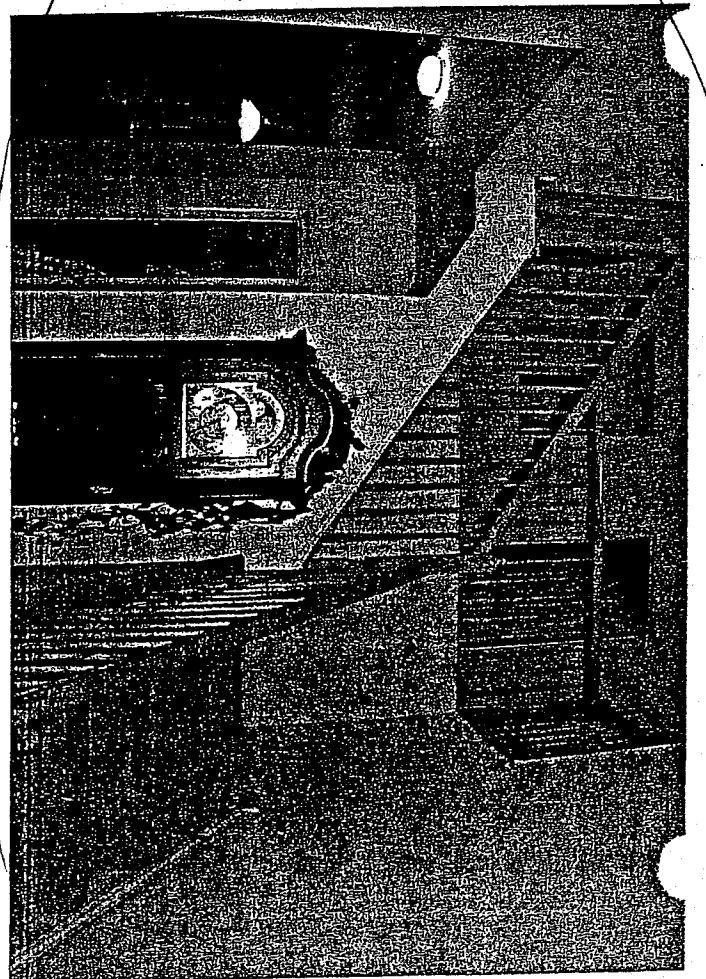
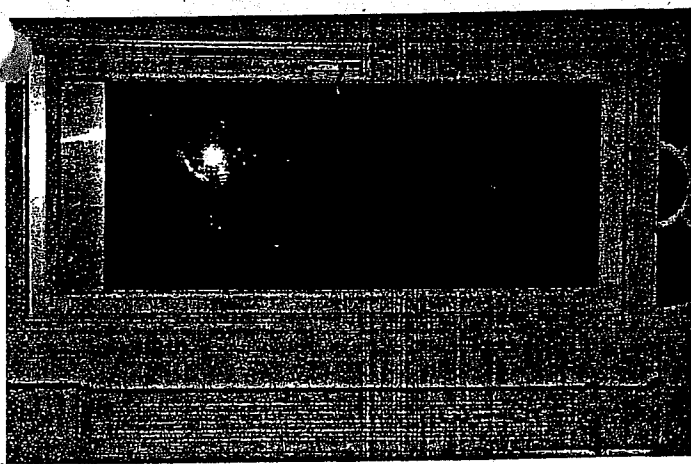
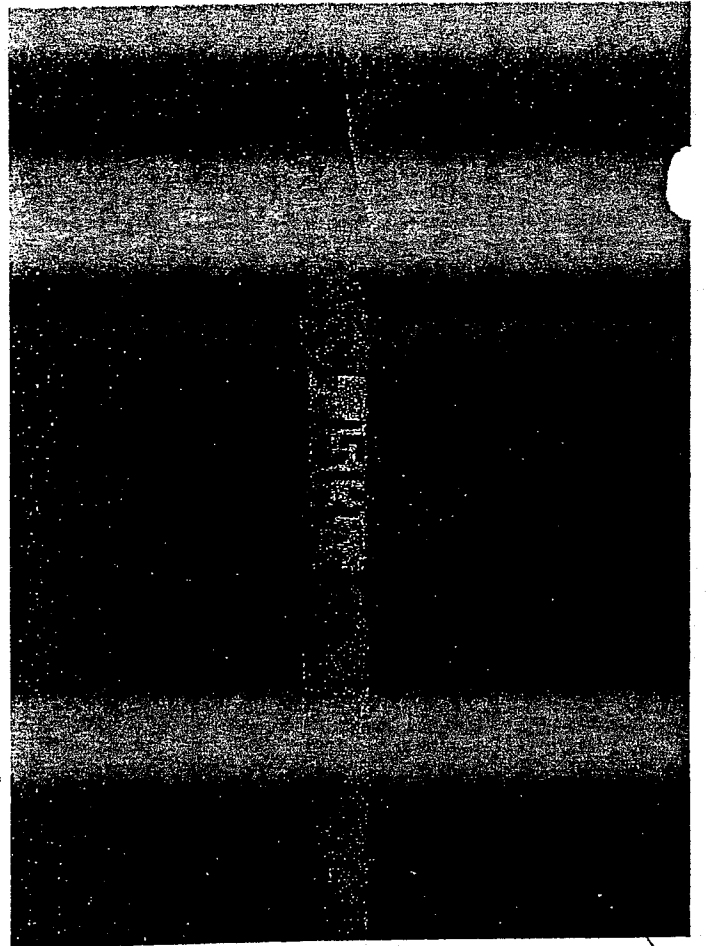
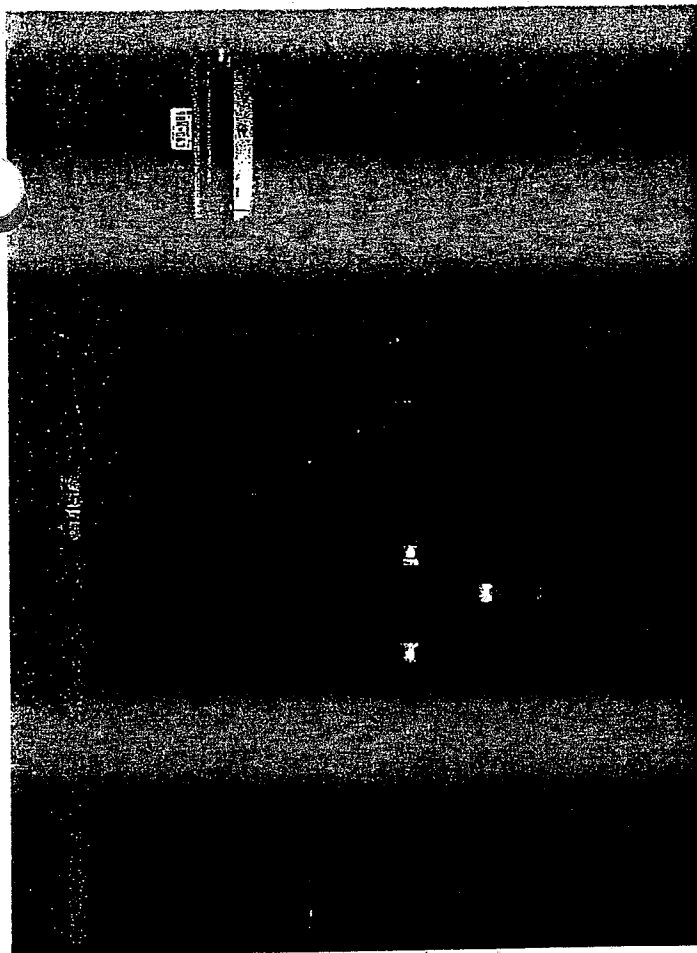
I, Phyllis Jacobs, an Official Court Reporter of the Circuit Court for Prince George's County, Maryland, do hereby certify that I stenographically recorded the proceedings in the matter of Grand Jury No. 83,537, in the Circuit Court for Prince George's County, Maryland, on June 26, 2007.

I further certify that the page numbers one through fifty-two constitute the official transcript of the proceedings as transcribed by me from my stenographic notes to the within typewritten matter in a complete and accurate manner.

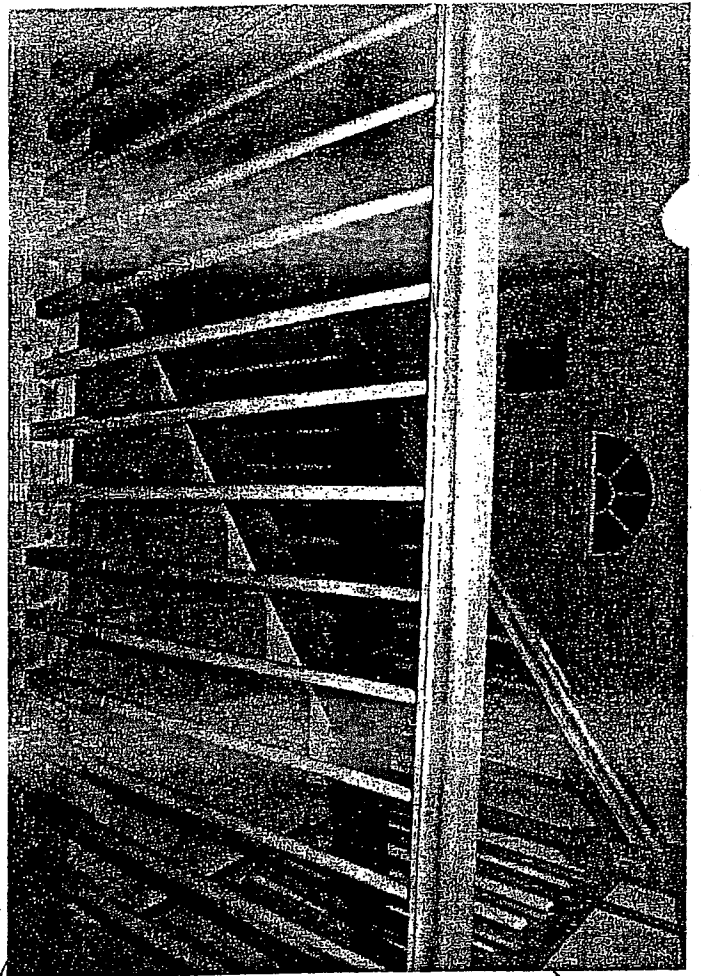
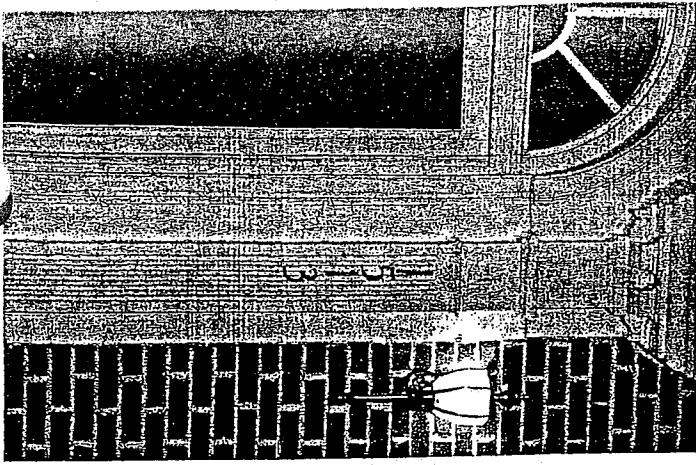
In Witness Whereof, I have affixed my signature this 2nd day of July, 2007.



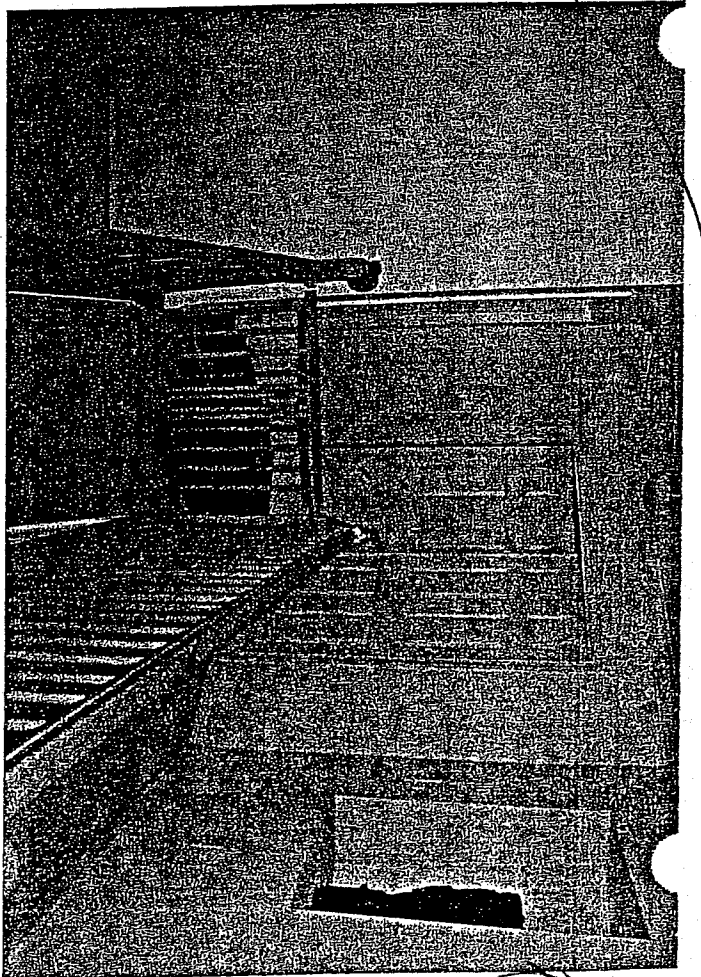
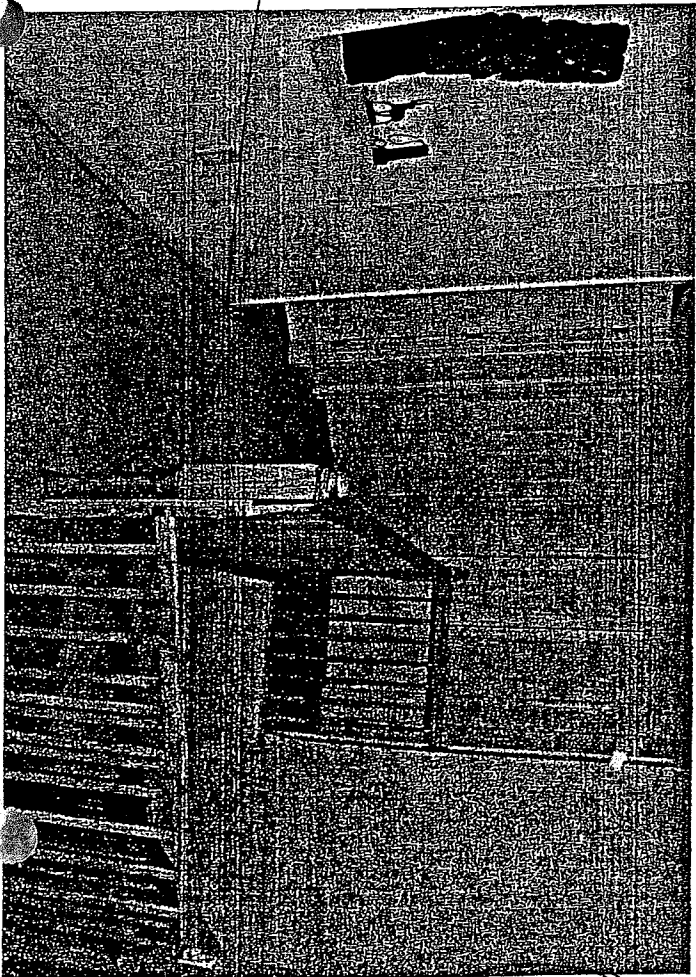
Phyllis Jacobs
Official Court Reporter



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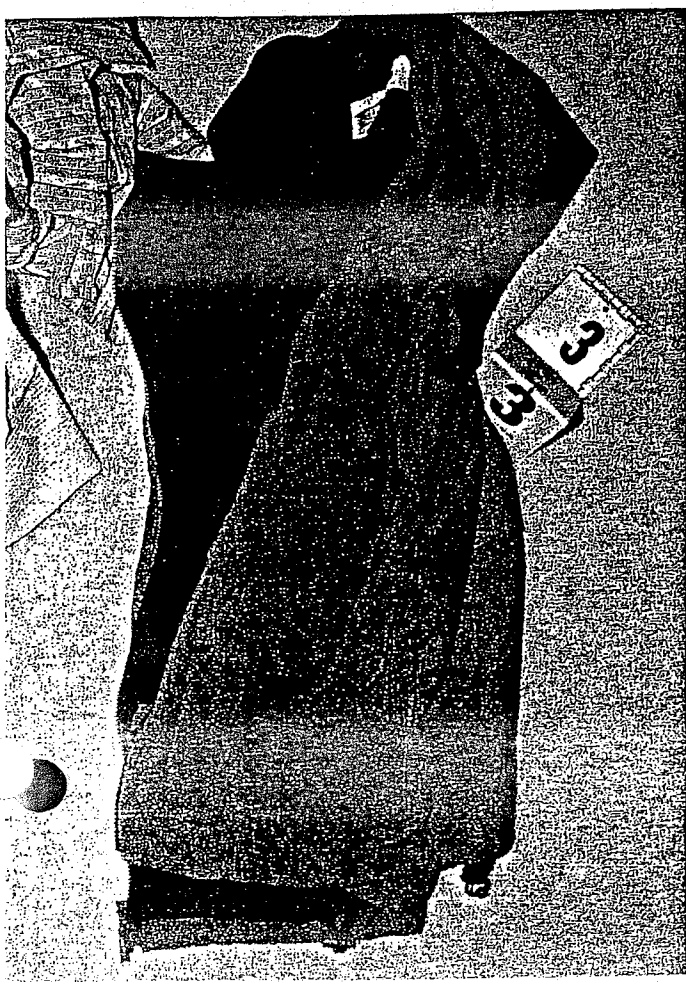
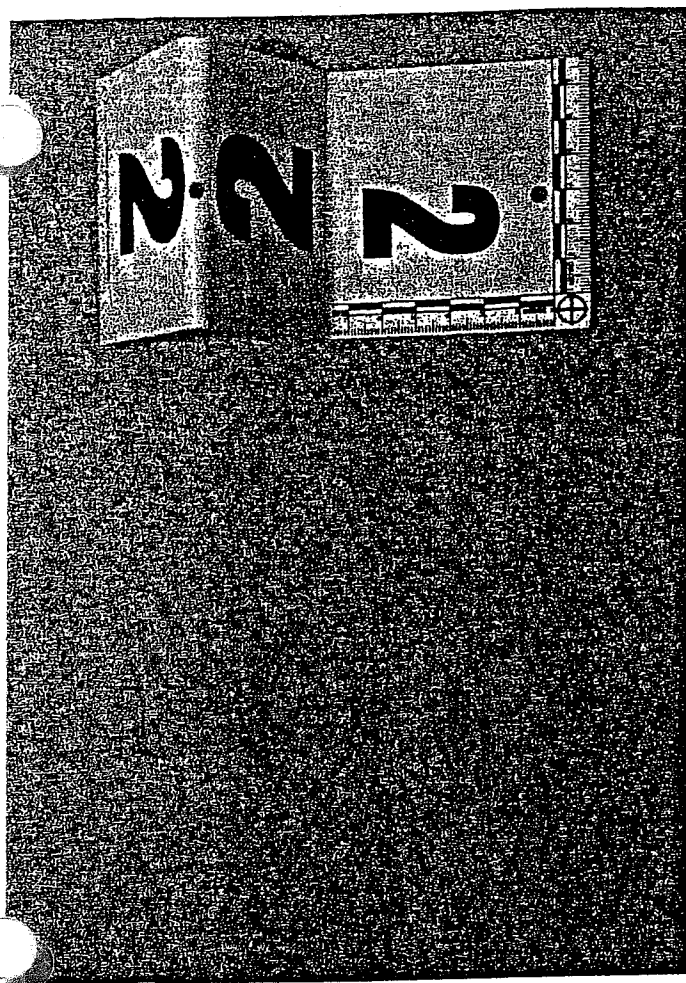
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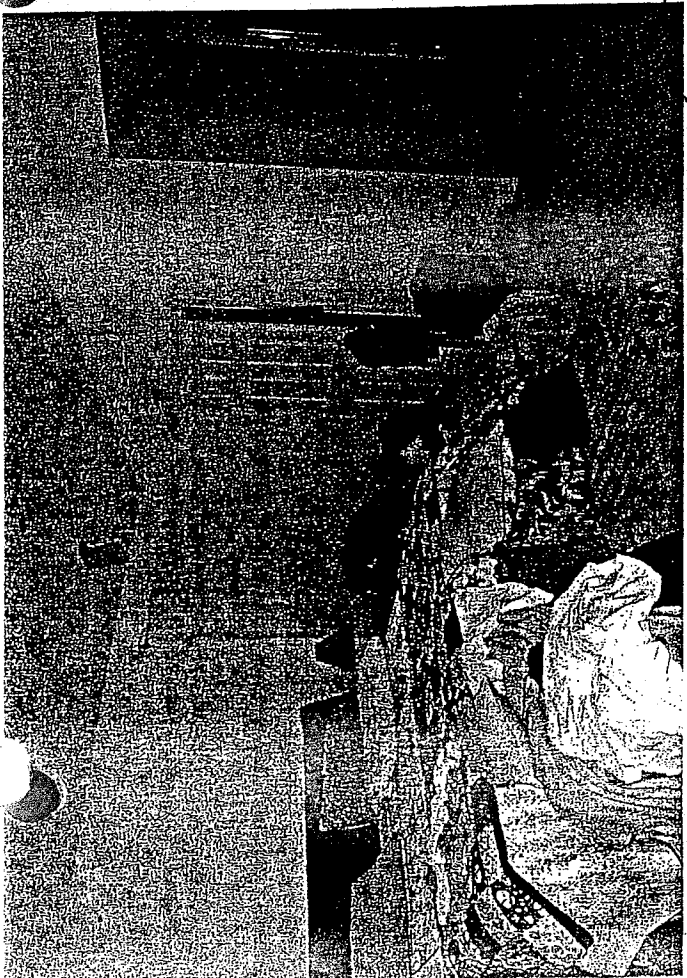
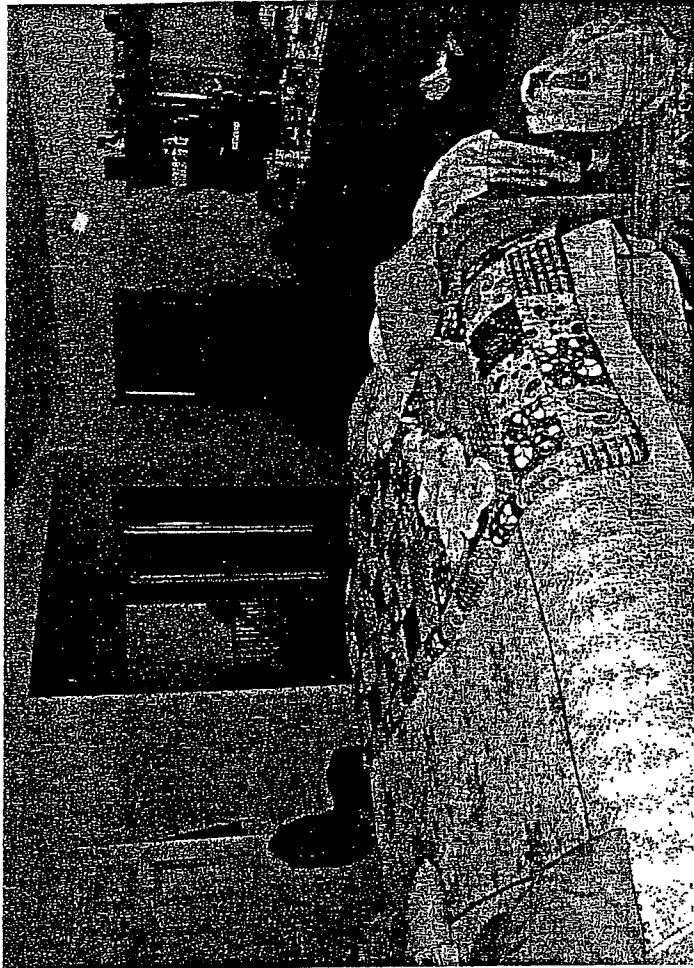
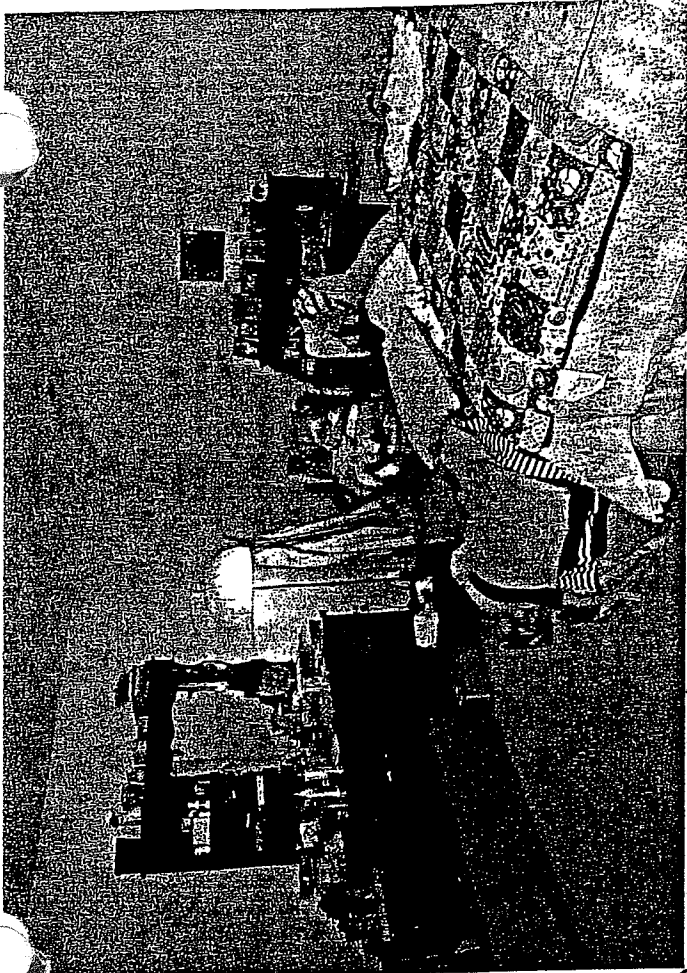


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