

1 A No, sir.

2 Q Talked to anybody about what your testimony was going to
3 be?

4 A No, sir.

5 Q Mr. Stidham?

6 A No, sir.

7 Q Nobody talked to you at all other than Officer Allen?

8 A No. Yesterday Mister -- I don't know which one it was. He
9 gave me my subpoena and told me when to be here.

10 (WITNESS EXCUSED)

11 MR. STIDHAM: May the record reflect that he was
12 referring to Mr. Crow? I don't know if that was made
13 clear or not.

14 MR. FOGLEMAN: I think Mr. Crow referred to
15 himself.

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

19 DIRECT EXAMINATION

20 BY MR. STIDHAM:

21 Q Will you please state your name?

22 A Jessie Lloyd Misskelley, Senior.

23 Q I take it that you're familiar with Jessie Misskelley,
24 Junior?

25 A Yes, sir.

1 Q Can you tell the jury how you're familiar with him?

2 A That's my son.

3 Q Where do you live?

4 A Marion, Arkansas, Highland Trailer Park.

5 Q Where are you employed?

6 A Jim McNease Repair Service.

7 Q Were you employed there back in May of 1993?

8 A Yes, sir.

9 Q Were you employed there on May 5th, 1993?

10 A Yes, sir.

11 Q Do you remember the events that took place on May 5th,
12 1993?

13 A Yes, sir.

14 Q How can you remember those events?

15 A Well, that was my first day of DWI school. I had to go to
16 DWI school to get my driver's license back.

17 Q Do you recognize that document?

18 A (EXAMINING) Yes, sir.

19 Q What is this document?

20 A That's my receipt where I paid them fifty dollars on the
21 day of the beginning of class.

22 MR. STIDHAM: Your Honor, we would offer this as
23 Defendant's Exhibit Five.

24 MR. FOGLEMAN: No objection, your Honor.

25 THE COURT: It may be received without objection.

1 You may exhibit to the jury.

2 (DEFENDANT'S EXHIBIT FIVE IS RECEIVED IN
3 EVIDENCE)

4 BY MR. STIDHAM:

5 Q So you had to go to DWI school on May 5th?

6 A Yes, sir.

7 Q What time did you leave Jim's Repair Shop?

8 A I left at 5:30 because they wanted me to be there early to
9 make the payment. The class started at six. It was supposed to
10 have lasted until eight, but they let us out at seven o'clock.

11 Q You left the DWI school at 7:00 P.M.?

12 A Yes, sir.

13 Q Where did you go from there?

14 A I came straight home. It was about fifteen minutes after
15 when I got home.

16 Q Fifteen minutes after what?

17 A After 7:00 P.M.

18 Q Do you remember seeing anybody when you got home?

19 A Well, I seen all those police cars were leaving out as I
20 was coming in the trailer park. I got scared they was going to
21 get me for driving on a suspended license so I hurried up and
22 went home.

23 Then my son Jessie came in, and I asked him what was going
24 on.

25 Q You're talking about the defendant?

1 A Yes, sir. And he said the police were called out there
2 because Connie Molden had pulled Stephanie's little boy Cody off
3 the bicycle by the hair of the head and slapped him, and they
4 called the police out for that. When Bobby Junior come in --
5 Stephanie's husband -- him and Connie's husband Melvin got into
6 it. They got in almost a fight down there, and they called the
7 police back out there again. And they were leaving out as I was
8 going in about 7:15.

9 Q Did you know where they were leaving to or where they were
10 going?

11 A They were going back to the sheriff's office, I guess.

12 Q No, I'm talking about Jessie.

13 A Jessie -- he left about 7:30 to go to Dyess, Arkansas, to
14 wrestle.

15 Q Do you know who he went with?

16 A Johnny Hamilton, Fred Revelle, Josh Darby, Dennis Carter
17 and some other guy, Bill something or other.

18 Q You didn't see the guys get in the car and leave?

19 A I didn't see them leave. No, sir.

20 Q Do you remember the day that Jessie got arrested?

21 A Yes, sir.

22 Q Do you remember having a conversation with little Jessie
23 and Officer Allen about the reward money?

24 A Yes, sir.

25 Q Do you remember what the nature of the conversation was?

1 A Mike Allen and Jessie was joking about, he said forty
2 thousand dollar reward. He said if they get a conviction out of
3 this, Jessie will get the forty thousand dollar reward so he's
4 going to buy him a new truck. Jessie said, no, I'm not either.
5 I'm going to buy my daddy a truck and I am going to take his old
6 one.

7 CROSS EXAMINATION

8 BY MR. DAVIS:

9 Q I want to be sure I understand this correctly. It is your
10 testimony that you came home from DWI school when on the 5th?

11 A Yes, sir.

12 Q When did you come home?

13 A At 7:00 when I got out of DWI school.

14 Q It's your testimony that the police cars were still there?

15 A Yes, sir. They were leaving out when I got there. As I
16 was coming in about 7:15, the police cars were leaving out.

17 Q Your son was at the house?

18 A He came to the house after I got there.

19 Q So that would have been what time?

20 A About 7:15.

21 Q What happened there at the house?

22 A He just came in and I asked him what the police were doing
23 out there and he told me what they were doing there. He said I
24 am fixing to go wrestle and he left out and went out behind the
25 house and got into -- I don't know what kind of vehicle it was.

1 Sometime they go in a car. Sometime they go in a truck.

2 Q After your son was arrested, did you grant certain
3 television interviews where you went on TV?

4 A I imagine I did.

5 MR. STIDHAM: I object to the relevancy of it.

6 MR. DAVIS: Your Honor, I'm going to ask him
7 about some statements he made on TV.

8 THE COURT: Go ahead. Overruled.

9 BY MR. DAVIS:

10 Q Did you go on TV and make some statements?

11 A I imagine I did. There was a bunch of news reporters
12 there, yeah.

13 Q Do you recall making the statement that your son may have
14 been there but you didn't think he was involved in it?

15 A That was before I found out -- that was before I went to
16 work on the case and found out that he was not there. I didn't
17 have proof or anything, and I said he may have been there, I do
18 not know. I said, but if he was there, he didn't have anything
19 to do with killing those boys.

20 Q You remember all the publicity -- you knew the day it was
21 that the kids came up missing. Everybody in West Memphis and
22 Marion knew that day, correct?

23 A Yeah.

24 Q It had been in the papers for a month that May 5th was the
25 day they came up missing?

1 A Well, ah, yeah, that's when they come up missing.

2 Q That's the same day that you say you have such a graphic
3 memory because that is the first day you attended DWI class,
4 right?

5 MR. STIDHAM: Your Honor, if he's going to
6 impeach him using a television interview, could he at
7 least tell the jury what the date of the interview
8 was?

9 MR. DAVIS: I'm asking him about the prior
10 statement.

11 THE COURT: Go ahead.

12 BY THE WITNESS:

13 A The statement had to have been made after June third.

14 Q It had to have been made after your son was arrested,
15 correct?

16 A That's right.

17 Q Everybody knew he was arrested for murders that occurred on
18 May 5th?

19 A Correct.

20 Q And you say that May 5th was the day that stood out in your
21 mind?

22 A I know that was when I was in DWI school.

23 Q But yet after -- days after your son's arrest, you're
24 telling people on television that he could have been there --

25 A That was before I started investigating it myself. Nobody

1 else would.

2 Q Was that before Stephanie Dollar started going around
3 handing out police reports to people in Lakeshore Park --
4 Highland Park?

5 A Police reports?

6 Q Yes.

7 A No.

8 Q Have you talked with any of these witnesses that testified
9 here today about time frames, where they were on May 5th, what
10 was going on?

11 A No.

12 Q You have not discussed with them what their testimony was
13 going to be about where they were, where they may have seen
14 Jessie on May 5th?

15 A All I told them was tell the truth.

16 Q You haven't discussed any details with them.

17 A No, I have not.

18 Q And that is as true as everything else you have testified
19 to?

20 A That's right.

21 Q You are a convicted felon, correct?

22 A Am I on trial here?

23 MR. DAVIS: Your Honor, would you ask the witness
24 to answer the question?

25 THE COURT: Just answer the question yes or no.

1 BY THE WITNESS:

2 A That's right.

3 Q How many other times besides May 6th did you attend DWI
4 school during the month of May?

5 A If you will look again, it was May 5th.

6 Q May 5th. How many other times besides May 5th did you
7 attend DWI school?

8 A I attended the whole month of May.

9 Q How many times?

10 A Four times.

11 Q During that time period, do you remember anything specific
12 about the other three occasions? Did you get out early on those
13 times?

14 A Yes, sir.

15 Q Every time?

16 A Yes, sir.

17 Q Remember what time?

18 A No, sir, I don't remember what time but it was out early
19 every time. We stayed at least an hour or sometime an hour and
20 fifteen minutes, hour and a half.

21 (WITNESS EXCUSED)

22 JIM McNEASE

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

25 DIRECT EXAMINATION