

1 is that correct?

2 MR. DAVIS: Yes.

3
4 KERENZO HILL,

5 upon being duly sworn, testified:

6 DIRECT EXAMINATION

7 BY MR. DAVIS:

8 THE COURT: The jury is outside of the courtroom. I
9 believe Mr. Hill's testimony may involve several similar
10 issues that were involved with the testimony of Mr. Mosby,
11 and, Deputy Sullivan and, I would like at least an offer of
12 proof to be made before the Court determines whether his
13 testimony should be presented to the jury.

14 Q. Would you state your name for the record?

15 A. Kerenzo Hill.

16 Q. And have you ever been locked up with Carlos Jones?

17 A. Yeah.

18 Q. And, do you recall when that was?

19 A. Last year.

20 Q. When you were locked up with Carlos Jones, did you
21 ever discuss I white woman that was shot on, last year?

22 A. Yes.

23 Q. And, what did you talk about?

24 A. Huh?

25 Q. What did you talk about?

- 1 A. I didn't talk about nothing, he talked.
- 2 Q. What did he talk about?
- 3 A. He talked about somebody getting killed.
- 4 Q. What did he say about it?
- 5 A. He said somebody got killed on Ruth Street.
- 6 Q. And did he say that he did it?
- 7 A. No.
- 8 Q. Who did he say did it?
- 9 A. He said his cousin did.
- 10 Q. Who's his cousin?
- 11 A. Romance.
- 12 Q. Romance Mosby?
- 13 A. Yeah.
- 14 Q. Did he tell you who was there when the woman was
- 15 shot?
- 16 A. No.
- 17 Q. Did he tell you that Dion Savage and Romance and
- 18 LaNesha Turner were there?
- 19 A. Yeah.
- 20 Q. Did he tell you where the lady was going when she
- 21 was shot?
- 22 A. I think he said Branum, towards Branum.
- 23 Q. Towards Branum on what street?
- 24 A. On Ruth Street.
- 25 Q. Did he tell you what kind of gun was used?

1 A. I nine millimeter.

2 Q. Did you talk about anything else as far as this
3 shooting?

4 A. No.

5 Q. Okay. What were the circumstances surrounding what
6 he told you about this?

7 A. Cause he said, he was getting accused of it.

8 Q. Said that Carlos tell you he was getting accused of
9 it?

10 A. Yeah, that somebody was pointing the finger at him.

11 Q. Okay. Did he tell you whether or not he was there
12 when the white woman was shot?

13 A. Yeah.

14 Q. What did he tell you?

15 A. He said he was there, he saw the whole thing.

16 Q. Told you he was there and he saw?

17 A. Yeah, he saw everything happen.

18 Q. Did he tell you how it happened, I mean what were
19 the circumstances of why did the white woman get shot?

20 A. Said she wanted some drugs.

21 Q. Wanted some drugs, and then what happened?

22 A. I guess she ended up getting shot.

23 Q. Okay. Do you know where he got the guns from?

24 A. No.

25 Q. Didn't buy it from somebody named Bulldog?

1 A. That's what he said, I don't know whether it's true
2 or not.

3 MR. DAVIS: No further questions.

4 THE COURT: Ms. Bock, do you have any questions?
5

6 CROSS EXAMINATION

7 BY MS. BOCK:

8 Q. Mr. Hill, when, last year?

9 A. November.

10 Q. Okay, and, you weren't, you're incarcerated today;
11 is that correct?

12 A. Yeah.

13 Q. On this, not on that case?

14 A. Hu-huh (no), no.

15 Q. And, in November, you got out of jail?

16 A. No, I got out in January.

17 Q. In January of this year?

18 A. U-huh, yes.

19 Q. And, did you, when you, you interviewed Bobby
20 Sullivan, talked to Bobby Sullivan?

21 A. It was last week.

22 Q. Okay, and, you talked, you told him about this on
23 August 20th, of this year?

24 A. Yeah.

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

1 THE COURT: Again, same objection, Ms. Bock?

2 MS. BOCK: Yes, Your Honor, hearsay.

3 Uncorroborated, unreliable and the timeframe.

4 THE COURT: I, again, as to the proposed testimony
5 of Mr. Hill, I'm going to sustain the defendant's, or the
6 State's objection as was set forth in the Motion in Limine.
7 I don't believe Mr. Hill's testimony was specifically
8 addressed in that motion, but for the same reasons, I'm going
9 to not allow him to testify before this jury as to what he
10 has testified to and the offer of proof here today. So, the
11 Court will sustain the State's objection to his testimony.
12 But the offer of proof has been made for the record.

13 Mr. Hill, you may step down, sir. Thank you.

14 MS. BOCK: I have one more thing before the jury
15 comes in.

16 THE COURT: Well, I'm not ready quite yet.

17 Does the defense have any other evidence, Mr.
18 Davis?

19 MR. DAVIS: No, sir.

20 THE COURT: Okay. Ms. Bock, before the jury comes
21 in.

22 MS. BOCK: I don't know if the Court wishes to make
23 I record on Mr. Robinson not testifying.

24 THE COURT: I was gonna do that before we bring
25 the jury in.

1 Mr. Robinson, you've been represented in this case
2 from the very outset, at least, since it's inception to here
3 today; is that correct?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: And, as I matter of act, I was assigned
6 as judge in this case back in the spring and you appeared
7 before this division in front of me, because it was like in
8 April or so of this year.

9 THE DEFENDANT: It was in December.

10 THE COURT: December, well, okay. You've had an
11 opportunity to visit with your attorney on I number of
12 occasions in preparing for this trial; is that correct?

13 MR. ROBINSON: Yes, sir.

14 THE COURT: And, has your attorney advised you that
15 you have, obviously the right to take the witness stand and
16 testify on your own behalf at this trial; is that correct?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: And has he also explained to you that
19 you also have the right to invoke your Fifth Amendment right
20 not to testify here today; do you understand that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: And, do you understand that if you
23 choose not to testify, the jury will be given an instruction
24 that he cannot, that they can make no inference of your guilt
25 by your failure to take the witness stand in this trial, has

1 he explained that to you?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And, have I discussed with your lawyer
4 about whether you should or should not take the witness stand
5 and testify in this trial?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And have you decided not to take the
8 witness stand?

9 THE DEFENDANT: I decided not to.

10 THE COURT: And is this your decision not to
11 testify in this trial here today?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Anything further, Ms. Bock?

14 MS. BOCK: No, Your Honor.

15 THE COURT: What I propose to do, I understand the
16 State has some brief rebuttal evidence, is bring the jury in,
17 Mr. Davis, if you'd like to formally rest the defense case in
18 front of the jury and then I'll allow the State to adduce
19 whatever rebuttal evidence they wish to adduce and then we'll
20 recess for the evening.

21 MR. HOSMER: Judge, was Mr. Hill released.

22 THE COURT: Yes.

23 (The jury enters the courtroom at 5:14 p.m.)

24 THE COURT: Ladies and gentlemen, before we take up
25 again, first, I first want to apologize to you. I told you