

1           A   That's correct.

2           Q   So when you told the police that it was a scar, you  
3 meant a fresh injury?

4           A   Yeah.

5           MR. PICL:   Okay.  Nothing else.  Thank you.

6           THE COURT:  Anything else, Miss Griffin?

7           MS. GRIFFIN:  No.

8           THE COURT:  You may step down then.

9

10                           (Witness excused.)

11

12                           (Witness sworn.)

13

14                   R A N D A L L   M A R K   H O W A R D

15 called as a witness on behalf of the plaintiff, being first  
16 duly sworn, was examined and testified as follows:

17

18           DIRECT EXAMINATION BY MR. REYNARD:

19

20           Q   Would you state your name, please?

21           A   Randall Mark Howard.

22           Q   Spell your last name.

23           A   Spell it?

24           Q   Yes, please.

1 A H O W A R D.

2 Q Where do you reside?

3 A Champaign, Illinois.

4 Q Do you know Jamie Snow?

5 A 22 years.

6 Q Do you see him in the courtroom today?

7 A Yes, I do.

8 Q Would you point him out and describe what he's  
9 wearing today?

10 A He's wearing a suit and a tie, blue shirt.

11 Q Where is he in relation to the sheriff's deputy  
12 seated over there?

13 A Right in front of him.

14 MR. REYNARD: Witness has identified the  
15 defendant.

16 THE COURT: Record will reflect that.

17 MR. REYNARD:

18 Q How was it that you -- when was it that you first  
19 came to know the defendant?

20 A When I moved into Mobileland Trailer Park.

21 Q How old were you?

22 A Ten years old.

23 Q And did you become friends?

24 A Best friends.

1 Q And be fair to say that you were best friends when  
2 you were in school together?

3 A Yes.

4 Q Very tight?

5 A Very tight. I was a little bit younger than him,  
6 and he kind of looked over me and took care of me and...

7 Q Did you also know a Mark McCown?

8 A Yes, I did.

9 Q And from -- was that from growing up in the same  
10 neighborhood?

11 A Yes, sir.

12 Q Also, are you familiar with any nicknames for  
13 McCown?

14 A Stretch.

15 Q Direct your attention to Sunday, March 31, 1991, and  
16 ask where was your residence at that time?

17 A I do believe it was on McArthur Street.

18 Q In Bloomington, Illinois?

19 A Yes, sir.

20 Q And did you still see the defendant from time to  
21 time, still associated with him at that time?

22 A Yes, I was. I probably seen him three, four times a  
23 week.

24 Q Now, where were you physically located actually on

1 Easter Sunday, March 31, 1991?

2 A Champaign, Illinois.

3 Q And in very general terms, what were you doing in  
4 Champaign that day?

5 A Visiting.

6 Q Your wife or then your fiancée, Tracy?

7 A Yes, sir.

8 Q When was it that you returned to Bloomington?

9 A It was either the next day or the day after.

10 Q And by what means did you return to Bloomington?

11 A Greyhound bus.

12 Q Did you have any contact with the defendant with  
13 respect to your arrival back in Bloomington?

14 A Yes, I do believe I called him from Champaign and  
15 told him when the bus was going to arrive, and he picked me  
16 up at that time.

17 Q Best you can recall, what time of day was it either  
18 the following day, following Easter, or the next day after  
19 that?

20 A It was the evening. It was dark out. I would guess  
21 it probably 8:30, nine. I do know it was dark out, though.

22 Q And did the defendant -- was the defendant there to  
23 pick you up there when you got back to the Greyhound  
24 terminal?

1 A Yes, he was.

2 Q Was that the downtown terminal?

3 A Yes, it was.

4 Q And by that I mean the terminal that used to exist  
5 for the Greyhound.

6 A Yes, right there by the old dance studio I think it  
7 was.

8 Q Close to the consistory?

9 A I think so.

10 Q Okay. Did you have a conversation with the  
11 defendant at the time that he met you and picked you up that  
12 evening?

13 A Yes.

14 Q Okay. Can you describe what that conversation was?

15 A I don't remember how it started but eventually he  
16 said did you hear what happened. I said no. He said well,  
17 he said, man, bro, I fucked up. I shot this kid. At that  
18 time I think I said no, you didn't or something like that.  
19 And he said --

20 Q Hang on a second, Mr. Howard. At the time that this  
21 conversation took place, had you known about or heard about  
22 the murder that had taken place on Sunday night?

23 A No, I had not.

24 Q And by that I'm referring to the Clark Oil station

1 murder of Bill Little.

2 A No.

3 Q Okay. So you had been out of town. You didn't hear  
4 news reports or TV or read the newspaper?

5 A No, I did not.

6 Q And so -- so he asked you did you hear about what  
7 happened?

8 A Yes, he did.

9 Q And you told him you had not?

10 A Yes.

11 Q What were his very next words to you?

12 A I don't remember what his very next words was. I  
13 know he said --

14 Q Okay. Go ahead.

15 A Man, bro, I fucked up. I shot this kid.

16 Q Did he then tell you what happened?

17 A No, I don't think so. I'm sure that the  
18 conversation went on at least another minute or so, and then  
19 he recanted his statement and said no, I'm just joking; and  
20 that was the end of it.

21 Q Well, prior to him taking it back, did he tell you  
22 about having gone to do a robbery?

23 A No.

24 Q I guess I need to ask you, Mr. Howard, whether or

1 not it is that you don't recall whether he said anything to  
2 you about what he was doing that night in connection with  
3 committing a robbery or you're certain he did not tell you.

4 A Well, this I do know. It was a very short  
5 conversation, and I just don't think he said anything prior  
6 to that.

7 Q Okay. You're characterizing it somewhere in between  
8 you're not sure but you think he didn't say anything to you  
9 about having gone to commit a robbery?

10 A I'd say I'm about 90 percent sure he didn't.

11 Q Okay. Let me ask you this, sometime following that  
12 conversation did you speak to the police about this  
13 conversation?

14 A Before or after?

15 Q At some point -- specifically, do you recall  
16 speaking to the police on September 16, 1999 concerning this  
17 conversation you had with the defendant several years  
18 earlier?

19 A Yes.

20 Q And, in fact, do you recall that that statement that  
21 you gave to the police was tape-recorded?

22 A Yes, I do.

23 Q And do you recall the officers who were there with  
24 you asking you questions while you -- at the time that you

1 were then giving answers?

2 A Yes, I do.

3 Q Who were those officers?

4 A Katz and I don't -- I can't remember his name.

5 Q Katz and another officer?

6 A Yeah.

7 Q Do you recall telling the officers what you've  
8 already indicated to the jury the defendant did say to you  
9 about man, bro, I fucked up, I shot the kid at the station?

10 A Yes, I do.

11 Q Do you also recall telling them that he said  
12 something like he went to do an armed robbery to get some  
13 money and I want to say he said the guy recognized him or  
14 something and the gun accidentally went off?

15 A I'm sure I probably said that.

16 Q Do you recall telling him that he was stupid or  
17 something like that?

18 A No, I don't recall that.

19 Q Do you recall telling the officers on that  
20 tape-recording I said something like ah, you're stupid or  
21 something, and then shortly after that he said, ah, I was  
22 just joking, I didn't really do it?

23 A If you've got it there in front of you, I probably  
24 said it.



1 Q Would it be fair to say that there was other  
2 conversation at that time that was essentially meaningless  
3 conversation?

4 A Yeah.

5 Q At least it didn't --

6 A I assumed the whole conversation was meaningless.

7 Q Okay. Do you recall telling the officers on the  
8 tape-recorded statement, I do know he knew the guy, I  
9 remember him calling him by name? Do you recall telling the  
10 officers that?

11 A Yes.

12 Q Do you recall the defendant telling you where this  
13 took place, the incident of the shooting and the robbery?

14 A I don't remember if he told me. I knew it happened  
15 at the Clark station eventually. I don't know if he told me  
16 that or not.

17 Q Do you recall telling the officer on a tape-recorded  
18 statement, he said it was at the Clark station, the one  
19 across from the Laesch Dairy with the big moo cow on it?

20 A I recall that conversation was at 5:30 in the  
21 morning which I hadn't even thought about this in two years.  
22 So if I would have known we would have ended up here today,  
23 I would have said things a lot differently.

24 Q In fact, if it hadn't been tape-recorded, it would

1 be considerably different, wouldn't it?

2 A No, I wouldn't remember most of it, no. The only  
3 reason why I keep remembering is because you keep telling me  
4 I said it.

5 Q Well, let me go back to my question a few moments  
6 ago.

7 A Okay.

8 Q Did you tell the officers that he, meaning the  
9 defendant, said it was at the Clark station, the one across  
10 from the Laesch Dairy with the big moo cow on it?

11 A Yes, I remember saying that.

12 Q Thank you. Now, can you describe the demeanor of  
13 the defendant when he told you, man, bro, I fucked up, I  
14 shot the kid? What was his demeanor at that time?

15 A Very excited, very exaggerated, very loud.

16 Q Would it be fair to say that he appeared to be  
17 excited and very upset about it?

18 A That I would be?

19 Q No. My question is this. Did it appear to you that  
20 the defendant at that time that he was saying those words to  
21 you was excited and very upset about it, like his life was  
22 going down the tube?

23 A He seemed very excited, very exaggerated and very  
24 loud; upset, I would say no.

1           Q Do you recall telling the officers on the  
2 tape-recording when Jamie first told me about the shooting,  
3 Jamie was excited and very upset about it, like his life was  
4 going down the tube?

5           A I don't recall saying that, no.

6           Q After this momentary excitement that you observed  
7 and after he recanted, did his demeanor seem to change?

8           A Back to normal.

9           Q And by normal, do you mean calm and collected?

10          A Yes, sir. How was your weekend? What are we going  
11 to do? Got to work tomorrow?

12          Q Okay. Now was it during that conversation in the  
13 car after being picked up from the bus station that you and  
14 he had a conversation about drawings or fliers that were  
15 being circulated?

16          A I do believe it was a few days after.

17          Q Do you recall that there were different fliers at  
18 different times? First one came out and then there were  
19 another?

20          A At that time there were a lot of drawings floating  
21 around.

22          Q And do you recall having a conversation with him  
23 about the first composite drawing that was published or put  
24 out?

1           A I remember having a conversation about a composite.  
2 I don't think it was the first one.

3           Q Do you recall what -- where you were when you had a  
4 conversation with the defendant concerning the composite  
5 drawing that came out?

6           A We were at my house. I was at home. He showed up.

7           Q And was this, as you indicated earlier, within a few  
8 days of the first conversation at the bus station?

9           A Yes, sir.

10          Q And what do you recall the defendant telling you  
11 about that composite that had come out?

12          A He said, have you seen this drawing. It looks just  
13 like me.

14          Q And what did you tell him regarding that  
15 resemblance?

16          A Really or something. I hadn't seen it at that time  
17 so I don't remember exactly what I said, but I'm sure you're  
18 going to tell me.

19          Q I hate to be so predictable, Mr. Howard. When the  
20 defendant said, hey, did you see that drawing, it looks like  
21 me, isn't it true that you told him that it did?

22          A I do believe I told him that after I seen it. That  
23 I'm sure of. Because the one does look just like him.

24          Q Do you recall when the second drawing came out?

1           A I wouldn't refer to it as the second drawing. I  
2 remember seeing more.

3           Q Do you recall when you saw the next drawing after  
4 that first one you saw within several days of the first  
5 conversation at the bus station?

6           A I don't know if it was several -- I remember seeing  
7 the next one, yes. I don't know exactly when -- how they  
8 proceeded, but I remember seeing the next one.

9           Q Weeks, months, years?

10          A I don't know.

11          Q Okay. Fair enough. Did you know the defendant to  
12 wear -- frequently wear a baseball cap?

13          A Not frequently. I seen him in a hat once.

14          Q Excuse me. I was a little distracted there. You  
15 indicated you saw a baseball cap sometimes but not  
16 frequently?

17          A I remember seeing him in a hat once. He was not a  
18 hat wearer, but I do remember seeing him in a hat once.

19          Q Do you recall that he had a certain trademark  
20 concerning the baseball cap when he did not want to be seen?

21                 MR. PICL: Objection, counsel is testifying,  
22 leading.

23                 MR. REYNARD: Your Honor, I think it's --

24                 MR. PICL: -- trademark.

1 THE COURT: Could you approach a second? I'm  
2 sorry.

3 (The following proceedings were had outside  
4 the presence and hearing of the jury.)

5 THE COURT: I guess I don't have the statements.  
6 Is this from a statement?

7 MR. REYNARD: Yes.

8 THE COURT: Okay. Well how is he going to inquire  
9 about that without saying it?

10 MR. PICL: Ask him did -- when he wore a cap did  
11 he wear it any particular way. That's the nonleading way of  
12 doing it.

13 THE COURT: That's as leading as the other. But I  
14 mean the bottom line, it's in the statements?

15 MR. REYNARD: Yes.

16 THE COURT: Okay. Then I'm going to allow it.

17 (The following proceedings were had in the  
18 presence and hearing of the jury.)

19 THE COURT: Why don't you rephrase that,  
20 Mr. Reynard?

21 MR. REYNARD: Yes, your Honor.

22 Q Mr. Howard, would it be fair to say that Jamie's  
23 trademark when he didn't want to be seen was to wear a  
24 baseball cap and tuck his hair in it, which would have

1 looked even more like the picture?

2 A I would not call it a trademark. One time he showed  
3 up at my house in a baseball cap with it severely pulled  
4 down. I hadn't seen him in years. So it was a surprise  
5 visit. I answered the door. I didn't know who he was.  
6 Then he pulled the hat back, and it was Jamie; and we went  
7 on from there.

8 Q Did you indicate to the police officers on 9-16,  
9 1999 in the tape-recorded statement at 5:30 in the morning  
10 that Jamie's trademark when he did not want to be seen was  
11 to wear a baseball cap and tuck his hair in it, which would  
12 have looked even more like the picture?

13 A I'm sure I must have.

14 MR. REYNARD: Nothing further.

15 THE COURT: Okay. Mr. Picl?

16 MR. PICL: Thank you, Judge.

17

18 CROSS EXAMINATION BY MR. PICL:

19

20 Q These multiple composites that you've referred to in  
21 your testimony -- do you go by Randy?

22 A Yes, sir.

23 Q Randy, where did you see those over time? Did you  
24 see them --

1           A Hanging up in gas stations. There was a liquor  
2 store right down the street from my house, seen them in  
3 there.

4           Q And how many different all total, if you recall,  
5 composites relating to this crime have you seen?

6           A I've seen three for this crime. The one that was  
7 actually being questioned about was for a different crime I  
8 later found out.

9           Q The --

10          A Earlier crime I should say, not later, earlier.

11          Q Just so I'm clear, you weren't at the scene of the  
12 crime when Bill Little was shot, were you?

13          A No, sir.

14          Q So you didn't see Jamie Snow shoot Bill Little?

15          A No, I did not.

16          Q I think we've got two composites that we've already  
17 looked at in this case. I'm going to hand both of them to  
18 you, State's exhibit 21, State's exhibit 22. Look at those,  
19 please, and tell me if either one of those is the composite  
20 you apparently indicated to the police in 99 looked like  
21 Jamie.

22          A No, neither one of these.

23          Q So it's some other composite -- composite in  
24 evidence? So those two composites that you have in your



1 hand, is it your testimony that those didn't look like Jamie  
2 back in March of 99 [sic]?

3 A Didn't then, don't now. For one, Jamie had a beard.  
4 I've never seen him in a earring. He was also at that time  
5 the heaviest I've ever seen him in his life. He had to be  
6 close to 250 at that time. This is visibly a skinny man  
7 right there.

8 Q So, in other words, Jamie, on March 31, 99 [sic] or  
9 a couple days later when he picked you up at the bus station  
10 wasn't thin?

11 A No, not at all.

12 Q Wasn't even close to thin?

13 A No.

14 Q I'm sorry. Was he thin or close to thin on or about  
15 March 31, 91? I'm sorry. I think I said 99.

16 A No, he was not thin. As a matter of fact, he had a  
17 gut.

18 Q When he picked you up at the bus station two days  
19 after the 31st of March, 91, did he have a scar on his chin?

20 (A) I don't believe so.

21 Q Had he suffered any apparent injury to his chin?

22 (A) No.

23 Q When you phoned Jamie after arriving back in  
24 Bloomington at the bus station from Champaign, where did you

1 phone him at?

2 A I think I phoned him from Champaign to let him know  
3 when I would be arriving.

4 Q All right. But where was he when you phoned him?

5 A At home, I do believe.

6 Q His own home?

7 A I think so.

8 Q Now your first conversation with the police  
9 investigators, the police officers, was on September 16,  
10 1999, right.

11 A The first?

12 Q Yes.

13 A No, I talked to the police several time since then  
14 or before then.

15 Q About this crime?

16 A Oh, yes, yes.

17 Q During any of those conversations did you mention  
18 Jamie's conversation with you on the way from the bus  
19 station?

20 A Yes, I did, the first investigator was Rusty Thomas,  
21 and me and him had lengthy conversations about the crime.

22 Q On the 11th of April, 1991, did you have an  
23 interview with Detective Charlie Crowe of the Bloomington  
24 police department?

1 A On the 11th of April?

2 Q Right.

3 A I might have. I've talked to a bunch of them.

4 Q Okay. On or about April 11, 91, do you remember  
5 receiving nine hundred dollars for giving Detective Crowe  
6 some information about some crimes here in Champaign?

7 A No, that did not happen.

8 Q Pardon me?

9 A That did not happen. I received five hundred from  
10 Rusty Thomas.

11 MR. REYNARD: Objection to relevance, move to  
12 strike. I think on its face it was relating to something  
13 else entirely.

14 MR. PICL: I didn't realize that when I ask.

15 MR. REYNARD: I thought that was in counsel's  
16 question.

17 THE COURT: Okay. Then apparently it is so it's  
18 sustained. It's stricken. The jury is ordered to disregard  
19 it.

20 THE WITNESS: I don't think I --

21 THE COURT: Hold on. There is no question. Just  
22 hold on.

23 MR. PICL:

24 Q When, as you testified, Jamie made the statements to

1 you that he did about I fucked up and shot this kid after he  
2 picked you up at the bus station here in Bloomington, you  
3 didn't believe he was serious, did you?

4 (A) No.

5 MR. REYNARD: Objection on what this witness  
6 believed.

7 MR. PICL: Well --

8 THE COURT: Just a moment, please.

9 MR. REYNARD: Withdraw my objection.

10 THE COURT: All right. Then, he may -- did you  
11 answer? I'm sorry.

12 THE WITNESS: Yes, I did. I said no.

13 THE COURT: All right.

14 MR. PICL: May I have the question and answer  
15 repeated back please? I don't remember quite honestly what  
16 I asked him.

17 THE COURT: When, as you testified, Jamie made the  
18 statement to you that he did about I fucked up and shot this  
19 kid after he picked you up at the bus station here in  
20 Bloomington, you didn't believe he was serious, did you?  
21 Answer, no.

22 MR. PICL: Thank you.

23 Q During -- Randy, during your direct examination by  
24 Mr. Reynard, I believe you stated that you assumed the whole

1 conversation with Jamie was meaningless?

2 A Yes, I did.

3 Q Were you referring to your conversation with Jamie  
4 on the way back from the bus station or your interview with  
5 the police later on?

6 A Both of them really. I never -- never expected to  
7 be here.

8 Q Do you believe Jamie Snow shot Bill Little?

9 MR. REYNARD: Objection.

10 MS. GRIFFIN: Objection.

11 THE COURT: Don't answer the question. The  
12 objection is sustained.

13 MR. PICL:

14 Q Do you know who shot Bill Little?

15 A No, I do not. If I did, they'd be in jail.

16 MR. PICL: Nothing else, thank you.

17 THE COURT: Mr. Reynard?

18 MR. REYNARD: Just a moment, Judge.

19

20 REDIRECT EXAMINATION BY MR. REYNARD:

21

22 Q Mr. Howard, with regard to the questions Mr. Picl  
23 was just asking you about did you believe him, you indicated  
24 no, let me ask you this. Were you asked these questions,

1 did you give these answers on that tape-recorded statement?  
2 So when he told you he shot the kid at the gas station he  
3 was excited and upset? Your answer, uh-huh.

4 Next question: Did you believe him? Your  
5 answer, ah, yeah, I mean not too much.

6 So were you asked those questions. Did you give  
7 those answers?

8 A I must have.

9 Q Let me show you what's been marked as People's  
10 exhibit 56 and ask if you recognize who is in that picture.

11 A Jamie Snow.

12 Q And would that -- would the appearance of Jamie Snow  
13 in that picture be consistent with the appearance of him as  
14 you recall him in 1991?

15 A Yes, sir, I think the hair was a little shorter. It  
16 wasn't quite that long.

17 Q Okay. Is it -- withdraw that. I want to direct  
18 your attention to State's exhibit 53 and ask you if you  
19 recognize who is in that picture.

20 A Jamie Snow.

21 Q Is that also consistent with his appearance perhaps  
22 a little bit later time that year?

23 A Yeah, hair is shorter, yeah, that's how he looked.

24 Q And People's exhibit 11, do you see anyone -- do you

1 see the defendant in that picture?

2 A Yes, I do.

3 Q Which one is he?

4 A He's the one on the left end.

5 Q Your left hand?

6 A Number six, it looks like.

7 Q And is that appearance of him in full length  
8 consistent with your memory of what he looked like in 1991,  
9 perhaps a little bit later in time than the other two  
10 pictures?

11 MR. RILEY: Objection, Judge, that's a misleading  
12 picture. That's a picture that was taken in that lineup  
13 that was considerably later than May of 1991.

14 THE COURT: Objection, overruled. That's not the  
15 question.

16 THE WITNESS: I'd say his hair is a little neater  
17 and longer, but, yes, that's Jamie.

18 MR. REYNARD:

19 Q In terms of his physical appearance is that  
20 consistent with how he appeared to you in 1991?

21 A Pretty much, yeah.

22 MR. REYNARD: Nothing else.

23 THE COURT: Mr. Picl?

24 MR. PICL: Thank you, Judge.

1 RE CROSS EXAMINATION BY MR. PICL:

2

3 Q Have you still got those photos there that Mr. --

4 A No, I do not.

5 Q -- Reynard -- no. Showing you what's been marked as  
6 State's exhibit 56, that's a picture of Jamie. Is that what  
7 you've testified?

8 A Yes, it is, uh-huh.

9 Q Is that how he looked on or about the 31st of March?

10 A Yeah, I'd say so.

11 Q And on --

12 A His face is pretty heavy.

13 Q Yeah, which would suggest to you that the rest of  
14 his body was pretty heavy also?

15 A Yes, sir.

16 MR. REYNARD: For the record I guess I will  
17 object, Your Honor. I was a little ambivalent about that,  
18 but what it suggests to him is irrelevant; and I find it  
19 objectionable.

20 THE COURT: All right. I'll sustain the  
21 objection. The jury is ordered to disregard the response  
22 regarding the speculation having to do with his body.

23 MR. PICL:

24 Q Looking at it again, please, State's exhibit 56,



1 does it appear to you under his chin then in the portion of  
2 the photo on the left his face is pretty heavy?

3 A Yes, he is.

4 MR. REYNARD: Objection, to describing what the  
5 best evidence is, which is the picture itself.

6 THE COURT: Okay. The objection is sustained.

7 MR. PICL:

8 Q In State's exhibit 11, where you've identified him  
9 as the individual holding number six, does it appear in that  
10 photograph that Jamie has lost quite a bit of weight since  
11 the weight he was on the 31st of March in 91?

12 A I would have to agree; and he don't have a beard,  
13 and his hair is combed.

14 Q So he had a beard on the 31st of March. Is that  
15 right?

16 A Yes.

17 Q As you testify now, do you believe that Jamie Snow  
18 was truthful at all when he made the remarks to you that he  
19 did on the way back from the bus station about shooting --

20 MR. REYNARD: At this time I will stick with my  
21 objection.

22 THE COURT: All right. Objection sustained.

23 MR. PICL: May I -- may we approach?

24 THE COURT: Not on that. Move on.

1  
2  
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MR. PICL:

Q You've told Mr. Reynard that you told the police when interviewed about this that you believed Jamie was telling the truth a little bit when he made --

A I believe he was trying to get a rise out of me.

Q Okay.

A That's what I believed happened.

Q Do you believe today that he was telling you the truth a little bit when he made those statements about shooting someone?

MR. REYNARD: Clearly objectionable, Your Honor.

THE COURT: Mr. Howard, hold on. Counsel, that question has been asked, and I've sustained an objection. You're directed not to ask it again. And that objection is sustained.

MR. PICL: No other questions.

MR. REYNARD: Nothing further.

THE COURT: Okay. Then you may step down. Thank you.

THE WITNESS: Thank you, sir.

THE COURT: And bailiffs, take charge of jurors. We'll take a ten minute recess.

(Recess.)

(The following proceedings were had outside

1 the presence and hearing of the jury.)

2 THE COURT: We'll go back on the record in  
3 99 CF 1016, parties appear same as before. We're prepared  
4 to bring in the jury for the next witness.

5 (The following proceedings were had in the  
6 presence and hearing of the jury.)

7 THE COURT: All right. Folks, please be seated.  
8 And we'll go on to continued evidence with the State.  
9 Mr. Reynard?

10

11 (Witness sworn.)

12

13 S H A N N O N S C H M I D T W A L L A C E

14 called as a witness on behalf of the plaintiff, being first  
15 duly sworn, was examined and testified as follows:

16

17 DIRECT EXAMINATION BY MR. REYNARD:

18

19 Q Would you state your name, please?

20 A Shannon Schmidt wallace.

21 Q And, Shannon, let me ask you if you at one time knew  
22 Ed Palumbo?

23 A Yes.

24 Q And when was that?