

1 may be in recess for ten minutes.

2 (RECESS.)

3 (THE FOLLOWING DISCUSSION WAS HELD AT THE BENCH OUT
4 OF THE HEARING OF THE JURY.)

5 THE COURT: The jury sent a message to the Court
6 that they wanted to know if telephone records could have
7 been secured. I told her I couldn't answer that question
8 that I'll tell the lawyers. So I've told both of you --
9 all of you. I think what they were talking about was
10 this call from West Memphis to Memphis or West Memphis to
11 Marion and they're not long distance. They're not toll
12 calls so you can't---

13 MR. STIDHAM: Thank you, your Honor.

14 (RETURN TO OPEN COURT.)

15 THE COURT: Alright, Court will be in session.

16 PETE MERCIER

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

19 DIRECT EXAMINATION

20 BY MR. FOGLEMAN:

21 Q. State your name and where you live for the jury.

22 A. My name is Pete Douglas Mercier. I live -- used to
23 reside in Highland Trailer Park.

24 Q. And have you ever been to Dyess wrestling?

25 A. I went down one time with some friends not to wrestle.

1 Q. Okay, but you went down -- were -- were they wrestling?

2 A. Yeah, they were, right.

3 Q. And do you recall whether or not that was before or after
4 the murder of these three children?

5 A. That was before.

6 Q. I want to show you what's introduced as State's Exhibit
7 One Oh Three and ask if you recognize the signature on the
8 very bottom? (HANDING TO WITNESS.)

9 A. (EXAMINING.) Yes.

10 Q. Alright, whose signature is that?

11 A. That's mine.

12 Q. Okay, would you mind taking this yellow highlighter and
13 highlighting that for us for the jury? (HANDING TO WITNESS.)

14 A. (COMPLIES.) Alright.

15 Q. Do you recall signing that?

16 A. Yes.

17 Q. And how many times did you go?

18 A. One time.

19 Q. One time?

20 A. To the best of my knowledge.

21 MR. DAVIS: I don't have any further questions.

22 CROSS EXAMINATION

23 BY MR. STIDHAM:

24 Q. Mercier, is that---

25 A. Yes, sir, that's correct.

1 Q. With a name like Stidham you've got to be real careful
2 not to butcher people's last names. Are you on the search and
3 rescue team?

4 A. Yes, sir, I am.

5 Q. Do you remember May the fifth?

6 A. Yes, sir.

7 Q. Do you remember going to the search and rescue meeting
8 with Kevin Johnson?

9 A. Yes, sir, I recall.

10 Q. And at the meeting some of the guys had scanners?

11 A. Radios in their trucks, yes.

12 Q. And you told me out in the hall that that night at the
13 meeting it came over the scanners that the boys were missing?

14 A. I didn't hear it. Someone else said something about it,
15 but I didn't hear it personally.

16 MR. STIDHAM: Pass the witness.

17 (WITNESS EXCUSED.)

18 JAMES DOLLAHITE

19 having been previously duly sworn to speak the truth, the
20 whole truth, and nothing but the truth, then testified further
21 as follows:

22 REDIRECT EXAMINATION

23 BY MR. FOGLEMAN:

24 Q. Are you the same Deputy Dollahite that testified
25 previously?