

1 (RESPONDENT'S EXHIBITS A, B, C, D AND E WERE  
2 RECEIVED INTO EVIDENCE.)  
3 MS. DOLIN: Thank you, your Honor.  
4 The State calls John Blakely.  
5 (Witness sworn.)  
6 JOHN BLAKELY, being first duly sworn, testified as follows:  
7 DIRECT EXAMINATION BY MS. DOLIN:  
8 Q. Good morning, Mr. Blakely.  
9 A. Good morning.  
10 Q. Could you state and spell your name for the  
11 court reporter?  
12 A. It's John, J-o-h-n, Albert, A-l-b-e-r-t,  
13 Blakely, B-l-a-k-e-l-y, Jr., J-r.  
14 Q. And how are you employed, Mr. Blakely?  
15 A. I'm currently a detective with the City of  
16 Sikeston.  
17 Q. And was that your position back in August of  
18 2000?  
19 A. Yes.  
20 Q. And do you have occasion to work on murder  
21 cases?  
22 A. Yes.  
23 Q. How many murder cases have you worked, ballpark?  
24 A. Since I started in '91?  
25 Q. (Nodded.)

1 A. Oh, I couldn't give you a number. I'm sure it's  
2 well over 15.

3 Q. And in 2000 how many had you worked?

4 A. Maybe two.

5 Q. Do you recall investigating a murder of Sheila  
6 Box that occurred on August 5th, 2000?

7 A. Yes.

8 Q. And did you -- was your responsibility  
9 developing suspects for that case?

10 A. I was called in to investigate it, and then we  
11 proceeded from there.

12 Q. Do you recall speaking with one Albert Baker?

13 A. Yes.

14 Q. How did you come to speak to Mr. Baker?

15 A. I believe it was August 15th, Sergeant Rocker,  
16 who was my sergeant at the time, told me that she had  
17 information that Mr. Baker wanted to speak with one of the  
18 detectives, and since I was the one on call when it  
19 happened, she assigned me to talk to him.

20 Q. Okay. So Mr. Baker approached you?

21 A. I don't know who approached who. I just know  
22 that Sergeant Rocker told me to go talk to Mr. Baker. I  
23 believe he actually was in city court on August the 17th.

24 Q. And what did he tell you about why he wanted to  
25 talk you?

1           A.     He said he was having trouble sleeping because  
2 of the murder that he had witnessed of Sheila Box.

3           Q.     Why was he having trouble sleeping, did he  
4 elaborate?

5           A.     He explained because she was a mother, and he  
6 had witnessed the murder.

7           Q.     And you may have mentioned it. What was he in  
8 jail for at the time?

9           A.     I believe he was there on a felony stealing and  
10 he had some fines, I believe, for unpaid traffic possibly.

11          Q.     And then how did he begin giving you details  
12 about what he saw? Did you ask him questions or did he --

13          A.     Yeah. I would have taken answer question -- or  
14 question/answer statement, would have typed it out and then  
15 whatever he said, word for word, and then he would read  
16 over it, initial it and sign each page.

17          Q.     What kind of details did he give you about what  
18 happened?

19          A.     He gave the location of where he said it took  
20 place. He described the victim. He described what she was  
21 driving. He described the car that she possibly had almost  
22 hit on Malone, and then crashing into a fence, and then  
23 into the building at Tradewinds.

24          Q.     Did he describe what he saw the assailant  
25 wearing?

1 A. Yes, he did.

2 Q. Do you recall what that was?

3 A. I believe he said gray clothing and some Nikes  
4 tennis shoes and some type of a hat or rag on the top of  
5 his head.

6 Q. Did he describe how many times the victim was  
7 shot?

8 A. He said he heard one shot, but witnessed the  
9 second shot.

10 Q. Did he describe what kind of gun was used?

11 A. I believe he said nickel-plated or chrome.

12 Q. What kind of gun, hand gun?

13 A. Yes, he said automatic, I believe.

14 Q. You mentioned that he described the victim.  
15 What specifically about the victim did he remember?

16 A. He described her as being a big boned female  
17 with dark, shoulder-length hair, I believe.

18 Q. He also described her vehicle. How did he  
19 describe the vehicle?

20 A. He described it as a two-tone van or SUV type, I  
21 think.

22 Q. And then who did he describe as the assailant?

23 A. He identified David Robinson as the shooter.

24 Q. This --

25 THE COURT: Ms. Dolin, I don't want to interrupt

1 you here, but I need to. Officer, was this 8/17/2000 or  
2 8/17/01?

3 THE WITNESS: I believe this would have been  
4 8/17 of 2000, Judge.

5 THE COURT: So like 12 days after the crime?

6 THE WITNESS: Yes, sir.

7 THE COURT: Okay. I'm sorry. I made a mistake.  
8 I misheard you. Okay. Go ahead. Sorry to interrupt.

9 BY MS. DOLIN:

10 Q. At the time that you spoke with him on  
11 August 17th, were those kind of details, that level of  
12 detail available to the public?

13 A. No, I don't believe so.

14 Q. Did you give him any of these details and see if  
15 he confirmed or did you let him give you the details?

16 A. No. Those would be open questions. Then they  
17 would have to give details.

18 Q. Did you promise anything for him to tell you the  
19 story?

20 A. No, ma'am.

21 Q. So did he first tell you a story, and then you  
22 wrote it down, or were you writing as he was talking?

23 A. I would have just asked the questions, since he  
24 said he was willing to give a written statement, and then I  
25 would have typed whatever answer he gave us.

1 Q. And did that happen in this case?

2 A. Yes.

3 Q. Did he sign that statement?

4 A. Yes.

5 Q. And then was there some other verification of  
6 that story that happened with Mr. Baker? Did you try to  
7 verify his story in any way?

8 A. Well, I already had known some of the facts that  
9 he was presenting to us. One, we didn't know the location  
10 of where he said the victim was shot, so other than that,  
11 the rest of the facts did match.

12 Q. So the victim was driving a two-tone and gray --  
13 blue-and-gray vehicle?

14 A. Yes.

15 Q. And she was a big-boned white female?

16 A. Yes.

17 Q. She was shot one time?

18 A. Yes.

19 Q. She did hit the Tradewinds building?

20 A. Yes.

21 Q. Crashed through the fence and hit the Tradewinds  
22 building?

23 A. Yes, ma'am.

24 Q. Did Mr. Baker take a polygraph?

25 A. Yes, ma'am.

1 Q. And did he pass the polygraph?

2 A. According to the Highway Patrol, yes, ma'am.

3 Q. Was he asked if he saw David Robinson commit the  
4 murder?

5 A. I think there was four questions. I don't know  
6 how they were actually worded. I would have to look at the  
7 results of the polygraph questions.

8 Q. Did you take any action as a result of that  
9 polygraph?

10 A. Yes. Then I completed a probable cause  
11 affidavit and a warrant was issued for Mr. Robinson.

12 Q. How many times did Mr. Baker tell you these  
13 details about what he saw?

14 A. The initial questioning or the initial statement  
15 that he gave, and then I believe he had to do it during --  
16 specifically to me he didn't, but he had to give it, I  
17 think, at this prelim and then depositions.

18 Q. To your knowledge did those details stay  
19 consistent?

20 A. Yes, ma'am.

21 Q. Did you specifically ask Mr. Baker if he was  
22 fabricating this story to get someone in trouble?

23 A. Yes.

24 Q. What did he answer?

25 A. He said no.

1 Q. What was his demeanor like when you were  
2 speaking to him about this crime?

3 A. He was nervous and scared.

4 Q. Scared of? Did he tell you what he was scared  
5 of?

6 A. After the statement he said he was in fear for  
7 his life, yes.

8 Q. Did you take any action as a result of that  
9 statement?

10 A. I checked with I believe it's the Department of  
11 Public Safety for witness protection.

12 Q. Was that option something you were aware of  
13 prior to speaking with Mr. Baker?

14 A. No. I actually had to call the prosecutor's  
15 office, who then suggested that I do that.

16 Q. So putting people in witness protection is not a  
17 common practice for you?

18 A. No. This is the one and only time in 24 years  
19 that I've ever done that.

20 Q. All right. So how did that piece of it work,  
21 the witness protection program?

22 A. An application had to be filled out. Then I  
23 believe it was submitted to them. They had to okay it. We  
24 had to -- I think it was rent, utilities and food would be  
25 paid. Mr. Baker would be given the amount of money that



1 was designated, then he would have to sign the receipts,  
2 and then the receipts would be then sent to the Department  
3 of Public Safety, who would then reimburse the city.

4 Q. Was this paid lump sum or in installments?

5 A. No. I believe it was monthly.

6 Q. Do you recall how much total was paid out?

7 A. Not an exact amount. I know it was probably  
8 1,500 or more.

9 Q. But the \$1,500 that we're talking about, was  
10 that strictly from the witness protection program or were  
11 there other sources of funding that were coming in?

12 A. No. Everything that we paid him would have come  
13 from the witness protection program.

14 Q. Did you have any agreement with him about giving  
15 him those payments in exchange for testimony?

16 A. No.

17 Q. How about other inducements? Did you give him  
18 any other sort of benefit from his -- for testifying?

19 A. No, ma'am.

20 Q. Did you promise him any leniency on any charges  
21 he may be facing?

22 A. No, I did not.

23 Q. Did you give him any objects of value?

24 A. No.

25 Q. Did you threaten someone named Coleman not to

1 show up at trial and impeach Mr. Baker?

2 A. No.

3 Q. I'm going to fast forward to the post-conviction  
4 hearing. Was Mr. Baker's testimony needed for that  
5 hearing, if you're aware?

6 A. I believe the -- yeah, he would have had to have  
7 been there, yes, ma'am.

8 Q. And is that something that the defense would  
9 have wanted him there for?

10 A. I wouldn't think so.

11 Q. Do you recall if Mr. Baker was difficult to  
12 track down at any point that he was needed for court?

13 A. Yes. Because once he was sent to Perryville, I  
14 believe he actually moved after that, so they had to try to  
15 track him down for the appeals.

16 Q. Was he ever living reliably in the same place  
17 that you knew where to go to get him?

18 A. Not after -- after the trial, we didn't keep in  
19 contact with him. So once the trial was over, I wasn't  
20 sure where he moved to.

21 Q. So if someone was looking for him to subpoena  
22 him, would you become involved in trying to track him down?

23 A. If I was asked by the prosecutor's office, yes,  
24 ma'am.

25 Q. Would there ever been a time where a street cop

1 located him on the street and then called you to let you  
2 know that he was there?

3 A. Yes. There could have been, yes, ma'am.

4 Q. Okay. Even maybe a phone relay where you would  
5 get on the phone with a street officer and talk to  
6 Mr. Baker?

7 A. Yeah. If we couldn't find somebody, we would  
8 call the local sheriff's department or the local city where  
9 they -- where we believed they were, say if you find them  
10 or see them, here's the number they need to contact us at,  
11 to relay the message so we could tell them that they had  
12 court.

13 Q. I would like to ask you now about Jason  
14 Richison. Do you recall him?

15 A. Yes.

16 Q. Did you have occasion to speak to him about this  
17 murder?

18 A. I did.

19 Q. How did that come about?

20 A. I believe Detective Sullivan, who was working  
21 for the Scott County Sheriff's Department at the time  
22 called our office saying that there was an inmate that  
23 wanted to give information about a homicide.

24 Q. So it was Mr. Richison who got in touch with  
25 someone at the police department?

1 A. At the sheriff's department, yes.

2 Q. Sheriff's department. Did you speak to  
3 Mr. Richison about the details of the crime that he was  
4 able to provide?

5 A. Yes.

6 Q. Okay. What kind of details did he provide?

7 A. He said that he was in a cell for three days  
8 with Mr. Robinson and some other people, and he heard  
9 Mr. Robinson talking about how he had shot the subject, got  
10 a wad of money, and that he was wearing all white, I  
11 believe.

12 Q. Did he mention where the murder had occurred?

13 A. I don't recall. I would have to look at his  
14 statement.

15 Q. Let me show you what's been marked State's  
16 Exhibit G. You can use that to refresh your recollection  
17 and look up when you're done. So did he describe where the  
18 murder had taken place?

19 A. Didn't describe where it took place. He just  
20 said that after David said that he had shot her and got the  
21 money, that he ran towards his aunt's house because she was  
22 leaving, and he was on video.

23 Q. And did he mention anything about a hat?

24 A. I believe a white one, yes, ma'am.

25 Q. What did he mention about the hat?

1           A.     Just that it was white and supposedly it had  
2 blood on it.

3           Q.     Was there a bloody hat involved in the case?

4           A.     There was a white hat that was found, but it had  
5 a speck of blood on it that I believe came back to  
6 Mr. Robinson.

7           Q.     Did Mr. Richison tell you about the assailant's  
8 clothes?

9           A.     Just that it was all white.

10          Q.     Okay. Did you seize Mr. Robinson's clothes when  
11 you arrested him the first time?

12          A.     Yes, his clothes were seized.

13          Q.     Okay. What color were they?

14          A.     All white.

15          Q.     You mentioned something about how he ran to his  
16 aunt's house?

17          A.     Yes.

18          Q.     Okay. Was there any evidence regarding his  
19 aunt's house that came out during the trial?

20          A.     I believe that there were several people in that  
21 area that were having some kind of a get together,  
22 barbecue, yes.

23          Q.     Mr. Richison also mentioned to you that Mr.  
24 Robinson got a wad of money; is that right?

25          A.     Yes, that's what he said.

1 Q. And if you recall, how much money did David  
2 Robinson have on him when he was arrested?

3 A. I'd have to look at his property sheet, but I  
4 believe it was several hundred.

5 Q. Okay. I'm handing you what's been marked  
6 State's Exhibit H. It's the property sheet.

7 A. Says \$912.52.

8 Q. Did Mr. Richison ever tell you where on her body  
9 the victim was shot?

10 A. No, I don't believe so.

11 Q. I'm showing you what's been marked State's  
12 Exhibit I, Bates stamped 36-39. Are you familiar with this  
13 document at all?

14 A. I saw it in the file.

15 Q. Is that something that you took?

16 A. I don't believe so, no, ma'am.

17 Q. Okay. I'll take it back.

18 Did Mr. Richison tell you what gender the victim  
19 was?

20 A. I don't think so. Well, he said that  
21 Mr. Robinson had said, I shot the bitch.

22 Q. What sex was the victim in this case?

23 A. Female.

24 Q. Did you provide Mr. Richison any of those  
25 details?

1 A. No, ma'am.

2 Q. Were those details publicly available at that  
3 time?

4 A. I don't believe so, no, ma'am.

5 Q. Did you give Mr. Richison any inducement for his  
6 testimony?

7 A. No, ma'am.

8 Q. Did you promise him any leniency on any of his  
9 sentences?

10 A. No, ma'am.

11 Q. Did you pay him any money at all?

12 A. No, ma'am.

13 Q. Witness protection program or otherwise?

14 A. No, ma'am.

15 Q. Did you give him any objects of value?

16 A. No, ma'am.

17 Q. Did you threaten him at all?

18 A. No, ma'am.

19 Q. Did you threaten to give him a drug case for  
20 having meth in the jail?

21 A. No, ma'am.

22 Q. Did you direct his jailors to strip him naked?

23 A. No, ma'am.

24 Q. Direct his jailors to throw a fan on him?

25 A. No, ma'am.

1 Q. Direct his jailors to make him sit in a room for  
2 weeks?

3 A. No, ma'am.

4 Q. Instruct his jailors to deprive him of food?

5 A. No, ma'am.

6 Q. Instruct his jailors to have other inmates beat  
7 him up?

8 A. No, ma'am.

9 Q. Instruct his jailors to house him in the female  
10 wing?

11 A. No, ma'am.

12 Q. To your knowledge, was Mr. Richison ever housed  
13 in the Scott County jail during David Robinson's trial?

14 A. I don't know if it was during the trial. I know  
15 he was there before the trial.

16 Q. Was he there with David Robinson at the time  
17 that he said he spoke to or overheard David Robinson?

18 A. They were in the same jail. They were not in  
19 the same cell, not according to the jail records.

20 Q. Are you aware if Mr. Richison was in the Scott  
21 County jail at any point after that?

22 A. No, I don't know if he was or not.

23 Q. How did you initially get to David Robinson's  
24 name in this case?

25 A. Kevin Stafford had came up to I believe



1 Lieutenant Armor at the time and told him that he had  
2 information who had done the shooting.

3 Q. Okay. And where did he get that information  
4 from?

5 A. I later found out he got it from a gentleman by  
6 the name of Russell Mountjoy (ph. sp.).

7 Q. Okay. Where is he now?

8 A. He's deceased.

9 MS. DOLIN: No further questions.

10 THE COURT: Cross-examination?

11 MR. WEISS: Yes, your Honor.

12 CROSS-EXAMINATION BY MR. WEISS:

13 Q. Mr. Blakely, you have been sitting in this  
14 hearing since it began yesterday. Correct?

15 A. Yes, sir.

16 Q. And you heard the testimony of Romanze Mosbey  
17 confessing to a number of people that he killed Sheila Box.  
18 Right?

19 A. Yes, sir.

20 Q. Can you think of any reason why Romanze Mosbey  
21 would confess to the killing of Sheila Box since another  
22 man, David Robinson, who was already in prison for that  
23 crime?

24 MS. DOLIN: Objection, speculation.

25 MR. WEISS: Just asking him.

1 THE COURT: I think that's well taken, but I  
2 would like to hear his response, so overruled.

3 THE WITNESS: No, sir, I have no idea why he  
4 would confess.

5 BY MR. WEISS:

6 Q. I couldn't --

7 A. No, sir. I have no idea why he would confess to  
8 that.

9 Q. Thank you. In your investigation of the murder  
10 of Sheila Box, did you read the testimony of Antonio  
11 Johnson, Kevin King and Ronnie Robinson?

12 A. No, sir.

13 Q. You have never read it?

14 A. No, sir.

15 Q. If they testified that they saw this vehicle  
16 that ultimately crashed into the Tradewinds, coming from  
17 Ruth down Branum swerving, turning on to Malone and  
18 crashing into the Tradewinds site, that would be  
19 inconsistent with the story that David -- that Albert Baker  
20 told you wherein he saw Sheila Box get shot down -- right  
21 down here on the corner of Malone and Branum at the Helms  
22 parking lot. Right?

23 A. Yes, sir.

24 Q. It would also be consistent with Romanze  
25 Mosbey's statement that he shot the girl on Ruth Street at

1 845. Right?

2 A. If that was the route taken, yes, sir.

3 Q. So prior to coming here today, you had never  
4 followed up to read the Kevin King deposition or the Ronnie  
5 Robinson deposition or the Antonio Johnson deposition?

6 A. No, sir.

7 Q. Nor have you read the statements of Romanze  
8 Mosbey, I gather?

9 A. No, sir.

10 Q. And I gather no one has told you about that, no  
11 one from the Attorney General's Office, no one from the  
12 Sikeston Police Department or no one from the Scott County  
13 Sheriff's Office?

14 A. No. The Attorney General's Office did tell me  
15 that Romanze Mosbey had originally confessed to this crime,  
16 yes, sir.

17 Q. Now, I think you did say when -- when Jason  
18 Richison told you that he was in the cell with David  
19 Robinson. Right?

20 A. Yes, sir.

21 Q. It turns out he wasn't in the cell with David  
22 Robinson, was he?

23 A. That was correct.

24 Q. So that part of his story wasn't true?

25 A. That's true. It was not true.

1 Q. Did you investigate whether there was any type  
2 of a residue on the victim's clothing or neck, sort of a  
3 V-shaped red line on her shirt from the gunshot wound?

4 A. I believe all her clothing would have been sent  
5 to the lab for testing.

6 Q. Do you remember whether there was sort of a  
7 V-shaped mark on her clothing or neck from the gunshot?

8 A. I never saw the victim, sir.

9 Q. When David Robinson told you that he had gone to  
10 the -- or you found out that he had gone to Manhattan Room  
11 for Joe Lott's party, did you check that out?

12 A. That would have been followed up by whoever  
13 interviewed Mr. Robinson.

14 Q. But not you?

15 A. No, sir. It was not me.

16 Q. And is it true that there was no direct evidence  
17 connecting Mr. Robinson to the crime other than Albert  
18 Baker's testimony and Jason Richison's testimony?

19 A. That's correct.

20 Q. Now, Baker told you that he thought that  
21 Albert -- that David Robinson was wearing gray clothing.  
22 Right?

23 A. Yes, sir.

24 Q. And Richison told you it was all-white clothing?

25 A. Yes, sir.

1 Q. And Albert Baker when you took his statement,  
2 what time in the morning was that?

3 A. I know the map was drawn I believe around  
4 1:00 a.m. so I --

5 Q. One? I'm sorry. I didn't want to interrupt  
6 you.

7 A. 1:00 a.m.

8 Q. So you took Baker out of jail. Where did you  
9 take him for his statement?

10 A. He would have been in our facility, so I would  
11 have taken him to an interview room.

12 Q. In Sikeston?

13 A. Yes, sir.

14 Q. Is it common practice to interview someone at  
15 1:00 a.m. in the morning or 1:30 a.m. in the morning?

16 A. Well, it depends on what shift I'm on, so --

17 Q. So you roused him up from sleep?

18 A. I didn't rouse him. I went and woke him up,  
19 yes, sir. If he had information on a murder, that's  
20 something you're going to want to get.

21 (EXHIBIT NO. 25 WAS MARKED FOR IDENTIFICATION BY  
22 THE REPORTER.)

23 BY MR. WEISS:

24 Q. This is going to be Exhibit 25. Mr. Blakely,  
25 I'm handing you Exhibit 25. Do you recognize that, sir?

1 A. Yes, sir.

2 Q. And what is that?

3 A. It would have been a question and answer  
4 statement that I took from Mr. Baker.

5 Q. And you had him draw a sort of a graph of what  
6 he was describing in his statement, which is attached to  
7 his statement. Right?

8 A. Yes, sir.

9 Q. And it's dated 8/18, 1:15 a.m. in the morning?

10 A. Yes, sir.

11 Q. So according to that statement -- I gather the  
12 little -- it's hard to read on the graph, but I gather you  
13 tried to draw a little truck or van, whatever it was there,  
14 and looks like she came right out from the parking lot on  
15 to Malone. Is that the way he kind of described it?

16 A. Yes, sir.

17 Q. And then he went up and supposedly he says,  
18 apparently you asked him after David shot into the vehicle,  
19 what did you do? I ran, but before I did, the large  
20 vehicle pulled away from the pay phone in a fast manner, it  
21 drove on to Branum Street for a second, then on to Malone  
22 into the other lane, almost hitting a white Oldsmobile, and  
23 back into its lane. And then I saw the vehicle run off the  
24 road and into the Tradewinds fence. I continued to run  
25 west on Branum until I got to 603, where I was staying that

1 night. Right?

2 A. Yes, sir.

3 Q. And you took that down correctly. Right?

4 A. Yes, sir.

5 Q. So at the preliminary hearing, which I think is  
6 Exhibit -- State's Exhibit -- what is that exhibit, the  
7 preliminary hearing? State's Exhibit C. I refer you to  
8 page 14, sir. This is his testimony, the testimony of  
9 Mr. Baker at the preliminary hearing.

10 A. Yes, sir.

11 Q. I'm going to refer you to page 14. Just read  
12 along with me a little bit. Question was: Okay. Where  
13 were you standing when you saw this happen? Mr. Baker is  
14 being questioned.

15 Right there in the street at Malone.

16 Okay. And where was this van parked?

17 Answer: By the phone booth at Jerry Ham's.

18 Question: What happened? What did you observe  
19 about the van after you saw that Mr. Robinson run off?

20 Answer: It was pulling off fast, and it turned  
21 off on to Malone and almost hit a car, the car that almost  
22 hit me.

23 Question: Was it going over the speed limit at  
24 that?

25 Answer: It was balling out.

1           Question: Okay. And what happened after you  
2 see it, saw it almost hit the car?

3           Answer: The car almost hit me.

4           MS. DOLIN: I object. Is there a question here?

5           MR. WEISS: Yes, it will. Just let me lead up  
6 to it.

7           After the car almost hit me, after I got out of  
8 the way, I just run on home.

9           Then the next question: Okay. Where did you  
10 see where the van ended up? Okay. Let me rephrase that.  
11 Line 25, page 14. Okay. Did you see where the van ended  
12 up?

13           No, I went home.

14           Okay. Do you hear any kind of crash or  
15 anything?

16           That's all.

17 BY MR. WEISS:

18           Q. So in his testimony at the preliminary hearing,  
19 he didn't say, as he did in his statement to you, that he  
20 saw the van crash into the fence at the Tradewinds, did he?

21           A. No, sir.

22           Q. That's somewhat inconsistent with what he told  
23 you?

24           A. Yes, sir.

25           Q. You indicated that you didn't promise Mr. Baker



1 anything, didn't pay or didn't induce him to -- for his  
2 testimony. Right?

3 A. That's correct.

4 Q. But the following day after you saw him at  
5 1:00 a.m. in the morning and got his statement, he was  
6 released on a personal recognizance bond, wasn't he?

7 A. Yes, sir.

8 Q. He gives you a statement, he's out of jail the  
9 next day. Right?

10 A. Yes, sir.

11 Q. Jason Richison, I want to talk a little bit  
12 about. When you took his statement in jail, did you know  
13 his background of mental problems?

14 A. No, sir.

15 Q. Did you later find out?

16 A. Yes, sir.

17 Q. At trial he was asked where he was. Do you know  
18 where you are now, Mr. Richison? And didn't he say, I  
19 think I'm in county jail?

20 A. Well, I wasn't allowed in the courtroom.

21 Q. Okay. So did you hear about that?

22 A. No, sir.

23 Q. He was -- he committed -- he tried to commit  
24 suicide several times. Right?

25 A. I'm not aware of that.

1 Q. And I just want to refer the Court, because this  
2 is an exhibit already, the transcript on page 383, he was  
3 asked, Do you know where you are today?

4 Answer: Yeah.

5 Where are you today?

6 I'm in the county jail. I mean, the county jail  
7 for court.

8 And you will see in this deposition that they  
9 talk about his mental problems and the fact that he tried  
10 to commit suicide a number of times, et cetera. You  
11 weren't aware of that at the time?

12 A. No, sir.

13 Q. You became aware of that later on. Right?

14 A. Yes.

15 Q. And did you become aware that he was deposed  
16 again by the public defender's office in connection with a  
17 post-conviction remedy proceeding in the year 2004 while he  
18 was up in Wisconsin at a jail?

19 A. I learned of that a couple of months ago, yes,  
20 sir.

21 Q. You didn't attend that deposition or know about  
22 it?

23 A. No, sir.

24 Q. And did you hear that he had in that deposition  
25 recanted his testimony that he gave at trial?

1 A. Yes, sir.

2 Q. As I recall, you were asked a question that  
3 detailed information about Sheila Box could not have been  
4 known by anybody at the time Baker gave his statement,  
5 which was a couple of weeks after the murder. Right?

6 A. Other than whatever was in the newspaper, yes.

7 Q. Was there newspaper articles about the murder  
8 when she crashed into the Tradewinds?

9 A. I believe there would have been some type of  
10 article in there, yes, sir.

11 Q. Not only an article, but everyone on the street  
12 was talking about the murder, weren't they?

13 A. I'm sure there were, yes, sir.

14 Q. And a lot of people came forward, a couple of  
15 people you indicated, Kevin Stafford. Who was the other  
16 fellow that told Stafford apparently?

17 A. Russell Mountjoy.

18 Q. So people knew about the murder and about what  
19 happened?

20 A. Yes, sir.

21 Q. It wasn't hidden any way and there was not --  
22 there was no orders not to tell the newspaper, the press  
23 what happened, were there, from the police department?

24 A. Sir?

25 Q. There was no -- there were no orders issued by

1 the Sikeston Police Department or the Scott County  
2 Sheriff's Office not to disclose any information about the  
3 murder, had there been?

4 A. I'm not in charge of what goes in the newspaper,  
5 but I know if we're investigating a homicide or a violent  
6 crime, yeah, we're going to leave details out that nobody  
7 would know unless they were involved in the crime.

8 Q. But Sikeston is not a large town?

9 A. No, sir.

10 Q. And people know things that happen, particularly  
11 a murder, down in this area where there's all sorts of  
12 people around?

13 A. Yes, sir.

14 Q. Did Baker tell you that he was familiar with  
15 Sheila Box?

16 A. I believe he said that he may have seen the  
17 vehicle before all this with a male driving and a female in  
18 the passenger seat, but I don't believe he knew her  
19 personally, no, sir.

20 Q. He said he saw her driving around on July 4th  
21 and he said he saw her trying to buy crack, didn't he?

22 A. Saw a female driving that vehicle, yes, sir.

23 Q. So I just want to refer you to the transcript  
24 of the trial, which is Exhibit 282, and I don't know  
25 whether -- at the time you were -- at the time you

1 testified were you allowed back in the courtroom or --

2 A. No, sir.

3 Q. Okay. So on this testimony, which is -- you can  
4 read along with me. Question: And you testified  
5 previously that you had --

6 MS. DOLIN: I object. He already said he wasn't  
7 in there.

8 THE COURT: That's okay. Who was the witness on  
9 the stand?

10 MR. WEISS: Albert Baker, your Honor.

11 THE COURT: Albert Baker, okay.

12 MR. WEISS: I'll make this short.

13 BY MR. WEISS:

14 Q. He basically at trial -- and you can read along  
15 with me.

16 A. Yes, sir.

17 Q. You testified you had seen Sheila Box on the  
18 west end of Sikeston before August 5. Right?

19 Yes, I have.

20 Question: You saw Sheila Box before on the west  
21 end of Sikeston on July the 4th. Right?

22 Right.

23 You stated you saw Sheila Box on the west end of  
24 Sikeston July 4th, she had kids in the car?

25 Yes, she did.

1           And it's your testimony that with kids in the  
2 car, she was buying crack cocaine?

3           She had before.

4           So he did testify that she had been driving  
5 around even with kids in the car, that he knew her. Albert  
6 Baker testified to that. Right?

7           A.     In that, yes, sir.

8           Q.     Do you recall that Baker told you that -- where  
9 was Baker when he told you he first saw David Robinson on  
10 this map? Was it over here between Washington and Malone  
11 and east of Branum or Westgate?

12          A.     I believe according to the map that he drew, he  
13 actually indicated he was standing on the street, on  
14 Malone.

15          Q.     He was standing on Malone down here in this area  
16 (indicating)?

17          A.     When the shooting happened.

18          Q.     When the shooting happened? And he initially  
19 said he was, what, five, six, seven, eight feet from David  
20 Robinson?

21          A.     I believe he said five.

22          Q.     And he initially heard a shot. Right?

23          A.     Yes, sir.

24          Q.     And then he also saw David Robinson fire the  
25 second shot?

1 A. Yes, sir.

2 Q. So far as we know, there was only one shot,  
3 don't we?

4 A. Yes, sir.

5 Q. In response to Ms. Dolin's question, you were  
6 describing a situation where after the trial was over, you  
7 sort of lost track of Albert Baker?

8 A. Yes, sir.

9 Q. Did you have any reason to keep track of him?

10 A. No, sir.

11 Q. But I think you testified that police from other  
12 jurisdictions would call you if they had found Albert  
13 Baker?

14 A. If I was looking for him at the Attorney  
15 General's Office's request to come to court, yes, then I  
16 would have tried the last location I knew him to be, which  
17 would have been Perryville, so I would have called the  
18 sheriff's office and said, are you familiar with him, can  
19 you have him call because he was needed for court.

20 Q. But that was prior to trial. Right?

21 A. All this would have been I guess whenever the  
22 first appeal hearing would have been.

23 Q. You mean the post-conviction remedy proceeding  
24 in 2004?

25 A. Yes, sir.

1 Q. Okay. Were you looking for him at that time?

2 A. Just if they needed him for court, yes, sir.

3 Q. Do you remember whether you were asked by the  
4 Attorney General's Office to look for him at that time?

5 A. No, sir, I don't.

6 Q. You don't recall a policeman from Park Hills or  
7 Bonne Terre calling you and handing you the phone that they  
8 have Albert Baker --

9 A. No, sir.

10 Q. -- on the street?

11 A. No, sir.

12 MR. WEISS: I have no further questions, your  
13 Honor.

14 THE COURT: Redirect?

15 MS. DOLIN: Thank you, your Honor.

16 REDIRECT EXAMINATION BY MS. DOLIN:

17 Q. When you talked to Albert Baker it was pretty  
18 early in the morning or pretty late at night, however you  
19 want to look at it. Right?

20 A. Yes, ma'am.

21 Q. Okay. But why did you go to him at that point?

22 A. Because my sergeant two days prior to that told  
23 me he wanted to speak to one of us.

24 Q. So you spoke to Albert Baker at Albert Baker's  
25 request?



1           A.     Yes. I believe while he was actually in the  
2 city jail. Because he was housed somewhere else. The  
3 officers that were in charge of court proceedings had got  
4 ahold of me and said Mr. Baker wants to talk to you.

5           Q.     And you went that early because that's just when  
6 your shift was?

7           A.     I may have still been working from the day. I  
8 mean, a lot of times we're there 15, 20 hours, just  
9 depending on what's going on that day.

10          Q.     And we have established that Jason Richison was  
11 not in the same jail cell as David Robinson and you were  
12 aware of that. Right?

13          A.     Yes. I knew that would be easy to find out.

14          Q.     Okay. But were they in the same wing?

15          A.     I believe I was told they were in the same pod  
16 area. I believe at some point Mr. Robinson was a trustee.

17          Q.     What's that?

18          A.     That's someone who is actually allowed to, I  
19 think, serve food or cook food or that the jail would  
20 actually trust to be out of just one particular area.

21          Q.     So does that denote freedom of movement that  
22 other inmates don't have?

23          A.     I have never been there as far as how their  
24 system runs. I just know the trustee has a little more  
25 freedom than the other inmates, yes.

1 Q. Did the name Romanze Mosbey ever come up during  
2 your investigation of this murder back in 2000, 2001?

3 A. After the -- I believe after the actual  
4 conviction, yes, ma'am.

5 Q. So to your recollection you don't remember  
6 investigating Romanze Mosbey during the initial  
7 investigation of the murder?

8 A. No. That would have been followed up on if we  
9 would have received that information.

10 Q. Do you recall though?

11 A. No.

12 Q. You don't recall?

13 A. I don't recall.

14 Q. Details about the murder like how much money  
15 David Robinson had on him when he was arrested, was that  
16 public?

17 A. I don't believe so, no.

18 Q. How about what clothes he was arrested in, was  
19 that made public?

20 A. No.

21 Q. How about the number of shots that were fired  
22 into the victim, would that be public?

23 A. No.

24 Q. How about the fact that there was a bloody hat  
25 involved in the crime, is that a public detail?

1 A. Shouldn't be, no, ma'am.

2 MS. DOLIN: No further questions.

3 MR. WEISS: I have no further questions, your  
4 Honor.

5 THE COURT: Mr. Blakely, I've got one.

6 THE WITNESS: Yes, sir.

7 QUESTIONS BY THE COURT:

8 Q. You have been a law enforcement officer for  
9 quite a while?

10 A. Yes. This is my 24th year this month.

11 Q. I'm a little confused. If Mr. Robinson's  
12 talking to Mr. Richison about the murder, why would the  
13 subject of what he was wearing coming up even?

14 A. I have no idea.

15 Q. In Sikeston or thereabouts, was it some sort of  
16 extra thing if you wore all white when you were going to  
17 commit a crime or something?

18 A. I don't think so, no, sir.

19 Q. Nope. You're just as confused as I am?

20 A. Yes, sir.

21 THE COURT: Okay. All right. Do either party  
22 have any questions of this witness in response to the  
23 Court's I would say inquiry but it seemed to be more  
24 amusing?

25 MR. WEISS: No, your Honor.

1 MS. DOLIN: I can try to ask a follow-up  
2 question.

3 THE COURT: It's up to you.

4 FURTHER REDIRECT EXAMINATION BY MS. DOLIN:

5 Q. Did Jason Richison ever say he spoke directly to  
6 David Robinson or overheard a conversation of David  
7 Robinson's?

8 A. I believe he said he overheard while David  
9 Robinson was speaking to other people.

10 Q. Okay. So David Robinson would have been  
11 describing what he was wearing that night and Mr. Richison  
12 would've overheard it; is that right?

13 A. Based on what Mr. Richison told me, yes.

14 THE COURT: Anything else of this witness?

15 MS. DOLIN: No, your Honor.

16 MR. WEISS: Give us a minute, your Honor.

17 THE COURT: Sure. Take your time.

18 Mr. Blakely, are you planning on staying with us  
19 this afternoon?

20 THE WITNESS: Not if I'm excused. I have a  
21 five-hour drive.

22 THE COURT: We'll wait.

23 MR. WEISS: I have no further questions, your  
24 Honor.

25 THE COURT: Can this witness be excused?

1 MS. DOLIN: Yes, your Honor.

2 THE COURT: Okay. Mr. Blakely, you're excused.  
3 You're free to leave or stay as you see fit.

4 THE WITNESS: Yes, sir.

5 (Witness excused.)

6 THE COURT: Ms. Dolin, my memory was that you  
7 said you had one other witness you were going to call?

8 MS. DOLIN: I think at this point there may be  
9 more than one.

10 THE COURT: Okay. Fair enough. Come back at  
11 1:15. I've got a meeting with another judge about a  
12 scheduling matter, but I'll be back here at 1:15. We'll be  
13 in recess until then.

14 MR. WEISS: Thank you your Honor.

15 (A lunch break was taken.)

16 THE COURT: We'll go back on the record. I  
17 believe we were in respondent's case. Additional evidence  
18 for the respondent?

19 MR. WEISS: Your Honor, just a quick note.

20 THE COURT: Yes?

21 MR. WEISS: Mr. Snodgrass is not with us this  
22 afternoon. He had to go back to St. Louis to take care of  
23 some deadlines. I just wanted the record to show that.

24 THE COURT: Okay. Please be sure to tell him  
25 thanks for participating.