

1 following was had:)

2 MS. BOCK: This is all my questions.

3 THE COURT: Next witness, Ms. Bock?

4 MS. BOCK: Yes, Your Honor, Mr. Hugh Collins.

5 THE COURT: Hugh Collins.

6

'7 HUGH COLLINS,

8 upon being duly sworn, testified:

9 DIRECT EXAMINATION

10 BY MS. BOCK:

11 Q. Would you state your name for the Court and jury,
12 please?

13 A. Hugh W. Collins.

14 Q. And can I ask you to turn around so you're facing
15 the jury.

16 Mr. Collins, where do you live?

17 A. 817 Davis Boulevard, Sikeston.

18 Q. And, are you employed?

19 A. Yes, ma'am.

20 Q. Where do you work?

21 A. Noranda.

22 Q. Aluminum company?

23 A. U-huh (yes).

24 Q. You also own some stores in Sikeston, Missouri?

25 A. Yes, ma'am.

1 Q. Okay, and, what stores do you own?

2 A. Uh, Collins' Mini-Mart and The Corner Store.

3 Q. All right, and can I ask you to please come down
4 here, if you would, and, do you recognize this State's
5 Exhibit 1 as an area in Sikeston that you're familiar with?

6 A. West side of Sikeston too.

7 Q. Yes, sir. Do you see on here where the stores are
8 that you own?

9 A. One right here.

10 Q. Yes, sir.

11 A. One right here.

12 Q. Okay.

13 A. 100 block of Luther.

14 Q. 100 block of Luther?

15 A. Yeah.

16 Q. Is it near the corner of anything?

17 A. Right on the corner, the corner of, Luther and
18 Osage.

19 Q. Okay, Luther and Osage. Do you see Luther on this
20 map?

21 A. It's right there.

22 Q. And Osage is here?

23 A. Right.

24 Q. Is that also known as The Corner?

25 A. That's known as the corner.

1 Q. Okay, thank you, sir.

2 A. Okay.

3 Q. I'm gonna draw your attention back to August 5th of
4 2000. At that time did you know David Robinson?

5 A. Yes, ma'am.

6 Q. Do you see him in the courtroom today?

7 A. Yes, ma'am.

8 Q. Okay.

9 A. I see him.

10 Q. Okay. And what is he wearing?

11 A. Wearing I white shirt, and it looked like, khaki
12 jeans or something.

13 MS. BOCK: Okay, would the record please reflect
14 the defendant identification.

15 THE COURT: The record will so reflect.

16 Q. Mr. Collins, also is Mr. Robinson I friend or
17 acquaintance of yourself?

18 A. Neither.

19 Q. Do you know him as I customer in your store?

20 A. Yes, ma'am.

21 Q. Okay, I'm gonna draw your attention back to August
22 5th, of 2000, were you working that evening?

23 A. Yes, ma'am.

24 Q. And where were you working?

25 A. The corner store.

1 Q. Is that the corner of Luther and Osage?

2 A. Yes, ma'am.

3 Q. And, on the evening of August 5th, did you see Mr.
4 Robinson in your store?

5 A. Yes, ma'am.

6 Q. Approximately when was the first time that you saw
7 him?

8 A. Um, around nine o'clock, p.m.

9 Q. And, and, when approximately was the last time that
10 you saw him?

11 A. Shortly after ten, sometime in there, give or take
12 ten minutes.

13 Q. Okay, do you remember testifying in I deposition
14 last March?

15 A. Yes, ma'am.

16 Q. Okay, and, at that time you were asked about Mr.
17 Robinson coming into your store?

18 A. Yes, ma'am.

19 Q. And, do you remember testifying at that time under
20 oath that the last time that you saw, the last time you saw
21 him come in to your store was about I quarter till 11 p.m.?

22 A. It was possibly, somewhere between, after ten,
23 between ten and, I don't know exactly what time, but it was
24 before 11.

25 Q. And, between, I believe in your deposition, you

1 also testified, you thought he was around, also, 9 p.m. when
2 he first came into your store?

3 A. Somewhere in that time zone.

4 Q. In between 9 and, say I quarter till 11, is what
5 your testimony was then, he came into your store, at least
6 five times or more?

7 A. He came in there at least five times, that I'm
8 aware of.

9 Q. Between, around 9 p.m., and, you say ten or I
10 quarter till 11?

11 A. Between, somewhere in that neighborhood, time.

12 Q. And when he came into your store, he bought some
13 soda and some chips?

14 A. He bought soda, juice, junk food.

15 Q. Food to snack on and eat?

16 A. Yeah.

17 Q. And, you also saw him outside the store talking to
18 someone in front of the store; is that correct?

19 A. Yeah, some guys was out there, he was talking to
20 them.

21 Q. And those were Corey Green, Lewis Moore, and
22 Roderick Marks?

23 A. Those were the three that I was aware, but there
24 was I few more.

25 Q. In fact, there were about 30 people around your

1 store that night?

2 A. Scattered out, yeah, between 30 and 40.

3 Q. And that's I gathering area; is that right?

4 A. Yes, ma'am.

5 Q. Now, when Mr. Robinson was in the store, you did
6 talk to him about I fish fry?

7 A. Yes, ma'am.

8 Q. Okay. And, and, actually, you loaned Dori Yarber I
9 cooker for the fish fry; is that fair to say?

10 A. Not Dori, I loaned it to Hilda or somebody.

11 Q. Somebody over there. Okay, now, at the time that
12 you were running this store on the night of August 5th, did
13 you have I Video Man at the store?

14 A. Yes, ma'am.

15 Q. Okay, and, did you ever tell David Robinson that
16 you had I video on the shooting and he wasn't on it?

17 A. Not of the shooting, no, of the traffic coming in
18 and out of the store.

19 Q. Okay, and did you ever tell him that you have I
20 video from your other store, from Collins Mini-Mart of I
21 shooting and he wasn't on it?

22 A. Of the shooting?

23 Q. Yes, sir.

24 A. No, not of the shooting, I have video in both
25 stores.

1 Q. But you did not tell Robinson that you had I video
2 of the shooting and he wasn't the shooter?

3 A. No, not of the shooting.

4 MS. BOCK: That's all my questions, sir, thank you.

5 THE COURT: Any questions, Mr. Davis?
6

7 CROSS EXAMINATION

8 BY MR. DAVIS:

9 Q. Mr. Collins, do you recall how David Robinson was
10 dressed that evening?

11 A. He was dressed, kind of casual, had on I sportswear
12 suit, nylon, or something, what they wear, pants, and, I
13 guess it was called, some kind of tank top.

14 Q. Okay.

15 A. Not quite I tank top, it had sleeves in it.

16 Q. Had sleeves on it?

17 A. U-huh (yes).

18 Q. Was he dressed up nice?

19 A. I wouldn't say, athletic wise he was.

20 Q. I'm sorry?

21 A. Athletic wise he was, you know, most of the guys,
22 when they have pants and tops to match.

23 Q. Okay. So, I didn't hear, did his pants match his
24 top?

25 A. I'm not for sure, but he looked pretty good.

1 Q. He looked pretty?

2 A. Kind of like NBA basketball player.

3 Q. Now, you played basketball with David Robinson?

4 A. That was years ago, I know of him on the basketball
5 court.

6 Q. Now, the next day after August 5th, did you talk to
7 someone about, that they'd almost gotten run off the road by
8 I Suburban?

9 A. I know his nickname, but not his real name.

10 MS. BOCK: I'm gonna object to this, Your Honor,
11 hearsay, it's asking for hearsay.

12 THE COURT: Sustained.

13 Q. Did you talk to Bruno, Antonio?

14 A. Bruno, yes.

15 MR. DAVIS: Okay.

16 I don't have any further questions, Judge.

17 THE COURT: Any further questions?

18 MS. BOCK: No, Your Honor.

19 May we be recessed.

20 THE COURT: May he be excused? Mr. Davis, may Mr.
21 Collins get back to his business or whatever he needs to do ?

22 MR. DAVIS: Yes, sir.

23 THE COURT: Thank you.

24 A. Okay.

25 THE COURT: For the record, Mr. Collins is an old

1 New Madrid friend of mind, he grew up in New Madrid. We
2 graduated high school together.

3 THE COURT: See you, Hugh.

4 Anything further, Ms. Bock?

5 MS. BOCK: No, Your Honor, the State rests.

6 THE COURT: Any surrebuttal, Mr. Davis?

7 MR. DAVIS: No, sir.

8 THE COURT: Ladies and gentlemen, that's gonna
9 conclude the evidence portion of this trial. We can go into
10 the wee hours of the night or the early hours of the morning,
11 but I don't think it's fair to anybody. The lawyers and I
12 have to do some work between now and in the morning to get
13 the instructions together. So we're gonna recess again until
14 9 o'clock in the morning. Again, I'm going to advise you,
15 Jill, I'm going to read the instruction with the tag again,
16 again.

17 The Court reminds you of what you were told at the
18 first recess of the Court. Until you retire to consider your
19 verdict, you must not discuss this case among yourself or
20 with others. You should not form or expresses any opinion
21 about this case until it is finally given to you to decide.
22 Do not read, view, or listen to any radio, newspaper, or
23 television report of the trial.

24 The Court will be recess in until 9 o'clock in the
25 morning.