

1 A I believe Mr. Byers said the other family members were out  
2 searching for them also.

3 (WITNESS EXCUSED)

4 RYAN CLARK

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

7 DIRECT EXAMINATION

8 BY MR. FOGLEMAN:

9 Q Will you please state your name and address?

10 A Ryan Clark. I live at fourteen hundred East Barton.

11 Q What is your relationship to Chris Byers?

12 A He was my brother.

13 Q How old are you?

14 A Fourteen.

15 Q Do you go to school?

16 A Yes, sir, I go to West Memphis Christian.

17 Q I want to direct your attention to May 5th, the day that  
18 your brother disappeared. Did you help in looking for him?

19 A Yes, sir, I did.

20 Q Where all -- what all did you do looking for him?

21 A I walked around the woods looking for him, and that's about  
22 all.

23 Q When did you first start looking for him? Well, when you  
24 first started looking for him, were you with anybody?

25 A Yes, I was with my friend, Britt Smith.

1 Q About what time did you get with your friend, Britt Smith?

2 A I don't know. It was dark. I didn't pay any attention.

3 Q Was there anybody else that you were with or had been with?

4 A Britt's sister was helping to look and her boyfriend,  
5 Richie was looking and his cousin, Robbie. I forgot his last  
6 name.

7 Q When you say you looked in the woods, I want you to look at  
8 State's Exhibit 101. Look over that picture and see if you  
9 recognize that area.

10 A (EXAMINING) Yes, sir, I do.

11 Q You do recognize that?

12 A Um-hum.

13 Q If you could take this pointer and point to the jury the  
14 area where you were looking.

15 This is the interstate. This is the truck stop and the  
16 Blue Beacon.

17 A (POINTING) We looked -- we looked -- we looked right over  
18 here. The other day we walked over here.

19 Q When was that? You said "The other day?"

20 A It was the same day but in the nighttime we were looking --

21 Q Uh-huh.

22 A We were looking over there where the truck stop and Blue  
23 Beacon --

24 Q You see this? How do you get across this big ditch?

25 A There is a pipe right there.

1 Q Which woods were you looking in?

2 A In the nighttime?

3 Q Um-hum.

4 A (POINTING) We were looking around here.

5 Q Did you go on the north side of the ditch?

6 A Yeah -- well, I didn't. My friend Richie did. They were  
7 over here (POINTING) and they went over here to like right here  
8 while we were over here.

9 Q You yourself didn't go on the north side of the pipe  
10 looking?

11 A Um-um.

12 Q What is all this area called?

13 A Robin Hood.

14 Q What are these lines and things on here?

15 A Motorcycle trails.

16 Q When -- after your brother wasn't at home -- were you at  
17 home when he left or do you know?

18 A I was at court.

19 Q After you got back from -- why were you at court?

20 A I was riding my three wheeler on this street and the woman  
21 was in the car and she came flying past me because we thought we  
22 made her mad or something and she came flying by us and the cop  
23 saw her and he gave her a ticket for reckless driving.

24 Q You were there to testify?

25 A Yes, sir.

1 Q After you got home from court, was your brother at home?

2 A Um-um.

3 Q After you found he wasn't at home, did you do anything to  
4 look for him there around that area?

5 A Yes, sir, I did. I looked around on Wilson Street because  
6 my dad said that he went to his friend Steve Branch's.

7 Q Did you look on North 14th?

8 A Yeah, I went down the street.

9 Q Did you find anything down the street?

10 A Not really.

11 Q Did you find a skateboard?

12 A Yeah, I found a skateboard, but I ain't never seen it  
13 before.

14 Q You hadn't ever seen it?

15 A No.

16 Q While you and Britt were searching in the woods, did you  
17 hear anything?

18 A Yes, we heard some splashing. We heard -- it was me and  
19 Britt. We were walking by the -- it wasn't nowhere near where  
20 they found them, but it was down -- there is a bridge. We were  
21 right about there, and we heard some splashing so I started  
22 yelling and stuff at them, and I told my friend Britt, "When I  
23 count to three, run." And after that we took off running.

24 CROSS EXAMINATION

25 BY MR. STIDHAM:

1 Q Do you remember telling the police that you heard somebody  
2 rustling around in the weeds about the same time you heard the  
3 splashes?

4 A Yes, I did.

5 Q Do you remember what time that was?

6 A No, I don't.

7 Q Do you remember what time you told the police it was?

8 A I don't know.

9 Q Was it about nine o'clock? Was it after dark?

10 A It was dark.

11 Q Do you remember what time it got dark that day?

12 A I don't know. It was kind of late because it was in the  
13 summertime.

14 Q Did you see anybody running from the area or the scene?

15 A I didn't see nothing but I heard something.

16 Q But you couldn't tell who it was or what it was just by the  
17 sound?

18 A It sounded like somebody was running across it. Sounded  
19 like somebody was running from us or something or running at us.

20 REDIRECT EXAMINATION

21 BY MR. FOGLEMAN:

22 Q Would you show on the map where you were when you heard the  
23 rustling in the weeds?

24 A (POINTING) It was about right here.

25 Q That is on the south side of the big ditch?

1 A The splashing was over here. (INDICATING)

2 (WITNESS EXCUSED)

3 THE COURT: Ladies and gentlemen, it's time for  
4 our noon recess so with the usual admonition of the  
5 Court not to discuss the case among yourselves or with  
6 anyone, you may stand in recess until 1:15.

7 (RECESS)

8 MICHAEL ALLEN

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

11 DIRECT EXAMINATION

12 BY MR. FOGLEMAN:

13 Q Will you please state your name and occupation?

14 A Michael Allen, Detective Sergeant with the West Memphis  
15 Police Department.

16 Q How long have you been with the West Memphis Police  
17 Department?

18 A Since May of '88.

19 Q How long have you been in law enforcement?

20 A Total since 1981.

21 Q Detective Allen, I want to direct your attention to May  
22 6th, 1993. What part, if any, did you play in the search for  
23 Michael Moore, Steve Branch and Chris Byers?

24 A The morning of the 6th we had a meeting at the detective  
25 division and as soon as we sat down for our morning meeting, we