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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY

STATE OF FLORIDA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
SHANNON STEPHEN,)	Case No. 06-001591CFAWS
)	
Defendant.)	
)	
)	

DEPOSITION OF:	ROBERT BARTLETT
DATE:	January 19, 2007
TIME:	10:00 A.M.
PLACE:	7530 Little Road Pasco County Government Center New Port Richey, Florida
REPORTED BY:	Barbara L. Preslock Registered Professional Reporter Notary Public State of Florida at Large

JUDY G. MOUKAZIS & ASSOCIATES, INC.
7218 Massachusetts Avenue
New Port Richey, Florida 34654

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APPEARANCES:

KENNETH L. FOOTE, ESQUIRE
6643 Ridge Road
Port Richey, Florida 24668

Attorney for Defendant

MICHAEL HARRIS, ESQUIRE
Assistant State Attorney
Sixth Judicial Circuit
New Port Richey, Florida

Attorney for State

I N D E X

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1 THEREUPON

2 ROBERT BARTLETT

3 The Deponent Herein, after having been first duly sworn on
4 oath, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. FOOTE:

7 Q Please state your full name for the Record,
8 sir.

9 A Robert Douglas Bartlett, II.

10 Q Mr. Bartlett, my name is Kenneth Foote. I am
11 an attorney. I represent Shannon Stephen, the person charged
12 in this case.

13 Have you ever had your deposition taken before?

14 A No.

15 Q Just a couple of ground rules. I am going to be
16 asking you some questions first. There's a member of the State
17 Attorney's Office, Mr. Harris, and our court reporter who
18 just swore you in and placed you under oath.

19 Everything you say has to be the truth to the
20 best of your ability subject to the penalty of perjury. This
21 is a sworn statement. I am going to be asking you questions.
22 Answer them to the best of your ability.

23 If you don't understand the question that I am
24 asking you, ask me to rephrase it or clarify it and I will
25 try to do that.

1 A Okay.

2 Q If you answer my question, I am going to
3 assume that you understood it. Is that fair enough?

4 A Yes.

5 Q I am going to ask you to give audible yes or
6 no answers to the questions. Whatever your answer is going
7 to be, don't do ugh huh or huh ugh because as you see, she
8 is typing words down and she can't type that stuff down.

9 Okay?

10 A Yes.

11 Q Any questions --

12 A No.

13 Q About those ground rules?

14 A No.

15 Q All right. What is your current address, sir?

16 A 7115 Box Elder Drive.

17 Q What --

18 A Box Elder Drive.

19 Q Where is that?

20 A Port Richey, Florida, 34668.

21 Q What is your date of birth, sir?

22 A 7-29-73.

23 Q And this is a standard question we ask of all
24 witnesses. Have you ever been arrested for anything anywhere
25 in the world?

1 A Yes.

2 Q What?

3 A I was arrested for paraphernalia; rolling
4 papers.

5 Q How long ago?

6 A I was about twenty-one. About twelve or
7 thirteen years ago.

8 Q In what county?

9 A Henderson.

10 Q Anything else you have ever been arrested for?

11 A Drunken disorderly, public intoxication. I
12 don't remember exactly what was -- it was wrote down.

13 Q Where were those at?

14 A Same county. It's where I grew up.

15 Q Anything else besides those that you recall?

16 A No, other than like traffic tickets.

17 Q No.

18 A You meant --

19 Q Right. Anything they put handcuffs on you
20 for.

21 A Just that.

22 Q Just those things?

23 A Yes.

24 Q Are you currently employed?

25 A Yes. I work for Lone Star Cable.

1 Q Lone Star?

2 A Yes. It's on my shirt.

3 Q Where are they located?

4 A It's based in Port Richey. We rewire grocery
5 stores so I go all over the United States. That's the
6 reason you had such a hard time getting me in here.

7 Q When you say cable, what kind of cable; like
8 cable TV?

9 A Information cable. CAT 5, but I can do COAX
10 cable.

11 Q That is like those T-1 cables and all that
12 other stuff?

13 A The T-1 is like a phone line.

14 Q CAT 5 is a data line?

15 A Yes.

16 Q Are you married, sir?

17 A No.

18 Q Have you ever been married?

19 A No.

20 Q Do you have any children?

21 A No. Am I speaking loud enough?

22 Q Probably but you might want to bring it up a
23 little bit. Obviously, we are here about an incident that
24 occurred on March 26th, 2006. I am going to ask you some
25 questions about that. Do you recall that date?

1 A Yes.

2 Q What were you doing that day, earlier that day?

3 A Let's see. I done a store that morning. That
4 evening I was at the house with Joe and Sarah, at their house
5 just hanging out doing this, that and the other.

6 We went to Applebee's and ate and then went out
7 to Chasco Festival.

8 Q Who were you with?

9 A Joe and Sarah, Joe Swish and Sarah Gleason.

10 Q So the three of you were together?

11 A Yes, pretty much all day.

12 Q And you were where during the day before you
13 went to Applebee's?

14 A We was at their house for the biggest part of
15 the day. Pretty much when I got with them we was at their
16 house. I worked the first part of the day. I don't remember
17 what state I was in, what town, but I know I worked that
18 morning.

19 I got home and spent the day with them. Went
20 to Applebee's like I said and went to Chasco Festival.

21 Q Do you recall where their house is?

22 A Yeah. I can't remember the exact address. It's
23 on Tillson Drive in New Port Richey. I think it's 5108 or
24 518, something like that.

25 Q What were you guys doing at the house?

1 A Well, Sarah was cleaning and Joe was just --
2 I guess you'd say he was hanging out just listening to the
3 radio.

4 Q Were you guys consuming any alcohol while you
5 were at the house?

6 A Not then. Him and Sarah drank some at Apple-
7 bee's. That's when they started.

8 Q At the house on Tillson, no one had anything
9 to drink?

10 A Nobody was drinking there.

11 Q Anyone use any illegal drugs; marijuana, cocaine,
12 meth, Ecstasy, Xanax, Vicodins?

13 A Not that I'm aware of. No marijuana.

14 Q At some point do you guys go to Applebee's?

15 A Yes.

16 Q What time roughly?

17 A I'm going to say around 4:30 or 5:00.

18 Q And the three of you go to Applebee's?

19 A Yes.

20 Q Which Applebee's; do you know where?

21 A Off 19, going towards 50, north 19. It's past
22 Port Richey. I don't know --

23 Q Hudson? North of --

24 A I'm not originally from down here so I'm not
25 sure where all the different towns start and end.

1 Q How long have you lived down here in this area?

2 A Two years.

3 Q At the Box Elder Drive?

4 A No. I lived at 5144 Tillson Drive for a year
5 and a half at least.

6 Q Was that an apartment or a house?

7 A It was a house. I rented a room from Rick
8 Scott, my bossman.

9 Q He is outside there?

10 A Yes.

11 Q What about Box Elder Drive? Do you own or
12 rent that?

13 A I am renting.

14 Q Do you rent a room or the whole house?

15 A I just rent one room.

16 Q Who is your landlord there?

17 A Rick Scott.

18 Q So both addresses?

19 A Yes. When he moved I just moved with him. I
20 travel for a living so there is really not much point in
21 paying for a place for myself. I'm never home.

22 Q I understand. So we are at Applebee's around
23 4:00 or 5:00 o'clock roughly and are you guys drinking
24 alcohol at that time?

25 A Joe and Sarah were.

1 Q Do you recall what they were drinking?

2 A I think Margaritas.

3 Q Did you consume any alcohol?

4 A No, not at Applebee's.

5 Q About how long do you think you guys were at
6 Applebee's?

7 A Probably an hour, at least an hour.

8 Q Was it mostly just having drinks or --

9 A Eating.

10 Q Eat dinner too?

11 A Yes. They were busy that day too. It took quite
12 a while to get our food and stuff.

13 Q To your recollection at that point, had anyone
14 ingested any illegal narcotics such as the ones I mentioned
15 earlier?

16 A No. I mean, other than the alcohol that they
17 drank.

18 Q No.

19 A Other than that, there wasn't nothing.

20 Q At some point you leave Applebee's. Where do
21 you guys go?

22 A Actually Rick's wife, Rick Scott's wife, called
23 me while I was at Applebee's and invited me to go to Chasco
24 and I invited Joe and Sarah to go with me so they went back
25 to their place and got ready and I went back to my place and

1 got ready. Probably somewhere around 7:30 or 8:00 o'clock,
2 we went down to Chasco -- or down to Main Street.

3 Q At Applebee's who was driving?

4 A Joe drove there. I drove home.

5 Q Were there two cars?

6 A No.

7 Q Whose car?

8 A His. I don't know if it was in his name or
9 Sarah's name.

10 Q So you drove the car back to their house?

11 A Yes.

12 Q And then you said you went to your house?

13 A Yes.

14 Q Did you use that car?

15 A No. I live four houses up.

16 Q Got you. You guys change. About how long do
17 you think from the time you get back to the house to change
18 did you meet up again?

19 A It took me all of thirty minutes. I was
20 showered and changed so I went back down there. I took my
21 brother-in-law's car at that time.

22 Q Did you go down to Main Street on your own?

23 A No. Joe and Sarah rode with me in my brother-
24 in-law's car.

25 Q What kind of car is that?

1 A I can't recall the year but it's a Cougar,
2 Mercury Cougar. It was like a '94, '95; something like
3 that.

4 Q You said that is whose car?

5 A Rick Scott. At that time I didn't have a
6 vehicle.

7 Q You go and pick up Joe and Sarah from their
8 house in the Cougar?

9 A Yes.

10 Q And then head down to Main Street?

11 A I met down there. Sarah didn't get ready -- it
12 probably took her an hour to an hour and a half to get ready.
13 I was ready quick.

14 Q So you had to wait around the house until they
15 got ready?

16 A Yes.

17 Q While you were waiting around the house, any
18 alcohol?

19 A No, there wasn't no alcohol there at the house.

20 Q At some point Sarah is ready; you guys get in
21 the Cougar?

22 A Yes.

23 Q You, Joe and Sarah, and then you head down to
24 Main Street?

25 A And Kerry, Rick's wife.

1 Q Kerry Scott?

2 A Yes.

3 Q How did she appear on the scene?

4 A I was living with her and her husband. She's
5 the one who invited us to begin with.

6 Q So she was with you when you were ready to go
7 down to Joe and Sarah's?

8 A No. Whenever Joe and Sarah was ready, I called
9 her and she came down. Like I said, this is only four houses
10 apart.

11 Q Just so I can understand, you showered in thirty
12 minutes and went down to Joe and Sarah's; waited for Sarah.
13 That was taking a while?

14 A Yes. Me and Joe is good friends. We are like
15 best friends. He is about the only friend I've got in Florida.
16 I have spent a lot of time, just me and him hanging out, doing
17 stuff on computers, whatever, lifting weights. I actually
18 spend a lot of time down there with him.

19 Q Back to this point where you're ready. You go
20 down to Joe and Sarah's?

21 A Yes.

22 Q Sarah is not ready and you and Joe are hanging
23 out. At some point Sarah gets ready?

24 A Yes.

25 Q Then how does Kerry come into it?

1 A I called and told her we was all ready.

2 Q And she comes down?

3 A She comes down and we all get in the car and
4 head that way.

5 Q You head down to Main Street to the festival.
6 Where do you park at?

7 A Whenever I go down Grand, I head toward
8 Main and I think it's like the last left before -- not the
9 one that goes in behind the Reef but the one right before
10 that, a little side street. Back off in there. It's right
11 by that Alcoholics Anonymous building down there where they
12 have them meetings. I am not sure of the name of the
13 building.

14 Q Public street parking; there is no paid parking?

15 A No, it's a public street.

16 Q You guys get out and what time is it then; 8:30
17 or 9:00?

18 A That is what I'm guessing. I don't keep up with
19 time real well. I know it was right about dark, right before
20 dark, when we got down there.

21 Q Tell me what you guys did.

22 A Of course, it's a street festival so we walked
23 around for a little while. That's when I had my first drink
24 was when we got there.

25 Q What were you drinking?

1 A I had one shot of Captain Morgan and I am
2 going to say in about two or two and a half ours later, I
3 had another shot. That's all I drank that night. It was
4 just enough that I didn't feel comfortable driving.

5 Q Were you the designated driver that evening?

6 A Yes. That's the reason we didn't drive. I am
7 actually extremely against drunk driving.

8 Q Any reason behind that? Did something happen
9 to someone you know or that is just your philosophy?

10 A I have got a lot of friends that drink. I quit
11 drinking for two and a half years to drive them around. I
12 just don't believe in taking chances like that.

13 Q Does Kerry drink?

14 A Yes.

15 Q Was she drinking that evening as well?

16 A Yes.

17 Q Tell me what you recall about Kerry, Joe and
18 Sarah -- what they were drinking if you remember.

19 A Joe was drinking beers. I am pretty sure
20 Sarah was drinking beers. Kerry drank Margaritas.

21 Q Where were you guys getting these drinks from?

22 A The Reef.

23 Q Were you guys in and out, walking around, or
24 were you inside?

25 A Inside.

1 Q Inside the Reef having drinks?
2 A Yes.
3 Q Did you have a table or were you at the bar?
4 A Had a table.
5 Q You said you had two shots of Captain Morgan?
6 A Yes.
7 Q Is that all you had the whole night?
8 A Yes.
9 Q How much do you think Joe drank?
10 A I'd hate to even try to guess. He was downing
11 them. Him and Sarah both, and Kerry; they was all pretty
12 drunk when we left. I probably could have drove, but like
13 I say, I don't like to drive drunk and if I had have got
14 pulled over, I know I probably would have gotten a ticket.
15 Q Did you only stay at the Reef at the festival?
16 A Yeah, the whole time we was there.
17 Q No other restaurants or --
18 A No. Now there is a little thing right behind
19 the Reef that we was at before we went in, but it's still,
20 I think, part of their establishment. I think they did that
21 for the festival.
22 Q Was it pretty crowded down there?
23 A Yeah, extremely.
24 Q At some point -- this is around 8:00 or 9:00
25 o'clock you get there. What time do you think you're leaving?

1 A 12:30 or 1:00.

2 Q At some point do you announce to them and say;
3 look, we're not going to drive. We are going to walk? How
4 does that come about?

5 A Jamey Ramsey, James Ramsey, showed up down
6 there. He is a friend of Rick's and all those. He picked
7 Kerry up. She went with him back home. He ain't exactly like
8 a friend to me. He's not an enemy but I don't care to know
9 nothing about him so I decided not to go.

10 I grew up in the country walking so I just
11 decided I was going to walk and Joe started to walk with me.

12 Q How did Mr. Ramsey come into the picture?

13 A He just showed up. I imagine Rick told him
14 where we was at and he probably come down there.

15 Q He shows up at the Reef?

16 A Yeah.

17 Q You guys are still in there --

18 A Yes.

19 Q Drinking and whatever and then Mr. Ramsey shows
20 up?

21 A Yes.

22 Q What happens from there?

23 A Well, I think Kerry and Sarah got in an argument
24 with a couple of other girls in the bar. Nothing major, but
25 they made us leave. Like I say, Kerry went with James and I

1 gave him the keys to the Cougar because, like I say, I wasn't
2 going to drive.

3 Q Is it Jamey?

4 A James Ramsey is his name. Jamey is what we call
5 him.

6 Q You call him Jamey?

7 A Yes.

8 Q At some point someone from the establishment
9 asked you guys to leave?

10 A Yes.

11 Q Because of the argument between the girls and
12 the other girls. Do you know what that was about?

13 A No.

14 Q Don't worry about it. How much time would you
15 say from the time Mr. Ramsey arrives to when you are asked
16 to leave?

17 A He showed up right when the fight started. When
18 I first seen him the fight was going on. I grabbed Kerry and
19 pulled her back. Joe grabbed Sarah.

20 Q Was it a physical thing?

21 A Yeah. I don't think it really come to blows.
22 It was more or less -- they were all trying to get to each
23 other and there was people in between them. It was more like
24 a shoving match so we just grabbed them and sent them the
25 other way before it turned into anything.

1 Q So you grabbed Kerry?

2 A I think a bouncer grabbed her first and I
3 grabbed her from him. Joe had Sarah. I turned around and
4 Joe already had her. We pointed them out the door. Kerry
5 had lost her glasses so Sarah and Kerry went outside while
6 me and Joe stayed to find her glasses, which we didn't.

7 By the time I got outside, Kerry was telling
8 me she was leaving with Jamey to go home. I told her -- you
9 know, I gave them the keys to the Cougar. I don't like
10 leaving it sitting there in the middle of town. I figured
11 Rick would come and get it.

12 Q Do you know how Mr. Ramsey got there?

13 A His truck.

14 Q Have you ever seen that truck?

15 A It's a Ford -- it's a 2006 truck, Ford truck.
16 I don't know --

17 Q Pick-up truck?

18 A Yes. It's a four door.

19 Q Do you know what color it is?

20 A Silver. It's got like a chain pinstriping like
21 a barbed wire pinstriping.

22 Q So you tell James to take the Cougar?

23 A No. I gave him the keys to the Cougar to take
24 it home -- the keys home so Rick could come back and get
25 the car.

1 Q So your plan was to leave the Cougar there?

2 A Yes and it did stay there.

3 Q Oh.

4 A Rick come back later on and got it -- well, it
5 turned out to be the next morning.

6 Q Mr. Ramsey took Kerry home in his truck?

7 A Yes.

8 Q Got you. What do you guys do from there?

9 A Start walking.

10 Q So it's you, Joe and Sarah?

11 A Yes.

12 Q You start walking and you were going to be
13 heading to the house?

14 A It's roughly two miles.

15 Q Why did you guys not go with Mr. Ramsey?

16 A Like I say, I don't care much for him and
17 Joe --

18 Q Why is that?

19 A Me and him has a personality difference. I
20 don't like him and he don't like me so we just avoid each
21 other; that type of deal.

22 Q I am sure something came up to bring that out.

23 A He's nosey. He sticks his nose in my business.
24 Like I say, I was raised in the mountains. I take care of
25 my business. I expect other people to stay out of it. He

1 wouldn't stay out of my business so I just avoided him.

2 Q How long have you known him?

3 A I met him when I first got down here. He's
4 more of an acquaintance than anything else. I have never
5 really liked him.

6 Q Do you know any of his friends?

7 A No.

8 Q Never hung out with him anywhere?

9 A The only friends I have was Joe and Sarah in
10 Florida. I don't have none now.

11 Q You never hung out with Mr. Ramsey before?

12 A I have went fishing with him a couple of times
13 out on a boat, but you don't really have to talk to someone
14 fishing.

15 Q Who did you go out fishing with; a private little
16 boat?

17 A Yeah. Where he was living he had a little
18 community pond in his back yard. He has a little John boat.
19 Me and T.J. and A.J. -- they are fifteen year old twins -- they
20 are Rick's sons, and Jamey. I think that's all that went. We
21 went out with him like twice.

22 Q Did something particular happen where --

23 A Between me and him?

24 Q Yes.

25 A No. I just don't trust him. I don't like him.

1 Q Why?

2 A I don't trust nosey people. It's just my
3 personality. It's a personality conflict.

4 Q You meet this guy like I met you today.

5 A Yeah.

6 Q You seem like a nice guy so if I walked out of
7 here, I'd say he's a nice guy, unless you did something to
8 kind of T me off. Did something happen?

9 A I am set in my ways. I am very stubborn. I
10 know he has stuck his nose in my business before and I have
11 had a confrontation with him. I don't remember the exact
12 situation. It was really meaningless, but it's just the fact
13 he stuck his nose in my business that wasn't his. I had a
14 verbal confrontation with him. Nothing major. We ain't
15 never been in no fights, no arguments or anything like that.

16 Q You don't remember what the business was he
17 stuck his nose in?

18 A I ain't spoke to him or had anything to do with
19 him for about six or seven months other than hello, good-bye,
20 in passing. That's about it. Don't get me wrong. I really
21 got nothing really against him other than the fact he's nosey.
22 He just can't keep his nose out of other people's business
23 so I just avoid him, like I say.

24 In other words, I avoid the confrontation; stay
25 away from the problem.

1 Q You said you haven't spoken to him in six
2 or seven months.

3 A I mean, just our paths haven't really crossed
4 that much. Like I say, me and him -- we are in the same
5 circle. We just don't associate.

6 Q Got you. So on this night he is taking Kerry
7 in the truck. He also took the keys to the Cougar and you,
8 Joe and Sarah are leaving the Reef after being asked to
9 leave and you said you were heading home which is about two
10 miles from your location roughly?

11 A Yes. That's just a good guess.

12 Q You guys are deciding to walk?

13 A That was my decision actually.

14 Q What was Joe and Sarah wearing that night?

15 A Wearing?

16 Q Yes.

17 A Sarah was wearing some kind of like a black
18 top strapless, a mini skirt, I think. I can't recall exactly.
19 Joe was wearing a grey sweatshirt and I can't remember whether
20 it was blue jeans or blue jean shorts. Some kind of jeans.

21 Q What were you wearing?

22 A Jeans, t-shirt and my leather jacket.

23 Q Up to this point now you guys are walking home?

24 A Yeah.

25 Q Did you ever see Sarah and Joe ingest any type

1 of illegal narcotics?

2 A No.

3 Q You said Joe was like a best friend to you.

4 Does he use drugs?

5 A He smoked pot, yeah.

6 Q What about Sarah?

7 A Yeah, she smokes pot too -- did.

8 Q Anything else?

9 A No, not to my knowledge.

10 Q So you have been to the house and they have been
11 like smoking sometimes?

12 A Yes.

13 Q Do you smoke?

14 A Yes.

15 Q Do you do anything else besides marijuana?

16 A No. Very seldom even drink any more.

17 Q Had you guys smoked any marijuana that evening?

18 A Probably. I can't really recall. You know what
19 I mean? It's not like an every day thing with none of us.

20 Q That's fine. Would that have been done before
21 you guys headed out?

22 A Ugh huh.

23 Q Yes?

24 A Yes -- sorry.

25 Q She can't take it down.

1 A That was the first time.

2 Q That would have been at Joe and Sarah's house
3 that you guys would have smoked some marijuana?

4 A Yes.

5 Q Now earlier I asked did you see anyone using
6 any drugs and you said no.

7 A Well, I don't -- like I say, it's not an every
8 day thing. We could or we could have not.

9 Q Let's talk about that day because that is an
10 important day.

11 A I can't remember if we did or not; exactly if
12 we did that day or not.

13 Q Okay.

14 A Even on the job I have to write stuff down to
15 remember.

16 Q I understand. How often would you say you would
17 have smoked marijuana with Joe and Sarah at their house?

18 A How often with them? Probably two or three
19 days a week maybe. I don't know. That's just a guess.

20 Q Do you ever smoke at your house?

21 A Yes.

22 Q Does Rick smoke?

23 A No. He don't drink or nothing.

24 Q Is he aware that you smoke?

25 A He is aware that I do, but I don't do it around

1 him.

2 Q Do you smoke in the house or out of the house?

3 A Outside the house. At the house but outside.

4 Q So you guys were walking home and you are on
5 what street?

6 A Grand.

7 Q Which way are you headed?

8 A Toward 54.

9 Q Are you guys -- what is going on when you guys
10 are walking home?

11 A We were just talking and walking; doing anything to
12 avoid thinking about how far we had to walk.

13 Q How were Joe and Sarah doing with each other
14 that evening?

15 A Oh, great. They had their arm around each other
16 the whole time or at least the majority of the time anyway.

17 Q On the way walking down Grand?

18 A Ugh huh.

19 Q Yes?

20 A Yes, yes.

21 Q When you are walking on Grand, where are you
22 walking; on the grass, on the sidewalk?

23 A Part of it is sidewalk. Part of it was grass
24 once the sidewalk run out which is up there just about where
25 the hospital is, where that gas station is. I believe that's

1 where the sidewalk ends. Then we was in the grass.

2 Q Did you guys ever walk out near the road at all?

3 A No. We was off the road the entire time. I
4 mean, I am sure we was within five or six feet of it, at
5 least Joe and them was. I stayed away from the road. I stayed
6 to their right.

7 Q How were you guys walking; side by side?

8 A Yeah. It was Joe, Sarah and me.

9 Q Who was closest to the road?

10 A Joe.

11 Q Who was in the middle?

12 A Sarah.

13 Q And the inside was yourself?

14 A Yes, me.

15 Q At any time were Joe and Sarah having a little
16 disagreement while you guys were walking home?

17 A Between each other?

18 Q Yes.

19 A No.

20 Q Did they appear to be arguing about what just
21 happened at the Reef?

22 A Sarah was a little hot when we first left, but
23 at that point we was actually behind the building walking
24 out until we got up around where that Alcoholics Anonymous --
25 where they have them sessions. That's when we got over to the

1 sidewalk and walked on up Grand. I mean, she was a little
2 hot for a couple of minutes but it wasn't towards Joe or me
3 or anybody.

4 Once she cooled off, like I say, we was all
5 laughing and cutting up going to the house after that.

6 Q Are you certain that at no point were you guys
7 walking in the street at all?

8 A Yes, I'm sure. There was a bunch of people
9 out there in that area up until -- what's that school,
10 whatever that is off of Grand. There was a bunch of people
11 up in there, up to that next store where the hospital is.
12 There was people up on the side there.

13 Q If someone were driving by and say they saw
14 Joe and Sarah -- that it looked like they were kind of in a
15 little argument and they were out in the street, would that
16 be incorrect?

17 A Yes. The only person that was mad was Sarah
18 and never towards me or Joe. Like I say, not even thirty
19 yards from the bar she cooled off and me and Joe changed the
20 subject.

21 Q Could they have been doing something that may
22 have looked like arguing. With someone driving by, they
23 don't know what they're talking about, but were they looking
24 like --

25 A You mean, flailing their hands? That's

1 possible, I guess. They were about lit, you know.

2 Q At this point you guys were determined to
3 walk to the house?

4 A Ugh huh.

5 Q Yes?

6 A Yes, yes.

7 Q And you hadn't called for a ride or anything
8 like that?

9 A Yeah, I did. After we got past where the
10 sidewalk ends, I called Rick. He was already on his way and
11 I turned to my left to tell Joe and Sarah as soon as I hung
12 up with Rick and that's when they got hit.

13 Q So you got on the telephone to call Rick?

14 A I already talked to him and he told me he was
15 already on his way. I hung up the phone. I turned to my
16 left to tell Joe and Sarah that we had a ride coming and
17 that is literally when he hit them.

18 Q You were determined already to walk home. What
19 made you decide then to call Rick to get you?

20 A I just called. I mean, it don't bother me to
21 walk. I have walked seven, eight miles around here.

22 Q Right, so what changed this night?

23 A I just called him. I don't know. While we
24 was walking, I decided to call him.

25 Q Where did you tell him you were?

1 A Walking up Grand.

2 Q You said you were on the telephone at the time
3 when the --

4 A Just hung up and turned to my left. I literally
5 saw the point of impact. Coincidence; I literally looked to
6 my left and that was right when the truck hit them. I mean,
7 I got the picture of Joe's body looking like a bow and arrow
8 in my head.

9 Q They were walking to your left?

10 A Yes.

11 Q Tell me what you saw.

12 A Joe basically bent like a hat, like a crescent
13 moon.

14 Q From behind?

15 A Yeah. Sarah hit more on the headlight than on
16 the -- you know, more toward the corner of the truck. She
17 basically done the same, but it looked like her body kind of
18 twisted.

19 At that point it was kind of like everything
20 was slow, you know. I couldn't believe it was actually going
21 on. The truck -- I was basically standing there watching all
22 this happen.

23 I remember seeing Joe going underneath the
24 passenger side tires, both tires, front and back on the
25 passenger side, hearing him gas the truck as he is still

1 driving over Joe. I focused more on Joe than Sarah. The
2 best I can remember about her; like I said, I seen her hit
3 and her body kind of twisted. I think she went down, but
4 what caught my eyes was her in the air on up in front of me.
5 That's what caught my eye about her and then she landed.

6 I run up there. Joe was dead automatically.
7 He was --

8 Q Before we get there.

9 A Okay.

10 Q This is happening and the truck does what?

11 A Keeps going. He gassed it after Joe was
12 underneath of him. I could hear him gas it.

13 Q About how fast do you think that truck was
14 going?

15 A When he hit him, probably fifty -- fifty or
16 fifty-five. That's a guess. I was walking.

17 Q What kind of truck was it?

18 A Chevy.

19 Q What color?

20 A It was a dark color. At the time where I was,
21 I didn't get a good look at it. I did come up to it later
22 on that evening and seen it. It was more like a maroonish,
23 burnt red color or something like that, but my first
24 impression was that it was just a dark color.

25 Q Let's go back. At the time of impact --

1 obviously, this happened very fast because as I understand,
2 it was almost like slow motion to you.

3 A Yes. That part of it is still in my mind.

4 Q Could you see the driver of that truck?

5 A No.

6 Q Did you see how many people were in that truck?

7 A No.

8 Q What do you do after that?

9 A I called Rick and told him what just happened.
10 He asked me if it was a Chevy truck because he was at the
11 red light just up the road from me and he seen a Chevy truck
12 with a whole front end bashed in.

13 He said the guy got out of the truck and hid
14 behind the traffic control box that switches the lights when
15 he heard the first responders coming.

16 Then he got back in the truck and during this --
17 or right after he done this, Rick come on down the road and
18 seen me and I told him again that it was a Chevy truck. Told
19 him to go stop him and he left me there and went and stopped
20 him.

21 Q So Rick actually made it to the scene where
22 Joe and Sarah were?

23 A Yes.

24 Q You gave him a description of the truck.

25 A I gave it to him on the phone first.

1 Q But he still kept coming to where you were?

2 A He come to me. He come to me first and I told
3 him to go get the truck. Go get the guy in the truck.

4 Q So he turns around and goes back?

5 A Him and James Ramsey. James Ramsey was driving.
6 It was James Ramsey's truck that they were in. I know what
7 happened on that side too but I think that's what you are
8 wanting to hear from Rick; not me, because I wasn't there.
9 I was just told.

10 Q So Jim Ramsey and Rick were in a truck. Who
11 is driving the truck?

12 A James was; James.

13 Q And Rick was a passenger?

14 A Yes.

15 Q At some point do you come up to the scene
16 where the truck is finally at?

17 A About four to four and a half hours later.

18 Q Where were you at the whole time; remaining
19 at the scene?

20 A Yes, the main scene pacing.

21 Q Do Rick and Mr. Ramsey ever come back to the
22 scene?

23 A No. The trooper took me to them.

24 Q About four or four and a half hours later?

25 A Yes. It was like 4:30 or 5:00 o'clock in the

1 morning.

2 Q When you get up to the scene, is this around
3 54 and Grand?

4 A Yes.

5 Q Do you ever see anyone that they said was the
6 driver of the truck when you get up there?

7 A At that point, no. They told me they had a
8 guy in the car but I wasn't close enough to that particular
9 car to see him. They made me go straight to Jamey's truck.

10 Q So you go down there and what are you doing
11 at that point?

12 A Well, I paced for four and a half hours. I was
13 exhausted actually. I was upset. I done went through every
14 emotion I think I had. Like I say, I paced for four hours
15 until I made myself sick and gave my statement and they
16 finally took me up to the other scene.

17 Like I say, they told me I had to get into
18 Jamey's truck and maybe about five or ten minutes later,
19 Jamey took me home.

20 Q Do you remember giving a description of the
21 vehicle to the trooper?

22 A Yeah. I do believe I told him it was a dark
23 color.

24 Q Did you ever talk to a lady trooper?

25 A Yes; that's who took my statement. Well,

1 actually like two different cops took my statement, but
2 the one that took the recorded statement was the female.

3 Q When did you give the recorded statement?

4 A That was the last one. That was right before
5 they took me up to --

6 Q At the scene you gave a recorded statement?

7 A Yes.

8 Q Where did you give that statement; standing
9 outside?

10 A In the trooper's car. I sat there and seen
11 her writing and she told me she was going to record it. I
12 never actually seen the taperecorder, but she told me she
13 was.

14 Q Between Sarah and Joe, who would you say drank
15 more or were they pretty much --

16 A Joe probably is a heavier drinker so I would
17 imagine he -- I really didn't keep up with what they were
18 drinking. I don't know.

19 Q But when you guys left, what were their
20 conditions when they were walking home?

21 A They were pretty drunk.

22 Q Both of them?

23 A Both of them, yes.

24 Q Are you certain about that?

25 A Well, they acted pretty drunk. I mean, Joe car

1 hold his alcohol pretty well, but I mean, I know they both
2 had more than six beers a piece. I really didn't count them
3 to tell you the truth.

4 Q Well, these are friends. You can tell when
5 they're sober or drunk.

6 A Like I say, Joe can drink a lot of alcohol. I
7 could tell he was drunk because his face was red, but he
8 wasn't stumbling around or nothing.

9 I think Sarah was a little drunker than he was,
10 but she wasn't falling around the place.

11 Q When you saw this truck, anything unusual about
12 this truck or is it a factory Ford -- or it was a Chevy. Was
13 it a factory Chevy that you get off the line or was there
14 anything --

15 A No. I don't think so. I know the windows were
16 tinted and it had a diamond-plate tool box and just from the
17 picture in my mind right now that is pretty much all I can
18 tell you about it.

19 Q How about the wheels of that truck; factory,
20 regular or specialty?

21 A I didn't see the wheels. I seen the tires
22 from the tread side. Like I say, when he hit, I was looking
23 level so it was like a split second, his truck was passing
24 me and I was focused on Joe himself, not --

25 Q You never saw the tires or the rims or --

1 A I know it was mud tread because of the prints
2 it left on Joe.

3 Q I'm not asking that.

4 A That is my guess. No, my focus was on Joe.
5 I didn't -- now, when I heard him gas it, that's when I looked
6 up at the truck. I seen the back window. I seen the tool
7 box.

8 Q As you sit here today, you never saw the tires
9 on that truck; is that correct?

10 A I seen the rubber part of the tires, not the
11 wheels.

12 Q Anything unusual about those particular tires
13 on that truck or did they look like regular Chevy tires?

14 A I didn't pay close attention.

15 Q Do you recall telling the trooper that it was
16 a four wheel drive?

17 A It looked like a four wheel drive, which they
18 make some of the two wheels look like a four wheel drive.

19 Q What made it look like a four wheel drive?

20 A The ground clearance between the wheels and
21 the fender wells, the springs underneath. You know, a truck
22 that high off the ground, nine times out of ten, is a four
23 wheel drive. Not always though.

24 Q Are you saying this truck appeared to be
25 higher than a factory model Chevy truck?

1 A Just at a guess. I didn't -- this was like --
2 you know, I really don't know. I just told them I thought
3 it was a four wheel drive.

4 Q Obviously, probably you know more than anyone
5 else, this is a very important case and you are standing right
6 there so the reason why I'm asking you these questions is
7 because the details are important.

8 A Yes, sir.

9 Q If you are familiar with trucks -- you know,
10 I've seen like the big wheels -- what do you call them --
11 the big wheels --

12 A Monster trucks?

13 Q Monster trucks.

14 A Yes.

15 Q If the trooper has it that you said it was a
16 four wheel drive and that you said it's that high off the
17 ground, was it anything different than any regular factory
18 Chevy that you would see on a Chevy lot?

19 A Yeah, I believe it was a little higher --

20 Q Okay.

21 A Than a regular. I mean, you know, like I say,
22 my focus wasn't really on the truck.

23 Q I understand.

24 A Yeah. At a glance it did look like it was
25 higher just basically from the distance between the top of the

1 tire and the fender. Just, you know, the back view is what
2 I was looking at that kind of caught --

3 Q Did you and Rick and Mr. Ramsey talk about
4 this case prior to today after this happened?

5 A Rick has told me what happened on his end up
6 there. Like I say, me and Jamey -- although I appreciated
7 everything he done that night, I still don't associate with
8 him really. Rick is my boss and my friend so, yes, me and
9 him talk.

10 Q Did you ever remember talking to any reporters
11 or anything like that that night?

12 A That night?

13 Q Yes.

14 A No, I didn't talk to a reporter that night.

15 Q What about afterwards?

16 A I believe it was the day after or one or two
17 days after, I spoke to some reporters, yes.

18 Q Do you know if they were TV or news?

19 A Both; St. Pete Times and Bay 9 News.

20 Q Where did you talk to them at?

21 A Both of them at Joe and Sarah's house. I took
22 care of the house for Joe's daddy until he got them back to
23 New York and buried and all that stuff. I stayed at the
24 house. I cleaned it up, straightened up. I looked after
25 things because he had enough to worry about.

1 Q I am going to ask you a couple of names. Tell
2 me if you know these people or have ever heard of them. Jim
3 Wallace?

4 A Wallace? No.

5 Q Kara Wallace?

6 A No.

7 Q Marvin Douzelle?

8 A No. I will say this though. I know Sarah and
9 Joe -- both their fathers were Jim. I don't know everybody's
10 last names.

11 Q Did you ever hear anything about Joe and Sarah
12 knowing any of the people that were involved in the truck
13 accident or anything like that; if they ever hung out with
14 them or had ever seen them before?

15 A No, not to my knowledge; no.

16 Q All right.

17 MR. FOOTE: I think that's about all I
18 have, sir. Thank you very much.

19 MR. HARRIS: Nothing. Thank you. Before
20 you go -- this can be off the Record.

21 (Thereupon, there was a discussion held off the
22 Record.)

23 (Thereupon, the deponent was advised of his reading
24 and signing rights and waived those rights.)

25 (Thereupon, the depositions was terminated.)

ERRATA SHEET

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STATE OF FLORIDA
COUNTY OF PASCO

I, The Undersigned Authority, Certify that
~~ROBERT BARTLETT~~, personally appeared before
me and was duly sworn.

WITNESS My Hand and Official Seal this
24th day of January, 2008.

Barbara L Preslock
BARBARA L. PRESLOCK
Registered Professional Reporter
Notary Public
State of Florida at Large

