

# **North Carolina Innocence Inquiry Commission Brief**

## **STATE v. COATNEY WILLIAMS**

**Northampton County – 08 CRS 1057; 08 CRS 1059;  
08 CRS 1065-66; 09 CRS 83; 09 CRS 85**

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Case Presented by:

Lindsey Guice Smith, Executive Director

Brief Prepared by:

Donna Elizabeth Tanner, Associate Director

Lead Investigators:

Julie Bridenstine, Staff Attorney

Brian Ziegler, Staff Attorney

Other Commission Staff:

Mackenzie Myers, Grant Legal Investigator

Catherine Matoian, Grant Staff Attorney

Jason Fitts, Case Coordinator

Kristie Parker, Administrative Secretary

Emma Paul, Victim Services Coordinator



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## **I. Format for Brief and Hearing**

On September 28-30, 2020 the North Carolina Innocence Inquiry Commission (“Commission”) will conduct a hearing in this case. Pursuant to statute, this hearing is open to the public.<sup>1</sup> A court reporter will be present at the hearing.

This brief is submitted to the Commissioners prior to the hearing with the request that each Commissioner carefully read it in preparation for the hearing. This brief covers investigations and legal proceedings that occurred in this case prior to the investigation by the Commission staff. Information that was not presented at trial or considered at a hearing granted for post-conviction relief may be considered as “new evidence.”

Any attachments and/or documents inserted in the body of the brief that have notes or highlights were received by Commission staff with these notes or highlights and no other copy was available. Any cited material within the brief that is not provided in full can be made available to Commissioners upon request. Also, where a document is included in full in the brief, the brief itself will not contain a citation to the record.

You will note that there are several appendices. These appendices are meant to synthesize information in a helpful manner. Some appendices may repeat certain information, for example, the Defendants’ Statements by Topics Chart in Appendix F may contain statements from the defendants that can also be found in the Defendants’ Chronological Statements Chart in Appendix E. The intent is to provide easy references for you as you are reviewing the evidence in the case.

<sup>1</sup> N.C.G.S. § 15A-1468(a) and NCIIC Rules and Procedures Article 7(E). Due to COVID-19 and related restrictions, the hearing will be streamed on a publicly accessible format. The public will not physically be in attendance.

At the conclusion of the hearing, the Commission will be asked to consider the following three (3) options as to Claimant Coatney Williams:

1. Conclude that there is sufficient evidence of factual innocence to merit judicial review and refer the case to a three-judge panel pursuant to N.C.G.S. § 15A-1468(c). All documents considered by the Commission and the transcript of the proceedings shall become public record once filed with the Clerk of Superior Court in Northampton County.<sup>2</sup>
2. Conclude that there is not sufficient evidence of factual innocence to merit judicial review and close the investigation pursuant to N.C.G.S. § 15A-1468(c). Evidence favorable to the convicted person would be disclosed to him and his attorney pursuant to N.C.G.S. § 15A-1468(d).
3. Direct the staff to conduct further investigation into this case and continue the hearing to a later date.

<sup>2</sup> N.C.G.S. §§ 15A-1468(c) and 15A-1468(e) and NCIC Rules and Procedures Article 7(G).

## **II. Standard of Review**

This case arises from the convictions of Coatney Williams related to crimes committed against Ms. Mary Davis, her son, Tacoma Davis, friend Erel Jordan, and neighbor Jennifer Williams on December 29, 2007. Williams was convicted after a trial held July 12-15, 2010. He was convicted of attempted murder, robbery, burglary, larceny of firearms which was consolidated<sup>3</sup> with AWDWITK,<sup>4</sup> and larceny after breaking and entering which was consolidated with possession of stolen goods.<sup>5</sup> On appeal, the North Carolina Court of Appeals vacated William's judgements for felony larceny after breaking and entering, larceny of a firearm, and felony possession of stolen goods and remanded the case for resentencing on AWDWITK. Williams was sentenced to a range of approximately 42 to 52 years arising from this crime. He is currently projected to finish his sentence in this case in 2060. Three co-defendants entered plea agreements prior to Williams' trial. Jamal Thomas was sentenced to 14 years and 4 months for Robbery with a Dangerous Weapon and First-Degree Burglary. Karon Moses was sentenced to 17 years and 20 days for Robbery with a Dangerous Weapon, First Degree Burglary, and Assault with a Dangerous Weapon with Intent to Kill. Antonio Freeman was sentenced to 27 years and 8 months for Robbery with a Dangerous Weapon, First Degree Burglary, and Second-Degree Sexual Offense.<sup>6</sup>

<sup>3</sup> The convictions were combined for purposes of sentencing – so the two convictions resulted in one sentence.

<sup>4</sup> Assault with a deadly weapon with intention to kill.

<sup>5</sup> Though Williams was not charged or convicted of sexual assault, Ms. Davis was sexually assaulted during this robbery. Co-defendant Antonio Freeman was convicted of her sexual assault.

<sup>6</sup> Though the Commission's statute requires notification to co-defendants as outlined in N.C.G.S. 15A-1467(c1), the statute also allows for that notification to be denied for "good cause shown." In this case, the Commission's Chair, Judge Wagoner, found good cause was shown to deny or limit notification to the co-defendants. She left the decision as to notification with the Executive Director, who determined, based on the evidence, to deny notification to the co-defendants in this case.

The Commission's governing statute provides that a "claim of factual innocence" is a claim "on behalf of a living person convicted of a felony" in North Carolina, "asserting complete innocence of any criminal responsibility for the felony for which the person was convicted and for any reduced level of criminal responsibility relating to the crime, and for which there is some credible, verifiable evidence of innocence that has not previously been presented at trial or considered at a hearing granted through postconviction relief." N.C.G.S. § 15A-1460(1). Also see the *Commission's Rules and Procedures*, Article 2(A).

When a case is presented to the Commission during a hearing, all eight voting members are required to participate in the vote to determine whether there is "sufficient evidence of factual innocence to merit judicial review." N.C.G.S. § 15A-1468(c). For cases where the defendant was found guilty after trial, "if five or more of the eight voting members of the Commission conclude there is sufficient evidence to merit judicial review, the case shall be referred to the senior resident superior court judge in the district of original jurisdiction." *Id.*

In the present case, Williams was convicted after trial, so in order for the case to move forward to a three judge panel, five or more of the eight voting members must conclude as to each individual claimants that there is sufficient evidence to merit judicial review. *Commission Rules and Procedures*, Article 7(1)(3).

## **II. Introduction to Case<sup>7</sup>**

The Victim, Ms. Mary Davis, was at her home alone in Pendleton N.C. on December 29, 2007 when her home phone went dead around 10:00pm-10:15pm. She heard a loud bang and thought someone was trying to break in, so she hid under her bed. According to the police report, she saw two black males<sup>8</sup> enter her bedroom where they discovered her. She was robbed and sexually assaulted. During the crime, her son, Tacoma Davis, came home and called for her. One of the suspects ran to the front of the house and Ms. Davis heard two gunshots. The suspect returned to the bedroom and then both suspects continued their robbery. When the two suspects left her, she heard a car leaving her driveway, ran out of her home, and drove to the house of Evelyn Jordan, Erel Jordan's mother. The next-door neighbor, Jennifer Williams, called 911. Though Ms. Davis saw her son's car when she fled her home, she did not see her son. She later learned that her son, Tacoma, and his friend Erel Jordan, were at Jennifer Williams' home. Erel Jordan had been shot. Ms. Davis joined them and they waited for the police. Multiple 911 calls were made about this case. The initial 911 call came in at 10:27pm.

Coatney Williams first applied to the Commission on February 6, 2014, but his case was rejected due to perceived lack of new evidence and concerns over potential Accessory After the Fact issues. Williams then reapplied to the Commission on October 31, 2016, resulting in this investigation and formal inquiry. The co-defendants, Thomas, Freeman, and Moses, did not apply and were not notified of formal inquiry, as outlined earlier in the brief, as they admitted to

<sup>7</sup> The details of this crime as provided throughout this brief and in the reports contain facts related to a violent sexual assault.

<sup>8</sup> At trial, the Victim Ms. Davis reported that three attackers actually entered her home.

Commission staff that they were involved in the crime. The Commission conducted a thorough investigation in this case, including, but not limited to, digital forensic evaluation, DNA testing and interviews. More details regarding the specifics of the Commission's investigation will be presented at the upcoming Commission hearing on this matter. The information in this brief is compiled from the review of the following files:

- Northampton County Sheriff's Office files related to this case and other cases involving Williams
- Roanoke Rapids Police Department files related to other cases involving Williams
- Northampton County District Attorney files
- Trial transcript
- Northampton County Clerk of Superior Court files for all co-defendants
- North Carolina State Crime Lab files for other cases involving Williams
- Defense attorney files (trial, appellate, and post-conviction)
- North Carolina Center on Actual Innocence files regarding Williams
- Private Investigation file related to post-conviction investigation on behalf of Williams
- Certain cell phone records
- North Carolina Department of Public Safety records for all co-defendants

## IV. Timeline<sup>9</sup>

DATE/TIME	EVENT/DESCRIPTION
12/26/07, 6:30pm	<b>Coatney Williams and Family leave for Philadelphia</b> According to testimony of Williams' mother Regina Knight and the 10/1/08 statement of Williams' brother Robert Branch III (see below).
12/29/07	<b>Coatney Williams is on his way to Philadelphia</b> According to his own 9/8/08 statement (see below).
12/29/07	<b>Coatney Williams calls girlfriend from Philadelphia</b> According to a 5/8/14 email from Antinore to Wiggs, Coatney wrote a letter saying he called his girlfriend Lacy Clanton from Philadelphia (he thinks it was on Dec. 29).
12/29/07, 1:05pm	<b>Cell Phone Photo is Taken</b> Purportedly showing Coatney Williams in the basement of a family member's home in Philadelphia.
12/29/07, 7:00pm	<b>Coatney Williams and Family return from Philadelphia</b> According to his brother Robert Branch's 10/1/08 statement (See below).
12/29/07	<b>Crime Occurs</b> At around 10:00pm Mary Davis's home is broken into. Money and other items are stolen. She is held at gun point and sexually assaulted. Her son Tacoma and his friend Erel Jordan arrive in the middle of the crime. Erel Jordan is shot. Neighbor Jennifer Williams chases the suspect car as it leaves the scene and is shot at while driving.
12/31/07, midnight	<b>Coatney Williams returns from Philadelphia</b> According to testimony of Coatney's mother Regina Knight.
1/3/08	<b>Coatney Williams returns from Philadelphia</b> According to his own 9/8/08 statement (see below).
12/30/07 – 7/28/08	<b>Investigation</b> Law enforcement received a few leads, but none lead to any arrests. Codefendants Jamal Thomas and Karon Moses are two of the names that came up.
7/29/08, 9:30am	<b>Coatney Williams arrested by Seaboard Police</b> Related to a 7/24/08 B&E/Larceny of William Bullock's home. While being interviewed, he begins to talk about this case.
7/29/08	<b>Coatney Williams Statement to LE</b> "Coatney Williams advised that Yayo <sup>10</sup> shot Erel, Yayo found .38 caliber gun under cushion, Jamal gave Cinita jewelry from burglary and him the wheat Timberland boots. Yayo also assaulted female, Yayo fired shots at car that came up fast."
7/29/08 4:06pm	<b>Cinita Long gives Statement</b> Earlier the day of the crime, Jamal told her he had a lick to do with Karon and Yayo. She saw Jamal later that night and he denied doing the crime, but Cinita saw shoes, hats, and jewelry in the trunk of his car and saw Karon and Yayo take items out of the car.

<sup>9</sup> This is a brief overview timeline. A more detailed timeline can be found in Appendix C.

<sup>10</sup> Yayo is the nickname of Codefendant Antonio Freeman.



DATE/TIME	EVENT/DESCRIPTION
7/29/08	<b>Ring collected from Cinita Long</b> Cinita told Det. Burnette that she got the ring from Jamal Thomas who said he took it from another crime.
7/30/08	<b>Timberland Boots collected from Coatney Williams's bedroom</b> The boots were given to Det. Burnette by Williams' mother, Regina Knight.
9/3/08	<b>Co-Defendant Jamal Thomas gives Statement</b> Describes the crime and implicates himself, Freeman, Moses, and Williams.
9/4/08	<b>Co-Defendant Karon Moses gives Statement</b> "I don't know what you are talking about."
9/4/08	<b>Co-Defendant Antonio Freeman gives Statement</b> "I don't know nothing about it."
9/5/08	<b>Arrest Warrants Issued</b> Coatney Williams: injury to real property, larceny of a firearm, AWDWITK, larceny after B&E, first degree burglary  Karon Moses: injury to real property, larceny of a firearm, AWDWITK, larceny after B&E, first degree burglary  Jamal Thomas: injury to real property, larceny of a firearm, AWDWITK, larceny after B&E, first degree burglary  Antonio Freeman: attempted first degree murder, first degree sexual offense, attempted first degree rape, assault by pointing a gun x2, communicating threats, injury to real property, larceny of a firearm, AWDWITK, larceny after B&E, first degree burglary
9/8/08, 9:42am	<b>Coatney Williams gives Statement</b> He provided an alibi that he was in Philadelphia from 12/29/07 through 1/3/08. Sometime after returning, he was at Rasheed's house when Karon, Jamal, Antonio, and others were talking about the crime. Thomas gave Williams the Timberland boots from the robbery.
9/8/08, 5:50pm	<b>April Smith gives Statement</b> She heard Antonio Freeman say that he and Karon held a woman up at gunpoint and made her strip before Freeman pulled her tampon out.
9/8/08, 6:00pm	<b>Rasheed Alston gives Statement</b> He overheard Antonio Freeman "and some more people" talking about the crime, but does not name anyone else.
9/19/08	<b>Letter from Coatney Williams to Karon Moses received by Major Drew</b> Williams denied providing the gun and suggests it came from Rasheed. He threatened Moses for putting his name in the case and stated that he would testify against "yall to clear my name."
UNKNOWN	<b>Interview of Karon Moses by ATF Agent McCluney sometime after the letter</b> Moses described committing the crime with Freeman and Thomas and stated that Williams was not there.
10/1/08, 2:40pm	<b>Robert Branch (brother of Coatney Williams) gives Statement</b> He and his family (including Williams) left for Philadelphia on 12/26/07 and returned to NC on 12/29/07 around 7:00pm A few days later, Antonio Freeman was at Rasheed's house and talked about committing the crime with Moses and Thomas.

DATE/TIME	EVENT/DESCRIPTION
2/25/09	<b>Jamal Thomas meets with DAs</b> Thomas describes committing the crime with Freeman, Moses, and Thomas.
6/29/10	<b>Jamal Thomas Pleads Guilty</b> Pleads guilty to RWDW and First-Degree Burglary; charges of attempted murder, discharging a weapon into occupied property, AWDWITK, larceny of a firearm, larceny, and possession of stolen goods x2 are all dismissed. The plea is contingent on Thomas' truthful testimony against any and all codefendants.
7/6/10	<b>DA Interviews of Mary Davis, Tacoma Davis, and Erel Jordan</b> Each victim described their experiences the night of the crime. Ms. Davis described seeing two suspects and Tacoma Davis and Erel Jordan both saw one suspect with a shotgun. None of the victims identified any suspects.
7/7/10	<b>Interview of Jamal Thomas with DA</b> Thomas describes committing the crime with Freeman, Moses, and Williams. He had already plead guilty but had not yet been sentenced at this time.
7/12/10	<b>Interview of Antonio Freeman with DA</b> Freeman described committing the crime with Moses, Thomas, and Williams. He gave this interview on the same day he plead guilty, but it is unknown which came first.
7/12/10	<b>Antonio Freeman Pleads Guilty</b> to Second Degree Sex Offense, Burglary, and Armed Robbery; charges of 1 <sup>st</sup> degree sex offense, attempted first degree rape, attempted murder, AWDWITK, discharging a weapon into occupied property, larceny of a firearm, B&E of a motor vehicle and larceny x2 are all dismissed. A condition of Freeman's plea is to testify truthfully against any and all codefendants.
7/12/10	<b>Karon Moses Pleads Guilty</b> to RWDW, First Degree Burglary, and AWDWITK. A condition of the plea was to testify truthfully against any and all codefendants.
7/12/10 - 7/15/10	<b>Trial of Coatney Williams</b> Codefendant Antonio Freeman testified against Williams, who was found guilty of first degree burglary, felony larceny, AWDW, larceny of a firearm, RWDW, attempted first degree murder, and possession of stolen goods.
10/4/11	<b>NC COA Opinion</b> No error in part, vacated in part, remanded for resentencing. The judgments for larceny and possession of stolen goods were vacated, and the AWDW was remanded for resentencing because it was consolidated with the larceny of a firearm.
12/12/11	<b>PDR Denied</b> NC Supreme Court denies Petition for Discretionary Review from Coatney Williams.
1/3/12 – 2/20/13	<b>NC Center on Actual Innocence Investigates the case</b> Williams maintains his innocence. In letters to the Center, Jamal Thomas and Antonio Freeman say Williams is innocence. The Center interviewed Karon Moses and told him that they wanted to spend their limited resources on cases where a person is actually innocent, and Moses replied that they should save their money. The case was closed because Williams was represented by Jim Antinore.

DATE/TIME	EVENT/DESCRIPTION
10/23/12	<b>Jamal Thomas interviewed by Antinore and PI</b> Thomas said that Coatney Williams is innocent and that his past statements were lies. Thomas said that knew Williams was in Philadelphia because he was present when Williams left for the trip. Thomas stated that the shotgun used in the crime was his and that he gave stolen jewelry to Cinita and boots to Williams.
11/6/12	<b>Attempted interview of Karon Moses by Antinore and PI</b> Moses said he had nothing to say to them.
1/4/13	<b>Coatney Williams interviewed by Antinore and PI Wiggs</b> Williams maintained his innocence and discussed video evidence that he felt would have proved his alibi but was not followed up on. He stated that he and his family came back to NC on 12/31/07 due to predicted snow.
5/15/13	<b>Interview of Regina Knight by PI Wiggs</b> Knight provided details about her son's alibi.
5/15/13	<b>Interview of Tiffany Brown by PI Wiggs</b> Brown was the girlfriend of Robert Branch. She stated that she knew the family was in Philadelphia because she had several calls and texts with Robert while he was there and spoke to Coatney on the phone several times when she called for Robert. She provided phone records to PI Wiggs.
3/27/14	<b>Affidavit of Jamal Thomas</b> Saying that Coatney Williams is innocent and was not present when the crimes occurred.
4/1/14	<b>Interview of Coatney Williams by Antinore and Wiggs</b> He maintained his innocence and discussed a photo of him in Philadelphia.
6/17/14	<b>Interview of Antonio Freeman by PI Jerry Wiggs</b> Freeman stated that Williams was not at the crime and he "felt bad for doing this" but was getting revenge because Williams gave a statement on him. Freeman said he was willing to testify that Coatney was not there.
6/17/14	<b>Affidavit of Antonio Freeman</b> Saying that Coatney Williams is innocent and was not present when the crimes occurred.
9/17/14	<b>MAR filed</b> By Attorney Jim Antinore – based partly on new evidence "that...would have resulted in a Not Guilty verdict." The new evidence presented were the affidavits of Freeman and Thomas and a statement that a cell phone expert could establish the veracity of the date/time stamp on photographic evidence and establish the out of state locations of the cell phone at relevant times. (Note: Antinore did not have access to the cell phone so the expert analysis had not been done.)
1/21/15	<b>MAR Denied</b> Denied without hearing as having no basis in law or fact.

## **V. Law Enforcement Investigation**

### **Initial Incident Report and Evidence Collected at the Scene**

This case was primarily investigated by the Northampton County Sheriff's Department. Ms. Davis was on her home phone around 10:00pm-10:15pm when the phone line went dead. She checked her other phones and they were all dead. She called a number back on her cell phone and then heard a loud bang. She got on the floor in her bedroom and tried to hide under her bed. Two suspects came into her bedroom: a tall, black male with a dark complexion wearing a black hooded jacket and a red bandana across his face and a short, small built black male with a lighter complexion dressed the same as the taller suspect. The taller male sexually assaulted Ms. Davis with a shotgun. The suspects also demanded money and went through the house, collecting jewelry, money, hats, shoes, video games and consoles, a cell phone, and a .38 handgun. During the crime, Ms. Davis' son, Tacoma Davis, returned home with his friend Erel Jordan. He yelled out for his mother at the back door, and then one of the suspects came out of the house with a shotgun and shot Mr. Jordan. Both Mr. Davis and Mr. Jordan fled to the neighbor Jennifer Williams' home. The suspects left the Davis home. Mary Davis initially went to the house of Evelyn Jordan (Erel Jordan's mother) a few miles away. The initial report contains a list of the items stolen, there is a later report regarding the stolen .38 from the Davis' home after Ms. Davis remembered that her handgun was stolen as well.

The documents below are the initial incident reports, the report related to the stolen items, the CAD report from the 911 calls, and the statements of the victims and neighbors. There were

photos taken of the crime scene. Select photos are provided below. Statements made by the Victims are also summarized in a chart in Appendix D.

## **INITIAL INCIDENT REPORTS AND VICTIMS' STATEMENTS**

(NCSO 2-6, 23-28, 92-107)



INCIDENT DATA		<b>INCIDENT/INVESTIGATION REPORT</b>				OCA <b>08-0018</b>			
Agency Name <b>NLSO</b>						Date / Time Reported Month Day Yr. Time <b>12   29   07   2226</b>			
ORI <b>NC 00660000</b>						Last Known Secure Month Day Yr. Time <b>12   29   07   2200</b>			
#1	Crime / Incident(s) <b>B&amp;E Home Invasion</b>	<input type="checkbox"/> Attempt <input checked="" type="checkbox"/> Complete	At Found Month Day Yr. Time <b>12   29   07   2215</b>		<input type="checkbox"/> S M T W T F		Hrs.		
#2	Crime Incident <b>Rape</b>	<input checked="" type="checkbox"/> Attempt <input type="checkbox"/> Complete	Location of Incident <b>1885 Vaughan Creek Rd Pendleton</b>				Offense Tract		
#3	Crime Incident <b>LARCENY</b>	<input type="checkbox"/> Attempt <input checked="" type="checkbox"/> Complete	Premise Type <b>Residential</b>		Victim Residence Type <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Multi Fam				
How Attacked or Committed <b>Suspect shot back door lock to gain entry into the house</b>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Weapon / Tools <b>12 gauge Shotgun &amp; Handgun</b>					
# of Victims	Type: <input checked="" type="checkbox"/> Person <input type="checkbox"/> Business <input type="checkbox"/> Society <input type="checkbox"/> Government <input type="checkbox"/> Financial Institute <input type="checkbox"/> Religious <input type="checkbox"/> L.E. Officer Line of Duty <input type="checkbox"/> Other/Unk	Injury: <input checked="" type="checkbox"/> None <input type="checkbox"/> Minor <input type="checkbox"/> Loss of Teeth <input type="checkbox"/> Broken Bones <input type="checkbox"/> Severe Lacerations <input type="checkbox"/> Internal <input type="checkbox"/> Unconscious <input type="checkbox"/> Other Major		Drug/Alcohol Use: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Unknown <input type="checkbox"/> No <input type="checkbox"/> N/A					
V1	Victim/Business Name (Last, First, Middle) <b>Davis Mary E</b>		Victim of Crime # <b>1,2,3</b>	DOB / Age <b>7-29-56   51</b>	Race <b>B</b>	Sex <b>F</b>	Relationship To Offender <b>N/A</b>		
Home Address <b>1885 Vaughan Creek Rd Pendleton NC 27862</b>				Home Phone <b>252-585-0324</b>					
Employer Name/Address <b>N/A</b>				Business Phone <b>N/A</b>					
VYR	Make	Model	Style	Color	Lic/Lis	Vin			
<b>N/A</b>									
CODES: V-Victim (Denote V2, V3) O-Owner (If other than victim) R-Reporting Person (If other than victim)									
Type: <input type="checkbox"/> Person <input type="checkbox"/> Business <input type="checkbox"/> Society <input type="checkbox"/> Government <input type="checkbox"/> Financial Institute <input type="checkbox"/> Religious <input type="checkbox"/> L.E. Officer Line of Duty <input type="checkbox"/> Other/Unknown									
Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race					
V2	<b>Davis Tacoma</b>	<b>3</b>		<b>B</b>					
Home Address <b>1885 Vaughan Creek Rd Pendleton NC</b>				Home Phone <b>252-585-0324</b>					
Employer Name/Address <b>N/A</b>				Business Phone <b>N/A</b>					
Type: <input type="checkbox"/> Person <input type="checkbox"/> Business <input type="checkbox"/> Society <input type="checkbox"/> Government <input type="checkbox"/> Financial Institute <input type="checkbox"/> Religious <input type="checkbox"/> L.E. Officer Line of Duty <input type="checkbox"/> Other/Unknown									
Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race					
Home Address				Home Phone					
Employer Name/Address				Business Phone					
Status Codes: L-Lost S-Stolen R-Recovered D-Damaged Z-Seized B-Burned C-Counterfeit / Forged F-Found (Check "OJ" column if recovered for other jurisdiction)									
PROPERTY	Victim #	DCI	Status	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	1		S	\$89		1	Motocopa Razor		P# 287-1612
	1		S	over 5000.00			multi Jewelry & Jewelry box		
	1		S	\$50.00 each		2	check - to mother		
	1		S	\$1100.00			Lash		
	2		S	\$150.00		1	Timberland Boots	Size 9 1/2	
	2		S	\$30		5	Multi Baseball Caps		
	2		S	\$350		1	XBox 360		
Number of Vehicles Stolen		<b>0</b>		Number Vehicles Recovered		<b>0</b>			
ID	Officer Name <b>A.T. Johnson</b>		ID# <b>116</b>	Officer Signature <i>[Signature]</i>		Supervisor Signature <i>[Signature]</i>			
STATUS	Complainant Signature			Case Status <input checked="" type="checkbox"/> Further Investigation <input type="checkbox"/> Inactive <input type="checkbox"/> Closed/Cleared <input type="checkbox"/> Closed/Leads Exhausted		Case Disposition: <input type="checkbox"/> Unfounded <input type="checkbox"/> Juvenile/No Custody <input type="checkbox"/> Declined <input type="checkbox"/> Cleared by Arrest <input type="checkbox"/> Refuse to Cooperate <input type="checkbox"/> Cleared by Arrest by Another Agency <input type="checkbox"/> Death of Offender <input type="checkbox"/> Prosecution Declined			
						<b>000002</b>			



# INCIDENT/INVESTIGATION REPORT

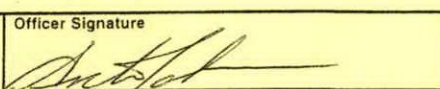
Page 2

OCA

Status Codes	L=Lost   S=Stolen   R=Recovered   D=Damaged   Z=Seized   B=Burned   C=Counterfeit/Forged   F=Found															
DRUGS	DCI	Status	Quantity	Type Measure	Suspected Type					Check up to 3 types of activity for each						
										Possess	Buy	Sale	Mfg.	Importing	Operating	
OFFENDER	Offender Used Alcohol/Drugs		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Unk <input type="checkbox"/> No <input type="checkbox"/> N/A		Offender 1			Offender 2			Offender 3			Primary Offender Resident Status <input type="checkbox"/> Resident <input type="checkbox"/> Non-Resident <input checked="" type="checkbox"/> Unknown		
	Computer		<input type="checkbox"/> Yes <input type="checkbox"/> Unk <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		Age: <u>unk</u> Race:   Sex: <u>M</u> Offender 4			Age: <u>unk</u> Race:   Sex: <u>M</u> Offender 5			Age:   Race:   Sex: Offender 6					
SUSPECT	Name (Last, First, Middle)					Alias or Nickname					Home Address					
	<u>UNK</u>															
	Occupation					Business Address										
	DOB / Age		Race	Sex	Height	Weight	Build	Hair Color	Hair Style	Hair Length	Eye Color	Glasses				
	Scars, Marks, Tattoos, or other distinguishing features (i.e. limp, foreign accent, voice characteristics)															
	Hat	Jacket	Shirt/Blouse	Tie/Scarf	Coat/Suit	Pants/Dress/Skirt	Socks	Shoes								
Was Suspect Armed?		Type of Weapon				Direction of Travel				Mode of Travel						
<u>YES</u>																
VYR	Make	Model	Style	Color	Lic/Lis	Vin										
Name (last, first, middle)					DOB / Age		Race	Sex	OCA							
WITNESS	<u>William Jennifer</u>					<u>11-2-84 / 23</u>		<u>W</u>	<u>F</u>							
	Home Address					Home Phone		Employer			Phone					
<u>1901 Vaughan Creek Rd. Bendleton</u>					<u>(252) 390-0429</u>		<u>Arby's 108 Market Rd Emporia VA</u>			<u>(434) 634-8693</u>						
Suspect Hate / Bias Motivated: Yes <input type="checkbox"/> No <input type="checkbox"/>																
NARRATIVE	Narrative															
	<p>Suspect #2; unknown name, address, DOB and description other the wear a red bandana</p> <p>On Dec 29, I, Deputy Johnson responded to a shooting call at 1901 Vaughan Creek Rd in Bendleton. When I arrived I found out that at 1885 Vaughan Creek Rd (next door) was a home invasion where the shooting took place. Unit 406 (Lt. Buennett) and Unit 41 (Smith) arrived after I did with EMS following. I went over to 1885 Vaughan Creek where Mrs. Davis (victim/reporting person) filled Lt. Buennett in on what happen. Mrs. Davis stated that (2) two unknown males came in her bedroom after she heard a loud boom. She also stated that one of the male had her on the floor and while on the floor he took out her tampon and attempt to rape her and the placed the barrel of a gun up in her, while the other took valuables from her residence. Also she states that before everything happen she was on the phone and the line had went dead. The valuables that was taken from the house was: a jewelry box with <u>0000003</u> over \$1,100 in cash with (2) checks, a pair of Timberland boots, a cell phone, an xbox game system</p>															



CONTINUATION PAGE

1. AGENCY NC.SD	2. ORI NC 00660000	3. CONTINUATION TO: <input checked="" type="checkbox"/> INVESTIGATION <input type="checkbox"/> ARREST <input type="checkbox"/> SUPPLEMENTARY INV.	4. OCA FILE NO.
<p>Narrative</p> <p>Numerous baseball style caps. After listening to Mrs Davis Deputy Smith and myself went outside to tape of the area. The findings inside the taped off area includes (1) one 12 gauge shotgun shell, a cut phone line on the side of the house, a bullet hole with a bullet lodge in the locking mechanism. There was (2) witness to the incident Mr. Davis (V2, son of V1) and Mrs. William (witness, next door neighbor). Mrs. Williams statement is attached to this report.</p>			
Officer Name / ID A.T. Johnson 416	Officer Signature 	Date / Time Submitted	Page 2 000004



# SUPPLEMENTARY INVESTIGATION

AGENCY INFO.	Agency Name <b>NCSD</b>				OCA	
	ORI <b>NC 0600000</b>				ORIGINAL PRIMARY CRIME <b>Home Invasion Attempted rape, AWDWITK Sex offense</b>	
CHANGED INFORMATION	Crime #	Changed Crime/Incident	Relationship	Weapon Changed	Premise Changed	
	Changed Victim (Originally listed, but needs to be amended) Original Listing Victim # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____ Original Listing Victim # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____					
	Changed Offender (Originally listed, but needs to be amended) Original Listing Offender # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____ Original Listing Offender # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____					
ADDITIONAL INFORMATION	Crime #	Crime / Incident(s) (Not listed previously)		<input type="checkbox"/> Attempt <input type="checkbox"/> Complete	Committed Against Victim #	
	Additional Victim (Not listed previously) Victim # _____ Age _____ Race _____ Sex _____ Victim # _____ Age _____ Race _____ Sex _____ Victim # _____ Age _____ Race _____ Sex _____					
	Additional Offenders (Not listed previously) Offender # _____ Age _____ Race _____ Sex _____ Offender # _____ Age _____ Race _____ Sex _____ Offender # _____ Age _____ Race _____ Sex _____					
ADDITIONAL PROPERTY	**NOTE** LIST ONLY ADDITIONAL VALUES NOT PREVIOUSLY REPORTED** Status L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found Code (Check "OJ" column if recovered or seized for other jurisdiction)					
	Victim #	DCI	Status	Value	OJ	QTY
	1		S	\$150		1
	1		S	100		1
	1		R	10		1
	1		S	20		1
	1		S	20		1
	1		S	20		1
	1		S	unk		1
	1		S	unk		1
ADDITIONAL DRUGS	DCI	Status	Quantity	Type Measure	Suspected Type	
NARRATIVE	additional items stolen:  1. Set of white pearls (necklace and earrings) 2. 1 carat solitaire ring w/ gold band 14 K 3. 1 gold 14K cluster ring 1/2 carat 4. pair of 14K gold hoop earrings.  unknown prices.					
STATUS	Officer Name / ID# <b>B. Burnette 406</b>		Officer Signature <i>B. Burnette</i>		Supervisor Signature <i>[Signature]</i>	
	Date - Time Submitted Month Day Yr <b>12/30/07 1800 Hrs</b>		Case Status <input checked="" type="checkbox"/> Further Investigation <input type="checkbox"/> Inactive <input type="checkbox"/> Closed/Cleared <input type="checkbox"/> Closed/Leads Exhausted		Case Disposition: <input type="checkbox"/> Unfounded <input type="checkbox"/> Juvenile/No Custody <input type="checkbox"/> Extradition Declined <input type="checkbox"/> Cleared by Arrest <input type="checkbox"/> Refuse to Cooperate <input type="checkbox"/> Cleared by Arrest by Another Agency <input type="checkbox"/> Death of Offender <input type="checkbox"/> Prosecution Declined	



# SUPPLEMENTARY INVESTIGATION

AGENCY INFO	Agency Name <b>NCSO</b>				OCA							
	ORI <b>NC 0660000</b>				ORIGINAL PRIMARY CRIME <i>(Home Invasion)</i> <i>Attempted rape, AWDWITK</i> <i>Sex offense</i>							
CHANGED INFORMATION	Crime #	Changed Crime/Incident	Relationship	Weapon Changed	Premise Changed							
	Changed Victim (Originally listed, but needs to be amended) Original Listing Victim # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____ Original Listing Victim # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____											
	Changed Offender (Originally listed, but needs to be amended) Original Listing Offender # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____ Original Listing Offender # _____ Age _____ Race _____ Sex _____ Changed to Age _____ Race _____ Sex _____											
ADDITIONAL INFORMATION	Crime #	Crime / Incident(s) (Not listed previously)	<input type="checkbox"/> Attempt <input type="checkbox"/> Complete		Committed Against Victim #							
	Additional Victim (Not listed previously) Victim # _____ Age _____ Race _____ Sex _____ Victim # _____ Age _____ Race _____ Sex _____ Victim # _____ Age _____ Race _____ Sex _____											
	Additional Offenders (Not listed previously) Offender # _____ Age _____ Race _____ Sex _____ Offender # _____ Age _____ Race _____ Sex _____ Offender # _____ Age _____ Race _____ Sex _____											
ADDITIONAL PROPERTY	**NOTE** LIST ONLY ADDITIONAL VALUES NOT PREVIOUSLY REPORTED** Status L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found Code (Check "OJ" column if recovered or seized for other jurisdiction)											
	Victim #	DCI	Status	Value	OJ	QTY						
	1		S	unk		2						
						Seiko watches face black w/ gold band, clear face w/ silver band						
	1		S	unk		1						
						black onyx earring trim in silver						
	1		S	unk		1						
						black onyx necklace trim in silver						
	1		S	unk		1						
						Liz Claiborne pocketbook dk. brown						
1		S	unk		1							
					LC wallet							
1		S	---		1							
					Visa credit card							
1		S	---		1							
					m.c. credit card							
1		S	---		1							
					Virginia Credit Card (VISA)							
1		S	---		2							
					Beck's credit card new as Martha Cooper							
1		S	---		1							
					JC Penney card							
ADDITIONAL DRUGS	DCI	Status	Quantity	Type Measure	Suspected Type		Check up to 3 types of activity for each					
							Possess	Buy	Sale	Mfg.	Importing	Operating
NARRATIVE	additions: 1. Lowe's credit card 2. driver's license belonging to Mary Davis 3. Social Security card  credit cards has been cancelled will cancel checks 1st thing Monday morning.											
ID	Officer Name / ID# <b>Brenda Burnette 406</b>				Officer Signature <i>Brenda Burnette</i>				Supervisor Signature <i>[Signature]</i>			
STATUS	Date - Time Submitted Month Day Yr <b>12/30/07/1800</b> Hrs				Case Status <input checked="" type="checkbox"/> Further Investigation <input type="checkbox"/> Inactive <input type="checkbox"/> Closed/Cleared <input type="checkbox"/> Closed/Leads Exhausted				Case Disposition: <input type="checkbox"/> Unfounded <input type="checkbox"/> Juvenile/No Custody <input type="checkbox"/> Extradition Declined <input type="checkbox"/> Cleared by Arrest <input type="checkbox"/> Refuse to Cooperate <input type="checkbox"/> Cleared by Arrest by Another Agency <input type="checkbox"/> Death of Offender <input type="checkbox"/> Prosecution Declined			
									<b>000006</b> Page <u>1</u> of <u>1</u>			



AGENCY INFO.	Agency Name NCSO		SUPPLEMENTARY INVESTIGATION				OCA 16					
	ORI NC 0660000						ORIGINAL PRIMARY CRIME B+E, Home Invasion, Rape, Larceny					
CHANGED INFORMATIC	Crime #	Changed Crime/Incident		Relationship	Weapon Changed							
	Changed victim (Originally listed, but needs to be amended)											
	Original Listing Victim #		Age	Race	Sex							
	Original Listing Victim #		Age	Race	Sex							
ADDITIONAL INFORMATION	Changed Offender (Originally listed, but needs to be amended)											
	Original Listing Offender #		Age	Race	Sex							
	Original Listing Offender #		Age	Race	Sex							
	Crime #		Crime / Incident(s) (Not listed previously)									
TYPICAL PROPERTY	Additional Victim (Not listed previously)		Victim #	Age	Race							
	Victim #		Age	Race	Sex	Victim #						
	Additional Offenders (Not listed previously)		Offender #	Age	Race							
	Offender #		Age	Race	Sex	Offender #						
ADDITIONAL DRUGS	**NOTE** LIST ONLY ADDITIONAL VALUES NOT PREVIOUSLY REPORTED**											
	Status L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Code (Check "OJ" column if recovered or seized for other jurisdiction)											
	Victim #	DCI	Status	Value	OJ	QTY	Property Description	Make/Model	Serial Number			
	1		S	\$ 150		1	38 special handgun black & brown	unk.				
NARRATIVE	DCI	Status	Quantity	Type Measure	Suspected Type		Check up to 3 types of activity for each					
							Possess	Buy	Sale	Mfg.	Importing	Operating
STATUS	Officer Name / ID# B. Burnett 406			Officer Signature B. Burnett			Supervisor Signature [Signature]					
	Date - Time Submitted Month Day Yr 9   4   08   1000 Hrs			Case Status <input type="checkbox"/> Further Investigation <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed/Cleared <input type="checkbox"/> Closed/Leads Exhausted			Case Disposition: <input type="checkbox"/> Unfounded <input type="checkbox"/> Juvenile/No Custody <input type="checkbox"/> Extradition Declined <input checked="" type="checkbox"/> Cleared by Arrest <input type="checkbox"/> Refuse to Cooperate <input type="checkbox"/> Cleared by Arrest by Another Agency <input type="checkbox"/> Death of Offender <input type="checkbox"/> Prosecution Declined					
						000023			Page 1 of 1			



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## CAD Operations Report

Attention 8 406

## NOC COMMUNICATIONS CENTER

Call Number 07-0026907

Printed 12/30/2007 10:10 AM

## Call Detail Information

Jurat/Jurisdiction		NHampton	
Call Number	07-0026907	Class	G
Taker	NPE	Pos	3
Call Owner		Status	C
Date Time Received	Sat 12/29/2007 22:28:39	Inj	0
Complaint	SHOTS FIRED	Ten Code	1
Priority	1	ESN	167
Disap Zone		IRA	7167
How Received	911		
Incident Location	1901 VAUGHAN CREEK RD	Appt/Suite	
Floor/Bldg		Incident City	PENDLETON
Caller Name	PADUCHOWSKI, MELISSA	Fire Run Zone	
Fire Grade		EMS Run Zone	
Telephone	252-585-0102	Alt Telephone	
Tower ID			
Caller Location	1901 VAUGHAN CREEK RD	Appt/Suite	
Floor/Bldg		Caller City	PENDLETON
Landmark		Tract	
Grid		Weapons	
<input type="checkbox"/> BOLO <input type="checkbox"/> Fire Plan <input type="checkbox"/> Medical <input checked="" type="checkbox"/> Previous <input type="checkbox"/> Hazard <input type="checkbox"/> Images <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Contacts <input type="checkbox"/> RMS CH <input type="checkbox"/> RMS Alerts <input type="checkbox"/> In Progress <input type="checkbox"/> Report Req <input type="checkbox"/> Subject Req			
All Time	22:26:35	Call Rec'd	22:26:39
Xmit	22:27:17	Dispatch	22:29:50
Enroute	22:29:50	On Scene	22:49:08
Departed	23:17:19	Arrived	23:35:14
Comp	04:12:34	Alarm	
Unit	406		

## Narrative

[12/30/2007 01:19:17 : JWHICHARD]  
416 ADV 10-24 A ADAM

[12/29/2007 23:41:15 : NPEDEN]  
408 IS NOT ON DUTY OR IN TOWN. SHE WILL CALL HARMON, D HER SELF.

[12/29/2007 23:38:02 : NPEDEN]  
PER HARMON, D'S REQ CALLED SGT COLSON AND SGT CLEMETES TO ADV OF CALL. COLSON 10-17  
CLEMETS IS OUT OF POCKET AT THE MOMENT.

[12/29/2007 23:20:25 : JWHICHARD]  
405 CALLED ADV HES WAS 10-17 TO RES REF VEH AND I 10-21 407 ADV HIM SAME

[12/29/2007 23:20:03 : JWHICHARD]  
402 ADV THAT 406 NEEDS 407 AND 405 ASSISTANT

[12/29/2007 23:17:39 : NPEDEN]  
EMS 54 TO RCH TIME IS 2315

[12/29/2007 23:07:59 : JWHICHARD]  
ADV MARY DAVIS IS BACK AT ABOVE LOCATION

[12/29/2007 23:07:31 : JWHICHARD]  
029300005P.SEND 50, \*\*UPDATE\*\* UPDATE\*\*\*  
REF BOLO FROM 2 ARMED SUBJS INVOLVED IN A B&E AT GUN POINT WITH SHOTS FIRED\*\*\*

BOLO 2 VEHICLES

\*BURGANDY 1989-1992 HONDA ACCORD 4 DOOR OCCUPIED BY 2 BLACK MALES WITH UNKNOWN

000024



## NOC COMMUNICATIONS CENTER

Call Number 07-0026907

Printed 12/30/2007 10:10 AM

## NC TAGS

\*BLACK FORD EXPIDITON WITH UNKNOWN OCCUPANTS AND UNKNOWN NC 30 DAY TAGS

UNKNOWN DIRECTION OF TRAVEL FOR BOTH VEHICLES

[12/29/2007 23:04:52 : NPEDEN]

ADV MURFREESBORO PD OF CAR DISCRPTION VIA PHON

[12/29/2007 22:55:02 : JWHICHARD]

029300005M.SEND 50, \*\*\*\* BOLO FROM 2 ARMED SUBJS INVOLVED IN A B&amp;E AT GUN POINT WITH SHOTS FIRED\*\*\*\*

BOLO FOR 2 BLACK MALE SUBJS THAT WERE JUST INVOLVED IN A B&E THAT JUST OCCURRED ON VAUGHAN CREEK RD IN OUT COUNTY. THE VICTIM ADV IT WAS 2 BLK MALE SUBJS WITH SHOT GUNS. ONE WAS TALL IN HEIGHT AND THE OTHER WAS MED HEIGHT. BOTH WERE WEARING RED BANDANAS, BLACK HOODIES AND JEAN. ADV THAT SUBJS HAD A JAMAICAN ACCENT

[12/29/2007 22:54:42 : JWHICHARD]

320 ADV 501 ARE 10-23

[12/29/2007 22:54:31 : JWHICHARD]

SPOKE TO MARY DAVIS SHE ADV 2 MEN KNOCKED ON HER DOOR ADV WHEN SHE WENT TO HER DOOR THERE WERE 2 BLK MEN WITH JAMAICAN ACCENTS WEARING RED BANDANAS, BLK HOODIES, AND JEANS. ADV ONE MALE WAS TALL AND THE OTHER WAS MED HEIGHTH. ADV THEY HAD SHOTGUNS ADV THAT THEY HELD A GUN TO HER HEAD AND BETWEEN HER LEGS ADV HER THAT SHE WAS FORCED TO LAY ON THE FLOOR AS WELL. ADV HER SON WALKED IN AND SHE HEARD SHOTS FIRED. SHE ADV THAT SHE DOESNT KNOW WHERE HER SON IS ADV SHE THINKS HES AT 1901 VAUGHAN CREEK RD.

ADV SHES AT 942 HORNE RD STANDING BY. ADV NUMBER THERE IS 252-585-0436

[12/29/2007 22:49:04 : NPEDEN]

327 IS SIX MILES OUT IN HERTFORD COUNTY

[12/29/2007 22:47:47 : NPEDEN]

327 POV

[12/29/2007 22:46:49 : JWHICHARD]

406 ADV TO PUT OUT BOLO FOR SAME

[12/29/2007 22:40:43 : NPEDEN]

320 POV

[12/29/2007 22:40:10 : NPEDEN]

CALLED CALLER BACK SHOTTER WAS MASKED AND CARRING A PUMP STYLE RIFLE. WEARING A MASK. LEFT IN A CAR DIRECTION UNKNOWN

[12/29/2007 22:32:12 : NPEDEN]

GARRET IS DIRECT 331, 321 POV

[12/29/2007 22:27:17 : NPEDEN]

SHOTFIRED BREAKIN NEXT DOOR.

Press Release Notes

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## NOC COMMUNICATIONS CENTER

Call Number 07-0026907

Printed 12/30/2007 10:10 AM

Location Comment

## Department Numbers

Department	Department Number	Unit
CSRS	07 532	EMS3
NHSO	07 1852	406
NRS	07 334	EMS5

## Call Dispositions

Date Time	Disposition
2007/12/30 04:14:19	ASSIGNMENT COMPLETED



## NOC COMMUNICATIONS CENTER

Call Number 07-0026907

Printed 12/30/2007 10:10 AM

## Call Log

Unit	Status	Date/Time	Dept	Officer	Comment	911 Code	911 Description
406	ENR	12/29/2007 22:29:50	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
413	ENR	12/29/2007 22:29:51	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
416	ENR	12/29/2007 22:29:53	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS3	DIS	12/29/2007 22:29:57	CSRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS5	DIS	12/29/2007 22:30:12	NRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS52	ENR	12/29/2007 22:30:41	NRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
ES501	ENR	12/29/2007 22:32:30	NRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS54	ENR	12/29/2007 22:42:29	NRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS52	REM	12/29/2007 22:42:34	NRS	EMS	REM	0.0	
416	ONS	12/29/2007 22:49:08	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
ES501	ONS	12/29/2007 22:54:50	NRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS3	REM	12/29/2007 22:55:05	CSRS	EMS	REM	0.0	
EMS5	REM	12/29/2007 22:55:07	NRS	EMS	REM	0.0	
407	ENR	12/29/2007 22:55:29	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS54	ONS	12/29/2007 22:55:50	NRS	EMS	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
413	ONS	12/29/2007 22:56:16	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
406	ONS	12/29/2007 22:58:20	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
402	ONS	12/29/2007 22:58:07	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
407	ONS	12/29/2007 23:09:58	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS54	LEF	12/29/2007 23:17:19	NRS	EMS	Left Scene, RMC, PENDLETON	93881.0	
407	REM	12/29/2007 23:18:45	NHSO	SHE	REM	0.0	
407	ENR	12/29/2007 23:30:24	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
EMS54	LEF	12/29/2007 23:32:00	NRS	EMS	Left Scene, RCH, PENDLETON	0.0	
EMS54	LEF	12/29/2007 23:35:02	NRS	EMS	Left Scene, RCH, PENDLETON	93901.0	
EMS54	ARR	12/29/2007 23:35:14	NRS	EMS	Left Scene, RCH, PENDLETON	93901.0	
407	ONS	12/29/2007 23:40:48	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
405	ENR	12/29/2007 23:47:40	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	
405	ONS	12/30/2007 00:02:46	NHSO	SHE	1901 VAUGHAN CREEK RD, PENDLETON	0.0	



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## NOC COMMUNICATIONS CENTER

Call Number 07-0026907

Printed 12/30/2007 10:10 AM

EMS54	LEF	12/30/2007 00:05:59	NRS	EMS	Left Scene, STATION, PENDLETON	0.0
EMS54	LEF	12/30/2007 00:06:02	NRS	EMS	SERVICE AREA, RCH, PENDLETON	0.0
EMS54	ARR	12/30/2007 00:44:38	NRS	EMS	SERVICE AREA, STATION, PENDLETON	0.0
EMS54	REM	12/30/2007 00:51:58	NRS	EMS	REM	0.0
402	REM	12/30/2007 01:17:43	NHSO	SHE	REM	0.0
416	REM	12/30/2007 01:18:05	NHSO	SHE	REM	0.0
407	REM	12/30/2007 01:33:58	NHSO	SHE	REM	0.0
405	REM	12/30/2007 01:33:59	NHSO	SHE	REM	0.0
406	LEF	12/30/2007 01:37:28	NHSO	SHE	Left Scene, RCH, PENDLETON	0.0
413	REM	12/30/2007 01:53:33	NHSO	SHE	REM	0.0
ES501	REM	12/30/2007 01:53:45	NRS	EMS	REM	0.0
406	COM	12/30/2007 04:12:33	NHSO	SHE	COM	0.0

Unit	Dept	DS	ENS	ONS	LEF	ARR	EMS	REM	COM
402	NHSO			22:58:07				01:17:43	
405	NHSO		23:47:40	00:02:46				01:33:59	
406	NHSO		22:29:50	22:56:20	01:37:26				04:12:33
407	NHSO		22:55:29	23:09:58				01:33:58	
413	NHSO		22:29:51	22:56:16				01:53:33	
416	NHSO		22:29:53	22:49:08				01:18:05	
EMS3	CSRS	22:29:57						22:55:05	
EMS5	NRS	22:30:12						22:55:07	
EMS52	NRS		22:30:41					22:42:34	
EMS54	NRS		22:42:29	22:55:50	23:17:19	23:35:14		00:51:58	
ES501	NRS		22:32:30	22:54:50				01:53:45	

Creation: [ ] File Name: [ ] Print Name: [ ] Micro Name: [ ] Source: [ ]  
 Race: [ ] Sex: [ ] Ethnic: [ ] Height: [ ] Weight: [ ] Age: [ ] DOB: [ ] EIN: [ ]  
 Birthdate Name: [ ] Observation: [ ]

## Call Subject Statistics

Question: [ ] Answer: [ ]





# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
☐ VICTIM      ☐ WITNESS      ☐ SUSPECT      ☐ DEFENDANT  
☐ WRITTEN      ☐ ORAL      ☐ TAPED (THAT HAS BEEN TRANSCRIBED)  
 \*\*\*\*\*

NAME: Mary Elizabeth Davis      DATE OF STATEMENT: 12-30-07  
 ADDRESS: 1885 Vaughan Creek Rd.      TIME OF STATEMENT: 1537  
Pendleton, NC 27862      GIVEN TO: Det. B. Burnette  
 PHONE: 252 585-0324      PLACE: 318 Jay Trail Murfreesboro  
 SOCIAL SECURITY: \_\_\_\_\_      DATE OF BIRTH: 7-29-56

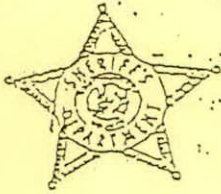
\*\*\*\*\*  
 I give Detective Burnette the following statement. At  
 appx. 10 to 10:15pm I was on the phone and my phone  
 went dead. I tried to call the number back and the  
 phone was dead. I got off my bed to go check the  
 other phones and they were also dead. I went back  
 to the bedroom and I notice on my cell phone I had  
 missed a call. I called the number back but I  
 got a voice mail. All of a sudden I heard a bang  
 it was loud. I thought to myself someone is trying  
 to break in. I got down on the floor in my bedroom  
 to try to get under the bed and then I looked up

SIGNATURE: Mary Davis

WITNESS: B. Burnette

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OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P.O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

NAME: Mary Elizabeth Davis DATE OF STATEMENT: 12-30-07

<sup>me</sup> and I saw a tall black male with a black hooded jacket with the hood over his head and a red bandana across his face. Behind the tall male was a short light skin small built black male dressed the same way. The tall male was dark complexion. The tall male came ~~me~~ ~~me~~ closer to me with the shot gun pointed towards me and said where is the money. I told him my pocket book was by the bed. The shorter male was getting stuff off the dresser and the taller male told me to tell where everything was do I'm going to kill you bitch. I told him I had money in the bottom dresser drawer. I was down on the floor beside the bed and the taller male told me to move up. I moved and I was hollering and screaming to him please don't kill me because he had the <sup>me</sup>

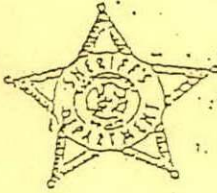
SIGNATURE: Mary Davis

WITNESS: B. Burnette

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NORTHAMPTON COUNTY

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Fax (252) 534-1408

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CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Mary Elizabeth Davis DATE OF STATEMENT: 12-30-07

\*\*\*\*\*

<sup>no</sup> gun pointed at me most of the time. I started praying and I told him please don't kill me because I have a 89 year old mother to take care of. The taller male kept asking me was there anything else, I told him I had a church bag in the closet. He open the closet door and I told him where it was. it was in a bank bag. He found it took the money out and threw the money bag in the floor. The younger male had left the room and was in Tacoma's room. Once the shorter male was out the bedroom the taller male pulled my pajamas pants off and my panties. I told him please don't do this to me that my period was on. I told him see I have a tampon hanging out. I was holding my legs tightly together and he said bitch open your legs or I'll blow your fucking <sup>no</sup>

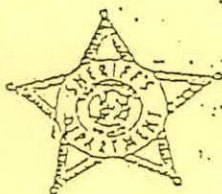
SIGNATURE: Mary Davis

WITNESS: B. Burnette

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Mary Elizabeth Davis DATE OF STATEMENT: 12-30-07

\*\*\*\*\*

<sup>my</sup> vagina out. I open my legs and the taller male then pulled my tampon out and threw it on the floor. The younger male came back to my bedroom door and looked. He had a pair of sneakers in his hands. He walked away. The taller male then took the barrel of the gun and put in between my legs and was moving the gun up and down my vagina and saying don't that feel good. I told him no please don't do this to me. I was still praying telling god to help me. I told him my husband is dead please don't do this to me. He then told me shut up bitch and be quiet. I stop saying anything. The taller male then straddle himself over me ~~and~~ humping me. He was making the motion to pull his pants down when I heard Tacoma say mama mama. The male jumped up and ran to the <sup>no.</sup>

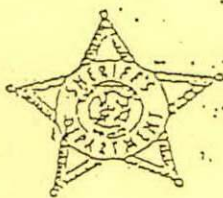
SIGNATURE: Mary Davis

WITNESS: B. Burnette

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Mary Elizabeth Davis DATE OF STATEMENT: 12-30-07

*me* front of the house, I was screaming please don't kill my baby. I then heard two shots I thought he had shot Tacoma. I was telling him Kill me don't kill my baby. The taller male then came back in my bedroom and I was still on the floor screaming and hollering. The shorter male came back into the bedroom and said man I need a bag. The church bag was in the middle of the floor. The tall male dumped the stuff out of the bag onto the floor and handed it to the shorter male. Then the tall and short male left out my bedroom. I then slipped my pajamas pants on and I heard a car. I went to the other bedroom window to see and I saw my neighbor car speeding out the driveway and I ran to my front door which was lying wide open trying to stop her, but she didn't *me*

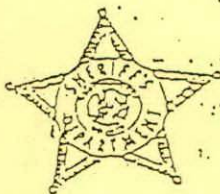
SIGNATURE: Mary Davis

WITNESS: B. Burnett

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Mary Elizabeth Davis DATE OF STATEMENT: 12-30-07

\*\*\*\*\*

my see me. I ran back in the house grabbed my keys off the coffee table and went through the back door that was open. I looked around I saw Tacoma's car and the passenger side door was open. I didn't see Tacoma nowhere and I panick I got in my car to go get help and I went to Evelyn Jordan's house, I was blowing the horn and pulled into her driveway and I jumped out the car and ran to the door. Evelyn met me at the door and she was on the phone. I think she was calling 911 because she handed me the phone and told me to tell them what happen. Evelyn was hollering and telling me Erel was shot. I asked her where was Tacoma and she said he's alright he's at your neighbors. Me and Evelyn was both holloring and crying we jumped in my car and went to <sup>me</sup>

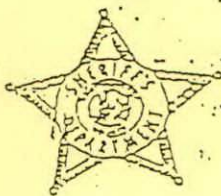
SIGNATURE: Mary Davis

WITNESS: B. Burnette

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Mary Elizabeth Davis DATE OF STATEMENT: 12-30-07

NO to my neighbors house, Evelyn didn't want us to get out because she was afraid they were still around. I told her we got to get our babies. My neighbor started flipping her front porch light. Evelyn got out and went to the neighbor's house. At this time my relatives had gotten there and I got out the car and they walked me back to my house. I waited for the police to get there, NO

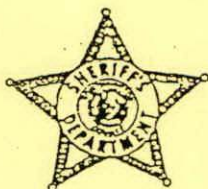
SIGNATURE: Mary Davis

WITNESS: B. Burnette

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## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Tacoma Cameron Davis DATE OF STATEMENT: 12-30-07  
ADDRESS: 1885 Vaughan Creek Rd. TIME OF STATEMENT: 1421  
Pendleton, NC 27862 GIVEN TO: Det. B. Burnette  
PHONE: 252 585-0324 PLACE: 318 Jay Trail Murfreesboro  
SOCIAL SECURITY: \_\_\_\_\_ DATE OF BIRTH: 10-3-91

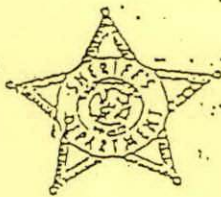
T.D. I give Detective Burnette the following statement. Me and Erel had just left Erel house. I drove up in my back yard. Erel was on the passenger side. Me and Erel sat outside for a few minutes listening to music. I received a call from my cousin Tiffany <sup>T.D.</sup> and she asked me where I was and I told her at home in the car ~~listening~~ <sup>T.D.</sup> ~~T.D.~~ <sup>T.D.</sup>. Tiffany told me to go in the house and check on my mama because something was wrong with the phone. I said ok. I told Erel I was going in the house right quick that I will be right back. I got out the car ~~and~~ <sup>T.D.</sup> ~~and~~ <sup>T.D.</sup> ~~and~~ <sup>T.D.</sup> and walked <sup>T.D.</sup>.

SIGNATURE: Tacoma Davis

WITNESS: B. Burnette

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Tacoma Cameron Davis DATE OF STATEMENT: 12-30-07

I.D. \*\*\*\*\*

up the ramp and walked to the door. I saw that the back door was open a little bit. I open door to go inside and I saw the wreath on the floor. I looked up and I saw the BLM standing by the coffee table. He was kind of tall, he had on a black hoodie and <sup>I.D.</sup> something around his face it looked black to me. The male had a shot gun pointing at me and the male told me to get the fuck out. I ran a little down the ramp then jumped over the railing. I was running towards the back of the garage and telling Erel to get out and run. I stood back of the garage, but before I got to the garage the male with the shotgun shot the gun. While standing behind the garage for about a minute I ran next door to my neighbor's house. I knocked on her back door and I was saying Let me in about 3 times. My neighbor Jennifer asked who it was and I said Tacoma<sup>T.I.</sup>

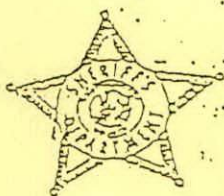
SIGNATURE: Tacoma Davis

WITNESS: B. Burnett

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Phone: (252) 534-2611  
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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Tacoma Cameron Davis DATE OF STATEMENT: 12-30-07

\*\*\*\*\*

T.D. and she open the door. My neighbor asked me what was going on and I told her someone had broke into my house. She asked me was I alright and I told her I was alright. She asked me where my moma was at and I told her I didn't no I haven't seen her. She called 911 and she let me talk to 911. I told them somebody broke into my house. I tried to call my house and got no answer and I called Erel mom and told her somebody broke into our house and Erel may have got shot. My neighbor called her mom + daddy and they said they will be on their way. My neighbor heard a knock at the front door and it was Erel. Erel was telling my neighbor he got shot. My neighbor took Erel into the kitchen and tried to nurse him up. Before Erel came into the house my neighbor chase a car. When my neighbor came back she said they shot at her. T.D.

SIGNATURE: Tacoma Davis

WITNESS: B. Burnette

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Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM      ☒ WITNESS      ( ) SUSPECT      ( ) DEFENDANT  
(x) WRITTEN      ( ) ORAL      ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Jennifer Williams      DATE OF STATEMENT: 12-29-2007  
ADDRESS: 1901 Vaughan Creek Rd      TIME OF STATEMENT: 11:45 pm  
Pendleton, NC. 27857      GIVEN TO: \_\_\_\_\_  
PHONE: (252) 370-0479      PLACE: Pendleton, NC  
SOCIAL SECURITY: [REDACTED]      DATE OF BIRTH: 11-02-1984

\*\*\*\*\*  
I was getting out of my car, returning home from work. My neighbor's son, Tacoma & his friend were getting out of his car at the same time. I seen Tacoma go to his back door yelling for his mom and I heard gunshots from next door toward my house. I ran into my house and called 9-1-1. While I was running into my house, Tacoma and his friend were running toward my house. Gunshots were still being fired. I let Tacoma in my house and then shortly after that his friend that was shot came to my door and I

SIGNATURE: Jennifer Williams  
WITNESS: \_\_\_\_\_

PAGE 1 OF 3

000102  
NCIIC - NCSO File





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: \_\_\_\_\_

DATE OF STATEMENT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TIME OF STATEMENT: \_\_\_\_\_

GIVEN TO: \_\_\_\_\_

PHONE: \_\_\_\_\_

PLACE: \_\_\_\_\_

SOCIAL SECURITY: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

\*\*\*\*\*

let him in to, I saw a car pull out of my  
next door neighbor's yard and I ran to my  
car to chase them. I finally caught up with  
them after. They turned into a house on  
the right, right after Boone's Bridge Rd. They  
were ~~to~~ driving a maroon Honda Accord  
between the years of 1989-1992. I turned  
around in my car and the passenger was  
already out of the car with the gun pulled  
and shot twice at me. I was told that  
there was a second car that pulled out after

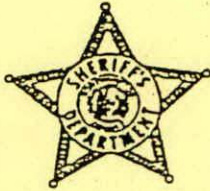
SIGNATURE: \_\_\_\_\_

WITNESS: \_\_\_\_\_

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: \_\_\_\_\_ DATE OF STATEMENT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ TIME OF STATEMENT: \_\_\_\_\_  
GIVEN TO: \_\_\_\_\_  
PHONE: \_\_\_\_\_ PLACE: \_\_\_\_\_  
SOCIAL SECURITY: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

\*\*\*\*\*

me that was described as a close model  
to a Crown Victoria. I took care of the  
victim that got shot until EMS got here  
and services were turned over.

SIGNATURE: Jennifer Williams

WITNESS: \_\_\_\_\_

PAGE 3 OF 3

000104

On 12/29/07 my partner and I responded to a reported shooting at 1901 Vaughan Creek Road with one person down. We arrived and entered the residence at which time I observed the victim supine on the dining room floor. He was conscious, alert and oriented to time place and circumstances. We treated him on-scene for multiple pellet wounds, which appeared to have come from a shotgun blast. The patient was loaded into EMS 54 for transport to Roanoke Chowan Hospital and I continued to provide patient care.

During transport I asked him how he got shot. He told me he was walking past the house when he saw a dark looking figure come around the corner with a gun. He said he started running, heard a loud bang and felt something hit him. He said he fell down, got up running and someone picked him up in a car. They drove back to the house and a lady took him inside and called 911.

Ron Brooks, Paramedic  
Northampton Co. EMS

1-2-08





# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

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Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
☐ VICTIM      ☐ WITNESS      ☐ SUSPECT      ☐ DEFENDANT  
☐ WRITTEN      ☐ ORAL      ☐ TAPED (THAT HAS BEEN TRANSCRIBED)  
 \*\*\*\*\*

NAME: Erel ~~W~~Ymond Jordan      DATE OF STATEMENT: 12-30-07  
 ADDRESS: 942 Horne Rd.      TIME OF STATEMENT: 0213  
Pendleton, NC 27862      GIVEN TO: Det. B. Burnette  
 PHONE: 585-0436      PLACE: RC #  
 SOCIAL SECURITY: \_\_\_\_\_      DATE OF BIRTH: 2-7-90

\*\*\*\*\*

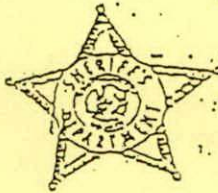
I give Detective Burnette the following statement. Me and Tacoma had just left my house and went to his. We drove up in the yard we were sitting in the car in the yard about 5 minutes listen to music when Tacoma got a phone call. After Tacoma got off the phone he said hold on I'll be back. Tacoma got out the car and went to the back door. Tacoma went inside the house and looked to his left and ran back out the door he jumped over the railing and saying Erel loud. When he said that I jumped out the car. I saw a person come out the back with all black on and he had

SIGNATURE: Erel Ymond

WITNESS: B. Burnette

PAGE 1 OF 2  
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# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

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Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Erel Ywood Jordan

DATE OF STATEMENT: 12-30-07

\*\*\*\*\*  
a shotgun in his hand. I then ran thru the people  
next door yard. I felt pain after I heard 1 gun shot.  
I fell to the ground. I got up I kept going thru the yard.  
I was getting tired and weak. I jumped in the ditch and  
started calling different numbers on my cell phone, but it wasn't  
working. I saw a car pull up to the edge of the woods  
I then saw the lady next door go behind the car I saw  
pull up by the woods. I was still in the ditch. I ease  
back towards the lady's house when she came back.  
I knocked on her door she let me in and she told me  
she was EMS. She told me emergency rescue on the way  
I then was taken to the hospital.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Erel Jordan

WITNESS: \_\_\_\_\_

B. Burnette

PAGE 2 OF 2

000107

## **CRIME SCENE PHOTOS**

These photos were introduced at trial and are reproduced below, followed by the Commission's evidence labels with a description of the photo. That description will appear on a second page after the photo (as opposed to the back of the photo) in the electronic version. In addition, in State's Exhibit 1, the home labeled "Mary Cooper" is Mary Davis' home where the crime occurred.





# NORTHAMPTON COUNTY TAX MAP



Disclaimer:  
The data provided on this map are prepared for the inventory of real property found within Northampton County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.



One Inch = 173 Feet

North Carolina Innocence Inquiry Commission  
P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 1

**DESCRIPTION:** Picture from helicopter from up in sky (SE 1)

**CLAIMANT:** Williams, Coatney

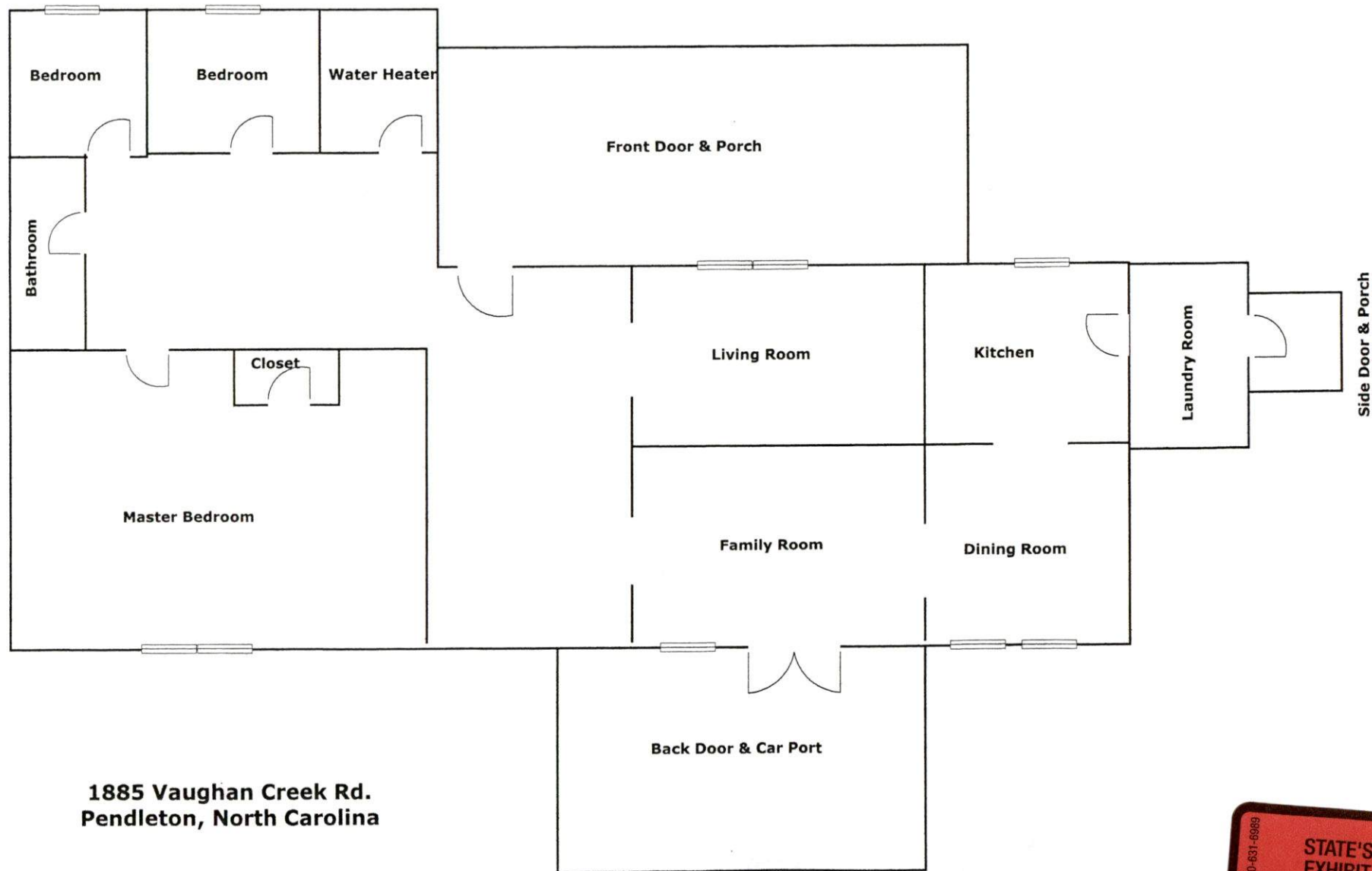
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)

**DATE:** 7/1/2019

**INVESTIGATOR:** Bridenstine, Julie



**Not To Scale**



**1885 Vaughan Creek Rd.  
Pendleton, North Carolina**



North Carolina Innocence Inquiry Commission  
P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 2  
**DESCRIPTION:** Diagram of Davis house (SE 2)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGLAD 800-631-6883  
STATE'S  
EXHIBIT  
3



North Carolina Innocence Inquiry Commission  
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---

**ITEM NO:** 3  
**DESCRIPTION:** Picture of front of Davis house (SE3)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie







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---

**ITEM NO:** 4  
**DESCRIPTION:** Picture of front of house (closer view) (SE 4)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie







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---

**ITEM NO:** 5  
**DESCRIPTION:** Picture closer version of back of house (SE 6)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie







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**ITEM NO:** 6  
**DESCRIPTION:** Picture of house/side view (SE 7)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD 800-631-6889  
STATE'S  
EXHIBIT  
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North Carolina Innocence Inquiry Commission  
P.O. Box 2448, Raleigh, NC 27602  
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---

**ITEM NO:** 7  
**DESCRIPTION:** Picture of garage, back of house (SE 8)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD 800-631-6089  
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---

**ITEM NO:** 8  
**DESCRIPTION:** Picture of house, front of yard (SE 9)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD 800-631-6889  
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---

**ITEM NO:** 9  
**DESCRIPTION:** Picture of front driveway close to road (SE 10)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83, 85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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**ITEM NO:** 10  
**DESCRIPTION:** Picture of garage, back of house (SE 11)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83, 85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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---

**ITEM NO:** 11  
**DESCRIPTION:** Picture of highway/neighbor's house (SE 12)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PERCUT-Response, N. A.  
STATE'S  
EXHIBIT  
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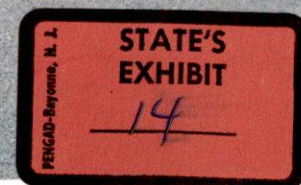


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---

**ITEM NO:** 12  
**DESCRIPTION:** Picture closer to neighbor's house (SE13)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





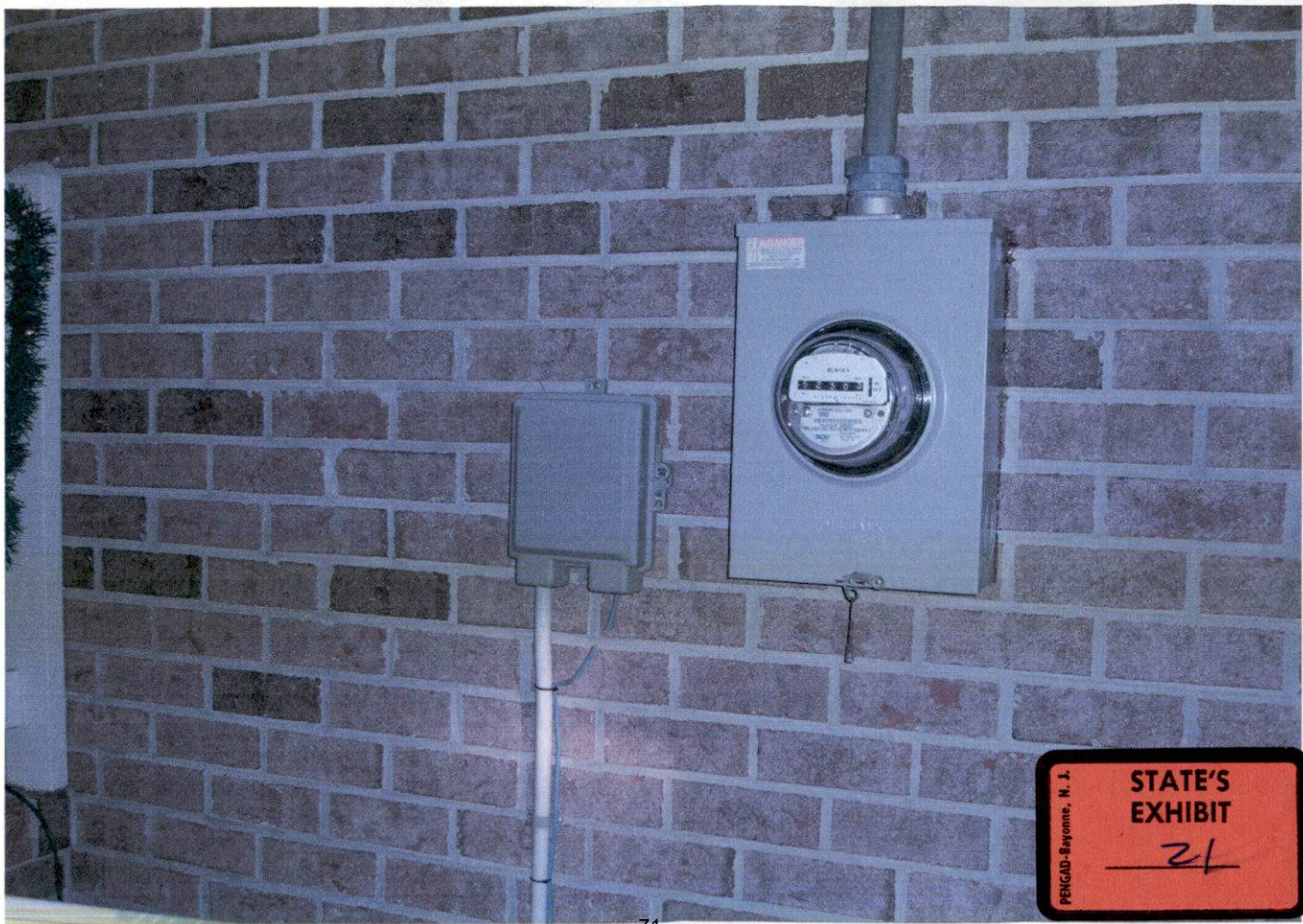


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---

**ITEM NO:** 13  
**DESCRIPTION:** Picture of gate in woods (SE 14)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD-Bayonne, N. J.

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**ITEM NO:** 14

**DESCRIPTION:** Picture of telephone box of home (SE 21)

**CLAIMANT:** Williams, Coatney

**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)

**DATE:** 7/1/2019

**INVESTIGATOR:** Bridenstine, Julie



STATE'S  
EXHIBIT

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P.O. Box 2448, Raleigh, NC 27602  
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---

**ITEM NO:** 15  
**DESCRIPTION:** Picture of back door to Davis house (SE 22)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD-Beyona, N. J.

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P.O. Box 2448, Raleigh, NC 27602  
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**ITEM NO:** 16  
**DESCRIPTION:** Picture family room/Christmas presents (SE 23)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PHILIP-Byrnes, N. J.

STATE'S  
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P.O. Box 2448, Raleigh, NC 27602  
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---

**ITEM NO:** 17  
**DESCRIPTION:** Picture hallway (clothes thrown in hall) (SE 24)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



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EXHIBIT

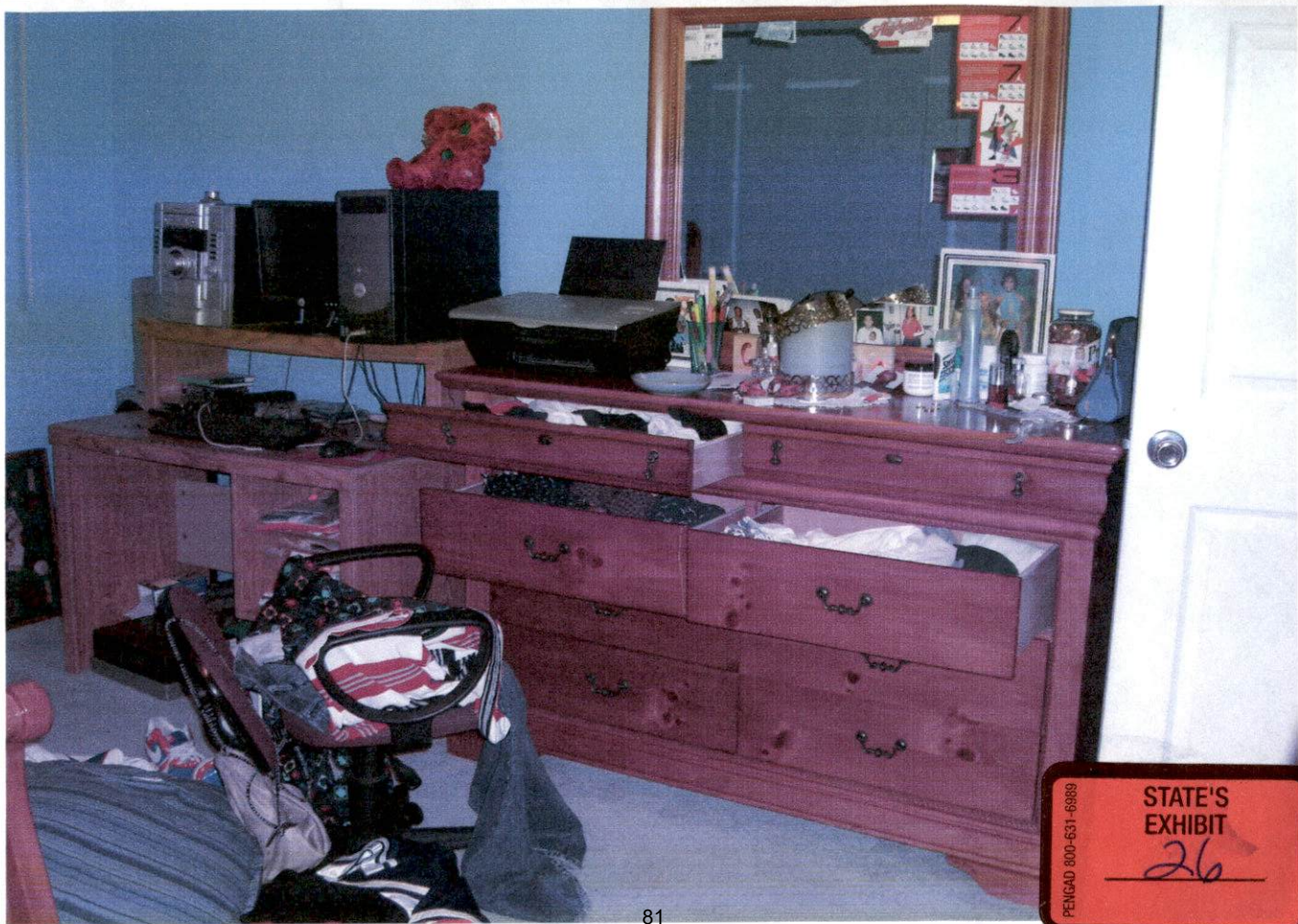
25

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P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 18  
**DESCRIPTION:** Picture closet left open in Davis house (SE 25)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83, 85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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**ITEM NO:** 19

**DESCRIPTION:** Picture of Tacoma's room, ransacked (SE 26)

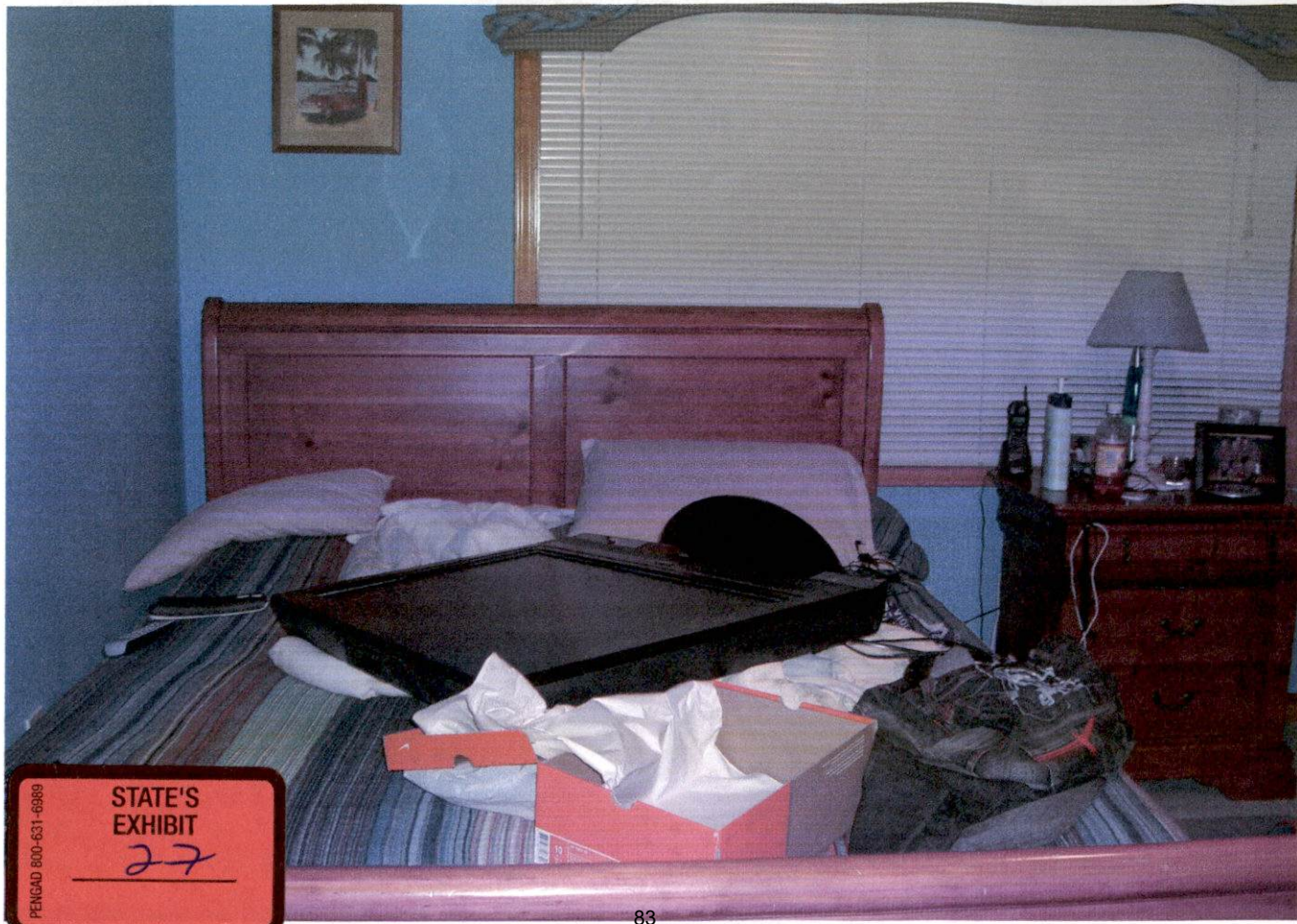
**CLAIMANT:** Williams, Coatney

**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)

**DATE:** 7/1/2019

**INVESTIGATOR:** Bridenstine, Julie





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---

**ITEM NO:** 20  
**DESCRIPTION:** Picture of Tacoma's room, TV on bed (SE 27)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



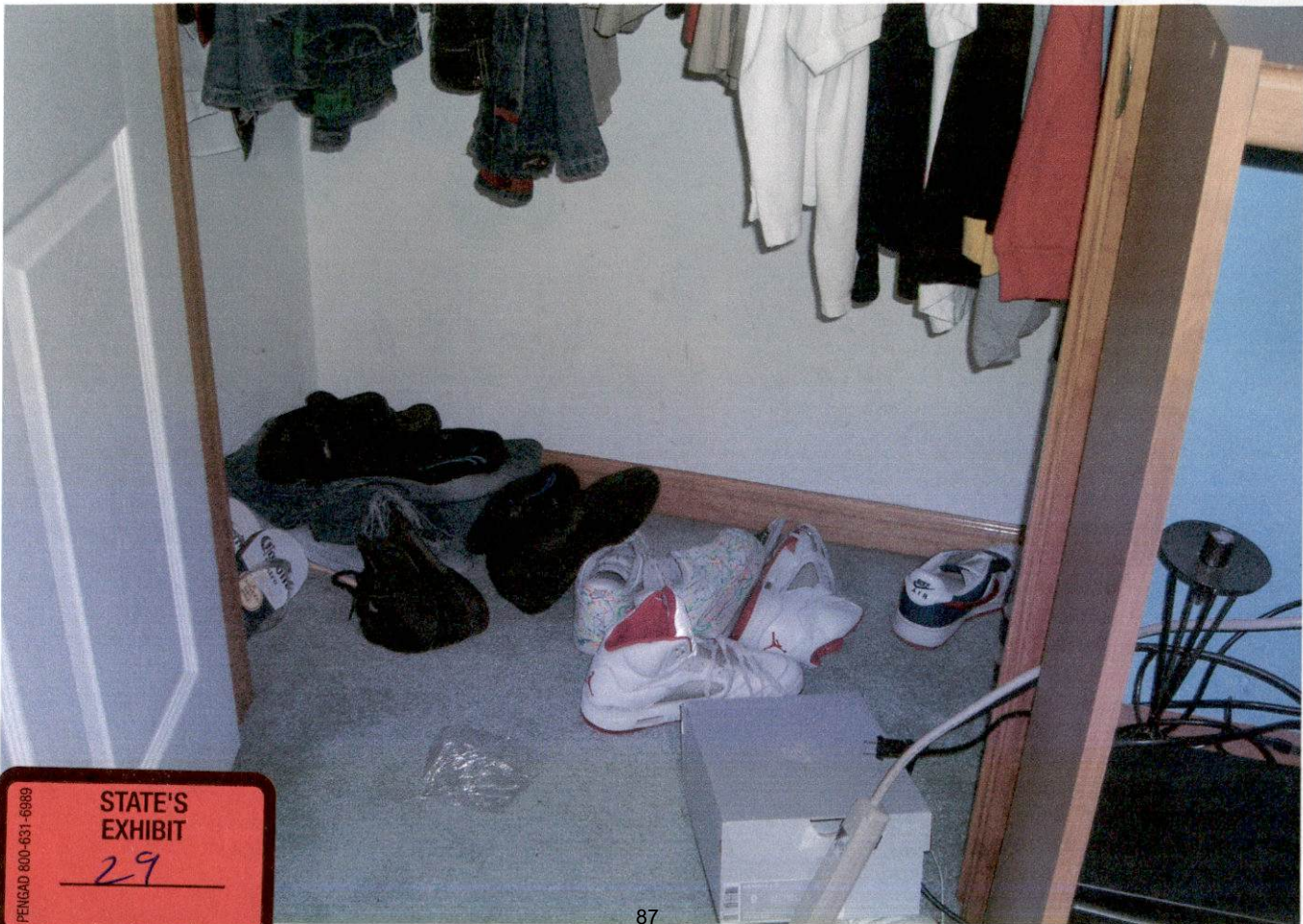
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EXHIBIT  
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---

**ITEM NO:** 21  
**DESCRIPTION:** Picture of Tacoma's room (of closet) (SE 28)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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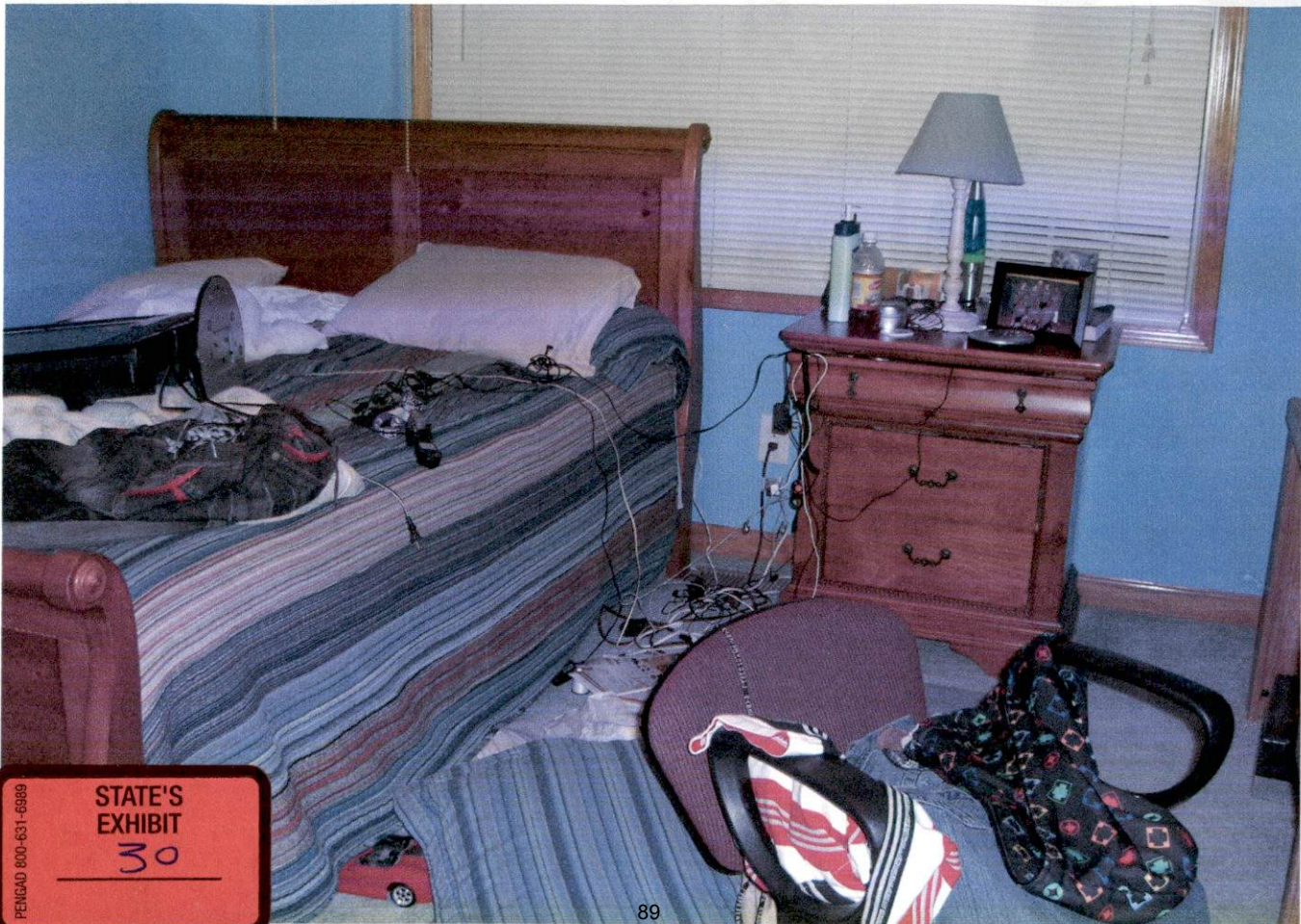
29

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P.O. Box 2448, Raleigh, NC 27602  
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---

**ITEM NO:** 22  
**DESCRIPTION:** Picture Tacoma's closet, bottom, shoes (SE 29)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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---

**ITEM NO:** 23  
**DESCRIPTION:** Picture of Tacoma's room (ransacked) (SE 30)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



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**ITEM NO:** 24  
**DESCRIPTION:** Picture of ID in Tacoma's room on desk (SE 31)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





North Carolina Innocence Inquiry Commission  
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**ITEM NO:** 25  
**DESCRIPTION:** Picture front entrance to Davis house (SE 32)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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**ITEM NO:** 26  
**DESCRIPTION:** Picture of closet, open and ransacked (SE 33)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



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**ITEM NO:** 27  
**DESCRIPTION:** Picture of Ms. Davis' bedroom (SE 34)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83, 85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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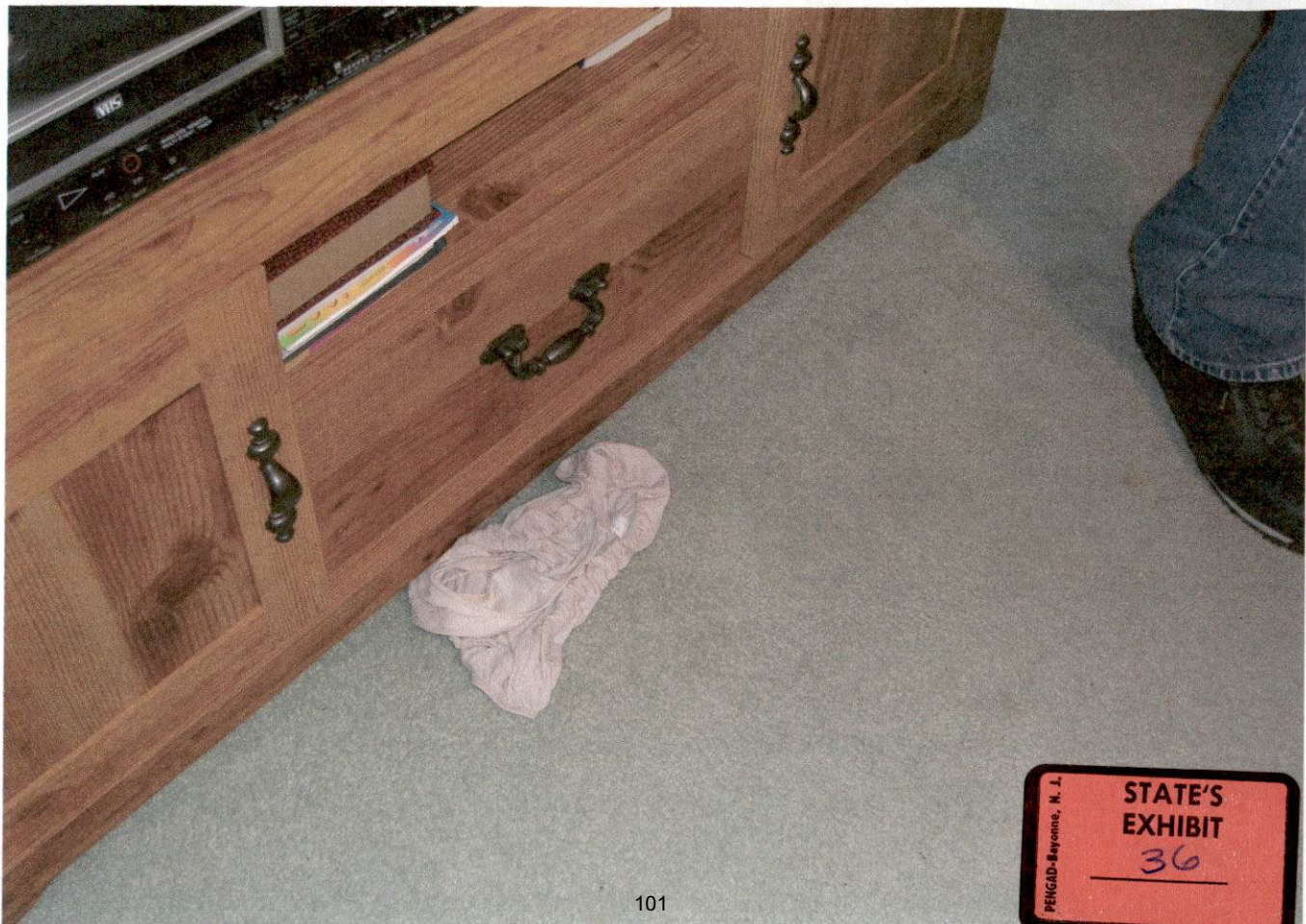
35

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P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 28  
**DESCRIPTION:** Picture of tampon on floor (SE 35)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

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**ITEM NO:** 29

**DESCRIPTION:** Picture of underwear in bedroom (SE 36)

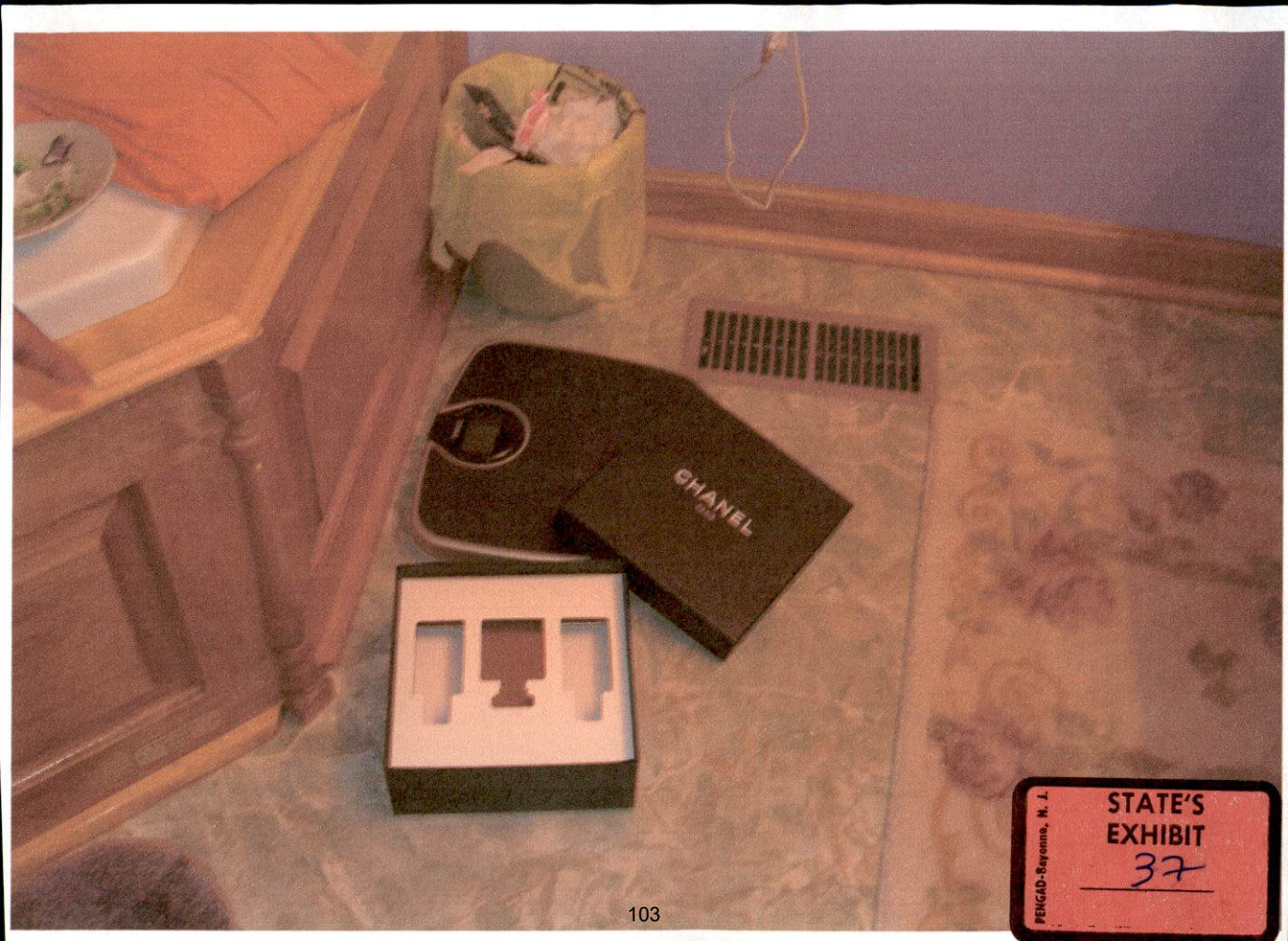
**CLAIMANT:** Williams, Coatney

**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)

**DATE:** 7/1/2019

**INVESTIGATOR:** Bridenstine, Julie



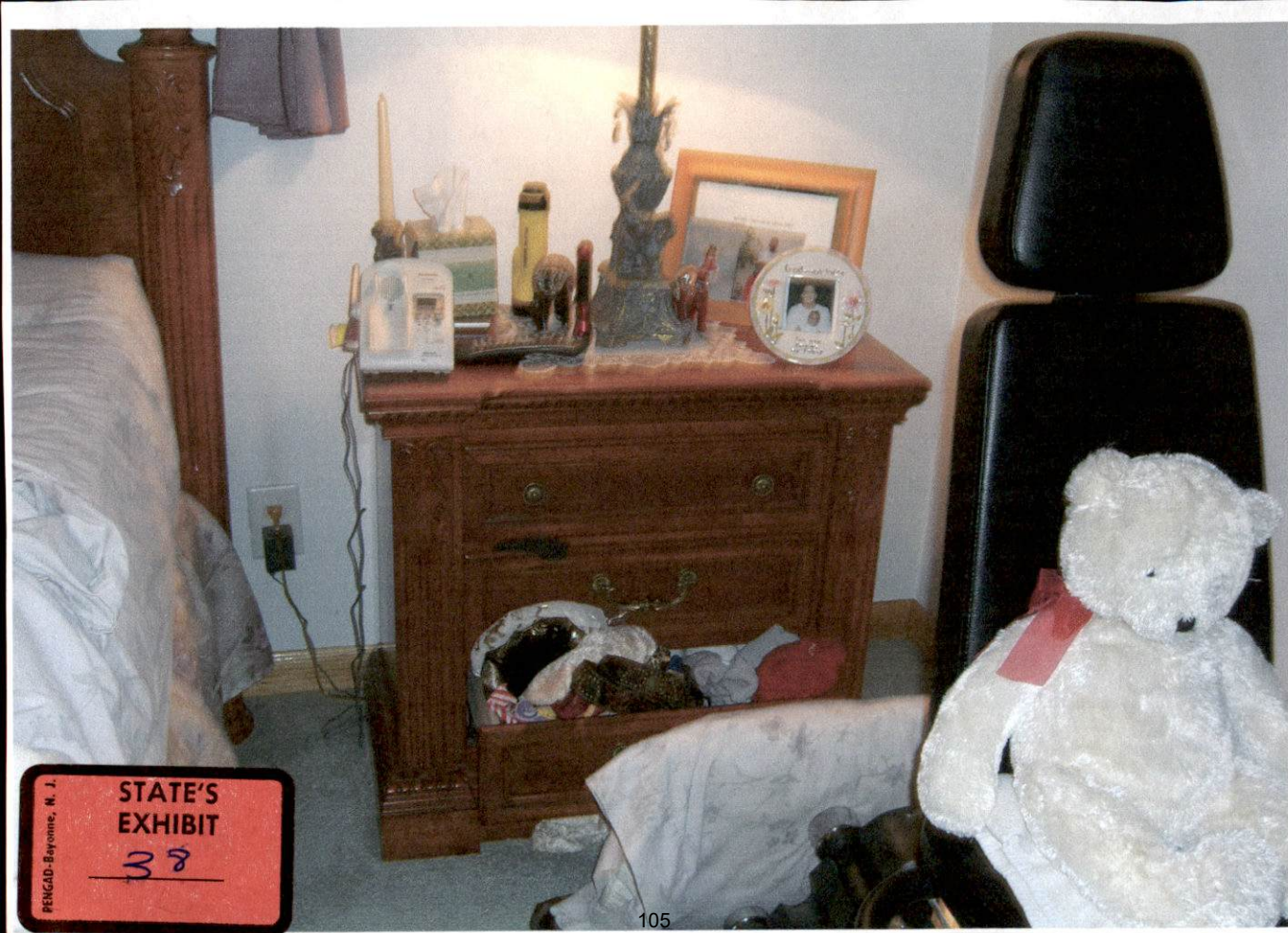


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Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 30  
**DESCRIPTION:** Picture Ms. Davis' bathroom, ransacked (SE 37)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD-Bayonne, N. J.

STATE'S  
EXHIBIT

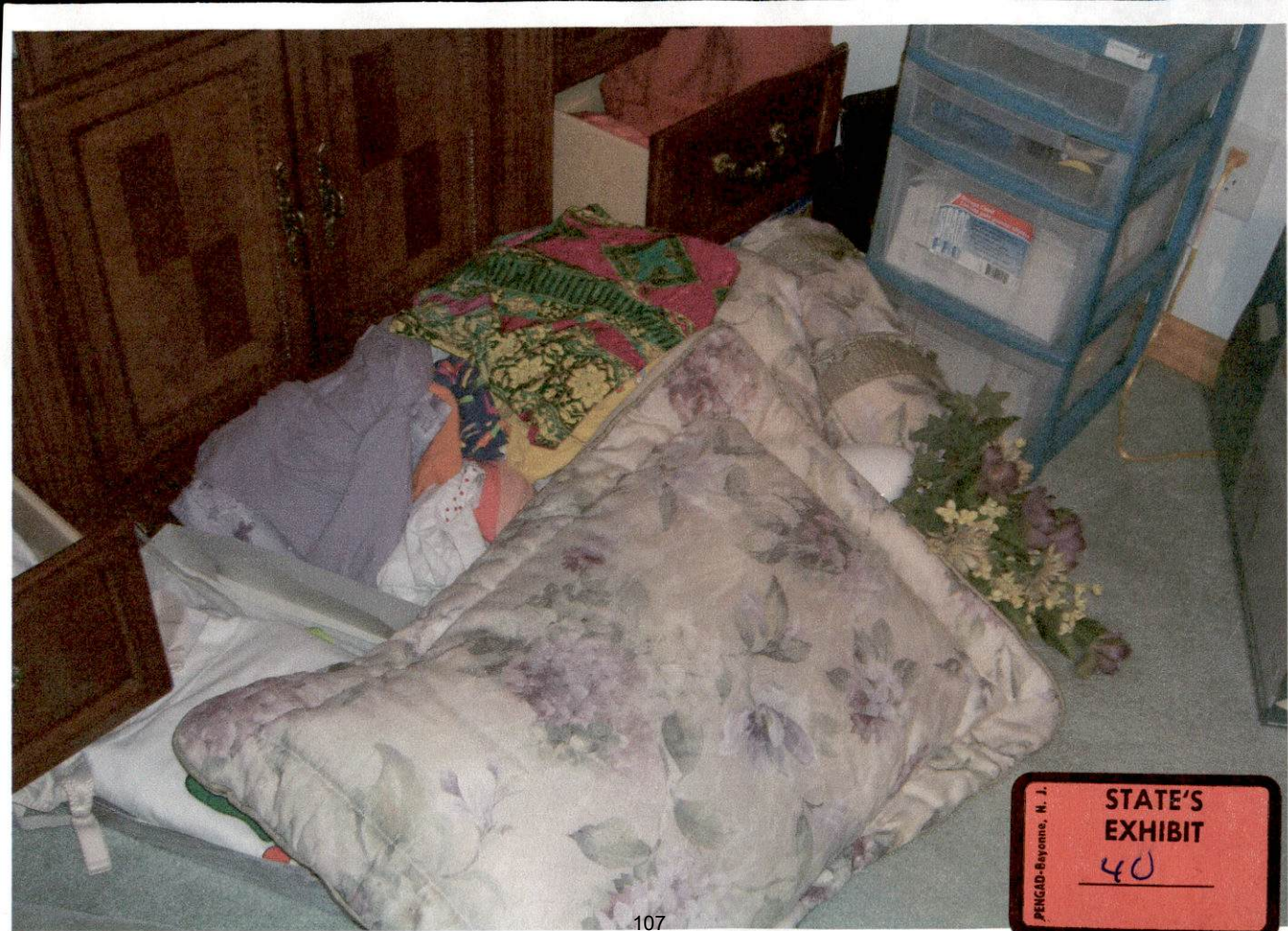
38

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Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 31  
**DESCRIPTION:** Picture of Ms. Davis' bedroom, drawers (SE 38)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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---

**ITEM NO:** 32  
**DESCRIPTION:** Picture of Ms. Davis' room, ransacked (SE 40)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



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EXHIBIT

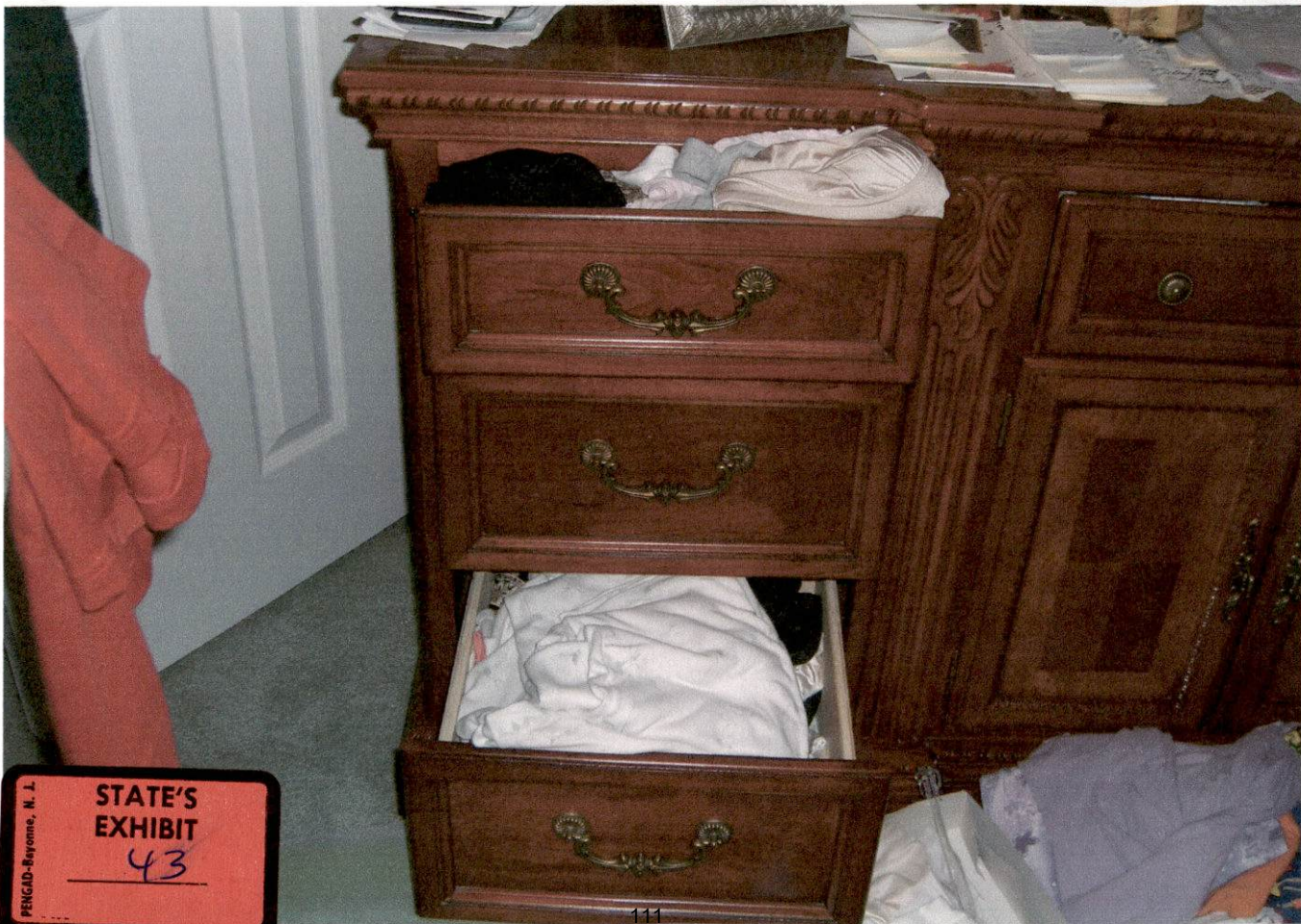
41

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P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 33  
**DESCRIPTION:** Picture of Davis room, metal by couch (SE 41)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





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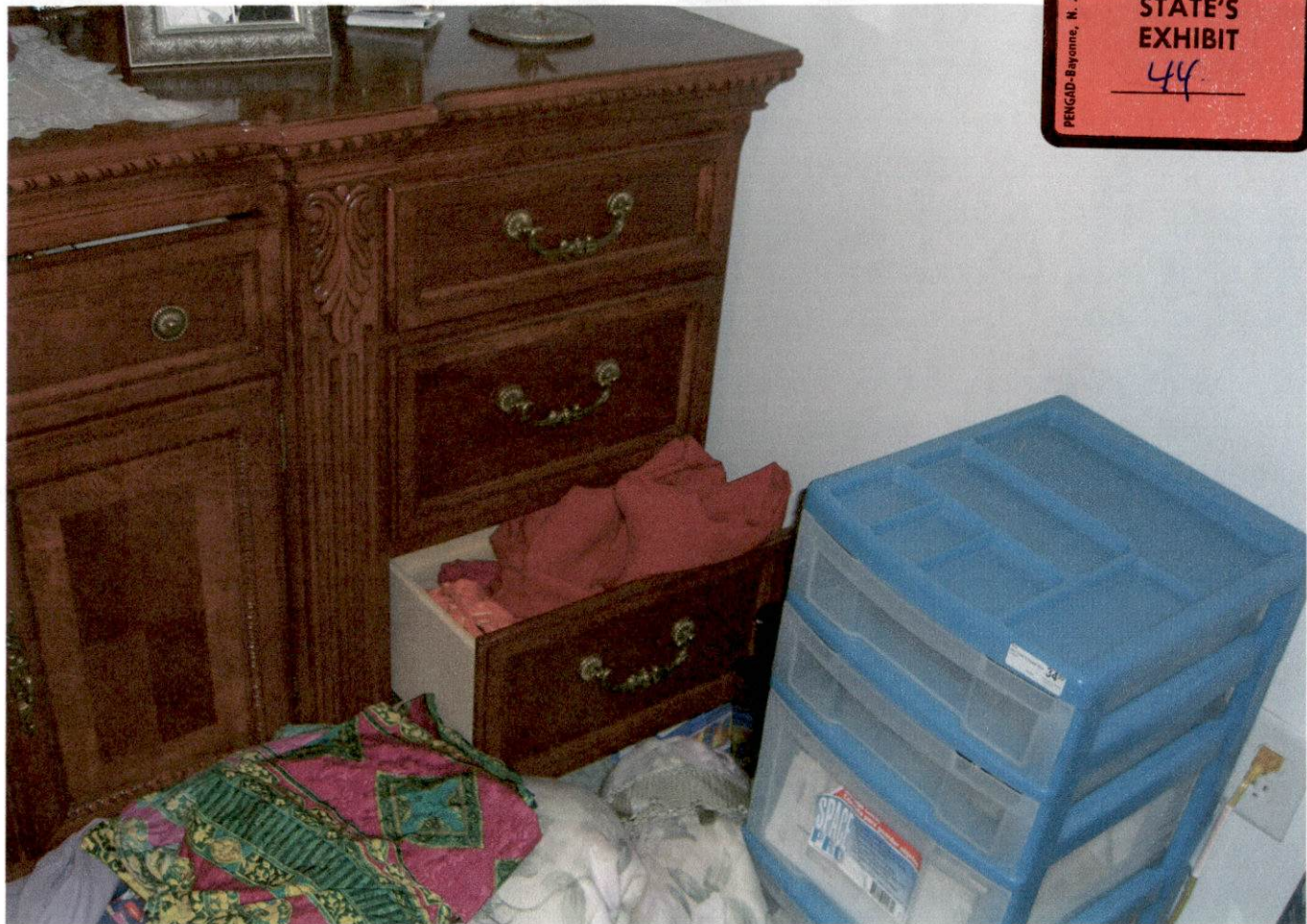
**ITEM NO:** 34  
**DESCRIPTION:** Picture dresser drawer/Ms. Davis' room (SE 43)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



PENGAD-Bayonne, N. J.

STATE'S  
EXHIBIT

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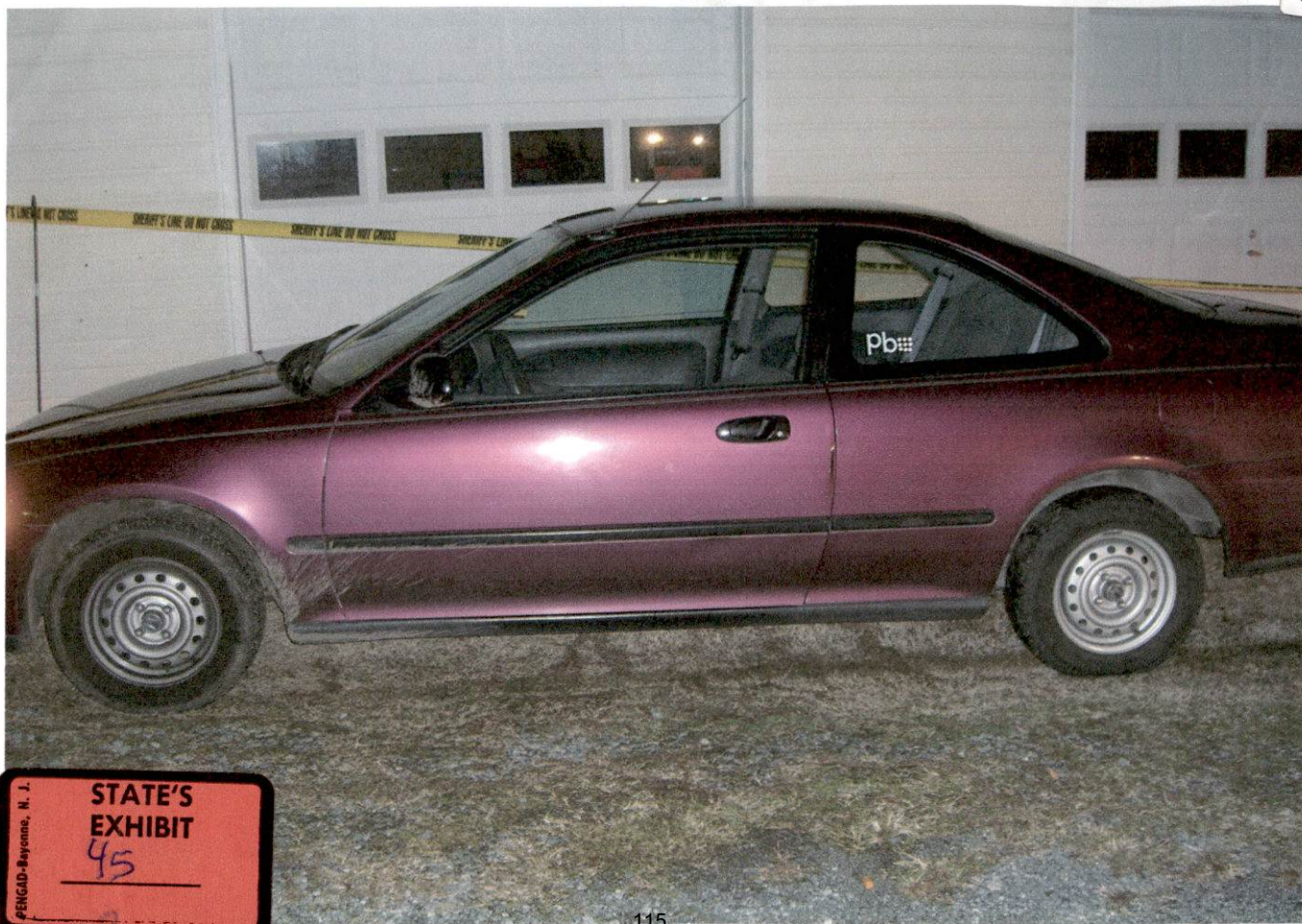


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Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 35  
**DESCRIPTION:** Picture Ms. Davis' room, another angle (SE 44)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





FENCAD-Bayonne, N. J.

STATE'S  
EXHIBIT

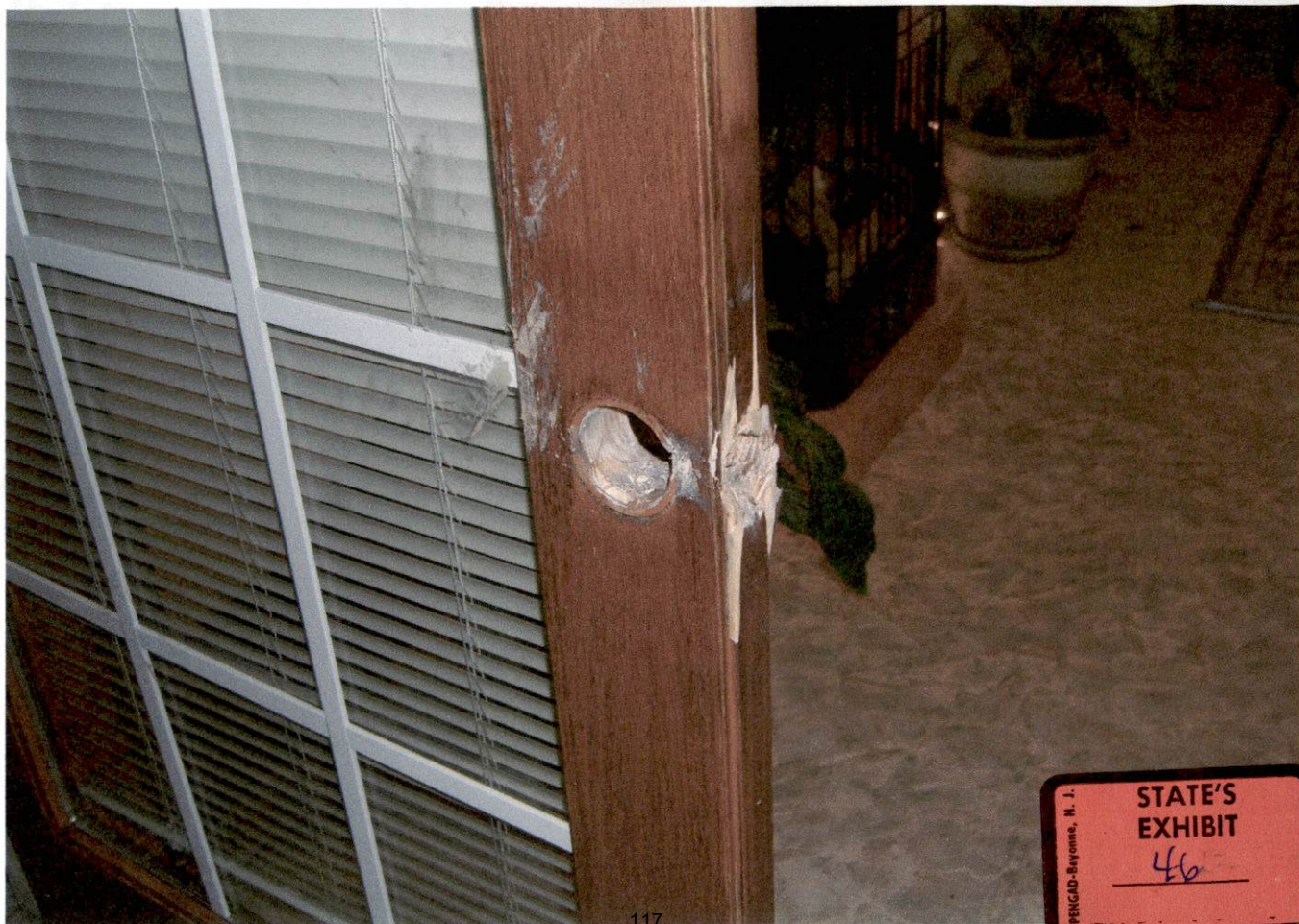
45

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---

**ITEM NO:** 36  
**DESCRIPTION:** Picture of Tacoma's vehicle (SE 45)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD-Bayonne, N. J.

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---

**ITEM NO:** 37  
**DESCRIPTION:** Picture after back door bullet removed (SE 46)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie





PENGAD-Bayona, N. J.

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EXHIBIT

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North Carolina Innocence Inquiry Commission  
P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 38  
**DESCRIPTION:** Picture of cap found in wooded area (SE 49)  
**CLAIMANT:** Williams, Coatney  
**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)  
**DATE:** 7/1/2019  
**INVESTIGATOR:** Bridenstine, Julie



PENGAD-Bayonne, N. J.

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North Carolina Innocence Inquiry Commission  
P.O. Box 2448, Raleigh, NC 27602  
Tel: (919) 890-1580 Fax: (919) 890-1937

---

**ITEM NO:** 39

**DESCRIPTION:** Picture back door where shot (SE 50)

**CLAIMANT:** Williams, Coatney

**CASE NO:** 08 CRS 51057-51058, 51065-51066, 09 CRS 83,  
85 (Northampton)

**DATE:** 7/1/2019

**INVESTIGATOR:** Bridenstine, Julie



Police collected items of evidence from the scene, which were introduced at trial. Although police reports discuss some of the evidence viewed at the scene, the only apparent list of the evidence collected at the scene and later during the investigation is the Exhibits/Evidence Log created at trial and found in the court file. Testimony from Det. Burnette indicates when and where some of the evidence was collected. The trial is covered later in the brief, but the Exhibits/Evidence Log is provided below, as it is the best list of evidence collected from the crime scene. No forensic analysis was done on any evidence collected at any point prior to the trial in this case.

## **EXHIBITS/EVIDENCE LOG**



# STATE OF NORTH CAROLINA

File No.

08 CRS 51057 & 51058

Northampton County

In The General Court Of Justice  
☐ District ☒ Superior Court Division

☐ Civil: Plaintiff: \_\_\_\_\_  
☒ Criminal

Additional File Numbers 08 CRS 51065 & 51066;

STATE  
 VERSUS

09 CRS 83 & 85; 50245 & 50246

Name Of Defendant

Courtney R. William

## EXHIBITS/EVIDENCE LOG

☐ PLAINTIFF (P) ☐ DEFENDANT (D)  
☒ STATE (S) ☐ BOTH

Rule 14, General Rules of Practice for the Superior and District Courts

Name And Address

Valerie M. Asbell  
 418 S. Everett St, Ste A  
 Ahoskie, NC 27910

Name And Address

Jimmie R "Sam" Barnes  
 P.O. Drawer 2090  
 Roanoke Rapids, NC 27871

☐ Plaintiff's Attorney ☒ Prosecutor ☐ Party

☒ Defendant's Attorney ☐ Party

Exhibit No.	Description And Notes, If Applicable	*Offered (1)	Admitted (1)	**Item Received Or Retained By
52	Ring	/	/	/
53	Timberland Boots	/	/	/
2	Diagram Of Ms Davis house	/	/	/
3	Picture Of Front Of Ms Davis house	/	/	/
4	Picture Of Front Of house (close view)	/	/	/

NOTE: See reverse for additional description.

Date Stored In Vault After Trial Ends

7/28/10

Signature Of Clerk Storing Exhibits

*Valerie M. Asbell*

Appeal Taken

☒ Yes ☐ No 7/15/10 (Date)

General Rules of Practice, Rule 14: Exhibits received by the Clerk shall be removed by the party offering them (except as otherwise directed by the Court) within thirty (30) days after final judgment if no appeal is taken; if the case is appealed, then, within sixty (60) days after certification of a final decision from the appellate division. If the party offering an exhibit fails to remove such article, the Clerk shall write the attorney of record, calling attention to provisions of this Rule. If the articles are not removed within thirty (30) days after mailing of such notice, they may be disposed of by the Clerk. (NOTE: To give notice the Clerk may use form AOC-G-151. The Clerk may wish to obtain an order of the Court to remove or dispose of exhibits/evidence in criminal cases.)

## RECEIPT FOR REMOVAL

## DISPOSITION

Date Of Final Judgment Or Certification		Date Notified In Writing To Remove Exhibits/Evidence		Date Disposed	Date Of Court Order, If Applicable
Date Released	Exhibit No.(s) Released	Date Released	Exhibit No.(s) Released	Exhibit No.(s)	
Signature Of Party Removing Exhibits/Evidence		Signature Of Party Removing Exhibits/Evidence		Signature Of Clerk Disposing Of Exhibits/Evidence	
Signature Of Clerk Releasing Exhibits/Evidence		Signature Of Clerk Releasing Exhibits/Evidence		Signature Of Witness	

Additional Documentation Of Disposition

\*If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.

\*\*Clerk's initials go in this column, or name of counsel or party.

(NOTE: This form may be used in both civil and criminal cases.)

AOC-G-150, New 3/98

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Original - File Copy - Evidence  
 (Over)

000030

Exhibit No.	Description And Notes, If Applicable	*Offered (✓)	Admitted (✓)	**Item Received Or Retained By
5	Picture of Back of house	✓	✓	—
6	Close; Version Back of house (Picture)	✓	✓	—
7	Back of house/ Side View (Picture)	✓	✓	✓
10	Picture of Front Drive way Close to road	✓	✓	—
11	Picture of Garage back of house (Closer View)	✓	✓	✓
8	Garage, back of house (Picture)	✓	✓	✓
9	Picture of house, Front of yard	✓	✓	✓
12	Picture of highway; neighborhood	✓	✓	✓
1	Picture from helicopter showing house from up in sky	✓	✓	✓
13	Closer picture to neighbors' house	✓	✓	✓
15	Picture of Erel Jordan <sup>as</sup>	✓	✓	—
16	Picture of dressing to Erel Jordan <sup>(right chest)</sup>	✓	✓	—
17	Picture after collar removed from Erel	✓	✓	—
18	Picture of Erel after C-Collar removed Showing blood and pellet wounds	✓	✓	—
54	Transcript of Plea for Antonio Franca	✓	✓	—
21	Telephone box of home (Picture)	✓	✓	—
22	Picture of back door Mrs. Davis home	✓	✓	—
23	Picture of family room showing Christmas present shop	✓	✓	—
24	Picture of Hallway (clothes hanger on hallway)	✓	✓	—

\*If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.

\*\*Clerk's initials go in this column, or name of counsel or party.



# STATE OF NORTH CAROLINA

File No.

08 CRS 51057 : 5105

Northampton County

In The General Court Of Justice  
☐ District ☒ Superior Court Division

☐ Civil: Plaintiff: \_\_\_\_\_  
☒ Criminal **STATE**  
**VERSUS**

Additional File Numbers  
 08 CRS 51065 : 51066;  
 09 CRS 83 : 85; 50245 : 5024

Name Of Defendant  
Coatney R. Willie

**EXHIBITS/EVIDENCE LOG**  
☒ PLAINTIFF (P) ☐ DEFENDANT (D)  
☐ STATE (S) ☐ BOTH

Rule 14, General Rules of Practice for the Superior and District Courts

Name And Address  
Valerie M. Asbell  
418 S. Everett St, Ste A  
Ashoke, NC 27910  
☐ Plaintiff's Attorney ☒ Prosecutor ☐ Party

Name And Address  
Jimmie R "Sam" Barnes  
P.O. Drawer 2090  
Roanoke Rapids, NC 27871  
☒ Defendant's Attorney ☐ Party

Exhibit No.	Description And Notes, If Applicable	*Offered (✓)	Admitted (✓)	**Item Received Or Retained By
25	closet left open - Ms Daurshane	✓	✓	✓
26	Tacomac room - ramshacked	✓	✓	✓
28	Tacomac room - TV on bed	✓	✓	✓
29	Tacomac's closet - bottom - shoes	✓	✓	✓
27	Tacomac's room - TV on bed	✓	✓	✓
30	Tacomac room - ramshacked	✓	✓	✓

NOTE: See reverse for additional description.

Date Stored In Vault After Trial Ends 7/28/10 Signature Of Clerk Storing Exhibits (Signature) J. Lane Appeal Taken ☒ Yes 7/15/10 (Date)  
☐ No

General Rules of Practice, Rule 14: Exhibits received by the Clerk shall be removed by the party offering them (except as otherwise directed by the Court) within thirty (30) days after final judgment if no appeal is taken; if the case is appealed, then, within sixty (60) days after certification of a final decision from the appellate division. If the party offering an exhibit fails to remove such article, the Clerk shall write the attorney of record, calling attention to provisions of this Rule. If the articles are not removed within thirty (30) days after mailing of such notice, they may be disposed of by the Clerk. (NOTE: To give notice the Clerk may use form AOC-G-151. The Clerk may wish to obtain an order of the Court to remove or dispose of exhibits/evidence in criminal cases.)

RECEIPT FOR REMOVAL				DISPOSITION	
Date Of Final Judgment Or Certification		Date Notified In Writing To Remove Exhibits/Evidence		Date Disposed	Date Of Court Order, If Applicable
Date Released	Exhibit No.(s) Released	Date Released	Exhibit No.(s) Released	Exhibit No.(s)	
Signature Of Party Removing Exhibits/Evidence		Signature Of Party Removing Exhibits/Evidence		Signature Of Clerk Disposing Of Exhibits/Evidence	
Signature Of Clerk Releasing Exhibits/Evidence		Signature Of Clerk Releasing Exhibits/Evidence		Signature Of Witness	

Additional Documentation Of Disposition

\*If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.

\*\*Clerk's initials go in this column, or name of counsel or party.

(NOTE: This form may be used in both civil and criminal cases.)

AOC-G-150, New 3/98

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Original - File Copy - Evidence  
 (Over)

000032

Exhibit No.	Description And Notes, If Applicable	*Offered (✓)	Admitted (✓)	**Item Received Or Retained By
31	Picture I.D. on Tacoma's room door has leak	✓	✓	✓
32	Front Entrance Ms Davis home	✓	✓	✓
33	Closest. open & ransacked	✓	✓	✓
34	Picture of Ms Davis bedroom	✓	✓	✓
35	Picture of Tacoma's room	✓	✓	✓
36	Ms Davis underwear in bedroom	✓	✓	✓
37	Ms Davis bathroom ransacked	✓	✓	✓
38	Ms Davis bedroom - where drawer had been gone through	✓	✓	✓
40	Ms Davis room - ransacked	✓	✓	✓
41	Ms Davis room - metal box with gun shell	✓	✓	✓
42	Cartridge - gun - outside	✓	✓	✓
43	Dresser Drawer - Ms Davis room	✓	✓	✓
44	Ms Davis room - another angle	✓	✓	✓
45	Tacoma's vehicle in front of garage	✓	✓	✓
46	Picture after gun shot of back door	✓	✓	✓
49	Cap found in wooded area	✓	✓	✓
50	Back door where shot	✓	✓	✓
55				
56	Shot gun shell found Ms Davis room	✓	✓	✓
57	Tampon - Ms Davis floor	✓	✓	✓
58	Cartridge	✓	✓	✓
58a	<del>Cartridge</del> Shot gun shell	✓	✓	✓
53	Timberland boots - Tacoma's room	✓	✓	✓

\*If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.

\*\*Clerk's initials go in this column, or name of counsel or party.



**STATE OF NORTH CAROLINA**

File No.

08 CRS 51057 & 51058

Northampton County

In The General Court Of Justice  
☐ District ☒ Superior Court Division

☐ Civil: Plaintiff: \_\_\_\_\_  
☒ Criminal **STATE**  
**VERSUS**

Additional File Numbers 08 CRS 50855 & 50856  
 51065 & 51066; 09 CRS 83 & 85  
 50245 & 50246

Name Of Defendant  
Coatney R. William

**EXHIBITS/EVIDENCE LOG**  
☒ PLAINTIFF (P) ☐ DEFENDANT (D)  
☐ STATE (S) ☐ BOTH

Rule 14, General Rules of Practice for the Superior and District Courts

Name And Address  
Valerie M. Asbell  
418 S. Everett St. Ste A  
Asheville, NC 27910  
☐ Plaintiff's Attorney ☒ Prosecutor ☐ Party

Name And Address  
Jimmie R "Sam" Barnes  
P.O. Drawer 2090  
Roanoke Rapids, NC 27857  
☒ Defendant's Attorney ☐ Party

Exhibit No.	Description And Notes, If Applicable	*Offered (✓)	Admitted (✓)	**Item Received Or Retained By
52	14 K gold 1 carat ring from Circle Large finger	✓	✓	✓
59a	Piece of metal in Picture 41	✓	✓	✓
59	Picture			
60	Robert Branch's statement to NSD	✓	✓	✓

NOTE: See reverse for additional description.

Date Stored In Vault After Trial Ends \_\_\_\_\_ Signature Of Clerk Storing Exhibits \_\_\_\_\_  
 Appeal Taken ☐ Yes \_\_\_\_\_ (Date) ☒ No

General Rules of Practice, Rule 14: Exhibits received by the Clerk shall be removed by the party offering them (except as otherwise directed by the Court) within thirty (30) days after final judgment if no appeal is taken; if the case is appealed, then, within sixty (60) days after certification of a final decision from the appellate division. If the party offering an exhibit fails to remove such article, the Clerk shall write the attorney of record, calling attention to provisions of this Rule. If the articles are not removed within thirty (30) days after mailing of such notice, they may be disposed of by the Clerk. (NOTE: To give notice the Clerk may use form AOC-G-151. The Clerk may wish to obtain an order of the Court to remove or dispose of exhibits/evidence in criminal cases.)

RECEIPT FOR REMOVAL				DISPOSITION	
Date Of Final Judgment Or Certification		Date Notified In Writing To Remove Exhibits/Evidence		Date Disposed	Date Of Court Order, If Applicable
Date Released	Exhibit No.(s) Released	Date Released	Exhibit No.(s) Released	Exhibit No.(s)	
Signature Of Party Removing Exhibits/Evidence		Signature Of Party Removing Exhibits/Evidence		Signature Of Clerk Disposing Of Exhibits/Evidence	
Signature Of Clerk Releasing Exhibits/Evidence		Signature Of Clerk Releasing Exhibits/Evidence		Signature Of Witness	

Additional Documentation Of Disposition

\*If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.  
 \*\*Clerk's initials go in this column, or name of counsel or party.

(NOTE: This form may be used in both civil and criminal cases.)

AOC-G-150, New 3/98

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000034





Police had few initial leads. Victims Tacoma Davis and Erel Jordon talked to police about some suspects they believed may have done the crime based on what they heard in the community, but not because they could identify the suspects. There were several phone calls from the victim to the police and a few other leads related to what other people had heard.<sup>11</sup> Erel's mother, Evelyn Jordan, reported to police on 12/30/2007 that Jamal Thomas called her residence looking for Erel on the day of the crime. Mary Davis reported to police on 12/31/2007 that Jamal Thomas called Tacoma Davis the day after the crime to ask how Tacoma was doing. Mary Davis also reported that Jamal Thomas called Erel Jordan the evening before the crime. Handwritten notes in the NCSO file dated 2/12/2008 indicate that Karon Moses was in jail bragging about robbing the lady in Severn and making her cry. This information came from the cell mate of Karon, Antonio Howard, who said that Karon Moses was affiliated with the Bloods gang.

On July 29, 2008, while being questioned about an unrelated crime involving a burglary and theft of firearms in July 2008<sup>12</sup>, Coatney Williams advised the police that "Yayo" and Jamal were involved in this crime. There is no report about this interview in the law enforcement file, but it is mentioned in a handwritten Case Progress Record by Det. Burnette. The police reports related to these early leads, calls from the victim, and the "case progress notes" are provided below.

<sup>11</sup> Police reports indicate that Erel Jordan told police on 1/3/2008 that he heard from his cousin that Deangelo Mason was the person who shot him. Mary Davis reported to the police on the same day that Tacoma Davis told her that he heard that Jamal Thomas and Deangelo Mason committed the crime. Police tracked down the source of this information, which appeared to come from rumors at school. The supposed source for this information, Clifton Mason, denied having any information about this case and denied saying that Deangelo Mason committed the crime.

<sup>12</sup> Appendix G is chart of crimes in which was a Coatney Williams was a suspect from 2007 through 2009, including the July 2008 offense.

## **INVESTIGATIVE AVENUES AND CASE PROGRESS NOTES**

(NCSO 240, 218-220, 116-117, 226, 228-230, 14-17)



on the morning  
Jamal <sup>called</sup> Enel the day of 10-62  
& called ~~Enel~~ ~~Enel~~ Tacoma the next  
day to see if he was already

Evelyn Jordan 12-30-08

1-3-08

Mary Davis called  
me & said she talk  
to Tacoma by phone &  
she said he think he  
no who did it. Jamal  
Thomas & Deangelo Mason.  
She was coming from Va.  
from Dr. Appt. when get to  
Tacoma will have her  
call me.

5-19-08

5:00pm

called Jennifer

Williams  
kept saying

Don't want anything  
else to do with it.

very rude & hung up

000240

1-4-08 5:55pm

Mary Davis called ref. she spoke to her cousin. He says earlier the date of Invasion he was behind a burgundy accord that turned into her driveway, but it had S.C. tag. It had 3 BIM's in car.

His name is Buck Barnes (757) 653-0088

Mary Davis mom's # 398-3097

1-5-08 6:02pm

Mary Davis called and said Vernon Kee<sup>W.</sup> told her he overheard some beep talking that a burgundy accord hang in arrowhead with loud muffler they dates a girl that stay out there. Ms. Davis she believes that's where that Richard Lassiter stay (the boy Tacoma was having problem with)

1-7-08

9:47am called Buck Barnes (757) 653-0088 - got NIA  
left no message due to no answering service

1-8-08 called Buck Barnes again got NIA

4:10pm

000218



1-7-08  
3:25pm

call Elaine Porter to set up  
appointment with Clayton Mason

she says she has the flu and her husband  
can't walk.

She said her son can bring him after  
he gets from school.

000219

Jamaican  
accent

Castel Mark Bowe

-Poterasi

91 - Honda Accord

ENK's Rules

→ NCHS-E

Deandre Williams

1-7-07 4:30pm

2-4-08 Clifton, James Mason, Elaine  
4:21: Porter came to NCSO  
Clifton said now he remembers  
talking to Evan, but was talking  
about a party Deaglo, Jeffery  
Stephenson, Darnell Burton  
Lamont Barnes was in  
with some boy from  
Empress on  
12-29-07

is Blunt res.

to his mom Anna Blount

would be back about 6pm.

for him to call me back

585-9059

2-4-08  
4:15p  
Q

Mary Davis called ref. her cousin Mario Blount  
was telling people Chester Deloatch did this because  
he mess with guns.

000220





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# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Evans Latrell Grant DATE OF STATEMENT: 1-7-07  
ADDRESS: 1341 Tower Rd. TIME OF STATEMENT: 1:18pm  
Margarettsville, NC 27853 GIVEN TO: Det. B. Burnette  
PHONE: 589-1034 PLACE: CMS  
SOCIAL SECURITY: \_\_\_\_\_ DATE OF BIRTH: 3-3-94

\*\*\*\*\*

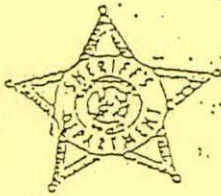
I give Detective Burnette the following statement.  
The Second day we came back to school after the  
Christmas break I was on my way to school on the  
bus. We had got to school in the parking lot waiting  
for the doors to open. Me and Clifton Mason was standing  
up on the bus in the back and Clifton was saying  
that Erel got shot. Me and Clifton started talking about  
it. Clifton told me he might know who did it who shot  
Erel. I asked Clifton who shot him and he wouldn't  
say anything just shook his head. Then Clifton told me  
that Deangelo Mason shot Erel. Clifton told me

SIGNATURE: Evans Grant

WITNESS: B. Burnette

PAGE 1 OF 2  
000116





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# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Evans Latrell Grant DATE OF STATEMENT: 1-7-07

\*\*\*\*\*

there was some more boys with Deangelo when he shot  
Erel.

*End of Statement*

SIGNATURE: E. Evans Grant

WITNESS: B. Burnette

PAGE 2 OF 2

000117



① April Smith Alston

Stay with Rasheed

note at Rasheed home  
when Jamal, Ya Ya  
Karon was there  
discussing pick up  
severn

② Robert Branch

161 Blue Jay Trail

③ Rasheed Alston

Mark Smith

Garysburg, NC

~~last~~ next to last night turn  
out of Garysburg - 2 story house - S  
beige/cream  
in color

④ Tiffany Brown

161 Blue Jay Trail  
Seaboard

589-7691

New Address of  
Antonio Freeman

900 Henry St.  
Roanoke Rapids, NC  
541-1521 (H)  
mom - Latonya Alston

000228

Hook

Double wide on Hook

go appx  $1\frac{1}{2}$

on doublewide look abandoned on left  
pass it.

Look for

~~X~~ PA tag on <sup>Blk</sup> Nissan Sentra

Gray or blue - single wide trailer

187 - Sandy Lane

HBE-6371 Pennsylvania



Antonio Howard

2-12-08

2:33pm

Karon Mases in jail bragging  
Jep made the lady cry in Severn &  
abused her

2-5-08

went to Jamal

Thomas res.

not there

advise grandma to

have him call me

000230

7

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CASE PROGRESS RECORD

OCA#  
VICTIM: Mary Davis, Tacoma Davis, Erel Jordan, Jennifer Williams  
OFFENSE: Home Invasion, Sexual Offense  
OFFICER: B. Burnette

DAY OF WEEK	DATE	TIME	SUMMARY
Sun	12-30-08		Evelyn Jordan said day of burglary Jamal Thomas called her res. looking for Erel
Mon	12-31-08		Mary Davis said Jamal Thomas called her residence to see how Tacoma was doing.
Wed	1-2-08		called and spoke to Dajuan Turner ref what he overheard at school - he says Evan Grant told him
Thurs	1-3-08	4:40	Mary Davis called and put Erel on phone he says Deangelo Mason shot him - what he hears
Thurs	1-3-08	4:45	Mary Davis called says Tacoma thinks Jamal Thomas & Deangelo Mason did this
Thurs	1-3-08	5:00	called Erel to ask what he told Tacoma in ref. to who shot him. he stated his little cousin Dajuan told him that Deangelo shot him
Fri	1-4-08	5:55	Mary Davis called ref. heard anything
Fri	1-4-08	6:02	Mary Davis called ref. someone



NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CASE PROGRESS RECORD

OCA#  
VICTIM: Mary Davis Tacoma Davis, Enel Jordan, J. William  
OFFENSE: burglary, sexual offense  
OFFICER: \_\_\_\_\_

DAY OF WEEK	DATE	TIME	SUMMARY
			told her he overheard some boy talking a honda accord loud muffler is in arrowhead and she knew her son had problems with some boy out there.
Mon	1-7-08	3:25p	called Elaine Porter to set up appt. with Clayton Mason
Mon	1-7-08	12:34	Chief Duke ref. burgundy honda Accord loud muffler NC Reg. VRR-7375 driver - Inavis Branch, passenger - Eddie Sheppard, back seat - Byron Bottoms
Mon	1-7-08	4:30	Clayton, James Mason and Elaine Mason came to NCSO. Clayton says he was talking to Evans about a party and didn't say nothing about his brother Deangelo shooting no one
Tues	1-15-08		Mary Davis called
Tues	2-5-08		went to Jamal Thomas res. not home
Tues	2-12-08	2:33p	Speaking to Antonio Howard inmate at jail and cell mate with Karon Moses said Karone was affiliated with the bloods and he was paying



9

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CASE PROGRESS RECORD

OCA#  
VICTIM: Mary Davis, T. Davis, E. Jordan, J. Williams  
OFFENSE: Burglary, Sexual offense  
OFFICER: B. Burdette

DAY OF WEEK	DATE	TIME	SUMMARY
			that him and his keep shoot the dude with a shotgun, they tried to take the woman clothes off, tried to rape the lady and that she was crying
Wed	2-20-08		Mary Davis called
Fri	3-28-08	9:15a	called Jennifer
Wed	4-2-08		Mary Davis called
Thurs	4-10-08		Mary Davis called
Mon	5-19-08	5:00p	called Jennifer - she said keep keeps parking across from her parents afraid for her and family if get them will talk
Wed	5-21-08	9:05a	Called Mary Davis
Sun	7-29-08		Coatney Williams advised that Ya Yo shot Enel, Ya Yo found 38 caliber gun under cushion, Jamal gave Cynthia jewelry from burglary and him the wheat timberland boots, Ya Yo also assaulted female, Ya Yo fired shots at car that came up fast
Fri	8-1-08		Called Mr. Jordan



## 10

VICTIM: Mary Davis, T. Davis, E. Jordan, J. Williams  
OFFENSE: Burglary, Sex offense  
OFFICER: B. B. B. B.

PAGE 4

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Though the law enforcement “progress record” indicates that Williams talked to police about this crime on 7/29/2008 and mentioned the Timberland boots he received from Thomas, there are no reports about that conversation. (NCSO 16). Following this conversation with Williams, NCSO interviewed Cinita Long on 7/29/2008 and recovered a solitaire diamond ring that she alleged came from Jamal Thomas from a different crime.<sup>13</sup> Williams’ mother Regina Knight provided a pair of wheat Timberland boots to Det. Burnette from Williams’ bedroom on 7/30/2008. (NCSO 131) Cinita Long’s statement and the property reports for the ring and the Timberland Boots are provided in full below.

<sup>13</sup> At trial, Det. Burnette testified that Mary Davis identified this ring as coming from her home.



# **CINITA LONG STATEMENT AND PROPERTY REPORTS**

(NCSO 108-112)



16.1

# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Cinita Lynell Long DATE OF STATEMENT: 7-29-08  
ADDRESS: 173 Julian Morgan Rd. TIME OF STATEMENT: 4:06 pm  
Seaboard, NC 27876 GIVEN TO: Det. B. Burnette  
PHONE: 252 589-9671 PLACE: Seaboard PD PVA  
SOCIAL SECURITY: [REDACTED] DATE OF BIRTH: 7-16-88

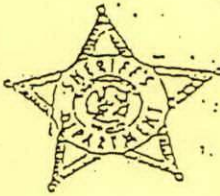
21 I give Detective Burnette the following statement. The day that Tacoma house was broken into I was at a party at the Elks Home in Seaboard. Me and my cousins had left and walked to the Cupboard and we saw officer Smith. We all were just talking when officer Smith got a call that a house was broken into in Severn. Officer Smith left us real fast. We then walked back to the Elks Club, and there was a fight and officer Smith came back to that. Earlier that day Jamal Thomas told me him, Karon and Ya Yo had a lit to do tonight. Later I

SIGNATURE: Cinita Long  
WITNESS: B. Burnette

PAGE 1 OF 4  
000108

NCHC - NCSO File





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

NAME: Cinita Lynell Long

DATE OF STATEMENT: 7-29-08

2. saw Jamal at the Elks Club so me, Jamal and Shameka left walking. We walked up by the town hall in Seaboard and this is when officer Smith pulled up beside us while we were walking. He asked us where we were going. We told him up to my cousin house. Me and Shamika asked officer Smith what was going on and he said somebody had broke into somebody's house and somebody had got shot and it was 3 boys on a black honda. I then cut my eyes at Jamal and he looked at me and I just walked away from the car. Jamal walked over where I was and I asked Jamal ~~if~~ did they do that and he said no. I told Jamal he was lying and he said they didn't go to Severn they went to Roanoke Rapids. I don't know how Jamal knew it was Severn because he wasn't with us when officer Smith told us when

SIGNATURE:

Cinita Long

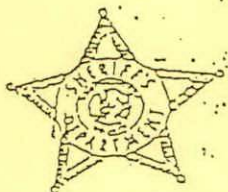
WITNESS:

B. Burnette

PAGE 2 OF 4

000109





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P.O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Cinita Lynell Long DATE OF STATEMENT: 7-29-08

\*\*\*\*\*

" officer Smith told us earlier where the house was broken into. I told Jamal just drop it. After the party was over me, Jamal walked to the Seaboard projects. I saw Jamal honda parked in front of Rashid's house. When we got to the car, YaYo and Karon was on Ya Yo's porch. YaYo and Karon came to Jamal's car where me and Jamal were. Jamal open his car trunk and I saw some brown, black and white jordan, saw a green and blue fittie hats they looked new, wheat timberland boots, and then Jamal took a bag out the trunk and open it and I saw some bracelets, pearl necklace and earring set and alot of other african jewelry. I asked Jamal where he got it from and he didn't say nothing. Karon and YaYo went inside Jamal's car in the back seat and got something and took it in YaYo's house. I couldn't

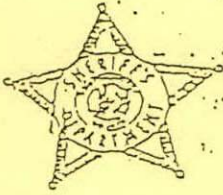
SIGNATURE: Cinita Long

WITNESS: B. Burnett

PAGE 3 OF 4

000110





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*

NAME: Cinita Lynell Long DATE OF STATEMENT: 7-29-08

\*\*\*\*\*

see what it was. Jamal then took me home. cl

End of Statement

SIGNATURE: Cinita Long  
WITNESS: B. Burnette



105.

[illegible]

larrative

got above ring from Cinita Long who said Jamal Thomas gave her the ring and he said he went to the white lady house behind the project and took out it out of her house because he knew they want home. Cinita stated Rashid was selling the white man + woman some crack and he got them to leave house with him so Jamal could p inside the house.

REPORTER'S NAME B. Burnette	DATE/TIME SUBMITTED MO DAY YR 7/29/08	SUPERVISOR'S NAME	CASE DISPOSITION <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> EXCEPTIONAL CLEARED - ADULT <input type="checkbox"/> EXCEPTIONAL CLEARED - JUV	PAGE 1 OF 2
REPORTER'S SIGNATURE B. Burnette	24 Hr.	CASE STATUS <input type="checkbox"/> FURTHER INVESTIGATION <input type="checkbox"/> INACTIVE <input type="checkbox"/> CLOSED 152		



125

AGENCY

NCS-D

ORI #

NC0660800

DATE/TIME REPORTED

MO DAY YR

24  
H.  
C.

OCA FILE NO.

0474

Address

Phone

Found in possession of

Address.

Courtney Williams: bedroom

161 Blue Jay Trail Seaboard

Phone

589-769/

Location from which property was obtained:

Collecting Officer

PROPERTY  
CONTROL NUMBER

DESCRIPTION OF ARTICLES  
(Include model, serial no., identifying marks, condition, etc.)

PROF  
VA

1

pair of wheat timberland boots

Narrative

OFFICER'S NAME

B. Brunette.

OFFICER'S SIGNATURE

B. Burnette

DATE/TIME  
SUBMITTED

MO DAY YR

7130108

24  
Hr

SUPERVISOR'S NAME

CASE STATUS

☐ FURTHER INVESTIGATION☐ INACTIVE

153

CASE DISPOSITION

☐ UNFOUNDED

☐ CLEARED BY ARREST

☐ EXCEPTIONAL CLEARED - ADULT

☐ EXCEPTIONAL CLEARED - UDV

PAGE

1

OF

2

000131

Police then spoke with several other individuals about this crime, including the defendants. Williams maintained that he was in Philadelphia when this crime occurred and at least one other witness, his brother Robert Branch III, also told police Williams did not participate in the crime because they were together in Philadelphia. Additional witnesses provided statements about what they heard during a conversation among the co-defendants about the crime a few days after the crime. As the records in those statements are short, they are provided below in order of the date of the interview by the police. In addition, the statements of the defendants are also summarized in Appendices E and F. Appendix H contains a chart of statements related to Claimant's alleged alibi.



## **JAMAL THOMAS**

(NCSO 118, 120-126, 138 and DA File 112<sup>1</sup>)

<sup>1</sup> This page is from the DA file and not the NCSO file because the NCSO file had a sticky note that blocked the words. However, the other pages from the DA file for this section of the police report were blurry.

OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

Wardie P. Vincent, Sr., Sheriff

P.O. Box 176  
Jackson, NC 27845

Phone: (252) 534-2611

Fax: (252) 534-1408

YOUR RIGHTS

Place NC SO

Date 9-3-08

Time 1922

File No. \_\_\_\_\_

Before we ask you any questions, you must understand your rights.

- ☒ Yes ☐ No 1. You have the right to remain silent.
- ☒ Yes ☐ No 2. Anything you say can be used against you in court.
- ☒ Yes ☐ No 3. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- ☒ Yes ☐ No 4. If you cannot afford a lawyer, one will be appointed for you.
- ☒ Yes ☐ No 5. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

☒ Yes ☐ No I have read or have had read to me this statement of my rights and I understand what my rights are. With these rights in mind, I am willing to make a statement and answer questions. I do not want a lawyer at this particular time. I understand and know what I am doing. No promises or threats have been made to me and no pressure of any kind has been used against me.

Witness B. Burnette

Witness Chief George Reed

Time: 1927 hrs.

Signed Amel A. Thomas

Age: 19

DOB: 5-18-89

Highest grade completed in school  
10<sup>th</sup>

Are you at this time under the influence of any alcoholic beverage or drugs? NO

000118





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Jamal Andre Thomas DATE OF STATEMENT: 9-3-08  
ADDRESS: 2246 Tower Rd. TIME OF STATEMENT: 1926  
Margarettsville, NC 27853 GIVEN TO: Det. B. Burnette  
PHONE: 252 589-1218 PLACE: NCSO  
[REDACTED] DATE OF BIRTH: 5-18-89

\*\*\*\*\*  
ST I give Detective Burnette the following statement  
The end of last year me, ya yo, Karon Moses  
was in Seaboard project around 8 or 9 pm. Ya Yo  
and Karon said they had a lick. Karon ask me if  
I knew Tacoma. Ya Yo said who the one that <sup>have</sup> ~~was~~  
with Erel. Ya Yo said to Karon what the hell he  
do to you and Karon said he tried to shine on me.  
Karon said and I know where he stay at. Ya Yo  
told me come on Mal and I said I'm not  
fucking with yall. Karon said all you got to do  
is drive. Me, Karon and Ya Yo got in my car.

SIGNATURE: Guy O'Harra  
WITNESS: B. Burnette

PAGE 1 OF 8

000112  
NCHC



OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
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Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
DATE OF STATEMENT: 9-3-08

NAME: Jamal Andre Thomas

\*\*\*\*\*  
And <sup>we</sup> went down town to the cupboard. We saw Coatney Williams at the Cupboard. I also saw my girl friend Anita Long and she asked me where was I going. I got out the car and went where she was and told her ~~the boys~~ got a lick. I was talking about YaYo and Karon. Karon and YaYo was telling Coatney what we were going to do. When I got back to my car Coatney was in the back seat on the passenger side behind Karon. Coatney told me to go to his house to get a black shirt. After we got to Coatney house he went inside and came out with a black turtle neck and walking stiff like he had something in his pants. Coatney got in the car and we left. Once Coatney was inside the car he pulled the gun out of his pants. I asked Coatney what the fuck he was doing with that man. Coatney said chill out it aint

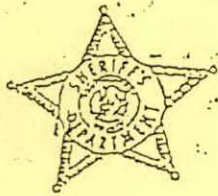
SIGNATURE: Jamal Thomas

WITNESS: B. Burnette

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# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

NAME: Jamal Andre Thomas DATE OF STATEMENT: 9-3-08

Two bullets in it. We were still going down the road. We got to the path right down from Tacoma's house with the yellow gate. I backed in the path. I told Coatney if I hear shots I'm gone. Coatney said man I told you it want no bullets in it. Karon, YaYo and Coatney got out my car the honda accord 92 model 4 dr and walked to Tacoma's house. They went to the path near the house and walked across to the house. Coatney had a shotgun in his hand. Coatney, Karon and YaYo had on all black. Karon had a black hoodie, Coatney a black turtle neck with a black skee mask. Karon also had on a bandana across his face and pulled his hoodie over his head. YaYo had a black wool hat on his head, black long sleeve shirt with a bandana over his face. They stayed gone about 5 or 8

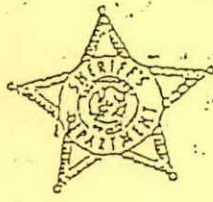
SIGNATURE: Jamal Thomas

WITNESS: B. Burnett

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NORTHAMPTON COUNTY

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P. O. BOX 176  
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NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
DATE OF STATEMENT: 9-3-08

NAME: Samal Andre Thomas

\*\*\*\*\*  
minutes. I then heard about 3 or 4 gun shots and I took off in my car and drove about <sup>quarter</sup> mile and then I said to myself I can't leave them so I turned around and went back towards Taloma's house. I went back to where I was parked at first and turned around and then I saw Coatney, Karon and YaYo jump out the woods. I stopped and Coatney got in the car behind me with the shotgun in his hand, Karon got in front passenger seat, he had the X-box under his arm and the wires and controllers in the other hand. Coatney also had a athletic foots bag in his hand. It was yellow with blue writing, YaYo got in the back seat behind Karone. YaYo had money and was pulling it out after he got in the car. YaYo then ~~gave~~ showed Karone a <sup>57</sup>

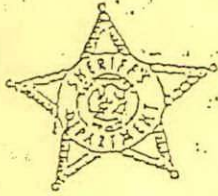
SIGNATURE: Samal Thomas

WITNESS: B. Burnette

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OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

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Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Jamal Andre Thomas DATE OF STATEMENT: 9-3-08

\*\*\*\*\*  
I saw a revolver gun (black). I saw the gun. We going back to Seaboard when a car came up behind us. 1st. YaYo shot the revolver at the car two times. We pulled in a driveway the car went pass and came back and YaYo shot the revolver three more times and said shit I'm out of bullets. I then backed out the driveway and we went back to Seaboard. I parked my car in the Seaboard project in front of Rasheed Alston's house. Me, Karone, YaYo and Coatney got out the car. Coatney told me to pop the trunk I did. Coatney put his bag in my trunk. Karone and YaYo took the X-box and gun to their house after Karone, YaYo and Coatney split the money. I then locked my car up and walked to the Elks home to a party. When I got to the Elks home I saw Cinita outside and Shamika. It was as

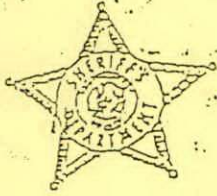
SIGNATURE: Jamal C Thomas

WITNESS: B. Burnette

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NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

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Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

NAME: Jamal Andre Thomas DATE OF STATEMENT: 9-3-08

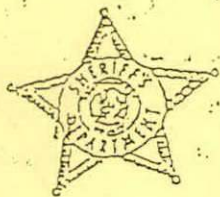
30 and over party and they wouldn't let us in. We talked about 20 minutes and Coatney came up on a mustang and told me he wanted his stuff. I got on the mustang and we went back to the projects. Coatney got the Timberland boots, The Jordans and he got back in the mustang. I then drove my car back to the Elks Club. I talked to Cinita and she said she was going to the projects so I drove back. I waited and waited and Cinita never came. So I walked back to the Elks Club and I saw Cinita and Shameka walking. The next day I saw Karon in the Seaboard Project. I asked him man what happen what the fuck yall start shooting for. Karon said yall don't put me in it. Karone told me Coatney saw Erel pulled up and he started shooting. Karone said somebody got out it

SIGNATURE: Jamal Andre Thomas  
WITNESS: B. Burnette

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NORTHAMPTON COUNTY

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Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Jamal Andre Thomas DATE OF STATEMENT: 9-3-08  
\*\*\*\*\*

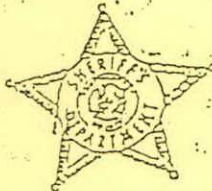
\*\*\*\*\*  
The car and Coatney started shooting. Before the shooting Karone said Coatney kicked down the door and Karone and YaYo went in the house. Karone said he was in one room and picked up the timberlands and the Jordans and stuffed them in a athletic bag, Karone also said he stuffed some hats in the bag a psp and the x-box. Karone said he went in the other room where YaYo was and YaYo had the shotgun. Karone said YaYo had the gun in the lady mouth and had it between her leg. Karone said YaYo was asking the lady where all the stuff was. Karone said YaYo was putting jewelry in the athletic bag and the lady told him the money was in a drawer. ~~Karone said when the~~ Karone was asking the lady where the fucking money was.

SIGNATURE: Jamal Andre Thomas  
WITNESS: B. Burnette

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OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P.O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Jamal Andre Thomas DATE OF STATEMENT: 9-3-08

\*\*\*\*\*  
IT \*\*\*\*\*  
She told him and when Karone open the drawer  
he saw a gun in there. Karone gave Ya Yo  
he gun that was found in the house, and  
Ya Yo gave the shot gun to Karone and he took  
the shot gun to Coantney. Also Karone threw  
the cell phone out the window on 186 before  
we got to Seaboard/ST

2153

SIGNATURE: Jamal Thomas  
WITNESS: B. Burnette

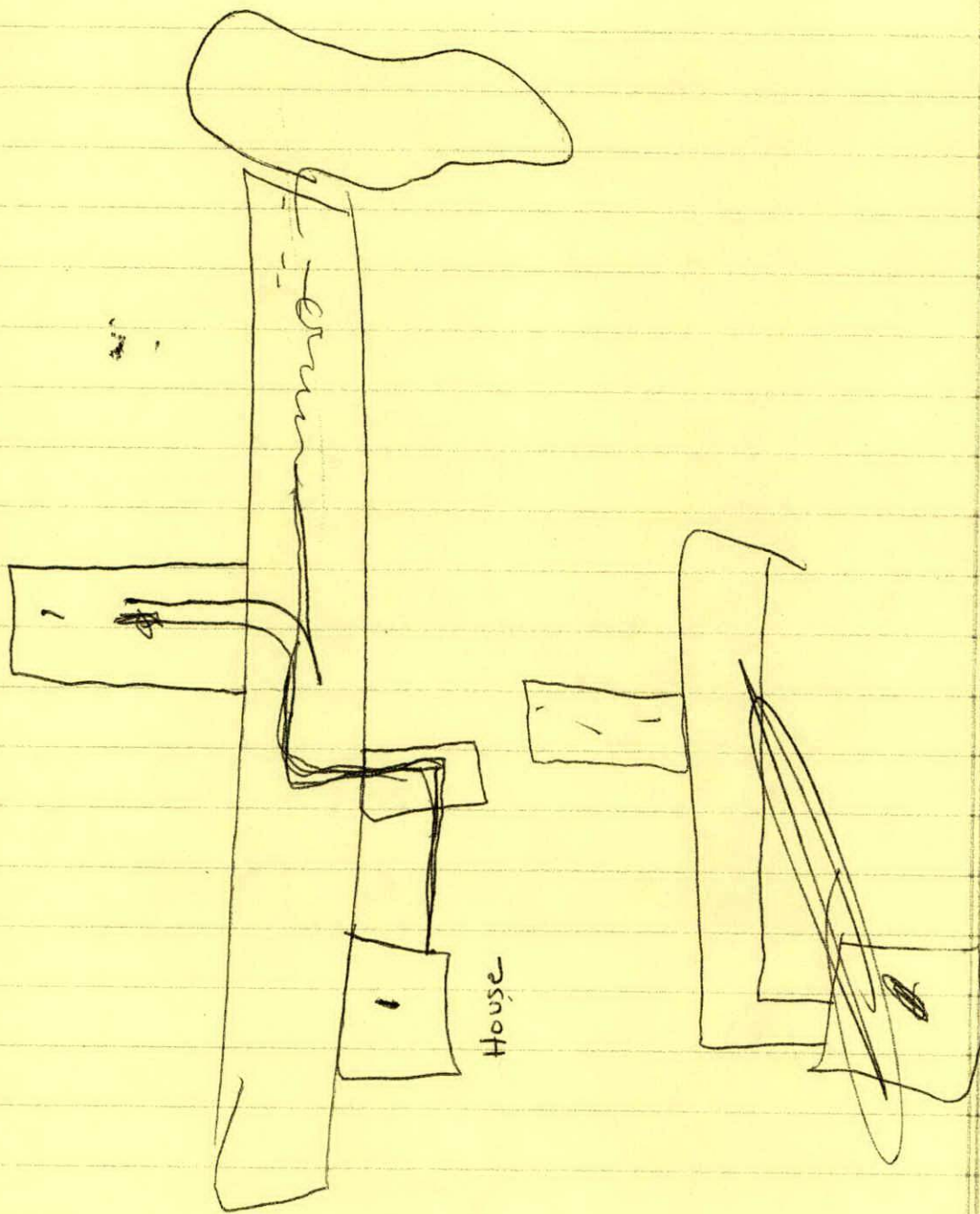
PAGE 8 OF 8  
000126



Hand-drawn sketch of scene

9-3-08

Where  
car was  
parked when suspect went inside house



133

000138

**KARON MOSES**

(NCSO 127-128)



121



# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P.O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Karon Rashawn Moses  
ADDRESS: 408 King Circle  
Seaboard, NC 27876  
PHONE: 252 589-1102  
SOCIAL SECURITY: [REDACTED]

DATE OF STATEMENT: 9-4-08  
TIME OF STATEMENT: 1440  
GIVEN TO: Det. Burnette  
PLACE: NCSO  
DATE OF BIRTH: 8-25-90

\*\*\*\*\*  
KM I give Detective Burnette the following statement.  
I don't know what you are talking about. KM

1447  
*End of Statement*

SIGNATURE: Karon Moses  
WITNESS: B. Burnette

PAGE 1 OF 1



# OFFICE OF THE SHERIFF

NORTHAMPTON COUNTY

Wardie P. Vincent, Sr., Sheriff

P.O. Box 176

Jackson, NC 27845

Phone: (252) 534-2611

Fax: (252) 534-1408

122

## YOUR RIGHTS

Place NC DC  
Date 9-4-08  
Time 1420  
File No. \_\_\_\_\_

Before we ask you any questions, you must understand your rights.

- KM* Yes ☒ No ☐ 1. You have the right to remain silent.
- KM* Yes ☒ No ☐ 2. Anything you say can be used against you in court.
- KM* Yes ☒ No ☐ 3. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- KM* Yes ☒ No ☐ 4. If you cannot afford a lawyer, one will be appointed for you.
- KM* Yes ☒ No ☐ 5. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

## WAIVER OF RIGHTS

*KM* Yes ☒ No ☐ I have read or have had read to me this statement of my rights and I understand what my rights are. With these rights in mind, I am willing to make a statement and answer questions. I do not want a lawyer at this particular time. I understand and know what I am doing. No promises or threats have been made to me and no pressure of any kind has been used against me.

Witness B. Burnett Signed Haron Moses  
Witness \_\_\_\_\_ Age: 18  
Time: 1423 DOB: 8-25-90  
Highest grade completed in school 10<sup>th</sup>

Are you at this time under the influence of any alcoholic beverage or drugs? NO

000128



**ANTONIO FREEMAN**

(NCSO 129-130)

OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

Wardie P. Vincent, Sr., Sheriff

P.O. Box 176  
Jackson, NC 27845

Phone: (252) 534-2611

Fax: (252) 534-1408

123

YOUR RIGHTS

Place NCSO

Date 9-4-08

Time 1415

File No. \_\_\_\_\_

Before we ask you any questions, you must understand your rights.

- ☒ Yes ☐ No 1. You have the right to remain silent.
- ☒ Yes ☐ No 2. Anything you say can be used against you in court.
- ☒ Yes ☐ No 3. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- ☒ Yes ☐ No 4. If you cannot afford a lawyer, one will be appointed for you.
- ☒ Yes ☐ No 5. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

☒ Yes ☐ No I have read or have had read to me this statement of my rights and I understand what my rights are. With these rights in mind, I am willing to make a statement and answer questions. I do not want a lawyer at this particular time. I understand and know what I am doing. No promises or threats have been made to me and no pressure of any kind has been used against me.

Witness B. Burnett

Witness \_\_\_\_\_

Time: 1414

Signed Antonia Freeman

Age: 19

DOB: 5-3-89

Highest grade completed in school  
8<sup>th</sup>

Are you at this time under the influence of any alcoholic beverage or drugs? NO

000129





124

# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P.O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Antonio Torgando Freeman DATE OF STATEMENT: 9-4-08  
ADDRESS: 900 Henry St. TIME OF STATEMENT: 1420  
Roanoke Rapids, NC 27870 GIVEN TO: Det. B. Burnette  
PHONE: 252 541-1429 PLACE: NCDC  
SOCIAL SECURITY: [REDACTED] DATE OF BIRTH: 5-3-89

\*\*\*\*\*  
AF I give Detective Burnette the following statement  
I don't know nothing about it. AF

End of Statement

1427

SIGNATURE: Antonio Freeman  
WITNESS: B. Burnette

PAGE 1 OF 1

000130

NCHC - NCSO File

**COATNEY WILLIAMS**

(NCSO 132-135)



OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

Wardie P. Vincent, Sr., Sheriff

P.O. Box 176

Jackson, NC 27845

Phone: (252) 534-2611

Fax: (252) 534-1408

127

YOUR RIGHTS

Place Northampton Co. Courthouse

Date 9-8-08

Time 9:40 am

File No. \_\_\_\_\_

Before we ask you any questions, you must understand your rights.

- ☒ Yes ☒ No 1. You have the right to remain silent.
- ☒ Yes ☒ No 2. Anything you say can be used against you in court.
- ☒ Yes ☒ No 3. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- ☒ Yes ☒ No 4. If you cannot afford a lawyer, one will be appointed for you.
- ☒ Yes ☒ No 5. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

☒ Yes ☒ No I have read or have had read to me this statement of my rights and I understand what my rights are. With these rights in mind, I am willing to make a statement and answer questions. I do not want a lawyer at this particular time. I understand and know what I am doing. No promises or threats have been made to me and no pressure of any kind has been used against me.

Witness \_\_\_\_\_

Witness B. Burnett

Time: 9:41 am

Signed Courtney R. Williams

Age: 23

DOB: 1-24-85

Highest grade completed in school

10<sup>th</sup>

Are you at this time under the influence of any alcoholic beverage or drugs? NO

000132





# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Coatney Randell Williams DATE OF STATEMENT: 9-8-08  
ADDRESS: 161 Blue Jay Trail TIME OF STATEMENT: 9:42am  
Seaboard, NC 27876 GIVEN TO: Det. B. Burnette  
PHONE: 252 589-7691 PLACE: Northampton Court house  
SOCIAL SECURITY: [REDACTED] DATE OF BIRTH: 1-24-85

\*\*\*\*\*  
CW I give Detective Burnette the following statement  
On December 29, 2007 me, my little brother  
Robert, my mom Regina and my mom husband  
Robert Knight was on our way to Philadelphia.  
I was in Alexandria Virginia when I got a  
phone call on <sup>my brother's</sup> cell phone from Jamal Thomas  
saying that the word in Seaboard was I brought  
into Angela I don't know her last <sup>my</sup> name, but  
she stay behind the Seaboard project a white  
lady. Jamal told me The word was I  
broke into her house and stole her 38. CW

SIGNATURE: Coatney Williams

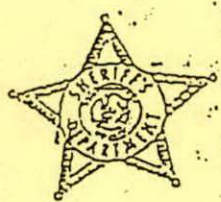
WITNESS: B. Burnette

PAGE 1 OF 3

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NCHC - NCSO File





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

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Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Coatney Randell Williams DATE OF STATEMENT: 9-8-08

\*\*\*\*\*  
CW I kick back to Seaboard on January 3, 2008  
from Philadelphia. When I get back me, Jamal,  
Ya Ya and Karon my little brother Robert, ~~CW~~  
April Smith, Tiffany Brown was at Rasheed's house  
in the projects smoking weed, when the conversation  
of the licks that Ya Ya, Karon and Jamal did  
over the Christmas/New Year holiday. Ya Ya was  
gloating about sodomizing Tacoma's mom with  
the gun. Jamal, Ya Ya and Karon was laughing  
and having a good old time sharing the story  
with me, Robert, Tiffany, April and Rasheed. Jamal,  
Ya Ya and Karon spoke about the shooting of  
somebody that chase them the night of December  
29. Ya Ya said when the dude that was chasing  
them when they pulled behind a barn and Ya Ya  
rolled the window down, and shot the guy. CW

SIGNATURE: Coatney Williams  
WITNESS: B. Burnette





OFFICE OF THE SHERIFF  
NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

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JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Coatney Randall Williams DATE OF STATEMENT: 9-8-08

\*\*\*\*\*  
I had the jewelry, Jordan and Timberland shoes and some fitted caps. Jamal had some PSP's. Jamal traded the X-box for cash and bought a PS 3. Jamal gave me the wheat Timberlands to me that came out of Tacoma's house at my aunt Susie Tyson's house. The reason why I know because Jamal said they ain't my size no way they came from the lick we did in Severn. I didn't have anything to do with the burglary. I was told by Jamal, ~~he~~ and YaYo what happen. Karon just sit back while they talk. <sup>on</sup>

SIGNATURE: Coatney Williams  
WITNESS: B. Burnett



**APRIL SMITH**

(NCSO 136)



# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: April Smith DATE OF STATEMENT: 9-8-08  
ADDRESS: 187 Sandy Ln. TIME OF STATEMENT: 5:50 pm  
Gaston, NC 27832 GIVEN TO: Det. B. Burnette  
PHONE: 252 589-1491 PLACE: 187 Sandy Ln.  
SOCIAL SECURITY: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

\*\*\*\*\*  
I give Detective Burnette the following statement.  
I April Smith heard Antonio Freeman say that him  
and Karon held the lady in Severn up at gun point  
and made her strip. I was at 332 Fountain Court  
when Antonio said this. Antonio said after he made her  
strip he made her pull her tampon out.

SIGNATURE: \_\_\_\_\_

WITNESS: B. Burnette

PAGE 1 OF 1

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**RASHEED ALSTON**

(NCSO 137)



# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
( ) VICTIM ( ) WITNESS ( ) SUSPECT ( ) DEFENDANT  
( ) WRITTEN ( ) ORAL ( ) TAPED (THAT HAS BEEN TRANSCRIBED)  
\*\*\*\*\*

NAME: Basheed Alston DATE OF STATEMENT: 9-8-08  
ADDRESS: 187 Sandy Ln. TIME OF STATEMENT: 6:00 pm  
Gaston, NC 27832 GIVEN TO: Det. B. Burnette  
PHONE: 252 589-1491 (mom) PLACE: 187 Sandy Ln.  
SOCIAL SECURITY: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

\*\*\*\*\*  
I give Detective Burnette the following statement.  
I overheard Antonio and some more people talking.  
I asked Antonio if he pulled the lady tampon out  
and was he trying to rape her. Antonio said no I  
want trying to rape her I was just checking and  
see if she had any money in her panties. I  
told him he was crazy. and he was nasty and said  
you know I'm from Baltimore we are crazy.  
Antonio said after they left the son started chasing  
them and they shot at them.

SIGNATURE: \_\_\_\_\_

WITNESS: B. Burnette

PAGE 1 OF 1

000137



**ROBERT BRANCH III**

(NCSO 159-161)



# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P.O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

## NORTHAMPTON COUNTY SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION STATEMENT FORM

\*\*\*\*\*  
☐ VICTIM                      ☐ WITNESS                      ☐ SUSPECT                      ☐ DEFENDANT  
☐ WRITTEN                      ☐ ORAL                      ☐ TAPED (THAT HAS BEEN TRANSCRIBED)  
 \*\*\*\*\*

NAME: Robert Branch III                      DATE OF STATEMENT: 10-1-08  
 ADDRESS: 161 Blue Jay Trail                      TIME OF STATEMENT: 1440  
Seaboard, NC 27876                      GIVEN TO: Detective Burnette  
 PHONE: 252 589-7691                      PLACE: NCSO  
 SOCIAL SECURITY: [REDACTED]                      DATE OF BIRTH: 6-8-89

\*\*\*\*\*  
 RB I give Detective Burnette the following statement.  
 RB ~~me~~ Coatney my mom and my mom boyfriend  
 Robert Knight left on December 26, 2007 and  
 went to Philadelphia, Pa. We came back home  
 on December 29, 2007 and got back around  
 7pm. On December 26 around 4:00pm I  
 received a call on my cell phone (578-4208)  
 from Jamal Thomas. Jamal asked me was I  
 in Seaboard and I told him I was in  
 Philadelphia. Jamal said then it was good that  
 yall (me + Coatney) had already left because RB

SIGNATURE: Robert Branch III

WITNESS: B. Burnette

PAGE 1 OF 3  
000159

NCHC - NCSO File





# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176

JACKSON, N. C. 27845

Phone: (252) 534-2611

Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
DATE OF STATEMENT: 10-1-08

NAME: Robert Branch III

\*\*\*\*\*  
he said the police was hot and was looking for somebody and he said somebody just got robbed. Jamal said he just wanted to let us know. I hung up the phone. When we got back on 29<sup>th</sup> of December a couple of days later I was sitting at my friend Sheed house in the projects in Seaboard. Me, my girlfriend Tiffany Brown, Sheed and Sheed wife April was in their living room <sup>RB</sup> ~~smoking~~ smoking weed and watching tv when Antonio Freeman walked in the front door. Antonio told me that Erel Jordan got shot. Antonio told me that it was him, Karon and Mally that robbed Erel. A couple minutes later Mally came to Sheed house and he started telling me that Ya Yo and Karon was crazy. I told Mally that Ya Yo had already told him. About 3 or 4 hours later Karon came to Sheed's house and I asked Karon

SIGNATURE: Robert Branch III

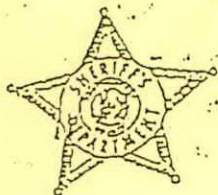
WITNESS: B. Brunette

PAGE

2 OF 3

000160





# OFFICE OF THE SHERIFF NORTHAMPTON COUNTY

WARDIE P. VINCENT, SR., SHERIFF

P. O. BOX 176  
JACKSON, N. C. 27845  
Phone: (252) 534-2611  
Fax (252) 534-1408

NORTHAMPTON COUNTY SHERIFF'S OFFICE  
CRIMINAL INVESTIGATION DIVISION  
STATEMENT CONTINUATION PAGE

\*\*\*\*\*  
NAME: Robert Branch III DATE OF STATEMENT: 10-1-08

\*\*\*\*\*  
What they get from Erel and Karen said nothing it was  
a waste of time. I think Karen and Tacoma had a  
problem because ~~Tacoma~~ <sup>Karon</sup> had someone to hit ~~Tacoma~~  
in his mouth at school. RB RB

End of Statement

SIGNATURE: Robert Branch III  
WITNESS: B. Burnett

PAGE 3 OF 3  
000161



There were also further investigative summary notes dated 9/5/08 that indicate that Karon Moses told Conora Long (sister of Cinita Long, who was Jamal Thomas' girlfriend) that Williams had "snitched" on him, which is provided below. While police were serving the arrest warrant on Karon Moses on 9/5/2008, Moses stated that someone was going to die for this.

## **FURTHER INVESTIGATIVE SUMMARY NOTES**

(NCSO 151)



9-5-08

146

Karone Moses stated while  
serving warrant on him someone  
was going to die for this

at the jail

Karone told Connera Long Coatney  
snitched on me

9-5-08

Karone told Mag. Futrell at the  
mag. office to shut the fuck up  
after she told him to come back  
from the door also he said it  
don't matter I don't give a fuck  
if I spend a 120 days in jail

000151

Williams sent a letter to Karon Moses while the two were in jail in late September 2008, which was then received by Major Drew. It is unclear how Major Drew received it. The letter is provided in full below.



## **WILLIAMS LETTER**

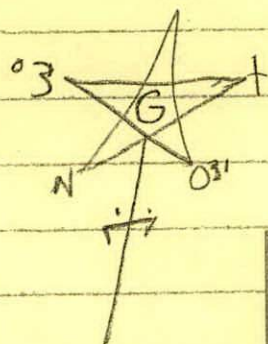
(NCSO 152-153)

Karon

What's poppin' y'all niggas  
 know y'all 13/13 for puttin my  
 name in that bullshit talking bout  
 you got a motherfucking 00 Banger  
 from me nigga you know you  
 got that shit from speed but  
 why y'all aint put his hard back  
 ass in it I all ready got too much  
 shit on my head to be worrying  
 with some shit y'all niggas did.  
 Ima 4 time convicted felon and this  
 charge will send me up the road  
 for at least 10 years and I got my  
 own charges to worry bout so if I  
 got to testify against y'all to clear  
 my name so be it so man I for  
 what you did so I aint got to testify  
 against y'all cause I got my witnesses.  
 Ready to come to court.

B11

Ma'y His bitch  
 the Reason why  
 Y'all locked up  
 now



And All that tough  
 talk gone get you  
 Peter Rolled Nigga

Received on  
 9-19-08

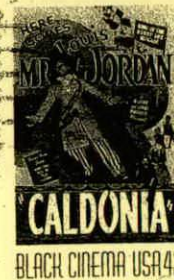
from Major Drew

000152



Loathney Williams  
P.O. Box 186  
Halifax, NC 27839

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

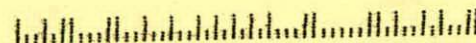


37

MAILED FROM  
HALIFAX COUNTY DETENTION CENTER

Karion Moses  
Northampton Co. Jail  
Bryantown RD  
Jackson, NC 27845

27845+9614



000153

148

At some point during the investigation of this case, Special Agent Harold McCluney of the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives got involved, although it is unclear exactly how. Reports indicate that Agent McCluney conducted interviews related to possible interstate connections regarding the money taken from the Davis residence (DA File 621-622) and the ammunition recovered from the crime scene (DA File 625-626). Agent McCluney also wrote a report summarizing Jamal Thomas' interview with Det. Brenda Burnette and Chief George Reed on September 3, 2008 (DA File 623-624). These are the only reports from Agent McCluney.

In addition to his reports, a State's Supplementary Response to Discovery indicates that Agent McCluney took a statement from Karon Moses. (DA File 609) There are undated handwritten notes that appear to be from an interview with Moses with Agent McCluney. According to the notes, Moses described committing the crime with Freeman and Thomas. Moses stated that Williams was not with them (DA File 652-652). There is another set of unsigned and undated notes in what appears to be the same handwriting. These notes appear to correspond to an interview with Cinita Long that was conducted by Det. Burnette on July 29, 2008 (DA File 627-628). This interview was provided above.

All of the documentation related to ATF involvement in this case is provided below. No federal charges were filed in this case.



## **ATF INVESTIGATION**

(DA FILE 609, 620-628, 652-657)

STATE OF NORTH CAROLINA  
NORTHAMPTON COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NUMBER(s):

STATE OF NORTH CAROLINA

VS.

STATE'S SUPPLEMENTARY  
RESPONSE TO DISCOVERY

Coatney Williams;  
Antonio Freeman;  
Jamal Thomas;  
Karon Moses

The state intends to introduce the following information into evidence which is subject to disclosure under N.C.G.S. 15A-903.

- ① Interview w/ Mary Davis DA p. 4-3
- ② Interview w/ Tacoma Davis DA p. 4-5
- ③ Interview w/ Evelyn Jordan DA p. 6-7
- ④ Interview w/ Frel Jordan DA p. 8-10
- ⑤ Reports from ATF Agent Harold McCluney DA pp. 11-17

*Val M. Acell*  
District Attorney

This the 7<sup>th</sup> day of July 2010.

- ⑥ Statement of Karon Moses taken by Agent Harold McCluney DA pp. 18-25
- ⑦ Statement of Jamal Thomas
- ⑧ Diagram of house DA p. 26

CERTIFICATE OF SERVICE

This is to certify that a copy of State's Response to Request or Motion for Discovery has been delivered to defendant's counsel by depositing in U.S. Postal Service, hand delivery, or fax.

This the 7 day of July 2010.

*Val M. Acell*  
Assistant District Attorney

000609  
NCIC



**YAHOO! MAIL**  
Classic

FW:

Wednesday, July 7, 2010 4:13 PM

From: "McCluney, Harold H. Jr." &lt;Harold.H.McCluney@usdoj.gov&gt;

To: pambrinkley40@yahoo.com

Cc: da6b@embarqmail.com

1 File (929KB)



2010070...

Harold H. McCluney, Jr  
Special Agent  
US. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
4700 Falls Of Neuse Road, Suite 395  
Raleigh, North Carolina 27609  
919-719-2021(Main)  
919-719-2027(Direct Line)  
919-719-2022(Fax)

—Original Message—

From: Harold McCluney [mailto:[harold.mccluney@att.gov](mailto:harold.mccluney@att.gov)]

Sent: Wednesday, July 07, 2010 3:36 PM

To: McCluney, Harold H. Jr.

Subject:

This E-mail was sent from "RNPE68713" (Aficio MP 5000).

Scan Date: 07.07.2010 15:36:09 (-0400)

\*\*\*\*\*

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

DA 11

[http://us.mc542.mail.yahoo.com/mc/showMessage?fid=Inbox&mid=1\\_126606\\_APgnvs4A...](http://us.mc542.mail.yahoo.com/mc/showMessage?fid=Inbox&mid=1_126606_APgnvs4A...)000620  
7/7/2010  
NCIC

Report of Investigation


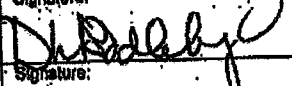
Title of Investigation: Coatney Williams et al	Investigation Number: 763060-09-0010	Report Number: 3
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SUMMARY OF EVENT:

**INTERVIEW:** On January 28, 2009, ATF S/A Harold McCluney and Northampton County Sheriff's Detective Brenda Burnette interviewed Mary Davis at her residence of 804 Boone Ridge Road, Como, North Carolina 27818.

NARRATIVE:

1. On January 28, 2009, ATF S/A Harold McCluney and NHCS Detective Brenda Burnette interviewed Mary Davis at her residence of 804 Boone Ridge Road, Como, North Carolina 27818. Davis stated that the money taken during the robbery of her residence on December 29, 2007, were proceeds received from her church. Davis stated that she serves as church financial secretary for Mount Sinai Missionary Baptist Church, 346 Boones Bridge Road, Como, North Carolina, 27818.
2. Davis stated that one of her responsibilities, as financial secretary is to pay all of the bills for the church. Davis stated that any church functions where money is collected, she is responsible for taking custody of the money; document the amount and process the necessary paper. Davis stated that once this function is completed, she turns the money over to the church treasurer who deposits the money into the church bank account.
3. Davis stated that one of the many bills she is responsible for paying is the casualty insurance on the church. The church is covered by Montgomery Insurance Company in Fairfield Ohio. Davis stated that Jenkins Brown Insurance Inc. is the local representative for Montgomery Insurance. Davis stated that Jenkins Brown Insurance Inc. is located at 212 E Main St, Murfreesboro, North Carolina.

Prepared by: Harold H. McCluney	Title: Special Agent, Raleigh Field Office	Signature: 	Date: 2/4/09
Authorized by: David W. Riddleberger	Title: Acting Resident Agent in Charge, Raleigh Field Office	Signature: 	Date: 3/9/09
Second level reviewer (optional): Zebedee T. Graham	Title: Special Agent in Charge, Charlotte Field Division	Signature:	Date:

DA 12

000621  
NCIC



## Report of Investigation

Title of Investigation: Conceal Williams et al	Investigation Number: 763060-08-0010	Report Number: 4
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### SUMMARY OF EVENT:

**INTERVIEW:** On February 3 2009, ATF S/A Harold McCluney interviewed John Jenkins, owner of Jenkins Brown Insurance Inc, Murfreesboro, North Carolina 27818

### NARRATIVE:

1. On February 3, 2009, ATF S/A Harold McCluney interviewed John Jenkins owner of Jenkins Brown Insurance Inc., 212 Main Street, Murfreesboro. Jenkins stated that he has represented Montgomery Insurance Company, which was formally Ohio Casualty for approximately 20 years. Jenkins stated that Montgomery Insurance Company headquarters are in Keen, New Hampshire. Jenkins stated that his company would write the policy for Montgomery Insurance Company. Jenkins stated that Montgomery would insure the business or individual based on the type of policy.
2. Jenkins stated that he has provided insurance for Mount Sinai Missionary Baptist Church, 346 Boones Bridge Road, Como, North Carolina, 27818 for approximately 17 years. Jenkins stated that Mount Sinai Missionary Baptist Church was insured at the time robbery occurred on December 29, 2007.

Prepared by: Harold H. McCluney	Title: Special Agent, Raleigh Field Office	Signature: <i>Harold H. McCluney</i>	Date: 2/9/09
Authorized by: David W. Riddleberger	Title: Acting Resident Agent in Charge, Raleigh Field Office	Signature: <i>D. Riddleberger</i>	Date: 2/10/09
Second level reviewer (optional): Zebedee T. Graham	Title: Special Agent in Charge, Charlotte Field Division	Signature:	Date:

## Report of Investigation

Title of Investigation: Coniney Williams et al	Investigation Number: 763060-09-0010	Report Number: 2
---	---	---------------------

### SUMMARY OF EVENT:

**INTERVIEW:** On September 3, 2008, Jamal Andre THOMAS was interviewed by Northampton County Sheriff's Department Detective Brenda Burnette and Chief George Reid, Seaboard Police Department regarding a home invasion that occurred on December 29, 2007.

### NARRATIVE:

1. On September 3, 2008, NHSD Detective Brenda Burnette and George Reid, Chief of Police, Seaboard, North Carolina interviewed Jamal Andre THOMAS (B/M, DOB 05/18/1989, SSN# 218-23-2795, FBI#913755RC1, NCSID# NC1239635A, Address 2246 Tower Road, Margarettsville, North Carolina, 27853). THOMAS was advised of his rights and he waived his rights and gave a written statement. THOMAS stated that in December of last year (2007) Karon Rashawn MOSES (B/M, DOB 08/25/1990, SSN# 237-69-3338, Address 408 King Circle, Seaboard, North Carolina, 27876) Antonio Tovyando FREEMAN (B/M, DOB 05/03/1989, SSN# 218-23-1349, Address 900 Henry Street, Roanoke Rapids, North Carolina, 27870) asked him if he knew Tacoma Davis.
2. THOMAS stated that MOSES said that he knew where Davis lived and that all he would have to do is drive. THOMAS stated that all three went downtown to the Cupboard, a local hangout. THOMAS stated that they ran into Coatney WILLIAMS (B/M, DOB 01/24/1985, FBI#645589DC3, NCSID# NC01059291A, SSN# 244-47-1646, Address 161 Blue Jay Trail, Seaboard, North Carolina, 27876). THOMAS stated that while at the Cupboard he ran into his girlfriend Cinita Long. THOMAS stated that he told Long that he and the boys got a lick to do. THOMAS stated when he got back to the car WILLIAMS was in the back passenger seat. THOMAS stated that WILLIAMS told him to go by his house for a minute. THOMAS stated that WILLIAMS went in to the house and came out with a black turtleneck and that he was walking stiff as if something was in his pants. THOMAS stated that once WILLIAMS got into the car he removed a shotgun out of his pants. THOMAS stated that he asked WILLIAMS what he was going to do with the shotgun and WILLIAMS replied, "chill out there is no bullets in it."
3. THOMAS stated that he backed into the path right down from Tacoma Davis's house with the yellow gate. THOMAS stated that WILLIAMS, MOSES and FREEMAN got out of the car and walked to Tacoma Davis's house. THOMAS stated that WILLIAMS was carrying the shotgun and that all three were wearing black. THOMAS stated that MOSES had a black hoodie with a bandana across his face;

Prepared by: Harold H. McCluney	Title: Special Agent, Raleigh Field Office	Signature: <i>Harold H. McCluney</i>	Date: 12/1/08
Authorized by: David W. Riddleberger	Title: Acting Resident Agent in Charge, Raleigh Field Office	Signature: <i>D. Riddleberger</i>	Date: 12/1/08
Second level reviewer (optional): Zebedee T. Graham	Title: Special Agent in Charge, Charlotte Field Division	Signature:	Date:



WILLIAMS had a black turtleneck with a black ski mask. THOMAS stated that FREEMAN had a black wool hat on his head, black long sleeve shirt with a bandana over his face. THOMAS stated that they were gone for approximately 10 minutes when he heard three or four gunshots. THOMAS stated that he drove about a quarter-mile from the house then decided to go back towards Tacoma Davis's house. THOMAS stated that he picked up WILLIAMS, MOSES and FREEMAN after they came out of the woods. THOMAS stated that WILLIAMS still had the shotgun, FREEMAN had money and MOSES had a black revolver he found at Tacoma Davis's house.

4. THOMAS stated that FREEMAN fired several shots from the revolver at a car that came up behind them very fast. THOMAS stated that he pulled into a driveway and the car went passed and turned around. THOMAS stated that FREEMAN fired three more rounds at the car and replied "shit I am out of bullets." THOMAS stated that he drove back to Seaboard projects and that he parked the car. THOMAS stated that WILLIAMS split the money and everyone left. THOMAS stated WILLIAMS left the shotgun and other items taken from Tacoma Davis house in the trunk of the car. THOMAS stated that FREEMAN kept the revolver and WILLIAMS came back approximately 30 minutes later and retrieved his bag from the trunk of the car.

Report of Investigation

Title of Investigation: Coatney Williams et al	Investigation Number: 763060-09-0010	Report Number: 1
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SUMMARY OF EVENT:

**FIREARMS INTERSTATE NEXUS:** On November 25, 2008, during an interview with Special Agent (S/A) Harold McCluney, S/A Tim Graden, Interstate Nexus Examiner, advised that the ammunition possessed by Coatney WILLIAMS, had traveled in interstate and/or foreign commerce.

NARRATIVE:

1. On December 29, 2007, officers with the Northampton Sheriff's Department (NHSD) received a call regarding a home invasion at 1885 Vaughan Creek Road, Pendleton, North Carolina. The officers stated that the victim Mary Davis stated that she was on the telephone when the phone went dead. Officers stated that Davis said she checked the other phones and they were dead also. Officers stated that Davis said she was in her bedroom when she heard a gunshot and two unknown black males came running into her bedroom. Officer stated that Davis said that one of the black males pointed a shotgun at her and said, "where is the money". Officer stated that Davis said that one of the black males searched her son Tacoma Davis's room. Officer stated that Davis told the black males where the church money was hidden in the closet.
2. Officers stated that Davis said that when one of the black males left the room again the other pulled her pajamas off and attempted to sexually assault her. Officers stated that Davis said that she heard her son Tacoma say "momma momma". Officers stated that Davis said that the black male that was attempting to sexually assault her jumped up and ran to the front of the house with the shotgun in his hand. Officers stated that Davis said please do not hurt my baby when she heard two gunshots. Officers stated that Davis said that both black males came back into her bedroom and continued to search. Officers stated that Davis said that both black males left the room at which time she put her pajamas back on and ran to the other bedroom window to see. Officers stated that Davis said that she heard a car speeding out of her driveway then she saw her neighbor's car pursuing another vehicle. Officers stated that Davis said she looked for her son Tacoma Davis while she attempted to get her neighbors attention prior to her pulling out of the driveway. Officers stated that Davis said she looked around but could not find Tacoma. Officers stated that Davis said she found Tacoma Davis's car with the passenger side door open.
3. Officers stated that Davis said she ran back into the house, got her keys, and immediately drove to her neighbor's house. Officers stated that Davis said that she called 911 and reported what happened. Officers stated that Davis found out that her son Tacoma Davis was not shot, however his friend Erel Jordan who was in the passenger seat of the vehicle was shot in the back. Officers stated that no one was charged regarding this incident.

Prepared by: Harold H. McCluney	Title: Special Agent, Raleigh Field Office	Signature: <i>Harold H. McCluney</i>	Date: 12/1/08
Authorized by: David W. Riddleberger	Title: Acting Resident Agent in Charge, Raleigh Field Office	Signature: <i>D. Riddleberger</i>	Date: 12/1/08
Second level reviewer (optional): Zebedee T. Graham	Title: Special Agent in Charge, Charlotte Field Division	Signature:	Date:



4. S/A Graden was given a description of the ammunition possessed by WILLIAMS.
  - a. 2 rounds of .20 gauge, Winchester ammunition
5. Based on his training and experience, S/A Graden stated that the two rounds of Winchester ammunition are ammunition as defined in Title 18, United States Code (USC), Chapter 44, Section 921(a) (3) and that it was manufactured outside of North Carolina and therefore traveled in and/or effected interstate and/or foreign commerce prior to being possessed by WILLIAMS in North Carolina.

Attachment: Statement of Qualification of S/A Tim Graden, Interstate Nexus Examiner

Lynell

Cinita Long DOB 7/16/88

173 Julian Morgan Rd

Seaboard NC 27876

phone 589-7861 H

cell 678-0878

- Party  
Standing at curb  
talking to Police - Officer Smith  
had a call
- went to a party - party over
- Jamal came to party at the end
- Officer Smith took a
- some body robbed someone
- looked at Jamal - booked away from  
the car
- Officer left
- asked Jamal did he do that then he stated  
no
- after her call in left he told her  
that he did do it he, Karon and  
Antonio. sitting in front of Post Office
- He stated that he was the driver
- then we went to the projects
- Antonio and Karon came to the car  
to get their stuff out.
- put items in a bag
- looked in vehicle  
shoes, jewelry, video game

DA 18

000627  
NCIC



- gave bracelet and a ring -  
- bracelet broke off her ~~own~~ wrist and she lost  
it.

- no threats  
- no body talked to her about.  
-

Rashad Abston

Garyburg with April  
past church 2<sup>nd</sup> right  
house 1<sup>st</sup> on right  
April pregnant beige

200 Truman Street  
Truman Street  
James Williams

Karon Raohawn Moses

DOB 8/25/90

408 King Circle  
Seaboard NC

18 yrs old.

27876

- chillin with Jamal Thomas  
Antonio Freeman

- Thomas and Freeman were ~~disc~~ talking  
about robbing the house.

- Thomas and Freeman knew there  
would be money there.

- Thomas had a pair of shoes that Tocomo  
bought from him and then Tocomo told  
his mother that he took them and that  
she came and got the shoes from  
Jamal Thomas

Thomas came back later while they  
were down town and picked them up.

- drove to the house.

- did not think anyone was in the house  
- path on the other side of the street

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- all got out
- one gun a shotgun at that time
- all three were walking towards the house
- ~~Thomas told to cut the phone line~~  
at the house
- ~~you~~  $\Delta$  had a knife he asked for it  
to cut the phone line
- Freeman told you to kick the door  
I could not get to open, Thomas  
kept the door and he could not  
get it open
- Freeman shot the door and they went  
everybody went into the house
- lady in one of the rooms
- Freeman watched the victim and  
he and Thomas looked around the  
house
- $\Delta$  to an Xbox 360 and \$300 when  
they split up the money
- One of Jamal Thomas guns.

- A states that Courtney was not present during the home invasion

Thomas gun but ~~Antonio~~ Antonio held the gun the whole time.

- App 10-15 minutes after arriving. To come and a quick came up

- One way out to the car saw car slowing down to turn into there second drive way ran back to the house told them some body was coming  
- dark car

- Thomas and ~~the~~ was in the car when they heard gun shots. Freeman made it to the car and we pulled off

- pulled off and there was a car following them. Thomas pulled off and cut the lights off.

- Car road pass and turned around and came back then Freeman get out of the car and started shooting at the car



- Freeman used a .38 that was taken from the house.
- car kept going and we went back to seaboard.
- Everybody just split up and went there our way.
- took Xbox to Jack house nka storage Room.
- Sold two day later for <sup>2</sup>150 dollars.
- walked in room and she had her top off in the process of getting naked.
- left back out.
- Thomas went into the room to get a bag for the jewelry. Everything was put into this big green bag - Xbox, shoes and Jordan and boots.
- talked
- Freeman stated that he shot at someone

- but he did not say he shot them
- we talked about a week or two later
  - second shot gun before
  - black pistol grip +2 gauge auto
  - Thomas kept the Shotgun
  - Antonio Freeman throw gun away in Dec Jan / Feb when police was chasing him in through gun by back corner his back yard
  - told me this while we both were in jail.
  - really was suppose to watch but got into it
  - just the three of them
  - Thomas gave his quilted blanket to the young lady from the house



Thomas was own the phone when they  
left the house he was talking to  
his girlfriend, he met up with her  
in the projects, he gave her the  
power. And Freeman  
got out of the car and went home

Thanks he went home

Freeman went to his house

- Freeman told him that someone had  
get show that night.
- started getting paranoid.

Country was not present during the  
robbery

- no threats
- he and Country are somewhat friends

## **VI. Pre-Trial Investigation**

The District Attorney's office conducted several additional interviews prior to Williams' trial. They initially interviewed Williams' co-defendant Jamal Thomas on February 25, 2009 and again on July 7, 2010. Antonio Freeman was also interviewed by the DA's office on July 12, 2010. These full statements are provided below, and the information provided is summarized in the charts found in Appendices E and F.



**JAMAL THOMAS STATEMENT TO DA 2/25/2009**

(DA File 650-651)

**State of North Carolina v. Jamal Thomas**

**Meeting with Jamal Thomas at the Northampton County Jail on February 25, 2009. Present at the meeting were Assistant District Attorneys Assata Buffaloe and Kim Gourrier, Victim Witness Advocates Denise Cherry and Tiffany Vaughan, and Jamal Summey.**

We (Jamal Thomas, Karon Moses and Antonio Freeman) were in the projects. Karon said that he had a lick. Antonio asked Karon who he was talking about, and Karon said Conehead (Tacoma). Antonio asked Karon how he was going to get out there, and Karon stated that Mal was going to bring them. Karon told me that I couldn't get in any trouble.

I drove my 1992 Honda Accord to the Cupboard. Karon was in the passenger seat and Antonio was sitting behind Karon. When we got to the cupboard I went in to pay for gas. While I was going inside I saw my girlfriend. When I got back to the car Coatney (Coatney Williams) had gotten in the car. Coatney told me to carry him to the house to get a "double O banger." When Coatney walked out from his house he had on all black, and he was walking funny. Coatney had the gun in the leg of his pants. Coatney said he had his "double O banger." Coatney said that the gun didn't have any bullets in it. I asked him why he was carrying the gun if it didn't have any bullets, and he said that he didn't trust anybody.

When we got to the path right before Tacoma's house I backed up. Coatney, Karon and Antonio are all bloods. Coatney had on all black, a hoodie. Karon and Antonio had on black hoodies with red bandanas. When Coatney got out of the car he had a shot gun pump.

I heard shots and I pulled off. I turned off by the VA line and backed up to leave. At the same time Karon, Antonio and Coatney jumped out of the woods. Coatney had a shopping bag, a tims box and some tims in his hand. Karon had a bag with a two PSPs and some games. Antonio got in the car and sat behind me, and he had the gun in his hand.

Yayo (Antonio) or Karon shot Erel. Nobody said anything that night.

As we were driving off Antonio said that mother fucker is coming and he started shooting with the pistol that he had taken from the house. I pulled into a yard and the car drove past us. Antonio shot at the car two more times.



I drove to the projects in Seaboard and when I got there they asked me what I wanted. Coatney said he was going to put the stuff in my trunk. I told them I didn't want a mother fucking thing because they were going to jail. Karon had money in his pocket in a bank envelope. I saw that they had pearls and African jewelry. I got a ring from Coatney and gave it to my girlfriend. My girlfriend gave the ring to Detective Burnette. They split the money they got from the house, but they never said how much it was.

I left my car in the projects and walked to a party. I walked back to the projects with my girlfriend.

The next day I was talking to Karon and Karon stated that YaYo (Antonio) had the gun in her stuff. Karon further stated that when he turned around YaYo (Antonio) had the gun in her mouth. Coatney got the bags out of my trunk with the boots and sneakers. Karon took the x-box. Yayo (Antonio) took the gun.

Karon told me that Coatney never went inside the house. Karon told me that he went into Conehead's room and got games and stuff. Karon told me that YaYo (Antonio) was the one who asked the lady where the stuff was. Karon said he got some jewelry from the lady and he found a pistol.

Karon told me that he was glad that they didn't hit him with that attempted murder charge. Karon shot Erel. Yayo (Antonio) said that he taking a stupid charge for that mother fucker, Karon, and Karon is talking.

**JAMAL THOMAS STATEMENT TO DA 7/7/2010**

(DA FILE 631-635)



**Meeting with Jamal Thomas  
on July 7, 2010 at the Hertford County Courthouse**

On July 7, 2010, I, Investigator G.B. Lassiter, sat in on an interview of Jamal Thomas by District Attorney, Valerie Asbell. Assistant District Attorney, Kim Gourrier and Mr. Thomas' Attorney, Jamal Summey were present. I took the following notes during the interview.

Mrs. Asbell started the interview by asking Mr. Thomas where he was from. He said he was originally from Maryland. She asked him where he had spent most of his adult life. He said, "Northampton, Magaretsville."

Mrs. Asbell asked Mr. Thomas if he had known Antonio Freeman prior to December of 2007. He said that he knew him from the projects in Seaboard. She asked him if he knew Antonio by a nickname. He said, "Ya Yo." She also asked him how long he had known him before the incident. He could not remember the exact time, but said, "For a while."

When Mrs. Asbell asked him to describe their relationship, he said, "We was friends."

Mrs. Asbell asked Mr. Thomas if he knew Karon Moses before the incident. He said that he had known him ever since he moved to "Carolina". He said they were in school together since second grade. She asked him if Karon had a nickname. Mr. Thomas said, "He called his self Killer K." She questioned him about his relationship with Karon. He said that they were friends.

Next, Mrs. Asbell asked Mr. Thomas if he knew Coatney Williams before the incident. He said that they were like family and that he had known him ever since he moved to "Carolina." He said that they were in Kindergarten together.

She asked him about knowing Erel. He said that they became "tight" in middle school.

She asked him how he got to know Tacoma. He said that he met him through Erel.

Mr. Thomas added, "They were real cool guys."

Mrs. Asbell asked Mr. Thomas if he had ever been to Erel's or Tacoma's house. He said that he had been to Erel's and that he had stayed there before. He said that he has never been to Tacoma's house.

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Mrs. Asbell asked him if he knew Mary Davis. He said, "No." She asked him if he didn't know the house they went to was Tacoma's. He said, "I knew it was his."

Mrs. Asbell asked Mr. Thomas to tell her about any conversation before the incident occurred. He said that Karon and Antonio came to the projects and said that they had a "lick". Mrs. Asbell asked for clarification on the term "lick". He said, "You know, a robbery." He said that he told them he wasn't going to mess with them. He said that Karon and Antonio told him that they just wanted him to drop them off and that he wouldn't get in trouble. He also said that they offered him \$50.00 to do it.

Mrs. Asbell asked Mr. Thomas what Tacoma had done to them. He said that Tacoma had pulled out money and tried to "disrespect them in front of some girls."

Mrs. Asbell asked him what happened next. He said that he, Karon and Antonio went to the store. He said that Karon got out and went inside. He saw his girl and got out to talk to her.

Mr. Thomas said that when he returned to the car, Karon was in the car, Antonio was behind him and that Coatney was in the car behind him. Mrs. Asbell asked when Coatney got up with them. He said, "He was in the car when I got back."

Mrs. Asbell asked what happened next. He said that they went to the house. She asked what was said in the car. He said that Coatney told him to take him home. He said that he did and that when Coatney came back to the car, he had on a hoodie and gloves.

Mr. Thomas said that when they got to the house, that Coatney stuck his left leg out the door and pulled a gun from his left pants leg. He said that he asked Coatney why he had the gun. Coatney reportedly said, "Don't worry, it doesn't have any bullets in it. It's for just in case." Mr. Thomas said that he asked Coatney, "What if just in case happens?"

He then said that Karon, Antonio and Coatney ran across the street to an area beside the house.

Mrs. Asbell asked him if he could see Tacoma's house from where he was parked. He said, "Only the front yard."

Mr. Thomas said that a "good 2 or 3 minutes went by" and he heard a "boom". At that point, he said that he pulled out of the path he was on. He said, "I left from the path and went down the road that takes you to Virginia." He said that he realized that he couldn't leave them there,

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"because I would have to see them in Seaboard." He went on to say that he turned around and went back to the same path and parked.

Mr. Thomas said that he saw a purple car come by and pull into the yard. Then he heard "boom, boom, boom". He added that he was getting ready to leave again when he saw Karon, Antonio and Coatney running. He said that they all got in the car and they started riding.

He said that he realized a car was behind them. He then said that Antonio had a gun that he had taken from the lady's house. He said that Antonio shot the gun several times out the window. He noticed that the car behind them slowed down, but then came back up. He said that Antonio shot out the window again and the car behind them stopped.

Mrs Asbell asked him how he knew the gun came from the house. He said, "I know the gun came out of the house."

Mr. Thomas then began telling Mrs. Asbell about statements that Karon and Antonio made in jail. He said that Antonio said, "Karon is acting stupid and I'm carrying a charge for him." He said that Karon said, "They ain't found out I did it. I'm gonna let him wear that charge."

Mrs. Asbell again asked him how he knew the gun Antonio shot out of the window came from the house. He said, "Karon said Antonio got the gun out of the house."

Mrs. Asbell asked Mr. Thomas who things from the house. He said that Karon and Antonio said that they grabbed stuff.

Mrs. Asbell asked him who he saw with the shotgun. He said, "Coatney had shotgun going out and coming back."

She asked Mr. Thomas what was said in the car after they left the house. He said, "It was straight up quiet."

Mrs. Asbell asked them what they did after that. He said that they took Antonio to Seaboard.

She asked him what things did he see in the car. He said that he saw "Jordans, Tims, 2 PSP's, an X-Box 360, a gun and a bag of jewelry." Mrs. Asbell asked about seeing money. He said that he didn't know about money until he was locked up. He said that Karon told him that they split 5 or 6 hundred between the three of them.

Mrs. Asbell asked Mr. Thomas how it was later found that he had been in possession of some of the items. He said that he saw Coatney the next day

DA 29

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and that Coatney had tried to sell him some jewelry. Mr. Thomas said that he told Coatney that he knew where it came from, so Coatney gave him 2 rings and 3 bracelets. He said that he gave all of it to his girlfriend. He said that he told her he got it from Coatney.

Mrs. Asbell asked Mr. Thomas how all the items got out of the car. He said, "Coatney, Karon and Antonio took everything." He said Karon took the video games, Coatney took the shoes and jewelry and Antonio got out with the gun." He also said, "Coatney had put the rifle back in his pants."

Mrs. Asbell asked him if all he got was some jewelry. He said, "Yes."

Mrs. Asbell asked Mr. Thomas what he knew about the rape that took place in the house. He said that Karon said he saw Antonio on top of the woman. He said that he heard this when he was in jail. He said that Karon told him, "That mother-fucker needs help. He was sticking the gun in that lady's stuff and getting on top of her. I told him to let's get out of here."

Mrs. Asbell asked him if Karon said who shot Erel. He said, "Basically he came out and said he shot him."

Mrs. Asbell asked what was said about what Coatney did. Mr. Thomas said, "His name didn't come up."

She asked what Antonio had said. He said, "Didn't get nothing out of Antonio."

Mrs. Asbell asked him about the second time he was on the path. She wanted to know if he saw a car. He said that he saw a car. She asked who it was. He said he didn't know. She asked if the car pulled around the back of the house. He said it had to have because he didn't see it in front.

She asked him how long after the car got there did he hear gun shots. He said, "It was quick."

Mrs. Asbell asked him if he saw anybody running. He said, "Only Karon, Coatney and Antonio running to the car."

She asked him who had the shotgun. He said, "Coatney."

Mrs. Asbell asked Mr. Thomas if he had spoken to Coatney. He said, "Nope."

She asked who knew Tacoma had money. He said he didn't know.

She asked if Erel had anything to do with this. He said, "No."

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She asked if Tacoma had anything to do with this. He said, "No."  
Mr. Thomas added, "It hurt my heart that I lost two good friends fucking with those guys."

Mrs. Asbell told Mr. Thomas that Erel's mother had told us he called for Erel earlier that day. He said that he did, but that he didn't speak with him. He said that he had called him about an amp he had for sale.

Mrs. Asbell asked Mr. Thomas if he knew Robert Branch. He said, "He's Coatney's brother." She read a statement that Mr. Branch had given police. Mr. Thomas said that he had not talked to him about this incident. He said that he is lying because Coatney didn't go to Philadelphia.

She also read him a statement by Rasheed Alston. Mr. Thomas said he didn't talk to anybody.

Mr. Thomas said that he heard "Sheed" said he would testify if he was asked because he wouldn't want anyone to do that to his mother.###

This concluded the interview

Investigator G. Brien Lassiter  
District 6B - District Attorney's Office

DA 31

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NCHC

**ANTONIO FREEMAN STATEMENT TO DA 7/12/2010**

(DA FILE 268-273)



*Freeman*

**Meeting with Antonio Freeman  
on July 12, 2010 at the Northampton County Courthouse**

On July 12, 2010, I, Investigator G.B. Lassiter, sat in on an interview of Antonio Freeman by Assistant District Attorney, Kim Gourrier. I took the following notes during the interview.

Antonio said that he was from Baltimore, Maryland, but had been living in the area for about five years. He said that while in the area, he has lived in Sea board and Roanoke Rapids. Ms. Gourrier asked Antonio who lived in the area for him to move here. He said, "My mom and other people."

Ms. Gourrier asked Antonio if he hung out in Seaboard. He said, "Yes."

She asked him if he knew Jamal Thomas. He said, "Yes." She asked Antonio how he knew him. He said, "From the neighborhood." She asked him if he had hung out with him more than once. He said, "Yes."

Ms. Gourrier asked Antonio if he knew Karon Moses. He said, "Yes." She asked him if he considered Karon a friend. He said, "I consider him a friend. He lived in the apartment complex in Seaboard." She asked Antonio if he hung out with Karon in Seaboard. He said, "Seaboard and Roanoke Rapids."

She asked Antonio how he knew Coatney Williams. He said that he knew Coatney "though the neighborhood and other people." She asked him if they were friends. He said, "Something like that." She asked him if they hung out. He said, "Yes."

Ms. Gourrier then asked Antonio if he ever hung out with any combination of these people. He said, "Me, Karon and Jamal, not really Coatney." He said, "Only on occasion."

Ms. Gourrier asked Antonio where he was early on December 27, 2009. He said that he was "at home with family." He said that he went outside around 1:00 or 2:00 and went back home later.

She asked him what time did he come in contact with any of these people. He said, "It was dark, probably around 7:30 or 8:00." She asked him where he was when he came into contact with them. He said, "My house." She asked if they came to his house. He said, "Yes."

Ms. Gourrier asked him what if any conversation he had with them at his house. He said, "Karon called me outside and said I got a lick we can do." Antonio said that they went to Jamal's car and sat and talked. He then said that he went inside and changed clothes. He said that they went to the Cupboard and that is when they met up with Coatney.

Ms. Gourrier asked him how they got up with Coatney. He said that Karon called him to the car.

She asked Antonio what Karon and Coatney talked about. He said that they talked about they were supposed to get a gun from Coatney. He said, "Coatney was talking about a shotgun he had." He said that Coatney said he would have to go to his house to get it.

Ms. Gourrier asked what happened next. Antonio said that Coatney "goes in the house and comes out with the gun." She asked him who was in the car. He said, "Coatney was the only one to get out."

Ms. Gourrier asked Antonio how they got to Coatney's when they left the Cupboard. He said, "Jamal was driving." She asked if Coatney got in with them. He said, "Yes."

Ms. Gourrier asked him what happened when they got to Coatney's house. He said, "Coatney got out, changed into dark clothes. He had the shotgun in his pants when he came out."

Ms. Gourrier asked Antonio is he saw the gun. He said, "Yeah, he pulled it out."

She asked him if there was any conversation about the gun. He said that Jamal asked him about it and that Coatney "said something about it not being loaded."

Ms. Gourrier asked if anyone said anything about where the "lick" was. Antonio said, "Jamal said something about Tacoma and that he didn't think anybody was home."

Ms. Gourrier asked Antonio if he agreed to go along. He said, "Yes." She asked if Coatney agreed to go. He said, "Yes." She asked if Karon agreed to go. He said, "Yes."

Ms. Gourrier asked Antonio what happened when they got to house. He said that they parked in a path, got out loaded shotgun. She asked him who loaded the shotgun. He said, "I think Karon loaded it, maybe Jamal."

She asked him what he was doing when the gun was loaded. He said, "Me and Coatney were smoking weed."

She asked what happened next. He said that he, Coatney, Karon and Jamal walked down to another path that Jamal showed them. He said that they got to the house through the trees.

Antonio said that when they got to the house, they walked around and looked at it. He said, "Jamal cut the cords to I guess the telephone."

Ms. Gourrier asked where Coatney and Karon were at that time. He said that they were all together.



She asked who had the shotgun. He said, "I had it."

He said that they walked onto the porch and that Karon, Jamal and Coatney tried to kick the door. He said, "They couldn't open it, so they shot it."

He then said, "And we all go in."

Ms. Gourrier asked what happened next. He said that they went to Ms. Davis' room. He said, "It was the first one."

He said that when they entered the room, she was laying on the floor with a ".38."

He said, "I had the shotgun. I told her to drop the gun, stand up and walk towards us." Ms. Gourrier asked toward whom. He said, "Me and Jamal."

He then said that Karon came in and that he gave the shotgun to Karon because "I had the .38."

Antonio said that he told her to strip. He said that she said, "Don't do this. I am on my period." He said that she then showed him her tampon. He went on to say that Karon told him to hold the shotgun while he was searching. He said that he kept telling Ms. Davis to tell them where the money was. He added that Karon found some money.

Ms. Gourrier asked him who was in the room at that point. He said, "Me and Jamal. Jamal was still searching." He said that she was telling them where the money was.

Antonio said that he had both the shotgun and the .38 and that he was telling Ms. Davis to tell them where the money was. He said that he "tapped her legs" with the shotgun.

Ms. Gourrier asked him if he put the gun between her legs. He said, "I didn't mean for it to touch her vagina."

He said that he was continually telling her to tell them where the money was. He said that she told them where some of it was.

He then said that he gave the shotgun to Karon and that Jamal left out of the room. Ms. Gourrier asked him who was in the room at that time. He said, "Me and Ms. Davis."

He said that he kept telling Ms. Davis that he knew there was more money. She reportedly told him that there was money in a bank bag in a closet. He said that he found the purse and dropped it on the floor near her. He said that she handed him a bank bag, "maybe BB&T". He said that he opened it and it had a lot of money in it. He said, "I put it in my back pocket to keep for me."

Antonio said that he was standing over Ms. Davis when Karon came in and said, "Somebody is here." He said that Coatney came in and took the

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shotgun. He said that he heard a shot, but does not know who did the shooting.

He then said that Karon came in and said he needed a bag for the stuff. Antonio said that he dumped the bag he had found and gave it to him. He said that he and Karon "left out."

Ms. Gourrier asked Antonio where Jamal was at that point. He said, "He had left out. He got stuff and left. He had moved the car to the other path."

Ms. Gourrier asked him who shot the door. He said, "Coatney, I'm scared of shotguns." She said, "You are scared of them, but had it?" He said, "Yes, I did have it."

Ms. Gourrier asked Antonio why he made Ms. Davis Strip. He said, "Because she had had a gun." She asked if he told her to remove her panties. He said, "All her clothes."

Ms. Gourrier asked him if he pulled out Ms. Davis' feminine hygiene product. He said, "I remember her grabbing it. I remember me touching it." Ms. Gourrier asked him what he touched. He said, "Her tampon." He went on to say, "I remember her pulling it out and I threw it across the room."

Ms. Gourrier asked Antonio if he got on top of Ms. Davis. He said, "I remember standing over her." She asked him why he touched her between the legs. He said, "I didn't mean to touch her vagina." Ms. Gourrier said, "But you admit that you did?" He said, "Yes."

Ms. Gourrier asked him if he laid on top of Ms. Davis. He said that he did not lay on top of her.

Ms. Gourrier asked Antonio if he was the last person in the house. He said, "Yes."

She asked him what happened next. He said, "Me, Karon and Coatney go get in the car and we left." He added, "A car came following us."

Ms. Gourrier asked who was driving. He said, "Jamal." He said that Jamal sped up, but the car was still following them. He said that Jamal pulled into a driveway and the car passed them. He said that the car turned around and came back.

Antonio said, "Jamal said somebody should shoot at them."

Ms. Gourrier asked what happened then. Antonio said he got out of the car and that as the car turned around, he shot into an open field to "scare them". He said the car flew passed them.

Ms. Gourrier asked him if they all got back to the car at the same time except for Jamal. He said, "Yeah, Coatney was outside, Karon had the bag,



Coatney had the shotgun." He said that he was in the backseat and he didn't remember who was beside him.

Antonio said that after shooting at the car, they all got back in and left.

Ms. Gourrier asked them what they did next. He said that they went to Jamal's and "split up everything". He said that Jamal gave Karon \$50.00 for two PSP's. He said that they split the money and that he wasn't sure how much there was.

Ms. Gourrier asked who split the money. He said, "Me, Karon, Jamal and Coatney." He added, "Except what I had in my pocket."

Ms. Gourrier asked if they split the money four ways. He said, "Yes." She asked him what happened to the other stuff. Antonio said that it was in Jamal's car. He said that Jamal took the bag he grabbed and that Karon had and burned them in a barrel. He said that he was smoking another joint.

Ms. Gourrier asked him to continue. He said, "Then we went to Seaboard."

Ms. Gourrier asked where the barrel was. He said, "Next door to Jamal's"

She asked him if he had ever been to Jamal's. He said, "Yeah, twice."

She asked him where the other stuff was. He said, "In the car, except for what Jamal took."

Ms. Gourrier asked how they got to Seaboard. He said, "Jamal drove us."

She asked what they did when they got to Seaboard. He said that they were in the projects and that Karon and Coatney got what they had and left. He said he went to his house.

Ms. Gourrier asked Antonio if he and Jamal had had any further conversations. He said that he thinks he talked with him the next day. He said that they talked about what they got and why the shooting had started. He said that Karon came over and that they went to Rasheed's. He said that, later, Coatney came up with his brother. He said that they were sitting around laughing and smoking weed.

Ms. Gourrier asked Antonio if they openly discussed the incident. He said, "amongst ourselves." She asked if they talked around Rasheed. He said, "No." She asked if they talked about it in front of Coatney's brother. He said, "Yes." She asked who was talking. He said that mainly it was him and Karon talking and that Coatney "didn't have much to say".

Ms. Gourrier asked him to tell what they talked about. He said, "We were talking about talking with Jamaican accents and why I had her strip. He said, "I could have been dead."

**Ms. Gourrier asked if there were other conversations. He said, "No." She asked if he had hung out with Jamal after the incident. He said that Jamal had come to his house, but that they hadn't gone anywhere together. She asked if he had hung out with Karon or Coatney since the incident. He said, "Yes."**

**Ms. Gourrier asked if there was anything else she needed to know. He said, "No, Ma'am."**

**She asked if there was anything else that he could think of that he remembered about that night. He said, "No, Ma'am."###**

**This concluded the interview**

**Investigator G. Brien Lassiter  
District 6B – District Attorney's Office**

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The Victims were also interviewed by the DA's office on July 6, 2010. Their statements are provided in full below and are summarized in the charts in Appendix D. In addition, Mary Davis and Tacoma Davis provided Victim Impact Statements. Those are provided directly after their interview statements.

**MARY DAVIS STATEMENT TO DA**

(DA FILE 604-606)

**Meeting with Mary Davis  
on July 6, 2010 at the District Attorney's Office**

On July 6, 2010, I, Investigator G.B. Lassiter, sat in on an interview of Mary Davis by District Attorney, Valerie Asbell. I took the following notes during the interview.

Mrs. Asbell asked Mrs. Davis to tell us what happened.

Mrs. Davis said that on December 29, 2007, she had been to Virginia with her family. She said that they got back around 9:30 and that she was at her home alone.

She said that she was getting ready for bed when she received a telephone call from a friend. During the call the telephone went dead. She said that she waited for him to call back, but he never did.

Mrs. Davis said that she picked up the telephone and it was dead. She tried the other telephones and all were dead. She then tried to call her friend back using her cell phone, but had to leave a message. She said that she waited for him to call her back. She checked the telephones again and they were still dead.

Mrs. Davis said that around 10:00 or 10:15 she was settling in and heard a bang. She said that she thought someone was trying to break in. She said that she was in her bedroom on the bed. She got on the floor and tried to get under the bed.

She said she heard a voice say, "This is a mother-fucking robbery. Where is the money bitch." She saw that he had a red bandana across his face and was wearing jeans and sneakers. He had a gun.

She said he kept asking for money. She also noticed a second "fella" behind the first. He was carrying a brown sack or bag.

Mrs. Davis said that the man with the gun told her he would kill her if she didn't tell them where the money was. She told him where some money in a drawer was. She said the second person got that.

She said the man with the gun either took her pants off or told her to take them off. She said that she was in the open area of her bedroom and he still had the gun on her. She said that when she got her "bottoms" off, he put the gun between her legs.

She then saw the second guy come back in. She saw that he had some sneakers in his hand.

Mrs. Davis said that she pleaded, "Don't do this." She told the man with the gun that she was on her period. She said that he then pulled her tampon

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out and threw it across the floor. She said, "Then he put the gun between my lips." At this point, Mrs. Davis and Mrs. Asbell discussed where the gun was. Mrs. Davis said the gun was inside of her vaginal area.

Mrs. Davis said that she was trying to make the man feel sorry for her. She said that he then got on top of her and was still holding the gun. She said that he still had his pants on, but was moving back and forth on top of her.

She then heard her son yell, "Mama!" the gunman jumped up. She said that she was yelling, "Don't kill my son!" The gunman told her, "Bitch, shut the fuck up." She was praying out loud, but then prayed quietly.

Mrs. Davis said that the gunman went out and she heard a gun shot. She added that she didn't even know that Erel was there.

She said that the gunman came back in the room followed by the second guy. The second guy told the gunman that he needed a bag. She said that they got her church bag and dumped it and both ran out.

At that point, Mrs. Davis said that she went to the window and she heard a car. She then saw Jennifer's car flying.

Mrs. Davis said she started calling for help.

She said that she put her pants back on, got her keys and ran out. She said that she was going to try to get to her closest neighbor and that since she saw Jennifer's car leave, she knew she was not at home.

She said that she drove to Erel's house and that she and Erel's mother, Evelyn, were both screaming. She said that she was on the phone with 911 and both were hysterical.

Both women got in her car and went back to her house. She said that they parked at Jennifer's and that her family was arriving at the same time.

Mrs. Asbell asked Mrs. Davis to describe the men that came in her house. She said that the gunman was 6' to 6'1" tall, slender and was dark-skinned. The second man was around 5'8" and had lighter, brown skin. She added that both were talking with a Jamaican accent, but that it did not sound natural.

Mrs. Asbell asked Mrs. Davis how long it took for the police to get there. Mrs. Davis said, "45 minutes." She asked her what the police did when they arrived. She said that they questioned her about any health problems and that she did not give a statement until the next day.

Mrs. Asbell asked Mrs. Davis about how many gun shots she heard. She said, "One, that I know of." She also asked her how long the men were in her house. Mrs. Davis thought it was about 15 minutes.

**Mrs. Asbell asked Mrs. Davis if she had had an opportunity to look at any pictures with the police. She said that she had, but could not ID anybody.###**

**This concluded the interview**

**Investigator G. Brien Lassiter  
District 6B – District Attorney's Office**

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# **MARY DAVIS IMPACT STATEMENT**

(DA FILE 194-198)



**Defendant(s):**

Jamal Thomas,  
Antonio Freeman  
Coatney Williams  
Karon Moses

**Off** 1County: North Carolina

Burglary, Sexual Assault, Attempted 1<sup>st</sup> Rape, Larceny of Firearms, AWDIK,  
Attempted Murder

**VICTIM IMPACT STATEMENT — Personal Injury**

It is very important for the District Attorney prosecuting this case to have the following information as soon as possible.

VICTIM'S NAME: Mary Elizabeth Davis Phone #'s: (Home) 398-3097  
Mailing Address: 1885 Vaughan Creek Rd, Pendleton NC (Cell) 287-6612  
Social Security or Federal ID # (required for restitution): [REDACTED] DOB: 7/29/56  
If we cannot reach you and there is someone else we can call, please provide the following information:  
Name: Bernice Bass Phone #'s: (Home) 398-4577 (Work) \_\_\_\_\_

**PROPERTY LOSS/DAMAGE:** Was anything damaged or stolen? Yes If yes, please list items and their value below. (attach additional sheets if necessary) Please attach copies of estimates/receipts for repair/replacement of property relevant to this case.

Do you have insurance? Yes

Description of item:

Total value of  
item/damageWas item  
recovered?Amount paid  
by insuranceAmount of  
your lossJewelry, watches6,855.00NO\$ 1,5005,355Cash \$47.00817.00NO\$ 200617see attached sheets\$

OTHER LOSSES, such as towing or storage expenses, etc:

\$

TOTAL LOSS:

\$5,672.20

**EMOTIONAL EFFECT:** Are you experiencing any emotional problems as a result of this crime? Yes If yes, please describe (attach additional sheets if necessary):

This crime has been very traumatic for me. It has  
effects to my eating and sleeping. I have lost about 20 pounds  
since the crime. I have been very depressed and not

**PHYSICAL INJURY:** Did you receive any physical injuries as a result of this crime? NO If yes, please describe (attach additional sheets if necessary)

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**MEDICAL EXPENSES** Please list any medical and counseling expenses that you have incurred as a result of this crime. Please attach copies of medical and counseling bills and receipts relevant to this case:

Include medical provider's name, address, phone #, Tax ID # & patient account #:

Psych Associates of Ahoskie, Lisa Woodell  
113 B Hertford County High Road  
Ahoskie, NC 27910

Expense

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ 530.60

\$ 353.60

Are you covered by insurance? Yes

INSURANCE PAID:

TOTAL:

\$ 177.00

Do you anticipate any future medical or counseling expenses? Yes If yes, please include name and address of physician, anticipated length of treatment and approximate cost:

Name and address same as above, Hopefully no more than 6 months  
it's hard to anticipate

IN YOUR OWN WORDS, DESCRIBE WHAT HAPPENED? (Attach additional sheets if necessary)

My niece brought me home around 9:40 on 12/29/08.  
I went in and got ready for bed. I received a phone  
call around 9:50. As I was talking the phone  
went dead. I got off the bed and went to check the  
other phones. They were dead also. I got my cell phone -

OTHER: Is there anything else you would like the District Attorney or Judge to know? Yes Include comments you wish to make about prosecution, sentencing, restitution, etc. (attach additional sheets if necessary):

I feel that they should get the maximum penalty for the crimes  
they committed. No amount of time can compensate for the agony  
and pain I have suffered from these horrible crimes. While in  
prison they need to receive mental health as well as substance abuse treatment.  
They may get out and be free one day. This will haunt me for the rest of my life.

VICTIMS COMPENSATION: If you were injured as a result of this crime, you may be eligible for Victims Compensation. If you would like additional information please call me.

Would you like to be present for the final outcome of this case if your testimony is not necessary? Yes

Would you like to be notified of the final outcome of this case? Yes

If the defendant receives an active prison sentence, would you like to be notified by the Department of Corrections of the defendant's parole or release? Yes

The information I have given on this statement is true and accurate to the best of my knowledge.

Signature: Mary E. Davis

Date: 10/2/08

Please return the completed form as soon as possible to:

Valerie Mitchell Asbell  
6B District Attorney  
418 South Everett Street, Suite A  
Ahoskie, North Carolina 27910

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## (Emotional Effect cont.)

my normal self. I am taking q-tivan for my nerves and have taken ambien to help me sleep. Also, I am seeking counseling. I moved from my home after the crime and only stay or go home when someone is with me. My home house is not a home anymore. I have it on the market to sale because I'm afraid to live there.

## (What happened cont.)

to call the person back, but only got a recording. I got in bed and said to myself maybe the person will try to call back on my cell phone. As I laid in bed, I heard a loud bang and thought to myself someone is trying to break-in. I got off the bed and laid on the floor attempting to get under the bed. By that time a black male wearing jeans, sneakers, a black hooded jacket over his head and a bandanna ~~coming~~ covering his mouth <sup>entered my bedroom.</sup> Another male was behind him. The darker male said, "This is a robbery, bitch where is the money and pointed a gun at me. I screamed please don't kill me. The other guy went to my dresser and started putting items in a bag. The darker one said



if you don't tell us where all the money  
 is and if we find any I'm going to kill you  
 still pointing <sup>the gun</sup> at me. I continue saying please  
 don't kill me. I told them where I had  
 money in a drawer and in a church bag  
 in the closet. I told them there was  
 some jewelry in the kitchen. The other guy  
 got the money out of the dress drawer and  
 jewelry from the bathroom in my room. The  
 darker one got the money from the bag in the  
 closet. He also got my pocketbook, cell phone  
 and ~~a~~ <sup>pistol</sup> I realized later a pistol from  
 out of the night stand drawer. The other  
 guy left my room and went to my son's  
 room. The darker guy took off my pajama  
 pants and ~~put~~ <sup>put</sup> panties. ~~and~~ <sup>but</sup> I was still  
 on the floor with my legs held tightly. He  
 said bitch open your legs. I said please  
 don't do this to me, my husband is dead  
 and my period is on, I have a tampon  
 up me. He said bitch open your legs or  
 I will blow your fuckin vagina out. I  
 then opened my legs and <sup>he pulled the tampon out and</sup> ~~he~~ put the  
 barrel of the gun between the lips of my  
 vagina and asked if I liked that or  
 how does that feel. I was still begging please  
 don't do this to me. I pray please don't  
 kill me. I have an 89 year old mother to

take care of. I begin praying and he said bitch shut up. Then he got on top of me and begin making movements. The other guy came to the door and looked. He had a pair of sneakers in his hand and walked away. Then I heard my son yell ma ma, The guy got off of me and ran ~~to the~~ out of the room. I was crying and yelling please don't kill my baby, kill me but please don't kill my baby. Then I heard a gun shot. I started crying and praying at the same time. The darker guy ran back in my room and the other guy ran before him saying man I need a bag. The darker one dumped my church papers ~~at~~ out of the bag he had gotten the money from earlier. Then they both ran out. I put on my pajama pants ~~and~~. By this time I heard the sound of a car, I ran to the front <sup>window</sup> ~~and~~ to see the car and realized it was my neighbor. I ran to the front door which was open and tried to stop her. Then I ran back in the house got my keys which were on the coffee table, got in the car and drove to down the road to Evelyn Jordan's house. I drove in her yard blowing the horn, she met me at door on the phone with 911. She gave me the phone, I was crying and trying to explain what happened. They had already received a call. We got in my car and drove back to my neighbors house afraid to go to my house.

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**TACOMA DAVIS STATEMENT TO DA**

(DA FILE 589-590)



**Meeting with Tacoma Davis  
on July 6, 2010 at the District Attorney's Office**

On July 6, 2010, I, Investigator G.B. Lassiter, sat in on an interview of Tacoma Davis by District Attorney, Valerie Asbell. I took the following notes during the interview.

Mrs. Asbell asked Tacoma to tell what he could remember about this incident.

Tacoma said that he was down at Erel's talking. He said that he had just gotten off work. He said that while he was there, he received a call from Tiffany. Tiffany reportedly told him to go check on his mother.

He said that he and Erel rode to his house and that when they arrived he got out and started up the ramp. He said that as he approached the door, he saw that it was opened and that the wreath was not there.

He said that as he opened the door, a tall person with a "thing" around his face said, "Get the fuck out" and pointed a gun at him. He said that he turned and ran and hopped over the rail of the ramp. He said that he told Erel to run as he ran behind the garage. He said that he stood behind the garage for 5 to 10 minutes. He said that the garage is located behind his house and that he stood on the side out of the light.

When he left his hiding spot, he ran to Jennifer's house. He said that when he first got there, Jennifer was there. He said that he told her, "They robbed my mama."

Tacoma said that Jennifer got in her car and left when she heard a car start.

He said that while he was at Jennifer's house, Erel came up and said, "I've been shot, I've been shot." He said that the lady there told him to lie on the floor. He also said that she told him to stay until the police came.

Tacoma said that he never saw his mama when he went to the house.

He said that Evelyn and his mom came up and that Jennifer had returned. He said that Jennifer was able to tell the police a description of the car and the last known direction. He said that Jennifer described the car as a dark-colored Honda.

Mrs. Asbell asked Tacoma where he was parked when he got to his house. He said that he was in front of the garage. She asked him which way had he come into the yard. He said that he came in the drive near Jennifer's house.

Mrs. Asbell asked Tacoma if he noticed anything as he arrived at the house. He said, "It looked normal." She asked him if he saw any

vehicles at the house. He said, "I saw Jennifer's, our cars and none that didn't belong."

Mrs. Asbell asked him if he could have seen the door kicked in from his car. He said, "No."

She asked him how long he was in the yard before he entered the house. He said, "2 to 3 minutes."

Mrs. Asbell asked him what he did when he got to the door of the house. He said that he pushed the door open and said, "Mama, Mama." He said, "That's when he came with the gun." He said that he then hopped over the ramp and ran.

She asked Tacoma if he recognized the voice of the person with the gun. He said, "No." She asked him if he saw anyone other than the guy with the gun. He said, "No."

Mrs. Asbell asked Tacoma how he knows the defendants in this case. He said that he knows Karon and Jamal from school and only knows of Antonio and Coatney. He did add that he had dated Coatney's ex-girlfriend, Antwana Lee prior to the incident.

Mrs. Asbell asked Tacoma if he was aware that the defendants are in a gang. He said, "Yeah." She asked him if he was affiliated with a gang. He said, "Yes." She asked him if he was still in the gang. He said, "No, got out in 06 or 07." She asked if it is the same gang the defendants are affiliated with. He said, "You could say that."

Tacoma said that he has been convicted of Trespassing at the high school and Injury to Personal Property. He is on probation now.

Mrs. Asbell asked Tacoma if he had anything to do with the robbery. He said, "No."

She asked him if he was friends with Jamal before this incident and responded, "Yes, but we have lost touch."

She asked Tacoma if Jamal had ever been in his house. He said, "No."###

This concluded the interview

Investigator G. Brien Lassiter  
District 6B – District Attorney's Office

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# **TACOMA DAVIS IMPACT STATEMENT**

(DA FILE 199-200)



**Defendant(s):**

Jamal Thomas,  
Antonio Freeman  
Courtney Williams  
Karon Moses

**Offense:**

Burglary, Sexual Assault, Attempted 1<sup>st</sup> Rape, Larceny of Firearms, AWDIK,  
Attempted Murder

County: Northampton

**VICTIM IMPACT STATEMENT -- Personal Injury**

It is very important for the District Attorney prosecuting this case to have the following information as soon as possible.

**VICTIM'S NAME:** Tacoma C. DavisPhone #'s: (Home) 252-396-0554Mailing Address: 804 Boones Bridge Rd. Camo, NC (Work) \_\_\_\_\_Social Security or Federal ID # (required for restitution): \_\_\_\_\_ DOB: 10/3/91

If we cannot reach you and there is someone else we can call, please provide the following information:

Name: Tiffany DeBerry Phone #'s: (Home) 252-396-4800 (Work) \_\_\_\_\_

**PROPERTY LOSS/DAMAGE:** Was anything damaged or stolen? Yes If yes, please list items and their value below. (attach additional sheets if necessary) Please attach copies of estimates/receipts for repair/replacement of property relevant to this case.

Do you have insurance? \_\_\_\_\_

Description of item:

Total value of  
item/damageWas item  
recovered?Amount paid  
by insuranceAmount of  
your losssee attachedsheets from Ins.

\$

\$

\$

OTHER LOSSES, such as towing or storage expenses, etc:

\$

TOTAL LOSS:

\$

**EMOTIONAL EFFECT:** Are you experiencing any emotional problems as a result of this crime? Yes If yes, please describe (attach additional sheets if necessary)

Since the break in I have been very angry with people. I haven't been back home since the whole thing happen because I feel like it could happen again.

**PHYSICAL INJURY:** Did you receive any physical injuries as a result of this crime? No If yes, please describe (attach additional sheets if necessary):

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**MEDICAL EXPENSES** Please list any medical and counseling expenses that you have incurred as a result of this crime. Please attach copies of medical and counseling bills and receipts relevant to this case:

Include medical provider's name, address, phone #, Tax ID # & patient account #:

Expense

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Are you covered by insurance? \_\_\_\_\_

INSURANCE PAID: \_\_\_\_\_

TOTAL: \_\_\_\_\_

\$ \_\_\_\_\_

Do you anticipate any future medical or counseling expenses? \_\_\_\_\_ If yes, please include name and address of physician, anticipated length of treatment and approximate cost:

**IN YOUR OWN WORDS, DESCRIBE WHAT HAPPENED?** (Attach additional sheets if necessary)

My aunt called I had come home with my friend and my aunt called and said check on my mother. I went to the door and had seen that the door was cracked open, I open it and one of the defendants said get out motherfucker and had a shotgun point at me so I ran and told my friend to get out of the car and run.

**OTHER:** Is there anything else you would like the District Attorney or Judge to know? Yes Include comments you wish to make about prosecution, sentencing, restitution, etc. (attach additional sheets if necessary):

I feel like that they should get life in jail because the break in had a real effect on my mother and me.

**VICTIMS COMPENSATION:** If you were injured as a result of this crime, you may be eligible for Victims Compensation. If you would like additional information please call me.

Would you like to be present for the final outcome of this case if your testimony is not necessary? Yes

Would you like to be notified of the final outcome of this case? Yes

If the defendant receives an active prison sentence, would you like to be notified by the Department of Corrections of the defendant's parole or release? Yes

The information I have given on this statement is true and accurate to the best of my knowledge.

Signature: Taranna Davis

Date: 10/2/08

Please return the completed form as soon as possible to:

Valerie Mitchell Asbell  
6B District Attorney  
418 South Everett Street, Suite A  
Ahoskie, North Carolina 27910

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**EREL JORDAN STATEMENT TO DA**

(DA FILE 591-593)



**Meeting with Erel Jordan  
on July 6, 2010 at the District Attorney's Office**

On July 6, 2010, I, Investigator G.B. Lassiter, sat in on an interview of Erel Jordan by District Attorney, Valerie Asbell. I took the following notes during the interview.

Mrs. Asbell asked Erel to tell, in detail, what he saw and did on the date of the incident that occurred at Mrs. Mary Davis' house.

Erel stated that Tacoma ran out of the house and called his name. He then saw a shotgun come out of the door. He said, "It was pointed toward me and Tacoma." He said that he initially ran toward Tacoma, but made a "u-turn" when he saw him running toward the field. He then said that when he got shot, he fell, got up and ran toward the farm. He said, "I got in the ditch."

Mrs. Asbell asked him to tell her again about the car that he saw. He said that the car pulled up from the Severn direction and pulled into Mrs. Mary's driveway. He said, "I saw two doors open and two doors close." He then stated that he got up and ran to Jennifer's.

Mrs. Asbell asked Erel if he saw anyone at the car. He said, "I just saw the doors open and close, not who it was." He said that the car pulled out and went back toward Severn.

He added that he saw Jennifer. He said, "She went behind the car that left."

He said that he ran toward Jennifer's house. When he got there, a lady to him to lay down on the floor.

Mrs. Asbell asked Erel if he knew the guys that were charged in the incident. He said, "I don't know Antonio." She asked him how he knew the others. He said, "From Seaboard."

Mrs. Asbell asked him if he knew them from the past. He said, "Yes." She asked him if there was any ill will between he and any of them. He said, "No."

Mrs. Asbell asked him which ones he was most familiar with. He said, "Jamal." She asked him why he was more familiar with Jamal. He said, "Because he used to stay with me in middle school." Mrs. Asbell asked him if he and Jamal were friend's prior to the incident. He said, "Yes." She asked him if they were friends now. He said, "No."

**Mrs. Asbell asked Erel to show her his wounds from the incident. Erel stood and pulled up the right side of his shirt. He pointed to the right side of his abdomen. At least three round marks were visible. He also pointed to the area behind his right ear.**

**Mrs. Asbell asked Erel to tell her what he remembered from the hospital. He said he didn't remember anything.**

**Mrs. Asbell asked Erel how serious his injuries were. He said, "Some were able to be popped out, it burned" He added, "I thought I was about to leave here." Mrs. Asbell asked him what he meant by that. He said, "I thought I was going to die."**

**Mrs. Asbell asked him how long he stayed in the hospital. He said that he was there for one night. She asked him if he had to see more doctors after he was released. He said that he went to a doctor to have more pellets removed. She asked him if the doctor he saw was Doctor Misse. He said, "Yes."**

**Mrs. Asbell asked Erel if he had ever been shot before. He said, "No." She asked him what effects he still has from his injuries. He said, "It hurts when I brush my hair."**

**She asked him if he could remember what clothes he was wearing that night. He said, "A red shirt."**

**Mrs. Asbell asked Erel to tell her how far he was from the shooter when he was shot. He looked out the office library window and said, "to maybe the middle of the street."**

**She asked him if he knew what time the incident occurred. He said, "It was dark." She asked him about the lighting outside the house. He said that the porch light was on.**

**Mrs. Asbell asked Erel if anyone had tried to contact him about this case. He said, "No." She asked him if he had talked about the incident with anyone. He said, "My little cousin."**

**Mrs. Asbell asked Erel if he was associated with a gang. He said, "My family are gang members." She asked him if he was affiliated with them. He said, "No."**

**Mrs. Asbell then directed her attention to Tacoma Davis and asked him if he was affiliated with a gang. Tacoma said, "Used to be. Try to be."**

**Mrs. Asbell again turned her attention to Erel and asked him if he had heard anything about the case on the street. He said, "I have always heard Coatney's name around Seaboard."###**

**The interview of Erel Jordan was concluded.**

**Investigator G. Brien Lassiter  
District 6B – District Attorney's Office**



## **VII. Co-Defendants' Plea Deals Pre-Trial**

All three codefendants pled guilty prior to Coatney Williams' trial. Jamal Thomas pled guilty to Robbery with a Dangerous Weapon and First-Degree Burglary on June 29, 2010. (Thomas Court File 38-41). His plea was contingent upon his truthful testimony against all co-defendants at trial. (Thomas Court File 40). The charges of larceny, felony possession (x2), AWDWITK<sup>15</sup>, larceny of firearms, felony discharge of weapon into occupied property, and attempted murder were all dismissed as part of the plea. (Thomas Court File 41).

Antonio Freeman pled guilty to Second Degree Sex Offense, Burglary, and Armed Robbery on July 12, 2010; the day Williams' trial began. (Freeman Court File 28-31). His plea was contingent upon truthful testimony against all co-defendants at trial. (Freeman Court File, 30). The charges of larceny (x2), breaking and entering of a motor vehicle, AWDWITK, larceny of firearms, felony discharge of weapon into occupied property, first degree sex offense, attempted first degree rape, and attempted murder were dismissed as part of the plea. (Freeman Court File 31).

Karon Moses also entered a guilty plea<sup>16</sup> on July 12, 2010. Moses pled guilty to First Degree Burglary, Robbery with a Dangerous Weapon, and AWDWITK. (Moses Court File 28). He also agreed to testify truthfully against all codefendants. (Moses Court File 29).

Sentencing for all codefendants was continued until after Williams' trial. (Freeman Court File 30; Moses Court File 29; Thomas Court File 40).

<sup>15</sup> Assault with a deadly weapon with intent to kill.

<sup>16</sup> Page one, side two (Moses Court File, 28) of his Transcript of Plea indicates a plea of no contest, but the other pages indicate a plea of guilty.

## **VIII. Coatney Williams 2010 Trial**

Coatney Williams' trial in this matter was held in Northampton County on July 12-15, 2010, presided over by Judge Alma Hinton. The State began by presenting testimony from the Victims: Mary Davis, Tacoma Davis, and Erel Jordan. The testimony of these three Victims is provided below in full and also summarized in the charts in Appendix D.

## **MARY DAVIS TESTIMONY**

(TT 30-64)



1

19 THE COURT: The State may call its first  
20 witness.  
21 MS. ASBELL: The State calls Mary Davis.  
22 MARY DAVIS, called as a witness on behalf of  
23 the State, having been duly sworn, was examined and  
24 testified as follows:  
25 DIRECT EXAMINATION

1 BY MS. ASBELL:

2 Q. State your name for the record, please.

3 A. Mary Elizabeth Davis.

4 Q. And, Ms. Davis, where were you living on  
5 December 29, 2007?

6 A. 1885 Vaughan Creek Road, Pendleton, North  
7 Carolina.

8 Q. And how long had you lived in that particular  
9 house?

10 A. Seven years, but that particular spot 17  
11 years. I had a house to burn before that and we rebuilt in  
12 that same spot.

13 Q. When you were living in that house on  
14 December 29, 2007 who lived there with you?

15 A. My son Takoma Davis.

16 Q. Can you describe the house for the members of  
17 the jury?

18 A. It's a ranch style house, 2025 square feet.  
19 Three bedrooms, two baths, a laundry room, a dining room,  
20 family room, living room. A house that I'm sure anyone  
21 would want to live in. A nice home.

22 Q. And are you married?

23 A. No, I'm a widow. My husband died the year  
24 before in 2006.

25 Q. Once your husband died who lived in the house

1 with you?

2 A. Just Takoma and myself.

3 Q. Takoma, is he your son?

4 A. Yes, he is.

5 Q. How old is he?

6 A. He's 18 now.

7 Q. At the time this happened how old was your  
8 son?

9 A. He was 15.

10 Q. Now, Ms. Davis, do you remember what happened  
11 on December 29, 2007?

12 A. Yes, I do.

13 Q. If you could for the members of the jury, if  
14 you would tell where you had been on that particular night  
15 and would happened, please.

16 A. On December 29, 2007 my family and I had gone  
17 for our annual family dinner at Captain George's Restaurant  
18 in Hampton, Virginia. I rode with one of my nieces. She  
19 drove my car and left her car in the yard. Upon returning  
20 home probably around nine-ish I say, all happy. We had had  
21 a wonderful time.

22 My 89-year-old mother had gone with us. And  
23 we were just delighted to have her in our presence. And we  
24 just had a wonderful time. I had family home from Ohio and  
25 New Jersey. And it's an annual thing that we do. So I was



1 just all bubbly and full of joy.

2 My niece put me off and she went in to pick  
3 up something and then left. And I got ready for bed. And a  
4 friend of mine called to say -- to ask me how was the  
5 evening, did we have a good time. And we were just talking  
6 in general. And I was telling him about -- telling him  
7 about what was going on that evening.

8 And then all of a sudden the phone went dead.  
9 And I was saying hello, hello. And I didn't get any answer.  
10 I thought it was his phone because he was at work. So I got  
11 up and I went -- he didn't never said anything. I got up  
12 and I went and checked the other phones.

13 And I checked the phone in the family room.  
14 That was dead. Then I went in the kitchen and checked the  
15 kitchen line. That was dead also. And that's what made me  
16 think it must be something wrong with my phone. So I went  
17 back in the bedroom and I tried to call him back on my cell  
18 phone but I didn't get an answer at his desk at that time.

19 So I said, well, I'll just go on to bed and  
20 maybe he'll call me back. But right before I got in the bed  
21 I tried my phone line again and it was still dead. So I had  
22 gotten in bed and I laid there for a few and all of a sudden  
23 I heard a bang. And I was like, oh God, what is that.

24 And I began to get frightened. I said I  
25 think someone is trying to rob me, that's what I was saying

1 to myself. And I got off of the bed and I laid down on the  
2 side of the bed on the floor. And within seconds someone  
3 was at the door of my bedroom because my bedroom door was  
4 open. I always sleep with my door open.

5 And I heard someone say where's the money,  
6 where's the motherfucking money? Where is your money, where  
7 is everything? And I was horrified then. By that time it  
8 was a dark guy in front of me with a shotgun. He was saying  
9 bitch you better tell us where everything is or we'll kill  
10 you, bitch. Tell us where everything is in this house.

11 And I was stuttering because I was  
12 frightened. I was trying to tell him, you know, of money I  
13 had in a drawer. And that I was a church financial  
14 secretary and we had had a Christmas program that Friday  
15 night and I had some money in the church bag. And I even  
16 told him where that was. And I even had \$20 under a vase on  
17 my dresser. And I said there's \$20 under the vase. Because  
18 he was saying if you don't tell us where everything is we  
19 are going to kill you.

20 Well, in the meantime the darker one had the  
21 gun on me, there was one behind him, a lighter one. He --

22 Q. I don't mean to stop you, but describe the  
23 first person that you saw that came into your bedroom and  
24 how were they dressed. Just describe as best you can.

25 A. The first person was a dark skinny guy,

1 probably around six one or so. I'm saying sort of slim.

2 And they had on bandannas covering this and they had on  
3 black hoods. Also, the second, the one that was behind him,  
4 he was dressed the same way. And they had on gloves.

5 Q. The second person that you saw, was he taller  
6 or shorter?

7 A. He was a little bit shorter and he was  
8 light-skinned. His skin was lighter than the darker one.

9 Q. And the bandannas, what did the bandannas  
10 look like?

11 A. They were red bandannas.

12 Q. And what could you actually see about the two  
13 defendants that came into your room initially? What did you  
14 see about their face?

15 A. I could see their eyes. Well, I saw the eyes  
16 of the darker one. The lighter one really never got that  
17 close to me. So I really couldn't see his eyes. I could  
18 just see his skin color and. You know, the description of  
19 his size and height. Other than that I couldn't see him.  
20 But the darker one, his eyes just stood out.

21 Q. Now when you say a lighter skin, would you  
22 describe -- how would you describe your skin tone?

23 A. Pecan brown, dark brown.

24 Q. So lighter skinned --

25 A. He was like Ms. Burnette.



1           Q.       Light skinned like similar to Ms. Burnette's  
2 skin tone?

3           A.       Uh-huh.

4           Q.       You can continue what happened.

5           A.       At that point the shorter one, I'll say the  
6 lighter one, he was getting things off of the dresser, all  
7 my jewelry and whatever he could find, getting the money out  
8 of the drawers and whatever they could find. I even told  
9 them I have some rings in the bathroom. The rings I had  
10 been wearing that day, the jewelry, was in the bathroom.  
11 And I told him about that and he went in the bathroom to get  
12 the jewelry out of the bathroom and was rambling through  
13 more stuff in the bathroom. I can hear some rambling in the  
14 house, but I didn't see anyone else but these two but I  
15 could hear someone else in the house.

16                   At that point the lighter one, he went out of  
17 the room. The darker one he still stayed in there and had  
18 gun on me still yelling, you know, saying nasty remarks to  
19 me. And then he asked me to remove my -- I had on pajamas,  
20 a top and the pants. And he asked me to remove my pajamas.

21                   And from there he took the gun and he had the  
22 gun between my legs. And he was saying -- and I had my legs  
23 closed tight. And he was saying, bitch, you better open  
24 your legs or I'll blow your motherfucking vagina out. I  
25 said please don't do this to me, please don't do this to me.

1                   And I was begging and I started praying. And  
2 then he was saying, bitch, shut up, shut up. But in my mind  
3 I was still praying because I knew I had a father that I  
4 could call on. At that point he put the gun between my  
5 vagina and he started to make like motions. And he was  
6 saying does this feel good, how do you like this.

7                   I was telling him, no, don't do this to me.  
8 I said my husband is dead. Don't do this to me. I think I  
9 was trying to make him, you know, feel pity for me not to do  
10 it. And I said don't do this to me, I have a 79-year-old  
11 mother that I have to take care of. Please don't do this.

12                  And he just kept saying, bitch, shut up, shut  
13 up. And I was just praying. And I even prayed for him:  
14 Lord, help him, he needs you Lord. Something is wrong with  
15 him, help him Lord.

16                  At that point he got on top of me and he  
17 straddled me. He had straddled down, but he still had the  
18 gun like under his armpit. And he was still saying, you  
19 know, he was just saying nasty stuff to me. And I won't  
20 saying anything at that point. And then he started making a  
21 movement, a motion on top of me. And then he went to like  
22 unzip his pants.

23                  And at that time I heard my son say, mom,  
24 mom. And he jumped up and he ran. And I was saying,  
25 please, please don't kill my son. Kill me but don't kill my

1 son. Please spare -- and that's what I was constantly  
2 saying.

3 And then all of a sudden I heard a bang,  
4 like, you know, a shot. And I didn't know that another  
5 fellow was out in the car with my son and I just assumed he  
6 had shot my son. And I was just crying and crying and  
7 saying, Lord, please let my son be living, please don't let  
8 nothing happen to my child.

9 And at that point he ran back in the house,  
10 the darker one. And then somebody else came in behind him.  
11 They came back in the bedroom. And he said man, man, I need  
12 a bag, I need a bag. And all that went through my mind was  
13 they did something to my son and they wanted a bag to put  
14 him in. I was hysterical by then.

15 And so I had the church bag they had taken  
16 the money out of. I said there's a bag, take that bag.  
17 Then so he dumped the stuff -- my church bag out, and he  
18 gave it to the fella and they ran out.

19 And when they ran out, when I thought it was  
20 quiet, I got up and I ran to the window to try to see if I  
21 could see a car or something to identify. I didn't see  
22 anything. And so I ran back and I put my pajama top on.  
23 And I ran back into my family room. That's where my keys  
24 were.

25 Everything was kind of quiet. And I got my



1 keys and I ran out of the house. And I didn't know where to  
2 go. I was scared to go next door to Jennifer's house. All  
3 I could think of was Ms. Jordan because the other houses  
4 where I live they're further back up the lane. I really  
5 don't know those people that well so I drove to Evelyn  
6 Jordan's house which is not that far for me, maybe two,  
7 three miles.

8                   And by that time Ms. Jordan was standing at  
9 the door with the phone. And I was hollering to her that  
10 you know somebody robbed me, somebody had robbed me and I  
11 didn't know where Takoma is. And she was on the phone at  
12 that time -- I don't know whe the person was. And she said  
13 Takoma is okay but Erel has been shot. Somehow she had  
14 gotten the phone call.

15                   We were both standing there acting -- just  
16 hysterical acting, hollering and screaming and crying. I  
17 said we got to go back. I got to find our babies. So she  
18 jumped in my car and we drove back down to my house. By the  
19 time we got there she was screaming and hollering don't go  
20 in your yard. She was just scared that they were still  
21 there. And so we drove next door to Jennifer's yard.

22                   And by that time my family members had gotten  
23 the word and all of them, they were mostly there. And  
24 somebody came out and said to come, it's fine. He's in the  
25 house. Erel has been shot and the paramedics, they're

1 coming. And then from that point we went back to my house.  
2 And then later that's when the detective and the policemen  
3 and all them came.

4 Q. Ms. Davis?

5 A. Yes.

6 Q. How long do you think it took -- how long do  
7 you think it took for everything to happen from the time you  
8 heard the blast or the boom, as you say, until the time you  
9 could leave your house?

10 A. Probably I'm thinking something like that  
11 happening in time it's hard to say, but I would say maybe 15  
12 minutes.

13 Q. Now, what did you do next? Did Detective  
14 Burnette come out to the house?

15 A. Yes.

16 Q. When you went back in your house, describe  
17 what you found.

18 A. When I went back in my house it was -- what  
19 do you mean?

20 Q. Like what you saw in your entire house when  
21 you went back in the house.

22 A. It was ramshacked. You know, closets had  
23 been opened. My son's room, they really stayed in there. I  
24 guess because of the hats and shoes and all that stuff that  
25 young folks like. That's where they were at. In my room

1 they had gone through the dressers and drawers and stuff.

2 He had taken a tampon out of me. I didn't  
3 tell that part but anyway

4 Q. And I know that's difficult but if you will  
5 tell the members of the jury what happened with that?

6 A. When he first told me to take my pants off, I  
7 told him -- in my mind I knew what he had planned. And I  
8 said, please don't do this. I said I'm on my period, please  
9 don't do this to me. So when I pulled the pants off you  
10 could see the white string hanging from a tampon. Everybody  
11 knows. And I said please don't do that. But he yanked it  
12 out of me and threw it across the floor. So that was still  
13 on the floor and my room was ramshacked. Dresser drawers  
14 were opened and closets were opened and it was just a mess.

15 And I haven't stayed in that house since. I  
16 could just not bear myself to stay there. I went to live  
17 with my mother. I took care of her until she passed that  
18 July. After that my son and I moved into the house -- I had  
19 a rental house and we moved into that house because I  
20 just -- I couldn't stay at that house anymore. It was just  
21 too many memories.

22 And now even where I stay, sounds, I'm just  
23 horrified at night because I'm still there a lot because my  
24 son is young and he likes to go out and stuff so I'm still  
25 there a lot by myself. But I live in fear. At night, any



1 sound that I hear, I don't know what it is.

2 I just pray and hope that no one here has to  
3 ever go through that. I pray and hope that his mother would  
4 never have to go through that. It was a horrifying thing  
5 for me. And it just has haunted me. I continue to be  
6 paralyzed by fear.

7 I hate to leave my home. When I pass there  
8 sometimes, I just stop and look and say why can't I go home.  
9 You know, where I'm staying this is not home. I get  
10 disgusted. I tell the girl that comes to visit me, I say,  
11 you know, sometimes I hate being here because this is not my  
12 home but I have to make it home.

13 Q. And after this happened did you have to seek  
14 some type of counseling to help you with your fears?

15 A. Yes, I went over to Ahoskie to the mental  
16 health place and I went for therapy. I was diagnosed with  
17 posttraumatic stress disorder. And I had to take sleeping  
18 pills, Ambien. And I took Aleve for my nerves. And I went  
19 to counseling for about six months for this.

20 Q. Ms. Davis, at some point -- can you summarize  
21 for the jury or tell the jury what items were actually taken  
22 from your house? Did it take you a while to figure that  
23 out?

24 A. I have a list but it's a lot of stuff.

25 Q. Could you tell the members of the jury what

1 was actually taken from your house?

2 A. Basically my son's like all of his baseball  
3 caps like the guys wear; his Timberland boots and his  
4 sneakers; an Xbox with all the games. Just basically all of  
5 his clothing like that were taken. And in my room, jewelry,  
6 my wedding ring and band. It was a solitary -- it was a 1  
7 carat solitaire 14 karat. The wedding band.

8 I had another ring, a diamond ring that was  
9 taken, a half a karat. I had two Omega bracelets that were  
10 taken. I had pearls; a black onyx ring and a set. The  
11 handgun, the 38 handgun was taken. My pocketbook with all  
12 my credit cards. My license, my social security card,  
13 everything that you would keep in your wallet, that was  
14 taken.

15 I took care of my mother's business. I even  
16 had two of her credit cards in there. I had two checks in  
17 there that my brother and one of sisters had given my mother  
18 for Christmas. Like a said, I took care of all of her  
19 business that was in there. So all of my personal things  
20 and my pocketbook, all of that was taken. Like I said, the  
21 ring, the boots, the handgun and lots of jewelry

22 Q. At any point after your house broken into or  
23 your home was invaded, did you have an occasion to identify  
24 any jewelry?

25 A. Yes.

1 Q. And what jewelry did you get to identify that  
2 was your jewelry?

3 A. My ring, my wedding band. My ring -- the  
4 band wasn't up there. It was just the ring, by wedding  
5 ring.

6 MS. ASBELL: May I approach the witness?

7 THE COURT: Yes, ma'am.

8 BY MS. ASBELL:

9 Q. Ms. Davis, I show you what's marked as  
10 State's Exhibit 52. And do you recognize this?

11 A. Yes.

12 Q. And what is that?

13 A. That's my wedding ring, that's it.

14 Q. And is that the wedding ring that was taken  
15 out of your house on December 29, 2007?

16 A. Yes, it is. And I know for sure because you  
17 see that prong that's bent? I told Ms. Burnette when I was  
18 telling her that this was one of the most precious things  
19 out of all the jewelry that was taken because this was from  
20 my husband. I told her I said my ring is one of the prongs  
21 is bent.

22 And she had a ring on that day. I said you  
23 know as a matter of fact it's like that ring that you have  
24 on but one of my prongs is bent in mine. And this is my  
25 ring. It's the perfect size. This is it.



1           Q.           And you recognize that ring as being the ring  
2 that was taken out of your house?

3           A.           Yeah, uh-huh.

4                       MS. ASBELL:   The State moves to introduce  
5 State's Exhibit 52.

6                       THE COURT:   Let it be received.

7                       (Whereupon, State's Exhibit 52 was admitted  
8 into evidence.)

9 BY MS. ASBELL:

10           Q.           Ms. Davis, do you remember any other items  
11 that Ms. Burnette showed you that you identified as being  
12 taken out of your house?

13           A.           The handgun was taken out.

14           Q.           What other items to you remember her showing  
15 to you?

16           A.           Some boots.

17                       MS. ASBELL:   May I approach the witness?

18                       THE COURT:   Yes, ma'am.

19 BY MS. ASBELL:

20           Q.           I show you both boots hooked together and  
21 marked as State's Exhibit 53. Do you recognize these boots?

22           A.           Yes, I do.

23           Q.           And how to you recognize them?

24           A.           I purchased the boots like this for my son  
25 Takoma, size ten and a half.

1           Q.           Were these boots in your house the night of  
2 December 27 -- excuse me, December 29, 2007?

3           A.           Yes, they were.

4           Q.           And were these shown to you by Ms. Brenda  
5 Burnette sometime after that?

6           A.           Yes.

7           Q.           And these are the boots that were taken out  
8 of your house?

9           A.           Yes.

10                   MS. ASBELL: The State moves to introduce  
11 States Exhibit 53 into evidence.

12                   THE COURT: Let them be received, State's 53.  
13 (Whereupon, State's Exhibit 53 was admitted  
14 into evidence.)

15                   MS. ASBELL: May I approach?

16                   THE COURT: Yes, ma'am.

17 BY MS. ASBELL:

18           Q.           Ms. Davis, I show you what's been marked as  
19 State's Exhibit Number 2 for the identification. Do you  
20 recognize this?

21           A.           Yes.

22           Q.           And what is that?

23           A.           That's the layout of my house.

24           Q.           Is that a diagram of the layout of your  
25 house?

1           A.           Yes.

2           Q.           Does that fairly and accurately portray what  
3 the inside of your house looked like on that date?

4           A.           Yes.

5           Q.           Could you use this diagram to illustrate your  
6 testimony to the members of the jury?

7           A.           Yes.

8                       MS. ASBELL: State moves to introduce State's  
9 Exhibit Number 2 into evidence for illustrative purposes.

10                   THE COURT: Let it be received.

11                   (Whereupon, State's Exhibit 2 was admitted  
12 into evidence.)

13 BY MS. ASBELL:

14           Q.           State's Exhibit 3, can you tell me what this  
15 is?

16           A.           That's my house.

17           Q.           For the jury, can you tell what part of the  
18 house that is a picture of.

19           A.           The front of the house.

20           Q.           Does that fairly and accurately portray what  
21 your house looked like on the date of offense?

22           A.           Yes, it does.

23           Q.           And could you use the picture to illustrate  
24 your testimony to the jury?

25           A.           Yes.



1 MS. ASBELL: State moves to introduce State's  
2 Exhibit Number 3.

3 THE COURT: Let it be received.

4 (Whereupon, State's Exhibit 3 was admitted  
5 into evidence.)

6 BY MS. ASBELL:

7 Q. I show you State's Exhibit 4. Do you  
8 recognize that?

9 A. Yes, that's the front of my house.

10 Q. Is that a closer version of the front of your  
11 house?

12 A. Yes, it is.

13 Q. Could you use that picture to illustrate your  
14 testimony to the members of the jury?

15 A. Yes.

16 MS. ASBELL: State moves to introduce State's  
17 Exhibit Number 4.

18 THE COURT: Let it be received.

19 (Whereupon, State's Exhibit 4 was admitted  
20 into evidence.)

21 BY MS. ASBELL:

22 Q. I show you what's been marked as State's  
23 Exhibit 5. Do you recognize that?

24 A. Yes, that's the back of the house.

25 Q. Does that fairly and accurately portray what

1 your house looked like on the date of offense?

2 A. Yes, it does.

3 Q. And can you use it to illustrate your  
4 testimony to the members the jury?

5 A. Yes.

6 MS. ASBELL: State moves to introduce State's  
7 Exhibit Number 5.

8 THE COURT: Let it be received.

9 (Whereupon, State's Exhibit 5 was admitted  
10 into evidence.)

11 BY MS. ASBELL:

12 Q. I show you what's marked as State's Exhibit  
13 Number 6, was is that?

14 A. A closer picture of the back of the house.

15 Q. Does that fairly and accurately portray what  
16 your house looked like at the door?

17 A. Yes.

18 Q. Could you use that picture to illustrate your  
19 testimony to the jury?

20 A. Yes

21 MS. ASBELL: State moves to introduce State's  
22 Exhibit Number 6.

23 THE COURT: Let it be received.

24 (Whereupon, State's Exhibit 6 was admitted  
25 into evidence.)

1 BY MS. ASBELL:

2 Q. And State's Exhibit 7, do you recognize that?

3 A. Yes.

4 Q. And what is that?

5 A. That's the back of the house at the side  
6 angle like. That's the back of the house though.

7 Q. What view is that? I mean, what is it  
8 looking toward, whose house?

9 A. Where Jennifer used to live.

10 Q. Jennifer?

11 A. Williams.

12 Q. Could you use that to demonstrate your  
13 testimony to the members of the jury?

14 A. Yes.

15 MS. ASBELL: State moves to introduce State's  
16 Exhibit Number 7.

17 THE COURT: Let it be received.

18 (Whereupon, State's Exhibit 7 was admitted  
19 into evidence.)

20 BY MS. ASBELL:

21 Q. I show you what's marked as State's Exhibit  
22 Number 10. Do you recognize that?

23 A. Yes.

24 Q. And what is that?

25 A. That's one of the driveways. It's the front



1 of the house but it's close to the road --

2 Q. Speak up so the jurors can hear you.

3 A. This is the one at the driveway, but this is  
4 closer to road.

5 Q. Does that fairly and accurately portray what  
6 both houses looked like from the road?

7 A. Yes.

8 Q. Could you use that picture to illustrate your  
9 testimony to the members of the jury?

10 A. Yes.

11 MS. ASBELL: State moves to introduce State's  
12 Exhibit 10.

13 THE COURT: Let it be received.

14 (Whereupon, State's Exhibit 10 was admitted  
15 into evidence.)

16 BY MS. ASBELL:

17 Q. I show you State's Exhibit 11. Do you  
18 recognize that?

19 A. Yes, this is the garage at the back of my  
20 house.

21 Q. Does it fairly and accurately portray what  
22 your house looked like on that day?

23 A. Yes.

24 Q. Could you use that picture to illustrate your  
25 testimony to the members of the jury?

1           A.           Yes.

2                       MS. ASBELL:   The State moves to introduce  
3   State's Exhibit Number 11 into evidence.

4                       THE COURT:   Let it be received.

5                       (Whereupon, State's Exhibit 11 was admitted  
6   into evidence.)

7                       MS. ASBELL:   May I ask her to step down to  
8   the screen, Judge?

9                       THE COURT:   Yes.

10                      BY MS. ASBELL:

11                      Q.           If you will just step down and step right  
12   there it will be fine.

13                      A.           (Complies.)

14                      Q.           Ms. Davis, if you would, this is State's  
15   Exhibit Number 3. Ms. Davis, if you could, using this if  
16   all the members of the jury can see, using this if you will  
17   tell the members of the jury, what is this a picture of?

18                      A.           The front of my house.

19                      Q.           Now, what rooms would be on the front of the  
20   house using this -- looking at this frontal view?

21                      A.           Two bedrooms. This is a bedroom. This is a  
22   bedroom window. That's the front door. This is the living  
23   room. This is the kitchen and this is the laundry room.

24                      Q.           And using this particular picture can you  
25   share with your phone they would've been for if I can you

1 see it where would it be cactus on the side of the house  
2 well this side of the house here.

3 Q. Now using State's Exhibit Number 4 what is  
4 this a picture of?

5 A. A closer view in the front of the house.

6 Q. And what would be right here behind your  
7 porch inside of your house?

8 A. Right here this is the kitchen window. Here  
9 is the living room.

10 Q. And where your bedroom would be in which part  
11 of the house?

12 A. On the back side of the house.

13 Q. And what are these two windows here in the  
14 front?

15 A. That's Takoma's bedroom and that's an extra  
16 bedroom.

17 Q. So Takoma's bedroom would be closest to the  
18 front door?

19 A. Yes.

20 Q. I show you what's been marked State's Exhibit  
21 5 for identification. What is this?

22 A. That's the back of the house.

23 Q. And describe the ramp that is there.

24 A. This is a ramp. My husband was handicapped  
25 and we had to have a ramp. So this is the ramp that goes



1 in. You have to go this way and then you go that way to get  
2 to the back of the house.

3 Q. What type of doors were in the back of your  
4 house that entered?

5 A. They're like double French doors.

6 Q. Using this picture can you show which door  
7 was the door that was actually blown in?

8 A. This one here because this is the only one  
9 you could actually open. This is just the glass. This is  
10 where the doorknob is right here. This is what was shot in.

11 Q. And when you go through those doors what area  
12 of the house do you go come into?

13 A. You go into the family, the den area.

14 Q. Ms. Davis, I show you State's Exhibit  
15 Number 6. Can you tell us what that is?

16 A. That's the closer view of the back of the  
17 house.

18 Q. On the date of offense there was a wreath  
19 hanging in the door? On the date of offense?

20 A. Yes, that was a Christmas wreath.

21 Q. At that time what happened with that wreath?

22 A. When I went out the wreath was on the floor  
23 in this room here by the door.

24 Q. Directing your attention to State's Exhibit  
25 Number 7. Can you tell the members of the jury what is this

1 a picture of, what angle?

2 A. This is the back of the house here. This is  
3 where Jennifer was living, Jennifer Williams was living at  
4 the time in this house here. So the driveway goes all the  
5 way around. This is used for her house on that side.

6 Q. Now where would your car -- could you see  
7 where car was parked that night from this picture?

8 A. Well, I had one under the carport. And one  
9 was in front of kthat car and I had one in front of the  
10 garage.

11 Q. So there were cars in the yard?

12 A. Uh-huh.

13 Q. What about the lights?

14 A. It's a back light, a night light I call it.  
15 And there's a light under the carport. And there is a light  
16 right at the door.

17 Q. And were all those lights on that night?

18 A. Yes.

19 Q. I show you what's marked State's Exhibit  
20 Number 10. If you could for the members of the jury explain  
21 what this is a picture of.

22 A. This is the driveway leading to the road  
23 here. This is the garage that is in the back of the house.  
24 On the other side is Jennifer -- was Jennifer Williams',  
25 where she lived.

1 Q. And used this picture can you show me  
2 where -- you said there was a nightlight. What do you mean  
3 by a night light?

4 A. Pole light.

5 Q. Where would the pole light be?

6 A. It's not on this side, it's on the other  
7 side.

8 Q. Would any cars have been in this area parked  
9 back here?

10 A. In this driveway.

11 Q. Or in the back?

12 A. This is the front of the house, no.

13 Q. Where the driveway goes back in front of the  
14 other garage, was there a car back there?

15 A. When it was all over Tacoma's car was parked  
16 right in front of the garage there. Normally when he comes  
17 in he will come in in this driveway. But he doesn't park in  
18 the driveway, he parks over here so if somebody comes in he  
19 can go around.

20 Q. Directing your attention to State's 11, is  
21 that a closer view of that garage?

22 A. Yes, it is.

23 Q. Where would you say Takoma's car was parked  
24 when you came back to the car?

25 A. Right here. Right here in front of the



1 garage.

2 Q. And if you keep going this way where does it  
3 go?

4 A. That goes back out to the road.

5 Q. Does that go to the back of your house?

6 A. Uh-huh, to the back of the house.

7 Q. Now, directing your attention to State's  
8 Exhibit Number 2, what is this?

9 A. That's a layout of the inside of my house.

10 Q. If you could for the members of the jury, if  
11 you could describe where you were and where the backdoors  
12 are, now that they've seen the outside of the house, and go  
13 from there.

14 A. This is the backdoor. This is the family  
15 room that you basically come in. This is like a foyer and  
16 you go down the hallway and this is my bedroom. This is  
17 where I was.

18 Q. In your bedroom is there anything separating  
19 the hall to go to the bedroom across the hall? Is it just a  
20 hall?

21 A. It's just a hall.

22 Q. And where were you in your bedroom?

23 A. I was in bed. And my bed was right here.  
24 This is the door to get into my bedroom. My bed sits in the  
25 middle of the floor right here on this wall.

1           Q.       When you finally got up and after you thought  
2 everybody had left your house were there any other exterior  
3 doors open on your house?

4           A.       The front door.

5           Q.       And where would that be?

6           A.       Right here.

7           Q.       And the front door comes out on the porch  
8 that we saw?

9           A.       Uh-huh, that door was open.

10          Q.       Was the side door open at all?

11          A.       No, that wasn't open at all.

12          Q.       And using this diagram can you show where the  
13 phone line part is for your house?

14          A.       It's right on this wall right here. The  
15 laundry room part.

16          Q.       Thank you, Ms. Davis. You can take your  
17 seat.

18          A.       ( Witness complies.)

19                   MS. ASBELL: If I could have just one moment.

20                   THE COURT: Yes.

21 BY MS. ASBELL:

22          Q.       Ms. Davis, the person that was in your  
23 bedroom, the defendant, could you describe -- did you  
24 recognize anybody first? Any of the people that you saw,  
25 could you identify them?

1           A.           No, no more than to say their size, height  
2 and the color of their skin.

3           Q.           It that because the were completely covered,  
4 their faces?

5           A.           They had the bandannas were from here around.  
6 Then they had the black hoods on.

7           Q.           Now, when they were talking did you think  
8 there was anything distinctive about any type of voice?

9           A.           The one that did the talking, the darker one,  
10 he was trying to disguise his voice like a Jamaican or  
11 foreigner or somebody. You could kind of pick up that it  
12 was a phoney accent because you know some of the words. But  
13 it was like he was trying to disguise his voice. And the  
14 other one never said anything. The only time I heard  
15 another voice was him -- the person that came back in and  
16 said man I need a bag. That was the only other voice other  
17 than the darker one.

18          Q.           I don't know if I asked you this, are you  
19 working?

20          A.           No, I'm a retired schoolteacher. I retired  
21 on disability.

22          Q.           And where did you work?

23          A.           I worked at Southampton County Middle School  
24 for 17 years and I worked in Hertford County for seven  
25 years.



1 Q. So how long before this happened had you been  
2 retired from the school system?

3 A. I retired in 2000.

4 MS. ASBELL: Those are my questions at this  
5 time.

6 THE COURT: Mr. Barnes.

7 MR. BARNES: Yes, ma'am, if you can just give  
8 me one second.

9 CROSS-EXAMINATION

10 BY MR. BARNES:

11 Q. Good morning, Ms. Davis. Do you know this  
12 young man seated here beside of me?

13 A. No, I do not.

14 Q. Have you ever seen him before in your life  
15 other than being in the courthouse?

16 A. No.

17 Q. Do you know anything about where he lives or  
18 his family or anything like that?

19 A. No.

20 Q. Do you know Jamal Thomas?

21 A. No.

22 Q. Have you ever known anything about him before  
23 this case come up?

24 A. I've heard his name before.

25 Q. Did you hear that from Takoma?

1 A. Yes.

2 Q. Do you know if Takoma knew Jamal?

3 A. Yes, he knew of him. He went to school over  
4 there.

5 Q. Prior to December 29, 2007, did you know  
6 Antonio Freeman, sometimes commonly referred to as JO?

7 A. No, I do not.

8 Q. Do you know if Takoma knew him prior to  
9 December 29?

10 A. I don't know. I've never heard him mention  
11 his name to me.

12 Q. Do you know if he went to the same school?

13 A. No, I do not.

14 Q. Prior to December 29 did you know Karon  
15 Moses?

16 A. No, I did not.

17 Q. Do you know if Takoma knew him?

18 A. No, I do not know whether he knew him or not.

19 Q. Where did Erel Jordan live in relation to  
20 you?

21 A. She lives in the next road past my house.  
22 You turn and she lives about 3 miles from me.

23 Q. About 3 miles away?

24 A. Uh-huh.

25 Q. Prior to whatever happened at your home, when

1 was the last time you talked to your son Takoma?

2 A. That afternoon. He was working at McDonald's  
3 part-time because he was still in high school. And when he  
4 got off work that afternoon he called to let me know he was  
5 out -- well, he got off work that night I will say around  
6 seven or eight. That's why he didn't go with us to our  
7 family gathering because he was at work at McDonald's.

8 Q. Did you receive a call from Takoma prior to  
9 9:00 or 10:00 on the 29th? Did you receive a call from  
10 Takoma?

11 A. Yes.

12 Q. And did he say anything about coming home?

13 A. No, he said, mama, would it be okay if I go  
14 over to Erel's and hang out for a while and then I'll be  
15 coming home. And I said sure, that's fine but just don't be  
16 late.

17 Q. Was that the last time you talked with him  
18 that evening?

19 A. Yesgas.

20 Q. When you tried to call your friend back on  
21 the cell phone and you couldn't get him, did you make any  
22 attempt to call anyone else at that time?

23 A. No, because I was ready to go to bed.

24 Q. Did you call the phone company to report your  
25 house phone?



1           A.           No, I did not.

2           Q.           You didn't go outside to make any inquiry  
3 about your phone or anything, did you?

4           A.           No.

5           Q.           Just assumed something was wrong with it and  
6 went to bed?

7           A.           When you live out in the country like that  
8 anything can happen with those phones.

9           Q.           Now is it pretty clear in your mind that on  
10 the 29th of December that the two persons that were inside  
11 of your home had on red bandannas?

12          A.           As far as I can remember, yes.

13          Q.           Can you describe what they looked like?

14          A.           They had some like designs like bones, I  
15 don't know. You know like a bone or a skeleton figures or  
16 whatever it was in it.

17          Q.           But they were red?

18          A.           Yes.

19          Q.           And for the sake of us not assuming anything,  
20 a bandanna may be several terms. What do you describe as a  
21 bandanna?

22          A.           A hank -- well, I would call it a  
23 handkerchief. They call them nowadays bandannas. But they  
24 are square handkerchiefs.

25          Q.           Folded up.

1           A.           And they fold it up a certain way into a  
2 triangle sort of like because after this happened I saw  
3 guys -- I would see some guys walking the street with them  
4 and I just got horrified when I saw that. I don't know if  
5 it's a fad or a thing these young folks do or what.

6           Q.           At any time on the 29th of December did you  
7 see any more than two persons in your home?

8           A.           No, I saw the two that came in. And then  
9 somebody came back to the bedroom to look in. I can't say  
10 it was the same second person or not or because the first  
11 person was still in there.

12          Q.           I understand. So as far as you know there  
13 were two people, and that's all you can say?

14          A.           Yes, that's all I ever saw at one time was  
15 two people.

16                       MR. BARNES: Those are my questions.

17                       THE COURT: Redirect?

18                       MS. ASBELL: No, ma'am.

19                       THE COURT: You may step down.  
20

# **TACOMA DAVIS TESTIMONY**

(TT 64-96)



1

20 MS. ASBELL: The State calls Takoma Davis.  
21 TAKOMA DAVIS, called as a witness on behalf  
22 of the State, having been duly sworn, was examined and  
23 testified as follows:  
24 DIRECT EXAMINATION  
25 BY MS. ASBELL:

1 Q. If you could state your name for the Court,  
2 please?

3 A. Takoma Davis.

4 Q. Mr. Davis, how old are you?

5 A. Eighteen.

6 Q. And on December of 2007 where were you  
7 living?

8 A. 1885 Vaughan Creek Road in Pendleton.

9 Q. And in that home, who was living with you in  
10 that home?

11 A. My mother.

12 Q. Now in December of 2007 how old were you?

13 A. Fifteen, sixteen, somewhere in there.

14 Q. Were you in school at that point?

15 A. Yes.

16 Q. Did you also -- did you have a job?

17 A. Yes.

18 Q. Where were you working?

19 A. At McDonald's in Murfreesboro.

20 Q. And how long had you worked at McDonald's in  
21 Murfreesboro?

22 A. About two or three months.

23 Q. Now, do you know the defendant, Coatney  
24 Williams?

25 A. I heard of him from Seaboard.

1 Q. Have you ever see him before?

2 A. Yes.

3 Q. And how long -- when you say you've known  
4 him, have you just heard of him?

5 A. Yeah, and seen him around and stuff.

6 Q. So you know this person that's seated there  
7 beside Mr. Barnes, that's Coatney Williams?

8 A. Yes.

9 Q. Were you friends with him?

10 A. No.

11 Q. Had ever been anywhere with him?

12 A. No.

13 Q. On December 29, 2007 did you work that night?

14 A. Yes, ma'am.

15 Q. And tell the members of the jury what  
16 happened that night.

17 A. Well, I got off work about 10:00 o'clock. I  
18 called my mother and told her I was going to Erel's house  
19 for a while.

20 Q. Who is Erel?

21 A. My friend.

22 Q. Where does he live?

23 A. I can't tell you where it is but's it's on  
24 Horn Road in Pendleton.

25 Q. How close is Erel's house to your house?



1           A.           About three or four -- yeah, about three or  
2 four miles from my house.

3           Q.           If you will keep your voice up.

4           A.           Okay.

5           Q.           When you told your mother that, what  
6 happened?

7           A.           She told me, okay, just don't be out too  
8 late. And I went down there and we was outside talking for  
9 a little bit. And we got in my car and we left and went  
10 to -- we went to my house and we sat outside.

11          Q.           Who is we?

12          A.           Me and Erel got in my car and left and went  
13 to my mother's. We went to my house and we sat outside for  
14 a while just talking. And I got a phone call from my cousin  
15 Tiffany saying that I needed to go and --

16                   MR. BARNES: Objection.

17                   THE COURT: Sustained. Don't say what she  
18 said.

19 BY MS. ASBELL:

20          Q.           Based on what she said to you, what did you  
21 do?

22          A.           I walked in the house to go check on my  
23 mother.

24          Q.           What time would you say it was when you  
25 arrived at your home and pulled in the driveway?

1 A. Somewhere like 10:30, between 10:30, 10:45.

2 Q. And when you got out of -- where did you  
3 park?

4 A. In front on my garage.

5 Q. Now when you drove up did you notice anything  
6 about the house?

7 A. No, everything looked fine to me.

8 Q. Describe the lighting in the backyard of your  
9 house.

10 A. It's a light whre the garage is at. But I  
11 don't think that light was working. And we had like lights  
12 around the house, like I guess what they call floodlights.  
13 I think it was two of them. I think it was one in the front  
14 and one on the side toward the back a little bit.

15 Q. And were those flood lights on when you drove  
16 up?

17 A. Yes.

18 Q. How long did you sit in the car before you  
19 walked in your house?

20 A. About three or four minutes.

21 Q. Tell the members of the jury what happened.

22 A. I got out of the the car --

23 Q. Key your voice up.

24 A. I got out of the car and I walked up the ramp  
25 and I seen that the door, it wasn't completely opened, but

1 it won't shut. And it was like kind of cracked a little  
2 bit. And I opened the door and I yelled my mother's name.  
3 I said, mom, mom. And that's when a guy came out with a gun  
4 and pointed it at me. Do I say --

5 Q. You can say what happened and what was said.

6 A. He told me to get the fuck out. And that's  
7 when I ran and I hopped over because it's like a railing,  
8 like you go up a railing, and I hopped over like the first  
9 part of the railing. And that's when I told Erel to get out  
10 of the car and run. And I ran behind the garage.

11 Q. Where were you when you saw a person, that  
12 person?

13 A. Because I opened the door, I seen -- because  
14 there was a wreath because it was Christmas time and there  
15 was a wreath on the door. And the wreath wasn't up there.  
16 And I opened the door a little bit and saw -- you know, I  
17 was just checking -- and I wan't all the way in the house.  
18 I was like kind of like by the front door like by the  
19 backdoor.

20 Q. Describe what the person looked like or what  
21 you saw of the person.

22 A. Well, I really couldn't -- I know he was tall  
23 and dark skinned because I really didn't get -- well,  
24 because I couldn't really like see because I was like, as  
25 soon as he told me that I just turned and ran as soon as he



1 told me that.

2 Q. You couldn't tell what they had on, what the  
3 person had on?

4 A. Black, all black, and something around his  
5 face.

6 Q. Now, when you ran what happened?

7 A. When I ran, I hopped over the rail and I told  
8 Erel to run. When I got behind the garage I heard a  
9 gunshot.

10 Q. What happened then?

11 A. That's when I waited behind the garage for a  
12 little while. And I was trying to make sure everything was  
13 safe to go out. And I ran next door to Jennifer's house.

14 Q. Now, did you see anything while you were  
15 behind the garage?

16 A. No, ma'am.

17 Q. Did you see any cars or any people or  
18 anything?

19 A. No.

20 Q. And were you hiding?

21 A. Yes, ma'am.

22 Q. And what happened next?

23 A. Well, I went next door to Jennifer and told  
24 her because there was a lady staying with her and I told her  
25 what happened and what not. And that's when Jennifer got in

1 her car and she chased behind them. And a few minutes later  
2 that's when Erel came up knocking on the front door.

3 Q. And tell us what happened at that point.

4 A. He came in and he said he got shot. And she  
5 was an EMS lady and she told him to lay on the floor and  
6 told him what to do. And she called 911.

7 Q. Now, once you were in the house, what  
8 happened next?

9 A. In whose house, Jennifer's?

10 Q. In Jennifer Williams' house.

11 A. Good you like repeat that?

12 Q. I mean, what happened next? When did you see  
13 your mother or did you see the police?

14 A. I seen her when she came back because she was  
15 on the car -- Erel's mother was on the car with her when  
16 they came back. That's when I saw her.

17 Q. Did you tell your mother what happened at  
18 that point?

19 A. No, I was just making sure she was all right.  
20 I was just checking on her because I hadn't seen her. I  
21 felt like I didn't know what had happened to her because I  
22 hadn't seen her. So I didn't know if they had kidnapped her  
23 or what because I hadn't seen her and I hadn't heard her  
24 voice so I didn't know what had happened to her.

25 Q. Do you know Karon Moses?

1 A. Yes, ma'am.

2 Q. And he was one of the codefendants in this  
3 case; is that correct?

4 A. Yes.

5 Q. How do you know him?

6 A. From school and from Seaboard.

7 Q. When you say from school, how did you know  
8 him school? Ya'll went to school together?

9 A. Yes, ma'am.

10 Q. How long had you known?

11 A. I guess about a year I guess. About a year.

12 Q. When you say you knew him from Seaboard what  
13 do you mean by that?

14 A. He usually stays in the projects and I guess  
15 hearing his name. And I used to conversate. It won't  
16 really no friend but I would conversate.

17 Q. Did you know Jamal Thomas?

18 A. Yes.

19 Q. Tell the members of the jury how you knew  
20 Jamal Thomas.

21 A. Me and Jamal would be called friends, I could  
22 say -- well, not now, but we were friends back then.

23 Q. How long had you known Jamal Thomas before  
24 December of 2007?

25 A. About a year, year and a half, something like



1 that.

2 Q. Had you and Mr. Thomas done things together?

3 A. What do you mean done things together?

4 Q. Had you gone places together?

5 A. Like we were on the same car before and I had  
6 been to his house before and that type thing. We used to  
7 ride four-wheelers together and stuff like that.

8 Q. Had Jamal Thomas ever been to your house  
9 before?

10 A. He might have been on the four-wheeler one  
11 time but that's about it but never in the house or that type  
12 thing.

13 Q. Now did you know Antonio Freeman?

14 A. Yes.

15 Q. And how did you know him?

16 A. Heard the name, you know, like people  
17 talking.

18 Q. Did you know him personally?

19 A. Well, not personally, but like you know when  
20 you see somebody you say like, you know, what's up and just  
21 keep moving or whatever.

22 Q. So how would you describe your relationship  
23 with him?

24 A. Associate.

25 Q. Did you know Karon Moses by any kind of

1     nickname?

2             A.       No, I just know him by Karon.

3             Q.       Did you know Jamal Thomas by any type of  
4     nickname?

5             A.       Jamal.

6             Q.       Did you know Antonio Freeman by any type of  
7     nickname?

8             A.       They call him Yayo.

9             Q.       Did you get a chance to go back into your  
10    home after this incident on December 29, 2007?

11            A.       Yes, when the police came and they were doing  
12    the investigation and what not I was in their.

13            Q.       Did you go into your room?

14            A.       Yes.

15            Q.       What was different in your room then from  
16    when you left your house early that day?

17            A.       My TV was on the bed. My Xbox was gone. My  
18    shoes was like -- couple of my shoes was missing and my hats  
19    were missing. And like just out of order. It won't like it  
20    was when I left it.

21            Q.       Did you walk through the rest of the house?

22            A.       Yes.

23            Q.       Tell the members of the jury about the rest  
24    of the house.

25            A.       My daddy was handicapped. He had his own

1 separate room but his room was fine. It wasn't nothing  
2 missing out of there. And my mama's room it was -- it was  
3 somewhat like mine. It won't like her TV or nothing was on  
4 the bed but it was somewhat like mine, it was out of order,  
5 not where she would have left it if she would have left the  
6 house. Like if it was her, she wouldn't have left it like  
7 that. You could tell somebody had been there.

8 Q. When I asked you about did you know Coatney  
9 Williams, I believe you said that you knew of him --

10 A. Yeah.

11 Q. -- is that correct? Did you and Coatney  
12 Williams ever know anybody in common?

13 A. Yeah, I believe probably so.

14 Q. Who is that?

15 A. Probably Jamal and a few others from  
16 Seaboard, young guys.

17 Q. Did you ever date anybody that maybe  
18 Mr. Williams dated as well?

19 A. Yes.

20 Q. Tell the memebbers of the jury about.

21 A. This girl named Antwana, she told me that she  
22 used to talk to.

23 MR. BARNES: Objection.

24 THE COURT: Don't tell what somebody else  
25 said.



1 BY MS. ASBELL:

2 Q. Were you aware that Coatney Williams had  
3 dated the same person?

4 A. Yes.

5 Q. Did you give a statement to Ms. Burnette  
6 about what happened? Did you give a statement to Detective  
7 Burnette? Did you tell her what happened?

8 A. About?

9 Q. About what happened that night?

10 A. Yes.

11 MS. ASBELL: May I approach the witness?

12 THE COURT: Yes, ma'am.

13 BY MS. ASBELL:

14 Q. I show you State's Exhibit Number 8 for  
15 identification. Do you recognize that?

16 A. Yes.

17 Q. What is that?

18 A. Part of my garage, the back of my house and  
19 the neighbor's house.

20 Q. And who was living in that house on  
21 December 29, 2007?

22 A. Which house?

23 Q. The next door neighbor's house.

24 A. Jennifer and -- I don't know if her husband  
25 was -- it might've been her husband one of her relatives.

1           Q.           Could you use this picture to illustrate your  
2 testimony to the members of the jury? Could use this  
3 picture to show the members of the jury where you were?

4           A.           Yes. I can show them where I was but I  
5 couldn't show them where I ran because it's not in the  
6 picture but I can show them where I parked my car at.

7           Q.           You could use this to illustrate your  
8 testimony to the jury?

9           A.           Yes.

10                   MS. ASBELL: State moves to introduce State's  
11 Exhibit 8.

12                   THE COURT: Let it be received.

13                   (Whereupon, State's Exhibit 8 was admitted  
14 into evidence.)

15 BY MS. ASBELL:

16           Q.           I show you State's Exhibit 9. Can you tell  
17 me what this is?

18           A.           All right, that's my bedroom.

19           Q.           Is this a picture of the house?

20           A.           Yes.

21           Q.           What else does it show?

22           A.           The front yard and the next-door neighbor's  
23 house.

24           Q.           Does it also include your driveway?

25           A.           Yes.

1           Q.           Could use this to show where you drove up  
2 that night to your house?

3           A.           Yes.

4           MS. ASBELL:   State moves to introduce State's  
5 Exhibit 9.

6           THE COURT:   Let it be received.

7           (Whereupon, State's Exhibit 9 was admitted  
8 into evidence.)

9 BY MS. ASBELL:

10          Q.           What is State's Exhibit 12? What is that?

11          A.           The highway and some of my neighbor's house.

12          Q.           And could you use this picutre to tell what  
13 happened and where you parked and where you ran?

14          A.           Yes.

15          MS. ASBELL:   State moves to introduce State's  
16 Exhibit 12.

17          THE COURT:   Let it be received.

18          (Whereupon, State's Exhibit 12 was admitted  
19 into evidence.)

20 BY MS. ASBELL:

21          Q.           State's Exhibit Number 11, do you recognize  
22 that?

23          A.           Yes.

24          Q.           And what is that?

25          A.           Part of the garage and the back of the house.



1 Q. And you can use this picture as well, is that  
2 correct?

3 A. Yes.

4 Q. State's Exhibit Number 10, do you recognize  
5 this?

6 A. Yes.

7 Q. And what is it?

8 A. The garage, some of the house and the light  
9 in the side yard.

10 Q. Can you use this picture to show the jury?

11 A. Yes.

12 Q. I show you State's Exhibit Number 7. Do you  
13 recognize that?

14 A. Yes.

15 Q. And what is this?

16 A. The carport.

17 Q. Could you use this picture to illustrate your  
18 testimony to the members of jury?

19 A. Yes.

20 Q. I show you State's Exhibit 6. Do you  
21 recognize this?

22 A. Yes.

23 Q. And what is it?

24 A. The back part of the house, the carport.

25 Q. Does it also show the back door?

1 A. Yes.

2 Q. Could you use this picture to talk with the  
3 jury?

4 A. Yes.

5 Q. I show you State's Exhibit 5. Do you  
6 recognize this?

7 A. Yes.

8 Q. What is it?

9 A. We're at the carport again.

10 Q. Could you use this picture to show where you  
11 went and what happened?

12 A. Yes.

13 Q. And finally State's Exhibit 4. Do you  
14 recognize this?

15 A. Yes.

16 Q. And what is this?

17 A. The front of the house.

18 MS. ASBELL: Could I ask him to step down,  
19 Judge, to the screen?

20 THE COURT: Yes.

21 MS. ASBELL: The State moves to introduce  
22 State's Exhibit Number 12.

23 THE COURT: Let it be received.

24 (Whereupon, State's Exhibit 12 was admitted  
25 into evidence.)

1 BY MS. ASBELL:

2 Q. If you will step down right here, I'll hand  
3 you this pen. Starting with State's Exhibit Number 4,  
4 Mr. Davis, if you could for the members of the jury, just  
5 tell them first of all orient us to this. What is this?

6 A. This is the front of the house.

7 Q. And this is the house you were living in  
8 December of 2007; is that correct?

9 A. Yes.

10 Q. State's Exhibit Number 10, if you would tell  
11 the members of the jury what is this?

12 A. Some of the driveway.

13 Q. Keep your voice up.

14 A. Some of the driveway, the garage, some of the  
15 house and the side yard. You can't really see the  
16 neighbor's house.

17 Q. Using this picture could you show the members  
18 of the jury where you would have come in, you and Erel on  
19 your car, and where you would have parked.

20 A. Came into the second driveway and came around  
21 and parked somewhere up in there in front of the garage. We  
22 weren't on the rocks, we were in the grass.

23 Q. Now using this picture where you were parked,  
24 could you see the back door?

25 A. Yes.



1 Q. Could you see directly into the back door or  
2 just to the side of the back door?

3 A. Not directly, but it's like at a angle.

4 Q. Now, using State's Exhibit Number 11 is that  
5 a closer up version of the picture of the house?

6 A. Yes.

7 Q. Could you show the members of the jury where  
8 you would have been parked?

9 A. Right there.

10 Q. Now, which direction would your car have been  
11 facing?

12 A. That way.

13 Q. Now, would it have been facing towards the  
14 back porch?

15 A. Yeah, my headlights were facing towards the  
16 porch.

17 Q. Now using this, would you show like where you  
18 would have gone when you were running from the house.

19 A. You mean when I jumped over the --

20 Q. Yes?

21 A. When I jumped over the railing, I jumped over  
22 and ran to like right up behind the garage.

23 Q. Is right here where you stayed until you  
24 thought that everything was gone before you went to the  
25 neighbor's house?

1 A. Yes.

2 Q. Using State's Exhibit Number 12 when you  
3 thought everything was clear, show the members of the jury  
4 using this picture where you went from your garage and where  
5 you went to?

6 A. I was back there. So I went from back there  
7 to Jennifer's house.

8 Q. And this is Jennifer's house right here?

9 A. Yes.

10 Q. Where did you go, to the front door or the  
11 back door?

12 A. I believe to the back door. Yeah, to the  
13 back door.

14 Q. While you were behind your garage and before  
15 you went over here, did you ever see any vehicles come in or  
16 out of this driveway?

17 A. No, ma'am.

18 THE COURT: Any jurors having any difficulty  
19 seeing this, raise your hand.

20 BY MS. ASBELL:

21 Q. Mr. Davis, using State's Exhibit Number 5,  
22 what is this first?

23 A. The carport.

24 Q. Now show the members of the jury using this  
25 picture where you went and where you were standing when you

1 saw the person with the gun that yelled at you?

2 A. I got out of the car and I walked up around  
3 the ramp or whatever. And I seen the door was kind of  
4 opened.

5 A. Speak up?

6 A. I was somewhat like -- like I said, I  
7 won't -- I didn't go past the door, you know like how the  
8 door opens, I didn't go past the end of the door. So I was  
9 like somewhere in the door.

10 Q. And is that where you saw the person that you  
11 described?

12 A. Yes. He came and he was standing like right  
13 up in there.

14 Q. And what did you do?

15 A. I turned like -- I turned around and ran and  
16 hopped right over that and went right to the back of the  
17 garage.

18 Q. And using State's Exhibit Number 7 is this  
19 your porch?

20 A. Yes.

21 Q. If you could show the members of the jury  
22 what you did.

23 A. I ran and I hopped over because there is a  
24 thing right there. And so I hopped over here and I went to  
25 the back of the garage.



1 Q. And using this picture where would Erel and  
2 your car have been?

3 A. Because Erel was still in the car and I was  
4 about to hop over and that's when I told Erel to run. So we  
5 like crossed each other. I can't say where he got shot, but  
6 he would've been like going towards (indicating) he was  
7 going towards that way.

8 Q. So when you told him to run was he running  
9 away from the residence too? When you told him to run away,  
10 did he run away?

11 A. Yes, he ran. Like, he didn't follow me back.  
12 He ran the opposite way because I ran behind the garage and  
13 my car was parked in front of the garage and he ran towards  
14 that way.

15 Q. And you can didn't see him any more after you  
16 heard the gunshot? You didn't see him anymore?

17 A. No, not until he got back to Jennifer's  
18 house.

19 Q. And finally using State's Exhibit Number 8 if  
20 you could show the members of the jury where your car would  
21 have been and again where you ran and where Erel ran that  
22 you saw.

23 A. My car was right there. I ran behind the  
24 garage and Erel ran that way towards like -- he got out of  
25 the car, he was on this side.

1 Q. Keep your voice up.

2 A. I don't know if he was in front of the car or  
3 behind the car but he ran towards that way.

4 Q. Away from the house?

5 A. Yes.

6 Q. Thank you, you can have a seat back there.

7 A. (Complies.)

8 MS. ASBELL: If I could have just one moment,  
9 Your Honor.

10 Those are my questions at this point.

11 THE COURT: Ladies and gentlemen, we are  
12 going to take our morning recess at this point. I want to  
13 remind you that you have a duty not to talk among yourselves  
14 about the case. You have a duty not to talk to the parties,  
15 witnesses or counsel about anything.

16 It's your duty not to allow anyone else to  
17 talk about the case in your presence. If anyone  
18 communicates or attempts to communicate with you about this  
19 case, you must report that to the Court immediately.

20 Please don't form an opinion about the guilt  
21 or innocence of the defendant or express an opinion about  
22 the case as it is thus far.

23 Please be back in the jury room at 11:45.  
24 The sheriff is going hand you a juror badge. I will ask  
25 that you wear the juror badges all day today, not only when

1 you are in recess from here or on your breaks but as you go  
2 to lunch. Please continue to wear them prominently so that  
3 people will be able to identify you as jurors and they will  
4 know to curtail their conversations around you as they might  
5 be talking about the case or anything else. So please wear  
6 them prominently so that you can be readily identified as a  
7 juror. Please be back in the jury room at 11:45. The  
8 jurors are excused.

9 (Whereupon, the jury leaves the courtroom.)

10 THE COURT: Let the record reflect we are  
11 outside the presence of the jury. You may step down. We're  
12 at ease until 11:45.

13 (Whereupon, a recess was taken.)

14 THE COURT: All right, we are back in  
15 session. Mr. Davis, would you come back to the stand  
16 please.

17 (Whereupon, the jury enters the courtroom.)

18 THE COURT: Mr. Barnes, the witness is with  
19 you.

20 CROSS-EXAMINATION

21 BY MR. BARNES:

22 Q. Good morning, Mr. Davis. Where in the house  
23 is the coffee table? Where inside the house is the coffee  
24 table?

25 A. It's like when you walk in the house, as soon



1 as you make a left -- like you go to the back door, you make  
2 a left, it's like the coffee table then it's a sofa.

3 MR. BARNES: I ask the DA to bring up a  
4 diagram on the slide presentation please. If you would put  
5 it up there please if you will.

6 May I ask him to step down?

7 THE COURT: Yes.

8 BY MR. BARNES:

9 Q. Do you recognize that diagram?

10 A. What about it?

11 Q. Does that appear to be a diagram of your  
12 house?

13 A. Yeah.

14 Q. Can you step down and point out where the  
15 coffee table would have been on this night?

16 A. Somewhere up in there.

17 Q. Is it in the family room or the living room?

18 A. The family room.

19 Q. In the family room?

20 A. The family room.

21 Q. In the middle of the floor, side of the  
22 floor? Can you point out in that diagram about where the  
23 coffee table was?

24 A. Right up in there.

25 Q. Up in the left-hand corner?

1 A. Yeah.

2 Q. You can return to your seat, if you will.

3 A. (Complies.)

4 Q. Do you recall talking to Detective Burnette  
5 back on the 30th day of December 2007?

6 A. Yes.

7 Q. Do you remember telling her that I looked out  
8 and I saw a black man standing by the coffee table?

9 A. Yes.

10 Q. Do you remember telling her that?

11 A. Yes.

12 Q. Just a few minutes ago you testified that he  
13 was at the door, that when you opened the door he was at the  
14 door. You said he was at the door?

15 A. No, I didn't say he was at the door.

16 Q. You didn't say he was at the door?

17 A. No, I didn't say that.

18 Q. Where was the person at the first time you  
19 saw him?

20 A. By the coffee table coming up towards me.

21 Q. And I believe you said he had on a bandanna?

22 A. Yeah.

23 Q. Could you tell the color of that bandanna?

24 A. It was a darkish color. I really couldn't  
25 tell.

1 Q. Were the lights on in that room?

2 A. In which room?

3 Q. In the room that the coffee table was in.

4 A. I believe so but I told you I just got a  
5 glance. I didn't get a stared look at him I just got a  
6 glance.

7 Q. How long would you say your eyes were upon  
8 that person in the house. How long would you say your eyes  
9 were looking at that person?

10 A. About a second or two.

11 Q. Onr or two seconds?

12 A. Yeah.

13 Q. When you saw the gun you turned around and  
14 went out the door?

15 A. Yeah, I ran.

16 Q. Had there been any issues or riffs or beef  
17 between you and Karon Moses prior to December 29, 2007?

18 A. No.

19 Q. Any ill words?

20 A. No.

21 Q. Any ill words, riff or issues between you and  
22 Yayo?

23 A. No.

24 Q. What about Jamal?

25 A. No.



1 Q. There have been no problems between either  
2 or -- what about Coatney?

3 A. No conflict at all.

4 Q. No conflict at all between any of you four  
5 people?

6 A. No.

7 Q. When you went up to the back door that  
8 evening you never saw your mother at all?

9 A. No, sir.

10 Q. In fact, when you saw her was after you were  
11 coming back home when she was coming back home or either  
12 Ms. Jordan's house?

13 A. Could you repeat the question?

14 Q. When was the first time you saw your  
15 mother -- after you went up to the back door, when was the  
16 first time you saw your mother?

17 A. When she came back with Erel's mother.

18 Q. You said you turned around and ran to the  
19 garage, to the side of the garage that's nearest the  
20 Williams' home, right?

21 A. Near who?

22 Q. You ran to the side of the garage that is  
23 nearest to the Williams' home?

24 A. Yeah, like towards the side back.

25 Q. While you were there did you see anybody come

1 out of your home?

2 A. No.

3 Q. Did you see anybody run across the yard other  
4 than Erel?

5 A. No.

6 Q. When you heard a gunshot how many did you  
7 hear?

8 A. I believe it was one.

9 Q. One?

10 A. Yeah.

11 Q. And when you heard that shot where was Erel?

12 A. I guess he was running towards the like the  
13 roadway or towards the --

14 Q. Do you know? Do you know where he was when  
15 you heard the shot?

16 A. No, I don't know his exact location where he  
17 was at.

18 Q. When you left the back door and jumped over  
19 the railing had Erel gotten out of the car?

20 A. When I was hopping over, running towards the  
21 garage I was telling Erel to get out and run then.

22 Q. He got out then?

23 A. Yes.

24 Q. And then did he get on the ground and get to  
25 running before you got behind the garage?

1           A.           I really couldn't -- I just know he ran  
2 out -- he didn't follow me. I just know he ran the opposite  
3 way.

4           Q.           I got you. And you heard a gunshot.

5           A.           Yes.

6           Q.           At that time you are not looking at Erel?

7           A.           No, I wasn't.

8           Q.           So you don't know exactly where he was the  
9 time the gun went off?

10          A.           I didn't know he got shot until he got back  
11 to Jennifer's house.

12          Q.           At that time that you heard the gunshot, did  
13 you see any other persons out there other than Erel?

14          A.           No.

15          Q.           Could you tell from the sound of the gunshot  
16 from about where it came from?

17          A.           I know it came from like it was like from the  
18 house. Like, it wasn't from the woods or nothing like that.

19          Q.           Did you ever see any other automobile at or  
20 near your house that evening other than cars owned by you  
21 and your family?

22          A.           No.

23          Q.           Since December 29, 2007 have you had any  
24 conversation with Coatney Williams?

25          A.           No.



1 Q. Have you had any with Karon Moses?

2 A. No.

3 Q. Had any with Antonio Freeman?

4 A. No.

5 Q. Had any with Jamal Thomas?

6 A. No.

7 Q. Have you seen either one of those three  
8 people since December 29?

9 A. No.

10 MR. BARNES: Judge, those are my questions.

11 THE COURT: Redirect.

12 MS. ASBELL: If I could have a moment, Judge.

13 REDIRECT EXAMINATION

14 BY MS. ASBELL:

15 Q. Mr. Davis, when you saw Erel after the  
16 gunshot, what did you notice about him?

17 A. He was bleeding.

18 Q. Had he been shot?

19 A. Yes.

20 Q. Did he tell you what happened?

21 A. Yes, he told me he got shot.

22 Q. Now where exactly -- how far did you run or  
23 how far had you gotten when you heard the shot?

24 A. Like, I know I was on the side of the garage.  
25 I know I was on the side of the garage because I was like

1 running because my back was turned when I heard the shot.

2 Q. Were you running fast?

3 A. Yeah.

4 Q. When the person pointed the gun at you what  
5 kind of gun was it?

6 A. It was a shotgun.

7 Q. What color was it?

8 A. Black -- well, I believe yeah, I guess it was  
9 black but I know it was a shotgun because I seen the barrel.

10 Q. In this courtroom if you could from where you  
11 are sitting how far did you run to get to your garage?

12 A. From like here to I guess almost to the back  
13 of the courtroom -- well, not that far. It won't that far.  
14 It was somewhere up in like almost in the middle where the  
15 rows are at.

16 Q. In the middle of the courtroom?

17 A. Yeah.

18 Q. From where you are sitting?

19 A. Yeah, from where I'm sitting -- maybe not  
20 exactly. Maybe a little bit further back.

21 Q. And as soon as you saw the person with the  
22 gun and they told you to get the "f" out, did you start  
23 running?

24 A. Yes.

25 Q. Did you hear the gunshot before you reached

1 the side of that garage?

2 A. Uh-uh.

3 Q. When did you hear the gunshot?

4 A. Like I told you, I was on the side of the  
5 garage.

6 Q. Now, did you pass Erel? Was Erel facing you  
7 when you yelled at him?

8 A. When I told Erel to get our of the car, Erel  
9 was still in the car when I told him that.

10 Q. So when you were running did you pass him?

11 A. Yeah, I guess.

12 Q. So you passed him and he was standing right  
13 there next to the car when you passed him?

14 A. He won't standing at the car. He was still  
15 in the passenger side. He got out and ran.

16 Q. But you passed him?

17 A. I believe so. I believe so.

18 MS. ASBELL: Those are my questions.

19 THE COURT: Mr. Barnes.

20 MR. BARNES: No, ma'am.

21 THE COURT: Thank you, you may step down.

22 MS. ASBELL: I would ask him to step out of  
23 the courtroom and not return to the room.

24 THE COURT: All right. You may call your  
25 next witness.

## **EREL JORDAN TESTIMONY**

(TT 97-129)



1 MS. ASBELL: The State calls Erel Jordan.

2 EREL JORDAN, called as a witness on behalf of  
3 the State, having been duly sworn, was examined and  
4 testified as follows:

5 DIRECT EXAMINATION

6 BY MS. ASBELL:

7 Q. Would you state your name for the jury?

8 A. Erel Jordan.

9 Q. And, Mr. Jordan, you are going to need to  
10 speak up because we can't hear in here. So you need to  
11 speak up for me. What is your name?

12 A. Erel Jordan.

13 Q. Mr. Jordan, how old are you?

14 A. Twenty.

15 Q. What are you doing at this point?

16 A. Working at the shipyard.

17 Q. What is your job at the shipyard?

18 A. Welding.

19 Q. A welder?

20 A. (Nods head in the affirmative.)

21 Q. How long have you worked for the shipyard?

22 A. Going on two years.

23 Q. You are going to have to keep your voice up.

24 Now, were you working on December 29, 2007?

25 A. No.

1 Q. How old were you then?

2 A. About 17 I think.

3 Q. Where did you live?

4 A. Pendleton, Horn Road, 942 Horn Raod.

5 Q. Who do you live with?

6 A. My mother Evelyn.

7 Q. Does anyone else live in your home?

8 A. No.

9 Q. How close do you live to Mary Davis' house?

10 A. About 3 miles.

11 Q. Do you know Takoma Davis?

12 A. Yes.

13 Q. How do you know him?

14 A. Friend.

15 Q. How long have you been friends with Takoma?

16 A. Since about 13.

17 Q. Since you were 13?

18 A. Yes.

19 Q. Do you know the defendant Coatney Williams?

20 A. No.

21 Q. Have ever seen before?

22 A. Yeah.

23 Q. Do you know that this person's name is

24 Coatney Williams? Do you know him to know what his name is?

25 A. Yeah.

1 Q. Would you say you're friends with him?

2 A. No.

3 Q. Where have you seen him before?

4 A. Seaboard.

5 Q. What do you do in Seaboard?

6 A. A friend from school.

7 Q. So you have seen Coatney Williams before in

8 Seaboard?

9 A. Yes.

10 Q. Do know Karon Moses?

11 A. Yes.

12 Q. How do you know him?

13 A. School at Seaboard.

14 Q. Did you go to school with Karon Moses?

15 A. Yes.

16 Q. Where?

17 A. Conway Middle.

18 Q. And how long would you say you've known Mr.

19 Moses?

20 A. Since about the sixth grade.

21 Q. Would you say you were friends with him?

22 A. No.

23 Q. Well, how would you describe your

24 relationship with him?

25 A. Classmate.

1 Q. Did you ever hang out with him or anything?

2 A. No.

3 Q. Do you know Antonio Freeman?

4 A. Yes.

5 Q. And how do you know Antonio Freeman?

6 A. Seaboard.

7 Q. When you say Seaboard, do you mean you hang  
8 out at Seaboard?

9 A. Yeah, I used to go over there.

10 Q. How did you know him from Seaboard?

11 A. Through my friends from school.

12 Q. Had you ever done anything with Antonio  
13 Freeman?

14 A. No.

15 Q. Been anywhere with him?

16 A. No.

17 Q. Did you know Antonio Freeman by a nickname?

18 A. Yes.

19 Q. What was that?

20 A. Yayo.

21 Q. Did you know Jamal Thomas?

22 A. Yes.

23 Q. How did you know Jamal Thomas?

24 A. Friend from school.

25 Q. For where?



1 A. School.

2 Q. How long had you been friends with Jamal  
3 Thomas?

4 A. Since about sixth grade.

5 Q. Had you been places with Jamal Thomas?

6 A. Yes.

7 Q. Had he been to your house?

8 A. Yes.

9 Q. Had you been to his house?

10 A. Yes.

11 Q. To your knowledge had you and Takoma Davis  
12 and Jamaal Thomas ever been anywhere at the same time?

13 A. I don't think so.

14 Q. Did you know whether Takoma Davis was friends  
15 with Jamal Thomas?

16 A. Probably talked.

17 Q. Now, where were you on December 29, 2007,  
18 early like after 6:00 o'clock?

19 A. Home.

20 Q. And did you have an occasion to see Takoma  
21 Davis that night?

22 A. Excuse me?

23 Q. Did you have an occasion to see Takoma Davis?

24 A. Yes.

25 Q. Tell the members of the jury how you came to

1 see him.

2 A. Takoma came to my house later on that night.  
3 I don't know the time. After he got off work.

4 Q. If you could speak up.

5 A. After he got off work.

6 Q. And what he do after he got to your house?

7 A. We stayed in the yard a few minutes and then  
8 went back to his house.

9 Q. What was Takoma driving?

10 A. His Honda, the purple Honda.

11 Q. Did you ride with Takoma Davis?

12 A. Yes.

13 Q. How long would you say you stayed at your  
14 house before you went to Takoma Davis' house?

15 A. A few minutes, about ten minutes.

16 Q. Tell the members of the jury what you and  
17 Takoma did.

18 A. Sat outside and talked for a little while.

19 Q. When did you leave your house?

20 A. About 10:30 I think it was.

21 Q. Where did you go?

22 A. To Takoma's house.

23 Q. What did you do once you got to Takoma's  
24 house?

25 A. We sat in the car and listened to music and

1 talked.

2 Q. And tell the members of the jury what you  
3 remember happening then.

4 A. Takoma aunt had called and he went to the  
5 door because his aunt told him that something was wrong with  
6 the phone.

7 MR. BARNES: Objection.

8 THE COURT: Don't say what anybody said, just  
9 tell what he did.

10 A. Okay. Takoma went up to the house and ran  
11 out and called my name. And I ran out and when I ran I seen  
12 somebody come out of the door with a gun. And I turned  
13 around and I was shot. And I got back up and I ran back  
14 across yard.

15 BY MS. ASBELL:

16 Q. When you were in the vehicle, in the  
17 passenger side; is that correct?

18 A. Yes.

19 Q. When you heard Takoma, how was his voice?  
20 Describe his voice.

21 A. He was scared.

22 Q. And what was he saying to you?

23 A. I remember him hollering my name. He just  
24 kept hollering my name. So I got out of the car.

25 Q. When you stepped out of the car were you

1 facing the back door of the house?

2 A. Yes.

3 Q. What did you see?

4 A. As I ran towards the house I seen somebody  
5 coming out in all black, I think it was, with a gun, so I  
6 did a U-turn.

7 Q. And the person that was coming out of the  
8 house, did they step out of the door?

9 A. Yes.

10 Q. And where had that person gotten to?

11 A. Where did that person get to?

12 Q. Yeah, uh-huh.

13 A. I don't know. That's when I ran the other  
14 way.

15 Q. How close did you get to the house before you  
16 saw the man with the gun?

17 A. Pretty close because I thought maybe  
18 something may be wrong with Ms. Mary. And when I seen the  
19 person come out of the house that's when I hit it, I did a  
20 U-turn and ran the opposite way.

21 Q. When you did the U-turn, how soon after you  
22 turned around did you get shot?

23 A. Right after.

24 Q. So where were you near that house when you  
25 got shot?



1           A.       Like the driveway -- like right by the  
2 driveway.

3           Q.       Where would you have been next to the porch?

4           A.       Not too far from the porch. It won't far.

5           Q.       And in distance, if you could, using the  
6 courtroom, how close was the shooter to you -- strike that,  
7 Judge. When you turned around, did you immediately get  
8 shot?

9           A.       I maybe took a few more steps because I  
10 remember hollering then. That's when I fell to the ground.  
11 I knew I was shot then.

12          Q.       How close was the shooter to you when you got  
13 shot?

14          A.       Probably from the edge of the porch to -- I  
15 don't know how far. It was probably as close as from here  
16 to that first bench.

17          Q.       To the first bench?

18          A.       Yeah.

19          Q.       When you felt you got shot, did you fall?

20          A.       Yes.

21          Q.       What did you do then?

22          A.       I felt like I was still all right so I got  
23 back up and kept running.

24          Q.       Did you hear anybody behind you?

25          A.       No.

1 Q. When you took off running what happened?

2 A. I just kept running until I went to a ditch  
3 and sat in the ditch and looked and watched.

4 Q. Were you bleeding at that time?

5 A. Yes.

6 Q. And when you got in the ditch what if  
7 anything did you hear or see?

8 A. I seen a car pull up in the little cut.

9 Q. Explain what you mean by that.

10 A. Like a little driveway close by the house on  
11 the other side of the house.

12 Q. So yo saw a car drive up?

13 A. Yes.

14 Q. So the ditch you were in, was that close to  
15 the road?

16 A. Yes.

17 Q. So you saw a car drive up from where?

18 A. From the opposite -- on the other side of the  
19 house. I seen it just like pull into the driveway right  
20 across from the house like.

21 Q. And when the car pulled in there, what  
22 happened then? What did you see?

23 A. I seen the doors open, the two right side  
24 doors open up. I seen the car back back out and go toward  
25 the other direction.

1 Q. And that would be going toward what?

2 A. Like going to Severn, going to Seaboard.

3 Q. Did you see anyone running in the road or did  
4 you see any figures? What did you see?

5 A. No, it was dark. I really couldn't see  
6 nothing.

7 Q. How could you tell you saw two doors on the  
8 car?

9 A. I could see like a reflection or something.  
10 Like I could tell it was two doors opening and I heard them  
11 close.

12 Q. Did you see any other cars?

13 A. No -- yeah, I seen Jennifer. Jennifer left  
14 out right behind them.

15 Q. And now explain to the members of the jury,  
16 who is Jennifer?

17 A. Jennifer is Ms. Mary's neighbor.

18 Q. Does she live beside Ms. Davis?

19 A. Yes.

20 Q. What did you see somebody do from her house?  
21 What did you see her do, Jennifer Williams?

22 A. Leave out of the driveway behind them, the  
23 vehicle.

24 Q. Was she in a vehicle?

25 A. Yes.

1 Q. What kind of vehicle?

2 A. A Ford Focus.

3 Q. And what did you see happen?

4 A. I just seen her leave out. Then when she  
5 left out I went in her house.

6 Q. When you saw her leave out did she follow the  
7 car that you saw?

8 A. Yes.

9 Q. Did you wait until they got out of sight  
10 before you came out of the ditch?

11 A. Yes.

12 Q. Describe the pain you were in at that time?

13 A. It was like really burning.

14 Q. How did you feel? What were you thinking at  
15 that point?

16 A. Well, I didn't know. That was my first time,  
17 you know, the only time I been shot. So I was scared. I  
18 didn't know what was going to happen.

19 Q. What did you do next?

20 A. I went to the house and knocked on the door  
21 and the lady let me in. And she told me she worked with  
22 paramedics or something. And she laid me down.

23 Q. What do you remember happening next?

24 A. I remember my mother coming in, and Takoma  
25 was in there with me then. And then people came up. That's



1 when I left straight.

2 Q. Tell the members of the jury where you were  
3 shot.

4 A. On my face, in my.

5 MS. ASBELL: Judge, if I could ask him to  
6 step down with your permission to show the scars where he  
7 was shot.

8 THE COURT: Al right.

9 BY MS. ASBELL:

10 Q. If you could step down in front of the jury.  
11 If you don't mind just unbutton your shirt.

12 A. (Complies.)

13 Q. Show the members of the jury, come to the  
14 jury box. So all these places right here are those shotgun  
15 pellets?

16 A. Yeah.

17 Q. Are these the scars you have from the gun,  
18 that shotgun?

19 A. (Nods head in the affirmative.)

20 Q. Is there any back up in here? Step to this  
21 side. Are the pellets still left in your head?

22 A. Yes.

23 Q. Can you see them right there? Step down to  
24 this side and show them and step here. Behind your ear are  
25 they pellets?

1           A.           They are pellets the doctor couldn't take  
2 out, yes.

3           Q.           And show them right there. Are they the  
4 shotgun pellets on your side?

5           A.           Yes.

6           Q.           Thank you. Have a seat.

7           A.           (Complies.)

8           Q.           Now, Mr. Jordan, did you go in the ambulance  
9 to the hospital?

10          A.           Ues.

11          Q.           What happened when you got to the hospital?

12          A.           What happened?

13          Q.           What happened when you got to the hospital?

14          A.           I forgot what kind of machine they call it.  
15 I remember going through some type of machine.

16          Q.           What happened about the shotgun pellets?  
17 Just tell the members of the jury what happened. I mean,  
18 did you have to have them taken out or what happened?

19          A.           No, they had to stay in there and come out on  
20 their own basically. And they come out on their own by  
21 their self or if they don't come out they just stay in there  
22 I guess.

23          Q.           How long were you in the hospital?

24          A.           All night, probably about all night.

25          Q.           Were you released the next day?

1 A. Yes.

2 Q. Did you have to take any medicine after being  
3 released?

4 A. Antibiotics.

5 Q. Now, did you see anybody on follow-up for  
6 shotgun wounds?

7 A. Yes.

8 Q. Can you tell the members of the jury about  
9 that?

10 A. I had to go to a doctor's office like across  
11 the street from the emergency hospital. And the man told me  
12 I was lucky --

13 MR. BARNES: Objection.

14 THE COURT: Don't tell us what anybody else  
15 said.

16 BY MS. ASBELL:

17 Q. Why did you have to go -- did you have to go  
18 to a specialist?

19 A. Yes.

20 Q. Why did you have to go to the specialist?

21 A. I don't know.

22 Q. What problems have you had from the shotgun  
23 wound?

24 A. I have headaches and whatnot.

25 Q. Do you still continue to have headaches from

1 it?

2 A. Like if I brush my hair or something like if  
3 I go across it.

4 Q. And how many times would you say you've had  
5 to go to the doctor in Ahoskie after you were released from  
6 the hospital?

7 A. I think I went once.

8 MS. ASBELL: If I could approach the witness,  
9 Judge.

10 THE COURT: Yes, ma'am.

11 BY MS. ASBELL:

12 Q. Mr. Jordan, I show you what's marked State's  
13 Exhibit Number 1. Can you recognize what this is?

14 A. Yes.

15 Q. Speak up and tell the members of the jury  
16 what is this?

17 A. That's the area of Ms. Mary's house.

18 Q. Is this an aerial view, like looking down  
19 from the sky?

20 A. Yes.

21 Q. And does this show Ms. Mary's house and where  
22 Jennifer's house would have been?

23 A. Yes.

24 Q. And could you use this picture to show where  
25 you were and where you saw the car in the path?



1           A.           The car pulled up right there.

2           Q.           You could use this picture to tell me where  
3 that was, right?

4           A.           Yeah.

5                       MS. ASBELL: The State moves to move State's  
6 Exhibit 1 into evidence.

7                       THE COURT: Let it be received.

8                       (Whereupon, State's Exhibit 1 was admitted  
9 into evidence.)

10 BY MS. ASBELL:

11           Q.           I show you what's been marked as State's  
12 Exhibit Number 5. Do you recognize that?

13           A.           Yes.

14           Q.           What is that.

15           A.           The back door of Ms. Mary's.

16           Q.           Could you use this picture to tell the jury  
17 about where you were standing and what happened when you got  
18 shot and where you saw the person with the gun?

19           A.           I saw the person --

20           Q.           Just could you use the picture first?

21           A.           Yeah.

22           Q.           I show you what's marked as State's  
23 Exhibit 7. Do you recognize that?

24           A.           Yes.

25           Q.           What is that?

1 A. The ramp in the backyard.

2 Q. Could you use this picture to show the  
3 members of the jury where you ran and what happened?

4 A. Yes.

5 Q. I show you what's marked as State's Exhibit  
6 Number 8. Do you recognize that?

7 A. Yes.

8 Q. And what is it?

9 A. The back yard of Jennifer's.

10 Q. Could you use that picture to show where you  
11 were to the members of the jury as well?

12 A. Yes.

13 Q. I show you what's been marked as State's  
14 Exhibit Number 10. Do you recognize that?

15 A. Yes.

16 Q. And what is that?

17 A. Ms. Mary's and Jennifer's.

18 Q. Could you use that picture to tell the  
19 members of the jury where you were?

20 A. Yes.

21 Q. And finally, do you recognize that?

22 A. Yes.

23 Q. And what is that?

24 A. The front yard of Jennifer's.

25 Q. And does it also show the fence that you

1 talked about and where you were?

2 A. Yes.

3 Q. Can you use that picture to illustrate your  
4 testimony to the members of the jury?

5 A. Yes.

6 MS. ASBELL: If I could ask him to step right  
7 there, Judge.

8 THE COURT: Yes, ma'am.

9 BY MS. ASBELL:

10 Q. If you will stand right there, Erel. Using  
11 State's Exhibit Number 1, if you would, Mr. Jordan, using  
12 this, show the members of the jury where is Ms. Davis'  
13 house?

14 A. (Indicating.)

15 Q. Is that her house?

16 A. Yes.

17 Q. And where is the Vaughan Creek Road?

18 A. (Indicating.)

19 Q. Say something.

20 A. Right there.

21 Q. Does it run in front of the house?

22 A. Uh-huh.

23 Q. Which way goes to Severn?

24 A. This way.

25 Q. Where does the other road go to?

1 A. Murfreesboro.

2 Q. Does this map show the circualr driveway  
3 around her house?

4 A. Yes.

5 Q. Does it also show where Jennifer Williams  
6 lived on that date?

7 A. Yeah.

8 Q. Now, using this particular map, could you  
9 show the members of the jury where you would have been in  
10 the ditch?

11 A. Yes.

12 Q. Point to it?

13 A. It's right here.

14 Q. All right. Now, did you have a clear view of  
15 the road going to Ms. Davis' house?

16 A. Yes.

17 Q. Where did you see a car pull into a path?

18 A. Right here.

19 Q. And would the car have been on this side of  
20 the road, on the opposite side of the road as Ms. Davis or  
21 the same side.

22 A. Opposite.

23 Q. Now, where did you see, where the car was,  
24 what did you see happen?

25 A. I seen --



1 Q. Keep your voice up.

2 A. I seen the car pull up in the driveway.

3 Q. Is that when you saw the doors open?

4 A. Uh-huh.

5 Q. And when the car pulled out, what happened?  
6 Where did yo see it go?

7 A. Back towards Severn.

8 Q. You said you saw a second car driven by Ms.  
9 Jennifer Williams?

10 A. Yeah.

11 Q. Where did you see her initially? Where did  
12 she go?

13 A. Out of the driveway towards Severn.

14 THE COURT: Keep your voice up.

15 BY MS. ASBELL:

16 Q. And when she went towards Severn, what did  
17 you do?

18 A. I ran towards her house.

19 Q. All right. Stay right there. Now,  
20 Mr. Jordan, I show you what's been marked as State's Exhibit  
21 Number 5. Do you recognize that?

22 A. Yes.

23 Q. And what is that?

24 A. Ms. Mary's back door.

25 Q. Now when you initially saw the man with the

1 gun, where was he?

2 A. Coming out of the back door.

3 Q. And when you saw him last, where was he  
4 standing?

5 A. About right there (indicating).

6 Q. Was he walking towards you or away from you?

7 A. Towards me.

8 Q. Was he on the porch?

9 A. Yes.

10 Q. Using State's Exhibit Number 7, can you show  
11 the members of the jury where you were standing, how far he  
12 got off this porch before you got ready to turn around.

13 A. I was about right here.

14 Q. And so how close would you say you were to  
15 this railing?

16 A. I was about right there. You talking about  
17 like --

18 Q. Well, how close did you get to the house when  
19 you saw the man with the gun before -- how close were you to  
20 it?

21 A. About right here.

22 Q. So this is as close as I am from you to the  
23 porch?

24 A. Yeah.

25 Q. Where was the man with the gun?

1           A.           He was coming from the back door, coming out  
2 the back door.

3           Q.           Form which direction?

4           A.           Towards the end of the porch.

5           Q.           To here?

6           A.           Coming from the porch.

7           Q.           Where did you see him?

8           A.           Coming out of this door.

9           Q.           You saw him walkng in which direction?

10          A.           (Indicating.)

11          Q.           And is this the end of the porch right here?  
12 Is that the end of the porch?

13          A.           (Nods head in the affirmative.)

14          Q.           So when you stopped and turned around he was  
15 as close to you as I am now before you stopped and turned  
16 around to run; is that correct?

17          A.           Yes.

18          Q.           And the person with the gun was close to the  
19 end of the porch?

20          A.           Coming towards me.

21          Q.           Using State's Exhibit Number 8, could you use  
22 this to show where you fell or one of the other pictures?

23          A.           Right up here, up in here. I was about like  
24 (inaudible) in the driveway.

25          Q.           You consider this a driveway.

1 A. Once I got shot (inaudible)

2 Q. Speak up. You did what?

3 A. When I did the U-turn, that's when I got  
4 shot.

5 Q. Do you remember which way you turned?

6 A. Towards going to Jennifer's house.

7 Q. So you would've been coming this way and you  
8 would have turned like this to run back?

9 A. Yeah.

10 Q. Using State's Exhibit Number 10, can you show  
11 the members of the jury where you ran when you got up?

12 A. I ran through the front yard to Jennifer's  
13 house.

14 Q. Is this where you would've been over here?

15 A. Yes.

16 Q. And you ran this way?

17 A. Yes.

18 Q. And using State's Exhibit Number 13 can you  
19 show the members of the jury using that picture where you  
20 were?

21 A. I was like a little ways pass the farm.

22 Q. Pass the what?

23 A. The farm.

24 Q. The farm?

25 A. Yeah, past the gate.



1 Q. All right. And this is the Vaughan Creek  
2 Raod?

3 A. Yes.

4 Q. So you would have been right here in this  
5 ditch?

6 A. Yes.

7 Q. Thank you. You can have a seat back up  
8 there.

9 A. (Complies.)

10 MS. ASBELL: Judge, did I introduce 13? I  
11 believe I did but I just want to make sure I introduced  
12 that. I thought I had. I move to introduce State's Exhibit  
13 Number 13.

14 THE COURT: Would you show it to us? Show it  
15 to the witness again.

16 BY MS. ASBELL:

17 Q. What is this?

18 A. The front yard.

19 Q. Of whose?

20 A. Of Jennifer's.

21 Q. Is this where the fence was where you said  
22 that you were in the ditch? Was it right here?

23 A. Yes.

24 Q. So this is the front yard of Jennifer  
25 Williams' house?

1 A. Yes.

2 Q. Could you and did you use this picture to  
3 illustrate your testimony to the members of the jury?

4 A. Yes.

5 MS. ASBELL: State moves to introduce State's  
6 Exhibit Number 13.

7 THE COURT: Let it be recieved.

8 (Whereupon, State's Exhibit 13 was admitted  
9 into evidence.)

10 MS. ASBELL: Those are my questions.

11 THE COURT: Mr. Barnes.

12 CROSS-EXAMINATION

13 BY MR. BARNES:

14 Q. Good afternoon, Mr. Jordan. Do you recall  
15 talking to Investigator Lassiter and Ms. Asbell on July 6 of  
16 this year? This would have been last week at the District  
17 Attorney's Office in Murfreesboro? Do you remember talking  
18 to them in Murfreesboro last week?

19 A. Who is that?

20 Q. Do you remember going to the DAs office in  
21 Murfreesboro and talking to Ms. Asbell and Investigator  
22 Lassiter?

23 A. In Ahoskie.

24 Q. Yeah, it's in Ahoskie. It used to be in  
25 Murfressboro. In Ahoskie.

1 A. Yeah.

2 Q. I'm sorry. Now, do you remember telling them  
3 at that time that Ms. Asbell asked you which one were you  
4 most familiar with and you said Jamal? She asked you why  
5 you were more familiar with Jamal and you said because he  
6 used to stay with me in middle school? What did you mean by  
7 that?

8 A. He stayed over at my house.

9 Q. You mean he spent the nights there?

10 A. Yeah.

11 Q. How long a period of time?

12 A. Probably one or two days.

13 Q. One or two days?

14 A. Yeah.

15 Q. And that would've been about when?

16 A. I can't tell you. Probably about seventh  
17 grade, eighth grade.

18 Q. About seventh grade?

19 A. Yeah.

20 Q. Since that time had Jamal been to your house  
21 at other times since then?

22 A. I can't remember.

23 Q. When was the last time you remember Jamal  
24 coming to your house prior to December of '07?

25 A. It had been a while after middle school. I

1 don't think he stayed with me after middle school.

2 Q. So you and Jamal were pretty good friends?

3 A. Yeah.

4 Q. Have you had any conversation with Jamal  
5 since December of '07?

6 A. No.

7 Q. Have you had any conversation with Karon  
8 Moses or Antonio Freeman or Coatney Williams since December  
9 of '07?

10 A. No.

11 Q. Now Ms. Asbell just asked you a few minutes  
12 ago about what happened when you went to the hospital. Do  
13 you remember telling her in Ahoskie last week when she asked  
14 you to tell her what you remember from the hospital do you  
15 remember telling her that you didn't remember anything?

16 A. I don't know.

17 Q. You don't remember. Do you remember  
18 Ms. Asbell asking you were you associated with any gang?

19 A. Yeah.

20 Q. And you said my family are gang members.  
21 What did you mean by that?

22 A. My cousins.

23 Q. And can you describe to the ladies and  
24 gentlemen of the jury those that may or may not know what a  
25 gang is.



1           A.           I don't really know myself. I know they wear  
2 flags and bandannas and stuff.

3           Q.           What is the gang that you belong to?

4           A.           I don't belong to one.

5           Q.           You said my family members are and Ms. Asbell  
6 asked you about Takoma and you said Tacoma used to be.

7           A.           She didn't ask me, she asked Takoma?

8           Q.           Was Tacoma a member of a gang?

9           A.           He used to try to be.

10          Q.           He tried to be. Did you ever try to be?

11          A.           No.

12          Q.           Was Jamal a member of the gang?

13          A.           Not that I know of.

14          Q.           Was Antonio a member of the gang?

15          A.           Not that I know of.

16          Q.           What about Karon?

17          A.           Not that I know of?

18          Q.           You didn't know Coatney Williams prior to  
19 December did you other than seeing him on the street?

20          A.           Yeah I seen him.

21          Q.           You never had any conversation with him or  
22 gone with him or anything like that?

23          A.           No.

24          Q.           Prior to December of 2007 had there been any  
25 problems or rift or issues are ill will between you and

1 Jamal?

2 A. No.

3 Q. How about you and Karon?

4 A. No.

5 Q. How about you and Yayo?

6 A. No.

7 Q. How about you and Coatney?

8 A. No.

9 Q. So there had been no problems with any of you  
10 prior to that day?

11 A. No.

12 Q. Now prior to December 29, 2007 when was the  
13 last time you saw Jamal?

14 A. I haven't seen him.

15 Q. Never in your life?

16 A. Since December.

17 Q. Prior to December 29, 2007 when was the last  
18 time you saw Jamal Thomas?

19 A. I don't think I've seen him since after  
20 December but -

21 Q. Before December 29th?

22 A. I can't remember.

23 Q. I ask you the same question: Before  
24 December 29th when was the last time you saw Coatney  
25 Williams?

1 A. I can't remember neither.

2 Q. When was at the last time you saw Karon Moses  
3 prior to December 29th?

4 A. (Shakes head in the negative.)

5 Q. What about Yayo?

6 A. I seen him when I was going and applied at  
7 Halifax. That was after December 29.

8 Q. It was after?

9 A. Yeah, it was after.

10 Q. And you saw Yayo after December 29?

11 A. Yeah.

12 Q. Did you talk to him about this case?

13 A. No, sir.

14 Q. At the time you saw him after December 29th  
15 did you know that he had been charged with anything?

16 A. No.

17 MR. BARNES: Those are my questions, Judge.

18 THE COURT: Redirect.

19 REDIRECT EXAMINATION

20 BY MS. ASBELL:

21 Q. Mr. Barnes asked if you'd seen Antonio  
22 Freeman. Would that have been before September of 2008?

23 A. Yes.

24 Q. So when you saw him he was out, right? He  
25 had not been arrested at that point --

1 A. No.

2 Q. -- for this crime?

3 A. No.

4 Q. And to make this short, Mr. Barnes asked  
5 you -- you never said you were a member of a gang; is that  
6 correct?

7 A. Yeah.

8 Q. But you said your family members were?

9 A. Yeah.

10 Q. But not you.

11 A. Yeah.

12 Q. Now, you said something about flags. Tell me  
13 what you meant by that.

14 A. I know they wear flags. Like my family, they  
15 were in a gang called Blood and they wear red flags.

16 Q. And you said the Bloods?

17 A. Yeah.

18 Q. And when you say the red flags?

19 A. Bandannas.

20 Q. Bandannas. And what do you call a bandanna?

21 A. It's a head scarf, head scarf.

22 Q. And you said the ones with the Bloods, they  
23 wear red?

24 A. Yeah.

25 Q. And the bandannas, is that gang language to



1 be called flags?

2 A. Yeah.

3 Q. And with your own family that you know were  
4 members of the Bloods, you're saying they wore red  
5 bandannas?

6 A. Yeah.

7 MS. ASBELL: Those are my questions.

8 THE COURT: Mr. Barnes?

9 MR. BARNES: No, ma'am.

10 THE COURT: You may step down.

11 MS. ASBELL: I'll ask him to step outside  
12 too.

13 THE COURT: Just have a seat right there for  
14 a moment.

15

The State also called Co-Defendant Antonio Freeman. His testimony is provided in full below and also summarized in the charts found in Appendices E and F.

**ANTONIO FREEMAN TESTIMONY**

(TT 143-214)

1

8 MS. ASBELL: The State calls Antonio Freeman.

9 ANTONIO FREEMAN, called as a witness on  
10 behalf of the State, having been duly sworn, was examined  
11 and testified as follows:

12 DIRECT EXAMINATION

13 BY MS. ASBELL:

14 Q. Would you state your name for the members of  
15 the jury?

16 A. Antonio Freeman.

17 Q. And, Mr. Freeman, where do you live?

18 A. In Halifax.

19 Q. Where in Halifax?

20 A. On Saffron Lane.

21 Q. And if you could speak up so the members of  
22 the jury can hear you. And I believe he is cutting that on.

23 A. On Saffron Lane.

24 Q. And how long have you lived in Halifax?

25 A. Well, my family just moved there recently.



1 Q. And where were you living in December of  
2 2007?

3 A. In Seaboard on Kimberly Drive.

4 Q. And how long had you lived there?

5 A. For a little over a year.

6 Q. Now, Mr. Freeman, how old are you?

7 A. 21.

8 Q. And how old were you in December 2007?

9 A. I think 18.

10 Q. And during that time were you working?

11 A. I believe so but I'm really not sure.

12 Q. Did you graduate from high school?

13 A. No, I have my GED.

14 Q. When did you get your GED?

15 A. In 2005.

16 Q. When you were living in Seaboard, who did yo  
17 live with?

18 A. My mother.

19 Q. Now, Mr. Freeman, have you pled guilty to any  
20 offenses involved in this case?

21 A. Yes, ma'am.

22 Q. Tell the members of the jury what you pled  
23 guilty to.

24 A. First-degree burglary and second-degree sex  
25 offense and armed robbery.

1           Q.       Now, when you pled guilty to those three  
2 offenses, were some cases dismissed against you?

3           A.       Yes, ma'am.

4           Q.       And was anything promised to you in exchange  
5 for your testimony here in court today?

6           A.       No, ma'am.

7           Q.       Has anyone from the District Attorney's  
8 Office promised you anything other than what is set out in  
9 your plea transcript?

10          A.       No ma'am.

11          Q.       Has anyone from the District Attorney's  
12 Office or myself promised you anything in exchange for your  
13 testimony?

14          A.       No, ma'am.

15          Q.       And do you understand that based upon your  
16 plea offer that the maximum punishment as laid out in the  
17 plea transcript is 719 months and did you understand that?

18          A.       Yes, ma'am.

19          Q.       And did you understand that when you pled  
20 guilty to these offenses?

21          A.       Yes, ma'am.

22                   MS. ASBELL: May I approach him?

23                   THE COURT: Yes, ma'am.

24 BY MS. ASBELL:

25          Q.       Mr. Freeman, I show you what's marked as

1 State's Exhibit Number 54. Do you recognize this? And take  
2 a look at it. Take a look at all the sheets, if you would.

3 A. Yes.

4 Q. And what is this?

5 A. My plea offer.

6 Q. And is this your signature on page three of  
7 this plea transcript right here that was dated 7/12/2010?

8 A. Yes, ma'am.

9 Q. And is this the transcript that you entered  
10 into in this courtroom regarding this case?

11 A. Yes, ma'am.

12 Q. And that is your transcript?

13 A. Yes.

14 Q. Did anybody threaten you or promise you or  
15 coerce you into taking this plea?

16 A. Can you say that again?

17 Q. Did anyone promise you anything or coerce you  
18 or threaten you into taking this plea?

19 A. No, ma'am.

20 Q. And is this, what I just showed you, is that  
21 fair and accurately the plea transcript that you entered  
22 into to your knowledge?

23 A. Yes.

24 MS. ASBELL: State moves to introduce State's  
25 Exhibit Number 54 into evidence.

1 THE COURT: Let it be received.

2 (Whereupon, State's Exhibit 54 was admitted  
3 into evidence.)

4 BY MS. ASBELL:

5 Q. Now, Mr. Freeman, tell the members of this  
6 jury how do you know Coatney Williams?

7 A. I know him from Seaboard.

8 Q. And tell us how do you know him. How long  
9 have you known Coatney Williams?

10 A. Well, I met him back in '07 through other  
11 people that I knew that he also knew.

12 Q. And where did Mr. Williams live?

13 A. I don't know the exact street. I know he  
14 lived in Seaboard.

15 Q. So before December of 2007 how long would you  
16 say you knew him, talking about Coatney Williams?

17 A. A few months.

18 Q. And during that time -- what would you say  
19 your relationship was with Mr. Williams?

20 A. He was like cool. We were like more of  
21 associates. We hung out sometimes.

22 Q. When you say associate, what does that mean?

23 A. Someone that I sit around and talk with.

24 Q. Do you consider yourself friends?

25 A. Yeah, something like that.



1 Q. Did you say you had been friends for a couple  
2 months?

3 A. Yes, like close to a year.

4 Q. And do you see Coatney Williams here in this  
5 courtroom?

6 A. Yes, ma'am.

7 Q. And where is he seated?

8 A. Right there.

9 Q. And where are you pointing?

10 A. Right here with the white shirt on.

11 Q. Thank you. Now, prior to December 27 --  
12 December 29, 2007 had you been places with Coatney Williams?

13 A. Yes, ma'am.

14 Q. Had you been out to Seaboard with Coatney  
15 Williams?

16 A. Yes, ma'am.

17 Q. Did you know Karon Moses?

18 A. Yes, ma'am.

19 Q. How did you know him?

20 A. I met him when he came home from training  
21 school in Seaboard.

22 Q. And how long would you say you've known Karon  
23 Moses?

24 A. I known Karon, like, since the end of '06.

25 Q. And how would you describe your relationship

1 with him?

2 A. As a friend.

3 Q. Had you been places with Karon Moses?

4 A. Yes, ma'am.

5 Q. Had you ridden in his car and he in your car?

6 A. We didn't have cars.

7 Q. Did you go places together?

8 A. Yes, ma'am.

9 Q. Had you been places with Karon Moses and  
10 Coatney Williams?

11 A. Inside of Seaboard?

12 Q. Outside of Seaboard?

13 A. No, ma'am.

14 Q. But you had been places with both of them  
15 inside of Seaboard?

16 A. Yes.

17 Q. Did you know Jamal Thomas?

18 A. Yes, ma'am.

19 Q. Tell the members of the jury how you know  
20 Jamal Thomas.

21 A. I knew Jamal through Karon.

22 Q. How did you meet him?

23 A. I met him at Karon's house.

24 Q. And how long had you known Jamal Thomas  
25 before December of '07?

1           A.           Since the end of '06.

2           Q.           And how would you describe your relationship  
3 with him?

4           A.           The same as Coatney.

5           Q.           Did Coatney Williams go by, to your  
6 knowledge, any type of nickname?

7           A.           Tech.

8           Q.           Tech?

9           A.           Yes.

10          Q.           And did Antonio Freeman -- no, what is your  
11 nickname?

12          A.           Yayo.

13          Q.           Yayo?

14          A.           Yes.

15          Q.           And did Jamal Thomas go by any type of  
16 nickname?

17          A.           Mall.

18          Q.           And did Karon Moses go by any type of  
19 nickname?

20          A.           No, ma'am.

21          Q.           Now, did you see the defendant Coatney  
22 Williams on December 29, 2007?

23          A.           Yes, ma'am.

24          Q.           Let me back up. Do you know Mary Davis, the  
25 victim in this case?

1 A. Well, I know her through the case.

2 Q. You know her what?

3 A. Through this case.

4 Q. Did you know Takoma Davis prior to December  
5 of '07?.

6 A. Yes, ma'am.

7 Q. How did you know him?

8 A. I met him through Jamaal.

9 Q. And describe what your relationship was to  
10 Takoma Davis.

11 A. We really didn't have too much relationship.  
12 I spoke to him before.

13 Q. Did you know where he lived?

14 A. No, ma'am.

15 Q. So you never been to his house?

16 A. Besides the case, no, ma'am.

17 Q. And to your knowledge were Takoma and Jamal  
18 Thomas friends?

19 A. Yes, ma'am.

20 Q. Now, how many times would you say you had  
21 seen Takoma Davis before December 29, 2007?

22 A. Quite a few.

23 Q. Did you know Erel Jordan?

24 A. Yes, ma'am.

25 Q. Tell the members of the jury how you knew



1 him.

2 A. Through Jamal.

3 Q. And how would you consider it or how would  
4 you describe your relationship with him?

5 A. Well, we never really been around each other  
6 like that.

7 Q. Now, going back to December 29, 2007, did you  
8 have an occasion to see Jamal Thomas, Karon Moses and  
9 Coatney Williams on that night?

10 A. Yes, ma'am.

11 Q. Tell the members of the jury, just starting  
12 with happened.

13 A. Well, Karon and Jamal came to my house.

14 Q. If you could use their full name.

15 A. Jamal Thomas and Karon Moses came to my house  
16 in Seaboard. And Karon came to the door. And I went  
17 outside to talk to Karon. And he was telling me that he had  
18 a lick, which is a robbery.

19 MR. BARNES: Objection.

20 THE COURT: Sustained.

21 MS. ASBELL: Judge, I'd like to approach.

22 THE COURT: Yes.

23 (Whereupon, there was a conference at the  
24 bench out of the hearing of the jury.)

25 THE COURT: Objection is sustained.

1 BY MS. ASBELL:

2 Q. Mr. Freeman, you said Karon Moses and Jamal  
3 Thomas came to your house. Did you have a conversation  
4 outside with Karon Moses?

5 A. Yes, ma'am.

6 Q. And based on that conversation what did you  
7 do with Karon Moses and Antonio Freeman?

8 A. We sat on my porch and talked about --

9 Q. Okay, if you would, don't tell us what you  
10 talked about. Based on what you talked about, what did you  
11 do?

12 A. Well, I went in the house and changed  
13 clothes.

14 Q. Why did you change clothes?

15 A. Because of what he told me that we were going  
16 to do.

17 Q. And what were you planning to do at that  
18 point when you went in and changed your clothes?

19 MR. BARNES: Objection.

20 THE COURT: Overruled.

21 BY MS. ASBELL:

22 Q. What were you planning to do when you went in  
23 and changed your clothes?

24 A. Go do a breaking and entering.

25 Q. And where?

1 A. Pendleton.

2 Q. Whose house?

3 A. Takoma Davis.

4 Q. Now, what did you change into?

5 A. Some black pants, a black shirt and a black  
6 hoodie.

7 Q. What did Karon Moses have on?

8 A. I'm really not sure. I know he had on black.

9 Q. What did Jamal Thomas have on?

10 A. Jamal Thomas had on black as well.

11 Q. And black, did they have all black pants,  
12 shirt?

13 A. I think one of them had dark blue jeans, but  
14 I know it was dark colors.

15 Q. Now after you changed your clothes, what did  
16 you and Karon Moses and Jamal Thomas do at that point?

17 A. We went down to the Cutboard. That's the  
18 store at Seaboard.

19 Q. And what type of store is that?

20 A. Just a gas station, convenience store.

21 Q. And whose car were you riding?

22 A. Jamal Thomas.

23 Q. And what type of car was that?

24 A. A Honda Accord, I think.

25 Q. And where were you seated in the car?

1 A. In the backseat.

2 Q. At that point when you left your house, did  
3 you have any type of weapon?

4 A. No, ma'am.

5 Q. Did you have a gun?

6 A. No, ma'am.

7 Q. Knife?

8 A. No.

9 Q. Any type of weapon?

10 A. No, ma'am.

11 Q. What happened at the Cutboard?

12 A. We saw Coatney Williams.

13 Q. And when you saw Coatney Williams, where was  
14 Coatney Williams?

15 A. He was standing at the store.

16 Q. Where at the store?

17 A. I think it's a ice box right there. He was  
18 standing next to that.

19 Q. And what happened when you saw Caotney  
20 Williams?

21 A. Karon called him over to the car.

22 Q. And now tell what happened when Karon called  
23 him over to the car.

24 A. I don't know the conversation he had, but I  
25 know when Jamal came out of the store, Coatney got in and we



1 went to Coatney's house.

2 Q. So let's go back. When you pulled up to the  
3 store, who was in the car?

4 A. Me, Karon and Jamal but Jamal got out.

5 Q. And where did Jamal Thomas go?

6 A. Inside the store.

7 Q. Who was left in the car?

8 A. Me and Karon.

9 Q. Where was Karon sitting?

10 A. In the front seat.

11 Q. So he called over Coatney Williams?

12 A. Yes.

13 Q. Did they have a conversation?

14 A. Yes.

15 Q. Could you hear that conversation?

16 A. I heard but I don't really remember what was  
17 said.

18 Q. And after that conversation what happened?

19 A. Coatney Williams got in the car and then  
20 Jamal came back out and got in the car.

21 Q. Where was Coatney Williams sitting?

22 A. Next to me in the backseat.

23 Q. What was Coatney Williams wearing at that  
24 point, Mr. Freeman?

25 A. I don't remember what kind of clothes he had

1 on at that time.

2 Q. And what conversation did you or anybody else  
3 in the car have with Coatney Williams once he got in the  
4 car?

5 MR. BARNES: Objection.

6 A. We really won't talking too much.

7 THE COURT: Overruled.

8 A. We was listening to a CD so we was really  
9 just rapping to the music.

10 BY MS. ASBELL:

11 Q. And who was driving?

12 A. Jamal Thomas.

13 Q. And where did you go?

14 A. To Coatney Williams' house.

15 Q. Where does Coatney Williams live in relation  
16 to the Cutboard?

17 A. Like about two minutes down the road.

18 Q. And when you got to Coatney Williams' house,  
19 where did you park and what happened?

20 A. We parked in front of his house and Coatney  
21 Williams got out and went inside.

22 Q. Now, was there any conversation on the way to  
23 his house?

24 A. Not that I remember.

25 Q. And what happened when Coatney Williams went

1 to his house?

2 A. He got outside the car and went inside the  
3 house.

4 Q. And while Coatney Williams was inside the  
5 house did you and Jamal Thomas and Karon Moses have any type  
6 of conversation?

7 A. Yeah, we talked about where we were on our  
8 way to.

9 Q. And where was that?

10 MR. BARNES: Objection.

11 A. Pendleton.

12 THE COURT: Overruled.

13 BY MS. ASBELL:

14 Q. And where in Pendleton?

15 A. To Takoma Davis' house.

16 Q. Did you again see Coatney Williams at any  
17 point?

18 A. Yes, ma'am. He came back outside the house  
19 with different clothes on.

20 Q. How long was Coatney Williams in his house?

21 A. No longer than eight to ten minutes.

22 Q. And what did Coatney Williams have on when he  
23 came out?

24 A. He came out with all black on.

25 Q. Was he by himself?

1 A. Yes.

2 Q. And when Coatney Williams came out did he  
3 have anything else?

4 A. Yes, ma'am, he had a shotgun.

5 Q. What type of shotgun?

6 A. I think it's a 12 gauge.

7 Q. What color was it?

8 A. Black.

9 Q. And where did Coatney Williams have that  
10 shotgun?

11 A. In his pants leg.

12 Q. And could you see it?

13 A. He was like walking funny so you really  
14 couldn't see it, like if it's anything in there. But we  
15 knew because the way he was walking.

16 Q. So did Coatney Williams come to the car?

17 A. Yes, he got inside the car.

18 Q. Where did he sit?

19 A. He sat next to me.

20 Q. When he got in the car, what, if anything,  
21 did he do?

22 A. He pulled the gun out before he got inside  
23 the door -- at the door he took the gun out. He opened the  
24 door and took the gun out and sat next to me.

25 Q. Did anyone say anything to him about the gun?



1 A. Jamal Thomas did.

2 Q. What did Jamal Thomas say?

3 A. He just asked him why did he bring the gun.

4 Q. And what did Coatney Williams say?

5 A. Coatney said that the gun wasn't loaded.

6 Q. Did you check? Did you ever touch the gun at  
7 that point?

8 A. Not at that time.

9 Q. So do you know whether it was loaded or not?

10 A. It wasn't at that time.

11 Q. How do you know that?

12 A. Because once we got to the designation where  
13 we was going they loaded it up -- well, Jamal Thomas and  
14 Karon Moses loaded the gun up.

15 Q. Well, let me go back. When Coatney Williams  
16 got in the car with the gun, where did he put the gun?

17 A. He just had it sitting across his lap.

18 Q. And what color did you say the gun was?

19 A. All black.

20 Q. How far was it from Coatney Williams' house  
21 to the address where ya'll were going?

22 A. I really didn't pay any attention to how far  
23 we was going but I didn't know how to get to Pendleton so I  
24 can't say.

25 Q. How long did it take you to get from Coatney

1 Williams' house to Takoma Davis' house?

2 A. No longer than from 20 minutes to a half an  
3 our.

4 Q. On the way from Coatney Williams' house to  
5 Takoma Davis' house what if anything was said between you  
6 and any of the three people in the car?

7 A. We wasn't talking about nothing concerning  
8 what we was doing. It was just, you know, friendly talk.

9 Q. Who was driving?

10 A. Jamal Thomas.

11 Q. When you got to as you say, your destination,  
12 Takoma Davis' house, tell the members of the jury what  
13 happened and where you parked.

14 A. We parked in a little pathway about two  
15 minutes walking distance from the house. And we got out and  
16 I rolled up some weed and we sat there and smoked while  
17 Jamal Thomas and Karon Moses loaded up the gun. Me and  
18 Coatney smoked it.

19 Q. Who loaded the gun?

20 A. Jamal Thomas and Karon Moses.

21 Q. How were they loading it?

22 A. They were putting shotgun shells in it.

23 Q. Where did the shotgun shells come from?

24 A. I think they came out of the trunk.

25 Q. Do you know where they came out of?

1           A.           I just know they was in the trunk.

2           Q.           Now the path that you parked on, was it nex  
3 to the house?

4           A.           It was up the street from the house.

5           Q.           Was it dark?

6           A.           Yes.

7           Q.           Real, real dark?

8           A.           Yes, the only light we had was the light from  
9 the car.

10          Q.           Now, after you say Karon Moses and Jamal  
11 Thomas loaded the gun, what were you and Coatney Williams  
12 doing at that time?

13          A.           We was just over there smoking and talking  
14 about going inside the house.

15          Q.           And what did Coatney Williams say?

16          A.           We was just discussing like we was going in  
17 the house and what you get, you keep.

18          Q.           That's the discussion you and Coatney  
19 Williams were having?

20          A.           No, that's the discussion all of us was  
21 having.

22          Q.           And what was that discussion again?

23          A.           That what we get we keep except money.

24          Q.           Explain that to the members of the jury.

25          A.           Whatever you steal outside the house is yours

1 for you to sell, except the money. The money we split.

2 THE COURT: Are you saying what you get, you  
3 keep?

4 A. Yes.

5 BY MS. ASBELL:

6 Q. And if I'm correct, you're saying that the  
7 money, now, you would all divide up later?

8 A. Yes, we would divide up the money equally.

9 Q. And that's the paper money?

10 A. Yes.

11 Q. Okay. Now, and all four of you had that  
12 conversation before you went in?

13 A. Yes, ma'am.

14 Q. How long did you stay out at the car and the  
15 path before you went toward the yard?

16 A. About 15 minutes.

17 Q. And why did you stay out at the car so long?

18 A. Because we were smoking.

19 Q. And have you smoked marijuana before that  
20 date?

21 A. Yes, ma'am.

22 Q. And have you ever smoked marijuana with  
23 Coatney Williams before that date?

24 A. Yes, ma'am.

25 Q. And what happened next?



1           A.           Well, we was walking towards the house and at  
2 that time I had the shotgun.

3           Q.           How did you get the shotgun?

4           A.           I don't remember who handed it to me. I just  
5 know somebody handed me the gun though.

6           Q.           How far was it from your car to the house?

7           A.           About two minutes walking.

8           Q.           So tell the members of the jury where  
9 everybody was and who was walking and what happened?

10          A.           Me, Coatney Williams, Karon Moses and Jamal  
11 Thomas was walking towards the house. And Jamal Thomas said  
12 he knew a path that we can walk through that we can walk  
13 straight through the trees and nobody can see us on the  
14 road.

15          Q.           At that point, what did you do?

16          A.           We followed Jamal.

17          Q.           And where did the path bring you?

18          A.           It brought us to the back side of the house.

19          Q.           What happened at that point?

20          A.           We walked around the perimeter of the house  
21 and then Jamaal cut the telephone wires.

22          Q.           And you said Jamal Thomas cut the telephone  
23 wires?

24          A.           Yes, Jamal Thomas.

25          Q.           How did you know where the telephone wires

1 were?

2 A. Well, we seen the box on the side of the  
3 house. And he said the telephone wires was in there and to  
4 cut them so just in case anybody was in the house on the  
5 phone.

6 Q. And who said that?

7 A. Jamal Thomas.

8 Q. So he said to cut the wires just in case  
9 somebody was in the house on the phone?

10 A. Not on the phone but so nobody can use the  
11 phone. Just in case somebody is on the phone and they won't  
12 say what's going on or anything like that.

13 Q. What did he use to cut the phone wires?

14 A. A pocket knife.

15 Q. Were you there when he did that?

16 A. Yes, ma'am.

17 Q. Was Coatney Williams there?

18 A. Yes, ma'am.

19 Q. Was Karon Moses?

20 A. Yes, ma'am.

21 Q. After that happened what if anything did you  
22 do?

23 A. We walked to the back porch and all four of  
24 us; me, Coatney Williams, Karon Moses and Jamal Thomas  
25 walked on the back porch. They tried to kick in the door,

1     them three tried to kick in the door. As they couldn't kick  
2     the door in, Coatney Williams said, shoot the door. I gave  
3     the gun and he shot the door.

4             Q.         Describe the back porch.

5             A.         I really can't remember how the porch really  
6     looked, but I know it was like three steps that you walk up  
7     and I think it was a ramp there I think.

8             Q.         When you say they tried to kick the door, who  
9     tried to kick the door?

10            A.         Coatney Williams tried. Karon Moses tried.  
11     And Jamal Thomas also tried.

12            Q.         When they tried, I mean, they didn't succeed,  
13     they couldn't kick it in?

14            A.         Yes, ma'am.

15            Q.         And what did Coatney Williams say?

16            A.         He said, he told me to shoot the door. And I  
17     gave him the gun and he shot the door.

18            Q.         Why did you give him the gun?

19            A.         Because I'm scared to shoot shotguns.

20            Q.         Now, Mr. Freeman, you are familiar with guns,  
21     aren't you?

22            A.         Not really.

23            Q.         But you know the difference between a pistol  
24     and a shotgun?

25            A.         Yes, ma'am.

1 Q. You ever shot a handgun before?

2 A. Yes, ma'am.

3 Q. Are you afraid of them?

4 A. No, ma'am.

5 Q. Why are you afraid of shotguns?

6 A. Because the kickback of them.

7 Q. When you handed the shotgun to Coatney

8 Williams, what if anything did he do?

9 A. He shot the door where the doorknob is at.

10 Q. What happened then?

11 A. All four of us, me, Coatney Williams, Jamal

12 Thomas and Karon Moses went inside the house.

13 Q. And if you would, and be descriptive, if you

14 can tell what you did and what everybody else did once

15 inside the house.

16 A. We all -- we walked like towards where the

17 rooms are. I think Ms. Mary Davis room is first. As I got

18 to her room and turned and looked in I seen her with the 38.

19 She was laying on the floor with the 38 pointed towards the

20 door. I told her to drop the gun. And Jamal Thomas and

21 Coatney Williams and Karon Moses was all with me at that

22 time.

23 So we walked inside. I walked inside the

24 room and told her to drop the gun. So she dropped the gun

25 down. And I told her to get up. So she got up. And I told



1 her to walk towards me. And she walked towards me. And I  
2 told her to get down in the middle of the floor and strip.  
3 And I went over there and got the gun

4 Q. Why did you tell her to strip?

5 A. Because she pulled the gun out so I told her  
6 to just take all her clothes off so that way I know I'm  
7 safe.

8 Q. Did Ms. Davis do that?

9 A. Yes, ma'am.

10 Q. Who was in the room at that time?

11 A. Well, Coatney Williams and Karon Moses left  
12 outside of the room.

13 Q. Did Ms. Davis take her clothes off?

14 A. Yes, when me and Jamaal was there, me and  
15 Jamal Thomas was left in the room.

16 Q. And what happened at that point?

17 A. Well, I had the shotgun and I had the 38.  
18 And I was telling her to tell me where all the money was at,  
19 where's the money at. And while she was telling me I was  
20 telling Jamal to check.

21 Q. And were you cursing at her?

22 A. Yes, ma'am.

23 Q. What were some of the things you were saying  
24 to her?

25 A. I really don't remember everything that we

1 said. I know I tapped her leg and told her to open her legs  
2 up and I put the shotgun in her. And I told her to tell me  
3 where the money at, tell me where the money at before I  
4 shoot you. But I was using curse words but I was telling  
5 her like tell me where the money is before I shoot you.

6 Q. When you told her to open her legs did you  
7 basically tell her that you were going to shoot her between  
8 the legs if she didn't tell you where the money was?

9 A. I'm really not sure but I remember me cussing  
10 at her. I probably did say something like that. I'm not  
11 going to say that I didn't.

12 Q. What else did you do with the gun with  
13 respect -- what happened next with Ms. Davis?

14 A. I had the gun pointed like in her vagina and  
15 it touched her but I didn't do it intentional.

16 Q. Why would you put the gun in her vagina area?

17 A. Well, I figured she would be scared.

18 Q. Did she look scared?

19 A. Yes, ma'am.

20 Q. Was she crying?

21 A. I don't know if she was crying. I know she  
22 was saying don't do this, don't do this.

23 Q. Now, once at that point, did she ever say  
24 anything about something in between her legs?

25 A. Yes, ma'am. She said that her period was on

1 and she had a tampon in.

2 Q. And what did you do in response to that?

3 A. Well, she pulled a tampon out from what I can  
4 remember and I took it and threw it across the room.

5 Q. And why did you do that?

6 A. Because she pulled it out and showed it at  
7 me. I just took it and threw it across the room not  
8 thinking.

9 Q. When you pointed the gun in between her legs  
10 and put the shotgun down in her vaginal area, did you think  
11 you would accomplish your goal by scaring her?

12 A. Yes, ma'am.

13 Q. What happened next?

14 A. Well, I was still asking where the money is  
15 at. And she was still telling me places where she had  
16 purses and money that she had on her dresser and stuff like  
17 that. And me and Jamaal were going to those places getting  
18 it.

19 Q. Did you ever take the shotgun off Ms. Davis?

20 A. Yes, ma'am.

21 Q. Tell the members of the jury about that.

22 A. Well, I took the shotgun off and I was  
23 searching but I also gave the shotgun to Karon when Karon  
24 came in the room. He had stuff in his hand. I don't know  
25 what it was. But Karon came in the room and I handed him

1 the gun because I had the 38 and I handed him the shotgun.

2 Q. And what happened at that point?

3 A. Well, Karon left back out and me and Jamal  
4 were still in the room. Then Jamal left out. And I was  
5 still asking where more money and stuff was at. And I was  
6 like kind of crouched over her with the gun pointed at her  
7 head asking her where the money was at. And she was telling  
8 me other places.

9 Q. So everything you demanded of Ms. Davis she  
10 did for you?

11 A. Yes.

12 Q. Did she continue to tell you where money was  
13 in her house?

14 A. Yes, inside the room.

15 Q. And were you finding that money?

16 A. Yes.

17 Q. What money did you find inside of her room?

18 A. She told me there was some money on her  
19 dresser, twenty or thirty dollars on her dresser that I went  
20 and got. Then she told me where some money was like in a  
21 cabinet or closet that she told me was some money inside of  
22 there. And I went inside of there and she told me it was in  
23 the purse. And I picked the purse up with the 38 and  
24 carried it to her and told her to get the money out of the  
25 purse so my fingerprints wouldn't be on the purse.



1 Q. Did she do that for you?

2 A. Yes.

3 Q. And what did you do with the money that you  
4 got out of Ms. Davis' room?

5 A. I put it in my back pocket.

6 Q. What else did you take out of her room?

7 A. That's all I took was money.

8 Q. What was Ms. Davis saying to you during this  
9 entire time?

10 A. Basically all she was saying was please don't  
11 do this.

12 Q. And again, was she upset?

13 A. Yes, she sounded upset.

14 Q. At some point -- what was Coatney Williams  
15 doing while you were in the room with Ms. Davis?

16 A. Him, Karon Moses and Jamal Thomas was  
17 checking other areas of the house.

18 Q. Did Coatney Williams come back into the room  
19 at some point while you were in there with Ms. Davis?

20 A. Close to like he came back when Takoma came  
21 home.

22 Q. Tell the members of the jury what happened  
23 when Takoma came home.

24 A. Karon came to the room and he had the  
25 shotgun. He was like, yo, somebody's here, somebody's out

1 front. So Coatney came back to get the gun from Karon. I  
2 don't know if he actually grabbed it, I know he reached for  
3 it. Him and Karon left out the room. And they went to the  
4 back porch. And I heard shots. That's when I went to go  
5 leave out. And that's when Karon ran back in, like, yo, I  
6 need a bag, I need a bag, come on we got to go.

7 Q. And how soon was it after you heard the  
8 shot -- you said shots? More than one?

9 A. More than one. I heard about two to three  
10 shots.

11 Q. Now, the shots that you heard, were they  
12 shotgun blasts?

13 A. Yes, ma'am.

14 Q. And how soon after you heard the shot did  
15 Karon Moses come back into the room where you were?

16 A. Right after.

17 Q. Did he have the shotgun?

18 A. No, ma'am.

19 Q. So who was left in the house at that point?

20 A. Me and him. And Jamaal had left and took the  
21 stuff he had to the car. So me and Karon were left in the  
22 house.

23 Q. What did Karon need the bag for?

24 A. To put the things he took out of the house  
25 in.

1 Q. So what happened at that point?

2 A. Well, Karon got the bag. I said there is a  
3 bag right there, which was the purse she just took the money  
4 out of. So we dumped everything on the floor and Karon took  
5 the bag. We went outside and he had his things outside that  
6 he put his stuff in. He put his stuff inside the bag and  
7 me, him and Coatney went to the car that Jamal Thomas was  
8 already sitting in.

9 Q. So when Koran -- did you see Coatney again  
10 inside the house, Coatney Williams, the defendant?

11 A. No, he never came back inside the house. Me  
12 and Koran met him outside the house.

13 Q. Where outside of the house?

14 A. Like, he was going to the path where we  
15 walked through the trees. He was going through the little  
16 path. And me and Karon was walking behind him going through  
17 the path.

18 Q. How did you exit the house?

19 A. Through the same way we entered.

20 Q. Could you tell if there were any cars in the  
21 driveway when you left?

22 A. Yes, it was one new car that was out there  
23 that wasn't out there when we came.

24 Q. And you say one new car. Were there cars in  
25 the driveway when you initially came up?

1 A. Yes, ma'am.

2 Q. And do you know whose vehicles they were?

3 A. I'm assuming it was Mary Davis'.

4 Q. And when you came up to the house were there  
5 lights on in the house?

6 A. It was one light on. And I think that was  
7 the living room light. That's the only light that we saw so  
8 we figured there wasn't nobody home because we knocked on  
9 the front door first.

10 Q. You did what?

11 A. We knocked on the door and ain't nobody  
12 answer so we figured it was nobody home.

13 Q. How long did you stand on the porch once you  
14 knocked on it?

15 A. Not long.

16 Q. Did anybody come to the door?

17 A. No, ma'am.

18 Q. Did Jamal Thomas cut the phone lines before  
19 or after you knocked on the door?

20 A. Before.

21 Q. Did you or Coatney Williams or Karon Moses or  
22 Jamal Thomas talk about what you would do if somebody  
23 answered the door?

24 A. No, ma'am.

25 Q. Did you discuss any of that prior to going



1 into the house?

2 A. No, ma'am. We thought nobody was home. It's  
3 just because we saw the light on to knock.

4 Q. Tell the members of the jury what happened  
5 then after you left the house.

6 A. Well, we got in the car. Me, Coatney and  
7 Karon got in the car. Jamaal was already sitting in the car  
8 waiting. We got inside the car and as we pulled out of the  
9 path and started to drive off another car came following us.  
10 So Jamal, he sped up. And he drove about another good two  
11 minutes. And then he pulled inside of somebody else's  
12 driveway. And he said, yo, somebody shoot at it, somebody  
13 shoot at it. The car that was following us went past and  
14 made a U-turn. And I got out of the car before it made the  
15 U-turn. I got out of the car and shot two or three times.  
16 And the car just kept on going past us.

17 Q. What were you shooting with?

18 A. The 38.

19 Q. Is that the gun you took from Ms. Davis'  
20 house?

21 A. Yes.

22 Q. What direction were you shooting?

23 A. I was shooting towards the open field.

24 Q. And would that also be in the direction of  
25 the car that was behind you?

1           A.           Well, the car was coming towards that way but  
2 I wasn't shooting at the car. I was shooting just to scare  
3 them.

4           Q.           And after you fired your shots did the car  
5 leave?

6           A.           Yes, it kept going past.

7           Q.           And what happened at that point?

8           A.           I got back inside the car and we went back to  
9 Jamal house to split everything up.

10          Q.           And where does Jamal live?

11          A.           In Martinsville.

12          Q.           So what time would you say you got to Jamal  
13 Thomas'?

14          A.           I never really checked the time or looked at  
15 any clocks or anything.

16          Q.           What conversation was had in the car between  
17 anybody, the four of you, between the time you left Ms.  
18 Davis' house until the time you got to Jamal Thomas' house?

19          A.           Nobody actually said nothing.

20          Q.           When you get to Jamal Thomas' house what  
21 happened?

22          A.           Well, we smoked another blunt.

23          Q.           Smoked what?

24          A.           Some weed. Got out of the car.

25          Q.           Is that marijuana?

1           A.           Yes. We got out of the car and we smoked, me  
2 Coatney, Karon smoked. And Jamal got out and he took the  
3 things he took, which was clothes and stuff like that, into  
4 inside his house and he came back out. And he split the  
5 money that he had got.

6           Q.           Do you remember how much money Jamal Thomas  
7 got?

8           A.           No, ma'am.

9           Q.           But what did he do, just take it out of his  
10 pocket?

11          A.           He pulled it out of his pocket.

12          Q.           At that point what did each of you do?

13          A.           He split it up between each of us.

14          Q.           Did he give you money?

15          A.           Yes.

16          Q.           And did he give Karon Moses money?

17          A.           Yes.

18          Q.           And what happened next?

19          A.           After that we were sitting out there talking  
20 and one of Jamal's family members came up. That's when we  
21 left not too long after that and went back to Seaboard.

22          Q.           And who drove back to Seaboard?

23          A.           Jamal Thomas.

24          Q.           And tell the members of the jury what  
25 happened -- who was with you when you went back to Seaboard?

1           A.           It was me, Coatney Williams, Karon Moses and  
2 Jamal Thomas.

3           Q.           Where did you go?

4           A.           We went back to the Seaboard projects.

5           Q.           And who lived in the Seaboard projects?

6           A.           Ma and Karon.

7           Q.           And where did you go in the Seaboard  
8 projects?

9           A.           Parked in front of Rasheed's house.

10          Q.           Who is Rasheed?

11          A.           A friend of somebody that stays in the  
12 neighborhood.

13          Q.           What's his full name?

14          A.           I think his last name is Austin.

15          Q.           And when you parked in front of his house  
16 what if anything did Coatney Williams do?

17          A.           Well, him and Karon got out and grabbed the  
18 stuff that they had and Karon went his way and I went to my  
19 house. And I don't know what Coatney and Jamal did.

20          Q.           What if anything did you see Karon take?

21          A.           I know Karon had, I think it was an Xbox 360  
22 and a pair of shoes or something like that.

23          Q.           And what did you see Coatney Williams take or  
24 have in his possession?

25          A.           Well, I didn't pay attention to what he



1 grabbed. I paid attention to Karon since me and him are  
2 more like friends so I was like more like are you going to  
3 split his stuff.

4 Q. Did anybody else have any money?

5 A. I had money.

6 Q. What did you do with that money?

7 A. I kept it to myself.

8 Q. Why?

9 A. Because I felt like other people held back  
10 and since they had things that they grabbed from the house  
11 like games and stuff and I didn't get not games and stuff, I  
12 figured I'd just keep the money.

13 Q. So you didn't tell Coatney Williams or the  
14 other two that you had any money or had taken any money?

15 A. I told Karon.

16 Q. What if anything did Karon say.

17 A. Karon just asked me was I just going to split  
18 it with me and him. And I told him no, let me count it  
19 first.

20 Q. And how much money did you have?

21 A. It was a little over a hundred dollars.

22 Q. And what happened next?

23 A. The next day we was at Rasheed's house,  
24 Rasheed Austin.

25 Q. What happened at that point?

1           A.           Me, Coatney Williams and Jamal Thomas were  
2 all at that house and Karon Moses was at that house in  
3 Rasheed's bathroom sitting back there smoking weed. And we  
4 had a discussion about what happened.

5           Q.           Who had that discussion?

6           A.           It was mainly me and Jamal talking.

7           Q.           Who else was present at Rasheed Austin's  
8 house at that point?

9           A.           Well, Robert Branch was there and April Smith  
10 and Rasheed was there, but they wasn't in the room with us  
11 except Robert.

12          Q.           And who is Robert Branch?

13          A.           Coatney Williams' brother.

14          Q.           And April who?

15          A.           April Smith. That's Rasheed's girlfriend.

16          Q.           And who live in that house?

17          A.           Rasheed Austin, his girlfriend and their two  
18 kids.

19          Q.           And what was Robert Branch doing in that  
20 house?

21          A.           He came up there with Coatney.

22          Q.           Is Robert Branch older or younger than  
23 Coatney?

24          A.           Younger.

25          Q.           And when you were at Rasheed Austin's house

1 what if anything was Coatney Williams doing?

2 A. He was sitting back smoking and laughing  
3 about what we were talking about.

4 Q. And what were you talking about?

5 A. Well, Jamal was talking about what he grabbed  
6 out of the house. Then he asked me why I asked the lady to  
7 strip.

8 Q. And what did you say?

9 A. I told him because she had a gun.

10 Q. And what did he say to you at that point?

11 A. I really don't remember too much of the  
12 conversation after that, but I just remembered those two  
13 points right there.

14 Q. And Coatney Williams was present when that  
15 happened?

16 A. Yes, ma'am.

17 Q. Now, Mr. Freeman, just going back a minute.  
18 When you were in Ms. Davis' house when you were talking to  
19 her, did you talk like you are talking right now?

20 A. Say that again.

21 Q. Were you talking like you are talking right  
22 now?

23 A. No, ma'am.

24 Q. Tell the members of the jury what is the  
25 difference in how you are talking now and how you were

1 talking then?

2 A. Me and Jamal Thomas was using Jamaican  
3 accents.

4 Q. And why were you doing that?

5 A. So she wouldn't be able to say -- recognize  
6 our voice because I think she know Jamal Thomas.

7 Q. And how tall are you?

8 A. Six two and a half.

9 Q. And how much do you weigh?

10 A. 184.

11 MS. ASBELL: May I approach the witness?

12 THE COURT: Yes, ma'am.

13 BY MS. ASBELL:

14 Q. Mr. Freeman, I show you what's marked as  
15 State's Exhibit Number 4. Do you recognize that?

16 A. No, ma'am.

17 Q. I show you what's marked as State's Exhibit  
18 Number 5. Do you recognize that?

19 A. Yes, I know it's the back porch of the home.

20 Q. The back porch of whose home?

21 A. Mary Davis.

22 Q. And other than it being in the daytime does  
23 it fairly and accurately portray what that porch looked like  
24 when you went up into Ms. Davis' house?

25 A. Well, I thought it had some steps but other



1 than that it looks like it.

2 Q. Could you use this to illustrate your  
3 testimony to the members of the jury?

4 A. Yes.

5 Q. I shwo you what has been marked as State's  
6 Exhibit Number 46. Do you recognize that?

7 A. Well, I'm guessing, yes.

8 THE COURT: You need to keep your voice up.

9 BY MS. ASBELL:

10 Q. Do you recognize it?

11 A. No, ma'am.

12 Q. I show you what's marked State's Exhibit  
13 Number 38. Do you recognize that?

14 A. No, ma'am.

15 MS. ASBELL: If I could ask him to step down  
16 for this one exhibit, Judge.

17 THE COURT: Yes, ma'am.

18 BY MS. ASBELL:

19 Q. If you will step down right here,  
20 Mr. Freeman.

21 A. (Complies.)

22 Q. I show you what's marked as State's Exhibit  
23 Number 5. Just stand right there. What is this?

24 A. That's Mary Davis' house.

25 Q. Speak up because she's typing.

1           A.           The back porch to Mary Davis' house.

2           Q.           And when you went up on the porch what door  
3 were you talking about that the defendant and the other two  
4 defendants tried to kick in?

5           A.           The door right here.

6           Q.           And is that the same door that you said that  
7 Coatney Williams shot with a shotgun?

8           A.           Yes, ma'am.

9           Q.           Is that the door you went into to get into  
10 the house?

11          A.           Yes, ma'am.

12          Q.           Is this the same door that you exited out of  
13 the house?

14          A.           Yes, ma'am.

15          Q.           Did you ever go through any other door in the  
16 house?

17          A.           No, ma'am.

18          Q.           All right, you can have a seat.

19          A.           (Complies.)

20                   MS. ASBELL:  If I could have one moment, Your  
21 Honor.

22                   BY MS. ASBELL:

23          Q.           Mr. Freeman, when you were getting ready to  
24 leave Ms. Davis' house, you and Karon Moses were in the  
25 house and you left, where did you go?

1           A.       We left out the back door.

2           Q.       Did you or Karon Moses have the shotgun?

3           A.       No, ma'am.

4           Q.       When did you see Coatney Williams again?

5           A.       On the way going to the pathway.

6           Q.       And who had the shotgun?

7           A.       Coatney Williams was taking it to the car.

8           Q.       Now, when you got to the car what did Coatney  
9 Williams do with the shotgun?

10          A.       The shotgun was sitting in the backseat with  
11 me.

12          Q.       What happened to the shotgun?

13          A.       I don't happen what happened to it after that  
14 night.

15          Q.       When was the last time you saw the shotgun  
16 that night?

17          A.       It was when I was in the car.

18          Q.       And when Jamal Thomas dropped you off or at  
19 least parked in the Seaboard projects was the gun in the car  
20 then?

21          A.       Yes, it was in the back seat.

22          Q.       And when you left to go home was it in the  
23 car?

24          A.       Yes, ma'am.

25          Q.       Have you seen that shotgun since?

1 A. No, ma'am.

2 Q. Had you ever seen that shotgun before that  
3 night?

4 A. I can't say if it was the same gun but I seen  
5 a shotgun before in Jamal's possession.

6 Q. And, Mr. Freeman, when you were arrested on  
7 this charge, did you give Ms. Burnette a statement?

8 A. No, ma'am.

9 Q. What did you tell her?

10 A. That I didn't know anything.

11 Q. When was the first time that you've given a  
12 statement as to what happened in this case?

13 A. July 12.

14 Q. What have you been convicted of in the last  
15 ten years for which you could serve 60 or more days?

16 A. I don't remember exactly what the charge was.  
17 I know it was something dealing with cutting off a house  
18 arrest bracelet.

19 Q. Say that again.

20 A. Cutting off the house arrest bracelet.

21 Q. Have you never been convicted of any  
22 felonies?

23 A. None that I know of. From what I remember it  
24 was suppose to be dropped to a misdemeanor.

25 MS. ASBELL: Judge, if I can just have one



1 second.

2 BY MS. ASBELL:

3 Q. Mr. Freeman, when you ran out of the house  
4 did you see anybody outside?

5 A. Coatney Williams.

6 Q. Did you see anybody outside the house?

7 A. That wasn't with us?

8 Q. Right.

9 A. No, ma'am.

10 Q. Did you see a car outside the house?

11 A. Yes, ma'am.

12 Q. What type of car was it?

13 A. I don't know what kind of car it was. I  
14 think it was purple or black or blue.

15 Q. Was that parked in the driveway?

16 A. It's like on the side of the driveway where  
17 the other two cars was parked.

18 Q. Now again, Mr. Freeman, when you entered your  
19 plea of guilty to these offenses were you promised anything  
20 in exchange for your testimony?

21 A. No, ma'am.

22 Q. Then why are you testifying?

23 A. Because I feel that instead of going to  
24 trial, I know I'm guilty so I feel it's best for me to come  
25 and tell the truth.

1           Q.           And have you told the truth about what  
2 happened on this date, what happened at Mary Davis' house on  
3 December 29, 2007 as to your actions and everybody else's  
4 actions that you saw?

5           A.           Yes, ma'am.

6           MS. ASBELL: Those are my questions.

7           THE COURT: Mr. Barnes.

8                       CROSS-EXAMINATION

9 BY MR. BARNES:

10           Q.           When you saw Ms. Burnette back on September  
11 the 4th, 2008 and you told her I don't know anything about  
12 it, you were telling her the truth then?

13           A.           No, sir.

14           Q.           So you want these people to believe that what  
15 you say is the truth now, even though what you told her  
16 wasn't the truth then; is that right?

17           A.           Yes, sir.

18           Q.           Now you've been in custody ever since  
19 September 4, 2008?

20           A.           Yes.

21           Q.           At the Northampton County jail or have you  
22 been elsewhere?

23           A.           Just here.

24           Q.           Northampton County jail?

25           A.           Yes.

1 Q. Coatney Williams has been over there since  
2 about the same time, hasn't he, or close to it?

3 A. He wasn't in the Northampton County jail. He  
4 was in Halifax County at first.

5 Q. Then he came to Northampton County shortly  
6 after?

7 A. Yes.

8 Q. He's been over there for over a year?

9 A. Yes.

10 Q. Ya'll see each other on a regular basis?

11 A. No, we was never in the same block, but I  
12 have seen him.

13 Q. You were in a position where ya'll can talk,  
14 right?

15 A. Yes.

16 Q. Have you and he talked since you been over in  
17 the Northampton County jail?

18 A. Yes.

19 Q. Did you tell him you were going to come over  
20 here and tell what you told these people today?

21 A. Did I tell him I was coming over here to do  
22 this?

23 Q. Have you ever told Coatney Williams I'm going  
24 over to the courthouse and tell these jurors what happened  
25 back on December 29, 2007?

1 A. No, sir.

2 Q. You never mentioned it to him?

3 A. No, sir.

4 Q. Did you ever tell him you won't going to do  
5 it?

6 A. No, sir.

7 Q. Now, you said that you told Detective  
8 Burnette back in September 2008 I don't know anything about  
9 it, but you told some member of the DA's office, some  
10 investigator, yesterday what you just testified to and  
11 that's the first time you've ever told anybody what you just  
12 testified to?

13 A. Yes, sir.

14 Q. And could you tell us why it is you waited so  
15 long to tell anybody?

16 A. Because at first they never really offered me  
17 a plea. So they offered me a plea instead of me going to  
18 trial. I figured it's better for me to take the plea.

19 Q. And that plea is you pled to some cases and  
20 some cases were dismissed?

21 A. Yes, sir.

22 Q. What were you charged with that was  
23 dismissed?

24 A. Attempted rape, attempted murder, I believe  
25 breaking and entering a motor vehicle. I don't know every



1 last charge but I know those charges.

2 Q. Now when you talked to Detective Burnette  
3 back in September of '08 you didn't have a lawyer that day,  
4 did you?

5 A. No, sir.

6 Q. She read you the rights and in fact you  
7 signed a waiver of rights and the form that she gave you  
8 that day. But you did not have a lawyer back in September  
9 of 2008?

10 A. No, I didn't.

11 Q. Now, July the 12th, 2010, you had a lawyer?

12 A. Yes, sir.

13 Q. In fact, you got a lawyer shortly after being  
14 arrested?

15 A. Yes.

16 Q. Shortly after September. When you told her  
17 you didn't know anything about it, you didn't have a lawyer?

18 A. Yes, sir.

19 Q. And you had a lawyer yesterday but somewhere  
20 in the process that lawyer told you what your charges were,  
21 what the punishments were and went over things like that,  
22 didn't he?

23 A. Yes.

24 Q. But then you learned basically what you were  
25 charged with and how much time you could possibly get

1 through and by the lawyer, right?

2 A. Well, I knew that before yesterday.

3 Q. You did?

4 A. Yes.

5 Q. But you learned it through the lawyer, right?

6 A. Yes.

7 Q. So at some point in time you did learn that  
8 attempted murder is a much more serious offense than rape or  
9 robbery, didn't you?

10 A. Yes, sir.

11 Q. And that was one of the offenses that was  
12 brought against you that was dismissed?

13 A. Yes, sir.

14 Q. So the amount of time that you're exposed to  
15 is substantially less than the amount of time that you could  
16 have received?

17 A. Yes, sir.

18 Q. And therein lies a reason for you to come  
19 over here and tell this jury what you told them today?

20 A. Can you repeat that?

21 Q. Therein lies the reason for you to come over  
22 here and tell this jury what you've told them today?

23 A. That's not the reason.

24 Q. That's not the reason. Tell us what the  
25 reason is.

1           A.           I feel that it's better for me to come tell  
2 the truth about what happened and what role I played in it.

3           Q.           Did that come from your soul and your heart?  
4 You just wanted to confess it up?

5           A.           It's better for me than going to trial. I  
6 know I'm guilty.

7           Q.           Why is it better for you?

8           A.           It's a plea. I'm looking at a lot of time  
9 like fifty-five years or more going to trial and I know I'm  
10 guilty for what I've done so why not tell the role I played  
11 in it?

12          Q.           So you are looking at less time?

13          A.           Yes, sir.

14          Q.           The bottom line is you are testifying today  
15 because you are looking at less time?

16          A.           It's not because of the less time, it's  
17 because it's no reason for me to go to trial knowing I'm  
18 guilty.

19          Q.           But you never told anybody before yesterday  
20 that you would testify, did you?

21          A.           No, sir.

22          Q.           And when Karon came to your house back in  
23 December of '07 did you tell the DA that Karon called you  
24 outside and said I've got a lick?

25          A.           Yes.

1 Q. So at that time it was you and Karon?

2 A. Well, Jamal Thomas was present at the time  
3 but he was sitting in his vehicle.

4 Q. Did you tell him that Karon said I got a  
5 lick?

6 MS. ASBELL: Judge, objection. He didn't get  
7 to testify to that.

8 THE COURT: Sustained. When he attempted to  
9 talk about that you objected previously.

10 MR. BARNES: Okay, all right. I'll go with  
11 that.

12 BY MR. BARNES:

13 Q. I'm asking you did you tell the district  
14 attorney yesterday that Karon said I had a lick? Not what  
15 Karon said back in December. I'm telling you -- I'm asking  
16 you, yesterday, at this courthouse, did you tell this lady  
17 that Karon called me outside and said I got a lick?

18 A. Yes, sir.

19 Q. So now which is it? Did Karon have a lick or  
20 did Jamal have a lick?

21 A. It was he and Jamal came to the house  
22 together.

23 Q. I understand that. I'm not asking you what  
24 they said at that time.

25 A. By him meaning -- what he meant by I have a



1 lick meaning I have something that we ought to go do.

2 Q. When you saw Coatney that evening, you said  
3 it was at the Cut, right?

4 A. Yes, sir.

5 Q. Do you know whether he was on a car or  
6 whether his was on foot or do you know how Coatney came to  
7 be at the Cut?

8 A. I don't know. He was standing there. I  
9 don't know how he got there.

10 Q. He wasn't in a car?

11 A. No, sir.

12 Q. Anybody with him?

13 A. It was people out there that he know but I'm  
14 not going to say they was with him.

15 Q. Did he just get in the car?

16 A. No. First he and Karon spoke.

17 Q. Then he got in the car?

18 A. Yes.

19 Q. When Coatney got in the car what if anything  
20 did he say?

21 A. We never really discussed it. We was in  
22 there listening to music. But I remember something about  
23 the house but like we had to go to his house.

24 Q. Okay. When Coatney got in the car did he say  
25 anything about a gun?

1           A.           Not at that time.

2           Q.           When did he first say anything about a gun,  
3 if he did?

4           A.           When he got back inside the car with the gun.

5           Q.           When he got home -- after he got home?

6           A.           Yes.

7           Q.           Now, yesterday when you talked to the DA,  
8 I'll ask you if you didn't tell them that he, talking about  
9 Coatney, said that they were supposed to get a gun. Coatney  
10 was talking about a shotgun he had. Did you tell the DA  
11 yesterday in your statement that Coatney was talking about a  
12 shotgun he had?

13          A.           I don't remember saying that he was going to  
14 get a shotgun that he had.

15          Q.           Let me be specific. Yesterday in the  
16 interview when you were examined by Ms. Asbell, did you say  
17 Coatney was talking about a shotgun he had? Did you say  
18 that?

19          A.           I know he had a gun.

20                   THE COURT: No, no. He's saying what did you  
21 say to whoever interviewed you yesterday. Did you say that  
22 yesterday?

23          A.           I don't recall saying it. I don't recall.

24 BY MR. BARNES:

25          Q.           Well, you don't recall. Does that mean you

1 didn't say it or you just don't know what you said?

2 A. No, I know what I said but I don't remember  
3 saying that. That's what I'm saying, I don't remember  
4 saying that he had a shotgun. That we was on his way to get  
5 his shotgun from his house.

6 Q. Now sitting here as you recalled the events  
7 of December 29, 2007 do you recall Coatney saying anything  
8 to the effect that he had a shotgun before you got to his  
9 house?

10 A. Not that I remember.

11 Q. Now, the next paragraph of the interview when  
12 they were talking to you, did Ms. Gourrier ask you what  
13 happened next and I'll ask you if you didn't say that  
14 Antonio says that Coatney goes in the house and he comes out  
15 with the gun?

16 A. Yes.

17 Q. Did that happen on the 29th day of December  
18 2007?

19 A. Yes.

20 Q. Did you tell the DA that yesterday?

21 A. Yes.

22 Q. But you don't remember telling the DA that  
23 Coatney was talking about a shotgun he had before you got to  
24 Coatney's house?

25 A. No, I don't remember saying that.

1 MR. BARNES: Judge, I need to be heard.

2 THE COURT: Ladies and gentlemen of the jury,  
3 I'm going to ask you to excuse yourself from the courtroom.  
4 Remember the instructions I've given you previously that you  
5 are not to talk among yourselves about the case; you are not  
6 to talk to the parties, witnesses or counsel about anything  
7 and you are not to talk to anyone else or allow anyone else  
8 to talk about the case in your presence. If anyone  
9 communicates or attempts to communicate with you about this  
10 case you must report that to the Court immediately. Please  
11 don't form an opinion about the guilt or innocence of the  
12 dependent or express an opinion about the case as it is thus  
13 far.

14 Please, you can take a break and be back in  
15 the jury room at ten minutes to four. Please be back in the  
16 jury room at ten minutes to four and hopefully we'll be  
17 ready to proceed at that time.

18 (Whereupon, the jury leaves the courtroom.)

19 THE COURT: Let the record reflect that we  
20 are outside the presence of the jury. Yes, sir, I'll hear  
21 you.

22 MR. BARNES: Judge, on cross examination,  
23 it's a very integral part of our jurisprudence, but I submit  
24 to the Court that the impeachment of witnesses is right up  
25 there in the category of importance. In the filing of cases

1 it's very difficult to ascertain the truth when you got two  
2 or three sides and the truth lies somewhere within. But  
3 cross-examination and impeachment, especially impeachment of  
4 a witness as crucial as this, with this young man, the Court  
5 has learned and knows pretty much all the facts about this  
6 case, and at this point in time has come in at the 12th hour  
7 and said this man was there and played an integral part in  
8 it.

9                   And I asked him did he tell the DA that  
10 Coatney was talking about a shotgun he had. And I was  
11 reading from an e-mail that I received from the DA's office  
12 I think it went out last night about 8:30. I read it this  
13 morning and went over it. Well, it does say July 12, 2010  
14 Investigator T. B. Lassiter signed the interview of Antonio  
15 Freeman by Assistant District Attorney Kim Gourrier took the  
16 following notes during the interview. Then -- and the  
17 reason I asked him those questions, it says in quote,  
18 Coatney was talking about a shotgun he had. And that's in  
19 the paragraph preceding or just before the immediate  
20 paragraph before it says Ms. Gourrier asked what happened  
21 next. Antonio said Coatney went in the house and comes out  
22 with a gun.

23                   This witness has said I don't remember making  
24 that statement. It puts me in a position to call the  
25 State's prosecutor to impeach this witness on the statement



1 he made yesterday. And today he can't recall it. And it's  
2 on their paper. It's the State's product. It puts me in  
3 the position to call the State's prosecutor or assistant  
4 prosecutor as a witness in this case for impeachment  
5 purposes.

6 THE COURT: I understood him to say -- Ms.  
7 Asbell, I'll hear you. Do you want to be heard?

8 MS. ASBELL: Yes. First of all, Judge, he's  
9 asking him about a statement that implicates his client.  
10 And whether he said it. Maybe I'm confused. I couldn't  
11 hardly hear him, I couldn't hear Mr. Barnes a second ago.  
12 But he's asking did you say Coatney was talking about a  
13 shotgun he had when he didn't testify to that in his direct.

14 Antonio Freeman did not testify to that in  
15 his direct. Also, he said that Coatney said he would have  
16 to go to his house to get it. He didn't testify to that  
17 either on direct. So he's cross-examining him about his  
18 statement and asking him did he make a statement that  
19 implicates his client. My point is he doesn't have to ask  
20 him about that statement implicating his client.

21 And second of all, my investigator was there  
22 when this actual statement was taken while we were in here  
23 yesterday afternoon myself picking the jury. And I  
24 intentionally, because Ms. Burnette was in here with me,  
25 with any other cases as you know from being a former

1 prosecutor I had my investigator in there just for that very  
2 purpose to take the statement because there is no one else  
3 to take it and I chose not to have just Ms. Gourrier in  
4 there to take the statement, who possibly, if I had gotten  
5 sick, would have to step in and try the case.

6 But if he wants to impeach Mr. Freeman with  
7 this statement, he is more than welcome to call the  
8 investigator. I don't think he's even suggesting that my  
9 investigator would have any bias about what was said at that  
10 meeting or what was typed or what was written down. But he  
11 was the witness that actually wrote down what happened, the  
12 investigator Brian Lassiter with my office, while we were  
13 sitting in here yesterday afternoon picking a jury on Mr.  
14 Williams' case.

15 THE COURT: And I've not had the benefit of  
16 that statement so I don't know whether that statement was  
17 adopted -- was it signed or adapted in any way by the  
18 witness?

19 MS. ASBELL: No, ma'am.

20 MR. BARNES: This is not one of those that  
21 the signature goes on it. I don't know that it has to be a  
22 document by the witness to support impeachment of a prior  
23 inconsistent statement made outside of the presence of this  
24 hearing, which I think I'm entitled to put forth to the jury  
25 that he made to somebody whether it was to the investigator

1 or the ADA.

2 And the reason I say it was the ADA because  
3 she asked the question. She asked the question -- Ms.  
4 Gourrier asked the question. And I think I'm entitled to  
5 impeach regardless of whether he adopted it. I didn't ask  
6 him did he sign a document. There is no indication that he  
7 did. I just asked him did he make a statement.

8 THE COURT: Yes, ma'am.

9 MS. ASBELL: I was just going to say, I mean,  
10 he is more than welcome to call my investigator if he wants  
11 to impeach this witness about the statement. Judge, I would  
12 also say that under the discovery obligations it's my  
13 understanding that we're suppose to write down everything  
14 that is said and told and said by the defendant and that's  
15 what we did in this particular case to make sure there was  
16 an accurate account of what Mr. Freeman said to us, while I  
17 was sitting in here, with Ms. Gourrier and Mr. Lassiter in  
18 that office. And that's what that was. I don't know if it  
19 was as much a statement or whether he adopted it. It ended  
20 yesterday around 5:00 o'clock. And my investigator went  
21 back to the office and typed it up and emailed it to  
22 Mr. Barnes as soon as he finished typing it.

23 THE COURT: Mr. Barnes, I am not in a  
24 position to tell you that you -- if you want to call Ms.  
25 Gourrier, you can do that. If you want to call the

1 investigator, you may do that. I'm not going to tell you  
2 that you can't call a witness to impeach this witness if you  
3 see fit, if you really want to harp on the fact that your  
4 client went to go get the gun and talked about going to get  
5 the gun. I mean, if that's what you -- that's how you want  
6 to try your case then I'm not going to hender you from doing  
7 that.

8 MR. BARNES: I understand that. And it's  
9 just the Court's of the impression if I call the State  
10 prosecutor to the witness stand that it doesn't have any  
11 effect in this case?

12 THE COURT: That it does not have any effect  
13 on this case?

14 MR. BARNES: It's not a conflict of interest.  
15 I'm just asking.

16 THE COURT: Conflict of interest for whom?

17 MR. BARNES: For the State. It's the State's  
18 witness.

19 THE COURT: No, it's not going to be the  
20 State's witness. It's going to be your witness because  
21 you're calling her to the stand.

22 MR. BARNES: I am seeking to impeach their  
23 witness. I didn't call him to the witness stand.

24 THE COURT: In order to impeach, that means  
25 you're going to call a witness. And if that witness happens

1 to be a prosecutor, that is your witness.

2 MR. BARNES: I understand that.

3 THE COURT: And if you want to step out on  
4 that ledge, then I'm more than happy to have you do it, but  
5 I don't see any conflict in doing it. She can be called as  
6 anybody else, John Doe of the street or anybody else who  
7 knows anything about this case.

8 MR. BARNES: Okay, I'm with you. I'm not  
9 going to do so at this time.

10 THE COURT: Well, it's not your turn.

11 MR. BARNES: I understand. I'm not going to  
12 do so at this time. I didn't know if you wanted me to  
13 continue on where I was.

14 THE COURT: We're going to take a break. And  
15 then you're going to continue on examining this witness.  
16 And the State's going to continue on with their case and  
17 then you're going to have an opportunity to call witnesses.

18 MR. BARNES: Thank you.

19 THE COURT: Thank you. All right, Sheriff,  
20 take a recess. We're going to be at ease until ten minutes  
21 to four.

22 (Whereupon, a recess was taken.)

23 THE COURT: Ask the jury to come in, please.

24 (Whereupon, the jury enters the courtroom.)

25 THE COURT: Mr. Barnes, you may continue.



1 MR. BARNES: Thank you.

2 ANTONIO FREEMAN, called as a witness on  
3 behalf of the State, having been previously duly sworn, was  
4 examined and testified as follows:

5 CROSS-EXAMINATION continued

6 BY MR. BARNES:

7 Q. Mr. Freeman, you said something earlier about  
8 when you were in the house you may have used an accent while  
9 you were in the Davis home on the 29th of December. Did  
10 anybody else use a Jamaican accent?

11 A. Jamal Thomas.

12 Q. Where were you and where was Ms. Davis when  
13 that occurred?

14 A. All three of us was in the room.

15 Q. In her bedroom?

16 A. Yes, sir.

17 Q. All three of you were in her bedroom?

18 A. Yes, sir.

19 Q. Is that where both of you used the Jamaican  
20 accents?

21 A. Yes, sir.

22 Q. So it's your testimony that Jamal and Karon  
23 came to your house and ya'll went to the Cut. And you three  
24 and Coatney went to the Davis home. And all four of you got  
25 out of the car in the path down the road from the home and

1 walked over to the home and Jamal cut the phone line?

2 A. Yes.

3 Q. And ya'll went in?

4 A. Yes, sir.

5 Q. Were you aware that Jamal says he never got  
6 out of the car?

7 A. Well, I know he --

8 MS. ASBELL: Objection, Judge.

9 MR. BARNES: I said were you aware of it.

10 MS. ASBELL: Well, objection.

11 THE COURT: Objection is sustained.

12 BY MR. BARNES:

13 Q. Have you had any conversation with Jamal  
14 since he was arrested with these charges?

15 THE COURT: Yes or no.

16 A. Yes.

17 BY MR. BARNES:

18 Q. Did Jamal tell you he didn't go inside the  
19 house?

20 MS. ASBELL: Objection, objection.

21 THE COURT: Objection is sustained.

22 BY MR. BARNES:

23 Q. It's your testimony that he got out of the  
24 car and he was one of the four people that went inside of  
25 the house?

1 A. Yes, sir.

2 Q. And he's the one that cut the line?

3 A. Yes, sir.

4 Q. And he used the Jamaican accent?

5 A. (No response.)

6 Q. Now, you testified a few minutes ago that  
7 some time ya'll went on the back porch. Coatney took the  
8 shotgun -- the three people kicked the door and it didn't  
9 open -- knocked on the door and three people kicked on it  
10 and it didn't open. Coatney took the shotgun and shot the  
11 door and it opened?

12 A. Yes.

13 Q. Who went in the door first?

14 A. I don't remember.

15 Q. All four of you go in about the same time?

16 A. Yes.

17 Q. At what point in time did you take possession  
18 of the shotgun?

19 A. Right after the door was shot.

20 Q. On the outside of the house or the inside of  
21 the house?

22 A. I grabbed the gun right after we shot on the  
23 porch.

24 Q. Why did you grab the gun?

25 A. Because I was the one who was holding the

1 gun. But I gave the gun to Coatney for him to shoot the  
2 door. Then after he shot the door I grabbed the gun back.

3 Q. But you're the one who is scared of shotguns?

4 A. I don't like to shoot them.

5 Q. Well, did you intend to go in this house and  
6 do whatever you were going to do and never shoot that  
7 shotgun?

8 A. Yes, sir.

9 Q. Just take it with you?

10 A. Yes, sir.

11 Q. Did you tell us that at some point in time  
12 you had seen Jamal with the gun before?

13 A. Yes, I seen him. I'm not saying it was that  
14 gun. I seen him with a shotgun before.

15 Q. Prior to December 29, 2007?

16 A. Yes, sir.

17 Q. About how long prior? About when prior?

18 A. I seen him with like probably like a couple  
19 months before.

20 Q. A couple months before. Where was he and how  
21 did you come about to see him?

22 A. I don't know exactly where we was at. I know  
23 we was in Seaboard and I seen the gun because it's a house  
24 where he stashes guns at.

25 Q. It's not at Coatney Williams' house?

1 A. Huh?

2 Q. Not at Coatney Williams' house?

3 A. No, sir.

4 Q. A house where they stash guns, you saw that  
5 gun before?

6 A. Yes, sir.

7 Q. And you haven't seen it since December 29th,  
8 2007?

9 A. No, sir.

10 Q. Can you describe that shotgun?

11 A. It's a black 12 gauge shotgun pump.

12 Q. How long would you say the overall gun is?

13 A. (Indicating) About that long.

14 Q. Did it have a wooden stock or a plastic  
15 stock?

16 A. I'm not sure. I don't know too much about  
17 them.

18 Q. Does it have a wooden handle where you pump  
19 it with or a plastic handle?

20 A. I'm really not sure. I never really paid too  
21 much attention to the gun.

22 Q. But you had it that night?

23 A. I held it, yes, sir.

24 Q. And you seen it before that night.

25 A. No, sir. I'm saying that I seen -- I'm not



1 saying that I seen that gun. I seen a shotgun before that  
2 night.

3 Q. Like that one?

4 A. I'm saying it's similar to it.

5 Q. You also testified at some point in time that  
6 Ms. Davis made some reference to some money being in a  
7 pocketbook and directed to where her pocketbook was at. And  
8 you took the pocketbook or somehow or another gave it to her  
9 to keep from getting your prints on it?

10 A. Yes.

11 Q. So at that point in time you knew that a  
12 fingerprint was important in a crime scene investigation,  
13 right?

14 A. I do think.

15 Q. Sir?

16 A. I do know that I think.

17 Q. I understand. So on that evening did you  
18 have on gloves or not have on gloves?

19 A. Huh?

20 Q. On that night, December 29, 2007, did you  
21 have on any gloves?

22 A. No, sir.

23 Q. You did not. Did Jamal have on any gloves?

24 A. Not that I remember.

25 Q. Did any one of the four people that you

1 testified about have on any gloves?

2 A. Not that I remember.

3 Q. Did you see any gloves on anybody?

4 A. Not from what I remember seeing no gloves.

5 Q. You pretty well know whether you did or did  
6 not?

7 A. Yes, I know I didn't.

8 Q. But you did not have on any gloves?

9 A. Yes.

10 Q. You also testified that when Mrs. Davis made  
11 reference to her being on her period and had a tampon that  
12 she removed it and not you?

13 A. Yes, sir.

14 Q. And that's the truth, right.

15 A. Yes, sir.

16 Q. Even if she said it was different, it's still  
17 the truth what you're saying, right?

18 A. That's what I remember happened.

19 Q. I believe you stated that once ya'll were in  
20 the car and you were going back toward Severn, another car  
21 came up that Jamal told somebody to shoot at that car?

22 A. He said to shoot at the car. He never said  
23 to shoot the car.

24 Q. Then you went to Jamal's house after leaving  
25 the Davis home and that's where you split everything?

1 A. Yes, sir.

2 Q. At any time on that evening did you see  
3 Sonita Long?

4 A. No, sir, I didn't see Sonita Long at any time  
5 that evening.

6 Q. Did you see Rasheed Austin?

7 A. Yes, I had.

8 Q. When was that?

9 A. When we parked outside his house.

10 Q. What time was that?

11 A. I don't know.

12 Q. Who was on the car when you parked outside  
13 his house?

14 A. It was me, Coatney, Karon Moses and Jamal  
15 Thomas.

16 Q. What happened there?

17 A. That's when Karon took his stuff, Coatney  
18 Williams took his stuff and I went to my house.

19 Q. Now, when you talked to Officer Burnette back  
20 on September 4, 2008 and you said I don't know nothing about  
21 it, that was not the truth, was it?

22 A. No, sir.

23 Q. But today you want these people to believe  
24 that everything you say is the truth?

25 A. Yes, sir.

1                   MR. BARNES: I don't have any further  
2 questions.

3                   THE COURT: Anything further?

4                   MS. ASBELL: No, ma'am.

5                   THE COURT: You may step down. You may call  
6 your next witness.

7

The State called the lead detective on the case, Brenda Burnette. The State called Detective Burnette again during their rebuttal. Her testimony is provided in full below with a corresponding digest for your reference.



## **BRENDA BURNETTE TESTIMONY AND DIGEST**

(TT 225-273, 383-389)

*July 13, 2010—July 14, 2010*

*Testimony of NCSO Detective Brenda Burnette*

Det. Brenda Burnette

Page #	Description of Testimony
225	<b>Direct Examination Begins – July 13, 2010</b>
226	Lead detective in this case. Became a detective at the Northampton County Sheriff's Office in 2004, but has worked there since 1984.
227	Arrived on scene on night of crime. Took photographs at the scene.
228	Took statements from Mary Davis and Tacoma Davis on the night of the crime. Their statements were consistent with their testimony at trial.
230	Collected shell casings from the shotgun that was left there. One from bedroom (ejected but not shot) and one outside by car tire in carport.
231-233	Located a hat that was taken from Tacoma's room (outside), but she gave it back to Mary Davis. It was in wooded area beside the house on the path that led to the highway. Found that the phone line was cut outside the house.
234	Dug out a bullet that was lodged in the door.
235-236	Photo of telephone box admitted into evidence – SE 21. Photo of back door admitted into evidence – SE 22. Photo of family room admitted into evidence – SE 23. Photo of hallway admitted into evidence – SE 24. Photo of open closet admitted into evidence – SE 25. Photo of Tacoma Davis' room admitted into evidence – SE 26.
237	Photo of bed in Tacoma Davis' bedroom admitted into evidence – SE 27. Photo of Tacoma Davis' bedroom admitted into evidence – SE 28. Photo of closet in Tacoma Davis' bedroom admitted into evidence – SE 29. Photo of Tacoma Davis' bedroom admitted into evidence – SE 30. Photo of ID on desk in Tacoma Davis' room admitted into evidence – SE 31. Photo of front entry of the Davis home – SE 32.
238	Photo of closet in Davis home admitted into evidence – SE 33. Photo of Mary Davis' bedroom admitted into evidence – SE 34. Photo of tampon in Mary Davis' bedroom admitted into evidence – SE 35. Collected the tampon as evidence. Photo of underwear in Mary Davis' bedroom admitted into evidence – SE 36. Collected Mary Davis' underwear as evidence. Photo of Mary Davis' bathroom admitted into evidence – SE 37. Photo of drawers in Mary Davis' bedroom admitted into evidence – SE 38.
239	Photo of other ransacked room admitted into evidence – SE 40. Photo of unfired shell in Mary Davis' bedroom admitted into evidence – SE 41. Photo of cartridge beside car tire underneath carport admitted into evidence – SE 42.
240	Photo of dresser drawer from Mary Davis' bedroom admitted into evidence – SE 43. Photo of ransacked drawers in Mary Davis' bedroom admitted into evidence – SE 44. Photo of Tacoma Davis' vehicle parked in front of garage admitted into evidence – SE 45. Photo of back door after bullet retrieved – SE 46.
241	Photo of cap found in wooded area by path admitted into evidence – SE 49. Photo of back door where shot admitted into evidence – SE 50.
242-247	Uses photographs admitted to illustrate to jury what she observed at the crime scene. Saw the cut phone line. Saw the back door with the bullet. Saw that Christmas presents had been gone through and items removed from closets. Tacoma Davis' room was not in the

	same condition as he left it before the crime. Items, including a TV, had been placed on his bed. Items were in disarray in the bedroom of Mary Davis and in the closet of Tacoma Davis. Mary Davis went with her throughout the rooms in the house and showed her what was out of place.
248-249	Previously admitted SE 11, a photo of the garage behind the Davis' home and previously admitted SE 5, a photo of the ramp leading to the back door, are used to show the jury where Tacoma Davis' car was parked and the shell casing was found. The car was driven in and parked. The shell casing was found between the car and the house, closer to the house. It was located an arm's length from the railing.
250-251	Underwear admitted into evidence – SE 55. Shotgun shell found in Mary Davis' room admitted into evidence – SE 56
252	Tampon admitted into evidence – SE 57.
253	Spent shotgun shell found on floor next to back tire of white Mercedes admitted into evidence – SE 58 and 58A.
254	Timberland boots admitted into evidence – SE 53. Provided by Regina Branch Knight, mother of Williams. 14 karat 1 carat diamond ring belonging to Ms. Davis admitted into evidence – SE 52. Received from Sonita (Cinita) Long off her finger. Long is the girlfriend of Jamal Thomas.
256	<b>Overnight Recess</b>
258	<b>Volume II – July 14, 2010</b>
259-262	<b>Direct Examination Resumes</b> Piece of metal from door knob from back door that was shot and found under couch in family room admitted into evidence – SE 59A
263	Arrested Freeman, Thomas, and Moses on 9/5/2008. Warrants were served on Williams on 9/6/2008 at the Halifax County Jail. Took statements from Robert Branch and Sonita (Cinita) Long shortly after crime.
264-265	<b>Cross Examination Begins</b> D'Angelo Mason's name came up during investigation as someone possibly involved. A middle schooler said he was involved. Determined Mason was not involved.
265	Honda was registered to Thomas' uncle. Determined that Thomas drove the Honda on the night in question. Never found the shotgun. Never found out who owned the shotgun.
266-267	Got Timberland boots from Williams mother on 7/30/2008 after speaking to Williams. Does not know where the boots were between 12/29/2007 and 7/30/2008.
269	Has no way of knowing if shotgun used in crime was a pump shotgun or an automatic shotgun. Both shotgun shells recovered were 12 gauge.
270-271	Interviewed Antonio Freeman on 9/4/2008, who said, "I don't know anything about it." Dusted for prints inside and outside of Davis home. Did not find any. Honda of Jamal Thomas was destroyed and not dusted for prints. A .38 caliber gun was recovered and identified by Mary Davis. The .38 caliber gun taken from the Davis home was not dusted for prints. No GSR tests were done on the four co-defendants. Jennifer Williams' vehicle was not shot.
272	Coatney Williams made a statement to her shortly after his arrest.
272	<b>Redirect Examination Begins</b> Was not able to positively identify the .38 caliber recovered as the one that was stolen from Davis residence. The ATF was not able to identify based on the serial number due to

	business records being destroyed in a fire. Gun was recovered in March 2008 and was not dusted for prints.
275	<b>State Rests</b>
382	<b>State Begins Rebuttal</b>
383	<b>Direct Examination Begins</b> Statement of Robert Branch from 10/1/2008 to Det. Burnette admitted into evidence – SE 60. Reads parts of statement.
384	Statement of Williams from 9/8/2008 to Det. Burnette admitted into evidence – SE 61.
386-387	Det. Burnette reads statement made by Williams.
387	<b>Cross Examination Begins</b>
387-388	Took Williams’ statement after he was arrested and when he was in custody.
388	Spoke to Williams prior to 9/8/2008 at the Sheriff’s Office. Williams was speaking to Chief Reed and an ATF agency about something else and Williams mentioned this case. He told her to speak to Cinita to find the jewelry. He also told her about the Timberland boots. She had no idea where the boots were before then.
389	Based on what Williams’ said, she retrieved the boots from Williams’ mother the next day.

18 MS. ASBELL: The State calls Brenda Burnette.

19 BRENDA BURNETTE, called as a witness on  
20 behalf of the State, having been duly sworn, was examined  
21 and testified as follows:

22 DIRECT EXAMINATION

23 BY MS. ASBELL:

24 Q. State your name for the court.

25 A. Brenda Burnette.



1 Q. And where do you work?

2 A. Northampton County Sheriff's Office.

3 Q. And what is your position there?

4 A. Detective.

5 Q. How long have you worked at the Northampton  
6 County sheriff's office?

7 A. I been employed there since 1984.

8 Q. And how long have you been a detective with  
9 the Northampton County Sheriff's office?

10 A. Since 2004.

11 Q. Were you a detective -- so you were a  
12 detective in 2007?

13 A. Correct.

14 Q. And did you have an occasion to investigate a  
15 home invasion at 1885 Pendleton -- Vaughan Creek Road in  
16 Pendleton?

17 A. Yes, ma'am.

18 Q. Tell the members of the jury how you were  
19 initially called to that location?

20 A. I was at home and received a call from  
21 communications that I was needed at a home invasion that  
22 occurred at 1885 Vaughan Creek Road.

23 Q. And when you were notified, tell the members  
24 of the jury, what, if anything, did you do?

25 A. Got dressed, got in my vehicle and proceeded

1 to the location on Vaughan Creek.

2 Q. Do you remember what time you received that  
3 phone call?

4 A. No, ma'am, not right now.

5 Q. And how long would you say it took you to get  
6 to the residence from your home?

7 A. A good 30 minutes.

8 Q. Okay. And were you familiar with that  
9 residence before that night?

10 A. The roadway but not that particular  
11 residence, no.

12 Q. When you arrived, if you would, tell the  
13 members of the jury what if anything -- what happened?

14 A. Upon my arrival, rescue -- I believe I got  
15 there momentarily or at the same time rescue arrived. It  
16 was other officers on the scene, other family members were  
17 on the scene. The front door was open. I spoke with Ms.  
18 Davis who was inside of the home. I spoke to Takoma Davis  
19 that was at the home and other family members that was there  
20 to try to find out exactly what had happened.

21 Q. When you went in the house did you take  
22 pictures?

23 A. Yes, ma'am.

24 Q. And if you could just kind of tell, what did  
25 you do first and who did you talk to first and what

1 happened?

2 A. I looked around to find out exactly what I  
3 was going into. And then I found out who my victim was,  
4 which was Ms. Davis. In talking to Ms. Davis I talked with  
5 her to find out exactly what happened. I talked to Takoma  
6 Davis. And eventually went to the hospital to check on Erel  
7 Jordan.

8 Q. Now were you present in the courtroom today  
9 when Ms. Mary Davis testified?

10 A. Yes.

11 Q. Did you take a statement from her that night?

12 A. It was the next morning because it was after  
13 12:00 o'clock.

14 Q. The next morning did you take a statement  
15 from her?

16 A. Yes, I did.

17 Q. And was her testimony here today consistent  
18 with the statement that you took on that date?

19 A. Yes, it was.

20 Q. And the same with Takoma Davis, did you take  
21 a written statement from him?

22 A. Yes, I did.

23 Q. And was his statement consistent with what  
24 he's told here in court?

25 A. Yes, it was.

1           Q.       Now, after you spoke with both of them what  
2 did you do next in your investigation?

3           A.       I proceeded to the hospital to speak with  
4 Erel to check on him.

5           Q.       Did you take any pictures at the house before  
6 that?

7           A.       Yes.

8           Q.       Tell what happened at the house before you  
9 left?

10          A.       I just went from the back door from where it  
11 was shot in. I took pictures of that along with other  
12 detectives that came out to assist. Took pictures of the  
13 ransacking of the home, of the different rooms and the  
14 different locations of the home. And just collected any  
15 evidence that was there.

16          Q.       If you could, tell the members of the jury  
17 what evidence did you collect and what pictures did you take  
18 there were specific as to items of evidence that you took?

19          A.       I took pictures of Ms. Davis bedroom. I took  
20 pictures of her underpants that was on the floor. I took  
21 pictures of the tampon that was taken from Ms. Davis. I  
22 took pictures of the drawers in the room -- in her room that  
23 was pulled out and ransacked.

24                   I went to Takoma's room, her son's room, and  
25 took pictures of that location where things was taken and

1 ransacked. I went in the hallway where the door was opened,  
2 where it was left open.

3 I went through -- it was Christmas time. It  
4 was the Christmas tree where the presents were rumbled  
5 through. I took pictures of that. Of course I took  
6 pictures of the back door that was shot into. Collected  
7 shell casings from the shotgun that was left there.

8 Q. How sell casings did you collect?

9 A. I believe it was two. One had like -- it was  
10 ejected in the bedroom. That was found later. And then one  
11 that was outside by the car tire.

12 Q. And did you take pictures of that as well?

13 A. Yes.

14 Q. Now, when you say a shotgun, did you say  
15 shell?

16 A. Yes.

17 Q. Okay. Explain what that is to the members of  
18 the jury.

19 A. When you shoot a shotgun, it was birdshot, it  
20 was the ejectment that comes out of the shotgun once it's  
21 shot.

22 Q. You said you found one next to what tire?

23 A. It was Ms. Davis' vehicle that was underneath  
24 the carport.

25 Q. Did you take a picture of that before you



1 retrieved that shell casing?

2 A. Yes, I did.

3 Q. Now, Ms. Burnette, are you familiar with how  
4 shotguns eject shell casings?

5 A. Yes.

6 Q. Explain to the members of the jury how that  
7 happens?

8 A. When you shoot a shotgun, after you shoot it,  
9 an ejectile ejects out of the shotgun. It just pops out.  
10 And it lays wherever it drops.

11 Q. Now, when a shell ejects from a shotgun, how  
12 far does it eject?

13 A. Not far from where you shoot.

14 Q. So how far?

15 A. If you're standing -- if I'm standing here  
16 and you shoot it, it pops out and it just sits on the ground  
17 right by you.

18 Q. So the shell that you found was right beside  
19 the tire of the car that was under the carport?

20 A. Under the carport by the railing.

21 Q. And what other pieces of evidence did you  
22 find, if any, in the -- outside of home?

23 A. We found a hat that was taken, one of the  
24 hats that was taken out of Takoma's room, but we gave that  
25 back to Ms. Davis. It was in the little wooded area right

1     beside the house. It was a path like, like it was just  
2     right there in the wooded area.

3             Q.           When you say there was a path, describe what  
4     kind of path you're talking about.

5             A.           It's just a little walk-through. It's a  
6     walk-through path.

7             Q.           And a walk-through path that goes from where  
8     to where?

9             A.           It's beside Ms. Davis' house. It's her  
10    driveway and then it's lika a "Y" there. I don't know if  
11    it's a fence or not, but it was a wooded area and in the  
12    path.

13            Q.           Where does the path lead when it leaves Ms.  
14    Davis' house, the wood line, where does it go to?

15            A.           It goes to Vaughan Creek.

16            Q.           To the highway?

17            A.           Yes.

18            Q.           Did you hear Antonio Freeman testify?

19            A.           Yes.

20            Q.           The path that he's talking about, is that the  
21    same path you're referring to?

22            A.           Yes, ma'am.

23            Q.           And you found the hat where?

24            A.           It was in the wooded area right between the  
25    driveway that goes around Ms. Davis house and the wooded

1 area where the other path was.

2 Q. Did Ms. Davis identify that hat?

3 A. Yes, she did.

4 Q. And what did she identify that hat as?

5 A. As her son Takoma's hat that was in the  
6 closet.

7 Q. Did you find any other evidence outside the  
8 house?

9 A. No.

10 Q. Did you ever have occasion to look at the  
11 phone box or the phone thing that sits outside the house?

12 A. That was cut.

13 Q. Tell the members of the jury why you went to  
14 look around at that.

15 A. Because after talking with Ms. Davis she said  
16 that her phone went dead. So we just went around and that's  
17 what we found that the wire was cut to the phone.

18 Q. Did you take pictures of that.

19 A. Yes, ma'am, I did.

20 Q. Now inside the house did you find any type of  
21 bullets or buckshot from the gun inside the house?

22 A. It was one that was found later of the same  
23 caliber as the one on the outside, but it was not shot -- it  
24 had not been shot. It was like ejected out or something.

25 Q. That was inside the house?

1 A. Yes, inside her bedroom.

2 Q. Not been shot, so it means it ejected out  
3 before being shot so it was a full cartridge?

4 A. Yes, ma'am.

5 Q. Were there any other -- anything found in the  
6 living room area or where the door was shot or anything  
7 found there?

8 A. We dug out the bullet that was in the door,  
9 that was lodged in the door.

10 Q. And tell us about that.

11 A. It was a hole where the door was shot in. It  
12 was just a hole. It was nothing there. And lodged into the  
13 door was the bullet that was inside the door. It did not go  
14 all the way through. It had lodged.

15 Q. Did you retrieve all of this evidence?

16 A. Yes, ma'am.

17 Q. And what did you do with it?

18 A. I have it here.

19 Q. Did you keep it in your custody?

20 A. Yes, I did.

21 Q. Do you have it here in court today?

22 A. Yes.

23 MS. ASBELL: May I approach the witness?

24 THE COURT: Yes, ma'am.

25 MS. ASBELL: I'm sorry, Judge. I was just

1 putting these in order. May I approach the witness?

2 THE COURT: Yes, ma'am.

3 BY MS. ASBELL:

4 Q. Detective Burnette, I'm going run through  
5 these quickly. That's State's Exhibit Number 21. Do you  
6 recognize that?

7 A. I do.

8 Q. What is it?

9 A. It's the telephone box along with the meter  
10 that's attached to Ms. Davis' home.

11 Q. Are these pictures that you took?

12 A. Yes.

13 Q. I show you what is marked as State's Exhibit  
14 Number 22. What is that?

15 A. That is the back door that was shot into.

16 Q. Is that a picture that you took?

17 A. Yes.

18 Q. Twenty-three?

19 A. This is a picture of the family room, if I'm  
20 not mistaken, with the Christmas tree with the presents that  
21 had been gone through.

22 Q. Are these the pictures that you took that you  
23 testified to earlier?

24 A. Yes.

25 Q. Number 24, what is that a picture of?



1           A.           That's the hallway of Ms. Davis' home where  
2 the clothes were put out in the hallway from the closet.

3           Q.           And State's Exhibit Number 25?

4           A.           This is a closet that was left open in Ms.  
5 Davis' home.

6           Q.           And State's Exhibit Number 26, what is this a  
7 picture of?

8           A.           This is Takoma Davis' room and how it was at  
9 the time.

10          Q.           Is that a picture that you took?

11          A.           Yes, it is.

12          Q.           State's Exhibits 21 through 26 do these  
13 pictures fairly and accurately portray what the house looked  
14 like on December 29, 2007?

15          A.           Yes.

16          Q.           Could you use these pictures to illustrate  
17 your testimony to the members of the jury?

18          A.           Yes.

19                       MS. ASBELL: I move to introduce State's 21,  
20 22, 23, 24 25 and 26 into evidence.

21                       THE COURT: Let them be received.

22                       (Whereupon, State's Exhibits 21 through 26  
23 were admitted into evidence.)

24 BY MS. ASBELL:

25          Q.           I show you what's been marked as State's

1 Exhibit Number 28. Do you recognize that?

2 A. Yes, I do.

3 Q. And what is that?

4 A. A picture of Takoma Davis' room. And I took  
5 the picture.

6 Q. State's Exhibit Number 29, what is that?

7 A. That's the closet of Takoma Davis'. And I  
8 took the picture.

9 Q. And Number 27?

10 A. Takoma Davis' room with his TV on the bed.  
11 That's how it was that night. And I took the picture.

12 Q. And 30, what is that a picture of?

13 A. Another room -- another shot of Takoma Davis'  
14 room where it was ransacked. And I took the picture.

15 Q. 31.

16 A. This is the ID that was on Takoma Davis' desk  
17 in his room that I took.

18 THE COURT: Say that again, I'm sorry?

19 A. It is a picture, an ID picture of Takoma  
20 Davis in his room on his desk.

21 BY MS. ASBELL:

22 Q. And State's Exhibit Number 32?

23 A. This is the front entry of Ms. Davis' home.  
24 I took the picture.

25 Q. State's Exhibit 33?

1           A.           Another shot of a closet that was taken in  
2 Ms. Davis' home. I took the picture.

3           Q.           State's Exhibit 34?

4           A.           This is a shot of Ms. Davis' room, her  
5 bedroom. I took the picture.

6           Q.           State's Exhibit Number 35?

7           A.           This is a picture of a tampon that was on the  
8 floor in Ms. Davis' bedroom. And I took that picture.

9           Q.           And did you also take this as evidence?did.

10          A.           I did.

11          Q.           State's Exhibit 36?

12          A.           This is a picture of Ms. Davis' bedroom of  
13 her underwear. And I took the underwear. It's in my  
14 possession. I took the picture.

15          Q.           Thank you. And State's Exhibit Number 37?

16          A.           This is a picture of Ms. Davis' bathroom, the  
17 things that were ransacked in her bathroom. And I did take  
18 the picture.

19          Q.           State's Exhibit Number 38?

20          A.           This is another shot of Ms. Davis' in her  
21 bedroom where her drawers had been gone through. And I took  
22 the picture.

23          Q.           Do State's Exhibit Numbers 27 through 38  
24 fairly and accurately portray what her house looked like on  
25 that night?

1           A.       Yes, ma'am, it does.

2           Q.       Could you use these pictures to illustrate  
3 your testimony to the members of the jury?

4           A.       Yes, I can.

5                   MS. ASBELL: State moves to introduce Numbers  
6 27 through 38 into evidence.

7                   THE COURT: Let them be received.

8                   (Whereupon, State's Exhibits 27 through 38  
9 were admitted into evidence.)

10 BY MS. ASBELL:

11           Q.       I show you what's marked as State's Exhibit  
12 Number 40.

13           A.       These are other ransacked rooms, things that  
14 were gone through in Ms. Davis' room. And I took the  
15 picture.

16           Q.       State's Exhibit Number 41, what is that?

17           A.       This is Ms. Davis' room. And I did take the  
18 picture. This is the shell that I was talking about that  
19 was not fired.

20           Q.       State's Exhibit Number 42?

21           A.       This is a cartridge that was beside the car  
22 tire outside underneath the carport. I took the picture  
23 beside Ms. Davis' car.

24           Q.       Did you take that into evidence as well?

25           A.       I did.

1 Q. And State's Exhibit Number 43?

2 A. This is a dresser drawer in Ms. Davis' room.  
3 I took the picture.

4 Q. State's Exhibit 44?

5 A. This is another picture of Ms. Davis' room  
6 where the drawers had been ransacked. And I took the  
7 picture.

8 Q. State's Exhibit Number 45?

9 A. This is a picture of Tacoma Davis' vehicle  
10 that was parked in front of the garage on the night in  
11 question. And I took the picture.

12 Q. State's Exhibit Number 46?

13 A. This is after the fact of the back door of  
14 Ms. Davis' home where we retrieved the bullet out of. And I  
15 took the picture.

16 Q. State's Exhibit Numbers 40 through 46 that  
17 you just identified do they fairly and accurately portray  
18 what Ms. Davis' house looked like on that night?

19 A. Yes.

20 Q. Could you use these pictures to illustrate  
21 your testimony to the members of the jury?

22 A. I can.

23 MS. ASBELL: State moves to introduce State's  
24 Exhibits 40 through 46 into evidence.

25 THE COURT: Let them be received.



1 (Whereupon, State's Exhibits 40 through 46  
2 were admitted into evidence.)

3 BY MS. ASBELL:

4 Q. The State shows you what's been marked as  
5 State's Exhibit Number 49. Do you recognize that?

6 A. I do.

7 Q. And what is it?

8 A. This is a picture of the cap that was found  
9 outside in the wooded area that I was talking about earlier  
10 that was dropped in the wooded area by the path by Ms.  
11 Davis' home. And I took the picture.

12 Q. And finally, State's Exhibit Number 50. Do  
13 you recognize that?

14 A. Yes, this is the door, the back door, to Ms.  
15 Davis' home where it was shot at. And I took the picture.

16 Q. Now, do these two pictures fairly and  
17 accurately portray what you saw that night?

18 A. It does.

19 Q. And you can use these two pictures to  
20 illustrate your testimony to the members of the jury?

21 A. I can.

22 MS. ASBELL: The State moves to introduce  
23 State's Exhibit 49 and 50 into evidence.

24 THE COURT: Let them be received.

25 (Whereupon, State's Exhibits 49 and 50 were

1 admitted into evidence.)

2 MS. ASBELL: Could I ask her to step down  
3 right here in front of the screen?

4 THE COURT: Yes.

5 BY MS. ASBELL:

6 Q. If we can go through these quickly, Ms.  
7 Burnette.

8 A. This is a picture of the telephone box and  
9 the box that was attached to Ms. Davis' home.

10 Q. If you would, show the members of the jury  
11 where the wires were cut.

12 A. Right here.

13 Q. And you physically saw that the wires were  
14 cut?

15 A. I did.

16 Q. State's Exhibit Number 22 what is that?

17 A. The back door of the Davis' home.

18 Q. What does that show?

19 A. This is where the door was shot into.

20 Q. Can you tell from this picture where you  
21 pulled out the different --

22 A. The bullet was retrieved from right in there.

23 Q. And State's Exhibit 23, what is that?

24 A. This is the Christmas tree that was in Ms.  
25 Davis' home with the Christmas presents that had been gone

1 through in her residence.

2 Q. State's Exhibit Number 24?

3 A. This is the hallway leading to Ms. Davis'  
4 bedroom where the clothes was taken out of the closet in the  
5 hallway.

6 Q. State's Exhibit Number 25?

7 A. This is another closet in the home that was  
8 gone into in Ms. Davis' home.

9 Q. Is this the way that you found the house and  
10 that's why you took the pictures?

11 A. Yes.

12 Q. In this fashion?

13 A. Yes.

14 Q. State's Exhibit 26. What is this?

15 A. This is Tacoma Davis' room, how it was when I  
16 went in his room.

17 Q. When you talked to Ms. Davis, was his room  
18 like that before the defendant and the three other  
19 codefendants came into her house?

20 A. No, it wasn't.

21 Q. Thank you. And what is this a picture of?

22 A. This is another shot of Takoma Davis'  
23 bedroom.

24 Q. And what are these items on the bed?

25 A. This is a TV that was allegedly not there at

1 the time. The shoebox, the empty shoebox and other things  
2 that were placed on the bed.

3 THE COURT: Keep your voice up.

4 BY MS. ASBELL:

5 Q. When you say it wasn't there, do you mean it  
6 just wasn't on the bed before that?

7 A. No, according to Ms. Davis the TV was placed  
8 on the bed after the fact. It was on the stand.

9 Q. It was in the room?

10 A. It was in the room.

11 Q. All right, thank you. Go to 28, and what is  
12 this a picture of, State's Exhibit 28?

13 A. This is another closet that's in Ms. Davis'  
14 room in her residence.

15 Q. The different items, did you take the picture  
16 because it was in disarray as well?

17 A. Yes.

18 THE COURT: Ms. Shearin, are you hearing?

19 A JUROR: Most of the time.

20 THE COURT: All right, I need you to keep  
21 your voice up.

22 A. This is the bottom of Takoma Davis' closet  
23 where his shoes are in disarray. That's where he kept his  
24 shoes at.

25 BY MS. ASBELL:

1           Q.       And, Ms. Davis, did she go through the  
2 different rooms with you and show you what was in disarray  
3 as to what it normally is?

4           A.       Yes.

5           Q.       And was this different?

6           A.       Yes.

7           Q.       State's Exhibit Number 30, what is this?

8           A.       This is Takoma Davis' room, just a different  
9 angle of his bedroom.

10          Q.       And before this night did Ms. Davis tell you  
11 that everything that's scattered around the room was in  
12 place?

13          A.       It was in place before this incident.

14          Q.       And what is this, State's Exhibit Nubmer 31?

15          A.       This is a school ID of Takoma Davis in his  
16 room on his desk. This is the front entryway of Ms. Davis'  
17 home with the door open.

18          Q.       State's Exhibit Number 33, what is this?

19          A.       This is another closet that's in the home of  
20 Ms. Davis that was left open and ransacked.

21          Q.       And State's Exhibit 34, what is this?

22          A.       This is Ms. Davis' room, the things that were  
23 thrown on the floor of her bedroom.

24          Q.       State's Exhibit Number 35, and what is that?

25          A.       This is Ms. Davis' floor. This is a tampon



1 that Ms. Davis was referring to earlier.

2 Q. State's Exhibit Number 36?

3 A. Ms. Davis' bedroom. This is her underwear  
4 that was taken off of her and left in the bedroom on the  
5 bedroom floor.

6 Q. Now State's Exhibit Number 37. What is this?

7 A. This is Ms. Davis' bathroom that's attached  
8 to her bedroom and that's some things that was thrown on her  
9 floor after the suspects took what they needed to take.

10 Q. And State's Exhibit Number 38?

11 A. It's another shot of Ms. Davis' bedroom, her  
12 bed and other places in her room where her drawer was  
13 ransacked.

14 Q. Stop a minute. In this picture Number 38,  
15 where was Ms. Davis? Where would she have been in the  
16 bedroom?

17 A. On the floor right over here by the bed.

18 Q. Would she have been between the bed and this  
19 dresser?

20 A. Yes.

21 Q. Thank you. This is State's Exhibit  
22 Number 40?

23 A. This is just another angle of the home where  
24 things were taken and thrown down and pulled out on the  
25 floor of Ms. Davis' residence.

1 Q. State's Exhibit Number 42?

2 A. This is the tire of Ms. Davis' vehicle that  
3 was parked underneath the carport. This is the projectile  
4 that left out of the shotgun after it was shot.

5 Q. And State's Exhibit Number 43?

6 A. This is a dresser that had been ransacked  
7 inside the bedroom of Ms. Davis' home.

8 Q. State's Exhibit Number 44.

9 A. This is another angle of something else in  
10 the bedroom that was ransacked in Ms. Davis' bedroom.

11 Q. And State's Exhibit Number 45?

12 A. This is Takoma Davis' car that he came up in  
13 and parked in front of the garage in back of the home.

14 Q. And State's Exhibit Number 46?

15 A. This is the back door after the bullet was  
16 taken out of the door.

17 Q. And in State's Exhibit Number 49?

18 A. This is one of the caps that was found beside  
19 Ms. Davis' home in the wooded area right beside the path by  
20 Ms. Davis' residence along the path that the suspect went.

21 Q. Now, State's Exhibit Number 49, you took that  
22 into your custody; is that correct?

23 A. The hat itself we gave it back to Ms. Davis  
24 once she identified it was her son's.

25 Q. Thank you. State's Exhibit Number 50. What

1 is this?

2 A. This is just another shot of that door.

3 Q. If you could stand right there just for a  
4 moment. I show you what's marked as State's Exhibit Number  
5 11. Do recognize that?

6 A. I do.

7 Q. And what is that?

8 A. This is the garage behind Ms. Davis' home.

9 Q. Could you use this picture to illustrate your  
10 testimony to the members of the jury?

11 A. Yes, I can.

12 Q. And State's Exhibit Number 5. What is that?

13 A. This is the back portion of Ms. Davis' home,  
14 the ramp goes up to the back door.

15 Q. Could you use this picture to illustrate your  
16 testimony to the members of the jury?

17 A. Yes, ma'am.

18 Q. Ms. Burnette, I don't believe you said you  
19 took any pictures outside that night of her car; is that  
20 correct? Just where the shell casing was found at?

21 A. Correct.

22 Q. Show us using this picture where the car was  
23 and where the shell casing was.

24 A. The car was parked right underneath this part  
25 right here.

1 Q. Which direction was the car going?

2 A. It was driven in. The front of the car would  
3 have been facing towards that right there.

4 Q. Now, where was the shell casing found? On  
5 which side of the car? Closer to the house?

6 A. Yes.

7 Q. So the shell casing was found closer to the  
8 house?

9 A. Yes.

10 Q. How close was the car to the railing?

11 A. It was just an arm's length.

12 Q. Which tire was the shell casing found next  
13 to?

14 A. The back driver's.

15 Q. If you had to point out in this diagram where  
16 that shell casing was found, where would it be?

17 A. Back here, right here.

18 Q. Okay. Now looking at State's Exhibit  
19 Number 11, this is Exhibit Number 11, where would Takoma  
20 Davis' car have been?

21 A. It was parked up in this area right here.

22 Q. This is Takoma Davis' car; is that correct?

23 A. Yes.

24 Q. So his car would have been like sitting right  
25 here basically?

1 A. A little bit --

2 Q. On State's Exhibit 45?

3 A. A little bit on the grass, a part was on the  
4 grass section.

5 Q. And that's where the car was left; is that  
6 correct?

7 A. Correct.

8 Q. Thank you. You can have a seat.

9 A. (Complies.)

10 MS. ASBELL: May I approach the witness?

11 THE COURT: Yes, ma'am.

12 BY MS. ASBELL:

13 Q. I show you what's marked as State's  
14 Exhibit 55. And what is that?

15 A. These are the underwear that was retrieved  
16 from Ms. Davis' bedroom.

17 Q. Have those underwear been in your custody  
18 since that night?

19 A. Yes.

20 Q. Does everything appear to be in the same  
21 condition as when you packaged it up when you wrote  
22 everything on the package including your name, the date and  
23 the case number?

24 A. Yes, ma'am.

25 MS. ASBELL: State moves to introduce State's



1 Exhibit Number 55 into evidence.

2 THE COURT: Let it be received.

3 (Whereupon, State's Exhibit 55 was admitted  
4 into evidence.)

5 BY MS. ASBELL:

6 Q. I show you what's been marked as State's  
7 Exhibit Number 56. What is this?

8 A. This is a shotgun shell that was found in the  
9 victim's bedroom -- I mean by the tire, excuse me.

10 Q. Was this placed -- where was this found? If  
11 you will take a look at that bag.

12 A. In the victim's bedroom by the window.

13 Q. Is this what you testified to earlier that  
14 the actual shotgun shell -- it's a shotgun shell?

15 A. Yes, ma'am.

16 Q. Has it been spent, meaning has it been --

17 A. It's been shot.

18 Q. Have you had it in your custody since that  
19 day?

20 A. Yes.

21 MS. ASBELL: I move to introduce State's  
22 Exhibit Number 56, the unshot shell.

23 THE COURT: Let it be received.

24 (Whereupon, State's Exhibit 56 was admitted  
25 into evidence.)

1 BY MS. ASBELL:

2 Q. State's Exhibit Number 57, what is that?

3 A. This is the tampon that was located in the  
4 victim's bedroom on the floor.

5 Q. Has that been in your custody since the day  
6 of offense?

7 A. Yes, ma'am.

8 Q. Does it appear to be in the same condition in  
9 that package as it was when you packaged it up?

10 A. Yes, ma'am.

11 MS. ASBELL: State moves to introduce State's  
12 Exhibit 57 into evidence.

13 THE COURT: Let it be received.

14 (Whereupon, State's Exhibit 57 was admitted  
15 into evidence.)

16 BY MS. ASBELL:

17 Q. I show you this package which is marked  
18 State's Exhibit Number 58. Could you tell me what the  
19 package is?

20 A. It's a yellow package and that's a yellow 20  
21 gauge shotgun shell that was found on the floor next to the  
22 back tire of the white Mercedes.

23 Q. And which shell casing would that be?

24 A. This will be the one -- another empty one.

25 Q. And it was found where?

1           A.           It was on the floor of the carport next to  
2 the back tire of the white Mercedes-Benz.

3           Q.           This is another one -- is that the one we  
4 just did on the screen?

5           A.           Yes, ma'am.

6           Q.           If you could open that up, please.

7           A.           (Complies.)

8                       MS. ASBELL: And I'll mark the contents.  
9 Judge, it's 58A.

10 BY MS. ASBELL:

11           Q.           And is this the actual shotgun shell?

12           A.           Yes.

13           Q.           Does it appear to be in the same condition it  
14 was when you placed it in that envelope?

15           A.           Yes, another detective put this in there but  
16 yes it was turned over to me.

17                       MS. ASBELL: The State moves to introduce  
18 State's Exhibits 58 and 58A.

19                       THE COURT: Let them be received.

20                       (Whereupon, State's Exhibits 58 and 58A were  
21 admitted into evidence.)

22 BY MS. ASBELL:

23           Q.           Ms. Burnette, I show you what's marked as  
24 State's Exhibit Number 53. What are these?

25           A.           These are some Timberland boots that was

1 given to me by Regina Branch Knight. The Timberland boots  
2 that came out of the home of Ms. Davis that belonged to  
3 Takoma Davis.

4 Q. And Regina Branch Knight is what relation to  
5 the defendant?

6 A. She's the mother of Coatney Williams.

7 Q. And State's Exhibit Number 53 have they been  
8 in your custody since the date of offense -- since the date  
9 that they were turned over to you?

10 A. Yes, ma'am.

11 Q. I believe I've already introduced these. I  
12 show you what's marked as State's Exhibit Number 52. And  
13 what is that?

14 A. This is a 14 karat 1 carat diamond ring that  
15 belonged to Ms. Mary Davis.

16 Q. And where did you get that?

17 A. I got this from Sonita Long off of her  
18 finger.

19 Q. Can you tell me the relation between Sonita  
20 Long and any codefendant in this case?

21 A. Yes, she was the girlfriend of Jamal Thomas.

22 Q. Have you had this in your custody since that  
23 date?

24 A. Yes, ma'am.

25 Q. And did Ms. Davis identify this as being her

1 wedding ring?

2 A. Yes, she did.

3 MS. ASBELL: Judge, is this a good place to  
4 stop?

5 THE COURT: It is. Ladies and gentlemen, it  
6 is time for us to take our evening recess. I want to remind  
7 you of the duties that I listed to you previously. I remind  
8 you that you have a duty not to -- among yourselves about  
9 this case. You have a duty not to talk to any parties about  
10 the case, witnesses or counsel or your family members about  
11 this case.

12 It is your duty not to talk with anyone else  
13 or allow anyone else to talk about the case in your  
14 presence. If anyone communicates or attempts to communicat  
15 with you about the case you must report that to the Court  
16 immediately. Please do not form an opinion about the guilt  
17 or innocence of the defendant or express an opinion about  
18 the case as it is thus far. Please avoid reading, watching  
19 or listening to any news account of the trial if there be  
20 any. Finally, you have a duty not to go to any place where  
21 the offense was alleged to have been committed. Please be  
22 back in the jury room at 9:30 and we'll proceed at that  
23 time. Thank you. You can leave your badges in your seats.  
24 Thank you and have a good night.

25 (Whereupon, the jury leaves the courtroom.)



1 (Whereupon, court was reconvened at 9:30 July  
2 14, 2010 with all parties present, and the following was  
3 had, to wit:)

4 THE COURT: Good morning. Ask the jurors to  
5 come in, please.

6 (Whereupon, the jury enters the courtroom.)

7 THE COURT: Good morning, ladies and  
8 gentlemen. Ms. Asbell.

9 MS. ASBELL: Thank you. The State would like  
10 to recall Ms. Burnette back to the stand.

11 BRENDA BURNETTE, called as a witness on  
12 behalf of the State, having been duly sworn, was examined  
13 and testified as follows:

14 DIRECT EXAMINATION continues

15 BY MS. ASBELL:

16 Q. Good morning, Ms. Burnette.

17 A. Good morning.

18 Q. Yesterday I believe when we stopped I think I  
19 introduced all the evidence.

20 MS. ASBELL: May I approach her?

21 THE COURT: Yes, ma'am.

22 BY MS. ASBELL:

23 Q. Ms. Burnette, I show you what's been marked  
24 as State's Exhibit 41 for identification. What is this?

25 A. This is the metal -- a picture of a couch

1 that was in the family room where a metal piece that came  
2 out of the door, the door knob of the door that was blown  
3 in.

4 Q. Does this fairly and accurately portray where  
5 the metal piece that you collected was found?

6 A. Yes.

7 MS. ASBELL: State moves to introduce State's  
8 Exhibit Number 41 into evidence.

9 THE COURT: Let it be received.

10 (Whereupon, State's Exhibit 41 was admitted  
11 into evidence.)

12 BY MS. ASBELL:

13 Q. I show you what's marked State's Exhibit  
14 Number 59. Do you recognize that?

15 A. Yes, ma'am.

16 Q. And what is that?

17 A. This is the golden envelope with the piece of  
18 metal that was found under the seat was put in.

19 Q. If you could take that out, please.

20 A. (Complies.)

21 Q. I'm actually marking the piece of metal as  
22 59A. Is this the piece of metal that is depicted in this  
23 picture Number 41?

24 A. Yes, it is.

25 Q. Has this been in your care and custody since

1 the date of offense?

2 A. Yes, it has.

3 MS. ASBELL: State moves to introduce State's  
4 Exhibit Number 59 and 59A into evidence.

5 THE COURT: Let them be received.

6 (Whereupon, State's Exhibits 59 and 59A were  
7 admitted into evidence.)

8 MS. ASBELL: If you could step down a moment,  
9 Ms. Burnette. If she could, Judge?

10 THE COURT: Yes.

11 BY MS. ASBELL:

12 Q. This is State's Exhibit Number 41. If you  
13 could tell the members of the jury what that is.

14 A. This right here is the couch. Right here's  
15 the metal piece that came out of the door knob, the piece  
16 that goes in to lock the door. This was right here sticking  
17 out, just barely out from underneath the couch.

18 Q. If I can ask you to step down here, if that's  
19 okay, Judge, in front of the jury just one second?

20 THE COURT: Yes, ma'am.

21 BY MS. ASBELL:

22 Q. If you'll step down here, Ms. Burnette. If  
23 you can hold that piece and also that picture and start at  
24 this end of the jury. If you could first of all show them  
25 the piece of evidence. What is that?

1           A.           This is the metal that goes into your door  
2 where you lock like it.

3           Q.           Is that the piece of the door knob that you  
4 said was shot out of the door on that night?

5           A.           Yes, it was.

6           Q.           Could you show them, using that picture,  
7 where it was found?

8           A.           This is the couch. It was sticking just out  
9 there.

10          Q.           And tell the members here.

11          A.           This is the couch, the rug, and right there  
12 is the metal that was sticking out.

13          Q.           And if you will bring the metal piece down  
14 and let them see that as well.

15          A.           (Complies.)

16          Q.           Thank you, Ms. Burnette. You can go back up.

17          A.           (Complies.)

18          Q.           Ms. Burnette, I show you what was marked and  
19 it was introduced State's Exhibit Number 53, which is a pair  
20 of Timberland boots that were identified by Ms. Davis?

21          A.           Yes.

22          Q.           Where did you get these boots?

23          A.           From Coatney Williams' residence.

24          Q.           Thank you. After you completed your  
25 investigation or your crime scene investigation after taking

1 the pictures that night, did you at some point arrest  
2 several people in this particular burglary of Ms. Davis'  
3 home?

4 A. I did.

5 Q. And who did you arrest and when?

6 A. I arrested Antonio Freeman on 9/5/2008. I  
7 arrested Jamal Thomas 9/5/2008. I arrested Karon Moses  
8 9/5/2008. And Coatney Williams was served with the  
9 warrants. He was located in the Halifax County Jail. He  
10 was served with his warrant on 9/6/2008.

11 Q. Now during the time period between December  
12 of 2007, the date of offense, and that date, were you  
13 continuously working on this investigation that led to the  
14 arrest of those four people?

15 A. Yes, ma'am, I was.

16 Q. And did you take a statement from Robert  
17 Branch who is the brother of the defendant?

18 A. Yes, ma'am, I did.

19 Q. Did you take that statement from him very  
20 soon after the arrest was made?

21 A. Yes.

22 Q. Did you also take a statement from a Sonita  
23 Long?

24 A. I did.

25 MS. ASBELL: Those are my questions.



1 THE COURT: Mr. Barnes.

2 MR. BARNES: Yes, ma'am, ma'am, thank you.

3 CROSS-EXAMINATION

4 BY MR. BARNES:

5 Q. Good morning, Ms. Burnette. At some point  
6 during the investigation did the name of D'Angelo Mason come  
7 to your attention?

8 A. Yes.

9 Q. And how so?

10 A. It was rumored that he was involved in the  
11 shooting. A student at one of the middle schools had said  
12 it.

13 Q. Did that information come from Erel?

14 A. If I'm not mistaken it didn't come from Erel.  
15 I don't know if it was his mother or not. It was something  
16 about a student, I think her nephew, overheard one of the  
17 students talking.

18 Q. And I know you don't have a way to look it up  
19 but looking at the case progress notes, Ms. Burnette, that  
20 Thursday, January 3rd, 2008 Mary Davis called and put Erel  
21 on the phone and said D'Angelo Mason shot him. Do you  
22 remember that?

23 A. That came from his -- well, his mother's  
24 nephew.

25 Q. But your investigation learned that D'Angelo

1 Mason didn't have anything to do with this?

2 A. No, sir. After interviewing the young man  
3 that was supposed to have said it, no, sir.

4 Q. The Honda that has been talked about that was  
5 seen on that particular evening, wh was that Honda  
6 registered to?

7 A. I believe it came back registered to Jamal  
8 Thomas uncle.

9 Q. Did all your investigation reveal that on the  
10 night in question Jamal Thomas was the one driving that  
11 vehicle?

12 A. Yes, sir.

13 Q. Did you ever find a shotgun?

14 A. No, sir.

15 Q. Did your investigation ever reveal who the  
16 owner of the shotgun was?

17 A. No, sir.

18 Q. When you got the Timberland boots from Ms.  
19 Knight -- now, she's a Knight by marriage but she's Coatney  
20 Williams' mother?

21 A. Yes, sir.

22 Q. When you went to the home, tell us how you  
23 came about getting the boots. How did that come about?

24 MS. ASBELL: Objection.

25 BY MR. BARNES:

1 Q. How did you get them?

2 THE COURT: Not what was said to you.

3 BY MR. BARNES:

4 Q. How did you come around to getting the boots?

5 MS. ASBELL: May we approach?

6 THE COURT: Yes.

7 (Whereupon, there was a discussion off the  
8 record out of the hearing of the jury.)

9 BY MR. BARNES:

10 Q. Ms. Burnette, during the course of your  
11 investigation did you have an occasion to talk with Coatney  
12 Williams?

13 A. Yes.

14 Q. And pursuant to that conversation did you then  
15 go and retrieve the Timberland boots?

16 A. I did.

17 Q. And where were they?

18 A. At Coatney Williams' residence.

19 Q. Did you pick them up or did someone hand them  
20 to you?

21 A. His mother handed them to me.

22 Q. Did you have a conversation, not asking you  
23 what was said, but did you have a conversation with his  
24 mother about it at that time?

25 A. No, she just handed me the Timberland boots.

1 Q. Now, when was that?

2 A. That was on 7/30/2008.

3 Q. July 30, 2008.

4 A. 7/30.

5 Q. So that's a little over seven months after  
6 the boots were removed? The boots were removed from the  
7 home December 29, 2007, right?

8 A. I collected the boots from his Ms. Regina  
9 Knight on 7/30/2008.

10 Q. But the boots were taken from that home on  
11 December 29, 2007?

12 A. No.

13 Q. When were the boots taken from the home?

14 A. 7/30/2008.

15 Q. I'm sorry, the Davis home. Excuse me.

16 A. December 29, 2007, yes.

17 Q. So yo don't have any knowledge of where the  
18 boots were from December 29 of '07 until July 30, 2008?

19 A. No, I don't.

20 Q. You testified yesterday about a third shell  
21 casing that was unspent. Did you say anything about an  
22 unspent shotgun shell?

23 A. It was one in the bedroom.

24 Q. In two spent cases?

25 A. Yes.

1 Q. The two spent cases were in the bedroom?

2 A. No.

3 Q. Where?

4 A. Outside.

5 Q. By the tire?

6 A. Yes.

7 Q. The one in the bedroom was an unspent casing?

8 A. Yes, sir. We don't know if it dropped out or  
9 what.

10 Q. Was there a third shell casing anywhere?

11 A. It it was we didn't find it.

12 Q. Okay, you didn't find it. All right. I  
13 remember you said something about spent case and an unspent  
14 case. The one in the bedroom had not been fired?

15 A. No, sir.

16 Q. Now, you testified about firearms yesterday  
17 and the shotgun ejects a shell. Now, that's true if it's an  
18 automatic shotgun, right?

19 A. Yes.

20 Q. If it's fired it ejects that spent shell?

21 A. Yes, sir.

22 Q. But if this is a pump shotgun, it doesn't  
23 eject that shell unless some person pulls back the handle  
24 under the barrel, right?

25 A. Correct.



1 Q. In this case you didn't recover a shotgun?

2 A. No, sir.

3 Q. So you don't have any way of knowing whether  
4 that was a pump shotgun or an automatic shotgun?

5 A. I do not.

6 Q. What was the gauge on the shell?

7 A. Twelve gauge.

8 Q. Both of them?

9 A. Yes, sir.

10 Q. The first person or the first charged  
11 individual, the first defendant that you interview was Jamal  
12 Thomas; is that right?

13 A. Yes, sir.

14 Q. Do you recall interviewing Mr. Freeman back  
15 in September, I believe September 4th, 2008?

16 A. Yes, sir.

17 Q. And what did Mr. Freeman tell you?

18 THE COURT: I'm sorry, did you ask what did  
19 Mr. Freeman tell you?

20 MS. ASBELL: Objection.

21 THE COURT: Approach.

22 (Whereupon, there is an off the record  
23 discussion out of the hearing of the jury.)

24 BY MR. BARNES:

25 Q. Did you talk to Mr. Freeman back in September

1 of '08?

2 A. Yes, sir.

3 Q. What did he tell you?

4 A. Yes, sir.

5 Q. What did he tell you?

6 A. He advised, I give Detective Burnette the  
7 following statement: I don't know anything about it.

8 Q. Were there any dusting for any fingerprints  
9 inside the Davis home or outside?

10 A. I'm sorry, yes, sir, it was.

11 Q. Were there any findings of many prints  
12 anywhere at or near the Davis property?

13 A. No, sir.

14 Q. Were there ever any dustings of the Honda  
15 that was driven by Jamal Thomas?

16 A. To my understanding the Honda was destroyed.

17 Q. Was there any dustings of the 38 caliber  
18 pistol that was taken from the Davis home?

19 A. No, sir.

20 Q. Any paraffin test or gunshot residue test,  
21 some people may call it, to determine if anyone had shot  
22 that 38 caliber pistol or were there any paraffin tests on  
23 either one of the four defendants?

24 A. No, sir.

25 Q. Is that a revolver?

1           A.       The 38, yes, sir.

2           Q.       Was that recovered?

3           A.       We recovered a 38, yes, sir, sometime later.

4           Q.       Did Ms. Davis identify it as being the one  
5 from her home?

6           A.       She looked at it and said, yes, sir, it  
7 appears to be the same one.

8           Q.       Appears to be the same one?

9           A.       Yes, sir.

10          Q.       When was it recovered approximately?

11          A.       It was sometime later.

12          Q.       But no test performed on that weapon at that  
13 time?

14          A.       No, sir.

15          Q.       Now, Ms. Williams testified that she was in  
16 pursuit of the car sometime that evening as she heard shots  
17 fired. Was there any evidence that any bullets hit Jennifer  
18 Williams' car?

19          A.       Her vehicle was not hit.

20          Q.       And obviously she was not shot.

21          A.       No, sir.

22          Q.       Now, I'm not asking you what he said, but  
23 when you had the first occasion to see Mr. Williams -- he  
24 was arrested in Halifax County, I assume you went to see him  
25 or had them bring him over here shortly after that. Did you

1 interview him shortly after his arrest?

2 A. Yes.

3 Q. Did he make a statement to you?

4 A. Yes.

5 MR. BARNES: Those are my questions.

6 THE COURT: Redirect.

7 REDIRECT EXAMINATION

8 BY MS. ASBELL:

9 Q. Ms. Burnette, the 38 pistol that you  
10 recovered, were you ever able to positively identify that  
11 that gun came out of Ms. Davis' house?

12 A. No.

13 Q. Explain to the members of the jury why.

14 A. ATF was sent the serial number of the gun  
15 that was located but when the records came back the place of  
16 business had burned so there was no record of any record of  
17 the weapon.

18 Q. So you actually recovered a gun afterward?

19 A. Yes.

20 Q. But you could not positively identify that it  
21 came out of Ms. Davis' house; is that correct?

22 A. Correct.

23 Q. And for that reason -- and it actually was  
24 recover sometime afterwards --

25 A. Yes, it was.

1 Q. -- actually in March of 2008.

2 A. Yes, it was.

3 Q. Did you see any reason to try to get prints  
4 off of that gun at that point or to find any evidentiary  
5 value of getting any type of evidence off that gun if you  
6 didn't even know if it was the gun that came out of  
7 Ms. Davis' house?

8 A. No, I didn't.

9 Q. Were you the investigator that actually  
10 dusted inside the house for prints?

11 A. No, ma'am, I was not. The other  
12 investigators did that.

13 Q. But anything you had, there was nothing that  
14 could be positively identified; is that correct?

15 A. That's correct.

16 MS. ASBELL: Those are my questions.

17 THE COURT: Mr. Barnes.

18 MR. BARNES: No, ma'am.

19 THE COURT: Thank you, you may step down.

20 You may call your next witness.

21



1                   BRENDA BURNETTE, recalled as a witness on  
2   behalf of the State, having been previously duly sworn, was  
3   examined and testified as follows:

4                   DIRECT EXAMINATION

5   BY MS. ASBELL:

6           Q.       Ms. Burnette, I show you what's been marked  
7   as State's Exhibit Number 60 for identification. Do you  
8   recognize that?

9           A.       Yes, ma'am, I do.

10          Q.       And what is that?

11          A.       The statement that I took from Robert Branch  
12   the third on October 1st, 2008.

13          Q.       And were you present when he testified here  
14   in court?

15          A.       Yes, ma'am.

16          Q.       And were you present when he said this was  
17   his statement and these are his signatures on this form?

18          A.       Yes, ma'am.

19                   MS. ASBELL: State moves to introduce State's  
20   Exhibit Number 60 into evidence.

21                   THE COURT: Let it be received.

22                   (Whereupon, State's Exhibit 60 was admitted  
23   into evidence.)

24   BY MS. ASBELL:

25          Q.       Ms. Burnette, I ask, if you would, would you

1 read the beginning of the sentence down to where it says  
2 7:00 p.m. please?

3 A. I give Detective Burnette the following  
4 statement: Me, Coatney, my mom and my mom's boyfriend  
5 Robert Knight left on December 26th, 2007 and went to  
6 Philadelphia, PA. We came back home on December 29, 2007  
7 and got back around 7:00 p.m.

8 Q. And also if you would on page 2 of this,  
9 would you also read starting right here where it says when  
10 on Robert Branch's statement.

11 A. When we got back on the 29th of December a  
12 couple of days later I was sitting to my friend Rasheed's  
13 house in the projects in Seaboard. Me, my girlfriend  
14 Tiffany Brown, Rasheed and Rasheed's wife April were in the  
15 living room smoking weed and watching TV when Antonio  
16 Freeman walked in the front door.

17 Q. Thank you. Now I show you what's marked  
18 State's Exhibit Number 61 for identification. Do you  
19 recognize that?

20 A. Yes, ma'am.

21 Q. And what is that?

22 A. That is the statement that I took from  
23 Coatney Williams on 9/8/2008.

24 Q. Is that statement signed by Mr. Williams?

25 A. Yes, it is.

1 Q. Is it also signed by you?

2 A. Yes, it is.

3 Q. And how many pages are in that statement?

4 A. Three.

5 Q. Did you take that statement from him and is  
6 that your writing?

7 A. Yes, ma'am, it is.

8 Q. And when did you take it?

9 A. I took it on 9/8/2008.

10 Q. And after you took the statement from Mr.  
11 Williams did you go over it with him and see if there were  
12 any changes that needed to be made?

13 A. I did.

14 Q. And somewhere in this statement were there  
15 changes where he initialed those changes?

16 A. Yes.

17 Q. Was that after you read it to him?

18 A. Yes.

19 Q. Did he adopt the statement as his own?

20 A. Yes, he did.

21 MS. ASBELL: State moves to introduce State's  
22 Exhibit 61 into evidence.

23 THE COURT: Let it be received.

24 (Whereupon, State's Exhibit 61 was admitted  
25 into evidence.)

1 BY MS. ASBELL:

2 Q. Now, if you would, Ms. Burnette, if you would  
3 read that statement to the members of the jury?

4 A. I give Detective Burnette the following  
5 statement: On December 29, 2007 me, my little brother  
6 Robert, my mom Regina and my mom's husband Robert Knight  
7 were on our way to Philadelphia.

8 I was in Alexandria, Virginia when I got a  
9 phone call on my brother's cell phone from Jamal Thomas  
10 saying that the word in Seaboard was I broke into -- I don't  
11 know her last name, Angela, business. She stayed behind the  
12 Seaboard project, a white lady. Jamal told me the word was  
13 I broke into her house and stole her 38.

14 I kicked back to Seaboard on January 3, 2008  
15 from Philadelphia. When I get back me, Jamal, Yayo and  
16 Karon, my little brother Robert, April Smith, Tiffany Brown  
17 was at Rasheed's house in the projects smoking weed. The  
18 conversation was of the lick that Yayo, Karon and Jamal did  
19 over the Christmas/New Year's holiday. Yayo was gloating  
20 about sodomizing Takoma's mom with the gun. Jamal, Yayo and  
21 Karon was having a good old time sharing this story with me.

22 Robert, Tiffany, April and Rasheed, Jamal  
23 Yayo and Karon spoke about the shooting of somebody that  
24 chased them that night on December 29. Yayo said when the  
25 dude that was chasing them when they pulled behind a barn

1 and Yayo rolled the window down and shot the guy.

2                   Jamal had the jewelry, Jordans and Timberland  
3 shoes and some pretty caps. Jamal had some PSP. Jamal  
4 traded the Xbox for cash and bought a PSP. And Jamal gave  
5 the wheat Timberlands to me that came out of Takoma's house  
6 at my Aunt Susie's house. The reason why I know is because  
7 Jamal said they ain't my size no way. They came from the  
8 lick we did in Severn. I didn't have anything to do with  
9 the burglary. I was told by Jamal and Yayo what happened.  
10 Karon just sit back while they talked.

11                   That's the end of the statement.

12           Q.       Is that the full statement that you took from  
13 him that day?

14           A.       Yes, ma'am.

15           Q.       And that was after you arrested him; is that  
16 correct?

17           A.       That was after he was arrested in Halifax,  
18 yes, ma'am.

19                   MS. ASBELL: Those are my questions.

20                   THE COURT: Mr. Barnes.

21                   MR. BARNES: Yes, ma'am.

22                               CROSS-EXAMINATION

23 BY MR. BARNES:

24           Q.       When you took the statement from Coatney he  
25 was in custody and he had been served the warrants?



1 A. Yes, sir.

2 Q. Did you see him -- did you have any  
3 conversation with Coatney Williams prior to September 8,  
4 2008 about this case?

5 A. Yes, sir.

6 Q. When and where?

7 A. It was at the sheriff's office. He was in a  
8 room talking with ATF and Captain Reid at the time about  
9 something else.

10 Q. Did the Davis case come up?

11 A. Mr. Williams was mentioning something to me  
12 about it. That's why I was called back there.

13 Q. What did he say to you then?

14 A. He advised me where the jewelry was or who  
15 had the jewelry.

16 Q. Did he tell you how he knew?

17 A. At that time he just said that to find the  
18 jewelry to find Sonita.

19 Q. And did he tell you about the Timberland  
20 boots?

21 A. He told me about the Timberland boots when I  
22 took the statement.

23 Q. Was that your first knowledge about where the  
24 boots were?

25 A. Yes, I had no idea where the boots were

1 before then.

2 Q. And based on that conversation with him you  
3 went to Ms. Knight's home and retrieved the boots?

4 A. Yes, he said he would call his mother.

5 MR. BARNES: Those are my questions.

6 THE COURT: Anything further?

7 MS. ASBELL: No, ma'am.

8 THE COURT: You may step down. If you will  
9 leave those.

10 MS. ASBELL: The State has no further  
11 evidence.

12

The State called the paramedic who responded to the scene, Ronald Brooks, whose testimony confirmed that Erel Jordan's wounds were consistent with birdshot from a shotgun. (TT 132-6).

The State also called next-door neighbor Jennifer Williams who testified that she heard Tacoma Davis yelling to Erel Jordan to run. She heard gun shots. (TT 217-18). She ran into her house and about 15-20 seconds later, Tacoma Davis knocked on her door and she let him in. (TT 217-18). Erel Jordan came to the door a few moments later. She heard a car start outside. She then left and followed the car. (TT 217-18). The car stopped and Ms. Williams made a U-turn. (TT 217-18). The individuals in the car shot at her twice and she went back home. (TT 219). She could not get a license plate or determine how many people were in the vehicle. (TT 219). She had never seen that vehicle before. (TT 219).

Finally, the State called Evelyn Jordan, Erel Jordan's mother, who testified that around 10:00pm on the night of the crime, Tacoma Davis came to her home where he visited with Erel Jordan for some period of time. (TT 222). Erel and Tacoma then left to go to Tacoma's house. (TT 222). She tried to call Erel but did not get him. (TT 222). She finally reached Tacoma, who reported the robbery to her and said he did not know where Erel was at that time. (TT 222). Mary Davis then came to Ms. Jordan's house, and also reported the robbery. (TT 222). Ms. Jordan called 911. She and Ms. Davis then went to find Erel and Tacoma. (TT 223).

Williams testified in his own defense, as did members of his family. The testimony of all individuals called by the defense at trial is provided below in full. During Williams' testimony, the trial court ordered him off the stand after Williams refused to answer a question posed by the State about gang initiation. (TT 382) The trial court instructed the jury "you are not to

consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial." (TT 382) At the conclusion of the trial, the trial court gave an instruction to the jury "you may consider – I previously told you that you were not to consider the testimony of the defendant Coatney Williams. I would tell you now that you may consider the testimony of Coatney Williams. And I will leave it at that. But you may consider that testimony in your deliberations when you begin to deliberate." (TT 402-403) The testimony related to any alleged alibi for Williams is summarized in the chart in Appendix H and Williams' testimony is summarized in Appendices E and F.

**REGINA KNIGHT, MOTHER OF CLAIMANT**

(TT 280-298)



21 THE COURT: You may call your first witness.

22 MR. BARNES: We call Regina Knight.

23 REGINA KNIGHT, called as a witness on behalf  
24 of the State, having been duly sworn, was examined and  
25 testified as follows:

Cheryl G. Eason, CSR  
(252) 465-4184

## DIRECT EXAMINATION

BY MR. BARNES:

Q. What's your name, please?

A. My name is Regina Knight.

Q. Ms. Knight, where do you live?

A. 161 Blue Jay Trail, Seaport, North Carolina.

Q. And who lives there with you?

A. My husband Robert Knight, Coatney Coatney Williams and Robert Branch, the third.

Q. And where is Robert Knight today?

A. My husband has dementia. He's not able to stay on trial -- to stand the trial, so he's at home.

Q. How long have you lived at that location?

A. I've been there 15 years.

Q. And are you employed outside the home?

A. Yes, sir.

Q. How so?

A. I'm a CNA at Guardian Care in Roanoke Rapids.

Q. How long have you been there?

A. Ten years.

Q. Is this your son seated beside of me, Coatney Coatney Williams?

A. Yes, sir.

Q. And during the month of December of 2007 was Coatney living with you?

1 A. Yes, sir.

2 Q. And had he been living with you pretty much  
3 all of his life?

4 A. Yes, sir.

5 Q. Do you recall the events prior to  
6 December 29, 2007 specifically around December the 26th of  
7 2007?

8 A. Yes, sir.

9 Q. Tell the ladies and gentlemen of the jury  
10 what if anything took place that involved Coatney Williams  
11 starting on or about December 26, 2007?

12 A. December the 26th, 2007 Coatney and myself  
13 and my family had went to Philadelphia.

14 Q. What family? Name the people.

15 A. Robert Knight, the third -- Robert Knight,  
16 Robert Branch, the third and myself, Regina Knight.

17 Q. And who else?

18 A. It was just us three.

19 Q. Was Coatney with you?

20 A. Yes, Coatney Williams.

21 Q. What were you doing on December 26, 2007?

22 A. We was on our way to Philadelphia. We  
23 stopped at a few stores and picked up some ice and stuff and  
24 some junk food.

25 Q. How did you travel from your home to

1 Philadelphia?

2 A. We was on a truck, a F-150 white truck.

3 Q. All four of you?

4 A. Yes, two in the back and two in the front.

5 Q. About what time of day or night did you  
6 leave?

7 A. It was about 6:30 that afternoon.

8 Q. On the 26th?

9 A. Yes.

10 Q. What was your destination? Where were you  
11 going?

12 A. To Philadelphia, Pennsylvania.

13 Q. To see who, for what purpose?

14 A. We always take that trip to see my husband's  
15 sister and his family that lives in Philadelphia.

16 Q. What's your husband's sister's name?

17 A. Angela Taylor, Penny Taylor -- and I can't  
18 think of the other sister's name right at the moment.

19 Q. Is Angela Taylor here today?

20 A. Yes, sir.

21 Q. Now, you left somewhere around 6:00 o'clock?

22 A. Yes, sir.

23 Q. And what route did you take?

24 A. We went I-95.

25 Q. And how far -- where did you go on I-95?

1           A.           Well, my husband was doing the driving. I  
2 was just a passenger so I really wasn't paying attention.  
3 But I know went through Virginia and I think we went that  
4 way.

5           Q.           Do you recall going up across the Chesapeake  
6 Bay Bridge?

7           A.           Yes, sir.

8           Q.           How long did it take you to get from where  
9 you were to where you were going?

10          A.           It took us about seven -- well, we got us  
11 lost so it took about nine hours to get to Philadelphia.

12          Q.           Did you travel those nine hours continuously  
13 other than normal stop? Did you continuously travel from  
14 the time you left home until the time you got to  
15 Philadelphia?

16          A.           No, sir, we stopped at different stores.

17          Q.           But you didn't spend the night anywhere?

18          A.           No, sir.

19          Q.           You stop periodically to go to some stores?

20          A.           To the restroom, yes, sir.

21          Q.           About what time did you arrive in  
22 Philadelphia?

23          A.           It was late. Like I said, we got lost and  
24 ended up in Germantown. So we had to get somebody. We kept  
25 making phone calls to our family members whose home we were



1 going to. And her nephew came and directed us to her house.  
2 So we got there about -- it was in the morning about 5:30 or  
3 6:00 o'clock in the morning.

4 Q. So that would've been the 27th?

5 A. Yes.

6 Q. December 27, 2007?

7 A. Yes, sir.

8 Q. You, Robert Knight, Robert Branch and Coatney  
9 Williams. And did you stay at the home of Angela Taylor  
10 that day?

11 A. Yes, sir.

12 Q. Did you spend that night, the 27th, at the  
13 home of Angela Taylor?

14 A. Yes, sir.

15 Q. And what did you do during the course of that  
16 day, the 27th?

17 A. We just sit around watch TV. They was down  
18 in the basement. And then we went left and went to her  
19 other sister's house.

20 Q. Angela's sister?

21 A. Uh-huh, her name is Penny.

22 Q. Tell us what you did on the 27th, 28th and  
23 the 29th of December?

24 A. Okay. On the 27th -- I'm thinking the  
25 29th -- I know on that Saturday all of us went shopping at

1 Forman Mills in Pennsylvania.

2 Q. When you say all of us, who are you talking  
3 about?

4 A. Coatney, myself and Robert, Little Robert,  
5 and my husband. We always go shopping there every year.

6 Q. How long did you stay in Pennsylvania?

7 A. We came back on the 30th.

8 Q. The 30th of December?

9 A. Yes.

10 Q. And that's 2007?

11 A. We left on the 30th because we was trying to  
12 make it before New Year's.

13 Q. When you left Pennsylvania on December 30,  
14 2007 explain to us who left, how you left and where you were  
15 going.

16 A. I left -- Coatney and myself and Little  
17 Robert and my husband, we left Pennsylvania coming back to  
18 North Carolina. We was trying to make it before New Year's  
19 came in.

20 Q. And when did you arrive back at your home?

21 A. It was the 30th, but it was late. It was  
22 going on the 31st.

23 Q. It was after midnight on the 30th?

24 A. Yes.

25 Q. So it was actually the 31st of December of

1 2007 when you got home?

2 A. Yes.

3 Q. Was Coatney with you at that time?

4 A. Yes, sir.

5 Q. Now there's been an introduction of a pair of  
6 -- may I approach the witness, Judge?

7 THE COURT: Yes, sir.

8 BY MR. BARNES:

9 Q. I hand you what's been previously marked as  
10 State's Exhibit Number 53. Have you ever seen those?

11 A. I sure have, Your Honor.

12 Q. Where and when did you see them?

13 A. It was in my home.

14 Q. I'm sorry?

15 A. It was in my home.

16 Q. Do you know how those boots got in your home?

17 A. Yes, sir. Somebody gave those boots to  
18 Coatney. As a matter of fact it was Jamal Thomas that gave  
19 him those boots because he gave them to him in Roanoke  
20 Rapids at the time. And he brought them back to my house  
21 and I didn't even think about the boots until Ms. Burnette  
22 came to the house and asked for the boots. And I gave her  
23 those boots and she took them.

24 Q. When Detective Burnette came to your house  
25 and asked you for the boots, what if anything did you say

1 and do?

2 A. I gave her the boots and I told her they  
3 won't Coatney's boots at all, they belong to Jamal. But he  
4 gave them to Coatney. They always gave each other clothes.  
5 He used to stay at my house so they always shared clothes.  
6 So I didn't think nothing of it.

7 MR. BARNES: Those are my questions.

8 THE COURT: Ms. Asbell?

9 CROSS-EXAMINATION

10 BY MS. ASBELL:

11 Q. Good morning, Ms. Knight. Now, your son --  
12 is it Robert Branch, the third?

13 A. Yes.

14 Q. And is that -- that's who went with you, that  
15 you say went with you Coatney and -- what's your husband's  
16 name again?

17 A. Robert Knight.

18 Q. And how long -- I mean, you said he's sick  
19 now?

20 A. Yes.

21 Q. Was he sick then?

22 A. No.

23 Q. Now it's your testimony that you left with  
24 your husband, your son the defendant, and Robert Branch, the  
25 third?

1 A. Yes.

2 Q. On December 26 --

3 A. Yes.

4 Q. -- is that right?

5 A. Uh-huh

6 Q. So you said the 26th, the 27th, the 28th, the  
7 29th, four nights?

8 A. Yes.

9 Q. And you returned on the 30th?

10 A. Yes, ma'am.

11 Q. And you returned in the early morning hours  
12 of New Year's Eve?

13 A. Yes.

14 Q. Now, when did your son get arrested for this  
15 home invasion?

16 A. You know, it's been so long ago I can't even  
17 tell you.

18 Q. Now when you gave your statement to Detective  
19 Burnette what did you tell her?

20 A. I just told her that these was not Coatney's  
21 shoes. I didn't know why she wanted them but anyway I just  
22 gave them to her.

23 Q. I'm sorry, I wasn't referring to the boots.  
24 When your son was arrested, you knew your son was arrested  
25 for this home invasion that took place on December 29 of



1 2007, did you not?

2 A. It was so long ago I can't remember.

3 Q. Well, when he was arrested and put in jail,  
4 do you remember that?

5 A. The only thing I can remember was when they  
6 came and picked him up. I think Cy Grant was -- that's the  
7 only thing I can remember that part. I don't remember the  
8 other part about him being arrested for anything.

9 Q. Well, my question is did you know he was  
10 arrested and charged with attempted murder?

11 A. No, ma'am, I didn't.

12 Q. Well, what did you think he was arrested for?

13 A. He had some more charges pending. I didn't  
14 know what he had been arrested for.

15 Q. When did you realize he was arrested for  
16 burglary, armed robbery, attempted murder, felonious larceny  
17 and all these offenses on Ms. Davis?

18 A. It was like I said, when Cy Grant -- after  
19 they buried my other son, Cy Grant had picked him back up  
20 and arrested him. That's what I knew about all this.

21 Q. All right. Was he living with you at the  
22 time?

23 A. Uh-huh.

24 Q. So he was picked up from your house?

25 A. Yes.

1 Q. Did you inquire as to why they picked him up?

2 A. I already knew why they picked him up because  
3 they said he had left the house and went somewhere and he  
4 had told him not to be around me -- and he had told him to  
5 be around me at all times.

6 Q. Well, let me just say this: your son was  
7 charged with very -- is charged with very serious charges.  
8 And you never inquired as to what it was about?

9 A. I didn't have no reason to because I thought  
10 like I say he had other charges so I figured it was going to  
11 come up eventually, but I didn't know what. So that's why.

12 Q. What are you talking about that it would be  
13 something come up eventually?

14 A. Well, they're my sons. So every time you  
15 turn around, if it ain't one it's somebody saying they did  
16 this or saying somebody in the neighborhood did it and they  
17 are going to get blamed for it anyway so it really didn't  
18 matter.

19 Q. Well, let me say this: When is the first  
20 time you stepped in this courtroom with your son Coatney  
21 Williams and you realized he was charged with attempted  
22 murder, first degree burglary, armed robbery and the rest of  
23 the charges he's charged with? When was the first time you  
24 realized that?

25 A. The last time we was in court I guess.

1 Q. When would that have been?

2 A. I can't keep up with the time.

3 Q. Did you ever talk to your son about the  
4 charges?

5 A. No, not really.

6 THE COURT: Say that again.

7 A. Not really because it was just something all  
8 the time.

9 BY MS. ASBELL:

10 Q. You were testifying today that your son was  
11 not even in town, he was with you --

12 A. He was.

13 Q. -- when this happened?

14 A. He sure was.

15 Q. When did you tell Brenda Burnette that?

16 A. I did tell you that but I can't tell you the  
17 date. I don't keep up with dates.

18 Q. Don't you think, Ms. Knight, that if you had  
19 told Ms. Burnette that that she would've written that down?

20 A. I told her, Ms. Burnette, a whole lot of  
21 things before so I don't know whether she wrote that down  
22 are not so it don't that --

23 Q. You knew your son was being held on  
24 charges --

25 A. I knew he was being held on charges but as

1 God is my witness I did not know what kind of charges.

2 Q. And you knew he was with you in Philadelphia  
3 and you never chose to go tell the sheriff Wardie Vincent,  
4 sitting over there --

5 A. I told Wardie Vincent. I went to get some  
6 tapes from Forman Mills to prove his innocence that he was  
7 in Philadelphia on the 29th. I called Wardie Vincent myself  
8 from Philadelphia. And they told me they cannot get no  
9 tapes. I could not get the tape myself but he could get  
10 them, whoever, lawyers or something like that could get  
11 them.

12 Q. Like this lawyer, like Mr. Barnes?

13 A. Yes.

14 Q. And what tapes were they?

15 A. Tapes showing where he was on the 29th at  
16 Forman Mills.

17 Q. Do you have that tape?

18 A. No, I don't have it. I told you they  
19 wouldn't give it to me.

20 Q. Now, your son, Robert Branch the third, he's  
21 your son too?

22 A. Yes.

23 Q. And is he older or younger than Coatney?

24 A. He's younger.

25 Q. Were you aware that he gave Brenda Burnette a

1 statement on October 1, 2008 right after Coatney Williams  
2 was arrested?

3 A. Yeah, he did mention something about that.

4 Q. Were you aware that he gave a statement where  
5 he said that he --

6 MR. BARNES: Objection.

7 THE COURT: Sustained.

8 BY MS. ASBELL:

9 Q. Were you aware that he gave a statement that  
10 is different than yours?

11 MR. BARNES: Objection.

12 THE COURT: Overruled.

13 A. No.

14 BY MS. ASBELL:

15 Q. Are you aware that he gave a statement that  
16 says that --

17 A. I wasn't with him when he gave his statement  
18 so I don't know what he told you.

19 Q. All right. Well, were you aware that he gave  
20 a statement that ya'll came back on December 29th --

21 MR. BARNES: Objection, move to strike and  
22 request instructions to the jury.

23 THE COURT: Objection is sustained. Ladies  
24 and gentlemen, disregard the last question by Ms. Asbell.

25 BY MS. ASBELL:



1 Q. Ms. Knight?

2 A. Yes.

3 Q. Was your son Robert Branch the third with you  
4 the whole time?

5 A. Yes, all three of them was.

6 Q. So you are saying you left and came back the  
7 same day?

8 A. No, we left --

9 Q. When you left the state of North Carolina you  
10 all four left together and you all four came back together?

11 A. We came back together on the 30th. And  
12 that's when we came back on the 30th before New Year's.

13 Q. And at no time did you --

14 A. I've got a calendar that's got his picture on  
15 it where he was in Philadelphia.

16 THE COURT: Hold on, ma'am. I just need you  
17 to answer the question that she asks.

18 A. What did you say?

19 BY MS. ASBELL:

20 Q. At no time, even the day that Ms. Burnette  
21 picked up those boots did you give Ms. Burnette a statement  
22 that your son was out of town on this -- when this crime  
23 occurred?

24 A. I might have, I don't know. I doubt it  
25 because I didn't even know what was going on.

1 Q. Don't you think that's important?

2 A. Yeah, it's important but why would I give her  
3 a statement when I don't even know what's going on?

4 Q. Don't you think it's important to give a  
5 statement that your son was with you when they say he  
6 committed a serious crime?

7 A. I didn't know what was going on. I didn't  
8 know what she wanted the boots for. The boots won't even  
9 his so it didn't matter to me.

10 Q. After you found out what he was charged with,  
11 didn't you think it was important then to give that  
12 statement?

13 A. I never saw her again.

14 Q. Well, did you think it was important at all  
15 to tell law enforcement this man was not in the state of  
16 North Carolina when this happened?

17 A. They already knew because I had called -- as  
18 a matter of fact I went to talk to Wardie Vincent over there  
19 about the case. And I can't recall what he was saying, but  
20 I went to Philadelphia and tried to get the surveillance  
21 tapes that we was in Forman Mills on December 29th shopping.  
22 But they would not let me have the tape because they said I  
23 needed to get somebody, law enforcement and then the next --  
24 I went twice. As a matter of fact the next time I went back  
25 to see if I could get the tape the lady told me they didn't

1 keep them but a certain amount of time. They delete them  
2 and go over them, you know. They don't keep the tapes.

3 Q. So they don't exist?

4 A. No, I don't have a tape that exists but I got  
5 a cell phone that existed though.

6 Q. Do you have that with you?

7 A. Yeah, my son's got it in the back.

8 Q. What do you say is on the cell phone?

9 A. Pictures of him in Philadelphia.

10 Q. And did you print those out and bring those  
11 and where are they in Philadelphia?

12 A. He's at my husband's sister's house.

13 Q. On December 29th at around 10:00 o'clock p.m.  
14 that date and time?

15 A. Yes.

16 Q. But you don't have that with you?

17 A. I have the cell phone with me, yeah. The  
18 pictures are on the cell phone.

19 Q. Did you give those pictures to Mr. Barnes?

20 A. He got them.

21 Q. Now, you are sure about the dates?

22 A. Yes, I am.

23 Q. And your husband can't come to testify?

24 A. No, I got a paper saying he's got dementia.

25 Q. So the only other person than can corroborate

1 your story is Robert Branch the Third or your son Coatney  
2 Williams?

3 A. I got another witness that came from  
4 Philadelphia.

5 MS. ASBELL: Thank you. Those are my  
6 questions.

7 MR. BARNES: Nothing further.

8 THE COURT: You may step down. And  
9 intentions to recall Ms. Knight?

10 MS. ASBELL: Yes.

11 THE COURT: All right. She is going to have  
12 to remain sequestered. Who is your next witness?  
13

**ROBERT BRANCH III, DEFENDANT'S BROTHER**

(TT 298-346)



13 MR. BARNES: Robert Branch.

14 ROBERT BRANCH, called as a witness on behalf  
15 of the State, having been duly sworn, was examined and  
16 testified as follows:

17 DIRECT EXAMINATION

18 BY MR. BARNES:

19 Q. State your name, please.

20 A. Robert Branch, the third.

21 Q. Mr. Branch, where do you live?

22 A. Seaboard, North Carolina, 161 Boot Lake  
23 Trail.

24 Q. Who do you live with?

25 A. My mother and her husband.

1 Q. What is your mother's name?

2 A. Regina Coats Knight.

3 Q. And what's her husband's name?

4 A. Robert Lee Knight.

5 Q. Is this your brother sitting here beside of  
6 of me Coatney Williams?

7 A. Yes, sir.

8 Q. How old are you?

9 A. Twenty-one.

10 Q. How old is Coatney?

11 A. Twenty-three, I believe.

12 Q. So he's a couple of years older than you are?

13 A. Uh-huh.

14 Q. Did you and he live in the same home the  
15 weeks and months before December 29th, 2007?

16 A. Yes, sir.

17 Q. And was Coatney living there too?

18 A. Yes, sir.

19 Q. Do you recall what you did during the days  
20 prior to December 29, 2007 specifically about December the  
21 26th of 2007 do you recall what you did?

22 A. December 26 I was on the way to Philadelphia  
23 with my mother and her husband.

24 Q. Anybody else?

25 A. No, that was it, it was just us three.

1 Q. I'm sorry?

2 A. It was just us three.

3 Q. Just the three of ya'll that went to  
4 Philadelphia? Coatney wasn't with you?

5 A. Yeah, Coatney was with us. I said me,  
6 Coatney and my mom and her husband.

7 Q. How many people is that?

8 A. Four but not including me it was three other  
9 people.

10 Q. So how did you go to Philadelphia?

11 A. My mother's husband drove.

12 Q. What kind of vehicle?

13 A. A green Mercury Mountaineer.

14 Q. And do you know about what time of day or  
15 night you left?

16 A. I believe we left December 26 at about 6:10  
17 in the morning.

18 Q. And what route did you take?

19 A. What route did we take?

20 Q. Yeah, how did you go to Philadelphia?

21 A. We left -- I believe we left and we took 95  
22 all the way to Philadelphia.

23 Q. About how long did it take you to get there?

24 A. Probably about seven and a half, eight hours.

25 Q. So did you go directly there or did you make

1 any stops along the way?

2 MS. ASBELL: Objection to the leading.

3 THE COURT: Pardon?

4 MS. ASBELL: Leading.

5 THE COURT: Overruled.

6 BY MR. BARNES:

7 Q. Did you go directly to Philadelphia or did  
8 you make any stops along the way?

9 A. We made one stop to get gas but that was it  
10 and food.

11 Q. Where did you go in Philadelphia?

12 A. To my aunt house.

13 Q. What is her name?

14 A. Pat, Aunt Pat.

15 Q. Aunt Pat, okay. When you got there who was  
16 with you?

17 A. Me, my brother, her husband and my mother.

18 Q. What's your brother's name?

19 A. Coatney Williams.

20 Q. And once you got to Philadelphia to your  
21 aunt's house, what did you do?

22 A. We went to sleep. We went to sleep.

23 Q. All right. Do you remember the next day, the  
24 27th of December 2007?

25 A. Uh-huh.

1 Q. What did you do the next day?

2 A. I believe the 27th we stayed at my aunt's  
3 house and we just chilled around the house.

4 Q. When you say we, who are you talking about?

5 A. Me and my brother and my mother.

6 Q. And then do you remember what you did on the  
7 28th day of December of 2007, the following day?

8 A. On the 28th I believe me and him went  
9 shopping.

10 Q. Where?

11 A. At Forman Mills.

12 Q. And who went shopping?

13 A. Me, my brother and my mother.

14 Q. About how long did ya'll shop there?

15 A. I say we stayed there about an hour and a  
16 half, two hours.

17 Q. Then where did you go?

18 A. Then we left there and went to my Aunt Penny  
19 house.

20 Q. Then what did you do there?

21 A. Can I say what we really did?

22 Q. Well, basically, what did ya'll do?

23 A. We got twisted.

24 Q. And did you spend the night there?

25 A. Yeah, we spent the night there.



1 Q. And what did you do the next day?

2 A. The next day, what, the 29th?

3 Q. Yes.

4 A. The 29th what did we do? The same thing. We  
5 got to drinking and smoking.

6 Q. When did you come home from Philadelphia?

7 A. December 30th.

8 Q. Do you remember what time ya'll left  
9 Philadelphia?

10 A. I believe it was -- it was on the 30th. It  
11 was early that morning. It was probably about five or  
12 something in the morning, six in the morning.

13 Q. Did you come back home?

14 A. Uh-huh.

15 Q. And now prior to December 29th, 2007, did you  
16 have a cell phone?

17 A. Yes, sir.

18 Q. Who was the carrier?

19 A. I was.

20 Q. No, who provided the service? Was it AllTel,  
21 Sprint?

22 A. US Cellular.

23 Q. Now was that telephone in your name? Was the  
24 account in your name?

25 A. It was in my mother's husband's name.

1 Q. Which is what?

2 A. Robert Lee Knight.

3 Q. But did you have physical possession of the  
4 phone, and use it and keep it yourself?

5 A. Yes, sir.

6 Q. And is that what we call a family plan?

7 A. Yes, sir.

8 Q. More than one phone on that plan?

9 A. Uh-huh.

10 Q. And did you have that phone with you when you  
11 went to Philadelphia on the 26th of December?

12 A. Yes, sir.

13 Q. Did you take any pictures with that -- using  
14 that cell phone along the way?

15 A. Yes, sir.

16 Q. Of what?

17 A. I took pictures of the highway, the buildings  
18 and all and the roads.

19 Q. And why were you taking pictures of the  
20 highway, buldings and roads?

21 A. Because it was a trip. It was my fourth time  
22 going so I was just taking pictures because the other couple  
23 times I went I didn't never take no pictures because I  
24 didn't have no phone to take pictures.

25 Q. Are those photographs still in your phone?

1 A. Yes, sir.

2 Q. You still have that phone?

3 A. Yes, sir.

4 Q. And has that phone been in your possession  
5 ever since December 26, 2007?

6 A. Yes, sir.

7 Q. Did you show that phone to me yesterday?

8 A. Yes, sir.

9 Q. Now are the photographs you took on December  
10 2007 still in that phone?

11 A. Yes, sir.

12 Q. And when you take a photograph with your  
13 phone does the phone automatically record the date that it's  
14 taken or do you put in the date that it's taken?

15 A. It's sent by satellite.

16 Q. Does the phone automatically put the date in  
17 there?

18 A. Yes, sir, it automatically saves the date and  
19 and time.

20 Q. Can you physically change the date that the  
21 phone registered the photograph being taken?

22 A. No, sir.

23 Q. When you got to Philadelphia did you take any  
24 pictures?

25 A. Yes, sir.

1 Q. Of what? When and where?

2 A. I took pictures outside of my aunt's house  
3 and inside of her house.

4 Q. Did you take a picture of Coatney Williams  
5 while you were in Philadelphia?

6 A. Yes, sir.

7 Q. Does that photograph or that phone have a  
8 date that that picture was taken?

9 A. Yes, sir.

10 Q. And what is the date that is showing on the  
11 phone of when that picture was taken?

12 A. The 26 -- the 29th of December 2:10 p.m.

13 Q. What you year?

14 A. 2007.

15 Q. Do you have that with you now?

16 A. Yes, sir.

17 Q. Has it been in your possession ever since you  
18 had it December of 2007?

19 A. Yes, sir.

20 Q. Has it been altered or changed in any way?

21 A. No, sir.

22 Q. You maintained possession of it? You have it  
23 with you?

24 A. Yes, sir.

25 MR. BARNES: May I approach the witness?

1 THE COURT: Yes, sir.

2 THE COURT: Ms. Asbell?

3 (Whereupon, there is a discussion at the  
4 bench out of the hearing of the jury with the cell phone.)

5 THE COURT: Ladies and gentlemen, I will need  
6 you to excuse yourselves to go ahead and take your morning  
7 break at this time. So if you will, I remind you that you  
8 have a duty not to talk among yourselves about this case.  
9 You have a duty not to talk with anyone else or allow anyone  
10 else to talk about the case in your presence. Please don't  
11 form an opinion about the guilt or innocence of the  
12 defendant or express an opinion about the case as it is thus  
13 far. And please be back in the jury room at 11:20 and we'll  
14 proceed at that time. Please be back in the jury room at  
15 11:20. Thank you.

16 (Whereupon, the jury leaves the courtroom.)

17 THE COURT: Let the record reflect that we're  
18 outside the presence of the jury. Before the phone gets  
19 marked I just wanted to make sure that he understates that  
20 if it gets marked into evidence it will remain in evidence  
21 at the conclusion of this trial.

22 MR. BARNES: Judge, I might need a moment to  
23 speak with him about it because I have not addressed that  
24 with him. And that is probably something I should have  
25 done. It's his phone, it's not my phone.



1 THE WITNESS: You can have the phone.

2 MR. BARNES: We're not going to get it back.

3 THE WITNESS: I don't care. You can have it.

4 THE COURT: Very well, that should resolve  
5 it. Ms. Asbell, when were the photographs in question  
6 disclosed to you?

7 MS. ASBELL: They have not been.

8 THE COURT: Mr. Barnes, when did you become  
9 aware of these photographs.

10 MR. BARNES: Yesterday.

11 THE COURT: Mr. Barnes, how long have you  
12 been representing Coatney Williams?

13 MR. BARNES: Almost two years.

14 THE COURT: Pardon me?

15 MR. BARNES: Almost two years and so many  
16 months.

17 THE COURT: Almost two years. And when did  
18 you become aware of the existence of these photographs?

19 MR. BARNES: There was some discussion about  
20 a telephone at some point. I don't have any specifics of  
21 that. The photographs, yesterday.

22 THE COURT: Some discussion about a  
23 telephone? I don't understand.

24 MR. BARNES: That he had had a cell phone  
25 when he went to -- he said something about he had a cell

1 phone when he went to Pennsylvania.

2 THE COURT: And when was that discussion?

3 MR. BARNES: It's been in recent days.

4 THE COURT: Did you make any effort to get  
5 those photographs?

6 MR. BARNES: I called.

7 THE COURT: You called who?

8 MR. BARNES: I called the numbers that I have  
9 for him and his mother yesterday.

10 THE COURT: When did you meet this witness  
11 Mr. Branch?

12 MR. BARNES: Yesterday.

13 THE COURT: That's the first time you ever  
14 met him?

15 THE WITNESS: Uh-huh.

16 THE COURT: I'm not talking to you.

17 So you have been representing him all these  
18 months?

19 MR. BARNES: Yes, ma'am.

20 THE COURT: And you just found out in recent  
21 days that there were photographs that put him -- allegedly  
22 put him away from where this crime was committed?

23 MR. BARNES: That were available and had a  
24 date on them, yes.

25 THE COURT: But you made no effort to get

1     them so that they could be disclosed.

2                   MR. BARNES:  No, ma'am, because the  
3     conversation between me and the mother has been of the  
4     videotapes that were at Potomac or whatever the shopping  
5     mall was.  We made some inquiries of those but they are long  
6     gone.  That was the only conversation about photographs.  
7     The only conversation I know about photographs on a cell  
8     phone was yesterday.

9                   She testified and the DA brought it out that  
10    she went back up there several times and tried to get some  
11    videos because they went into a mall.  And they knew there  
12    were cameras in there.  And they tried to do that.  But he  
13    wasn't arrested until September.  This was back in December  
14    of '07.  He wasn't arrested until September.  This was  
15    sometime after September that they went up there and tried  
16    to get the pictures.

17                  I didn't know of any pictures of him which he  
18    says is in the aunt's home until yesterday.

19                  THE COURT:  But the mother knew of them?  To  
20    your knowledge the mother knew of them?

21                  MR. BARNES:  I don't know about that.  I  
22    don't know.  I can't say yes or no.  I would suspect so  
23    because they're in the home together, but I don't know about  
24    that.  I don't know.

25                  THE COURT:  She just testified that she knew

1 about them.

2 MR. BARNES: She said something about the  
3 phone, yeah. I don't know if she knew the details of the  
4 pictures because we three were sitting in the room looking  
5 at them yesterday.

6 THE COURT: How did you get in touch with  
7 this gentleman yesterday?

8 MR. BARNES: She brought him. When I  
9 instructed her to bring all the people she brought him. In  
10 fact, I couldn't get up with her because the number is  
11 disconnected. The only person I could talk to was the aunt  
12 in Pennsylvania. I talked to her several times about coming  
13 down here.

14 I called her Thursday and I said I think this  
15 time we are going because she didn't want to come unless we  
16 knew we were going. And I talked with her and I said this  
17 case is going to go this week so you need to come. But she  
18 said she couldn't come.

19 So I said, well, I can't get up with Regina.  
20 None of the numbers work. The telephone numbers are either  
21 disconnected or nobody knows them. I said can you get up  
22 with her. She said I don't have the number either. I said,  
23 well, I need to talk to the mother because I need to get up  
24 with Robert and I need to get up with the mother.

25 I need the other people talking about being

1 the witnesses as an alibi witnesses. And I didn't get any  
2 calls back. And Monday the mother was here. And while we  
3 were in the chamber, I mean in the back, I called a number  
4 that Coatney gave me and that was disconnected. But she  
5 came in Monday and we talked.

6 And I said, well, I don't know if it's going  
7 to be Tuesday or Wednesday, I don't have any way of knowing  
8 but you need to get everybody here. I need to know if  
9 Ms. Taylor is coming. She needs to come on down here. And  
10 she said she was coming. And I said, well, make sure  
11 Robert's here.

12 And so Robert came in yesterday and he told  
13 me about the phone. We went back there, the three of us,  
14 and looked at it. And that's it.

15 THE COURT: Ms. Asbell.

16 MS. ASBELL: Judge, Mr. Branch was here  
17 Monday and was served -- we had an outstanding subpoena on  
18 Mr. Branch. And when he came in Monday I had my  
19 investigator serve this subpoena on Mr. Branch. So he's  
20 been here since we started this trial. And he was seated  
21 right there when we started this trial. So he's been here.

22 And I believe Coatney Williams' momma came in  
23 midday Monday. I believe it was about midday she came in.  
24 But he's been here. And I have the subpoena here that I  
25 need to return to the clerk for the file.

1                   And, Judge, I would also say that -- I mean,  
2 I'm certainly not trying to dispute Mr. Barnes' efforts.  
3 But Ms. Williams is a local. I mean, whatever his mother's  
4 name is, she lives in Seaboard. She works at Guardian Care  
5 and she also works at the convenience store, I believe, at  
6 the Cut Board in Seaboard.

7                   So there's absolutely no reason not to be  
8 able to get up with her or Mr. Branch for that matter. And  
9 this alibi notice was given by Mr. Barnes a while back. I  
10 don't have the file but it's in the file when he gave notice  
11 of the alibi.

12                  And there was nothing furnished to the State  
13 nor any of the witnesses that would've been alibi witnesses.  
14 I made an assumption that it would be his mother. But other  
15 than that, you know, I had no list of alibi witnesses or any  
16 knowledge of any type of phone, videotape, picture or  
17 anything.

18                  And the fact, Judge, that Mr. Branch gave a  
19 statement contrary to Ms. Burnette to what he, I believe, is  
20 going to testify, and to what he has testified to here  
21 today.

22                  MR. BARNES: Judge, the only thing I can say  
23 in terms of the process and the trial and the discovery is I  
24 don't know of any case I have probably ever tried in my life  
25 where I wasn't given discovery the day of the trial. That



1 certainly can be examined and cross-examined. And this  
2 phone is there. I saw it yesterday. They can look at it  
3 before I offer it up into the evidence. And this Court can  
4 decide if it has probative value or not and either rule that  
5 it's in or out.

6 But I know that as trials go along we defense  
7 lawyers get things handed to us at the twelveth hour all the  
8 time. And it's very customary for the courts, you and other  
9 judges alike, to allow those things to be testified about  
10 without any prejudice to the State.

11 We did notice the State a month ago that  
12 there was an alibi witness because in talking with Regina  
13 Knight, talking with Coatney Williams, that they had gone to  
14 Pennsylvania. And she assured me that he was one in the  
15 car. And he would say the same thing that she said. And I  
16 talked to him about it, about the phone, I think at some  
17 point around that time, that period of time. And he said  
18 they were together.

19 THE COURT: And what time is that?

20 MR. BARNES: Weeks or months ago when I  
21 prepared the alibi -- when I prepared the alibi.

22 THE COURT: So you had some inkling about the  
23 phone pictures?

24 MR. BARNES: No, I knew they went to  
25 Pennsylvania.

1 THE COURT: You didn't just say that you had  
2 some inkling -- that there was some conversation about a  
3 phone?

4 MR. BARNES: Later on. In the last few days  
5 the phone came up. The phone didn't come up in the early  
6 conversations. The phone came up the last few days.

7 The notice of alibi was 22nd of March. No.  
8 The conversation about Pennsylvania, yes. I filed the  
9 alibi. The conversation about the phone, yesterday. The  
10 conversation about a phone, the last few days. The  
11 conversation about a phone with photos on it, yesterday.

12 THE COURT: When you found this phone  
13 yesterday and you were able to review the photos, did you  
14 memorialize them in some way? I mean, we still don't have  
15 any hard copies of the photos?

16 MR. BARNES: I don't know how to get them. I  
17 don't know how to get them. I don't know about this phone  
18 but I know the one on my side I've tried to download them on  
19 there and I don't know how the phone companies have -- and I  
20 asked when he showed them to me at five or six o'clock  
21 yesterday afternoon, whatever time we were back there when  
22 court recessed, I asked him did he have it downloaded. And  
23 he said no. I said can you download it. And he said I  
24 can't.

25 So, no, they are not memorialized and they

1 are not any way that I know of other than on that device  
2 right there. No, ma'am.

3 THE COURT: So if the photographs are  
4 admitted we would have to pass the phone among the jurors?

5 MR. BARNES: Yes, ma'am. I don't know of any  
6 way to reproduce them.

7 THE COURT: To be sure they can be  
8 downloaded.

9 MR. BARNES: They may be, Judge. I don't  
10 know. And I don't have any objection to pursuing that, but  
11 I don't know.

12 MS. ASBELL: Judge, I would just argue that  
13 there has been no authentication of that phone. There's  
14 nobody here from whatever phone company that says that the  
15 numbers can't be changed on phone dates. There is no chain  
16 of custody for that phone, where it's been, or whether you  
17 can change dates.

18 And, you know, Judge, just like Mr. Barnes  
19 knows and everybody in this courtroom, if you can digitally  
20 change a photograph and put a person into it, then you can  
21 digitally change a number on a phone.

22 If this phone existed back in 2007 or in 2008  
23 when this young man was arrested and when Robert Branch --  
24 when Brenda Burnette went to him, he would've produced that  
25 phone, which was nine months after the fact. And he would

1 have said to her here is a picture of me and my brother in  
2 Philadelphia on December 30 or December 29. But he told her  
3 they got home on December 29th at 7:00 o'clock.

4 And I argue there is no chain of custody on  
5 that phone. And there's absolutely no authentication that  
6 it's even authentic at this point. And if they want to  
7 bring in somebody from -- if you're inclined to, you know,  
8 admit these pictures, if they want to bring in somebody from  
9 the phone company that says that those dates can't be  
10 tampered with after four years, Judge, then I think it's the  
11 only way it can be.

12 Or if not, everything that's in that phone --  
13 if it's admitted into evidence, I would argue everything in  
14 that phone is admissible in this court. Everything in it.

15 MR. BARNES: Do you want the phone?

16 THE COURT: I do. You have to get it to  
17 where the --

18 THE WITNESS: Can I tell you something? I  
19 got --

20 MR. BARNES: You just need to bring up the  
21 pictures.

22 THE WITNESS: (Complies and hands the cell  
23 phone to the judge.)

24 THE COURT: All right. Move to the next one.  
25 Is there another one? Is that the only one?

1 THE WITNESS: That's the only one of us at  
2 the house.

3 THE COURT: Is there another picture of him?

4 THE WITNESS: There's pictures of Philly --

5 THE COURT: Of him?

6 THE WITNESS: The only one I got is of him  
7 and me in the basement.

8 THE COURT: That's the only picture you took  
9 of him was the one in the basement of some place you say was  
10 in Philadelphia?

11 THE WITNESS: Uh-huh, yes, ma'am. I took  
12 pictures the whole way up there though.

13 THE COURT: And does it have scrolling  
14 across -- it has the date and time on it?

15 THE WITNESS: Uh-huh, but you can't get into  
16 it like that. US Cellular got a private policy on their  
17 phone so you can only -- the date and time is set by  
18 satellite. You can't change it. It's impossible to change  
19 it.

20 THE COURT: But does it have scrolling above  
21 the photograph T-E-K, space, I-N, space, P-H-I-L-L-Y?

22 THE WITNESS: Yes

23 THE COURT: How did that get there?

24 THE WITNESS: Because you know when you  
25 take --

1 THE COURT: No, how did those letters get  
2 there?

3 THE WITNESS: I put them up there. You know,  
4 you save a picture you can save the -- you got to set the  
5 picture's name so that's what I set the picture's name as.

6 Do you want to see where it says the time and  
7 stuff is at?

8 THE COURT: No. I'm going to take this  
9 matter under advisement and we'll be back in session at  
10 11:30.

11 MS. ASBELL: I'm sorry, the deputy has a  
12 question.

13 THE BAILIFF: They want to know if they can  
14 jot down notes while they're sitting in the box listening to  
15 the testimony.

16 THE COURT: I'll address that when we come  
17 back. You may step down, sir. Please don't discuss your  
18 testimony with anyone during this break, nor are you to  
19 return to the room where you were sequestered prior to your  
20 testimony or have any contact with anyone in that room who  
21 has testified.

22 MS. ASBELL: Are we going to leave the phone  
23 in here?

24 THE COURT: Yes, the phone stays in here.  
25 Thank you. We'll be at ease until 11:30.



1 (Whereupon, a recess was taken.)

2 THE COURT: The Court has taken the matter of  
3 the cellular phone photograph under advisement. The Court  
4 will allow the photograph. However, if the defendant wishes  
5 to exhibit the date and time that the photograph was taken,  
6 there will have to be additional witnesses called to  
7 corroborate that. Any questions about that ruling?

8 MS. ASBELL: I don't have a question, I just  
9 have a comment. I just spoke to Mr. Wheeler and I think he  
10 relayed the information to Mr. Barnes that there is a US  
11 Cellular in Roanoke Rapids that maybe he could contact to  
12 have somebody if he wanted to to testify about that.

13 MR. BARNES: I will look into that this  
14 evening.

15 THE COURT: All right. Ask the witness to  
16 come in. And also bring in the jury. I'm going to allow  
17 the jurors to take notes but caution them they're not to  
18 share them.

19 (Whereupon, the jury enters the courtroom.)

20 THE COURT: Thank you, ladies and gentlemen,  
21 for your patience. I understand there are members of the  
22 jury who wish to take notes. If you desire to take notes I  
23 will allow you to take notes. However, I caution you that  
24 when you begin your deliberation you may use your notes to  
25 help refresh your memory as to what was said in court but I

1 also caution you however that you are not to give those  
2 notes to other jurors or give them any undue significance.  
3 Your notes are not the official transcript. You are to rely  
4 on your notes, other jurors are not to rely on your notes.  
5 And I caution you also that in notetaking you may miss  
6 something that is actually being said on the stand. So if  
7 you choose to do so, take them cautiously.

8 Mr. Barnes, you may continue.

9 MR. BARNES: May I approach the witness,  
10 Judge?

11 THE COURT: Yes.

12 DIRECT EXAMINATION continues

13 BY MR. BARNES:

14 Q. Mr. Branch, I hand you what I have marked as  
15 Defendant's Exhibit Number 1 and ask you to look at that.  
16 What is it?

17 A. It's my cell phone.

18 Q. And did you have that cell phone December the  
19 26th, 27th and 29th of 2007?

20 A. Yes, sir.

21 Q. When you went to Philadelphia December 26th  
22 of 2007 were you there on December 29, 2007

23 A. Yes, sir.

24 Q. Did you take any pictures of Coatney Williams  
25 while you were at Philadelphia on December 29, 2007

1 A. Yes, sir.

2 Q. And where was that picture taken?

3 A. In the basement of my aunt's house.

4 Q. And who is in the photo?

5 A. My brother.

6 Q. And what is your brother's name?

7 A. Coatney Williams.

8 Q. Who took the photo?

9 A. I did.

10 Q. Is it on that phone now?

11 A. Yes, sir.

12 Q. Has that phone been in your possession ever  
13 since December 29, 2007?

14 A. Yes, sir.

15 Q. Is it in the same condition as it was then?

16 A. Yes, sir.

17 MR. BARNES: I move the phone be received.

18 MS. ASBELL: I object to anything in the  
19 phone other than the picture that we've discussed.

20 THE COURT: All right, the phone itself is  
21 received into evidence. You may continue.

22 (Whereupon, Defendant's Exhibit 1 was  
23 admitted into evidence.)

24 BY MR. BARNES:

25 Q. Can you pull up the photograph of Coatney

1 Williams that you took of him on December 29, 2007 on that  
2 phone?

3 A. Yes

4 Q. Please do so.

5 A. (Complies.) I got it right here.

6 Q. Is it on the phone now?

7 A. Yes.

8 Q. Judge, I ask permission -- can you use that  
9 photograph to illustrate your testimony?

10 A. (No response.)

11 Q. Can you use that photograph on that phone to  
12 illustrate what you are saying to the ladies and gentlemen  
13 of the jury?

14 A. Yes, sir.

15 MR. BARNES: I ask that he be allowed to come  
16 down and show the ladies and gentlemen of the jury the  
17 photograph that is on the cell phone.

18 THE COURT: Can you have him display it to  
19 Ms. Asbell first.

20 MR. BARNES: May I approach?

21 THE COURT: Yes.

22 MR. BARNES: May the witness be allowed to  
23 come down and show the ladies and gentlemen of the jury the  
24 photograph that is on Defendant's Exhibit Number 1?

25 THE COURT: Yes, step down. The photograph

1     itself is admitted into evidence.

2     BY MR. BARNES:

3             Q.         Hold the phone up and show it to them and you  
4     have to move it from one way to the other.

5             THE COURT:   Sir, go around behind.

6             (Whereupon, the photograph on the cell phone  
7     was shown to each juror.)

8     BY MR. BARNES:

9             Q.         And when you took that photograph what was  
10    Coatney Williams wearing?

11            A.         He was wearing a 49er's throwback Jersey.

12            Q.         Do you have that 49er's jersey with you now?

13            A.         Yes, sir, it's outside?

14            Q.         And have you had that jersey since you took  
15    that picture in December 29, 2007?

16            A.         Yes, sir.

17            Q.         It's been in your custody and care since that  
18    time?

19            A.         Yes, sir.

20            Q.         Is that the photograph that's shown -- I  
21    mean, is that the jersey that's shown in that photograph?

22            A.         Yes, sir.

23            MR. BARNES:   Judge, I ask permission to go  
24    get it.

25            THE COURT:   All right.

1 MR. BARNES: May I approach?

2 THE COURT: Yes.

3 (Whereupon, Defendant's Exhibit 2 is marked  
4 for identification.)

5 BY MR. BARNES:

6 Q. I hand you what's marked as Defendant's  
7 Exhibit 2. What is that?

8 A. It's my brother's jersey.

9 Q. And is that the jersey that your brother had  
10 on in Pennsylvania December 29, 2007?

11 A. Yes, sir.

12 Q. Is that the jersey that's shown in the  
13 photograph Defendant's Exhibit Number 1 that you just showed  
14 the jury taken December 29, 2007 in Pennsylvania?

15 A. Yes, sir.

16 Q. Could you hold it up, please.

17 A. (Complies.)

18 Q. Has that jersey been in your custody and care  
19 since December 29, 2007?

20 A. Yes, sir.

21 MR. BARNES: May it be received?

22 THE COURT: Let it be received.

23 (Whereupon, Defendant's Exhibit 2 was  
24 admitted into evidence.)

25 BY MR. BARNES:



1 Q. Now, do you recall talking to Detective  
2 Burnette back in October 1st, 2008 --

3 A. Yes, sir.

4 Q. -- about these cases?

5 A. Yes, sir.

6 Q. And did you give her a statement -- did you  
7 sign a statement that she wrote out or you wrote out? Who  
8 wrote out the statement that you gave her, you or her?

9 A. Ms. Burnette.

10 Q. Ms. Burnette wrote it?

11 A. Uh-huh.

12 Q. Did you sign it?

13 A. Yes, sir.

14 Q. Do you remember telling her that ya'll left  
15 -- that you, mom, boyfriend, Robert and Coatney left on  
16 December 26, 2007 and went to Philadelphia?

17 A. Yes.

18 Q. Do you remember telling her that you came  
19 back on December 29th, 2007?

20 A. Yes, sir.

21 Q. Well, did you tell her that you came back on  
22 December 29th, 2007?

23 A. Yes, sir.

24 Q. You did?

25 A. Yes.

1 Q. And you got back around 7:00 p.m.

2 A. Yes, sir.

3 Q. On December 26 around 4:00 o'clock I received  
4 a call on my cell phone from the Jamal Thomas?

5 A. Yes, sir.

6 Q. Did you tell her that?

7 A. Yes, sir.

8 Q. Where were you when you got that phone call?

9 A. On my way to Philadelphia.

10 Q. Now, when you told Ms. Burnette that on  
11 December 26 -- excuse me, December 29, 2007 got back around  
12 7:00 p.m. did you in fact get back to North Carolina on  
13 December 29, 2007 at 7:00 p.m.?

14 A. No, sir.

15 Q. Why did you tell Ms. Burnette that?

16 A. Because for the past four years I go to  
17 Philadelphia every Christmas. So when she asked me about  
18 that certain time I went to Philadelphia, I had got my dates  
19 mixed up by it being 2007 and by her asking me the questions  
20 in 2008 or 2009. So I couldn't say exactly the exact --  
21 that date and time for that certain time.

22 Q. So is the truth of the matter that you were  
23 in Philadelphia on the 29th of December 2007 or were you in  
24 Seaboard, North Carolina?

25 A. I was in Pennsylvania.

1 Q. And who was with you?

2 A. Me, my brother, by mother and her husband.

3 Q. And what time did ya'll leave Philadelphia?

4 A. We left December 30th about six in the  
5 morning.

6 Q. About 6:00 o'clock a.m.?

7 A. Uh-huh.

8 Q. On December 30th?

9 A. Uh-huh, yes, sir.

10 MR. BARNES: Those are my questions.

11 THE COURT: Ms. Asbell.

12 CROSS-EXAMINATION

13 BY MS. ASBELL:

14 Q. Mr. Branch, what have you been convicted of  
15 in the last ten years for which you could serve 60 or more  
16 days?

17 A. Nothing.

18 Q. What did you say?

19 A. Nothing.

20 Q. Were you not convicted of possession of  
21 stolen goods in April 2008?

22 A. That charge -- I really wouldn't say I was  
23 convicted because, I mean, I was charged with that same  
24 charge three times.

25 Q. Were you found guilty of possession of stolen

1 goods or not?

2 A. Yes.

3 Q. But you just said you had never been  
4 convicted of anything.

5 A. Because when I first got tried they told me I  
6 wasn't going to be convicted. They was going to throw it  
7 out of court. But my lawyer sent me a letter seven months  
8 in the mail saying after I did my community service -- they  
9 told me if I do 50 hours of community service they were  
10 going to throw it out of court.

11 So I did the community service in Garysburg  
12 in the town hall and the police station with Chief Vaughan.  
13 And he told me if I do community service they were going to  
14 throw it out of court. Then I get a letter by Jamal Summey  
15 in the mail seven months later telling me I got to come back  
16 to court for the same charges

17 Q. So were you convicted of possession of stolen  
18 goods?

19 A. Yes.

20 Q. And weren't you also convicted of possession  
21 of drug paraphernalia and possession of marijuana?

22 A. Yes.

23 Q. Did you forget about that too?

24 A. Uh-uh.

25 Q. You just said you haven't been convicted of

1 anything. Did you forget about those two convictions as  
2 well?

3 A. I got preferred prosecution for the  
4 possession of drug paraphernalia so that was supposed to be  
5 dismissed.

6 Q. For possession of marijuana, you were found  
7 guilty of that?

8 A. Yes.

9 Q. Now, Mr. Branch, you left on December 26.  
10 Was that your testimony?

11 A. Yes, ma'am.

12 Q. So December 26, 2007?

13 A. Yes, ma'am.

14 Q. And you told Mr. Barnes that you left with  
15 your mother, your mother's husband -- is that your father?

16 A. That's not my father, my step-father.

17 Q. Your step-father and Coatney Williams; is  
18 that correct?

19 A. Yes, ma'am.

20 Q. And you drove a green Mercury Mountaineer?

21 A. Yes, ma'am.

22 Q. And what year was that vehicle?

23 A. 1997.

24 Q. And who did that vehicle belong to?

25 A. My mother.

1 Q. Do you specifically remember driving that  
2 vehicle?

3 A. I didn't drive it, her husband drove it.

4 Q. But it belonged to your mother?

5 A. Yes.

6 Q. How long would you say you had that vehicle?

7 A. When we first left she had just got it.

8 Q. Okay, so it was new?

9 A. Yeah.

10 Q. New to you anyway, to your family?

11 A. New to us yeah.

12 Q. So you drove that. And you said it took you  
13 about seven -- I think you testified seven or so hours  
14 possibly to get to Philadelphia?

15 A. Yes, ma'am.

16 Q. And you drove straight other than stopping to  
17 get ice?

18 A. And food and gas.

19 Q. So it took you only seven hours to get to  
20 Philadelphia. And I believe you said on direct for  
21 Mr. Barnes that you've been to Philadelphia many times; is  
22 that correct?

23 A. Yes, ma'am.

24 Q. How many times had you been?

25 A. About four or five.



1 Q. Four or five?

2 A. Uh-huh.

3 Q. So the times that you went to Philadelphia  
4 before, you said the four or five times, it took you seven  
5 or eight hours to get there?

6 A. Yes, ma'am.

7 Q. Now I believe if I'm not mistaken that -- why  
8 did you say you were taking pictures with your cell phone?

9 A. Because I hadn't been in a long time and it  
10 was the first time I went with the camera.

11 Q. The first time you had gone with the camera?

12 A. Yes, ma'am.

13 Q. So really the statement that you hadn't been  
14 in a long time, that really wasn't true?

15 A. No, ma'am.

16 Q. So that was something that was not true that  
17 you said because you had been because you said you had been  
18 the last three or four years. So you have been.

19 A. Uh-huh.

20 Q. So that statement was not true?

21 A. No, ma'am.

22 Q. But this time you had a telephone that you  
23 could take pictures with?

24 A. Yes, ma'am.

25 Q. And you were excited because you had a

1 telephone and you could take pictures?

2 A. Yes, ma'am.

3 Q. You are saying that is true?

4 A. Yes.

5 Q. Now your mother rode with you, didn't she?

6 A. Yes.

7 Q. Tell me about this green Mercury Mountaineer.

8 What color was the interior?

9 A. Dra, dark green.

10 Q. And when you were up in Philadelphia did you  
11 drive that green Mountaineer anywhere?

12 A. No, ma'am.

13 Q. Did Coatney Williams drive it anywhere?

14 A. No, ma'am.

15 Q. Did Coatney Williams drive anywhere?

16 A. No, ma'am.

17 Q. So how did you get around when you were in  
18 Philadelphia?

19 A. My momma.

20 Q. But you only had one vehicle?

21 A. Yes.

22 Q. Didn't go in two?

23 A. Uh-uh.

24 THE COURT: Is that a yes or no?

25 BY MS. ASBELL:

1 Q. Yes, you did go on two?

2 A. No, I mean we didn't go on two.

3 Q. So you went up there on the green Mountaineer  
4 and you came back on the green Mountaineer.

5 A. Yes

6 MS. ASBELL: May I approach the witness?

7 THE COURT: Yes, ma'am.

8 BY MS. ASBELL:

9 Q. Mr. Branch, I show you what's been marked as  
10 State's Exhibit Number 60 for identification. Will you take  
11 a look at that please?

12 A. These are my statements.

13 Q. So if you would, State's Exhibit Number 60,  
14 is your name Robert Branch the third?

15 A. Yes, ma'am.

16 Q. Is this your signature on page 1 of 3, is  
17 that your signature?

18 A. Yes, ma'am.

19 Q. And on page 2 of 3 is that your signature?

20 A. Yes, ma'am.

21 Q. And on page 3 of 3 is that your signature?

22 A. Yes, ma'am.

23 Q. And did you review this statement with  
24 Ms. Burnette because that's her handwriting; is that  
25 correct?

1 A. Yes, ma'am.

2 Q. Did you review this statement with her before  
3 you signed it?

4 A. Part -- I mean --

5 Q. Let me rephrase. You gave the statement to  
6 her?

7 A. Yes, ma'am.

8 Q. So you do admit here that you told this to  
9 Ms. Branch -- Ms. Burnette, I'm sorry, on December 1, 2008?

10 A. Yes, ma'am.

11 Q. And you do admit that this is your statement?

12 A. Yes, ma'am.

13 Q. And that you told her everything in this  
14 statement?

15 A. Yes, ma'am.

16 Q. Now, Mr. Branch, right here at the beginning,  
17 if you would, would you read down to right here where it  
18 says 7:00 p.m. If you could read that out loud to the  
19 members of the jury.

20 A. I give Detective Burnette the following  
21 statement: Me, Coatney Williams, my mom and my mom's  
22 boyfriend Robert Knight left on December 26, 2007 and went  
23 to Philadelphia, PA and came back home on December 29, 2007.

24 Q. Keep reading.

25 A. And got back around 7:00 p.m.

1 Q. Now that's what you told Ms. Burnette on  
2 October 1st, 2008; is that correct?

3 A. Yes.

4 Q. If you could read this sentence right here  
5 starting with when, on the second page of your statement.  
6 Would you read that statement, read that sentence.

7 A. Right here? When we got back on the 29th of  
8 December, a couple of days later I was sitting at my friend  
9 she house in the projects in Seaboard --

10 Q. So not only did you tell her one time that  
11 you came back on December 29, 2007, you told her two times  
12 that you came back on December 29, 2007; is that correct?

13 A. Yes.

14 Q. And this would've been -- when was your  
15 brother arrested for this crime?

16 A. To be honest I really -- I know it was a long  
17 time after the crime supposed to have happened.

18 Q. And let me refresh your memory. I believe he  
19 was arrested in September 6, 2008 for this crime?

20 A. Yes, ma'am.

21 Q. So you would've given this statement to  
22 Ms. Burnette about a month after he was arrested for this  
23 crime; is that correct?

24 A. Yes, ma'am.

25 Q. And you knew he had been arrested for this

1 crime?

2 A. Yes, ma'am.

3 Q. And you knew what he was arrested for?

4 A. Yes, ma'am.

5 Q. And you knew who he was accused of whose  
6 house going into; is that correct?

7 A. No, ma'am.

8 Q. Now, Mr. Branch, when you spoke to  
9 Ms. Burnette when did you give her that phone?

10 A. Which phone?

11 Q. That phone right there that you brought into  
12 court here today.

13 A. I didn't ever give it to her.

14 Q. You didn't ever give it to her?

15 A. No, ma'am.

16 Q. I don't remember reading about that in this  
17 statement?

18 A. Because I had lost the phone. I had just  
19 recently found it.

20 Q. Oh, you lost the phone. So when you said  
21 that phone had been in your care and your custody for the  
22 past four years, that was not the truth?

23 A. It was in my room lost. So it was in my  
24 custody because my house is my custody.

25 Q. Mr. Branch, are you telling this Court that



1 you kept that phone right there in your care and custody and  
2 then lost it and then found it again right before this  
3 trial?

4 A. Yes, ma'am.

5 Q. Do you remember having that phone?

6 A. Yes.

7 Q. Well, when did you find it?

8 A. I say about -- can I go on the phone and look  
9 because I took a picture as soon as I found the phone?

10 Q. No, just tell me, when did you find the  
11 phone?

12 A. It's been a couple months ago.

13 Q. Okay. So a couple months ago would be May or  
14 April; is that correct?

15 A. Yes.

16 Q. Did you know who was representing your  
17 brother?

18 A. No.

19 Q. Did you know he had a lawyer?

20 A. No, ma'am.

21 Q. How long have you lived with your brother?

22 A. All my life.

23 Q. And you haven't been up here to the  
24 courthouse to see him or to the jail to see him?

25 A. Yeah, I went to go see him, to visit him.

1 Q. When did you tell Mr. Barnes, his lawyer,  
2 that you found the phone that you misplaced for four years  
3 with a picture on it that you say was taken in Philadelphia?

4 A. A couple days ago.

5 Q. And you knew this case was pending all this  
6 time and you didn't go to Mr. Barnes and tell him that you  
7 had something that would say he wasn't here?

8 A. I didn't have no way to get in contact with  
9 him.

10 Q. Did you have a way to get in contact with  
11 Coatney Williams?

12 A. No, not really.

13 Q. Did you know he was at the jail?

14 A. Yes.

15 Q. Well, do you know how to call the jail?

16 A. I mean, I didn't know if I called the jail  
17 they were going to let me talk to him.

18 Q. Do you know how to get to Jackson? You're  
19 here today, right?

20 A. Yes.

21 Q. Did you know you could come to the jail and  
22 visit Mr. Williams, your brother?

23 A. Yes.

24 Q. Did you not think it was important enough to  
25 bring that phone down when you found it and show it to Mr.

1 Williams so he could give it to his attorney if it was  
2 important enough to say that he wasn't here when this crime  
3 was committed?

4 A. Yes.

5 Q. Why didn't you do it?

6 A. Because I didn't have the time to do it -- I  
7 mean, I didn't have transportation. I don't work. I mean,  
8 I just couldn't bring it to him.

9 Q. Let's get back to that. How old are you?

10 A. Twenty-one.

11 Q. Why don't you work?

12 A. Because I got a seed, I got kids.

13 Q. You got a what?

14 A. I got a kid.

15 Q. You had a seed? What's that?

16 A. A son. That's street terminology for a kid,  
17 a child.

18 Q. A seed?

19 A. Yes.

20 Q. Is that what you call your child, a seed?

21 A. I mean, they grow. That's why we call them a  
22 seed because we see them from when they're little until they  
23 grow up like trees.

24 Q. And how old is your son?

25 A. My son is four months.

1 Q. Four months?

2 A. Yes, ma'am.

3 Q. So how long have you not had a job?

4 A. I never really had a job.

5 Q. So what do you do? Let me ask you something.  
6 How did you buy that chain around your neck?

7 A. My mother bought it.

8 Q. I see that you have on a red shirt. Did she  
9 buy that as well?

10 A. No, my girlfriend bought it.

11 Q. So what do you use for money to survive?

12 A. Food stamps.

13 Q. Are you disabled?

14 A. No, ma'am.

15 Q. Any reason why you can't work?

16 A. I guess because I have a record.

17 Q. Do you understand that there are plenty of  
18 people that have records that have jobs and work every day?

19 A. Yes, ma'am.

20 Q. And you just choose not to work?

21 A. I been trying, I mean it's hard.

22 Q. Well, before, I believe a little while ago  
23 when I asked you did you have a record you told me you  
24 didn't?

25 A. Yeah.

1 Q. Now, Mr. Branch, are you a member of a gang?

2 A. Did you say a game?

3 Q. A gang?

4 A. A gang?

5 Q. A gang? Are you a member of the Bloods?

6 A. No, ma'am.

7 Q. You're not familiar with them at all?

8 A. Yeah, I'm familiar with them.

9 Q. But you don't have any affiliation with that

10 gang whatsoever?

11 A. No, ma'am.

12 Q. None?

13 A. None.

14 Q. I believe you told Mr. Barnes that you had

15 that shirt right there in your care and custody since

16 December of 2007.

17 A. Yes, ma'am.

18 Q. Why?

19 A. Because somebody gave me this shirt. My

20 cousin gave it to me and he told me to keep it. So I let my

21 brother wear it because it's an expensive shirt. This is a

22 \$500 shirt. So I think it would be important to keep it.

23 Q. Well, hold that up?

24 A. (Complies.)

25 Q. Turn it around?

1 A. It's an authentic throwback.

2 Q. So the \$500 shirt is actually your shirt.

3 A. No, my cousin gave it to me so I let my  
4 brother wear it because it's too big for me. I can't wear  
5 it so I let him wear it.

6 Q. So it's your shirt?

7 A. No, I gave it to him.

8 Q. But you kept it even though you gave it to  
9 your brother, you kept it?

10 A. It was in his room in his closet.

11 Q. So it wasn't technically in your care and  
12 custody, it was in the closet?

13 A. Yes.

14 Q. Mr. Branch, when Ms. Burnette came to see  
15 you, did you hand her that shirt, that \$500 shirt?

16 A. No, ma'am.

17 Q. Why not?

18 A. Because she just -- I mean, I didn't think it  
19 was important at the time.

20 Q. You didn't think it was important?

21 A. No, ma'am.

22 Q. Why do you think it's important now?

23 A. Because my brother's facing 20 years for  
24 something he didn't do.

25 Q. He was facing 20 years, as you say, then. So



1     why is it important now and not important then a month after  
2     he was arrested?

3             A.         Because I didn't have the phone with the  
4     pictures in it. That's why it's important now because the  
5     phone with the pictures -- it's the same jersey he had on in  
6     the picture. I figured it was important now because I got  
7     the picture with the jersey.

8             Q.         But you didn't think it was important enough  
9     to even mention the phone to Ms. Burnette?

10            A.         I had lost it -- I mean, I couldn't find it  
11     right at that time at the moment she asked me about the  
12     crime.

13            Q.         Well, Mr. Branch, you've told us a lot of  
14     things today. Are you definitely sure that you drove a  
15     green Mercury Mountaineer to Philadelphia?

16            A.         I didn't drive, my mother's husband drove.

17            Q.         Are you sure that you rode in a green Mercury  
18     Mountaineer to Philadelphia?

19            A.         Yeah, I'm pretty sure.

20            Q.         You're sure?

21            A.         Yes, ma'am.

22                        MS. ASBELL: Those are my questions.

23                        THE COURT: Mr. Barnes.

24                                 REDIRECT EXAMINATION

25     BY MR. BARNES:

1 Q. Does Robert Knight own a truck?

2 A. No.

3 Q. Did he own a truck back in December of  
4 2009 -- I mean seven?

5 A. Yes, sir.

6 Q. Well, did you go to Philadelphia on the truck  
7 or the car?

8 A. On the SUV. It wasn't a car or truck. It  
9 was a SUV.

10 Q. Well, do you know whether or not a SUV is a  
11 truck or a car?

12 A. It's a truck. It'd figure it was a truck.  
13 It's not a car.

14 Q. Well, do you know the difference or is there  
15 a difference between an SUV and a truck?

16 A. Yes, sir.

17 Q. Is an SUV a truck?

18 A. No.

19 Q. You say no?

20 A. Well, yeah it is a truck. An SUV is a truck.

21 Q. In December of 2007 did your momma own a car  
22 and did your stepfather own a truck?

23 A. Yes.

24 Q. And what kind of truck did Robert own?

25 A. A Mercury Mountaineer.

1 Q. And what kind of car did your momma own?

2 A. A Neon.

3 Q. Did you go to Pennsylvania in Robert's  
4 Mercury or your momma's Neon?

5 A. We went on the truck, Robert Lee truck.

6 Q. You went to Pennsylvania on Robert's truck?

7 A. Yes.

8 MR. BARNES: Those are my questions.

9 THE COURT: Any further questions?

10 MS. ASBELL: No, ma'am.

11 THE COURT: You may step down.

12 MS. ASBELL: Judge, I would like to have the  
13 right to recall him.

14 THE COURT: He needs to be away from the  
15 other witnesses. Call your next witness.

16

**ANGELA TAYLOR'S TESTIMONY, WILLIAMS' AUNT**

(TT 346-353)

1

Call your next witness.

16 MR. BARNES: Angela Taylor.

17 ANGELA TAYLOR, called as a witness on behalf  
18 of the State, having been duly sworn, was examined and  
19 testified as follows:

20 DIRECT EXAMINATION

21 BY MR. BARNES:

22 Q. State your name, please.

23 A. My name is Angela Taylor.

24 Q. Ms. Taylor, where do you live?

25 A. I can't hear you.

Cheryl G. Eason, CSR  
(252) 465-4184

1 Q. Where do you live?

2 A. I live in Philadelphia, Pennsylvania.

3 Q. How long have you lived there?

4 A. All my life practically, over 57 years.

5 Q. Are you related in any way to Robert Knight  
6 in Seaboard?

7 A. Yes, I am his sister.

8 Q. You are his sister?

9 A. Yes.

10 Q. Do you know this young man seated beside me,  
11 Coatney Williams?

12 A. Yes.

13 Q. How do you know him?

14 A. That's his wife's son.

15 Q. Regina Knight? Do you know Regina Knight?

16 A. Yes.

17 Q. Do you know this to be her son?

18 A. Yes?

19 Q. Do you know her other son Robert Branch?

20 A. Yes.

21 Q. Did you have an occasion to see Coatney  
22 Williams on or about December 26, 2007?

23 A. The 26th? The 27th.

24 Q. Did you happen to see Coatney Williams on or  
25 about December the 27th, 2007?



1 A. Yes, I did.

2 Q. Where and under what circumstances did you  
3 see Coatney Williams?

4 A. They came to my house.

5 Q. They who?

6 A. Regina, Robert, Coatney and Little Robert.

7 Q. Did they spend the night there?

8 A. Yes.

9 Q. And that was on the 27th?

10 A. Yes.

11 Q. Did they spend any other nights there?

12 A. The 28th.

13 Q. And then did they spend any other nights  
14 there?

15 A. No, they then went to my sister's house.

16 Q. What's your sister's name?

17 A. Penny Taylor.

18 Q. And where does she live?

19 A. She lives at 57th and Hunter Street.

20 Q. Was there some function at Penny's house on  
21 or about the 29th of December?

22 A. Yes, she was having a little party.

23 Q. And was Coatney Williams there?

24 A. Yes, he was.

25 Q. When was the last time you saw Coatney

1 Williams in Philadelphia?

2 A. The last time I saw him was the 29th before  
3 they went to Forman Mills.

4 Q. Do you know what time of day that was?

5 A. They went to Forman Mills about  
6 12:00 o'clock.

7 Q. In the afternoon?

8 A. Yes.

9 Q. Now after going -- and that's a mall, right?

10 A. No, it's just -- it's a big store. A big  
11 store but it's one store. It's just real big.

12 Q. Did they return to your house after going to  
13 that store?

14 A. No, they went straight to my sister's house.

15 Q. Do you know about when or exactly when -- do  
16 you know when they left Pennsylvania to return to North  
17 Carolina?

18 A. It was the 30th.

19 Q. Do you know what means of transportation they  
20 used to get from North Carolina to your home in  
21 Pennsylvania?

22 A. It was a -- I'm not good with cars, but I can  
23 tell you like a little truck, like green. I think it was  
24 like a greenish truck.

25 Q. Did they use that same vehicle when they left

1 Pennsylvania to return to North Carolina?

2 A. Yes, sir. I know they did but I didn't see  
3 them before they left.

4 MR. BARNES: Those are my questions.

5 THE COURT: Yes, ma'am.

6 CROSS-EXAMINATION

7 BY MS. ASBELL:

8 Q. Good afternoon, Ms. Taylor. How are you?

9 A. Good.

10 Q. What did you say your address was? I didn't  
11 catch that.

12 A. My address is 5815 Privington Street in  
13 Philadelphia, Pennsylvania.

14 Q. You've lived there your entire life?

15 A. Practically. I was born in Norfolk, Virginia  
16 but I've lived there for 50 some years.

17 Q. Now have you lived in that same place for the  
18 last five or six years?

19 A. Not in that particular house but I've been in  
20 my house for 25 years.

21 Q. Okay. Now, you remember this particular trip  
22 that your brother came to see you?

23 A. Yes.

24 Q. What day of the week was the 27th of  
25 December?

1           A.           Well, that was on a Wednesday it was like  
2 going into from the Tuesday. It was two or 3:00 o'clock  
3 they called me. That was going into that Wednesday. Yeah,  
4 it was Wednesday and then Thursday. No, it was Wednesday  
5 going into that Thursday.

6           Q.           So Wednesday was the 27th. So Thursday  
7 would've been the 28th. Explain that to me?

8           A.           No, I'm saying it was like -- like after  
9 12:00 o'clock so that goes into a new day, so that's more  
10 like Wednesday. It's like Wednesday going into Thursday --  
11 no, Thursday going into Friday, like that.

12          Q.           All right. So what day of the week was the  
13 26th?

14          A.           I know it was on a Tuesday.

15          Q.           It was on a Tuesday. All right. Okay. And  
16 the last time you saw them was when?

17          A.           Last time I saw who?

18          Q.           Coatney Williams.

19          A.           It was that Saturday before they went to  
20 Forman Mills.

21          Q.           Which would've been the 29th?

22          A.           Yeah, I'm assuming so, yeah.

23          Q.           And what you are saying was the 29th, that  
24 you testified that you never saw them after that; is that  
25 correct?

1 A. No, they were at my sister's.

2 Q. After December 29th at about 12:30 you never  
3 saw them again?

4 A. No.

5 Q. But you do specifically remember them coming.  
6 And you do specifically remember that Tuesday would have  
7 been the day after Christmas, Christmas Day?

8 A. I think. I think it was, yeah.

9 Q. I mean, that is --

10 A. Yeah, I know that, but I'm not sure about the  
11 day of the week. It's been a while.

12 Q. Now, Robert Branch the third, Little Robert I  
13 think you call him?

14 A. Yes.

15 Q. He was there?

16 A. Yes.

17 Q. Now, Coatney Williams, would he be your  
18 nephew by marriage?

19 A. Yeah, uh-huh.

20 Q. And today, if you could take a look at him  
21 and tell me how he looks different today or does he look the  
22 same as he's always looked to you.

23 A. Well, his hair is a little different now. He  
24 doesn't have braids going that way. He just had braids  
25 coming back last time. And he's different because of the

1 outfit that he had on. He didn't have that type of outfit  
2 on.

3 Q. But you're saying he had braids?

4 A. Yeah, he had braids like he has braids now  
5 but they were more going back instead of like a little like  
6 this (indicating).

7 Q. And that's what he looked like when you saw  
8 him in 2007 too?

9 A. Yes.

10 Q. When was the first time you were contacted by  
11 Ms. Regina about this to come down here to testify?

12 A. Regina never really told me I had to come and  
13 testify like that.

14 Q. How did you know to come and testify?

15 A. Because they subpoenaed me.

16 Q. All right.

17 MS. ASBELL: Those are my questions.

18 THE COURT: Any redirect?

19 MR. BARNES: No, ma'am.

20 THE COURT: You may step down. Can she be  
21 released from her subpoena?

22 MR. BARNES: I ask that she be able to be  
23 released.

24 THE COURT: You are released from your  
25 subpoena. Who is next?



**COATNEY WILLIAMS, DEFENDANT**

(TT 357 – 382)

17 MR. BARNES: We call Mr. Williams to the  
18 stand.

19 COATNEY WILLIAMS, called as a witness on his  
20 own behalf, having been duly sworn, was examined and  
21 testified as follows:

22 DIRECT EXAMINATION

23

24 BY MR. BARNES:

25 Q. State your name.

1 A. Coatney Randall Williams.

2 Q. Where do you live?

3 A. 161 Bluejay Trail, Seaboard, North Carolina.

4 Q. Who do you live with?

5 A. My mother, my little brother Robert Branch  
6 the third, my mother's husband Robert Knight.

7 Q. How old are you?

8 A. Twenty-five.

9 Q. Did you live there pretty much all your life?

10 A. For the past 15 years.

11 Q. Now, at some point in time you will be asked  
12 this question so let's get it out of the way. Tell these  
13 people what you've ever been convicted of.

14 A. I've been convicted of breaking and entering  
15 and larceny after breaking and entering. I've been  
16 convicted of possession of stolen firearm and possession of  
17 a concealed weapon.

18 Q. Did you ever serve time on any of those  
19 offenses?

20 A. Yes, sir, I served 217 days for possession of  
21 a stolen firearms, possession of a concealed weapon and I  
22 think two split sentences for breaking and entering and  
23 larceny in 2005.

24 Q. Do you realize what you are on trial here  
25 today for?

1 A. Yes, sir.

2 Q. What?

3 A. First-degree attempted murder, assault with a  
4 deadly weapon with intent to kill, and I ain't quite sure  
5 about the other charges, but that's basically the main ones  
6 I recognize.

7 Q. Do you know how much time you're exposed to?

8 A. Yes, sir.

9 Q. What?

10 A. I mean, I really don't know exactly how much  
11 time but I know it ain't a little bit. It ain't small.

12 Q. Now, I direct your attention to December the  
13 29th of 2007. Do you remember that time in your life?

14 A. Yes, sir.

15 Q. Now you've been in custody since when?

16 A. Well, I made bond -- when my brother passed  
17 away on January the 23rd I made bond on the 26th. I been  
18 back in custody ever since February 26 of 2009.

19 Q. Of '09?

20 A. Yes, sir.

21 Q. You were in custody. You got out and you  
22 went back in custody?

23 A. Yes, sir.

24 Q. And you've been in custody since February of  
25 '09?

1           A.       Yes, sir.

2           Q.       Now directing your attention to the 29th day  
3 of December 2007. Do you remember that time in your life?

4           A.       Yes, sir.

5           Q.       Just prior to that, two or three days before  
6 the 29th, what if anything did you do?

7           A.       I ain't for sure if it was the 26th or the  
8 27th but between the 26th and the 27th, me and my mother,  
9 Robert, my mother Regina Knight and my brother Robert Branch  
10 and her husband Robert Knight, we started preparing for a  
11 trip to Philadelphia because that was my first time going  
12 with them to go see Robert's family because they hadn't got  
13 married at the time but they was about to get married. That  
14 was my first time actually going.

15          Q.       Your mother and father had not got married at  
16 that time but they were getting ready to?

17          A.       Yeah.

18          Q.       And this was Robert Knight's people?

19          A.       Yes, sir.

20          Q.       All right, go ahead.

21          A.       All right. We left between the 26th and the  
22 27th. I ain't exactly for sure but I know it was a Thursday  
23 because my momma had just got her check and she only gets  
24 paid on Thursdays. And we left around -- well, me and  
25 Robert and Robert Lee picked me and Little Robert up from

1 Rasheed's house around the 3:45 when my momma got off work  
2 at 3:00 o'clock so we went to her job at Guardian Care and  
3 met her. And we later found out we had to wait for her  
4 check to clear before we could actually leave. So it took  
5 us about another hour or so. So I say we left about 5:00 or  
6 5:30, 6:00 o'clock.

7 Q. What were you on?

8 A. I mean, at the time they had three vehicles.  
9 They had the Neon. They had the Ford F-150 and they had the  
10 Mountaineer. So I ain't quite sure which vehicle we was on.  
11 But I know we was on one of the SUVs. I ain't sure if it  
12 was the F-150 or the Mountaineer, but I know we was on one  
13 of the trucks because Robert Lee was driving.

14 Q. All of ya'll in one vehicle?

15 A. Yes, sir.

16 Q. And what route did you take?

17 A. I ain't quite sure but I know we stopeed to  
18 get gas in Alexandria, Virginia. And we crossed the  
19 Delaware bridge.

20 Q. Do you know where I-95 is?

21 A. Yeah, I'm pretty sure, yeah, I know.

22 Q. Did you travel on I-95?

23 A. Yes, sir.

24 Q. Did you stop along the way on the way to  
25 Pennsylvania? We made a stop in Alexandria, Virginia. And



1 at that time while we were stopped in Alexandria, Virginia  
2 at the gas station I received a phone call.

3 Q. From who?

4 A. From Jamal Thomas.

5 Q. And did you get back in the car and travel on  
6 to Pennsylvania?

7 A. Yes, sir.

8 Q. And about how long did it take ya'll to get  
9 to Pennsylvania?

10 A. After we was in Alexandria, Virginia we was  
11 there probably about like at 8:30, 9:00 o'clock. We  
12 probably got to Pennsylvania -- we was in Pennsylvania by at  
13 least twelve or one but we didn't get to our final  
14 destination until about three or four in the morning because  
15 we got lost in Germantown riding around, you know what I  
16 mean? We was looking for Gerrod Ave -- that's where Robert  
17 Lee's wife -- I mean, sister Penny lives at on Gerrod Avenue  
18 in west Philadelphia.

19 Q. Where did you go when you got to  
20 Philadelphia?

21 A. Our first stop was Angela Taylor's house. We  
22 stayed there for two nights. I think we stayed there two  
23 nights. And then the remainder of our time we stayed at  
24 Penny's house because she had a party.

25 Q. Was Angela Taylor the lady that testified

1 early today?

2 A. Yes, sir.

3 Q. You stayed there two nights?

4 A. Yes, sir.

5 Q. Then you went to where and stayed?

6 A. We stayed at Angela Taylor's sister Penny's  
7 house. I don't know her last name.

8 Q. Still in Philadelphia?

9 A. Still in Pennsylvania, yes, sir.

10 Q. And how many nights did you stay in that  
11 house?

12 A. We stayed there from the 20 -- we stayed  
13 there the 29th and the 30th.

14 Q. When did you return to North Carolina?

15 A. Well, we left about -- I ain't for sure. I  
16 think it was early -- it was early in the morning because it  
17 was about -- they had a forecast on the news. My momma  
18 didn't want to get stuck in the snow because she was  
19 scheduled to work plus we wanted to be home before the  
20 first. You know what I'm saying? So we came home. It was  
21 early in the morning. I ain't for sure what time it was,  
22 but it was early in the morning between 6:30 and  
23 7:00 o'clock.

24 Q. On December the 29th, 2007 at or about 9:00  
25 or 10:00 o'clock p.m. where were you?

1 A. In Pennsylvania.

2 Q. Where?

3 A. At Penny's house.

4 Q. And you left Pennsylvania on the 30th of  
5 December?

6 A. Yes, sir.

7 Q. And you came back to Seaboard, North  
8 Carolina?

9 A. Yes, sir.

10 Q. When was the first -- well, let me ask you  
11 this: On December 29, 2007 at any time were you at the home  
12 of Takoma or Mary Davis?

13 A. No, sir.

14 Q. Do you know where Takoma Davis lives?

15 A. I never been to his house a day before in my  
16 life.

17 Q. Did you know prior to December 29th, did you  
18 know Takoma Davis?

19 A. Yeah, I knew Takoma Davis. I seen him a few  
20 times in Seaboard, him and Erel.

21 Q. Did you know where he lived?

22 A. No.

23 Q. Did you know that his Mother's name was Mary  
24 Davis?

25 A. No, sir.

1 Q. Did you know of a person Mary Davis around  
2 December 29, 2007?

3 A. No, sir.

4 Q. And at any time on the evening of  
5 December 29, 2007 did you go to the Cut Board?

6 A. No, sir.

7 Q. Do you know where the Cut Board is?

8 A. Yeah.

9 Q. When was the first time that you heard about  
10 anything going on at the Davis home in December of 2007?

11 A. The first time I heard -- I had any knowledge  
12 of hearing anything about that was when I came home, maybe  
13 two or three days after I was home.

14 MS. ASBELL: Objection.

15 BY MR. BARNES:

16 Q. You can't tell what you heard. Where were  
17 you when you heard it?

18 A. Rasheed Austin's house.

19 Q. Who was in your presence?

20 A. Me, Jamal Thomas, Karon Moses, Antonio  
21 Freeman, by brother Robert Branch, Tiffany Brown and April  
22 Smith.

23 Q. Prior to December 29th did you know Jamal  
24 Thomas?

25 A. Yes, sir.

1 Q. Did you know Antonio Freeman?

2 A. Yes, sir.

3 Q. Did you know Karon Moses?

4 A. Yes, sir.

5 Q. On December 29, 2007 did you see at all Jamal  
6 Thomas, Antonio Freeman or Karon Moses?

7 A. No, sir.

8 Q. Now, there has been testimony and you have  
9 been sitting here seeing a pair of boots, a pair of tan  
10 boots that were introduced, Timberland boots, that were  
11 testified belonged to Takoma Davis. Prior to being in this  
12 courtroom had you seen those boots?

13 A. Yes, sir.

14 Q. Where did you see them and when?

15 A. Well, the last time I seen the boots was the  
16 day that I gave them to Officer Burnette that morning before  
17 because I got incarcerated that same day. I told her -- she  
18 came back after she got the boots from my mother. I told  
19 Officer Burnette to go get the boots from my mother's house.

20 Q. Why did you tell her to go get the boots?

21 A. Because I felt like the situation that had  
22 happened with certain individuals and their boots I felt  
23 like it was unjust and it won't right. So I told her about  
24 everything that had went on between the three individuals  
25 that was involved in the crime against Ms. Davis.

1 Q. And did you tell her -- did she ask you about  
2 the boots before you told her about them?

3 A. No, I told her on my own will.

4 Q. And where did you get those boots from?

5 A. Jamal Thomas.

6 Q. When?

7 A. I ain't for sure the date but it was after I  
8 came back from Pennsylvania because I already had a pair of  
9 Timberland boots that was the same size. They were black,  
10 white and green. I got them from Forman Mills while I was  
11 in Pennsylvania. And Jamal Thomas gave them to me at my  
12 Aunt Susie house on Georgia Avenue in Roanoke Rapids.

13 Q. Do you recall giving a statement to Detective  
14 Burnette on September the 8th of 2008?

15 A. Yes, sir.

16 Q. Do you recall telling her that on December  
17 the 29th, 2007 me and my little brother Robert, my mom  
18 Regina and my mom's husband Robert Knight was on our way to  
19 Philadelphia?

20 A. I might have said we was on our way to  
21 Philadelphia because at that particular time I didn't really  
22 know the actual day, but I knew when the crime had happened  
23 -- I knew it was between -- because my grandma's birthday is  
24 on December 26. So we left somewhere between the 26th and  
25 the 27th because me and my momma we all had gave my



1 grandmama like a -- it's like a crystal bell or ball. And  
2 we went over to her house and gave her her birthday present  
3 on December 26. So we left right after my grandmama had her  
4 little birthday at her house.

5 Q. So if you told Detective Burnette back on  
6 September 28, 2008 that you left to go to Philadelphia on  
7 December 29, 2007 that would not have been correct, would  
8 it?

9 A. No, sir.

10 Q. Then why would you have told her that date as  
11 opposed to any other day?

12 A. I really ain't know what day I left at that  
13 point in time but I knew on the 29th I was not in North  
14 Carolina.

15 Q. The statement you gave Officer Burnette on  
16 September 8, 2008 who wrote that down?

17 A. Officer Burnette.

18 Q. Did you read it after it was written down?

19 A. Yes, sir.

20 Q. Did you also tell her that I was in  
21 Alexandria, Virginia when you got a phone call from Jamal?

22 A. Yes, sir.

23 Q. Did you tell Detective Burnette that I kicked  
24 back to Seaboard on January 3rd, 2008 from Philadelphia?

25 A. Yes, sir.

1           Q.       When did you actually come back from  
2 Philadelphia?

3           A.       January 30th, 2007.

4           Q.       Did you tell Detective Burnette on  
5 September 8, 2008 Jamal gave me the wheat Timberlands to me  
6 that come out of Takoma's house?

7           A.       Yes, sir.

8           Q.       And is that where you got the Timberland  
9 boost from?

10          A.       Yes, sir.

11          Q.       On the night of December 29, 2007 at any time  
12 did you enter the home of Mary Davis?

13          A.       No, sir.

14          Q.       Did you take a shotgun and shoot the back  
15 door of Mary Davis?

16          A.       No, sir.

17          Q.       Did you take a shotgun and shoot it at Erel  
18 Jordan?

19          A.       No, sir.

20          Q.       At any time did you split any of the  
21 properties that came out of the home of Mary Davis between  
22 you and Thomas and Freeman and Moses?

23          A.       No, sir.

24          Q.       Did you have anything to do with the charges  
25 that you're before this court with today?

1           A.           No, sir.

2                       MR. BARNES:   Those are my questions.

3                       THE COURT:   Ms. Asbell.

4                               CROSS-EXAMINATION

5 BY MS. ASBELL:

6           Q.           Mr. Williams, other than the breaking and  
7 entering and the possession of the stolen goods and I  
8 believe you said the carrying a concealed weapon, what else  
9 have you been convicted of in the last ten years for which  
10 you could serve 60 or more days?

11          A.           I ain't quite sure but I think that's really  
12 the only thing I got. I ain't for sure what other charges I  
13 have been charged with. But I don't think it's like -- it  
14 may be one or two that was like combined in all those  
15 sentences at one time. I only got two convictions. But the  
16 possession with the concealed weapon wasn't a felony, that  
17 was a misdemeanor.

18          Q.           So were you convicted of communicating  
19 threats in March of 2003?

20          A.           I don't remember ever having communicating --  
21 if I did, I don't remember it. I mean, I ain't for sure. I  
22 probably did, but I mean I'm thinking about when you asking  
23 me charges I'm thinking about felonies. I don't remember --  
24 I got a lot of misdemeanors on my record, yeah, but I mean  
25 I'm thinking about felonies when you say ever been

1 convicted.

2 Q. And is it true that you've been convicted  
3 three times of misdemeanor possession of stolen goods?

4 A. Yes.

5 Q. And two times with felony possession of  
6 stolen goods?

7 A. Yes.

8 Q. And to breaking and entering?

9 A. Yes, ma'am.

10 Q. Now, Mr. Williams, this isn't your first time  
11 being questioned by an investigator, is it?

12 A. No, ma'am.

13 Q. Have you ever been questioned by Ms. Burnette  
14 before this happened? Had you ever been questioned by her?

15 A. Yes, ma'am.

16 Q. And when Ms. Burnette took your statement on  
17 September 8, 2008 you remember that being the time?

18 A. Yes, ma'am.

19 Q. When she took your statement on that date did  
20 she advise you of your rights?

21 A. Yes, ma'am.

22 Q. You know what that means, don't you?

23 A. Yes, ma'am.

24 Q. What does advising you of your rights mean to  
25 you?

1           A.           That means I can either write a statement or  
2 I can say, no.

3           Q.           And when she advised you of your rights did  
4 you know that you had been charged with these crimes?

5           A.           Yes, ma'am.

6           Q.           And did she tell you then that you were  
7 charged with attempted murder?

8           A.           Yes, ma'am.

9           Q.           Did you know how serious that was at that  
10 point?

11          A.           Yes, ma'am.

12          Q.           Now, when you were charged -- had you already  
13 been served with the warrants before you gave your statement  
14 to Ms. Burnette?

15          A.           Well, I gave a verbal statement to Officer  
16 Burnette about the aspects of the case way before she even  
17 served anybody with any warrants. I gave her a written  
18 statement after I was already served with my warrants.

19          Q.           So September 8, 2008 that's the written  
20 statement that Mr. Barnes and I are referring to. Do you  
21 remember that statement?

22          A.           Yes, ma'am.

23          Q.           Do you remember you were charged with  
24 attempted murder, first-degree burglary, armed robbery,  
25 assault with a deadly weapon with intent to kill, felonious

1 larceny, possession of stolen goods? Did you know you were  
2 charged with all of that when you gave the statement?

3 A. Well, when I first received my warrants I  
4 didn't have all those charges that I got right now. I got  
5 an indictment in January that got all those charges on it.  
6 When I first received my warrants there won't nothing but  
7 assault with a deadly weapon, first-degree burglary and  
8 maybe one or two other felonies. But attempted murder and  
9 that sex offense charge, none of that was up there at the  
10 time.

11 Q. But you did realize, did you not, Mr.  
12 Williams, that those were serious charges?

13 A. Yes, ma'am.

14 Q. And the date of offense, when you were served  
15 with the warrants, you saw what the date of offense was,  
16 didn't you?

17 A. Yes, ma'am.

18 Q. So you knew the date of offense was  
19 December 29, 2007?

20 A. Yes, ma'am.

21 Q. In September of 2008 when you said, and I  
22 believe your words were I didn't want -- I needed to tell  
23 Ms. Burnette because I thought it was unjust and not right  
24 and I wanted to tell her what happened?

25 A. Yes, ma'am.



1           Q.           Now, did you not think it was unjust and  
2 unright what you say these other people did to Ms. Davis on  
3 January of 2008 when you say they were bragging and laughing  
4 about it?

5           A.           Well, when I first verbally told Officer  
6 Burnette I told her then if I had any involvement in that  
7 case then why would I go to her willingly on my own will.  
8 She didn't ask me, Mr. Williams, did Jamal Thomas, Karon  
9 Moses and Antonio Freeman do this. I told her that on my  
10 own will.

11          Q.           Wasn't it, Mr. Williams, that you were  
12 actually charged with some other firearms --

13          A.           Yes, ma'am.

14          Q.           -- stealing firearms and that's why you gave  
15 that statement because you were charged with that?

16          A.           Yes, ma'am.

17          Q.           And isn't it correct that some of the federal  
18 folks came in and talked to you and that's when you offered  
19 up the information about the codefendants?

20          A.           No, they asked Officer Burnette and Detective  
21 Harmon did they have anything that they wanted to ask me.  
22 And she had one particular case she wanted to ask me. And I  
23 answered her as truthfully as I could.

24          Q.           But isn't it true that you didn't voluntarily  
25 come to anybody? They came to you over some stolen

1 firearms.

2 A. The stolen firearms, yeah, I was guilty of  
3 that. I did that. But I admit my guilt about what I did.  
4 I'm a man about my situation. I'm not going to sit here and  
5 lie. I could get just as much time for the firearms as I  
6 can what I'm doing right now.

7 Q. You think you can get just as much time for  
8 stealing a gun as you can for what you're charged with?

9 A. I got four firearm by felony charges on my  
10 case load right now.

11 Q. All right. Mr. Williams, but the truth is  
12 that you were being questioned about something else and you  
13 volunteered this information to Ms. Burnette?

14 A. Yes, ma'am.

15 Q. So you had pending charges when you offered  
16 this information to Ms. Burnette?

17 A. Yes, ma'am.

18 Q. So it didn't have anything to do with what  
19 you thought was unjust, did it?

20 A. I mean, at the end of the day I got a mother,  
21 I got nieces and nephews too. And I mean everybody acts  
22 like just because you're on trial you ain't suppose to have  
23 a heart. I got a heart too. I got family too. And I think  
24 about my mother too. I don't want nobody to do that to my  
25 momma.

1 Q. Did you have a mother in January of 2008?

2 A. But I didn't have nothing to do with it. It  
3 wasn't my responsibility at that time.

4 Q. Why was it your responsibility in September  
5 of 2008 to tell it when you knew what happened in January  
6 of 2008?

7 A. Because I wasn't asked until whenever the  
8 Officer -- ATF dude came and asked me. That's when I gave  
9 up the information that I had.

10 MS. ASBELL: May I approach him?

11 THE COURT: Yes, ma'am.

12 BY MS. ASBELL:

13 Q. Mr. Williams, this is marked Defendant's  
14 Exhibit Number 1. This was introduced by your attorney.  
15 And what is that a picture of?

16 A. A picture of myself.

17 Q. So that's a picture of yourself?

18 A. Yes, ma'am.

19 Q. And what do you have on?

20 A. I have on my red Boston fitted cap and my  
21 Hermit Kenasee throwback jersey.

22 Q. You have what kind of hat?

23 A. Boston.

24 Q. And what are you doing?

25 A. Throwing up gang signs.

1 Q. Show them to the members of the jury.

2 A. (Complies.)

3 Q. What is that? What is it with your left  
4 hand?

5 A. My left hand (indicating).

6 Q. What does that mean?

7 A. That's my status and this is my set  
8 (indicating).

9 Q. All right --

10 THE COURT: It's what?

11 THE WITNESS: This is my status

12 (indicating)103. And this is my set (indicating) Bloodstone  
13 Villian.

14 BY MS. ASBELL:

15 Q. So this is your status on this hand?

16 A. Yes, ma'am.

17 Q. And what is your status?

18 A. 103.

19 Q. Explain that to the members of the jury what  
20 your status is -- well, let me go back. What gang are you  
21 in?

22 A. Blood.

23 Q. Do that thing with your hand again with your  
24 left hand?

25 A. (Complies.)

1 Q. What is that?

2 A. 103. You can throw it up in a number of ways  
3 (indicating).

4 Q. Well, show us.

5 A. (Indicating). Well, I really don't want to  
6 get all -- I mean, I ain't on trial for being a gang member.  
7 I'm on trial for attempted murder.

8 THE COURT: Show us.

9 A. You can throw up east side (indicating). You  
10 can throw up my set (indicating). You can throw up this,  
11 you can throw up that, that, that (indicating).

12 BY MS. ASBELL:

13 Q. And what do all those signs mean?

14 A. It means it can be the breakdown of your  
15 status. It can be the breakdown of what set you is. It can  
16 be the breakdown of all the sets all together.

17 Q. What's a set?

18 A. A set is like an organization outside the  
19 organization that you're in.

20 Q. What organization are you with?

21 A. I'm with the Bloods but it's a branch off  
22 from the Bloods called the Bloodstone Villain.

23 Q. Is it like a rank in a sheriff's department?

24 A. It could be a rank in a sheriff's department  
25 or in the military, yes, ma'am.

1 Q. If you are ranked like in the sheriff's  
2 department or in the military what would your rank be?

3 A. Probably -- they don't got general but I  
4 probably would say a lieutenant or a Captain.

5 Q. And how long have you been in a gang?

6 A. For about ten years.

7 Q. You been in a gang right here in Northampton  
8 County?

9 A. Yes, ma'am.

10 Q. You have some different tattoos on your arms.  
11 Are they gang-related?

12 A. No, ma'am. One or two of them are but the  
13 rest of them -- this tatto right here that's showing respect  
14 for my brother who passed away. That's the tatto I got  
15 since I been incarcerated. MOB is a man of business, that's  
16 another tattoo. And the other tattoo, rest in peace, Andrew  
17 Genis, he got killed at the railroad tracks in Seaboard.

18 Q. I saw something that looked like dog paws.  
19 Do you have dog paws?

20 A. Yes, ma'am.

21 Q. What are they?

22 A. I mean, that's how you associate yourself  
23 with Blood.

24 Q. Just explain to me how.

25 A. A dog paw, the Blood, they consider



1       theirselves dogs.

2                       THE COURT:   Consider what?

3               A.       Consider ourselves dogs.

4       BY MS. ASBELL:

5               Q.       Dogs in what respect?

6               A.       I mean, I can't explain it, but that's what  
7       we associate ourselves with is dogs.

8               Q.       And so if you had the rank -- would you say  
9       you had the rank of lieutenant back in December of 2007?

10              A.       Yes, ma'am.

11              Q.       And do you have a higher ranking now?

12              A.       No, ma'am.

13              Q.       So you have the rank of lieutenant?

14              A.       Yes, ma'am.

15              Q.       And in gangs, isn't it true, Mr. Williams,  
16       that ya'll initiate people into gangs?

17              A.       I mean, yeah, we initiate people into gangs  
18       but it ain't what everybody expected.  When you initiate  
19       somebody into the gang you get blessed in and you get beat  
20       in and you get put in work.  You get one of the two -- I  
21       mean, one of the three.

22              Q.       All right, you said blessed in?

23              A.       Yes, ma'am.

24              Q.       What does that mean?

25              A.       Like, you like give a person a blessing, you

1 give them an oath and you get blessed in.

2 Q. Blessed?

3 A. Yes, ma'am.

4 Q. If you have to work in that means you have to  
5 commit crimes, right?

6 A. Yeah.

7 Q. How did you get into a gang? Were you  
8 blessed in or did you work in?

9 A. I ain't willing to respond to that.

10 THE COURT: Answer the question.

11 A. Huh?

12 THE COURT: Answer the question.

13 A. I mean, I got beat in.

14 BY MS. ASBELL:

15 Q. By who?

16 A. I ain't willing to give up -- I'm pleading  
17 the fifth.

18 THE COURT: Who beat you in?

19 A. I plead the fifth.

20 THE COURT: You were beaten?

21 A. Yes, ma'am.

22 THE COURT: You weren't doing the beating?

23 A. No, ma'am.

24 THE COURT: All right, you can't take the  
25 fifth. Answer the question.

1           A.           I mean, I can't give up that person's name.  
2 I can't give that person's name up in open court like that.

3           THE COURT: Are you refusing to answer the  
4 question?

5           A.           Yes, ma'am.

6           THE COURT: Okay, well, we're going to strike  
7 his testimony. Take a seat down there next to your  
8 attorney.

9           Ladies and gentlemen, you are not to consider  
10 the testimony of Mr. Williams, any of the testimony that  
11 he's offered in this trial.

12           Do you have additional witnesses?

13           MR. BARNES: No, ma'am.

14

As previously described, Williams was convicted of attempted murder, robbery, burglary, larceny of a firearm, AWDWITK, larceny after breaking and entering, and possession of stolen goods on July 15, 2010. He was sentenced to a range of approximately 42 to 52 years and is currently projected to finish his sentence in this case in 2060. According to a letter dated 10/18/2010 to Coatney Williams from his trial attorney Sam Barnes, the State dismissed Williams' other pending charges.<sup>17</sup> (Antinore File 306). Appendix G summarizes cases that the Commission is aware of in which Coatney Williams was a suspect from 2007-2009.

<sup>17</sup> Court records show a dismissal on 7/23/2010 for the following felony charges related to an offense dated 7/22/2008: Possession of a Firearm by a Felon, Possession of Stolen Goods, Breaking and Entering, and Larceny after Breaking and Entering. Court records show a dismissal on 7/23/2010 for the following felony charges related to an offense dated 2/18/2009: Second Degree Burglary, Possession of Stolen Goods, and Felony Larceny. Court records also show a dismissal on 7/23/2010 for the following charges related to an offense dated 12/29/2007: Discharging a Weapon into Occupied Property.

## **IX. Williams' Appeal**

Coatney Williams appealed on the following issues: (1) denial of his Motion to Dismiss; (2) failure of the State to prove premeditation and deliberation; (3) insufficient evidence of intent to kill; (4) errors in sentencing related to larceny and RWDW (which the State conceded). The Court of Appeals only found error related to the sentencing and remanded the case for that purpose. The North Carolina Supreme Court denied discretionary review. The opinions are provided in full below.

## **OPINION OF NC COURT OF APPEALS**



An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

NO. COA11-319  
NORTH CAROLINA COURT OF APPEALS

Filed: 4 October 2011

STATE OF NORTH CAROLINA

v.

Northampton County  
Nos. 08 CRS 51057-58  
08 CRS 51065-66  
09 CRS 83; 85

COATNEY RANDALL WILLIAMS

Appeal by defendant from judgments entered 15 July 2010 by Judge Alma Hinton in Northampton County Superior Court. Heard in the Court of Appeals 12 September 2011.

*Attorney General Roy Cooper, by Special Deputy Attorney General Jennie Wilhelm Hauser, for the State.*

*Duncan B. McCormick, for defendant-appellant.*

CALABRIA, Judge.

Coatney Randall Williams ("defendant") appeals from judgments entered upon jury verdicts finding him guilty of attempted murder, robbery with a dangerous weapon ("RWDW"), first degree burglary, assault with a deadly weapon ("AWDW"), felony larceny, larceny of a firearm, and felony possession of

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stolen goods. We find no error in part, vacate in part, and remand for resentencing.

### I. Background

On 29 December 2007, Mary Elizabeth Davis ("Ms. Davis") was home alone and speaking to someone on the telephone when the line went dead. Ms. Davis went to bed, but soon heard a loud "bang." Defendant and three others entered her house. Ms. Davis believed she was being robbed and consequently retrieved a handgun before attempting to conceal herself beside her bed.

Two masked men, Antonio Freeman ("Freeman") and Jamal Thomas ("Thomas"), appeared in Ms. Davis' doorway and demanded to know where her valuables were located. Freeman took Ms. Davis' gun. He then pointed a shotgun at her and ordered her to remove her clothing. After Ms. Davis complied, Freeman placed the shotgun inside her vagina. Another robber, Karon Moses ("Moses") entered the bedroom and Freeman gave him the shotgun. Freeman continued to point Ms. Davis' handgun at her.

The men were interrupted by the sound of Ms. Davis' son, Tacoma, coming home. Defendant and Moses told Tacoma to get out and chased him outside with the shotgun. Tacoma ran past his friend, Erel Jordan ("Jordan"), who had driven home with Tacoma and was waiting in Tacoma's car. Tacoma told Jordan to run. At

that point, one of the robbers who had chased Tacoma came out with the shotgun, moved toward Jordan, and shot him as he ran away. The shooting resulted in shotgun pellets being embedded in Jordan's face, behind his ear, and in his side.

Shortly thereafter, the four men left the Davis home and drove away. Ms. Davis' neighbor, Jennifer Williams ("Ms. Williams"), briefly chased the men in her own automobile. When the men noticed they were being followed, they pulled into a driveway and as Ms. Williams drove by, Freeman fired the handgun towards her. Ms. Williams ceased her pursuit and returned home.

The four robbers took Ms. Davis' handgun, pocketbook, credit cards, jewelry, and cash. They also took an Xbox, Xbox games, and several articles of Tacoma's clothing, including a pair of Timberland boots. The boots were eventually recovered from defendant's home.

Defendant was arrested and indicted for attempted murder, first degree burglary, RWDW, AWDW with intent to kill, felony larceny, larceny of a firearm, and felony possession of stolen goods. Beginning 12 July 2010, defendant was tried by a jury in Northampton County Superior Court.

At trial, Freeman, who had already pled guilty to charges associated with the robbery pursuant to a plea arrangement,

testified about defendant's involvement in the robbery. At the close of the State's evidence, defendant made a motion to dismiss all charges against him. This motion was denied by the trial court.

Defendant presented evidence that he was in Philadelphia, Pennsylvania at the time of the robbery. In addition, defendant testified on his own behalf and stated that he was not involved with the robbery and had received the boots from Thomas sometime after the robbery. At the close of all evidence, defendant renewed his motion to dismiss, and the trial court again denied the motion.

On 15 July 2010, the jury returned verdicts finding defendant guilty of attempted murder, RWDW, first degree burglary, felony larceny, larceny of a firearm, felony possession of stolen goods, and the lesser included offense of AWDW. For the conviction for attempted murder, the trial court sentenced defendant to a minimum of 251 months to a maximum of 311 months. For the RWDW conviction, the trial court sentenced defendant to a minimum of 117 months to a maximum of 150 months. For the first degree burglary conviction, the trial court sentenced defendant to a minimum of 117 months to a maximum of 150 months. The AWDW conviction was consolidated with the

larceny of a firearm conviction, and the trial court sentenced defendant to a minimum of 11 months to a maximum of 14 months for these convictions. Finally, the felony larceny and felony possession of stolen goods convictions were consolidated for judgment, and the trial court sentenced defendant to a minimum of 11 months to a maximum of 14 months for these convictions. The sentences were to be served consecutively in the North Carolina Department of Correction. Defendant appeals.

## II. Motion to Dismiss

Defendant argues that the trial court erred by denying his motion to dismiss the charge of attempted murder. Specifically, defendant contends that there was insufficient evidence of premeditation, deliberation and the specific intent to kill to submit the charge to the jury. We disagree.

The standard of review for a motion to dismiss is well known. A defendant's motion to dismiss should be denied if there is substantial evidence of: (1) each essential element of the offense charged, and (2) of defendant's being the perpetrator of the charged offense. Substantial evidence is relevant evidence that a reasonable mind might accept as adequate to support a conclusion. The Court must consider the evidence in the light most favorable to the State and the State is entitled to every reasonable inference to be drawn from that evidence.

*State v. Johnson*, \_\_\_ N.C. App. \_\_\_, \_\_\_, 693 S.E.2d 145, 148 (2010) (internal quotations and citations omitted). "The elements of attempted first-degree murder are: (1) a specific intent to kill another; (2) an overt act calculated to carry out that intent, which goes beyond mere preparation; (3) malice, premeditation, and deliberation accompanying the act; and (4) failure to complete the intended killing." *State v. Tirado*, 358 N.C. 551, 579, 599 S.E.2d 515, 534 (2004).

Initially, we note that the identity of the gunman was not conclusively established at trial, as both defendant and Moses were seen chasing Tacoma out of his house. Nonetheless,

[i]f two persons join in a purpose to commit a crime, each of them, if actually or constructively present, is not only guilty as a principal if the other commits that particular crime, but he is also guilty of any other crime committed by the other in pursuance of the common purpose[.]

*State v. Erlewine*, 328 N.C. 626, 637, 403 S.E.2d 280, 286 (1991) (internal quotations and citation omitted). Thus, so long as substantial evidence was presented that the gunman committed the offense of attempted murder, defendant would be equally guilty regardless of whether he or Moses was the actual gunman.

#### A. Premeditation and Deliberation



Defendant first contends that the State did not provide sufficient evidence of the gunman's premeditation and deliberation.

Our Supreme Court has stated that premeditation means that the act is thought out beforehand for some length of time, however short, but no particular amount of time is necessary for the mental process of premeditation. The Court has also defined deliberation as an intention to kill, executed by the defendant in a cool state of the blood, in furtherance of a fixed design to gratify a feeling of revenge, or to accomplish some unlawful purpose[.]

*State v. Watkins*, 181 N.C. App. 502, 509-10, 640 S.E.2d 409, 415 (2007) (internal quotations and citations omitted). "This Court has consistently held that [lack] of provocation is a circumstance[] from which premeditation and deliberation may be inferred." *State v. Chapman*, 359 N.C. 328, 375, 611 S.E.2d 794, 828 (2005) (internal quotations and citation omitted). Moreover, the manner in which the killing was attempted can also provide circumstantial evidence of premeditation and deliberation. See *State v. Peoples*, 141 N.C. App. 115, 118, 539 S.E.2d 25, 28 (2000).

In the instant case, defendant and Moses chased Tacoma from his home while threatening him with a shotgun. One of the two men then went outside and, without provocation, shot Jordan with

the shotgun from a short distance as he tried to run. This was sufficient evidence of premeditation and deliberation to withstand a motion to dismiss. This argument is overruled.

B. Intent to Kill

Defendant additionally contends that the State presented insufficient evidence to demonstrate that the gunman possessed a specific intent to kill Jordan. However, "[w]here the defendant points a gun at the victim and pulls the trigger, this constitutes evidence from which intent to kill may be inferred." *State v. Cromartie*, 177 N.C. App. 73, 77, 627 S.E.2d 677, 680 (2006). In the instant case, Jordan testified that one of the robbers walked towards him and was only a short distance away when he pointed and fired the shotgun at Jordan. Jordan's testimony was sufficient for the jury to be able to infer a specific intent to kill. This argument is overruled.

III. Sentencing

Defendant argues, and the State concedes, that defendant was improperly sentenced for RWDW, felony larceny, larceny of a firearm, and felony possession of stolen goods, when all of the offenses involved property which was taken during a single continuous transaction. We agree.

"[L]arceny is a lesser included offense of armed robbery[.]" *State v. White*, 322 N.C. 506, 518, 369 S.E.2d 813, 819 (1988). As a result, our Supreme Court has held that "convictions of a defendant for both robbery with a dangerous weapon and larceny may be upheld, but only if the larceny and the robbery with a dangerous weapon involved two separate takings." *State v. Jaynes*, 342 N.C. 249, 275-76, 464 S.E.2d 448, 464 (1995) (internal quotations and citation omitted). This is because only "[a] single larceny offense is committed when, as part of one continuous act or transaction, a perpetrator steals several items at the same time and place." *State v. Adams*, 331 N.C. 317, 333, 416 S.E.2d 380, 389 (1992) (internal quotations and citation omitted). In addition, this Court has held that a defendant may not be subjected to "multiple punishments for both robbery and the possession of stolen goods that were the proceeds of the same robbery." *State v. Moses*, \_\_\_ N.C. App. \_\_\_, \_\_\_, 698 S.E.2d 688, 696 (2010).

In the instant case, all of the property in the Davis home that was stolen by the four men was taken during a single continuous robbery. Consequently, the trial court could not impose multiple punishments for RWDW and larceny from this single transaction. *Jaynes*, 342 N.C. at 275-76, 464 S.E.2d at

464. Moreover, the trial court could not impose multiple punishments for RWDW and possession of stolen goods that were the proceeds of the robbery. *Moses*, \_\_\_ N.C. App. at \_\_\_, 698 S.E.2d at 696. Accordingly, we vacate the trial court's judgments resulting from defendant's convictions for felony larceny, larceny of a firearm, and felony possession of stolen goods. Since the larceny of a firearm conviction was consolidated for judgment with the AWDW conviction, we must remand the AWDW conviction for resentencing. This disposition makes it unnecessary to address defendant's argument regarding the clerical error in defendant's AWDW judgment, as the error will be corrected on resentencing.<sup>1</sup>

#### IV. Conclusion

The State presented sufficient evidence that the robber who shot Jordan acted with premeditation, deliberation, and the specific intent to kill. The trial court erred by entering consecutive sentences for RWDW, felony larceny, larceny of a firearm, and felony possession of stolen property when all of the property was stolen during a single continuous transaction. Therefore, the judgments entered on the larceny and possession of stolen goods convictions must be vacated. Since the AWDW

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<sup>1</sup> We note that the judgment incorrectly reflected that defendant was convicted of AWDW with intent to kill, rather than AWDW.

conviction was consolidated with the larceny of a firearm conviction, we remand for resentencing on the AWDW conviction.

No error in part, vacated in part, and remanded for resentencing.

Chief Judge MARTIN and Judge BRYANT concur.

Report per Rule 30(e).

## **OPINION OF THE NC SUPREME COURT**



# Supreme Court of North Carolina

STATE OF NORTH CAROLINA

v

COATNEY RANDALL WILLIAMS

From NC Court of Appeals  
( 11-319 )

From Northampton

( 08CRS51057 08CRS51066 09CRS83 09CRS85 08CRS51058 08CRS51065 )

## ORDER

Upon consideration of the petition filed on the 8th of November 2011 by Defendant in this matter for discretionary review of the decision of the North Carolina Court of Appeals pursuant to G.S. 7A-31, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

**"Denied by order of the Court in conference, this the 8th of December 2011."**

**s/ Jackson, J.  
For the Court**

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 12th day of December 2011.



Christie Speir Cameron Roeder  
Clerk, Supreme Court of North Carolina

*M. C. Hackney*  
M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Mr. Duncan B. McCormick, Attorney at Law, For Williams, Coatney Randall - (By Email)

Ms. Jennie Wilhelm Hauser, Special Deputy Attorney General, For State of N.C. - (By Email)

Ms. Valerie M. Asbell, District Attorney

Hon. Venus M. Spruill, Clerk

West Publishing - (By Email)

Lexis-Nexis - (By Email)

LOIS Law - (By Email)

**000596**

## **X. Post-Conviction MAR and other Post-Conviction**

### **Investigations**

The North Carolina Center on Actual Innocence investigated the claim from 2011-2013, but ultimately closed the case due to Williams' representation by a post-conviction attorney who was already preparing a Motion for Appropriate Relief (MAR). The MAR was prepared by attorney Jim Antinore. Jim Antinore worked with a private investigator before filing the MAR. The MAR was ultimately summarily denied without a hearing so the evidence outlined in this section was not "considered at a hearing." See N.C.G.S. §15A-1460(1).

#### ***A. North Carolina Center on Actual Innocence***

The Center's investigation included an interview of Karon Moses on November 7, 2012 where he refused to be involved and said that he had not had any contact with any of his co-defendants. After Moses was told that the Center had "limited resources" and they "wanted to make sure they allocated their resources to cases in which the person was actually innocent," Moses responded, "I can tell you this. I think you should save your money."

Freeman recanted his trial testimony in a questionnaire to the Center. Thomas also indicated Williams was innocent in his questionnaire to the Center. The report related to the interview with Karon Moses and the questionnaires from Freeman and Thomas are provided in full below. There is nothing to suggest the Center interviewed Freeman and Thomas in person.

# **KARON MOSES INTERVIEW REPORT**

(CENTER FILE 483-484)

Reviewer: Cheryl Sullivan  
Date: 11/7/2012  
Re: Williams, Coatney #0796060

Interview of Karon Moses

① call attorney  
② Interview before Williams  
After speaks with Williams, Antinore call

Our office had sent Karon three letters over the past six months and he had not responded to any of them. I scheduled an interview with him at Foothills Correctional.

Karon was very polite (ma'am was after every phrase he said), but clearly wanted no part of our review. He repeatedly told me he did not want to get involved. He would not discuss the case in any level of detail.

I told him I had driven four hours to see him and asked whether he sure there was no information he could give me. He said he apologized for me driving that far to speak with him, but he still had nothing to say.

I told Karon it was my understanding that he was prepared to testify for Williams, but that never happened. He said that was correct. At one point he was willing to testify for him, but Karon changed his mind before trial. He would not tell me what made him change his mind.

I asked him whether he had any contact with his co-defendants since he took the plea. He said he has not. He said there has been no contact at all.

I asked him what he thought the other co-defendants would say if I went to see them. He said he did not know. I asked if he thought they would say Williams was innocent. He smirked and said he did not know what they would say.

I told him that the Court made it appear like Williams was in charge of their group. I asked him if that was the right impression. He smiled and said no. The question clearly amused him.

I asked him if any of the co-defendants would be scared of Williams. He smiled again and said no.

I asked him why it took three years for them to resolve the case. He said that they were not even charged for over a year. I asked him how they became suspects. He said he was told someone else (not a co-defendant) was arrested on unrelated charges and told police they had information on this case.

I explained to Karon that our office has limited resources and we have to make sure we are allocating those resources to the cases where people are actually innocent. He replied, "I can tell you this. I think you should save your money." That was the only information he would give beyond telling me he did not want to get involved.

I assured him that Williams did not know I was speaking with him and that I would not tell him. He still would not give me more information.

I asked Karon if he had any questions for me. He said he did not.

On my way out of the prison I noticed Karon had been seen by James Antinore and Jeremy Wiggs the day before. Antinore listed Pitt County as his address and Wiggs listed Rocky Mount, NC. A Google search revealed that Antinore is an attorney in Greenville, NC. It seems unlikely that the visit the day before was a coincidence, but Karon never mentioned it to me.

---

Antonio Freeman is the only co-defendant who testified against Williams. He has recanted in a letter to the Center. He is currently at Alexander CI. He has had 46 infractions in the two years since he was incarcerated.

Jamal Thomas did not testify at Williams' trial, but has also said Williams is innocent in a letter to the Center. He is currently at Craven CI. He has had 0 infractions in the two years since he was incarcerated.

**Recommendation:** I believe Williams is likely guilty, but the coincidental visit from Antinore to Karon concerns me. It may be worth interviewing Jamal Thomas at Craven CI to see if we believe he was truthful in his letter.

Craven is several hours from the Center. Williams is at Polk CI, only 15-20 minutes away. We may want to interview Williams first. I am curious what his response would be to questions about his alibi—an alibi that never seemed to be fully proven.

## **FREEMAN QUESTIONNAIRE TO CENTER<sup>18</sup>**

(Antinore File 84-86)

<sup>18</sup> The bates stamps on the pages are not consecutive due to a scanning error.





## North Carolina Center on Actual Innocence

Identify, Investigate, and Advance Toward Justice

P.O. Box 52446 Shannon Plaza Station, Durham, NC 27717-2446  
admin@nccai.org (919) 489-3268 (Phone) (919) 489-3285 (Fax)

October 15, 2012

Mr. Antonio Freeman, #0917667  
Alexander Correctional  
633 Old Landfill Rd  
Taylorsville, NC 28681

Dear Mr. Freeman:

Our Center, which reviews claims by inmates who maintain their innocence, is reviewing Mr. Coatney Williams' innocence claim for the crimes of Attempted First-Degree Murder, First-Degree Burglary, RWDW, Larceny of a Firearm, and Assault with a Deadly Weapon with Intent to Kill. As you were one of Mr. Williams' co-defendants, discussing his case with you is an important step in our review.

Please answer the following questions about Mr. Williams' case. Your written answers will be kept confidential.

1. In your opinion, is Mr. Williams innocent of the crimes for which he was convicted?

Yes I know Coatney Williams is innocent of the crimes  
he was convicted of

2. Please describe what happened during the burglary that occurred on December 29, 2007 in Northampton County, including who was there. ON 12-29-2007 Coatney Williams was not even in North Carolina. Jamal Thompson, Karen Moses and I did the burglary I don't remember what really happened except that we broke to Rob Tacoma who wasn't there so we took what we could find. Mary Davis was there we told her to strip and lay face down on the floor while we searched the house.

NOTE: The North Carolina Center on Actual Innocence (including all its affiliated Innocence projects® and individuals) reviews cases for the sole purpose of investigating claims of actual innocence. The Center does not act as legal counsel to any person whose case is being investigated, until and unless the Center, through its legal counsel or her designees, specifically agrees in writing to take on such representation.

000084

3. Who shot Erel Jordan? I'm not sure who shot him me and Karan both were shooting at him but Coatney Williams wasn't there at all.

4. Please add any information you feel would be helpful to us as we review Mr. Williams' case. Coatney Williams was gone to Pennsylvania with his family on 12-29-2007. I know this because we were good friends at the time and he told me he was leaving, Actually I was at his house prior to them leaving. Jamal broke in someone's house earlier that day to make it look like

Coatney did it since he was gone. Jamal called Coatney to ask where he was and I was next to Jamal and heard ~~Jamal~~ say "it's good ya'll ~~in P.A.~~ because they saying you broke in ~~so and so's house~~ <sup>(don't know name)</sup> We told Coatney what happened when he got back. When we were arrested in 2008 he wrote a statement to prove his innocence but he also was ~~saying~~ telling them who did it. I felt a certain way about that so when he told me to ~~write a statement against him~~ write a statement against him it wasn't that hard but I was forced into this, I was scared into it that's why I done it. I now feel bad for him being innocent and locked up for things his so called friends done. I hope ya'll can help him be released

Please return the answers to these questions using the envelope provided. We thank you in advance for any help you can provide our organization.

Sincerely,

The North Carolina Center on Actual Innocence

# **THOMAS QUESTIONNAIRE<sup>19</sup>**

(Center File 542-526)

<sup>19</sup> The bates stamps on the pages are not consecutive due to a scanning error.

RECEIVED JUL 27 2012

RECEIVED JUL 27 2012



## North Carolina Center on Actual Innocence

*Identify, Investigate, and Advance Toward Justice*

P.O. Box 52446 Shannon Plaza Station, Durham, NC 27717-2446  
admin@nccai.org (919) 489-3268 (Phone) (919) 489-3285 (Fax)

July 9, 2012

Mr. Jamal Thomas, #1004207  
Craven Correctional  
Box 839  
Vanceboro, NC 28586

Dear Mr. Thomas:

Our Center, which reviews claims by inmates who maintain their innocence, is reviewing Mr. Coatney Williams' innocence claim for the crimes of Attempted First-Degree Murder, First-Degree Burglary, RWDW, Larceny of a Firearm, and Assault with a Deadly Weapon with Intent to Kill. As you were one of Mr. Williams' co-defendants, discussing his case with you is an important step in our review.

Please answer the following questions about Mr. Williams' case. Your written answers will be kept confidential.

1. In your opinion, is Mr. Williams innocent of the crimes for which he was convicted?

Yes Mr Williams is innocent and I know that for a fact.

2. Please describe what happened during the burglary that occurred on December 29, 2007 in Northampton County, including who was there.

Karon moses, Antonio Freeman and I all went to break in a house. When we got there Karon and Antonio went inside while I sat in the car to wait for them to come out. I don't know what went on inside because I never went in. Now the shooting part

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On the other hand I know a little bit of that. When I look over at the house I saw Antonio back facing the car. he was shooting a shot gun after he shot 2 or 3 times he started running to the car

were I was.

3. Who shot Erel Jordan?

Antonio Freeman shot Erel Jordan  
he left the car with the shot gun  
and I seen him shooting the shot gun  
and he ran back to the car with the  
shoot gun

4. Please add any information you feel would be helpful to us as we review Mr. Williams' case.

- ① I put Mr Williams name in this case because that's what officer burnette wanted me to do. She told me if I look out for her she would look out for me.
- ② After I received my time on July 16 2010 my lawyer Jamaal Summy told me that if he would have ~~knew~~ that the Judge Alma Hinton and the victim Mary Davis were Delta Sorority sisters.

Please return the answers to these questions using the envelope provided. We thank you in advance for any help you can provide our organization.

Sincerely,

**The North Carolina Center on Actual Innocence**

If you find out that the Judge Alma Hinton and the victim Mary Davis are sorority sisters. If that statement is true I'm asking you can you please send me that information in black in white meaning paper work. because I'm trying to get back in court myself.

Williams sent the Center several letters. He maintained his innocence in all of them.

Any additional facts from the letters not already provided in previous statements are included the charts in Appendices E and F.

## ***B. Post-Conviction Motion for Appropriate Relief***

Williams, through his attorney Jim Antinore, filed a Motion for Appropriate Relief (MAR) on September 17, 2014. He alleged six grounds for relief, including grounds related to newly discovered evidence: (1) Freeman's recantation of his trial testimony that Williams was present during the crime, (2) Thomas' recantation of his statements to law enforcement and the State in which he claimed Williams was present during the crime, and (3) a cell phone technology expert who could verify the time and date stamp on the cell phone photo as well the location of the cell phone at the time of the crime.

To prepare for this MAR, Antinore hired a private investigator, Jerry Wiggs, who interviewed Thomas on October 23, 2012. Wiggs' summary of that interview is provided below in full. It is also summarized in the charts found in Appendices E and F.



## **JAMAL THOMAS INTERVIEW POST-CONVICTION**

(Wiggs File 20-22)

### Jamal Thomas Interview

On 10-23-12 Attorney Antinore and I went to Craven Correctional Institute and interviewed Jamal Thomas. Interview began at 1120 am and ended at 1235 pm. He gave us the following information.

When we walked over to him and Attorney Antinore told him who we were and what we were doing he said he had been waiting for us. The first thing out of Jamal Thomas' mouth was, "Courtney Williams wasn't there". When he said that he was asked if he wrote a statement saying Williams was there and he said he did and it was a lie. He explained the Detective disliked Williams and they wanted him sent to prison and they pressured him into saying Courtney was there. He stated the Detective made a deal with him that if he would say Courtney was there they would look out for him and give him a plea deal. It stated it was Detective Burnett and the Chief of Seaboard. Thomas stated he told Detective Burnett several times that Courtney wasn't there.

-True  
3-27-14

Thomas stated Williams attorney never talked to him. Thomas stated Williams talked to him while they were in the jail together and Williams told Thomas he begged his lawyer to call Thomas as a witness, but he wouldn't. Williams said his lawyer said Freeman's statement was believable.

I read some of Freeman's testimony from the transcript and he called a bunch of it lies.

-True  
3-27-14

Jamal elaborated by saying Williams never went to the house. It was only him, Freeman, and Karon. He knows Williams was in Philadelphia when the crime was done because Thomas was at Raheed's house with Courtney and Courtney got a phone call from his mother who told him they were about to leave and he asked her not to leave him. He said she came and got him on a F150 truck. A couple of days later he was in the projects in Seaboard and Freeman and Karon flagged him down and said they had a lick to do on Tacoma. He asked them why Tacoma and Freeman said he had seen Tacoma with some money and he knew Tacoma's mother wouldn't be there. When it happened he carried Karon and Freeman out there and he actually never even got out of the car. He stayed in the car the entire time and never went into the house.

- He did go in House  
3-27-14

I read him the part about Freeman testifying that Williams coming out of his house with the shotgun. Jamal said that was not true. The shotgun actually belonged to him, it was a 20-gauge pump shotgun and he had gotten it from his aunt. He gave Freeman the shotgun a week before the robbery because his aunt didn't want the gun in her house. He went on to explain the shell casing were yellow birdshot.

True  
3-27-14  
>?

I asked him if he gave the Timberland Boots to Williams and he said he did. Thomas stated Freeman nor Karon wanted the boots so they left the boots in his car and he gave them to Williams. He also gave his girlfriend, Sonita Long some earrings and 2 rings that came out of the house that Freeman and Karon didn't want. She talked to the police and she was the one who told them Williams had the boots because she was with him when he gave them to Williams.

Correct

I read him the testimony of Freeman where Freeman says Williams, his brother Robert, Karon, and him were in Raheeds house talking about the robbery. Thomas stated he wasn't even there when this conversation was held. Thomas stated he didn't even see Williams for at least a week after the crime took place, which meant he hadn't seen Williams for a couple of days before the crime until a week after the crime.

True  
3-27-14

Thomas stated Freeman was the person who shot at the car. When Freeman and Karon got back into the car Freeman said he made the lady strip down and he asked him why and all he was say was because he was high.

Thomas stated he nor Karon knew Freeman was going to testify until the last minute. He made a plea deal. When asked why he wasn't asked to testify he said his lawyer told him it was because Freeman sounded more believable.

True  
3-27-14

Thomas stated he received a letter and a form from the innocence committee in August of 2012 and he gave them the same story he has told us, because it was the truth. He had to answer some questions on their questionnaire and at the end of it he wrote in that Courtney was not there.

Thomas attorney was Jamal Summey and Karon's attorney was Ronnie Reeves. He believes Courtney's lawyer was the Barnes man from Roanoke Rapids.

The private investigator additionally interviewed Antonio Freeman. There are notes, but not a report from that interview. Those notes are provided below.

## **ANTONIO FREEMAN PI INTERVIEW NOTES**

(Wiggs 1)

6-17-14 Visit @ Alexander Aaron / ANTONIO FREEMAN  
ID # 0917667

SAID HE WASNT THERE (COATNEY)

HE READ AFFIDAVIT AND SAID IT WAS TRUE - HE SIGNED AFFIDAVIT & SWORE TO IT  
IN FRONT OF NOTARY.  
ASKED IF THIS WOULD AFFECT HIS SENTENCE REDUCTION

SAID THEY JUST WANTED TO GET COATNEY -

PLEA WENT DOWN JUST B/4 TRIAL

HE DID TELL HIS LAWYER IT WASNT TRUE - WHAT HE WAS SIGNED  
TO SAY COATNEY WAS THERE. HE HAD TO TESTIFY TO IT TO GET HIS  
TIME CUT

SAID HE FELT BAD FOR DOING THIS -

DID IT AS REVENGE B/C COATNEY

WAS STATEMENT ON HIM

BRUCE CUNNINGHAM -

HIS ATTORNEY ON HIS MOTION  
TO REDUCE SENTENCE

HE WAS SENTENCED IN AGGRAVATED  
RANGE INSTEAD OF PRESUMPTIVE

SAID HE WOULD TESTIFY IN COURT AS TO  
COATNEY NOT BEING THERE



The private investigator also interviewed Williams as well as individuals who indicated they had knowledge that Williams was in Pennsylvania on the date of the crime. A report of Williams' interview, as well as reports of the interviews of those two individuals are provided below in full. Williams' interview is also summarized in Appendices E and F. To the extent these witnesses provided any information related to Williams' alleged alibi, that information is also included in Appendix H.

## **COATNEY WILLIAMS' INTERVIEW WITH PI**

(Wiggs 24-26)

## Meeting with Client Coatney Williams

On 1-4-13 Attorney Antinore and I met in Wilson and then proceeded to Polk Correctional in Butner to interview Coatney Williams. Interview began at 1005 hours and terminated at 1340 hours. Coatney had a complete copy of his trial discovery plus information from the innocence commission that we didn't have. Coatney is in maximum security therefore he came in with handcuffs and waist chains and had no mobility to pick up papers and show them to us. The guards were asked to pass some paper materials to us but refused to do so saying it had to be mailed. It was explained to him what Jamal Thomas said and how Karon Moses would not talk to us. He talked to us about issues in his trial and discovery that weren't addressed that he believes will prove his innocence. They were as follows:

Jamal and Karon went to high school with the victim's son Jacoma Davis. He does not know Jacoma other than by seeing him in the neighborhood.

I showed Coatney my photos of the scene and the house and he did not recognize them because he said he was not there and had no idea where these people lived. He said he had never been to this house or neighborhood unless he just passed it on the road going somewhere.

He has filed a grievance against his attorney Barnes with the state Bar.

Co-Defendant Karon Moses wrote a statement out to ATF Agent Harold McKinney and in this statement Karon only says there were 3 people there and he never mentions Coatney in his statement at all. We were able to see this statement through the glass. This statement says Coatney was not there during the entire time.

His witnesses were sequestered and the state's witnesses were not.

Det. Burnette saw him in jail and told him she knew he did not have anything to do with this but she had to serve papers on him.

Coatney's mother told Sheriff Wardie Vincent there were tapes of them in a mall in Philadelphia, told him the name of the mall and location and he would not go get the tapes. Williams mother made 2 trips to get the tapes but the mall personnel said they would only give the tapes to law enforcement.

His attorney knew about the photos on the phone at least a year, before the trial, and did nothing to get them verified, or have them authenticated by an expert with the date stamp so they could be admitted into court as his evidence. There also were photos they took all along the way to show a continuous travel to Philadelphia.

Day of the crime, 12-29-07 he was in Philadelphia at Angela Taylor's residence at 5815 Pemberton Street in Philadelphia and he called Cita Long while he was at that address and nothing was done to verify this phone call. Possibility the phone could have been traced to see what towers were hit to verify the phones location.

When they went through the tollbooths in Delaware they did not have the correct change to pay toll so the toll people sent a bill to his mother's insurance carrier for the bill with the date on it.

He and his brother did get into the white F150 pick up truck with his mother and her husband and they picked them up at Racheed Austin's house. Jamal Thomas was there because Jamal asked him to break into a white female named Angela William's house and steal some guns while Jamal took Angela to buy some dope. He did not do this and later on Jamal broke into her house and stole the gun and this was the shotgun used in this crime.

They came home on the 31<sup>st</sup> because of a predicted snowstorm for the area and his mother had to be back at work and did not want to chance it. They were supposed to stay through the New Year.

Coatney described the room in the basement where the picture was taken as the basement to Penny's house. It had windows in it, and old washing machine and the walls were made of brick stone material.

## **REGINA KNIGHT INTERVIEW WITH PI**

(WIGGS 27-30)

## Regina Knight Interview

On 5-15-13 I went to 161 Blue Jay Trail in Seaboard and interviewed Regina Knight. She is the mother of Coatney Williams. Her phone number is 252-904-2536, she works from 7 am to 10 am at A&D Home Health Care and the from 3 pm to 11pm for Van Guard in Roanoke Rapids.

Regina stated she did know Jamal Thomas and Karon Moses but did not Antonio Freeman. Jamal use to stay with them but she fell out with him when he stole her big screen TV and sold it.

Regina and her husband Robert Knight, her son Robert Branch, AKA little Robert, and Coatney Williams all went to Philadelphia to see big Robert's people. They drove his white F250 4 door Ford truck. Little Robert and Coatney were in the back seats taking photos all the way to Philadelphia. They were using Robert's cell phone because Coatney did not have a cell phone at the time. She picked Little Robert and Coatney up at the projects in Seaboard at Raachad Austin's apartment. She believes it was around 5 or 6 pm, just getting dark.

They traveled to Ann Knight's residence in Philadelphia and stayed there a couple of hours and then went to Penny Knight's residence at 579 Hunter Street in Philadelphia. Here they stayed for 2 or 3 days. While they were at this residence Robert and Coatney were in the basement taking photos of each other. These are the photos on the phone in question in this case. Regina was in the basement when they took the photos.

While they were in Philadelphia her and Coatney and Little Robert went to a flea market called Forman Mills. She noticed they had cameras everywhere and they were being video recorded. She gave Coatney \$100 to buy his then girlfriend Lacey and outfit. He bought it for her and took it home to give it to her but they broke



up before he could give it to her so he gave it to his brother's girlfriend, Tiffany Brown.

Penny, Pet, and Ann all three sisters of her husband talked to Coatney while he was in Philadelphia. Coatney and Robert even scared Penny one day when she was in the kitchen, which was next to the basement, by sneaking up on her. She will remember that time.

They left to return to Seaboard because Regina wanted to get back and go to a New Year eve's party and because of a chance of snow. This made Coatney and Little Robert mad because they had plans to go to a club up there New Years Eve night.

A week or so after they got home Jamal Thomas gave Coatney some Timberland boots at Wiley's house on Georgia Avenue in Roanoke Rapids. She did not think anything of this because Jamal use to stay with them and when he did he and Coatney exchanged clothes all the time. Coatney put the boots in his room at her house. Later in the week Coatney called her and told her to give the boots to Detective Burnette of the North Hampton County Sheriff's Office and she did. She asked Coatney why should she give these boots to her and Coatney told her it was because Jamal had been involved in a shooting and the police wanted the shoes. She thought maybe Jamal had been wearing them when he committed the crime, not that they were stolen.

The next thing she knows Coatney gets arrested for some outstanding warrants. She has a son who got killed in an accident and she pays \$2000 to get Coatney out of jail to go to the funeral. Two or three days later the bondsman came and got him and put him back in jail saying he violated their terms of his bond release. Then he got charged with this crime.

While they were in Philadelphia Jamal called Coatney on Robert's phone and told him what they had done. They told Regina and said they sure were glad they weren't in NC because the police would try and put that on them also.

Little Robert had a cell phone and his number was 252-676-4208, Big Robert had a cell phone and his number was 252-676-4207 and Regina had a cell phone and her number was 252-676-4206. All three phones were on the same plan with US Cellular and were in Robert Knight's name. **Coatney did not have a cell phone that she knew of. All phone conversations was done to Robert's phone at 252-676-4208 and Robert and Coatney used it together.**

Coatney got appointed Jimmy Barnes as his attorney on these charges. Regina went to his office several times to see him but never saw him. The only time she ever saw him or talked to him personally was at the courthouse. She left messages with him but he never called her back. Barnes never saw the phone or the photo on the phone until trial date at the courthouse. Barnes kept telling her he didn't need to see no phone. He was told about the phone several times but never seemed interested in the phone.

After Coatney got convicted she went to the county jail. When she walked in she saw Karon Moses in there talking to his attorney and when Karon saw her he turned to her and said, Miss Regina I don't know why they were locking Coatney up because he wasn't with us and he had nothing to do with it." His lawyer was Ronnie Reeves and when Reeves heard this he just looked at Regina.

Regina stated Sanita Long was with Jamal Thomas when they left to go to do the crime and she can say Coatney was not with them when they left her.

I asked her where was Little Robert now and she said he was living in Philadelphia because he had been threatened over a cousin of his that had gotten killed in Seaboard. She to has been threatened.

Regina told Sheriff Wardie Vincent about the video cameras and went back to the flea market in Philadelphia to get copies of the tapes. She was told they would only release them to law enforcement so she called the Sheriff while she was there and told him about the tapes and he refused to go up there and get them.

Regina stated her parents that lived next door could also verify they went to Philadelphia. I went over and talked to Mr. Coats and he is 87 years old and cannot hear well and is not very mobile. Mrs. Coats was the same. I don't believe they would be good witnesses because of their ages and conditions. Mr. Coats did say he knew Coatney went to Philadelphia with his mother.

**TIFFANY BROWN INTERVIEW WITH PI**

(WIGGS 31-32)

## Tiffany Brown Interview

On 5-15-13 I went to 161 Blue Jane Trail in Seaboard and interviewed Brown. She is the girlfriend of Little Robert, Coatney's brother. She is unemployed, DOB is 1-26-90, phone number 252-676-9436 and her SS# [REDACTED] She gave me the following information.

She is Little Robert's girl friend and has been for 7 years. She has a child by him.

When this crime happened she was living with her mother Michelle Boon on Fire Tower Road. She had a cell phone at the time and her number was 252-538-7996. Little Robert's number was 252-676-4208. She knows Coatney and he is like a big brother to her.

She knows Coatney and Robert and their parents went to Philadelphia because she wanted to go but there was no room in the truck for her and her mother wouldn't let her go. Robert called her just before they left and told her they were leaving. She called him several times on his way up there and they texted each other many many times. They texted much more than they called each other. She spoke to Coatney on Robert's phone several times when she called Robert.

When they got back Robert showed her all the photos they had taken on the way up there and the ones they took in the basement.

During the time period of 12-27-07 thru 12-31-07, no one else had her phone, it had not been reported stolen, and she had it in her possession at all times.

Tiffany then got Regina to bring in over 100 pages of phone records for the months of 11-07, 12-07, and 1-08 for the numbers 252-676-4206, 4207, and 4208 and we looked at these records.

On page 14 of 16 of the US Cellular detailed bill for 252-678-4208, account # 824331857, bill date 1-12-08 I found there were calls either incoming or call waiting or calls to Weldon, Roanoke Rapids, Scotland Neck, Norfolk, Seaboard, and Ahoskie. These calls began at 7:06 pm on 12-27-07 and ended at 12:52 pm on 12-28-07. There were a total of 44 calls made to or from this phone during this time period.

These records also indicate this phone hit towers in Washington DC, then Baltimore MD, then Cecil County MD and then Philadelphia PA, all on 12-27-07. They were to various numbers unidentified as of this report.

The private investigator also reviewed phone records. That report and the records are provided below.



## **PI REPORT AND CELL PHONE RECORDS**

(Wiggs 33-42)

There were a total of 10 phone calls made from this number, **252-678-4208** (Robert Branch's phone number), to **252-538-7996** (Tiffany Brown's cell number).

According to the phone records, these phone calls were made at the following times hitting the listed towers:

Date of Call	Time of Call	Called to	Number Called	Tower Hit
12-27-07	7:46pm	Weldon	252-538-7996	Washington DC
12-27-07	10:59pm	Weldon	252-538-7996	Philadelphia Pa.
12-27-07	11:21pm	Weldon	252-538-7996	Philadelphia Pa.
12-28-07	1:37am	Weldon	252-538-7996	Philadelphia Pa.
12-28-07	2:15am	Weldon	252-538-7996	Philadelphia Pa.
12-28-07	3:56am	Weldon	252-538-7996	Philadelphia Pa.
12-28-07	12:20pm	Weldon	252-538-7996	Philadelphia Pa.
12-28-07	12:43pm	Weldon	252-538-7996	Philadelphia Pa.
12-30-07	5:05pm	Weldon	252-538-7996	Washington DC
12-30-07	2:47pm	Weldon	252-538-7996	Baltimore MD.

I also found there were 32 text messages from 252-678-4208 (Roberts phone), to 252-538-7996 (Tiffany's phone), between 12-27-07 at 3:10 pm and 12-31-07 at 10:28 pm.

On 12-27-07 the text began at 3:10 pm and ended at 10:28 pm.

The next one began on 12-28-07 at 1:38 am.

Cellular Telephone Number Summary (continued)  
 ROBERT LEE KNIGHT

*Little Robert Branch*

252-678-4208

*Phone #*

CHARGES

TOTAL

Other Charges & Credits (continued)

Total Other Charges & Credits

13.11

Taxes

NC Utility Sales Tax

Total Taxes

2.10

2.10

CURRENT CHARGES FOR 252-678-4208

\$47.70

Detail of Extended Home Service Area Charges - NATIONAL FAMILY 1400  
 ROBERT LEE KNIGHT

252-678-4208

Line	Date	Time	Calls To	Number Called	Period	Min	Airtime Charge	Toll Charge	Add'l Charge	Int'l Roam Taxes	Amount
<b>WASHINGTON DC - B (00018)</b>											
1	12/27	7:06PM	INCOMING	CL 252-678-4208	OP	1.00	0.00			0.00	0.00
2	12/27	7:19PM	INCOMING	CL 252-678-4208	OP	4.00	0.00			0.00	0.00
3	12/27	7:46PM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
4	12/27	8:19PM	INCOMING	CL 252-678-4208	OP	3.00	0.00			0.00	0.00
5	12/27	8:51PM	ROANOKERPD	NC 252-673-8818	OP	27.00	0.00			0.00	0.00
6	12/27	9:17PM	CALL WAIT	252-678-4208	OP	8.00	0.00			0.00	0.00
7	12/27	9:19PM	CALL WAIT	252-678-4208	OP	3.00	0.00			0.00	0.00
8	12/30	4:00PM	INCOMING	CL 252-678-4208	OP	7.00	0.00			0.00	0.00
9	12/30	4:12PM	INCOMING	CL 252-678-4208	OP	8.00	0.00			0.00	0.00
10	12/30	4:56PM	WELDON	NC 252-538-7996	OP	9.00	0.00			0.00	0.00
11	12/30	5:02PM	CALL WAIT	252-678-4208	OP	3.00	0.00			0.00	0.00
12	12/30	5:05PM	WELDON	NC 252-538-7996	OP	82.00	0.00			0.00	0.00
										<b>Subtotal</b>	\$0.00
<b>BALTIMORE MD - B (30354)</b>											
1	12/27	9:31PM	WELDON	NC 252-678-2780	OP	2.00	0.00			0.00	0.00
2	12/27	9:32PM	CALL WAIT	252-678-4208	OP	18.00	0.00			0.00	0.00
3	12/30	1:47PM	WELDON	NC 252-678-3340	OP	1.00	0.00			0.00	0.00
4	12/30	1:52PM	WELDON	NC 252-678-3340	OP	1.00	0.00			0.00	0.00
5	12/30	1:53PM	SCOTLDNECK	NC 252-826-5234	OP	1.00	0.00			0.00	0.00
6	12/30	1:53PM	SCOTLDNECK	NC 252-826-5234	OP	3.00	0.00			0.00	0.00
7	12/30	1:56PM	WELDON	NC 252-678-3340	OP	1.00	0.00			0.00	0.00
8	12/30	1:57PM	WELDON	NC 252-678-3340	OP	4.00	0.00			0.00	0.00
9	12/30	2:38PM	INCOMING	CL 252-678-4208	OP	9.00	0.00			0.00	0.00
10	12/30	2:47PM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
										<b>Subtotal</b>	\$0.00
<b>CECIL COUNTY MD - B (30364)</b>											
1	12/27	10:16PM	INCOMING	CL 252-678-4208	OP	4.00	0.00			0.00	0.00
2	12/27	10:34PM	NORFOLK	VA 757-567-2925	OP	2.00	0.00			0.00	0.00
3	12/30	1:15PM	INCOMING	CL 252-678-4208	OP	14.00	0.00			0.00	0.00
										<b>Subtotal</b>	\$0.00
<b>PHILADELPHIA PA - B (00008)</b>											
1	12/27	10:55PM	MAIL	CL 252-678-4208	OP	2.00	0.00			0.00	0.00
2	12/27	10:59PM	WELDON	NC 252-538-7996	OP	8.00	0.00			0.00	0.00
3	12/27	11:07PM	WELDON	NC 252-538-7996	OP	4.00	0.00			0.00	0.00
4	12/27	11:21PM	INCOMING	CL 252-678-4208	OP	3.00	0.00			0.00	0.00
5	12/27	11:26PM	SEABOARD	NC 252-589-2261	OP	2.00	0.00			0.00	0.00
6	12/28	1:37AM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
7	12/28	2:08AM	AHOSKIE	NC 252-642-4955	OP	1.00	0.00			0.00	0.00
8	12/28	2:08AM	AHOSKIE	NC 252-642-4955	OP	1.00	0.00			0.00	0.00
9	12/28	2:15AM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
10	12/28	2:16AM	ROANOKERPD	NC 252-673-8818	OP	2.00	0.00			0.00	0.00
11	12/28	3:56AM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
12	12/28	10:55AM	INCOMING	CL 252-678-4208	PK	5.00	0.00			0.00	0.00
13	12/28	11:00AM	CALL WAIT	252-678-4208	PK	10.00	0.00			0.00	0.00
14	12/28	11:23AM	INCOMING	CL 252-678-4208	PK	3.00	0.00			0.00	0.00
15	12/28	12:20PM	WELDON	NC 252-538-7996	PK	8.00	0.00			0.00	0.00
16	12/28	12:31PM	INCOMING	CL 252-678-4208	PK	13.00	0.00			0.00	0.00
17	12/28	12:43PM	WELDON	NC 252-538-7996	PK	9.00	0.00			0.00	0.00
18	12/28	12:52PM	WELDON	NC 252-678-3340	PK	1.00	0.00			0.00	0.00
19	12/28	12:52PM	WELDON	NC 252-678-3340	PK	1.00	0.00			0.00	0.00



Detail of Local Usage - UNLTD FAMILY TEXT MESSAGING (continued)  
ROBERT LEE KNIGHT

252-678-4208

Line	Date/Time(EST)	Direction	Type	To/From	Amount
53	12/25	8:59PM Outgoing	M2M Text Message	252-538-7996	0.00
54	12/25	9:02PM Outgoing	M2M Text Message	252-538-7996	0.00
55	12/25	9:10PM Outgoing	M2M Text Message	252-538-7996	0.00
56	12/25	9:18PM Outgoing	M2M Text Message	252-538-7996	0.00
57	12/25	10:08PM Outgoing	M2M Text Message	252-538-7996	0.00
58	12/25	10:13PM Outgoing	M2M Text Message	252-538-7996	0.00
59	12/25	10:18PM Outgoing	M2M Text Message	252-538-7996	0.00
60	12/25	11:59PM Outgoing	M2M Text Message	252-538-7996	0.00
61	12/26	12:01AM Outgoing	M2M Text Message	252-538-7996	0.00
62	12/26	12:02AM Outgoing	M2M Text Message	252-538-7996	0.00
63	12/26	12:05AM Outgoing	M2M Text Message	252-538-7996	0.00
64	12/26	4:44AM Outgoing	M2M Text Message	252-538-7996	0.00
65	12/26	3:13PM Outgoing	M2M Text Message	252-538-7996	0.00
66	12/26	3:37PM Outgoing	M2M Text Message	252-538-7996	0.00
67	12/26	3:56PM Outgoing	M2M Text Message	252-578-8672	0.00
68	12/26	3:58PM Outgoing	M2M Text Message	252-538-7996	0.00
69	12/26	4:01PM Outgoing	M2M Text Message	252-538-7996	0.00
70	12/26	4:24PM Outgoing	M2M Text Message	252-538-7996	0.00
71	12/26	4:25PM Outgoing	M2M Text Message	252-538-7996	0.00
72	12/26	4:38PM Outgoing	M2M Text Message	252-538-7996	0.00
73	12/26	5:01PM Outgoing	M2M Text Message	252-538-7996	0.00
74	12/26	5:01PM Outgoing	M2M Text Message	252-538-7996	0.00
75	12/26	5:03PM Outgoing	M2M Text Message	252-538-7996	0.00
76	12/26	5:06PM Outgoing	M2M Text Message	252-538-7996	0.00
77	12/26	6:07PM Outgoing	M2M Text Message	252-538-7996	0.00
78	12/26	6:12PM Outgoing	M2M Text Message	252-538-7996	0.00
79	12/26	6:13PM Outgoing	M2M Text Message	252-538-7996	0.00
80	12/26	6:50PM Outgoing	M2M Text Message	252-538-7996	0.00
81	12/26	6:53PM Outgoing	M2M Text Message	252-538-7996	0.00
82	12/26	6:58PM Outgoing	M2M Text Message	252-538-7996	0.00
83	12/26	7:06PM Outgoing	M2M Text Message	252-538-7996	0.00
84	12/26	7:07PM Outgoing	M2M Text Message	252-538-7996	0.00
85	12/26	7:11PM Outgoing	M2M Text Message	252-538-7996	0.00
86	12/26	7:13PM Outgoing	M2M Text Message	252-538-7996	0.00
87	12/26	7:16PM Outgoing	M2M Text Message	252-538-7996	0.00
88	12/26	7:17PM Outgoing	M2M Text Message	252-538-7996	0.00
89	12/26	7:18PM Outgoing	M2M Text Message	252-538-7996	0.00
90	12/26	7:24PM Outgoing	M2M Text Message	252-538-7996	0.00
91	12/26	7:28PM Outgoing	M2M Text Message	252-538-7996	0.00
92	12/26	7:37PM Outgoing	M2M Text Message	252-538-7996	0.00
93	12/26	7:42PM Outgoing	M2M Text Message	252-538-7996	0.00
94	12/26	7:46PM Outgoing	M2M Text Message	252-538-7996	0.00
95	12/26	8:07PM Outgoing	M2M Text Message	252-538-7996	0.00
96	12/26	8:08PM Outgoing	M2M Text Message	252-538-7996	0.00
97	12/26	9:09PM Outgoing	M2M Text Message	252-538-7996	0.00
98	12/26	9:39PM Outgoing	M2M Text Message	252-538-7996	0.00
99	12/26	11:48PM Outgoing	M2M Text Message	252-538-7996	0.00
100	12/27	3:10PM Outgoing	M2M Text Message	252-538-7996	0.00
101	12/27	3:12PM Outgoing	M2M Text Message	252-538-7996	0.00
102	12/27	3:14PM Outgoing	M2M Text Message	252-538-7996	0.00
103	12/27	3:15PM Outgoing	M2M Text Message	252-538-7996	0.00
104	12/27	3:23PM Outgoing	M2M Text Message	252-538-7996	0.00
105	12/27	3:24PM Outgoing	M2M Text Message	252-538-7996	0.00
106	12/27	3:39PM Outgoing	M2M Text Message	252-538-7996	0.00
107	12/27	3:41PM Outgoing	M2M Text Message	252-538-7996	0.00
108	12/27	3:43PM Outgoing	M2M Text Message	252-538-7996	0.00
109	12/27	3:45PM Outgoing	M2M Text Message	252-538-7996	0.00
110	12/27	6:52PM Outgoing	M2M Text Message	252-538-7996	0.00
111	12/27	6:53PM Outgoing	M2M Text Message	252-532-3269	0.00
112	12/27	6:55PM Outgoing	M2M Text Message	252-532-3269	0.00
113	12/27	7:15PM Outgoing	M2M Text Message	252-538-7996	0.00
114	12/27	7:18PM Outgoing	M2M Text Message	252-538-7996	0.00
115	12/27	7:49PM Outgoing	M2M Text Message	252-538-7996	0.00
116	12/27	10:11PM Outgoing	M2M Text Message	252-538-7996	0.00
117	12/27	10:12PM Outgoing	M2M Text Message	252-538-7996	0.00
118	12/27	10:15PM Outgoing	M2M Text Message	252-538-7996	0.00
119	12/27	10:19PM Outgoing	M2M Text Message	252-538-7996	0.00
120	12/27	10:22PM Outgoing	M2M Text Message	252-538-7996	0.00



Tiffany Brown's phone # 252-538-7996

Roberts w/ Branch phone # 252-676-4208

Page A0000041 of A0000047

Account Number: 824331857

Bill Date: 1/12/08

Invoice Number: 824331857-003

Bill Reprint

These are all Roberts Texts to Tiffany

Detail of Local Usage - UNLTD FAMILY TEXT MESSAGING (continued)  
ROBERT LEE KNIGHT

252-678-4208

Line	Date/Time(EST)	Direction	Type	To/From	Amount
121	12/27	10:25PM Outgoing	M2M Text Message	252-538-7996	0.00
122	12/27	10:28PM Outgoing	M2M Text Message	252-538-7996	0.00
123	12/28	1:38AM Outgoing	M2M Text Message	252-538-7996	0.00
124	12/28	3:57AM Outgoing	M2M Text Message	252-538-7996	0.00
125	12/28	10:48AM Outgoing	M2M Text Message	252-538-7996	0.00
126	12/28	12:54PM Outgoing	M2M Text Message	252-538-7996	0.00
127	12/28	4:47PM Outgoing	M2M Text Message	252-538-7996	0.00
128	12/28	9:20PM Outgoing	M2M Text Message	252-538-7996	0.00
129	12/29	4:54PM Outgoing	M2M Text Message	252-538-7996	0.00
130	12/29	7:01PM Outgoing	M2M Text Message	252-538-7996	0.00
131	12/29	7:03PM Outgoing	M2M Text Message	252-538-7996	0.00
132	12/31	10:28PM Outgoing	M2M Text Message	252-538-7996	0.00
133	1/01	11:34AM Outgoing	M2M Text Message	252-538-7996	0.00
134	1/01	11:35AM Outgoing	M2M Text Message	252-538-7996	0.00
135	1/01	11:38AM Outgoing	M2M Text Message	252-538-7996	0.00
136	1/01	11:49AM Outgoing	M2M Text Message	252-538-7996	0.00
137	1/01	11:50AM Outgoing	M2M Text Message	252-538-7996	0.00
138	1/01	12:20PM Outgoing	M2M Text Message	252-538-7996	0.00
139	1/01	1:31PM Outgoing	M2M Text Message	252-538-7996	0.00
140	1/01	2:32PM Outgoing	M2M Text Message	252-538-7996	0.00
141	1/01	2:52PM Outgoing	M2M Text Message	252-538-7996	0.00
142	1/01	3:32PM Outgoing	M2M Text Message	252-538-7996	0.00
143	1/01	3:33PM Outgoing	M2M Text Message	252-538-7996	0.00
144	1/01	3:35PM Outgoing	M2M Text Message	252-538-7996	0.00
145	1/01	4:36PM Outgoing	M2M Text Message	252-538-7996	0.00
146	1/01	5:23PM Outgoing	M2M Text Message	252-538-7996	0.00
147	1/01	5:24PM Outgoing	M2M Text Message	252-538-7996	0.00
148	1/01	5:30PM Outgoing	M2M Text Message	252-538-7996	0.00
149	1/01	5:32PM Outgoing	M2M Text Message	252-538-7996	0.00
150	1/01	7:03PM Outgoing	M2M Text Message	252-538-7996	0.00
151	1/01	7:05PM Outgoing	M2M Text Message	252-538-7996	0.00
152	1/01	7:06PM Outgoing	M2M Text Message	252-538-7996	0.00
153	1/01	7:12PM Outgoing	M2M Text Message	252-538-7996	0.00
154	1/01	7:15PM Outgoing	M2M Text Message	252-538-7996	0.00
155	1/01	7:21PM Outgoing	M2M Text Message	252-538-7996	0.00
156	1/01	7:25PM Outgoing	M2M Text Message	252-538-7996	0.00
157	1/01	7:33PM Outgoing	M2M Text Message	252-538-7996	0.00
158	1/01	7:40PM Outgoing	M2M Text Message	252-538-7996	0.00
159	1/01	8:42PM Outgoing	M2M Text Message	252-538-7996	0.00
160	1/01	8:46PM Outgoing	M2M Text Message	252-538-7996	0.00
161	1/01	8:47PM Outgoing	M2M Text Message	252-538-7996	0.00
162	1/01	9:31PM Outgoing	M2M Text Message	252-538-7996	0.00
163	1/01	10:12PM Outgoing	M2M Text Message	252-538-7996	0.00
164	1/01	10:16PM Outgoing	M2M Text Message	252-578-8672	0.00
165	1/02	10:56AM Outgoing	M2M Text Message	252-538-7996	0.00
166	1/02	11:30AM Outgoing	M2M Text Message	252-538-7996	0.00
167	1/02	12:17PM Outgoing	M2M Text Message	252-538-7996	0.00
168	1/02	12:45PM Outgoing	M2M Text Message	252-538-7996	0.00
169	1/02	12:46PM Outgoing	M2M Text Message	252-538-7996	0.00
170	1/02	12:55PM Outgoing	M2M Text Message	252-538-7996	0.00
171	1/02	12:56PM Outgoing	M2M Text Message	252-538-7996	0.00
172	1/02	1:00PM Outgoing	M2M Text Message	252-538-7996	0.00
173	1/02	2:02PM Outgoing	M2M Text Message	252-538-7996	0.00
174	1/02	2:07PM Outgoing	M2M Text Message	252-538-7996	0.00
175	1/02	2:41PM Outgoing	M2M Text Message	252-538-7996	0.00
176	1/02	2:42PM Outgoing	M2M Text Message	252-538-7996	0.00
177	1/02	2:43PM Outgoing	M2M Text Message	252-538-7996	0.00
178	1/02	2:45PM Outgoing	M2M Text Message	252-538-7996	0.00
179	1/02	2:47PM Outgoing	M2M Text Message	252-538-7996	0.00
180	1/02	2:49PM Outgoing	M2M Text Message	252-538-7996	0.00
181	1/02	4:06PM Outgoing	M2M Text Message	252-538-7996	0.00
182	1/02	4:09PM Outgoing	M2M Text Message	252-538-7996	0.00
183	1/02	4:13PM Outgoing	M2M Text Message	252-578-8672	0.00
184	1/02	4:14PM Outgoing	M2M Text Message	252-578-8672	0.00
185	1/02	4:18PM Outgoing	M2M Text Message	252-538-7996	0.00
186	1/02	4:20PM Outgoing	M2M Text Message	252-538-7996	0.00
187	1/02	4:21PM Outgoing	M2M Text Message	252-578-8672	0.00
188	1/02	4:23PM Outgoing	M2M Text Message	252-538-7996	0.00



REGINA'S  
Phone #

Page A0000003 of A0000047  
Account Number: 824331857  
Bill Date: 1/12/08  
Invoice Number: 824331857-003  
Bill Reprint

Detail of Local Usage - NATIONAL FAMILY 1400 (continued)  
ROBERT LEE KNIGHT

REGINA'S  
Phone # → 252-678-4206

Line	Date	Time	Calls To	Number Called	Feature	Period	Min	Airtime Charge	Toll Charge	Add'l Charge	Amount
137	12/25	6:26PM	MOBILE	CL 252-678-4207		OP	2.00	0.00			0.00
138	12/25	8:36PM	INCOMING	CL 252-678-4206		OP	2.00	0.00			0.00
139	12/26	9:00AM	CAPRON	VA 434-658-3808		PK	5.00	0.00			0.00
140	12/27	11:23AM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
141	12/27	12:22PM	MOBILE	CL 252-678-4208		PK	2.00	0.00			0.00
142	12/27	12:24PM	MOBILE	CL 252-678-4207		PK	2.00	0.00			0.00
143	12/27	1:46PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
144	12/27	1:56PM	EMPORIA	VA 434-632-1539		PK	1.00	0.00			0.00
145	12/27	1:57PM	MOBILE	CL 252-578-9202		PK	1.00	0.00			0.00
146	12/27	1:58PM	MOBILE	CL 252-578-9202		PK	1.00	0.00			0.00
147	12/27	1:58PM	MOBILE	CL 252-578-9202		PK	1.00	0.00			0.00
148	12/27	2:01PM	FRANKLIN	VA 757-517-5058		PK	2.00	0.00			0.00
149	12/27	2:06PM	MOBILE	CL 252-578-9202		PK	17.00	0.00			0.00
150	12/27	2:25PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
151	12/27	2:27PM	MOBILE	CL 252-642-4955		PK	1.00	0.00			0.00
152	12/27	2:47PM	MOBILE	CL 252-642-4955		PK	4.00	0.00			0.00
153	12/27	2:54PM	PHILA	PA 215-471-0330		PK	1.00	0.00			0.00
154	12/27	2:55PM	PHILA	PA 215-471-0330		PK	3.00	0.00			0.00
155	12/30	8:07PM	PHILA	PA 215-471-0330		OP	11.00	0.00			0.00
156	1/01	4:12PM	MOBILE	CL 252-678-4207		OP	1.00	0.00			0.00
157	1/02	9:28AM	INCOMING	CL 252-678-4206		PK	2.00	0.00			0.00
158	1/02	10:34AM	WELDON	NC 252-538-4125		PK	2.00	0.00			0.00
159	1/02	10:38AM	ROANKERPDS	NC 252-537-5107		PK	1.00	0.00			0.00
160	1/02	10:47AM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
161	1/02	12:00PM	INCOMING	CL 252-678-4206		PK	3.00	0.00			0.00
162	1/02	12:15PM	ROANKERPDS	NC 252-535-2828		PK	9.00	0.00			0.00
163	1/02	6:36PM	INCOMING	CL 252-678-4206		PK	3.00	0.00			0.00
164	1/02	7:30PM	MOBILE	CL 252-678-4207		OP	1.00	0.00			0.00
165	1/03	10:10AM	TOLL FREE CALL	800-835-4285		PK	2.00	0.00			0.00
166	1/03	10:15AM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
167	1/03	10:31AM	MOBILE	CL 252-678-4207		PK	4.00	0.00			0.00
168	1/03	10:38AM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
169	1/03	10:42AM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
170	1/03	10:43AM	INCOMING	CL 252-678-4206		PK	2.00	0.00			0.00
171	1/03	4:46PM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
172	1/03	4:48PM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
173	1/04	8:55AM	INCOMING	CL 252-678-4206		PK	2.00	0.00			0.00
174	1/04	8:57AM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
175	1/04	8:58AM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
176	1/04	10:29AM	MAIL	CL 252-678-4206		PK	1.00	0.00			0.00
177	1/04	10:53AM	INCOMING	CL 252-678-4206		PK	5.00	0.00			0.00
178	1/04	10:59AM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
179	1/04	11:11AM	MOBILE	CL 252-678-4208		PK	2.00	0.00			0.00
180	1/04	11:16AM	ROANKERPDS	NC 252-535-2828		PK	11.00	0.00			0.00
181	1/04	11:27AM	INCOMING	CL 252-678-4206		PK	2.00	0.00			0.00
182	1/04	11:47AM	MOBILE	CL 252-678-4207		PK	2.00	0.00			0.00
183	1/04	12:33PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
184	1/04	2:54PM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
185	1/04	2:54PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
186	1/04	3:47PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
187	1/04	4:10PM	MOBILE	CL 252-678-4207		PK	1.00	0.00			0.00
188	1/04	5:22PM	INCOMING	CL 252-678-4206		PK	5.00	0.00			0.00
189	1/04	5:30PM	INCOMING	CL 252-678-4206		PK	2.00	0.00			0.00
190	1/04	5:50PM	INCOMING	CL 252-678-4206		PK	2.00	0.00			0.00
191	1/04	6:51PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
192	1/04	6:58PM	MOBILE	CL 252-578-0426		PK	1.00	0.00			0.00
193	1/04	6:59PM	INCOMING	CL 252-678-4206		PK	1.00	0.00			0.00
194	1/04	7:13PM	INCOMING	CL 252-678-4206		OP	2.00	0.00			0.00
195	1/04	8:02PM	INCOMING	CL 252-678-4206		OP	1.00	0.00			0.00
196	1/04	8:52PM	INCOMING	CL 252-678-4206		OP	1.00	0.00			0.00
197	1/05	10:44AM	MOBILE	CL 252-678-4207		OP	2.00	0.00			0.00
198	1/05	12:03PM	SEABOARD	NC 252-589-9221		OP	1.00	0.00			0.00
199	1/05	12:04PM	INCOMING	CL 252-678-4206		OP	7.00	0.00			0.00
200	1/05	12:14PM	CAPRON	VA 434-658-3808		OP	1.00	0.00			0.00
201	1/05	12:15PM	INCOMING	CL 252-678-4206		OP	9.00	0.00			0.00
202	1/05	1:16PM	MOBILE	CL 252-678-4207		OP	12.00	0.00			0.00
203	1/05	1:48PM	MOBILE	CL 252-678-4207		OP	4.00	0.00			0.00
204	1/05	2:08PM	INCOMING	CL 252-678-4206		OP	2.00	0.00			0.00



Cellular Telephone Number Summary (continued)  
 ROBERT LEE KNIGHT

252-678-4208

Other Charges & Credits (continued)	CHARGES	TOTAL
<b>Total Other Charges &amp; Credits</b>		13.11
<b>Taxes</b>		
NC Utility Sales Tax	2.10	
<b>Total Taxes</b>		2.10
<b>CURRENT CHARGES FOR 252-678-4208</b>		<u>\$47.70</u>

Detail of Extended Home Service Area Charges - NATIONAL FAMILY 1400  
 ROBERT LEE KNIGHT

252-678-4208

Line	Date	Time	Calls To	Number Called	Period	Min	Airtime Charge	Toll Charge	Add'l Charge	Int'l Roam Taxes	Amount
<b>WASHINGTON DC - B (00018)</b>											
1	12/27	7:06PM	INCOMING	CL 252-678-4208	OP	1.00	0.00			0.00	0.00
2	12/27	7:19PM	INCOMING	CL 252-678-4208	OP	4.00	0.00			0.00	0.00
3	12/27	7:46PM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
4	12/27	8:19PM	INCOMING	CL 252-678-4208	OP	3.00	0.00			0.00	0.00
5	12/27	8:51PM	ROANOKERPD	NC 252-673-8818	OP	27.00	0.00			0.00	0.00
6	12/27	9:17PM	CALL WAIT	252-678-4208	OP	8.00	0.00			0.00	0.00
7	12/27	9:19PM	CALL WAIT	252-678-4208	OP	3.00	0.00			0.00	0.00
8	12/30	4:00PM	INCOMING	CL 252-678-4208	OP	7.00	0.00			0.00	0.00
9	12/30	4:12PM	INCOMING	CL 252-678-4208	OP	8.00	0.00			0.00	0.00
10	12/30	4:56PM	WELDON	NC 252-538-7996	OP	9.00	0.00			0.00	0.00
11	12/30	5:02PM	CALL WAIT	252-678-4208	OP	3.00	0.00			0.00	0.00
12	12/30	5:05PM	WELDON	NC 252-538-7996	OP	82.00	0.00			0.00	0.00
<b>Subtotal</b>											<u>\$0.00</u>
<b>BALTIMORE MD - B (30354)</b>											
1	12/27	9:31PM	WELDON	NC 252-678-2780	OP	2.00	0.00			0.00	0.00
2	12/27	9:32PM	CALL WAIT	252-678-4208	OP	18.00	0.00			0.00	0.00
3	12/30	1:47PM	WELDON	NC 252-678-3340	OP	1.00	0.00			0.00	0.00
4	12/30	1:52PM	WELDON	NC 252-678-3340	OP	1.00	0.00			0.00	0.00
5	12/30	1:53PM	SCOTLDNECK	NC 252-826-5234	OP	1.00	0.00			0.00	0.00
6	12/30	1:53PM	SCOTLDNECK	NC 252-826-5234	OP	3.00	0.00			0.00	0.00
7	12/30	1:56PM	WELDON	NC 252-678-3340	OP	1.00	0.00			0.00	0.00
8	12/30	1:57PM	WELDON	NC 252-678-3340	OP	4.00	0.00			0.00	0.00
9	12/30	2:38PM	INCOMING	CL 252-678-4208	OP	9.00	0.00			0.00	0.00
10	12/30	2:47PM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
<b>Subtotal</b>											<u>\$0.00</u>
<b>CECIL COUNTY MD - B (30364)</b>											
1	12/27	10:16PM	INCOMING	CL 252-678-4208	OP	4.00	0.00			0.00	0.00
2	12/27	10:34PM	NORFOLK	VA 757-567-2925	OP	2.00	0.00			0.00	0.00
3	12/30	1:15PM	INCOMING	CL 252-678-4208	OP	14.00	0.00			0.00	0.00
<b>Subtotal</b>											<u>\$0.00</u>
<b>PHILADELPHIA PA - B (00008)</b>											
1	12/27	10:55PM	MAIL	CL 252-678-4208	OP	2.00	0.00			0.00	0.00
2	12/27	10:59PM	WELDON	NC 252-538-7996	OP	8.00	0.00			0.00	0.00
3	12/27	11:07PM	WELDON	NC 252-538-7996	OP	4.00	0.00			0.00	0.00
4	12/27	11:21PM	INCOMING	CL 252-678-4208	OP	3.00	0.00			0.00	0.00
5	12/27	11:26PM	SEABOARD	NC 252-589-2261	OP	2.00	0.00			0.00	0.00
6	12/28	1:37AM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
7	12/28	2:08AM	AHOSKIE	NC 252-642-4955	OP	1.00	0.00			0.00	0.00
8	12/28	2:08AM	AHOSKIE	NC 252-642-4955	OP	1.00	0.00			0.00	0.00
9	12/28	2:15AM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
10	12/28	2:16AM	ROANOKERPD	NC 252-673-8818	OP	2.00	0.00			0.00	0.00
11	12/28	3:56AM	WELDON	NC 252-538-7996	OP	1.00	0.00			0.00	0.00
12	12/28	10:55AM	INCOMING	CL 252-678-4208	PK	5.00	0.00			0.00	0.00
13	12/28	11:00AM	CALL WAIT	252-678-4208	PK	10.00	0.00			0.00	0.00
14	12/28	11:23AM	INCOMING	CL 252-678-4208	PK	3.00	0.00			0.00	0.00
15	12/28	12:20PM	WELDON	NC 252-538-7996	PK	8.00	0.00			0.00	0.00
16	12/28	12:31PM	INCOMING	CL 252-678-4208	PK	13.00	0.00			0.00	0.00
17	12/28	12:43PM	WELDON	NC 252-538-7996	PK	9.00	0.00			0.00	0.00
18	12/28	12:52PM	WELDON	NC 252-678-3340	PK	1.00	0.00			0.00	0.00
19	12/28	12:52PM	WELDON	NC 252-678-3340	PK	1.00	0.00			0.00	0.00

Detail of Local Usage - UNLTD FAMILY TEXT MESSAGING (continued)  
ROBERT LEE KNIGHT

252-678-4208

Line	Date/Time(EST)	Direction	Type	To/From	Amount
53	12/25	8:59PM Outgoing	M2M Text Message	252-538-7996	0.00
54	12/25	9:02PM Outgoing	M2M Text Message	252-538-7996	0.00
55	12/25	9:10PM Outgoing	M2M Text Message	252-538-7996	0.00
56	12/25	9:18PM Outgoing	M2M Text Message	252-538-7996	0.00
57	12/25	10:08PM Outgoing	M2M Text Message	252-538-7996	0.00
58	12/25	10:13PM Outgoing	M2M Text Message	252-538-7996	0.00
59	12/25	10:18PM Outgoing	M2M Text Message	252-538-7996	0.00
60	12/25	11:59PM Outgoing	M2M Text Message	252-538-7996	0.00
61	12/26	12:01AM Outgoing	M2M Text Message	252-538-7996	0.00
62	12/26	12:02AM Outgoing	M2M Text Message	252-538-7996	0.00
63	12/26	12:05AM Outgoing	M2M Text Message	252-538-7996	0.00
64	12/26	4:44AM Outgoing	M2M Text Message	252-538-7996	0.00
65	12/26	3:13PM Outgoing	M2M Text Message	252-538-7996	0.00
66	12/26	3:37PM Outgoing	M2M Text Message	252-538-7996	0.00
67	12/26	3:56PM Outgoing	M2M Text Message	252-578-8672	0.00
68	12/26	3:58PM Outgoing	M2M Text Message	252-538-7996	0.00
69	12/26	4:01PM Outgoing	M2M Text Message	252-538-7996	0.00
70	12/26	4:24PM Outgoing	M2M Text Message	252-538-7996	0.00
71	12/26	4:25PM Outgoing	M2M Text Message	252-538-7996	0.00
72	12/26	4:38PM Outgoing	M2M Text Message	252-538-7996	0.00
73	12/26	5:01PM Outgoing	M2M Text Message	252-538-7996	0.00
74	12/26	5:01PM Outgoing	M2M Text Message	252-538-7996	0.00
75	12/26	5:03PM Outgoing	M2M Text Message	252-538-7996	0.00
76	12/26	5:06PM Outgoing	M2M Text Message	252-538-7996	0.00
77	12/26	6:07PM Outgoing	M2M Text Message	252-538-7996	0.00
78	12/26	6:12PM Outgoing	M2M Text Message	252-538-7996	0.00
79	12/26	6:13PM Outgoing	M2M Text Message	252-538-7996	0.00
80	12/26	6:50PM Outgoing	M2M Text Message	252-538-7996	0.00
81	12/26	6:53PM Outgoing	M2M Text Message	252-538-7996	0.00
82	12/26	6:58PM Outgoing	M2M Text Message	252-538-7996	0.00
83	12/26	7:06PM Outgoing	M2M Text Message	252-538-7996	0.00
84	12/26	7:07PM Outgoing	M2M Text Message	252-538-7996	0.00
85	12/26	7:11PM Outgoing	M2M Text Message	252-538-7996	0.00
86	12/26	7:13PM Outgoing	M2M Text Message	252-538-7996	0.00
87	12/26	7:16PM Outgoing	M2M Text Message	252-538-7996	0.00
88	12/26	7:17PM Outgoing	M2M Text Message	252-538-7996	0.00
89	12/26	7:18PM Outgoing	M2M Text Message	252-538-7996	0.00
90	12/26	7:24PM Outgoing	M2M Text Message	252-538-7996	0.00
91	12/26	7:28PM Outgoing	M2M Text Message	252-538-7996	0.00
92	12/26	7:37PM Outgoing	M2M Text Message	252-538-7996	0.00
93	12/26	7:42PM Outgoing	M2M Text Message	252-538-7996	0.00
94	12/26	7:46PM Outgoing	M2M Text Message	252-538-7996	0.00
95	12/26	8:07PM Outgoing	M2M Text Message	252-538-7996	0.00
96	12/26	8:08PM Outgoing	M2M Text Message	252-538-7996	0.00
97	12/26	9:09PM Outgoing	M2M Text Message	252-538-7996	0.00
98	12/26	9:39PM Outgoing	M2M Text Message	252-538-7996	0.00
99	12/26	11:48PM Outgoing	M2M Text Message	252-538-7996	0.00
100	12/27	3:10PM Outgoing	M2M Text Message	252-538-7996	0.00
101	12/27	3:12PM Outgoing	M2M Text Message	252-538-7996	0.00
102	12/27	3:14PM Outgoing	M2M Text Message	252-538-7996	0.00
103	12/27	3:15PM Outgoing	M2M Text Message	252-538-7996	0.00
104	12/27	3:23PM Outgoing	M2M Text Message	252-538-7996	0.00
105	12/27	3:24PM Outgoing	M2M Text Message	252-538-7996	0.00
106	12/27	3:39PM Outgoing	M2M Text Message	252-538-7996	0.00
107	12/27	3:41PM Outgoing	M2M Text Message	252-538-7996	0.00
108	12/27	3:43PM Outgoing	M2M Text Message	252-538-7996	0.00
109	12/27	3:45PM Outgoing	M2M Text Message	252-538-7996	0.00
110	12/27	6:52PM Outgoing	M2M Text Message	252-538-7996	0.00
111	12/27	6:53PM Outgoing	M2M Text Message	252-532-3269	0.00
112	12/27	6:55PM Outgoing	M2M Text Message	252-532-3269	0.00
113	12/27	7:15PM Outgoing	M2M Text Message	252-538-7996	0.00
114	12/27	7:18PM Outgoing	M2M Text Message	252-538-7996	0.00
115	12/27	7:49PM Outgoing	M2M Text Message	252-538-7996	0.00
116	12/27	10:11PM Outgoing	M2M Text Message	252-538-7996	0.00
117	12/27	10:12PM Outgoing	M2M Text Message	252-538-7996	0.00
118	12/27	10:15PM Outgoing	M2M Text Message	252-538-7996	0.00
119	12/27	10:19PM Outgoing	M2M Text Message	252-538-7996	0.00
120	12/27	10:22PM Outgoing	M2M Text Message	252-538-7996	0.00

Detail of Local Usage - UNLTD FAMILY TEXT MESSAGING (continued)  
ROBERT LEE KNIGHT

252-678-4208

Line	Date/Time(EST)	Direction	Type	To/From	Amount
121	12/27	10:25PM Outgoing	M2M Text Message	252-538-7996	0.00
122	12/27	10:28PM Outgoing	M2M Text Message	252-538-7996	0.00
123	12/28	1:38AM Outgoing	M2M Text Message	252-538-7996	0.00
124	12/28	3:57AM Outgoing	M2M Text Message	252-538-7996	0.00
125	12/28	10:48AM Outgoing	M2M Text Message	252-538-7996	0.00
126	12/28	12:54PM Outgoing	M2M Text Message	252-538-7996	0.00
127	12/28	4:47PM Outgoing	M2M Text Message	252-538-7996	0.00
128	12/28	9:20PM Outgoing	M2M Text Message	252-538-7996	0.00
129	12/29	4:54PM Outgoing	M2M Text Message	252-538-7996	0.00
130	12/29	7:01PM Outgoing	M2M Text Message	252-538-7996	0.00
131	12/29	7:03PM Outgoing	M2M Text Message	252-538-7996	0.00
132	12/31	10:28PM Outgoing	M2M Text Message	252-538-7996	0.00
133	1/01	11:34AM Outgoing	M2M Text Message	252-538-7996	0.00
134	1/01	11:35AM Outgoing	M2M Text Message	252-538-7996	0.00
135	1/01	11:38AM Outgoing	M2M Text Message	252-538-7996	0.00
136	1/01	11:49AM Outgoing	M2M Text Message	252-538-7996	0.00
137	1/01	11:50AM Outgoing	M2M Text Message	252-538-7996	0.00
138	1/01	12:20PM Outgoing	M2M Text Message	252-538-7996	0.00
139	1/01	1:31PM Outgoing	M2M Text Message	252-538-7996	0.00
140	1/01	2:32PM Outgoing	M2M Text Message	252-538-7996	0.00
141	1/01	2:52PM Outgoing	M2M Text Message	252-538-7996	0.00
142	1/01	3:32PM Outgoing	M2M Text Message	252-538-7996	0.00
143	1/01	3:33PM Outgoing	M2M Text Message	252-538-7996	0.00
144	1/01	3:35PM Outgoing	M2M Text Message	252-538-7996	0.00
145	1/01	4:36PM Outgoing	M2M Text Message	252-538-7996	0.00
146	1/01	5:23PM Outgoing	M2M Text Message	252-538-7996	0.00
147	1/01	5:24PM Outgoing	M2M Text Message	252-538-7996	0.00
148	1/01	5:30PM Outgoing	M2M Text Message	252-538-7996	0.00
149	1/01	5:32PM Outgoing	M2M Text Message	252-538-7996	0.00
150	1/01	7:03PM Outgoing	M2M Text Message	252-538-7996	0.00
151	1/01	7:05PM Outgoing	M2M Text Message	252-538-7996	0.00
152	1/01	7:06PM Outgoing	M2M Text Message	252-538-7996	0.00
153	1/01	7:12PM Outgoing	M2M Text Message	252-538-7996	0.00
154	1/01	7:15PM Outgoing	M2M Text Message	252-538-7996	0.00
155	1/01	7:21PM Outgoing	M2M Text Message	252-538-7996	0.00
156	1/01	7:25PM Outgoing	M2M Text Message	252-538-7996	0.00
157	1/01	7:33PM Outgoing	M2M Text Message	252-538-7996	0.00
158	1/01	7:40PM Outgoing	M2M Text Message	252-538-7996	0.00
159	1/01	8:42PM Outgoing	M2M Text Message	252-538-7996	0.00
160	1/01	8:46PM Outgoing	M2M Text Message	252-538-7996	0.00
161	1/01	8:47PM Outgoing	M2M Text Message	252-538-7996	0.00
162	1/01	9:31PM Outgoing	M2M Text Message	252-538-7996	0.00
163	1/01	10:12PM Outgoing	M2M Text Message	252-538-7996	0.00
164	1/01	10:16PM Outgoing	M2M Text Message	252-578-8672	0.00
165	1/02	10:56AM Outgoing	M2M Text Message	252-538-7996	0.00
166	1/02	11:30AM Outgoing	M2M Text Message	252-538-7996	0.00
167	1/02	12:17PM Outgoing	M2M Text Message	252-538-7996	0.00
168	1/02	12:45PM Outgoing	M2M Text Message	252-538-7996	0.00
169	1/02	12:46PM Outgoing	M2M Text Message	252-538-7996	0.00
170	1/02	12:55PM Outgoing	M2M Text Message	252-538-7996	0.00
171	1/02	12:56PM Outgoing	M2M Text Message	252-538-7996	0.00
172	1/02	1:00PM Outgoing	M2M Text Message	252-538-7996	0.00
173	1/02	2:02PM Outgoing	M2M Text Message	252-538-7996	0.00
174	1/02	2:07PM Outgoing	M2M Text Message	252-538-7996	0.00
175	1/02	2:41PM Outgoing	M2M Text Message	252-538-7996	0.00
176	1/02	2:42PM Outgoing	M2M Text Message	252-538-7996	0.00
177	1/02	2:43PM Outgoing	M2M Text Message	252-538-7996	0.00
178	1/02	2:45PM Outgoing	M2M Text Message	252-538-7996	0.00
179	1/02	2:47PM Outgoing	M2M Text Message	252-538-7996	0.00
180	1/02	2:49PM Outgoing	M2M Text Message	252-538-7996	0.00
181	1/02	4:06PM Outgoing	M2M Text Message	252-538-7996	0.00
182	1/02	4:09PM Outgoing	M2M Text Message	252-538-7996	0.00
183	1/02	4:13PM Outgoing	M2M Text Message	252-578-8672	0.00
184	1/02	4:14PM Outgoing	M2M Text Message	252-578-8672	0.00
185	1/02	4:18PM Outgoing	M2M Text Message	252-538-7996	0.00
186	1/02	4:20PM Outgoing	M2M Text Message	252-538-7996	0.00
187	1/02	4:21PM Outgoing	M2M Text Message	252-578-8672	0.00
188	1/02	4:23PM Outgoing	M2M Text Message	252-538-7996	0.00

Detail of Local Usage - NATIONAL FAMILY 1400 (continued)  
ROBERT LEE KNIGHT

252-678-4206

Line	Date	Time	Calls To	Number Called	Feature	Period	Min	Airtime Charge	Toll Charge	Add'l Charge	Amount
137	12/25	6:26PM	MOBILE	CL 252-678-4207	OP		2.00	0.00			0.00
138	12/25	8:36PM	INCOMING	CL 252-678-4206	OP		2.00	0.00			0.00
139	12/26	9:00AM	CAPRON	VA 434-658-3808	PK		5.00	0.00			0.00
140	12/27	11:23AM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
141	12/27	12:22PM	MOBILE	CL 252-678-4208	PK		2.00	0.00			0.00
142	12/27	12:24PM	MOBILE	CL 252-678-4207	PK		2.00	0.00			0.00
143	12/27	1:46PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
144	12/27	1:56PM	EMPORIA	VA 434-632-1539	PK		1.00	0.00			0.00
145	12/27	1:57PM	MOBILE	CL 252-578-9202	PK		1.00	0.00			0.00
146	12/27	1:58PM	MOBILE	CL 252-578-9202	PK		1.00	0.00			0.00
147	12/27	1:58PM	MOBILE	CL 252-578-9202	PK		1.00	0.00			0.00
148	12/27	2:01PM	FRANKLIN	VA 757-517-5058	PK		2.00	0.00			0.00
149	12/27	2:06PM	MOBILE	CL 252-578-9202	PK		17.00	0.00			0.00
150	12/27	2:25PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
151	12/27	2:27PM	MOBILE	CL 252-642-4955	PK		1.00	0.00			0.00
152	12/27	2:47PM	MOBILE	CL 252-642-4955	PK		4.00	0.00			0.00
153	12/27	2:54PM	PHILA	PA 215-471-0330	PK		1.00	0.00			0.00
154	12/27	2:55PM	PHILA	PA 215-471-0330	PK		3.00	0.00			0.00
155	12/30	8:07PM	PHILA	PA 215-471-0330	OP		11.00	0.00			0.00
156	1/01	4:12PM	MOBILE	CL 252-678-4207	OP		1.00	0.00			0.00
157	1/02	9:28AM	INCOMING	CL 252-678-4206	PK		2.00	0.00			0.00
158	1/02	10:34AM	WELDON	NC 252-538-4125	PK		2.00	0.00			0.00
159	1/02	10:38AM	ROANKERPDS	NC 252-537-5107	PK		1.00	0.00			0.00
160	1/02	10:47AM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
161	1/02	12:00PM	INCOMING	CL 252-678-4206	PK		3.00	0.00			0.00
162	1/02	12:15PM	ROANKERPDS	NC 252-535-2828	PK		9.00	0.00			0.00
163	1/02	6:36PM	INCOMING	CL 252-678-4206	PK		3.00	0.00			0.00
164	1/02	7:30PM	MOBILE	CL 252-678-4207	OP		1.00	0.00			0.00
165	1/03	10:10AM	TOLL FREE CALL	800-835-4285	PK		2.00	0.00			0.00
166	1/03	10:15AM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
167	1/03	10:31AM	MOBILE	CL 252-678-4207	PK		4.00	0.00			0.00
168	1/03	10:38AM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
169	1/03	10:42AM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
170	1/03	10:43AM	INCOMING	CL 252-678-4206	PK		2.00	0.00			0.00
171	1/03	4:46PM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
172	1/03	4:48PM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
173	1/04	8:55AM	INCOMING	CL 252-678-4206	PK		2.00	0.00			0.00
174	1/04	8:57AM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
175	1/04	8:58AM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
176	1/04	10:29AM	MAIL	CL 252-678-4206	PK		1.00	0.00			0.00
177	1/04	10:53AM	INCOMING	CL 252-678-4206	PK		5.00	0.00			0.00
178	1/04	10:59AM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
179	1/04	11:11AM	MOBILE	CL 252-678-4208	PK		2.00	0.00			0.00
180	1/04	11:16AM	ROANKERPDS	NC 252-535-2828	PK		11.00	0.00			0.00
181	1/04	11:27AM	INCOMING	CL 252-678-4206	PK		2.00	0.00			0.00
182	1/04	11:47AM	MOBILE	CL 252-678-4207	PK		2.00	0.00			0.00
183	1/04	12:33PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
184	1/04	2:54PM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
185	1/04	2:54PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
186	1/04	3:47PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
187	1/04	4:10PM	MOBILE	CL 252-678-4207	PK		1.00	0.00			0.00
188	1/04	5:22PM	INCOMING	CL 252-678-4206	PK		5.00	0.00			0.00
189	1/04	5:30PM	INCOMING	CL 252-678-4206	PK		2.00	0.00			0.00
190	1/04	5:50PM	INCOMING	CL 252-678-4206	PK		2.00	0.00			0.00
191	1/04	6:51PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
192	1/04	6:58PM	MOBILE	CL 252-578-0426	PK		1.00	0.00			0.00
193	1/04	6:59PM	INCOMING	CL 252-678-4206	PK		1.00	0.00			0.00
194	1/04	7:13PM	INCOMING	CL 252-678-4206	OP		2.00	0.00			0.00
195	1/04	8:02PM	INCOMING	CL 252-678-4206	OP		1.00	0.00			0.00
196	1/04	8:52PM	INCOMING	CL 252-678-4206	OP		1.00	0.00			0.00
197	1/05	10:44AM	MOBILE	CL 252-678-4207	OP		2.00	0.00			0.00
198	1/05	12:03PM	SEABOARD	NC 252-589-9221	OP		1.00	0.00			0.00
199	1/05	12:04PM	INCOMING	CL 252-678-4206	OP		7.00	0.00			0.00
200	1/05	12:14PM	CAPRON	VA 434-658-3808	OP		1.00	0.00			0.00
201	1/05	12:15PM	INCOMING	CL 252-678-4206	OP		9.00	0.00			0.00
202	1/05	1:16PM	MOBILE	CL 252-678-4207	OP		12.00	0.00			0.00
203	1/05	1:48PM	MOBILE	CL 252-678-4207	OP		4.00	0.00			0.00
204	1/05	2:08PM	INCOMING	CL 252-678-4206	OP		2.00	0.00			0.00

Williams' MAR, supported by affidavits of Thomas and Freeman, was summarily denied on January 26, 2015 without a hearing. (Williams Court File 108). The MAR is provided in full below.

## **WILLIAMS' MAR AND DENIAL ORDER**

(Antinore 738-768)



NORTH CAROLINA  
COUNTY OF NORTHAMPTON

IN THE GENERAL COURT OF JUSTICE  
**FILED** SUPERIOR COURT DIVISION

2014 SEP 15 FILE NUMBER: 08 CRS 5107-08

08 CRS 51065-66

NORTHAMPTON CO., C.S.C.

09 CRS 83-85

STATE OF NORTH CAROLINA

BY P&N

v.

COATNEY RANDALL WILLIAMS

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**DEFENDANT'S MOTION FOR APPROPRIATE RELIEF**

Defendant Coatney Randall Williams, through undersigned counsel, hereby moves the Court, pursuant to Article 89 of Chapter 15A of the General Statutes, and specifically G.S. §15A-1411 ET. SEQ., §15A-1415 (a), G.S. §15A-1415 (b)(3), and G.S. §15A-1415(c), the Due Process Clause, the Fifth, Sixth and Fourteenth Ammendments to the Constitution of the United States, and Article I, §19 of the North Carolina Constitution for an Order vacating his conviction and sentence and granting him a new trial.

G.S. §15A-1420(b)1) mandates that “[a] motion for appropriate relief made after the entry of judgment must be supported by affidavits or other documentary evidence if based upon the existence or occurrence of facts which are not ascertainable from the records and any transcript of the case or which are not within the knowledge of the judge who hears the motion.”

The defendant supports this motion both with documentary evidence and the attached affidavits, which states in part that all representations and conclusions made in the MAR are based on information that he either knows to be true or believes to a reasonable certainty to be true, and which also state that the evidence necessary to conclusively establish the basis for the relief sought.



### Issues for the Court's Consideration

I. Defendant deserves Appropriate Relief in this matter because new evidence has been discovered since his conviction that, if it had been known at his trial, would have materially affected the jury's decision and would have resulted in a Not Guilty verdict.

I(a). The only witness that testified at trial as to defendant's involvement in this crime has recanted his prior sworn testimony.

I(b). Jamal Thomas, a second co-defendant who did not testify at defendant's trial, has also signed a sworn affidavit stating that defendant was not present and did not participate in the crimes he stands convicted of.

I(b). Defense counsel has retained a cell phone technology expert who states that he will be able to examine the cellphone admitted into evidence and establish the veracity of date and time-stamped photographic evidence as well as the determine out of state locations of the cell phone at relevant times, evidence that is critical to defendant's Alibi Defense that will demonstrate that Mr. Williams was not in North Carolina at the Time of the Offense.

II. Defendant Coatney Williams deserves Appropriate Relief in this matter because the trial court improperly hindered his Alibi Defense when it excluded evidence of a date and time-stamped photograph of defendant. The trial court's ruling violated defendant's State and Federal Due Process Rights, as well as the Sixth and Fourteenth Amendments of our Federal Constitution, because it improperly impaired defendant's ability to answer the charges against him and to put on a complete defense.

III. Defendant Coatney Williams deserves Appropriate Relief in this matter because the trial judge violated defendant's state and federal constitutional rights and deprived him of a fair trial when she interrupted defendant's testimony in front of the jury, ordered defendant to step down from the witness stand, struck defendant's testimony and ordered the jury "not to consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial."

IV. The trial judge improperly displayed its opinion about the defendant's truthfulness and veracity when it ordered defendant off of the witness stand and instructed the jury to disregard the testimony he offered in his defense.

IV(a). The trial court's attempt to cure the prejudicial effect of its prior ruling ordering the defendant to leave the witness stand and instructing the jury to disregard the testimony offered by defendant was not timely and was insufficient to cure its prior error.

V. Defendant Coatney Williams deserves Appropriate Relief in this matter because the trial judge violated defendant's state and federal constitutional rights and deprived him of a fair trial when she allowed trial counsel to waive defendant's right to retake the stand and continue testifying without properly informing defendant of his right to testify and without making any inquiry to determine whether defendant's waiver of his right to testify at that time was either voluntary or knowing.

VI. Defendant Coatney Williams deserves Appropriate Relief in this matter because defendant received Ineffective Assistance of Counsel at the trial of his case as well as the subsequent appeal of his case.

As grounds therefore, Coatney Williams shows the Court as follows:

### **Background**

1. On January 5, 2009, a Northampton County Grand Jury returned indictments charging Coatney Williams with First Degree Burglary, Felonious Larceny, Possession of Stolen Goods, Assault with a Deadly Weapon with Intent to Kill, Larceny of a Firearm, Robbery with a Dangerous Weapon and Attempted Murder.
2. Mr. Williams entered pleas of Not Guilty and his cases came on to be heard at the July 12, 2010 Session of the Superior Court, Northampton County, the Honorable Alma L. Hinton, Judge presiding.
3. On July 15, 2010, the jury returned verdicts of Guilty of First Degree Burglary, Felony Larceny, Possession of Stolen Goods, Assault with a Deadly Weapon, Larceny of a Firearm, Robbery with a Dangerous Weapon, and Attempted First Degree Murder.



4. The Court sentenced Mr. Williams to an active term of imprisonment of 251-311 months for Attempted First Degree Murder, a consecutive active term of 117-150 months for Robbery with a Dangerous Weapon, a consecutive active term of 117-150 months for First Degree Burglary, a consecutive active term of 11-14 months for Larceny of a Firearm and Assault with a Deadly Weapon, and a consecutive active term of imprisonment of 11-14 months for Larceny after Breaking and Entering and Felonious Possession of Stolen Goods.
5. Mr. Williams, appealed his convictions, and the Court of Appeals affirmed in part and reversed in part, and sent the affected cases back to the Superior Court for resentencing.
6. G.S. §15A-1415(b)(3) permits a defendant to assert as grounds for appropriate relief that "[t]he conviction was obtained in violation of the Constitution of the United States or the Constitution of North Carolina."

**I. Defendant deserves Appropriate Relief in this matter because new evidence has been discovered since his conviction that, if it had been known at his trial, would have materially affected the jury's decision and would have resulted in a Not Guilty verdict.**

**I(a). The only witness that testified at trial as to defendant's involvement in this crime has recanted his prior testimony.**

7. In *State v. Rhodes*, -- N.C. --, 243 S.E.2d 37 (2013), our Supreme Court wrote:  
  
*Our Criminal Procedure Act provides that a defendant at any time after verdict may by a motion for appropriate relief, raise the ground that evidence is available which was unknown or unavailable to the defendant at the time of trial, which could not with due diligence have been discovered or made available at that time, including recanted testimony, and which has a direct and material bearing upon . . . the defendant's guilt or innocence. N.C. G.S. § 15A-1415(c). "This section of the statute codifies substantially the rule previously developed by case law for the granting of a new trial for newly discovered evidence." State v. Powell, 321 N.C. 364, 371, 364 S.E.2d 332, 336 (citing State v. Beaver, 291 N.C. 137, 229 S.E.2d 179 (1976)), cert. denied, 488 U.S. 830, 109 S.Ct. 83 (1988).*

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*Our case law stated:*

*In order for a new trial to be granted on the ground of newly discovered evidence, it must appear by affidavit that (1) the witness or witnesses will give newly discovered evidence; (2) the newly discovered evidence is probably true; (3) the evidence is material, competent and relevant; (4) due diligence was used and proper means were employed to procure the testimony at trial; (5) the newly discovered evidence is not merely cumulative or corroborative; (6) the new evidence does not merely tend to contradict, impeach or discredit the testimony of a former witness; and (7) the evidence is of such a nature that a different result will probably be reached at a new trial. Beaver, 291 N.C. at 143, 229 S.E.2d at 183 (citing State v. Casey, 201 N.C. 620, 161 S.E. 81 (1931)).*

8. At the time of his trial, defendant stood accused of committing this home invasion, felonious assaults and robbery with three co-defendants, Jamal Thomas, Karon Moses, and Antonio Freeman.
9. The state did not call two of the three of defendant's codefendants to testify in defendant's trial. The only alleged co-defendant who testified against defendant was Antonio Freeman.
10. Antonio Freeman was the only state witness that testified that defendant was present on the night of the offense.
11. Antonio Freeman was the only state witness that testified that defendant participated in the home invasion in any manner.
12. None of the victims identified defendant as a perpetrator of these offenses. The State chose not to call the other two alleged co-defendants.
13. On June 17, 2014, co-defendant Antonio Freeman signed the attached sworn affidavit which states, among other things, that defendant was NOT present at the commission of the the crimes for which he was convicted and that defendant did NOT participate in the offenses. Furthermore, the affidavit states that Coatney Williams is innocent of the charges which he is currently being incarcerated for.



14. Therefore, Mr. Freeman's trial testimony at trial concerning defendant's participation in the offenses is not true.
15. If the only witness who testified that defendant committed the alleged offenses told the jury that defendant was not present for or involved in those offenses, the State's case would have been dismissed at the close of its case in chief.

**I(b). Jamal Thomas, a second co-defendant who did not testify at defendant's trial, has also signed a sworn affidavit stating that defendant was not present and did not participate in the crimes he stands convicted of.**

16. On March 27, 2014, co-defendant Jamal Thomas signed the attached sworn affidavit which states, among other things, that defendant was NOT present at the commission of the the crimes for which he was convicted and that defendant did NOT participate.
17. Furthermore, Jamal Thomas has told the undersigned counsel that Mr. Williams was not even in North Carolina at the time of the offense.
18. Upon information and belief, if called upon, Jamal Thomas will testify that he witnessed defendant being picked up by his family to travel to Philadelphia for the Holidays prior to the time of the offense.
19. Antonio Freeman's sworn affidavit disavowing his prior testimony is newly discovered evidence that is probably true.
20. Jamal Thomas's sworn affidavit disavowing his prior statement is newly discovered evidence that is probably true.
21. The attached sworn affidavit statements are certainly material, competent and relevant.
22. Due to the fact that both Antonio Freeman and Jamal Thomas were represented by counsel at the time of defendant's trial, trial counsel's ability to interview Mr. Freeman and Mr. Thomas prior to trial was materially hampered.
23. Thus, Mr. Freeman's and Mr. Thomas' sworn affidavits could not have been previously procured by trial counsel through due diligence at trial.

24. The newly discovered evidence is not merely cumulative or corroborative; it does not merely tend to contradict, impeach or discredit the testimony of a former witness, and is of such a nature that a different result will probably be reached at a new trial.
25. The recently obtained Thomas and Freeman affidavits are now consistent with co-defendant Kayron Moses' pretrial statement to law enforcement officers that Coatney Williams was NOT present at the time of the offense and that only Moses, Thomas and Freeman committed the offense.
26. None of the victims testified that defendant was present at the time of the offense, or that he participated in the alleged offenses.
27. These affidavits constitute new evidence that, if known at the time of defendant's trial, would certainly have affected the outcome and resulted in a Not Guilty verdict.
28. Defendant's convictions should be vacated and defendant should receive a new trial.

**I(b). Defense counsel has retained a cell phone technology expert who states that he will be able to examine the cellphone admitted into evidence and establish the veracity of date and time-stamped photographic evidence as well as the determine out of state locations of the cell phone at relevant times, evidence that is critical to defendant's Alibi Defense that will demonstrate that Mr. Williams was not in North Carolina at the Time of the Offense.**

29. At trial, in support of his alibi defense, defendant attempted to establish that he was in Philadelphia, PA, visiting relatives over the holidays, and was not in North Carolina at the time of the alleged offenses.
30. In support of defendant's Alibi defense, trial counsel offered into evidence a cell phone belonging to Robert Branch that allegedly contained a date and time-stamped photograph of defendant at his Aunt's basement in Philadelphia, Pennsylvania on the night of the crime.
31. At trial, the State objected to the admission of the time-stamped cell phone photograph and Judge Hinton ruled that the photograph could be admitted, but that the jury would not be allowed to see the date and time-stamp. (T.p 320)
32. At trial, the jury was merely allowed to examine the cell phone photo of defendant which he claimed was taken in Philadelphia on the night that the crimes were committed in



North Carolina. The trial judge did not allow the jurors to see that the date and time-stamp portion of the proffered cellphone photograph.

33. Apart from defense witness testimony stating so, trial counsel did not acquire or produce any expert opinion evidence related to veracity of the time-stamps on the cell phone photographs or where the photographs were actually taken.
34. Furthermore, recent review of relevant cell phone call and tower records by the post-conviction defense, tends to corroborate Coatney Williams' claim that he was out of state at the time of the offense and constitute new evidence in support of defendant's Alibi defense.
35. After the Court ruled that the jury would not be allowed to see the date and time-stamp of the photograph, the relevance and weight of the cell phone photo was materially and substantially reduced, if not completely wiped out.
36. The undersigned counsel has obtained the appointment of forensic computer expert witness, Derek Ellington. Mr. Ellington believes that he can examine the cell phone entered into evidence in this case and determine whether the date or time stamp on the proffered photograph has been or ever could have been altered or tampered with.
37. The undersigned counsel has retained private investigator Jerry Wiggs in this case.
38. Mr. Wiggs has obtained cell phone call records that include tower data that tend to support defendant's Alibi defense.
39. No cell phone call records containing call information or cell tower data was offered by defense counsel at trial.
40. Furthermore, upon collecting the cell phone data located on the memory of Mr. Branch's cell phone, evidence that is currently being held in the Court file, the undersigned expects to be able to travel to the address in Philadelphia where the photograph was taken and establish that the photograph was taken in defendant's Aunt's basement.
41. If the State allows the defense counsel's expert witness access to the cell phone, the validity of defendant's alibi would be greatly enhanced in a way that would trump witness testimony and memory, especially recanted testimony.



42. Once the date and time stamp are established as accurate and relevant, the defense would be able to produce photos of defendant's aunt's basement to establish that he was in fact NOT in North Carolina on the night of the offenses of which he was convicted.
43. The above-referenced cellphone records, tower data, and time-stamp data constitute new evidence that, if known at the time of defendant's trial, would certainly have affected the outcome and resulted in a Not Guilty verdict.

**II. Defendant Coatney Williams deserves Appropriate Relief in this matter because the trial court improperly hindered his Alibi Defense when it excluded evidence of a date and time-stamped photograph of defendant. The trial court's ruling violated defendant's State and Federal Due Process Rights, as well as the Sixth and Fourteenth Amendments of our Federal Constitution, because it improperly impaired defendant's ability to answer the charges against him and to put on a complete defense.**

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44. In support of defendant's Alibi defense, trial counsel attempted admit a date and time-stamped cell phone photograph of defendant Coatney Williams that was taken in a basement in Philadelphia, Pennsylvania on the night of the offense.
45. The State objected to the admission of the time-stamped photograph.
46. After questioning trial counsel about the timeliness of his discovery of the cell phone's existence and his disclosure of the proffered cell phone evidence to the State, the trial judge ruled that the date and time-stamp of the photograph would not be admitted into evidence. (T.p 314 and T.p320)
47. When the trial court refused to admit the unedited, unredacted, complete, time-stamped photograph that allegedly showed defendant in Philadelphia on the night of the crime, rather than taking the more prudent and less drastic course of granting a continuance to allow time for the defendant and the State to analyze and verify the veracity of the date and time-stamp, Coatney Williams was denied his Due Process Constitutional Right to put on a complete defense.
48. In State v. Cooper, COA12-926 (N.C.App. 09/03/2013), Our Court of Appeals wrote:

*Accuracy in criminal proceedings is a particularly compelling public policy concern:*

*The private interest in the accuracy of a criminal proceeding that places an individual's life or liberty at risk is almost uniquely compelling. Indeed, the host of safeguards fashioned by this Court over the years to diminish the risk of erroneous conviction stands as a testament to that concern. The interest of the individual in the outcome of the State's effort to overcome the presumption of innocence is obvious and weighs heavily in our analysis.*

*Ake v. Oklahoma*, 470 U.S. 68, 78, 84 L.Ed.2d 53, 63 (1985). The United States Supreme Court has stated that a defendant on trial has a greater interest in presenting expert testimony in his favor than the State has in preventing such testimony:

*The State's interest in prevailing at trial - unlike that of a private litigant - is necessarily tempered by its interest in the fair and accurate adjudication of criminal cases. Thus, also unlike a private litigant, a State may not legitimately assert an interest in maintenance of a strategic advantage over the defense, if the result of that advantage is to cast a pall on the accuracy of the verdict obtained. We therefore conclude that the governmental interest in denying [the defendant] the assistance of [an expert witness] is not substantial, in light of the compelling interest of both the State and the individual in accurate dispositions. Ake, 470 U.S. at 79, 84 L.Ed.2d at 63-64. Nonetheless, trial courts are granted substantial freedom to regulate conduct and evidence at trial:*

*We acknowledge also our traditional reluctance to impose constitutional constraints on ordinary evidentiary rulings by state trial courts. In any given criminal case the trial judge is called upon to make dozens, sometimes hundreds, of decisions concerning the admissibility of evidence. As we reaffirmed earlier this Term, the Constitution leaves to the judges who must make these decisions "wide latitude" to exclude evidence that is "repetitive . . . , only marginally relevant" or poses an undue risk of "harassment, prejudice, (or) confusion of the issues." Moreover, we have never questioned the power of States to exclude evidence through the application of evidentiary rules that themselves serve the interests of fairness and reliability - even if the defendant would prefer to see that evidence admitted. Crane v. Kentucky, 476 U.S. 683, 689-90, 90 L.Ed.2d 636, 644 (1986) (citations omitted). In Crane, the United States Supreme Court discussed the*



*impact on a defendant's trial of the exclusion of evidence favorable to the defendant bearing on a central issue in the trial:*

*[W]ithout "signal(ing) any diminution in the respect traditionally accorded to the States in the establishment and implementation of their own criminal trial rules and procedures, " we have little trouble concluding on the facts of this case that the blanket exclusion of the proffered testimony about the circumstances of petitioner's confession deprived him of a fair trial.*

*Whether rooted directly in the Due Process Clause of the Fourteenth Amendment, or in the Compulsory Process or Confrontation Clauses of the Sixth Amendment, the Constitution guarantees criminal defendants "a meaningful opportunity to present a complete defense." We break no new ground in observing that an essential component of procedural fairness is an opportunity to be heard. That opportunity would be an empty one if the State were permitted to exclude competent, reliable evidence bearing on the credibility of a confession when such evidence is central to the defendant's claim of innocence. In the absence of any valid state justification, exclusion of this kind of exculpatory evidence deprives a defendant of the basic right to have the prosecutor's case encounter and "survive the crucible of meaningful adversarial testing."*

*Id. at 690, 90 L.Ed.2d at 645 (citations omitted). Though the above citations involve constitutional questions, they also inform our analysis of whether there was an abuse of discretion in preventing Ward from giving his opinion that the Google Map files from Defendant's laptop had been tampered with.*

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*The United States Supreme Court has also stated that the right of a defendant to present witnesses in the defendant's defense is fundamental:*

*Few rights are more fundamental than that of an accused to present witnesses in his own defense[.] Indeed, this right is an essential attribute of the adversary system itself.*

*"We have elected to employ an adversary system of criminal justice in which the parties contest all issues before a court of law. The need to develop all relevant facts in the adversary system is both fundamental and comprehensive. The ends of criminal justice*

would be defeated if judgments were to be founded on a partial or speculative presentation of the facts. The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts, within the framework of the rules of evidence. . . ."

The right to compel a witness' presence in the courtroom could not protect the integrity of the adversary process if it did not embrace the right to have the witness' testimony heard by the trier of fact. The right to offer testimony is thus grounded in the Sixth Amendment even though it is not expressly described in so many words:

"The right to offer the testimony of witnesses . . . is in plain terms the right to present a defense, the right to present the defendant's version of the facts as well as the prosecution's to the jury so it may decide where the truth lies. Just as an accused has the right to confront the prosecution's witnesses for the purpose of challenging their testimony, he has the right to present his own witnesses to establish a defense. This right is a fundamental element of due process of law." *Taylor v. Illinois*, 484 U.S. 400, 408-09, 98 L.Ed.2d 798, 810 (1988) (citations omitted); see also *Rock v. Arkansas*, 483 U.S. 44, 54-55, 97 L.Ed.2d 37, 48-9 (1987).

49. In the case at bar, the overwhelming probative value of the date and time-stamped photographic evidence was the existence of a valid date and time stamp. Otherwise, the proffered evidence is little more than a picture of the defendant.
50. Any reasonable jury would have put great emphasis on any cellphone company record evidence or expert evidence that tended to prove the fact that the picture of the defendant was taken in Philadelphia (out of state) on the night of the alleged offense.
51. Phone company business records and expert testimony cooperation by an uninterested third party would have been crucial to establishing Mr. Williams Alibi Defense.
52. By redacting the most relevant part of the proffered cell phone evidence, without offering defendant a reasonable opportunity to obtain an expert witness that could corroborate the validity of the date and time stamp, the trial court prevented Mr. Williams from presenting a complete defense, and deprived him of a *fundamental element of due process of law*." *Taylor v. Illinois*, *Id.*



53. To the extent that defendant's trial counsel failed to properly object and preserve the issue regarding the trial court's redaction of the proffered cellphone date and time stamp, trial counsel was ineffective.
54. Defendant's appellate counsel failed to raise the foregoing issue regarding the trial court's redaction of the proffered cellphone date and time stamp on appeal. To the extent appellate counsel was required to raise this issue in order for the Court of Appeals to reach the merits of this claim and failed to address this claim on appeal, appellate counsel was also ineffective.

**III. Defendant Coatney Williams deserves Appropriate Relief in this matter because the trial judge violated defendant's state and federal constitutional rights and deprived him of a fair trial when she interrupted defendant's testimony in front of the jury, ordered defendant to step down from the witness stand, struck defendant's testimony and ordered the jury "not to consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial."**

---

55. Defendant testified at the trial of this matter. During the cross-examination by the State, the District Attorney began a line of collateral and improper questions related to defendant's gang involvement. (Please see the Trial Transcript, Pages 376 – 382.)
56. After answering numerous questions related to gang membership, defendant himself began to object to the prosecutor's questions about defendant gang membership.
57. In relevant part, the following exchange took place about defendant's knowledge of gang signs:

Transcript Page 377

19 Q. Explain that to the members of the jury what  
20 your status is -- well, let me go back. What gang  
21 are you  
22 in?  
22 A. Blood.  
23 Q. Do that thing with your hand again with your  
24 left hand?

25 A. (Complies.)

Transcript Page 378

1 Q. What is that?

2 A. 103. You can throw it up in a number of ways  
3 (indicating).

4 Q. Well, show us.

5 A. (Indicating). **Well, I really don't want to**  
6 **get all -- I mean, I ain't on trial for being a gang**  
7 **member. (emphasis added)**

8 I'm on trial for attempted murder.

9 **THE COURT:** Show us.

10 A. You can throw up east side (indicating). You  
11 can throw up my set (indicating). You can throw up  
this,

12 you can throw up that, that, that (indicating).

58. After numerous questions related to his gang activity, defendant eventually refused to answer the State's collateral inquiry into who beat defendant into the gang.
59. On her own motion, the trial judge ordered defendant to stop testifying and leave the witness stand, and stated, in pertinent part, **"Okay, well we're going to strike his testimony. Take a seat down there next to your attorney. Ladies and gentlemen, you are not to consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial."** (See T.p 382)
60. When it improperly instructed defendant to leave the witness stand and instructed the jury **"not to consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial"**, the trial judge unfairly prejudiced defendant and improperly limited Coatney Williams Due Process Right to put on a complete defense, entitling defendant to a new trial.
61. Defendant's trial counsel failed to properly object when the trial judge improperly struck defendant's evidence and failed to preserve issues related to the trial court's improper limitation on defendant's right to put on a complete defense; therefore, trial counsel was ineffective.



62. Defendant's appellate counsel failed to raise the foregoing issue regarding the trial court's striking of defendant's evidence and its improper limitation on defendant's right to put on a complete defense on appeal. To the extent appellate counsel was required to raise this issue in order for the Court of Appeals to reach the merits of this claim and failed to address this claim on appeal, appellate counsel was also ineffective.

**IV. The trial judge improperly displayed its opinion about the defendant's truthfulness and veracity when it ordered defendant off of the witness stand and instructed the jury to disregard the testimony he offered in his defense.**

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63. When it improperly instructed defendant to leave the witness stand and improperly instructed the jury **"not to consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial"**, the trial judge violated defendant's state and federal Due Process Rights by improperly expressing an opinion in front of the jury. (See T.p 382)
64. The trial judge inappropriately displayed her opinion about the defendant and his veracity in front of the jury when she ordered the Defendant to leave the stand and instructed the jury to disregard defendant's evidence.
65. Our appellate courts have long held that a trial judge should refrain from expressing his or her personal feelings about the matter in front of the jury.
66. In State v. Herrin, -- N.C.App. --, 711 S.E.2d 802 (2011), the North Carolina Court of Appeals quoted the following precedent,

*"Every person charged with crime . . . is entitled to a trial before an impartial judge and an unprejudiced jury in an atmosphere of judicial calm." State v. Carter, 233 N.C. 581, 583, 65 S.E.2d 9, 10 (1951). "The responsibility for enforcing this right necessarily rests upon the trial judge. He should conduct himself with the utmost caution in order that the right of the accused to a fair trial may not be nullified by any act of his." Id. Thus, in accordance with N.C.G.S. §§ 15A-1222 and 15A-1232, the trial judge "must abstain from conduct or language which tends to discredit or prejudice the accused or his cause with*

the jury." *Id.*; see also *State v. Herbin*, 298 N.C. 441, 446--47, 259 S.E.2d 263, 267 (1979) ("A trial judge cannot express an opinion on the evidence in the presence of the jury at any stage of the trial. [N.C.G.S. §§ 15A-1222 and 15A-1232] repealed and replaced [N.C.G.S. §] 1-180 effective 1 July 1978. The new provisions restate the substance of [N.C.G.S. §] 1-180 and the law remains essentially unchanged." (citations omitted)).

N.C.G.S. § 15A-1222 provides that "[t]he judge may not express during any stage of the trial, any opinion in the presence of the jury on any question of fact to be decided by the jury." N.C. Gen. Stat. § 15A-1222 (2009). However, "[n]ot every indiscreet and improper remark by a trial judge is of such harmful effect as to require a new trial." *State v. Whitted*, 38 N.C. App. 603, 606, 248 S.E.2d 442, 444 (1978). "[I]n a criminal case[,] it is only when the jury may reasonably infer from the evidence before it that the trial judge's action intimated an opinion as to a factual issue, the defendant's guilt, the weight of the evidence[,] or a witness's credibility that prejudicial error results." *State v. Blackstock*, 314 N.C. 232, 236, 333 S.E.2d 245, 248 (1985); see also *State v. Sidbury*, 64 N.C. App. 177, 179, 306 S.E.2d 844, 845

67. By ordering defendant off of the witness stand and instructing the jury to disregard any of the testimony that he as offered at the trial, the trial judge clearly acted in a prejudicial manner that would allow the jury to reasonably infer that the trial judge's action intimated an opinion as to a factual issue, the defendant's guilt, the weight of the evidence, or a witness's credibility.
68. It is difficult to imagine a scenario that could be more damaging to defendant's credibiltity than having the trial judge stop his testimony, order that he step off of the witness stand, and then give explicit instruction to the jury that they are **"not to consider the testimony of Mr. Williams, any of the testimony that he's offerred in this trial."**
69. Defendant is entitled to a new trial because he was denied his state and federal Due Process rights when the trial judge improperlyand prejudicially expressed an opinion on defendant's evidence in front of the jury.



**IV(a). The trial court's attempt to cure the prejudicial effect of its prior ruling ordering the defendant to leave the witness stand and instructing the jury to disregard the testimony offered by defendant was not timely and was insufficient to cure its prior error.**

70. The trial judge in this case seemed to understand that her ruling was improper and prejudicial because, after all of the evidence had been heard, she attempted to reverse the damage she inflicted by giving a curative instruction to the jury. (T.p 404)
71. During the jury charge conference, outside the presence of the jury, trial counsel asked the trial judge for an instruction allowing the jury to consider the testimony of defendant Coatney Williams. (T.p 402)
72. In response to trial counsel's request, the trial court instructed the jury as follows:  
**"Members of the jury, I will instruct you that you may consider -- I previously told you that you were not to consider the testimony of the defendant Coatney Williams. I would tell you now that you may consider the testimony of Coatney Williams. And I will leave it at that. But you may consider that testimony in your deliberations when you begin to deliberate.** (T.p 403)
73. After giving this instruction, court recessed until 2:00 pm the following day. (T.p 404)
74. The trial judge's untimely curative instruction allowing the jury to consider "the testimony of Coatney Williams" is not broad enough to correct her previous instruction to not to consider **"any of the testimony that he's offered in this trial."** (T.p 382)
75. Based on her first improper overly broad instruction, a juror could reasonably determine that the trial court had struck all of the defense witnesses testimony, in that it could be considered **"testimony that he's offered in this trial."**
76. The trial court's attempt at a curative instruction, after the close of all the evidence was too little, too late to undo the damage of its prior ruling and it failed to protect defendant's state and federal Due Process Rights, including his constitutional right to a fair and impartial jury trial.

**V. Defendant Coatney Williams deserves Appropriate Relief in this matter because the trial judge violated defendant's state and federal constitutional rights and deprived him of a fair trial when she allowed trial counsel to waive defendant's right to retake the stand and continue testifying without properly informing defendant of his right to testify and without making any inquiry to determine whether defendant's waiver of his right to testify at that time was either voluntary or knowing.**

77. On July 15, 2010 at 2 p.m., Court was reconvened. Outside the presence of the jury, the trial judge stated, "It occurred to me after I allowed the testimony of the defendant to be considered by the jury and Ms. Asbell declined any further cross examination I did not offer you the opportunity to redirect. Mr. Barnes replied, "We do not." The trial court then brought in the jury for closing arguments. (T.p 405)
78. A defendant has a constitutional right to testify if he chooses to do so. See, State v. Smith, 357 N.C. 604, 618-19, 588 S.E.2d 453, 463 (2003), cert. denied, \_\_ U.S. \_\_, 159 L.Ed. 2d 819 (2004). Normally, a trial court is not required "to inform a defendant of his right to testify or to make an inquiry on the record regarding his waiver of the right to testify." Id.
79. With that said, in the case at bar, the trial judge directly interfered with Defendant's state and federal constitutional right to testify when it instructed the defendant to stop testifying and leave the witness stand.
80. Thus, the general rule cited in Smith which states that the trial court is not required "to inform a defendant of his right to testify or to make an inquiry on the record regarding his waiver of the right to testify" should not apply in cases where the trial court previously, improperly instructed the defendant that he could not testify.
81. The trial court committed plain error when it failed to inform defendant that he had a right to retake the stand and failed to inquire into whether defendant understood that the trial court's prior ruling denying defendant the right to testify, was no longer in effect.
82. Thus, given the trial court's previous instruction that defendant could no longer testify, this record can not support a finding that defendant's alleged waiver of his state and



federal Due Process right to retake the stand and testify on his own behalf was informed, knowing and voluntary.

83. The Trial Court's failure to determine that defendant's waiver of his right to take the witness stand and testify on his own behalf was knowing and voluntary waiver also constitutes a violation of defendant's state and federal constitutional rights to put on a complete defense and entitles defendant to a new trial.

**VI. Defendant Coatney Williams deserves Appropriate Relief in this matter because defendant received Ineffective Assistance of Counsel at the trial of his case as well as the subsequent appeal of his case.**

84. As set out above, new evidence has been discovered that was not known to defendant at the time of his trial. Specifically, one co-defendant recanted his previous testimony against defendant, one co-defendant recanted his previous statements against defendant, and it appears that the time stamped photograph of defendant, which was redacted at trial, can now be fully authenticated.
85. It is defendant's position that the new evidence was not possible to procure through due diligence at trial. If this Court disagrees, and rules that the newly discovered evidence should have been procured through due diligence by defendant's trial counsel, then defendant's trial counsel provided ineffective assistance of counsel when he (1 failed to attempt to interview defendant's co-defendants prior to trial, and (2 failed to acquire and review cell phone tower and call data that tends to support defendant's Alibi defense, and (3 failed to secure an expert to establish the authenticity of the time-stamped photograph of defendant in Philadelphia on the night of the crime.
86. In Hinton v. Alabama, 571 U.S. -- (2014), our U.S. Supreme Court reaffirmed that Strickland v. Washington, 466 U.S. 668 (1984) "held that a criminal defendant's Sixth Amendment right to counsel is violated if his trial attorney's performance falls below an objective standard of reasonableness and if there is a reasonable probability that the result of the trial would have been different absent the deficient act or omission."

87. Later in the opinion, the *Hinton* Court went onto say, “*Strickland* recognized the Sixth Amendment’s guarantee that ‘in all criminal prosecutions, the accused shall enjoy the right ... to have the Assistance of Counsel for his defence’ entails that defendants are entitled to be represented by an attorney who meets at least a minimal standard of competence. *Id.*, at 685 – 687. ‘Under *Strickland*, we first determine whether counsel’s representation ‘fell below an objective standard of reasonableness.’ Then we ask whether ‘there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.
88. The *Hinton* Court also stated, “The first prong – constitutional deficiency – is necessarily linked to the practice and expectations of the legal community: ‘The proper measure of attorney performance remains simply reasonableness under prevailing professional norms’.... In any case, presenting an ineffectiveness claim, the performance inquiry must be whether counsel’s assistance was reasonable considering all the circumstances.” *Strickland* *supra* at 688..... In other words, counsel has a duty to make reasonable investigations or to make a reasonable decision that makes particular investigations unnecessary.”
89. In the case at bar, defendant’s Alibi defense was based on his claim that he was in Philadelphia, Pennsylvania on at the time of the offense. In support of his Alibi defense, defendant attempted to present into evidence his brother’s cell phone, containing a date and time-stamped photograph of defendnt in Philadelphia, in his aunt’s basement, on the night of the offense.
90. The trial judge heard argument as to whether trial counsel had failed to make a timely disclosure of the date and time-stamped photograph to the State. The State also raised issues such as chain of custody and authentication.
91. The trial court ruled that the photo itself could be admitted by passing the cell phone to the jurors for review, but kept the date and time-stamp from being shown to the jury. (T.p 320).
92. In announcing its ruling the trial court stated, “The Court will allow the photograph. However, if the defendant wishes to exhibit the date and time that the photograph was taken, there will have to be additional witnesses called to corroborate that.” (T. p 320)



93. When the trial court limited defendant's presentation of his Alibi evidence, it did not offer defense counsel a continuance to obtain any witness that could "corroborate" the date and time stamp. (T.p 20)
94. trial counsel's representation was deficient in several ways. First, he failed to adequately investigate defendant's innocence claim. Specifically, he failed to sufficiently interview defendant's family members who defendant claimed were with him in Philadelphia at the time of the offense.
95. Adequate, timely investigation and interviews of defendant's Alibi witnesses would have disclosed the existence of a date and time-stamped photograph depicting . trial counsel informed the court that he became aware of the cell phone evidence "yesterday." (The day before he attempted to enter it into evidence.) (T.p 314)
96. Also, trial counsel failed to acquire and investigate cell phone records and call tower data that could have established the cellphone's location at times relevant to the Alibi Defense.
97. Also, trial counsel failed to retain an expert that could establish the authenticity of the time stamp prior to trial. Specifically, an expert could have verified that authenticity of the date and time, as well as, through the use of tower pinging, the general location of the cell phone during the time in question.
98. Trial counsel failed to have photographs of defendant's aunt's basement taken that could have allowed the jury to compare the cell phone photograph with the pictures of the basement in Philadelphia.
99. When the trial court refused to allow the date and time-stamp on the photograph to be shown to the jury, trial counsel should have requested the court for a continuance to allow time for both the defense and the State to examine this crucial potentially exculpatory evidence.
100. Furthermore, trial counsel's representation fell below the minimal standard guaranteed by the Sixth Amendment Right to Counsel in that he failed to make any attempt to interview Antonio Freeman, the only witness who testified that defendant participated at all or was even present on the night of the offense.

101. Also, trial counsel failed to object to improper questions that the the District Attorney asked defendant about the photo that were related to defendant's gang affiliation. (See T.p 276-382)
102. Trial counsel failed to move for a mistrial when the trial court, on it's own motion, ordered defendant to leave the witness stand during his testimony. In pertinent part, the Court stated, "Okay, well we're going to strike his testimony. Take a seat down there next to your attorney. **Ladies and gentlemen, you are not to consider the testimony of Mr. Williams, any of the testimony that he's offered in this trial.**" (See T.p 382)
103. Trial counsel failed to object and move for a Mistrial when the trial judge improperly expressed an opinion in front of the jury, by ordering the defendant to leave the stand and instructed the jury to disregard "any of the testimony that he's offered in this trial." (See T.p 382)
104. Trial counsel failed to object to the trial court's overly broad and improper instruction to the jury striking defendant's evidence when she removed defendant from the witness stand and failed to move for a mistrial. (T.p 382)
105. After the close of all the evidence and after the charge conference was completed, trial counsel failed to object to the trial court's inadequate curative instruction regarding her decision to allow to the jury to consider defendant's testimony and failed to move for a mistrial. (T.p 405)
106. When the trial judge attempted to reverse her ruling that struck defendant's tetimony, and then later determined that she had never given the defense a chance to redirect the defendant, trial counsel improperly waived defendant's right to retake the stand and continue testifying without properly informing defendant of his tight to testify such that any waiver by the defendant to retake the stand was not informed, voluntary and knowing.
107. The Sixth Amendment of the U.S. Constitution guarantees effective assistance of counsel on appeal as well. Evitts v. Lucey, 469 U.S. 387 (1985).
108. Appellate counsel provided ineffective assistance of counsel when he represented defendant on appeal in that he failed to raise each of the issues set out above and failed to



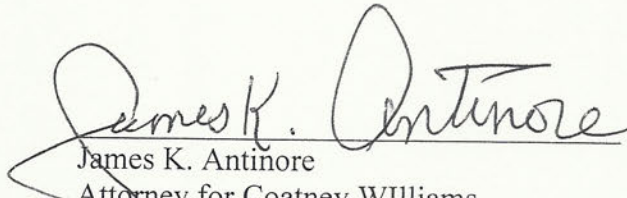
ask the Appellate Court to address the above-referenced violations to defendant's state and federal Due Process Rights.

109. To the extent appellate counsel was required to argue ineffective assistance of trial counsel in order for the Court of Appeals to reach the merits of the above-referenced ineffective assistance of counsel claims, appellate counsel was likewise ineffective.
110. For the reasons stated above, defendant's convictions, if allowed to stand, constitute a violation of defendant's right to due process of law guaranteed by the Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States, and Article I, §19 of the North Carolina Constitution.

WHEREFORE, the defendant, Coatney Williams, respectfully moves this Court for an Order:

1. vacating defendant's convictions and ordering a new trial;
2. requiring the State to make available to defendant's counsel, pursuant to N.C. Gen. State. Section 15A-1415(f), the complete files of all law enforcement and prosecutorial agencies involved in the investigation or the prosecution of Coatney Williams, including, but not limited to all handwritten notes, draft reports, interim reports, emails, letters, videotapes, CD's DVD's photos, negatives, and all records related to any disciplinary actions related to the investigating officers in this case; requiring the State to make the physical evidence in this case available to the undersigned counsel and defense experts, specifically including the cell phone that was introduced into evidence during defendant's trial;
3. scheduling an evidentiary hearing on all issues raised by this Motion and any amended Motion for Appropriate Relief; and
4. setting a reasonable bond for defendant's release pending any further trial.

Respectfully submitted, this the 17<sup>th</sup> day of September 2014.

  
James K. Antinore  
Attorney for Coatney Williams  
908 Bremerton Drive  
Greenville, North Carolina 27858  
(252) 329-9111

### CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing motion for appropriate relief by mail on the following persons:

Valerie M. Asbel  
District Attorney  
418 South Everett Street, Suite A  
Ahoskie, North Carolina 27910

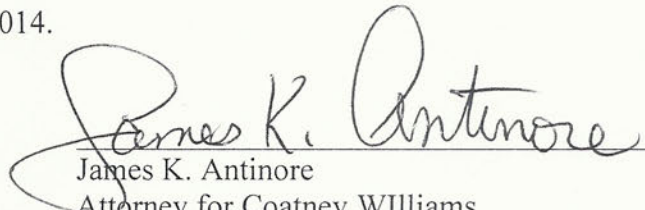
Jimmie R. "Sam" Barnes  
Attorney at Law  
P.O. Drawer 2090  
Roanoke Rapids, North Carolina 27870

Roy Cooper  
Attorney General  
9001 Mail Service Center  
Raleigh, North Carolina 27699

Duncan B. McCormick  
Attorney at Law  
P.O. Box 1629  
Lillington, North Carolina 27546

Service was accomplished by personl delivery or by placing an envelope containing the copy of the motion in a depository maintained by the United States Postal Service, first-class postage prepaid.

This the 17<sup>th</sup> day of Sept., 2014.



James K. Antinore  
Attorney for Coatney Williams  
908 Bremerton Drive  
Greenville, North Carolina 27858  
(252) 329-9111



IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILE NUMBERS: 08 CRS 5107-08  
08 CRS 51065-66  
09 CRS 83-85

STATE OF NORTH CAROLINA )  
 )  
 v. )  
 )  
 COATNEY RANDALL WILLIAMS )  
 Defendant. )

CERTIFICATION OF COMPLAINT

The undersigned attorney hereby certifies, pursuant to N.C. Gen. Stat. 15A-1420, the following:

1. In my professional judgment as a licensed North Carolina attorney, there is sound legal basis for this motion; and
  2. This motion is filed in good faith; and
  3. I have reviewed the trial transcript; and
3. I hereby give notice to the following attorneys who initially represented the defendant at trial and on appeal, the district attorney's office, and the Attorney General of this motion by either personally delivering the motion or mailing, by first class mail, copies of the foregoing Motion for Appropriate Relief, together with any attachments, as well as a copy of this certification, to the following:

Valerie M. Asbel  
District Attorney  
418 South Everett Street, Suite A  
Ahoskie, North Carolina 27910

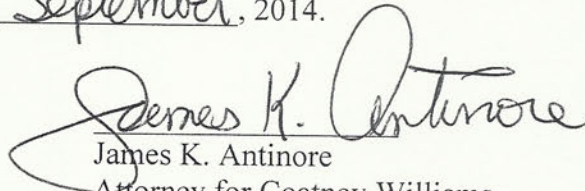
Jimmie R. "Sam" Barnes  
Attorney at Law  
P.O. Drawer 2090  
Roanoke Rapids, North Carolina 27870

Roy Cooper  
Attorney General  
9001 Mail Service Center  
Raleigh, North Carolina 27699

Duncan B. McCormick  
Attorney at Law  
P.O. Box 1629  
Lillington, North Carolina 27546



Respectfully submitted, this the 17<sup>th</sup> day of September, 2014.

A handwritten signature in cursive script, reading "James K. Antinore". The signature is written in dark ink and is positioned above the printed name and address.

James K. Antinore  
Attorney for Coatney Williams  
908 Bremerton Drive  
Greenville, North Carolina 27858  
Phone: (252) 329-9111

NORTH CAROLINA  
COUNTY OF NORTHAMPTON

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILE NUMBERS: 08 CRS 5107-08  
08 CRS 51065-66  
09 CRS 83-85

STATE OF NORTH CAROLINA

v.


COATNEY RANDALL WILLIAMS

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AFFIDAVIT

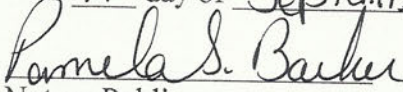
James K. Antinore, being duly sworn, deposes and says:

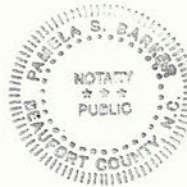
1. That he is an attorney duly licensed in the State of North Carolina.
2. That he submits this affidavit in support of the attached Motion for Appropriate Relief on behalf of Defendant Coatney Williams.
3. That he is personally familiar with many of the facts alleged in this Motion, and with regard to other facts alleged, they are based upon the trial transcript and publicly available documents.
4. That he believes, and alleges upon information and belief, that all of the facts alleged in the motion are true.

  
James K. Antinore

Subscribed and Sworn to before me

This 17<sup>th</sup> day of September, 2014.

  
Notary Public



My commission expires: Feb 9, 2015

NORTH CAROLINA  
COUNTY OF NORTHAMPTON

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NUMBERS: 08 CRS 5107-08  
08 CRS 51065-66  
09 CRS 83-85

STATE OF NORTH CAROLINA     )  
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COATNEY RANDALL WILLIAMS     )

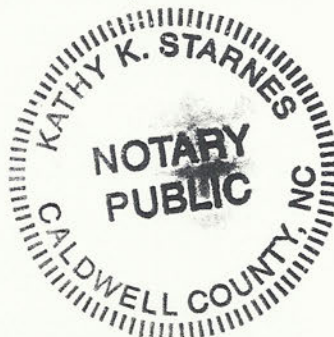
**AFFIDAVIT OF ANTONIO FREEMAN**


I, Antonio Freeman, being duly sworn, depose and declare the following:

1. My name is Antonio Freeman.
2. I am currently serving a prison sentence at Alexander Correctional in Taylorsville, North Carolina for convictions arising out of guilty pleas that I entered related to a burglary, armed robbery and assault that occurred at the home of Mary Davis, 1885 Vaughn Creek Road, Pendleton, North Carolina on or about December 29, 2007.
3. Coatney Williams was charged as one of my co-defendants and was tried by a jury and convicted of numerous crimes related to the above-referenced December 29, 2007 offenses.
4. Coatney Williams was not present during the commission of any of the above-referenced crimes and did not participate in any of the offenses that I was convicted of.
5. Coatney Williams is innocent of the Northampton County charges that he was convicted of on July 15, 2010, charges that he is currently incarcerated for.

  
ANTONIO FREEMAN

SWORN TO AND SUBSCRIBED before me, this the 17<sup>th</sup> day of June, 2014 at  
Taylorsville, Alexander County North Carolina.



  
Notary Public

Commission Expires: 6/30/16



NORTH CAROLINA  
COUNTY OF NORTHAMPTON

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NUMBERS: 08 CRS 5107-08

08 CRS 51065-66

09 CRS 83-85

STATE OF NORTH CAROLINA )


v. )

COATNEY RANDALL WILLIAMS )

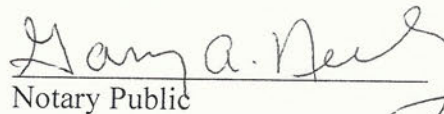
**AFFIDAVIT OF JAMAL THOMAS**

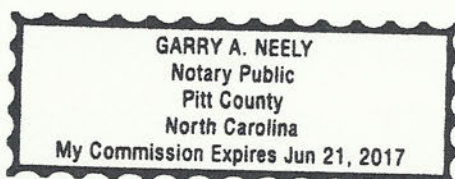
I, Jamal Thomas, being duly sworn, depose and declare the following:

1. My name is Jamal Thomas.
2. I am currently serving a prison sentence at Craven Correctional in Vanceboro, North Carolina for convictions arising out of guilty pleas that I entered related to a burglary, armed robbery and assault that occurred at the home of Mary Davis, 1885 Vaughn Creek Road, Pendleton, North Carolina on or about December 29, 2007.
3. Coatney Williams was charged as one of my co-defendants and was tried by a jury and convicted of numerous crimes related to the above-referenced December 29, 2007 offenses.
4. Coatney Williams was not present during the commission of any of the above-referenced crimes and did not participate in any of the offenses that I was convicted of.
5. Coatney Williams is innocent of the Northampton County charges that he was convicted of on July 15, 2010, charges that he is currently incarcerated for.

  
JAMAL THOMAS

SWORN TO AND SUBSCRIBED before me, this the 27<sup>th</sup> day of March, 2014 at Vanceboro, Craven County North Carolina.

  
Notary Public



NORTH CAROLINA  
COUNTY OF NORTHAMPTON

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

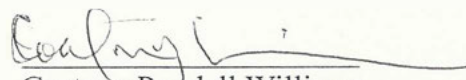
FILE NUMBERS: 08 CRS 5107 08  
08 CRS 51065-66  
09 CRS 83-85

STATE OF NORTH CAROLINA       )  
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  )  
COATNEY RANDALL WILLIAMS       )

AFFIDAVIT

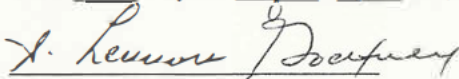
Coatney Randall Williams, being duly sworn, deposes and says:

1. That he is the defendant named in the above-referenced action.
2. That he submits this affidavit in support of the attached Motion for Appropriate Relief.
3. That, as the named defendant, he is personally familiar with many of the facts alleged in this Motion, and with regard to other facts alleged, they are based upon the trial transcript and publicly available documents.
4. That he believes, and alleges upon information and belief, that all of the facts alleged in the motion are true.

  
Coatney Randall Williams

Subscribed and Sworn to before me

This 23 day of July, 2014.

  
Notary Public

My commission expires: July 05, 2017

NORTH CAROLINA  
NORTHAMPTON COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILED

FILE NOS. 08CRS5107-08, 08CRS51065-66

09CRS83-85

2015 JAN 26 A 9:20

NORTHAMPTON CO., C.S.C.

STATE OF NORTH CAROLINA

BY pet

V.

ORDER

COATNEY RANDALL WILLIAMS

This matter comes on pursuant to a Motion for Appropriate Relief filed by Defendant Coatney Williams.

This Court after reviewing the motion and the case files concludes that the motion has no basis in law or fact.

IT IS THEREFORE ORDERED that the Defendant Coatney Williams' Motion for Appropriate Relief is hereby denied.

This the 21<sup>st</sup> day of January, 2015

  
Cy A. Grant, Sr.  
Senior Resident Superior Court Judge  
District Six-B.

000108



## **XI. Proposed Hearing Agenda**

The Commission's investigation is ongoing in this matter, so the below is a proposed agenda only and may change. The Commission anticipates presenting the following at the upcoming hearing:

1. Testimony from Russell Gilmore, a cell phone and computer forensic expert;
2. Evidence related to Williams' whereabouts on the night of the crime; and
3. Testimony of Coatney Williams and the three co-defendants Jamal Thomas, Karon Moses, and Antonio Freeman.

The Commission also anticipates presenting testimony by Commission lead investigators Julie Bridenstine and Brian Ziegler. Please note, the testimony of Williams' and the three co-defendants has been taken through a deposition by Commission staff which will be provided prior to the hearing. The intention as of the time of completing this Brief is not to call the Claimant and these co-Defendants to appear in person at the hearing. However, should any Commissioner review this Brief and/or the subsequently provided materials believe they would like to question the Claimant or any co-Defendant, that Commissioner should contact the Executive Director so safe arrangements can be made.

## **XII. Conclusion**

A hearing will be conducted before the North Carolina Innocence Inquiry Commission on September 28 - 30, 2020. At that time, the Commission's Executive Director will present in detail the evidence uncovered during the Commission's investigation.

The Commission is charged with considering "credible, verifiable evidence of innocence that has not been previously presented at trial or considered at a hearing granted through post-conviction relief."<sup>20</sup> In addition, at the completion of a formal inquiry "all relevant evidence shall be presented" to the Commission.<sup>21</sup> At the conclusion of the hearing, each Commissioner shall determine whether "there is sufficient evidence of factual innocence to merit judicial review"<sup>22</sup> as to the Claimant. Commissioners should consider the standards for the Claimant as outlined in Part II of this Brief. All eight Commissioners are required to participate in this vote.

<sup>20</sup> N.C.G.S. § 15A-1460.

<sup>21</sup> N.C.G.S. § 15A-1468(a).

<sup>22</sup> N.C.G.S. § 15A-1468(c).

### **XIII. APPENDICES**

**A. Brief References**

**B. Important Individuals**

**C. Detailed Timeline**

**D. Victims' Statements Chart by Victim and Date**

**E. Defendants' Statements Chart by Defendant and Date**

**F. Defendants' Statements Chart by Topic**

**G. Coatney Williams' Other Alleged Crimes 2007-2008**

**H. Alibi Witness Chart**

# APPENDIX A: BRIEF REFERENCES

*Note: This provides references for the brief and does not include appendices.*

REFERENCE ITEM	PAGE NUMBERS
Police Reports/Evidence List	<p>Initial Incident Reports p. 16</p> <p>Exhibit Log/Evidence List p. 125</p> <p>Case Progress Notes p. 132</p> <p>Cinita Long p. 147</p> <p>Further Investigative Notes p. 186</p> <p>ATF Investigation p. 193</p> <p>Brenda Burnette Testimony p. 429</p>
Victims' Statements	<p>Mary Davis Statement to Police p. 28</p> <p>Mary Davis Interview Notes ATF p. 196</p> <p>Mary Davis Statement to DA and Victim Impact Statement p. 228</p> <p>Mary Davis Testimony p. 250</p> <p>Tacoma Davis Statement to Police p. 35</p> <p>Tacoma Davis Statement to DA and Victim Impact Statement p. 238</p> <p>Tacoma Davis Testimony p. 286</p> <p>Erel Jordan Statement to Police p. 42</p> <p>Erel Jordan Statement to DA p. 244</p> <p>Erel Jordan Testimony p. 320</p>
Defendants' Statements	<p>Jamal Thomas Statement to Police p. 155</p> <p>Jamal Thomas Statement to DA 2/25/2009 p. 211</p> <p>Jamal Thomas Statement to DA 7/7/2010 p. 214</p> <p>Jamal Thomas Questionnaire Center p. 617</p> <p>Jamal Thomas Interview Post-Conviction PI p. 622</p> <p>Karon Moses Statement to Police p. 166</p> <p>Karon Moses Interview Center p. 611</p> <p>Karon Moses Interview Notes ATF p. 204</p> <p>Antonio Freeman Statement to Police p. 169</p> <p>Antonio Freeman Statement to DA 7/12/2010 p. 220</p> <p>Antonio Freeman Testimony p. 355</p> <p>Freeman Questionnaire Center p. 614</p> <p>Antonio Freeman Interview Notes Post-Conviction PI p. 627</p> <p>Coatney Williams Statement to Police p. 172</p> <p>Coatney Williams Testimony p. 567</p> <p>Coatney Williams Interview Post-Conviction PI p. 630</p>

# APPENDIX A: BRIEF REFERENCES

REFERENCE ITEM	PAGE NUMBERS
Alibi	Regina Knight Testimony p. 488  Robert Branch III Testimony p. 508  Angela Taylor's Testimony p. 558  Regina Knight Post-Conviction PI Interview p. 634  Tiffany Brown Post-Conviction PI Interview p. 640  Post-Conviction PI Cell Phone Records Research p. 643

## APPENDIX B: IMPORTANT INDIVIDUALS

NAME	ROLE
Alston, Rasheed a.k.a. "Sheed"	Friend of Co-Defendants
Antinore, Jim	MAR Attorney for Coatney Williams
Asbell, Valerie	District Attorney
Barnes, Sam	Trial Attorney for Coatney Williams
Burnette, Brenda	Lead Detective, Northampton County Sheriff's Office
Branch, Robert III a.k.a. "'Lil' Robert"	Younger brother of Coatney Williams
Brown, Tiffany	Girlfriend of Robert Branch III
Davis, Mary	Victim
Davis, Tacoma	Victim; son of Mary Davis
Freeman, Antonio a.k.a. "YaYo"	Co-Defendant
Jordan, Erel	Victim; friend of Tacoma Davis
Jordan, Evelyn	Mother of Erel Jordan
Knight, Regina (deceased)	Mother of Coatney Williams and Robert Branch III
Knight, Robert Lee (deceased)	Stepfather to Coatney Williams and Robert Branch III
Long, Cinita	Girlfriend of Jamal Thomas
McCluney, Harold	ATF Agent
McCormick, Duncan	Appellate Attorney for Coatney Williams
Moses, Karon	Co-Defendant
Reed, George	Chief of Seaboard Police Department
Smith, April	Girlfriend of Rasheed Alston
Taylor, Angela a.k.a. Knight (deceased)	Sister of Robert Lee Knight living in Philadelphia
Taylor, Penny a.k.a. Knight	Sister of Robert Lee Knight living in Philadelphia
Thomas, Jamal a.k.a. "Mal" or "Mally"	Co-Defendant
Wiggs, Jerry	Private Investigator for Jim Antinore
Williams, Coatney a.k.a. "Tek"	Claimant
Williams, Jennifer	Victim; next-door neighbor to Mary and Tacoma Davis



## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
12/26/07	Coatney Williams and Family leave for Philadelphia	According to his brother Robert Branch's 10/1/08 statement (See below). According to trial testimony on 7/14/10 by Robert Branch, they left at 6:00am on 12/26/07.	LE file 159-161; Barnes file 217-219; TT 299-300
12/26/07, 4:00pm	Jamal Thomas calls Robert Branch	According to Robert Branch's 10/1/08 statement, Thomas called and said it was good that Branch and Williams had already left town because police were looking for someone about a robbery.	LE file 159-161; Barnes file 217-219
12/26/07, 6:30pm	Coatney Williams and Family leave for Philadelphia	According to trial testimony on 7/14/10 by Regina Knight, Williams' mother, and the 10/1/08 statement of Williams' brother Robert Branch (see below).	TT 282-283, LE file 159-161; Barnes file 217-219
12/26/07 or 12/27/07, 5:00pm-6:00pm	Coatney Williams and Family leave for Philadelphia	According to trial testimony on 7/14/10 by Williams, they left on a Thursday because his mother was paid that day and it was after they gave his grandmother her birthday present on 12/26/10 at a party at her house. (Note: 12/27/07 was a Thursday.)	TT 360, 367
12/27/07	Coatney Williams and Family arrive in Philadelphia	According to trial testimony on 7/14/10 by Angela Taylor, Williams and his family arrive at her house in Philadelphia and spend 2 nights.	TT 348
12/29/07	Coatney Williams is on his way to Philadelphia	According to his own 9/8/08 statement (see below).	LE file 133-135; Barnes file 175-177
12/29/07	Coatney Williams allegedly calls girlfriend from Philadelphia	According to a 5/8/14 email from Antinore to Wiggs, Williams wrote a letter saying he called his girlfriend Lacy Clanton from Philadelphia (he thought it was on Dec. 29). The email provided her current number (as of 5/8/14) but not her number in 2007.	PI File from Wiggs 15
12/29/07	Jamal Thomas calls Erel Jordan	According to Evelyn Jordan's 12/30/08 phone call message to police.	LE file 240

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12/29/07, Noon	Angela Taylor last sees Williams	According to trial testimony on 7/14/07 by Angela Taylor, Williams and his family leave her house in Philadelphia to go to Forman Mills Mall and then her sister Penny's house in Philadelphia.	TT 349
12/29/07, 2:10pm	Cell Phone Photo is Taken	Purportedly showing Coatney Williams in the basement of a family member's home in Philadelphia.	TT 306, 321-324
12/29/07, 7:00pm	Coatney Williams and Family return from Philadelphia	According to his brother Robert Branch's 10/1/08 statement (See below).	LE file 159-161; Barnes file 217-219
12/29/07, 10:00pm-10:15pm	Crime Occurs	Approx. 10:00pm -10:15pm Mary Davis's home is broken into. Money and other items are stolen. She is held at gun point and sexually assaulted. Her son Tacoma Davis and his friend Erel Jordan arrive in the middle of the crime. Erel Jordan is shot. Neighbor Jennifer Williams chases the suspect car as it leaves the scene and is shot at while driving.	LE file 2-4; Barnes 202-204
12/29/07, 10:26pm	911 Call	A woman named Melissa Paduchowski, who is listed at the same address next-door to the Davis' as victim Jennifer Williams, who is listed as living calls complaining of shots fired.	DA file 18-22
12/29/07, 10:29pm	Police Dispatched	According to CAD report, police are dispatched to scene at 10:29pm.	DA file 18-22
12/29/07, 10:40pm	911 Caller	Caller states shooter was masked, carrying a pump-style rifle, and left in a car in a direction unknown.	DA file 18-22
12/29/07, 10:49pm	Police on Scene	According to CAD report, police arrive on scene at 10:49pm.	DA file 18-22
12/29/07, 10:54pm	Victim Mary Davis speaks to 911	Two men knocked on her door. She went to the door and there were two black men with Jamaican accents wearing red bandanas, black hoodies, and jeans. One was tall and the other was medium height. They had shotguns and held a gun to her head and between her legs. She was also forced to lie on the floor. Her son walked in, and she heard shots fired. She did not know where her son was but thought he was at 1901 Vaughan Creek Road. She was currently at 942 Horne Road.	DA file 18-22
10/29/07, 10:55pm	BOLO Goes Out	BOLO for two armed subjects involved in a breaking and entering at gun point with shots fired. One is tall and one is medium height. Both are speaking with Jamaican accents and are wearing red bandanas and black hoodies.	DA file 18-22

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DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
10/29/07, 11:07pm	Second BOLO Goes Out	BOLO for two vehicles—a burgundy 1989-1992 Honda Accord occupied by two black males and a Black Ford Expedition with unknown occupants.	DA file 18-22
12/29/07, Unknown	Victim Erel Jordan gives Statement to Paramedic	When asked how he got shot, he said he was walking past the house when he saw a dark looking figure come around the corner with a gun. He started running, heard a loud bang, and felt something hit him. He fell down, got up running, and someone picked him up in a car. They drove back to the house. A lady took him inside and called 911.	LE file 105
12/29/07, 11:45pm	Neighbor Jennifer Williams gives Statement to Police	She saw Tacoma Davis and his friend running and heard shots. She called 911 and let Tacoma and his friend into her house, then chased the suspect car with her car. Someone shot at her twice.	LE file 102-104; Barnes file 234-236
12/30/07, 2:03am	Victim Erel Jordan gives Statement to Police	He and Tacoma Davis were sitting at Tacoma's house for about five minutes when Tacoma got a call and said he would be back. Tacoma went in the back door and ran back out. He got out of the car and saw a person in all black with a shotgun exit the house. He ran, heard a bang, and felt pain. He tried calling different numbers from his cell phone, but it was not working. A neighbor let him in her house.	LE file 106-107; Barnes file 220-221
12/30/06, 5:00am-7:00am	Coatney Williams and Family leave from Philadelphia to Return	According to trial testimony on 7/14/10 by Williams. Both Angela Taylor, Williams' aunt, and Robert Branch testified that the family left Philadelphia on 12/30/07. Robert Branch testified that it was 5:00am - 6:00am.	TT 303, 349, 363
12/30/07, 2:41pm	Victim Tacoma Davis gives Statement to Police	He came home with his friend Erel Jordan and was listening to music in the car when his cousin called and said to check on his mom because something was wrong with the phone. He went to the door and a black male with a shotgun chased him out. He ran to a neighbor's house and called 911 before Erel came to the door. Erel had been shot. The neighbor chased the suspect car and was also shot at by suspect car.	LE file 99-101; Barnes file 222-224
12/30/07, 3:37pm	Victim Mary Davis gives Statement to Police	She was on the phone when it went dead. She heard a bang and two unknown black males were in her house asking about where to find the money. They took items and one of them sexually assaulted her using a shotgun. She heard her son Tacoma call for her and heard two shots before the suspects left.	LE file 92-98; Barnes file 225-231
12/30/07	Jamal Thomas calls Tacoma Davis	According to Evelyn Jordan's 12/30/08 phone call message to police.	LE file 240

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DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
12/31/07, around midnight	Coatney Williams and Family returns from Philadelphia	According to trial testimony on 7/14/10 by Coatney Williams' mother, Regina Knight, they left Philadelphia on 12/30/07 and arrived around midnight on 12/31/07.	TT 286-287
1/3/08	Coatney Williams returns from Philadelphia	According to Coatney Williams' statement on 9/8/08 (see below).	LE file 133-135; Barnes file 175-177
1/3/08, 2:36pm	Clifton Mason gives Statement to Police	He does not know who shot Erel Jordan, but he told Wynesha in homeroom that Deandre Williams told him it happened at a party in Seaboard. He does not know who shot Erel Jordan or broke into Tacoma Davis' house.	LE file 114; Barnes file 232
1/3/08	TC from Mary Davis to LE	She talked to Tacoma and he thinks Jamal Thomas and Deangelo Mason did the crime.	LE file 240
1/4/08, 5:55pm	TC from Mary Davis to LE	Her cousin Buck Barnes told her that the day of the crime, he saw a burgundy Accord with an SC license plate and three black males pull into her driveway.	LE file 218-220
1/5/08, 6:02pm	TC from Mary Davis to LE	Vernon Kee told her he overheard some boys talking that a burgundy Accord hangs around arrowhead with a loud muffler.	LE file 218-220
1/7/08, 1:18pm	Evans Grant gives Statement to Police	Clifton Mason said Deangelo Mason was with some other boy and shot Erel Jordan.	LE file 116-117; Barnes file 237-238
2/12/08, 2:33pm	Antonio Howard reports to Police	According to law enforcement notes, Karon Moses was in jail saying he and his boys made the lady in Severn cry and robbed her.	LE file 228-230
7/24/08	B&E and Larceny from William Bullock's home	Not directly related to this crime. A shotgun (single barrel .410), two rifles, and several boxes of ammo were stolen.	Barnes file 148-156
7/26/08	RRPD recovers stolen weapons	Responding to a call about shots fired in city limits, RRPD find Charles Pittman. Pittman admitted to firing weapons that he bought from Coatney Williams who said they were from Seaboard. (Bullock would ID these as weapons stolen from his home.)	Barnes file 148-156
7/29/08, 9:30am	Coatney Williams arrested by Seaboard Police	Related to B&E/Larceny of William Bullock's home.	Barnes file 148-156
7/29/08	Coatney Williams gives Statement to Police	According to a "Case Progress Record" by Det. Burnette, "Coatney Williams advised that Yayo shot Erel, Yayo found .38 caliber gun under cushion, Jamal	LE file 16; Barnes file 200

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		gave Cinita jewelry from burglary and him the wheat Timberland boots. Yayo also assaulted female, Yayo fired shots at car that came up fast."	
7/29/08 4:06pm	Cinita Long gives Statement to Police	She was talking to Officer Smith at Cupboard when he got a call about a break-in earlier that day. Earlier that day, Thomas told her he had a "lick" to do with Moses and Yayo (Freeman). Later, she saw Thomas at a party and left walking with him and another girl. Officer Smith pulled up and said someone was shot by three boys in a black Honda. Thomas told her he did not do it and that he was not in Severn, but she did not know how he knew it was in Severn. They walked to the projects where Thomas' car was parked by Rasheed Alston's house. Moses and Freeman got items out of it. She saw shoes, hats, and jewelry in the trunk. Thomas would not say where it came from.	LE file 108-111; Barnes file 251-254
7/29/08	Ring collected from Cinita Long	Cinita Long told Det. Burnette that she got the ring from Jamal Thomas who said he took it from a white lady's house behind the projects. Thomas went in the house when Rasheed Alston took the white man and woman to buy crack.	LE file 112
7/30/08	Timberland Boots collected from Coatney Williams's bedroom	Regina Knight, Williams' mother, gave them to Det. Burnette.	LE file 131
9/3/08	Co-Defendant Jamal Thomas gives Statement to Police	Karon Moses and Antonio Freeman (Yayo) recruited him to be the driver for the robbery. They ran into Coatney Williams, who joined in the plan. Williams brought the shotgun. Thomas stayed in the car when the others went into the house; Thomas heard 3-4 shots and drove away before coming back and picking up the others. Williams had the shotgun. Freeman shot at a car that came up behind them. He returned to the Seaboard projects and met up with Cinita Long. Moses told Thomas the items he stole and said that Freeman put the gun between the victim's legs and in her mouth.	LE 119-126; Barnes file 2-4, 6, 174, 239-247
9/4/08	Co-Defendant Karon Moses gives Statement to Police	"I don't know what you are talking about."	LE file 127; Barnes file 255-256
9/4/08	Co-Defendant Antonio Freeman gives Statement to Police	"I don't know nothing about it."	LE file 130; Barnes file 70



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DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
9/4/08	Det. Burnette has Conversation with Mary Davis	She had a gun, a black and brown .38 special handgun, that her husband had given her years ago that she forgot was stolen during this crime.	LE file 23
9/5/08	Arrest Warrants Issued	<p>Coatney Williams: injury to real property, larceny of a firearm, AWDWIK, larceny after B&amp;E, first degree burglary</p> <p>Karon Moses: injury to real property, larceny of a firearm, AWDWIK, larceny after B&amp;E, first degree burglary</p> <p>Jamal Thomas: injury to real property, larceny of a firearm, AWDWIK, larceny after B&amp;E, first degree burglary</p> <p>Antonio Freeman: attempted first degree murder, first degree sexual offense, attempted first degree rape, assault by pointing a gun x2, communicating threats, injury to real property, larceny of a firearm, AWDWIK, larceny after B&amp;E, first degree burglary</p>	LE file 29-54
9/8/08, 9:42am	Coatney Williams gives Statement to Police	He was on the way to Philadelphia with family on 12/29/07. He was in Alexandria Virginia when Jamal Thomas called and said the word in Seaboard was that he stole a .38 from a woman's house. He came back to Seaboard from Philadelphia on 1/3/08. He was at Rasheed Alston's house and Moses, Thomas, Freeman, and others were talking about the crime. Thomas gave Williams the Timberland boots from the robbery.	LE file 133-135; Barnes file 175-177
9/8/08, 5:50pm	April Smith gives Statement to Police	She heard Antonio Freeman say that he and Moses held a woman up at gunpoint and made her strip before Freeman pulled her tampon out.	LE file 136; Antinore file 440; Barnes file 179
9/8/08, 6:00pm	Rasheed Alston gives Statement to Police	He overheard Antonio Freeman talking about the crime and asked Freeman if he pulled the lady's tampon out to try to rape her. Freeman said he was not trying to rape her; he was checking for money in her panties. Freeman said the son chased them when they left, and they shot at him.	LE file 137; Antinore file 441; Barnes file 180



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DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
9/19/08	Letter from Coatney Williams to Karon Moses received by Major Drew	“What’s poppin yall nigga know yall 13/13 for putting my name in that bullshit talking about you got a motherfucking 00 banger from me nigga you know you got that shit from Sheed but why yall ain’t put his hard back ass in it I already got too much shit on my head to be worrying with some shit yall niggas did. I’m a 4 time convicted felon and this charge will send me up the road for at least ten years and I got my own charges to worry about so if I got to testify against yall to clear my name so be it so man [arrow pointing up] for what you did so I ain’t got to testify against yall cause I got my witnesses ready to come to court. T3ll Mally his bitch the reason why yall locked [arrow pointing up] now. And all that tough talk gone get you Peter Rolled nigga”	LE file 152-153; Antinore file 69-70
UNKNOWN – sometime after Moses got the letter	Interview of Karon Moses by ATF Agent McCluney	Moses describes being approached by Thomas and Freeman about the robbery and describes the three of them committing the crime. He states that Williams was not there and not a part of the home invasion. Freeman carried a shotgun the whole time, but it was provided by Thomas. Freeman was the one in the room with the victim; at one point, Moses saw her taking her clothes off. Freeman is the one who shot at Tacoma Davis and his friend and the one who shot at the car that chased them. Freeman told Moses he threw a gun away in January or February while being chased by police.	DA file 652-657; Barnes file 20-25
10/1/08, 2:40pm	Robert Branch (brother of Coatney Williams) gives Statement to Police	He and his family (including Williams) left for Philadelphia on 12/26/07 and returned to NC on 12/29/07 around 7:00pm. On 12/26/07 around 4:00pm, Jamal Thomas called and said it was good they left town because police were looking for someone about a robbery. A few days later, he was at Rasheed Alston’s house. Antonio Freeman came in and said that he (Freeman), Moses, and Thomas shot and robbed Erel Jordan. Thomas came over and said Moses was crazy. Moses came over and said he didn’t get anything and that it was a waste of time.	LE file 159-161; Barnes file 217-219
10/2/2008	Mary Davis writes a Victim Impact Statement	Victim Impact Statement includes a summary of what happened on the night of the crime.	DA file 194-198
10/2/2008	Tacoma Davis writes a Victim Impact Statement	Victim Impact Statement includes a summary of what happened on the night of the crime.	DA file 199-200

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
1/28/09	Interview of Mary Davis by ATF	The money stolen was proceeds from the church, whose casualty insurance is provided by an out-of-state company.	DA file 620; Barnes file 172
2/18/09, 9:00pm	B&E/larceny at Sylvester Sykes's home	Not directly related to this crime. A camcorder, mason jar, and cup with coins were stolen – found in abandoned car 3 miles away. The car was reported stolen from Juanita Murray.	Barnes file 15, 100-101
2/23/09	Coatney Williams gives first statement re: Sykes B&E to Police	Alibis himself as being with several people in Roanoke Rapids (including Juanita, whose Taurus was used in the crime). He says the car was there and he rode in it but does not think he left anything behind.	Barnes file 130-131
2/25/09	Jamal Thomas meets with DAs	Moses told Thomas and Freeman he had a "lick," and that Thomas would drive. He drove them to Cupboard, where Williams met up with them, then to Williams' house, where he got a shotgun. Williams, Moses, and Freeman are all Bloods. At the victim's house, Thomas stayed in the car while the others, dressed in black, got out. Thomas drove away when he heard shots, but quickly returned and picked up the others. Williams held a shopping bag and "Tims. Freeman had "the" gun. Freeman or Moses shot Erel Jordan. Freeman shot at the car that followed as they were driving away. Thomas drove them back to the projects. Williams gave him a ring which Thomas later gave to his girlfriend. They split the money. Thomas then left and saw his girlfriend. The next day Moses and Freeman said they put the gun in the victim's "stuff" and mouth. Williams, Freeman, and Moses got the rest of the stolen items from Thomas' car. Moses said Williams never went in the house. Moses said that he shot Erel Jordan and is glad he did not get charged with attempted murder. Freeman said he is taking a charge for Moses.	DA file 650-651; Barnes file 248-250
3/2/09	Coatney Williams gives second statement re: Sykes B&E to Police	Admitting some involvement. Williams was chilling with Quinton and Travis "Coop" when they said they had a "lick" and went to a house with a car jack. A car pulled up and Quinton and Coop ran back to the car. Coop got in the driver side, Quinton in passenger side. A car followed them and ran them off the road. Williams, Quinton, and Coop ran into the woods and went to Chad's house. Chad gave them a ride back home (he did not know what happened). Quinton told Juanita to call her car in stolen.	Barnes file 146-147
3/4/09	Coatney Williams Arrested	For B&E of Sylvester Sykes. Quinton Faison also arrested. Tyrell Faison to be arrested on 3/13/09.	Barnes file 100-101

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
6/29/10	Jamal Thomas Pleads Guilty	Pleads guilty to RWDW and First-Degree Burglary; charges of attempted murder, discharging a weapon into occupied property, AWDWITK, larceny of a firearm, larceny, and possession of stolen goods x2 are all dismissed. The plea is contingent on Thomas' truthful testimony against any and all co-defendants.	Thomas Court File 38-41
7/6/10	Interview of Mary Davis with DA	On 12/29/07, she got home around 9:30pm and was home alone. She was on the phone when it went dead. Around 10:00pm or 10:15pm, she heard a bang and tried to hide under her bed. She described seeing two suspects, one of whom had a gun. They both had Jamaican accents that did not sound natural. They asked about money and sexually assaulted her. She heard her son call for her, then heard a shot. When the suspects left, she got dressed and drove to Erel Jordan's house and called 911. The men were in her house for about 15 minutes. She gave a statement to police the next day but was not able to identify any photos.	DA file 604-606; Antinore file 336-338; Barnes file 161-163
7/6/10	Interview of Tacoma Davis with DA	He was at Erel Jordan's house when Tiffany called and told him to go check on his mom. When he got home, he saw the door was open. A man with a gun chased him away behind the garage. He told Erel to run. After 5-10 minutes, he went to Jennifer Williams' house. Jennifer left in her car. Erel said he was shot. He did not notice any unknown cars. He was friends with Moses and Thomas from school. He knew of Williams and Freeman. He used to date Williams' ex-girlfriend Antwanna Lee and used to be affiliated with the gang the defendants are in.	DA file 589-590; Antinore file 339-340; Barnes file 164-165
7/6/10	Interview of Evelyn Jordan with DA	The day of the crime, Jamal Thomas called for Erel Jordan, but they did not speak. Tacoma Davis and Erel were together and left for Tacoma's house. She could not reach Erel or Jennifer by phone but called Tacoma's cell. Tacoma said they were robbed, and he did not know where Erel was. Mary Davis came to her house, and then they both went to Jennifer's house. Erel was in an ambulance. The house was well-lit except the garage.	DA file 602-603; Antinore file 341-342; Barnes file 166-167
7/6/10	Interview of Erel Jordan with DA	Tacoma Davis ran out of the house and yelled for him. A shotgun pointed toward them from the door. He and Tacoma ran. He was shot in the back, fell, and ran to a ditch. A car pulled in. Jennifer Williams followed the car. He went to Jennifer's house and a lady said to lay on the floor. He knew the defendants except Freeman, and there was no ill will. Tacoma used to be in a gang. Erel is not in a	DA file 591-593; Barnes file 168-170

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		gang, but his family is. He has heard around the projects that Williams was involved.	
7/7/10	Interview of Jamal Thomas with DA	He was friends with Freeman, Moses, and Williams. He knew and liked Erel Jordan and Tacoma Davis. He knew it was Tacoma Davis' house when they arrived. Tacoma had disrespected them in front of girls. Moses and Freeman offered Thomas \$50 to drive for a "lick." Williams brought the gun. Thomas stayed in the car and started to drive away when he heard a boom but turned back. He saw a purple car, heard several booms, and the others ran and got in the car. The purple car followed them, and Freeman shot at it with a gun he took from the house. In jail, Freeman said he was charged because of Moses; Moses was okay with that. Thomas saw the others with shoes, video games and jewelry – he learned about the money later, \$500 or \$600 split. Williams gave him some jewelry that he gave to his girlfriend. In jail, Moses told him about Freeman raping the victim and "basically" admitted to shooting Erel; he did not say anything about Williams' participation. Thomas did not see anyone other than his co-defendants running. Williams had the gun. Erel and Tacoma had nothing to do with the crime. Robert Branch is Williams' brother and is lying because Thomas did not talk to Rasheed Alston. Thomas did call Erel Jordan earlier the day of the crime about an amp for sale but did not actually talk to him.	DA file 631-635; Antinore file 331-335; Barnes file 7, 27-30
7/12/10	Interview of Antonio Freeman with DA	He knew Thomas, Moses, and Williams from the neighborhood. Around 7:30 or 8:00 on 12/27/07, Moses and Thomas came to his and house. Moses said they had a "lick." They met Williams at Cupboard and drove to Williams' house where he changed clothes and got a gun. Thomas said the "lick" was at Tacoma Davis' house and he did not think anyone would be there. They all agreed to go along. At the house, they all got out of the car. Thomas cut the phone line. Moses or Thomas loaded the shotgun. Freeman had the shotgun. Williams shot the door they and went inside. The victim was on the floor with a .38, which Freeman took and gave the shotgun to Moses. Freeman made the victim take her clothes off. He removed her tampon and threw it. He held the gun while Moses searched for money. Freeman "tapped her legs" with the shotgun and "didn't mean for it to touch her vagina." She told them where to find money. Moses and Thomas left Freeman alone with the victim and she told him about a bank bag in the closet.	DA file 268-273; Antinore file 325-330

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		Moses said someone was there and Williams came in and took the shotgun. Freeman heard a shot but doesn't know who did it. Freeman was the last one out of the house. When they left, a car chased them. Freeman shot in a field "to scare them." Back at Thomas' house, they split the money four ways and burned the bags in a barrel. Thomas took them to Seaboard, where Moses and Williams took the stolen items and left. The following day Williams and his brother were at Rasheed's house and they all talked about the crime, but not in front of Rasheed. Mainly Moses and Freeman did the talking. They talked about why they put on Jamaican accents and why they made the victim strip.	
7/12/10	Antonio Freeman Pleads Guilty	Pleads guilty to Second Degree Sex Offense, Burglary, and Armed Robbery; charges of First Degree Sex Offense, Attempted First Degree Rape, Attempted Murder, AWDWITK, Discharging a Weapon into Occupied Property, Larceny of a Firearm, B&E of a Motor Vehicle and Larceny x2 are all dismissed. A condition of Freeman's plea is to testify truthfully against any and all co-defendants.	Freeman Court File 28-31
7/12/10	Karon Moses Pleads Guilty	Pleads Guilty to RWDW, First Degree Burglary, and AWDWITK; a condition of Moses' plea is to testify truthfully against any and all co-defendants.	Moses Court File 27-30
7/12/10 - 7/15/10	Trial of Coatney Williams	<p>State's Witnesses: Mary Davis, Tacoma Davis, Erel Jordan, Ron Brooks (paramedic), Antonio Freeman, Jennifer Williams, Evelyn Jordan, Det. Brenda Burnette</p> <ul style="list-style-type: none"> <li>The victims described what happened to them. They did not identify anyone. Ms. Davis was home when suspects came in and robbed and sexually assaulted her. Tacoma Davis arrived home during the crime and was chased out by a man with a gun. Erel Jordan was shot. Jennifer Williams followed an unknown car with an unknown number of occupants after she heard Tacoma yell and heard gunshots. The car stopped and shot at her before she returned home.</li> <li>Ron Brooks, a paramedic, described injuries sustained by Erel Jordan's wounds as consistent with being caused by birdshot.</li> <li>Antonio Freeman described committing the crime with Thomas, Moses, and Williams. Freeman, Moses, and Thomas met up with Williams at the Cupboard. Williams brought the shotgun. Williams participated in</li> </ul>	Trial Transcript



## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		<p>searching the house. Williams got some of the stolen property. Williams had the shotgun when the group all split up.</p> <ul style="list-style-type: none"> <li>• Evelyn Jordan described her interactions with her son Erel and Tacoma Davis the night of the crime. They were at her house, when Tacoma got a call and he and Erel left for Tacoma's house. Later she could not reach Erel but could reach Tacoma who told her what happened.</li> <li>• Det. Burnette described her investigation and the collection of evidence.</li> </ul> <p>Defense Witnesses: Regina Knight (mother), Robert Branch (brother), Angela Taylor (stepfather's sister), Coatney Williams</p> <ul style="list-style-type: none"> <li>• Regina Knight testified that Williams and the family went to Philadelphia on 12/26/07 in a white F-150 and returned to NC sometime after midnight on 12/31/07. Jamal Thomas gave Timberland boots to Williams. She tried to get footage of Williams at Forman Mills in Philadelphia, but they told her they would only release it to law enforcement or lawyers. She told the Sheriff.</li> <li>• Robert Branch testified that the family left for Philadelphia on 12/26/07 in a green Mercury Mountaineer and came home on 12/30/07. He took a photo of his brother in Philadelphia at 2:10pm on 12/19/07 and has no way of changing the time stamp. (The Court admitted the photo, but not the time stamp. The Court admitted a jersey that Branch said was the one his brother was wearing in the photo.) Branch was mistaken when he told Det. Burnette the family came back on the 29<sup>th</sup>. They actually got back on the 30<sup>th</sup>, but Branch has gone to Philadelphia for Christmas each of the last four years and got mixed up on the dates of this trip.</li> <li>• Angela Taylor said that she saw the family in Philadelphia, including seeing Williams on 12/29/07 in Philadelphia, and that they left to return to NC on 12/30/07. The family stayed at her house on 12/27/07 and 12/28/07 before staying at her sister Penny's house. They drove in a greenish truck.</li> <li>• Williams testified that he and his family left for Philadelphia on a Thursday, either December 26 or 27. They came back to NC on 12/30/07.</li> </ul>	



## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		<p>They travelled in either their F-150 or Mountaineer. Williams said that Thomas called while the family was at a gas station in Alexandria, VA on the way to PA. He said that he learned about this crime a few days after coming home while at Rasheed Alston's house. Jamal Thomas gave him the boots and he told his mother to give them to Det. Burnette. On cross examination, Williams refused to answer who beat him into the gang and the judge removed him from the stand and instructed the jury not to consider his testimony. The judge later told the jury they may consider Williams' testimony.</p> <p>Note: Witnesses other than the victims and law enforcement were sequestered from the courtroom during trial.</p>	
7/15/10	Williams Convicted	Guilty – First degree burglary, Felony larceny, AWDW, Larceny of a Firearm, RWDW, Attempted First Degree Murder.	Williams Court File 5, 37, 55, 67, 217
10/4/11	NC COA Opinion	No error in part, vacated in part, remanded for resentencing.	Antinore file 162-165
12/12/11	PDR Denied	NC Supreme Court denies Petition for Discretionary Review from Coatney Williams.	Williams Court File 144
1/3/12	Letter from Williams to Center on Actual Innocence	Williams claims innocence. He is upset that his attorney did not call certain witnesses and suggests that there may be video footage of him in Philadelphia.	Antinore file 104
1/26/12	Letter from Williams to Center on Actual Innocence	Williams claims innocence and says that Moses wrote a letter to the ATF saying he (Williams) is innocent. He suggests looking into why Cinita Long did not implicate him and Freeman did when they both claimed to have been at Rasheed's house.	Antinore file 62
5/14/12	Letter from Williams to Center on Actual Innocence	Williams claims innocence and hopes the Center will take his case. He says that his attorney never investigated his alibi.	Antinore file 97-98

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
7/9/12	Response from Jamal Thomas to letter from Center on Actual Innocence	Thomas says that he knows for a fact Williams is innocent. He describes going to a break-in with Moses and Freeman, but says he stayed in the car. He says Freeman shot the shotgun 2-3 times before he ran to the car. Thomas says he put Williams' name in the case because Officer Burnette wanted him to and said she would look out for him if he looked out for her. He says that his attorney told him Judge Hinton and victim Mary Davis are sorority sisters.	NC Center on Actual Innocence file 524-526, Antinore File 93-95
10/15/12	Response from Antonio Freeman to letter from Center on Actual Innocence	Freeman says that he knows Williams is innocent and that Williams was not in North Carolina on the day of the crime. He, Thomas, and Moses did the crime. He says that both he and Moses shot at Erel. Freeman says he was at Williams' house just before the family left for Pennsylvania. He said Thomas broke into a house earlier and made it look like Williams did it. Williams told police who did the crime, which made Freeman mad, so when he was asked to write a statement against Williams, he did. He felt scared and forced into the statement, but he feels bad for Williams being locked up and innocent.	Antinore file 84-86
10/23/12	Jamal Thomas interviewed by Antinore and PI	Thomas says that Coatney Williams is innocent and that his statement to law enforcement was a lie. He originally told law enforcement that Williams was not there but was pressured by Det. Burnette and the Chief of Seaboard PD to put Williams in it. Freeman's testimony was a bunch of lies; Thomas knows Williams was in Philadelphia because they were together at Rasheed Alston's house when Williams' mom picked him up for the trip. The shotgun used in the crime was given to Thomas by his aunt. Thomas gave it to Freeman about a week before the crime. Thomas gave the boots to Williams and jewelry to Cinita Long – she is the one who told police Williams had the boots.	PI File from Wiggs 20-22
11/6/12	Attempted interview of Karon Moses by Antinore and PI	Moses said he had nothing to say to them.	PI File from Wiggs 23
11/7/12	Karon Moses interviewed by Center on Actual Innocence	Moses did not want to get involved. He was planning to testify for Williams but changed his mind a week before trial and would not say why. Since his plea, he has had no contact with his co-defendants. Moses thinks someone arrested on an unrelated charge a year later gave police information that led to developing them as suspects in this crime. Freeman is the only co-defendant to testify against Williams. Moses "smirked" when asked if Williams is innocent and when	NC Center on Actual Innocence file 483-484 Antinore file 2-5

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		told that the Center needed to allocate its resources for people who are “actually innocent,” Moses replied, “I can tell you this. I think you should save your money.”	
1/4/13	Coatney Williams interviewed by Antinore and PI Wiggs	Williams maintains his innocence. He only knew Tacoma Davis from seeing him around the neighborhood, but Moses and Thomas went to high school with him. Williams says that he has never been to the victims’ house. He says that Moses wrote a statement to the ATF saying Williams was innocent and that Det. Burnette told him she knew he didn’t do it when she served him. He stated that his mother told law enforcement about a video from a mall in Philadelphia, but no one followed up and the mall would not give the tapes to her. He says that his attorney knew about the phone and photos for at least a year. The photo shows him in a basement of a house in Philadelphia. His mother was sent a bill because they didn’t have exact change at a Delaware tollbooth. Jamal Thomas was present when Williams’ mom picked him and his brother up from Rasheed’s house on 12/27/07 to go to Philadelphia. Thomas asked Williams to break into Angela Thomas’ house to steal guns, but he declined – Thomas followed through and stole the shotgun used in the crime. Williams and his family came back to NC on 12/31/07 due to predicted snow.	PI File from Wiggs 24-26
2/20/13	Letter from Center to Williams	Closing case due to his ongoing representation by Antinore.	NC Center on Actual Innocence file 29
5/15/13	Interview of Regina Knight by PI Wiggs	Regina Knight maintained Williams’ alibi. She, her husband Robert Knight, son Robert Branch, and Williams went to Philadelphia to visit her husband’s sisters, Ann Knight and Penny Knight. She and her husband picked up Williams and Robert Branch from Rasheed Alston’s apartment in the Seaboard projects in a white Ford truck. While in Philly, they were on surveillance camera at Forman Mills flea market. Williams and Branch took pictures from the truck window and in the basement of Penny’s home. About a week after getting back, Thomas gave Williams boots, which he put in his room at her house. Williams later called her and told her to give the boots to Det. Burnette because Jamal Thomas was involved in shooting and police wanted the boots. After the conviction, she saw Karon Moses on the way into the jail and he said Williams was not involved. She	PI File from Wiggs 27-30

## APPENDIX C: DETAILED CASE TIMELINE

DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
		said that attorney Sam Barnes was not interested when they tried to tell him about the phone. She stated that her parents could also verify the trip to Philadelphia.	
5/15/13	Interview of Tiffany Brown by PI Wiggs	She is the long-time girlfriend of Williams' brother Robert Branch. She knows Williams and his family went to Philadelphia because she wanted to go but there was no room in their truck. She had several calls and texts with Branch while he was there and spoke to Williams on the phone several times when she called for Branch. She provided phone records to PI Wiggs.	PI File from Wiggs 31-32
3/27/14	Affidavit of Jamal Thomas	Saying that Coatney Williams is innocent and was not present when the crimes occurred.	Williams Court File 139
4/1/14	Interview of Coatney Williams	Williams was interviewed by Antinore and Wiggs. He said the photo shows a weight bench and maybe a window. Moses wrote a statement saying he was not there. The evidence showed only three black males.	Pi File from Wiggs 75
6/17/14	Interview of Antonio Freeman	Freeman was interviewed by PI Jerry Wiggs and said Williams was not at the crime; Freeman "felt bad for doing this" but was getting revenge because Williams gave a statement on him. He said he told his attorney that what he signed wasn't true but had to testify to it for a time reduction. Freeman read the affidavit, said it was true, and executed it in front of a notary. He said he was willing to testify that Williams was not there.	PI File from Wiggs 1
6/17/14	Affidavit of Antonio Freeman	Saying that Coatney Williams is innocent and was not present when the crimes occurred.	Williams Court File 138
9/17/14	MAR filed	By Attorney Jim Antinore – based partly on new evidence "that...would have resulted in a Not Guilty verdict": recanting affidavit of Freeman, who was the "only witness that testified at trial as to [Williams's] involvement"; affidavit of Thomas swearing that Williams was not present and did not participate; a cell phone expert who can establish the veracity of the date/time stamp on photographic evidence and establish the out of state locations of the cell phone at relevant times.	Williams Court File 110-137; Antinore file 738-768
1/21/15	MAR Denied	Denied without hearing as having no basis in law or fact.	Williams Court File 108

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DATE/TIME	EVENT	DESCRIPTION	CITATION TO FILE
7/9/15	Meeting with Judge Grant, Antinore, and Asbell	Discussed possibility of judge reconsider denial of MAR; DA Asbell agreed to take materials from Antinore, including cell phone records.	NC Center on Actual Innocence file 356-360

# APPENDIX D: VICTIMS' STATEMENTS CHART

## MARY DAVIS STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
12/29/2007	Brief Interview of Mary Davis by police	She was on the phone when it went dead. Two unknown males wearing red bandanas came into her bedroom after she heard a loud boom. One male had her on floor, took out her tampon, and placed the barrel of a shotgun inside her while the other male took valuables from her residence. The items stolen included a jewelry box, over \$1,100 in cash, checks, Timberland boots, cell phone, Xbox, and baseball caps.	LE file 3-4
12/30/07, 3:37pm	Mary Davis gives Statement to Det. Burnette	She was at home around 10:00pm to 10:15pm on the landline phone when it went "dead." She checked the other phones in the house, which were also not working. She then heard a loud bang and thought someone was trying to break in. She returned to her bedroom and tried to hide under her bed when she saw two black males enter her bedroom. They were both wearing jeans and black hoodies with red bandanas over their faces. The first black male was tall with a dark complexion. He was carrying a shotgun, described as a pump style rifle. The other black male was short, younger than the first suspect, light-skinned, and had a small build. Both suspects seemed to have Jamaican accents. The taller suspect pointed the gun at her and told her to tell him where everything was, or he would kill her. She told him she had money in the bottom dresser drawer and money in a bank bag in the closet. The taller suspect took the money while the shorter suspect went to her son Tacoma's room. The taller suspect took off her pajama pants and panties. She told him that she had her period, and he pulled the tampon out. The other suspect came back and looked in Mary's room while holding a pair of sneakers before walking away again. The taller suspect placed the barrel of the shotgun in her vagina and started humping her. He started to make the motion to pull his pants down when she heard her son come home and call for her. The taller suspect ran to the front of the house. She heard two gunshots. Both suspects then came back to the bedroom, and the shorter male took one of the bags she used for church activities. Both suspects left her room. She heard a car and went to the window. She saw her neighbor, Jennifer Williams, leaving her driveway in her car. She grabbed her car keys and drove to the house of Evelyn Jordan, who called 911. When she left her house, she saw her son's car with the passenger door open but did not see her son. At Evelyn's house, she learned that Erel Jordan, Evelyn's son, had been shot. Evelyn told her that Tacoma was at another neighbor's house, and they went to that house to wait for the police.	LE file 92-98; Barnes file 225-231
9/4/08	Conversation between Mary Davis	She had a gun, a black and brown .38 special handgun, that her husband had given her years ago that she forgot was stolen during this crime.	LE file 23



## APPENDIX D: VICTIMS' STATEMENTS CHART

DATE	TYPE	DESCRIPTION	CITATION
	and Det. Burnette		
10/2/2008	Victim Impact Statement by Mary Davis	Her niece brought her home around 9:40pm on 12/29/2008 (Note: typo on year). She got ready for bed. She received a phone call at 9:50pm. The phone went dead. She got off the bed and went to check other the phones. They were dead. She got her cell phone and got the voicemail of the person she tried calling. She got in bed. She heard a loud bang and thought someone was trying to break in. She got on the floor to try to get under the bed. A black male wearing jeans, sneakers, a black hooded jacket and a bandana covering his face came in. Another male was behind him. The darker male pointed a gun at her and threatened her, which included threats to kill her. The other guy started putting items in a bag. She told them about money in a drawer and a church bag in the closet. She told them about jewelry in the bathroom. The darker guy got the money from the bag in the closet, her pocketbook, and her cell phone. Later, she realized he got a pistol from the nightstand drawer. The other guy went into her son's room. The darker guy sexually assaulted her with the gun. The other guy came in the room and watched. He had a pair of sneakers in his hand. He then walked away. She heard her son yell for her. The guy got off her and ran out of the room. She heard a gunshot. The darker guy ran back to the room. The other guy ran before him saying he needed a bag. The darker guy dumped church papers out of a bag. Then both ran out. She put on clothes and heard the sound of a car. She ran to the front window to see the car and realized it was her neighbor's. She ran to the front door to try to stop her. She then ran back in the house, got her keys, and drove to Evelyn Jordan's house. Evelyn Jordan was on the phone with 911. Evelyn gave her the phone. They had already received a call. She then drove back to her neighbor's house.	DA file 194-198
1/28/09	Interview of Mary Davis by ATF Agent McCluney	The money stolen from her was proceeds from the church, whose casualty insurance is provided by an out-of-state company.	DA file 620; Barnes file 172
7/6/10	Interview of Mary Davis with DA	She got home around 9:30pm. She was home alone. She was on the phone when it went dead. All other phones were dead. Around 10:00pm or 10:15pm, she was settling in when she heard a bang. She tried to hide under her bed. She saw two suspects, one of whom had a gun. A second man behind him was carrying a brown sack or bag. The man with a gun was 6'0" to 6'1", slender, and dark-skinned. He had a red bandana across his face and was wearing jeans and sneakers. The second man was around 5'8" and had lighter, brown skin. Both were speaking with a Jamaican accent that did not sound natural. The man with the gun took her pants off or told her to take them	DA file 604-606; Antinore file 336-338; Barnes file 161-163

## APPENDIX D: VICTIMS' STATEMENTS CHART

DATE	TYPE	DESCRIPTION	CITATION
		off. She told him about her period, and he pulled her tampon out. He put the gun between her legs. The second man came back into the room holding sneakers. The man with the gun put it between her legs and got on top of her. He moved back and forth. She heard her son yell for her, and the man jumped up. He left and she heard a gunshot. The man with the gun came back in the room followed by a second guy. The second guy said he needed a bag and got her church bag. They both ran out. She went to the window and heard a car. She then saw Jennifer Williams' car go by. She drove to Evelyn Jordan's house and they called 911. They went back to Jennifer Williams' house. When the suspects left, she got dressed and drove to Erel Jordan's house and called 911. She gave a statement to police the next day but was not able to identify any photos of suspects at that time.	
7/13/10	Trial Testimony of Mary Davis	<p>She was on the phone when it went dead. She checked the other phones, which were dead. She went back to her bedroom and tried calling from her cell phone but did not get an answer. She got into bed and heard a bang. She got on the floor next to the bed. Two men entered her room. One was dark-skinned, skinny, 6'1", with a shotgun and one was light-skinned and shorter. The darker-skinned perpetrator used a Jamaican accent like he was trying to disguise his voice. The perpetrators had on red bandanas, black hoods, and gloves. They were demanding money. The lighter-skinned perpetrator took items out of her room and bathroom, and then left the room. She did not see anyone else but these two individuals but could hear someone else in the house. The darker-skinned perpetrator asked her to remove her pajamas, took out her tampon, and put the shotgun between her legs, making motions with it and asking her if it felt good. The man got on top of her and went to unzip his pants. She then heard her son call for her. The man jumped up and ran. She heard a shot. The darker one ran back in the house saying he needed a bag. Someone else came in behind him. They came back in the bedroom and took her church bag. She drove to Evelyn Jordan's house, which was two or three miles away. Evelyn told her Tacoma Davis was ok but Erel Jordan had been shot. They drove to Jennifer Williams' house where some of Mary Davis' family members had gathered. They waited for the paramedics and police. She went back into her house with Det. Burnette to identify what had been taken, which included jewelry, baseball caps, Timberland boots, sneakers, an Xbox, video games, a handgun, and a pocketbook. Her house was ransacked.</p> <p>She identified her wedding ring as State's Exhibit 52, which had a bent prong, as an item that had been stolen from her house. She identified State's Exhibit 53, a pair of size 10.5 Timberland boots, as an item that had been stolen from her house. She previously viewed these items with Det.</p>	Trial Transcript, Volume I, p. 30-64

## APPENDIX D: VICTIMS' STATEMENTS CHART

DATE	TYPE	DESCRIPTION	CITATION
		<p>Burnette. She also previously viewed a handgun with Det. Burnette that she identified as being taken out of her house. Using photographs, she described the layout of her property and the interior of her home.</p> <p>On cross-examination, she stated she did not know Williams and had never seen him other than in the courthouse. She did not know Jamal Thomas, Karon Moses, or Antonio Freeman but had heard Jamal Thomas' name through her son, Tacoma Davis. She only saw two people in her house. At some point, someone looked into her bedroom, but she could not say if it was the same second person or not because the first person was still in the room. She never saw more than two people at one time.</p>	

# APPENDIX D: VICTIMS' STATEMENTS CHART

## TACOMA DAVIS STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
12/30/07, 2:41pm	Tacoma Davis gives Statement to Det. Burnette	He came home with his friend Erel Jordan and was listening to music in the car outside his house when his cousin called and said to check on his mom because something was wrong with the phone. He went to the back door, which was open a little bit. Inside, he saw a tall black male by the coffee table wearing a black hoodie with something black around his face. This taller black male pointed a shotgun at him and told him to get out. He left and ran, yelling at Erel to get out and run. The taller suspect shot his gun. He stood behind his garage for a minute, and then ran to neighbor Jennifer Williams' house. He told her someone had broken into his house. She called 911 and he spoke to the dispatcher. He then called Erel's mother, Evelyn Jordan. Jennifer left in her car to chase the suspects' car. Jennifer came back and said she had been shot at. Erel then came to her house. Erel had been shot.	LE file 99-101; Barnes file 222-224
10/2/2008	Victim Impact Statement by Tacoma Davis	He came home with a friend. His aunt called and said to check on his mother. He went to the door. It was cracked open. He opened the door. One of the defendants said, "get out motherfucker" and had a shotgun pointed at him. He ran and told his friend to get out of the car and run.	DA file 199-200
7/6/10	Interview of Tacoma Davis with DA	He was at Erel Jordan's house when Tiffany called and told him to go check on his mom. When he got home, he was in the yard for two to three minutes. He went to the back door and saw that it was open. He called for his mother. A tall man with a gun and face covering chased him away. He did not recognize his voice or see anyone else. He told Erel to run. He ran to the garage and stood behind it for five to ten minutes. He then went to Jennifer Williams' house and told her what happened. Jennifer left in her car when she heard a car start. Erel came to Jennifer's house and said he had been shot. Jennifer returned home. His mother and Evelyn Jordan came over to Jennifer's house. He did not notice any unknown cars. He knew Karon Moses and Jamal Thomas from school. He used to be friends with Thomas. He knew of Williams and Antonio Freeman. He used to date Williams' ex-girlfriend Antwanna Lee. He said he was aware the defendants were in a gang and agreed it was the same one with which he used to be affiliated.	DA file 589-591; Antinore file 339-340; Barnes file 164-165
7/13/10	Trial Testimony of Tacoma Davis	He got a phone call from his cousin sometime around 10:30pm to 10:45pm when he was parked in front of his garage. He had been sitting in his car three to four minutes. He went to the back door of his house to check on his mom. The door was cracked a little bit. He opened the door and called for his mom. A tall, dark-skinned guy came out with gun, pointed it at him and told him to get the	Trial Transcript, Volume I, p. 65-96

## APPENDIX D: VICTIMS' STATEMENTS CHART

DATE	TYPE	DESCRIPTION	CITATION
		<p>fuck out. He ran and told Erel Jordan to run. He heard a gunshot when he got behind the garage. He went next door and told Jennifer Williams what had happened. Jennifer got in her car and chased the suspects. Erel came up to the front door a few minutes later and said he had been shot. Jennifer called 911. He knew of Williams and had seen him around, but they were not friends. He dated a girl named Antwanna, who used to date Williams. He knew Karon Moses from school and from Seaboard; they were not friends. He knew Jamal Thomas and they were friends back then. He knew of Antonio Freeman as "Yayo" and considered him to be an associate.</p> <p>On cross-examination, he stated that the man he saw had on a darkish color bandana and that he first saw him by the coffee table coming toward him. When he ran out of the house, he never saw anyone else come out of the home and did not see anyone run across the yard other than Erel. He only heard one gunshot. He never saw any other cars near his house. He also said that there were no conflicts, "riffs," ill words, or "beefs" between him and any of the four co-defendants. He had not spoken to any of the four co-defendants since the crime.</p> <p>On redirect examination, he states that the gun pointed at him was a black shotgun. When he told Erel to run, Erel was still sitting in the car.</p>	

## APPENDIX D: VICTIMS' STATEMENTS CHART

### EREL JORDAN STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
12/29/07	Erel Jordan gives Statement to Paramedic	When asked how he got shot, he said he was walking past the house when he saw a dark looking figure come around the corner with a gun. He started running, heard a loud bang, and felt something hit him. He fell down, got up running, and someone picked him up in a car. They drove back to the house. A lady took him inside and called 911.	LE file 105
12/30/07, 2:03am	Erel Jordan gives Statement to Det. Burnette	He and Tacoma were sitting at Tacoma Davis' house for about five minutes when Tacoma got a call and said he would be back. Tacoma went in the back door and ran back out. He got out of the car and saw a person in all black with a shotgun exit the back of the house. He ran to the yard next door, heard one gunshot, and then felt pain. He fell to the ground, got up, and walked to a ditch. He tried calling numbers from his cell phone but was unsuccessful. He saw a car pull up to the edge of the woods. He saw the neighbor go behind the car he saw pull up by the woods. When the woman came back, he knocked on her door and she let him in.	LE file 106-107; Barnes file 220-221
7/6/10	Interview of Erel Jordan with DA	Tacoma Davis ran out of the house and yelled for him. A shotgun came out of the door and was pointed toward them. He initially ran toward Tacoma but made a U-turn when he saw him running toward the field. He was shot in the back and fell. He got up and ran to a ditch. He saw a car pull in from the direction of Severn. The car pulled into the Davis' driveway. He saw two doors open and two doors close. He saw Jennifer Williams follow the car that left. He then got up and ran to Jennifer Williams' house. He knew the defendants from Seaboard except Antonio Freeman. There was no ill will between him and any of them. He was most familiar with Jamal Thomas. He was friends with Thomas, and Thomas used to stay with him in middle school. They were no longer friends. He was not in a gang, but members of his family were. Tacoma used to be affiliated with a gang. He had heard around Seaboard that Williams' name was associated with this case.	DA file 591-593; Barnes file 168-170
7/13/10	Trial Testimony of Erel Jordan	He went to Tacoma Davis' house around 10:30pm. They sat in the car and listened to music and talked. Tacoma's aunt called and said something was wrong with the phone. Tacoma then went up to the house. Tacoma ran out of the house and called Erel's name. He got out of the car and started toward the back door of the house. He ran when he saw someone wearing all black come out of the door with a gun. The person was on the porch and shot him when he was in the driveway. He fell to the ground. He got up and ran back across the yard. He sat in a ditch and watched. He saw a car pull up in the little driveway on the other side of the house and the two right side doors open up. The car backed out and went in the other direction toward Severn/Seaboard. He did not see any people. He saw Jennifer Williams leave right behind them and follow them. He went to Jennifer's house and	Trial Transcript, Volume I, p. 97-129



## APPENDIX D: VICTIMS' STATEMENTS CHART

DATE	TYPE	DESCRIPTION	CITATION
		<p>got help. Takoma was there. He had seen Williams before in Seaboard but did not know him. He knew Karon Moses from school, but they were not friends. He knew Antonio Freeman from Seaboard through his school friends and knew his nickname "Yayo." He knew Jamal Thomas, who was a friend from school.</p> <p>On cross-examination, he stated that Jamal Thomas used to spend the night at his house in middle school. He was pretty good friends with Jamal Thomas. Since December 2007 he had not had any conversations with any of the four co-defendants. Erel was not in a gang but his cousins were. Tacoma Davis used to try to be in a gang. He did not know of Jamal Thomas, Antonio Freeman, or Karon Moses to be in a gang. Prior to December 2007, there had been no problems, rifts, issues, or ill will between him and any of the four co-defendants. He could not remember the last time he saw any of the four co-defendants prior to December 2007. He saw Antonio Freeman after December 29, 2007, but they did not talk about the case.</p> <p>On redirect examination, he stated he saw Freeman before he was arrested. The Bloods gang wear red bandanas, or "flags." His family members who were in a gang wore red bandanas.</p>	

## APPENDIX D: VICTIMS' STATEMENTS CHART

### JENNIFER WILLIAMS STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
12/29/07, 11:45pm	Jennifer Williams gives Statement to Det. Burnette	When she arrived home, she saw Tacoma Davis and his friend getting out of their car at the same time. She saw Tacoma go to his back door and yell for his mother. She then heard gunshots and ran inside to call 911. As she ran inside, Tacoma and his friend were running toward her house. Gunshots were still being fired. She let Tacoma in her house and shortly after that, Erel Jordan came in as well. She saw a car pull out of Mary Davis' yard. She ran to her car to chase the car, a 1989-1992 maroon Honda Accord. After the suspects pulled into a driveway, she turned her car around. The passenger in the suspects' car got out and shot twice at her. She took care of the victim who was shot until EMS arrived. She said she was told that there was a second car described as similar to a Crown Victoria that pulled out after her.	LE file 102-104; Barnes file 234-236
7/13/10	Trial Testimony of Jennifer Williams	She had arrived home between 10:15 PM and 10:37 PM. She was outside getting stuff out of her car when she heard Tacoma Davis yelling loudly for his mom to unlock the door. She then heard Tacoma yell at Erel Jordan to run. She heard one gunshot. She ran to her house. About 15-20 seconds later, Tacoma knocked on her door and she let him in. About two minutes later Erel came to the door. Erel had been shot. She helped Erel. She heard a car start up outside. She left and followed the car, an older model burgundy Honda Accord. The Honda turned into a driveway and she made a U-turn. As she drove by the Honda, someone jumped out of the car and shot at her twice. It did not hit her or the car. She returned home and waited for the ambulance. She followed the Honda to try to get the license plate for the police, but she never got it and she could not tell how many people were inside the vehicle. The windows were tinted, and she was not looking inside it. She had never seen the vehicle before.	Trial Transcript, Volume 1, p. 214-219

# APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

## COATNEY WILLIAMS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
7/29/2008	Unrecorded Interview of Coatney Williams by Det. Burnette	According to Det. Burnette's Case Progress Notes, "Coatney Williams advised that YaYo shot Erel, YaYo found .38 caliber gun under cushion, Jamal gave Cinita jewelry from burglary and him the wheat Timberland boots. YaYo also assaulted female. YaYo fired shots at car that came up fast."	LE file 16
9/8/08, 9:42am	Unrecorded Interview of Coatney Williams by Det. Burnette	He was on the way to Philadelphia with his mother, his brother, and his stepfather on 12/29/07. He was in Alexandria, Virginia when Jamal Thomas called his brother's cell phone and said the word in Seaboard was that he stole a .38 from a white lady's house behind the Seaboard projects. He came back to Seaboard from Philadelphia on 1/3/08. He was at Rasheed Alston's house. Moses, Thomas, Freeman, and others were talking about the "lick" they did after holidays. Freeman "gloated" about sodomizing Tacoma Davis' mother with a gun and said he shot the "guy" that was chasing them. Freeman also said that they pulled behind a barn, rolled down the window, and shot the guy. Thomas had the jewelry, Jordans, Timberlands, caps, and PSPs. Thomas traded the Xbox for cash and bought a PS3. Jamal gave Williams the Timberland boots that came from Tacoma Davis' house at Williams' Aunt Susie's house. Thomas said they were not his size and came from the "lick" in Severn. He did not have anything to do with the burglary. Thomas and Freeman told him what happened, and Moses just sat there.	LE file 133-135; Barnes file 175-177
9/19/08	Letter from Coatney Williams to Karon Moses received by Major Drew	"What's poppin yall nigga know yall 13/13 for putting my name in that bullshit talking about you got a motherfucking 00 banger from me nigga you know you got that shit from Sheed but why yall ain't put his hard back ass in it I already got too much shit on my head to be worrying with some shit yall niggas did. I'm a 4 time convicted felon and this charge will send me up the road for at least ten years and I got my own charges to worry about so if I got to testify against yall to clear my name so be it so man [arrow pointing up] for what you did so I ain't got to testify against yall cause I got my witnesses ready to come to court. T3ll Mally his bitch the reason why yall locked [arrow pointing up] now. And all that tough talk gone get you Peter Rolled nigga"	LE file 152-153; Antinore file 69-70
7/14/2010	Trial Testimony of Coatney Williams	Between December 26th and 27 <sup>th</sup> , 2007, he, his mom, his brother, and his mom's husband, Robert Knight, went to Philadelphia to see Robert Knight's family. They left on a Thursday because that is when his mom gets paid. They left around 5:00pm, 5:30pm or 6:00pm. They took either the F-150 or the Mountaineer. They stopped at a gas station in Alexandria, VA. They received a call from Jamal Thomas. They arrived in PA around 12:00 or 1:00. They didn't get to their destination until 3:00am	Volume II, Trial Transcript 357-382

# APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
		<p>or 4:00am because they got lost. They stayed at Angela Taylor's house for two nights. Then they stayed at Penny's house for the remainder of the time (2 nights). They left PA on 12/30 in the early morning – 6:30am or 7:00am. He was in PA on 12/29/2007 around 9:00pm to 10:00pm.</p> <p>He was not at the home of Tacoma Davis on 12/29/2007. He has never been to their home. He knew Tacoma Davis and had seen him a few times in Seaboard with Erel Jordan. He did not know Tacoma Davis' mother or her name. He did not go to the Cut Board (Cupboard) on 12/29/2007. He knows where it is located.</p> <p>He heard about the crime 2-3 days after he got home. He was at Rasheed Alston's house. Also present were Jamal Thomas, Karon Moses, Antonio Freeman, Robert Branch, Tiffany Brown, and April Smith. He knew Thomas, Freeman and Moses. He did not see any of them on 12/29/2007.</p> <p>He had seen the boots belonging to Davis prior to the trial. He told Officer Burnette to get to the boots from his mother's house. He got the boots from Jamal Thomas after he came back from PA. Jamal Thomas gave them to him at his Aunt Susie's house in Roanoke Rapids.</p> <p>In his original statement to police on 9/8/2008, he said that they were on their way to PA on 12/29/2007. He remembers they actually left for PA 12/26 or 12/27 because it was right after they gave his grandmother her birthday present. It was not correct that they left for PA on 12/29. He told Det. Burnette that Thomas gave him the Timberlands that came out of the Davis house.</p> <p>On cross-examination, he admits he was charged with stealing firearms. The Feds came in and talked to him. During that interview, the Feds asked Detective Burnette and Detective Harmon if they had anything they wanted to ask him. Detective Burnette asked him about this case, and he answered as truthfully as he could. He came forward because he has a heart and a mother. When asked whether he had a mother in January of 2008, he responded that he did not have anything to do with it and it was not his responsibility at the time. He answered questions about gang affiliation but refused to answer the question about who beat him into the gang. (At this point the Court instructed the jury to strike his testimony and not consider any of the testimony that he offered at his trial. The Court later gave an instruction to the jury that they could consider it.)</p>	
1/3/12	Letter from Coatney	Williams claims innocence. He is upset that his attorney did not call certain witnesses and suggests that there may be video footage of him in Philadelphia.	Antinore file 104

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DATE	TYPE	DESCRIPTION	CITATION
	Williams to Center on Actual Innocence		
1/26/12	Letter from Coatney Williams to Center on Actual Innocence	Williams claims innocence and says that Moses wrote a letter to the ATF saying he (Williams) is innocent. He suggests looking into why Cinita did not implicate him and Freeman did when they both claimed to have been at Rasheed's house.	Antinore file 62
5/14/12	Letter from Coatney Williams to Center on Actual Innocence	Williams claims innocence and hopes the Center will take his case. He says that his attorney never investigated his alibi.	Antinore file 97-98
1/4/13	Interview of Coatney Williams by Antinore and PI Wiggs	Williams maintains his innocence. He only knew Tacoma Davis from seeing him around the neighborhood, but Moses and Thomas went to high school with him. Williams says that he has never been to the victims' house. He says that Moses wrote a statement to the ATF saying Williams was innocent and that Det. Burnette told him she knew he didn't do it when she served him. He stated that his mother told law enforcement about a video from a mall in Philadelphia, but no one followed up and the mall would not give the tapes to her. He says that his attorney knew about the phone and photos for at least a year. The photo shows him in a basement of a house in Philadelphia. His mother was sent a bill because they didn't have exact change at a Delaware tollbooth. Jamal Thomas was present when Williams' mom picked him and his brother up from Rasheed's house on 12/27/07 to go to Philadelphia. Thomas asked Williams to break into Angela Thomas' house to steal guns, but he declined – Thomas followed through and stole the shotgun used in the crime. Williams and his family came back to NC on 12/31/07 due to predicted snow.	PI File from Wiggs 24-26
4/1/14	Interview of Coatney Williams by Antinore and PI Wiggs	The photo shows a weight bench and maybe a window. Moses wrote a statement saying he was not there. The evidence showed only 3 black males. He stated that his brother texted Tiffany Brown while they were in Philadelphia.	Pi File from Wiggs 75



# APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

## JAMAL THOMAS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
9/3/2008	Unrecorded Interview of Jamal Thomas by Det. Burnette	Karon Moses and Antonio Freeman (YaYo) recruited him to be the driver for the robbery. Moses asked him if he knew Tacoma Davis, and Thomas said Tacoma "tried to shine" on Thomas. They went to the Cupboard store and saw Cinita Long there. They also ran into Coatney Williams at the Cupboard. Cinita Long asked where they were going. Thomas told her that he and Williams had a "lick" to do. Williams got in the backseat, and they went to Williams' house. Williams went in and came out in a black turtleneck. He was walking stiffly like he had something in his pants. In the car, Williams pulled a shotgun out of his pants and said it did not have bullets. Everyone was wearing black. Williams had the shotgun and was wearing a black ski mask. Moses was wearing a black hoodie and had a bandana across his face. Freeman was wearing a black wool hat and a black long-sleeved shirt. At the Davis' house, Thomas stayed in the car while Williams, Moses, and Freeman went into the house with the gun. They were gone five to eight minutes when Thomas heard three to four shots. Thomas drove away before coming back and picking up the other three in the woods. Williams had the shotgun and an Athlete's Foot bag. Moses was holding an Xbox. Freeman had money and a black revolver. On their way back to Seaboard, a car came up behind them fast. He pulled into a driveway and Freeman shot at the car three times that had come up behind them. Thomas returned to Rasheed Alston's house in the Seaboard projects. They split up the stolen items and money after Williams put a bag in the trunk. Thomas later met up with Cinita Long at a party. While he was there, Williams came over in a Mustang looking for his stuff. Thomas went back to the Seaboard projects with Williams in the Mustang, and Williams retrieved Timberland boots and a pair of Jordans. Thomas then met up with Cinita Long again. The next day Thomas saw Moses in the Seaboard projects. Moses told Thomas that Williams saw Erel Jordan pull up and started shooting. Moses described to him what everyone was doing during the robbery and where they got the stolen items. Moses found a gun in a drawer and gave it to Freeman. Freeman gave the shotgun to Moses, and then Moses gave the shotgun to Williams. Moses threw the cell phone out the window on the highway before they got to Seaboard.	LE 119-126; Barnes file 2-4, 6, 174, 239-247
2/25/09	Unrecorded Interview of Jamal Thomas with DA	Moses told Thomas and Freeman he had a "lick" to do at Tacoma Davis' house and that Thomas would drive. Thomas drove them to Cupboard, where Coatney Williams met up with them. He also saw his girlfriend Cinita Long at the Cupboard. Thomas, Moses, Freeman, and Williams then went to Williams' house, where he got a shotgun. Williams came out in all black and was walking "funny" because he had a gun in his pants. Williams said the gun did not have any bullets. Williams, Moses, and Freeman are all Bloods. Williams was wearing all black and a hoodie. Moses and Freeman were	DA file 650-651; Barnes file 248-250



## APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
		wearing black hoodies and red bandanas. At the victim's house, Jamal stayed in the car while the others got out. Williams had a shot gun pump. Thomas drove away when he heard shots, but he quickly returned and picked up the others in the woods. Williams held a shopping bag and "Tims." Moses had a bag with two PSPs and some games. Freeman had "the" gun in his hand. Freeman or Moses shot Erel Jordan. Freeman shot at the car that followed as they were driving away with the pistol he got from the house. Thomas drove them back to the projects. Williams put stuff in his trunk. Moses had money in a bank envelope in his pocket. They had pearls and African jewelry. They split the money they got, but they never said how much they got. Williams gave Thomas a ring, which he then gave to his girlfriend. Thomas then left his car in the projects and walked to a party. He walked back to the projects with his girlfriend. The next day Moses said Freeman put the gun in the victim's "stuff" and mouth. Moses said he found a pistol and got some jewelry from the lady. Moses said Williams never went in the house. Moses said that he was the one who shot Erel Jordan and was glad he did not get charged with attempted murder. Freeman said he was taking a charge for Moses. His girlfriend later gave the ring he got from Williams to Det. Burnette.	
7/7/10	Unrecorded Interview of Jamal Thomas with DA	He was friends with Freeman, Moses, and Williams. He knew Erel Jordan and Tacoma Davis. They were "real cool guys" and he was tight with Erel Jordan in middle school. He knew it was Tacoma's house when they arrived. Moses and Freeman offered Thomas \$50 to drive for a lick. Tacoma Davis had disrespected them in front of some girls. They went to the Cupboard store and Thomas went inside. He saw his girlfriend there. When he came back outside, Williams was sitting in his car. They went to Williams' house. When Williams came out of his house, he had on a hoodie and gloves. When they got to the house, Williams pulled the gun out of his left pant leg and said it did not have any bullets. Thomas stayed in the car. He could see Tacoma Davis' front yard from where he was parked. Two or three minutes later he heard a boom. He started to drive away, but then turned back. He saw a purple car and heard several booms. He saw Williams, Moses, and Freeman running. They got in the car. The purple car followed them, and Freeman shot at it from the window with a gun he took from the house. Moses is the one who told him that the gun came from the house. He saw Williams going into the house with the shotgun and coming back with it. In jail, Freeman said he was carrying a charge for Moses. Moses said, "They ain't found I did it. I'm going to let him wear that charge." Thomas saw the others with shoes, video games and jewelry in his car— he learned about the money later and that \$500 or \$600 was split among the other three. Moses took the videogames, Williams took the shoes and jewelry, and Moses took the gun. Williams put the rifle back in his pants. The next day Williams tried to sell him some jewelry, but Thomas where it came from. Williams gave him two rings and three bracelets, which Thomas then gave to his girlfriend. He	DA file 631-635; Antinore file 331-335; Barnes file 7, 27-30

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		told his girlfriend he got it from Williams. All Thomas got from the crime was some jewelry. In jail, Moses told him about Freeman raping the victim. Moses also "basically" admitted to shooting Erel Jordan. Moses did not say anything about Williams' participation. Thomas had not spoken to Williams. On that night, Thomas did not see anyone other than his co-defendants running. Williams had the gun. Erel Jordan and Tacoma Davis had nothing to do with the crime. Thomas did not know who knew Tacoma Davis had money. Thomas did call Erel earlier the day of the crime about an amp for sale but did not actually talk to him. After having Robert Branch's statement to police read to him, Thomas said that he had not talked to him about the crime. Thomas said that Robert Branch was lying because Williams did not go to Philadelphia. After having Rasheed Alston's statement to police read to him, Thomas said he did not talk to anyone.	
7/9/12	Response from Jamal Thomas to letter from Center on Actual Innocence	Thomas states that he knows for a fact Williams is innocent. He describes going to a break-in with Moses and Freeman, but says he stayed in the car. He says Freeman shoot the shotgun 2-3 times before he ran to the car. Thomas says he put Williams' name in the case because Officer Burnette wanted him to and said she would look out for him if he looked out for her. He says that his attorney told him Judge Hinton and victim Mary Davis are sorority sisters.	NC Center on Actual Innocence file 524-526; Antinore File 93-95
10/23/12	Interview of Jamal Thomas by Antinore and PI	Thomas states that Coatney Williams is innocent and that his statement to law enforcement was a lie. He originally told law enforcement that Williams was not there but was pressured by Det. Burnette and the Chief of Seaboard PD to put Williams in it. Freeman's testimony was a bunch of lies; Thomas knows Williams was in Philadelphia because they were together at Rasheed Alston's house when Williams' mom picked him up for the trip. The shotgun used in the crime was given to Thomas by his aunt. Thomas gave it to Freeman about a week before the crime. Thomas gave the boots to Williams and jewelry to Cinita – she is the one who told police Williams had the boots.	PI File from Wiggs 20-22
3/27/14	Affidavit of Jamal Thomas	Thomas states that Coatney Williams is innocent and was not present when the crimes occurred.	Clerk file 139

# APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

## ANTONIO FREEMAN'S STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
9/4/08	Unrecorded Interview of Antonio Freeman by Det. Burnette	"I don't know nothing about it."	LE file 130; Barnes file 70
7/12/10	Interview of Antonio Freeman with DA	He knew Thomas, Moses, and Williams from the neighborhood. Around 7:30pm or 8:00pm, Moses and Thomas came to his house. Moses said they had a "lick." They met Williams at the Cupboard store. Moses talked to Williams about a shotgun Williams had. They drove to Williams' house where he changed into dark clothes and got a gun. Williams told Thomas it was not loaded. Thomas said the "lick" was at Tacoma Davis' house and he did not think anyone was home. They all agreed to go along. At the house, they all got out of the car. Moses or Thomas loaded the shotgun. Freeman had the shotgun. Thomas cut the phone line. Williams shot the door they and went inside. The victim was on the floor with a .38 handgun. Freeman took the handgun and gave the shotgun to Moses. Freeman made the victim take her clothes off. He removed her tampon and threw it. He held the gun while Moses searched for money. Freeman "tapped her legs" with the shotgun and "didn't mean for it to touch her vagina." She told them where to find money. Moses and Thomas left Freeman alone with the victim. She told him about a bank bag in the closet. Moses said someone was there, and Williams came in and took the shotgun. Freeman heard a shot but did not know who did it. Freeman was the last one out of the house. They all got back to the car at the same time. Williams had the shotgun. Moses had the bag. When they left, a car chased them. Freeman shot in a field "to scare them." Back at Thomas' house, they split the money four ways and burned the bags in a barrel. Thomas took them to Seaboard, where Moses and Williams took stolen items and left. The following day Williams and his brother were at Rasheed Alston's house. They all talked about the crime, but not in front of Rasheed Alston. Mainly Moses and Freeman did the talking. They talked about why they put on Jamaican accents and why they made the victim strip.	DA file 268-273; Antinore file 325-330
7/13/2010	Trial Testimony of Antonio Freeman	He pled guilty to first degree burglary, second degree sex offense, and armed robbery. Some charges were dismissed. Nothing was promised to him for his testimony. He knows Williams from Seaboard. He met him in 2007, a few months to a year before the crime. He knows Karon Moses and has known him since the end of 2006. They are friends. He knows Jamal Thomas through Moses and has known Thomas since the end of 2006. He knows Tacoma Davis through Thomas. He did not	Volume I, Trial Transcript 143-214

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		<p>have a relationship with Tacoma Davis but had spoken to him. He knows Erel Jordan through Thomas.</p> <p>Moses and Thomas came to Freeman's house on the night of the crime. Moses told him that he had a "lick." Freeman went inside and changed clothes. They planned to break in and enter Tacoma Davis' house. He put on black pants, a black shirt, and a black hoodie. Moses had on black. Thomas had on black. They went down to the Cupboard, a gas station/convenience store in Thomas' car. Freeman was in the back seat. He did not have any kind of weapon. They saw Williams at the Cupboard. Moses called him over to the car. Williams got in the car and they went to Williams' house. Williams went inside for 8-12 minutes. He came outside the house with different clothes on. Williams' clothes were all black. He had a shotgun in his pants leg. Williams got in the backseat of the car. They parked on a pathway about two minutes from Tacoma Davis' house. They got out and smoked weed. Thomas and Moses loaded the gun while he and Williams smoked weed. They discussed that any money they got would be split among them. Anything else they took they each got to keep. They walked through a path in the woods. Thomas cut the telephone wires. All four were present then. They walked to the back porch and all four went onto the porch. The other three tried to kick in the door but couldn't. Williams said, "shoot the door." Freeman gave Williams the gun and Williams shot the door. He gave Williams the gun because Freeman is afraid of shotguns and their "kick."</p> <p>All four then entered the house. They went into Mary Davis' room. Williams and Moses left outside of the room. He and Thomas were left in the room. Freeman told Mary Davis to strip. He told her to tell him where all the money was. He was instructing Thomas to check. He put the gun between her legs but didn't do anything intentional. Mary Davis said she was on her period, pulled out her tampon, and showed it to him. He took it and threw it across the room. He gave the shotgun to Moses when Moses came in the room. Moses left. Freeman and Thomas were still in the room. Then Thomas left. While Freeman was in the room, the other three were checking out other areas of the house. Williams came back to the room around the time that Tacoma Davis came home. When Tacoma Davis came home, Moses came to the room with the shotgun and said that someone was out front. Williams came back to get the gun from Moses. He was not sure if Williams grabbed it. Both of them left the room and went to the back porch. He heard shots. Moses ran back in and said he needed a bag. He heard 2-3 shots. They were shotgun blasts. It was just Freeman and Moses in the house at that time. Thomas had left and taken his stuff to the car. He went with Moses and</p>	

## APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
		<p>Williams to the car where Thomas was waiting, and they got in the car. As they pulled out of the path and started to drive off, another car followed them. Thomas sped up, then pulled into a driveway. As the car went past and made a U-turn, Freeman got out of the car and shot 2-3 times. The car kept going. He was not shooting at the car, but he was trying to scare the driver.</p> <p>They then went back to Thomas' to split everything. When they got back, they smoked marijuana and divided up the money Thomas had gotten from the Davis' house. They all left and went back to Seaboard projects, parking in front of Rasheed Alston's house. They split up. Moses took an Xbox 360 and shoes or something similar. Freeman did not pay attention to what Williams grabbed. Freeman kept the money that he grabbed. He did not get any other stuff.</p> <p>The following day he was at Rasheed Alston's house with Williams, Thomas, and Moses. They were smoking marijuana and talking about the crime. It was mostly Freeman and Thomas talking. Also present were Robert Branch, April Smith (Rasheed Alston's girlfriend), and Rasheed Alston. Only Robert Branch, Williams' brother, was in the room with them. Williams was present when they were talking about the crime. Thomas was talking about what he grabbed out of the house. Thomas asked Freeman why he asked the lady to strip. Williams had the shotgun when everyone was leaving the crime scene. Freeman does not know what happened to the gun.</p> <p>He told Det. Burnette that he didn't know anything about the crime. He gave a statement about what happened in the crime for the first time on July 12, 2010.</p> <p>On cross-examination, Freeman stated he was not wearing gloves on the night of the crime and did not recall any of them wearing gloves.</p>	
10/15/12	Response from Antonio Freeman to letter from Center on Actual Innocence	Freeman says that he knows Williams is innocent and that Williams was not in North Carolina on the day of the crime. He, Thomas, and Moses did the crime. He says that both he and Moses shot at Erel. Freeman says he was at Williams' house just before the family left for Pennsylvania. He said Thomas broke into a house earlier and made it look like Williams did it. Williams told police who did the crime, which made Freeman mad, so when he was asked to write a statement against Williams, he did. He felt scared and forced into the statement, but he feels bad for Williams being locked up and innocent.	Antinore file 84-86
6/17/14	Interview of Antonio	Williams was not at the crime; Freeman "felt bad for doing this" but was getting revenge because Williams gave a statement on him. He said he told his attorney that what he signed wasn't true but	PI File from Wiggs 1



## APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
	Freeman by PI Wiggs	had to testify to it for a time reduction. Freeman read the affidavit, said it was true, and executed it in front of a notary. He said he was willing to testify that Williams was not there.	
6/17/14	Affidavit of Antonio Freeman	States that Coatney Williams is innocent and was not present when the crimes occurred.	Clerk file 138



# APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

## KARON MOSES' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
9/4/08	Unrecorded Interview of Karon Moses by Det. Burnette	"I don't know what you are talking about."	LE file 127; Barnes file 255-256
UNKNOWN – sometime after Moses got the letter	Interview of Karon Moses by ATF Agent McCluney	Thomas and Freeman talked about the robbery. They knew there would be money there. Thomas picked them up and drove them to the house. They did not think anyone would be there. They all got out. The only gun at the time was a shotgun. All three went to the house. Moses cut the phone line. Freeman shot the door. Everyone went in. The lady was in one of the rooms. Freeman watched her while he and Thomas looked around the house. Moses took an Xbox 360 and \$300 when they split up the money. Williams was not present during the home invasion. Freeman carried the shotgun the whole time, but it was provided by Thomas. He had seen the shotgun before. It was a black pistol grip 12 gauge auto. Freeman was the one in the room with the victim. At one point, Moses saw her taking her clothes off. Thomas went into the room to get a bag for the jewelry. They also took an Xbox, shoes, Air Jordans, and boots. They were in the house approximately 10 to 15 minutes when Tacoma Davis and a friend came. Moses and Thomas were back in the car when Freeman shot at Tacoma and his friend. They were followed by another car. Thomas pulled off and cut off his lights. The car turned around and came back. Freeman got out and shot at the car with a .38 handgun that was taken from the house. They went back to Seaboard. Everyone split up. Moses took the Xbox. Thomas kept the shotgun. When they left the house, Thomas was on the phone with his girlfriend and they met in the projects where he gave her the jewelry from the house. Freeman told Moses in jail that he threw a gun away in January or February while being chased by police. Williams was not present during the robbery. He was "somewhat friends" with Williams.	DA file 652-657; Barnes file 20-25
11/6/12	Attempted interview of Karon Moses by Antinore and PI	Moses said he had nothing to say to them.	PI File from Wiggs 23
11/7/12	Interview of Karon Moses by Center on	Moses did not want to get involved. He was planning to testify for Williams but changed his mind a week before trial and would not say why. Since his plea, he has had no contact with his co-defendants. Moses thinks someone arrested on an unrelated charge a year later gave police	NC Center on Actual Innocence file 483-484;

## APPENDIX E: DEFENDANTS' STATEMENTS ABOUT CRIME

DATE	TYPE	DESCRIPTION	CITATION
	Actual Innocence	information that led to developing them as suspects in this crime. Freeman is the only co-defendant to testify against Williams. Moses "smirked" when asked if Williams is innocent and said that the Center should not spend its resources on this case.	Antinore file 2-5

# APPENDIX F: DEFENDANTS' STATEMENTS BY TOPIC

## JAMAL THOMAS' STATEMENTS ABOUT CRIME

Date of Statement	9/3/08 Statement to NCSO	2/25/09 Interview by DA	7/7/10 Interview by DA	7/9/12 Letter to Center on Actual Innocence	10/23/12 Interview by Antinore
Whose idea to commit the crime?	Moses and Freeman	Moses	Moses and Freeman	N/A	Moses and Freeman
Where did the shotgun come from?	Williams brought it	Williams brought it	Williams brought it	N/A	It was Jamal's gun that he got from his aunt. He gave it to Freeman a week earlier.
Who was in the car?	Thomas, Freeman, Moses; Williams joined them at the Cupboard	Thomas, Freeman, Moses; Williams joined them at the Cupboard	Thomas, Freeman, Moses; Williams joined them at the Cupboard	Thomas, Freeman, Moses	Thomas, Freeman, Moses
Who cut phone lines?	N/A	N/A	N/A	N/A	N/A
Who shot the door?	N/A	N/A	N/A	N/A	N/A
Who went in the house?	Freeman, Moses, Williams	Moses said he and Freeman	Freeman, Moses, Williams	Freeman, Moses	N/A
Who sexually assaulted Ms. Davis?	Moses said Freeman did	Moses said Freeman did	Moses said Freeman did	N/A	Freeman
Who stole what?	Moses: X-Box, PSP, Timberlands, Jordans, hats, cell phone; Williams: Athletic Bag, Timberlands, Jordans; Freeman: money, revolver; Thomas: nothing	Moses: video games, money; Williams: shopping bag, Tims box, Tims, jewelry; Freeman: pistol; Thomas: nothing	Jordan, Tims, 2 PSPs, an X-Box, a gun, a bag of jewelry, money (unclear who took what) Thomas: nothing	N/A	He mentions boot and jewelry, but it is unclear who took what.
Who shot Erel Jordan?	Moses said Williams did	N/A	"Coatney had the shotgun going out and coming back."	Freeman	N/A
Who shot at Jennifer Williams?	Freeman	N/A	Freeman	N/A	Freeman
Who last had the shotgun?	Moses, Freeman	Freeman (unclear which gun)	N/A	N/A	N/A
Who last had the .38?	Moses, Freeman	Freeman (unclear which gun)	N/A		N/A
Who was present for the conversation about the crime at Rasheed's house?	N/A	Thomas, Moses, Freeman, Williams (unclear if anyone else or where they were)	N/A	N/A	Thomas denied being present for this conversation.

# APPENDIX F: DEFENDANTS' STATEMENTS BY TOPIC

## ANTONIO FREEMAN'S STATEMENTS ABOUT CRIME

Date of Statement	9/4/08 Statement to NCSO	7/12/10 Interview by DA	7/13/10 Testimony	10/15/12 Letter to Center on Actual Innocence	6/17/14 Interview by PI Wiggs
Whose idea to commit the crime?	N/A	Moses	Moses	N/A	N/A
Where did the shotgun come from?	N/A	Williams brought it	Williams brought it	N/A	N/A
Who was in the car?	N/A	Thomas, Freeman, Moses; Williams joined them at the Cupboard	Thomas, Freeman, Moses; Williams joined them at the Cupboard	Thomas, Freeman, Moses	N/A
Who cut phone lines?	N/A	Thomas	Thomas	N/A	N/A
Who shot the door?	N/A	Williams	Williams	N/A	N/A
Who went in the house?	N/A	Freeman, Moses, Thomas, and Williams	Freeman, Moses, Thomas, and Williams	N/A	N/A
Who sexually assaulted Ms. Davis?	N/A	Freeman, but he "didn't mean to"	Freeman	"We told her to strip."	N/A
Who stole what?	N/A	Freeman: money; Moses: two PSPs; (unclear who took what else)	Freeman: .38 pistol, money; Moses: X-box and shoes (They all checked different areas, unclear who took what.)	N/A	N/A
Who shot Erel Jordan?	N/A	N/A	Williams (implied)	"Me and Karon bother were shooting at him."	N/A
Who shot at Jennifer Williams?	N/A	Freeman	Freeman, but he said he was trying to scare her	N/A	N/A
Who last had the shotgun?	N/A	N/A	N/A	N/A	N/A
Who last had the .38?	N/A	N/A	N/A	N/A	N/A
Who was present for the conversation about the crime at Rasheed's house?	N/A	Moses, Freeman, Thomas, Williams, Robert Branch – this conversation was "amongst ourselves" at Rasheed's house and it is unclear if anyone else was around.	Williams, Thomas, and Moses; Freeman and Thomas did most of the talking. Also present were Robert Branch, April Smith, and Rasheed Alston.	N/A	N/A

# APPENDIX F: DEFENDANTS' STATEMENTS BY TOPIC

## KARON MOSES' STATEMENTS ABOUT CRIME

Date of Statement	9/4/08 Statement to NCSO	Unknown (Statement to ATF)	11/6/12 Interview Attempt by Antinore	11/7/12 Interview by Center on Actual Innocence
Whose idea to commit the crime?	N/A	Freeman and Thomas	N/A	N/A
Where did the shotgun come from?	N/A	Thomas	N/A	N/A
Who was in the car?	N/A	Freeman, Moses, Thomas	N/A	N/A
Who cut phone lines?	N/A	Moses	N/A	N/A
Who shot the door?	N/A	Freeman	N/A	N/A
Who went in the house?	N/A	Freeman, Moses, Thomas	N/A	N/A
Who sexually assaulted Ms. Davis?	N/A	Freeman "watched" her	N/A	N/A
Who stole what?	N/A	Moses: X-box, money; Thomas: jewelry; (Shoes, Jordans, and boots also mentioned, but unclear who took them)	N/A	N/A
Who shot Erel Jordan?	N/A	Freeman	N/A	N/A
Who shot at Jennifer Williams?	N/A	Freeman	N/A	N/A
Who last had the shotgun?	N/A	Thomas kept it	N/A	N/A
Who last had the .38?	N/A	Freeman told Moses he threw it in a field	N/A	N/A
Who was present for the conversation about the crime at Rasheed's house?	N/A	N/A	N/A	N/A

**Note:** Coatney Williams has never provided any details about the crime. He has never admitted to being present at the victims' house and has maintained that he had an alibi. On 7/29/08, he told Det. Burnette that Jamal Thomas gave him a pair of boots that were stolen from the Davis house. He also told Det. Burnette that Jamal Thomas gave Cinita jewelry that was stolen from the house.

## APPENDIX G: 2007-2009 CASES IN WHICH COATNEY WILLIAMS WAS A SUSPECT

Offense Date	Victim	Jurisdiction	Suspects/Defendants	Williams Charged? Disposition?	Brief Facts
1/21/07 - 1/22/07	Seaboard Town Hall	Seaboard	Coatney Williams	Not Charged	Seaboard Town Hall was broken into sometime overnight 1/21/07 – 1/22/07; among stolen items were a 12 gauge black shotgun with pistol grip and a 22 semi-automatic black pistol.
1/22/07	Darrius Coleman	Roanoke Rapids	Coatney Williams	Charged; Dismissed on 12/10/07	Some argument/fight occurred; Williams reportedly pointed a gun at Coleman and pulled the trigger, but the gun jammed. Williams claimed that he was jumped and that the gun fell out of Coleman's waistband. Williams denied having a gun. Coleman's girlfriend was present and confirmed Coleman's account. This gun was recovered near the scene and was one of the guns from Seaboard Town Hall.
12/29/07	Mary Davis Tacoma Davis Erel Jordan Jennifer Williams	NCSO	Coatney Williams Karon Moses Antonio Freeman Jamal Thomas	Charged; Convicted on 7/15/10	Mary Davis was home when two suspects cut the phone line and broke into her house. She was sexually assaulted. A gun, money, and other items were stolen. When her son came home, he was chased out of the house at gun point and his friend was shot. A neighbor who chased the suspect car was also shot at. Williams was convicted after a trial; the other three defendants all pled guilty.
2/13/08	Janetta Chambliss	Roanoke Rapids	Coatney Williams Jermaine Tyson	Charged; Dismissed on 9/24/08	Ms. Chambliss' wallet was stolen from her home by guests. Her EBT card was later used at Food Lion and Lee Market. Chambliss identified Williams on store surveillance with Tyson. It is unclear whether Tyson, who was 15 years old at the time of the crime, was convicted.
7/24/08	William Bullock	Seaboard	Coatney Williams Charles Pittman	Charged; Dismissed after convictions related to this case	William Bullock's home was unlocked when he left for an errand. A .410 shotgun, two rifles, and boxes of ammo were stolen. Roanoke Rapids PD later responded to shots fired in city limits at Charles Pittman's home which led them to the two of the



## APPENDIX G: 2007-2009 CASES IN WHICH COATNEY WILLIAMS WAS A SUSPECT

Offense Date	Victim	Jurisdiction	Suspects/Defendants	Williams Charged? Disposition?	Brief Facts
					stolen guns at Pittman's house. Pittman claimed to have purchased the guns from Williams, but Williams said he and Pittman did the crime together. Pittman was convicted for Possession of Stolen Goods.
2/18/09	Sylvester Sykes	Seaboard	Coatney Williams Quinton Faison Tyrell Faison	Charged; Dismissed after convictions related to this case	No one was home when a camcorder and various other items were stolen from Sylvester Sykes' home. Mr. Sykes' son came home and saw two black males run into a car; he chased the car, which lost control and went into a ditch. The suspects ran into the woods. Both Quinton and Tyrell Faison were convicted for crimes related to this case.

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<sup>1</sup> The information in this chart was gathered from law enforcement files during the course of the Commission's investigation. According to court records in CIPRS (Criminal and Infraction Public Record Search), Coatney Williams was also charged in Northampton County with Second Degree Burglary with an offense date of 2/8/07. This was dismissed on 7/12/07. Williams was also charged in Northampton County with Injury to Real Property and Misdemeanor Breaking and Entering with an offense date of 2/26/08. On 3/17/08, he pled guilty to the Breaking and Entering and the Injury to Real Property was dismissed. Williams was charged in Halifax County with Misdemeanor Possession of Stolen Goods with an offense date of 8/22/08. This charge was dismissed on 8/19/09. There will be testimony at the hearing about what the Commission has learned about the facts of these cases.

# APPENDIX H: STATEMENTS ABOUT ALIBI

## COATNEY WILLIAMS' STATEMENTS ABOUT ALIBI

Date	Content
9/8/08 Statement to Det. Burnette	Williams was on the way to Philadelphia with family on 12/29/07. He was in Alexandria Virginia when Jamal Thomas called him on his brother Robert Branch's cell phone to say the word in Seaboard was that Williams broke into a white lady's house behind the Seaboard projects and stole a .38. Williams said he came back to Seaboard from Philadelphia on 1/3/08.
7/15/10 Trial Testimony	Between December 26th and 27 <sup>th</sup> , 2007, Williams, his mom, his brother, and his mom's husband, Robert Knight, went to Philadelphia to see Knight's family. They left on a Thursday because that is when his mom gets paid. They left around 5:00pm, 5:30 or 6:00 PM. They took either the F-150 or the Mountaineer. They stopped at a gas station in Alexandria, VA. They received a call from Jamal Thomas. They arrived in PA around 12:00 or 1:00. They didn't get to destination until 3:00 or 4:00 AM because they got lost. They stayed at Angela Taylor's house for two nights. Then they stayed at Penny's house for the remainder of the time (2 nights). They left PA on 12/30 in the early morning – 6:30 or 7:00am. Williams was in PA on 12/29/2007 around 9:00 to 10:00 PM. In his original statement to police on 9/8/2008, he said that they were on their way to PA on 12/29/2007. He remembers they actually left for PA 12/26 or 12/27 because it was right after they gave his grandmother her birthday present. It was not correct that they left for PA on 12/29.
1/3/12 Letter to Center on Actual Innocence	Williams said there will be video footage of him at Forman Mills Mall in Philadelphia on 12/29/07 and that they drove through toll booths along the way, including one that sent a bill to his mother's husband's insurance company because he did not have change when they went through.
5/14/12 Letter to Center on Actual Innocence	Williams said that his attorney never investigated his alibi to get all the people who could testify that he was in PA at the time of the crime.
1/4/13 Interview with Antinore and Wiggs	Williams said that his mother made two trips to Philadelphia to get surveillance footage from the mall, but was told they would only give tapes to law enforcement. She told Sheriff Wardie Vincent about this, but no effort was made to get the tapes. Williams said that his attorney knew about the cell phone photos for at least a year prior to trial and made no effort to have them authenticated so they could be admitted with the time stamp at trial. He stated that they did not have exact change while travelling through a toll booth in Delaware and his mother's insurance company was sent a bill.

## APPENDIX H: STATEMENTS ABOUT ALIBI

### ROBERT BRANCH'S STATEMENTS ABOUT ALIBI

Date	Content
10/1/08 Statement to Det. Burnette	Branch and his family (including Williams) left for Philadelphia on 12/26/07 and returned to NC on 12/29/07 around 7:00pm. On 12/26/07 around 4:00pm, Jamal Thomas called Branch's cell phone and said it was good they left town because police were looking for someone about a robbery. When they got back on 12/29/07, Branch heard about the crime from Freeman, Thomas, and Moses at Rasheed Alston's house.
7/15/10 Trial Testimony	On 12/26/2007 Branch went to Philadelphia, PA with his brother Coatney Williams, their mom, and her husband. They were in a green Mercury Mountaineer. They came home on 12/30/2007. Along the way, Branch took pictures. Branch testified that his phone puts a date/time that photo was taken and that he has no way of changing that. He has a picture of Williams in PA on 12/29/2007 at 2:10pm (the Court admitted the photo, but not the time stamp). The photo is of Williams in their aunt's basement in Philadelphia. A 49ers jersey that Branch said Williams is wearing in the photo is admitted. Branch said that when he gave his statement to Det. Burnette he told her they came back to NC on 12/29/2007, but that was wrong. He has gone to PA around Christmas for the last four years and got his dates mixed up.

### REGINA KNIGHT'S STATEMENTS ABOUT ALIBI

Date	Content
7/15/10 Trial Testimony	On 12/26/2007, Knight, Williams, and their family went to Philadelphia. They left in a white F-150 at about 6:30pm to go to PA to visit her husband's sister and family. They arrived at approximately 5:30am-6:00am on 12/27/2007 after getting lost on the way. They spent the night of the 27 <sup>th</sup> at Angela Taylor's home. They spent time at Penny, another sister's house and left to come back to NC on 12/30/2007. They arrived in NC after midnight on 12/31/2007. Knight told the Sheriff Wardie Vincent that Williams was with her in PA at time of crime. She went there to get tapes from Forman Mills to prove it but could not get them; only law enforcement or a lawyer could get them, and they didn't.
5/15/13 Interview with PI Wiggs	Knight maintained Williams' alibi. She, her husband Robert Knight, son Robert Branch, and Coatney Williams went to Philadelphia to visit her husband's sisters, Ann Knight and Penny Knight. She and her husband picked up Williams and Branch from Rasheed's apartment in Seaboard projects in a white Ford truck. While in Philly, they were on surveillance camera at Forman Mills flea market. Williams and Branch took pictures from the truck window and in the basement of Penny's home. Knight said that Attorney Barnes was not interested when they tried to tell him about the phone. She stated that her parents could also verify the trip to Philadelphia.

## APPENDIX H: STATEMENTS ABOUT ALIBI

### ANGELA TAYLOR'S STATEMENTS ABOUT ALIBI

Date	Content
7/15/10 Trial Testimony	Coatney Williams, his mom, his brother, and his mom's husband (Taylor's brother) came to Taylor's house on 12/27/2007. They spent the nights of 12/27 and 12/28 there and then went to her sister Penny's house. Taylor last saw Williams on 12/29/2007 before he went to Forman Mills at about 12:00. After Forman Mills, they did not come back to her house, they went straight to her sister's house. They left Philadelphia on 12/30/2007 in the same little greenish truck they came in.

### JAMAL THOMAS' STATEMENTS ABOUT ALIBI

Date	Content
10/23/12 Interview with Antinore and Wiggs	Thomas said he knows Williams was in Philadelphia because they were together at Rasheed Alston's house when Williams' mom picked him up for the trip in an F-150 truck.

### ANTONIO FREEMAN'S STATEMENTS ABOUT ALIBI

Date	Content
10/15/12 Letter to Center on Actual Innocence	Freeman said that he knows Williams is innocent and that Williams was not in North Carolina on the day of the crime. He said he was at Williams' house just before the family left for Pennsylvania.

### TIFFANY BROWN'S STATEMENTS ABOUT ALIBI

Date	Content
5/15/13 Interview with PI Wiggs	Brown knows Williams and his family went to Philadelphia because she wanted to go but there was no room in their truck. She had several calls and texts with Robert Branch while he was there and spoke to Williams on the phone several times when she called for Branch. She provided phone records to PI Wiggs.