

1 A Yes, sir.

2 Q You don't know when he got there?

3 A No, sir.

4 (WITNESS EXCUSED)

5 SUSIE BREWER

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. CROW:

10 Q Will you please state your name?

11 A Susie Brewer.

12 Q How old are you?

13 A Fifteen.

14 Q Do you go to school?

15 A Yes, sir.

16 Q Where?

17 A Marion Junior High.

18 Q What grade are you in?

19 A Ninth.

20 Q Where do you live?

21 A Highland Trailer Park.

22 Q If you will turn around behind you, there is a State's
23 Exhibit Two. Up here is Highland Trailer Park. Recognize that?

24 A Yes, sir.

25 Q Tell me where you live in there.

- 1 A Is this the back street?
- 2 Q Yes. That's where Stephanie lives, right there.
- 3 A Okay. (POINTING) Right down there.
- 4 Q On the other side?
- 5 A Yes.
- 6 Q It makes a "T". That is where Stephanie lives and Jessie's
7 house is over here.
- 8 A Okay, here. (MARKING)
- 9 Q About how far is that from where Jessie lives?
- 10 A About a ten minute walk.
- 11 Q What is your relationship with Jessie Misskelley?
- 12 A I'm his girlfriend.
- 13 Q You understand you are under oath?
- 14 A Yes, sir.
- 15 Q You understand you have to tell the truth today?
- 16 A Yes, sir.
- 17 Q Do you remember the day of May 5th?
- 18 A Yes, sir.
- 19 Q Have you gave that day a lot of thought in the last few
20 months?
- 21 A Yes, sir.
- 22 Q Did you go to school that day?
- 23 A Yes, sir.
- 24 Q How did you get home from school?
- 25 A I walked home.

1 Q Do you know what time you got home?

2 A About 3:30.

3 Q What did you when you got home?

4 A I went to Stephanie's. That's where Jessie was because he
5 was babysitting Stephanie's kids and she got back about 4:00 and
6 we went walking.

7 Q Did you go home before you went to Stephanie's?

8 A No, my mom had drove by, and I told her I was there with
9 Jessie.

10 Q You went walking around the trailer park?

11 A Um-hum. We went to Johnny Hamilton's.

12 Q Do you know what time that was?

13 A About 4:15.

14 Q Did you have a watch on?

15 A No, sir.

16 Q That afternoon did you keep Jessie in your sight the whole
17 time?

18 A Not the whole time. He was probably out of my sight about
19 fifteen, twenty minutes.

20 Q One time or several times was he out of your sight?

21 A The first time he went to McNease's, talked to him. I was
22 standing in his yard when he was talking to Louis.

23 Q During the course of the afternoon, you were around Jessie?

24 A Most of the time.

25 Q You remember going to Johnny Hamilton's house for a while?

1 A Yes, sir.

2 Q Do you remember sometime in the afternoon --

3 MR. FOGLEMAN: Your Honor, I object to leading.

4 THE COURT: Avoid leading.

5 BY MR. CROW:

6 Q Was there a time in the afternoon -- well, do you know who
7 Louis Hoggard is?

8 A Yes, sir.

9 Q Was there any contact between Louis Hoggard and Jessie that
10 afternoon?

11 A He was asking Jessie --

12 Q You can't tell what he said. Did you see him?

13 A Yes, sir.

14 Q Do you have any idea what time it was when Louis and Jessie
15 were talking?

16 A Probably about 6:30. I'm not sure.

17 Q Did you see what Jessie did after he got through talking to
18 Louis?

19 A He went back to his house to get the mask and he was
20 letting little kids try it on.

21 Q So somewhere after that time -- he goes and gets his mask
22 and is letting little kids try it on. Do you know who those
23 kids were?

24 A Cody Romero and Justin Romero.

25 Q Cody Romero and Justin Romero?

- 1 A Yes, sir.
- 2 Q Whose children are those?
- 3 A Stephanie Dollar's.
- 4 Q Do you know what was the last time you saw Jessie that
5 night?
- 6 A Seven o'clock.
- 7 Q What was he doing?
- 8 A I walked to Stephanie's and when I got there, I looked in
9 and I was going to walk to Roger's house and I asked if he could
10 go.
- 11 Q Where is Roger's house in connection to Jessie's house?
- 12 A Across the street.
- 13 Q From Stephanie's -- you walked to her house?
- 14 A I walked to her house.
- 15 Q How did you see Jessie?
- 16 A She's got a door and she's got a little piece of glass you
17 can look out.
- 18 Q From that time on do you know of your own personal
19 knowledge what Jessie did the rest of the night?
- 20 A All I know is he went to Dyess.
- 21 Q You've been told that. Do you have any personal knowledge
22 of what he did the rest of the night from that point on?
- 23 A (SHAKES HEAD)
- 24 Q Did you see him again the rest of the night?
- 25 A Um-um.
- 16 21

CROSS EXAMINATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BY MR. DAVIS:

Q You are Jessie Misskelley's girlfriend?

A Yes, sir.

Q How long has that relationship existed?

A A year and two weeks.

Q When did y'all first start seeing each other?

A January 16th of last year.

Q Are you real good friends with Stephanie Dollar?

A Yes, sir.

Q And in fact that is where you said you were at on this particular afternoon of May 5th?

A Yes, sir.

Q Is that pretty common for you to be over at her house?

A Yes, sir, I go there every afternoon.

Q So as far as being there at Stephanie Dollar's house with her kids, nothing unusual about that. That happens every day?

A Yes, sir.

Q During this time period, was Jessie steadily employed? Was he working on a regular basis?

A He was working with Ricky Deese.

Q Was he working on a regular basis, five days a week, eight hours a day?

A No, sir.

Q Would he be over there pretty frequently with you at

1 Stephanie's, too?

2 A Yes, sir.

3 Q There's nothing unusual about that?

4 A (SHAKES HEAD)

5 Q You have indicated that -- Mr. Crow asked, did you know
6 where he went after you last saw him, and I believe you
7 indicated you knew he went wrestling?

8 A Yes, sir.

9 Q You didn't go wrestling with him?

10 A No, sir.

11 Q How did you know that? Who did you talk to?

12 A Because he goes every Wednesday night.

13 Q That's not what I asked you. Who did you talk to? Did you
14 talk with Fred Revelle about where he was that Wednesday night?

15 A Johnny Hamilton.

16 Q So you talked with some other people about putting Jessie
17 in a particular place on that particular evening.

18 MR. STIDHAM: Object to the form of the question.

19 THE COURT: Overruled. It's cross examination.

20 BY MR. DAVIS:

21 Q Have you talked with other people about times and places
22 that Jessie was on that particular evening?

23 A I knew he was there.

24 Q I didn't ask you that. Have you talked with other people
25 about times and places that Jessie was on that particular

1 evening?

2 A Yes, sir.

3 Q You have discussed it extensively with Stephanie Dollar,
4 correct?

5 A Yes, sir.

6 Q You discussed it with Johnny Hamilton?

7 A Yes, sir.

8 Q Did you discuss it with Fred Revelle?

9 A Yes, sir.

10 Q And in fact Fred Revelle was the first one who mentioned
11 that he was in Dyess wrestling on this particular night, wasn't
12 he?

13 A Yes, sir.

14 Q He brought that to your attention, correct?

15 A They were talking about it that day.

16 Q Fred Revelle is the one who brought it to your attention
17 that on the 5th of May they were in Dyess wrestling, correct?

18 A So did Johnny.

19 Q Stephanie Dollar brought to your attention an incident that
20 occurred at the trailer park on the 5th, correct?

21 A Yes, sir, I was there, too.

22 Q But Stephanie Dollar is the one who mentioned to you that
23 it occurred on that particular day?

24 A Yes, sir.

25 Q And this Mr. Hoggard that you referred to -- he is a

1 neighbor to Jessie, is he not?

2 A Yes, sir.

3 REDIRECT EXAMINATION

4 BY MR. CROW:

5 Q After Jessie was arrested for this crime, did May 5th
6 become an important day to you?

7 A Yes, sir.

8 Q Become an important day for a lot of people in that trailer
9 park?

10 A Yes, sir.

11 Q Did y'all try to figure out what you remembered about that
12 day?

13 A Yes, sir.

14 MR. FOGLEMAN: Your Honor, I'd ask that he
15 refrain from leading.

16 THE COURT: Sustained.

17 (WITNESS EXCUSED)

18 STEPHANIE DOLLAR

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

21 REDIRECT EXAMINATION

22 BY MR. CROW:

23 Q You are the same person who testified a few minutes ago?

24 A Yes.

25 Q You recall you're still under oath?