

1 A At that time, she was in the emergency room. I got up,  
2 went back to the house and got the old shotgun that was  
3 left in the vault and got some shells, and I went to  
4 the bus station. I thought the old bus station was  
5 still on Government Street here, but it wasn't. They  
6 had moved it out on 90, so I went out on 90 looking for  
7 them. And I had the gun in the car.

8 Q Did you go to the bus station -- get your shotgun and  
9 go to the bus station looking for them after you talked  
10 to Rodney?

11 A Yes.

12 Q And after he relayed information to you?

13 MR. JORDAN: Judge, again, this is all --

14 A Yes.

15 THE COURT: What he does is not hearsay.

16 Q Based on the conversation you had with Rodney and the  
17 information he relayed to you, you got your shotgun and  
18 went to the bus station?

19 A Yes, sir.

20 Q But you thought the bus station was at Government  
21 Street?

22 A Yeah, here, right.

23 Q Did you see Mr. Rogers when you got your shotgun that  
24 day?

25 A When I was leaving out of the house, yes, sir, I did

1 see him.

2 Q Did you say anything to him or ask him anything that  
3 you recall?

4 A No, sir. He approached me and said something. I don't  
5 really remember what he said.

6 Q And where was that, by your house?

7 A That was in my neighborhood there.

8 Q And tell us -- Okay. You got your shotgun and you went  
9 to the bus station?

10 A Yes, sir.

11 Q And what did you do?

12 A I went in. I left the shotgun on the seat of the car  
13 and went in the bus station looking to see did I see  
14 the guys.

15 Q And did you?

16 A No, sir.

17 Q Is this the bus station on Highway 90?

18 A On Highway 90.

19 Q And you first went to the bus station downtown?

20 A We came here to the old bus station, but they had  
21 moved.

22 Q How long did you stay out there at the bus station?

23 A I walked in looking for them and I didn't see them, and  
24 I turned around and left there and went back to the  
25 hospital.

1 Q When you got back to the hospital, did Rodney come out  
2 there?

3 A No, not at that time. No, sir. She was still in the  
4 emergency room at that time.

5 Q This was Monday?

6 A Yes, sir.

7 Q Did you have any other conversations with Rodney from  
8 the hospital that night before he came out there?

9 A I had -- not that I can recall.

10 Q But he did come out there, he and his girlfriend?

11 A Yes, sir, he did.

12 Q Monday night about what time?

13 A I'd say about 6:30, 7:00. It was dark or getting dark.

14 Q Okay. And were Valerie's family members present when  
15 he came?

16 A Yes, sir, they were.

17 Q Had you shared any of the information about the boys  
18 from New York with Valerie's family members?

19 A I probably had, sitting in the waiting room upset about  
20 it.

21 Q So you think they may have known that the boys from New  
22 York had a dealing in this, or had a part in this?

23 A Yes, sir.

24 Q And that they were Rodney's friends? They knew they  
25 were Rodney's friends?

1' A Yes, sir.

2 Q And when Rodney came up, did you talk to Rodney in  
3 front of Valerie's family members?

4 A Yes, sir. We were standing outside the door of the  
5 waiting room area.

6 Q Did you discuss the boys from New York at that time?

7 MR. JORDAN: Judge, this is all hearsay.

8 A Yes, sir.

9 MR. NIXON: It's not hearsay, Judge.

10 THE COURT: Restate your question. To be  
11 perfectly honest, I didn't hear all of it.

12 MR. NIXON: I asked him if he discussed the boys  
13 from New York with Rodney at the hospital in  
14 front of Valerie's family.

15 THE COURT: If he did, there's nothing wrong with  
16 that. Let's just don't get into all the  
17 conversation.

18 Q Did you?

19 A Yes.

20 Q And how long did Rodney stay there that night?

21 A Maybe about 20 minutes.

22 Q Did anything else significant happen after Rodney left  
23 Monday night?

24 A No, sir.

25 Q Did you sleep at the hospital Monday night?

1 A Yes, sir.

2 Q And did you talk to Rodney any more on Monday night?

3 A No, sir.

4 Q Now, tell us about Tuesday. Did you stay at the  
5 hospital Tuesday?

6 A I was there all day Tuesday until about three and left  
7 there and went home to change clothes and take a bath,  
8 and while I was there, Rodney came by.

9 Q And tell us, did you have a conversation with him when  
10 he came by?

11 A Yes, sir.

12 Q Now, this is Tuesday afternoon?

13 A Tuesday evening, yes, sir.

14 Q And did you see what Rodney was driving Tuesday  
15 afternoon?

16 A Yes, sir.

17 Q What was he driving?

18 A His Bronco.

19 Q He always drives that Bronco?

20 A Yes, sir.

21 Q He had come to your house hundreds of times before  
22 that, hadn't he?

23 A Yeah, in the Bronco.

24 Q And every time he drove his Bronco, didn't he?

25 A Yes, sir, he did.

1 Q And everybody in that neighborhood could see his Bronco  
2 when he drove down that circle?

3 A Yes, sir.

4 Q Tell us about that conversation Tuesday with Rodney at  
5 your house.

6 A He came by and he told me that they had called him and  
7 told him --

8 MR. JORDAN: Judge, this is all --

9 A -- where the guns were.

10 MR. JORDAN: -- this is all --

11 THE COURT: I sustain the objection, what somebody  
12 else called, what somebody else said. Just  
13 totally disregard that.

14 Q When he came to your house and talked to you  
15 Tuesday, after y'all had the conversation, is that  
16 when you got in the car with Rodney and you went  
17 to the woods and recovered the guns?

18 A Yes, sir.

19 Q And you brought the guns back to your house?

20 A Yes.

21 Q Did you notify the police Tuesday that you had the  
22 guns?

23 A Yes, sir.

24 Q And who did you notify at the police department?

25 A Fletcher was off duty at the time.

1 Q Tell the jury who Fletcher is.

2 A He was the detective over the case. He was working the  
3 case at that time. Detective Fletcher is his name.

4 Q Detective Al Fletcher?

5 A Al Fletcher, yes, sir, and he was off duty when I  
6 called, and I talked to Mr. Smith.

7 MR. JORDAN: Judge, the question is who did he  
8 contact, and I would ask that the witness  
9 answer the question.

10 A Yes, sir.

11 MR. NIXON: He's answering, Judge, the best he  
12 can.

13 Q Detective Fletcher was the case agent?

14 A Yes, sir.

15 Q And you say he was off so you talked with Lebarron  
16 Smith?

17 A Yes, sir. I talked to Mr. Smith when I called.

18 Q What did you tell him?

19 A That I had recovered the guns back and what should I  
20 do.

21 Q Did you give him a list of the guns?

22 A No, sir, I didn't. I talked to him on the phone. I  
23 didn't give him a list of the guns.

24 Q What did Lebarron Smith tell you Tuesday night about  
25 the guns?

- 1' A That Detective Fletcher would be in tomorrow and to see  
2 him.
- 3 Q That would be Wednesday?
- 4 A Yes, sir, that would be Wednesday.
- 5 Q And Detective Smith wasn't the case agent on the case;  
6 is that right?
- 7 A No, sir, he was not.
- 8 Q And he's the one who told you that Al Fletcher was not  
9 working?
- 10 A Right. He said he was off.
- 11 Q Did you go back to the hospital Tuesday night?
- 12 A Yes, sir.
- 13 Q Did you have any other conversations with Rodney  
14 Tuesday night?
- 15 A No, sir.
- 16 Q The guns stayed at your house?
- 17 A Yes, sir, they were.
- 18 Q Now, you recovered everything that was taken?
- 19 A Yes, sir.
- 20 Q Plus some, right?
- 21 A Yes, sir, found stuff that was throwed (sic) out in the  
22 woods, yes.
- 23 Q But you found a glove and mask in that pillowcase?
- 24 A Yes.
- 25 Q Right?



1' A Right.

2 Q And these photographs that have been admitted in  
3 evidence of that glove and that mask, those -- you have  
4 already testified that you had never seen those before?

5 A Never have.

6 Q Did you tell Lebarron Smith that the gloves and mask  
7 were in there with the guns when you talked to him, or  
8 do you recall?

9 A I don't recall telling him that they were in there, but  
10 I did give them to the forensics guy.

11 Q That was the next day?

12 A Yes, sir.

13 Q Okay. Did anything else happen Tuesday night?

14 A While I was sitting there after I had received the  
15 stuff back that Tuesday, I put my rings on. I wore my  
16 rings and my watch, had put them on when I left the  
17 house. I wore them to the hospital, and that's when --  
18 I was sitting in the waiting room at that time, and my  
19 in-laws were there at the time.

20 MR. JORDAN: Judge, this is getting into hearsay.

21 None of it's admissible.

22 MR. NIXON: It's not any hearsay, Judge. He's  
23 testifying to what he did.

24 A My in-laws were there at the time and I came up -- you  
25 know, I had my rings and my watch on, and they were

1' sitting there, and they saw that I had my rings and  
2 stuff, and I told them that --

3 MR. JORDAN: Judge, again, he's getting into --

4 MR. NIXON: Excuse me. Judge --

5 THE COURT: He can say what he did.

6 MR. NIXON: Mr. Jordan knows that that's not  
7 hearsay.

8 THE COURT: Come on. Let's go.

9 MR. JORDAN: Judge --

10 THE COURT: I don't need any of this --

11 A They realized that I had gotten the stuff back.

12 Q Valerie's family members were there, saw you come in  
13 the hospital Tuesday night with the rings -- the two  
14 rings that had been stolen?

15 A Yes, sir, and my watch.

16 Q Okay. Did you tell them that you had recovered the  
17 stuff?

18 A Yes, sir, I did.

19 Q Did they start acting differently toward you after  
20 that?

21 A Yes, sir, they did.

22 Q And how did they start acting toward you after that?

23 MR. JORDAN: Now, Judge, all of this, number one,  
24 is not relevant.

25 THE COURT: I sustain the objection. It's not.

1 MR. NIXON: Judge, I'm trying to show --

2 MR. JORDAN: Show what, Judge, from this witness?

3 THE COURT: I don't need all this conversation.

4 MR. JORDAN: Thank you.

5 THE COURT: Let's go.

6 Q Were you treated differently by Valerie's family after  
7 that night?

8 A Yes, sir, I was.

9 Q Now, Wednesday -- You didn't talk to Rodney Tuesday  
10 night, did you?

11 A No, sir.

12 Q Now, Wednesday, did you call the police Wednesday?

13 A Yes, sir. I talked to Fletcher.

14 Q You went down to the police and talked to Detective  
15 Fletcher?

16 A Yes, sir.

17 Q What time was that Wednesday?

18 A It was that morning I went there to let him know I had  
19 recovered the guns.

20 Q Did he take a list of it?

21 A Yes, sir, he did.

22 Q And then did Corporal Ragland come out?

23 A Yes, sir.

24 Q The I.D. officer to take photographs?

25 A Yes, sir.

1 Q Now, did you give him the gloves and the mask?

2 A Yes, sir, I did.

3 Q That were recovered in the pillowcase along with the  
4 guns?

5 A Yes, sir.

6 Q Did you tell him that you had recovered the glove and  
7 the mask along with the guns in the pillowcase?

8 A Yes, sir, I did.

9 Q What about the pillowcase? Did he take the pillowcase?

10 A No, sir, he didn't.

11 Q Do you know why?

12 A No, sir, I don't.

13 Q Did he fingerprint the guns?

14 A No, he didn't.

15 Q Did he say anything about fingerprinting the guns?

16 A I told him I had them, and he said he felt he had  
17 enough fingerprints.

18 Q Okay. Have you seen the mask and the gloves since  
19 Corporal Ragland took them from your house?

20 A No, sir, I haven't.

21 Q Now, you saw Rodney Stanberry that Wednesday, too,  
22 didn't you?

23 A Yes, sir.

24 Q And when did you see him? What time?

25 A He came by the night we were cleaning up.

1 Q Okay. Did you have a conversation with -- Talking  
2 about your cleaning up, Corporal Ragland told you to go  
3 ahead and clean up, didn't he?

4 A Yes, sir, he did.

5 Q Told you there wasn't anything else he needed from your  
6 house?

7 A Yes, sir.

8 Q Did you specifically ask him if you could clean up?

9 A Yes, sir, I did.

10 Q And were you having a party over there that night?

11 A No, sir, I was not.

12 Q Did you have some friends -- You said some couples came  
13 over. Did they come to help you clean up?

14 A Yes, sir, friends of mine and Valerie's. There were  
15 three couples.

16 Q And when you were cleaning up, what did you find?

17 A That's when we found the nine millimeter casing and the  
18 projectile.

19 Q And when you say a projectile, you're talking about a  
20 bullet, aren't you?

21 A Yes, sir, the bullet.

22 Q Was the bullet damaged?

23 A Yes, sir, it was.

24 Q And who found that? What's the person's name who found  
25 it?

1 A Thomas.

2 Q Thomas found it in the bedroom, didn't he?

3 A Yes, sir, he did.

4 Q And what did you do when Thomas showed you the shell  
5 casing and the bullet?

6 A We put it in a plastic bag to give to Fletcher the next  
7 day.

8 Q And you did give it to him the next day, didn't you?

9 A Yes, sir, we did.

10 Q Okay. Now, tell me about when Rodney Stanberry came  
11 over. What time was that Wednesday?

12 A It was that night that we were cleaning up. He just  
13 stopped by.

14 Q Do you know what time?

15 A I'd say around eight or something like that because it  
16 was pretty late.

17 Q Did you have any conversation with him about what  
18 happened?

19 A Yes, sir. That's when he said he had some pictures to,  
20 you know, give Fletcher.

21 Q And those pictures that he gave to Fletcher are  
22 pictures that you identified for Mr. Jordan, aren't  
23 they?

24 A Yes, sir.

25 Q And those photographs were in Rodney's possession,

1 weren't they?

2 A Yes, sir.

3 Q Rodney's photos. He gave those to the police so that  
4 they could tell what the people looked like.

5 MR. JORDAN: Judge, I object to --

6 A Yes, sir.

7 MR. JORDAN: -- to why he did something or  
8 another. That calls for mental impression.

9 THE COURT: Sustained.

10 Q Now, originally, Rodney told you he had been told where  
11 the guns were by the people from New York; is that  
12 right?

13 A Right.

14 Q And Rodney is the one who told you where the guns were  
15 and got you and took you to the woods to find them?

16 A Right.

17 Q Did you ever have a conversation with him after that  
18 about how he knew the guns were where they were in the  
19 woods?

20 A No.

21 Q Do you remember Rodney telling you anything about how  
22 the guns got in the woods after that point?

23 A I can't recall, no.

24 Q Okay.

25 MR. NIXON: Judge, if you give me just a minute,

1 please.

2 Q Mike, your neighbor is Tyrone Dortch, isn't he?

3 A Yes, sir.

4 Q And he lives right next door to you?

5 A Yes, sir.

6 Q Did you ever tell Tyrone Dortch that --

7 MR. JORDAN: Judge -- Never mind. I'll withdraw  
8 that.

9 Q Have you ever told Tyrone Dortch that you saw Rodney  
10 Stanberry come into your house? Did you?

11 A No, sir, I did not.

12 Q You never told Tyrone that -- I mean, Tyrone never told  
13 you that he saw Rodney come into your house?

14 A No, sir, he did not.

15 MR. JORDAN: Judge, that would be hearsay.

16 THE COURT: Go ahead.

17 Q Now, you hunted with Rodney, didn't you?

18 A Yes, sir.

19 Q Y'all hunted deer together often?

20 A Yes, sir, we did.

21 Q This wasn't deer season in March, was it?

22 A No, it was not.

23 Q Did you ever tell Valerie Finley, your wife, that  
24 morning that Rodney was coming by that day to get a  
25 deer stand?



1 A Not that morning, no, sir.

2 Q Had you told her that before?

3 A During the season, Rodney had came by to get it, and I  
4 had told her that I was leaving it outside the garage  
5 on the side of the fence there, behind the fence, for  
6 him to get it.

7 Q And that would have been in what month?

8 A During November and January.

9 Q You're certain you didn't tell her anything about  
10 Rodney coming by that day to get a deer stand -- tree  
11 stand?

12 A No, sir.

13 Q Did you talk to Tyrone Dortch that day, the neighbor?

14 A Yeah, I spoke to him. I asked him did he see anybody  
15 go into my house or --

16 Q He answered you, didn't he?

17 A Sir?

18 Q He answered you, didn't he?

19 A Yes, sir, he did.

20 Q Did you call the New York Police Department from your  
21 home?

22 A Yes, sir, we did.

23 Q And what day was that?

24 A That was -- I think it was that Thursday or maybe that  
25 Friday.

1 Q Of the same week?

2 A Yes, sir.

3 Q And who was with you when you made those calls to the  
4 New York Police Department?

5 A Rodney.

6 Q And that was from your home?

7 A Yes, sir.

8 Q Did you give Detective Fletcher the name of a detective  
9 in New York to contact?

10 A Yes, sir, that we talked to.

11 Q Do you recall that detective's name?

12 A It was a lady.

13 Q Detective Hardy, wasn't it?

14 A Something like that, yes, sir.

15 Q Now, Mike, did you notice a change in your wife's  
16 mental condition after this shooting occurred?

17 A Yes, sir.

18 Q And how did her mental condition change?

19 A Well, after all these years, we were more than just  
20 husband and wife, and her attitude towards me changed,  
21 and I didn't understand that. And, as well, I went to  
22 see her one day, and she was talking to me about my  
23 blue '66 Chevy, and I had been got rid of that car for  
24 -- I think I sold it about a year and a half, two years  
25 ago, and she asked me about the car.

- 1 Q And when was this when she was asking you?
- 2 A When she was at the Rotary.
- 3 Q So this would have been over 30 days after she had been
- 4 shot?
- 5 A Yes, sir.
- 6 Q Was she able to speak at that time?
- 7 A Yes, sir, she was.
- 8 Q And this car that she was asking you about, you had
- 9 sold it a year earlier?
- 10 A Uh-huh.
- 11 Q And you had to tell her that you no longer had that
- 12 car, that we sold it a year ago, right?
- 13 A Right, yes, sir.
- 14 Q And were there other instances where her memory failed
- 15 and she was confused when she talked to you or appeared
- 16 to be confused?
- 17 A Yes, sir. There was one other instance. I'm trying to
- 18 think what it was she had said. She asked me about
- 19 something, and I told her we don't have that anymore,
- 20 something like that.
- 21 Q But you're sure about the car?
- 22 A Yes, sir. I'm sure about the car.
- 23 Q Now, y'all never went back home together after you left
- 24 the Rotary Rehab, did you?
- 25 A No, sir, we did not.

1 Q And a divorce was filed how long after that?

2 A She filed the divorce, like I said, in '93. It became  
3 final just June of last year.

4 Q You've had custody of your children since this  
5 happened, haven't you?

6 A Yes, sir, I have.

7 Q Temporary custody?

8 A Yes, sir.

9 Q And you've been taking care of them?

10 A Yes, sir.

11 Q Your wife, Valerie, has made a claim, since the divorce  
12 was initially filed, for custody, hasn't she?

13 A Yes, sir.

14 Q And that case -- and she made allegations in that  
15 divorce proceeding --

16 MR. JORDAN: Judge, none of this -- What has this  
17 got to do --

18 THE COURT: Nothing whatsoever. Let's move on.

19 MR. JORDAN: Thank you.

20 Q The divorce case has not been resolved, has it, the  
21 issue of custody?

22 A The issue of custody, no, sir.

23 Q And it has been reset every time this case has been  
24 reset, hasn't it?

25 A Yes, sir, it has.

1' Q And it is going to be determined after this case is  
2 over with, isn't it?

3 A Yes, sir, it is.

4 Q Whether you get the children or whether she gets the  
5 children for good?

6 A Yes, sir.

7 Q And that decision was made based upon her testimony at  
8 the trial, right?

9 MR. JORDAN: Judge, this calls for -- Now, he's  
10 becoming a judge.

11 THE COURT: Mr. Nixon, let's don't try the divorce  
12 case. Come on.

13 MR. NIXON: Judge, I'm just trying to establish  
14 one fact. I asked what he heard her say.  
15 She's going to testify here today. I can  
16 keep him and recall him, if you want me to.

17 MR. JORDAN: I'd like him to do that, because I'm  
18 going to keep him, too. He'll be here.

19 Q Now, Mike, throughout the time when Valerie was in the  
20 hospital, her wife and -- excuse me, her mother and her  
21 sister were with her just about all the time, correct?

22 A Yes, sir, around the clock.

23 Q And that was Brenda Gay and Eugenia Patrick?

24 A Yes, sir.

25 Q Now, the guns that were stolen, what happened to them?

1 A The ones -- I sold them.

2 Q Did you sell them?

3 A Yes, sir, I did.

4 Q Why did you sell them?

5 A To pay for lawyer's fees.

6 Q When did you sell them? How long after this happened?

7 A Probably a year later.

8 Q Okay. Did anybody ever tell you not to get rid of  
9 them?

10 A No, sir. I didn't see no need not to.

11 THE COURT: Do you have many more questions, Ken?

12 MR. NIXON: I don't think so, Judge. I  
13 believe

14 that's it. That's all for right now.

15 THE COURT: Do you have any questions?

16 MR. JORDAN: Yes, Your Honor.

17 THE COURT: Well, y'all go take a break. I've  
18 kept y'all about an hour and 20 minutes.

19 Take a break.

20 (Recess.)

21 REDIRECT EXAMINATION

22 BY MR. JORDAN:

23 Q Mr. Finley, the last thing you told Mr. Nixon was that  
24 nobody ever asked you not to get rid of your guns for  
25 this trial. Remember that?

1 A Yes, sir.

2 Q And you just told this jury under oath that nobody ever  
3 asked you to keep those weapons for the purpose of this  
4 trial.

5 A Yes, sir.

6 Q Is that true?

7 A Yes, sir.

8 Q Well, you don't remember Lebarron Smith, myself and  
9 your wife being present at your Meadow Avenue house  
10 when you were specifically asked not to get rid of  
11 those weapons?

12 A I don't remember specifically being asked that. I  
13 don't remember.

14 Q You don't remember that?

15 A No, sir, I do not. I mean, if they -- if I had knew to  
16 keep them, you would have used them as evidence.

17 That's what I figured. I don't remember you asking.

18 Q You don't remember me asking or I didn't ask you, Mr.  
19 Finley?

20 A I don't remember you asking.

21 Q Don't remember that?

22 A No, sir, I don't. And --

23 Q I'm sorry. Go ahead.

24 A I just don't remember.

25 MR. NIXON: Can we find out when this was, Judge,

1' he's talking about?

2 THE WITNESS: There's a lot of things I don't  
3 remember.

4 THE COURT: When was this?

5 MR. JORDAN: Between the time she got shot and  
6 today.

7 MR. NIXON: No, Judge, I'm asking about the  
8 time -- He made reference to some time that  
9 he went over there.

10 MR. JORDAN: About a year ago. About a year ago.

11 Q Before you sold all your guns off, Mr. Finley.

12 A I don't remember. Like I said, it was -- If you're  
13 saying a year ago, I sold those guns when I was going  
14 through the custody trial with my wife over the kids,  
15 and I had to pay lawyer fees and stuff, and that was in  
16 '93. So they might have already been -- I might have  
17 already sold them before you --

18 Q Did you tell Lebarron Smith, when I asked you not to  
19 get rid of the guns, that you had already sold the  
20 guns? Did you tell him that at your house on Meadow  
21 Avenue?

22 A No, I didn't say anything like that. I didn't tell him  
23 anything.

24 Q Well, now, so at first you say you don't remember.  
25 Then you're saying, if you were asked, you wouldn't



1 have said, well, I already sold the guns, right?

2 MR. NIXON: Judge, he's asking two different  
3 questions. He's answered two different  
4 questions.

5 Q Were you asked to keep those guns, Mr. Finley?

6 A I don't remember him asking, no, or you asking, no. I  
7 don't remember that. You had asked so many things. I  
8 just can't recollect.

9 Q Well, you remembered a lot, though, when Mr. Nixon was  
10 just asking you questions. You remembered everything.  
11 You remembered times. You remembered every detail.

12 A The same questions you had asked.

13 Q In fact, you were married on July 2nd of 1983, weren't  
14 you, Mr. Finley?

15 A July 2nd, yes, sir.

16 Q You didn't remember that, did you?

17 A I wasn't sure, '82 or '83, something like that. See  
18 there?

19 Q And you've never been shot in the head, either, have  
20 you?

21 A No, I haven't.

22 Q And you are currently involved in a custody situation  
23 with your ex-wife, right?

24 A Yes, I am.

25 Q And that will be resolved by a domestic court judge

1 whether you will get custody of your children or  
2 whether Valerie Finley will get custody of the  
3 children, right?

4 A True.

5 Q And that will be done through a hearing just like this;  
6 is that correct?

7 A Well, I wouldn't say exactly like this.

8 Q Not exactly.

9 THE COURT: I think what he means is there won't  
10 be any jury. Let's go on.

11 Q Now, I'm sure that it was very important to tell the  
12 police everything that you learned about this case  
13 after your wife got shot, right?

14 A I was trying to be of help to them, yes.

15 Q And anything that would come up, like who actually shot  
16 her or what gun was bought a couple of days before, you  
17 would think that would be important, wouldn't you?

18 A I would think so.

19 Q I would think so, and you would want to immediately  
20 tell the police about that, wouldn't you?

21 A I did all I could to help them.

22 Q Well, isn't it a fact that from day one until today you  
23 have never, ever, ever told Lebarron Smith about Rene  
24 buying a nine millimeter from somebody by the name of  
25 Charles Hern?

1 A Lebarron Smith was not the detective on the case at the  
2 time.

3 Q Let me tell you this: Did you tell Lebarron Smith  
4 about Rene buying a nine millimeter?

5 A No, I did not tell Detective Smith, no.

6 Q You remember going and talking to Detective Lebarron  
7 Smith, don't you?

8 A After he was put on the case I talked with him.

9 Q And you never told him about Charles Hern selling a  
10 nine millimeter gun to Rene?

11 A Never brought it up.

12 Q Oh, he never brought it up?

13 A It was never mentioned, no.

14 Q And you never mentioned it to me, either, did you?

15 A No.

16 Q But today who's the first person you told that to? Who  
17 did you tell that to?

18 A I was asked.

19 Q Who asked you?

20 A Mr. --

21 Q Mr. Russell?

22 A Yeah.

23 Q You talked to Mr. Russell and you told him who sold the  
24 nine millimeter to Rene, right?

25 A After I was asked.

1' Q And Stanberry's daddy was there, right?

2 A Stanberry's daddy was where?

3 Q I mean, yeah, his daddy was present when you were  
4 interviewed by Ryan Russell, wasn't he?

5 A Yes.

6 Q Why do you act surprised at Stanberry's daddy? Do you  
7 know Stanberry's daddy?

8 A Yeah, I knew Mr. Stanberry, yes.

9 Q And was he present when you were interviewed by Ryan  
10 Russell?

11 A Yes.

12 Q And you talked to him?

13 A Yes.

14 Q You gave him a taped statement, right?

15 A Yes.

16 Q So, in other words, you're not gonna tell Lebarron  
17 Smith or the D.A.'s office anything about this case  
18 involving your wife unless you're specifically asked;  
19 is that right?

20 A No, that's not right.

21 Q Well, you just said that you weren't asked about Rene  
22 buying a nine millimeter the Thursday before your wife  
23 was shot.

24 A True. I wasn't asked. Right.

25 Q Who is Charles Hern?

1 A He is a collector that I met at a gun show.

2 Q Where does he live?

3 A Somewhere in Semmes.

4 Q Have you got an address or telephone number on him?

5 A Nope.

6 Q So you're telling us now that you put Rene in touch  
7 with somebody to buy a nine millimeter four days before  
8 your wife should have been murdered, is that correct, a  
9 Glock nine millimeter?

10 A They offered to buy -- asked to buy mine. I refused.  
11 I didn't want -- I wasn't selling any of mine. So they  
12 asked did I know anybody who did sell guns. I told  
13 them of a collector.

14 Q Let me ask you the question one more time. Did you,  
15 sir -- Are you the sir -- or the person that put Rene  
16 in touch with the man that sold them a Glock nine  
17 millimeter four days prior to your wife being -- should  
18 have been murdered?

19 A I introduced him to a collector.

20 Q Did you personally take them there to him?

21 A I showed him how to get to Semmes.

22 Q Well, now, you just couldn't tell me how to get there,  
23 but you could tell Rene how to get there?

24 MR. NIXON: Judge, he didn't ask him how to get  
25 there.

1 Q You just told Rene how to go to Semmes, and he went to  
2 Semmes and found some Charles Hern? How did you tell  
3 Rene to find Charles Herns?

4 A By word of mouth. What do you mean? Rephrase the  
5 question, sir.

6 Q How did you put Rene in touch with Charles Herns?

7 A How did I do it? I just called the guy up for him.

8 Q Go ahead.

9 A And he went to purchase the gun from him.

10 Q Well, how did Rene know where to go?

11 A Well, he rode with his friend.

12 Q Huh?

13 A He rode with his friend.

14 Q Who?

15 A Stanberry.

16 Q His friend or your friend?

17 A His friend.

18 Q Well, how did his friend Stanberry, not your friend  
19 Stanberry know how to go to Charles Hern's house?

20 A Nobody went to Hern's house.

21 Q Well, you just told us a second ago. Where did the  
22 transaction go down?

23 A At Dairy Queen.

24 Q And who set it up?

25 A That's where we met Herns at.

- 1 Q You went with them?
- 2 A Yes.
- 3 Q So you and Rodney Stanberry and Rene went in
- 4 Stanberry's brown Bronco to the Semmes -- to the Dairy
- 5 Queen in Semmes. You had, I guess, called Charles Hern
- 6 and asked him to meet at the Dairy Queen?
- 7 A I had talked to him, yes.
- 8 Q On the telephone?
- 9 A Yes.
- 10 Q And asked Charles Hern to meet y'all at the Dairy
- 11 Queen?
- 12 A I talked to him, and he said he would meet us at the
- 13 Dairy Queen.
- 14 Q And that was on Thursday before this happened?
- 15 A Yes.
- 16 Q So y'all went up there and met them at the Dairy Queen.
- 17 And Charles Hern sold how many guns to Rene?
- 18 A He sold three to Rene.
- 19 Q A Glock nine millimeter?
- 20 A Yes.
- 21 Q And what else?
- 22 A A .380 and a .25.
- 23 Q Cash money paid?
- 24 A Yeah.
- 25 Q Who had the cash?

1 A Rene did.

2 Q So Rene had the cash and paid it to Charles Hern.

3 A Yes.

4 Q In front of you and Rodney K, right?

5 A Yeah.

6 Q And you never ever told Lebarron Smith about that  
7 transaction?

8 A Like I said, Detective Smith wasn't on the case at the  
9 time.

10 Q Since March 2nd until today, how many times have myself  
11 and Lebarron Smith come around talking to you about  
12 this case, Mr. Finley?

13 A Detective Smith, I think I talked with him maybe four  
14 or five times.

15 Q Four or five times. Never, ever in all this time have  
16 you ever mentioned the Charles Hern transaction,  
17 selling a gun that you set up to Rene, have you?

18 A No.

19 Q You have never, ever told Lebarron Smith prior to today  
20 that you had called your wife at 8:30 or 9:00 the  
21 morning that she should have been killed, have you?

22 A No, I didn't.

23 Q You have never, prior to today, told Detective Lebarron  
24 Smith about finding a five-dollar bill on the visor of  
25 that car.



- 1 A Like I said, Detective Smith wasn't the first detective  
2 on the case, and these things I didn't tell him, I  
3 think I told Detective Fletcher.
- 4 Q Well --
- 5 A Whether it was written down or not, I don't know.
- 6 Q Well, you just told me a little while ago that things  
7 of this nature you consider to be important because you  
8 obviously consider it important enough to tell Rodney's  
9 lawyer's investigator, or Rodney's investigator about  
10 them, right?
- 11 A These are things they came and asked me.
- 12 Q Oh, they asked you about finding a five-dollar bill on  
13 a visor?
- 14 A No. They didn't ask me about that.
- 15 Q But you told that to Rodney's investigator, didn't you?
- 16 A Yeah.
- 17 Q And you told it for the very first time in court here  
18 today, right?
- 19 A For the first time, yes.
- 20 Q And you have never, ever told Lebaron Smith about  
21 that, have you?
- 22 A I might have told Detective Fletcher, because he was  
23 the first on the case.
- 24 Q You might have.
- 25 A Yes, sir.

1 Q But you have definitely never told this detective.

2 A I never told that one.

3 Q Who's been working this case for over two and a half  
4 years, have you?

5 A Well, I probably told Detective Fletcher who started  
6 out on it, and whether he got the information from him  
7 or not, I don't know. I never mentioned it to him,  
8 that I know of.

9 Q And you have never, ever, ever told Detective Lebarron  
10 Smith that Rodney told you that Ihoe shot her, have  
11 you? You have never, ever said that to Detective  
12 Smith?

13 A I told Detective Fletcher, not Smith, no.

14 Q Oh, so that's your answer. You told Detective  
15 Fletcher?

16 A Like I say, he was the first one on the case, and when  
17 Lebarron Smith came on, like I said, there was a lot of  
18 things I probably didn't say to him, or he asked or we  
19 discussed or anything like that.

20 Q Well, let's tell you something right now. You found  
21 that out Monday afternoon, right? It's your testimony  
22 under oath that Rodney K. Stanberry told you Monday.  
23 He's the first person that told you that your wife had  
24 been shot with a gun; is that correct?

25 A Correct.

1 Q And you're telling us under oath that he told you  
2 Monday afternoon on the telephone that Ihoe was the  
3 shooter, right?

4 A Correct.

5 Q And you never told this to Detective Lebarron Smith,  
6 did you?

7 A No, I didn't.

8 Q But isn't it a fact, sir, that you went and saw and  
9 spoke with Detective Lebarron Smith Monday night at the  
10 Prichard -- Monday afternoon about 5:30 or six at the  
11 Prichard Police Department?

12 A No. I don't remember going over there. I think I  
13 called that evening over there, and he was there, and I  
14 asked for Fletcher, and he said Fletcher was out at the  
15 time.

16 Q So you now admit talking to Detective Lebarron Smith?

17 A He answered the call, yes.

18 Q And you remember asking Detective Lebarron Smith  
19 whether he was going to be working on the case or to be  
20 working on a case?

21 A I asked him that. He said no.

22 Q And you never, ever told him any of these things, did  
23 you?

24 A He said he wasn't on the case then.

25 Q Well, now, when he and I came to your house, did you

1 have any doubt that he was on the case, have any doubt  
2 at all?

3 A I don't understand. What do you mean doubt? That's  
4 when I found out he was on the case.

5 Q Exactly. You knew he was working the case, didn't you?

6 A I found out that he was on the case, yes.

7 Q Because he and I came out to your house on numerous  
8 occasions, didn't we?

9 A You came out a couple of times.

10 Q You would have to come out there and meet us out there,  
11 wouldn't you?

12 A Yes, I did.

13 Q You'd have to open the door so we could get in to take  
14 photographs and do things and look at the scene, didn't  
15 you?

16 A Yes.

17 Q Right?

18 A Yes.

19 Q And you never, ever told him about anything like that,  
20 about Rodney Stanberry saying that Ihoe was the  
21 shooter. Never did, never, ever.

22 A I probably mentioned it to Fletcher at first.

23 Q My question is, did you ever, ever in the last two and  
24 a half to three years that he has been working on the  
25 case tell him that Rodney K. Stanberry told you that

1>           Ihoe was the shooter?

2       A     No, I didn't.

3       Q     You just testified a little while ago under oath that  
4           Emmet approached you, Emmet Rogers, approached you.  
5           Where did he approach you, Mr. Stanberry -- Mr.  
6           Finley?

7       A     Finley, yes. Thank you. After I had came out of the  
8           house and was getting ready to get into the car, Mr.  
9           Rogers, he came outside and said he had something to  
10          tell me, like that, and I had my gun in my hand and  
11          everything getting ready to put it in the car, and I  
12          walked over to hear what he had to say and say whatever  
13          he said.

14      Q     You walked over to where?

15      A     Towards his house.

16      Q     You walked over to his back porch?

17      A     That's where he told me that, yeah.

18      Q     So he came all the way to your car, and you're getting  
19          in the driveway, because he wanted to tell you  
20          something. Is that what you just said or not?

21      A     I didn't say he come to the car.

22      Q     Well, where were you when he first approached you?

23      A     I was getting ready to get in the car. He came  
24          outside. He was outside.

25      Q     Where was your car?

1 A My car was in my driveway.

2 Q So you were getting ready to get into your car in your  
3 driveway.

4 A Yes.

5 Q And Mr. Emmet Rogers approached you?

6 A That's when he -- more or less, what he did, like I  
7 said, he was outside in front of his house, whatever,  
8 and that's when he said he had something to tell me.

9 Q So he hollered at you? He didn't approach you?

10 A No. I went over to see what Mr. Rogers wanted. That's  
11 when he told me that.

12 Q So you went over there -- You didn't talk on his front  
13 porch, right? You went around to his back porch?

14 A We walked on back. I was listening to what he had to  
15 say before he went in.

16 Q And you don't remember what he had to say?

17 A I don't --

18 Q You remember everything Rodney told you. You remember  
19 everything all these other people told you, but you  
20 don't remember what Emmet Rogers told you?

21 A Mr. Buzz, I was mad that day, and whatever he said went  
22 this way and out that way. I really didn't pay him  
23 much attention as to what he was saying. I was mad.

24 Q You don't remember him telling you that he saw a brown  
25 Bronco out there that morning?

1' A I don't remember it. I was furious, and I don't  
2 remember.

3 Q So you had your loaded shotgun, right?

4 A Correct.

5 Q You left Mr. Rogers' house, and where did you go?

6 A Like I say, I came to here where I thought the old bus  
7 station was, and it wasn't here; it was out on 90, so I  
8 ended up going out on 90.

9 Q So you went from your house to Emmet's house, straight  
10 to the bus station, right?

11 A Right.

12 Q Did you stop by the police station to get a police car  
13 to go with you to the bus station to catch who did  
14 this?

15 A Nah, nope, I didn't.

16 Q Did you -- When you got to the bus station, weren't you  
17 expecting to meet Rodney out there?

18 A No.

19 Q You weren't?

20 A No.

21 Q So you got to the bus station. Was Rodney there?

22 A No.

23 Q Were Rene or Ihoe there?

24 A No.

25 Q You didn't get the police to go with you to get the

1' guns, right?

2 A No.

3 Q Let me ask you about something. Why did you take a  
4 stun gun up into the room when your wife was there in  
5 critical condition on that night when she got shot?

6 A When I left the house, I had the stun gun with me for  
7 protection in the parking lot in the hospital because  
8 they were robbing people out there. There had been a  
9 number of cases where people had been robbed and women  
10 had been mugged and stuff at the hospital in the  
11 parking lot. And I had it on me, and for -- you know,  
12 I just had it for protection in and out of my home, as  
13 well, because I was going home late, stuff like that.

14 Q You took it up to your wife's room, didn't you, the  
15 stun gun?

16 A I had it clipped to my belt. My wife used to carry it.  
17 I used to carry it, and I just had it on me that day.

18 Q And you were told by the doctor and the nurse that you  
19 couldn't be in there with a stun gun; is that right?

20 A He had asked me to take it out.

21 Q Do you remember telling someone that Rodney kept coming  
22 over wanting to know how your wife was doing and  
23 whether or not she was talking? Do you remember  
24 telling somebody that?

25 A He asked about her a number of times, how she was



1' doing.

2 Q So Rodney was very interested in knowing about whether  
3 your wife was talking, wasn't he?

4 A How she was doing, yes.

5 Q Whether she was talking or not, right?

6 A How she was doing. Like I say, he asked us how she was  
7 doing.

8 Q I'm sorry. Did you tell somebody that Rodney was  
9 coming by the house asking you how your wife was doing  
10 and whether or not she was talking?

11 A I remember saying how she was doing, yes, how she was  
12 doing. Whether she was talking or not --

13 Q Are you telling us under oath, sir, that you don't  
14 remember Rodney asking you whether or not your wife was  
15 talking?

16 A He asked how she was doing. I told him she was doing  
17 pretty well. She was getting better.

18 Q Did he ever ask you over again, or ask you one time  
19 whether your wife was talking?

20 A Like I said, he asked how was she doing.

21 Q So the answer to that is, no, he never asked you that?

22 A Was she talking?

23 Q Right.

24 A No.

25 Q Rodney never asked you if your wife was talking; is

1' that what you're telling us under oath?

2 A He asked how was she doing.

3 Q I'm going to try one more time. Did Rodney ever ask  
4 you whether your wife was talking?

5 A Not that I can recall. I remember him saying how is  
6 she doing.

7 Q Well, then, what's your answer to that?

8 A He asked how she was doing.

9 THE COURT: Sir, answer his question. Either he  
10 did or he didn't. Did he ask you --

11 THE WITNESS: No. No.

12 THE COURT: All right. Let's go.

13 Q Did you ever tell a person that Rodney did, in fact,  
14 ask you how your wife -- let me just be specific -- how  
15 your wife was doing and if she was talking? Have you  
16 ever told anybody that?

17 A I know he asked how she was doing. That's all I  
18 remember.

19 Q So the answer to that is, no, you never told a witness  
20 -- you never told anybody that?

21 A Not that I can recall, nobody.

22 Q No. You can't recall or you didn't say it? Let's be  
23 specific. Did you never tell anybody that, or you  
24 can't recall that you've never told anybody that?

25 A I can't recall telling anybody that he asked whether

1' she was talking or not. He did ask how she was doing.

2 Q Did you also tell this person that you would always lie  
3 to Rodney about your wife's condition?

4 A No.

5 Q Didn't say that?

6 A No.

7 Q Now, who is Horace Reynolds?

8 A Horace Reynolds, he's another hunting buddy of ours.

9 Q Who is he?

10 A He's another friend we hunt with. That's how I met  
11 Rodney, through Horace. We all went hunting together  
12 one day.

13 Q Does your wife know Horace?

14 A Yes, she does.

15 Q Have you ever discharged a gun in your bedroom?

16 A Accidentally, yes, I did.

17 Q And how long before your wife was shot?

18 A I don't remember how long it was. It was an accident.

19 Q How long before she was shot, ten years, 20 years, two  
20 months? Wasn't it, in fact, two months before your  
21 wife got shot that a gun went off in your bedroom?

22 A It might be longer than that. It might be longer than  
23 that.

24 Q Tell us about that. Tell us about the gun going off.

25 A I was taking the clip out, and I thought I had ejected

1<sup>2</sup> it out, and it slipped, and right as it slipped, I  
2 caught it, and when I caught it, it shot through the  
3 closet door or the corner of the molding or whatever.

4 Q And where were you?

5 A I was in the bedroom at the time when it shot through  
6 the closet door. My wife was in the bed.

7 Q And what gun was that?

8 A That was a nine millimeter.

9 Q Nine millimeter?

10 A Yeah.

11 Q The same kind of casing that Thomas found; is that  
12 right?

13 A I think this was a hardball.

14 Q Well, you think, but wasn't it a nine millimeter  
15 casing?

16 A It was a nine millimeter, yes, sir.

17 Q In fact, immediately after this shooting occurred, You  
18 and Rodney K. began talking on the phone back and  
19 forth, right? You called him -- In fact, you called  
20 him several times, didn't you?

21 A Yeah, we talked on the phone.

22 Q I mean, it was -- You were calling each other, right?  
23 He was coming over to your house?

24 A He was trying --

25 Q You were going out finding guns, your stolen guns,

1' right?

2 MR. NIXON: Judge, will you let him answer each  
3 question, please?

4 A We found the stolen guns, yes.

5 Q Now, you had mentioned Tyrone Dortch mentioned two men  
6 going inside your house. What did he say about the two  
7 men going inside the house?

8 A He thought they were relatives when they came over.  
9 That's what he said.

10 Q Going inside the front door?

11 A At the front door.

12 Q So Tyrone told you about two men going inside the front  
13 door. Did he describe them to you?

14 A No.

15 Q Is that all he told you? Did he tell you anything  
16 else?

17 A That's about it. He saw the car.

18 Q What kind of car?

19 A It was a grayish silver, whatever, looked a Caprice,  
20 Mustang Caprice or something like that, Ford Caprice.

21 Q And you remember that, but you don't remember Emmet  
22 telling you about the Bronco?

23 A Like I said, the day that Emmet came to me, like I say,  
24 I was mad. I was furious.

25 Q Well, you just said Tyrone told you this the same day.

1 A No, Tyrone didn't tell me that the same day.

2 Q What day did he tell you that?

3 A I didn't see Tyrone that day.

4 Q What day did Tyrone tell you that?

5 A That was later in the week when I talked to Tyrone.

6 Q What day?

7 A It might have been, maybe, Wednesday or Thursday  
8 sometime when I finally saw Tyrone.

9 Q Are you sure about that, now?

10 A That's when I think it was.

11 Q Wednesday or Thursday?

12 A Yeah, that's when I think it was.

13 Q Who was present when you talked to Tyrone?

14 A Nobody. I don't remember nobody being present with me  
15 and Tyrone.

16 Q Was Rodney ever present when you talked to Tyrone?

17 A Un-uh.

18 Q Huh?

19 A Not that I can recall.

20 Q So you never talked to Tyrone in Rodney's presence?

21 A I don't think so.

22 Q Well, after this happened, Rodney took you by some  
23 apartments, didn't he?

24 A Yes.

25 Q And he showed you a car, didn't he?

- 1 A Yes.
- 2 Q And then you went and got Tyrone, took Tyrone by that
- 3 same place, saw the car, right?
- 4 A Right.
- 5 Q And Tyrone said that wasn't the car?
- 6 A That's what Tyrone said.
- 7 Q Now, the deer stand was at your house, wasn't it?
- 8 A In the garage, yes.
- 9 Q In the garage at your house?
- 10 A Yes.
- 11 Q Who is Uncle Freddy?
- 12 A Uncle Freddy. That's, probably Freddy Patrick.
- 13 Q Huh?
- 14 A Probably Freddy Patrick.
- 15 Q Yeah. Who is he?
- 16 A Valerie's brother.
- 17 Q Have you ever sold anything to him?
- 18 A No.
- 19 Q Anything at all?
- 20 A No.
- 21 Q Do you have an Uncle Freddy?
- 22 A Yes, I do.
- 23 Q Have you ever sold anything to him?
- 24 A I sold him a '66 Chevrolet Impala.
- 25 Q That '66 Chevrolet that you were talking to Mr. Nixon

1' about there?

2 A Uh-huh.

3 Q So did you just forget your Uncle Freddy when I just  
4 asked you about it?

5 A Valerie has a Freddy, too.

6 Q You didn't just tell me that, though, did you? I asked  
7 you about an Uncle Freddy and you told me about one.  
8 You didn't tell me about the other one, did you?

9 A You just asked me about mine. I have an --

10 Q I have to be specific, don't I, with you?

11 A It would help.

12 MR. JORDAN: Judge, I have no more questions of  
13 this witness at this time, but he is under  
14 subpoena, and I would like to make sure that  
15 he is outside this courtroom for the  
16 remainder of this trial.

17 THE COURT: Well, I'm not too sure that I'm gonna  
18 make him sit out of the courtroom the  
19 remainder of the trial, but I'll make sure  
20 that he's available for you to call.

21 MR. JORDAN: As long as he's available, Judge.

22 THE COURT: Where's Cathy? Do you have any other  
23 questions to ask him?

24 MR. NIXON: Yes, sir, Your Honor.

25 RE CROSS EXAMINATION



1<sup>3</sup> BY MR. NIXON:

2 Q You sold your guns in 1993, didn't you?

3 A Yes, sir.

4 Q And was that more than a year after this occurred?

5 A Yes, sir.

6 Q And your testimony here today is that nobody had told  
7 you not to get rid of your guns?

8 A Yes, sir.

9 Q Do you think that if somebody had of wanted your guns  
10 and needed your guns, that they would have told you not  
11 to get rid of the guns or that at least they would have  
12 come over to your house and collected your guns?

13 A Yes.

14 MR. JORDAN: Judge, what his thoughts are  
15 absolutely have nothing to do with the  
16 instructions he received.

17 THE COURT: Sustained.

18 MR. NIXON: Judge, he made a big deal about this  
19 on his direct examination. I'm just asking  
20 the man why he did what he did.

21 THE COURT: What he thought doesn't have anything  
22 to do with it. You can ask him why he did  
23 what he did.

24 Q And when Mr. Jordan talked about he and Mr. Smith and  
25 someone else coming to talk to you, do you remember

1' that conversation two years after this happened?

2 A No, sir. So much has went on since then. I can't  
3 recall anything.

4 Q But if they had asked you not to get rid of the guns,  
5 the guns had already been gone for a year; is that what  
6 you're telling us?

7 A Yes, sir.

8 Q Now, did you give that information to Detective  
9 Fletcher about Ihoe?

10 A Yes, sir.

11 Q Okay. And Detective Fletcher was the case agent,  
12 wasn't he?

13 A Yes, sir, he was.

14 Q Assigned to your case back then.

15 A Yes, sir, he was.

16 Q Did you give him other information?

17 A Yes, sir. I helped in any way I could to give him any  
18 information I could.

19 Q Tried to get him hooked up with the detective in New  
20 York?

21 A Yes, sir.

22 Q Gave him her number?

23 A Yes, sir.

24 Q Did you give him some photographs?

25 A Yes, sir.

1 Q Of the people from New York?

2 A Yes, sir, we did.

3 Q Did you do everything he asked you to do?

4 A Yes, sir.

5 Q Did he ever ask you about buying a gun the Thursday  
6 before that or seeing them buy a gun or if they bought  
7 any guns?

8 A No, sir.

9 Q Now, you told Ryan Russell about that, didn't you, you  
10 admitted that, the investigator here?

11 A Yes, I did.

12 Q And that was back in 1992, wasn't it?

13 A Yes, sir, it was.

14 Q Did anybody ever ask you about them purchasing any guns  
15 or selling any guns or anything to do with any guns  
16 from the police department or the district attorney's  
17 office?

18 A No, sir.

19 Q Until today?

20 A Until today.

21 Q If they asked you, would you have told them?

22 A Yes, sir.

23 Q Now, have you seen this Charles Hern, the person who  
24 sold that gun that lives in Semmes? Have you seen him  
25 since?

1 A Yes, sir.

2 Q And C is also a photo of the median and your house?

3 A Yes, sir.

4 Q And Defendant's Exhibit E and F, can you tell us what  
5 that is?

6 A That's my back door of my house.

7 Q Okay.

8 MR. NIXON: Move to admit these, Your Honor.

9 THE COURT: They're all introduced.

10 (Defendant's Exhibits A-F admitted in  
11 evidence.)

12 MR. NIXON: Judge, may I publish them to the jury?

13 THE COURT: Certainly.

14 Q Mr. Finley, just one more question. Your divorce case  
15 was set today, wasn't it?

16 A My custody case.

17 Q Yes, sir.

18 A I'm not aware of that, sir.

19 Q Thank you.

20 THE COURT: Check with Ms. Cathy.

21 THE WITNESS: Yes, sir.

22 THE COURT: You may step down.

23 THE WITNESS: Thank you.

24 THE COURT: Mr. Jordan, I had one witness brought  
25 down here for you. He's out there.