

THE COURT: You may step down.

A. Thank you.

(Witness excused. )

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THE COURT: Approach the bench, gentlemen.

(Conference held at the bench  
between Court and Counsel. )

THE COURT: Okay, ladies and gentlemen, at this time  
we are going to take a recess . Again I want to admonish  
you, please do not discuss anything about this case among  
yourselves. Jurors will be excused.

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(Brief recess was taken. )

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THE COURT : Okay, next?

MR. JENSEN : At this time the People would call

██████████

██████████ to the stand.

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(Witness was sworn. )

████████████████████

called as a witness herein, having been duly sworn,  
was examined and testified as follows:

DIRECT EXAMINATION

BY MR. JENSEN:

1st, THE COURT : Proceed.

MR. JENSEN : Tell us your name, please?

WITNESS: [REDACTED].  
THE

And where do you live?

Q.

A. [REDACTED] Street.

Q. Alton?

A

Yes.

Q. How old are you?

A.

Thirty-three.

Q. How long have you lived in Alton?

A.

Off and on for ny life.

Q.

[REDACTED], do you remember the evening of October  
the early morning hours of October 2nd, 1999?

A.

I remember that morning.

Q.

Okay. Where had you been that morning?

A

As in what?

Q.

Before 6: 00?

A.

I was at home before 6:00.

Q.

Okay, were you going someplace after 6: 00?

A.

Not on purpose.

Q.

Okay, were you with someone?

A. Yes.

Q. Who were you with?

A. [REDACTED].

Q. [REDACTED]?

Yes.

Q. What do you call him?

[REDACTED] Man.

Q. [REDACTED] Man. Where were you and [REDACTED]  
[REDACTED] going this morning then?

A. We was going to take his car to his house, and  
at the Chess Club.

Q. What time did you go up to the Chess Club?

A. Oh, between six and, in between 5:30 to 6 :  
30,  
something like that.

Q. And when you pulled up to the Chess Club,  
which  
parking lot did you pull in?

A. It was the west side, I believe. It was on the  
side.

Q. If I show you

A. On the side of the air conditioners.

Q. Okay. I show you Exhibit #25, if you face the  
building , you pull in the right-hand side?

A. Yes.

Q. What happened when you pulled in with [REDACTED] then?

What you mean, once we **pulled** in?

Q. Yes?

We just heard some gunshots.

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Q. What did you do, were you out of the car?

No, he was out of the, out of the car, I was still sitting in the car. I never got out of the car.

Q. What happened when you heard the gunshots?

We left.

Q. Where did you go?

We went on the side of the building, and was ready to pull out.

Q Okay . If I can bring the diagram over, this aerial photo of the Chess Club, and the Chess Club is located

A. Right here.

Q. You say you pulled in the parking lot, on the right-hand side?

A. Yes.

Q. You heard the gunshots and drove around the building?

A. Uh-huh.

Q. Where did you go from there?

Up that little, little side, up Hampton Street.

Q. Up Hampton Street?

Is that Hampton?

Q. This is Hampton, going up the hill here.  
Yes, that is the name of the street.

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Q. Well, so we are talking about the same street.

This is right outside the front door of the Chess Club, looking up the hill. Is that Hampton Street?

Yes, I guess the name of the street.

Q. Okay. And did you drive up Hampton Street?

I rode up Hampton Street.

Q. Who was driving?

██████, whatever you call him, whatever you call him, ██████ who was driving.

Q. ██████ was driving, you were the passenger?

Yes.

Q. Anyone else with you?

A. No.

Q. How long was this after the shots had been fired?

Like right after the shots.

Q. What happened then as you drove up that street?

We seen a whole bunch of people running , something , people still running from there.

Q. From the Chess Club?

Q. What happened in particular as you drive up that street?

We saw people running, everybody had stuff in

their hand. We saw somebody get behind a telephone pole and

Exhibit

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aim at us, I don't know.

Q. Okay, let me stop you there for a minute. You say you saw someone get behind a telephone pole?

They were wearing just dark colored clothes , black hoody and some pants.

Q. Where was the telephone pole located?

It was on the right-hand side.

Q. And how far down the road was it?

I don't know exactly how far down the road that is.

Q. If I show you exhibit, was it somewhere on the hillside?

A. This pole right here.

Q. Okay, let me get something that we can mark that. Would you circle that area that you are indicating? Okay, and on Exhibit #16, there is a pole about half-way up the road that you have circled.

What did you see when that person is behind the pole?

A. I saw, what do you mean, what did I see?

Q. What was the person doing?

I guess he thought somebody was chasing him. He

jumped behind the pole and he had a gun.

Q. What did he do with the gun?

Exhibit

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He pointed it at us.

Q. Okay. And are you still in the car at that time?

Yes, we was still rolling along.

Q. Did you say anything to [REDACTED]?

Yes, I said something to [REDACTED]. But after that we laughed about it, because we didn't know, you know, I told him, I said, I just told him to go, you know, punch, so, after all that.

Q. Did you see who that was?

Yes, I knew who the person was.

Q. That pointed the gun at you?

Yes.

Q. Who was that?

A. I saw Valdez. But that doesn't mean he shot, I mean, I can't say he did the shooting.

Q. Okay, you saw Valdez with the gun?

Q. Half a block from

A. Like a whole bunch of other people.

Q. Okay, with a hooded sweatshirt and black pants,

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but you are saying you don't know what he did inside

I don't know nothing about, I can't say he did anything.

Q. Okay, you are saying outside what you do know,

and I only want to know what you know.

A. Yes, only thing I know is outside.

Q. And then outside you know that Valdez Jordan pointed a gun at you, a half a block away, about 6:30 a.m. ?

Probably because he didn't know who we was.

Q. Well, did you see anyone else with a gun that morning , [REDACTED]?

A. Yes, I saw a lot of people, but they was running.

Q. Did they have guns, [REDACTED]?

I explained this to the officer, I saw people with guns .

Q. Who else had a gun?

What is the dude's name, he had this, this guy

shot a week before, two weeks before then. What is his name? Jarvis, yes.

Q . Who is Jarvis?

A. Well, I try to give you one, now, but like I say, everything was running, it was nass confusion. And there is

nothing I can say, other than what I saw.

Q. And where was Jarvis with a gun?

About twenty feet in front of Valdez .

Q. Did you have an opportunity to give a written statement?

I told them people was running up the street, but

they, the people with the gun.

Q. Do you want to look at your statement and see if you can pick up where you saw Jarvis with a gun? Is this your

So you highlighted certain parts .

Q. Well, does it say Jarvis in there?

A. No, because they never asked me about Jarvis.

Q. So today for the first time -

No, listen, okay. It is not today for the first time. I told them other people running, and you came out exactly, they asked me who pointed the gun, they didn't, they didn't ask me who was running the

Q. I'm not asking you, Your Honor, I would ask the witness to just answer the question.

THE COURT: Mr. [REDACTED], answer the question.

Q. I'm not asking you who is running, I am asking who had guns that night.

A. Well, I only saw two.

Q. Okay, and you are saying now for the first time Jarvis , but you said back then Valdez?

A. Yes, they asked me, somebody, you want me to ask the question, but you cut me off when I be telling you. They asked me exactly who had the gun, who pointed the

gun at

me, I told them. But, you know what I 'n saying, but I told  
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them I saw other people running. That is what they wanted to hear, who was pointing the gun at me. And that is what I did.

You know, I cannot say who did the shooting. And tell them that, I still mean this, and I stick that word in right there.

Q. Valdez a friend of yours?

A. No.

Q. You know him?

I know him from the 'hood, but he is not no friend of mine, you know what I ' n saying.

Q. Are you positive that he was the one pointing the gun at you that night?

Yes.

Q. No further questions.  
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THE COURT : Mr . Stewart?  
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CROSS EXAMINATION

BY STEWART:

STEWART: So you saw someone, at least one other person , running with a gun?

THE WITNESS: Yes .

Q. And that person was twenty feet in front of  
the

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person that you say is Valdez?

I just talked to the dude that was running,  
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just talked to him earlier that night. I knew what he had  
on, we always talk.

Q. Nothing further. Thank you, Mr. [REDACTED] .  
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THE COURT : Anything else, Mr. Jensen?  
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REDIRECT EXAMINATION

BY MR. JENSEN:

MR. JENSEN: Now, are you saying that you told the  
police officers that there was this other person with a gun?

MR. STEWART: Objection, beyond the scope of cross .

THE COURT: Overruled .

MR. JENSEN: Are you saying that you told the  
police

officer?

They never asked me, you asked me did I see  
anybody else. I told them other people running, I told them  
that when I went down there, I told them it was, that was the  
other day, I told them I seen other people running with,  
other people up there with guns besides him. There's always  
other people down there with guns.

Q. Well, if there's always people down there with  
guns , why do you go there, Mr. [REDACTED] ?

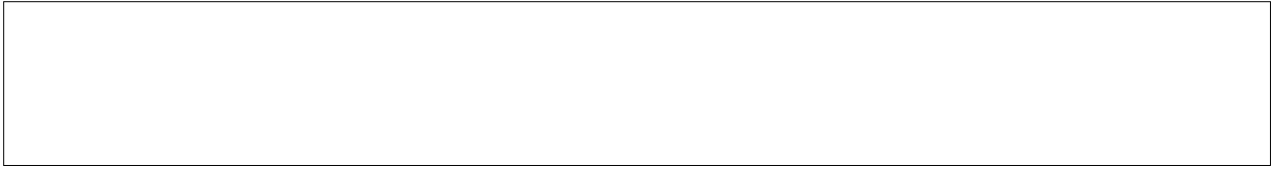


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