

APPEARANCES:

FOR THE PLAINTIFFS:

LAW OFFICES OF
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FOR THE DEFENDANT
SHIRLEY CANN:

TUVERSON & HILLYARD
ATTORNEYS AT LAW
BY: BARBARA M. BRAWNER
4675 MAC ARTHUR COURT
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FOR THE DEFENDANTS
ROBERT AND LOUISE
HETTINGER:

MC CORMICK, KIDMAN & BEHRENS
ATTORNEYS AT LAW
BY: WILLIAM B. HANLEY
3100 BRISTOL STREET
SUITE 290
COSTA MESA, CALIFORNIA 92626

ALSO PRESENT:

LOUIS ZAHARIAS

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1 NEWPORT BEACH, CALIFORNIA, TUESDAY, MARCH 13, 1990

2 10:17 A.M.

3
4
5 KIMBERLY ANN BLACK,
6 PRODUCED AS A WITNESS BY AND ON BEHALF OF THE DEFENDANTS,
7 AND HAVING BEEN FIRST DULY SWORN BY THE CERTIFIED
8 SHORTHAND REPORTER, HAS EXAMINED AND TESTIFIED AS FOLLOHS:

9 THE WITNESS: I DO.

10
11 EXAMINATION

12 BY MS. BRAWNER:

13 Q MY NAME IS BARBARA BRAWNER, AND I REPRESENT
14 SHIRLEY CANN HERE TODAY IN THE ZAHARIAS CASE.

15 HAVE YOU EVER HAD YOUR DEPOSITION TAKEN
16 BEFORE?

17 A NO.

18 Q LET ME EXPLAIN SOME OF THE BACKGROUND RULES
19 FOR YOU. IF YOU HAVE ANY QUESTIONS AT ANY TIME, INTERRUPT
20 ME AND I'LL BE GLAD TO ANSWER THEM FOR YOU.

21 THE COURT REPORTER TO YOUR RIGHT IS TAKING
22 DOWN EACH AND EVERY WORD THAT IS SAID HERE. LATER SHE'LL
23 TRANSCRIBE IT INTO A TYPEWRITTEN FORM, AND IT WILL BE
24 BOUND INTO A BOOKLET, AND YOU'LL HAVE A CHANCE TO READ
25 OVER IT. AT THAT TIME YOU CAN MAKE ANY CORRECTIONS THAT

1 YOU FEEL ARE NECESSARY SO THAT THE TESTIMONY ACCURATELY
2 REFLECTS YOUR VERSION OR THE TESTIMONY GIVEN HERE TODAY.

3 I NEED TO WARN YOU, THOUGH, THAT IF YOU MAKE
4 ANY CHANGES AT A LATER TIME, ANY PERSON WORKING ON THE
5 CASE HAS A RIGHT TO COMMENT ON THAT AND IT MAY AFFECT YOUR
6 CREDIBILITY AT A LATER TIME.

7 SOMETIMES IN THE DEPOSITION WE MIGHT REQUIRE
8 YOU TO MAKE AN ESTIMATE AS TO TIME, DISTANCE, WEIGHT,
9 HEIGHT. WE DON'T WANT YOU TO GUESS AT ANYTHING. IF YOU
10 DON'T UNDERSTAND, YOU CAN JUST STATE THAT, AND I'LL TRY TO
11 REPHRASE THE QUESTION TO MAKE IT MORE UNDERSTANDABLE.

12 A OKAY.

13 Q DO YOU UNDERSTAND THE DIFFERENCE BETWEEN A
14 GUESS AND AN ESTIMATE?

-15 A YES.

16 Q IS THERE ANY REASON THAT YOU DON'T FEEL YOU
17 CAN GIVE YOUR BEST TESTIMONY HERE TODAY?

18 A NO.

19 Q ARE YOU CURRENTLY TAKING ANY MEDICATION OR
20 ANYTHING THAT MIGHT AFFECT YOUR JUDGMENT?

21 A NO.

22 Q WE CAN GO AHEAD AND GET STARTED.

23 DO YOU HAVE ANY QUESTIONS BEFORE WE START?

24 A NO.

25 MR. HANLEY: MAY I ADD A COUPLE THINGS

1 PROCEDUREWISE. ANSWER AS YOU ARE, AUDIBLY, BECAUSE IT'S
2 DIFFICULT FOR THE COURT REPORTER TO TAKE DOWN THINGS THAT
3 WE NORMALLY RESPOND TO IN CONVERSATION, LIKE SHAKES OF THE
4 HEAD.

5 A TRY TO SAY "YES," "NO."

6 Q YES. IF YOU DON'T, WE MAY PROMPT YOU TO DO
7 SO TO KEEP THE RECORD CLEAR AND CLEAN.

8 A OKAY.

9 Q SECONDLY, LET THE QUESTIONER ASK THE
10 QUESTIONS COMPLETELY BEFORE YOU GIVE YOUR ANSWER BECAUSE
11 THE END OF THE QUESTION MAY CHANGE THE WHOLE MEANING OF
12 THE QUESTION. PLUS, IT'S DIFFICULT FOR THE REPORTER TO
13 TAKE DOWN TWO PEOPLE TALKING AT THE SAME TIME. SO PLEASE
14 LET THE QUESTION BE COMPLETED BEFORE YOU GIVE YOUR ANSWER
15 AND THEN WE'LL LET YOU GIVE YOUR ANSWER BEFORE WE ASK THE
16 NEXT QUESTION. OKAY?

17 A OKAY.

18 Q ALSO, IF YOU DON'T UNDERSTAND A QUESTION,
19 PLEASE SAY "I DON'T UNDERSTAND THAT QUESTION" SO IT CAN BE
20 REPHRASED SO YOU DO UNDERSTAND IT. IF YOU DON'T DO THAT,
21 WE'LL ASSUME YOU UNDERSTOOD THE QUESTION.

22 IS THAT FAIR ENOUGH?

23 A FAIR ENOUGH. I HAVE ONE QUESTION. SAY IF
24 YOU WERE TO REFER TO SOMETHING, AS SHE SAID, SUCH AS
25 HEIGHT, WEIGHT OR SOMETHING AND YOU DON'T KNOW EXACTLY,

1 THEN JUST SAY "I DON'T KNOW"?

2 MR. HANLEY: "I DON'T KNOW" IS AN APPROPRIATE
3 ANSWER IF THAT'S THE TRUTH. NO ONE WANTS YOU TO GUESS AT
4 THINGS.

5 THE WITNESS: OKAY.

6 MR.. HANLEY: YOU MAY BE ASKED A QUESTION THAT
7 NORMALLY PEOPLE GIVE AN APPROXIMATION ON, SUCH AS LENGTHS
a OR HEIGHTS OR WEIGHTS IF THAT'S APPROPRIATE. YOU MAY NOT
9 REMEMBER A SPECIFIC DATE BUT YOU ~~Y~~BE ABLE TO PLACE IT
10 INTO A SEASON, A TIME PERIOD OF SOME SORT. WE WANT YOUR
11 BEST TESTIMONY, YOUR BEST RECOLLECTION, BUT AGAIN DON'T
12 GUESS. BUT THERE IS A DIFFERENCE BETWEEN A GUESS AND AN
13 ESTIMATE WHICH MOST PEOPLE CAN DISTINGUISH THAT AND I'M
4 SURE YOU CAN, TOO.

15 THE IMPORTANT THING AT THE VERY BEGINNING IS
16 THAT YOU'RE TOLD YOU'RE UNDER OATH. EVEN THOUGH WE ARE
17 SITTING HERE IN THE ATTORNEY'S OFFICE, THAT OATH HAS THE
18 SAME SOLEMNITY AND EFFECT AS IF YOU WERE TESTIFYING IN A
19 COURT BEFORE A JUDGE AND JURY. IT CARRIES WITH IT THE
20 SAME PENALTIES OF PERJURY AS IF YOU WERE TESTIFYING IN
21 COURT.

22 THE PENALTY OF PERJURY IS A CRIME IN THIS
23 STATE. THEREFORE, IT'S IMPORTANT THAT YOU DON'T KNOWINGLY
24 TELL SOMETHING THAT IS FALSE. WE WANT YOUR BEST
25 UNDERSTANDING, YOUR BEST TESTIMONY. THE TRUTH IS WHAT WE

1 ARE GETTING AT. OKAY?

2 THE WITNESS: OKAY.

3 MR. HANLEY: THANK YOU.

4 MR. PLATT: THE ONLY THING I WOULD ADD TO THAT IS
5 AS A FURTHER EXTENSION, THERE IS NOTHING WRONG WITH AN "I
6 DON'T RECALL" IF THAT IS THE TRUTH. YOU ARE NOT EXPECTED
7 TO RECALL, AS MR. HANLEY SAID, EVERY SPECIFIC DATE OR
8 THINGS OF THAT NATURE. SO YOUR BEST TESTIMONY MAY BE IN A
9 GIVEN FRN1E OF REFERENCE THAT YOU DON'T RECALL. THAT'S A
10 LEGITIMATE ANSWER.

11 THE OTHER THING I WANTED TO MENTION IF
12 YOU'RE ASKED A QUESTION AND YOU START YOUR ANSWER AND ONE
13 OF THE ATTORNEYS HERE STARTS TO TALK OR MAKE AN OBJECTION
14 OF SOME SORT, THEN YOU SHOULD SORT OF STOP UNTIL THAT'S
15 BEEN CLEARED UP AND SOMEONE WILL SAY "GO AHEAD AND
16 ANSWER." OKAY?

17 THE WITNESS: OKAY. WHAT IF I RECALL AN INSTANCE
18 BUT, PER SE, I CAN'T RECALL THE DATE, BUT I CAN RECALL
19 SOMETHING THAT HAPPENED AND I JUST CAN'T REMEMBER WHEN IN
20 THE SEQUENCE AS FAR AS WHAT YEAR, WHAT MONTH THAT IT
21 HAPPENED IN?

22 MR. PLATT: ALL RIGHT. ONE THING THAT -- I DON'T
23 KNOW. MAYBE IT WAS COVERED -- WE WOULD ALL LIKE TO ASK
24 YOU TO DO ONE THING AND THAT IS LISTEN TO THE QUESTION.
25 IF THE QUESTION IS "DO YOU REMEMBER THE DATE," THEN THE

1 ANSWER TO THAT IS "YES," "NO" OR WHATEVER. THE ANSWER
2 ISN'T "YES, IT HAPPENED SUCH AND SUCH AND SUCH AND SUCH,
3 AND WE SAID THIS AND WE SAID THAT." LET THE ATTORNEYS ASK
4 THE RIGHT QUESTION WHICH WILL TAKE YOU TO WHERE YOU ARE
5 GOING JUST NOW. AS FAR AS IF YOU REMEMBER THE INCIDENT,
6 MAKE THE ATTORNEYS ASK YOU ABOUT THE INCIDENT AND THEN IT
7 WILL FALL INTO PLACE.

8 THE WITNESS: OKAY.

9 MR. PLATT: IF YOU LISTEN TO THE QUESTION AND TRY
10 TO BE RESPONSIVE JUST TO THE QUESTION, IT WILL SPEED
11 THINGS UP AND IT WILL ALSO CAUSE US TO ASK ALL THE RIGHT
12 QUESTIONS TO GET WHEREVER WE ARE HEADED. OKAY?

13 THE WITNESS: OKAY.

14 BY MS. BRAUNER:

15 Q CAN YOU PLEASE STATE YOUR FULL NAME FOR THE
16 RECORD?

17 A KIMBERLY ANN BLACK.

18 Q AND CAN YOU STATE YOUR CURRENT ADDRESS?

19 A XXXXX- Privacy laws --- CALIFORNIA.

20 Q DO YOU HAVE A PHONE NUMBER THERE?

21 A AREA CODE XXXXX- Privacy laws.

22 Q CAN YOU TELL ME HOW LONG YOU RESIDED AT THAT
23 ADDRESS?

24 A SEVEN MONTHS.

25 Q CAN YOU TELL ME WHERE YOU RESIDED PRIOR TO

1 THAT?

2 A XXXXX- Privacy laws

3 CALIFORNIA. AND I DON'T RECALL THE ZIP CODE.

4 Q AND HOW LONG DID YOU RESIDE IN DANA POINT?

5 A TWO YEARS.

6 Q AND DO YOU RECALL WHERE YOU RESIDED PRIOR TO
7 LIVING IN XXXXX?

8 A I DON'T RECALL THE -- I DON'T RECALL THE
9 STREET DDRESS, BUT IT'S ON XXXXX WITH MY PARENTS,
10 XXXXXXXX.

11 MR. HANLEY: CAN YOU SPELL THAT?

12 THE WITNESS: XXXXXXXX.

13 BY MS. BRAUNER:

14 Q AND HOW LONG DID YOU RESIDE WITH YOUR PARENTS
15 ON XXXXXXXXXXXX?

16 A SIX YEARS.

17 Q CAN YOU STATE YOUR DATE OF BIRTH FOR ME?

18 A XXXXXXXXXXXX XXXXX- Privacy laws.

19 Q CAN YOU TELL ME WHAT STATE YOU WERE BORN IN?

20 A XXXXX- Privacy laws.

21 Q AND DO YOU KNOW YOUR SOCIAL SECURITY NUMBER?

22 A XXXXX- Privacy laws.

23 Q AND DO YOU CURRENTLY HAVE A CALIFORNIA
24 DRIVER'S LICENSE?

25 A YES.

1 Q DO YOU KNOW THE NUMBER OF THAT?

2 A XXXXX- Privacy laws.

3 Q ARE YOU MARRIED OR ARE YOU SINGLE?

4 A MARRIED.

5 Q AND HOW LONG HAVE YOU BEEN MARRIED?

6 A FIVE YEARS IN NOVEMBER OF THIS YEAR.

7 Q CAN YOU TELL ME WHAT YOUR HUSBAND'S NAME IS?

8 A KELLY JOE BLACK.

9 Q CAN YOU TELL ME THE HIGHEST LEVEL OF
10 EDUCATION THAT YOU COMPLETED?

11 A THIRTEENTH.

12 Q SO THAT WOULD BE ONE YEAR OF COLLEGE?

13 A ONE YEAR OF COLLEGE.

14 Q AND WHERE DID YOU ATTEND THAT ONE YEAR OF
15 COLLEGE?

16 A XXXXX- Privacy laws.

17 Q AND ARE YOU CURRENTLY EMPLOYED?

18 A NO, I AM NOT.

19 Q CAN YOU TELL ME YOUR LAST EMPLOYMENT?

20 A VIEJO HOME VIDEO.

21 Q AND WHERE IS THAT

22 A LOCATED? MISSION VIEJO.

23 Q AND HOW LONG WERE YOU EMPLOYED WITH
24 VIEJO HOME VIDEO?

25 A SIX YEARS.

1 Q CAN YOU TELL ME YOUR POSITION THERE?

2 A MANAGER.

3 Q AND DID YOU HAVE ANY IMMEDIATE SUPERVISOR
4 THERE?

5 A MY PARENTS NO, NOT ON THE PREMISES. MY
6 PARENTS WERE THE OWNERS OF THE VIDEO STORE.

7 Q CAN YOU TELL ME, ARE YOU FAMILIAR WITH
8 SOMEONE BY THE NAME OF SUSAN ZAHARIAS?

9 A YES, I AM.

10 Q CAN YOU TELL ME WHEN YOU FIRST BECAME
11 ACQUAINTED WITH SUSAN?

12 A IN 1986.

13 Q DO YOU HAPPEN TO RECALL WHEN IN 1986?

14 A NO, I DO NOT.

15 Q CAN YOU TELL ME HOW YOU MET HER?

16 A NO, I DO NOT RECALL WHEN WE FIRST MET.

17 Q CAN YOU TELL ME THE FIRST --

18 A EXCUSE ME. YES, I DO. LET ME CLARIFY THAT.
19 I MET HER THROUGH A GIRLFRIEND OF MINE, JOAN.

20 Q - AND SUSAN WAS THEN PREGNANT AT THE TIME AND I
21 HAD JUST LOST A CHILD, AND SUSAN AND I BECAME ACQUAINTED.
22 SHE LIVED RIGHT ACROSS THE STREET FROM THE APARTMENT
23 COMPLEX.

24 Q OKAY. YOU SAID YOU MET HER THROUGH A
25 GIRLFRIEND NAMED JOAN; IS THAT CORRECT?

1 A UH-HUH.

2 Q DO YOU KNOW WHAT JOAN'S LAST NAME IS?

3 A NO, I DO NOT. I HAVE LOST CONTACT WITH HER.
4 SHE HAS SINCE BEEN MARRIED SO I DO NOT KNOW WHAT HER LAST
5 NAME IS NOW..

6 Q YOU SAID AT THE TIME YOU MET SUSAN SHE WAS
7 PREGNANT?

8 A YES.

9 Q DO YOU KNOW IF THAT WAS WITH HER FIRST CHILD
10 OR SECOND CHILD?

11 A HER SECOND CHLLD.

12 Q AND YOU MENTIONED SHE LIVED ACROSS THE STREET
13 IN AN APARTMENT COMPLEX. DID SHE LIVE ACROSS THE STREET
14 FROM YOU?

15 A NO, FROM JOAN.

16 Q DID YOU MEET HER AT HER HOUSE OR AT JOAN'S
17 HOUSE?

18 A YES -- NO, AT SUSAN'S.

19 Q SO YOU WENT OVER TO SUSAN'S HOUSE?

20 A RIGHT. SHE WAS OUTSIDE WITH CHRISTOPHER AND
21 I MET HER THEN.

22 Q CAN YOU DESCRIBE FOR ME THAT MEETING WHEN YOU
23 FIRST MET HER; WAS IT BRIEF, OR DID YOU GO INTO THE
24 RESIDENCE AT THAT TIME?

25 A NO, IT WAS BRIEF. WE TALKED OF HER PREGNANCY

1 AND THAT WAS ABOUT IT AT THE MEETING; JUST HOW SHE WAS
2 DOING WITH HER PREGNANCY BECAUSE SHE WAS SO TINY.

3 Q CAN YOU TELL ME THE SECOND TIME THAT YOU MET
4 WITH HER, WITH SUSAN ZAHARIAS?

5 A NO.

6 Q CAN YOU TELL ME THE NEXT TIME THAT YOU RECALL
7 EVER BEING WITH HER AFTER THAT MEETING?

8 A I CAN RECALL SUSAN COMING DOWN TO THE VIDEO
9 STORE. I BECAME PREGNANT WITH MY FIRST CHILD AND SUSAN
10 WAS COMING DOWN TO THE VIDEO STORE.

11 Q HOW DID SUSAN --- DID SUSAN KNOW THAT YOU
12 WORKED AT THE VIDEO STORE?

13 A YES, I ALWAYS BROUGHT MOVIES OVER TO JOAN.
14 AND THEN WHEN I MET SUSAN, I LET HER BORROW SOME OF THE
15 TAPES, TO BRING TAPES TO LET HER WATCH. AND THEN SHE
16 BROUGHT THE CHILDREN DOWN TO PICK CHILDREN'S TAPES OUT
17 THAT I WOULD LET HER TAKE HOME AT NO CHARGE.

18 Q DID YOU SPEND TIME WITH SUSAN OVER AT JOAN'S
19 HOUSE?

20 A NO.

21 Q CAN YOU TELL ME WHEN THE FIRST TIME WAS THAT
22 YOU WENT OVER TO SUSAN'S RESIDENCE?

23 A I DO NOT RECALL THE LENGTH OF TIME IN BETWEEN
24 THAT I WENT OVER TO HER RESIDENCE, BUT I WAS AT HER
25 RESIDENCE AT CHRISTMAS TIME, I DO KNOW THAT.

1 Q CHRISTMAS TIME, WHAT YEAR; DO YOU RECALL?

2 A NO.

3 Q DO YOU KNOW HOW OLD SUSAN WAS WHEN YOU FIRST
4 MET HER?

5 A NO.

6 Q CAN YOU TELL ME HOW OLD YOU WERE WHEN YOU
7 FIRST MET?

8 A I'M 28. HOW OLD WAS I IN '86? FOUR YEARS.
9 24.

10 Q SO YOU DON'T RECALL AFTER HOW MUCH TIME
11 PASSED BETWEEN THE FIRST TIME THAT YOU MET SUSAN AND THE
12 FIRST TIME THAT YOU MET HER AGAIN?

13 A NO, IT WASN'T LONG. WE BECAME GOOD FRIENDS.

14 Q CAN YOU DESCRIBE TO ME HOW IT CAME ABOUT THAT
15 YOU BECAME GOOD FRIENDS?

16 A SUSAN CAME DOWN TO THE VIDEO STORE AND WE
17 TALKED ABOUT HER BEING PREGNANT. I WAS PREGNANT AT THE
18 TIME AND SHE WAS VERY TINY, AND I HAVE A PROBLEM WITH
19 GAINING AN ENORMOUS AMOUNT OF WEIGHT DURING MY PREGNANCIES
20 AND THAT HOW DID SHE STAY SO TINY AND THINGS OF THAT
21 NATURE. AND THAT'S HOW IT BEGAN AT LEAST IN THE
22 BEGINNING.

23 AND THEN AS MY PREGNANCY DEVELOPED, SUSAN'S
24 HABITS DEVELOPED IN FRONT OF ME THAT I DIDN'T SEE AT THE
25 BEGINNING. SHE STARTED TO CONFIDE IN ME, AND WE TALKED

1 ABOUT OUR HUSBANDS. WE TALKED ABOUT RITAL PROBLEMS.
2 AND AT THE TIME I THOUGHT IT WAS SOMETHING THAT SHE DID
3 ONCE IN A WHILE, HER DRUG HABIT AND THINGS OF THAT NATURE.
4 AND AFTER I HAD THE CHILD, WE BECAME CLOSE BECAUSE I HAD A
5 BABY AND SHE HAD BABIES SO IT WAS EASY, YOU KNOW, WHAT
6 MOTHERS TALK ABOUT.

7 Q OTHER THAN SUSAN VISITING YOU AT THE VIDEO
8 STORE AND I BELIEVE YOU SAID YOU BROUGHT MOVIES OVER TO
9 HER RESIDENCE, DID YOU EVER GO OUT SOCIALLY WITH SUSAN?

10 A NO, NEVER DID WE GO OUT AT NIGHT. I
11 OPENED THE VIDEO STORE UP, YOU HAVE TO UNDERSTAND, AT
12 12:00 O'CLOCK. I WAS USUALLY THERE AT 1:00, AND SUSAN WAS
13 USUALLY THERE BY 11:15. AND THEN SUSAN WOULD COME BACK AT
14 2:00, AND THEN SUSAN WOULD COME BACK AT 3:00 AND SPEND AN
15 HOUR LIKE AT EACH INTERVALS. SHE JUST WON'T COME ONE
16 VISIT AND SAY "HI." SHE WOULD COME BACK THREE OR FOUR
17 VISITS IN THE DAY.

18 Q WHEN YOU MET SUSAN WAS SHE WORKING OR
19 EMPLOYED THAT YOU KNOW?

20 A NO, SHE WASN'T. EXCUSE ME. LET ME CLARIFY
21 THAT. SHE DID TRY TO START BABY-SITTING AT ONE TIME, TRY
22 TO START TAKING CARE OF KIDS AT HER HOME TO BABY-SIT FOR
23 EXTRA INCOME.

24 Q YOU SAID THAT SUSAN WOULD COME DOWN TO THE
25 VIDEO STORE IN SEVERAL INTERVALS IN ONE DAY?

1 A UH-HUH.

2 Q CAN YOU DESCRIBE THAT FOR ME IN MORE DETAIL?
3 SHE WOULD COME DOWN AT 11:15, YOU'RE SAYING, WHEN IT FIRST
4 OPENED?

5 A RIGHT.

6 Q AND WHAT WAS THE PURPOSE OF HER VISIT; WAS IT
7 JUST SOCIALLY?

8 A BECAUSE SUSAN WOULD IN THE MORNING, GET HER
9 DRUGS SOMEWHERE, WOULD COME DOWN TO MY VIDEO STORE TO DO
10 THE DRUGS WITH HER CHILDREN AFTER SHE HAD PICKED THEM UP.

11 Q CAN YOU TELL ME THE FIRST TIME THAT SUSAN
12 BROUGHT DRUGS TO YOUR VIDEO STORE?

13 A SHE DIDN'T BRING THEM INSIDE THE STORE.

14 Q WHERE DID SHE BRING THEM TO?

15 A SHE HAD THEM IN HER CAR.

16 Q AND WHEN SHE CAME TO VISIT YOU, DID SHE BRING
17 ONE CHILD, TWO CHILDREN, NO CHILDREN?

18 A SHE BROUGHT BOTH CHILDREN WITH HER.

19 Q AND YOU MENTIONED THAT SHE PICKED UP THE
20 CHILDREN FIRST? AM I MISSTATING?

21 A NO, SHE HAD THE CHILDREN WITH HER, WOULD PICK
22 UP HER DRUGS WHEREVER SHE HAD HER DRUG CONNECTION AND THEN
23 WOULD COME DOWN TO THE VIDEO STORE. AND THE FIRST TIME
24 THAT THAT OCCURRED WAS WHEN SHE WAS PREGNANT WITH HER
25 DAUGHTER RIGHT AFTER I HAD MET HER, AND THAT IS HOW SHE

1 STAYED SO SKINNY DURING THE PREGNANCY.

2 Q DID YOU ACTUALLY TALK TO SUSAN ABOUT THAT,
3 HOW SHE STAYED SO THIN DURING PREGNANCY?

4 A YES.

5 Q AND WHAT DO YOU RECALL THAT SHE TOLD YOU?

6 A SHE WAS REALLY THIN. SHE WAS ALL BABY. AND
7 AT THE TIME I COULD NOT -- I THOUGHT THERE WAS SOMETHING
8 THAT I WAS DOING WRONG, A DIET OF SOME SORT THAT HER
9 DOCTOR HAD PUT HER ON THAT MAYBE I DIDN'T KNOW ABOUT.

10 AND WHEN SHE BROUGHT IN HER -- YOU KNOW.
11 WHEN SHE CALLED ME OUT TO THE CAR AND SHE HAD THE DRUGS, I
12 SAID, "SUSAN, YOU SHOULDN'T BE DOING THAT." "WELL, A
13 LITTLE BIT WON'T HURT ME," THAT SHE HAD HAD A TEST WITH
14 THE BABY AND SHE WAS DOING JUST FINE. AND THIS WAS AT THE
15 VERY END, THOUGH. THIS WAS RIGHT BEFORE LISA WAS BORN
16 THAT THAT HAPPENED AND IT WAS ONE OCCURRENCE. AND I
17 DIDN'T SEE HER UNTIL AFTER THE BABY WAS BORN. AND AT THAT
18 TIME I WAS THEN -- HAD BECOME PREGNANT.

19 Q NOW, YOU 'SAID THAT WAS ONLY ONE TIME. WHAT
20 DO YOU MEAN? DO YOU MEAN ONLY ONE TIME WHEN YOU SAW THE
21 CAR -- OR THAT SHE CALLED YOU OUT TO THE CAR?

22 A OH, NO. THE ONE TIME BEFORE LISA WAS BORN.
23 THERE WERE MANY TIMES AFTER LISA WAS BORN, BUT I ONLY SAW
24 IT ONCE WHILE SHE WAS PREGNANT.

25 Q HAD SHE BEEN COMING DOWN TO THE VIDEO STORE

1 PRIOR TO THAT OCCURRENCE WHEN YOU SAID SHE CALLED YOU OUT
2 TO THE CAR?

3 A TO RECEIVE MOVIES?

4 Q YES.

5 A YES.

6 Q HAD SHE COME DOWN BEFORE THAT TO MAKE SOCIAL
7 VISITS?

8 A NO. USUALLY WHEN SHE CAME DOWN, SHE GOT A
9 MOVIE OR TWO FROM THE VIDEO STORE. WE WOULD TALK AND SHE
10 WOULD STAY PROBABLY AN HOUR. BUT SHE PICKED OUT A COUPLE
11 OF MOVIES AND WENT HOME, EITHER SOME FOR CHRISTOPHER OR
12 FOR LOUIS AND HER.

13 Q SO PRIOR TO THIS OCCASION THAT SHE CALLED YOU
14 UP TO THE CAR, YOU MADE REFERENCE TO HER COMING DOWN AND
15 STAYING AND MAKING SEVERAL INTERVALS OF TRIPS BACK AND
16 FORTH?

17 A UH-HUH.

18 Q DID THAT OCCUR THE FIRST TIME SHE STARTED
19 COMING DOWN TO THE VIDEO STORE?

20 A "NO. NO, IT DID NOT. THE FIRST COUPLE TIMES
21 SHE CAME DOWN TO THE VIDEO STORE, SHE CAME IN AND SOCIALLY
22 TALKED AND PICKED OUT A COUPLE OF MOVIES AND THEN LEFT.

23 Q CAN YOU TELL ME WHAT THOSE CONVERSATIONS, IF
24 YOU CAN RECALL, WHAT THEY CONSISTED OF?

25 A WE TALKED ABOUT LOUIS AND HER AND HOW THEIR

1 RELATIONSHIP WAS GOING. AT THE TIME I WAS HAVING PROBLEMS
2 WITH MY HUSBAND, HOW OUR RELATIONSHIP WAS GOING. JUST HOW
3 HER CHILDREN WERE, WHEN WAS THE BABY COMING, THINGS OF
4 THAT NATURE.

5 Q WHEN YOU SAID SHE TALKED ABOUT HER
6 RELATIONSHIP WITH LOUIS, CAN YOU TELL ME SPECIFICALLY THE
7 TYPE OF THINGS SHE TOLD YOU OR IF YOU CAN RECALL EXACTLY
8 WHAT SHE TOLD YOU?

9 A THAT MONEY WAS TIGHT, THAT SHE HAD QUITE A
10 BIT OF BILLS, THAT LOUIS WAS WORKING HARD TO GET HIS -- TO
11 BECOME AN ATTORNEY AND THAT IT WAS REALLY HARD FOR HIM.

12 SHE WAS GOING TO GO DOWN AND TAKE THE KIDS WITH HER AND GO
13 TO HER GRANDMA'S HOUSE IN LAKE ELSINORE. THINGS LIKE WHAT
14 THEY DID AT THEIR GRANDMA'S HOUSE. THINGS OF THAT KIND.

15 AS FAR AS WHAT WE TALKED ABOUT WITH LOUIS,
16 HOW HE -- JUST THAT HE WAS WORKING HARD AND THERE WASN'T
17 ANY MONEY.

18 Q WHEN YOU SAID SHE REFERENCED THAT IT WAS
19 REALLY HARD ON HIM, CAN YOU EXPLAIN THAT IN MORE DETAIL?
20 I THINK YOU SAID THAT SHE SAID HE WAS WORKING HARD AND
21 THAT MONEY WAS TIGHT AND THAT IT WAS REALLY HARD ON HIM?

22 A YES. IT WAS HARD ON LOUIS BECAUSE HE WANTED
23 TO SUPPORT THE FAMILY SO SHE WOULD NOT HAVE TO WORK. AND
24 HE WAS WORKING LONGER HOURS. HE WAS STUDYING TO GO TO THE
25 BAR EXAM, AND SHE WAS WATCHING THE KIDS, AND THAT THERE

1 HASN'T ENOUGH MONEY IN THE HOUSE. AND AT THE TIME I JUST
2 TRIED EXPLAIN TO HER THAT IT WAS BILLS, YOU KNOW. AND
3 THAT WAS ABOUT IT. THAT WAS IN THE BEGINNING.

4 Q SO THE FIRST COUPLE OF TIMES SHE CAME TO THE
5 VIDEO STORE, AND SHE JUST RENTED MOVIES; IS THAT CORRECT?

6 A. YES.

7 Q CAN YOU GIVE ME A TIME FRAME FROM THE FIRST
8 TIME THAT YOU MET HER UNTIL THE FIRST TIME THAT SHE
9 STARTED COMING IN IN INTERVALS TO THE VIDEO STORE, IF YOU
10 CAN GIVE ME AN ESTIMATION AS TO ONE MONTH, SIX MONTHS?

11 A SIX MONTHS.

12 Q CAN YOU DESCRIBE FOR ME HOW IT CHANGED FROM
13 THE FIRST COUPLE OF TIMES THAT SHE CAME TO THE VIDEO
14 STORE?

15 A AFTER I WAS PREGNANT, SUSAN WOULD COME TO
16 OUR VIDEO STORE AND SHE WAS BECOMING MORE AND MORE
17 INVOLVED WITH COCAINE. IT WENT FROM A QUARTER OF A GRAM,
18 UP UNTIL THE LAST TIME I WAS WITH HER IT WAS UP TO A GRAM.
19 AND SUSAN'S IDEA WAS SHE COULD NOT DO IT AT HOME BECAUSE
20 SHE WASN'T SURE WHEN LOUIS WOULD BE COMING HOME. SHE
21 WASN'T SURE IF HE WAS GOING TO COME HOME EARLY ONE DAY OR
22 STAY LATE.

23 Q DID YOU ACTUALLY TALK TO HER ABOUT THE FACT
24 THAT SHE COULDN'T DO HER COCAINE AT HOME?

25 A YES.

1 Q AND WHAT DID SHE TELL YOU ABOUT THAT, IF YOU
2 RECALL?

3 A THAT LOUIS WOULD COME HOME AT ANY TIME MD SO
4 SHE DIDN'T WANT TO GET CAUGHT WITH IT ON HER, SO SHE CAME
5 DOWN DOWN THERE TO SEE ME. AND SHE WAS ABLE TO -- I HOULD
6 WATCH THE KIDS FOR HER WHILE SHE WOULD GO AHEAD AND DO
7 SOME.

8 Q WHERE WOULD SHE DO THAT AT?

9 A MOSTLY OUT IN HER CAR IN THE PARKING LOT AND
10 THEN AT THE VIDEO STORE, BEHIND THE VIDEO STORE. THERE IS
11 AN ALLEY NOT AN ALLEY. IT'S A PART OF THE BUILDING BUT
12 IT'S ALL CEMENTED IN WHERE THE TRASH CANS ARE KEPT. AND
13 SHE WOULD BE OUTSIDE THERE OR SHE WOULD BE IN HER CAR IN
14 THE FRONT.

15 Q AND DID YOU ACTUALLY DISCUSS WITH HER -- I
16 MEAN, WHY WOULD SHE HAVE TO COME DOWN THERE? SHE DIDN'T
17 WANT TO GET CAUGHT WITH IT ON HER YOU SAID. DID SHE TALK
18 TO YOU THAT IT WOULD MAKE LOUIS UPSET IF HE KNEW SHE HAD
19 COCAINE?

20 A YES. AT THE BEGINNING I WAS UNDER THE
21 UNDERSTANDING THAT LOUIS KNEW THAT SHE HAD SOME IN HER
22 POSSESSION- AND THEN IT WAS OBVIOUS WHEN SHE WAS COMING
23 DOWN TO THE VIDEO STORE SO OFTEN WITH IT, LOUIS HAD NO
24 IDEA THAT IT WAS IN HER POSSESSION OR THAT WHEN THE
25 BILLS -- WHEN SHE INQUIRED TO ME THAT SHE HAD TO HAVE HER

1 MAIL SENT TO A POST OFFICE BOX THAT LOUIS WOULD NOT KNOW
2 ABOUT SO THE BILLS WOULD NOT SHOW UP THERE.

3 AND THEN AT THE TIME IT BECAME VERY EVIDENT
4 TO ME THAT LOUIS DEFINITELY DIDN'T KNOW HOW SERIOUS IT WAS
5 BECOMING WHEN SHE BLATANTLY TOLD ME THAT LOUIS WAS GOING
6 TO TAKE HIS BRAND NEW FOUR-BY-FOUR TRUCK DOWN THAT THEY
7 HAD JUST PURCHASED, I WOULD APPROXIMATE, THREE MONTHS
8 PRIOR. HE WAS GOING TO TAKE IT DOWN AND REFINANCE IT AND
9 TRADE IT IN.

10 SUSAN HAD BEEN IN CHARGE OF FINANCES
11 COMPLETELY AND THE PAYMENTS THAT SHE HAD MADE FOR THE LOAN
12 ON THIS CAR OUT OF THE PAYMENTS, TWO OF THEM HAD BOUNCED,
13 ONE WAS VERY LATE AND SHE DID NOT INFORM LOUIS. SHE TOLD
14 ME SHE WAS NOT GOING TO TELL LOUIS BEFORE THEY ALL WENT
15 DOWN THE NEXT DAY TO TRY AND REFINANCE THIS TRUCK. SHE
16 WAS NOT GOING TO TELL HIM ABOUT HOW BAD THE PAYMENTS WERE
17 OFF WHEN LOUIS AND THE WHOLE FAMILY WENT DOWN TO REFINANCE
18 IT.

19 THE GUY SAID, "DON'T YOU KNOW THE PAYMENTS
20 YOU HAVE MAILED FOR THE TRUCK -- THEY HAVE BOUNCED, THEY
21 HAVE BEEN THIS LATE?" LOUIS DID NOT KNOW AT ALL. AND SHE
22 LET HIM GO DOWN THERE KNOWING THAT HERSELF. SO THAT IT
23 BECAME VERY EVIDENT TO ME AFTER THAT.

24 Q HOW IS IT THAT YOU KNEW THEY WERE GOING DOWN
25 TO REFINANCE THE TRUCK?

1 A SUSAN CALLED ME A WEEK BEFORE THAT THAT THEY
2 WENT DOWN TO TELL ME THE PAYMENTS HAD BOUNCED, THAT SHE
3 HAD BEEN LATE, THAT LOUIS DID NOT KNOW ABOUT IT, AND LOUIS
4 WAS GOING TO GO DOWN AND TURN THAT ONE IN TO GET A COUPLE
5 EXTRAS ON THE VEHICLE AND REFINANCE IT.

6 AND SUSAN WAS SO SCARED. SHE TRIED TO TALK
7 HIM OUT OF GOING DOWN THERE BECAUSE SHE KNEW HE WOULD BE
8 IN TROUBLE WHEN HE GOT DOWN THERE. AND THE NIGHT BEFORE
9 THEY WENT, SHE CALLED ME ON THE PHONE AND PANICKED, WANTED
10 ME TO TALK TO LOUIS AND TRY TO TALK HIM OUT OF IT. I SAID
11 THERE WAS NOTHING I COULD DO. HE WAS SET ON GOING DOWN
12 THERE. "TELL HIM WHAT HAPPENED," AND SHE REFUSED.

13 Q DID YOU EVER GO OVER TO THE ZAHARIAS'
14 RESIDENCE IN THE TIME PERIOD THAT YOU KNEW SUSAN AND
15 LOUIS?

16 A YES, I DID.

17 Q HOW MANY OCCASIONS DID YOU GO OVER THERE?

18 A I DON'T RECALL THE EXACT NUMBER.

19 Q CAN YOU GIVE ME AN ESTIMATE; WAS IT MORE
20 THAN 10?

21 A YES.

22 Q WAS IT MORE THAN 20?

23 A YES.

24 Q WAS IT MORE THAN 30?

25 A NO.

1 Q SO SOMEWHERE BETWEEN 20 AND 30 TIMES YOU
2 VISITED THE RESIDENCE?

3 A YES.

4 Q YOU SAID THAT YOU WORKED FROM -- YOU OPENED
5 THE SHOP ABOUT 11:00 O'CLOCK IN THE MORNING?

6 A WE OPENED AT NOON. I WAS THERE AT 11:00.

7 Q HOW MANY DAYS A WEEK DID YOU WORK THERE?

8 A SEVEN.

9 Q CAN YOU TELL ME AT WHAT TIME YOU WOULD
10 USUALLY GO OVER TO THE ZAHARIAS'? DID THE TIME VARY?

11 A THE TIME VARIES.

12 Q CAN YOU TELL ME THE PURPOSE OF GOING OVER TO
13 THE HOUSE? WOULD YOU GO THERE FOR DINNER OR SOCIAL
14 VISITS?

15 A SOCIAL VISITS.

16 Q WHEN YOU WENT OVER TO THE RESIDENCE WAS IT
17 JUST YOU AND SUSAN OR WAS LOUIS HOME DURING YOUR VISITS?

18 A BOTH. SUSAN WAS AT HOME SOMETIMES.
19 SOMETIMES LOUIS WAS HOME SOMETIMES. THEY WERE THERE
20 TOGETHER SOMETIMES.

21 Q CAN YOU TELL ME FROM THE TIME THAT YOU -- CAN
22 YOU TELL ME WHEN THE FIRST TIME WAS THAT YOU VISITED THEM?
23 CAN YOU ESTIMATE IT AS THE TIME PERIOD WHEN YOU FIRST MET
24 SUSAN TO THE TIME WHEN YOU FIRST WENT TO THEIR RESIDENCE
25 TO VISIT?

1 A THAT I WENT TO VISIT SUSAN, THAT I WENT TO
2 VISIT BOTH OF THEM; WHAT DO YOU MEAN?

3 Q ANY TIME THAT YOU WENT OVER TO THEIR
4 RESIDENCE?

5 A NO, BECAUSE AT THE VERY FIRST WHEN I WENT
6 OVER THERE MAYBE FOR AN HOUR IN THE AFTERNOON TO BRING A
7 MOVIE TO SUSAN WHEN SHE WAS PREGNANT. THEN MAYBE I DIDN'T
8 GO BACK OVER FOR A WEEK OR TWO AND CAME OVER IN THE
9 EVENING. IT VARIED SO MUCH THAT I DON'T RECALL WHEN
10 BETWEEN THE FIRST PERIOD THERE.

11 Q DID YOU EVER SEE SUSAN DO COCAINE AT HER
12 HOUSE?

13 A YES, I DID.

14 Q AND ABOUT HOW MANY OCCASIONS; DO YOU RECALL?

15 A. YOU MEAN AS FAR AS HOW MANY TIMES?

16 Q CORRECT.

17 A NO, I DON'T RECALL.

18 Q WAS IT MORE THAN 10 TIMES?

19 A YES.

20 Q WAS IT MORE THAN 15 TIMES?

21 A YES.

22 Q MORE THAN 20?

23 A YES.

24 Q MORE THAN 30?

25 A NO.

1 Q SO SOMEWHERE BETWEEN 20 AND 30 TIMES YOU SAW
2 SUSAN DO COCAINE AT HER RESIDENCE?

3 A UH-HUH.

4 MR. HANLEY: IS THAT "YES"?

5 THE WITNESS: YES.

6 BY MS. BRAUNER:

7 Q DID YOU EVER SEE LOUIS ZAHARIAS DO COCAINE?

8 A NO.

9 Q WAS ANYONE ELSE PRESENT WITH YOU AT HER HOUSE
10 WHEN YOU SAW HER DO COCAINE?

11 A HER CHILDREN.

12 Q ANYONE ELSE BESIDES THE CHILDREN?

13 A NO.

14 Q ON ANY OCCASIONS DID YOU SEE ANYONE ELSE DO
15 COCAINE WITH SUSAN BESIDES JUST SUSAN?

16 A I DON'T UNDERSTAND.

17 Q DID YOU SEE ANYONE ELSE, ANY OTHER PARTY
18 PARTICIPATE IN DOING COCAINE WITH SUSAN?

19 A NO.

20 Q SO IS IT SAFE TO SAY THAT YOU ALWAYS SA\V HER
21 DOING IT ALONE EVERY TIME YOU SAW SUSAN USE COCAINE?

22 A YES.

23 Q DID SUSAN EVER TALK TO YOU ABOUT -- I GUESS
24 YOU COULD CHARACTERIZE IT AS A FIGHT THAT SHE HAD HAD WITH
25 LOUIS AT ALL, ALL THE PROBLEMS THAT SHE WAS HAVING WITH

1 LOUIS?

2 A YES.

3 Q CAN YOU TELL ME WHAT SHE TOLD YOU ABOUT THE
4 PROBLEMS SHE WAS HAVING?

5 A AFTER SUSAN HAD STAYED AT MY SHOP AND DID
6 APPROXIMATELY A QUARTER GRAM OF COCAINE, SHE WOULD START
7 TALKING ABOUT THE PROBLEMS SHE HAD WITH SUSAN -- LOUIS.
8 EXCUSE ME. AND THESE PROBLEMS STARTED OUT THAT SHE TRIED
9 TO TELL ME THAT LOUIS WAS INVOLVED WITH THE MAFIA. AND
10 SHE WAS AFRAID THAT IF SHE WERE TO LEAVE HIM BECAUSE SHE
11 WAS UNHAPPY THAT HE WOULD HAVE THE MAFIA COME AFTER HER.
12 AND, OF COURSE, I LAUGHED AND EXPLAINED THAT THAT WAS
13 UNHEARD OF AND TRIED TO TELL HER THAT SHE HAD BEEN
14 WATCHING TOO MANY SHOWS. AND WE LAUGHED.

15 AND AT THE TIME I THOUGHT THAT SUSAN WAS JUST
16 EXAGGERATING SOMETHING OUT OF HER PAST. SHE HAD TOLD HE
17 ABOUT HER PAST WITH LOUIS AND HOW THEY BECAME MARRIED, AND
18 I THOUGHT IT WAS JUST IN JEST, A LITTLE EXAGGERATION OF
19 THAT STORY. THEIR FIGHTS OCCURRED OVER MONEY. LOUIS
20 ABSOLUTELY DIDN'T HANDLE ANY OF THE FINANCES. HE LEFT IT
21 ALL UP TO HER TO DO, AND THAT IS WHY WHEN THE MAIL CAME HE
22 CAUGHT A GLIMPSE OF SOMETHING. WHEN THERE WAS A PHONE
23 CALL FROM SOMEBODY IN THE EVENING, LOUIS WAS VERY UPSET
24 AND DIDN'T KNOW WHERE HIS MONEY HAD GONE. AND THAT IS WHY
25 IN THE END RESULT SHE HAD CHANGED THE HAILING ADDRESS ON

1 THE BILLS TO GO TO THIS MAILBOX PLACE.

2 Q NOW YOU SAID THAT SUSAN HAD TOLD YOU ABOUT
3 HOW THEY HAD MET; IS THAT CORRECT?

4 A YES.

5 Q CAN YOU TELL ME WHAT SHE TOLD ABOUT THAT?

6 A SHE EXPLAINED TO ME THAT LOUIS AND HER HAD
7 BEEN DATING. HER PARENTS DID NOT APPROVE OF LOUIS
8 WHATSOEVER. THEY HATED HIM. THEY FORBID HER TO SEE HIM.
9 AND HE LITERALLY -- AS I REMEMBER IT IN MY HEAD IS THAT IT
10 WAS A FAIRY TALE. HE LITERALLY KIND OF GRABBED HER. THEY
11 TOOK OFF AND GOT MARRIED WITHOUT HER PARENTS' APPROVAL.
12 HE LITERALLY HAD TO "KIDNAP" HER, WAS THE WORDING USED, IN
13 ORDER FOR THEM TO GET MARRIED. AND SHE WAS VERY HAPPY
14 ABOUT IT. SHE TALKED ABOUT IT VERY PROUD OF HOW THEY GOT
15 MARRIED. THAT'S WHEN I FIRST MET HER.

16 Q CAN YOU TELL ME -- YOU SAID THAT SHE TOLD YOU
17 THAT THE PARENTS DIDN'T APPROVE OF LOUIS WHATSOEVER?

18 A YES.

19 Q DID SHE TELL YOU WHY THE PARENTS DIDN'T
20 APPROVE OF LOUIS? DID SHE GIVE YOU ANY REASONING?

21 A NO, JUST THAT THEY DIDN'T LIKE HIM.

22 Q AND NOW YOU SAID THAT SHE EXPLAINED THAT HE
23 KIND OF KIDNAPPED HER TO GET MARRIED. DID SHE GIVE YOU
24 ANY DETAILS ABOUT THAT? OR WHAT DO YOU MEAN BY "KIDNAPPED
25 HER TO GET MARRIED"?

1 A SHE WAS FORBIDDEN TO SEE HIM. SHE WAS NOT
2 ALLOWED TO SEE HIM. AND ONE NIGHT HE WENT OVER THERE AND
3 SHE WENT WITH HIM, AND THEY WENT OFF AND THEY GOT MARRIED.

4 Q DID SHE EXPLAIN TO YOU ANY DETAILS ABOUT THE
5 FACT THAT SHE WAS FORBIDDEN TO SEE LOUIS?

6 A NO.

7 Q SHE JUST USED WORDS TO THAT EFFECT?

8 A YES -- I DON'T RECALL. NO.

9 Q YOU MENTIONED THAT SHE TOLD YOU THAT THEY
10 FOUGHT OVER MONEY. DID SHE EVER TELL YOU ABOUT ANY OTHER
11 FIGHTS THAT THEY HAD?

12 A , NO, THAT WAS THE MAJORITY OF THE FIGHTS 'THAT
13 THEY DID HAVE.

14 Q DID SUSAN EVER MENTION THAT ANY OF THESE
15 FIGHTS BECAME PHYSICAL BETWEEN THE TWO OF THEM?

16 A NO.

17 Q DID SUSAN EVER TELL YOU THAT LOUIS HAD EVER
18 HIT HER DURING ANY OF THESE FIGHTS?

19 A NO, HE DID NOT HIT HER. HE GRABBED HER TO
20 STOP HER FROM SCREAMING.

21 Q DID SUSAN TELL YOU THAT LOUIS GRABBED HER?

22 A YES, AROUND THE ARMS.

23 Q DID SHE EVER TELL YOU THAT HE GOT PHYSICAL IN
24 ANY MANNER AS FAR AS PUSHING OR SHOIVING HER, OR WAS IT
25 JUST GRABBING HER?

1 A NO, JUST GRABBING HER.

2 Q YOU MENTION THAT SUSAN SAID THAT SHE WAS
3 AFRAID THAT LOUIS WAS INVOLVED IN THE MAFIA; IS THAT
4 CORRECT?

5 A YES.

6 Q DID SHE GIVE YOU ANY BASIS WHY SHE THOUGHT
7 THAT THIS WAS THE TRUTH?

8 A NO, NOT AT ALL. SHE JUST WAS A CONFIRMED
9 BELIEVER THAT HE WAS PART OF THE MAFIA, THAT SHE COULDN'T
10 JUST DIVORCE HIM; SHE HAD TO ABSOLUTELY GO INTO HIDING AND
11 LEAVE HIM BECAUSE HE WAS CONNECTED WITH THE MAFIA AND
12 WOULD HAVE HER KILLED.

13 Q DID SHE GIVE YOU ANY DETAILS ABOUT THIS, THAT
14 ANY OF HIS FRIENDS WERE INVOLVED IN THE MAFIA OR PARENTS
15 OR ANYTHING?

16 A NO, JUST THAT HE HAD CONNECTIONS IS ALL SHE
17 SAID.

18 Q DID SUSAN TELL YOU THAT SHE WAS UNHAPPY? DID
19 SHE EVER TELL YOU THAT SHE WAS UNHAPPY IN HER MARRIAGE TO
20 LOUIS?

21 A YES.

22 Q CAN YOU TELL ME WHAT SHE TOLD YOU ABOUT HER
23 BEING UNHAPPY IN THE MARRIAGE?

24 A HER UNHAPPINESS WAS DUE TO THE EFFECT THAT
25 SHE COULDN'T FREELY DO HER DRUGS WHEN SHE WANTED TO DO

1 THEM. SHE FELT THAT THAT MONEY SHOULD BE USED FOR THE
2 DRUGS, AND THAT HER IDEA OF HAVING TO GO OUT AND HAVE HER
3 PARENTS SEND HER MONEY WAS HER ONLY WAY TO GET HER DRUGS,
4 AND THAT SEEMED UNFAIR TO HER. THAT IS WHY SHE TRIED TO
5 TAKE UP BABY-SITTING. SHE WAS UNHAPPY ALSO WITH LOUIS,
6 THAT HIS SEX DRIVE WAS GREATER THAN HER SEX DRIVE WAS.

7 Q SHE TOLD YOU THAT, THAT HIS SEX DRIVE WAS
8 HIGHER THAN HERS?

9 A YES.

10 Q DID SHE ACTUALLY EVER MENTION TO YOU THAT
11 SHE -- YOU MENTIONED THAT SHE SAID THAT SHE WAS AFRAID
12 THAT IF SHE LEFT LOUIS THAT SOMEONE COULD COME AFTER HER
13 AND GET HER AND TRY TO KILL HER. DID SHE EVER DISCUSS
14 LEAVING LOUIS WITH YOU?

15 A YES.

16 Q AND WHAT DID SHE TALK TO YOU ABOUT WHEN SHE
17 DISCUSSED LEAVING LOUIS?

18 A SHE SAID THAT IN ORDER TO LEAVE LOUIS, SHE
19 WOULD NOT BE ABLE TO DIVORCE LOUIS. SHE WOULD HAVE TO
20 LEAVE LOUIS, CHANGE HER NAME, CHANGE HER IDENTITY IN ORDER
21 FOR LOUIS NOT TO FIND HER BECAUSE HE HAD THE MAFIA
22 CONNECTIONS AND HE WOULD FIND HER. SO SHE WOULD NOT HAVE
23 ANY CONTACT WITH ANY OF HER FRIENDS THAT SHE KNEW, BECAUSE
24 IF SHE DID LOUIS COULD FIND HER, TRACK HER DOWN THROUGH
25 THIS MAFIA CONNECTION THAT HE HAD. AND I SAID, "THAT IS

1 ABSURD" TO HER. AND SHE HONESTLY BELIEVED THAT. SHE WAS
2 TRUTHFULLY SAYING THAT TO ME AND THOUGHT IN HER MIND THAT
3 THAT HAS HER ONLY WAY OUT.

4 Q UPON WHAT BASIS DID SHE DISCUSS WITH YOU THAT
5 SHE WOULD WANT TO LEAVE LOUIS? WHAT WERE THE REASONS SHE
6 WOULD WANT TO LEAVE LOUIS? DID SHE TALK TO YOU ABOUT
7 THOSE REASONS?

8 A THE ONLY REASON BASICALLY WAS THE FINANCIAL
9 AND THAT SHE WAS JUST BASICALLY UNHAPPY WITH EVERYTHING IN
10 THE LIFESTYLE THAT THEY LIVED.

11 Q DID SHE DISCUSS BEING UNHAPPY IN THE
12 LIFESTYLE THAT THEY WERE LIVING IN BESIDES THE FINANCES?

13 A SHE DID NOT LIKE THE PLACE WHERE THEY WERE
14. LIVING, THE THINGS THAT SHE WAS REQUIRED TO DO AS A
15 HOUSEWIFE, SO TO SPEAK, SUCH AS GOING TO THE GROCERY
16 STORE, TAKING THE CHILDREN TO SCHOOL. THOSE THINGS HAD
17 BECOME BORING TO HER. SHE WANTED SOMETHING NEW.

18 Q DID SHE DISCUSS THAT WITH YOU, FINDING
19 SOMETHING NEW OR DOING SOMETHING NEW?

20 A YES. SHE WANTED TO START BABY-SITTING,
21 TAKING IN HER OWN INCOME SO SHE WOULD HAVE HER OWN MONEY
22 THAT SHE COULD DO WHATEVER SHE WANTED WITH. AT THE TIME
23 SHE WAS TRYING TO FIND SOMETHING TO DO, A SKILL THAT SHE
24 COULD LEARN, THAT SHE COULD GO BACK ON IF SHE WANTED TO.

25 Q DID SHE DISCUSS EVER GOING BACK TO SCHOOL OR

1 GETTING A DIFFERENT SKILL BESIDES BEING A HOUSEWIFE WITH
2 YOU?

3 A SHE SAID SOMETHING ABOUT TRYING TO TAKE
4 CLASSES BUT NEVER FOLLOWED THROUGH WITH ANYTHING.

5 Q CAN YOU DESCRIBE FOR ME, IN YOUR OWN OPINION,
6 THE RELATIONSHIP BETWEEN SUSAN ZAHARIAS AND LOUIS ZAHARIAS
7 WHEN YOU WERE AT THEIR RESIDENCE?

8 A WHAT DO YOU MEAN BY "THEIR RELATIONSHIP"?

9 Q DID THEY SEEM FRIENDLY TO EACH OTHER? DID
10 THEY INTERACT IN WHAT YOU PERCEIVE TO BE A NORMAL MANNER?

11 A YES. IN THE BEGINNING THEY DID, YES.

12 Q AND WHAT ABOUT -- WHEN YOU SAY AT THE
13 BEGINNING, DID THAT CHANGE AFTER A PERIOD OF TIME?

14 A THE LAST SIX MONTHS BEFORE SUSAN LEFT, SUSAN
15 "BECAME VERY NERVOUS, BECAME VERY UPSET ABOUT THE MOST
16 MINOR THINGS. AT THEIR RESIDENCE IT WAS FRICTION BETWEEN
17 THEM. THEY NEVER FOUGHT EXACTLY IN FRONT OF ME. I
18 WITNESSED ONE ARGUMENT THAT THEY HAD AND I THOUGHT SUSAN
19 HAD TURNED HERSELF AROUND. SHE HAD MADE PROMISES AND THAT
20 DIDN'T FOLLOW THROUGH. SHE DIDN'T FOLLOW THROUGH ON THAT,
21 UNFORTUNATELY. AND THEIR RELATIONSHIP AT THE END WAS
22 VERY, VERY - THERE WAS VERY MUCH TENSION BETWEEN THEM.

23 Q YOU SAID THAT YOU WITNESSED ONE ARGUMENT
24 BETWEEN THEM. CAN YOU TELL ME WHAT THAT ARGUMENT WAS
25 ABOUT, IF YOU RECALL?

1 A I WENT OVER TO MR. ZAHARIAS' HOUSE, TO LOUIS'
 2 HOUSE TO SMOKKE SOME MARIJUANA, AND LOUIS BROUGHT OUT A
 3 SCALE ON THE TABLE. SUSAN WAS IN THE KITCHEN. LOUIS
 4 ASKED ME IF I WANTED SOMETHING TO DRINK. AND AS HE TOOK
 5 THE SCALE OUT, THE ENTIRE SCALE WAS COVERED WITH A FINE
 6 LINE OF COCAINE. I SAID, "AN ICED TEA." HE DIDN'T GET
 7 IT. HE HAD SUSAN GET THE ICED TEA.

8 HE LOOKED AT THE SCALE AND SAW THE COCAINE ON
 9 THE SCALE, TOOK SUSAN INTO THEIR LIVING ROOM WHICH WAS
 10 HOOKED TO THEIR KITCHEN, ASKED HER WHY THE SCALE WAS
 11 COVERED WITH COCAINE. SHE TOLD LOUIS THAT IT WAS A
 12 WEDDING THAT THEY HAD ATTENDED APPROXIMATELY THREE MONTHS
 13 PRIOR TO THT AND THEY HAD DONE SOME AT THAT TIME
 14 TOGETHER. LOUIS SAID, "NO. I KNOW THAT'S NOT TRUE."

15 HE WENT UP THE STAIRS. SUSAN CAME IN AND SAT
 16 DOWN NEXT TO ME AND SAID, "WELL, HE BOUGHT THAT ONE." AND
 17 I SAID, "WHAT DO YOU MEAN?" SHE SAID, "I JUST USED THE
 18 SCALE THIS MORNING AND I FORGOT TO WIPE IT OFF" AND JUST
 19 LAUGHED. AND THAT WAS THE ONLY FIGHT THAT I WITNESSED
 20 THAT THEY ARGUED, AND THAT WAS IT.

21 Q AND THE ARGUMENT YOU PERCEIVED AS BEING OVER
 22 THE COCAINE, THAT WAS ON THE SCALE AT THAT TIME?

23 A I HEARD THEM. THEY WERE WITHIN TWO ARMS
 24 LENGTHS FROM ME.

25 Q YOU MENTIONED THAT TOWARDS THE END AFTER -- I

1 GUESS YOU SAID A SIX-MONTH PERIOD BEFORE SUSAN LEFT, THAT
2 THERE BEGAN FRICTION BETWEEN THEM. CAN YOU DESCRIBE WHAT
3 YOU MEAN BY THAT?

4 A SUSAN AT THAT TIME WAS DOING CRYSTAL METH,
5 AND SHE WAS DOING APPROXIMATELY A HALF A GRAM A DAY AT
6 THAT TIME. AT THAT TIME SHE WAS 98 POUNDS AND WAS AS
7 THOUGH SHE HAD DRANK TEN CUPS OF BLACK COFFEE. SHE WAS
8 JUST RUNNING IN FAST, AND SHE WAS VERY UPSET THAT THE
9 BILLS -- SHE HAD GOTTEN VERY FAR BEHIND ON THE BILLS. SO
10 SHE WAS DODGING PHONE CALLS WHEN LOUIS WAS AT HOME. SHE
11 WAS TRYING TO CATCH THE PHONE BEFORE LOUIS WAS TO CATCH
12 THE BILL PEOPLE THAT WERE CALLING.

13 AND WHEN LOUIS CAME HOME THERE WOULD BE NO
14 FOOD IN THE HOUSE BECAUSE SHE DIDN'T HAVE THE MONEY TO GO
15 TO THE GROCERY STORE AND THINGS OF THAT NATURE. SO THEY
16 WOULD GET INTO AN ARGUMENT BECAUSE LOUIS IS TRYING TO
17 STI"LL GET READY FOR THE BAR EXAM TO BECOME AN ATTORNEY AND
18 HE'S PUTTING ALL HIS ATTENTION INTO THIS, AND SHE'S UPSET
19 BECAUSE THE MONEY IS STARTING TO RUN OUT. AND SHE WAS
20 UPSET THAT LOUIS WAS GOING TO FIND OUT BECAUSE LOUIS HAD
21 GIVEN HER A SECOND CHANCE ON HER DRUG PROBLEM. AND SHE
22 SAID SHE WAS VERY UPSET ABOUT THAT. AND THAT'S WHEN SHE
23 STARTED TALKING ABOUT THE MAFIA AND LEAVING AND THAT WAS
24 THE ONLY WAY OUT. AND THAT WAS EVERY DAY THAT I SAW HER,
25 THAT IS WHAT SHE TALKED ABOUT.

1 Q CAN YOU TELL ME APPROXIMATELY, BEFORE SHE
2 LEFT THE FIRST TIME, WHEN SHE TALKED ABOUT LEAVING AND
3 THE MAFIA, THE TIME FRAME?

4 A A YEAR.

5 (PAUSE IN THE PROCEEDINGS)

6 BY MS. BRAWNER:

7 Q DID SUSAN ACTUALLY HAVE CONVERSATIONS WITH
8 YOU AND TELL YOU THAT HER BILLS WERE GOING UNPAID?

9 A YES.

10 Q SHE TOLD YOU THAT.

11 AND SHE TOLD YOU THAT SHE HANDLED THE
12 FINANCES TOTALLY

13 A YES.

14 Q -- THAT SHE WAS IN CHARGE OF THE FINANCES?

15 A YES.

16 Q DO YOU KNOW WHETHER LOUIS GAVE HER HIS
17 PAYCHECK TO CASH; DID SHE TELL YOU THAT?

18 A I RECALL ONE INSTANCE THAT SHE WENT UP AND
19 GOT LOUIS' PAYCHECK IS THE ONLY OTHER TIME THAT LOUIS GAVE
20 HER THE PAYCHECK AND SHE HAD TO GET IN TO THE BANK.

21 Q AND YOU MENTIONED A MAILBOX OF SOME SORT.
22 CAN YOU DESCRIBE FOR ME WHAT YOU'RE TALKING ABOUT WHEN YOU
23 SAY THAT'S WHY SHE HAD TO GET THE MAILBOX?

24 A SHE STATED TO ME THAT SHE WENT TO A MAILBOX
25 PLACE RIGHT BY HER HOUSE, THAT SHE RENTED OUT A MAILBOX

1 AND HAD ALL HER ELECTRIC BILLS, HER WATER BILLS, ALL THE
2 BILLS THAT WERE COMING TO THE HOUSE THAT SHE HAD ALL THE
3 ADDRESSES CHANGED TO GO TO THIS MAILBOX. AND WHEN I FIRST
4 MET SUSAN SHE WAS RECEIVING MONEY THROUGH HER GRANDMA.
5 HER PARENTS WERE SENDING MONEY TO HER GRANDMA'S HOUSE FOR
6 HER.

7 AT THE END SHE WAS HAVING MONEY SENT TO HER
8 MAILBOX SO SHE WOULDN'T HAVE TO TRAVEL ALL THE WAY TO
9 LAKE ELSINORE TO GET THE MONEY.

10 Q WHEN YOU SAID THAT, DID SHE TELL YOU THAT SHE
11 WAS RECEIVING MONEY FROM HER PARENTS?

12 A YES.

13 Q DO YOU KNOW HOW MUCH MONEY SHE WAS RECEIVING
14 FROM HER PARENTS?

15 A NO.

16 Q DO YOU KNOW WHY HER PARENTS WERE SENDING HER
17 MONEY?

18 A BECAUSE SHE HAD TOLD HER PARENTS THAT LOUIS
19 WASN'T MAKING ENOUGH MONEY TO SUPPORT HER, AND SO HER
20 PARENTS WERE SENDING MONEY JUST FOR HER, NOT FOR THE
21 CHILDREN EITHER BECAUSE THE CHILDREN WERE LOUIS' CHILDREN.
22 SHE WOULD BUY PRESENTS FOR HER. SHE WOULDN'T SEND MONEY
23 FOR THE CHILDREN. SHE SENT MONEY JUST FOR SUSAN IS WHAT
24 SUSAN TOLD ME.

25 Q WHAT WAS YOUR UNDERSTANDING THAT THE MONEY

1 COULD BE USED FOR?

2 A SO SUSAN COULD GO OUT AND BUY HERSELF
3 CLOTHING. SHE HAD LED HER PARENTS TO BELIEVE THAT BECAUSE
4 LOUIS HAD NOT MADE ENOUGH MONEY, SHE HAD NO MONEY TO GO
5 OUT AND BUY NEW CLOTHES FOR HERSELF AFTER THE BABY WAS
6 BORN.

7 Q AND DID SHE TELL YOU WHY HER PARENTS WEREN'T
8 SENDING THE MONEY DIRECTLY TO THE HOUSE, TO SUSAN'S
9 RESIDENCE?

10 A BECAUSE LOUIS WASN'T SUPPOSED TO KNOW THAT
11 SHE WAS GETTING MONEY FROM HER PARENTS. THAT WAS JUST HER
12 MONEY AND LOUIS WASN'T TO KNOW. IT WASN'T TO BE USED FOR
13 LOUIS. HE WASN'T SUPPOSED TO HAVE ANY OF IT. SO THAT WAS
14 JUST HER MONEY.

15 Q DID SUSAN EVER TELL YOU THAT IF THE PARENTS
16 SENT THE MONEY TO THE HOUSE THAT SHE WOULDN'T BE ALLOWED
17 TO ACCEPT IT OR ANYTHING LIKE THAT?

18 A NO.

19 Q DID SHE TELL YOU THAT THE MONEY WAS BEING
20 SENT TO HER GRANDMOTHER'S IN LAKE ELSINORE?

21 A YES, THAT IS WHY SHE HAD TO TRAVEL TO THE
22 MOUNTAIN ALL THE TIME.

23 Q HAVE YOU EVER MET SUSAN'S GRANDPARENTS?

24 A NO, I HAVEN'T.

25 Q DO YOU RECALL SUSAN TALKING ABOUT GOING TO

1 HER GRANDPARENTS' HOUSE IN LAKE ELSINORE?

2 A YES.

3 Q DID SHE TELL YOU THE PURPOSE THAT SHE WENT
4 THERE FOR?

5 A SHE TOOK THE CHILDREN OUT THERE TO SEE HER
6 GRANDPARENTS, HER GRANDMOTHER.

7 Q DID SHE EVER TELL YOU THAT THE REASON SHE WAS
8 GOING THERE WAS TO PICK UP MONEY?

9 A YES.

10 Q DO YOU KNOW IF SHE WENT THERE ON ANY
11 OCCASIONS AND DIDN'T BRING THE CHILDREN WITH HER?

12 A YES.

13 Q SHE DID GO THERE?

14 A YES.

15 Q AND DID SHE MENTION THAT ON OTHER OCCASIONS
16 SHE WENT TO THE GRANDPARENTS WITH THE CHILDREN TO HAVE
17 THEM VISIT THE GRANDPARENTS?

18 A YES.

19 Q DO YOU KNOW HOW OFTEN THE PARENTS SENT HER
20 MONEY?

21 A NO.

22 Q DO YOU RECALL HOW OFTEN SHE SAID THAT SHE
23 WENT TO THE GRANDPARENTS'?

24 A NO.

25 Q CAN YOU GIVE ME AN ESTIMATE? DID SHE GO ONCE

1 A WEEK OR ONCE A MONTH?

2 MR. PLATT: WAS THAT ANY PARTICULAR PERIOD OF TIME,
3 COUNSELOR?

4 BY MS. BRAWNER:

5 Q FROM THE TIME THAT YOU FIRST MET SUSAN UNTIL
6 THE TIME THAT SHE DISAPPEARED.

7 A I CAN'T GIVE AN ACCURATE ANSWER ON THAT.

8 Q YOU MENTIONED THAT SUSAN HAD CONVINCED HER
9 PARENTS THAT LOUIS WASN'T MAKING ENOUGH MONEY AND SHE
10 COULDN'T BUY CLOTHES AFTER THE BABY WAS BORN; IS THAT
11 CORRECT?

12 A YES.

13 Q DID SHE TELL YOU THAT?

14 A YES.

15 Q AND WHAT DID SHE TELL YOU THAT SHE TOLD HER
16 PARENTS?

17 A JUST THAT LOUIS WASN'T MAKING ENOUGH MONEY
18 AND THAT THEY WERE JUST BARELY MAKING IT BY AND SHE HAD NO
19 MONEY FOR HERSELF TO BUY CLOTHES OR THINGS THAT SHE
20 WANTED, AND THAT SINCE THEY DIDN'T LIKE LOUIS ALREADY IT
21 WAS EASY FOR THEM TO SEND HER MONEY.

22 Q DID SUSAN EVER TELL YOU THAT THAT MAILBOX
23 THAT SHE GOT -- THAT SHE GOT THAT MAILBOX SO HER PARENTS
24 COULD SEND HER PRESENTS AND MONEY SO LOUIS WOULDN'T KNOW;
25 DID SHE EVER TELL YOU THAT THAT WAS SPECIFICALLY FOR THAT

1 PURPOSE?

2 A NO, NOT JUST SPECIFICALLY FOR THAT PURPOSE.

3 Q DID SHE TELL YOU THAT IT WAS SO THAT SHE
4 COULD HAVE BILLS SENT THERE THAT SHE HAD NOT PAID?

5 A YES, THAT WAS PART -- YES.

6 Q I BELIEVE THAT YOU MENTIONED THAT LOUIS HAD
7 GIVEN SUSAN A SECOND CHANCE

8 A YES.

9 Q -- WITH THE FINANCES. CAN YOU DESCRIBE FOR
10 ME WHAT YOU MEAN BY THAT?

11 A AFTER THE INCIDENT WITH THE VEHICLE WHERE
12 LOUIS WAS DENIED ON THE VEHICLE, LOUIS AND SUSAN -- I WAS
13 NOT PRESENT AT THE TIME, BUT THIS IS WHAT SUSAN RELATED TO
14 ME -- THAT LOUIS HAD SAT DOWN WITH HER. THEY HAD
15 DISCUSSED HER DRUG PROBLEM, HOW EXTENSIVE IT WAS, THAT ALL
16 THE MONEY WAS DEFINITELY GONE.

17 LOUIS HAD A BLACK CAR THAT WAS VERY SPECIAL
18 TO HIM THAT HE WAS SAVING FOR HIS SON. HE WAS GOING TO
19 TAKE A LOAN OUT ON THIS VEHICLE IN ORDER TO PAY OFF ALL
20 THE DEBTS, GET EVERYTHING BACK IN ORDER. AS LONG AS SUSAN
21 PROMISED NOT TO GET BACK INTO COCAINE AND CLEAN HER ACT
22 UP, HE WOULD HELP HER IN ANY WAY. AND THAT'S AS FAR AS I
23 KNOW.

24 AND SUSAN AT THE TIME -- SHE WAS DOING IT.
25 SHE WANTED TO QUIT FOR THE FIRST TWO WEEKS. IT WAS THE

1 SUSAN THAT I HAD MET AT THE BEGINNING. SHE WASN'T -- SHE
2 WAS VERY NICE, VERY CARING ABOUT HER KIDS. EVERYTHING WAS
3 GREAT AT HOME WITH LOUIS. THEIR LIFESTYLE WAS IMPROVED.
4 HE WAS GIVING HER A SECOND CHANCE. EVERYTHING WAS OUT IN
5 THE OPEN FOR HER.

6 Q AND DID SHE CONTINUE TO STAY LIKE THAT, LIKE
7 YOU SAID LIKE SHE WAS IN THE BEGINNING WHEN YOU MET HER?

8 A NO. THAT LASTED TWO WEEKS, AND THEN SUSAN
9 WANTED TO JUST DO A LITTLE BIT. AND WHEN SHE CAME DOWN TO
10 THE VIDEO STORE, I REMEMBER TELLING HER, "YOU DON'T NEED
11 IT. EVERYTHING IS GOING GREAT." SHE SAID, "'YOU'RE RIGHT.
12 I DON'T NEED IT." SHE WAS GOING TO GO HOME AND NOT DO IT.
13 SHE WAS GOING TO GO HOME WITH THE KIDS. AND I DIDN'T HEAR
14 FROM HER THE REST OF THE DAY. AND THE NEXT DAY SHE WAS
15 BACK STARTING.

16 Q THE NEXT DAY DID YOU SEE HER WITH DRUGS AFTER
17 THAT?

18 A I CALLED HER THE NEXT DAY AND ASKED HER, AND
19 SHE WAS LOOKING FOR SOME. AND THAT WAS WHEN IT ALL
20 STARTED UP AGAIN. AND THEN I DIDN'T SEE HER FOR A COU LE
21 OF WEEKS AFTER THAT.

22 Q DID YOU TALK TO HER IN THAT COUPLE-WEEK
23 PERIOD THERE?

24 A NO.

25 Q HOW DID YOU COME IN CONTACT WITH HER AGAIN

1 AFTER THAT COUPLE-WEEK PERIOD, THAT TWO-WEEK PERIOD?

2 A SHE CAME DOWN TO MY VIDEO STORE AND THAT'S
3 WHEN SHE DECIDED THAT SHE WAS GOING TO TAKE UP
4 BABY-SITTING FOR A NEIGHBOR THAT LIVED IN THIS APARTMENT
5 COMPLEX WHERE THEY RESIDED.

6 Q WHEN YOU SPOKE TO HER WAS THAT IN PERSON OR
7 WAS THAT ON THE TELEPHONE?

8 A SHE CAME DOWN TO THE VIDEO STORE IN PERSON.

9 Q AND WAS SHE DOING DRUGS AT THAT TIME?

10 A NO.

11 Q DID SHE SAY THAT SHE WAS GOING TO TRY TO GIVE
12 IT UP AGAIN, OR WHAT DID SHE TELL YOU ABOUT THAT?

13 A SHE WAS GOING TO TRY THIS BABY-SITTING, GET
14 HER OWN HONEY AT THAT TIME. AND THE FOLLOWING -- I DID
15 NOT SEE HER THE FOLLOWING WEEK. SHE HAD THIS CHILD WITH
16 HER AND SHE CAME INTO THE VIDEO STORE WITH THE CHILDREN IN
17 THE VEHICLE, THE NEIGHBOR'S CHILDREN ALONG WITH HERS.

18 Q AND AT THAT TIME WHEN SHE CAME IN WITH THE
19 NEIGHBOR'S CHILDREN IN THE VEHICLE, WAS SHE BABY-SITTING
20 THE NEIGHBOR'S CHILDREN? DID YOU UNDERSTAND THAT?

21 A YES.

22 Q DID SHE DO ANY DRUGS WHEN SHE WAS THERE WITH
23 THE NEIGHBOR'S CHILDREN?

24 A YES. SHE ASKED ME TO COME OUT TO HER
25 VEHICLE. I CAME OUT TO THE FRONT OF THE VEHICLE AND SAT