

## Testimony of Karen Neal

### DIRECT EXAMINATION

2

3 BY MR. DOUGLAS MULDER:

4 Q. Ms. Neal, you have been called here to

5 testify as regards to Darlie Routier. Do you know her?

6 A. Yes, sir.

7 Q. Do you see her here in Court?

8 A. Yes, sir.

9 Q. Is she on my immediate left?

10 A. Yes, sir.

11 Q. Okay. Will you tell the jury where

12 you live?

13 A. I live directly across the street from

14 Darlie.

15 Q. Are you married?

16 A. Yes, sir.

17 Q. And, you have a family?

18 A. Yes, sir, I do.

19 Q. And what does your family consist of?

20 A. A son that is 14, and my daughter is

21 12 and my husband.

22 Q. Okay. And, you and your husband both

23 work?

24 A. Yes, sir.

25 Q. And how is your husband employed?

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3986

1 A. He is employed by Texas Instruments.

2 Q. How long has he been employed by Texas

3 Instruments?

4 A. I believe 17 years.

5 Q. Okay. And how are you employed?

6 A. I am a nurse, a registered nurse at a

7 hospital.

8 Q. Okay. How long have you been a

9 registered nurse?

10 A. Approximately 12 years.

11 Q. All right. I want to direct your

12 attention back in time to the early morning hours of June

13 the 6th of 1996. I'll ask you if you and your two

14 children and your husband were at home during the early

15 morning hours of June 6th?

16 A. Yes, sir.

17 Q. And was there anything that happened

18 that startled you or caught your attention?

19 A. Yes, sir. Approximately 2:35 in the

20 morning my husband and I both heard a pounding, a very

21 forceful noise at our front door.  
22 Q. Did it sound like somebody was trying  
23 to break in?  
24 A. Exactly, yes, sir.  
25 Q. Okay. And, your husband is a very  
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3987

1 large, large man, is he not?  
2 A. Yes, he is.  
3 Q. Big, tall guy?  
4 A. Yes, sir.  
5 Q. What, if anything, did he do?  
6 A. When we heard the forceful sound of  
7 the noise, my husband, Terry, jumped up to the side of  
8 the bed and grabbed his gun that he keeps in the night --  
9 excuse me -- yes, his gun that he keeps in the  
10 nightstand. And, my husband, and myself and my son  
11 rushed downstairs to the front door.  
12 Q. Okay. What, if anything, did you find  
13 when you got to the front door?  
14 A. My son and I were standing directly  
15 behind my husband and as he opened the door, my husband  
16 said, "Yes, sir?"  
17 He saw a figure of Darin and at that  
18 moment he said, "Yes, Darin, what is the matter?"  
19 And Darin was at the front door.  
20 Q. How was Darin acting at that time?  
21 A. He was very excitable. He was in a  
22 state of shock, in my opinion he was very excited.  
23 "Help, I need your help. Someone just murdered my  
24 children. Oh, my God. Help me."  
25 And Darin was crying, and he had tears  
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3988

1 running down his face.  
2 Q. Was he loud?  
3 A. Very loud. He was screaming.  
4 Q. How was he dressed?  
5 A. He had on a pair of blue jeans, no  
6 shirt and he was barefoot.  
7 Q. Okay. What, if anything, happened  
8 next?  
9 A. I told Darin -- I had on my nightgown,  
10 and my husband (sic) and I said, "Let me run upstairs and  
11 get dressed." And I ran upstairs and Terry and Darin and  
12 my son, Nick stayed by the front door.  
13 I went directly to the top of the

14 steps, took off my nightgown, put on a T-shirt and my  
15 shorts, ran directly down the steps, you know, within a  
16 few seconds, and we ran directly across the street.

17 Q. Okay. All three of you?

18 A. My husband, myself, my son and Darin.

19 Q. Okay. Four of you?

20 A. All four of us, yes.

21 Q. Okay. What happened when you got  
22 across the street?

23 A. We ran directly across the street and  
24 we were stopped by a policeman. The policeman said,  
25 "Wait a minute. You can't go any further."

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3989

1 And my husband and Darin both shouted,

2 "She's a nurse."

3 And I said, "Yes, I need to get  
4 through."

5 And he said, "Okay. You may go  
6 through, just one of you."

7 And I went directly to Darlie who  
8 was -- the two paramedics were placing her -- setting her  
9 down in the doorway.

10 Q. Okay. A doorway at her residence?

11 A. Of her residence, yes, sir.

12 Q. Okay. And they were administering  
13 first aid to her at that time?

14 A. Yes, sir.

15 Q. Okay. Did you have occasion to go on  
16 into the Routier house?

17 A. Yes, sir.

18 Q. All right. Will you tell the jury  
19 about that?

20 A. I saw Darlie practically every day.

21 We car pooled. She would take my daughter and her son,  
22 Devon, and another child to school in the morning, and  
23 myself and another neighbor picked up in the afternoon.

24 Q. Okay. And did you, after seeing  
25 Darlie there in the doorway, did you later on have

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3990

1 occasion to go into the Routier home?

2 A. Yes, sir, I did.

3 Q. Okay. And will you tell the jury what  
4 you found when you went into the home?

5 A. As I walked into the home, I  
6 approached the entrance way between the kitchen and the  
7 living area, and I saw Devon laying on his back with a

8 blanket covering the -- most part of his body with only a  
9 fraction of his right eye that I could see.

10 Q. Okay. Ms. Neal, was there anyone in  
11 attendance to Devon at that time?

12 A. No, sir.

13 Q. Okay. Was there anyone else in the  
14 house that you saw at that time?

15 A. No, sir.

16 Q. Okay. Did you subsequently leave, and  
17 go back outside?

18 A. Yes, sir, I did.

19 Q. Okay. Now, later on that -- or early  
20 morning, did you have occasion to enter the house and  
21 retrieve a little dog?

22 A. Yes, sir.

23 Q. All right. And you, of course,  
24 recognized that dog, and I assume that the dog recognized  
25 you?

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3991

1 A. Yes, sir.

2 Q. Okay. You were able to get the dog,  
3 and did you take the dog over to your house?

4 A. Yes, I did.

5 Q. Now, I'll ask if later on that morning  
6 you were with some other neighbors there and the police  
7 and -- we have got -- let me show you what has been  
8 marked for identification and record purposes and  
9 admitted into evidence as State's Exhibit No. 8, and I'll  
10 ask you if you recognize what is portrayed in that  
11 exhibit?

12 A. I'm sorry, I --

13 Q. You haven't seen this exhibit before,  
14 have you?

15 A. No, sir, I have not.

16 Q. Okay. Do you recognize Eagle Drive,  
17 and do you recognize this as an aerial view of the  
18 Routiers -- primarily the Routiers' house?

19 A. Yes, I do.

20 Q. Do you see your house in that  
21 photograph?

22 A. Yes, sir, I do.

23 Q. Would you point to your house for the  
24 jury, please?

25 A. This right upper corner right here.

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3992

1 Q. Okay. And, who is your neighbor on  
2 this side?  
3 A. Bill and Gail Gorsuch.  
4 Q. Can you -- that's a kind of enlarged  
5 turn area, and you see a vehicle parked there. Did you  
6 frequently park your vehicles in that area?  
7 A. Yes, sir, directly in front of my  
8 house.  
9 Q. Did the Gorsuch's likewise park their  
10 vehicles in that area?  
11 A. Yes, sir.  
12 Q. All right. Do you recall whether or  
13 not your vehicle was parked in that area that evening?  
14 A. Yes, sir.  
15 Q. Okay. Will you show the jury  
16 approximately where your vehicle was parked?  
17 A. Yes, sir. Between my sidewalk right  
18 here and this mailbox, my car was angled at this  
19 vicinity.  
20 Q. Okay. And how about the Gorsuch's  
21 cars?  
22 A. The van is right where it is pictured  
23 and --  
24 Q. Is that their van?  
25 A. Yes, sir.  
Sandra M. Halsey, CSR, Official Court Reporter

3993

1 Q. Okay.  
2 A. And there was a small red truck on the  
3 left side of the van.  
4 Q. Okay. Did you all engage in a  
5 conversation, you and the neighbor here is, the Watts?  
6 A. Yes, sir.  
7 Q. Did you and the neighbor Watts engage  
8 in a conversation with the police and identify an area  
9 where a small black car had --  
10  
11 MR. TOBY L. SHOOK: Judge, I'll object  
12 to any hearsay. I think the way the question is phrased,  
13 I'm not sure.  
14 THE COURT: Well, I think, gentlemen,  
15 here -- if we can just phrase our questions in the right  
16 way.  
17 MR. DOUGLAS MULDER: Yes, sir.  
18 THE COURT: Go ahead with your  
19 question, Mr. Mulder.  
20 MR. DOUGLAS MULDER: Yes, sir.  
21

22 BY MR. DOUGLAS MULDER:

23 Q. Did you point out an area along with

24 Nelda Watts as to where a small black car had been parked

25 that day?

Sandra M. Halsey, CSR, Official Court Reporter

3994

1

2 MR. TOBY L. SHOOK: Judge, I'll object

3 again. He is going into what another neighbor did and

4 that would be hearsay. If it's just her, that is fine.

5 But if she's going to go into what another neighbor

6 did --

7 MR. DOUGLAS MULDER: All she said was

8 that the neighbor was present.

9 THE COURT: Just a minute, gentlemen.

10 I will overrule. Ask the question.

11 MR. DOUGLAS MULDER: Yes, sir.

12

13 BY MR. DOUGLAS MULDER:

14 Q. Go ahead. Can you answer that?

15 A. Yes, sir.

16 Q. Show the jury where that little black

17 car was parked.

18 A. Nelda and I had a discussion that she

19 saw a black car.

20

21 MR. TOBY L. SHOOK: Judge, again, I'm

22 going to object to anything she had a discussion with any

23 other neighbor.

24 THE COURT: All right. Ma'am, all

25 right. Fine. I'll let her answer the question.

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3995

1 Go ahead and answer it, and let's

2 phrase our questions properly and get this in.

3 MR. DOUGLAS MULDER: Yes, sir.

4 THE COURT: Okay. Thank you.

5

6 BY MR. DOUGLAS MULDER:

7 Q. Go ahead and answer it.

8 A. A small black car was seen in this

9 area, in front of my mailbox, and in front of Nelda's

10 mailbox.

11 Q. Okay. Now, had you seen a small,

12 black car in your neighborhood, in that area, parked in

13 that area a week -- or tell the jury when you had seen a

14 small, black car parked there earlier.

15 A. It was approximately seven to eight

16 days before the episode.

17 Q. Okay.

18 A. At the Routier house.

19 Q. Okay. How did you happen to see the  
20 vehicle, tell the jury.

21 A. I came home from work about 3:00

22 o'clock in the afternoon, and I saw a small, black car  
23 that was stationed right in front of my sidewalk.

24 Q. Okay. And how was that small, black  
25 car parked in that area?

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3996

1 A. It was against my curb, and the person

2 in the car seemed to be angled towards the Routier home.

3 Q. Okay. There was a person occupying  
4 that vehicle?

5 A. Yes, sir.

6 Q. Okay. Did the vehicle have windows

7 that you could easily see through or were they tinted?

8 A. No, sir, they were tinted.

9 Q. All right.

10 A. It was a dark tinting.

11 Q. All right. Were you able to see the  
12 individual at all?

13 A. I was able to see his eye-level only.

14 Q. Okay. Why is that?

15 A. His window was only opened

16 approximately a small amount.

17 Q. All right. And you told the jury that

18 he appeared to be focussing on the Routier house?

19 A. Yes, sir.

20 Q. Okay. Did that strike you as unusual?

21 Did you say anything to him or do anything or go in the  
22 house or --

23 A. When I got out of my car to approach  
24 him, he sped off very fastly.

25 Q. He drove off at a high rate of speed?

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3997

1 A. Yes, sir.

2

3 THE COURT: Mr. Mulder, it's 10:15.

4 Let's take our morning break now, please. Fifteen  
5 minutes, thank you.

6

7 (Whereupon, a short

8 Recess was taken,

9 After which time,

10 The proceedings were  
11 Resumed on the record,  
12 In the presence and  
13 Hearing of the defendant  
14 And the jury, as follows:)  
15  
16 THE COURT: Bring in the witness,  
17 Karen Neal.  
18 THE COURT: All right. Are both sides  
19 ready to bring the jury back and resume the trial?  
20 MR. GREG DAVIS: Yes, sir, the State  
21 is ready.  
22 MR. DOUGLAS MULDER: The defense is  
23 ready.  
24 THE COURT: All right.  
25  
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3998

1 (Whereupon, the jury  
2 Was returned to the  
3 Courtroom, and the  
4 Proceedings were  
5 Resumed on the record,  
6 In open court, in the  
7 Presence and hearing  
8 Of the defendant,  
9 As follows:)  
10  
11 THE COURT: All right. Let the record  
12 reflect that all parties in the trial are present and the  
13 jury is seated. Mr. Mulder.  
14  
15  
16 DIRECT EXAMINATION (Resumed)  
17  
18 BY MR. DOUGLAS MULDER:  
19 Q. Ms. Neal, I'll ask you if later on  
20 that day, if you had occasion to go to Baylor Hospital to  
21 visit Darlie?  
22 A. Yes, sir.  
23 Q. Okay. And, will you tell the jury who  
24 was with you?  
25 A. My husband, Terry, and baby Drake. I  
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3999

1 had the baby.  
2 Q. Okay. And, you went down to Baylor  
3 Hospital?

4 A. Yes, sir.  
5 Q. Were you able to get in to see Darlie?  
6 A. Yes, sir.  
7 Q. Okay. Will you describe her for the  
8 jury, her emotional appearance and physical appearance as  
9 you recall it?  
10 A. When I first walked in with Darlie I  
11 was by myself. Darlie was laying in the bed and she  
12 opened her eyes and saw me, and she tried to reach for my  
13 hand and she started to cry.  
14 And she said, "Karen."  
15 And I said, "I'm here." And I said,  
16 "It's okay."  
17 She appeared very upset. I think  
18 maybe seeing me brought back the memories.  
19 Q. You, as a nurse, you see a lot of  
20 people in traumatic situations, don't you?  
21 A. Yes, sir.  
22 Q. Did you think that her demeanor was  
23 appropriate?  
24 A. Very much so.  
25 Q. Do you think there was anything fake  
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4000

1 or phony about it?  
2 A. No, sir.  
3 Q. Okay. Did you subsequently bring the  
4 baby in?  
5 A. Yes, sir.  
6 Q. Okay. And, will you tell the jury  
7 what you did with regard to baby Drake?  
8 A. As I brought Drake in Darlie started  
9 to cry when she saw the baby. But she wanted to hold him  
10 and she said, "Let me hold him."  
11 And she tried to put her arms up to  
12 take him and she was -- had an IV in her left arm and she  
13 could not reach.  
14 So I placed the baby towards her  
15 stomach area and she kind of held his hands, and Drake  
16 was very restless, and she could not control him. So I  
17 was trying to hold him for her.  
18 Q. Okay. It was apparent, the love  
19 between the mother and the child?  
20 A. Very much so.  
21 Q. Okay. Now, did you happen to -- as a  
22 nurse you would observe, I guess, her physical condition  
23 and whatever medical treatment she was receiving?  
24 A. Yes, sir.  
25 Q. Will you tell the jury if you noticed

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4001

1 any bruising on either of her arms, and if so, what?

2 A. I noticed on her right forearm,

3 slightly above her wrist that she had some light -- I

4 wanted to call it bruising that was developing.

5 It was a reddish in color and her

6 forearm was swollen. On her left arm, the left forearm

7 where her IV was, she was telling me that the IV hurt,

8 and I noticed that she had a little bruising around that

9 forearm area on the left arm also.

10 Q. Did you --

11 A. It was very light in color.

12 Q. Did you do anything to her arm?

13 A. Yes, sir. When she complained that

14 her arm was hurting, I felt that maybe her IV was not in

15 the vein, it was maybe going in the tissue. I pinched

16 her IV to make sure I got a blood return, and I told her

17 that it was fine.

18 Q. Okay. Was there a nurse there at that

19 time?

20 A. Yes, sir.

21 Q. Did she see what you had done?

22 A. Yes, sir.

23 Q. And, did she thank you for assisting

24 or did she make a comment to you?

25 A. She was angry at me. She told me that

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4002

1 there was nothing wrong with her IV, nothing wrong with  
2 her arm.

3 Q. Okay. Did you think it was your place

4 to point it out to the doctors or nurses that there was

5 bruising on both her left and right arms?

6 A. No, sir.

7 Q. Okay. Is there any question in your

8 mind of what you saw, what you have described to this

9 jury?

10 A. No, sir.

11 Q. Is there any question about what you

12 saw bruising on her arms?

13 A. No, sir.

14 Q. Okay. All right. Now --

15 A. I'm sorry. I didn't quite understand.

16 You were asking me, did I think it was a reason why she

17 had bruising?

18 Q. No. I asked if you thought it was

19 your place to point that out to the doctors and the

20 nurses?

21 A. No, sir.

22 Q. I mean, after all, she was in a

23 hospital, wasn't she?

24 A. That's correct. I felt that she was

25 under pretty close medical attention.

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4003

1 Q. Now, did you have occasion to return

2 the next day?

3 A. Yes, sir, I did.

4 Q. And did you likewise bring the child?

5 A. Yes, sir.

6 Q. Okay. And, were there any other

7 members of your family that also accompanied you?

8 A. My daughter, Rebecca, and my son,

9 Nick, and my husband, Terry.

10 Q. Okay. Did you all walk into the room

11 and see her at the same time?

12 A. Yes, sir, we did.

13 Q. Okay. And, what was her reaction to

14 you all, and you and the children and your husband's

15 reaction to her?

16 A. Darlie cried when she saw Nick and

17 Rebecca. Rebecca, my daughter, became very violently

18 upset. She was trying to hug Darlie, and Darlie could

19 not quite reach to her to comfort her.

20 Q. Okay. And did you again let her hold

21 the child or put the child where she could touch the

22 child?

23 A. At that moment, I did not let her hold

24 Drake at that moment, but a little later during the visit

25 I did.

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4004

1 Q. Okay. Did you arrange for her to hold

2 Drake in the same fashion?

3 A. Yes, sir, I did.

4 Q. Tell the jury how that was again.

5 A. Darlie was unable to reach up. She

6 appeared to be very limited for her arms.

7 Q. Did you find that unusual, given the

8 circumstances?

9 A. No, sir, I did not.

10 Q. Okay. So what did you do with Drake?

11 A. I placed Drake on her stomach and let

12 her hold his hands and she talked to him.

13 Q. Okay.

14 A. Tried to comfort him.

15 Q. Did you find that normal?

16 A. Yes, sir.

17 Q. Okay. Have you observed Darlie with  
18 her children?

19 A. Yes, I have.

20 Q. What sort of a mother is she?

21 A. Darlie is very compassionate, very  
22 outstanding with her children. She made sure the  
23 children treated everyone equally. She made sure when  
24 the children did something wrong --

25 Q. What do you mean by that?

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4005

1 A. She told her children that there is no  
2 discrimination. That is not the word she used, but she  
3 said, "You treat everyone equally. This is your friend."  
4 No matter what color they were, no  
5 matter whether they were rich or poor or whatever status.  
6 The children did not see any difference between  
7 themselves and another child.

8 Q. And that is the way she felt?

9 A. Exactly. Yes, sir.

10 Q. Did you think that she was  
11 materialistic and self-centered and selfish?

12 A. No, sir. Darlie was very generous to  
13 children. She was very generous to everyone in our  
14 neighborhood.

15 At Christmas time, she took the  
16 opportunity to help other families, through an  
17 organization. She received their name, she bought the  
18 mother, father, children, everyone very nice gifts.

19 Q. Were children welcome in her home?

20 A. Yes, sir. Her home was the all around  
21 neighborhood home. All the children, as well as  
22 teenagers went to her home.

23 Q. Okay. Did you attend the viewing  
24 later in the week?

25 A. Yes, sir.

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4006

1 Q. And did you see Darlie there?

2 A. Yes, I did.

3 Q. Did she seem appropriate to you, in  
4 the fashion in which she was grieving?

5 A. Yes, sir.

6 Q. Okay. I assume you attended the  
7 funeral?

8 A. Yes, sir.

9 Q. There's been some talk about  
10 Gangster's Paradise being played there.

11 A. Yes, sir.

12 Q. You heard that?

13 A. Yes, sir.

14 Q. Not the sort of thing I listen to and  
15 perhaps not -- I don't even know if I have even heard  
16 it -- but is that one of your favorites?

17 A. I would not call it my favorite, but  
18 it was definitely Devon and Damon's favorite song.

19 Q. Do you see anything inappropriate in  
20 as much as it's their funeral?

21 A. No, sir. I felt it was very  
22 appropriate, that was in the remembrance of the boys.

23 Q. Do you think they should have played  
24 something that was perhaps your favorite or the parents'  
25 favorite?

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4007

1 A. No, sir.

2 Q. There's been some talk about Darlie  
3 being depressed or having the blues after Drake was born.  
4 Are you familiar as a nurse and as a mother with what I  
5 am talking about?

6 A. Postpartum depression, yes, sir.

7 Q. Okay.

8 A. Yes.

9 Q. Did you note that in your frequent  
10 visits with her?

11 A. I noted that Darlie did have -- yes,  
12 some postpartum depression. She did not appear to be any  
13 more physically or mentally depressed than I was when I  
14 had my children.

15 Q. Okay. As a nurse, I guess you would  
16 have recognized that?

17 A. Yes, sir.

18 Q. Okay. Not unusual for a woman to have  
19 the blues?

20 A. No, sir.

21 Q. You felt that was normal?

22 A. I felt it was a very appropriate, yes,  
23 sir.

24 Q. Okay.

25

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4008

1 MR. DOUGLAS MULDER: We will pass the  
2 witness. They will have some questions for you Ms. Neal.  
3 Thank you.

4 THE COURT: Mr. Shook.

5

6

7 CROSS EXAMINATION

8

9 BY MR. TOBY L. SHOOK:

10 Q. Ms. Neal, my name is Toby Shook. I

11 just have a few questions for you.

12 A. Yes, sir.

13 Q. If you don't understand any of them,

14 just let me know, I'll try to rephrase them. Okay?

15 A. Okay.

16 Q. All right. Now, you said you're a

17 registered nurse; is that right?

18 A. Yes, sir.

19 Q. Do you work at a hospital, doctor's

20 office?

21 A. I work at a hospital.

22 Q. Okay. What type of work do you do

23 there at the hospital?

24 A. I'm a staff nurse. I prepare patients

25 for surgery and recover them post-operatively. And, I am

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4009

1 well-rounded. I work on the telemetry floor, which is a

2 heart floor. I work in the intensive care unit.

3 I have had opportunity to work in the

4 recovery room, immediate post-op recovery room from

5 surgery.

6 I have worked on the obstetrics ward.

7 I'm pretty well familiar with very many services of the

8 hospital as a nurse.

9 Q. You have been all over it?

10 A. Yes, sir.

11 Q. At Parkland?

12 A. No, sir, Doctors Hospital.

13 Q. Doctors Hospital?

14 A. Yes, sir.

15 Q. Okay. And, you were -- how long had

16 you known the Routier family?

17 A. Approximately four and a half years.

18 Q. Had you already been living in your

19 house when their house was built?

20 A. Yes, sir.

21 Q. Then you became friends?

22 A. We became friends.

23 Q. Okay. And you all became close  
24 friends, did you not?  
25 A. Yes, sir.  
Sandra M. Halsey, CSR, Official Court Reporter

4010

1 Q. Who were her other close -- she had  
2 another close friend in the neighborhood, did she not?  
3 A. Mercedes.  
4 Q. Okay. Is that Mercedes Adams?  
5 A. Yes, sir.  
6 Q. And would you say that you and  
7 Mercedes Adams were probably her close neighborhood  
8 friends?  
9 A. Yes, sir.  
10 Q. She had other friends that would come  
11 and see her?  
12 A. She had many friends.  
13 Q. Okay. And, you -- now let me talk  
14 about the early morning when the murder occurred. You  
15 say that -- I was a little confused. Out here in front  
16 of your house, you always park out here, your two cars  
17 are always parked out, just like the Gorsuches; is that  
18 right?  
19 A. That's correct.  
20 Q. Okay. Now, what time did you get out  
21 of the house after Darin woke you up?  
22 A. It was approximately, shortly after  
23 that I would say, less than a minute.  
24 Q. Okay. So we're talking around, maybe  
25 2:36, or 2:38?  
Sandra M. Halsey, CSR, Official Court Reporter  
4011

1 A. I would think about 2:36 or 2:37.  
2 Q. Okay. Had you been asleep when he  
3 woke you up?  
4 A. Yes, sir.  
5 Q. Okay. Did you see any black car out  
6 there that morning?  
7 A. No, sir.  
8 Q. Okay. So you never saw any black car  
9 out -- parked out in front of -- what is the name of this  
10 next-door neighbor?  
11 A. Nelda Watts. Roy and Nelda Watts.  
12 Q. You never saw that car yourself, did  
13 you?  
14 A. No, sir.  
15 Q. Okay. And, did you get outside the

16 house before Ms. Watt's got outside of her house?

17 A. Yes, I did.

18 Q. Okay.

19 A. I ran directly across the street, and

20 as I was walking back from the house after they had

21 placed Darlie in the ambulance, Nelda and Roy had come

22 out to greet me and ask me what was going on.

23 Q. Okay. So that -- some time had passed

24 by that time, I guess?

25 A. Yes, sir.

Sandra M. Halsey, CSR, Official Court Reporter

4012

1 Q. Okay. Now, you said that you went up

2 to the hospital that day, the 6th. What time did you

3 make it up there?

4 A. It was between 2:00 and 3:00 o'clock.

5 Q. Okay. And you saw this -- what was

6 the injury you saw on the arm? Describe it again.

7 A. On her right arm?

8 Q. Yes.

9 A. On her right arm it was reddish, kind

10 of starting to bruise, it had a -- I want to say a bluish

11 cast to it. It was starting to be early bruising.

12 Q. Okay. And let me ask you about the

13 right one first. Where was that bruise located?

14 A. Between here and here. Between the

15 elbow area and this.

16 Q. Okay. And where on the arm?

17 A. It was -- I can't pinpoint exactly. I

18 want to say it was scattered, this area was swollen, this

19 area was reddish.

20 Q. Okay. So it's clear for the record.

21 She is writing this down.

22 A. I understand.

23 Q. Were you pointing to your forearm

24 here?

25 A. Yes, sir.

Sandra M. Halsey, CSR, Official Court Reporter

4013

1 Q. Okay. And, below the elbow here to  
2 the wrist?

3 A. Yes, sir.

4 Q. And we are talking about the -- you

5 probably know what the name of it is?

6 A. The aspect, the side, posterior side

7 and the very top side.

8 Q. Okay. This side right in there?

9 A. Yes, sir.

10 Q. Okay. And that was starting to  
11 bruise; is that right?  
12 A. Yes, sir.  
13 Q. Reddish and blue?  
14 A. It had a very light blue tinge to it.  
15 I call it early bruising.  
16 Q. Okay. And that was the area here?  
17 A. Yes.  
18 Q. Was she cut on this side of the arm  
19 also?  
20 A. Yes, sir. She had sutures right here.  
21 Q. And this bruising was all up and down,  
22 near that same area?  
23 A. Exactly.  
24 Q. No doubt about that in your mind then?  
25 A. No doubt about that.  
Sandra M. Halsey, CSR, Official Court Reporter  
4014

1 Q. You were paying attention to her  
2 injuries quite carefully, I guess?  
3 A. No, sir, I was not. I was not the  
4 nurse taking care of her. I didn't feel like it was my  
5 job --  
6 Q. But, I mean you saw it there.  
7 A. I observed it, yes, sir.  
8 Q. I mean, I know you didn't examine the  
9 wound or anything, but no doubt in your mind that's where  
10 it was?  
11 A. Yes, sir.  
12 Q. Okay. And sometime during that  
13 morning you were the neighbor that the police needed to  
14 go retrieve that vicious dog out of the house, right?  
15 A. Yes, yes.  
16 Q. What type of dog did they have? Would  
17 you describe that dog, please?  
18 A. I don't know the name of the dog. He  
19 is very small, like a Pomeranian.  
20 Q. How long had they had that dog?  
21 A. They had the dog ever since they moved  
22 in, approximately four years.  
23 Q. Okay. And do you recall the dog's  
24 name being Domain?  
25 A. Domain.  
Sandra M. Halsey, CSR, Official Court Reporter  
4015

1 Q. Did he always stay in the house  
2 usually?  
3 A. Yes, sir

4 Q. We're talking about a little white  
5 dog, right?  
6 A. Yes, sir.  
7 Q. Okay. Where was he -- did you go in  
8 with some police officers, did they escort you into the  
9 house to get the dog?  
10 A. Yes, sir.  
11 Q. Did you go up the stairs? Was he  
12 upstairs?  
13 A. Domain was at the top of the steps,  
14 yes, sir.  
15 Q. What was he doing when he was at the  
16 top?  
17 A. Barking, growling.  
18 Q. Okay. Kind of like little dogs do?  
19 A. Yes, sir.  
20 Q. Okay. Does the dog know you?  
21 A. Yes, sir.  
22 Q. Okay. And did you have any trouble  
23 picking him up?  
24 A. Initially, I did. Domain was barking  
25 when he saw me coming up, and when I got to the top of  
Sandra M. Halsey, CSR, Official Court Reporter  
4016

1 the steps, I said, "Domain." And he settled down.  
2 He then started wagging his tail and I  
3 think he recognized me, and I picked him up and he was  
4 shaking.  
5 Q. Okay. Police officers had been kind  
6 of nipped at, I guess, earlier?  
7 A. Yes, so they told me. I did not  
8 observe that.  
9 Q. All right. So you helped the police  
10 out and got the dog out?  
11 A. Yes, I did.  
12 Q. Did he start barking right when you  
13 got in the house?  
14 A. He was barking -- I could hear him  
15 barking before I even got in the house.  
16 Q. Okay. So he was barking as you came  
17 up and then when you went upstairs?  
18 A. Yes, sir.  
19 Q. And, was that his usual practice when  
20 strangers were around?  
21 A. Yes, sir.  
22 Q. Okay. He barked a lot if he didn't  
23 know you?  
24 A. Basically, yes.  
25 Q. Okay. We're talking about a young

1 dog, right? Well, four years, I guess?  
2 A. They did not have him exactly when  
3 they moved in. They got him shortly after that period,  
4 so I would say yes.  
5 Q. Okay. So you are in the house -- did  
6 they keep him in the house during the daytime?  
7 A. Yes, sir.  
8 Q. And in the evening?  
9 A. Yes, sir.  
10 Q. Okay. Do you know where he slept or  
11 where he stayed?  
12 A. He stayed upstairs mainly. He  
13 traveled between Darlie's bedroom, the boys' bedroom and  
14 the game room.  
15 Q. Okay. Would he come downstairs on  
16 occasion when you were there?  
17 A. He would never come down the steps by  
18 himself.  
19 Q. Had to be helped down?  
20 A. Yes, he did.  
21 Q. He didn't have any trouble hearing  
22 things going on in the house when he was upstairs though,  
23 did he?  
24 A. No, sir.  
25 Q. He could make plenty of noise up  
Sandra M. Halsey, CSR, Official Court Reporter  
4018

1 there, couldn't he?  
2 A. It was a muffled sound when you were  
3 in the kitchen, you could hear him barking.  
4 Q. Okay. Okay. But, if he heard a noise  
5 or something, or someone came in the house, would he bark  
6 from upstairs when you were present in the house?  
7 A. Yes, he would, until he saw who it  
8 was.  
9 Q. Okay. In other words, he could be  
10 alert, things like that?  
11 A. Basically, yes.  
12 Q. My mom has a dog that you can let  
13 firecrackers off next to him and he is so old he doesn't  
14 wake up. But we're talking about a dog that can bark?  
15 A. Yes.  
16 Q. Okay. Now, you saw a -- your  
17 daughter, how old is she?  
18 A. Twelve.  
19 Q. Okay. Now, did she babysit for Darlie

20 Routier?

21 A. Yes, she did.

22 Q. Okay. When did she start doing that?

23 A. She would -- we called it

24 babysitting -- she would go into the house and help

25 Darlie out.

Sandra M. Halsey, CSR, Official Court Reporter  
4019

1 Q. Did Darlie pay her or did she just --

2 A. No, no, no.

3 Q. She just did that for something to do?

4 A. She -- Becca liked to be with the baby

5 and she liked to be with the boys, and she would go over

6 there every day to play with them. But she would help

7 take care of the baby, help feed him, change his diaper,

8 in the presence of Darlie.

9 Q. Okay. Now, you saw a -- you did see a

10 dark car, how many days before this offense occurred?

11 A. About seven or eight.

12 Q. Where was that car parked again?

13 A. Directly in front of my home.

14 Q. Okay. And, about what time of the day

15 was that?

16 A. About 3:00 o'clock in the afternoon.

17 Q. Okay. Had you come home from work and

18 saw it there?

19 A. And saw him there, yes, sir.

20 Q. Show us again where this car was.

21 A. I have to get me bearings again. He

22 was right here. He was angled in front of my sidewalk.

23 Q. When you say angled, where was the

24 front end of the car?

25 A. The front end of the car was like

Sandra M. Halsey, CSR, Official Court Reporter  
4020

1 this, headed this way.

2 Q. Headed kind of -- kind of pointed at

3 the Gorsuches' house?

4 A. Kind of pointed this way. He was

5 twisted a little bit, kind of -- his back end of the car

6 was at my sidewalk.

7 Q. Okay. So that he was kind of twisted

8 out this way. If he were looking straight ahead, where

9 would he be looking?

10 A. Probably to this angle right here.

11 Q. So right at the Routier's home?

12 A. Yes, sir.

13 Q. So he is backed up to your house and

14 right across -- kind of directly at the Routier's home?

15 A. At an angle. Um-hum. (Witness  
16 nodding head affirmatively.)

17 Q. Okay. And, you didn't -- what kind of  
18 description could you give of him?

19 A. I saw his eyes, his eye level and  
20 above.

21 Q. Could you tell -- could you tell if it  
22 was a male, first of all?

23 A. I believe it was. His hair was short  
24 and that is all I remember. That's all I can say. His  
25 hair was dark.

Sandra M. Halsey, CSR, Official Court Reporter  
4021

1 Q. Could you tell the race at all?

2 A. No, sir, I could not.

3 Q. Okay. Could you tell if he was with  
4 anyone or by himself?

5 A. I could not tell, the windows were  
6 dark.

7 Q. Ever see that car before?

8 A. I have on occasion.

9 Q. Okay.

10 A. You know, it's a common car. It's  
11 dark, it's a black car, small.

12 Q. Okay. But have you seen that  
13 particular car before, you think?

14 A. I believe I have.

15 Q. Okay. Where was that?

16 A. Driving by in our neighborhood.

17 Q. How long have you been seeing it in  
18 the neighborhood?

19 A. I would say, maybe, as much as a month  
20 ahead of time. I did not see it daily. I saw it, maybe,  
21 two or three times.

22 Q. Just driving by?

23 A. Including that time, just driving by.

24 He would slow down. It was not uncommon for people, as  
25 they went around the corner, to slow down and look at the  
Sandra M. Halsey, CSR, Official Court Reporter  
4022

1 fountain. So I saw him doing that.

2 Q. Is this the same car you had seen for  
3 about a month prior driving by the house?

4 A. Yes, sir.

5 Q. This is the first time you saw him  
6 stop in front of the house; is that right?

7 A. Yes, sir.

8 Q. Okay. So what did you do when you saw  
9 the car backed up and he's --

10 A. I parked my car and I pulled directly  
11 behind him, and I got out of my car. I was going to  
12 approach him to see if there was a problem, and he sped  
13 off very quickly.

14 Q. Okay. Did you get a license number?

15 A. I did not.

16 Q. Okay. Did it concern you, that  
17 incident, were you concerned?

18 A. I was very concerned that someone  
19 would be sitting there staring.

20 Q. At the Routier home?

21 A. At the Routier home, yes.

22 Q. Did you go over there and tell them  
23 about this incident?

24 A. Not directly.

25 Q. Okay.

Sandra M. Halsey, CSR, Official Court Reporter  
4023

1 A. They were not home at that moment.

2 And, I mentioned to Darin earlier that it came to me  
3 later that evening that, "Darin, there was a car sitting  
4 in front of my house, staring at your fountain."

5 Q. Okay. Did he seem concerned at all?

6 A. Yes, he did, but, he, -- you know, we  
7 had talked about, and, well, he said, "Yes, what were  
8 they doing?"

9 He wanted to know what kind of car it  
10 was.

11 Q. And did you --

12 A. And I told him it was a small, black  
13 car. I don't know makes of cars.

14 Q. Okay. So, did you ever talk to Darlie  
15 about this car?

16 A. I don't believe I have.

17 Q. Okay.

18 A. If I did, I do not remember.

19 Q. So you told Darin about this situation  
20 and he did seem concerned?

21 A. Yes.

22 Q. And you didn't see the car any more  
23 after that?

24 A. Yes, I did.

25 Q. When did you see it again after that?

Sandra M. Halsey, CSR, Official Court Reporter  
4024

1 A. The day, the afternoon of the murder.  
2 Q. Okay. Where was the car then?  
3 A. He was driving by -- I say he, excuse  
4 me -- the car was driving by slowly and a police officer  
5 was standing out in front.  
6 The car pulled into the alley as if he  
7 was turning around. He backed up and was going by the  
8 front of the house very slowly again, and as I walked  
9 out, he sped off real quick.  
10 Q. Was this after the murder?  
11 A. Yes.  
12 Q. Okay. So a police officer is out  
13 there as you walked out. Did he spot you?  
14 A. The police officer?  
15 Q. No, the car as it sped off.  
16 A. I assume he did, because he took off  
17 very quickly.  
18 Q. Okay. Did you go tell the police  
19 officer?  
20 A. Yes, I did.  
21 Q. Do you remember which police officer  
22 that was?  
23 A. I don't.  
24 Q. Okay. That night you were -- after  
25 you got out of the house, you were out for several hours,  
Sandra M. Halsey, CSR, Official Court Reporter  
4025

1 and I'm talking about the morning of the murder, and you  
2 were out there kind of helping out, and doing what you  
3 could; is that right?  
4 A. I'm not understanding your question.  
5 Q. I'm sorry. Well, after Darin got you  
6 out of the house, you didn't go back in your house for  
7 several hours, did you? I mean, you were primarily out  
8 in your front yard?  
9 A. I was basically out front, yes, sir.  
10 Q. Okay. Did you talk to some police  
11 officers that morning?  
12 A. Yes, I did.  
13 Q. Do you remember what they looked like  
14 at all?  
15 A. The police officer I talked to was  
16 approximately middle age, 50's.  
17 Q. Was he in uniform?  
18 A. He was in uniform.  
19 Q. Okay. Did you tell him about this car  
20 you had seen about a week before?  
21 A. I do not recall.  
22 Q. Okay. Did you ever tell any other

23 police officers about the car you had seen?  
24 A. The -- I am definitely sure I told the  
25 officer that when I first saw it that he was out front, I  
Sandra M. Halsey, CSR, Official Court Reporter  
4026

1 ran across the street and said, "Did you see that black  
2 car that just pulled up? That is the car that I have  
3 seen before in front of my home."  
4 That one officer I did go into detail  
5 with.  
6 Q. Okay. Now, you went -- did you go to  
7 this birthday party that was on Friday the 14th, I guess,  
8 at the grave site?

9 A. No, I did not.

10 Q. Okay. You didn't attend that party?

11 A. No.

12 Q. Did your husband attend that party?

13 A. No, he did not.

14 Q. We are talking about the --

15 A. At the cemetery.

16 Q. At the cemetery, the party, the one  
17 that was filmed and people have seen?

18 A. We could not make it. We had other  
19 obligations.

20 Q. Okay. You attended the funeral  
21 though; is that right?

22 A. Yes, sir.

23 Q. Okay. Mr. Mulder asked you about the  
24 song, Gangster Paradise. You felt that that was an  
25 appropriate song?

Sandra M. Halsey, CSR, Official Court Reporter  
4027

1 A. Yes, sir.

2 Q. Had you ever heard that song before?

3 A. On a daily basis.

4 Q. Okay.

5 A. My children play that song.

6 Q. Okay. Are you familiar with the words  
7 to it?

8 A. Pretty much so.

9 Q. What are the words --

10 A. I don't know detail for detail the  
11 words.

12 Q. Would you recognize them then --

13 A. Yes, I would.

14 Q. -- if you saw them? Okay.

15

16 (Whereupon, the following

17 mentioned item was  
18 marked for  
19 identification only  
20 after which time the  
21 proceedings were  
22 resumed on the record  
23 in open court, as  
24 follows:)  
25  
Sandra M. Halsey, CSR, Official Court Reporter  
4028

1 BY MR. TOBY L. SHOOK:  
2 Q. Ms. Neal, let me show you what has  
3 been marked as State's Exhibit 140, a two-page document.  
4 If you could just glance over that and see if you  
5 recognize the words there to Gangster Paradise?  
6 A. I don't know it word for word, but I  
7 do recognize most of them.  
8 Q. Okay.  
9 A. Um-hum. (Witness nodding head  
10 affirmatively.)  
11 Q. Is that the words, the lyrics as you  
12 remember them?  
13 A. Yes, sir.  
14  
15 MR. TOBY L. SHOOK: We'll offer  
16 State's Exhibit 140.  
17 THE COURT: Any objection?  
18 MR. RICHARD C. MOSTY: May I look at  
19 it?  
20 MR. DOUGLAS MULDER: We have no  
21 objection, if he will sing it.  
22 THE WITNESS: I am a very bad singer.  
23 MR. DOUGLAS MULDER: Not you, Toby.  
24 THE COURT: State's Exhibit 140 is  
25 admitted, and let's cease the side-bar, please.  
Sandra M. Halsey, CSR, Official Court Reporter  
4029

1 Thank you. All right.  
2  
3 (Whereupon, the item  
4 Heretofore mentioned  
5 Was received in evidence  
6 As State's Exb. No. 140  
7 For all purposes,  
8 After which time, the  
9 Proceedings were resumed  
10 As follows:)

11

12 BY MR. TOBY L. SHOOK:

13 Q. Ms. Neal, when you got to the hospital

14 on the 6th, how long did you stay there, do you recall?

15 A. Approximately four hours.

16 Q. Okay. While you were at the hospital,

17 did Mrs. Routier -- did she tell you about the assault?

18 A. Yes, she did.

19 Q. Tell us what she told you she

20 remembered happening.

21 A. To the best of my knowledge, Darlie

22 said that she was awakened by Damon tapping on her

23 shoulder, saying, "Mama, Mama," and she opened her eyes,

24 she saw the figure of a man walking away from her. He

25 was -- when she opened her eyes, he was at the lower

Sandra M. Halsey, CSR, Official Court Reporter

4030

1 level of the couch, from where she was laying. He was

2 walking out through the kitchen and she followed him, and

3 he went out through the door leading to the garage, the

4 pantry door.

5 Q. Okay. Did she say what happened next

6 as she followed?

7 A. Sometime during the events, she turned

8 on the light, and saw a knife laying on the floor, and

9 she picked it up.

10 Q. And then what happened?

11 A. I don't -- I do not recall. I don't

12 think she specified after that.

13 Q. So, had she told you why she was

14 downstairs sleeping?

15 A. No, I do not recall.

16 Q. But then she was woken up by Damon and

17 saw this man at the --

18 A. -- foot of the couch.

19 Q. Foot of the couch, walking away?

20 A. Yes, sir, she saw his back.

21 Q. Was she able to describe this man at

22 all to you?

23 A. Just that he had dark hair, and that

24 he had on a -- I do not remember if she said black, but I

25 want to say black T-shirt and blue jeans.

Sandra M. Halsey, CSR, Official Court Reporter

4031

1 Q. Anything about a cap did she mention?

2 A. I do not recall a cap.

3 Q. Did she describe his build, how big a

4 man this was?

5 A. I did not ask her.  
6 Q. Okay. But she said there was just  
7 one?  
8 A. Yes, sir.  
9 Q. Okay. Have you talked to her again on  
10 other occasions about what happened that night?  
11 A. I believe I have.  
12 Q. Okay. Has she been able to tell you  
13 any more about the man or what happened?  
14 A. I do not recall any more.  
15 Q. Just the same story as what she said?  
16 A. Yes.  
17 Q. Did she ever tell you -- remembered  
18 being stabbed or anything like that?  
19 A. Not that I can recall.  
20 Q. Could she have told you that then?  
21 A. I don't believe so.  
22 Q. I mean did she ever tell you that this  
23 man was wrestling around her neck, or anything like that,  
24 or how she got these wounds?  
25 A. Other than talking about a dream that  
Sandra M. Halsey, CSR, Official Court Reporter  
4032

1 she had had, that she sees a man holding a knife, leaning  
2 over her.  
3 Q. That is just a dream she had?  
4 A. I believe so, yes.  
5 Q. She has never been able to tell you,  
6 this is what happened, I remember this man standing over  
7 me with a knife?  
8 A. No, no.  
9 Q. Nothing like that?  
10 A. The only thing she told me, she's  
11 seeing the back of a man walking away.  
12 Q. Okay. And, did you go to a birthday  
13 party that was after the funeral with your kids?  
14 A. Yes, I did.  
15 Q. Okay. Where was that?  
16 A. That was at Mama Darlie's home.  
17 Q. Who was that birthday party for?  
18 A. That was for Devon.  
19 Q. Okay. And who was there?  
20 A. Darlie, Darin, my son, Nick, my  
21 daughter, Rebecca, Mercedes' son, Jonathan, several  
22 children, several families, members and friends.  
23 Q. Were her family members there?  
24 A. Mama Darlie, Dana, her sister,  
25 Danielle, her sister, Darin, Drake, Sarilda -- I'm not

1 sure if Sarilda was there, I want to say Sarilda. There  
2 were a lot of people, I do not remember exactly.  
3 Q. She had had a lot of family come in  
4 immediately to support her, had she not? I mean, a lot  
5 of her family was from out of town, they came immediately  
6 once they heard about this tragedy, did they not?  
7 A. A few people that I can recall.  
8 Q. Okay. Do you know her aunt, Sherry,  
9 from Pennsylvania?  
10 A. I know that, I have met them.  
11 Q. Okay. Do you recall her being there  
12 at the birthday party after the funeral?  
13 A. Yes, I do.  
14 Q. Okay. She was there at this birthday  
15 party. And how about the other sister, LuAnn?  
16 A. I'm not sure. I'm not sure if the  
17 aunts were there.  
18 Q. Okay.  
19 A. I remember seeing them at one time  
20 when I was at Mama Darlie's. I have been there several  
21 times.  
22 Q. No reason why they wouldn't be there,  
23 if they were down for this?  
24 A. If they were down for the funeral,  
25 they would have been there, to the party.  
Sandra M. Halsey, CSR, Official Court Reporter  
4034

1 Q. What time did the funeral end?  
2 A. I'm not sure. It was mid-afternoon  
3 from what I can recall.  
4 Q. What time did the birthday party  
5 begin?  
6 A. I'm not sure.  
7 Q. Okay.  
8 A. Lunch time, early afternoon.  
9 Q. Okay. Thank you, Ms. Neal.  
10  
11 MR. TOBY L. SHOOK: That's all the  
12 questions I have.  
13 THE COURT: Anything else?  
14 MR. DOUGLAS MULDER: No, I have  
15 nothing further. May she be excused?  
16 THE COURT: She may be excused.  
17 Let me just tell you, you are now  
18 under the Rule of Evidence which means, don't discuss  
19 your testimony with anybody when you are not testifying,

20 remain outside the courtroom.  
21 THE WITNESS: Yes, sir.  
22 THE COURT: You may talk to the  
23 attorneys for either side. If someone tries to talk to  
24 you about your testimony, tell the attorney for the side  
25 who called you.  
Sandra M. Halsey, CSR, Official Court Reporter  
4035

1 THE WITNESS: Yes, sir. Thank you.  
2 THE COURT: All right. Watch your  
3 step going off.  
4 Your next witness.  
5 MR. DOUGLAS MULDER: Judge, that is  
6 going to be it for the day, as you understand.  
7 THE COURT: We understand.  
8 Ladies and gentlemen of the jury,  
9 we're going to be adjourning now for the week. We're not  
10 doing this because we want Friday afternoon off. But due  
11 to the weather and all this -- the problems we've had,  
12 both sides have very diligently tried to schedule  
13 witnesses to go through the entire week.  
14 We were unable to do so. Believe me,  
15 they are all scheduled for next week. Everything is in  
16 order now, so we will start at 9:00 o'clock on Monday  
17 morning.  
18 Now, this is neither side's fault in  
19 this case. Nobody is trying to play games or do anything  
20 with anybody. So we apologize for this delay.  
21 We have some matters to take up, which  
22 we can take up now. Hopefully, we will telescope things  
23 next week.  
24 So same instructions as always. Do no  
25 investigations on your own. You will decide this case on  
Sandra M. Halsey, CSR, Official Court Reporter  
4036

1 the testimony you hear and the evidence you've received  
2 in this courtroom. Do not discuss the case among  
3 yourselves yet because it's not over, nor with anybody  
4 else.  
5 Finally, should you hear or see  
6 anything, publicity on this case on radio, TV or  
7 newspaper, please ignore it. Wear your juror badges at  
8 all times in the courthouse and surrounding areas. So we  
9 will see everybody down here Monday morning at 9:00 o'clock ready to go.

Thank you.