

1 THE COURT: May Mr. Thompson be excused so he can  
2 remain in the courtroom?

3 MR. DAVIS: Yes, sir.

4 THE COURT: Mr. Thompson, you're excused as a  
5 witness. You can remain in the courtroom if you like or  
6 obviously you're free to go if you like. I'll admonish you  
7 at this time not to discuss your testimony with any other  
8 witnesses.

9 Next witness?

10 MR. DAVIS: The defense calls Antonio Johnson.

11 THE COURT: Antonio Johnson.

12  
13 ANTONIO JOHNSON,

14 upon being duly sworn, testified:

15 DIRECT EXAMINATION

16 BY MR. DAVIS:

17 Q. Mr. Johnson, could you state your name for the  
18 record?

19 A. Antonio Marcus Johnson.

20 Q. And where do you live?

21 A. 706 Hahn Street, Sikeston, Missouri.

22 Q. And, I see that you're in jail right now. Does  
23 that have anything to do with this case?

24 A. No, sir.

25 Q. Have you been convicted of anything?

1 A. No, sir.

2 Q. Now, do you remember August 5th of 2000?

3 A. Yes, I do.

4 Q. And what, if anything were you doing that night?

5 A. I was riding around, and I was, I was going to get  
6 gas from, up at, let me see, I don't know what's the gas  
7 station name, but it was right there on Malone, Joe's, Joe's  
8 gas, I went and got gas from up there and I come back down  
9 Malone and I see a Suburban, and I think two-tone Suburban,  
10 probably black and gray, it was coming down Branum. I was  
11 coming back up Malone, about to make a right on Westgate, and  
12 I was about, when I was coming this way, the Suburban was  
13 coming off Branum Street by the stop sign and it didn't stop  
14 at the stop sign, it came on out and made a swerve into  
15 Malone Street, so I just kept over, went on to the right,  
16 down Westgate, and as I was going down, I looked like in my  
17 review, and I see a black and gray Suburban dip off into the  
18 trailer and run the fence over, and hits the, hit right there  
19 where the fire truck be at, not the Trade Winds building, but  
20 the other shed building where the fire truck be at.

21 Q. Did that car almost hit you?

22 A. Yes, sir.

23 Q. You were coming the other way?

24 A. Yes, sir.

25 Q. What were you driving?

1 A. I was driving a gray, and I don't know what year it  
2 was, by it was a Perisienne.

3 Q. So you saw that car come off of Branum?

4 A. Yes, sir.

5 Q. And, had it been, did you see it come, are you  
6 familiar with the old Helm's lot?

7 A. Yes, sir.

8 Q. Had you seen that car at the old Helm's lot?

9 A. Are you talking about the Suburban?

10 Q. Right.

11 A. No, sir.

12 Q. Where was it coming from?

13 A. It was coming down Branum Street.

14 Q. Like from Ruth Street?

15 A. Yeah, probably off of Ruth Street, anywhere, from  
16 this up this way.

17 Q. So it didn't come from the old Helm's lot?

18 A. No, sir.

19 Q. Okay, I'm go gonna show you what's been previously  
20 admitted in State's Exhibit 1, and can I ask the witness to  
21 come down?

22 THE COURT: Mr. Johnson, you may step down.

23 Q. Now, Mr. Johnson, have you seen that Suburban  
24 earlier that night?

25 A. Yes, sir.

1 Q. Where had you seen it?

2 A. I see it over here at the southwest end of Ruth  
3 Street car wash.

4 Q. Okay, could you stand off to the side so the jury  
5 can see you and then point where you saw it?

6 A. Well, whatever might be on the Southwest Street and  
7 the car wash.

8 Q. Okay, there's a car wash right there?

9 A. Yes, sir.

10 Q. And what was that car doing at the car wash?

11 A. I just, I just seen it sitting by the pay phone,  
12 but wasn't nobody using the pay phone.

13 Q. Okay, she was sitting by the pay phone at Southwest  
14 and Ruth Street?

15 A. Yes, in the truck, but I didn't see in the vehicle.  
16 I seen the truck sitting right there.

17 Q. And after you saw her sitting by the pay phone at  
18 Southwest and Ruth, is that when you got gas?

19 A. I was in the block and then I seen and then I went  
20 up town to get gas after I seen her sitting there, and by the  
21 time I come back from getting gas is when this truck or  
22 whatever comes off Branum Street and almost hits me.

23 Q. Okay, so, when it hits you, can you point on the  
24 map which direction you were going?

25 A. What street is this?

1 Q. That's Malone.

2 A. I was coming up Malone.

3 Q. Okay. And where was, where was her car coming  
4 from?

5 A. She was coming from down this way.

6 Q. She was coming up Branum?

7 A. Yes, sir.

8 Q. And, did she round the corner here at Branum and  
9 Malone?

10 A. Yes, sir.

11 Q. And when she rounded the corner, what direction did  
12 her car go?

13 A. Her car came to the right, my car went to the  
14 right.

15 Q. Okay, don't mark on it, but go ahead and point to  
16 it with the pen.

17 A. Here I come and here she comes, she darted off like  
18 this, and I darted off like this, but I didn't go off on the  
19 side, just went over, almost going off to the side, I come on  
20 down and come this way.

21 Q. Okay. And, well go ahead and point to, did you see  
22 what happened with her car?

23 A. Yeah, when she come off right her and almost hit me  
24 and I come off to the side, she comes like this, woof.

25 Q. And how were you able to see that?

1 A. I looked, well, I looked through the rearview to  
2 see, I was really thinking like, man, she must be drunk.

3 Q. Okay.

4 A. But then I looked south into the back, looked over  
5 my shoulder and then I see my car going off of the road.

6 Q. Can you point to where the old Helm's lot is?

7 A. Okay.

8 Q. And, there's I pay phone at the old Helm's lot?

9 A. Yes.

10 Q. Did you see that car at the pay phone?

11 A. Not that time that I seen that Suburban running  
12 like that.

13 Q. You did see that car right here?

14 A. Over here at the sceen at the pay phone, over by  
15 Southwest.

16 Q. Okay, and you're positive that she was coming down  
17 Branum?

18 A. Very positive, because she almost hit me.

19 MR. DAVIS: Okay, I don't have any further  
20 questions.

21 THE COURT: Ms. Bock?

22

23 CROSS EXAMINATION

24 BY MS. BOCK:

25 Q. You're here under the State's subpoena too, you

1 were served by the state of Missouri?

2 A. Yes, ma'am.

3 Q. Okay. And, are you also known as Bruno?

4 A. Yes, ma'am.

5 Q. Okay, that's I nickname that you have?

6 A. Yes, ma'am.

7 Q. And, Detective Michael Williams interviewed you on  
8 August 8th, of 2000; is that correct?

9 A. Yes, ma'am.

10 Q. And, he asked you to tell him what you saw the  
11 night of this murder?

12 A. Yes, ma'am.

13 Q. And you told him you saw this Suburban coming off  
14 of Branum; is that correct?

15 A. Yes, ma'am.

16 Q. You did not tell him that you saw this Suburban  
17 over at the corner of Southwest and Ruth; did you?

18 A. I told him that I seen the Suburban over at the car  
19 wash on South Ruth that night before I got gas.

20 Q. You're telling me today that you reported this to  
21 the detective on August 6th?

22 A. Yes, ma'am.

23 Q. Okay. After you saw the Suburban come off Branum,  
24 you went to Luther and Osage?

25 A. Well, I made I right down whatever street I, I

1 think it's Westgate, going across the tracks, then I made I  
2 left and then went, you know, I'm just not up on the streets,  
3 right yet, but I made a left and went through the corner,  
4 here, and I probably.

5 Q. The corner, what do you mean by the corner?

6 A. I don't know, that's where, that's where everybody  
7 was hanging out at up there.

8 Q. The corner?

9 A. Yes.

10 Q. And you saw Corey Turner at the corner?

11 A. I didn't see no Corey Turner.

12 Q. You know who Corey Turner is?

13 A. Yes, ma'am.

14 Q. You saw Corey Turner at the corner and you told him  
15 that I drunk had just run into the Trade Winds?

16 A. I don't remember that.

17 Q. Okay. You don't remember where you went to get gas  
18 either, do you?

19 A. Yeah.

20 Q. Pardon me?

21 A. Yes, ma'am.

22 Q. You do or don't?

23 A. Yes, ma'am.

24 Q. Where did you go to get gas?

25 A. On Malone Street, at Joe's Gas Station.



- 1 Q. On, just on Malone Street?
- 2 A. Yes, ma'am.
- 3 Q. Okay. On East Malone, east of here?
- 4 A. Where were you pointing to?
- 5 Q. Okay, this is Malone; you were on your way to get
- 6 gas?
- 7 A. Yes, ma'am.
- 8 Q. And you went where on Malone to get gas?
- 9 A. Up by where you just pointed.
- 10 Q. Up here?
- 11 A. Yes.
- 12 Q. Do you remember the name of the gas station?
- 13 A. Joe's.
- 14 Q. Pardon me?
- 15 A. Joe's.
- 16 Q. And you left here from Malone to go get gas, left
- 17 here to go get gas from where?
- 18 A. Could you repeat that?
- 19 Q. Okay, where were you living?
- 20 A. At this time?
- 21 Q. No, then?
- 22 A. At that time I lived at 630 Lannie Street.
- 23 Q. And that's over here?
- 24 A. No.
- 25 Q. Where as?

1 A. Lannie was back over.

2 Q. On Lannis Street?

3 A. Lannie.

4 Q. On Lannie Street. And you standing?

5 A. I was hitting blocks that night.

6 Q. Means you were smoking marijuana?

7 A. No, ma'am.

8 Q. What does that mean, hitting blocks?

9 A. Just riding around the neighborhood.

10 Q. Riding around the neighborhood, and just noticed  
11 this Suburban?

12 A. Yes.

13 Q. And you do smoke marijuana?

14 A. Yes, ma'am.

15 Q. And, in fact, at this time you had I marijuana  
16 habit, didn't you?

17 A. Yes, ma'am.

18 Q. And you were smoking, do you call it blunts?

19 A. Well, I ain't never said at this time I was smoking  
20 no blunt, but I smoke blunts.

21 Q. Okay, during this period of time you were smoking 4  
22 to five blunts I day, weren't you?

23 A. Probably was.

24 Q. Okay. And, when you said that you haven't been  
25 convicted of a crime, that's not true, is it?

1 A. You mean as far as me going in front of I judge and  
2 been sentenced or convicted? No, ma'am.

3 Q. Well, you pled guilty to I felony, didn't you?

4 A. Yeah, but I haven't went to court on that, you know  
5 what I'm saying?

6 Q. You haven't been sentenced yet, have you?

7 A. Well, I, see, I ain't been, I been, I pled guilty,  
8 and, in Mann's court, before I was getting bound over here  
9 and taken it through, I ain't nothing.

10 MR. DAVIS: I'm gonna object to this line of  
11 questioning as this is not I conviction.

12 MS. BOCK: Your Honor, I plea of guilty is I  
13 conviction.

14 THE COURT: Sustained. It's not I conviction until  
15 he's sentenced.

16 Q. Now, when you saw this crash, you didn't call 911,  
17 did you?

18 A. No, ma'am.

19 Q. You didn't call the, police?

20 A. No, ma'am.

21 Q. You thought somebody needs to call the police, I  
22 ain't calling nobody?

23 A. I didn't, I didn't say that to nobody, because I  
24 was by myself at this time.

25 Q. You thought to yourself that somebody needed to

1 call the police?

2 MR. DAVIS: Objection, that is all leading.

3 MS. BOCK: It's cross examination.

4 THE COURT: Overruled.

5 Q. You thought to yourself that somebody needed to  
6 call the police?

7 A. Yeah.

8 Q. But you didn't call nobody?

9 A. No.

10 Q. And you don't know what time you saw this Suburban  
11 parked over there?

12 A. No, I know it, it had to be between, like ten and  
13 11.

14 Q. Well, in fact, you've been asked this question  
15 under oath before and you said you couldn't say it was 8 or  
16 whatever; isn't that true, Mr. Johnson?

17 A. I just can't remember that.

18 Q. Last March the Assistant Prosecutor, Steve Juergens  
19 took your deposition, do you remember that?

20 A. Yes, ma'am.

21 Q. And, Mr. Davis was there, do you remember that?

22 A. Yes, ma'am.

23 Q. And Mr. Juergens was there, remember that?

24 A. Excuse me?

25 Q. The Prosecutor, the Assistant Prosecutor?

1 A. Yes.

2 Q. And you were asked what time do you remember, this  
3 is page 51, you know, like I say, your answer was, you know,  
4 like I say, between the hours of ten and 12 every evening,  
5 and it had to be probably about ten something, I can't gets  
6 no exact time, I don't know, no exact time. And that was  
7 your answer to that question; is at that correct?

8 A. Yes, ma'am.

9 Q. And on page 56 the question was, and that was  
10 before you went to get gas, your answer was, yeah, riding  
11 around, I seen her, this is Ruth, but I can't say it was 8  
12 o'clock or whatever. Was that your answer then under oath?

13 A. Yes.

14 Q. Mr. Johnson, are you currently in the Scott County  
15 jail?

16 A. I'm in Mississippi County jail.

17 Q. Okay, but back last year, in September, you were in  
18 the Scott County jail; is that correct?

19 A. Yes, sir.

20 Q. And were you in the same cell area or the same cell  
21 pod with David Robinson, weren't you?

22 A. We was in the same pod but not the same cell.

23 MS. BOCK: That's all my questions.

24 THE COURT: Any Redirect?

25

REDIRECT EXAMINATION

1  
2 BY MR. DAVIS:

3 Q. Just, when you saw this Suburban come off of  
4 Branum, that was back in August of 2000, right?

5 A. Yes.

6 Q. I year ago?

7 A. Yes.

8 Q. And when you gave that deposition, it was in March  
9 of 2001, right?

10 A. Yes.

11 Q. Okay, so that's seven months later?

12 A. Yes.

13 Q. Okay. You're positive you saw that car come off of  
14 Branum?

15 MS. BOCK: Objection, bolstering.

16 THE COURT: And, and it's already been asked and  
17 answered.

18 Anything further, Mr. Davis?

19 MR. DAVIS: No, sir.

20 THE COURT: You may step down.

21 MS. BOCK: He can be released.

22 THE COURT: All right. Next witness?

23 MR. DAVIS: Call Lillian Collins.

24 THE COURT: Lillian Collins.  
25