

1 BY MR. CROW:

2 Q Are you telling the truth today, sir?

3 A Yes, sir.

4 (WITNESS EXCUSED)

5 FRED REVELLE

6 having been first duly sworn to speak the truth, the whole truth
7 and nothing but the truth, then testified as follows:

8 DIRECT EXAMINATION

9 BY MR. STIDHAM:

10 Q Will you please state your name?

11 A Fred Revelle.

12 Q Where do you live?

13 A 805 South Porter, Stuttgart, Arkansas.

14 Q Do you remember where you lived back on May 5th, 1993?

15 A Yes, sir. I lived in Lakeshore.

16 Q Do you have any independent recollection of May 5th, 1993?

17 A Yes, sir.

18 Q Tell the jury how you can remember that day as opposed to
19 any other day.

20 A Because Kevin Johnson, one of the guys that went to wrestle
21 with us, he was at a search and rescue meeting that night so he
22 didn't get to go wrestle with us that night.

23 Q Is there anything else about May the 5th that makes it
24 stand out in your mind in relation to any other event?

25 A Just that Keith Johnson, Kevin's brother, that is the only

1 night he ever went with us wrestling.

2 Q Did anything happen prior to May 5th that helps you recall
3 May the 5th?

4 A My birthday was May the 2nd. I was at guard drill. I was
5 telling everybody at guard drill about us wrestling up there
6 that night. I believe we went there that night and Kevin
7 Johnson went with us that night and then a couple, three days
8 later is when we went back up there and Kevin didn't go.

9 Q Did anything happen on May 6th that helps you relate to May
10 5th?

11 A Yes, sir. I heard about them finding the boys the next day
12 and Kevin wasn't there May 5th and he had been at the search and
13 rescue meeting.

14 Q Were you going to Dyess on a regular basis?

15 A Yes, sir.

16 Q Why were you going to this particular place?

17 A Because they had a ring there. That is where I trained to
18 wrestle at. My father trained me there and I knew the ring was
19 there.

20 Q Were you making any arrangements to purchase a part of this
21 building or --

22 A I was buying the ring from Charles Stone.

23 Q Do you remember seeing the defendant Jessie Lloyd
24 Misskelley, Junior on May 5th?

25 A Yes, sir.

1 Q Do you know about what time that was?

2 A We all met at Kevin's house every time we went. We would
3 all meet there because that was the central area where everyone
4 lived that went with us. He was there, and he rode with us that
5 night. We met Keith at the the old Exxon station on Highway 63,
6 I believe.

7 Q Is there anything about the time you left that would make
8 you remember what time it was?

9 A It was starting to get dark. On my first -- my first
10 statement I said it was about 5:00 or 5:30, but it was getting
11 dark when we left.

12 Q When you left Highland Trailer Park?

13 A Yes, sir.

14 Q With Jessie Misskelley, Junior?

15 A Yes, sir.

16 Q And did y'all go straight to Dyess or did you stop
17 somewhere in between?

18 A We stopped at the Exxon station to meet Keith. Him and me
19 and Bill Cox --

20 Q Let me stop you there. When you say this Exxon station,
21 where is that located?

22 A I believe they call it Lake David.

23 Q Where is it located as far as a road or town?

24 A Highway 63, I believe, on the old highway going towards
25 Dyess.

1 Q Who did you meet there at this old Exxon station?

2 A Keith Johnson.

3 Q Who is Keith Johnson?

4 A Kevin Johnson's brother.

5 Q What happened after you met him?

6 A Bill Cox didn't trust his car to drive all the way to Dyess
7 so he parked his car and we changed vehicles. And Roger Jones
8 and Jessie got out of the car with Zella Adams and Johnny
9 Hamilton and got in the car with Keith. And me and Bill Cox got
10 in with Dennis Carter, I believe, and Johnny Hamilton and Zella
11 so there would be room. He had speakers in the backseat, and me
12 and Bill Cox was going to ride with Keith, too. But he had
13 speakers in the backseat so we all couldn't fit in there.

14 Q Where did you go after you left the Exxon station?

15 A We went straight to Dyess.

16 Q Who all went with you that night?

17 A Roger Jones, Dennis Carter and Jessie Misskelley and Johnny
18 Hamilton, Zella Adams.

19 Q You mentioned Keith?

20 A And Keith. He was with us that night. That's the only
21 night he ever went with us.

22 Q Did anything happen at Dyess that helps you remember that
23 night?

24 A Just that Kevin wasn't there and he was going every time we
25 went.

1 Q Did anything happen to the defendant that helps you
2 remember that night?

3 A Bill Cox -- he went to throw Jessie Misskelley in the ring
4 and his head was bent too low and he hit the side of the ring,
5 had a big knot on his head.

6 Q What time did y'all get back to West Memphis?

7 A About 11:30.

8 Q P.M.?

9 A Yes, sir.

10 Q Was there a time that you left West Memphis, you said it
11 was just about dark, until the time you got back at about 11:30
12 that Mr. Misskelley was away from the group, away from you?

13 A No, sir.

14 Q He was with you the entire time?

15 A Yes, sir. We had all set out in the front of the building
16 at Dyess wondering where Kevin was because he said he was going
17 to be there as soon as he got out of the search and rescue
18 meeting.

19 Q You mentioned earlier that you had given a previous
20 statement to the police?

21 A Yes, sir.

22 Q Do you remember what you told the police?

23 A I told them that night I had paid some money to Charles
24 Stone, but later I found out that wasn't true. We were talking
25 to Charles Stone one night and he said --

1 MR. DAVIS: Your Honor, at this point I object.
2 He's getting ready to get into hearsay.

3 THE COURT: Sustained.

4 BY MR. STIDHAM:

5 Q You can't testify to what someone else may have told you.
6 You can testify to what you believe about the incident with
7 regard -- why were you giving money to Mr. Stone?

8 A To pay for the ring.

9 Q You thought you had given him some money that night?

10 A Yes, sir.

11 Q Was that true?

12 A No, sir, I later found out it was false.

13 CROSS EXAMINATION

14 BY MR. DAVIS:

15 Q Mr. Revelle, I'm going to have a number of questions for
16 you and if you don't understand my questions, you ask me to
17 rephrase them and I'll be more than glad to do so.

18 A Yes, sir.

19 Q In exchange I'd like you to respond to my questions, okay?

20 A Yes, sir.

21 Q You have indicated you previously gave a statement to the
22 police, right?

23 A Yes, sir.

24 Q In fact you sought out the police to tell them that you
25 knew for certain that Jessie Misskelley was with you on the

1 fifth; isn't that right?

2 A Yes, sir.

3 Q And you told the police then that the reason you were
4 absolutely certain -- and you told them a number of times in
5 your statement -- was because you had paid three hundred dollars
6 and signed a contract the day that you were with Jessie on the
7 fifth; isn't that right?

8 A Yes, sir.

9 Q And in fact when you talked to the police, you had gone
10 down to talk with this Mr. Stone and confirmed with him that
11 there had been money exchanged on the night of the fifth; is
12 that right?

13 A Yes. Charles Stone had told me that night that --

14 Q No -- did you go down there --

15 MR. STIDHAM: Your Honor, he asked the question.

16 He could at least let him answer.

17 THE COURT: He didn't ask for hearsay though. Go
18 ahead.

19 BY MR. DAVIS:

20 Q Did you go down there and speak with Mr. Stone and confirm
21 that?

22 A No --

23 THE COURT: He's not asking what he said to you.

24 He's asking you if you went down there.

25 BY THE WITNESS:

1 A No. I called him on the phone.

2 Q You told the police -- you told Mr. Stone -- you told
3 everybody back on June 9th, "The reason I remember it was the
4 fifth is because that is the night we paid three hundred
5 dollars." Right?

6 A That's what I said.

7 Q You didn't say anything about this bunk about it being your
8 birthday, did you?

9 A No, sir.

10 Q And you didn't say anything about a car breaking down and
11 so and so being at search and rescue or anything about that?

12 A Yes, sir, I said something about Kevin Johnson being in the
13 search and rescue.

14 Q You didn't use that as a basis of determining when it was
15 you were there.

16 MR. STIDHAM: He most certainly did, your Honor.
17 It is in his statement.

18 THE COURT: Is that an objection?

19 MR. STIDHAM: Your Honor, if --

20 THE COURT: Make an objection.

21 MR. STIDHAM: Your Honor, if he's going to
22 impeach him with a statement he ought to --

23 MR. DAVIS: Your Honor --

24 THE COURT: What is your objection?

25 MR. STIDHAM: My objection is it's improper

1 impeachment.

2 THE COURT: Confront him with his statement and
3 allow him an opportunity to refer to it.

4 BY MR. DAVIS:

5 Q Now, the receipt -- I'm going to show you a copy of a
6 receipt. You told the officer, "We paid three hundred dollars
7 and that's why I remember it was the fifth because we went down
8 there" -- in fact you and Bill Cox went down there and paid him
9 the money, right? That's what you told the officers?

10 A Yes, sir.

11 Q I want to show you a receipt. Does that receipt have your
12 name at the top?

13 A Yes, sir.

14 Q You are Fred Revelle?

15 A Yes, sir.

16 Q Does that receipt reflect that you paid Charles Stone three
17 hundred dollars?

18 A Yes, sir.

19 Q What date does that receipt show?

20 A April 27th.

21 Q April 27th was a Wednesday, too, wasn't it?

22 A Yes, sir.

23 Q It was just a Wednesday the week before these murders
24 occurred, right?

25 A I'm not really sure. I'd have to look at a calendar.

1 Q You know in fact that you told police that, "The night we
2 were there was the night I paid them the three hundred dollars."
3 That's what you told the police, correct?

4 A That's what I said.

5 Q The truth in fact is the night that you paid three hundred
6 dollars was a week before the night of the murders, correct?

7 A Yes, sir.

8 Q Just to go back over what you told the police, do I
9 understand correctly that when you talked and gave a statement
10 to Detective Bill Durham that you indicated that whatever night
11 this was that you say you went down there, that you left about
12 6:30 to 7:00?

13 A I never said that.

14 Q That conversation was tape recorded, correct?

15 A That we left from the building at Dyess to come home or to
16 go up there?

17 Q Officer Durham says, "What date was that," and your
18 response, "It was May 5th, the day of the murders, around 7:00,
19 6:30, 7:00 o'clock." Look at the part highlighted in pink.

20 A (EXAMINING) "We left to go to Dyess 6:30, 7:00 o'clock."

21 Q You told him it was May 5th, but you also told him it was
22 the day you paid three hundred dollars, correct?

23 A Yes, sir.

24 Q You told him you were getting high on the way down there,
25 correct?

1 A No, sir, I sure didn't.

2 Q Does it not say and did you not tell Officer Durham. "I'm
3 training him to be a pro wrestler, teaching him. We left and
4 picked up Jessie at Highland Trailer Park. We were going to get
5 high on the way up there."

6 A No, sir, I sure didn't.

7 Q So if Officer Durham and the tape recorded statement
8 reflect otherwise, you would disagree with that?

9 A Yes, sir, I sure would. I don't do drugs. I don't mess
10 with anybody that does drugs.

11 Q And you also told the officer when you were talking with
12 him and you were trying to get your times straight, you said,
13 "It was around 6:30 or 7:00 because the times hadn't changed
14 yet," correct?

15 A No, sir, I don't recall that.

16 Q Officer Durham asked, "It was already dark," and you said
17 "Yeah, when I left," and he says, "Highland Trailer Park," and
18 you said, "Yes, sir, the time hadn't changed yet. It was
19 already dark."

20 When you said the time hadn't changed yet, were you talking
21 about going to daylight savings time?

22 A All I know is it was dark when we left.

23 Q But you would agree that you told him that you hadn't
24 switched to daylight savings time at the time you left, correct?

25 A I don't recall saying that.

1 Q Daylight savings time would have been in effect on May 5th
2 of 1993?

3 A I don't have any idea. I don't recall making that
4 statement.

5 Q Is this a copy of that contract that you also talked about
6 signing?

7 MR. DAVIS: Your Honor, it's marked for
8 identification purposes as State's Exhibit 103.

9 BY THE WITNESS:

10 A (EXAMINING) Yes, sir. This is the contract we signed.

11 Q Show me where Fred Revelle signed that contract.

12 A Right here, second line.

13 Q Now is there a reason why Mr. Stone wasn't able to
14 determine who Fred Revelle was?

15 A Because of my wrestling name.

16 Q Oh, so the guy you were entering into the contract with up
17 there -- he thought your name was Fred James?

18 A He only knew me as Fred James.

19 Q Are there any other names you go by?

20 A No, sir.

21 Q And the other people that signed that contract -- are they
22 people that accompanied you there to the wrestling match?

23 A Those are people that went to the building with us to
24 practice.

25 Q You indicated to the police that this contract and the

1 receipt were done on the same night, correct?

2 A As far as I can remember.

3 Q And you will agree that that was April the 27th, correct?

4 A All the people didn't sign the contract on the night that
5 we gave the money. Only me and Bill Cox was going at the time.

6 Q And so it is your testimony that this contract was not
7 signed all at the same time?

8 A People like Keith signed later on because he wasn't going
9 with us. He came on a different night. So he signed it later
10 on. There's other people that started coming with us later on.
11 Some didn't even sign.

12 Q You were anxious to tell the police that because of this
13 three hundred dollars paid you could show that Jessie was there
14 with you on the 5th, right?

15 A Charles Stone told me that we gave him the money on the
16 fifth.

17 Q Okay, but Charles Stone didn't tell you that until you
18 called him and were trying to ask him and trying to make up a
19 determination as to why you were there on the 5th.

20 A I knew we was there.

21 Q Okay, would you answer -- he didn't tell you that until you
22 called him and tried to pick his brain to determine --

23 A No, I didn't try to pick his brain. I was asking him if he
24 could recollect his memory to that night.

25 Q Then you tell the police that it's all connected to this

1 three hundred dollar payment, and you found out after that that
2 that three hundred dollar payment was made on April 27th, didn't
3 you?

4 A It was made on an earlier date.

5 Q Then when you come back and formulate this new theory as to
6 why you were there on May 5th, when was it you told the police
7 this new theory you formulated?

8 A I never talked to the police after that.

9 Q You never told this to the police?

10 A No, sir.

11 Q You're wearing one of those ribbons. How long have you
12 known Jessie Misskelley, Junior?

13 A I have known him -- I can't tell exact years how long I
14 have known him. I have known him for a while. We lived in the
15 same trailer park.

16 Q So you first come to the police to give them information
17 about where he was on the fifth and when that proves to be
18 wrong, the next theory you come up with you keep all to yourself
19 until you walk in and testify in court, correct?

20 A That's not a theory. It's the actual truth.

21 Q Your memory sure has improved a whole lot over the months
22 than what it was back in June when you gave the statement to
23 Officer Durham; isn't that right?

24 A I could recall events that happened on different nights,
25 but I had to think about it more. I jumped the gun when I went

1 and made that statement. I knew that he was there.

2 Q It wasn't like the police called you into the office and
3 under the pressure you were not able to recall. You went out
4 and actively searched for information and went to the police
5 with information in an effort to come up with an alibi for
6 Jessie Misskelley, didn't you.

7 MR. STIDHAM: Your Honor, how long is this going
8 to continue?

9 THE COURT: Do you have an objection?

10 MR. STIDHAM: Yes, your Honor.

11 THE COURT: What is your objection?

12 MR. STIDHAM: It is improper impeachment. He's
13 asked him three or four times --

14 THE COURT: Overruled.

15 MR. STIDHAM: -- the witness has answered it
16 three or four times --

17 THE COURT: Overruled. Avoid repetition,
18 however.

19 BY MR. DAVIS:

20 Q Isn't it true that during this time period y'all were going
21 to Dyess three or four times a week?

22 A Or more.

23 Q And you had been how long, over a month?

24 A I don't know. I met Bill Cox and we started going pretty
25 regular from there.

1 Q Had you been going for a month, two months, three months
2 prior to May 5th?

3 A No, sir, it hadn't been that long. Maybe a month.

4 Q You continued to go after May 5th, right?

5 A Yes, sir.

6 Q So during a month's period of time, y'all would go down
7 there twenty some odd times?

8 A Or more.

9 Q And you had been doing it for a couple of months by the
10 time you talked to the police, right?

11 A Right.

12 Q So there had been forty some odd trips down there?

13 A I can't recall no exact numbers how many times we went down
14 there. I didn't have no reason to count how many times we went
15 down there.

16 Q No reason to really pay much attention to tell one night
17 from the next, was there?

18 A There were events that happened certain nights, and I had
19 to recall my memory to actually remember the nights that it took
20 place.

21 Q This is your signature on the end of this statement; is
22 that true?

23 A Yes, sir.

24 Q This is a statement that -- is that your handwriting?

25 A Yes, sir.

1 Q So you handwrote this statement, looks like to Officer
2 Durham back on June 9th; is that correct?

3 A Yes, sir.

4 Q Been about six days after Jessie's arrest?

5 A Yes, sir.

6 Q Show me in that statement where it was you told the officer
7 that you could recall that evening because that's the evening
8 that so and so -- Kevin or Keith -- was at search and rescue.
9 Take your time and read that and when you get to that point,
10 point it out to me.

11 A (EXAMINING) I don't see it anywhere in this statement.

12 Q It is not there, is it?

13 A No, sir.

14 Q In fact what is in this statement is about the three
15 hundred dollars that was paid down. That's why you knew it was
16 the fifth, right?

17 A That's what I thought at first.

18 Q You never bothered to tell anybody any different until you
19 come in here with your yellow ribbon and testify in this
20 courtroom today?

21 A That's right.

22 REDIRECT EXAMINATION

23 BY MR. STIDHAM:

24 Q Is there any doubt in your mind that Jessie Misskelley was
25 --

1 MR. DAVIS: Your Honor, I object to leading.

2 THE COURT: Avoid leading.

3 BY MR. STIDHAM:

4 Q Was Jessie Misskelley with you that night, May 5th?

5 A Yes, sir.

6 Q Any doubt in your mind?

7 A No, sir.

8 (WITNESS EXCUSED)

9 MR. DAVIS: Your Honor, we would like to
10 introduce the receipt and the contract.

11 MR. STIDHAM: No objection.

12 THE COURT: They may be received.

13 (STATE'S EXHIBITS 102 AND 103 ARE RECEIVED IN
14 EVIDENCE)

15 ROGER JONES

16 having been first duly sworn to speak the truth, the whole truth
17 and nothing but the truth, then testified as follows:

18 DIRECT EXAMINATION

19 BY MR. CROW:

20 Q Will you please state your name?

21 A Roger Jones.

22 Q How old are you?

23 A Nineteen.

24 Q Where do you live?

25 A Highland Trailer Park.