

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

=====

KARLYNN TONES
DONTA LYYVOID BLACKMON
ARVIN TERRELL CARMEN

PETITIONERS,

vs.

UNITED STATES OF AMERICA,

RESPONDENT.

=====

APPENDIX C TO PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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JURY TRIAL - DAY 6 - OCTOBER 21, 2014
S. HORN/DI - SMOOT

DIRECT EXAMINATION

1
2 DIRECT BY MR. SMOOT:

3 Q Good afternoon, Ms. Horn.

4 A Good afternoon.

5 Q How are you doing?

6 A Fine.

7 Q I'm going to just first ask you -- these microphones are
8 pretty sensitive. So, if you can get it kind of close to you,
9 we'll see if it picks up your voice. I have trouble with mine
10 sometimes, too.

11 Can I -- I'm going to ask you just first to spell your name
12 for the Court Reporter. First name and last name.

13 A Sharita, S H A R I T A. Last name Horn, H O R N.

14 Q Thanks. Ms. Horn, how old are you?

15 A Twenty-eight.

16 Q And where are you from?

17 A Los Angeles, California.

18 Q Are you from any particular area of Los Angeles?

19 A Yes. South central.

20 Q Okay. And is that -- is there a particular area within
21 south central that you would identify as your neighborhood or
22 area that you grew up in?

23 A Not really. Just familiar, kind of, with the south central
24 area.

25 Q Okay. Is south central an area that's known for a

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1 particular -- for a number of gangs?

2 | A Yes.

3 Q And, in growing up in that area, did you become, let me
4 just say, associated with any particular gang?

5 | A Yes.

6 Q Which gang was that?

7 A Eight Trey Gangsta.

8 Q Okay. Now, why -- why is it that you would have an
9 association with Eight Trey?

10 A Basically, a product of my environment.

11 Q Okay. And, when you say your "environment," do you mean,
12 specifically, the location that you lived or the people around
13 you?

14 | A Both.

15 Q Okay. Well, what -- let's talk about the location that you
16 lived. And I'm not asking for specific addresses, but did you
17 grow up within an area that's specific to Eight Treys?

18 | A Yes.

19 Q And, generally, why is it -- why is it called Eight Trey?

20 A It's, basically, the area of the Los Angeles central side
21 of it. It's -- it's separated through other gangs, and that
22 side I was raised in was Eight Trey area.

23 Q Okay. We've heard some testimony about particular areas or
24 sides of the Eight Trey, the larger area. Are you familiar with
25 those sides?

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1 A Yes.

2 Q And are you from a particular side?

3 A Yes.

4 Q Which side?

5 A The back west.

6 Q Okay. Did you -- did you -- how far did you go in school?

7 A The eleven grade.

8 Q Okay. And, at some point in growing up, did you ultimately
9 become a member of the Eight Treys?

10 A Yes.

11 Q When was that?

12 A About around that time, eleven grade.

13 Q And why did -- did you decide to be a member, or was it
14 just something that just grew out of your living in that area?

15 A Yeah, it was kind of something I grew into.

16 Q Okay. Did you have an option of not becoming an Eight
17 Trey?

18 A Yeah.

19 Q Okay. So you decided to do it.

20 A Yes.

21 Q Why?

22 A It was more like, you know, becoming the product of
23 environment, once again, and enjoying the fast life and the
24 things that came along with it: The hanging out, the get into
25 drugs and stuff like that.

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1 Q What do you mean by the "fast life"?

2 A Like partying, drinking, doing drugs.

3 Q Okay. And the people that you hung out with. Did you hang
4 out with any particular -- were there any particular people that
5 you hung out with at that time that really caused you to decide
6 to join Eight Trey?

7 A Yes.

8 Q Who were they?

9 A It was Mr. Haynes.

10 Q Okay.

11 A Mr. James, Carmen, and other people that's not associated
12 with the case.

13 Q Okay. How did you become a member? We've heard that there
14 are different methods: Being jumped in or put on. And I
15 believe we may have heard the term "adopted" or "affiliated."
16 Is there some particular way that you became a member of the
17 Eight Treys?

18 A Yeah. In the beginning, I was adopted by other members by
19 hanging out and doing -- participating in Eight Trey Gangsta
20 activities.

21 Q We've heard some testimony about being jumped in. I assume
22 you know what that means.

23 A Yes.

24 Q Okay. But, just for the record, what does that mean?

25 A Being physically -- being physically put on by either

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1 | fight -- fighting several other people.

2 Q Is -- is that something that's different for a female than
3 a male?

4 | A No.

5 Q Okay. Except I'm assuming that you would fight other
6 females.

7 | A Yes.

8 Q And is there a difference in, say, stature or amongst Eight
9 Treys if you've been jumped in or adopted?

10 | A It can be, but it -- also it can be kind of neutral.

11 Q Why -- why would it -- why would it be a difference of
12 stature?

13 A Being jumped in gives you a lot of lee -- a lot more leeway
14 in the gang. Like, sometimes, say-sos. You know, a lot more
15 involvement. A lot of, sometime, more respect than being
16 adopted.

17 Q And how would it be the same?

18 A Because they are still -- they still allow you to
19 participate in the gang to a -- to a certain extent.

20 Q Is there a way that -- or different ways that, if you are
21 adopted in, that you gain the same -- perhaps the same level or
22 stature as somebody that was jumped in?

23 | A Repeat that.

24 Q Well, you indicated that there was a difference sometimes
25 in stature between if you were jumped in or if you were adopted

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1 in. Let's assume, as yourself, you were adopted in. Are there
2 ways, if you're adopted in, to gain the type of stature that
3 someone who that is jumped in may have?

4 A Kind of -- yeah, by being around -- being around long
5 and -- and accumulating that respect status from other gang
6 members and your participation in the gang, yeah.

7 Q Is there a difference, at least in -- in general, amongst
8 Eight Treys to be a male member or a female member?

9 A You said is it a difference?

10 Q Yes.

11 A Yeah, it is.

12 Q Is that a difference -- is that -- could that be a
13 difference in stature?

14 A Yeah. It could be different statures and, also, in the
15 involvement. The more involvement that you have in it.

16 Q As a female Eight Trey, are there limitations as to how
17 much stature you could ultimately attain?

18 A Yes.

19 Q We've heard -- we've heard the term "putting in work." Are
20 you familiar with that term?

21 A Yes.

22 Q Is that a term that would apply to a female Eight Treys as
23 well as male Eight Treys?

24 A Yes.

25 Q Is there -- is there any type of putting in work that would

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1 be common to female members?

2 | A Yeah.

3 | Q And can you give us some examples?

4 | A Physical put in work. The hanging out. The selling drugs.

5 Q Are there certain codes that are -- that apply to Eight
6 Treys, whether you're male or female?

7 | A Yes.

8 Q What -- what types of codes? Can you give us some
9 examples?

10 A One of the main codes is not to do what I'm doing today, is
11 cooperate with the police.

12 Q Okay. And are there consequences for violating that code?

13 | A Yes.

14 Q What types of consequences?

15 A Possibly body harmed, beat down, put -- put off the gang,
16 and such form as that way.

17 Q Anything else?

18 A Yeah. Could be killed or anything. It depends on what
19 extent that that gang prefer to do with the individual.

20 | Q Why are you cooperating today?

21 A Because I made a lot of bad decisions and choices in the
22 past that -- which lead me into where I'm at today in the
23 conspiracy. And, then, today is, like, I need to make choices,
24 not only for my kids, but to change what I -- the change to
25 become a better mother for my kids in the future.

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- 1 Q Now, you're a defendant in this case. Right?
- 2 A Yes.
- 3 Q And did you -- did you plead guilty to any particular
- 4 charge?
- 5 A Yes.
- 6 Q And what was that charge?
- 7 A Count 2 to conspiracy.
- 8 Q And conspiracy to do what?
- 9 A To distribute oxycodone.
- 10 Q And did you plead -- did you enter that plea pursuant to a
- 11 plea agreement?
- 12 A Yes.
- 13 Q And what is your understanding of what you've agreed to do
- 14 in that plea agreement?
- 15 A To truthfully cooperate with law enforcement and to
- 16 testify.
- 17 Q Was that a difficult decision?
- 18 A Yes.
- 19 Q Do you recall when you were first arrested in this case?
- 20 A Yes.
- 21 Q Did -- were you interviewed by police at that time?
- 22 A Yes.
- 23 Q Were -- did you -- do you believe that you were fully
- 24 cooperative?
- 25 A No.

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1 Q And why do you say that you weren't?

2 A Because I denied my involvement with Eight Trey and the
3 conspiracy itself.

4 | Q And why -- why did you deny it at the time?

5 A Because I was scared, and I was following the code of the
6 street, not talkin' to the police.

7 Q And, since then, you've decided to cooperate.

8 | A Yes.

9 Q Okay. And -- and what is your expectation of the United
10 States in that plea agreement?

11 A I'm not for sure.

12 Q What -- in -- in your mind, what do you believe that the
13 United States or the Government agreed to do in -- in return in
14 the plea agreement?

15 A Well, I don't know. In terms of the plea agreement, from
16 my understanding was that -- that I won't be charged -- further
17 charged or any more charges and that I wasn't -- it wasn't an
18 agreement to promise me anything -- as far as anything as far as
19 in the sentencing go or anything like that.

20 Q But are -- is part of your decision to cooperate also in
21 hopes to get some type of consideration at sentencing?

22 | A Yes, but that is also up to the Judge.

23 Q Let's -- let's talk about how you first became involved in
24 the conspiracy that you plead to. Okay? How -- well, no, let
25 me back up a little bit. I have a few more questions. I'm

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1 sorry. A few more questions about the Eight Trey. Do you have
2 an Eight Trey moniker?
3 A Yes.
4 Q And what is your moniker or Eight Trey name?
5 A School Girl.
6 Q How did you get that name?
7 A My intimacy involvement with another Eight Trey member.
8 Q Okay. And is there some -- is there some name connection
9 with that prior relationship?
10 A Yes. Other -- other members that's named after that name.
11 Q Okay. And I'm assuming they're not -- it's not
12 School Girl.
13 A No.
14 Q You are familiar with a School Boy?
15 A Yes.
16 Q Okay. Are there many School Boys?
17 A Yes.
18 Q Okay. And you mentioned that you had hung out with -- with
19 a number of individuals including a -- you used a word -- you
20 used the name "Carmen."
21 A Yes.
22 Q Is there a School Boy that is also a Carmen?
23 A Yes.
24 Q And is that -- is that person present in the courtroom?
25 A Yes.

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- 1 Q Okay. And I'm not going to ask you to point him out, but
2 can you tell us what he's wearing?
- 3 A A white shirt, glasses.
- 4 Q Okay. Does your name -- what -- well, let me ask you this:
5 Did -- were -- the person that you had a relationship, was it
6 the School Boy that's in the courtroom?
- 7 A No.
- 8 Q Okay. In a -- in getting that name, the name School Girl,
9 is it associated with, I guess for lack of a better term, a
10 School Boy line?
- 11 A Yes.
- 12 Q Okay. Is there any type of expectations -- and we talked
13 about Eight Trey expectations. Is there any type of
14 expectations or connection with the name line?
- 15 A No.
- 16 Q Okay. Do you -- are you -- are you still in a relationship
17 with the person that you were when you got that name?
- 18 A No.
- 19 Q Okay. Does the name just stick, or does the name ever
20 change for a female?
- 21 A No. It sticks.
- 22 Q Okay. Let me go back then. And how did you become
23 involved in the conspiracy that you plead to?
- 24 A I was offered an opportunity to make some extra money.
- 25 Q When -- approximately when did that occur?

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- 1 A May of 2011.
- 2 Q Okay. And who offered you this opportunity?
- 3 A Carmen and Haynes.
- 4 Q Okay. And does Haynes have -- does Haynes -- do you know
- 5 what Haynes's first name is?
- 6 A Yes. Richard.
- 7 Q And does he have a Eight Trey name?
- 8 A Yes.
- 9 Q And what is his Eight Trey name?
- 10 A Tiny Sodi.
- 11 Q Okay. And does he ever go by the initials TS?
- 12 A Yes. TS.
- 13 Q Okay. So, if -- if we speak about -- or if you testify
- 14 about either Carmen or School Boy, that could be the same
- 15 person?
- 16 A Yes.
- 17 Q And Richard Haynes and Tiny Sodi or LS (sic) is the same
- 18 person?
- 19 A Yes.
- 20 Q Okay. All right. And we may go a little later into some
- 21 more names, but let's talk about the opportunity. Who -- who --
- 22 who offered you the opportunity to make some money in May of
- 23 2011?
- 24 A Mr. Haynes.
- 25 Q And -- and what -- what did he -- what did he offer you?

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1 A He offered me \$500 cash to traffic oxys from Los Angeles to
2 Spokane.

3 Q Okay. And did he explain how that trafficking was to
4 occur?

5 | A Yes. The body package.

6 Q Okay. And did you take -- did you agree to do it?

7 | A Yes.

8 | Q Okay. Can you tell us about how that first started?

9 A Well, I did that on several occasions was try the body
10 package oxys and brought them to Spokane from Los Angeles.

11 Q Okay. Did -- did you make your own reservations?

12 | A No.

13 | Q Who made reservations for you?

14 | A He did.

15 | Q Okay. And how -- how did you get a package?

16 A It was gave to me through another individual on the
17 conspiracy.

18 Q And who is that individual?

19 | A Colbert.

20 Q Okay. And does Colbert -- do you know his first name?

21 | A Yes. David.

22 | Q And does he have -- is he an Eight Trey?

23 | A No.

24 Q Does he have any association or connection to Eight Treys?

25 | A Yes. He does.

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- 1 Q And, if he's not an Eight Trey, what is his connection?
- 2 A He was a good -- close friend to Mr. Haynes.
- 3 Q Okay. Is it -- does that mean that he would have adopted
- 4 status or not even that level?
- 5 A Not even that level.
- 6 Q Okay. Now, did he have a nickname?
- 7 A Not that I'm aware of.
- 8 Q Or did they -- did you call him --
- 9 A Yes. He did.
- 10 Q Oh, I'm sorry. Did you call him anything other than
- 11 Colbert or David?
- 12 A Yes.
- 13 Q What did you refer to him --
- 14 A Bone.
- 15 Q Okay. So what was -- did you know Bone prior to becoming
- 16 involved with -- with hauling OxyContin to Spokane?
- 17 A Yes.
- 18 Q And how did you know him?
- 19 A From the local neighborhood area in Los Angeles.
- 20 Q Okay. Okay. So tell us, again, about that first time that
- 21 you took OxyContin to Spokane.
- 22 A Well, Haynes called me, offered me the opportunity, and I
- 23 say, "Yes." I met with David Colbert, which he brought me the
- 24 oxys. I body packaged them; and I was later taken to the
- 25 airport by Terrai, which was Haynes' girlfriend.

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- 1 Q Okay. Did you know that they were oxys?
- 2 A No. At the time, no.
- 3 Q What -- what did -- did -- did Haynes tell you what they
- 4 were?
- 5 A No.
- 6 Q Okay. Did you know that they were pills?
- 7 A Yes.
- 8 Q Okay. And how -- how did you know they were pills? Were
- 9 they wrapped in a way that you could tell?
- 10 A Actually, it wasn't wrapped.
- 11 Q Okay. How --
- 12 A It was given to me in the medicine bottle.
- 13 Q Okay. And, so, did you wrap them?
- 14 A Yeah.
- 15 Q Okay. Did you wrap them in a way -- just on your own, or
- 16 did you get any instruction as to how to wrap them?
- 17 A At that time, on my own.
- 18 Q Okay. All right. What -- what'd the pills look like?
- 19 A They was green.
- 20 Q Okay. Do you recall if they had any writing on them?
- 21 A Yeah. Green 80.
- 22 Q 80?
- 23 A Yeah. OC.
- 24 Q Okay. Did you learn what type of pills those were later?
- 25 A Yes.

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1 | Q And what type were they?

2 | A 80-milligram oxycodone.

3 Q Do you recall approximately how many -- and, I guess, in an
4 estimate -- that you took that first time to Spokane?

5	A	About 250.
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6 Q Okay. What happened? Did -- what happened when you got to
7 Spokane?

8 A I flew into Spokane. I was instructed by Haynes to take a
9 taxi to meet him at a restaurant where he -- where -- I got to
10 the restaurant. Him and Carmen picked me up from the taxi.

11 Q And then what happened?

12 A Then we went to a location, apartment where Haynes was
13 staying.

14 Q Okay. All right. Do you recall if any particular
15 person -- if it was any particular person's apartment?

16 A At the time, I didn't know who apartment it was.

17 Q Did you learn later?

18 | A Yes.

19 Q Whose apartment was it?

20 A Someone named Stephanie. I think she was in relation with
21 Carmen.

22 Q All right. And what happened at the apartment?

23 A We got there; and, then, I retrieved the pills from the
24 body and gave it to Haynes.

25 Q And was Carmen present during this time?

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- 1 A No.
- 2 Q Did he -- did -- he was -- but he was at the restaurant.
- 3 A Yes.
- 4 Q Okay. So he didn't go to the apartment with you?
- 5 A He dropped us off there.
- 6 Q Okay. All right. And, then, do you know what Haynes did
- 7 with the pills?
- 8 A He just took them from me and just paid me for coming and
- 9 that was it.
- 10 Q All right. How much did he pay you?
- 11 A \$500.
- 12 Q Did you stay in Spokane?
- 13 A Yes.
- 14 Q How long?
- 15 A Just overnight.
- 16 Q Where did you stay?
- 17 A At that apartment.
- 18 Q Okay. And did you see Haynes again that night?
- 19 A Yeah.
- 20 Q Where?
- 21 A In the apartment.
- 22 Q And did you see Carmen again?
- 23 A Yes.
- 24 Q That night?
- 25 A Yes. At the apartment.

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1 Q Okay. And what -- what happened at the apartment?

2 A We didn't do too much anything. We just hung out at the
3 apartment.

4 Q Did you have any discussions about the pills?

5 A No. And I didn't ask.

6 Q Okay. Why not?

7 A I don't know. I just didn't ask about particularly what
8 kind of pills they were or what they was for or anything.

9 Q You said you stayed a couple days. Did you leave the next
10 day?

11 A Yes. I stayed overnight and left the next morning.

12 Q And did you take anything back to Los Angeles?

13 A Yes.

14 Q What?

15 A Cash.

16 Q Okay. And how -- how do you know that you took cash back?

17 A They put it inside my duffel bag.

18 Q Okay. Did -- okay. Did you see them put it in the duffel
19 bag?

20 A Yes.

21 Q And what did the cash look like? I mean, did it look like
22 bundles or just a little bit?

23 A Yeah. It was bundles.

24 Q Okay. Did you count the bundles?

25 A No.

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1 Q Did you have an estimate as to approximately how many
2 bundles?

3 A I don't know.

4 Q Okay. What'd you do with your bag? Did you -- did you
5 check it? How'd you get to the airport, I guess. Let me back
6 up.

7 A A taxi.

8 Q Okay. And did you check your bag, or did you carry it on?

9 A I checked it in.

10 Q Okay. And was that by anybody's instruction?

11 A No. I just -- just checked it in myself.

12 Q So what happened when you got to Los Angeles?

13 A I was picked up by Terrai again, the same person that
14 dropped me off; and I gave her the money from the duffel bag.

15 Q Okay. Did you personally reach in and take it out?

16 A No. She got it out herself.

17 Q Okay. But you were present when she took the money out?

18 A Yes.

19 Q Okay. And where did that occur?

20 A Inside the vehicle in front of my residence where she was
21 dropping me off at.

22 Q Okay. Now, I'm not going to ask you about every single
23 trip. Did you continue to make these trips, though?

24 A Yes.

25 Q And how often -- how often did you make them?

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1 A It started off, maybe, once a month. Then it was, like,
2 approximately, every -- every other three weeks.

3 Q And were the circumstances pretty similar?

4 | A Yes.

5 Q Okay. Did you -- how about the pills? Did Bone bring the
6 pills each time? Or I guess you identified him as Colbert.

7 | A No.

8 Q Okay. How -- who else may have brought pills?

9 | A Haynes.

10 Q Okay. So, if Haynes is in Los Angeles, he'd bring the
11 pills?

12 | A Yes.

13 Q Did they look any different at times?

14 A Yeah. At the time, they were blue smaller pills.

15 Q And were they packaged and ready for you; or was it the
16 same thing, you packaged them?

17 | A Yeah. It was packaged after a while.

18 Q Okay. And -- and how were they packaged?

19 | A Wrapped in Saran Wrap.

20 Q Okay. Were there -- were there -- did -- did you receive
21 pills in any other manner?

22 | A No.

23 Q How about when you got to Spokane? Did anything change as
24 to who you met in Spokane?

25 | A Yes.

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1	Q	What changed?
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2 A I met -- at the time, I went -- after several times, I
3 started meeting up with Mr. James. He would already be out
4 there.

5 Q Okay. And is Mr. James -- is he an Eight Trey?

6 | A Yes.

7 | Q Does he have an Eight Trey moniker?

8 | A Yes.

9 | Q And -- and what is that?

10 | A Tiny Menace.

11 Q Did you know him from -- from Eight Trey in Los Angeles?

12 | A Yes.

13 Q So did you meet -- did you go to the same apartment?

14 | A Yes.

15 | Q Okay. All right. And who'd you give the pills to?

16 A To him, Mr. James.

17 Q Okay. What about Carmen? Did you see Carmen on occasion?

18 | A Not till the next day.

19 Q So I know that we're talking in general rather than
20 specific times, but -- so, in general, on the next day,
21 typically, you might see Carmen?

22 A Well -- yes.

23 Q And what did -- and what did Carmen do when you saw him?

24 A Well, he had me -- I was at the apartment, and he had me
25 picked up by Mercedes. At the time, I didn't know who she were.

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- 1 She took me to another residence where her and Carmen possibly
2 could have been staying.
- 3 Q Okay. Who is Mercedes?
- 4 A I believe she was Carmen girlfriend at the time.
- 5 Q And do you know -- do you know her last name?
- 6 A Yes. Reeves.
- 7 Q Okay. Now, is she -- is she an Eight Trey?
- 8 A No.
- 9 Q Is she from Los Angeles?
- 10 A No.
- 11 Q Where's she from?
- 12 A Spokane.
- 13 Q Okay. Is that the -- how soon after you started taking
14 these pills up did you meet Mercedes?
- 15 A Just met her that once.
- 16 Q She -- you said she took you to another apartment.
- 17 A Yes.
- 18 Q And what happened at that apartment?
- 19 A We stayed there. I hung out for a few hours. And, before
20 I left, she packed in my duffel bag with money to take back to
21 LA to Haynes.
- 22 Q Did you have any conversations while you were there with
23 Mercedes about the pills?
- 24 A Oh, no.
- 25 Q How about the money?

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1 A No.

2 Q And what about Carmen at that time?

3 A Just casual conversation.

4 Q Okay. All right.

5 THE COURT: You hesitate. Let's take our evening
6 recess.

7 MR. SMOOT: Thank you, your Honor.

8 THE COURT: We start again at 9:00 in the morning.
9 And, again, the admonition, please don't discuss the details of
10 the case. We'll see you tomorrow morning.

11 (Court recessed at 4:27 p.m.)

12 (Jury out at 4:27 p.m.).

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JURY TRIAL - DAY 7 - OCTOBER 22, 2014
S. HORN/DI - SMOOT

1 THE COURT: All right. Let's bring the jury in.
2 Where's Paul?

3 THE COURTROOM DEPUTY: I think he went to check on
4 them.

5 THE COURT: How long do you anticipate Ms. Horn is
6 going to be on the stand?

7 MR. SMOOT: I suspect not as long as Mr. Madison but
8 given -- probably most of the day, if not the day.

9 LAW CLERK: Judge, are you ready?

10 THE COURT: Bring her in. Well, just a second, Paul.

11 THE LAW CLERK: Okay.

12 THE COURT: Go ahead bring Ms. Horn in.

13 (Discussion off the record)

14 THE COURT: Morning, Ms. Horn. You can make yourself
15 comfortable there, please. All right. Now you can bring the
16 jury in.

17 (Jury in at 9:08 a.m.)

18 THE COURT: Please rise for the jury. Good morning,
19 everybody. Please be seated. We are ready to proceed with the
20 continuation of the direct examination of Ms. Sharita Horn by
21 Mr. Smoot. You may proceed, Mr. Smoot.

22

23 DIRECT EXAMINATION (continued)

24 DIRECT BY MR. SMOOT:

25 Q Good morning, Ms. Horn.

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1 A Good morning.

2 Q You know, I think we -- we were only -- talked for a little
3 while yesterday; but I think we let off -- we -- we ended to
4 where you had come up to Spokane and really described your first
5 trip up to Spokane bringing pills. Is that right?

6 A Yes.

7 Q Okay. I'd like to backtrack a little bit now that we've --
8 you -- you've talked about your involvement, your membership in
9 the Eight Trey Gangster Crips, as well as your involvement in
10 the conspiracy; and I'd like to ask you a few questions about
11 both of those right now.

12 In terms of the -- well, let me back up. How long -- just
13 remind the jury. How long have you been a member of the Eight
14 Trey Gangster Crips?

15 A Approximately about ten years.

16 Q And when did you become involved in the conspiracy to
17 distribute pills?

18 A May of 2011.

19 Q So approximately two to three years prior to your arrest?

20 A Yes.

21 Q Okay. You indicate -- you indicated a lot of the same
22 names in both your testimony about Eight Trey Gangster Crips and
23 the pill game or the pill hustle. Is that a fair way to
24 describe it?

25 A Yes.

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1 Q Okay. And is there a -- some of this may be a little bit
2 repetitive; but is there a hierarchy, like a structure, to the
3 Eight Trey Gangster Crips?

4 A Yes.

5 Q Okay. And, for example -- okay. And is there somewhat of
6 a structure to the pill conspiracy that you were involved in?

7 A Yes.

8 Q Okay. You indicated that Mr. Carmen -- that -- let's go
9 back. Who did you hang out with when you became a member of the
10 Eight Treys?

11 A Carmen, Haynes, James.

12 Q Okay. And, I think, yesterday, when we went over names, I
13 didn't realize it; but I tripped up on one of the initials.
14 And, when I was mentioning Haynes, I meant to say, "TS;" but I
15 said, "LS," I -- I think. Is there -- is there someone that's
16 involved in Eight Treys that you would know as LS?

17 A Yes.

18 Q Who is that?

19 A Gilbert Madison.

20 Q Okay. And what is -- what does LS mean?

21 A Lil Sidewinder.

22 Q Okay. So that someone that you hung out with initially in
23 the Eight Treys, as well?

24 A No.

25 Q All right. But that -- is that someone that you're

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1 involved in in the pill hustle?

2 A Yes.

3 Q Okay. And is that someone that you have -- currently have
4 a relationship with?

5 A Yes.

6 Q And what is your relationship with Mr. Madison?

7 A That's my fiancée.

8 Q Okay. So you mentioned a lot of names. Can you
9 describe -- is there a way to describe for the jury, kind of in
10 general, what the structure is of the Eight Treys in terms of if
11 there's a hierarchy of people that are involved?

12 A Yeah. You have older people that'd been around for years.
13 You have people under them and people under them. It's like a
14 generation thing.

15 Q Okay. And do the names have any relation to this
16 generational structure that you've talked about?

17 A Well, everyone builds their own reputation for themselves.
18 So it's not really -- it's not really based on the rep -- the --
19 like, how old they are or if they younger. It's based on
20 everyone buildin' their reputation for themselves.

21 Q Okay. I think your voice is a little soft. I'm just going
22 to ask you to bring that microphone a little closer.

23 Okay. So we've heard, though, that there are some monikers
24 that have Big, some Lil, some Young monikers, some Baby
25 monikers. What -- what does all that mean?

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1 A It just, basically, like older person -- or you don't have
2 to be older. They create a name for theyselves. Then the next
3 person that comes along end up being under that person. It
4 could possibly be the same name. So that would be considered a
5 Lil person. Then it goes down the line as far as other people
6 join the Eight Trey Gangstas.

7 Q Now, let's take a -- let's take a name, for example.
8 What -- what does -- what does LS stand for? I think you just
9 said that.

10 A Lil Sidewinder.

11 Q Okay. So would that mean that he would be -- that name
12 would be fairly close to the top?

13 A Yes.

14 Q And that's in the Eight Trey hierarchy?

15 A Yes.

16 Q Okay. What about -- what -- can you tell us what the steps
17 are with -- with particular names and monikers? Not the
18 particular name but the Big, Lil, and so on.

19 A Yes. It starts off Big, then it goes down to Lil, and,
20 then, it goes to Baby, Tiny, Young, and Infant.

21 Q Okay. Is there a -- is there also Newborn?

22 A Yes.

23 Q Okay. Is that the same as Infant or is that below that?

24 A It's kind of the same.

25 Q Now, does that hierarchy or -- or that generational steps

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1 have any role in, for lack of a better word, Eight Trey
2 business?

3 A No.

4 Q You mentioned that sometimes people can make a name for
5 themselves outside of that name structure.

6 A Yes.

7 Q So, in other words, somebody that may have a name of a
8 Young or something different might be able to elevate
9 themselves?

10 A Yes.

11 Q Structure? Okay. Now, you mentioned that -- well, you
12 mention that some of the same people were involved in both the
13 Eight Treys that you hung out with and those in the pill game.
14 For example, let's talk about how the pill game was structured.
15 Does the same hierarchy apply?

16 A No.

17 Q And why do you say that?

18 A Because no one's -- everyone that goes -- decides to go to
19 another town, another state to -- to accumulate money is based
20 on they own decision. They wasn't told. And they wasn't, like,
21 pressured. If anyone else get involved, it's because that
22 person wanted to get involved and go up and hang out either with
23 that person or try to make the same money that that person has
24 made.

25 Q In terms of a -- a hustle or going to another city and

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1 establishing something, is there any credit or status given to
2 the person that actually does establish that hustle?

3 A No.

4 Q Well, let me ask this: Is there status given in Eight Trey
5 in Los Angeles?

6 A No.

7 Q Okay. What about, in particular, that specific hustle?

8 A Well, if someone is out there already and you go to the
9 other state to -- basically to hang with that person to make
10 money, as well, then it could be where they can label that
11 person as their first sin. Basically, like, "Oh, he started
12 this." Like, he got it going on in that state. "I'm gonna hang
13 out with him and make some money."

14 Q Okay. And is there some level of deference or respect
15 given to -- typically given to someone that starts a hustle?

16 A Yeah.

17 Q Okay. But that deference or respect may not hold true
18 across Eight Trey completely. Is that --

19 A Right.

20 Q All right. You indicated that Mr. Carmen -- you hung out
21 with him in Eight Trey. Did he have a certain status in
22 Los Angeles in the Eight Trey system?

23 A At the time, yes.

24 Q Okay. And what is his level of -- he's been referred to as
25 "School Boy." What is his level of School Boy in terms of those

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1 Big, Lil, Young names?

2 A He's Baby School Boy.

3 Q And what -- so how would you describe his status in terms
4 of Eight Trey, having known him for ten years?

5 A An older homie.

6 Q Now, how would you describe his status in terms of the pill
7 hustle having been involved in that for two or three years?

8 A From when I got involved and not knowing who all was
9 involved at the time, I would say that he was the start of it.

10 Q And he was involved -- you -- you said you became involved
11 in 2011?

12 A Yes.

13 Q Do you have any knowledge as to how long the hustle had
14 been going before you became involved?

15 A No.

16 Q But you learned that it had been -- had started previously.

17 A Yes.

18 Q And did you learn that from other people that were
19 involved?

20 A Yes.

21 Q Okay. What about Mr. Haynes? What -- what did -- how --
22 what was his status in Eight Trey, generally, in Los Angeles?

23 A A lil homie.

24 Q Okay. And how did that status compare to his status in the
25 pill game?

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1 A It was kind of like the same.

2 Q The same as what?

3 A As him just being a lil homie.

4 Q Okay. So would you put him, perhaps, the same as
5 Mr. Carmen in the Eight Trey, generally?

6 A No.

7 Q Okay. Lower or --

8 A Yes.

9 Q Okay. And how about, then, compared to Mr. Carmen in the
10 pill game?

11 A Put 'im in the same bracket.

12 Q Same bracket. Okay. All right. What about Mr. Madison?

13 A Yeah, he's considered a older home -- homie from the Eight
14 Trey down in Los Angeles.

15 Q Okay. So does that mean that he has a different status
16 than Mr. Carmen or Mr. Haynes has in Los Angeles?

17 A Yes.

18 Q And what -- what is the difference in that status?

19 A He been around longer and he has a -- a kind of a little
20 say-so about what goes on and what should go on in a Eight Trey
21 area.

22 Q And how does that compare to his involvement in the pill
23 game?

24 A Well, at the time when I joined the conspiracy, I didn't --
25 had no idea that he was even involved until several months down

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1 the line.

2 Q Okay. But you did learn that he was involved?

3 A Yes.

4 Q And -- and I know that we talked about you couriered pills
5 up. But, as your involvement grewed (sic), did your involvement
6 included Mr. Madison?

7 A Yes.

8 Q Okay. So, based on the time that you were involved with
9 Mr. Madison in the pill game, are you able to, say, come --
10 decide what his status was?

11 A Yeah.

12 Q And how -- and, then, my question is: How did his status
13 as being higher level in the Eight Treys in Los Angeles compare
14 to his status in Spokane?

15 A Well, it really didn't compare as far as in his level as
16 far as an Eight Trey in LA and his status as far as in the pill
17 game in Spokane. It's just that I was able to be aware that he
18 had a better connection than other people in the pill game.

19 Q You mentioned that you hung out with a Mr. James?

20 A Yes.

21 Q How does his -- how did his status in the Eight Treys in
22 Los Angeles compare with his involvement in the pill game?

23 A He was -- his status is the same as, like, TS, as far as in
24 the LA area. But, as far as in the pill game, he was just --
25 join the conspiracy.

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1 Q All right. You talked a little bit about your adoption
2 into the Eight Treys, and -- and we just touched on it a little
3 bit. Did you have to be -- and I might pick the complete wrong
4 word. But did you have to be sponsored to be able to be
5 adopted?

6 A Yeah.

7 Q And how -- can you describe what it means to be
8 sponsored -- to be adopted into the Eight Treys?

9 A Well, you -- you start, initially, hanging with someone
10 that's either older or been around for a while. And, then, they
11 start to take you underneath they wing and start to like you and
12 want you to join and be part of the Eight Trey.

13 Q Okay. And I -- and I think you indicated that you had hung
14 with certain people. Do -- again, who did you hang with?

15 A Carmen, James, Haynes, and several other Eight Trey
16 members.

17 Q Okay. Other Eight Treys that, to your knowledge, are
18 involved in this case?

19 A No.

20 Q Okay. So speaking just simply of Carmen, Haynes -- well,
21 let me ask you this: Who would be -- who would you consider to
22 be your sponsor, then, to bring you into Eight Treys?

23 A Another Eight Trey member.

24 Q Okay. Not necessarily Mr. Carmen or Mr. Haynes?

25 A No.

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1 Q Okay. Now, you indicated yesterday that you had -- you
2 received the name of School Girl.

3 A Yes.

4 Q And can you tell us, again, how that came about?

5 A Me being involved in an intimate relationship with another
6 School Boy.

7 Q Somebody within that Big, Lil, Young --

8 A Yes.

9 Q -- hierarchy? And what level -- which -- which School Boy
10 would that be?

11 A Young.

12 Q So is -- did -- did Young School Boy give you that name or
13 did someone else give you the name?

14 A Carmen.

15 Q Okay. All right. And why? Why did he give you that name?

16 A At the time, I thought he liked me.

17 Q Okay.

18 A So he gave it to me.

19 Q Now, you mentioned that part of becoming an Eight Trey
20 is -- I think I used the term "putting in work;" but you mention
21 hanging out and the fast life, I think. And what -- what did it
22 mean by "hanging out"? I mean, can you give us kind of an idea
23 as to really what hanging out means?

24 A Just standing in the -- the Eight Trey area, like, as far
25 as in streets, apartment buildings in the area. Just a group of

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1 people just hanging out drinking.

2 Q And why would that necessarily be important to establish
3 your credibility or respect?

4 A I wouldn't put it as it being important. I just say a lot
5 of people does that to make theyselves known as far as in Eight
6 Trey members.

7 Q Okay. So, if an Eight Trey member -- there -- are there
8 some Eight Treys that you don't know?

9 A Yes.

10 Q Okay. So, if -- but there may be Eight Treys that -- that
11 know the person that you're hanging out with?

12 A Yes.

13 Q So is that how you can be associated and become known?

14 A Yes.

15 Q Okay. You mentioned -- you referenced drugs in terms of --
16 in -- in the context of putting in work. What did that mean?

17 A Selling drugs in the local area.

18 Q Is that something that you did?

19 A Yes.

20 Q And did that help you obtain respect or status as an Eight
21 Trey?

22 A No. But it gave -- it gave me -- it gave me, like, a --
23 kind of like a leeway to be able to do that in the Eight Trey area.

24 Q And was there anyone in particular that you would sell
25 drugs for?

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- 1 A At the time, yes.
- 2 Q And did that -- did -- all right. I'll come back to that.
- 3 Did you ever get convicted or arrested for drug dealing?
- 4 A Yes.
- 5 Q And what happened?
- 6 A I got arrested. Then I was released on probation
- 7 conditions.
- 8 Q Just one time or --
- 9 A Twice.
- 10 Q What about any other -- I say, "brushes with the law," but
- 11 arrests or convictions?
- 12 A Yes. I have a misdemeanor charge for a forgery, forging a
- 13 check.
- 14 Q All right. Anything else?
- 15 A No.
- 16 Q So you indicated that -- that Haynes -- Mr. Haynes called
- 17 you and asked you if you wanted to bring pills up?
- 18 A Yes.
- 19 Q Okay. How does that compare getting into the pill game
- 20 with being sponsored into the Eight Treys? Does somebody need
- 21 to bring you into the game?
- 22 A Well, no. You can meet people in your local area and start
- 23 hanging out with them, and they start taking you around to meet
- 24 other people. And, you know, you have a option then if you want
- 25 to join the gang or not.

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1 Q Well, in terms of -- I know that we've used different
2 words, "pill game" or "hustle." Let's talk in hustles in --
3 generally. If an Eight Trey is involved in a hustle somewhere
4 in a different city, or maybe even Los Angeles, and you want to
5 be involved in that hustle, are there times where you need to be
6 brought in or sponsored into that hustle?

7 A You can. Then you don't have to be.

8 Q Is -- are there circumstances where you need to seek
9 permission?

10 A Well, only if you decide to make money in that area
11 precisely where that person has already had -- has been getting
12 money at, yeah.

13 Q And is that something that you had to do to come up to
14 Spokane?

15 A Yes.

16 Q Okay. And whose permission did you seek?

17 A Haynes and Carmen.

18 Q And why? Why did you specifically seek permission from
19 those two?

20 A Well, because they brought me up to Spokane. And I had no
21 idea, you know, nothing about Spokane or anything as far as in
22 the pill game. So, to be -- to even make money or anything, I
23 had to basically go through them because they knew the city and
24 the pill game better than I did.

25 Q Okay. Now, you said that first you came up just -- you

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1 just brought pills.

2 A Yes.

3 Q Are you talking about seeking permission to simply bring
4 pills up?

5 A Yes.

6 Q And -- but didn't you say that Carmen asked you if you
7 would do it? I mean, not -- excuse me. I misstated that. I
8 think you said that Mr. Haynes asked to you do it.

9 A Yes.

10 Q Did you still feel that you needed permission when one of
11 the individuals asked you?

12 A Yeah.

13 Q Okay. And why?

14 A Because it was like I was going into some -- I was going
15 somewhere where I didn't really know it. So I didn't know --
16 you know, I didn't want to just go out there and just assume
17 that it was okay to make money with them or in Spokane and I
18 haven't knowledge of anything that goes on in Spokane.

19 Q And, in part, did that decision to seek permission have
20 anything to do with the fact that you'd known Mr. Carmen for
21 some time?

22 A Can you repeat that?

23 Q Yeah. It was -- wasn't worded very well.

24 Did part of the reason that you sought permission from
25 Mr. Carmen was that because you'd known Mr. Carmen as an Eight

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1 Trey?

2 A Yes.

3 Q Okay. And because you'd hung out with him for many years?

4 A Yes.

5 Q Okay. So is it fair to say that there is a -- a loyalty
6 amongst Eight Trey, in general?

7 A Yes.

8 Q How does that loyalty, in your mind, compare to the pill
9 hustle?

10 A The same.

11 Q You talked a little bit about -- I think I asked you about
12 whether there's different sides in the Eight Trey.

13 A Yes.

14 Q Okay. And are you familiar with all the sides?

15 A Yes.

16 Q Can you tell us what they are?

17 A Just that you have the back west, the north side, the south
18 side, the original west, and the far west.

19 Q Okay. And is there -- I mean, we've used terms -- are all
20 these sides Eight Trey?

21 A Yes.

22 Q Okay. Is there a difference between the sides other than
23 their names or perhaps their geographical location?

24 A No.

25 Q Okay. Is it -- does -- do all the sides get along?

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1 A Somewhat, yeah.

2 Q Do they have -- are there occasional disputes, however?

3 A Yeah.

4 Q All right. Now, how does that -- how does that work if
5 there's a dispute in Los Angeles between the sides?

6 A Well, it just come to where -- when there's a dispute,
7 basically, just that, you know, you have some people that's --
8 might not agree with that side so they might not hang out or go
9 down to that side of Eight Trey when there's a dispute going on.

10 Q Okay. So, in terms of what you indicated, kind of hanging
11 out on the corner or making yourself known as an Eight Trey, is
12 it fair to say that you would, kind of, generally, stick to your
13 side?

14 A Well, not necessarily because you got some that -- that has
15 issue with that side. So normally it's really with that person
16 and whoever the person may accumulated from the other side.
17 It's not -- has nothing do with just everybody initially from
18 one side.

19 Q How do -- or, to your knowledge, are there people from the
20 different sides involved in the pill game?

21 A Yes.

22 Q Okay. And any particular sides, in general, or pretty much
23 all of them?

24 A Pretty much all of them.

25 Q Now, does the same, I guess, side -- maybe my term

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1 "loyalty" -- but association apply in the pill game in Spokane,
2 as well?

3 A Well, you got some from different sides that hang out --
4 that did hang out in Spokane together and you got some that
5 didn't.

6 Q Okay. Is there any -- is it -- is there maybe a -- do the
7 sides have a common -- do the individuals from different sides
8 have a common goal in Spokane?

9 A Yeah.

10 Q What would that goal be?

11 A To make money.

12 Q Okay. And how? How would they make money?

13 A Distributing oxys.

14 Q In terms of general Eight Trey business -- and I'm speaking
15 of you, in particular. You've been there ten -- you were ten
16 years; had the School Girl name. Were you involved in -- did
17 that allow you to be involved in general discussions in terms
18 of, I guess, very general Eight Trey business?

19 A Yes.

20 Q Okay. And what -- what level of involvement did you have
21 or could you have in general Eight Trey business?

22 A Just the regular level. No hierarchy or anything.

23 Q Was there -- well, maybe that's a very general question, I
24 guess. Was there business that was conducted by higher level
25 Eight Treys? In other words, some of the original or -- or high

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1 level -- the Bigs and the Lils that you may not have been
2 involved in?

3 A Yes.

4 Q Okay. And what about the pill game? The pill hustle? Was
5 there conversations or discussions that you could be involved
6 in?

7 A Yes.

8 Q Were there some -- to your knowledge, were there
9 conversations and discussions that you may not have been
10 involved in because of your level?

11 A Yes.

12 Q Okay. And do you know who those discussions would have
13 been with? Or, excuse me. Would you have learned -- I'll
14 rephrase that.

15 Would you have learned, based on your involvement with
16 those persons in the pill game or pill hustle, whether
17 discussions did take place at a higher level than you were in
18 Spokane?

19 A Yeah. I was aware that they took place; but I can't say,
20 actually, with who they would have took place to because a lot
21 of people kept their business to theyselves. They didn't
22 discuss it with other -- with me or other Eight Treys.

23 Q And were there -- and I'm assuming -- again, I'm comparing.
24 I would assume there was a lot of Eight Trey business that you
25 didn't ask about.

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1 A Yes.

2 Q And would that compare with the pill hustle, as well?

3 A Yes.

4 Q And why would you -- why would there be things that you
5 wouldn't ask about?

6 A Probably just minding my business and not want to get
7 involved with someone else's business.

8 Q Okay. Were there also codes in terms of -- or expectations
9 that some -- that you wouldn't ask about certain things?

10 A Yes.

11 Q And is that -- is that general to Eight Trey?

12 A No. Just something I didn't do.

13 Q But were there -- okay. We talked a little -- we left off
14 yesterday about how you became involved and you indicated, just
15 a reminder, that you started out as a courier?

16 A Yes.

17 Q And what time frame was that, again?

18 A Mid 2011, approximately, to towards the end of 2011.

19 Q And what happened after that first trip? Did you -- was
20 that it?

21 A No. I started coming numerous times after that.

22 Q Okay. When you say, "numerous," how often, in general,
23 would you come?

24 A Once a month. Sometime every three weeks.

25 Q Okay. And were the trips generally the same?

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1 A Well, the people that I dealt with, as far as in who I gave
2 the pills to or who I received them from was different.

3 Q And, again, just as a reminder, typically who brought you
4 the pills?

5 A In the begin -- in the first time was David Colbert.

6 Q Okay. The first time what -- what about additional times?

7 A From Haynes.

8 Q Okay. Anyone else?

9 A His girlfriend at the time was Terrai.

10 Q Okay. Anyone else?

11 A No.

12 Q Okay. What about once you got to Spokane?

13 A The first time I gave the pills to Haynes, which was in
14 Spokane at the time. The second time was with James. And,
15 then, most of the times it was Haynes and a female that he was
16 in relationship with at the time in Spokane.

17 Q And who was that?

18 A Her name was Michelle.

19 Q When you brought the pills up, you said that initially
20 Carmen was present.

21 A He were a couple a times.

22 Q Okay. Was he -- do you recall whether or not he was
23 present in Los Angeles when you received the pills?

24 A No.

25 Q So just in Spokane?

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1 A Yes.

2 Q Okay. And, when he was present, what did he do?

3 A Well, the first time he pick me up with Haynes when I first
4 went. And, then, the other couple a times I seen him he would
5 just come by the apartment where I stayed several times when I
6 came up to Spokane.

7 Q And what did he do when he came by the apartment?

8 A We just casually talked. Talked about the pills, in
9 general. How much they was going for.

10 Q And, at that time, I think you indicated the first time, at
11 least, you brought up 80-milligram OxyContin?

12 A Yes.

13 Q What -- what was the general discussion about how much they
14 were going for?

15 A Well, when I gave the pills to Haynes he made a comment and
16 said that -- that he was gonna make approximately 10,000 off the
17 pills. That's what -- but he didn't go in precise of how much
18 each pill was worth.

19 Q Okay. And, as a reminder, I think you gave us a number as
20 how many pills you thought you carried the first time. And how
21 many was that?

22 A About 250.

23 Q Okay. And was that -- that discussion took place when you
24 first got there?

25 A Yes.

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- 1 Q Okay. And did that -- and was Mr. Carmen present during
2 that discussion?
- 3 A He was present in the apartment but not in the room where
4 discussion took place with me and Haynes.
- 5 Q Okay. Any other -- what -- what other types of discussions
6 did you have about the pills?
- 7 A What kind of pills they were, the milligram, the name, how
8 can I accumulate the pills if I wanted to join the pill game,
9 which is the conspiracy.
- 10 Q Okay. Let's talk about the types of pills. What types of
11 pills were talked about?
- 12 A Oxy 30-milligrams.
- 13 Q Okay. Why 30-milligram? It sounded like you brought
14 80-milligram pills up in the beginning.
- 15 A At the time, I had no idea why it changed from one color to
16 another or a different milligram.
- 17 Q Okay. Any other types of pills, perhaps not OxyContin?
- 18 A At that time, I weren't aware of, no.
- 19 Q Okay. Did that change?
- 20 A Yes.
- 21 Q Okay. Just what -- how did it change, and then we'll come
22 back to that.
- 23 A Because as I got more involved in the conspiracy, I learned
24 that the people that were buying, that we referred to as
25 "fades," 30-oxy milligrams, they started asking for different

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1 type of prescription medication.

2 Q Do you recall some of the types of pills that they asked
3 for?

4 A Yes.

5 Q What -- can you give -- can you tell us some examples?

6 A Hydros and Xanny -- Xanax.

7 Q Okay. And did you have any type of code word or -- or did
8 you call -- what did you call the Hydros?

9 A Dros.

10 Q Anything else?

11 A The Xanax bars was called "Xanies" or "bars."

12 Q Any other types of pills that you recall?

13 A Yeah. The more involvement, I started to get involved with
14 40-milligram OxyConti (sic).

15 Q Okay. All right. We'll come back to OxyContin. How about
16 other pills?

17 A No.

18 Q Okay. Have you heard -- have you ever used the term "Vs."

19 A Yes.

20 Q And what would V mean?

21 A It's a different type a oxy. I think more like a Vicodin
22 kind of oxy.

23 Q How about K9s?

24 A I seen those around, but I never dealt with K9s.

25 Q In terms of the oxys, you've given a couple different

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1 milligram amounts. Was there anything that you particularly --
2 any terms that you used to describe the 30-milligram pills?

3 A Yes. We used the term "blues" because of the color of the
4 pills.

5 Q Okay.

6 A And sometime people would call 'em "beans."

7 Q Beans?

8 A Yes.

9 Q What else?

10 A That's really, approximately, I can remember.

11 Q Did you use any terms that might have been particular to
12 markings on the pills?

13 A Yeah. The As and the Ms.

14 Q And did you use any terms in addition to, like, As and Ms?
15 Did you use any words?

16 A Yeah. Sometime you -- instead of saying the actual pill
17 name, the "A 215 30-milligram," we'll say, like, "apples" or,
18 you know, make up a name for the M, like "Manchester," which was
19 a street that is down in LA.

20 Q What about the 40-milligram pills? I mean, I -- I -- it
21 sounds kind of -- well, did you have any different names for
22 those?

23 A Just OCs. What they were.

24 Q And why -- why, necessarily, were those OCs?

25 A Because they were oxy -- OxyContin.

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1 Q Were there any other milligrams, varieties?

2 A At the time, I'm not aware of. I just know that that's
3 what -- all I dealt with was the 40-milligrams.

4 Q Okay. Did you hear -- ever hear discussion about different
5 milligrams, such as 15s?

6 A Yeah.

7 Q And were those -- to your knowledge, were those OxyContins,
8 as well?

9 A If I would a have to -- think they were, then, yeah.

10 (Interruption by the reporter)

11 THE WITNESS: If I would have to believe they were,
12 then I'd, yes.

13 Q (BY MR. SMOOT) Can you -- you also indicated that some of
14 the discussion was about how to get them. How to get the pills.

15 A Yes.

16 Q Who -- who did you have these discussions with?

17 A With Carmen and Haynes.

18 Q Okay. And what did you learn from those discussions?

19 A Just, basically, how the pills -- how much they was going
20 for and that they were pain medication and that people -- that
21 they was, kind of like, easy to get if I found people down in
22 Los Angeles area that was willing to sell their prescription
23 medication.

24 Q Okay. Let's go back. How much were they going for?

25 A At that time, they were going for \$18.

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1 Q And, when you say, "they were going for \$18," just to be
2 clear, are we talking about the 30-milligram pills?

3 A Yes.

4 Q And -- and \$18. Who -- who got the \$18? And I'm not
5 asking for specific names of people, but was that your price to
6 obtain them?

7 A No. That was the price that they told me that they were
8 going for.

9 Q Okay. So that was the sale price in Spokane.

10 A Yes.

11 Q Okay. Did you have discussions about how much you would
12 have to pay to get the pills?

13 A Yes. I got estimated price that they was going for about 9
14 or \$10 down in Los Angeles.

15 Q And who -- who would you get these pills from? Or let me
16 back up. Not you but how did Carmen and Haynes say that you
17 could get these pills for \$9 or \$10?

18 A Just, basically, have to find people, or elderly people in
19 general, that was willing to sell them at that price.

20 Q Okay. Did they tell you how to find people?

21 A No.

22 Q Okay. Did you have an idea how to find people?

23 A No. I just kind of asked around. I asked people if they
24 familiar with those type of oxys and if they know anyone that
25 was willing to sell they prescription.

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1 Q Okay. You said that you made the comment that they were
2 easy to get?

3 A Yeah.

4 Q Okay. And is that -- did that prove to be true?

5 A After a while, yeah.

6 Q Okay. Why do you say, "after a while"?

7 A Because, after I learned about the pills and found people
8 that were willing to sell them, then it started -- they
9 introduce you to other people who also was doing -- willing to
10 do the same thing.

11 Q Okay. And this process that you followed, was this -- was
12 that what was laid out or told to you by Carmen and Haynes?

13 A Well, they just, basically, told me, like, how much they
14 was for and, then, to look for them. But the process that I
15 took to find them was -- it was my own idea.

16 Q Did they have any particular, I guess, name or anything
17 that they called the people that you could get the pills from?

18 A "Connection." A "plug."

19 Q Okay. Did -- to your knowledge, was the term "fade" ever
20 used in terms of a supplier?

21 A Yeah.

22 Q Did anyone give you any help to find your first plug or
23 supplier fade?

24 A Yeah. An older lady that lived in the neighborhood.

25 Q I guess I was asking if -- okay. Thanks. All right. All

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1 right.

2 What other types of discussions did you have -- did you
3 have with Mr. Carmen and Mr. Haynes when you would come to
4 Spokane?

5 MR. NOLLETTE: Objection to the foundation.

6 THE COURT: Yeah. Okay. What point in time are you
7 talking about?

8 MR. SMOOT: We're still talking about the beginning.

9 Q (BY MR. SMOOT) In -- when you first came up, you had the
10 discussions about pills: How to get them, what they sold for.
11 What other -- any other types of discussions about the pill
12 game?

13 A Yeah. After I started taking frequent trips there in the
14 beginning, they started to offer me opportunity to make extra
15 money besides the money I was paid for for the trip, which was
16 they would provide me with the pills. Then I sell them for the
17 \$18 price; and, then, I can make \$2 off each pill that I sold.

18 Q Okay. So who -- just who is "they," just to be clear?

19 A Oh, Haynes and Carmen.

20 Q Okay. And, so, basically, they -- let me get this
21 straight: They said you could sell their pills for them and
22 they'd pay you \$2 off each pill.

23 A Yes.

24 Q Okay. Is that something that -- did they pay you cash
25 money when you were done?

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1 A Yes.

2 Q Okay. Or how did that work?

3 A Once I'm finished with the amount of pills that they give
4 me, then I just subtract the \$2 from each pill off. I keep that
5 portion and give them the rest of the amount.

6 Q Okay. So were these pills that you were selling for them,
7 were these the pills that you were personally bringing up?

8 A I don't know if it was precisely those exactly, but they
9 was the same kind of pills.

10 Q Well, let me ask you this: Did you sell more pills than
11 you personally brought up?

12 A No.

13 Q Did they -- when you initially said that you'd bring pills
14 up and you gave them to Carmen or to Haynes, one of them, then,
15 when you began to sell the pills, did you just keep them?

16 A No. I still would issue them to the person I was bringing
17 them to.

18 Q Okay. And, then, they would give you some back?

19 A Yeah.

20 Q How'd that work?

21 A Well, if I decide to -- normally, after a while, I started
22 to stay. It went from overnight, from a couple a nights to --
23 it started a week, week-and-a-half. In the time frame that I'm
24 out there, then, I was interested in making more money than I
25 did, as far as in what they paid me for the trips. So I stayed

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1 out longer in Spokane. And, then, that's when that opportunity
2 came, as far as in me selling pills for Carmen and Haynes, and
3 able to make extra money on the side.

4 Q Okay. Where -- where did you stay?

5 A At an apartment that -- where Haynes was staying with his
6 girlfriend, at the time.

7 Q And is that the individual that you mentioned earlier?

8 A Yes.

9 Q Michelle? Okay. Did you -- I mean, did you just
10 automatically know how to sell the pills; or did somebody teach
11 you how to go out and sell the oxys?

12 A Well, I rode around with them a few times; and I seen how
13 the operation work, as far as in someone calling 'em and they
14 meet 'em at a location and distribute oxys.

15 Q You said you "rode around with" -- I don't know if you said
16 "him" or "them."

17 A "Them," meaning Carmen and Haynes.

18 Q Okay. Now, when you say that, are you saying that they
19 were both there at the same time or you rode around with them
20 individually at different times?

21 A Sometime at the same time; then sometime it would be just
22 with me and Carmen. Sometime it'd be just me and Haynes.

23 Q And what -- what did you observe while you were learning
24 how to do these deliveries? Let's take -- let's -- let's narrow
25 it down, and let's say that you were with -- it's a time that

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1 you were with Mr. Carmen. What did you observe happening?

2 A We drove around Spokane area. Met up with different
3 individuals where I see him distribute oxys to other
4 individuals, which was called "fades" at the time.

5 Q Where did these deliveries occur, typically?

6 A Nowhere particularly. Just any, like, wide -- wide, like,
7 shopping center areas.

8 Q I know that we're talking about a substantial time period,
9 but let's put it into perspective. How -- you know, you made
10 your first -- you came up the first time, I think you said,
11 maybe, in spring of 2011. How --

12 MR. NOLLETTE: Objection, your Honor, misstates the --
13 (Interruption by the reporter)

14 MR. SMOOT: Okay. I'll just ask --
15 (Interruption by the reporter)

16 MR. SMOOT: Okay.

17 MR. NOLLETTE: Objection. Misstatement of what she
18 had testified. She said it was the fall of '11.

19 THE COURT: Clarify.

20 MR. SMOOT: Okay. I'll reask the question.

21 Q (BY MR. SMOOT) Just for clarity, when did you first come
22 up on your first trip?

23 A May of 2011.

24 Q Okay. So, between May of 2011, approximately when did you
25 make this transition from just bringing pills up to staying and

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1 going out on the fades?

2 A Oh, maybe after my, I say, maybe third or fourth trip.

3 Q Okay. Which -- would that be about a month or two later by
4 your prior testimony?

5 A Probably about a month later or several weeks later.

6 Q Okay. So, just for clarity, probably summer of 2011 now
7 you're out learning how to make fades?

8 A Yes.

9 Q Okay. All right. Can you give us an example of what
10 happened -- what you observed when you were with Mr. Carmen and
11 he met with a fade?

12 A He would just distributing them the oxys, and they would
13 give him money for them.

14 Q Okay. Well, would they -- would he just do it out in the
15 open, or would these take place in certain areas?

16 A Yeah, in certain areas, like, as far as, in parking lots.
17 And, then, the individual would get inside the vehicle with us.

18 Q And what typically occurred when an individual would get
19 inside the vehicle?

20 A And they'd hand the money over and, then, Carmen would hand
21 the oxys over and, then, individual would get out and leave and,
22 then, we would leave.

23 Q Okay. Sounds pretty simple.

24 A (Witness nods assent)

25 Q Okay. Was it any different when you rode around with

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- 1 Mr. Haynes?
- 2 A It was the same similarity.
- 3 Q So, once you learned the system or how to make the fades,
4 what was the next step for you?
- 5 A I got curious. I wanted to make some money. So I
6 started -- when I went back to LA, I started to ask around and
7 look for the prescription medication.
- 8 Q And were you able to find sources?
- 9 A After a while, yeah.
- 10 Q What -- how long is "after a while"?
- 11 A Maybe after -- probably, like, towards the end of 2011.
- 12 Q When -- about when did you come up to Spokane, then, with
13 your first trip to do your -- with your own pills?
- 14 A The end of 2011.
- 15 Q And do you recall approximately how many you had on that
16 trip?
- 17 A I only had about, I think, 100.
- 18 Q Did you bring pills for anyone else on that trip?
- 19 A No. At the time, no.
- 20 Q So how'd you get to Spokane?
- 21 A By Greyhound.
- 22 Q And what happened what you arrived?
- 23 A I caught a taxi to the apartment where I stayed numerous
24 times with Haynes.
- 25 Q Okay. Now, did either Mr. Carmen or Mr. Haynes know that

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1 you were coming up?

2 A At the time, I don't think Carmen was aware until I got
3 into Spokane; but Haynes knew because he gave me the okay to
4 stay at the apartment while he wasn't there.

5 Q So how did you go about making your -- making deliveries?

6 A Well, at the time, there was a phone there at the apartment
7 that was left there. And Haynes said it was -- that it was okay
8 that I can take the phone to my possession and answer the calls
9 and make the fades.

10 Q Okay. Did you ask -- did you ask Haynes if you could use
11 the phone?

12 A Yeah.

13 Q Okay. And, so, was this his fade phone?

14 A Yes.

15 Q Okay. Did he say why it was okay for you to use it?

16 A No. But he knew that I was going out there trying to make
17 money so he, basically -- he was helping me.

18 Q Okay. All right. So what did you do? You got to the
19 apartment, picked up the phone. What'd you do?

20 A Well, I just kind of, like, hung out because I didn't
21 really -- I wasn't familiar with the whole process of, you know,
22 either I should a called the people or wait for them to call me.
23 So I just waited for them to call the phone.

24 Q How long did that take?

25 A Maybe about -- I got there early morning at 6:00. Maybe

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1 about 10:00, 11:00 the phone started to ring.

2 Q And I'm not going to ask who. At this point, did you get
3 calls from just one person or multiple people?

4 A It was numerous people.

5 Q Okay. How long did it take you to get rid of the 100
6 pills?

7 A I'd say I was finished by the next morning.

8 Q Did you sell anybody else's pills at that time?

9 A No.

10 Q So how much money did you think you made off of those
11 pills?

12 A \$1,800.

13 Q Now, on those pills, particularly, did you owe anybody
14 anything?

15 A No.

16 Q So what happened after you ran out of pills?

17 A I stayed there for extra day-and-a-half; and, then, I
18 got -- I flew from Spokane back to Los Angeles.

19 Q Okay. Did you do anything in that extra day-and-a-half?

20 A No. I just really hung out at the house.

21 Q So did you continue to bring pills up for Mr. Haynes and
22 Mr. Carmen, or now did you just bring your own pills?

23 A Sometime I did. It was for -- mostly for Mr. Haynes. And
24 it was more like a favor at that time. He wasn't paying me any
25 more at that time.

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1 Q So did the amount of pills you were able to bring up grow?

2 A Repeat that.

3 Q Did it get bigger than 100 pills at a time?

4 A After -- after a while, yeah.

5 Q Okay. How long did it take for there to be more than 100
6 pills at a time?

7 A It -- well, at the time, I only had -- I was only dealing
8 with one person, as far as in, like, a plug. So it took me
9 several months before I was able to accumulate other people to
10 purchase more oxys.

11 Q After several months, then, how many pills, approximately,
12 were you bringing up?

13 A It started going from 100 to, like, 250, maybe 300. Then
14 it would go up and down. 100. It varies. Depends on that
15 month if that person decided to sell me the oxy. Sometime they
16 had other people that they were sellin' to.

17 Q Did you know who the other people that they were selling
18 them to?

19 A No.

20 Q How -- how often were you able to put together an amount of
21 pills to bring to Spokane?

22 A I want to say, once I started accumulating more people
23 besides that one person, I would say it was, like, three people,
24 probably, a month that were -- was willing to sell me oxys.

25 Q So you came up about once a month with your own pills?

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1 A Well, sometime I did. Sometime I didn't. It would be,
2 like, maybe a month and -- a month later or not as precise the
3 next month but a month after that.

4 Q You indicated that, when you came up, you stayed at -- at
5 an apartment --

6 A Yes.

7 Q -- that Haynes kept. Okay. Did you continue to stay
8 there?

9 A No. The more trips I took I started staying in motel rooms
10 a lot.

11 Q And did you continue to stay in motel rooms?

12 A No. Then -- well, kind of, like, for a period we kind of
13 did. Then we relocated to another apartment.

14 Q You say -- I thought you said, "we kind of did" stayed in
15 hotel --

16 A Yeah. Me and Haynes.

17 Q All right. And where was the apartment?

18 A It was on the north side of Spokane.

19 Q How did you get an apartment?

20 A There was someone there that let me in.

21 Q Okay. Did you get it in your name?

22 A No. It was already in someone else's name.

23 Q Okay. Do you know whose name it was in?

24 A The first apartment was in Carmen's girlfriend name. The
25 second apartment we located was in Haynes' girlfriend name.

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1 Q Okay. Tell us about the first apartment in Carmen's
2 girlfriend's name. What -- what name? Who was Carmen's
3 girlfriend?

4 A Well, at the time, I didn't know her. Then I learned that
5 her -- the apartment was in his girlfriend name Stephanie.

6 Q Okay. I think you mentioned her yesterday. Was that the
7 first house that you went to?

8 A Yes.

9 Q Okay. But, when you mentioned her yesterday, that was her
10 house?

11 A Yes.

12 Q Did she live at the apartment?

13 A No. She didn't stay there.

14 Q Okay. Was that -- why didn't you just get an apartment in
15 your name?

16 A Because I wasn't familiar with Spokane and, also, didn't
17 have any resources to get apartment in my name.

18 Q Okay. Well, who paid for the apartment?

19 A That I don't know.

20 Q So you didn't pay for the apartment.

21 A No.

22 Q Is that -- is that something that was common in your
23 participation that an apartment would be obtained in someone
24 else's name?

25 A Yes.

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1 Q And was there any other reasons, other than, perhaps, you
2 didn't have the resources, that an apartment would be put in
3 someone else's name?

4 A Mainly because they didn't have a background as far as in
5 criminal or any type of evictions.

6 Q Okay. All right. So how long were you in that first
7 apartment?

8 A I would say about, maybe, six, seven months, maybe.

9 Q Did anyone else share the apartment other than Haynes?

10 A James stayed there when he came up.

11 Q Anyone else?

12 A And a lot of other conspirator females that came up for
13 Haynes at the time, yes.

14 Q Okay. You say, "conspirator females." Do you recall any
15 of their names?

16 A At the time, it was -- I really didn't pay attention to a
17 lot of the girls' names.

18 Q Okay. Did you know the reason why they were coming up?

19 A Bringing oxys.

20 Q And how do you know that?

21 A Because I was -- see and identify them giving the oxys to
22 Haynes once they come.

23 Q All right. Why -- you mention that James stayed there.
24 Why did he stay there?

25 A He was distributing oxys.

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1 Q Anyone else use the apartment to your knowledge?

2 A No.

3 Q Okay. Did -- what -- you said that earlier you drove
4 around to deliver OxyContin. Did you ever use the apartment to
5 deliver or to, I guess, distribute oxys?

6 A Not out of the apartment or not near the apartment, but I
7 just stayed there.

8 Q Okay. Any reason not to just distribute them out of the
9 apartment?

10 A That's what I was told not to do.

11 Q Okay. Who told you not to do that?

12 A Haynes.

13 Q Okay. And why? Did he tell you why not to distribute it
14 at the apartment?

15 A No.

16 Q Okay. Did you have any idea why you wouldn't want to
17 distribute at the apartment?

18 A Probably because they didn't want the people to know where
19 they lived at or they didn't want to make the apartment, kind of
20 like, you know, turn into, like, a spot which is used for terms
21 as, like, allowing the fades to think it was okay to come to the
22 house to purchase.

23 Q Okay. And why would there be a problem if the fades
24 started coming to the house?

25 A I think neighbors would start getting suspicious.

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1 Q Yeah. And would that lead to another potential problem?

2 A Yeah.

3 Q Such as?

4 A Eviction from the apartment building.

5 Q Anything else?

6 A Attention to the police.

7 Q All right. What -- you said you were there six or seven
8 months, and then you moved to another apartment.

9 A Yes.

10 Q And where was the other apartment?

11 A It was out in Wandermere.

12 Q And who -- whose apartment was that?

13 A TS girlfriend.

14 Q And what was her name?

15 A Michelle.

16 Q I'm going to ask you, basically, the same question. Who
17 stayed at that apartment?

18 A At that time, it was just me, her, and Haynes.

19 Q What about -- I guess the question is either apartment.
20 Did you see Mr. Carmen come to either apartment?

21 A Yeah.

22 Q And I should have asked that in the first time. Why -- why
23 would he go to the first apartment?

24 MR. NOLLETTE: Objection. Form of the question.

25 THE COURT: Overruled.

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1 Q (BY MR. SMOOT) Why would Mr. Haynes -- why would
2 Mr. Carmen have gone to the first apartment when you were there?

3 A Normally he just came just to hang out with us to see what
4 we were doing. Like, kind of like, the term of "linkin' up."
5 We were all hangin' out at the house. You know, drink. You
6 know, smoke marijuana, play video games.

7 Q Okay. And were there -- during that time, like you'd
8 indicated before, were there discussions about the selling of
9 pills off and on?

10 A Just in the beginning.

11 Q Okay. And what about the second apartment. Did Mr. Carmen
12 go to that one?

13 A Yeah. Frankly, he stop by.

14 Q Okay. To your knowledge, were pills typically -- were
15 pills kept at the apartment?

16 A Yes.

17 Q And why -- why were they kept at the apartment?

18 A Well, the time when I was staying there, if I had pills,
19 they were kept at the apartment because that's where I was
20 stayin'. And the same for Haynes.

21 Q Okay. Why didn't you just take them all with you when you
22 went out to do your deliveries?

23 A Well, I didn't think it was safe to do that.

24 Q Okay. How about -- how about money? Was money kept at the
25 apartments?

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1 A The money that I seen, yeah.

2 Q Okay. So, if you're not taking all the pills with you,
3 what happens when -- when either you arrive with your pills or
4 one of these couriers that you described arrives with pills?
5 What happens to the pills? How are they -- are they processed?

6 A Well, once they arrive, they given to, you know, Haynes;
7 and he will do whatever he do with them, as far as, like, put
8 'em up, you know, hide 'em in the house or something like that.

9 Q Okay. What about -- were they ever put in smaller
10 packages?

11 A That I can't really say if the package accumulate through
12 the other women because that wasn't my business so I didn't, you
13 know, pay attention too much with that.

14 Q What about you? If you personally brought 300 pills, did
15 you put them in smaller packages to deliver?

16 A When I carried them up, I carried them the same way I
17 always carried them up, which was body package.

18 Q Actually, maybe I'm not being clear. I mean once you get
19 them to Spokane and you're getting ready to go out and make
20 deliveries, did you repackage them?

21 A Oh, yes.

22 Q Okay. Was there any particular amounts, or was it a
23 delivery specific?

24 A In the beginning, when I started, it was delivery specific.
25 Whatever that person called in and asked for.

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1 Q Okay. So, just fair to say, if somebody said, "I want 20,"
2 you'd, then, put 20 in a package and, then, go out and make the
3 delivery?

4 A Yes.

5 Q How did that change?

6 A It changed as far as in not wanting to go back and forth to
7 the house. So, kind of like, staying out, you know, and ridin'
8 around in Spokane or going to designation areas like the mall,
9 whatever, and just hanging out there until someone meet you. So
10 I started taking numerous amount -- more amount out with me so I
11 didn't have to go all the way back to the house.

12 Q Okay. You've used a lot of names of people involved,
13 Mr. Carmen, Mr. Haynes. I'm not going to go over them again.
14 But were there additional people that were involved in the pill
15 game that you haven't mentioned?

16 A In the beginning at the time, I didn't know everybody that
17 were involved. But, as I kept going out there, yeah, there was
18 people that I did know that were involved.

19 Q Okay. And did you have discussions with some of them?

20 A A couple of them, yeah.

21 Q And, if you didn't have discussions with them,
22 specifically, did you have discussions with Mr. Carmen or
23 Mr. Haynes about other people that you saw?

24 A Not more, like, discussions. They'll say, like, "Oh" -- if
25 we see someone that I didn't know was out there and, then,

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1 either Carmen or Haynes -- they'll be, like, "Oh, that, you
2 know, so-and-so. He's selling pills, too." Like, something
3 like that. But I'm not aware of us having a discussion about
4 'em.

5 Q Okay. Did you see other Eight Treys?

6 A Yes.

7 Q And are these persons that you knew from Eight Trey?

8 A Yes.

9 Q Okay. Can you give us some -- do you remember some of the
10 names of the people that you saw from Eight Trey?

11 A Mr. Johnwell. Mr. Turner. It was other numerous Eight
12 Treys, too, that's not on the conspiracy charge itself.

13 Q Anyone else off the top of your head? I don't -- I'm not
14 asking you to say that's all, but do you remember any other
15 names?

16 A I seen Mr. Blackmon out there; but, at the time, I don't
17 know if he was involved in the conspiracy.

18 Q Okay. Now, I know that earlier yesterday you indicated
19 that Mr. Carmen was in the courtroom. Now you've mentioned
20 Mr. Blackmon. Is that someone that's in the courtroom?

21 A Yes.

22 Q And can -- rather than pointing him out, can you just say
23 what he's wearing?

24 A Look like a gray shirt or jacket or something, you know,
25 glasses.

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1 Q All right. And -- all right. How about -- how about
2 Mr. Tones? Do you know Mr. Tones from Eight Trey?

3 A Yes.

4 Q Okay. And is it the same Mr. Tones that you know from
5 Eight Trey, is that person in the courtroom?

6 A Yes.

7 Q And can you tell us what he's wearing?

8 A Gray sweater, glasses.

9 Q All right. There's a -- you're aware that there's a lot of
10 names in this case. Correct?

11 A Yes.

12 Q And I think it's been mentioned a good many names on an
13 indictment.

14 A Yes.

15 Q Okay. As we talk about people that are involved with, do
16 you think it would be of help to the jury if, maybe, we went
17 over some of the names and associate those names with the --
18 with their Eight Trey names or other types of nicknames? If I
19 showed you some pictures?

20 A Yes.

21 Q Okay.

22 MR. SMOOT: For the witness only. And I'm actually
23 going to --

24 Q (BY MR. SMOOT) All right. What I'm going to do, Ms. Horn
25 is put up a photograph. And if -- as you can see, there's a

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1 spot for government name and a spot for, at least with this
2 particular photograph, for ETGC name or moniker. And do you
3 know what I -- what it means by ETGC?

4 A Yeah.

5 Q Okay. And what does -- what does that mean to you?

6 A It's the abbreviation of Eight Trey Gangster.

7 Q Okay. And what I'll do is I'm going to ask you if you
8 recognize the picture and have you fill in the government name
9 and the moniker. And there may very well be some -- some
10 questions to whether there's a Spokane name. And, then, after
11 that, then, I'll be asking to publish them individually to the
12 jury.

13 Okay. And do you see the screen? Who -- who does that
14 picture depict?

15 A Mr. Carmen.

16 Q Okay. And government name? And what is his names or
17 monikers?

18 A Baby School Boy.

19 Q Okay. And have you heard -- heard the name Schooly?

20 A Yes. Short for --

21 Q Okay. All right.

22 MR. SMOOT: If we could publish the jury. No this
23 would be just for -- your Honor, for illustrative purposes in
24 terms of testimony. I know there's been considerable discussion
25 about names and monikers.

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1 THE COURT: Go ahead.

2 Q (BY MR. SMOOT) I think we've -- I'm gonna ask you
3 questions on each on these. I know that we've talked about
4 Mr. Carmen quite a bit. But, based on your participation in the
5 conspiracy, how would you describe Mr. Carmen's role?

6 A Organizer.

7 Q All right.

8 MR. SMOOT: Witness only.

9 Q (BY MR. SMOOT) Who does that picture depict?

10 A Mr. Haynes.

11 Q Okay. And name, moniker?

12 A Tiny Sodi.

13 Q And, then, did he have a Spokane name?

14 A T or Swag.

15 MR. SMOOT: Publish, please.

16 Q (BY MR. SMOOT) And how would you describe -- again, all
17 these questions, instead of preferencing (sic) them, they were
18 based on your experience and your participation in the
19 conspiracy. In short, how would you describe his role?

20 A Organizer.

21 MR. SMOOT: Witness.

22 Q (BY MR. SMOOT) Who's that?

23 A Myself.

24 MR. SMOOT: Okay. Publish.

25 Q (BY MR. SMOOT) And did you have -- did you use a Spokane

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1 name?

2 A Yeah. Star.

3 Q Okay.

4 THE COURTROOM DEPUTY: Publish?

5 MR. SMOOT: Yes.

6 Q (BY MR. SMOOT) And I'm not going to ask to you to describe
7 your role because I think that's what you're doing.

8 MR. SMOOT: Witness.

9 Q (BY MR. SMOOT) Who does that photograph depict?

10 A Mr. Lisbey.

11 Q Okay. And does he have an Eight Trey name?

12 A Yes. Tiny Football.

13 Q And a Spokane moniker or name?

14 A Chill.

15 Q Okay.

16 MR. SMOOT: And if we could publish.

17 Q (BY MR. SMOOT) And how would you describe Mr. Lisbey's
18 role?

19 A Distributor.

20 Q Okay. Now --

21 MR. SMOOT: Okay. Oh, excuse me. Thanks.

22 Q (BY MR. SMOOT) Who is -- who does that picture depict?

23 A Mr. Madison.

24 Q Okay. And what does he go by?

25 A Lil Side.

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1 Q Okay.

2 MR. SMOOT: Publish.

3 Q (BY MR. SMOOT) I know that we've spoken about Mr. Madison,
4 as well. How would you describe his role?

5 A Manager/distributor.

6 MR. SMOOT: Witness.

7 Q (BY MR. SMOOT) And who is that individual?

8 A Mr. Turner.

9 Q And what is his name?

10 A Young Diamond.

11 Q Okay. Does he also go by YD?

12 A Yes.

13 Q And that's just, basically, like TS --

14 A Initials.

15 Q -- or LS? Short for their moniker? Okay.

16 MR. SMOOT: Publish.

17 Q (BY MR. SMOOT) And how would you describe Mr. Turner's
18 role?

19 A Distributor.

20 Q And, when you say, "distributor" -- this is the second time
21 or, I think, third time you've used that -- what specifically
22 are you talking about in terms of when you say, "distributor"?

23 A A person that was either bringing or having pills sent to
24 them. They would distribute them to the Spokane area.

25 Q Okay. Now, did -- and these are based on your

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1 observations?

2 A Yes.

3 Q Okay. Did you make observations of some of these
4 individuals that you've identified as distributors so far as
5 actually distributing?

6 A Yes.

7 Q Okay. And -- and did you also learn it from other people
8 in the conspiracy?

9 A Yes.

10 Q And did --

11 MR. SMOOT: Excuse me. Witness.

12 Q (BY MR. SMOOT) And who's that individual?

13 A Nocomie.

14 Q Okay.

15 MR. SMOOT: Publish. Excuse me. My -- let's see if I
16 can go back. If you could publish that.

17 Q (BY MR. SMOOT) We -- this is the first time we've spoken
18 about Nocomie. Who is Nocomie?

19 A I just know her as Nocomie; and she having relations or, I
20 think, a brother -- older brother or cousins -- that is
21 affiliated with Eight Trey.

22 Q Okay. And why -- how -- is she involved in the pill game
23 or pill hustle?

24 A Yes.

25 Q How do you know that?

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1 A I was told.

2 Q Okay. In the course of your participation, you were told
3 of her involvement?

4 A Yes.

5 Q Okay. And what did you learn to be her role, or how would
6 you describe her role based on what you learned?

7 A At the time when I was told that she was part of the
8 conspiracy, I would say that she was, kind of like, an organizer
9 because she had several individuals from Eight Trey that was
10 distributing oxys for her in Spokane.

11 Q Do you happen to know when Nocomie Moore got involved in
12 the pill game?

13 A No.

14 Q Okay. To your knowledge is -- okay.

15 MR. SMOOT: Witness.

16 Q (BY MR. SMOOT) Who's that individual?

17 A Mr. Miles.

18 Q Okay. And did he have a nickname or moniker?

19 A Nino.

20 Q Okay.

21 MR. SMOOT: Publish.

22 Q (BY MR. SMOOT) Was he an Eight Trey?

23 A Not that I'm aware of.

24 Q Okay. And why -- how would you describe his role?

25 A I would say -- from my experience and what I know about

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1 him, I'd say distributor.

2 Q And do you happen to know when Mr. Miles became involved in
3 the pill game?

4 A I didn't know at the time, but I was told through other
5 people that he had been involved several years before I was
6 involved.

7 Q And what did you learn about his involvement?

8 A That he was one of the person that numerous other Eight
9 Treys were involved with as far as in gettin' pills from.

10 MR. SMOOT: All right. Witness.

11 Q (BY MR. SMOOT) And do you recognize that picture?

12 A Yes.

13 Q Who's that?

14 A Mr. Lynch.

15 Q Okay. And did Mr. Lynch have -- was he an Eight Trey?

16 A Yes.

17 Q And what is his name?

18 A Young Moe.

19 Q Okay. I think that we -- that -- have you ever heard of
20 any other nick names associated with him, such as Big Nutty?

21 A Yes.

22 Q Okay. And how does somebody -- to knowledge, how does
23 somebody have two separate -- seemingly completely separate
24 names like that?

25 A Well, the Young Moe name is something, probably, was given

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1 to him. And the big Nutty name was something he made up on his
2 own.

3 Q Did he have a Spokane name or moniker?

4 A Not that I'm aware of.

5 Q Okay.

6 THE COURT: Let's take our morning recess.
7 Fifteen minutes. Don't talk about the case.

8 (Jury out at 10:29 a.m.)

9 (Court recessed at 10:29 a.m.)

10 (Jury in at 10:48 a.m.)

11 (Court reconvened at 10:48 a.m.)

12 THE COURT: Good morning. Please be seated.

13 Mr. Smoot, you may continue direct examination of
14 Ms. Sharita Horn.

15 Q (BY MR. SMOOT) Ms. Horn, go ahead and test your
16 microphone. I think we turned it off for a moment. Is it --

17 A Yeah, it's on.

18 Q Are you -- have you heard the name or nickname or whatever
19 you want to call it "Flossy" attached to Mr. Lynch?

20 A I heard about it later on -- later on down the line.

21 Q Okay.

22 MR. SMOOT: We can publish this one.

23 Q (BY MR. SMOOT) Okay. How would you describe Mr. Lynch's
24 involvement?

25 A Distributor.

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1 Q Okay. Oh, you know what? I think I asked you a question
2 right when we went to the break about somebody having two
3 different names. And we indicated one is Young Moe and the
4 other appears to be Big Nutty. And why -- why would that
5 happen?

6 A Well, he was given the name Young Moe to him probably when
7 he joined Eight Trey. And, then, as he went around for a while,
8 he decided to make a name for himself to accumulate other Eight
9 Trey members as considered lil homies underneath his -- his
10 second name that he made for himself.

11 Q Okay. So in -- in terms, if you have a Big School Boy or
12 Big Sodi or a -- or a Big Sidewinder, that would be something
13 that you indicated was a first generation and, then, the lines
14 followed. So what you're saying is that somebody may establish
15 themselves. Even though they're not originally first
16 generation, they would establish themselves as a new first
17 generation.

18 A Yes.

19 Q Okay. And is that something that an Eight Trey can just
20 declare on their own, or is that something that they have to get
21 some type of permission or authorization to do?

22 A No. They just declare on their own.

23 Q And what was Mr. Lynch's involvement in the pill hustle?

24 A As a distributor.

25 Q Okay. And do you know when he first came to Spokane?

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1 A No.

2 Q All right. Do you know if he was up in Spokane during the
3 time you were?

4 A I seen him several times.

5 MR. SMOOT: Witness.

6 Q (BY MR. SMOOT) And who is that individual?

7 A Mr. Blackmon.

8 Q Okay. And what is his Eight Trey name?

9 A Paco.

10 Q Okay. And does he -- does he also go by Big Paco?

11 A No.

12 Q Okay. All right. So, to your knowledge, if he was
13 referred to as Big Paco, that may have been from somebody else.

14 But, to your knowledge, you didn't know if he was referred to as
15 Big Paco.

16 A Yes.

17 MR. SMOOT: Okay. If we could publish?

18 Q (BY MR. SMOOT) Now -- and what was his involvement in the
19 pill game?

20 MR. LEE: Objection. Foundation.

21 MR. SMOOT: Based on --

22 THE COURT: Well, based on her own knowledge. But
23 what time frame are you talking about?

24 MR. SMOOT: Okay.

25 MR. LEE: Well -- and, also, if I can, your Honor,

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1 also hearsay if we can establish where the information came from
2 and when. So --

3 THE COURT: Go ahead.

4 Q (BY MR. SMOOT) Okay. Ms. Horn, when you're testifying and
5 I've asked you questions about what people's involvement were in
6 the pill hustle or the pill game, is that based on your own
7 participation -- knowledge from your own participation of the
8 pill game?

9 A Yeah, most of it.

10 Q Okay. And is some of that information based on discussions
11 that you've had with others while you were involved in the pill
12 game?

13 A Yes.

14 Q In other words, whether it's specific to the individual or
15 in general. If -- if -- when I say, "others," does that include
16 Mr. Carmen?

17 A Yes.

18 Q Does that include Mr. Haynes?

19 A Yes.

20 Q Does that include Mr. Madison?

21 A Yes.

22 Q Okay. Does that include Mr. James?

23 A No.

24 Q Okay. So most of your knowledge as to the involvement of
25 others is either based on your own observations and

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1 participation and information that you've learned during the
2 course of your participation from those other individuals.

3 MR. NOLLETTE: Objection, to the form of the question.

4 THE WITNESS: Yes.

5 MR. SMOOT: Just --

6 THE COURT: Overruled. I think it's clear.

7 Q (BY MR. SMOOT) So, in terms of Mr. Blackmon, how would you
8 describe his role?

9 A Well, the several times I was goin' to Spokane I had
10 knowledge and I was aware of that he was a distributor, as well.

11 Q Okay. And how -- when you say you had knowledge, what does
12 that mean?

13 A Meaning that we had discussions of him selling oxys.

14 Q Okay. And did you ever make your own personal observations?

15 A Once.

16 Q Okay. And what did you observe?

17 A I observed -- I was going to meet with someone to
18 distribute oxys. And, before I can get to the destination, I
19 observed the person that called me getting out of the vehicle --
20 out of his vehicle retrieving oxys.

21 Q Okay. Was that -- were you meeting a fade?

22 A Yes.

23 Q Do you remember what you called that fade?

24 A I believe -- I think his name was Trent.

25 Q Okay. And did you have any discussions with that fade

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1 about that fade's contact with Mr. Blackmon?

2 MR. LEE: Objection. Hearsay.

3 THE COURT: Just answer "yes" or "no" if you had
4 contact.

5 THE WITNESS: Yes.

6 Q (BY MR. SMOOT) And what was the nature of your discussion?

7 A I couldn't say I was kind of upset, but I was kind of
8 irritated that he had called me to meet with him to purchase
9 oxy. But, before I can get there, he set upon himself to call
10 Mr. Blackmon, I guess, to meet him because I couldn't get there
11 fast enough. So, when I got there, I observed him dealing
12 business with Mr. Blackmon.

13 Q Okay. On that particular occasion, did you -- did that
14 fade, Trent -- did you give him oxys at that time --

15 A No.

16 Q -- as well? Okay. All right. Do you know someone --
17 maybe this is ambiguous. Do you know someone known as Lil Paco?

18 A No.

19 Q Okay. Do you know of any other -- do you recall whether
20 there's any other Pacos that you may have known about being in
21 Spokane --

22 A No.

23 Q -- during the time period that you were in Spokane?

24 A No.

25 Q Okay. Any other -- do you know of any other Pacos that may

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1 have been associated with Mr. Carmen? And let me be specific.

2 When I say, "Paco," that may include Lil, Young, Infant. I'm

3 just using "Paco" because -- to see if you're aware of any other

4 ones.

5 A Yes.

6 Q Okay. To your knowledge, was the other Paco that you were

7 aware of involved in the pill game?

8 A Not to my knowledge.

9 Q Okay.

10 MR. SMOOT: Witness.

11 Q (BY MR. SMOOT) Who is that individual?

12 A Katriel.

13 Q Okay. And does he have an Eight Trey name?

14 A Yes. D3.

15 Q Okay. And would D3 also be a Baby Derranged?

16 A Yes.

17 Q Okay.

18 MR. SMOOT: Publish?

19 Q (BY MR. SMOOT) Are you aware of whether he was involved in
20 the pill game?

21 A Yes.

22 Q Okay. And what was his involvement?

23 A He was a distributor.

24 Q Okay. And how do you know that he was a distributor?

25 A He told me and I kind of hung out with him a couple of

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1 times in Spokane.

2 Q And did you have -- you have specific conversations with
3 him about types of pills?

4 A Yes.

5 Q Okay. Did you have -- okay.

6 MR. SMOOT: Back up. Witness.

7 Q (BY MR. SMOOT) Who's that individual?

8 A Mr. Colbert.

9 Q Okay. And what -- I think you indicated he was not an
10 Eight Trey.

11 A Correct.

12 Q Did he -- and what did he go by?

13 A Bone.

14 Q Okay. And did -- have you ever heard him being known as
15 Black Bone?

16 A Yeah.

17 Q Okay.

18 MR. SMOOT: Publish.

19 Q (BY MR. SMOOT) And based on, again, your participation,
20 what was his -- how would you describe his role in the pill
21 game?

22 A I would kind of say a distributor as far as -- not a
23 distributor of oxys in Spokane, but he was a good friend of
24 Haynes. That he would package and distribute oxys through the
25 females that would carry the oxys to Spokane.

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- 1 Q Okay. And where did he do this, generally?
- 2 A Down in Los Angeles.
- 3 Q Okay. And is that the individual that you met with? Or --
- 4 A On my first time? Yes.
- 5 Q Okay. Do you know of Mr. Colbert coming to Spokane?
- 6 A Yes. Once.
- 7 Q Okay. And do you know what the purpose of his coming to
- 8 Spokane was?
- 9 A To distribute oxys.
- 10 Q And was that during the time period that you were involved?
- 11 A Yes.
- 12 Q Okay.
- 13 MR. SMOOT: All right. Witness.
- 14 Q (BY MR. SMOOT) Who's that individual?
- 15 A Tymar.
- 16 Q Okay. His last name?
- 17 A Yes.
- 18 Q Is it Haynes?
- 19 A I believe it's Haynes, yes. Or Hayes. One of them.
- 20 Q Okay. Do you -- to your knowledge, do you know whether or
- 21 not he's related to Richard Haynes?
- 22 A To my knowledge, he's not related to him.
- 23 Q Okay. Does he have an Eight Trey moniker?
- 24 A Yes. Tiny Outlaw.
- 25 Q Okay. And, to your knowledge, how would you describe his

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1 role in the pill game?

2 A A distributor in Spokane.

3 Q Okay. I realize my -- some of my questions are assuming
4 that they're involved. If you have knowledge or don't have
5 knowledge that they're involved in the pill game, please correct
6 me.

7 A Okay.

8 MR. SMOOT: Publish. Sorry.

9 (Pause in the proceedings)

10 MR. SMOOT: Witness.

11 Q (BY MR. SMOOT) And who is that individual?

12 A Mr. Jamerson.

13 Q And does he have an Eight Trey name or moniker?

14 A Yes. Baby Nutty.

15 Q Okay. And, to your knowledge, was he involved in the pill
16 game?

17 A Yes.

18 Q What was his involvement?

19 A Distributor.

20 MR. SMOOT: Witness?

21 THE COURTROOM DEPUTY: Sorry.

22 MR. SMOOT: That's fine.

23 Q (BY MR. SMOOT) Who is that individual?

24 A Mr. James.

25 Q Okay. And did he have an Eight Trey moniker?

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1 A Yes. Tiny Menace.

2 Q Okay. Did you refer to him as "Menace" at times?

3 A Yes.

4 Q Or, possibly, TM? Okay. And did he go by any particular
5 name in Spokane?

6 A Brandon.

7 Q Okay. Now, did --

8 MR. SMOOT: Publish.

9 Q (BY MR. SMOOT) You've described a little bit about
10 Mr. James' involvement; but can you tell us again, in general,
11 what did he do in terms of the pill game?

12 A : Well, I only -- I met with him once when I came to Spokane
13 to give him the oxys. But, after several visits in Spokane, I
14 noticed that -- aware of that he was a distributor.

15 Q Okay. And, when you say, "distributor," maybe -- maybe
16 it's a good time to ask a couple questions about that. Now, if
17 you brought pills -- when you first started, the first time you
18 came up you brought about, I think, 300 pills up and gave them
19 to Mr. Haynes and Mr. Carmen. Correct?

20 A I gave them to Mr. Haynes.

21 Q Okay. Would -- would you consider that act as being an act
22 of distribution, in your mind?

23 A Yes.

24 Q Okay. But would you -- would you -- if that was your role
25 in the case, would you still describe yourself as a distributor

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1 or would you describe yourself as a courier or something
2 different?

3 A At that time, I would describe myself as a
4 carrier/distributor.

5 Q Now, you indicated that Mr. James is one of the individuals
6 that you had hung out with long before in Eight Trey?

7 A Yes.

8 Q Okay. And, in terms of the pill game, who was he
9 associated with?

10 A Myself, Mr. Carmen, Mr. Haynes, and that's all I have
11 knowledge of in the beginning.

12 Q Okay. And I'm -- we just went over another Mr. Haynes. A
13 Tymar Haynes. If -- if you're referencing Mr. Haynes, are you
14 generally speaking of Richard Haynes?

15 A Yes.

16 Q Okay. And, unless you're speaking of Tymar Haynes, any
17 reference to Haynes -- would that just be Richard Haynes?

18 A Yes.

19 Q Okay.

20 MR. SMOOT: Witness.

21 Q (BY MR. SMOOT) Who's that individual?

22 A I believe his name -- last name is Johnson. Marlon.

23 Q Okay. And does he have an Eight Trey name?

24 A Loon.

25 Q Okay. Loon or, perhaps, Loony?

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1 A Yes.

2 MR. SMOOT: Publish, please.

3 Q (BY MR. SMOOT) And, again, based on your participation,
4 how would you describe -- was he in -- to your knowledge, was he
5 in the pill game?

6 A No.

7 Q Okay. And is it possible that he could have been in the
8 pill game, but you don't have any knowledge of it?

9 A Correct.

10 Q Okay.

11 MR. SMOOT: Witness.

12 Q (BY MR. SMOOT) And who is that individual depicted?

13 A Mr. Johnwell.

14 Q Okay. And what was his name?

15 A Peanut.

16 MR. CHRISTIANSON: Your Honor, if we could, the voice
17 is trailing off. Could we ask the witness to speak up a little
18 bit?

19 THE COURT: Yes. Please do, Ms. Horn.

20 MR. SMOOT: Okay. Publish.

21 Q (BY MR. SMOOT) Have you ever heard him referred to as
22 Lil C Dog?

23 A Yes.

24 Q Okay. And I think that you've mentioned his name before;
25 but, to your knowledge, was he involved in the pill game?

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1 A Yes.

2 Q And what was his involvement?

3 A As a distributor.

4 MR. SMOOT: Witness.

5 Q (BY MR. SMOOT) And who is that individual?

6 A Mr. London.

7 Q Okay. And does he have an Eight Trey name?

8 A Yes. Slim.

9 MR. SMOOT: Publish.

10 Q (BY MR. SMOOT) To your knowledge, was Mr. London involved
11 in the pill game?

12 A Yes.

13 Q Okay. And did you have particular contact with Mr. London
14 during your involvement in the pill game?

15 A Yes.

16 Q And can you describe -- what -- in general, what was that
17 contact?

18 A He came up to Spokane; and, as a favor, he brought me
19 oxycodone to Spokane to distribute for Mr. Madison.

20 Q Okay. And, to your knowledge, did he participate in also
21 making distributions to fades?

22 A Yes.

23 Q Okay. Do you recall whether or not -- well, strike that.

24 MR. SMOOT: Witness.

25 Q (BY MR. SMOOT) And who is that individual?

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1 A Deandre.

2 Q Does he have an Eight Trey name?

3 A Yes. His name is G Man.

4 Q Okay. Is -- is -- have you heard him referred to as Baby G
5 Man?

6 A Yes.

7 Q Okay. And, to your knowledge, does he have a Spokane name?

8 A Not to my knowledge.

9 Q Okay. Have you ever -- is it possible that you may have
10 heard the name Flacco?

11 A Later down the line, yeah.

12 Q Okay. When you say, "later down the line," what do you
13 mean?

14 A Like, after -- after a while of my involvement in the
15 conspiracy.

16 Q Okay. And, again, I guess all these questions -- when I
17 ask you about somebody's involvement, they're really specific to
18 what you would have learned. What -- either what you know about
19 individuals prior to becoming involved in the conspiracy and,
20 then, specifically to whether or not they have roles or whether
21 they're in the pill game as to what would you have learned
22 during your participation and not necessarily after arrest.
23 Okay?

24 MR. SMOOT: Oh, I'm sorry. Publish.

25 Q (BY MR. SMOOT) So what -- how would you describe

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1 Mr. Meighan's role?

2 A To my knowledge, I can't say if he had a role.

3 Q Okay.

4 MR. SMOOT: Witness.

5 Q (BY MR. SMOOT) And do you know who that individual is?

6 A Yes. Ashley.

7 Q All right. And how do you know Ashley?

8 A I met her incarceration.

9 Q Okay. And did she have a -- do you know if she had a
10 nickname?

11 A No.

12 Q Okay. Would you have possibly heard the name -- the name
13 Ash?

14 A Yeah.

15 Q Okay. And I don't know if that completely qualifies as a
16 nickname, but did you know whether or not she was involved in
17 the pill game while you were involved?

18 A No, I do not know.

19 Q Okay.

20 MR. SMOOT: Well, okay. I'm sorry. Publish, please.

21 (Pause in the proceedings)

22 MR. SMOOT: Witness.

23 Q (BY MR. SMOOT) And who is that individual depicted?

24 A Mr. Moore.

25 Q Excuse me? I'm sorry. I didn't hear you.

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1 | A Mr. Moore.

2 | Q Okay.

3 MR. SMOOT: I'm going to move to the next one. Okay.

4 Q (BY MR. SMOOT) I'm showing you another one. Can you see
5 who's depicted in that photograph?

6 | A Yes.

7 Q And who is that?

8 | A Tahei.

9 Q Okay. And is that Mr. Moore that you referenced
10 previously?

11	A	No.
----	---	-----

12 Q Okay. So there's a -- okay. And did Mr. Tahei Moore have
13 an Eight Trey moniker?

14 A Yes. Baby Football.

15 Q Okay. Was he ever referenced as Baby Ball or Ball for
16 short?

17 | A Yes.

18 MR. SMOOT: Publish, please.

19 Q (BY MR. SMOOT) And, to your knowledge, what was his
20 participation in the pill game?

21	A	A distributor.
----	---	----------------

22 MR. SMOOT: Witness.

23 | 0 (BY MR. SMOOT) Who's that individual?

24 | A Princeton.

25 Q Okay. And do you know if Princeton was an Eight Trey?

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1 | A He's not Eight Trey.

2 | Q Okay.

3 MR. SMOOT: Publish.

4 Q (BY MR. SMOOT) Now, do you have any knowledge as to
5 whether Princeton Perry was involved in the pill game?

6 | A No.

7 Q Okay. Do you know whether or not he tried to be involved
8 in the pill game?

9 | A Yeah. I have knowledge of that.

10 | Q Okay. What can you --

11 (Interruption by the reporter)

12 THE WITNESS: I have knowledge of that.

13 Q (BY MR. SMOOT) Okay. And how do you have that knowledge?

14 A Because he came up to Spokane with us one time and stayed
15 for a couple days.

16 Q Okay. And why would you say that -- that you don't have
17 knowledge of him being involved in the pill game even though he
18 came up here?

19 A Because I never actually physical seen or witness him
20 having any oxy or selling oxy's.

21 Q All right. And did you -- were -- did you have any
22 conversations with some of the people we mentioned before --
23 Mr. Carmen, Mr. Haynes or Mr. Madison or Mr. James -- about
24 whether or not Mr. Perry was involved?

25 MR. SMOOT: I'm sorry. Did I ask to publish it?

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1 THE COURTROOM DEPUTY: That is published.

2 MR. SMOOT: Okay. Thank you.

3 Q (BY MR. SMOOT) Did you have any conversations with any of
4 those individuals about whether or not Mr. Perry involved?

5 A Yes. With Mr. Haynes. Richard Haynes.

6 Q And what -- and -- and what did you learn?

7 A Well, we had a discussion. Haynes precisely stated to
8 myself and James that Mr. Perry wasn't allowed to be a part of
9 the pill game. He didn't want him selling pills or us even
10 helping him to obtain pills down in Los Angeles or, basically,
11 any involvement with the pill game.

12 Q Okay. Was he related to Mr. Haynes?

13 A Yes.

14 Q Okay. Was there any particular reason other than being
15 related, possibly, that he didn't want him involved?

16 A Basically, just because he was related. He didn't think
17 that he should been involved in the pill game.

18 Q Do you know if -- if -- okay.

19 MR. SMOOT: Witness.

20 Q (BY MR. SMOOT) Do you recognize that photograph?

21 A Yes.

22 Q And who is that?

23 A Mr. Shelmon.

24 Q Okay. And does he have an Eight Trey name?

25 A Young Ant.

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1 Q Okay. And what about his Spokane name?

2 A Fly.

3 Q Okay.

4 MR. SMOOT: Publish.

5 Q (BY MR. SMOOT) What -- do you have knowledge of
6 Mr. Shelmon's involvement?

7 A Yes. A distributor.

8 Q Okay. And what's the basis of your knowledge concerning
9 Mr. Shelmon?

10 A I was with him, and I hung out with him on occasions in
11 Spokane distributing oxys.

12 MR. SMOOT: Witness.

13 Q (BY MR. SMOOT) Who's that individual?

14 A Mr. Tone (sic).

15 Q Okay. And what -- do you know what particular name or
16 moniker he goes by -- would go by?

17 A Young Chico.

18 Q Okay. Did he ever -- was he ever referenced as Cheeks or
19 anything like that?

20 A Not to my knowledge.

21 Q Not to your knowledge? Okay. And did he -- and do you
22 know of whether or not he had a -- went by anything else in
23 Spokane?

24 A Rico.

25 MR. SMOOT: Publish.

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1 Q (BY MR. SMOOT) And I think that earlier you indicated
2 that -- you indicated what Mr. Tones is wearing, and it was the
3 person you were speaking of in terms of Chico. Is this the same
4 Mr. Tones that's in the courtroom?

5 A Yes.

6 Q Okay. And what is his involvement in the pill game based
7 on your knowledge?

8 A A distributor.

9 Q Okay.

10 MR. SMOOT: Witness.

11 Q (BY MR. SMOOT) And who is that individual?

12 A Mr. Ward.

13 Q Does Mr. Ward have an Eight Trey name or moniker?

14 A Young Sodi.

15 MR. SMOOT: Publish, please.

16 Q (BY MR. SMOOT) Again, based on your knowledge, was
17 Mr. Ward involved in the pill game?

18 A Yes.

19 Q Okay. And how would you describe his role?

20 A Distributor.

21 MR. SMOOT: Witness.

22 Q (BY MR. SMOOT) Who's that individual?

23 A Mr. Warnock.

24 Q And what is his name or moniker?

25 A Baby Bam.

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1 Q And did he ever go by any Spokane names?

2 A Yes. Chris.

3 MR. SMOOT: Okay. Publish, please.

4 Q (BY MR. SMOOT) Now, have you -- how do you know
5 Mr. Warnock?

6 A He's my -- he's my children's father.

7 Q Okay. So do you know as to whether or not he was involved
8 in the pill game?

9 A Yes.

10 Q And how do you know that?

11 A I dealt with him on several occasions of distributing oxys.

12 Q Okay.

13 MR. SMOOT: Witness.

14 Q (BY MR. SMOOT) Do you recognize that individual?

15 A Yes.

16 Q And who is that?

17 A Mr. Wines.

18 Q Okay. And did he have an Eight Trey name or moniker?

19 A T Crazy.

20 Q Okay. Have you ever heard -- heard him referred to as
21 Smooth?

22 A Yeah. In Spokane.

23 Q Okay. So some of the slide said "Eight Trey moniker" and
24 "Spokane moniker."

25 MR. SMOOT: Publish, please.

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1 Q (BY MR. SMOOT) This one has Smooth up with the Eight Trey,
2 but that should be a Spokane moniker?

3 A Yes. Yes.

4 Q Okay. And do you have knowledge of his involvement in the
5 pill game?

6 A Yes.

7 Q And what was that involvement? How would you describe it?

8 A Distributor.

9 MR. SMOOT: Witness.

10 THE COURTROOM DEPUTY: That one didn't get --

11 MR. SMOOT: Oh, didn't it? I'm sorry. I'll go back.

12 Okay. I apologize if I missed that. If that could be published
13 for a moment.

14 Q (BY MR. SMOOT) Did you have particular dealings with
15 Mr. Wines?

16 A Yes.

17 Q And what were the nature of those dealings?

18 A He stayed at -- at one of the residence with me,
19 Mr. Richard Haynes, and Mr. James.

20 Q Okay. Which residence? Was that one of the two residences
21 that we spoke about earlier?

22 A No.

23 Q Okay. So there was a third residence?

24 A Yes.

25 Q And where was this third residence located?

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1 A I don't know what side of Spokane it is, but it was off of
2 Mission and Lacey.

3 Q Okay. You know, this is -- we're again talking about
4 residences. But who -- how did you -- who decided to get a
5 residence at Lacey?

6 A Mr. Haynes. Richard.

7 Q Okay. And how was that residence -- did -- were you -- did
8 you have knowledge of how that residence was acquired?

9 A Yes.

10 Q How was it acquired?

11 A He had his girlfriend, Erika, come up to Spokane to use --
12 use her name to -- to get the house off of Lacey. To get the
13 house, he went through Mr. Chavez, and which he spoke to a
14 relative, I believe it was his aunt, that agreed to rent the
15 house to Mr. Haynes and -- and Ms. Erika.

16 Q Okay. Your -- that's the first time we've spoken of
17 Mr. Chavez. Is what -- what's his first name?

18 A Brandon.

19 Q Okay. And is Mr. -- is Brandon Chavez someone that's in
20 the courtroom today?

21 A Yes.

22 Q Okay. Can you see him from --

23 A Yes.

24 Q And can you describe for the jury what he's wearing? You
25 lean this way. I'll get out of your way.

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1 A A button-up shirt. I can't obtain the color of it; though,
2 from here.

3 Q And -- well, is he sitting at the middle table?

4 A He's sitting directly behind you, yes.

5 Q Okay. All right. Now, is this another apartment that --
6 or -- or a residence, I guess. Was this a house?

7 A Yes.

8 Q And what was the purpose of acquiring this Lacey Street
9 apartment -- or house? Excuse me.

10 A At the time, I don't know precisely what the requirements
11 was for that house; but I know that it was -- it was owned by
12 Mr. Chavez's aunt. And I don't know if he spoke with her or did
13 Mr. Haynes or Miss Erika did to -- to get permission to rent the
14 house. I just know that they was allowed to rent the house.

15 Q Okay. And what was the purpose for the house?

16 A So we can have another location to stay at.

17 Q And was this house just meant to stay at or was this house
18 to be used, like, apartments with pills and money and -- that
19 you described previously?

20 A All of the above.

21 Q Okay. Who stayed typically? You indicated that Mr. Wines
22 frequented the Lacey Street house. Who -- did anyone else stay
23 there frequently?

24 A Myself, Mr. James, Mr. Haynes, and Mr. Lisbey.

25 Q So, when you say that you associated that house with

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1 Mr. Wines, did Mr. Wines stay there or --

2 A Yeah, he stayed there.

3 MR. SMOOT: Just a moment, your Honor?

4 THE COURT: You may.

5 (Discussion off the record)

6 MR. SMOOT: Okay. Witness.

7 Q (BY MR. SMOOT) Who is that individual?

8 A Donald.

9 Q Okay. Do you know his last name?

10 A Wright.

11 Q And does he have an Eight Trey name?

12 A Baby Crazy D.

13 Q Okay. It just says "Crazy D," but --

14 MR. SMOOT: Publish, please.

15 Q (BY MR. SMOOT) -- you indicated he's technically "Baby
16 Crazy D"?

17 A Yes.

18 Q Okay. And, to your knowledge, was Mr. Wright involved in
19 the pill game?

20 A Yes.

21 Q And what was his involvement?

22 A A distributor.

23 Q Okay.

24 MR. SMOOT: Oh, I'm sorry. Please publish.

25 Q (BY MR. SMOOT) Did you have any direct dealings with

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1 Mr. Wright?

2 A Yes.

3 Q And what -- what type of dealings did you have with him?

4 A He would purchase oxy from me to distribute to his own
5 fades that he accumulated.

6 Q Okay. So he could also be a fade and a distributor.

7 A Yeah.

8 Q Okay. How many oxys, if you recall, would he typically
9 purchase?

10 A About ten.

11 Q Okay. And are you saying ten at a time?

12 A Yes.

13 Q How -- how frequently, if you recall, would he pick up ten
14 oxys?

15 A Maybe every four days.

16 Q And -- but you knew that he was distributing to other
17 persons?

18 A Yes.

19 Q All right.

20 MR. SMOOT: Witness.

21 Q (BY MR. SMOOT) Who is that person?

22 A Ms. Jefferson.

23 Q Okay. And is Ms. Jefferson an Eight Trey?

24 A No.

25 Q Do you know if she has any other gang affiliation?

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1	A	Yes.
---	---	------

2 | Q And what gang is she from?

3 | A The Rollin 40s.

4 | Q Are you familiar with what her name or moniker might be?

5 | A Yeah. Scrapp.

6 Q Okay.

7 MR. SMOOT: Publish, please.

8 Q (BY MR. SMOOT) Now, you said, "Scrapp;" but is it -- is it
9 fair there's a number of variations on that? Would it be -- I
10 know we've gone over variations of names before. Would it be
11 common for someone to kind of, like you say, vary their moniker
12 a little bit?

13 | A Yes.

14 | Q Such as Baby School Boy could be Schooly?

15 | A Yes.

16 Q Or Scrapps could be Scrappy or Scrappy Doo?

17 | A Yes.

18 Q Okay. What is -- what is your knowledge of Ms. Jefferson's
19 participation?

20 A She was in relation with Carmen.

21 Q Okay. And what do you mean by that?

22 | A His girlfriend.

23 Q Was she involved in the pill game?

24 A Not precise of being a distributor. As far as in, she help
25 Mr. Carmen by asking several of her friends to -- to traffic

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1 oxys for him.

2 Q Okay. So, when you talk about trafficking oxys, we talked
3 about your experience of bringing OxyContin up. And you
4 described yourself as a courier as well as, maybe, a
5 distributor.

6 A Correct.

7 Q What -- does Ms. Jefferson fit that role or is she somehow
8 connected to the people that may have brought oxys up?

9 A Yeah, she was connected to the people that brought oxys up.

10 Q Okay. And how would you describe her connection?

11 A Well, they was girls that was from the same neighborhood
12 where she was from, which was the Rollin 40s.

13 Q Okay. And -- and -- what -- what did -- how were they
14 connected to her?

15 A She would package and give them the oxys to body pack to
16 bring to Spokane.

17 Q Okay. And who'd she do that for?

18 A Mr. Carmen.

19 Q Do you have any knowledge as to whether or not she had any
20 other role other than packaging and sending OxyContin up?

21 A She made flights for the girls that came.

22 Q Anything else that you recall?

23 A No.

24 MR. SMOOT: Did I ask this to be published? Thank
25 you. Witness.

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1 Q (BY MR. SMOOT) Who is that individual?

2 A Mercedes.

3 Q Okay. And, to your knowledge, is Mercedes an Eight Trey?

4 A No, she isn't.

5 Q Okay.

6 MR. SMOOT: Publish, please.

7 Q (BY MR. SMOOT) What can you tell us, based on your
8 knowledge, about Mercedes Reeves?

9 A I met her when I came to Spokane about the second time. At
10 that time, I had no knowledge of who she were or her involvement,
11 only that she was Carmen's girlfriend.

12 Q Okay.. How'd you meet her?

13 A She just showed up at one of the apartments I was at with
14 Haynes, and she picked me up. She say she was there to pick me
15 up to take me to where Carmen was located. Another residence.

16 Q Okay. And was -- why -- why were you going to where Carmen
17 was located?

18 A He asked her to come get me from where I was at to come
19 over where he was at.

20 Q Okay. Did that -- did the meeting involve pills or money
21 at that time?

22 A Yeah. That was the second time I came back. That's when I
23 took money back to Los Angeles for -- to Mr. Richard Haynes.

24 Q Okay. Other than picking you up that second time and
25 taking you from one apartment to another apartment where

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1 Mr. Carmen was, did you have any other contact with Mercedes?

2 A Yes. Later down the line I did, yes.

3 Q And what -- what was the nature of that contact?

4 A Well, we became, like -- like I say, like, maybe friends.
5 We hung out a lot. My knowledge -- aware of her distributing
6 oxys as well as with me.

7 Q Okay. So did -- how would you describe her role?

8 A As a distributor.

9 Q Okay. And, I think, that you -- did you have personal
10 knowledge of her distribution?

11 A Yes.

12 Q Can you describe your knowledge of -- how -- how did you
13 gain this personal knowledge?

14 A I stayed with her, frankly, at her apartment at times.

15 Q Did you ever do distributions with her?

16 A Yes.

17 Q Okay. Did you talk about distributions with her?

18 A Yes.

19 Q Okay. Did -- did she do any other -- perform any other
20 roles to your knowledge?

21 A Yes.

22 Q What -- what roles?

23 A She would traffic cash down to Los Angeles to give to
24 Carmen.

25 Q Okay. And how -- when you took cash down, how did you take

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1 | it?

2 A I took it in a -- like, in my duffle bag or suitcase,
3 whatever type of bag that I had at the time; and I flew it down
4 by plane.

5 Q Okay. When you say that Ms. Reeves trafficked cash, do you
6 know if she did it the same way or a different way?

7 A She did it the same way and a different way.

8 Q Okay. Well, what -- how would the way be different?

9 | A She drove, mostly, to -- from Spokane to Los Angeles.

10 Q And, when we're talking about cash, is there any average or
11 typical amount of cash?

12 A That I can say, no.

13 Q Okay. Can you -- are you able -- rather than an average,
14 are you -- I mean, are you able to describe it? I mean, are we
15 talking, like, \$1,000; or are we talking about something more
16 than that?

17 A Well, I never seen -- actually seen the cash. I was only
18 told from herself that that's what she was doing and that's what
19 she did.

20 Q Okay. Did she -- when she told you she was doing that, did
21 she tell -- tell you how many -- you know, the types of amounts?

22 | A No.

23 Q Okay. Did she ever indicate to you whether there were any
24 issues? That she had any issues with taking cash to California?

25 | A = No.

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1 Q Okay. Did she ever indicate whether any -- whether all the
2 cash that she took to California made it that far?

3 A Yes.

4 Q And now that I'm thinking, that was not a very good
5 question. Did she tell you whether or not any cash had been
6 seized?

7 A No.

8 Q Okay. Did you ever learn from anyone else in the -- in --
9 that you were dealing with as to whether any cash had been
10 seized from Ms. Reeves?

11 A No, not till we was -- not until we was arrested.

12 Q Okay. Ms. Reeves act -- you said she acted as a
13 distributor. She took cash to Los Angeles. And, just to
14 clarify, who did she take it for?

15 A Mr. Carmen.

16 Q Did she have any other roles?

17 A Yeah. When the -- when girls came up for Mr. Carmen, she
18 would pick the girls up from the airport, either take them to a
19 room or back to there residence.

20 Q And do you know why these girls were coming up?

21 A To bring oxys.

22 Q Okay. And do you know what Ms. Reeves did after taking or
23 meeting the girls that came up?

24 A Yeah. We would go back to her residence or -- and maybe
25 not that day but maybe the next day she started distributing

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1 oxys.

2 Q Okay. Anything else?

3 A Not that I can remember. Not right now, no.

4 Q Okay.

5 MR. SMOOT: Witness, please.

6 Q (BY MR. SMOOT) Do you recognize that photograph?

7 A Yes.

8 Q And who does that depict?

9 A Ms. Marcus.

10 Q All right. And did Ms. Marcus go by any nicknames to your
11 knowledge?

12 A Yes. Sasha.

13 Q Okay.

14 MR. SMOOT: Publish.

15 Q (BY MR. SMOOT) To your knowledge, did Ms. Marcus have any
16 role in the pill game?

17 A Yeah. She was a carrier.

18 Q And what was her connection to the group?

19 A She was -- she was friends with one of Haynes's girlfriend,
20 which was Terrai. She introduced her into the pill game, as far
21 as in traffic -- trafficking pills from Los Angeles to Spokane.
22 And, then, after more of her involvement, she became in a
23 relationship with Mr. Haynes.

24 Q Okay. So Ms. Marcus was in a relationship or Terrai?

25 Who are -- who are you talking about?

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1 A In the beginning, when she was involved, she wasn't in a
2 relationship with anyone. She was just a carrier for
3 Mr. Haynes.

4 Q Ms. Marcus.

5 A Yes.

6 Q Okay. And, then, she became involved with Mr. Haynes?

7 A Yes.

8 Q Okay. Did her role change?

9 A Yes.

10 Q How would you describe her role after becoming involved?

11 A Well, she still became -- she still was a carrier, but she
12 also did several other duties for him down in Los Angeles, such
13 as make flights and seeing other girls to Spokane for
14 Mr. Haynes.

15 Q Okay. When you talk about her being a carrier, are you
16 talking about pills or money --

17 A Both.

18 Q -- or both? Okay.

19 MR. SMOOT: Witness.

20 Q (BY MR. SMOOT) You recognize that photograph?

21 A Yes.

22 Q And who does that depict?

23 A Ms. Woods.

24 Q Okay.

25 MR. SMOOT: Publish, please. Oh, my mistake. Thank

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1 | you.

2 | (Pause in the proceedings)

3 MR. SMOOT: Okay. Publish again, please.

4 Q (BY MR. SMOOT) Who is Ms. Woods?

5 | A She was in relation with Mr. Haynes.

6 Q Okay. And, to your knowledge, was she involved in the pill
7 game?

8 A To my knowledge, no. She was more of a -- the person that
9 rented the house from Mr. Chavez's auntie for Mr. Haynes.

10 Q Okay. Is it -- when -- when I ask -- I guess, I asked if
11 she was involved in the pill game. Do you have any knowledge as
12 to whether or not Ms. Woods distributed pills?

13 A No. I just have knowledge of her, maybe, helping out down
14 in Los Angeles picking pills up from different individuals for
15 Mr. Haynes.

16 Q Okay. And what do you mean by "picking pills up"?

17 A Meeting with their -- meeting with the plug, the person
18 that was willing to sell pills for Mr. Haynes.

19 Q Okay.

20 MR. SMOOT: I'm sorry. Did we publish?

21 THE COURTROOM DEPUTY: Um-hum.

22 MR. SMOOT: Okay.

23 Q (BY MR. SMOOT) So you said that you -- at one point, you
24 developed plugs in Los Angeles and picked up your own pills and
25 brought them to Spokane. Correct?

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1 A Yes.

2 Q How does that compare with what you're describing in terms
3 of Ms. Woods' involvement?

4 A Well, she -- I don't know if she found the plugs. I think
5 they was already plugs of Mr. Haynes. When he wasn't in
6 Los Angeles, she would meet with them and I -- I believe just
7 hold the pills until he came back from Los Angeles. I don't
8 know if she gave them to him, what else or anything.

9 Q Okay. Did she have, to your knowledge, any involvement
10 with -- with money?

11 A Not to my knowledge.

12 Q Okay. Any other roles?

13 A Yes. She carried money back once for Mr. Haynes.

14 Q Okay. Do you have any knowledge as to whether that money
15 that she carried made it?

16 A Yes. I have knowledge that it didn't make it.

17 Q It did?

18 A That it didn't make it.

19 Q It didn't make it. And why do you say that the money that
20 she carried didn't make it?

21 A Because I was told, when it didn't make it, by Haynes that
22 it was seized from Erika at the airport.

23 Q Okay. Did -- did Mr. Haynes tell you how much money it
24 was?

25 A Yes.

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1 Q What did he say?

2 A It was 100,000.

3 Q Okay. Did he use any particular -- did -- did -- did all
4 of you or any of you use any particular terms to describe money?

5 | A Bread.

6 Q Okay. And what about -- have you heard the term "rack"?

7 | A Yes.

8 | Q What does a rack mean?

9 | A It's abbreviation of saying, like, \$1,000.

10 Q Okay. Would it be typical to bundle money into racks?

11 A Yes, or numerous amount of it.

12 Q Okay. All right. Do you recall approximately when this
13 money was seized?

14 A I think it was in 2012 of September. Into late September.

15 Q Did that seizure of approximately \$100,000 have any affect
16 on the way that money was transported?

17 A To some people, no. To some people, yes.

18 Q Okay. Why do you say, "to some people, no"?

19 A Because it was seized at the airport. And some people
20 consistently kept going to the airport with cash, and it kept
21 getting seized. And, then, some people, no, because, once
22 people got aware of that was going on, people stop using the
23 airport and started doing it by Greyhound.

24 Q Okay. All right. Did you send money back to Los Angeles?

25 | A Yes.

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1 | Q Did you send it with others, or did you take it yourself?

2	A	Both.
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3 Q Okay. Did that \$100,000 seizure affect the way that you
4 either sent or carried money back?

5 | A Personally, no.

6 Q And what -- what method did you usually use?

7 | A Well, I used the airline but, mostly, it was the Greyhound.

8 Q Okay. All right.

9 MR. SMOOT: Witness.

10 Q (BY MR. SMOOT) Do you recognize that individual?

11 A Yes.

12 | 0 · And who is it?

13 A Her name is Nacrisa.

14 | Q Okay.

15 MR. SMOOT: Publish, please.

16 Q (BY MR. SMOOT) And who is Nacriisa?

17 | A She's related to Mr. Haynes.

18 Q Okay. And, to your knowledge, did she have any
19 participation in the pill game?

20 | A No, not to my knowledge.

21 Q Okay. Did she have any -- do you know whether she had any
22 participation in terms of money from the pill game?

23 A Well, I was told she was to Haynes.

24 Q Okay. And what did Mr. Haynes tell you?

25 | A That she open up -- she was opening up a clothing store

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1 that he was investing some of his money from the pill game to
2 help her open the store.

3 Q Did you have any conversations with her about what you
4 learned from Mr. Haynes?

5 A No.

6 Q Okay.

7 MR. SMOOT: Witness.

8 Q (BY MR. SMOOT) Do you know that individual?

9 A No.

10 Q Okay. All right. I'm -- and I'll put a name up. It's for
11 the jury so you don't -- have you heard of a Tinoah Bragg?

12 A Yes.

13 Q Okay. And, without saying what you know about her, did you
14 know who Tinoah Bragg was prior to being arrested?

15 A Yes.

16 Q Okay. And how did you know who Tinoah Bragg was?

17 A Identified her and seen her in Spokane.

18 Q Okay. And do you know why she was in Spokane?

19 A Bringing oxys.

20 Q Okay.

21 MR. SMOOT: Publish, please.

22 Q (BY MR. SMOOT) Was she an Eight Trey?

23 A No.

24 Q Okay. Do you know if she belongs to another gang or
25 anything?

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1 A No.

2 Q Okay. All right. When -- and I don't mean a specific
3 date, but when do you recall seeing her in Spokane?

4 A Oh, it was sometime around in 2012.

5 Q And what was -- where did you see her?

6 A She stayed a night at the residence with me and Mercedes.

7 Q Did you have a chance to talk to her?

8 A No.

9 Q Okay.

10 MR. SMOOT: Witness.

11 Q (BY MR. SMOOT) How about that individual?

12 A Ms. Branch.

13 Q Okay.

14 MR. SMOOT: Publish, please.

15 Q (BY MR. SMOOT) How do you know Ms. Branch?

16 A I met her in Spokane.

17 Q Okay. And, to your knowledge, was Ms. Branch involved in
18 this pill game?

19 A At the time I met her, no.

20 Q At the time you met her -- let me clarify that. Did you
21 have no knowledge of her involvement, or did you know -- did you
22 believe she wasn't involved?

23 A I had no knowledge that she was involved.

24 Q Okay.

25 MR. SMOOT: Witness.

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1 Q (BY MR. SMOOT) Actually, before going on, in terms of
2 Ms. Branch, what were the circumstance of meeting her?

3 A I met her through Mr. Tahei. His -- he had -- he was in
4 relation with a girl there in Spokane, and their -- they were
5 friends.

6 Q Okay. And, when you say, "Mr. Tahei," you mean Tahei Moore?

7 A Yes.

8 Q Okay. Or -- okay. And that was the Tahei Moore that you
9 identified as -- what was -- what was his --

10 A Baby Football.

11 Q All right.

12 MR. SMOOT: And witness.

13 Q (BY MR. SMOOT) Do you recognize that --

14 THE COURTROOM DEPUTY: That was -- excuse me. That
15 wasn't.

16 MR. SMOOT: Oh, I thought it was. I'm sorry.

17 Q (BY MR. SMOOT) Do you recognize that person in -- depicted
18 in the photograph?

19 A Yes. Ms. Brown.

20 Q Okay. And how do you know Ms. Brown?

21 A I met her incarceration.

22 Q Okay. So did you know whether or not she was an Eight
23 Trey?

24 A She wasn't Eight Trey.

25 Q Okay. She belong to another gang?

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1 A Yes.

2 Q Okay. But all the information -- and -- that you learned
3 about Ms. Brown would have been from after your arrest?

4 A Yes.

5 Q Okay.

6 MR. SMOOT: I would publish to the jury.

7 (Pause in the proceedings)

8 MR. SMOOT: And witness, please.

9 Q (BY MR. SMOOT) Do you recognize that person?

10 A Yes.

11 Q And who is that?

12 A Her name is Treasure.

13 Q Okay.

14 MR. SMOOT: Publish, please.

15 Q (BY MR. SMOOT) How do you know Treasure Brown?

16 A I met her through Mr. Madison. She was a carrier for
17 Mr. Madison.

18 Q And when you say, "carrier," what -- what did she carry?

19 A Oxys from Los Angeles to Spokane.

20 Q To your knowledge, did she carry money?

21 A Sometimes.

22 Q Okay.

23 MR. SMOOT: Witness.

24 Q (BY MR. SMOOT) Do you recognize that photograph?

25 A Yes. Her name is Ms. Burns.

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1 Q And does she -- to your knowledge, does she go by any other
2 names?

3 | A Just Heiress.

4 | Q Okay.

5 MR. SMOOT: Publish.

6 Q (BY MR. SMOOT) And how do you know Ms. Burns?

7 | A I met Ms. Burns incarceration.

8 | Q Okay. So did you know of Ms. Burns prior to your arrest?

9 | A No.

10	Q	Okay.
----	---	-------

11 MR. SMOOT: Witness.

12 Q (BY MR. SMOOT) How about that individual? Do you know who
13 that individual is?

14 A No. I can't recognize the picture.

15 Q Okay. All right.

16 MR. SMOOT: I would publish this to the jury.

17 Q (BY MR. SMOOT) Now, does the name mean anything?

18 | A No.

19 Q Okay.

20 MR. SMOOT: Witness, please. Thank you.

21 Q (BY MR. SMOOT) What about that person?

22 | A No. I don't think I know who she is either.

23 | Q Okay. Okay.

24 MR. SMOOT: I would ask that to be published.

25 (Pause in the proceedings)

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1 MR. SMOOT: And to the witness.

2 Q (BY MR. SMOOT) What about that person that's depicted?

3 A Her name is Aaronika.

4 Q Okay. How do you pronounce her name?

5 A Aaronika. I think it's Durousseau or something.

6 Q Okay. And how do you know Ms. Durousseau?

7 A Oh, I met her a couple of times in Spokane. She came up as
8 a carrier to bring oxys.

9 Q One of the couriers, the people that brought oxys up, you
10 identified specifically with Mr. Madison.

11 A Yes.

12 Q And I think some of the others you identified with others.
13 Do you know who she would have brought pills up to?

14 A Mr. Haynes.

15 Q And, to your knowledge, did she bring money back?

16 A Not to my knowledge.

17 Q Okay.

18 MR. SMOOT: Witness.

19 THE COURTROOM DEPUTY: That was just the witness.

20 MR. SMOOT: I'm sorry.

21 THE COURTROOM DEPUTY: I missed it.

22 MR. SMOOT: And I might have missed it, as well. If
23 we could publish that just for a moment.

24 (Pause in the proceedings)

25 MR. SMOOT: Thank you.

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1 Q (BY MR. SMOOT) Do you recognize that person?

2 A No.

3 Q Okay. Do you -- do you recognize the name, at this point?

4 A No.

5 MR. SMOOT: Okay. I would publish that, as well.

6 (Pause in the proceedings)

7 MR. SMOOT: Witness.

8 Q (BY MR. SMOOT) Okay. And what about the person depicted
9 now?

10 A Ms. George.

11 Q Okay. And did Ms. George go by any nicknames or variation
12 of her name?

13 A No. Just her first name, Lasada.

14 Q Okay. Did you ever hear a reference to just Sada?

15 A Yeah.

16 MR. SMOOT: Publish please.

17 Q (BY MR. SMOOT) How do you know Ms. George?

18 A I know her for the Los Angeles area. She has some
19 affiliation with Eight Trey.

20 Q Okay. Do you know, based on, again, on your participation,
21 whether -- whether or not she was part of the pill game?

22 A Well, she was a carrier.

23 Q Okay. For who?

24 A For Haynes and Carmen.

25 Q Okay. And a carrier of pills?

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1 A Yes.

2 Q Do you know whether she carried money or not?

3 A Not to my knowledge.

4 Q Okay. A couple of times you said not to your knowledge.

5 Just to clarify, are you saying you don't know whether or not
6 she carried pills or that you know that she didn't carry pills?

7 A I know she carried pills but not to my knowledge I know if
8 she carried any cash.

9 Q Okay. And I -- and I misspoke that. Again, so you don't
10 know whether or not some of these individuals carried cash.
11 You're not saying that you know that they didn't. That -- I
12 think I'm digging myself a deeper hole.

13 Is it possible that people -- that -- that -- did carry
14 money but you didn't know about it?

15 MR. LEE: Objection. Speculation.

16 THE COURT: Is it possible? "Yes" or "no."

17 THE WITNESS: Yes.

18 MR. SMOOT: Okay. Witness.

19 Q (BY MR. SMOOT) Do you recognize that individual?

20 A Yes.

21 Q And who is that?

22 A Ms. Glass.

23 Q Okay. And is -- is she a Rollin 40s gang member?

24 A Yes.

25 Q Does she have any particular name that you know of?

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1 A Devil. Lady Devil.

2 Q Okay.

3 MR. SMOOT: Publish, please.

4 Q (BY MR. SMOOT) How do you know Ms. Glass?

5 A I met her in jail.

6 Q So you didn't have any knowledge of her prior to being
7 arrested.

8 A No.

9 MR. SMOOT: Witness.

10 Q (BY MR. SMOOT) Do you recognize that individual?

11 A Ms. Jones.

12 Q Okay. And is Ms. Jones also a Rollin 40s?

13 A Yes.

14 Q And what is her nickname?

15 A HB.

16 Q HB. And is it possible it stands for Hoodbear?

17 A Yes.

18 MR. SMOOT: Publish, please.

19 Q (BY MR. SMOOT) Do you have any knowledge of whether or not
20 Ms. Jones was involved in the pill game prior to your arrest?

21 A No. I have no knowledge of that.

22 Q Okay.

23 MR. SMOOT: Witness.

24 Q (BY MR. SMOOT) Do you recognize that individual?

25 A No, I don't.

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1 MR. LEE: Objection. Foundation.

2 THE COURT: She said she didn't recognize her.

3 MR. LEE: Right. My -- my concern is, even though
4 she's saying, "I don't recognize these people," we're in a
5 position now where we're just going to publish it to the jury
6 anyways.

7 THE COURT: I don't think we are when they're not
8 recognized, are they?

9 | MR. SMOOT: Well -- okay.

10 MR. LEE: I'm pretty -- there was -- I believe that's
11 what's been going on.

12 MR. SMOOT: Your Honor, I believe that individuals --
13 there were -- there were individuals. There was no objection to
14 publishing those names. There was also --

15 THE COURT: Well, there's an objection. If they don't
16 recognize them, we shouldn't show them. But I hadn't heard
17 an -- I had not heard an objection being made.

18 MR. SMOOT: They were also individuals that we put on
19 the record that were not -- that were recognized but not known
20 about until after arrest. No discussion was made. All right.

21 Witness, please.

22 Q (BY MR. SMOOT) Do you recognize that individual?

23 | A Yes.

24 | 0 And who is that?

25 | A Her name was Leslie.

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- 1 Q Okay. And is -- is she an Eight Trey?
- 2 A Yes.
- 3 Q And what is her Eight Trey moniker?
- 4 A G-2.
- 5 Q Okay.
- 6 MR. SMOOT: If we could publish.
- 7 Q (BY MR. SMOOT) To your knowledge, did Ms. Martin have any
- 8 role in the pill game?
- 9 A No, not to my knowledge.
- 10 Q Okay.
- 11 MR. SMOOT: Well, did we publish? Okay.
- 12 THE COURTROOM DEPUTY: Um-hum.
- 13 MR. SMOOT: Okay. Witness.
- 14 Q (BY MR. SMOOT) Okay. Do you recognize that individual?
- 15 A Yes.
- 16 Q And who is that?
- 17 A Her name is Diamond.
- 18 Q Okay. And do you have any knowledge as to whether or not
- 19 she participated in the pill game?
- 20 A No. I don't have any knowledge.
- 21 Q Okay. I'm going to move through and just -- do you
- 22 recognize that individual?
- 23 A Yes.
- 24 Q And who is that?
- 25 A Her name's Erica.

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1 Q And do you have any knowledge as to whether or not she was
2 participated in the pill game?

3 A Yes.

4 Q Okay.

5 MR. SMOOT: And publish -- oh, my -- okay. Now
6 publish. Thank you.

7 Q (BY MR. SMOOT) And what was her role in the pill game?

8 A She was a carrier.

9 Q Okay. She carried what?

10 A Oxys to Spokane.

11 Q For any particular person or group of people?

12 A For Mr. James of my knowledge.

13 MR. SMOOT: Witness.

14 Q (BY MR. SMOOT) Do you recognize that individual?

15 A No.

16 Q Okay. What about that individual?

17 A No.

18 Q How about that one?

19 A Yes.

20 Q And who is that individual?

21 A I only know her by her moniker, which was Lady Whiz.

22 Q Okay.

23 MR. SMOOT: Actually, I'm going to -- okay. If we
24 could --

25 THE COURT: Let's adjourn for noon recess until 1:00.

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1 Please don't talk about the case.

2 (Jury out at 11:58 a.m.)

3 (Court recessed at 11:58 a.m.)

4 (Jury in at 1:06 p.m.)

5 (Court reconvened at 1:06 p.m.)

6 THE COURT: Good afternoon. Please be seated. Say,
7 comment was made, Mr. Smoot, that you're removing the pictures
8 off the screen a little bit too quick. Apparently there's a
9 little delay in getting them on. And, then, you're asking
10 the -- so just give the jurors enough time to see it.

11 MR. SMOOT: Thank you, your Honor.

12 THE COURT: You bet.

13 Q (BY MR. SMOOT) Good afternoon, Ms. Horn.

14 | A Good afternoon.

15 | Q Okay.

16 MR. SMOOT: Witness, please.

17 Q (BY MR. SMOOT) If I'm not mistaken, I think we left off on
18 the particular photograph that should be on your screen.

19 | A Yes.

20 Q And did you recognize that photograph?

21 | A Yes.

22 Q And who is that photo -- who -- who is that person?

23 | A I recognize her by her moniker name.

24 Q And what is her moniker name?

25 | A Lady Whiz.

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1 MR. SMOOT: Publish, please.

2 Q (BY MR. SMOOT) And how do you know Lady Whiz?

3 A She was a frequent quick carrier that came to Spokane for
4 Mr. Carmen.

5 Q And, again, did she carry pills?

6 | A Yes.

7 | Q Do you know if she carried money?

8 A Not to my knowledge.

9 MR. SMOOT: Witness.

10 Q (BY MR. SMOOT) Ms. Horn, do you recognize that photograph?

11 | A Yes.

12 | Q Okay. And who is -- who does that photo depict?

13 | A Terrai.

14 MR. SMOOT: Publish, please.

15 Q (BY MR. SMOOT) And I think that you've testified
16 previously about Terrai. Is this the same person that you
17 indicated that you met with in Los Angeles?

18 | A Yes.

19 Q Can you just remind the jury, again, as to what her role
20 was in what we've called "the pill game."

21 A She picked me up a couple a times, took me to the airport,
22 and picked me up when I returned back to Los Angeles and dropped
23 me off at my residence.

24 Q Okay. And, again, what -- did she do any -- anything else
25 other than just pick you up?

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1 A She gave me pills to take to Spokane for Haynes once.

2 Q Okay. And, to your knowledge, did she have any role in --
3 in relation to money?

4 A Not to my knowledge. Yes. Excuse me for that. When I
5 returned once, she confiscated the money from me from my duffel
6 bag.

7 Q Okay. You -- you used an interesting term, "confiscated."

8 A She obtained it. She took it out of my bag once I came
9 back.

10 Q Okay. And was that money that was destined -- was that
11 your money?

12 A No.

13 Q Okay. Who's money was that?

14 A Mr. Haynes.

15 Q Okay. Anybody else's --

16 A No.

17 Q -- to your knowledge?

18 A No.

19 Q And where did that money come from?

20 A From Spokane.

21 Q And how was it obtained?

22 A At that time, it was -- to my knowledge, it was obtained
23 from the distribution of the oxys.

24 MR. SMOOT: Witness.

25 Q (BY MR. SMOOT) Are you familiar with that photograph?

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- 1 A Yes.
- 2 Q Whom does that -- who does that depict?
- 3 A Lanae.
- 4 Q Okay. And is Lanae an Eight Trey?
- 5 A Yes.
- 6 Q Does she have a moniker?
- 7 A Yes.
- 8 Q And what is it?
- 9 A G-1.
- 10 Q I'm sorry -- what?
- 11 A G-1.
- 12 Q Okay.
- 13 MR. SMOOT: Publish, please.
- 14 Q (BY MR. SMOOT) And, to -- to your knowledge, was Ms. White
- 15 involved in this pill game, pill hustle?
- 16 A Yes.
- 17 Q And how would you describe her involvement?
- 18 A A carrier.
- 19 Q Of pills?
- 20 A Yes.
- 21 Q And to your knowledge, do you -- do you know whether or not
- 22 she carried money?
- 23 A Yes.
- 24 Q Okay. And how do you -- how -- why do you say that you
- 25 know that she carried money as opposed to other individuals that

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1 you said you weren't sure if they carried money?

2 A I witnessed Mr. James packing her suitcase with cash to
3 take back to Los Angeles.

4 Q Okay. So Mr. James was involved in -- in Ms. -- in
5 Ms. White bringing money back. Do you happen to know who she
6 brought pills to?

7 A Mr. James.

8 Q As far as you know, to anybody else?

9 A Not to my knowledge.

10 Q All right.

11 MR. SMOOT: Witness.

12 Q (BY MR. SMOOT) Do you recognize that individual?

13 A Yes.

14 Q And who is that?

15 A Cody.

16 Q Okay. And, to your knowledge, did he have any particular
17 time of nickname?

18 A Yes. Wheels.

19 MR. SMOOT: Publish, please.

20 Q (BY MR. SMOOT) Why -- why did they call him Wheels?

21 A Because he was bound to a wheelchair.

22 Q Okay. And --

23 (Interruption by the reporter)

24 THE WITNESS: He was bound to a wheelchair.

25 Q (BY MR. SMOOT) To your knowledge, was he involved in this

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1 pill game or pill hustle somehow?

2 | A Yes.

3 Q And how would you describe his involvement?

4 A He was a fade.

5 Q Okay. What type of fade was he? I know we've talked about
6 supplier fades and -- and other fades, I guess. I don't know
7 how we described them.

8 A He was more of a user fade.

9 Q Okay. And what is -- what does that mean to you?

10 A That he -- that he was an addict. He was getting high off
11 of the oxys.

12 Q Now, we haven't talked much about fades in terms of the
13 down line part of it. I think that you -- I think that you
14 indicated that one of the other individuals that you gave pills
15 to was a Donald Wright?

16 | A Yes.

17 Q And just remind us. To your knowledge, did he also
18 distribute pills?

19 | A Yes.

20 Q So he received pills from you and distributed them to other
21 people.

22 | A Yes.

23 Q So was Donald Wright a fade of yours?

24 A I wouldn't say that.

25 Q Okay. Mr. Balka was a fade.

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1 A Yes.

2 Q Okay. To your knowledge, do you know whether Mr. Balka
3 also distributed pills?

4 A Not to my knowledge.

5 Q Okay. How many pills did he typically -- or did you
6 typically supply him?

7 A Yes. Once.

8 Q Oh, okay. And do you recall approximately how many pills?

9 A Not at the time, no.

10 Q Okay. All right. Why -- why do you say that you only
11 distributed to him once?

12 A Due to his circumstances, him being in a wheelchair, I
13 didn't -- I didn't feel appropriate -- it was appropriate for me
14 to deal with him.

15 Q And why is that?

16 A It was too much of a hassle of me dealing with him, him
17 being in a wheelchair, and wantin' to get in and out the car.
18 It was -- it was too much for me.

19 Q Okay. Was there any other reason -- was there a reason
20 that you were concerned about it being a hassle?

21 A Yeah. It was being noticeable.

22 Q Noticeable by who?

23 A Local residents. Spokane police.

24 Q So was it typical for fades -- for you to meet with fades
25 in your vehicle?

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- 1 A Not precise mine, but one that I -- I rented.
- 2 Q Okay. So a vehicle that you were driving. That's where
- 3 you'd meet the fades --
- 4 A Yes.
- 5 Q -- while you were in Spokane? Okay. You -- you mention
- 6 renting vehicles. Is there any particular reason that you
- 7 rented vehicles?
- 8 A Yes, to be able to get around the Spokane area.
- 9 Q Okay. You didn't have your own vehicle up here.
- 10 A No.
- 11 Q Did others that were involved in this pill hustle or pill
- 12 game have vehicles in Spokane?
- 13 A Yes.
- 14 Q All right. Do you recall, maybe, example of some
- 15 individuals that did have vehicles?
- 16 A Mr. Haynes had a vehicle.
- 17 Q What type of vehicle did he have?
- 18 A A truck.
- 19 Q Okay. And, when you say a truck, are you talking about,
- 20 like, a pickup truck or an SUV type of truck?
- 21 A Like an SUV, four door kind of truck.
- 22 Q Okay. Did anyone else have vehicles?
- 23 A In the beginning, when I first came, yeah, Carmen had a
- 24 truck, too.
- 25 Q What -- what type of vehicle did Carmen have?

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- 1 A Like an SUV truck.
- 2 Q Okay. Do you recall what type?
- 3 A I just know it was white. I don't know the make or model
- 4 of it.
- 5 Q Okay. Anybody else?
- 6 A Mr. James purchase a -- a car from Mr. Chavez.
- 7 Q Okay. And what type of car, if you recall?
- 8 A I believe it was a Buick.
- 9 Q Okay. How about -- how about Mr. Blackmon?
- 10 A I seen him driving cars.
- 11 Q Okay. Do you happen to recall any particular type of car?
- 12 A A Charger.
- 13 Q Okay. Anything else?
- 14 A Not that I can remember, no.
- 15 Q Okay. If -- if a person didn't have a vehicle, was it
- 16 typical for -- for that person to rent, like yourself?
- 17 A No. Sometime they bought cars from --
- 18 Q Okay.
- 19 A -- in Spokane.
- 20 Q Okay. If they -- if they didn't buy their own car -- well,
- 21 okay. If they bought a car, was that something that -- that
- 22 someone would put in their own name; or was it like the
- 23 apartments?
- 24 A No. It was kind of like the apartments.
- 25 Q Okay. And why would somebody put a vehicle in someone

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1 else's name?

2 A Because they were -- they were -- they was residents of
3 Spokane. So it was made it -- it made it easy for them by them
4 having a -- either a Spokane license or ID to use that person.

5 Q Okay. If a person didn't buy a car, were they stuck with
6 renting?

7 A Yeah, or I know they ride around with other individuals
8 that were distributing in the area and either share the cars or
9 they ride around together.

10 Q Okay. If someone -- when you rented a car, did you put the
11 car in your name?

12 A Yes.

13 Q Okay. All the time?

14 A Yes.

15 Q Okay. Do you know whether people rented cars in other
16 people's names?

17 A Yes.

18 Q Okay. And, when I -- that's pretty vague, broad question.
19 But, in specific to this pill game or pill hustle, did people
20 rent cars in other's names?

21 A Yes.

22 Q Okay. Why was that?

23 A Probably because they didn't have the credit card or the
24 I -- or -- or the debit cards to rent from the rental places.

25 Q Okay. What -- was there any particular type of person that

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- 1 would -- and, I mean "type" in terms of person involved in the
2 pill game -- that would rent cars for others?
- 3 A Well, it's a person that was part of the conspiracy, but I
4 wouldn't say part of the pill game.
- 5 Q Okay. What -- what about would it -- would it be common
6 for fades to rent cars for other people?
- 7 A No, not to my knowledge.
- 8 Q Okay. All right. What if -- were there other times where
9 people involved in the pill game, the pill hustle, utilized
10 vehicles of other people?
- 11 A Yes.
- 12 Q Can you give us an example?
- 13 A A couple of the guys. They had girlfriends and friends
14 that they used their vehicles when they was in town.
- 15 Q Okay. Was there anyone else that -- well, let me be
16 specific. Did Mr. Carmen use vehicles obtained by anybody else?
- 17 A Not to my knowledge.
- 18 Q Okay. What about Mr. Haynes?
- 19 A Yes.
- 20 Q Okay. And can you give us an example of a vehicle that
21 he -- that belonged to someone else that he used?
- 22 A His -- a girl that he was dating in Spokane. And
23 Ms. Sally. She used to rent her -- she's allowed him to use her
24 Hummer truck to get around in Spokane.
- 25 Q Okay. Did she allow anyone else to use the vehicle?

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1 A Me.

2 Q Okay. And what -- what did you use the vehicle for?

3 A To distribute oxys.

4 Q Okay. To your knowledge, is that what Mr. Haynes used the
5 vehicle for, as well?

6 A Yes.

7 Q Okay.

8 MR. SMOOT: Witness.

9 Q (BY MR. SMOOT) Do you recognize that picture?

10 A Yes.

11 Q And who is that?

12 A Mr. Chavez.

13 Q Okay. And is that the Mr. Chavez that's in court --

14 A Yes.

15 Q -- that you pointed out earlier?

16 A Yes.

17 Q Okay. And did he go by any nickname or moniker?

18 A Well, he went by the abbreviation of his first name, which
19 is B.

20 Q Okay.

21 MR. SMOOT: Publish, please.

22 Q (BY MR. SMOOT) We talked a little bit about Mr. Chavez in
23 terms of a Lacey Street apartment. How would you describe --
24 well, let me ask you this: To your knowledge, was Mr. Chavez
25 somehow involved in this pill game or pill hustle?

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1 A Yes.

2 Q And how was he involved?

3 MR. HORMEL: Objection, your Honor, basis of
4 knowledge.

5 THE COURT: Ask her how she knows.

6 Q (BY MR. SMOOT) Did you have any contact with Mr. Chavez
7 while you were up here distributing OxyContin?

8 A Yes.

9 Q Okay. And what type of contact did you have with him?

10 A He was a fade, a person that purchased pills.

11 Q Okay. Did he purchase pills directly from you?

12 A At times, yes.

13 Q Okay. Did he purchase pills from anybody else?

14 A Yes.

15 Q How did you first start delivering pills to Mr. Chavez?

16 A I met him through Mr. Haynes. He was dealing with
17 Mr. Haynes first.

18 Q Okay. And how many pills did Mr. Chavez typically receive
19 from you?

20 A A hundred a time.

21 Q Okay. And was that consistent, to your knowledge, as to
22 what he received from Mr. Haynes?

23 A Yes.

24 Q Okay. Now, where did the deliveries occur with Mr. Chavez?

25 A In the -- like, the parking lots of local restaurants,

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1 shopping malls. He came by the Lacey house at times to pick up.

2 Q Okay. Why did he come by the Lacey house?

3 A Haynes told us that it was okay for him to because he knew
4 where the house was already by him helping him obtain the house
5 through his auntie.

6 Q Okay. And let me back up about the pills. How -- do you
7 recall how much Mr. Chavez paid for the pills?

8 A At times he paid \$20 a pill or -- and there was times that
9 he was fronted the pills.

10 Q What do you mean by "fronted"?

11 A He was given the pills, and it was weeks -- he was to give
12 the money at a later date.

13 Q Okay. Did he ever ask -- tell you why he needed to be
14 fronted pills?

15 A No.

16 Q Okay. Was it common to front people pills?

17 A No.

18 Q To your knowledge, did you front pills to anyone else you
19 dealt with?

20 A No.

21 Q Okay. Did -- did Mr. Chavez pick up the pills himself?

22 A Sometime.

23 Q When you say, "sometimes," were there times when someone
24 else picked up the pills for him?

25 A Yes. His wife.

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- 1 Q Okay. And what was her name?
- 2 A Christina.
- 3 Q Okay. How many pills would Christina pick up?
- 4 A The same amount.
- 5 Q Okay. And how frequently -- how often did this occur?
- 6 A Twice, maybe sometimes three times a week.
- 7 Q Okay. Did it ever occur more than once in a day?
- 8 A Sometimes. It wasn't -- that wasn't often, though.
- 9 Q Okay. Your -- you indicated that Mr. Wright picked up ten
- 10 pills at a time and further distributed them.
- 11 A Yes.
- 12 Q And how does that compare with your knowledge of
- 13 Mr. Chavez?
- 14 A Yeah. He purchased to -- to use them to get high off them
- 15 and to distribute them to other -- to other people.
- 16 Q Okay. Were there -- you also mentioned that he was
- 17 familiar with the Lacey house.
- 18 A Yes.
- 19 Q And remind us. Why would Mr. Chavez be familiar with that
- 20 particular house?
- 21 A He -- it was owned by his auntie.
- 22 Q Okay. And how was that house obtained?
- 23 A I believe he spoke with his aunt and had a discussion with
- 24 her, and they came to agreement to allow Mr. Haynes and
- 25 Ms. Woods to rent the house.

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- 1 Q Okay. Do you know whose name the house was placed in?
- 2 A Yes.
- 3 Q Okay. Whose?
- 4 A Mr. Haynes and Ms. -- and Ms. Woods.
- 5 Q Okay. And other than, I guess -- maybe I'm miss -- if I'm
- 6 characterizing this right. Other than Mr. Chavez saying,
- 7 "Here's a house that belongs to my auntie," did he do anything
- 8 else, to your knowledge, in assisting Ms. Woods and Mr. Haynes
- 9 to obtain that house?
- 10 A He made -- before she -- he had came to agreement --
- 11 MR. HORMEL: Objection, your Honor.
- 12 THE COURT: I'm sorry. I couldn't hear you.
- 13 MR. HORMEL: Objection. Basis of knowledge.
- 14 Q (BY MR. SMOOT) Were you -- were you involved in the Lacey
- 15 house?
- 16 A Yes.
- 17 Q Okay. And did you also use that house when you were in
- 18 town for -- to stay there on occasion?
- 19 A Sometime, yes.
- 20 Q Okay. And was that -- was that house used to store pills?
- 21 A Yes.
- 22 Q How do you know that?
- 23 A Because I seen them there.
- 24 Q Okay. And was that house used to store money?
- 25 A Yes.

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1 Q Okay. So, it was fair to say you were involved in being a
2 partner, or somehow, in the Lacey house?

3 A Yeah.

4 Q Okay. So do you have knowledge as to how that house was
5 obtained?

6 MR. HORMEL: Objection, again, your Honor. I guess
7 knowledge is okay. I may have one question.

8 THE COURT: Well, go ahead.

9 MR. SMOOT: Okay.

10 Q (BY MR. SMOOT) Did -- did you discuss the acquisition of
11 get -- of that house with Mr. Haynes?

12 A Not until after he already had got it.

13 Q Okay. But while -- did you -- when you discussed it, were
14 you still -- was that prior to your arrest?

15 A Yes.

16 Q Okay. And, based on those discussions and your
17 partnership, so to speak, in the Lacey house, do you have
18 knowledge as to how that house was obtained?

19 MR. HORMEL: Objection, your Honor.

20 THE COURT: Well, answer "yes" or "no." Do you have
21 knowledge of how it was obtained?

22 THE WITNESS: Yes.

23 THE COURT: All right.

24 MR. SMOOT: Okay.

25 Q (BY MR. SMOOT) How was it obtained?

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1 MR. HORMEL: Objection, your Honor.

2 THE COURT: Overruled.

3 Q (BY MR. SMOOT) How was it obtained?

4 A It was obtained through Mr. Chavez's auntie. She brought a
5 lease to them for six months. We came to a mutual agreement, me
6 and Haynes and James, to pay the rent up for six months.

7 Q Okay. Did you fill out any paperwork?

8 A I didn't, no.

9 Q Okay. Were you aware of any paperwork that would have been
10 filled out by someone else?

11 A Yes.

12 Q Who?

13 A Mr. Haynes and -- and Ms. Woods.

14 Q Okay. And what type of paperwork was that?

15 A It was a --

16 MR. HORMEL: Again, your Honor, basis of knowledge for
17 her knowing that.

18 THE COURT: Go ahead and ask her how she knows.

19 Q (BY MR. SMOOT) How do you know that paperwork was filled
20 out?

21 A I saw the lease.

22 Q Okay. And what did the lease say?

23 A It was agreement between Ms. Woods and Mr. Haynes that they
24 was leasing the place for six months.

25 Q Okay. Did -- to your knowledge, again, did Mr. Chavez have

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1 any -- did he assist Mr. Haynes in any other ways?

2 A Yes. He made -- he made -- he have a business, a notary
3 business, where he made checks, paycheck stubs --

4 MR. HORMEL: Objection again, your Honor. Basis of
5 knowledge.

6 THE COURT: Ask --

7 MR. SMOOT: Okay.

8 THE COURT: -- the basis for the knowledge.

9 Q (BY MR. SMOOT) Okay. What is the basis of your knowledge?
10 How do you know that Mr. Chavez assisted Mr. Haynes in other
11 ways?

12 A Because I was there sometimes..

13 Q Okay. During the discussions?

14 A Yes.

15 Q With Mr. Haynes and Mr. Chavez?

16 A Not -- not there personally with them two but in the car
17 with Haynes when he would call Brandon and ask him to make
18 paycheck stubs.

19 Q Okay. So, back to my question. Did Mr. Chavez assist
20 Mr. Haynes in other ways?

21 A Yes.

22 Q How?

23 A By make --

24 MR. HORMEL: Objection, your Honor, again.

25 THE COURT: Overruled.

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1 THE COURTROOM DEPUTY: Use the microphone, please.

2 THE COURT: Yeah. Overruled. I think she --

3 MR. HORMEL: Just basis of knowledge as to how she
4 knew it was Mr. Chavez on the other end, your Honor.

5 MR. SMOOT: Okay.

6 THE COURT: Ask --

7 Q (BY MR. SMOOT) Did you know -- did you know it was
8 Mr. Chavez on the other end?

9 A Yes.

10 Q How?

11 A I know his voice, and I also know -- we had conversations
12 with him call -- stating he was gonna call Mr. Chavez and have
13 him make paycheck stubs.

14 Q Okay. Again, tell us about the paycheck stubs.

15 A He made it -- the paycheck stubs. It was something he did
16 for Mr. Haynes and myself where he would help make the stubs and
17 we would utilize them with the person we was asking to get the
18 apartment in their names.

19 Q Is this something that he did in terms of the Lacey house?

20 A I'm not aware of that.

21 Q Okay. So are you basing this on a different house?

22 A Yes.

23 Q Which -- is it a -- is it a house, a residence that we've
24 discussed previously?

25 A Yes.

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1 Q Which one?

2 A The one in Wandermere.

3 Q Okay. And who was the individual that -- whose house was
4 that?

5 MR. HORMEL: Again, your Honor, can I object again?
6 Basis of knowledge about the Wandermere apartment.

7 THE COURT: I think we already talked about that, but
8 go ahead. Ask her the basis of her knowledge regarding the
9 Wandermere house. Or apartment, I mean.

10 Q (BY MR. SMOOT) How do you know about the Wandermere house?

11 A I was out in Spokane at the time when the person who rented
12 the Wandermere house received the paycheck stubs from Brandon.

13 Q Okay. And who was that person?

14 A Michelle.

15 Q And that's a person you've talked about previously?

16 A Yes.

17 Q Okay. So tell me about the paycheck stubs.

18 A He made paycheck stubs for -- she met with 'im. We picked
19 them up. Several days later she went down to Wandermere and did
20 application at the apartment where she was able to get the
21 apartment.

22 Q Okay. And were those paycheck stubs based on someone's
23 actual employment?

24 A No.

25 Q Okay. And do you happen to recall who Michelle Anderson

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1 supposedly worked for?

2 A For Brandon.

3 MR. HORMEL: Objection, your Honor.

4 Q (BY MR. SMOOT) Well, let me reask that. On the paycheck
5 stubs --

6 THE COURT: Just a minute.

7 MR. SMOOT: Oh, I'm sorry.

8 THE COURT: There was an objection to the question,
9 and she indicated she knew. But ask why, the basis of her
10 knowledge.

11 Q (BY MR. SMOOT) Did you see the paycheck stubs?

12 A Yes.

13 Q Okay. Were you able to see who the employee was?

14 A Yes. Mr. Chavez.

15 Q Okay. Let me back up. The -- what -- was Michelle
16 Anderson on the paycheck stub?

17 A Yes.

18 Q Okay. And was she the person that was receive -- receiving
19 the paycheck or providing the paycheck?

20 A She was receiving a paycheck.

21 Q Okay. And you mention that Brandon Chavez was on there.

22 A Yes.

23 Q Was -- what -- where was -- where was he?

24 A Oh, he was on -- his name was on the paycheck stub and the
25 company he says he own.

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1 | Q Okay. Do you recall what the name of that company was?

2 | A' Yes. BC Notary.

3 Q Okay. Have you ever seen other documents in terms of BC
4 Notary?

5 | A No. Just the paycheck stubs he made.

6 Q All right.

7 MR. SMOOT: May I approach, your Honor?

8 THE COURT: You may.

9 Q (BY MR. SMOOT) Ms. Horn, I'm gonna -- you're looking
10 through that. But what I've handed up is Proposed Government
11 Exhibit 54a. Have you had a chance to look through 54a?

12 | A Yes.

13 Q Do you know what it is?

14 A It's a application for the apartment that Ms. Michelle was
15 trying to get.

16 Q Okay. Does that -- is there -- does -- are there any -- is
17 there anything written on there that's familiar? Are the
18 names -- is there any name that's familiar?

19 | A Yes.

20 Q Okay. And which names are familiar?

21 MR. HORMEL: Objection, your Honor. Hearsay.

22 THE COURT: Overruled.

23 THE WITNESS: The Stephanie name that I mentioned in
24 the beginning that own it -- that rented one of the previous
25 apartments that I mentioned at the beginning that I stated. The

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1 BC Notary name is on there as an employer.

2 Q (BY MR. SMOOT) Okay. And BC Notary is who?

3 A It is a company that Mr. Chavez says he owns.

4 Q Okay. Are there any other names on there that are familiar
5 to you?

6 A His wife, Christina, is listed as a supervisor.

7 Q A supervisor of what?

8 A Of the BC Notary.

9 Q Okay. Any other names that are familiar?

10 MR. HORMEL: Objection.

11 THE COURT: Objection to the --

12 MR. HORMEL: Your Honor, she's testifying to just
13 plain out hearsay. So I object to the entire document being
14 read.

15 THE COURT: I understand, but she was just asked if
16 there were any names that she recognized. "Yes" or "no."

17 Q (BY MR. SMOOT) Are there any --

18 A No other names.

19 Q Okay. Do you recognize that document as something you've
20 seen before?

21 A Yes.

22 Q Okay. And when -- what were the circumstances of you
23 seeing that document?

24 A I was with her when she filled the application out.

25 Q Okay.

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1 MR. SMOOT: Your Honor, I would move to admit
2 Government Exhibit 54a.

3 MR. HORMEL: Objection, your Honor. It's not a
4 document that's been shown --

5 THE COURT: Use the microphone.

6 MR. HORMEL: That's not a document that has been shown
7 to be prepared by a custodian of record in the ordinary course
8 of business. It's hearsay, your Honor.

9 THE COURT: I'll sustain the objection.

10 MR. SMOOT: Witness, please.

11 Q (BY MR. SMOOT) Ms. Horn, moving back to the screen, do you
12 remember that -- do you recognize that picture?

13 A Yes.

14 Q And who is that?

15 A He went by Big Nick.

16 Q Okay.

17 MR. SMOOT: Publish, please.

18 Q (BY MR. SMOOT) Tell me about Big Nick.

19 A He was a fade.

20 Q Okay. And some people you've identified as fade
21 distributors. Does he fall into that category?

22 A Yes.

23 Q And why do you put him in that category?

24 A Well, he purchased fades from us numerous times for -- for
25 numerous amounts. Typically, whenever a fade purchases a

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1 certain amount that's really practically more than 50 pills,
2 that they're redistributing to other fades.

3 Q More than 50 pills give or take?

4 A Yes.

5 Q Okay. And do you recall about how many amounts Mr. DeCaro
6 purchased or did it vary?

7 A It varies.

8 Q Okay. Was it often over 50?

9 A Not really. Sometime lesser.

10 Q Was Mr. DeCaro ever fronted pills?

11 A Not to my knowledge.

12 MR. SMOOT: Witness.

13 Q (BY MR. SMOOT) Do you recognize that person -- that
14 photograph?

15 A Yes.

16 Q And who is that?

17 A Her name is Michelle.

18 MR. SMOOT: Publish, please.

19 Q (BY MR. SMOOT) What can you tell me about Ms. Fried?

20 A She was a fade. A user fade.

21 Q Okay. Why -- was she a -- did she -- how does she compare
22 to Mr. Wright, Mr. Chavez, and Mr. DeCaro whom you also
23 identified as fade distributors?

24 A Well, to my knowledge, I know that she got high off pills
25 more than that I had knowledge of her even just any --

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1 distributing any.

2 Q And how many pills, if you recall, would she typically
3 obtain?

4 A She would -- for herself, she would obtain about ten. Ten
5 at a time.

6 Q Okay. Why do you say "for herself"?

7 A Because she would meet up with me for other people that
8 she'd be in a car with that -- that needed oxys to be
9 distributed to them.

10 Q Okay. So, if she was the only one that met you, she would
11 obtain pills for other people?

12 A Yes.

13 Q Okay. So, even though she may have used the ones she
14 obtained, to your knowledge, she obtained other pills for other
15 people.

16 A Yes.

17 Q So wouldn't she be -- fall into that distributor category,
18 as well?

19 A In a sense of the way, yes.

20 MR. SMOOT: Witness.

21 Q (BY MR. SMOOT) Do you recognize that photograph?

22 A Yes.

23 Q And who is that?

24 A Danny.

25 Q Okay. Did he go by any nicknames?

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1 A D Boy.

2 MR. SMOOT: Okay. Publish, please.

3 Q (BY MR. SMOOT) What can you tell me about Mr. Hunka?

4 A He was a fade/distributor.

5 Q Now, a fade doesn't necessarily mean that they're a user,
6 does it?

7 A No.

8 Q Okay. It just simply means that that's the person that you
9 gave pills to.

10 A Yes.

11 Q Okay. So a person -- really, pretty much anybody could be
12 a fade and a distributor. Correct?

13 MR. HORMEL: Objection, your Honor. Leading.

14 MR. SMOOT: Could --

15 THE COURT: It is leading.

16 Q (BY MR. SMOOT) Could anyone that receives and also
17 distributes pills fall into both categories?

18 A Yes.

19 Q Okay. Except for maybe the person that smokes the last
20 pill?

21 A Yes.

22 Q Okay. What can you tell me about Mr. Hunka being a fade?

23 A When I first joined the conspiracy, he was one of the main
24 guys that used to call Mr. Haynes' phone.

25 Q Okay. And did you also -- did -- so he was one of

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1 Mr. Haynes's fades?

2 A Yes.

3 Q Did you also distribute to him?

4 A Yes.

5 Q And do you happen to recall approximately how many pills he
6 would obtain at a time?

7 A About 5 or 600.

8 MR. SMOOT: Witness.

9 Q (BY MR. SMOOT) Do you recognize that person?

10 A Yes.

11 Q And what's her name?

12 A Jessica.

13 MR. SMOOT: Publish, please.

14 Q (BY MR. SMOOT) Who is Jessica or Ms. Clinton?

15 A She has a child by Carmen.

16 Q Do you have any knowledge to whether or not she was
17 involved in the distribution of pills?

18 A No, I don't.

19 Q Do you have any knowledge as to whether or not she was
20 involved or had any hand in money?

21 A No.

22 Q Okay.

23 MR. SMOOT: Witness.

24 Q (BY MR. SMOOT) Do you recognize that photo?

25 A Yes.

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1 Q Okay. And who is that?

2 A Ms. Sally.

3 MR. SMOOT: Publish, please.

4 Q (BY MR. SMOOT) What can you tell us about Ms. Guthrie?

5 A I met her through Mr. Carmen. She was the owner of the
6 Flamin' Joe's restaurant in Spokane.

7 Q Okay. Is this another person that had a relationship with
8 Mr. Carmen?

9 A Well, yes.

10 Q And what's Flamin' Joe's?

11 A Well, she owns all of them in Spokane.

12 Q And what -- and what are they?

13 A They're -- it's a restaurant that sell hot wings.

14 Q Okay. Have you been to Flamin' Joe's?

15 A Yes.

16 Q Okay. And you indicated -- did you ever meet Ms. Guthrie?

17 A Yes, through Carmen.

18 Q Now, do you know if Ms. Guthrie had any participation in
19 the distribution of pills?

20 A Not to my knowledge, no.

21 Q Okay. What about money? Were you involved in any
22 discussions while you were involved in this pill hustle or pill
23 game in which Ms. Guthrie and the subject of money came up?

24 A No.

25 MR. CHRISTIANSON: And could we ask that the voice be

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1 raised again, your Honor?

2 MR. SMOOT: Oh, if you can --

3 THE COURT: Yes, please concentrate on the microphone,
4 Ms. Horn.

5 Q (BY MR. SMOOT) Okay. And I -- I -- in case anyone didn't
6 hear, I think you indicated that you weren't involved in any
7 conversations?

8 A No, I wasn't.

9 Q Okay. All right. Earlier you mentioned that Ms. Guthrie --
10 that maybe you used her vehicle?

11 A Yes.

12 Q Okay. And what type of vehicle was that?

13 A I think it was H2 Hummer.

14 Q What color was it?

15 A Red.

16 Q All right. And were you the only one that used that
17 vehicle?

18 A No. Haynes used it, as well.

19 Q Okay. Do you recall whether anyone else used it?

20 A To my knowledge, she was -- other people that Haynes
21 allowed to drive it to use it.

22 Q Okay. And you also mentioned something about rental cars.
23 To your knowledge, did -- did Ms. Guthrie have any involvement
24 in renting cars?

25 A Yes.

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- 1 Q Can you tell us about that?
- 2 A She rented a car one time for Tahei Moore.
- 3 Q Okay. Anyone else?
- 4 A Not to my knowledge.
- 5 MR. SMOOT: We can -- we can go back to the witness.
- 6 I'm going to turn it off.
- 7 Q (BY MR. SMOOT) Ms. Horn, we've -- we've gone through a
- 8 long line of names and people and involvement. Do you know if
- 9 other people were involved in the pill hustle in Spokane that I
- 10 didn't reference?
- 11 A I think you kind of went over everybody.
- 12 Q Okay. And some of the -- some of the names were faces you
- 13 didn't know. Correct?
- 14 A Yes.
- 15 Q So -- all right. And we tried to touch a little bit on
- 16 each person's involvement based on your -- your experience and
- 17 your participation. And I think, if I noted, that you indicated
- 18 that some of them may not have been around when you first came
- 19 up.
- 20 A Yes.
- 21 Q Okay. Were you ever included in -- best way to describe
- 22 it -- conversations as to what was going on in Spokane prior to
- 23 your becoming involved in May of 2011?
- 24 A Yes.
- 25 Q Okay. And, after you came involved -- became involved, you

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1 continued to be included in conversations.

2. A Some of them, yes.

3 Q Okay. Were some of the things that you learned prior to
4 2011 -- prior to your involvement, did those prove to be
5 consistent after you became involved?

6 | A Yes.

7 Q Okay. All right. You indicated -- I think I showed you a
8 picture of Amber Branch, and you indicated that -- I asked what
9 her involvement was. I think you might have said you didn't
10 know at the beginning?

11 | A Yes.

12 Q . Okay. Did you ever learn as you were involved as to
13 whether or not Ms. Branch had any participation in this pill
14 game or pill hustle?

15 | A Yes.

16 Q What did you learn?

17 A That she was associated with other Eight Trey guys, and she
18 was distributing oxys for them.

19 Q Do you happen to recall who she was distributing oxy for?

20 A A couple of them was not associated with the case, and one
21 of them is Mr. Blackmon.

22 Q Okay. Well, let's talk about what you know about her
23 distributing pills for Mr. Blackmon. How did you learn -- how
24 did you come upon this knowledge?

25 A After a while, she started dealing with Mr. Haynes. And

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1 she stated that -- when Haynes asked her to help him distribute
2 oxys, she says she couldn't do it because she had pills in her
3 possession that belonged to Mr. Blackmon.

4 Q Okay. Was -- was Ms. Branch from Spokane?

5 A Yes.

6 Q Okay. And do you know why -- why she would have had pills
7 in her possession for Mr. Blackmon if he was also in Spokane?

8 A No, I wouldn't know that.

9 Q Okay. All right. So what -- what happened then? Did she
10 continue to -- did -- did she ever distribute for Mr. Haynes?

11 A Yes, once.

12 Q Okay. And do you know approximately when that occurred?

13 A Sometime in 2012.

14 Q Okay. What about anyone else?

15 A Not to my knowledge.

16 Q Okay. Do you know -- do you happen to know who Ms. Branch
17 would have distributed to?

18 A No.

19 Q All right. There was -- you mention that people would
20 call -- fades would call on the phone. Were there any
21 different -- what -- what -- did -- did you carry more than one
22 phone?

23 A Yes.

24 Q And why was that?

25 A Because a fade line -- the fade phone that we used to make

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1 money off of, it was something that we didn't use to communicate
2 either with each other or our families.

3 Q Okay. And I think you mentioned that, when you first came
4 up, you used Mr. Haynes's fade phone.

5 A Yes.

6 Q Okay. By his permission?

7 A Yes.

8 Q Now, were fade phones typically shared?

9 A Yes.

10 Q Okay. Why -- why would someone share a fade phone?

11 A Or, at the time, me and Mr. Haynes and James -- we stayed
12 in the same apartment. So it was something that all three of us
13 decide upon to do because we was always there -- out there
14 together.

15 Q But wouldn't that cut into your money if someone used your
16 fade phone?

17 A No.

18 Q Why not?

19 A Because that was something we came to an agreement on to
20 share the phone.

21 Q Okay. Well, what about fades themselves? Did you have
22 agreements concerning particular fades?

23 A Or agreement -- it really wasn't agreement. It was just
24 that it was something that was put out there saying that, if you
25 dealin' with a fade or if someone allow you to make money off of

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1 their fade, to not take their number and put it in your phone.

2 Q Okay. So were -- and I -- I don't know if -- if you can
3 give an example of some of the fades that we talked about today.
4 Were there some fades that were shared and some that were off
5 limits, in general?

6 A Yes.

7 Q Okay. And why would a fade necessarily be off limits?

8 A Because they -- sometime people accumulate relationships
9 with that person, either personally or been dealing with them
10 for a while, so they consider that as a personal fade.

11 Q Okay. Now, you had mentioned at one point you were called
12 by a fade. And, when you went out there, Mr. Blackmon had
13 already delivered to the fade.

14 A Yes.

15 Q Did that happen on occasion?

16 A Sometimes.

17 Q Okay. With people other than Mr. Blackmon?

18 A Yes.

19 Q Can you give us -- what did you do? If you went to a fade
20 and they'd already received from somebody else, what did you do?

21 A Just leave and --

22 Q Okay. Did you continue dealing with that fade?

23 A Later down the line, yes.

24 Q Okay. And what would happen if a -- if a new fade called
25 you? Did you -- well, I'll leave it at that. What would happen

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1 if you got a call from a new fade?

2 A Well, sometimes other people fades got ahold of, like,
3 precise to the phone that I had from other people because they
4 weren't able to get in contact with the distributor they was
5 already dealin' with.

6 Q Okay. And what do you mean by the distributor that they
7 were already dealing with?

8 A For example, if -- if one was calling us, as far as me or
9 Haynes, and we wasn't in town and if they know someone else
10 that's doing pills, as well, and they have a connection, the
11 connection could be another person on a case.

12 Q Okay. Let's say that you call somebody out of the blue.
13 Somebody calls you out the blue, and you hadn't heard about them
14 before. How would -- how would that person introduce themselves
15 as a fade?

16 A Sometimes we wouldn't even deal with them.

17 Q Okay. Sometimes you would, though.

18 A Yeah.

19 Q Okay. So how would that person introduce themselves as a
20 fade?

21 A They would say, "Oh" -- like, if we already have someone in
22 the phone that they may know, they may use an example, like,
23 "Oh, Michelle said it was okay for me to call you. I'm tryin'
24 to pick up."

25 Q Okay. Is it fair to say that that could be -- you said

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1 sometimes you don't deal with those people.

2 A Yeah.

3 Q Okay. Why would you not deal with somebody that you didn't
4 know?

5 A Until we was able to verify that that person gave that
6 person that number to do that, and we wouldn't just deal with
7 them.

8 Q Did they -- did you ask them questions --

9 A Yeah.

10 Q -- as to who they might be dealing with?

11 A Yeah.

12 Q What type of questions did you ask?

13 A Well, sometime they would just tell you. You didn't have
14 to ask. They would tell you that they're dealing with someone
15 else and did I know that person.

16 Q Okay. Can you give us just an example of how somebody
17 would tell you they're dealing with somebody else?

18 A Well, we meet up with them. They would say, "Oh, I tried
19 to call." For example, "I try to call Mr. Blackmon. He's not
20 answering. Is it okay if I come through and deal with you?"

21 Q All right. And what would you do?

22 A Then I would meet up with them and distribute oxys.

23 Q Okay. Did that always occur?

24 A Yes.

25 Q What about developing new fades on your own? Were you

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1 | allowed to do that?

2 | A Yes.

3 | Q Okay. How would you develop a new fade?

4 | A Go down to different clubs and meeting different people.

5 Q Okay. And, maybe, can you explain for us how you go into a
6 club and you walk out with a new fade or two?

7 A Well, it don't -- it don't happen all the time. It's not
8 happen that easy either. But it takes time. You sit. You
9 notice sometime -- you notice they actions or you notice them
10 dealing with someone else that you may not know, and you can
11 approach the person. Offer them a better deal.

12 Q What -- what kind of actions?

13 A Like, either they're buying pills from someone else that's
14 in the club, outside the club.

15 Q Okay. Were there any particular clubs or places that were
16 in Spokane that were better for fades, picking up new fades,
17 than others?

18 A No.

19 Q Okay. Were there any particular types of clubs?

20 A More like the -- more like just the regular clubs that you
21 go to that play music, sell drinks.

22 Q Was it -- did you -- when you were out making your
23 deliveries or going to your fades, did you ever run into anyone
24 else that was doing the same thing?

25 | A Yes.

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1 Q And can you give us a couple examples?

2 A Yeah. I could be meeting a fade at a Walmart. I could
3 pull up and -- and to be meeting with the fade to distribute
4 oxy's and I can notice someone else either driving or in the
5 parking lot doing the same thing.

6 Q Okay. And were these people that you recognized from Eight
7 Trey?

8 A Yes.

9 Q Can you give us a few examples of people that you saw?

10 A One time I was meeting a fade at a downtown hotel. And,
11 after the fade left, I noticed that Mr. Lynch pulled up and met
12 with a fade, as well.

13 Q Okay. Anyone else?

14 A I seen Mr. Johnwell one time. I don't remember all the
15 names of, like, everyone that I seen.

16 Q Okay. How about Mr. Shelmon?

17 A Oh, yeah.

18 Q Okay. And you already indicated that you had seen
19 Mr. Blackmon.

20 A Yes.

21 Q Okay. Well, what about Mr. Tones? Did you observe him
22 making fades?

23 A No. I was at one of the residence where he had
24 conversations of going to meet with a fade.

25 Q Okay. What residence was that?

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- 1 A It was a residence that Mr. Shelmon was renting.
- 2 Q Okay. Do you remember the address?
- 3 A No.
- 4 Q Do you remember what street it was on?
- 5 A Off of Division and Magnesium.
- 6 Q Okay. Who was at the residence at the time?
- 7 A Myself, Mr. Tones, Mr. Shelmon, Mr. James, and another guy
- 8 that's not part of the conspiracy.
- 9 Q Okay. Okay. What happened in the residence?
- 10 A We just all hung out, laughed, talked. The time I was
- 11 there I observed the -- Mr. Tones having a conversation on the
- 12 phone to meet with a fade. Then he got up and left.
- 13 Q Okay. Is's fair to say that you only heard one side of the
- 14 conversation?
- 15 A Yes.
- 16 Q Okay. Do you -- did you know the name of the fade that may
- 17 have called?
- 18 A No.
- 19 Q Okay. So why -- how were you able to recognize this as a
- 20 fade call only hearing one side of the conversation?
- 21 A Based on my participation and my experience in distributing
- 22 oxys, I knew what the phone call meant as far as in telling the
- 23 person where to go and that you'll be there in approximately
- 24 five or ten minutes.
- 25 Q So did Mr. Tones leave?

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1 A Yes.

2 Q Did you happen to observe whether he took anything with
3 him?

4 A Yes, some oxys.

5 Q Okay. And what did you observe?

6 A I seen he had 'em in his hand, but I don't know the amount
7 or anything.

8 Q Okay. Did he -- were you still at the house? How long did
9 you stay at the house?

10 A Once he left, probably about five minutes, I -- we left.
11 Me and Mr. James.

12 Q And you indicated that Mr. Shelmon was at the house. Did
13 he stay?

14 A Yes.

15 Q Okay. All right. Any other instances that you recall with
16 Mr. Tones?

17 A No.

18 Q Okay.

19 MR. SMOOT: May I approach, your Honor?

20 THE COURT: You may.

21 Q (BY MR. SMOOT) Ms. Horn, I've handed you up a couple of
22 packages. One is marked -- there's a yellow sticker on there
23 that says "Government's Exhibit 13"? Can you take a look at
24 that?

25 A (Witness complies)

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1 Q Do you recognize Government's Exhibit 13?

2 A Yes.

3 Q And how do you recognize it?

4 A Those was phones that was taken from my home when I was
5 arrested.

6 Q Okay. So would those be your phones?

7 A Yes.

8 Q Okay.

9 MR. SMOOT: Your Honor, I would move to admit
10 Exhibit 13.

11 THE COURT: Any objections?

12 MR. HORMEL: No objection.

13 THE COURT: 13's admitted.

14 (Exhibit No. 13 previously admitted into evidence)

15 Q (BY MR. SMOOT) Ms. Horn, can you take a look at Exhibit --
16 what's marked as 13 --

17 MS. VAN MARTER: Your Honor, I'm sorry for --
18 apologizing. Only one counsel responded about that admission.
19 I don't know if other counsel --

20 MR. CHRISTIANSON: No objection by Mr. Tones, your
21 Honor.

22 MR. NOLLETTE: I'm just trying to find it, Judge, in
23 one of these books.

24 THE COURTROOM DEPUTY: I'm sorry. I have this as
25 admitted on the 15th.

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1 MR. SMOOT: Okay.

2 THE COURT: So.

3 MR. SMOOT: There were a number of phones --

4 THE COURT: Apparently it's already -- the
5 Exhibit 13's already admitted. Proceed.

6 MR. SMOOT: Okay.

7 Q (BY MR. SMOOT) Can you take a look at what's been marked
8 as Exhibit 13-1?

9 A Yes.

10 Q And do you recognize 13-1?

11 A Yes. It was another phone that was found in my car at the
12 time of the arrest.

13 Q Okay.

14 MR. SMOOT: If it hasn't been admitted, then I would
15 move to admit Exhibit 13-1.

16 THE COURT: Is that admitted, Joanna?

17 THE COURTROOM DEPUTY: I do not have 13-1 admitted.

18 THE COURT: Has it been?

19 THE COURTROOM DEPUTY: No. No.

20 THE COURT: No, 13-1 has not been admitted. You're
21 offering it now?

22 MR. SMOOT: Yes, your Honor.

23 THE COURT: Mr. Hormel?

24 MR. HORMEL: No objection.

25 THE COURT: Mr. Christianson?

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1 MR. CHRISTIANSON: No objection.

2 THE COURT: Mr. Nollette?

3 MR. NOLLETTE: No objection.

4 THE COURT: Mr. Lee?

5 MR. LEE: No objection.

6 THE COURT: 13-1's admitted.

7 (Exhibit No. 13-1 admitted into evidence)

8 MR. SMOOT: May I approach?

9 THE COURT: You may.

10 Q (BY MR. SMOOT) Ms. Horn, I've handed up a couple of stacks
11 of documents. One is marked as 13a, one is marked as 13b, and
12 one is marked as 13-1a. Did you have a few moments to look
13 through those?

14 (Pause in the proceedings)

15 Q (BY MR. SMOOT) Do you recognize -- let's take them one at
16 a time. How about 13a? Do you recognize 13a?

17 A Yes.

18 Q Okay. And how would you describe what 13a is?

19 A It's a printout of my call log, one of the phones that was
20 taken during the arrest.

21 Q And is the printout that you're looking at consistent with
22 how your call log would have appeared in your phone?

23 A Yes.

24 Q Okay. And are there names or numbers in that call log that
25 you -- that you recall as being in your phone?

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1 | A Yes.

2 Q Okay.

3 MR. SMOOT: Your Honor, the United States would move
4 to admit 13a.

5 THE COURT: My records show it was admitted on the
6 15th of this month.

7 MR. SMOOT: There -- there are a number of exhibits
8 that were admitted in reference to call logs. And, if this has
9 been admitted, then I'm fine with the identification but just to
10 be sure.

11 THE COURT: It's list on the exhibit list as a SIM
12 card.

13 MR. SMOOT: Okay.

14 (Discussion off the record)

15 THE COURTROOM DEPUTY: Excuse me. I believe that
16 there was an error on the exhibit list. 13a and b, the
17 descriptions need to be swapped. I believe there's been
18 clarification on that, and I have both 13a and b admitted on the
19 15th, as well.

20 | (Discussion off the record)

21 THE COURT: Well, our records show both 13a and 13b
22 were admitted on the 15th of this month.

23 MR. SMOOT: Okay. Well, thank you, your Honor. And,
24 just in housekeeping, do your records make an indication for
25 13-1a?

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1 THE COURTROOM DEPUTY: No.

2 MR. SMOOT: Okay.

3 THE COURT: I don't have that as being admitted.

4 Q (BY MR. SMOOT) Ms. Horn, I -- I'm going to ask you first
5 to look at what was 13b just to tell us what it is.

6 A It's another printout of a call log of one of the phones
7 that was taken from my residence.

8 Q Okay. And do you recognize some of the names and numbers
9 or -- on -- on that printout as being familiar --

10 A Yes.

11 Q -- in your phone? Okay. Okay. If we could take a look at
12 13-1a.

13 A (Witness complies)

14 Q And do you recognize 13-1a?

15 A Yes.

16 Q How would you describe that particular item?

17 A It's another printout of the call log of one of the
18 other -- one of the phones that was taken from my residence.

19 Q Okay. And do the -- does the printout contain information
20 that's consistent with your call log?

21 A Yes.

22 Q Names and numbers being familiar?

23 A Yes.

24 Q Okay.

25 MR. SMOOT: I believe that the United States would now

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1 move to admit 13-1a.

2 THE COURT: Mr. Hormel?

3 MR. HORMEL: Your Honor, we -- conditionally, but we
4 may need to discuss it -- some of it at a break at some point.

5 THE COURT: All right. Mr. Christianson?

6 MR. CHRISTIANSON: I -- I follow Mr. Hormel on that
7 one.

8 THE COURT: Mr. Nollette?

9 MR. NOLLETTE: I agree. Same as --

10 THE COURT: Mr. Lee?

11 MR. LEE: Same.

12 THE COURT: Okay. 13-1a is admitted. Possible
13 discussion later.

14 (Exhibit No. 13-1a admitted into evidence)

15 MR. SMOOT: I -- I would indicate, as well, your
16 Honor, given some of the other exhibits, that these are
17 particular pages from the download exhibits.

18 THE COURT: Go ahead.

19 MR. SMOOT: Okay. May I approach?

20 THE COURT: You may.

21 (Pause in the proceedings)

22 MR. SMOOT: Again, may I approach, your Honor?

23 THE COURT: You may.

24 Q (BY MR. SMOOT) Ms. Horn, I've handed you kind of a stack
25 of documents. And what we're going to do is -- I don't need you

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1 | to look through them at this point. What we're going to do is
2 | go through them individually. So we'll try to -- I have a
3 | similar stack. So we'll try to stay on the same page.

4 Ms. Horn, you indicated that you used telephones to talk to
5 fades. And you -- and you used telephones to talk to others
6 involved in the -- in the pill game, pill hustle?

7 | A Yes.

8 Q Okay. And did you ever have the opportunity to hear some
9 of the -- some of the telephone calls that you were involved in?

10 A Yes.

11 Q And did you also have the opportunity to review transcripts
12 at the same time as listening to those calls?

13 A Yes.

14 Q Upon your review of those transcripts, did they accurately,
15 I guess, depict what you were hearing from the call? I mean,
16 did the words on the transcript match what you were hearing
17 during the recorded call?

18 | A Most of it, yes.

19 Q Okay. And were there times where what was said was -- I
20 use the term "unintelligible"?

21 | A Yes.

22 Q Perhaps, maybe, mumbling or background noise?

23 | A Yes.

24 Q Okay. And do those transcripts, in general, note places
25 where it's hard to hear what exactly was being said?

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1 A Yes.

2 Q Okay. And are -- were there times, as you listened to the
3 transcript -- as you listened to the call and read along with
4 the transcript, that you were able to clarify unintelligible
5 words?

6 A Yes.

7 Q Or -- or maybe change words that -- that, being a party to
8 the call, you knew weren't the right words on the transcript?

9 A Yes.

10 Q And how did you indicate what was changed?

11 A I made -- I made the correction with a pen.

12 Q Okay. So any handwriting that may be seen on the
13 transcripts is -- would that be your handwriting?

14 A Yes.

15 Q Okay. All right. We're going to go through a few of
16 these.

17 MR. SMOOT: And the first one would be Target
18 Telephone 1, Call No. 0043, August 8th, 2012.

19 MR. NOLLETTE: Exhibit number?

20 MR. SMOOT: Exhibit 1-1. And, for the record, the
21 call, itself, should be 1- and the number. The transcript would
22 be -- would have a T after the number.

23 THE COURT: 1-1T?

24 MR. SMOOT: 1-1T. Yes, your Honor. May I have just a
25 moment, your Honor.

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1 (Pause in the proceedings)

2 Q (BY MR. SMOOT) Ms. Horn, did you occasionally change
3 phones --

4 | A Yes.

5 Q -- during -- while you were involved in the pill hustle or
6 game? Why did you do that?

7 A Sometimes just to change the number up.

8 Q Okay. Why would you change the number?

9 A At times, we thought it was safe so we didn't end up in the
10 predicament we all in now.

11 Q In other words, you were trying not to be intercepted.

12 | A Yes.

13 Q How frequently did you change phones?

14 A Maybe every 30 days.

15 Q Okay. Now, you talked about having different phones, fade
16 phones and -- and other phones. Did you change them at the same
17 rate, or did it matter which phone it was?

18 | A Yes.

19 Q Okay. So, if you changed a fade phone, how -- how did the
20 fades get ahold of you?

21 A We would call them from a new number. Let them know we had
22 a new number.

23 Q Okay. And, if you changed a phone that you talked to other
24 distributors or Mr. Haynes or Mr. Carmen with, how did you let
25 them know you had a new number?

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1 A Well, when we talked to them on their previous phone, we
2 would let them know -- each of them know that we had a new line,
3 a new -- is a code for a new number. And, then, when we see
4 each other in traffic or something or whatever, then we exchange
5 the numbers that way.

6 Q You said -- before I get started -- you said, "in traffic."
7 Does that have any particular meaning?

8 A No. Just if I -- if I'm driving around as far as -- as far
9 as in, like, in LA and I pass by a common area which is, say,
10 for instance, a park where Eight Trey Gangsters are known to
11 hang out at, then, if I see them, then I stop and get out.

12 Q Okay. Would you say, if they call, "I'm in traffic"?

13 A Yeah.

14 Q Now, would that have a different meaning if you were in
15 Spokane?

16 A No. Same meaning. Riding around Spokane.

17 Q If you were -- if you were speaking to Haynes or Ms. Reeves
18 or somebody while you're in Spokane and you indicated, "Hey, I'm
19 out in traffic," would that -- does that mean that you're going
20 to do fades or does it just mean you're driving around?

21 A Both.

22 MR. LEE: Objection. It's leading and asked and
23 answered.

24 THE COURT: It is leading and cumulative. I think
25 she's answered it. Move on.

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1 MR. SMOOT: Call No. 43.

2 (Exhibit 1-1T was played)

3 MR. SMOOT: Let me start that over.

4 (Exhibit 1-1T was played)

5 Q (BY MR. SMOOT) Who's talking?

6 A Me and Mr. Haynes.

7 Q Okay.

8 (Exhibit 1-1T continued)

9 Q (BY MR. SMOOT) What does he mean by "you can make your
10 move"?

11 A That I can go -- it was okay for me to go ahead to leave
12 from LA to Spokane.

13 Q And why would you be leaving from LA to go to Spokane?

14 A To go distribute oxys.

15 Q Okay. And Mr. Haynes told you it was okay.

16 A Yes.

17 (Exhibit 1-1T continued)

18 Q (BY MR. SMOOT) What's he talking about sending in a day or
19 two?

20 A Sending me oxycodones.

21 Q Okay. Is he sending them up for you to distribute for him
22 or --

23 A Yes.

24 Q Okay.

25 (Exhibit 1-1T continued)

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1 Q (BY MR. SMOOT) Was it common to talk to each other about
2 who was going to be in Spokane distributing pills at a certain
3 time?

4 A Well, sometimes, yes.

5 Q Okay. And why would you have these conversations with
6 Mr. Haynes?

7 A Because most of the times when I went in Spokane, for
8 example, with this phone call, it was someone else that would be
9 staying at the residence. And, then, I would need -- I would
10 need to know who was there because I didn't have a key at the
11 time to be getting in the residence to stay there.

12 Q Okay. Was there a -- do you happen to recall if there was
13 a problem getting into the residence?

14 A Yes.

15 Q And why was there a problem?

16 A This phone call right here is saying that I was trying to
17 get -- I was on the way out. Once I got out there, I wasn't
18 able to get ahold to Mr. Shelmon, who was there at the residence
19 at the time. So I wasn't able to get in once I got out there.

20 Q Okay. Now, during that call, were you still in LA?

21 A Yes.

22 Q Do you happen to recall how you came up?

23 A Yes.

24 Q And how was that?

25 A I flew to Seattle, and I took a bus from Seattle to

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1 Spokane.

2 Q Okay.

3 MR. SMOOT: I'm going to play Target Telephone 1, Call
4 No. 0078, and that is Exhibit 1-2.

5 (Exhibit 1-2 was played)

6 Q (BY MR. SMOOT) Who's talking in this conversation?

7 A Myself and Mr. Madison.

8 (Exhibit 1-2 continued)

9 Q (BY MR. SMOOT) What's happening during this call?

10 A When I got dropped off at the airport, I was -- I noticed
11 that there were several officers and -- at the airport and they
12 were walkin' around with the dogs and having the dogs sniff
13 people packs, luggages.

14 Q Okay. Did that concern you?

15 A Yeah.

16 Q Why?

17 A Because at that time I was carrying oxys to Spokane.

18 (Exhibit 1-2 continued)

19 Q (BY MR. SMOOT) All right. You indicated that you cleared
20 both your phones. What's that mean?

21 A I was -- I indicated I cleared the phone. That was
22 something that I did frequently. So, if I ever woulda got in a
23 predicament, like, with the police pull -- stopping me or
24 anything like that, that, if they ever went to my phone, they
25 wouldn't seen the last person I talk to or any type a text

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1 messages I may had in the phone.

2 Q Okay. You indicated a "little one" and a "big one." What
3 does that mean?

4 A The little phone meaning it was the phone that -- that I
5 carried. I socialize with with other Eight Trey members. And
6 the big phone was the phone that I had personally just for my
7 family.

8 Q So was it common to keep a -- a phone for -- for being
9 involved in the pill game and a phone that you used strictly
10 personal?

11 A Yes.

12 Q Okay. All right. And it said -- I think Mr. Madison had
13 said, "Hit me when you get there." Where were you headed?

14 A Spokane.

15 Q Okay.

16 MR. SMOOT: The next call would be Target Telephone 1,
17 Call No. 227, Exhibit 1-3.

18 THE COURT: If it's all right with everybody, I'd like
19 to delay the afternoon recess a little bit. Ms. Horn's lawyer
20 has a meeting a few minutes before 3:00. So, if we could last
21 until 10 to 3:00, it would help so that he can be back in the
22 courtroom. If anybody has a problem with that, just let me
23 know. In other words, another 15, 20 minutes before the recess.

24 MR. SMOOT: Okay. Again, this is Call No. 227.

25 (Exhibit 1-3 was played)

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1 MR. SMOOT: Okay. I don't know if I said the date on
2 this, but this is August 9th, 2012.

3 | Q (BY MR. SMOOT) Who's talking?

4 | A Me and Ms. Reeves.

5 Q And just talking about a truck, compact cars. What's
6 occurring?

7 | A I was coming from the airport from getting a rental.

8 Q Okay. And, then, right before we stopped, it looks like
9 Ms. Reeves said she was about to start answering your phone?

10 | A Yes.

11 Q What's that about?

12 A She gave me a ride to -- to get the rental car. And, when
13 I got there to get the rental car, I left the phone, the fade
14 phone, in my bag in her car.

15 | Q Okay.

16 (Exhibit 1-3 continued)

17 Q (BY MR. SMOOT) Okay. Do you know why she needed to go to
18 the Valley?

19 A She was indicating to me at the time that she had a fade of
20 her owns that she needed to meet in the Valley before she got in
21 the car with me.

22 Q Okay. Was she distributing pills for you?

23 | A No.

24 Q Who was she distributing pills for?

25 | A Mr. Carmen.

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1 (Exhibit 1-3 continued)

2 Q (BY MR. SMOOT) Sounds like there was another conversation
3 going on. Were you -- was Ms. Reeves talking to someone else?

4 A At the time, it sound like that she was talking on the
5 phone that I had in the car with her.

6 (Exhibit 1-3 continued)

7 Q (BY MR. SMOOT) There was a reference to an Alex during
8 that call?

9 A Yes.

10 Q Who was Alex?

11 A He was one of the guys that purchased oxys.

12 Q Okay. Now, wasn't there another person involved in -- in
13 the pill game named Alex?

14 A Yeah, but that wasn't him.

15 Q Okay. Who is -- who is the other Alex?

16 A Mr. Alex James.

17 Q Okay. Now, was it common for you, when you talked to
18 Haynes or Carmen or Reeves or somebody else involved, to use
19 what we showed as government names; or would you use other names
20 that you knew people by?

21 A Oh, we used they moniker names.

22 Q Okay. So, if you were referring to Alex James, what would
23 you have said?

24 A Menace or Tiny Menace.

25 Q Okay. Now, Alex James, I think, in particular, had a

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1 Spokane name.

2 A Yes.

3 Q And what was his Spokane name?

4 A Brandon.

5 Q Now, was that a name that you would use in reference to --
6 if you were talking to Haynes, would you reference Mr. James or
7 Menace or Tiny Menace as Brandon?

8 A No.

9 Q Okay. Would you, perhaps, reference it to somebody only
10 that knew him as Brandon?

11 A Yes.

12 Q Okay.

13 MR. SMOOT: The next call would be Target Telephone 1,
14 Call No. 231, August 9th, 2012.

15 MR. NOLLETTE: What?

16 MR. SMOOT: 231. Exhibit No. 1-4.

17 (Exhibit 1-4 was played)

18 Q (BY MR. SMOOT) What was -- what was that about pills?

19 A That call was related to the previous call where she took
20 me to get a rental car. I left my back -- a bag -- a personal
21 bag that I left in her car with the phone, and it had obtained
22 oxys in it. So, when I met with her at the hotel to get the
23 bag, I noticed that every -- the stuff that I had in the bag was
24 -- some of it was missing. So I called her and asked her to
25 look to see was it was on her floor.

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1 Q Okay. You mentioned you had nine bags and your -- came out
2 with ten?

3 A Yes.

4 Q So you were missing one bag?

5 A Yes.

6 Q Do you recall how many oxys would have been in each bag?

7 A Oh, yes. Fifty.

8 Q Okay.

9 MR. SMOOT: Target Telephone No. 1, Call No. 262,
10 August 9th, 2012, Exhibit 1-5.

11 Q (BY MR. SMOOT) Did you -- did you ever get that bag of
12 pills back?

13 A Yes.

14 Q And where was it?

15 A On her floor.

16 Q In Mercedes' car?

17 A Yes.

18 (Exhibit 1-5 was played)

19 Q (BY MR. SMOOT) Who were you talking to?

20 A Mr. Madison.

21 Q Okay. And who is baby daddy?

22 A Mr. Warnock.

23 Q Okay. And is that the person you identified as a
24 distributor previously?

25 A Yes.

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- 1 Q And what do you mean by "ten racks"?
- 2 A He gave me \$10,000 cash.
- 3 Q Why?
- 4 A At that time, I didn't know why. He just asked me that --
- 5 he just told me that it was for Mr. Madison.
- 6 Q Okay.
- 7 (Exhibit 1-5 continued)
- 8 Q (BY MR. SMOOT) Who's Mer?
- 9 A Mercedes.
- 10 Q Okay. So, where it says "(referring to Mercedes Reeves),"
- 11 based on the call, that's correct?
- 12 A Yes.
- 13 (Exhibit 1-5 continued)
- 14 Q (BY MR. SMOOT) Okay. It looks like "some blues" is
- 15 handwritten in there. Is that your writing?
- 16 A Yes.
- 17 Q And what are blues?
- 18 A It was a term name we used for the oxycodones.
- 19 Q Okay.
- 20 (Exhibit 1-5 continued)
- 21 Q (BY MR. SMOOT) Do you know what he was -- he was going to
- 22 leave down there before he took off? Do you know what that
- 23 means?
- 24 A He's telling me in the conversation here that the money he
- 25 gave me he's supposed to, like, gave it to him before he went

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1 back to Spokane.

2 Q And, again, who are you talking about that was -- that left
3 LA to come to Spokane?

4 A Mr. Warnock.

5 (Exhibit 1-5 continued)

6 Q (BY MR. SMOOT) Did you hear -- did you hear something in
7 the background?

8 A Yes.

9 Q And do you know what that conversation was about?

10 A Oh, me and Mercedes was riding around distributing oxys;
11 and she was on -- on her own phone telling someone that we'll be
12 there to meet them in 15 or 20 minutes.

13 (Exhibit 1-5 continued)

14 Q (BY MR. SMOOT) Okay. Who bought a Cadillac?

15 A Mr. Shelmon.

16 Q Did -- did you buy it for him?

17 A No.

18 Q Okay. So, where it says, "I bought him," does it -- did --
19 did it sound like "I" when you listened to it? Well, let me
20 ask, you didn't buy him a Cadillac.

21 A No.

22 Q Okay.

23 (Exhibit 1-5 continued)

24 Q (BY MR. SMOOT) What was that about?

25 A Normally when I'm -- was dealing with the -- the fades

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1 distributing oxys and I be talkin' to him personally, he always
2 stated that he didn't want me dealing business with the fades
3 distributing oxys while I was on the phone with him personally.

4 Q So was that telephone number a fade number?

5 A Yes.

6 (Exhibit 1-5 continued)

7 Q (BY MR. SMOOT) Is that another call coming in on the other
8 phone?

9 A Well, I think someone was in the car with us at that time.

10 Q Okay. Why -- was that someone that just got into the car?

11 A Yes.

12 Q Why'd that person get into the car?

13 A To purchase oxys.

14 (Exhibit 1-5 continued)

15 Q (BY MR. SMOOT) What does that mean?

16 A That was another phrase that we use, as far as in the
17 nickname for the 40 oxys.

18 Q Okay. Now there's some hand -- something handwritten below
19 "old school." Is that your writing?

20 A Yes.

21 Q And what does that say?

22 A 40 oxys. "OCs."

23 Q All right. And what do you mean by "They might be dancin'
24 today"?

25 A That -- that people might be buying them -- starting to buy

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1 them.

2 (Exhibit 1-5 continued)

3 Q (BY MR. SMOOT) Who's Big Head?

4 (Exhibits 1-5 continued)

5 (Interruption by the reporter)

6 Q (BY MR. SMOOT) Let me ask that again. It started playing
7 again. Who's Big Head?

8 A I was talkin' about Haynes.

9 (Exhibit 1-5 continued)

10 Q (BY MR. SMOOT) Is that another phone call coming in?

11 A Yes.

12 Q Do you remember what that call was about?

13 A Someone wanted to purchase oxys.

14 THE COURT: This is a -- this is a long call. Let's
15 take our recess right now and pick up in 15 minutes. Don't talk
16 about the case.

17 (Jury out at 2:56 p.m.)

18 (Court recessed at 2:56 p.m.)

19 (Court reconvened at 3:13 p.m.)

20 THE COURT: Mr. Lee, you wanted to say something?

21 MR. LEE: This morning I had objected to three calls,
22 and the Court had reserved making a ruling on that. I think
23 we're to the point where I believe there'll at least be one of
24 those calls that's offered through Ms. Horn this afternoon. So
25 I wanted to get a ruling on that. And --

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1 THE COURT: Now, are you referring to one of the calls
2 we just heard or one that you think is coming up?

3 MR. LEE: One that I believe is coming up. And that
4 call -- and the Government can correct me if I'm wrong. I don't
5 believe the calls involving Haynes to Blackmon are being
6 introduced through Ms. Horn.

7 MR. SMOOT: Troy, which call is it that -- the first
8 one that -- and I'll just grab a transcript.

9 MR. LEE: Well, the call I'm referencing is 1011.

10 THE COURT: If you don't plan to play them this
11 afternoon, let's deal with this in the morning because it's
12 already more than our recess time.

13 MR. LEE: I'm fine with that. I just don't want to
14 have to make an objection.

15 THE COURT: Well, I understand. You were concerned
16 because the content didn't seem to be in furtherance of a
17 conspiracy.

18 MR. LEE: That's correct. And --

19 MR. SMOOT: Your Honor, I -- I think -- I can't
20 guarantee that we will get to it; but it is on the list. And we
21 may get to it this afternoon. And I would indicate that, during
22 the call, in addition to talking about Vs, which the witness has
23 testified is Vicodins that were also often talked about within
24 the conspiracy, that there's also reference in the call.
25 Ms. Horn says, "Hey, look, I have some old schools, too, in

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1 40s." Mr. Blackmon says, "Oh, all right, for sure." We've just
2 heard testimony that "old school 40s" referenced the
3 40-milligram OxyContin. So I'd argue within that call there is
4 a reference.

5 THE COURT: Well, just a minute. Excuse me for
6 interrupting. Are we talking about just one call, or are there
7 three different calls that Mr. Lee is concerned about?

8 MR. SMOOT: I believe that there's three calls. This
9 particular call with Ms. Horn and Mr. Blackmon, again, we may
10 get to it today. And there is the reference to 40s, which are
11 40-milligram OxyContin.

12 There are also two calls between Mr. Blackmon and
13 Mr. Haynes that we probably won't get to until tomorrow. But,
14 if we do get to them, one call references -- I believe it
15 references that Mr. Haynes has indicated to Mr. Blackmon that he
16 is going over by Jack and Dan's to pick up tree and, then, they
17 will be meeting somewhere else. We believe that that call
18 specifically -- at best, that call talks about Mr. Haynes
19 picking up marijuana and, then, meeting Mr. Blackmon later,
20 perhaps, to socialize. We are not going to play that call.

21 THE COURT: Okay. So that's off the -- that's moot.

22 MR. SMOOT: There -- there is one more, however.

23 THE COURT: All right. But, today, the only possible
24 one is a call that you contend makes reference to 40s.

25 MR. SMOOT: Correct.

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1 THE COURT: And you contend that is in furtherance. I
2 mean, the reference to it.

3 MR. SMOOT: Yes, your Honor.

4 THE COURT: All right. Did you read the transcript,
5 Mr. Lee? Does it talk about 40s?

6 MR. LEE: I'm reviewing it right now, and I do have
7 copies of it in the exhibit. The exact phrasing is, "Hey, look,
8 I have some -- " This is Horn. "Hey, look, I have some old
9 schools 2 in 40s." The response from Blackmon, "Oh, alright,
10 for sure."

11 THE COURT: Well, that sounds like the reference to --

12 MR. LEE: So I -- I'll rest on what I said as far as
13 the previous objections.

14 THE COURT: All right.

15 MR. LEE: But just note it for the record.

16 THE COURT: What's the number? That's -- is that
17 1-something?

18 MR. SMOOT: That exhibit is -- excuse me -- 1-21.

19 THE COURT: All right. Well, let's bring the jury in.
20 You might get to that, but you're not going to get to the other
21 one that you were concerned about, Mr. Lee. We can talk about
22 that in the morning at 8:30.

23 MR. HORMEL: Your Honor, just real quick and maybe we
24 can take this up in the morning. I'm going ask -- move the
25 Court to strike the testimony of Ms. Horn where she read off

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1 information that she said she recognized from a lease form from
2 the Wandermere apartments. The exhibit wasn't admitted, and she
3 was able -- and she -- she read off things that she said that
4 she recognized. So I'm going to ask the Court to either strike
5 it now or address that in the morning.

6 THE COURT: I thought that she was asked if she
7 recognized any names.

8 MR. HORMEL: Well, she read -- she read off BC Notary
9 by Mr. -- that is purported to be a business that
10 Mr. Notary (sic) -- that Mr. Chavez conducted as a notary. She
11 read -- she went beyond just names, and she went into the
12 content of the form. And the form's not admitted into evidence.
13 So I'm going to ask the Court to strike that.

14 THE COURT: All right. We'll deal with that in the
15 morning. Bring it up again in the morning. Let's bring the
16 jury in.

17 MR. SMOOT: Oh, I guess no witness.

18 THE COURT: Oh, yes. Where's Ms. Horn?

19 DEPUTY MARSHAL: Judge, she's just behind the door.
20 She's -- we were just waiting for you to finish.

21 THE COURT: We're ready. And, Mr. Peven, you're back.

22 MR. PEVEN: Yes, your Honor. Thank you.

23 (Witness enters courtroom)

24 THE COURT: Be seated, Ms. Horn. We'll go until about
25 4:50. Sound right?

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1 MR. SMOOT: Yes, your Honor.

2 (Jury in at 3:20 p.m.)

3 THE COURT: Please be seated. You may continue,
4 Mr. Smoot, with direct of Ms. Horn.

5 Q (BY MR. SMOOT) All right. Ms. Horn, we're going to pick
6 up where we left off.

7 MR. SMOOT: And that was on Call No. 262 from Target
8 Telephone 1, and that was Exhibit 1-5.

9 (Exhibit 1-5 continued)

10 Q (BY MR. SMOOT) Ms. Horn, is there someone again talking in
11 the background?

12 | A Yes.

13 Q And do you know what that conversation is about?

14 | A Meeting up with fades to distribute oxys.

15 (Exhibit 1-5 continued)

16 Q (BY MR. SMOOT) There was a reference to an apartment?

17 | A Yes.

18 Q What did that mean?

19 A I was asking her to -- if she knew anybody that was willing
20 to get an apartment in their name for me.

21 Q And, then, later on I think it states "she got two out
22 there in her name already." What is that in reference to?

23 A She had two apartments in her name in Spokane.

24 (Exhibit 1-5 continued)

25 Q (BY MR. SMOOT) Ms. Horn, there appears to be something

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1 written in some handwriting above the words "the black one" on
2 the transcript. Is that your writing?

3 A Yes.

4 Q And what does it say?

5 A "TS."

6 Q And is there a reason that it would say "TS" over "the
7 black one"?

8 A Because that's who we was referring to in the conversation.

9 Q And, then, it goes on to say "big headed one." Is that
10 someone other than TS?

11 A Yes.

12 Q Who's that?

13 A We was referencin' to Carmen.

14 (Exhibit 1-5 continued)

15 Q (BY MR. SMOOT) And what is the reference to Half Breed?

16 A It was a nickname that we gave Mr. James.

17 (Exhibit 1-5 continued)

18 Q (BY MR. SMOOT) There's a -- handwritten in there it says,
19 "T Crown." What is that in reference to?

20 A That everybody left Spokane to go to the -- the Eight Trey
21 Gangsta -- and the reference is called, like, a Trey Day.

22 Q What's Trey Day?

23 A It's a certain day of the month that we celebrate as Eight
24 Treys.

25 Q What day is that?

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1 A August 3rd.

2 Q Why is it August 3rd?

3 A Because that's what it is.

4 Q Okay. Is it any reference to the month and the day?

5 A Yes.

6 Q And that would be the eighth month?

7 A Yes.

8 Q And the third day.

9 A Yes.

10 Q Okay. Now, is there -- is -- is that something that Eight
11 Treys go to?

12 A Sometimes, yes.

13 Q Okay. Do they -- is that -- is there a particular place
14 that they go?

15 A No.

16 (Exhibit 1-5 continued)

17 MR. SMOOT: Okay. Target Telephone 1, Call No. 360,
18 August 10th, 2012.

19 THE COURT: What's the number?

20 MR. NOLLETTE: Exhibit.

21 MR. SMOOT: Exhibit No. 1-7. Sorry.

22 (Exhibit 1-7 was played)

23 Q (BY MR. SMOOT) Who's talking?

24 A Me and Mr. Wright.

25 Q Okay. And I believe he said, "I was wondering" -- "I was

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1 trying to hook up with you." What does that mean?

2 A He was trying to get oxy from me.

3 (Exhibit 1-7 continued)

4 Q (BY MR. SMOOT) Does the term "that's moving" mean
5 anything?

6 A No. It's just slang talk that -- that we as Eight Treys
7 use.

8 Q Okay. What is it -- what is it slang for?

9 A I don't understand.

10 Q If I said, "That's moving" to you, what -- what would it
11 mean?

12 A It depends on how you're using it. It could mean -- if
13 you're using it as far as in an Eight Trey term, you could be
14 using it as far as substituting it for another word if we havin'
15 a conversation.

16 Q Okay. How about how Mr. Wright used it in that last call?
17 What did that mean to you?

18 A Well, he was saying -- in other words, instead of saying --
19 like, it's just slang for Eight Trey use. So he was saying,
20 "Okay. Moving." So he was tellin' me -- callin' me, basically,
21 "moving." Like, it's another way of Eight Treys -- we address
22 ourselves, like, "All right. All right, Third," or "all right,
23 Gangster." You know, something like that.

24 MR. SMOOT: Call No. -- or Target Telephone 1, Call
25 No. 373, August 10th, 2012, Exhibit 1-8.

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1 (Exhibit 1-8 was played)

2 Q (BY MR. SMOOT) Who's talking in this call?

3 A Me and Mr. Haynes.

4 Q Okay. It says, "saving my way back to the set." What does
5 that mean?

6 A It's not -- that's a misprint.

7 Q Oh, okay. Can you clarify?

8 A He was stating he was on his way back to the set.

9 Q Okay. And what is the set?

10 A Anywhere in Los Angeles in the Eight Trey area.

11 Q Okay.

12 (Exhibit 1-8 continued)

13 Q (BY MR. SMOOT) Okay. There's a word in there, "a dub;"
14 and, then, there's something in parentheses. Now, what -- what
15 does a dub mean?

16 A It's a abbreviation for the word \$20.

17 Q Okay. So what's in parentheses that's correct translation?

18 A Yes.

19 Q And what -- what are you talking with Mr. Haynes about?

20 A We're discussing the price that we were selling the oxys
21 for.

22 Q And was that -- why would you be talking to Mr. Haynes?

23 A Because we shared the -- the fade phone so we came to a
24 mutual agreement to the price we wanted to purchase 'em it.

25 Q Okay. Would you be able to suddenly decide, "Well, I'm

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1 gonna sell it for less than that"?

2 A Yes.

3 Q Okay. And how could you decide that?

4 A Just -- just doing it by doing it.

5 Q Okay.

6 (Exhibit 1-8 continued)

7 Q (BY MR. SMOOT) Were there different prices based on the
8 quantity of pills somebody purchased?

9 A Sometimes, yes.

10 Q Okay. So what was the difference between charging 21 or 22
11 and possibly charging \$20?

12 A We charged 21, 22 was mostly because they was comin' to
13 get, maybe, 20 or lesser. And the reason why we charge them \$20
14 when they came to get 100 or more is like givin' them a deal for
15 their money.

16 (Exhibit 1-8 continued)

17 Q (BY MR. SMOOT) Who was Melissa?

18 A She was a person that purchased oxys.

19 (Exhibit 1-8 continued)

20 Q (BY MR. SMOOT) Who's Ball?

21 A Tahei Moore.

22 Q And who's Peanut?

23 A Mr. Johnwell.

24 Q Who's Crazy D?

25 A Mr. Wright.

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1 (Exhibit 1-8 continued)

2 Q (BY MR. SMOOT) Who's Brandon?

3 A Mr. Chavez.

4 Q It says, "I hit him once." What does that mean?

5 A That I called to let him know that I was in town.

6 (Exhibit 1-8 continued)

7 Q (BY MR. SMOOT) Who's Michelle?

8 A Michelle Fried. She was a person that would purchase oxys.

9 (Exhibit 1-8 continued)

10 Q (BY MR. SMOOT) Who had your phone?

11 A Mr. Shelmon.

12 Q All right. And how would he get your phone?

13 A Because it was left in Spokane.

14 Q Okay. And where -- where would -- where would it'd have
15 been left?

16 A At the apartment.

17 Q Okay. And is that the same -- you talk about -- excuse me.
18 You said, "your phone" in there, as well. Is that Mr. Haynes's
19 phone?

20 A Yes.

21 Q And would -- did he have that phone?

22 A No. It was in the apartment.

23 Q Okay. Which apartment was this?

24 A It was another location we had on the South Hill.

25 Q Okay. This is an apartment we haven't talked about yet?

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1 A Yes.

2 Q All right. And do you recall where that apartment was?

3 A Off of Regal and 53rd.

4 Q Okay.

5 (Interruption by the reporter)

6 Q (BY MR. SMOOT) And who was using that apartment, before we
7 get started?

8 A Mr. Haynes -- Richard Haynes and Tymar Haynes, Mr. James,
9 Mr. Shelmon, Mr. Lisbey, and myself.

10 (Exhibit 1-8 continued)

11 Q (BY MR. SMOOT) Who's Baby Nutty?

12 A Mr. James.

13 (Exhibit 1-8 continued)

14 Q (BY MR. SMOOT) Let me go back a little bit. That says,
15 "they runnin' off our program." What does that mean?

16 A I was -- I was referring to them coming out in Spokane and
17 hanging out with us and distributing oxys. And I was mentionin'
18 that they run off our program, meanin' that a lot of people we
19 been dealin' with they started to deal with, too.

20 (Exhibit 1-8 continued)

21 MR. SMOOT: Target Telephone 1, Call No. 440,
22 August 11, 2012, Exhibit 1-9.

23 (Exhibit 1-9 was played)

24 Q (BY MR. SMOOT) Who's talking?

25 A Me and Mercedes.

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1 (Exhibit 1-9 continued)

2 Q (BY MR. SMOOT) There was a reference to a "London." Do
3 you know who that is?

4 | A Her brother.

5 Q Okay. It's not the Kevin London that was identified
6 earlier?

7 | A No.

8 (Exhibit 1-9 continued)

9 Q (BY MR. SMOOT) There's a reference to "white boys in the
10 Valley." Do you know who that is?

11 A Yeah. It was some of the guys that purchase oxys.

12 Q And then there was a reference that says, "told your
13 brother." Do you know who that is?

14 | A She was referring to Carmen.

15 Q Is there a reason she would refer to Carmen as "your
16 brother"?

17 | A Yeah, because I used to call him that.

18 | (Exhibit 1-9 continued)

19 Q (BY MR. SMOOT) Were you on another line?

20 | A Yes.

21 Q And who were you on the line with?

22 A With another person who was purchasing oxys.

23 | (Exhibit 1-9 continued)

24 Q (BY MR. SMOOT) Okay. Did you know who Randy was?

25 | A No.

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1 Q All right. What about Big Nick?

2 A Yes.

3 Q Okay. And who is Big Nick?

4 A He's one of the -- one of the persons I identified in the
5 photos -- in the photos.

6 Q And, just a reminder, what -- what role did you identify
7 Big Nick having in the pill game or pill hustle?

8 A As a fade distributor.

9 Q Okay. And who's Brandon?

10 A Mr. Chavez.

11 Q And then there's a reference to TS.

12 A Mr. Haynes.

13 Q Okay. What -- what are you and Mercedes talking about?

14 A She was havin' -- we was discussion that she was informing
15 that it was a rumor going around that -- saying that these guys
16 that I was distributing oxys to was working for the police and
17 that Carmen had called her and informed her that he had heard
18 the rumor that was going on in Spokane and he wanted to know if
19 she knew anything about it.

20 Q Okay. Was that -- was that a concern to you?

21 A A little bit, yes.

22 Q Why?

23 A Because it's not good to be dealing with anyone that was
24 working with police.

25 (Exhibit 1-9 continued)

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1 Q (BY MR. SMOOT) What's going on at Chili's.

2 | A I had people down there waiting for me to purchase oxys.

3 | (Exhibit 1-9 continued)

4 Q (BY MR. SMOOT) There's a lot of numbers floating around.

5 | Let's start with 6 or 7. What does that me?

6 A That I had 6 or 7 bags that I came out with.

7 Q Okay. When you say, "a bag," how much -- did a bag contain
8 a certain amount?

9 | A Yes, 50.

10 Q Okay. And then there's a reference to -- it says, "I gave
11 my baby daddy three." What does that mean?

12. A I gave him three bags.

13 Q And who was that?

14 A Mr. Warnock.

15 Q Okay. And, then, later on, it says, "I'm thinking like a
16 G, like a, like 800, like 800, 700 short." What did -- what did
17 that mean?

18 A That when I counted the money, that I realized that's how
19 much money I was short from.

20 Q And did you know how much money you had at the time?

21 A No. I don't remember.

22 (Exhibit 1-9 continued)

23 Q (BY MR. SMOOT) It said you're "already at 53 right now."
24 Does that mean anything?

25 A Yeah, \$5,300.

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1 (Exhibit 1-9 continued)

2 Q (BY MR. SMOOT) All right. There's some more numbers.

3 What are you talking about here?

4 A I'm talkin' about the -- the bags that I came out with
5 again, and how much I had all together when I first came to
6 Spokane.

7 Q And, again, what's a rack?

8 A It was 1,000.

9 Q 1,000 what?

10 A Dollars.

11 (Exhibit 1-9 continued)

12 Q (BY MR. SMOOT) It looks like -- it sounds like you started
13 talking to someone else?

14 A Yes.

15 Q Okay. And what was that conversation about?

16 A I was meeting with someone that was purchasing oxys.

17 Q Okay. What does 370 mean?

18 A That was the amount of money he was giving me.

19 Q Okay. And 21?

20 A That's the price that I was telling him that he identified
21 that's how much they was going for.

22 Q Okay. Was he on the phone, do you recall; or was he
23 present with you?

24 A He was in a vehicle.

25 Q All right. Okay. I'm going to stop this call here and

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1 | move on to another one?

2 A All right.

3 MR. SMOOT: The next call would be Target Telephone 1,
4 Call No. 627, August 13th, 2012, and that is Exhibit 1-11.

5 (Exhibit 1-11 was played)

6 Q (BY MR. SMOOT). Ms. Horn, what's the reference to "the
7 Dirty Johnson"?

8 A It's a -- it's another reference to the Howard Johnson
9 Hotel in Spokane.

10 Q Okay. And who are -- who's talking in this conversation?

11 | A Me and Madison.

12 Q And I think that there's a reference to "bananas." What
13 does that mean?

14 A It was a name we use in -- to describe the 10-milligram --
15 10-milligram hydro -- Hydros.

16 Q Why'd you use that term?

17 | A Because they were yellow.

18 (Exhibit 1-11 continued)

19 Q (BY MR. SMOOT) Okay. I'm gonna -- starting at the top of
20 the page, it says, "thirteen, fifteen up in the air right now."
21 What does that mean?

22 A That I had -- I think I was referring to how many pills
23 that I had left.

24 Q Okay. And does that mean 13 pills or 15 pills?

25 | A Yes.

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1 Q Okay. And then there's a reference to "bananas" and a
2 reference to "white things." What -- what does "white things"
3 mean?

4 A They was -- that was a word we use to identify the white
5 Xanny bars.

6 Q Okay.

7 (Exhibit 1-11 continued)

8 Q (BY MR. SMOOT) There was a reference to D3. Who's that?

9 A Katriel.

10 Q Okay. And, I believe, it said something that he was
11 waiting on Ball to bring him something. Was that D3?

12 A Yes.

13 Q And do you know what he was -- well, who's -- who's Ball?

14 A Tahei Moore.

15 Q Okay. Do you know what he was waiting on Tahei Moore to
16 bring him?

17 A Yes, some marijuana.

18 Q Okay.

19 (Exhibit 1-11 continued)

20 Q (BY MR. SMOOT) What are you talking about here?

21 A Getting an apartment.

22 Q Okay. And was anyone going to assist you in getting the
23 apartment?

24 A Yeah.

25 Q Who?

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1 A Mercedes. And I mentioned to her that when I -- when I
2 mentioned that the guy still got the notary company, I was
3 referring to Chavez.

4 (Exhibit 1-11 continued)

5 Q (BY MR. SMOOT) Ms. Horn, in terms of Mr. Madison and
6 Mercedes and, perhaps, even Mr. Haynes, there were -- is it fair
7 to say that there were times during your calls you had some
8 personal conversation --

9 A Yes.

10 Q -- in between conversation about pills or money?

11 A Yes.

12 Q Okay. Well, let's move on to another call.

13 MR. SMOOT: Target Telephone 1, Call No. 654,
14 August 13th, 2012, Exhibit 1-12.

15 Your Honor, I believe we will not complete this call; but I
16 can stop it at approximately 4:30 or whenever the Court desires.

17 THE COURT: Yeah, let's get started. I notice it's
18 about a half-an-hour long call. So let's get started, and then
19 we'll adjourn at 4:30.

20 MR. SMOOT: Okay. Yes, your Honor.

21 (Exhibit 1-12 was played)

22 Q (BY MR. SMOOT) Ms. Horn, who's talking?

23 A Me and Mr. Madison.

24 (Exhibit 1-12 continued)

25 Q (BY MR. SMOOT) There is a lot of colors floating around:

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1 Brown, white, bananas, blue. What are you talking about?

2 A We were talkin' about oxycodone or Hydros.

3 Q And which ones go with which colors?

4 A The blue was for the oxycodone. The bananas was a term for
5 the yellow hydro 10s.

6 Q All right. Now, were you looking at something during this
7 conversation?

8 A Yes.

9 Q What were you looking at?

10 A The containers that the -- the pills were in.

11 Q Okay. And did you just receive the containers?

12 A Yes.

13 Q Who did you receive them from?

14 A From Mr. London.

15 Q Okay. Is that the Mr. London that you identified in this
16 case earlier today?

17 A Yes.

18 (Exhibit 1-12 continued)

19 Q (BY MR. SMOOT) Ms. Horn, what does it mean by "8 in 1, 8
20 in the other, and 8 in 1 or 889"?

21 A He was describing to me -- telling me the amount that was
22 inside the containers.

23 Q Okay. And do you know who sent those pills through
24 Mr. London?

25 A Mr. Madison.

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1 (Exhibit 1-12 continued)

2 Q (BY MR. SMOOT) Ms. Horn, I think we're -- I just had a
3 question. What does it -- what does it mean by "the return"?

4 A The money I was going to be sendin' back to California.

5 (Exhibit 1-12 continued)

6 Q (BY MR. SMOOT) Ms. Horn, what does it mean that "now we in
7 the 2s"?

8 A He was reference the cash.

9 Q And does that have any particular meaning to you as to how
10 much cash?

11 A Yes.

12 Q How much would that be?

13 A About 200,000.

14 THE COURT: Let's adjourn for the day. It's 4:30.

15 Pick up again with the jury at 9:00 and counsel at 8:30. Please
16 don't talk about the case, and we'll see you in the morning.

17 (Jury out at 4:30 p.m.)

18 (Court adjourned at 4:30 p.m.)

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1 DIRECT EXAMINATION (continuing)

2 DIRECT BY MR. SMOOT:

3 Q Good morning, Ms. Horn.

4 A Good morning.

5 Q Yesterday we talked a little bit about a lease agreement.

6 Do you recall?

7 A Yes.

8 MR. SMOOT: Okay. Your Honor, may I publish
9 Exhibit 54a to the jury?

10 THE COURT: You may.

11 MR. HORMEL: Your Honor, just for the record the --
12 (Interruption by the reporter)

13 MR. HORMEL: Your Honor, just for the record, the
14 objection's been withdrawn.

15 THE COURT: Yes. Yesterday we ruled on Exhibit 54a
16 and the Court sustained an objection to it and that objection
17 now has been withdrawn. So 54a is admitted into evidence.

18 (Exhibit No. 54a admitted into evidence)

19 THE COURT: Go ahead.

20 Q (BY MR. SMOOT) Ms. Horn, are you able to see what's on
21 your screen there?

22 A Yes.

23 Q Okay. And what are we looking at?

24 A We're looking at an application that was filled out.

25 Q Okay. Are you familiar with the person's name that's the

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1 | applicant?

2 | A Yes.

3 | Q And who is the applicant?

4 A Michelle.

5 Q Okay. Excuse me. And are you familiar with the address?

6 | A Yes.

7 Q And is this -- is the address related to an apartment that
8 was used to store pills?

9 | A Yes.

10 Q Okay. Is that one of the apartments that you referenced
11 yesterday?

12 | A Yes.

13 Q Which one was that?

14 A It was the one that was rented to Carmen's girlfriend,
15 Stephanie.

16 Q Okay. And -- and where was it located?

17 A On the north side of Spokane.

18 Q Okay. And was there employment information provided in the
19 process of renting the apartment? Or was there a need to
20 provide employment information for the person that was renting
21 the apartment?

22 A Are you asking me specifically about that apartment or in
23 general?

24 Q Well, how about in general?

25 | A Yes.

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1 Q Okay. And -- and why was that?

2 A Because you have to have proof of income to be able to rent
3 the apartments.

4 Q Okay. And here on the lease agreement it says, "Employment
5 and Income." Can you read that area?

6 A Yes. It says that occupation is assistant manager. The
7 employer was BC Mobile Notary. The monthly salary was 1,800.
8 The supervisor was Christina. And then it provides the date and
9 that's about it.

10 Q Okay. Now, do you -- do you know who BC Notary was?

11 A Yes.

12 Q Who is it?

13 A It was a company that was owned by Brandon Chavez.

14 Q Okay. And do you know who Christina is?

15 A His wife.

16 Q Okay. And do you recognize that signature at the bottom of
17 the lease agreement?

18 A Yes.

19 Q And whose signature is that?

20 A Michelle's.

21 Q Okay. I'm going to show you the third page. Do you
22 recognize what I've put on the screen?

23 A Yes.

24 Q And can you describe it for the jury? Tell us what it is.

25 A It look like a -- a letter of recommendation from

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1 Brandon Chavez for Michelle to give to the apartment that she
2 was leasing.

3 Q Okay. And now I'm going to show you the fourth page. Do
4 you recognize that page?

5 A Yes.

6 Q Did you have a -- did you have a chance to read it?

7 (Pause in the proceedings)

8 THE WITNESS: Yes.

9 Q (BY MR. SMOOT) And, in general, what does it say?

10 A It was basically -- it was a letter that she needed at the
11 time. It was a problem getting an apartment at first that
12 something was wrong with the income that he put on the -- the
13 paycheck stubs. So he rewrote a letter giving -- explaining to
14 the manager at the property that her wages had changed for --
15 from one amount that he previously put on the paycheck stub to
16 another to help her get the apartment.

17 Q Okay. And what were the ultimate wages that are referenced
18 in this particular letter?

19 A 1,800 monthly.

20 Q Okay. I'm going to show you the first page again of the
21 application. What is the wage amount that's --

22 A 1,800.

23 Q Okay. To your knowledge, did Ms. Anderson work for BC
24 Notary?

25 A No, she didn't.

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1 Q Ms. Horn, yesterday we left off going through some
2 telephone calls. And we're going to start back up on those
3 again. You have a stack.

4 MR. SMOOT: We're going to start with Target Telephone
5 1, Call No. 896, August 15th, 2012. And that is Exhibit 1-17.

6 Q (BY MR. SMOOT) Ms. Horn, I see that you're reviewing the
7 transcript. Do you remember hearing this call?

8 A Yes.

9 Q And do you remember who -- who's talking in this call?

10 A Yes. Me and Mr. Haynes.

11 (Exhibit 1-17 was played)

12 Q (BY MR. SMOOT) Ms. Horn, I heard a whole lot of names in
13 there. What was the nature of this call?

14 A We were discussing the prices that we agreed upon the sales
15 to the fades. We discuss other numerous Eight Treys that was
16 out there that had possession that was distributing oxys.

17 Q Okay. And, in terms of the prices, I thought I heard
18 somebody said that "everybody be up." What does -- what does
19 that mean? I think in the context of prices.

20 (Pause in the proceedings)

21 Q (BY MR. SMOOT) Let me -- let me ask you this: Was
22 there -- was there any -- was there any concern that prices were
23 different?

24 A Yeah, a little bit.

25 Q And why was there some concern?

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1 A It was kind of like a -- something -- it was kind of like a
2 lot of bargaining going on. You know, everybody settling for
3 different prices. And, in order for you not to lose a fade or
4 lose any money, you know, you try to keep everybody -- we want
5 everybody to sell at a certain price that way everybody in -- it
6 will be fair for everybody to make some money.

7 Q Okay. You talked about a certain number -- about how many
8 pills you were selling at the time or there was a question. I
9 think the term -- there was 300 but maybe you said 6 or 7?

10 A Yes.

11 Q About how many pills were you selling per day?

12 A 6, 700.

13 Q Okay. And, then, there's a reference about missing a week?

14 A Yes.

15 Q Okay. Can you -- what -- what -- what was that in
16 reference to?

17 A That I was informed that that week was a week where more
18 pills had been sold, and I -- and I wasn't there that week. So
19 I was saying I missed that week.

20 Q Okay. And what were you informed about how many pills were
21 sold?

22 A That they was making approximately 50,000 a day.

23 Q \$50,000?

24 A Yes.

25 Q And, when you say "they," do you mean just "they" in total;

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1 or who is -- who specifically do you know was making 50,000 a
2 day?

3 | A Mr. James.

4 | Q And was Mr. Haynes up there at the time?

5 | A No.

6 Q Also, there was a reference to a truck and Sally?

7 | A Yes.

8 Q And what was that about?

9 A Oh, that was a truck that Mr. James had purchased and it
10 broke down and he left it at the parking lot of Sally
11 restaurant.

12 Q Okay. Was -- I think the term was used "everybody was
13 looking for it." Was there any significance to that particular
14 truck?

15 A Yeah, a lot of people knew that we drove it -- a lot of the
16 fade. So they was looking for it.

17 Q Okay. So you shared the truck?

18 | A Yes.

19 | 0 Who shared the truck?

20 | A Myself, Haynes and James.

21 MR. SMOOT: Okay. All right. Move on. Call No. --
22 Target Telephone 1, Call No. 1011, August 16th, 2012,
23 Exhibit 1-21.

24 (Exhibit 1-21 was played)

25 Q (BY MR. SMOOT) Who's talking?

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1 A Me and Mr. Blackmon.

2 Q Okay. And what are Vs?

3 A They was another form of oxys, Vicodin.

4 Q And why -- why would you ask about them?

5 A Because I had some that I didn't know anybody would buy 'em
6 so I was calling to ask him did he know anybody that would
7 wantin' 'em.

8 (Exhibit 1-21 continued)

9 Q (BY MR. SMOOT) Ms. Horn, there was a reference to "old
10 schools" and "40s." What are -- what are "old schools"?

11 A 40-milligram oxys.

12 Q Okay. Was it -- was it -- was it common to contact others
13 that were up here in terms of the different types of pills that
14 you had?

15 A It really wasn't common.

16 Q Did it happen -- did it happen on occasion, though?

17 A Yes.

18 Q Okay. And -- and why would you -- why -- why would you
19 necessarily call someone else that was up here and ask about
20 certain pills if you had your own fades?

21 A Because maybe they probably knew -- they probably knew
22 probably more about them or knew somebody that possibly wanted
23 them, and I didn't know anybody that did maybe.

24 Q Okay. Did different fades often want different types of
25 pills?

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1 A Yeah, sometimes.

2 Q Okay.

3 MR. SMOOT: Target Telephone 1, Call No. 1109,
4 August 17th, 2012, Exhibit 1-25.

5 (Exhibit 1-25 was played)

6 Q (BY MR. SMOOT) Who's speaking?

7 A Me and Mercedes.

8 (Exhibit 1-25 continued)

9 Q (BY MR. SMOOT) Ms. Horn, do you know what Ms. Reeves is
10 talk about?

11 A Yeah. She was informing me that there was lot of
12 disposition going on in that Chili's parking lot.

13 Q Okay. And who is Nick?

14 A Oh, she was referring -- I don't know if she was talkin'
15 about Big Nick at the time or who she was referring to.

16 Q Okay. And LT?

17 A LT was someone that was distributing oxys.

18 Q Okay. And what about -- there's a reference to an Alex.

19 A Yeah. Alex is one of the fades that I had down there
20 waiting for me.

21 Q Okay. So what -- what -- what appears to be happening in
22 that parking lot?

23 A That they standing around waiting. One waiting on me.
24 Somebody else was distributing. There was a lot going on.

25 Q Was it -- did there appear to be any confusion by the

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1 fades?

2 A Yeah.

3 Q And what -- what type of confusion?

4 A Maybe -- I know the one, Alex, I think he thought possibly
5 that could have been me just sittin' in the parking lot; but it
6 wasn't. So he got out thinking it was me. Then the other guy
7 didn't know him. So he put off. So it was -- yeah. There was
8 a lot of confusion.

9 Q Okay. Fair to say they didn't know what cars to get into?

10 A Yeah.

11 (Exhibit 1-25 continued)

12 Q (BY MR. SMOOT) Ms. Horn, what -- what are you talking
13 about?

14 A I heard a rumor of a guy that was distributing oxys and
15 smoking them in Spokane. There supposedly he had to kick
16 somebody's door in and pistol whipped him.

17 Q Okay. All right. Did you find out any more about that
18 later?

19 A I heard more about it, but I don't know this is the same
20 incident that happened I heard later.

21 Q Okay. What do you mean by "how are they gonna keep Eight
22 Trey out of his mouth"?

23 A Probably because he -- he was going around saying he -- he
24 knew and he dealt with a lot of Eight Treys out there but nobody
25 never dealt with him.

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1 Q Okay. All right. I think we'll move on to another call.

2 MR. SMOOT: Move on to Target Telephone 2, Call

3 No. 1435, August 25th, 2012, Exhibit 2-22 T.

4 Q (BY MR. SMOOT) Now, Ms. Horn, you mentioned -- you talked
5 about Nick DeCaro previously or Big Nick. Did he have -- did
6 you know whether he had a girlfriend?

7 A Yes.

8 Q And do you know whether or not she was a fade?

9 A Yes, she was.

10 Q Okay. And do you know whether anything happened to her?

11 A Well, the rumors were that she died in jail.

12 MR. SMOOT: Okay, again, Target Telephone 2, Call
13 1435, Exhibit 2-22.

14 (Exhibit 2-22 was played)

15 Q (BY MR. SMOOT) Ms. Horn, who's talking?

16 A Mr. Haynes and Mr. Chavez.

17 (Exhibit 2-22 continued)

18 Q (BY MR. SMOOT) I believe yesterday you indicated that
19 Mr. Chavez was fronted pills?

20 A Yes.

21 Q And how long did you deal with Mr. Chavez?

22 A Well, he deal mostly with TS. I only dealt with him when
23 I was in town and TS wasn't.

24 Q Okay. Were you aware of any -- any problems paying back
25 the front?

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1 | A A couple of times he had problems doing that.

2 Q Okay. Did he -- when he -- when he couldn't pay back the
3 front, did he talk to you about it?

4 | A Well, he talked mostly with Haynes about it.

5 Q Okay. And then did you -- did you learn what his
6 conversations may have been with Mr. Haynes?

7 | A Not all of them, no.

8 Q Well, what about any problems of paying back a front of
9 pills?

10 | A Yes.

11 Q And what did you learn?

12 A He said he hadn't called him for a couple days, and he said
13 something about he didn't have it. Something had happened and
14 that he was gonna give him the money as soon as he could. And
15 TS told him, "Well, if you can't pay me back" -- you know. And
16 Brandon offered to him -- offered to give him the fades that he
17 was dealing with personally to Haynes to, like, pay off the
18 money that he owed to him.

19 Q Did that ever happen?

20 | A No.

21 Q Okay. Did either you or Haynes ever stop dealing with
22 Mr. Chavez when he couldn't pay back a front?

23 | A No.

24 MR. SMOOT: Target Telephone 2, Call No. 3552,
25 September 11th, 2012, Exhibit 2-37.

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1 Q (BY MR. SMOOT) Did -- I'm sorry. Did -- one more
2 question. Did Mr. Chavez tell you about this incident that he
3 was discussing with Mr. Haynes?

4 A He -- bits and pieces of it and that he just informed me
5 that he wanted to talk to Mr. Haynes. And I told him I was glad
6 to know that he was looking for him to call him.

7 Q Okay. And what -- what bits and pieces did he tell you?

8 A Well, he just told me Money kicked his door in and pistol
9 whipped his girl. He didn't go into details any further.

10 Q Okay. Did he -- did he indicate that anything was stolen?

11 A No, not at the time.

12 | 0 Did he indicate it later?

13 | A No.

14 Q Did you learn from any -- anyone else, Mr. Haynes whether
15 anything was stolen?

16 | A No.

17 MR. HORMEL: Objection, your Honor.

18 (Interruption by the reporter)

19 THE COURT: Microphone.

20 MR. HORMEL: Sorry. Actually, she can ask -- answer
21 that one, but maybe the next question I would object to.

22 THE COURT: All right.

23 Q (BY MR. SMOOT) Did he learn from Mr. Haynes whether or not
24 Mr. Chavez said anything was stolen?

25 A No. We didn't have no more further discussions about it.

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1 MR. SMOOT: Okay. Again, this is Exhibit 2-37.

2 (Exhibit 2-37 was played)

3 Q (BY MR. SMOOT) Okay. There were three voices. A female
4 and two males. Whose voices are those?

5 A Haynes, Mr. Chavez, and his wife Christina.

6 (Exhibit 2-37 continued)

7 Q (BY MR. SMOOT) Ms. Horn, did you know anything about being
8 evicted from an apartment?

9 A Yes.

10 Q And how did you know about that?

11 A I was informed by Mr. Haynes.

12 Q Okay. Is that an apartment that you shared with
13 Mr. Haynes?

14 A Yes.

15 Q Where was that apartment located?

16 A On the South Hill.

17 Q Okay. Have we discussed that apartment yet?

18 A Yes.

19 Q Okay. That wasn't -- was that the apartment that I showed
20 you a lease for?

21 A No.

22 Q Were you in -- do you recall where you may have been
23 located when you learned that you were evicted from the
24 apartment?

25 A Yeah. I was in Los Angeles.

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1 (Exhibit 2-37 continued)

2 Q (BY MR. SMOOT) Ms. Horn, what was this call about?

3 A Mr. Haynes informing Mr. Chavez that he'd be in Spokane in
4 three days, and he wanted him to do him a favor of making
5 paycheck stubs up for the person he was bringing possibly down
6 with him to get the apartment.

7 Q Okay. And was this to be an apartment that you would also
8 share?

9 A Yeah.

10 Q And what was the purpose of the apartment?

11 A For us to stay there and keep our -- our cash and oxys
12 there.

13 MR. SMOOT: Target Telephone 2, Call No. 4169,
14 Exhibit -- September 16th, 2012, Exhibit 2-38.

15 (Exhibit 2-38 was played)

16 Q (BY MR. SMOOT) What are you talking about?

17 A We talkin' that -- we discussin' about the way the
18 apartment look and the one we was gettin' -- we got evicted
19 from.

20 Q Okay. And who was staying in that apartment?

21 A Myself, Haynes, James, Lisbey, and Tymar Haynes.

22 Q Okay. And were others hanging out there?

23 A Mr. Shelmon was there sometimes.

24 (Exhibit 2-38 continued)

25 Q (BY MR. SMOOT) Okay. Who was going to stay at the new

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1 place?

2 A Me, him, and Menace.

3 Q Okay. And what -- who -- what was the reference to
4 "workers"?

5 A Possibly the girls that brought up the oxys. The -- the
6 trafficking them.

7 (Exhibit 2-38 continued)

8 Q (BY MR. SMOOT) What -- were you going to give something to
9 Mercedes?

10 A Yeah.

11 Q Okay. What?

12 A It was a duffel bag with, like, miscellaneous things in
13 there like hygienes, clothes. There was a gun in there that I
14 kept at the apartment on the hill.

15 Q Okay. Is that -- what would you call the gun?

16 A A burner.

17 Q Okay. Was that common to keep a burner or a gun in the
18 apartments?

19 A Sometime, yes.

20 Q Okay. And why would you do that?

21 A Typically because -- probably because we bought it from
22 someone off the street. So that's where we kept it because we
23 bought it. That's where we were staying.

24 Q Okay. Did you also keep pills at the house --

25 A Yes.

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1 Q -- or apartment. And money?

2 A Yes.

3 Q Okay.

4 MR. SMOOT: Target Telephone 2, Call No. 4390,
5 September 19th, 2012, 2-43.

6 Q (BY MR. SMOOT) You were gonna -- you instructed Haynes to
7 give your stuff, your gun, and your duffel bag to Mercedes?

8 A Yes.

9 Q Was -- was -- was she working with -- for you or with you
10 and Haynes at that time?

11 A No. She was just doing me a favor holding the bag until I
12 said -- until I said I would be out there in a couple days.

13 Q Okay. Who was she working for at the time?

14 A Carmen.

15 MR. SMOOT: Okay. Call No. -- again -- 4390, Exhibit
16 2-43.

17 (Exhibit 2-43 was played)

18 Q (BY MR. SMOOT) Ms. Horn, who's talking?

19 A Mr. Haynes and Mr. Chavez.

20 Q And what -- is there any meaning to having another phone?

21 A Yeah. This probably was the phone that he was using to
22 distribute oxys with.

23 Q Okay. What -- is that what you've often called a fade
24 phone?

25 A Yes.

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1 Q All right. Did fades typically call you on your other
2 phone?

3 | A No. That's only if you gave them that number they would.

4 Q Okay. So the only way that a fade would call you on your
5 nonfade phone is if you provided that number specifically to
6 that person.

7 | A Yes.

8 Q Okay. Did Brandon call you on your phone?

9 | A No.

10 Q All right. Excuse me, Mr. Chavez. Did he call you on your
11 phone?

12 | A . No.

13 Q How did you contact or how were you in contact with
14 Mr. Chavez?

15 A Only by the fade number, the phone number that he had.

16 Q Okay. Now, is this -- did Mr. Haynes keep two different
17 phones?

18 | A Yes.

19 Q Okay. And, phone calls that we've listened to with the
20 conversations you've had with Mr. Haynes, was that on a fade
21 phone or a separate phone?

22 A It was a separate phone.

23 (Exhibit 2-43 continued)

24 Q (BY MR. SMOOT) What does it mean, "I need to come see
25 you"?

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1 A He wanted to meet with -- possibly meet up with Haynes to
2 either purchase or to be fronted some more pills.

3 Q Okay. Was that a common -- fairly common way for fades to
4 ask to meet for pills?

5 A Yeah, sometimes.

6 Q Okay. All right.

7 MR. SMOOT: Target Telephone 2, Call No. 4534,
8 September 21st, 2012, Exhibit 2-47.

9 (Exhibit 2-47 was played)

10 Q (BY MR. SMOOT) Ms. Horn, who's talking?

11 A Mr. Haynes and Mr. Blackmon.

12 Q Okay. And who is Ant?

13 A Mr. Shelmon.

14 (Exhibit 2-47 continued)

15 MR. SMOOT: Call No. -- Target Telephone 2, Call
16 No. 4789, September 24th, 2012, Exhibit 2-52.

17 (Exhibit 2-52 was played)

18 Q (BY MR. SMOOT) Ms. Horn, I think you talked about
19 Erika Woods a little bit yesterday. Can you remind us to who
20 that is?

21 A She was in relation with Mr. Haynes.

22 Q And what was her role in the pill game or the pill hustle?

23 A She helped him get, like, pick up the pills for him when he
24 wasn't in Los Angeles.

25 Q Okay.

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1 (Exhibit 2-52 continued)

2 Q (BY MR. SMOOT) Ms. Horn, what -- what was that call about?

3 A They were discussing about -- about the paycheck stubs that
4 he had made for Ms. Woods for her to try to get apartment in her
5 name.

6 He also mentioned asking him did he -- or have he heard
7 anything -- Haynes was asking Chavez if Chavez heard anything
8 from his auntie about the house that he was supposed to rent
9 Haynes and Ms. Woods that was on Lacey.

10 Q Okay. Are you familiar with that house?

11 A Yes.

12 Q Okay. Where was it located?

13 A Off of Mission and Lacey.

14 Q Okay. And we talked about a number of apartments. Was
15 that a house that you shared in?

16 A Yes.

17 Q And whose -- who ultimately stayed in that house?

18 A Myself, Haynes, James, Lisbey, and Mr. Wines.

19 Q And, again, what was the purpose of that house?

20 A To stay there to keep money, cash -- cash and oxy there.

21 Q Okay. All right.

22 MR. SMOOT: Call No. -- Target Telephone 2, Call
23 No. 5416, September 29th, 2012.

24 MR. NOLLETTE: Exhibit number?

25 THE COURT: What's the --

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1 MR. SMOOT: I'm sorry. 2-69. Thank you.

2 (Exhibit 2-69 was played)

3 Q (BY MR. SMOOT) Who's talking in that call?

4 A Myself and Mr. Haynes.

5 Q Okay. And who's Christina?

6 A Mr. Chavez's wife.

7 Q Okay. And what's the call about?

8 A He was asking me was I at residence on Lacey because she
9 wanted to come by to pick up oxys.

10 Q Okay. And how many were you going to give her?

11 A 100.

12 Q Okay.

13 MR. SMOOT: Call -- Target Telephone 2, Call No. 5418.

14 THE COURTROOM DEPUTY: Exhibit number, please.

15 MR. SMOOT: Exhibit 2-70 and that occurred on
16 September 29th, 2012.

17 THE COURT: 2-70?

18 MR. SMOOT: 2-70, your Honor. Yes. I think I may
19 have said 8.

20 (Exhibit 2-70 was played)

21 Q (BY MR. SMOOT) Who was that call between? Who was
22 talking?

23 A Myself and Mr. Haynes.

24 Q And what was this call about?

25 A It was about the previous call. He was telling me that

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1 Christina was coming by; and, when she get there, to give her
2 the 100 pills and an extra 50 pills, as well.

3 Q Okay. I think you mentioned yesterday that it was uncommon
4 for fades to come by the house?

5 A Yes.

6 Q So, of all of the fades, who did come by the house?

7 A Mr. Chavez.

8 Q And did Christina come by the house?

9 A Yes.

10 Q Okay. Are those the only two --

11 A Yes.

12 Q -- to your knowledge?

13 A Yes.

14 Q Okay.

15 MR. SMOOT: Your Honor, at -- at this --

16 THE COURT: Go ahead.

17 MR. SMOOT: At this point, the United States would
18 move to admit what's known -- what's noted as Government
19 Exhibit 57a. 57a simply contains three audio files of what has
20 already been admitted as Government Exhibit 2.

21 THE COURT: Have we dealt with that before?

22 MR. SMOOT: We did, your Honor. I believe it was
23 Government Exhibit 55 was another single disk containing an
24 audio that was also on Government Exhibit 2 -- 1 or 2.

25 THE COURT: Defense counsel?

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1 MR. HORMEL: We -- could we confer at break and
2 then --

3 THE COURT: Let's take our break right now.
4 Fifteen minutes. We'll be back at a quarter of.

5 (Jury out at 10:29 a.m.)

6 (Court recessed at 10:29 a.m.)

7 (Court reconvened at 10:47 a.m.)

8 THE COURT: Be seated. Mr. Lee, you had an issue?

9 MR. LEE: Yeah. And I think this issue was cleared
10 up. I was speaking to the Government at the break. In
11 Ms. Horn's testimony, she indicated that --

12 THE COURT: Nothing wrong.

13 MR. SMOOT: Oh, excuse me. Ms. Horn, should not be
14 present. But I think --

15 THE COURT: Well, it depends on what it is.

16 MR. SMOOT: Can we discuss this without saying what it
17 is --

18 MR. LEE: Yes.

19 MR. SMOOT: -- stipulation in front of the witness?

20 MR. LEE: Let's discuss this this afternoon.

21 THE COURT: Okay. We -- okay. Let's do it that way.

22 MR. SMOOT: I --

23 THE COURT: Bring the jury in. You're fine, Ms. Horn.

24 (Discussion off the record)

25 THE COURT: Mr. Smoot, are we through with making

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1 reference to calls in this big -- in the first book?

2 MR. SMOOT: Your Honor, actually there's one more call
3 that was raised yesterday in terms of a commentary that was
4 written on the call, if the Court recalls. I'm going to go back
5 and play that.

6 THE COURT: So there's one more out of the first book,
7 and then I can put this book away.

8 MR. SMOOT: Yes, your Honor. It's actually
9 Exhibit 2-56 will be the one more call --

10 THE COURT: You've got to go by the exhibit number
11 then.

12 MR. SMOOT: That's the exhibit number. I'm sorry if I
13 said, "call."

14 THE COURT: 2.56?

15 MR. SMOOT: 2-56.

16 THE COURT: Please rise for the jury.

17 (Jury in at 10:49 a.m.)

18 THE COURT: Please be seated. And, Mr. Smoot, you may
19 continue direct of Ms. Horn.

20 MR. SMOOT: Your Honor, may I approach?

21 THE COURT: You may.

22 (Pause in the proceedings)

23 MR. SMOOT: This would be Target Telephone 2, Call
24 No. 4869, September 25th, 2012, Exhibit 2-56.

25 (Exhibit 2-56 was played)

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1 Q (BY MR. SMOOT) Ms. Horn, who's talking in this
2 conversation?

3 A Mr. -- Mr. Haynes and Mr. Madison.

4 (Exhibit 2-56 continued)

5 Q (BY MR. SMOOT) Ms. Horn, did you hear any conversations in
6 the background?

7 | A Yes.

8 Q Were you able to recognize the voice in the conversation?

9 | A Yes.

10 Q And whose voice was that?

11 | A Mr. Chavez.

12 | Q Okay.

13 MR. SMOOT: And then we'll move on to another call.
14 Your Honor, prior to the break, the United States moved to admit
15 Government Exhibit 57a and that would also include 57-1T, 57-2T,
16 and 57-3T. Those last three exhibits were transcripts and only
17 admitted for the purpose of transcripts.

18 THE COURT: Mr. Hormel?

19 MR. HORMEL: No objection, your Honor.

20 THE COURT: Mr. Christianson?

21 MR. CHRISTIANSON: No objection.

22 THE COURT: Mr. Nollette?

23 MR. NOLLETTE: No objection, your Honor.

24 THE COURT: Mr. Lee.

25 MR. LEE: No objection.

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1 THE COURT: All right. It's 57-A and that includes
2 those other numbers. Is that correct?

3 MR. SMOOT: Actually 5 -- excuse me, 57-A is the only
4 exhibit that's being admitted. The others are transcripts.

5 THE COURT: All right. Admitted.

6 (Exhibit No. 57-A admitted into evidence)

7 MR. SMOOT: Just a moment, your Honor.

8 (Pause in the proceedings)

9 MR. SMOOT: Okay. The first call would be Target
10 Telephone 2, Call No. 7961, October 24th, 2012, Exhibit 57-1.

11 (Exhibit 57-1 was played)

12 Q (BY MR. SMOOT) Ms. Horn, who's talking in this
13 conversation?

14 A Mr. Haynes and Mr. Tones.

15 (Exhibit 57-1 continued)

16 Q (BY MR. SMOOT) Ms. Horn, what was this call about?

17 A Haynes was calling Mr. Tones informing him that Mr. Wines
18 instructing him to call him; that he had a play going on for
19 him.

20 Q Okay. And what's a play?

21 A It's another word we use as far as in, like, plugs.

22 Q And "plugs" meaning suppliers?

23 A Yes.

24 Q Okay. And what about this play in terms of this call?
25 What -- what was going to happen?

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1 A He was gonna meet up with Mr. Tones wherever he was
2 located. He said something about a shop. So, I'm taking it
3 where he was working at.

4 Q Okay. Do you know where --

5 MR. CHRISTIANSON: Objection. Speculation, your
6 Honor. I'm sorry. My microphone was off. I would object based
7 upon speculation.

8 THE COURT: Right. Ms. Horn, just answer that
9 question if you know.

10 Q (BY MR. SMOOT) Do you know if Mr. Tones had a job?

11 A Yes, I did.

12 Q And what was his job?

13 A He was a barber.

14 Q And did he work at a barber shop?

15 A Yes.

16 Q Where was that? Do you know where it was located?

17 A In Los Angeles.

18 Q Okay. Any particular area of Los Angeles?

19 A On 83rd and Normandie.

20 Q Okay. And is that in the area that we've talked about
21 being Eight Trey area?

22 A Yes.

23 Q Okay. All right. And, based on this call, what was
24 discussed as to what would happen at the shop?

25 A He was gonna meet him at the shop once Tones said he was

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1 gonna call the -- the play and let them know where he was
2 located.

3 MR. SMOOT: Okay. Call No. -- Target Telephone 2,
4 Call No. 7962, October 24th, 2012, Exhibit 57-2.

5 (Exhibit 57-2 was played)

6 Q (BY MR. SMOOT) And who's speaking in this call?

7 A Mr. Haynes and Mr. Tones.

8 Q And what's that call about?

9 A It was related to the previous call.

10 Q Okay. And how was it related?

11 A He was calling Mr. Haynes -- Tones was calling Mr. Haynes
12 back informing him that the person, which is the play, would be
13 at his job in 45 minutes.

14 Q Okay.

15 MR. SMOOT: Call No. -- Target Telephone 2, Call
16 No. 8013, October 24th, 2012, Exhibit 57-3.

17 (Exhibit 57-3 was played)

18 Q (BY MR. SMOOT) Ms. Horn, who was speak in that call?

19 A Mr. Haynes and Mr. Tones.

20 Q And what was that call about?

21 A It was another call referring -- referring to the previous
22 two calls informing him that the play was ten minutes away.

23 Q Okay. And Mr. Haynes referenced the park. Is that -- do
24 you know which park that would be?

25 A Saint Andrews.

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1 Q Okay. And is that close to the barber shop that Mr. Tones
2 worked?

3 A Yes.

4 Q How close?

5 A Maybe about five minutes.

6 Q Do you know where -- there was a reference to T Crazy in
7 those calls. And who was that?

8 A Mr. Wines.

9 Q Do you know where Mr. Wines would have been at the time?

10 A He was in Spokane.

11 Q Okay. And why was Mr. Wines in Spokane?

12 A Distributing oxys.

13 Q And who was he -- who was Mr. Wines working directly with?

14 A Mr. Haynes.

15 Q And -- all right. Was that common if --

16 MR. SMOOT: Oh, yeah, collect those.

17 Q (BY MR. SMOOT) Was that a common occurrence that if
18 someone was in Spokane that they would contact Los Angeles to
19 get a -- refresh the pill supply?

20 A Yes, that was common.

21 Q Okay. Is that something you did?

22 A Yes.

23 Q Okay. Is that something Mr. Haynes did?

24 A Yes.

25 Q Okay. Is that something that you know that Mr. Carmen did?

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1 A No, I don't know that.

2 Q Okay. All right. Ms. Horn, I'm going to show you a few
3 things.

4 MR. SMOOT: If we could just put the ELMO for the
5 witness only.

6 Q (BY MR. SMOOT) I'm going to -- excuse me. Ms. Horn, I
7 have placed on the screen what's been marked as Government
8 Exhibit 38-2. Have you been able to take a look at that?

9 | A Yes.

10 Q And what -- what does 38-2 depict?

11 | A It's a photo of me and Mr. Haynes.

12 Q Okay. Do you know -- can you tell where that photo may
13 have been taken?

14 A Somewhere in the Los Angeles area.

15 Q Okay. And -- okay.

16 MR. SMOOT: And the United States would move to admit
17 38-2?

18 MR. HORMEL: No objection.

19 MR. CHRISTIANSON: No objection for Mr. Tones.

20 MR. NOLLETTE: No objection.

21 MR. LEE: No objection.

22 THE COURT: 38-2 is admitted.

23 (Exhibit No. 38-2 admitted into evidence)

24 MR. SMOOT: If we could publish, please.

25 THE COURT: You may.

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1 Q (BY MR. SMOOT) Okay. What -- what are you and Mr. Haynes
2 doing?

3 A We're posing for the picture using our fingers to symbolize
4 the gang Eight Trey.

5 Q Okay. All right. Are there certain signs or certain
6 things that you do that would signify Eight Trey?

7 | A Yes.

8 Q Such as, the three fingers?

9 | A Yes.

10 Q Okay. All right. Was there any types of clothing or
11 anything that was common to Eight Trey?

12	A	No.
----	---	-----

13 | Q Okay. All right.

14 MR. SMOOT: Witness only.

15 Q (BY MR. SMOOT) Okay. Ms. Horn, have you been able to see
16 the screen?

17 | A Yes.

18 Q And what I'm showing is Government Exhibit 38-3. Are you
19 able to see what that is?

20 | A Yes.

21 Q And what is it?

22 A It's a photo.

23 Q Okay. And does the photo appear to be taken from some type
24 of social media or on some type social media?

25 | A Yes.

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1 Q What -- what type of social media is that?

2 A Instagram.

3 Q Okay. Is -- was it something that you and others that
4 we've talked about, I don't know, say, did with each other?
5 Sent Instagram messages?

6 A It was common, yes.

7 Q Okay. Now -- so do you recognize this as an Instagram
8 message?

9 A Yes.

10 Q And can you say -- are you able to tell whose Instagram it
11 may have come from?

12 A Yes.

13 Q Okay. And who is that?

14 A Mr. James.

15 Q Okay. Now, in terms of these Instagrams or the last photo
16 I showed you, is that something that you provided to the
17 Government?

18 A Ask me again.

19 Q I mean, let me -- the first photo that you -- that you were
20 in with Mr. Haynes was that something that you gave to the
21 United States?

22 A That I gave? No.

23 Q Okay. And what about the Instagram photo that you're
24 looking at now?

25 THE COURT: What's the question?

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1 Q (BY MR. SMOOT) Was that something -- excuse me. Was that
2 something that you gave to the United States or the Government?

3 A No.

4 Q Okay. Did -- have you ever given any of your Instagram
5 photos to law enforcement?

6 A No.

7 Q Okay. How about photographs that you may have on Facebook?

8 A No.

9 Q Have you ever given any photographs that you had in your
10 house to law enforcement?

11 A No.

12 Q Okay. I guess the question is: Have you ever given any
13 photographs to law enforcement?

14 A No.

15 Q Okay. The United -- what is depicted in Exhibit 38-3?

16 A It's a photo of Mr. James and Mr. Carmen.

17 MR. SMOOT: Okay. The United States would move to
18 admit 38-3.

19 MR. HORMEL: No objection.

20 MR. CHRISTIANSON: Sorry. No objection.

21 MR. NOLLETTE: No objection.

22 MR. LEE: No objection.

23 THE COURT: 38-3's admitted.

24 (Exhibit No. 38-3 admitted into evidence)

25 Q (BY MR. SMOOT) And do you --

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1 THE COURTROOM DEPUTY: Publish?

2 MR. SMOOT: Publish, please.

3 | Q (BY MR. SMOOT) Which one is Mr. James?

4 | A The one with the -- the blue clothing on.

5 | Q And the other being Mr. Carmen?

6 | A Yes.

7 Q Okay. And do you know where this photograph would have
8 been taken?

9 | A No.

10 | Q Okay.

11 MR. SMOOT: Witness, please.

12 Q (BY MR. SMOOT) Ms. Horn, do you recognize what's been
13 marked as Government Exhibit 38-7?

14 | A Yes.

15 Q And what is it?

16 | A It's a photo.

17 Q Of -- and what does it depict?

18 | A It's a photo of a common restaurant we ate at in Spokane.

19 MR. SMOOT: Okay. The United States would move to
20 admit 38-7.

21 MR. HORMEL: No objection.

22 MR. CHRISTIANSON: No objection.

23 MR. NOLLETTE: No objection.

24 MR. LEE: No objection.

25 THE COURT: 38-7's admitted.

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1 (Exhibit No. 38-7 admitted into evidence)

2 MR. SMOOT: Publish, please.

3 Q (BY MR. SMOOT) What can -- what about this Kalico Kitchen?
4 You said that you frequently ate there?

5 A Yes.

6 Q And who did you eat there with?

7 A Numerous of people.

8 Q Okay. People that we've talked about previously?

9 A Yes.

10 Q Can you give us some examples?

11 A I ate there a few times with D3 and Haynes, James, Lisbey.
12 Mostly with -- just mostly with them, mainly.

13 Q Okay. All right. Now, is that -- all right. Let me move
14 on. Did you do anything else there? I mean, did you have the
15 opportunity to discuss business?

16 A Sometime business would come up in conversations, but that
17 wasn't the occasion why we went there.

18 Q Okay. And, when I speak of business, I'm talking about the
19 pill hustle.

20 A Yes.

21 Q Okay.

22 MR. SMOOT: Witness.

23 Q (BY MR. SMOOT) Well, what -- what type of -- when you say
24 "business came up," any particular things that you recall?

25 A Oh, we might just talk about the fades and maybe who was in

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1 town and discuss the pills. But, as far as anything in that
2 nature, no, it wasn't be -- no business was discussed.

3 MR. SMOOT: Witness.

4 Q (BY MR. SMOOT) Do you recognize Exhibit 38-13?

5 | A Yes.

6 | Q And what does 38-13 depict?

7 | A It's a photo of myself and Mr. James.

8 Q Okay. And where did that -- where does that photo appear
9 to have come from?

10 A It was -- it was on an Instagram. It's an Instagram photo.

11 Q Okay. And, again, is that -- do you know if that's
12 Mr. James's Instagram?

13 A Yes.

14 Q Okay.

15 MR. SMOOT: The United States would move to admit
16 38-13.

17 MR. HORMEL: No objection.

18 MR. CHRISTIANSON: No objection.

19 MR. NOLLETTE: No objection.

20 MR. LEE: No objection.

21 THE COURT: 38-13's admitted.

22 | (Exhibit No. 38-13 admitted into evidence)

23 MR. SMOOT: Publish, please.

24 Q (BY MR. SMOOT) And do you know where this paragraph was
25 taken?

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1 A Yes. It was taken in Spokane.

2 Q Okay. Any particular residence?

3 A Yeah. It was the residence of another Eight Trey member
4 that's not part of the conspiracy.

5 Q Okay. This wasn't any of the apartments or houses that
6 we've spoken about.

7 A No.

8 MR. SMOOT: Witness.

9 Q (BY MR. SMOOT) And, Ms. Horn, I've placed 38-14a on the
10 screen. Do you recognize that?

11 A Yes.

12 Q And how do you recognize it?

13 A It is another Instagram photo.

14 Q Okay. And do you know where this Instagram came from?

15 A It look like my Instagram.

16 Q Okay. And do you recognize the people in the photo?

17 A Yes.

18 Q Okay.

19 MR. SMOOT: Move to admit 38-14a.

20 MR. HORMEL: No objection.

21 MR. CHRISTIANSON: No objection.

22 MR. NOLLETTE: I have a question in voir dire.

23 THE COURTROOM DEPUTY: Microphone, please.

24 MR. NOLLETTE: I'm sorry. I just have a question. Do
25 you know when this was taken?

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1 THE WITNESS: Yes. It was taken in -- of -- it was in
2 May of 2012.

3 MR. NOLLETTE: May of 2012.

4 THE WITNESS: Yes.

5 MR. LEE: No objection.

6 MR. NOLLETTE: No objection.

7 THE COURT: All right. 38-14a's admitted.

8 (Exhibit No. 38-14a admitted into evidence)

9 MR. SMOOT: Publish, please.

10 Q (BY MR. SMOOT) Ms. Horn, are there any individuals
11 depicted in that photograph that we've talked about in the last
12 couple of days?

13 A Yes.

14 Q Okay. What you can do is, if you -- you can touch your
15 screen and then indicate -- it will make a mark on the screen
16 and then that will indicate who we've talked about that may be
17 in this photo. Could you do that --

18 A Yes.

19 Q -- please?

20 A There's myself, Carmen, and G-2.

21 Q Okay. And, again, who is G-2?

22 A Her name's Leslie.

23 Q Okay. And what was her role?

24 A I'm not familiar with her role.

25 MR. SMOOT: Okay. Okay. Witness. Oh, if we -- if we

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1 | could go back.

2 Q (BY MR. SMOOT) There appears to be an individual in there
3 that looks like he may be wearing some type of uniform. Do you
4 know who that is?

5 A Yes. He's another Eight Trey member.

6 Q Okay. Is he the member of any law enforcement?

7 | A No.

8 Q Okay. All right.

9 MR. SMOOT: Witness, please.

10 Q (BY MR. SMOOT) Ms. Horn, I've shown 38-20. Do you
11 recognize that?

12 | A Yes.

13 Q And what is it?

14 | A It's another Instagram photo.

15 Q And whose Instagram does this appear to be?

16 A Mr. Wines.

17 Q Okay.

18 MR. SMOOT: We'd move to admit 38-20.

19 MR. HORMEL: No objection.

20 MR. CHRISTIANSON: No objection.

21 MR. NOLLETTE: No objection.

22 MR. LEE: No objection.

23 THE COURT: 38-20's admitted.

24 (Exhibit No. 38-20 admitted into evidence)

25 MR. SMOOT: If we could publish, please.

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1 Q (BY MR. SMOOT) Ms. Horn, I don't see anywhere on there
2 that it says either Mr. Wines or T Crazy. How do you know that
3 this is Mr. Wines's Instagram?

4 A Because his photo is on Instagram.

5 Q Okay. And you've seen it before?

6 A Yes.

7 Q Who is Brandon Smith?

8 A I don't know.

9 Q Okay. Did you ever call or refer to Mr. Wines as Brandon?

10 A No.

11 Q Okay.

12 MR. SMOOT: Witness, please.

13 Q (BY MR. SMOOT) Ms. Horn, are you familiar -- or do you
14 recognize what I've placed on Exhibit 38-17a?

15 A Yes.

16 Q And what is that?

17 A Another Instagram photo.

18 Q Okay. And who's that Instagram from?

19 A Mr. Wines.

20 Q Okay. Do you recognize the individuals depicted?

21 A Yes.

22 Q Are some of them in this case?

23 A Just one of them.

24 Q Okay. If you could -- I --

25 MR. SMOOT: The United States would move to admit

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1 38-17a.

2 MR. HORMEL: No objection.

3 MR. CHRISTIANSON: No objection.

4 MR. NOLLETTE: No objection.

5 MR. LEE: No objection.

6 THE COURT: 38-17a's admitted.

7 (Exhibit No. 38-17a admitted into evidence)

8 MR. SMOOT: Publish, please.

9 Q (BY MR. SMOOT) And which -- if you could use your -- again
10 your finger on the screen -- hang on a second. I think I just
11 cleared it. But, if you could, use your finger on the screen
12 and indicate which individual that you recognize that's in this
13 case or that we've talked about I should say.

14 A Yes. The one with the hat -- the blue hat on is Mr. Wines.

15 Q Okay.

16 MR. SMOOT: Witness. Oh, I'm sorry. Let me go back.

17 Q (BY MR. SMOOT) Those seem to be -- the individuals in the
18 picture seem to be putting up some different type of signs. One
19 individual --

20 (Discussion off the record)

21 Q (BY MR. SMOOT) Ms. Horn, I may have -- I don't know if I
22 heard you correctly or not. Did you say -- did you say you
23 recognize one person in this one or two people?

24 A I recognize all them. There's only one that's involved in
25 the case.

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1 Q Okay. All right. And it appears that all of them are
2 holding up fingers in some certain way.

3 A Yes.

4 Q Are those, again, relevant -- relevant to Eight Trey?

5 A Yes.

6 Q Okay.

7 MR. SMOOT: Witness.

8 Q (BY MR. SMOOT) Ms. Horn, could you look at Government
9 Exhibit 38-19.

10 A Yes.

11 Q And do you recognize that?

12 A Yes.

13 Q Okay. And what is it?

14 A It is another Instagram photo.

15 Q Okay. And --

16 MR. SMOOT: The United States would move to admit
17 38-19.

18 MR. HORMEL: No objection.

19 MR. CHRISTIANSON: No objection.

20 MR. NOLLETTE: No objection.

21 MR. LEE: No objection.

22 THE COURT: Admitted.

23 (Exhibit No. 38-19 admitted into evidence)

24 MR. SMOOT: Okay. Publish, please.

25 Q (BY MR. SMOOT) Ms. Horn, do you know what it means, "I'm

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1 trying to get rich three," in reference to this particular
2 Instagram post?

3 A Basically what it says.

4 Q Okay. And does that have any relation to the pill game or
5 pill hustle?

6 A Not necessarily.

7 Q Okay. But Mr. Wines was involved in the pill game, pill
8 hustle?

9 A Yes.

10 Q Okay. All right.

11 MR. SMOOT: Witness.

12 Q (BY MR. SMOOT) Ms. Horn, do you recognize what's been
13 marked as Government Exhibit 38-29?

14 A Yes.

15 Q And what is that?

16 A Another Instagram photo.

17 Q Okay. And whose Instagram does that come from?

18 A Mr. James.

19 MR. SMOOT: The United States would move to admit
20 38-29.

21 MR. HORMEL: No objection.

22 MR. CHRISTIANSON: No objection.

23 MR. NOLLETTE: No objection.

24 MR. LEE: No objection.

25 THE COURT: All right. 38-29's admitted.

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1 (Exhibit No. 38-29 admitted into evidence)

2 MR. SMOOT: Yes and publish, please. Thank you.

3 Q (BY MR. SMOOT) And, Ms. Horn, what does that photo --
4 Instagram photo depict?

5 A A picture of cash.

6 Q Okay. Was that something that was fairly common to see on
7 Instagram photos?

8 A Some people's, yes.

9 Q Okay. How about you?

10 A No.

11 Q Okay. Why would -- why would people want to show large
12 amounts of cash?

13 A In terms of flossing. Just showing people that they were
14 making money.

15 Q Okay. And -- and what do you mean by "flossing"?

16 A Basically what he's doing here. Posting a picture on
17 Instagram.

18 Q Okay.

19 MR. SMOOT: Witness.

20 Q (BY MR. SMOOT) Ms. Horn, do you recognize 38-32?

21 A Yes.

22 Q Okay. And what is 38-32?

23 A Another Instagram photo.

24 Q From whose Instagram?

25 A Mr. James.

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1 Q Okay.

2 MR. SMOOT: And the United States would move to admit
3 38-32.

4 MR. HORMEL: No objection.

5 MR. CHRISTIANSON: No objection.

6 MR. NOLLETTE: No objection.

7 MR. LEE: No objection.

8 THE COURT: 38-32 admitted.

9 (Exhibit No. 38-32 admitted into evidence)

10 MR. SMOOT: And publish, thank you.

11 Q (BY MR. SMOOT) What does 38-32 depict?

12 A A picture of Mr. James.

13 Q Okay. And what's Mr. James doing?

14 A Sitting on top of a truck.

15 Q Okay. Are you familiar with that particular truck or
16 vehicle?

17 A Yes.

18 Q What can you tell us about it?

19 A It was a truck that he purchased from Mr. Carmen.

20 Q Okay. And what type of truck?

21 A A Porsche.

22 Q Okay. And, when you say, "a truck," is it somewhat like an
23 SUV-type, station wagon looking thing?

24 A Kind of like, yes.

25 Q Okay. Do you know what kind of Porsche it was?

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1 A No.

2 Q Okay. Do you know -- you know, we talked a lot about
3 apartments and keeping pills and money in apartments. Were
4 there any times that you know of where pills or money may have
5 been kept in vehicles?

6 A Yes.

7 Q And how would -- how could pills and money be kept in
8 vehicles?

9 A In a stash spot.

10 Q Okay. What do you mean a "stash"?

11 A It's a compartment basically where they hide the cash and
12 the pills in.

13 Q Okay. Is that something that -- it would -- would
14 typically come from the factory?

15 A No.

16 Q Okay. How would -- how would somebody go about putting a
17 stash area inside a vehicle?

18 A They have to pay to have it done.

19 Q Okay. And do you know whether this particular vehicle had
20 one of those stash spots?

21 A No.

22 Q Okay. Did you have a stash spot in any of your vehicles?

23 A No.

24 Q Okay. All right.

25 MR. SMOOT: Witness.

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1 Q (BY MR. SMOOT) Ms. Horn, do you recognize what's marked as
2 Government Exhibit 38 -- or, excuse me, 39-1?

3 A Yes.

4 Q And what -- what do you see?

5 A Another Instagram photo.

6 Q Okay. Whose Instagram is this one?

7 A Mr. Haynes.

8 Q Okay. And what is the title of it?

9 A "Moveoverlikethat."

10 Q Okay. And how do you know that's Mr. Haynes?

11 A Because I was -- I was following him on Instagram so I know
12 his name.

13 Q Okay.

14 MR. SMOOT: And the United States would move to admit
15 39-1.

16 MR. HORMEL: No objection.

17 MR. CHRISTIANSON: No objection.

18 MR. NOLLETTE: No objection.

19 MR. LEE: No objection.

20 THE COURT: 39-1's admitted.

21 (Exhibit No. 39-1 admitted into evidence)

22 Q (BY MR. SMOOT) Ms. Horn, can you describe what's depicted
23 in 39-1?

24 A A bag of marijuana with -- sitting on top of cash money.

25 Q Okay. All right. We talked about people taking pictures

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1 of money in terms of flossing. Did people take pictures of
2 controlled substances?

3 A Such as marijuana, yes.

4 Q Okay. Did you take those pictures? Pictures of marijuana?

5 A No.

6 Q Okay. Do you know whether or not people took pictures of
7 oxys?

8 A No, I don't know that.

9 Q Okay.

10 MR. SMOOT: Witness, please.

11 THE COURT: I was just advised that some of the jury
12 monitors are blinking on and off. Our IT people will work on it
13 over the noon hour and try to correct that problem.

14 Go ahead.

15 MR. SMOOT: Witness, please.

16 Q (BY MR. SMOOT) Ms. Horn, do you recognize what's been
17 marked as Government Exhibit 39-2?

18 A Yes.

19 Q And how do you recognize it?

20 A It's an Instagram photo.

21 Q And whose Instagram photo is this? Or whose Instagram?

22 A Someone that's not part of the conspiracy.

23 Q Okay. But you know who it is?

24 A Yes.

25 Q Okay. And do you know who's depicted in the photo?

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1 A Me and Mr. Carmen.
2 Q And there's a third person in there.
3 A Yes.
4 Q Is that a person in this case?
5 A No.
6 Q Okay.
7 MR. SMOOT: The United States would move to admit
8 38-2.
9 MR. HORMEL: No objection.
10 THE COURT: I thought it was 39.
11 MR. SMOOT: Excuse me, 39-2.
12 THE COURT: 39-2?
13 MR. SMOOT: Yes.
14 MR. HORMEL: No objection.
15 MR. CHRISTIANSON: No objection.
16 THE COURT: Mr. Lee?
17 MR. LEE: No objection.
18 THE COURT: 39-2's admitted.
19 THE COURTROOM DEPUTY: Did Mr. Nollette have an
20 objection?
21 THE COURT: Mr. Nollette, did you say anything?
22 MR. NOLLETTE: I didn't, Judge. I just have a
23 question in lieu --
24 THE COURTROOM DEPUTY: Microphone, please.
25 MR. NOLLETTE: -- a question in lieu of the -- of an

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1 objection. Did -- do you know when this was taken?

2 THE WITNESS: Sometime maybe in August of 2012.

3 MR. NOLLETTE: No objection.

4 THE COURT: Admitted.

5 (Exhibit No. 39-2 admitted into evidence)

6 Q (BY MR. SMOOT) Ms. Horn, can you describe what's depicted
7 in that photograph?

8 A Just a casual picture of me and Mr. Carmen and a third
9 individual.

10 Q Okay. And which one's Mr. Carmen?

11 A The one that's kind of facing forward in front of me.

12 Q Okay.

13 MR. SMOOT: Witness, please.

14 Q (BY MR. SMOOT) Ms. Horn, can you take a look at Government
15 Exhibit 39-28.

16 A Yes.

17 Q And do you recognize that?

18 A Yes.

19 Q And what is it?

20 A It's an Instagram photo.

21 Q Okay. Whose Instagram photo is that?

22 A I don't -- I don't know whose the Instagram's is.

23 Q Okay. But do you know who's in the photograph?

24 A Yes.

25 Q Okay. All right.

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1 MR. SMOOT: The United States would move to admit
2 39-28.

3 MR. HORMEL: No objection.

4 MR. CHRISTIANSON: No objection.

5 MR. NOLLETTE: No objection.

6 MR. LEE: No objection.

7 THE COURT: 39-28's admitted.

8 (Exhibit No. 39-28 admitted into evidence)

9 Q (BY MR. SMOOT) Ms. Horn, can you tell us what's depicted
10 in Government Exhibit 39-28?

11 A It's a photo of Mr. Shelmon and Mr. Tones.

12 Q Okay. Which -- which one's which? If can you, use your
13 finger just to mark on the screen which one's Mr. Shelmon.

14 A The one in the black.

15 Q Okay. And then --

16 A The one next to it is Mr. Tones.

17 Q Okay. All right. Do you know where -- do you know where
18 this photo was taken?

19 A No.

20 (Discussion off the record)

21 Q (BY MR. SMOOT) Ms. Horn, we've looked at a number of
22 Instagram photos and do you know -- and you've given the time
23 period of some of them to specific questions. Can -- do you
24 have kind of an approximate time period encompassing all of them
25 that -- when they would have been posted?

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1 A No.

2 Q Okay. Is it fair to say that they would have been posted
3 at least during your participation in the pill game or pill
4 hustle?

5 A Yes.

6 Q Okay. And -- and you were -- you received some of these
7 photos directly -- some of these Instagrams directly?

8 A Did I receive some?

9 Q I mean, you indicated that you were on somebody's Instagram
10 list.

11 A Oh, yes.

12 Q Okay. So you received some of them directly.

13 A Yes.

14 Q Okay. At the time, did you know that law enforcement was
15 receiving them, as well?

16 A No.

17 Q And, again, you didn't provide any of these to law
18 enforcement, did you?

19 A No.

20 Q Ms. Horn, yesterday -- yesterday we talked about some of
21 the phone books that you had and some printouts of what was in
22 your phone directory?

23 A Yes.

24 Q And I'd like to just go over those just very quickly. I
25 think this one. Ms. Horn, I'm going to show you Page 3 of

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1 Government Exhibit 13-B.

2 MR. SMOOT: Now, these have been admitted. If they
3 could be published, please.

4 Q (BY MR. SMOOT) Ms. Horn, I believe that you indicated
5 that, in terms of 13-B, that this was -- came from one of your
6 fade phones?

7 A Yes.

8 Q Okay. And was it common to receive calls -- voice calls
9 from fades?

10 A Yes.

11 Q And did you occasionally receive text messages from fades?

12 A Yes.

13 Q Okay. And were some of those fades in Spokane?

14 A Yes.

15 Q Okay. And, to your knowledge, were any of those fades in
16 Idaho?

17 A Not to my knowledge.

18 Q Okay. Did you travel to Idaho to make deliveries?

19 A No.

20 Q Okay. But could -- do you know whether or not people would
21 have come to Spokane from Idaho?

22 A Yes.

23 Q Okay. And did you -- were you able to recognize incoming
24 or outgoing numbers?

25 A Yes.

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1 Q Okay. Did you have numbers programmed into your phone or
2 fade names?

3 A Sometimes, yes.

4 Q Okay. If you'd take a look at those text -- or what's
5 depicted on Page 3 of 13-B. Here's a 509 number (indicating),
6 No. 6. It says, "This [is] big nick. R u working?"

7 A Yes.

8 Q Is that something -- do you know who that would be?

9 A Yes. Nick.

10 Q Okay. Nick in this case?

11 A Yes.

12 Q Okay. And is that the type of text you might get?

13 A From him, yes.

14 Q Okay. And what did that text mean?

15 A Was I distributing oxys.

16 Q Okay. What about No. 4 where it says, "Hey swag tex'd me
17 his new # but my daughter accidentally erased it."

18 And then it follows up, "Can I get it again?"

19 What did -- do you know who that came from?

20 A No. At the time, no.

21 Q Okay. Do you know who it came from now?

22 A No.

23 Q Okay. Was it something -- was this -- do you know what it
24 meant, though?

25 A Yes.

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1 | 0 And what did it mean?

2 A It was a fade texting indicating that Mr. Haynes gave him a
3 new number, but he had lost it so he was asking me for it.

4 | Q Okay. Okay. And No. 2? Is that a similar type of text?

5 | A Yes.

6 Q Okay. Okay. What does No. 1 mean? Are you still -- "You
7 Still out an bout?"

8 A Yes. He was asking was I still, like, in traffic
9 distributing oxys.

10 Q Ms. Horn, I'm going to show you what was admitted as 13a, a
11 phone book you looked at yesterday. Did you get a chance to
12 take a look at that again?

13 A Yes.

14 Q Okay. All right. Do you recognize any particular names as
15 I go down here?

16 | A Yes.

17 | Q Which ones?

18 A The last two at the bottom.

19 Q Okay. And are any of those names relevant to the pill game
20 or pill hustle?

21 | A Yes.

22 Q Okay. And how are they relevant?

23 A They were people that I contacted in Los Angeles for -- for
24 the prescription medication.

25 Q Okay. And that would be Nate and Ms. -- Mrs. Brown --

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- 1 A Yes.
- 2 Q -- in your phone? Okay. As we go down the list, do you
- 3 see any additional names that look familiar?
- 4 A Yes.
- 5 Q Which ones?
- 6 A All of them.
- 7 Q And are they similar to the last two?
- 8 A The first three are.
- 9 Q Okay. May. Fanny. Terry. What about the last three?
- 10 A They were fades from Spokane.
- 11 Q Okay. And, finally, 13-1a. Do you recognize those names?
- 12 A Yes.
- 13 Q Okay. Do you recognize BT? Is -- from --
- 14 A At the moment, no, I don't remember who that were.
- 15 Q What about Mer?
- 16 A Yes.
- 17 Q Who's Mer?
- 18 A Mercedes.
- 19 Q Okay. Ms. Brown?
- 20 A Yes.
- 21 Q And who's Ms. Brown?
- 22 A She was a person I contacted in LA.
- 23 Q Okay. Is -- is Big Mama --
- 24 A Yes. She was the same person from the last page, Terry.
- 25 (Discussion off the record)

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1 Q (BY MR. SMOOT) Okay. Do you recognize anyone on this page
2 in terms of people that we've talked about that we've shown
3 pictures and defendants in this case?
4 A Yes.
5 Q And who?
6 A No. 5.
7 Q Who's No. 5?
8 A Carmen.
9 Q Okay. Anyone else?
10 A No.
11 Q Okay. What about this page?
12 A Yes.
13 Q Who do you recognize?
14 A No. 10. No. 11.
15 Q Okay. Who's No. 10?
16 A Young Sodi.
17 Q And he's in the case?
18 A Yes.
19 Q And who was he again?
20 A Mr. Ward.
21 Q Okay. And what was Mr. Ward's role?
22 A A distributor.
23 Q What about 11?
24 A That's Mr. Wright.
25 Q Okay. And what was Mr. Wright's role?

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- 1 A Fade distributor.
- 2 Q Anyone else?
- 3 A No. 13.
- 4 Q Okay. And who's that?
- 5 A Katriel, D3.
- 6 Q What was his role?
- 7 A Distributor.
- 8 Q Okay. Anyone else?
- 9 A No. 15.
- 10 Q Okay.
- 11 A Mr. Haynes.
- 12 Q Okay. What about -- anything else -- anyone else?
- 13 A No. 17.
- 14 Q Who's that?
- 15 A That was Nocomie.
- 16 Q Okay. And what was her role?
- 17 A Organizer.
- 18 Q Anyone else?
- 19 A And No. 16 -- that's 18, I'm sorry.
- 20 Q Okay. And -- and --
- 21 A That's Lanae. G-1.
- 22 Q What was her role?
- 23 A A carrier.
- 24 Q Okay. Anyone else?
- 25 A No.

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- 1 Q How about this page?
- 2 A No. 20, the first one.
- 3 Q Okay. Who's that?
- 4 A Mr. London.
- 5 Q What was his role?
- 6 A Distributor.
- 7 Q Anyone else?
- 8 A No. 24.
- 9 Q And who's that?
- 10 A Mr. Blackmon.
- 11 Q And it's in your phone as what?
- 12 A Paco.
- 13 Q And what was his role?
- 14 A Distributor. No. 26. Her name's Sally.
- 15 Q Okay. And what -- what did you tell us about Sally?
- 16 A That I met her through Carmen.
- 17 Q Okay. And -- okay. Anyone else?
- 18 A No.
- 19 Q Okay. How about this page?
- 20 A No. 33.
- 21 Q And who is TC?
- 22 A Mr. Wines.
- 23 Q Okay. Anyone else?
- 24 A 34.
- 25 Q Who's that?

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1 | it?

2 A I took it in a -- like, in my duffle bag or suitcase,
3 whatever type of bag that I had at the time; and I flew it down
4 by plane.

5 Q Okay. When you say that Ms. Reeves trafficked cash, do you
6 know if she did it the same way or a different way?

7 A She did it the same way and a different way.

8 Q Okay. Well, what -- how would the way be different?

9 | A She drove, mostly, to -- from Spokane to Los Angeles.

10 Q And, when we're talking about cash, is there any average or
11 typical amount of cash?

12 A That I can say, no.

13 Q Okay. Can you -- are you able -- rather than an average,
14 are you -- I mean, are you able to describe it? I mean, are we
15 talking, like, \$1,000; or are we talking about something more
16 than that?

17 A Well, I never seen -- actually seen the cash. I was only
18 told from herself that that's what she was doing and that's what
19 she did.

20 Q Okay. Did she -- when she told you she was doing that, did
21 she tell -- tell you how many -- you know, the types of amounts?

22 | A No.

23 Q Okay. Did she ever indicate to you whether there were any
24 issues? That she had any issues with taking cash to California?

25 | A = No.

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1 (Pause in the proceedings)

2

3 CROSS EXAMINATION

4 CROSS BY MR. HORMEL:

5 Q Good morning.

6 A Good morning.

7 Q So I just -- I'm not going to rehash every detail that
8 you've gone through for the last couple of days, but I do want
9 to flesh a few things out and talk to you about a few things.
10 Okay?

11 A All right.

12 Q First of all, I want to go in a little bit more into the
13 difference between the gang activity in Los Angeles versus the
14 gang activity that was going on in Spokane, Washington. Okay?

15 A Yes.

16 Q You said yesterday that there's a hierarchy in Los Angeles
17 for the Eight Trey Gangster Crips. Correct?

18 A Yes.

19 Q And that's really determined -- the hierarchy is determined
20 on status and reputation. Correct?

21 A Yes.

22 Q And age. Age can play into the status. Correct?

23 A Yes.

24 Q Because the longer that you are participating in gang
25 activity and proving yourself as a gang member, the higher your

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1 status becomes. Correct?

2 A Yes.

3 Q And, so, in Los Angeles when you are participating and a
4 member of a gang, then it's important for the younger, less,
5 let's say, recognized gang members, to prove themselves in gang
6 activity. Correct?

7 A Yes.

8 Q And that way they can obtain status and stature. Correct?

9 A Yes.

10 Q And it's incumbent upon them to listen to their -- well,
11 I'll put it this way: Listen to their elders. Correct?

12 A Yes.

13 Q In other words, listen to the people who have the wisdom
14 and who have the experience and who have been through, I would
15 imagine, years of, sometimes, turmoil and upheaval. Correct?

16 A Yes.

17 Q And that really -- and the purpose of that in your
18 neighborhood -- and we'll just focus on the Eight Trey gangster
19 neighborhood, okay? The reason that that's important is that's
20 a part of a gang member's survival mechanism. Correct?

21 A Yes.

22 Q And so a lot of the gang activity that occurs in
23 Los Angeles is for survival. Correct?

24 A Yes.

25 Q And a lot of the gang activity that occurs in Los Angeles

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1 | is not necessarily motivated by greed. Correct?

2 | A Repeat that?

3 Q Well, the main goal of a gang in Los Angeles -- of gang
4 activity in Los Angeles is not to make a lot of money. Correct?

5 | A It's not a main goal, but it is a goal.

6 Q It is a goal though.

7 | A Yes.

8 | Q It is a hustle in Los Angeles. Correct?

9 | A Yes.

10 Q Now, the hustle in Los Angeles, though, when it's connected
11 to gang activity, is much different than what the hustle was
12 going on in Spokane. Correct?

13 | A Cash wise, yes.

14 | Q Cash wise? And also hierarchy wise. Correct?

15 | A Yes.

16 Q And the -- what I mean by that is, is the hierarchy that
17 was established or was it being established in Spokane,
18 Washington, as far as the pill game -- do you refer to it as the
19 "pill game" or the "pill hustle"? I'd rather use your -- what
20 you're more comfortable with.

21 A Either one. It's okay.

22 | Q So they're interchangeable?

23 | A Yes.

24 Q Okay. The hierarchy, as it developed in Spokane,
25 Washington, didn't depend necessarily on your status as a gang

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1 member in Los Angeles. Correct?

2 A Right.

3 Q And a good example of that is comparing Mr. Madison, who
4 goes by Lil Sidewinder, correct --

5 A Yes.

6 Q -- to School Boy, who is Mr. Carmen. Correct?

7 A Yes.

8 Q And, to Gilbert Madison, Mr. Carmen would be a lil homie.
9 Correct?

10 A Yes.

11 Q And, in relation to Mr. Carmen and Mr. Richard Haynes, who
12 you've talked about, Richard Haynes would be a little homie to
13 Carmen. Correct?

14 A Yes.

15 Q So, as I understand it, I know you weren't here in the
16 beginning. In other words, let's -- let's say the beginning is
17 2008 to about May of 2011. You weren't physically in Spokane
18 prior to that. Correct?

19 A Or involved, yes.

20 Q Or involved.

21 A Yes.

22 Q So what you learned about what was going on in the pill
23 game in Spokane during those years would have been word of
24 mouth. Correct?

25 A Yes.

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1 Q And -- and it doesn't matter who you heard it from, but --
2 but my understanding is that, from your historical perspective
3 or view, it sounds like the belief was -- is that Mr. Carmen was
4 the founder of the pill game in Spokane? Or do you know of a
5 different founder?

6 A At the time of my involvement, yes, he would be the
7 founder.

8 Q So he would be considered the founder of the pill game in
9 Spokane. Right?

10 A Yes.

11 Q And he would be considered one of the architects of the
12 system in Spokane. Correct?

13 A Yes.

14 Q So -- but you -- you were not here in Spokane and
15 participated between the year of 2008 and, as you indicated
16 yesterday, May of 2011?

17 A That's correct time frame, but I wasn't there or involved
18 at that time.

19 Q Okay. So you didn't see the activities that were going on
20 in the streets and who were related to each other and who wasn't
21 related to each other during that period of time. Correct?

22 A Correct.

23 Q You did know, however, that others eventually migrated to
24 Spokane, Washington, to become involved in the pill game.
25 Correct?

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1	A	Yes.
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2 Q And one of those individuals is your fiancée, Mr. Madison.

3 | Correct?

4 | A Yes.

5 Q So you -- you knew he had migrated up here to become
6 involved in the pill game. Correct?

7 A After my involvement, yes.

8 Q So you didn't know at the time, did you?

9 | A No.

10 Q But you had heard, prior to coming up here, that others
11 were involved in the pill game.

12 | A Yes.

13 Q Okay. Now, when you came up to Spokane originally, you
14 were -- let me make sure that I'm where I want to be. So I just
15 want to finish this topic. Let's talk about the -- let's talk
16 about the folks who were -- who -- Mr. Carmen was considered a
17 founder and architect of the pill game in Spokane. Correct?

18 A Yes.

19 Q So, when people came up to Spokane, at least from your --
20 from your involvement, you became involved in a system that --
21 that you understood to have been put together by Mr. Carmen.
22 Correct?

23 | A Yes.

24 Q And this -- part of that system was using couriers to bring
25 the pills up to Spokane. Correct?

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1 A Yes.

2 Q And you were one of those couriers.

3 A Yes.

4 Q Now, from your -- from your knowledge, when did Mr. Haynes
5 come to Spokane? He came before you. Right?

6 A Yes.

7 Q Do you know how long before you?

8 A No.

9 Q You just know he came up here before you.

10 A Yes.

11 Q And you know that he became involved in the pill hustle
12 before you did.

13 A Yes.

14 Q And, in fact, you indicated yesterday it was Mr. Haynes who
15 recruited you to the pill game.

16 A It was both of them.

17 Q I understood you to say that Mr. Haynes is the one who gave
18 you the initial call.

19 A Yes.

20 Q Okay. And, when you came up on your first trip would have
21 been in May -- your understanding May of 2011.

22 A Yes.

23 Q And, in May, 2011, you -- and, on that first trip, you
24 didn't quite know all of the procedures or everything that went
25 on in the pill game before -- prior to leaving here to come up

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1 here. Correct?

2 A At that time, no.

3 Q So you were sort of -- I don't even know. Did you even
4 know you were going to be in training at that point in time?

5 A No.

6 Q So this was a new experience for you.

7 A Yes.

8 Q And you were told then to get in contact with a
9 David Colbert?

10 A No. When Mr. Haynes asked me did I want to come up to
11 Spokane to be -- to carry oxys to Spokane, he never told me who
12 will be bringing me the oxys until they brought -- he came and I
13 identified him and knew that it was David Colbert.

14 Q Okay. So you said, "he came." Did he come to your house?

15 A Yes.

16 Q Okay. So he came to your house in Los Angeles.

17 A Yes.

18 Q And he gave you the pills.

19 A Yes.

20 Q And he instructed you on what you must do in order to get
21 the pills to Spokane, then.

22 A No, Mr. Haynes instructed me that.

23 Q So Mr. Colbert's position in this was just the delivery of
24 the pills --

25 A Yes.

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1 Q -- to you.

2 A Yes.

3 Q And Mr. Haynes gave you all of the instructions on what you
4 must do.

5 A Yes.

6 Q So you came to Spokane on your first trip; and you were
7 greeted at the airport, I understood, to be Mr. Carmen and
8 Mr. Haynes.

9 A No, not at the airport.

10 Q You came up on the bus on that occasion?

11 A No. I came at the airport, but I wasn't greeted by them at
12 the airport.

13 Q Okay. I misunderstood you yesterday. How did you get to
14 the apartment?

15 A I took a taxi that they -- that Haynes directed me to take
16 a taxi from the airport to a local restaurant at the time. And,
17 when I got there in a taxi, Mr. Carmen and Mr. Haynes picked me
18 up; and Mr. Haynes paid for the taxi.

19 Q Okay. So Mr. Carmen and Mr. Haynes were together.

20 A Yes.

21 Q And they picked you up and took you to the apartment from
22 the restaurant.

23 A Yes.

24 Q Do you remember what restaurant that was?

25 A Tomato Street.

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1 Q That's up north. Correct?

2 A Yes.

3 Q At that point in time, did you know what a plug was?

4 A No.

5 Q At that point in time, did you know what a fade was?

6 A No.

7 Q And, at that point in time, did you know what a crew was?

8 A As far as in?

9 Q Workers who worked together.

10 A Oh, no.

11 Q What you do know is that you were taken to an apartment.

12 Was that an apartment on the South Hill or on the north side?

13 A It was on the north side.

14 Q Okay. And do you remember generally which area of Spokane
15 that was?

16 A It was maybe a -- it was off of -- I know it was off of
17 Francis where Tomato Street is located.

18 Q Okay. And it wasn't the apartment near Wandermere.
19 Correct?

20 A Correct.

21 Q Different apartment.

22 A Yes.

23 Q And that apartment is -- when you -- when you arrived at
24 that apartment, as I recall, was -- was Tiny Menace there or not
25 at that point in time?

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1 A At that point in time, no.

2 Q Okay. So it was just Mr. Haynes and Mr. Carmen.

3 A Yes.

4 Q And did -- was a girl by the name of Stephanie there?

5 A No.

6 Q Was -- was it your understanding that was Stephanie's
7 apartment?

8 A Yes.

9 Q Okay. And Stephanie you understood to be who?

10 A Carmen's girlfriend.

11 Q Okay. Would I also understand is that, when you got to the
12 apartment, Mr. Carmen didn't stick around. He left shortly
13 there -- after some chat, and you stayed there with Mr. Haynes.

14 A Correct.

15 Q And Mr. Haynes got the pills from you.

16 A Yes.

17 Q It's my understanding at that point in time that -- and I
18 know I may be giving the Reader's Digest version, but he took
19 you out to the streets as he did some fades.

20 A Not that specific day. That was later in the day.

21 Q It was that day, though.

22 A No, it wasn't.

23 Q Oh, you mean later in the --

24 A -- when he came back, yes --

25 (Interruption by the reporter)

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1 Q (BY MR. HORMEL) Yes. That was one later trip then. It
2 wasn't that first trip.

3 A Yes.

4 Q The first trip, then, you just saw how you were supposed to
5 deliver the pills to Mr. Haynes at that apartment. Correct?

6 A Yes.

7 Q Okay. And then you were instructed to go home. Did you --
8 correct? You were to -- you were to return to Los Angeles.

9 A Yes, the next morning.

10 Q The next morning. Did you take the Greyhound or the
11 airline that time?

12 A The airline.

13 Q Did you take money on this occasion?

14 A Yes.

15 Q And did you see the money that you took?

16 A Yes. I seen him put it in my bag.

17 Q And you said you saw "him put it in" your bag. You saw
18 Mr. Haynes put that in your bag.

19 A Yes.

20 Q Mr. Carmen was not present.

21 A No.

22 Q Now, did -- do I understand you to have said you met
23 Mercedes Reeves on this trip or on a later trip?

24 A It was on a later trip.

25 Q Okay. So, on this first trip when you returned to IA, how

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1 | did you get home?

2 A I was picked up by Haynes' girlfriend from the airport. We
3 got to my residence. I didn't get out of the car. She took the
4 money out of my duffel bag, and then I exited the vehicle.

5 | Q So she knew where to get the money.

6 | A Yes.

7 | Q And this was Richard Haynes's girlfriend.

8 | A Yes.

9 Q Now, she drove you to your house in Los Angeles. Correct?

10	A	Yes.
----	---	------

11 Q You had your second trip.

12 | A Yes.

13 Q That second trip was initiated by whom?

14 | A Mr. Haynes.

15 Q So Mr. Haynes called you again and asked you if you would
16 do him a favor.

17 | A Yes.

18 Q And it was a favor that came with monetary compensation.
19 Correct?

20 | A Yes.

21 Q So the first time you made this trip you were compensated.

22 | A Yes.

23	Q	\$500?
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24 | A Correct.

25 Q And the second trip occurred you said between three and

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1 four weeks later?

2 A Approximately, yes.

3 Q So your trips to Spokane occurred about every three to four
4 weeks on average. Correct?

5 A And sometimes a month, yes.

6 Q And sometimes what?

7 A A month.

8 Q Okay. So every other month three --

9 A Three or four weeks. And sometimes it go into the next --
10 into the next month before I go back.

11 Q Okay. So three weeks to a month-and-a-half. Is that fair?

12 A Yes.

13 Q And the second trip you made you flew into the Spokane
14 International Airport again.

15 A Correct.

16 Q On this trip how did you -- did you go to the same
17 apartment eventually?

18 A Yes.

19 Q And how did you get to the apartment eventually?

20 A I followed the same instructions as in taking a taxi from
21 the airport. I was picked up this time by Mr. James, which was
22 already in Spokane.

23 Q Tiny Menace.

24 A Yes.

25 Q And you were picked up at the restaurant.

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1 A Yes.

2 Q And you were taken to the same apartment?

3 A Correct.

4 Q Was Mr. Haynes in Mr. Menace's presence?

5 A Mr. Haynes was in Los Angeles.

6 Q So it was just Tiny Menace this time.

7 A Yes.

8 Q And was Mr. Carmen there?

9 A No.

10 Q Did you meet Mercedes Reeves on this trip?

11 A Yes.

12 Q And explain to us how you met Mercedes Reeves.

13 A The next morning I was at the apartment with Mr. James, and
14 she just showed up. And she said that "Your brother want me to
15 come get you." And I asked her who she was and like -- then I
16 called Mr. Carmen and told him some girl was here to pick me up.
17 He told me "She cool. It's cool to get in the car with her.
18 She gonna bring you around here." And I said, "Okay."

19 Q Okay. So the second trip you were driven to the apartment
20 by Mr. James.

21 A Yes.

22 Q Did you give the pills to Mr. James?

23 A Yes.

24 Q And, when Mercedes came and introduced herself to you and
25 you got the -- after you got the clearance from Carmen, did you

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1 leave with -- with Mercedes?

2 A Yes.

3 Q And did you go to where Mr. Carmen was?

4 A Yes.

5 Q Did you take pills with you?

6 A No.

7 Q Did you take cash with you?

8 A No.

9 Q Did you eventually return to the apartment on Francis?

10 A No.

11 Q When -- did you eventually return to Los Angeles?

12 A Yes.

13 Q And did you return to Los Angeles with money?

14 A Correct.

15 Q And --

16 THE COURT: Let's take our noon break.

17 MR. HORMEL: Thank you.

18 THE COURT: Back at 1:00, ladies and gentlemen. Don't
19 talk about the case.

20 (Jury out at 11:59 a.m.)

21 (Court recessed at 12:00 p.m.)

22 (Jury in at 1:04 p.m.)

23 (Court reconvened at 1:04 p.m.)

24 THE COURT: Please be seated. Good afternoon,
25 everybody. Mr. Hormel, you may continue with the cross

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1 examination of Ms. Horn.

2 Q (BY MR. HORMEL) Good afternoon.

3 A Good afternoon.

4 Q I think we ended on the second trip. I'm not going to go
5 through every trip. I just want to get to the -- get through
6 the portion of where you were sort of taught how to do this pill
7 game. Okay?

8 A Yes.

9 Q But I will finish where I left off and that was -- you --
10 you ended up -- you ended by saying there was some money taken
11 back from Spokane to LA on that trip.

12 A Correct.

13 Q Did you see who packed it?

14 A Yes.

15 Q Who packed it?

16 A Mercedes.

17 Q Mercedes Reeves?

18 A Yes.

19 Q Okay. And, then, on this trip when you were -- did you fly
20 back or take a Greyhound?

21 A I flew back.

22 Q And you took the money with you?

23 A Yes.

24 Q Who were you greeted by on this trip?

25 A When I returned to Los Angeles?

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1 Q Yes.

2 A Mr. Haynes.

3 Q So you met Richard Haynes in Los Angeles on that trip.

4 A Yes.

5 Q Did he take the money from you?

6 A Yes.

7 Q Did he take you to your house?

8 A Yes.

9 Q Okay. So, what I gather from your testimony is that, at
10 least with Mr. Carmen and Mr. Haynes, your -- well, you
11 indicated you are a member of the Eight Trey Gangster Crips by
12 adoption. Correct?

13 A Yes.

14 Q And Mr. Haynes is an Eight Trey Gangster Crip. That's been
15 established.

16 A Yes.

17 Q And so is Carmen. Correct?

18 A Yes.

19 Q And Mr. Haynes is the one that actually initially called
20 you to be involved. Correct?

21 A Yes.

22 Q And, then, Tiny Menace you learned was involved at some
23 point. Correct?

24 A Yes.

25 Q Within the -- your infancy within the pill game. Right?

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1 A Yes.

2 Q It's my understanding that, when Mr. Haynes recruited
3 people to help him in the pill game, he recruited Eight Trey
4 Gangster Crips. Correct?

5 A Yes.

6 Q In fact -- in fact, what Mr. Haynes would do when he was
7 recruiting is he would -- I -- I -- he pulled people -- what I,
8 at least, read at one point -- he pulled people from within the
9 Eight Trey Gangster Crip area in Los Angeles to bring them into
10 the pill game if he wanted them in the pill game. Correct?

11 A Yes.

12 Q And I also read that he didn't pull people in from the
13 outside into the actual pill game. Correct?

14 A Yes.

15 Q So you did eventually learn what the pill game is. And I'm
16 just going to go through some components of that. Okay? The
17 pill game is -- has certain terms that we've learned. One is a
18 "plug."

19 A Correct.

20 Q There's a plug. And there's a "fade."

21 A Yes.

22 Q And, then, members of the -- at least the Eight Trey
23 Gangster Crips that were in Spokane had -- there were crews up
24 here. Correct?

25 A Yes.

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1 Q Now, the members of the Eight Trey Gangster Crips were not
2 the only people in Spokane who were selling pain pills.

3 Correct?

4 A Correct.

5 Q There were other, let's say, members of other gangs from
6 California that were up here selling pills also?

7 A Yes.

8 Q And they were also residences from this region that were
9 selling pain pills, too. Right?

10 A Yes.

11 Q So it wasn't just limited to members of the Eight Trey
12 Gangster Crips who migrated up here to sell pills. Correct?

13 A Right.

14 Q And they also sold pills in very similar methodology as --
15 as the people you were associated with. Correct?

16 A Yes.

17 Q They had fades.

18 A Yes.

19 Q They had fade phones.

20 A Yes.

21 Q And -- and they were competitors, also. Correct?

22 A Yes.

23 Q And some fades went to people you knew. Correct?

24 A Yes.

25 Q You didn't always have pills, though. Right?

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1 A No.

2 Q So a fade might have another contact. Correct?

3 A Correct.

4 Q And that other contact may not be an Eight Trey Gangster
5 Crip. Correct?

6 A Yes.

7 Q Now, when you were up here in Spokane doing your learning
8 how to do this, you said that you drove around with
9 Richard Haynes in his car to meet fades. Correct?

10 A Yes.

11 Q And that's the first time you really saw this happening,
12 isn't it?

13 A No. The first time was with Carmen.

14 Q Oh, you were with Carmen.

15 A Yes.

16 Q And -- but, on each occasion, you were in the car watching
17 how this was done.

18 A Correct.

19 Q And the fade would actually come into the car at times.
20 Correct?

21 A Yes.

22 Q And it was done in the car so -- the fade deal was done in
23 the car. My guess is so that somebody outside of the car wasn't
24 seeing what -- seeing what was going on. Correct?

25 A Yes.

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1 Q And that's where both the exchange of the pills was taking
2 place and the money. Correct?

3 A Yes.

4 Q When -- when you were with Mr. Carmen, did you know any of
5 his fades at that point in time?

6 A No.

7 Q So my guess is that he didn't introduce you as School Girl,
8 a member of the Eight Trey Gangster Crips.

9 A Yes, he did but not to the fades.

10 Q Not to the fades. That's what I meant.

11 A Yes.

12 Q Not to the fades. Correct?

13 A Yes.

14 Q In fact, you were taught not to go by School Girl in
15 Spokane. Correct?

16 A Yes.

17 Q You were taught to go by Star.

18 A I wasn't taught, but that was the name I initially
19 addressed myself as.

20 Q Okay. You weren't taught. Perhaps, did you understand, at
21 least from what you learned from Mr. Carmen and Mr. Haynes, that
22 it would be best to have a moniker that you were associated with
23 in Spokane rather than use your Eight Trey Gangster Crip
24 moniker. Correct?

25 A Yes.

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1 Q That is more to distance yourself from somebody learning
2 that you're an Eight Trey Gangster Crip who happens to be
3 selling pills in Spokane. Correct?

4 A Yes.

5 Q And, when we talk about the manner of operation that you
6 learned from Mr. Carmen and Mr. Haynes and, that is, you
7 eventually learned some of the habits of the fades. Correct?

8 A Yes.

9 Q Their characteristics. Correct?

10 A Yes.

11 Q And, at times, you would pull into a parking lot; and you
12 would see people just kind of hanging out waiting for the pill
13 supplier to show up. Correct?

14 A Yes.

15 Q And, so, you learned that you could conduct a certain
16 amount business outside of your fade phone if you knew what to
17 look for in a parking lot. Correct?

18 A Yes.

19 Q And it was a little risky, wasn't it?

20 A Yeah, it was.

21 Q You really -- when you -- when you dealt with a fade who
22 you didn't know yet, you really had to take precautions to make
23 sure it was okay and you weren't going to get detected.

24 Correct?

25 A Yes.

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1 Q But once you became -- is it fair to say eventually, after
2 meeting a fade that way, if you saw that fade again, it became
3 more and more comfortable for you to deal with that fade?

4 A Correct.

5 Q And that -- and, eventually, that fade, you might give your
6 fade phone number. Correct?

7 A Yes.

8 Q And that's how you developed your fade phone and your fade
9 phone list. Correct?

10 A Correct.

11 Q So let's talk about the fade phone a little bit because
12 we've heard about it a lot. But I heard yesterday the
13 difference between a clean phone and a dirty phone. Are you --
14 are you familiar with those two terms?

15 A Yes.

16 Q And the clean phone, I take it, is the phone that you don't
17 want to be conducting pill business with your fades on.
18 Correct?

19 A Yes.

20 Q One of the reasons that you don't want to conduct pill
21 business on your fade -- or on your clean phone is because you
22 want to try to avoid as much as possible detection of your --
23 the pill -- of conducting pill games with the folks that you're
24 connected with. Correct?

25 A Yes.

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1 Q And worried about a fade being arrested and having a direct
2 contact to your clean phone.

3 A Correct.

4 Q So it's another protection mechanism. Correct?

5 A Yes.

6 Q And, so, it was common for members of the Eight Trey
7 Gangster Crips who were up here dealing drugs to have a fade
8 phone. Correct?

9 A Most of them, yes.

10 Q Or have access to one.

11 A Yes.

12 Q And I would gather that other pill dealers from other gangs
13 also had fade phones.

14 A Yes.

15 Q Not unique to the Eight Trey Gangster Crips.

16 A Correct.

17 Q And I would imagine pill dealers who were from this reason
18 or other places would have fade phones, too.

19 A Yes.

20 Q A lot of these practices that are practiced by folks you
21 knew of and folks who you weren't working with are very similar.
22 Correct?

23 A Yes.

24 Q So this system that -- that we're talking about with
25 Mr. Carmen wasn't limited to just Mr. Carmen. Correct?

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1 A Correct.

2 Q Is it fair to say that the -- the plugs are a precious
3 commodity for a pill dealer?

4 A What do you mean by "precious commodity"?

5 Q You protected your plugs.

6 A Yes.

7 Q You wanted to keep your plugs to yourself.

8 A Correct.

9 Q And Mr. Haynes wanted to keep his plugs to himself.

10 A Yes.

11 Q And Mr. Carmen wanted to keep his plugs to himself.

12 A Yes.

13 Q And Tiny Menace wanted to keep his plugs to himself.

14 A Yes.

15 Q And the reasons that these plugs were so precious is
16 because that's how you made your individual money. Correct?

17 A Yes.

18 Q So the money you made from your plugs directly went to you.

19 A Yes.

20 Q The money that Tiny Menace made from his plugs went
21 directly to Tiny Menace.

22 A Yes.

23 Q And the money that Mr. Carmen made went to Mr. Carmen from
24 his plugs. Correct?

25 A Yes.

1371

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1 Q Same with Mr. Haynes.

2 A Yes.

3 Q And same with anybody else who had their own individual
4 sources of supply. Correct?

5 A Yes.

6 Q You really didn't want to lose a fade to anybody, did you?
7 Or excuse me, a plug.

8 A No.

9 Q And the next item that is probably as equal is the
10 customers. Correct?

11 A Correct.

12 Q The customers were very important to the pill dealer.

13 A Somewhat, yes.

14 Q Because that's how you made your money.

15 A Yes.

16 Q So the bottom line was: The cheapest you could buy from a
17 plug -- you would -- tried to find the best price from a plug --

18 A Right.

19 Q -- and the higher price from a fade is how you made your
20 money.

21 A Yes.

22 Q So, if you found a plug that gave you an extremely
23 reasonable price, you weren't about ready to tell anybody about
24 that plug, were you?

25 A No.

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1 Q Not even your closest associates. Correct?

2 A Correct.

3 Q Because, in the pill game when you're trying to make as
4 much money as possible, people were actually willing to steal
5 plugs. Correct?

6 A Yes.

7 Q And steal fades from people. Correct?

8 A Yes.

9 Q Now -- and you learned all of this, it sounds like, from
10 Mr. Carmen and Mr. Haynes.

11 A Yes.

12 Q So we -- we did touch a bit on the word "crew." And it's a
13 word that I saw you use in a couple of your interviews with
14 Agent Sullivan. So, if I can describe this, a crew is a group
15 of people who worked together in the pill game. Correct?

16 A Not necessarily work, but hung together.

17 Q Hung together?

18 A Yes.

19 Q Well, let me -- let me ask you this: Nocomie Moore had her
20 own crew.

21 A Yes.

22 Q And her crew consisted of Katriel Bulley?

23 A Yes.

24 Q And I always get this name wrong. Roderick Govan? RaRa?

25 A Yes.

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1 Q And she was actually a pretty big player in the pill game
2 in Spokane. Correct?

3 A Yes.

4 Q And you weren't here when she first started her pill game.
5 Correct?

6 A No.

7 Q She was here at least a year or two or three before you
8 came up. Correct?

9 A Yes.

10 Q And the other person who had his own crew was Kevin Miles.
11 Correct?

12 A Yes.

13 Q And Kevin Miles hung with Glen Turner?

14 A I'm not aware of that.

15 Q You're not aware of that.

16 A No.

17 Q Now, you know that Glen Turner had his own crew.

18 A Yes.

19 Q Okay. So, when you came up here, you weren't aware that
20 Kevin Miles -- who goes by Nino. Right?

21 A Yes.

22 Q -- and Glen Turner had any association. Correct?

23 A Correct.

24 Q So, if they -- so -- I won't ask that question. Okay.

25 So -- so, on Glen Turner's crew, who was that?

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1 A It was members that is not charged in the conspiracy.

2 Q Some of the members. Right? Can I ask you this: Do you
3 know if Donald Lynch had his own crew?

4 A No, I'm not aware of that.

5 Q Okay. Do you know if Donald Lynch made a lot of money on
6 selling pills?

7 A Yes.

8 Q And do you know that he had -- you know that he had his own
9 plugs. Correct?

10 A Correct.

11 Q And he didn't give you those plugs, did he?

12 A No.

13 Q And you didn't give him your plugs.

14 A Correct.

15 Q Deandre Meighan. Did he associate with Mr. Lynch?

16 A I'm not aware of that.

17 Q You're not aware of that either. You knew that he was pill
18 game or didn't know?

19 A I didn't know that.

20 Q Okay. So he's one of them you didn't know.

21 A Yes.

22 Q Let's talk about the crew you hung with. Okay?

23 A Yes.

24 Q You hung with Richard Haynes.

25 A Correct.

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- 1 Q You hung with Tiny Menace.
- 2 A Yes.
- 3 Q You didn't -- doesn't sound like you hung a lot with
- 4 David Colbert because he was in LA most of the time. Correct?
- 5 A Yes.
- 6 Q But he assisted Richard Haynes in his pill game.
- 7 A Yes.
- 8 Q And he sent pills up to Richard Haynes. Correct?
- 9 A Yes.
- 10 Q We talked a little bit about Bobby Wines who goes by
- 11 T Crazy. Correct?
- 12 A Yes.
- 13 Q And we saw a photograph of him where he went by
- 14 Brandon Smith. You saw that. Right?
- 15 A Yes.
- 16 Q And you're saying you never referred to him as Brandon.
- 17 A Correct.
- 18 Q Mr. Haynes recruited Bobby Wines into the pill game for his
- 19 crew. Correct?
- 20 A Yes.
- 21 Q We also heard about Donald Wright. Donald Wright was in
- 22 Richard Haynes's crew.
- 23 A No, he wasn't.
- 24 Q Whose crew was he in?
- 25 A He really -- when I was associating with him, he was kind

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1 of doing his own thing. He really wasn't involved with anybody
2 precisely.

3 Q Okay. So let's refer to people who didn't really hang with
4 anybody. Can we call them "independent contractors" for just
5 this -- purpose of this exercise?

6 A Okay.

7 Q Okay. So what -- I read that -- and, then, I always
8 butcher this name. Inaliel? Inaliel Lisbey?

9 A Yes.

10 Q Did I get the name right?

11 A Somewhat, yes.

12 Q Okay. Thank you. He had his own pill game going on in
13 Spokane. Correct?

14 A Yes.

15 Q Even though he stayed at the Lacey house once in a while.
16 Correct?

17 A Yes.

18 Q When he was in the pill game, I understand he was in the
19 pill game by himself.

20 A Yes.

21 Q He would be considered an independent contractor.

22 A Yes.

23 Q Mr. Johnwell is Peanut.

24 A Yes.

25 Q Independent contractor?

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1 A To my knowledge, yes.

2 Q Do -- do you -- are you familiar with the name -- and I
3 know it's not in the indictment and -- Fish Bone?

4 A Yes.

5 Q Did he hang with Mr. Johnwell?

6 A Yes.

7 Q Was he in Mr. Johnwell's crew?

8 A You could say that, yes.

9 Q I understand that Maurice Shelmon had his own plugs.

10 A Yes.

11 Q He had his own suppliers.

12 A Correct.

13 Q He had his own crew.

14 A Somewhat, yeah.

15 Q Okay. A lose crew.

16 A Yes.

17 Q Okay. I understand that Mr. Shelmon -- and that's YA.
18 Right?

19 A Yes.

20 Q Kind of a lose cannon, wasn't he?

21 A Yes.

22 Q In fact, he wasn't very trustworthy, was he?

23 A Well, it's not that he was trustworthy. It's just that the
24 way he conducted his business was wow.

25 Q He was very sloppy, wasn't he?

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1 A Yes.

2 Q You wouldn't have conducted your business the way he was.

3 A No.

4 Q And you wouldn't have associated yourself --

5 (Interruption by the reporter)

6 MR. HORMEL: I'm sorry.

7 (Interruption by the reporter)

8 Q (BY MR. HORMEL) You would not have conducted your business
9 the way he did. Correct?

10 A Correct.

11 Q And you did not to want associate with him -- with his
12 business particularly at his apartment. Correct?

13 A Correct.

14 Q And the reason is is because he was selling to fades
15 straight out of his apartment. Correct?

16 A Yes.

17 Q And selling them straight out of the parking lot.

18 A Yes.

19 Q And, as you indicated, it was your practice as -- to sell
20 to fades in parking lots. Correct?

21 A Yes.

22 Q That was the commonplace to go. And these are parking lots
23 at grocery stores?

24 A Yes.

25 Q Whatever these -- a mall?

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1 A Yes.

2 Q Strip malls. That's the word I was looking for. Gas
3 stations?

4 A Sometimes.

5 Q Restaurants?

6 A Yes.

7 Q Chili's was a popular one. Correct?

8 A Yes.

9 Q James Ward. Independent contractor?

10 A No. He was recruited by Mr. Haynes.

11 Q So he was in Mr. Haynes's crew.

12 A Yes.

13 Q Mr. Warnock.

14 A Independent.

15 Q He was an independent contractor. Correct? Tymar Haynes,
16 if I -- if I pronounce that right.

17 A Well, he came to Spokane before me. So I can't say if he
18 was independent or if he was in any type of crew.

19 Q Okay. So you didn't know much about his business.

20 A No.

21 Q And, as I recalled you saying on direct examination, that,
22 even though you were recruited by Mr. Haynes and Mr. Carmen,
23 when they were talking the pill game business, they didn't
24 really include you into the pill game business discussions.
25 Correct?

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1 A Correct.

2 Q Because everybody in the pill game business kept their pill
3 game business to themselves. Correct?

4 A Yes.

5 Q And the reason you had to is because the pill game business
6 became the individual source of income. Correct?

7 A Correct.

8 Q And, if you included others from the outside into your pill
9 game business, you risked losing your personal income. Correct?

10 A Yes.

11 Q And, for some in the Spokane area, that income was
12 tremendous, wasn't it?

13 A Yes.

14 Q In fact, you were working your way towards a pretty nice
15 income by the time you were arrested, weren't you?

16 A Yes.

17 Q And there was those in the pill game here in Spokane who
18 were at sort of the upper echelons of the financial world.

19 Correct?

20 A Yes.

21 Q Some were middle tier in the financial world. Correct?

22 A Yes.

23 Q And -- but, as we indicated, the -- the money that they
24 made from their plugs was the money they got to keep themselves.

25 Correct?

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1 A Yes.

2 Q Now -- so, when you're talking about crews, you had your
3 crew that you worked with. Right?

4 A Yes.

5 Q And the reason that you had your crew to work with when you
6 first started in this business was because you hadn't had enough
7 time to build your own -- can I call it "empire" or your own
8 crew?

9 A Correct.

10 Q And the way you build your own crew is when you start
11 recruiting people to work for you. Correct?

12 A Yes.

13 Q Is it fair to say that eventually you would have broke off
14 and started your own crew, if you could?

15 A If I could have, yes.

16 Q And you would have recruited members or people that you
17 knew from the area of the Eight Trey Gangster Crips to help you.
18 Correct?

19 A Yes.

20 Q And your status as an Eight Trey Gangster Crip in LA would
21 not have been your same status that it was -- would have been in
22 Spokane had you done that. Correct?

23 A Correct.

24 Q So I just want to get a little bit of a timeline for you --
25 or from you, excuse me. Not "for you."

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1 Now, you indicated you started in May, 2011. Correct?

2 A Yes.

3 Q And, then, the first apartment that you recall working out
4 of or through in Spokane was that apartment on Francis.

5 Correct?

6 A Yes.

7 Q Yesterday you said you worked out of that apartment for six
8 or seven months. Correct?

9 A Yes.

10 Q And, then, from that apartment you went to utilizing an
11 apartment that was near Wandermere. Correct?

12 A Yes.

13 Q And the apartment near Wandermere was that apartment that
14 was rented by Michelle Anderson. Correct?

15 A Yes.

16 Q From the apartment rented by Michelle Anderson, then you
17 went to a place on the South Hill on 53rd? Was that house then
18 used?

19 A Yes. After a while, yes.

20 Q Was there another residence between the Michelle Anderson's
21 residence and the 53rd Street residence that you used?

22 A Yes. Temporarily.

23 Q And where was that?

24 A That was on the north side.

25 Q And that was still with Mr. Haynes. Correct?

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1383

- 1 A At the time, no. It was Ms. Reeves' apartment.
- 2 Q Okay. So let's back up a little bit. Let's talk about
- 3 Ms. Reeves so I don't forget to ask you questions about
- 4 Ms. Reeves. You eventually became good friends with Ms. Reeves.
- 5 Correct?
- 6 A Yes.
- 7 Q Now. You had your pill business to conduct. Correct?
- 8 A Yes.
- 9 Q And she had her pill business to conduct. Correct?
- 10 A Yes.
- 11 Q She conducted her pill business for Mr. Carmen. Correct?
- 12 A Correct.
- 13 Q That's what I meant by that.
- 14 A Yes.
- 15 Q You conducted your pill business for yourself.
- 16 A Yes.
- 17 Q And you also helped or conducted some for Mr. Haynes.
- 18 Correct?
- 19 A Yes.
- 20 Q And did you ever help her -- or were you in operation
- 21 helping Tiny Menace?
- 22 A No.
- 23 Q Okay. So you never helped Tiny Menace.
- 24 A No.
- 25 Q Just Mr. Haynes.

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1384

1 A Yes.

2 Q Okay. And, from that point there, then you went to the
3 53rd Street residence.

4 A Yes.

5 Q And that's where you operated until somewhere near the end
6 of September of 2012?

7 A Yes.

8 Q Do I have the timeline correct?

9 A Yes, you do.

10 Q And, then, at the end of October, 2012, you obtained -- or
11 Mr. Haynes obtained the Lacey Street address, the place that you
12 then resided at. Correct?

13 A Yes.

14 Q From the time that you -- I -- I read -- and I want to make
15 sure this is accurate. You started your -- your own pill
16 business somewhere in the summer of 2012.

17 A Kind of like -- yeah.

18 Q Right around that time?

19 A Maybe earlier.

20 Q Sort of faded into -- I mean, sort of got started and got
21 bigger?

22 A Yes.

23 Q So it started actually taking hold, better foot, in the
24 summer of 2012?

25 A Yes.

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1385

1 Q So you started out slow and started getting bigger.

2 A Yes.

3 Q Okay. So you were bringing your own pills up from Los
4 Angeles. Correct?

5 A Yes.

6 Q And, in the beginning, you didn't have that many plugs.
7 Right?

8 A I didn't have any at all, yes.

9 Q Okay. That's true. You had to start -- you started with
10 zero.

11 A Yeah.

12 Q When you first started selling yourself, you only had a
13 couple of plugs. Correct?

14 A Yes.

15 Q But you -- and, so, you weren't in Spokane all the time.
16 Correct?

17 A Correct.

18 Q You were flying back to LA to collect up enough pills to
19 come back to Spokane and deliver them.

20 A Yes.

21 Q And, so, Mr. Haynes wasn't in Spokane all the time either.
22 Correct?

23 A Correct.

24 Q He spent a lot of time in Los Angeles working with his
25 plugs to gather enough supply to come up here and sell, too.

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1 Correct?

2 A Yes.

3 Q So, whenever you -- when you say you had this residence, it
4 was the place that you came to lay your head --

5 A Yes.

6 Q -- before you went back to LA and get more pills. Correct?

7 A Yes.

8 Q And it was also the place that you say that you stored your
9 pills. Correct?

10 A Yes.

11 Q Now, the one thing about it is you said that you were
12 selling away from your home. Correct? You were selling to your
13 fades away from your home.

14 A Away from the residence, yes.

15 Q Yeah. Away from where you lay your head. Correct?

16 A Yes.

17 Q And that is because you didn't want the fade to know where
18 you lived.

19 A Yes.

20 Q The fade could rip you off.

21 A Yes.

22 Q Or the fade could turn you in.

23 A Yes.

24 Q You also indicated yesterday -- and I'm going to back up
25 just a bit -- that the apartment that was rented by

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- 1 Michelle Anderson, you were there when the lease was signed?
- 2 A Yes.
- 3 Q Okay. So -- and, so, that's how you knew where to go when
- 4 you came back the next time to Spokane -- correct?
- 5 A Correct.
- 6 Q -- is when she signed the lease to get the apartment.
- 7 A Yes.
- 8 Q So I'm just going to just go through a few things to try to
- 9 wrap things up for me. So I may be jumping around a little bit.
- 10 Okay?
- 11 A Yes.
- 12 Q So let's talk about some of your fades. And -- and I just
- 13 want to -- you don't know all the fades's last name. You kind
- 14 of either know them by a nickname or their first name. Correct?
- 15 A Yes.
- 16 Q And you had what I gather is this -- the Trent fade?
- 17 A He was a fade of TS's.
- 18 Q Okay. So he was TS's fade.
- 19 A Yes.
- 20 Q But you would help TS deliver pills to that fade.
- 21 A Yes.
- 22 Q The Pines fade?
- 23 A He was a fade that -- that dealt with Mercedes on
- 24 occasions. When she didn't have pills, he would call me.
- 25 Q Okay. So some of these fades would jump between pill --

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1388

- 1 A Yes.
- 2 Q -- key members within people you knew. Correct?
- 3 A Yes.
- 4 Q So -- so -- so, since you were close friends with
- 5 Ms. Reeves, it was an understanding between you two that, if she
- 6 didn't have pills to distribute, some of her fades could call
- 7 you.
- 8 A Yes. Or she -- they call her and she have me meet them.
- 9 Q Okay. And you would sell pills for her.
- 10 A No. My own pills. I would meet with her fades for myself.
- 11 Q Okay. I understand that. Thank you. Dale and Ashley?
- 12 A Those were TS fades.
- 13 Q Melissa.
- 14 A That was a fade I met.
- 15 Q That was your fade.
- 16 A Yes.
- 17 Q So you kept her real tight to you. Right?
- 18 A Somewhat.
- 19 Q Stephanie?
- 20 A A fade I met.
- 21 Q Michelle Fried.
- 22 A She was a fade I met, too.
- 23 Q She was your -- your fade.
- 24 A Yes.
- 25 Q Cody Sutton?

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1389

1 A He was a fade of mine's, too.

2 Q Zach?

3 A He was everybody's.

4 Q Went across the board?

5 A Yeah.

6 Q Whoever he could get?

7 A Yes.

8 Q Kenzel?

9 A Kenzel was TS's.

10 Q TS's. BJ?

11 A BJ was on a phone they call TS's, yes.

12 Q Ted?

13 A Do you mean Todd?

14 Q It could be. It was written -- I read it as Ted, but it

15 could be Todd.

16 A Oh, Okay. Yeah, he was a fade that called TS phone.

17 Q Okay. Alex?

18 A Yes.

19 Q You've discussed Alex. Right?

20 A Yes.

21 Q And that was not Alex --

22 A James.

23 Q -- James. Alex James did go by Brandon. Correct?

24 A Yes.

25 Q And you would refer to him as "Brandon" on occasion.

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1390

1 | A Only to the fades, yes.

2 | Q Only to what?

3 | A To the fades.

4 | Q Only to the fades.

5 | A Yes.

6 | Q Jordan?

7 A He was a fade of mine's.

8 Q And, then, Nick DeCaro.

9 | A He was everybody's.

10	Q	Donisha?
----	---	----------

11 | A She dealt with a lot of different people, too.

12 | Q Carl?

13 | A Carl?

14	Q	Carl.
----	---	-------

15 | A I'm not familiar with that name.

16 Q Don't remember that one. Okay. And, then, you had Santos
17 and Crystal.

18 A Yeah. They -- they dealt with Boy. School Boy mostly.

19 Q Okay. And, so, -- and also Mercedes Reeves. Correct?

20 | A Yes.

21 Q And, so, let's talk about fades a little bit. Sometimes
22 you indicated that a fade may have a fade?

23 | A Yes.

24 Q Now, the idea for a fade at times was to get the best price
25 on a pill. Correct?

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1391

1 A By whoever they could get in contact with.

2 Q Say that again?

3 A By whoever they could get in contact with.

4 Q Correct. But one of the -- one of the things that fades
5 wanted to do, if they had the luxury, was to try to get the best
6 price. Correct?

7 A Yes.

8 Q And one of the reasons they wanted to get the best price
9 was obviously they could get more pills for the money they had.

10 A Yes.

11 Q And, of course, you wanted to get the top price.

12 A Whatever I can get, yes.

13 Q Whatever could you get. In fact, the communication
14 intercept sounds like you and Mr. Haynes wanted to get 21 or 22.
15 Correct?

16 A Yes.

17 Q And not happy that everybody else might be selling them for
18 18, 19, 20. Correct?

19 A Not so much we wasn't happy, just that we was trying to
20 make a bargain. We could make more. But, if we couldn't, then
21 it was something that we had to decide on to each sell them for
22 20, as well.

23 Q Correct.

24 A Yes.

25 Q Yes. And you guys talked about having a meeting.

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- 1 A Yes.
- 2 Q Didn't happen, did it?
- 3 A No.
- 4 Q So -- so I would take it that if Crystal and Santos had a
5 fade where they could -- or had a dealer that they could pay \$20
6 for -- correct?
- 7 A Yes.
- 8 Q -- and they knew where to get the supply -- correct?
- 9 A Yes.
- 10 Q -- and they knew where all of the suppliers were or knew
11 how to get ahold of them -- correct?
- 12 A Yes.
- 13 Q -- then -- and, then, that's where they would buy their
14 pills. Correct?
- 15 A Yes.
- 16 Q So it wasn't uncommon for a fade to want to meet the pill
17 dealer directly so they could get a lesser price. Correct?
- 18 A Yeah. That was uncommon.
- 19 Q That was pretty -- that's pretty true, wasn't it?
- 20 A Yes.
- 21 Q Now, along the lines of the plugs who the pill dealers kept
22 to themselves and the fades of the pill dealers kept to
23 themselves, the pill dealers also had their couriers. Correct?
- 24 A Yes.
- 25 Q There was more than one way to bring pills to Spokane,

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1 Washington. One of the ways was through the courier service,
2 the -- either the female or male courier service. Correct?

3 A Yes.

4 Q And another way that was used was the -- either the United
5 States mail, FedEx or UPS. Correct?

6 A I'm not aware of that.

7 Q You're not aware of that?

8 A No.

9 Q Okay. So that wasn't a method that you were aware of that
10 you used. Correct?

11 A Correct.

12 Q Okay.

13 MR. HORMEL: Your Honor, I'm going to play -- I'm
14 going to play Session 896. I'll get the exhibit number.

15 MS. VAN MARTER: 1-17.

16 THE COURT: Is that call in evidence?

17 MR. HORMEL: Yes, your Honor. That's the Government's
18 exhibit.

19 (Discussion off the record)

20 THE COURT: Do you have the exhibit number,
21 Mr. Hormel?

22 MR. HORMEL: Yes. It's Exhibit 1-17T.

23 MR. SMOOT: Mr. Hormel?

24 MR. HORMEL: Yes.

25 (Discussion off the record)

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1394

1 MR. HORMEL: Is there any way I can retrieve the Court
2 Reporter's copy? I believe it was handed over after it was
3 used. Thank you. May I approach, your Honor?

4 THE COURT: You may.

5 Q (BY MR. HORMEL) Now, we've already listened to this
6 earlier; but we went straight through it. So I have a few
7 questions for you as we go through it. Okay? So, when I signal
8 stop -- when I -- when I -- I'm going to give him a stop signal
9 like this (indicating) so he'll stop. So, when you see me do
10 that, don't be alarmed. Okay?

11 A Uh-hum.

12 MR. HORMEL: Go ahead.

13 (Exhibit 1-17 was played)

14 Q (BY MR. HORMEL) Okay. So you just rattled off a bunch of
15 names -- correct?

16 A Yes.

17 Q -- in that portion? And those names that you rattled off
18 is Peanut. That's Johnwell. Correct?

19 A Yes.

20 Q And Ball. Correct?

21 A Yes.

22 Q And Ball is Mr. Lisbey?

23 A No. I was referring to Tahei Moore.

24 Q Okay. So this is Tahei. And, then, Bam is Mr. Warnock?

25 A Yes.

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1395

1 Q Baby Nutty is Jamerson?

2 A Correct.

3 Q And Young Ant is Shelmon.

4 A Yes.

5 Q And Young Diamond is YD.

6 A Yes.

7 Q And you're telling Mr. Haynes that they all have pills.

8 A Yes.

9 Q And you're telling Mr. Haynes that -- he asked you, "Well,
10 are you selling yours for 19?"

11 A No. He asked in reference of the person I state that the
12 fades was dealing with. They selling they pills for 19.

13 Q You're -- you're discussing with Mr. Haynes the price.
14 Correct?

15 A Yes.

16 Q Okay. So what he -- what he was telling you is "I'm not
17 doing 19. I'm doing 21 or 22." Correct?

18 A Yes.

19 Q And that's what he wanted to sell his pills for. Correct?

20 A And me, as well. Yes.

21 Q And you, as well, because you were selling his pills.

22 A My own, as well.

23 Q Right. So you were trying to get a higher price.

24 A Yes.

25 (Exhibit 1-17 continued)

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1 Q (BY MR. HORMEL) So you just mentioned Ashley.

2 A Yes.

3 Q Ashley's a fade.

4 A Yes.

5 Q And you were talking about selling to Ashley. Correct?

6 A Yes.

7 (Exhibit 1-17 continued)

8 Q (BY MR. HORMEL) So there you're talking about Brandon.

9 Right?

10 A Yes.

11 Q And you say you still haven't heard from Brandon. Correct?

12 A Yes.

13 Q And, then, you heard that Danny got popped. Correct?

14 A Yes.

15 Q And that -- is that Danny Hunka?

16 A Yes.

17 (Exhibit 1-17 continued)

18 Q (BY MR. HORMEL) Now, Haynes is telling you that he saw

19 Brandon, "fucking with YD and them." Right?

20 A Yes.

21 Q And, then, he's telling you YD had been fronting him.

22 Correct?

23 A Yes.

24 Q YD is Glen Turner. Correct?

25 A Yes.

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1 Q And you hadn't heard from Brandon, had you?

2 A At that period, no.

3 Q No. And Haynes was telling you that he was -- he saw
4 Brandon messing with YD. Correct?

5 A Yes.

6 Q And YD was not in Mr. Haynes's pill game. Correct?

7 A You mean his crew?

8 Q Yeah, exactly.

9 A Yes.

10 Q He was doing the same game. Right?

11 A Yes.

12 Q But not in his crew.

13 A Correct.

14 MR. HORMEL: Go ahead. Oh, excuse me. Sorry.

15 (Exhibit 1-17 continued)

16 Q (BY MR. HORMEL) Okay. So you're explaining to Mr. Haynes,
17 in this portion, that certain people who were coming to see you
18 right now. Correct?

19 A Yes.

20 Q And that would be JR.

21 A Yes.

22 Q Joe.

23 A Yes.

24 Q And Dale.

25 A Correct.

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1 Q Wasn't Brandon. Correct?

2 A No.

3 Q And Mr. Haynes is telling you "Those are my regulars right
4 there." Right?

5 A Yes.

6 Q Okay.

7 (Exhibit 1-17 continued)

8 Q (BY MR. HORMEL) So you're talking about another fade.
9 Correct?

10 A Yes.

11 Q And Haynes is complaining because he's messing with
12 somebody else. Correct?

13 A Yes.

14 Q Like, Ball or somebody.

15 A Yes.

16 Q Correct?

17 (Exhibit 1-17 continued)

18 Q (BY MR. HORMEL) Now, right there, the fade is telling you
19 that he could -- that Mr. Haynes told him he can get them for
20 18. Right?

21 A Yes.

22 Q And Mr. Haynes is saying, "No way." Right?

23 A Yes.

24 (Exhibit 1-17 continued)

25 Q (BY MR. HORMEL) So right there you're telling Mr. Haynes

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1 that you haven't seen this other fade. You just been seeing a
2 fade called "Indian"?

3 A Yes.

4 Q And JR?

5 A Yes.

6 Q And Joe.

7 A Yes.

8 Q And Dale.

9 A Yes.

10 Q And Stephanie.

11 A Correct.

12 (Exhibit 1-17 continued)

13 Q (BY MR. HORMEL) And you mentioned Cody and Michelle.

14 You've already established those are two of your fades.

15 Correct?

16 A Yes.

17 (Exhibit 1-17 continued)

18 Q (BY MR. HORMEL) So, in this conversation you're saying,

19 "the only fades that are buying, like, 100" is JR.

20 A Yes.

21 Q And Joe. Correct?

22 A Yes.

23 Q And you're also telling them that -- that people aren't

24 buying very many. They're just buying, like, 30, 40, 25, 10, 6

25 or 7. Right?

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- 1 A Yes.
- 2 (Exhibit 1-17 continued)
- 3 Q (BY MR. HORMEL) So here you're talking about D3. Right?
- 4 A Yes.
- 5 Q And D3 is Katriel Bulley?
- 6 A Yes.
- 7 Q And you're also talking about somebody selling some fake
- 8 Ms?
- 9 A Yes.
- 10 Q That's D3?
- 11 A Yes.
- 12 Q So you weren't dealing with him because he was dealing with
- 13 fake Ms. Correct?
- 14 A No. It's not that I didn't deal with him because of that.
- 15 It was just that he was someone that I only, like -- you know, I
- 16 deal with on occasions.
- 17 Q Sure. You just hung with him --
- 18 A Yes.
- 19 Q -- but he was the member of a different crew. Correct?
- 20 A Yes.
- 21 (Exhibit 1-17 continued)
- 22 Q (BY MR. HORMEL) So here you're talking about the fact that
- 23 Football got somebody -- got a fade's number. Correct?
- 24 A Yes.
- 25 Q And he's working to get other fades' numbers. Correct?

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1 A Yes.

2 Q So that doesn't make a pill dealer very happy, does it?

3 A No.

4 (Exhibit 1-17 continued)

5 Q (BY MR. HORMEL) So that is -- this is where you're telling
6 Mr. Haynes that you're doing about 6 or 700 pills a day. Right?

7 A Yes.

8 (Exhibit 1-17 continued)

9 Q (BY MR. HORMEL) So here in the conversation between you
10 and Mr. Haynes is about another fade named "Mitch." Correct?

11 A Yes.

12 Q And he's what you referred to as -- he's the "Indian"?

13 A Yes.

14 (Exhibit 1-17 continued)

15 Q (BY MR. HORMEL) So this is where you and Mr. Haynes are
16 talking about the fact that it would be nice if everybody got
17 together and set a price. Right? The same price.

18 A Yes.

19 Q And that didn't happen, as you indicated. Correct?

20 A Yes.

21 (Exhibit 1-17 continued)

22 Q (BY MR. HORMEL) So Mr. Haynes is listening to you tell him
23 how the sales are going in Spokane. Sounds like the sales are a
24 little bit slow because everybody -- everybody has pills up
25 here. Correct?

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1 A Yes.

2 Q And, so, what he says to you is "I need to creep up there
3 when everybody leaves." Right?

4 A Yes.

5 Q Because he wants to make sure he's up here when nobody has
6 pills so he can make his money. Correct?

7 A Correct.

8 (Exhibit 1-17 continued)

9 Q (BY MR. HORMEL) So, when Haynes says there, "they won't
10 last that long," that means that these folks that are up here
11 selling pills are going to run out of a supply; and then it's
12 time for him to come up. Correct?

13 A Correct.

14 (Exhibit 1-17 continued)

15 Q (BY MR. HORMEL) Okay. So there's another Brandon
16 mentioned here, isn't there?

17 A Yes.

18 Q And this is a Brandon that fixes cars. Correct?

19 A This Mr. Chavez.

20 Q Mr. Chavez fixes cars. Correct?

21 A Yes.

22 Q And you knew him to fix cars or work on cars for
23 Mr. Haynes. Correct?

24 A Not to my knowledge. Not till he stated it in the
25 conversation.

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1 Q Okay. So -- excuse me. Would you finish that. I missed
2 that. Not until what?

3 A Not until he mentioned it in this conversation.

4 Q Yes. And your response, when he brought up Mr. -- this
5 Brandon, was "What's that? What's his name?" Correct?

6 A Yes.

7 Q And, as I understand it, you testified earlier on direct
8 examination that Mr. Chavez did not have your fade phone.
9 Correct?

10 A Number, yes. Correct.

11 Q Your -- your fade number. Your individual fade phone
12 number. Correct?

13 A Yes.

14 (Pause in the proceedings)

15 MR. HORMEL: Your Honor, I plan to play 1-27T.

16 (Pause in the proceedings)

17 THE COURT: Go ahead, Mr. Hormel.

18 MR. HORMEL: Yes, your Honor. Your Honor, it's my
19 understanding that this has been previously admitted with a slew
20 of other exhibits. Is that correct?

21 MR. SMOOT: The -- the audio was admitted on
22 Exhibit 11-a.

23 MR. HORMEL: This is Government's exhibit, your Honor.

24 THE COURT: This is 1-27. Has not yet been played?

25 MR. HORMEL: Has not yet been played.

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1 THE COURT: You're going to play it now.

2 MR. HORMEL: Yes.

3 THE COURT: Go ahead.

4 MR. HORMEL: And if I may approach the witness.

5 THE COURT: You may.

6 Q (BY MR. HORMEL) Ms. Horn, before we play that, this is a
7 audio that hasn't been played before the jury yet. It's my
8 understanding that it's a audio that you've already gone through
9 with the Government. Could you look at that and see if you
10 recognize the content of that before I play it for the jury?

11 A Yes, I recognize it.

12 Q You do recognize it?

13 (Exhibit 1-27 was played)

14 Q (BY MR. HORMEL) So who is this conversation with?

15 A Me and Mr. James.

16 Q Okay. This is Alex James?

17 A Correct.

18 (Exhibit 1-27 continued)

19 Q (BY MR. HORMEL) So the content of that phone call at the
20 very end was Mr. James asking you to call Sally Guthrie to get
21 an extension on a rental car. Correct?

22 A Yes.

23 MR. HORMEL: If I may approach the witness, your
24 Honor?

25 THE COURT: You may.

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1 Q (BY MR. HORMEL) Handing you what's been admitted as
2 Exhibit 1-28 and this is the transcript.

3 (Pause in the proceedings)

4 Q (BY MR. HORMEL) So that's another transcript that I
5 believe you reviewed with the Government. Do you recognize that
6 also?

7 A Yes.

8 Q Okay.

9 (Exhibit 1-28 was played)

10 Q (BY MR. HORMEL) Now, you recognize the voice -- your
11 voice. Right?

12 A Yes.

13 Q And you recognize the voice on the other end. Correct?

14 A Yes.

15 Q And that's Sally Guthrie?

16 A Yes.

17 Q You've talked about her throughout the course -- or
18 throughout your testimony. Correct?

19 A Yes.

20 Q She is the owner of Flamin' Joe's?

21 A Correct.

22 Q And Mr. Haynes used her Hummer occasionally. Correct?

23 A Yes.

24 Q And you used her Hummer occasionally. Correct?

25 A Yes.

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1 Q And she also on occasion, when you needed her to or
2 somebody you knew needed her to, she would rent cars for people.
3 Correct?

4 A Not to my knowledge. I don't know that she rented a car to
5 anyone until Alex James told me that Tahei Moore was renting a
6 car through Sally.

7 Q Oh, okay. So you didn't know that at the time.

8 A No, I didn't.

9 Q Now you know that. Correct?

10 A Yes.

11 Q Okay. So we'll go ahead and play the rest of the tape.

12 (Exhibit 1-28 continued)

13 Q (BY MR. HORMEL) Now, you used the word "Brandon."

14 Correct?

15 A Yes.

16 Q Who's Brandon in that?

17 A Alex James.

18 (Exhibit 1-28 continued)

19 Q (BY MR. HORMEL) So, just to wrap that up, Ball -- the Ball
20 that we're talking about. Is that Tahei Moore?

21 A Correct.

22 Q And you didn't know it at the time but, apparently, she
23 rented a car -- Sally Guthrie rented a car for Tahei Moore.

24 Correct?

25 A Yes.

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1 Q And the intercept that you listened to prior to this one
2 was Alex James calling you and asking you to ask Sally if she
3 could extend the rental agreement so he could drive that car
4 around.

5 A Yes.

6 Q And, so, when you called Sally Guthrie, you referred to
7 Mr. James as "Brandon." Correct?

8 A Yes.

9 MR. HORMEL: Your Honor, if I may have a moment?

10 THE COURT: You may.

11 (Discussion off the record)

12 MR. HORMEL: No more questions.

13 THE COURT: Who's next? Mr. Christianson?

14

15 CROSS EXAMINATION

16 CROSS BY MR. CHRISTIANSON:

17 Q Good afternoon, Ms. Horn.

18 A Good afternoon.

19 Q Okay. You have met with the Government on numerous
20 occasions.

21 A Correct.

22 Q By that, I mean the -- the attorneys working for the
23 Government that are prosecuting this case and the investigators
24 who've been with them.

25 A Yes.

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1 Q You've met with them on February 28th of 2013?

2 A Yes.

3 Q Okay. And we have transcript from that. Okay? You also
4 met with them on November -- now the first one you didn't have
5 an attorney with you.

6 A Correct.

7 Q Now, you also met with them four more times in which case
8 you had your attorney present.

9 A Yes.

10 Q And your attorney's here with you today.

11 A Yes.

12 Q Okay. So the other four times would have been
13 November 20th, 2013? Correct?

14 A Yes.

15 Q January 13, 2014.

16 A Yes.

17 Q June 12th, 2014.

18 A Yes.

19 Q And July 31st, 2014.

20 A Yes.

21 Q Okay. If you need to refresh your memory at any time,
22 please just stop me and interrupt me and we'll let you do that.
23 Okay?

24 A All right.

25 Q Now, the first time you met with them was February 28th;

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1 and you'd just been arrested.

2 A Correct.

3 Q You did not have your attorney present.

4 A No, I didn't.

5 Q And you were less than forthcoming with the -- with the
6 Government.

7 A Meaning?

8 Q You lied a bunch to them.

9 A Yes.

10 Q You were still denying your involvement in everything?

11 A Yes.

12 Q Covering your butt.

13 A Yes.

14 Q Trying to keep yourself out of it.

15 A Yes.

16 Q Now, you hold told the truth about a lot of things that
17 wouldn't have implicated you; but you lied about the things that
18 were going to get you in trouble.

19 A Yes.

20 Q Okay. After you got your attorney on board and you had the
21 other four meetings, your mindset was "I'm giving you anything
22 you want."

23 A The truth, yes.

24 Q Okay. The -- the truth, the whole truth, nothing but the
25 truth.

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1 A Yes.

2 Q Okay. And is that what you did during those other four
3 meetings is give them the truth, the whole truth, and nothing
4 but the truth?

5 A Yes.

6 Q Okay. When is the last time you talked to Gilbert Madison,
7 either in person or by phone?

8 A Maybe a couple a weeks ago.

9 Q Okay. Have you heard anything about his testimony?

10 A No, not really.

11 Q Okay. You have been in -- in constant contact with him
12 surreptitiously by telephone since you've been arrested.

13 Correct?

14 A Yes.

15 Q Against all of the rules?

16 A I wasn't apply any rules that I couldn't have any contact
17 with him.

18 Q Okay. Did they allow you to call him directly?

19 A No.

20 Q You had to figure out a way to get around the rules of
21 calling him directly to make it work. Correct?

22 A Yes.

23 Q Okay. Let's get a few facts on the table that -- that I
24 think we can all agree on. First off, as far as you knew or had
25 observed, none of the Eight Treys in the oxy game in Spokane

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1 carried any firearms or gun -- guns with them while they were in
2 the Spokane area distributing oxy. Is that correct?

3 A Yes.

4 Q Okay.

5 MR. CHRISTIANSON: Is this ELMO on? I may need help
6 turning this on.

7 THE COURTROOM DEPUTY: You just need to turn the light
8 on on the side.

9 MR. CHRISTIANSON: I bring my assistant for that.
10 Thank you, sir.

11 Q (BY MR. CHRISTIANSON) Showing you Government Exhibit --
12 I'm sorry -- 39-28, which has been -- you've already viewed this
13 morning and has been put into evidence. Is that up on your
14 screen at all?

15 A Yes.

16 Q Okay. You recognize that photo as Mr. Shelmon and
17 Mr. Tones. Correct?

18 A Yes.

19 Q You indicated you didn't know when it was taken.

20 A Correct.

21 Q Is there anything by the way Mr. Shelmon or Mr. Tones are
22 dressed or anything like that -- anything in there that would
23 give you a time frame of when this was taken?

24 A No.

25 Q Okay. You don't recognize anything else in the photo.

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1 A Not that I can identify, no.

2 Q Okay. Do you know where it was taken?

3 A No.

4 Q Mr. -- you testified, I believe, just a very short time
5 ago, that Shelmon was out of control. He was dealing reckless
6 and so you didn't like going down to the apartment.

7 A Yes.

8 Q You avoided the apartment --

9 A Yes.

10 Q -- because somebody was going get caught down there.
11 Right?

12 A Yes.

13 Q And you didn't want it to be you.

14 A Correct.

15 Q Okay. Let's talk about fade phones. And I know we've --
16 you would think we've discussed everything there is to discuss
17 about fade phones, but just a little more. You indicated if --
18 and I'm paraphrasing so correct me if I say anything that's not
19 correct. You indicated that, when you came up, you and Haynes
20 and I believe it was Mr. Carmen were living together and sharing
21 phones.

22 A No, I didn't indicate that.

23 Q Who -- who did you indicate? What -- tell me -- tell me
24 what happened.

25 A I indicated, when I came up to Spokane, I was picked up by

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1 both people; but I live at an apartment with Mr. Haynes. Not
2 Carmen.

3 Q Okay. So was it just you and Haynes that were sharing fade
4 phones by agreement?

5 A Yes.

6 Q Okay. And -- and you could only do that by agreement
7 because you'd make some money off his. He'd make some money off
8 yours. You agreed to that.

9 A Correct.

10 Q But, without that agreement, it would be completely against
11 the rules to grab somebody else's fade phone and use it.

12 A Correct.

13 Q And -- and these are known unspoken rules or maybe they're
14 spoken but everybody knows the rules.

15 A Yes.

16 Q Okay. Now, do you remember indicating in your prior
17 statements with the Government that "It's like a free country
18 out there. Anybody can go out there and you can go out there
19 right now" --

20 MR. SMOOT: Your Honor, objection. I believe he's
21 reading from a report. There's -- foundation.

22 MR. CHRISTIANSON: I'm asking her if she remembers
23 saying something like this.

24 THE COURT: Okay. Do you remember saying that?

25 THE WITNESS: Yes.

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1 Q (BY MR. CHRISTIANSON) It -- it was kind of like the Wild
2 West. Correct?

3 A Somewhat, yes.

4 Q A free-for-all.

5 A Yes.

6 Q Especially -- and I'm not talking early on. I'm talking
7 toward the latter end of this -- this pill hustle. It was a
8 free-for-all.

9 A Yes.

10 Q The rules, the organization, all of that was gone.

11 A Yes.

12 Q Everybody had their own little crews. They're trying to
13 undercut everybody. They're trying to get their pills cheaper
14 than anybody else.

15 A Correct.

16 Q They're -- they're not following any good standard protocol
17 in the way they're selling. Selling out of an apartment. It's
18 just out of control, ready to burst.

19 A Yes.

20 Q Okay. I'm not even sure how to say this. Is it a fair
21 statement that growing up in south central is probably different
22 than growing up in Spokane?

23 A Yes, a fair shade.

24 Q You grew up down there. Correct?

25 A In Los Angeles, yes.

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1 Q In the -- in the -- in the south central area?

2 A Yes.

3 Q You spent some time in Spokane. You can probably see the
4 differences.

5 A Yes.

6 Q Fair to say that somebody who grows up in Spokane isn't
7 going to have any idea what it's like growing up in south
8 central Los Angeles?

9 A Correct.

10 Q We can watch all the TV we want to watch. We still don't
11 have any clue.

12 A Correct.

13 Q Okay. Different customs.

14 A As far as in?

15 Q Just the way you act with people.

16 A Well, kind of like a little same similarities as
17 respecting.

18 Q Down there you have to carry a gun or keep one close.

19 A No, you don't have to always do that.

20 Q Okay. Is it more dangerous down there?

21 A It depends on the way you living, yes.

22 Q Let's talk about -- I'm not sure how you say this. Minding
23 your own business. Let me back up.

24 You have listed off your knowledge of almost everybody
25 involved in this entire indictment.

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1 A Correct.

2 Q You knew them.

3 A Yes.

4 Q Most of them you knew prior to this pill hustle even
5 starting.

6 A Prior before I started or before they started?

7 Q Prior -- prior to the pill hustle -- I guess let me
8 rephrase this. The ones who are in -- from Los Angeles, you
9 knew most of those prior to you getting involved in the pill
10 hustle up in Spokane.

11 A Yes.

12 Q Didn't mean you're doing anything with them. You just know
13 them because they're from the same area.

14 A Correct.

15 Q So that association, the fact you know these people and
16 hung out with them, really isn't anything bad. It's just when
17 you come up here and start doing bad things with them.

18 A Yes.

19 Q Okay. Fair to say that Mr. Tones probably knew a whole lot
20 of these people from Los Angeles prior to this pill hustle
21 getting started?

22 A Correct.

23 Q You indicated that the common goal in Spokane was to make
24 money.

25 A Yes.

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1 Q People have other hustles going on on the side outside of
2 pills? Let's just -- let's just say people are up here.

3 Let's -- let's say you're right and everybody's doing oxy and
4 selling oxy. Did they also have other little hustles going on?

5 A Not to my knowledge.

6 Q Mr. -- did you indicate that Mr. Carmen was investing in
7 businesses?

8 A I didn't indicate that.

9 Q Okay. Nobody else would have been trying to make money any
10 other way other than pills?

11 A Yeah. They could have, but not to my knowledge.

12 Q Okay. We don't use the word "hustle" up here a lot in
13 Spokane when we're growing up. We talk about you get a job or
14 you go out and you earn money. Is that the same thing as
15 hustle?

16 A Yes.

17 Q Okay. So -- so, if I grew up in south central Los Angeles,
18 I'm talking about "How am I gonna go make money today" and I
19 call that "How am I gonna hustle."

20 A Yes.

21 Q So, if I -- if I can make money off pills, there's one
22 hustle. If I can make money off moving furniture for somebody,
23 that's a hustle.

24 A Yes.

25 Q If I can make money off of whatever, that's my hustle.

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1 A Correct.

2 Q And everybody has their own hustle going on even if
3 sometimes we're doing the same hustle.

4 A Yes.

5 Q And -- and the fact I've got some side hustle doesn't
6 affect you.

7 A Rephrase that.

8 Q I'll just withdraw that.

9 Do you -- when you meet people that you -- you know who
10 they are but you don't know them well, do you walk up and start
11 talking about "How do you make your money?"

12 A No.

13 Q You stay out of people's business. Right?

14 A Yes.

15 Q You mind your own business. You ask only what is basically
16 surface level. If they want to tell you about their hustle,
17 they can tell you.

18 A Correct.

19 Q One of the differences. And -- and I think you mentioned
20 it in one of the phone calls. I can find it for you if you need
21 to, but I don't think you're going to need to. You talked about
22 lean. L E A N. Drinking some lean. Do you know what I'm
23 talking about?

24 A I remember the conversation about lean, yes.

25 Q What is lean?

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1 A Lean is a -- a word that we use as far as in cough
2 medicine.

3 Q Let me expand and tell me if I'm wrong. So you get some
4 prescription cough medicine.

5 A Yes.

6 Q And you add to it, like, Jolly Ranchers or something for
7 flavor.

8 A Could be.

9 Q Maybe Sprite.

10 A Yes.

11 Q And -- and it's something common down there that you mix-up
12 your -- your lean.

13 A Yes. Something common.

14 Q And -- and you add all kinds of sweeteners in it. Jolly
15 Rancher --

16 A Yeah.

17 Q Probably use Gummy Worms. I don't know. Right? Something
18 sweet.

19 A Possibly, yes.

20 Q Okay. And, then, you can mix it up as a slushy.

21 A Yes.

22 Q And that's -- that is a cough medicine that you would get
23 from prescription because it has what in it? Codeine?

24 A Yes.

25 Q Okay. And is it common down there to pay a couple hundred

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1 dollars to a doctor to write you a prescription for cough
2 medicine, or is it like the pill hustle where you go out and get
3 somebody who's got insurance to get you some cough medicine?

4 A Yes. It's like the pill hustle.

5 Q It's not uncommon, is it?

6 A No.

7 Q And it's -- and let's just assume it's illegal, but it's
8 just done. Right?

9 A Yes.

10 Q And -- and I can't speak for everybody else in Spokane, but
11 I'd never heard of it before. Is it -- is it something that is
12 just in that neighborhood or is it a -- a black culture thing?
13 Is it a -- do you know where this -- where this comes from?

14 A No, because I didn't -- my knowledge, I didn't deal with
15 lean.

16 Q Okay. Okay. Thank you. Bobby Wines worked for
17 Mr. Haynes. Correct?

18 A Yes.

19 Q And, so, Haynes would get Bobby the pills and Bobby would
20 sell them.

21 A Correct.

22 Q Let's talk about that phone call that was played earlier,
23 Exhibit 1-11T. The transcript indicated that it happened on
24 October 24th, 2012. Would that be about right in your mind?

25 A Possibly.

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1 Q Okay. In the transcript, it talked -- or in the tape. The
2 transcript's not the evidence. The tape is. In the tape, it
3 talks about a play. I think Mr. Haynes asks him something like
4 "You have a play for me." Do you remember that?

5 A Yes. I remember the conversation.

6 Q And -- and you indicated to the jury that "play" was
7 defined as, I guess, what?

8 A A plug.

9 Q A plug. So you have a -- a supply of something for me.

10 A Yes.

11 Q Could be meth?

12 A Could be.

13 Q Could be oxy?

14 A Yes.

15 Q Could be marijuana?

16 A Yes.

17 Q Could be illegal gambling?

18 A Yes.

19 Q Could be just anything that is somewhat illegal so you
20 don't want to mention it over the phone.

21 A Yes.

22 Q Now, I'm gonna paraphrase because I'm going off my notes so
23 correct me if I've got anything wrong here. You testified
24 earlier that you never observed Mr. Tones make any fades, but
25 you heard him on the phone one time. You were present, Shelmon,

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1 yourself, James, and Mr. Tones. And you heard Tones having a
2 conversation on the phone with a fade. You got up and left --
3 he got up and left. You only heard one side of the
4 conversation. Based upon your experience and him telling the
5 person where to meet and be there in approximately five minutes
6 and then he left showing everybody a handful of oxys, you don't
7 know how many, that you know he was going out to do a fade.

8 A Yes. That statement was correct, but except I never said
9 he showed anybody anything.

10 Q Okay. You didn't say he held out his hands for awhile to
11 show --

12 A No. I did not.

13 Q -- that he had oxys in his hand or anything.

14 A I stated I seen oxys in his hand.

15 Q Okay. Do you remember which, if any, of these five prior
16 statements you had with the detectives and the state or the
17 federal government that you ever mentioned that?

18 MR. SMOOT: Objection, your Honor. Foundation.

19 THE COURT: She can answer that. Did she mention it?

20 THE WITNESS: Yes.

21 Q (BY MR. CHRISTIANSON) Which one?

22 A It was the fourth meeting I had with them.

23 Q The fourth one. Let me go up and look at my dates there.

24 THE COURT: Let's take our afternoon recess while you
25 look that up.

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1 MR. CHRISTIANSON: Okay.

2 THE COURT: And we'll be back at 3:00, ladies and
3 gentlemen. Don't talk about the case.

4 (Jury out at 2:42 p.m.)

5 (Court recessed at 2:42 p.m.)

6 (Jury in at 3:03 p.m.)

7 (Court reconvened at 3:03 p.m.)

8 THE COURT: Please be seated. Mr. Christianson, you
9 may proceed with the cross examination of Ms. Horn.

10 MR. CHRISTIANSON: Thank you.

11 Q (BY MR. CHRISTIANSON) Okay. Ms. Horn, let me just kind of
12 pick us back up where we were. Correct me if I'm wrong. I
13 asked you if you'd ever mentioned this incident in any of your
14 prior free talks. It's my understanding you said it was the
15 fourth one. Is that correct?

16 A To my knowledge, possibly, yes.

17 Q So would that be the June 12, 2014, one?

18 A If that's the date, yes.

19 Q Okay. Would you admit that, in your first one, you didn't
20 mention anything about this incident? Your first talk with the
21 officers the day you were arrested.

22 A No, I didn't.

23 Q And, on your first talk where you went in and spilled your
24 guts to the Government, you never mentioned it.

25 A Not that I can remember, no.

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1 Q How about the second one you're spilling your guts? It'd
2 be your third talk but the second one where you're in spilling
3 your guts against the -- the people in this case. You never
4 mentioned this incident. Correct?

5 A Correct.

6 Q But you're saying that, on the fourth one, you did.

7 A That I can remember, possibly, yes.

8 Q And it might be third. It might be fifth. It might be
9 what? But right in about there you say you did.

10 A Yes.

11 Q Thank you. Who -- Mr. Tones goes by "Chico." Correct?

12 A Yes.

13 Q Sometimes "Rico."

14 A Yes.

15 Q That's a kind of a new one? "Rico"?

16 A Yes.

17 Q We said it at the same time. We have to be one at a time.
18 Sometimes "Rico"?

19 A Yes.

20 Q Okay. And that is a new one. Correct?

21 A Yes.

22 Q Who is Cheeks? C H E E K S.

23 A I don't recall who that is.

24 Q Okay. And -- oh, my book is spilling over on me. In the
25 call -- this is Government's Exhibit 1-17T. This is the Horn

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1 versus Haynes that we have been over twice in here. Once with
2 the Government and, then, Mr. Hormel went over it with you.

3 This is the long one. Do you remember that one?

4 A Yes.

5 Q If I can just hand you my book and perhaps you could fresh
6 your recollection?

7 A I know what you're talking about now. I don't need to see
8 it.

9 Q Okay. It seems to say Haynes is talking about, "What about
10 Cheeks?" And says "she." Refers to Cheeks as "she" coming
11 through here. And you reply "You been calling me," voice
12 overlaps, on and on and on. But it talks about Cheeks being
13 "she."

14 A Cheeks was a fade in Spokane.

15 Q Okay. But Cheeks is not --

16 A No. It's not.

17 Q -- Mr. Tones.

18 A No.

19 Q Okay. Thank you. When -- when you started here, you took
20 an oath. Correct?

21 A Yes.

22 Q And that oath was to tell the truth?

23 A Yes.

24 Q And you swore to this jury you would tell them the truth?

25 A Yes.

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1 Q Do you remember in your first statement with the officers
2 where you were telling them very little truth?

3 A Yes.

4 Q Do you remember swearing to God during that statement that
5 you can't even tell you none of these people's names? They
6 can't tell you my name. You swore to God during that statement.
7 Correct?

8 A Yes.

9 Q And you were lying. Right?

10 A Yes.

11 MR. CHRISTIANSON: Thank you. I have no further
12 questions.

13 THE COURT: Mr. Nollette?

14 MR. NOLLETTE: Thank you, your Honor.

15 MR. CHRISTIANSON: My book kind of exploded over here
16 and made a little mess, Judge. So I'll be cleaning for just a
17 second.

18 (Pause in the proceedings)

19

20 CROSS EXAMINATION

21 CROSS BY MR. NOLLETTE:

22 Q Good afternoon.

23 A Good afternoon.

24 Q I'm not going to -- I'm going to try not to cover areas
25 that have already been covered. I'm going to try to just hit

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1 new areas generally.

2 You -- your first conversation with the police and the
3 Government was on February 28th of '13, when you were arrested.
4 Correct?

5 A Yes.

6 Q And we've already established that those -- that was not
7 true.

8 A Yes.

9 Q Okay. And, then, you met with them again on the other
10 dates that they've mentioned. Would it be fair to say that
11 you've met with them over 30 hours?

12 A Approximately, yeah. I didn't keep count.

13 Q I'm sorry?

14 A I didn't keep count or time so I couldn't say.

15 Q In fact, you met just this last Saturday all day, did you
16 not?

17 A Yes.

18 Q Okay. Up in Davenport?

19 A Yes.

20 Q Okay. And, during the meeting on -- on Saturday, did
21 you -- did someone discuss with you what Mr. Madison had said?

22 A No.

23 Q Not at all?

24 A No.

25 Q Okay. Your relationship with Mr. -- you're a fiancée.

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1 Right?

2 A Yes.

3 Q And when did that -- when did you become a fiancée?

4 A Before there -- before we was arrested.

5 Q Okay. So before February of '13.

6 A Yes.

7 Q Okay. And it's my understanding that you -- you first came
8 up here in May of 2011?

9 A Correct.

10 Q As a -- as a courier.

11 A Yes.

12 Q And you've indicated in some of the free talks that you --
13 you transitioned over the next eight or nine months to a
14 distributor.

15 A Yes.

16 Q And -- and you did that -- you requested to be able to do
17 that, did you not?

18 A Well, yeah. I asked. Yes.

19 Q And you asked Haynes if you could do that so that you could
20 make more money.

21 A Yes.

22 Q You realized how much money was involved in this and,
23 geeppers, you wanted to make some of it.

24 A Correct.

25 Q Okay. Now, initially, you were charged with the continuing

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1 criminal enterprise. Is that correct?

2 A Yes.

3 Q As an organizer, supervisor, or manager. Correct?

4 A Yes.

5 Q Now, the prosecutor's gone through and had you describe all
6 these other people and whether they were a distributor or a fade
7 or a courier or whatever. Right?

8 A Yes.

9 Q Okay. And they didn't ask you what your role was. How
10 would you describe your role looking back on it?

11 A A carrier/distributor.

12 Q Okay. So, even though you have all this information that
13 you've imparted to the jury, you still would consider yourself a
14 distributor/courier.

15 A Yes.

16 Q All right. And you mentioned at some point that you were
17 raised in south central Los Angeles area?

18 A Yes.

19 Q And you were jumped into the Eight Treys?

20 A I never mentioned I was jumped in.

21 Q I'm sorry. How did you get in?

22 A I was adopted and taken under another Eight Trey
23 Gangster's wings at time.

24 Q All right. And how old? You were how old? 14 or 15?

25 A No. I was about 17.

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1 Q Seventeen years old. All right. And can you describe to
2 the jury the density of the population in south central Los
3 Angeles?

4 A You mean as far as in --

5 Q Well, is it a -- it's a pretty big city.

6 A Yes, it is.

7 Q And that area in south central where the Eight Trey Crips
8 operated was pretty densely populated. Correct?

9 A Yes.

10 Q All right. And quite different than it is here in Spokane?

11 A Yes.

12 Q In other words, the population is extremely larger down
13 there.

14 A Correct.

15 Q Right. And there were other gangs that were working or
16 operating in that general area. Correct?

17 A Yes.

18 Q Are you familiar with the Rollin 60s?

19 A Yes.

20 Q And are they in that same area?

21 A No. They further down.

22 Q Further down but still in south central.

23 A Yes.

24 Q Okay. And how many other gangs are there? The
25 Neighborhood Crips? Are they there?

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- 1 A Those are the same. They were the same category. The 60s
2 are the Neighborhood Crips.
- 3 Q Okay. So they're in the same populated area.
- 4 A Yes.
- 5 Q Okay. And the Gangster Crips?
- 6 A That could be considered numerous Gangsters, yes.
- 7 Q Okay. How about the East Coast Crips?
- 8 A Yeah. That would be the east side of Los Angeles.
- 9 Q Close by?
- 10 A Yes.
- 11 Q And how about the Menlo Park Crips?
- 12 A Yeah. Still south central.
- 13 Q The Main Street Mafia Crips?
- 14 A Yes.
- 15 Q Are you familiar with them?
- 16 A Yes.
- 17 Q And the 92 Hoover Criminal Gang?
- 18 A Yes.
- 19 Q Another group of crips that are there, or are they crips?
- 20 A Somewhat, Yes.
- 21 Q Okay. And the 94 Hoover Criminals Gang?
- 22 A Yes.
- 23 Q They operate in the same area?
- 24 A Yes.
- 25 Q And the 99 Watts Mafia Crips. Are you familiar with them?

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- 1 A Yes.
- 2 Q How about the 94 Van Ness Gangsters Crip?
- 3 A No, I'm not familiar with them.
- 4 Q You're not familiar with them?
- 5 A No.
- 6 Q Okay. How about the Harvard Park Brims?
- 7 A No.
- 8 Q Denver Lane Bloods?
- 9 A Yes.
- 10 Q You're familiar with them?
- 11 A Yes.
- 12 Q They operate in the same area, do they not?
- 13 A South central area, yes.
- 14 Q Right. The Hoover Criminals?
- 15 A South cental, yes.
- 16 Q You familiar with them, too?
- 17 A Yes.
- 18 Q And Sureños?
- 19 A No.
- 20 Q You're not familiar with them? Were some of the Hispanic
- 21 groups negative with the Eight Treys? Was there negative
- 22 influence between the two?
- 23 A Not that I can recall.
- 24 Q When a person gains status -- and this is in Los Angeles --
- 25 within the Eight Trey Gangster Crips, how do they do that?

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1 A They get a reputation for themselves and their name.

2 Q They what?

3 A They build a reputation for themselves and with their name.

4 Q Is that mainly by way of fighting and violence?

5 A Correct.

6 Q And that's really how you gain respect within the Eight --
7 the Gangster Crips. Correct?

8 A Yes.

9 Q Are there other rival Gangster Crips down there?

10 A Yes.

11 Q And are there -- are there gangs that are rivals of each
12 other?

13 A Yes.

14 Q Okay. Now, the original charge you were informed of, did
15 you understand what the penalties were involved in that charge?

16 A A little --

17 MR. SMOOT: Objection.

18 THE COURT: Sustained. We aren't going to get into
19 that, Mr. Nollette.

20 MR. NOLLETTE: Your Honor, it goes to her interest in
21 this case and her testimony.

22 THE COURT: You can inquire as to motivation to
23 testify without --

24 MR. NOLLETTE: Okay.

25 Q (BY MR. NOLLETTE) Part of your motivation to testify in

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1 this case was to assist yourself as best you can. Correct?

2 A Yes.

3 Q And was that also because of the punishments involved in
4 the charges that were lodged against you?

5 A No.

6 Q Okay. You were advised as to what the punishment potential
7 was, were you not?

8 A Yes.

9 Q Okay. And one of the lawyers asked you a question with
10 regard to your -- well, strike that.

11 You -- you've been placed in custody and been in custody,
12 like most of the defendants, since February 28th. Correct?

13 A Yes.

14 Q And were you restricted with regard to having contact with
15 other defendants?

16 A No, I was not.

17 Q You weren't told not to have any contact with them?

18 A No.

19 Q But, during that period of time, you did have contacts over
20 30 times with Mr. Madison. Correct?

21 A Yes.

22 Q On telephone contacts.

23 A Yes.

24 Q And you did that through a three-way callings?

25 A Yes.

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1 Q Would you tell the jury how you'd do that? How you'd
2 accomplish that?

3 A We would call a number and -- at around the same time, and
4 we'd be -- the calls would be merged in so we could better
5 converse.

6 Q So you'd call a relative and that relative would call about
7 the same time and, then, hook those phones together?

8 A Yes.

9 Q Okay. Now, so, did you -- during that period of time, you
10 had extensive conversations with Mr. Madison, did you not?

11 A Yes.

12 Q And you discussed with him, did you not, what you were
13 gonna do?

14 A No, I didn't.

15 Q Okay. Did he discuss with you what he was going to do?

16 A No.

17 Q You didn't discuss this at all.

18 A No.

19 Q I see. Now, when you first came up here, you were a
20 courier. Correct?

21 A Yes.

22 Q And, as a courier, you were paid 500 or \$600. Right?

23 A Yes.

24 Q And, then, you -- you were able pretty quickly, what, over
25 eight or nine months, were you able to realize that there's a

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1 lot more money if you were -- had a better, bigger role.

2 Correct?

3 A Yes.

4 Q And, so, you sought from Haynes permission to be able to
5 engage in a higher role. Correct?

6 A Yes.

7 Q And he said that would be all right.

8 A Yes.

9 Q And, so, you had, at that time it's my understanding, one
10 plug in Los Angeles. Is that correct?

11 A Yes.

12 Q And, then, you would come up every three or four weeks and
13 sell those. Correct?

14 A Yes.

15 Q Would you sell them yourself?

16 A Yes, I did.

17 Q And were you able, then, to keep that money yourself?

18 A Yes.

19 Q And what did you do with that money?

20 A I took care of myself and my childrens with it.

21 Q I'm sorry?

22 A I took care of myself and my kids with it.

23 Q Right. Now, on the first trip, how much money were you
24 able to make where you were more than just a courier?

25 A About -- a little bit over \$2,000.

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1 Q About 2 -- over 2,000. Okay. And did that continue on the
2 next courier trip -- or the next distribution trip?

3 A Yes.

4 Q I'm sorry?

5 A Yes, it did.

6 Q It did. And, then, did that -- did you just keep that
7 money for yourself then?

8 A Yes.

9 Q You didn't have to give any money to anybody else.

10 A No, I didn't.

11 Q At some point, some of these people would give you pills to
12 sell for them. Correct?

13 A Yes.

14 Q And how did that -- tell the jury how you -- how the
15 financing worked in that. You didn't keep all that money, did
16 you?

17 A No, I didn't.

18 Q How did that break down then? Let's just say 100 pills.

19 A Yes, 100 pills. At the time, it was going for \$18.

20 Q Okay.

21 A So, when you sell 100 pills, you make 1,800. And, then,
22 off of each pill that I sold, I was instructed to keep \$2 off
23 each pill, which left me with 200; and I would return 1,600 to
24 the individual.

25 Q Okay. Then you give the 1,600 to whoever gave you the

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1 pills.

2 A Correct.

3 Q All right. And that went on, what, throughout this period
4 of time?

5 A For a little while.

6 Q After that -- pretty much after that what you did is you
7 said, "Wait a second. I -- if I get my own plugs, I'm gonna
8 make a lot more money."

9 A Correct.

10 Q And what did you do with that money on, let's say, a month
11 or two basis?

12 A I -- I saved most of it. Spent some of it.

13 Q Okay. And did you keep it in Spokane or did you --

14 A No. I took it home with me to Los Angeles.

15 Q Okay. And did you transport it the same way that you
16 transported other money?

17 A Yes.

18 Q You put it in your luggage?

19 A Yes.

20 Q Whether on a bus or whether on a plane.

21 A Correct.

22 Q Okay. Now, you've already talked about the different
23 independent people and the different groups of people that were
24 working together. Right?

25 A Yes.

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1 Q Okay. And the opportunity that you were given by
2 Mr. Haynes was so that you could make more money.

3 A Yes.

4 Q And he didn't have to take any of that, did he?

5 A No.

6 Q Okay. And you mentioned that Marlon Johnson, as far as you
7 knew, wasn't in the pill game. Correct?

8 A Correct.

9 Q All right. And same thing with Deandre Meighan?

10 A Correct.

11 Q And Ashley? You didn't know about that either.

12 A No.

13 Q Okay. Now, I know the prosecutor went through a whole
14 bunch of different people; and, then, in each one of those
15 cases, you indicated what -- your understanding of the role.
16 Correct?

17 A Yes.

18 Q All right. Now, over the period of meetings with the
19 Government and the prosecutors over the last year, they have
20 sort of focused it down, have they not?

21 A Meaning?

22 Q The questions that they ask you about.

23 A No, it kind of stayed the similar or the same.

24 Q Okay. I mean, they directed you as to what they wanted to
25 have -- information they wanted from you. Correct?

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1 A No, they asked me about everybody.

2 Q Okay. For example, on Mr. Chavez, for example, at some
3 point they wanted to know about whether or not he was using the
4 pills himself. Correct?

5 A Yes.

6 Q And you gave an opinion.

7 A Yes.

8 Q Okay. And how about Ms. Glass? Do you have any idea as
9 to -- you don't have any knowledge of her being involved in any
10 game. Right?

11 A Correct.

12 Q Okay. Now, a lot of the information -- wouldn't it be fair
13 to say that a lot of the information that you provided has to do
14 with information that you've obtained after your arrest?

15 A Wrong. I was doing the -- it was my knowledge. Something
16 I seen and I was participating in.

17 Q Okay. But the ones that you didn't have knowledge of, the
18 ones I've already listed and Mr. Hormel has -- has asked you
19 about, you didn't have any information even now about them.
20 Correct?

21 A Correct.

22 Q Okay. Same thing with Leslie Martin?

23 A Correct.

24 Q And Diamond McDonald?

25 A Correct.

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1 | Q Correct? Now, you hung out with Ms. Reeves?

2 | A Yes.

3 Q Pretty much. And there was three of you together, pretty
4 much. Three women socializing?

5 | A Three women? No.

6 | Q It was you -- just you and Reeves?

7	A	Yes.
---	---	------

8 Q Okay. And, during that period of time, your drug of choice
9 was marijuana. Right?

10 | A Yes.

11 Q And you were using a lot of marijuana during that period of
12 time.

13 | A Yes.

14 Q Okay. In fact, you don't -- you didn't use these pills
15 that you brought up.

16 | A No.

17 Q Okay. Now, let's say that you had -- while you were now a
18 bigger player being able to make more money after the first
19 several months, did you acquire more plugs?

20 | A After a while, yes.

21 Q And let's say in the fall of '11 or the early part of '12,
22 how many different plugs did you have in Los Angeles?

23 | A It accumulated from one to three.

24 Q I'm sorry? One?

25 | A From one to three.

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1 Q Okay. And how many pills would they be able to provide
2 you?

3 A They was only getting 'em on a monthly basis. And those
4 were in the amount 60 to 90 at a time.

5 Q So you might have 250, 300 pills?

6	A	Yes.
---	---	------

7 Q And, then, you'd bring those up yourself.

8 | A Yes.

9 Q Okay. And that would amount to about, what, 5,500 to
10 \$6,000?

11 | A About 5,000, yes.

12 Q Would you bring them up yourself?

13 | A Yes.

14 Q So you didn't have to pay a courier.

15 | A No, I didn't.

16 Q Okay. So -- and that money, then, was then yours. Right?

17 | A Yes.

18 Q Would that be a fair statement as it relates to other
19 people that were involved in this pill game; that the money that
20 they obtained was their money?

21 | A Yes.

22 Q Okay. Now, part of your -- your plea agreement required
23 that you testify. Right?

24 | A Yes.

25 Q And -- and that testimony -- your testimony and -- is part

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1 of what they're going to recommend with regard to sentence. Is
2 that true?

3 | A I have no knowledge of that.

4 Q Didn't some of the free talks before you sort of started
5 that that issue of "Gee, what am I gonna get out of this" come
6 up?

7 A To myself but not to them. I didn't discuss that with
8 them.

9 Q Well, it was brought up at the start of a couple of free
10 talks, was it not?

11 | A Not that I can remember.

12 Q Not that you remember. Okay. Candidly, you tried to help
13 yourself. Right?

14 | A Basically, yes.

15 Q Right. And you've gone through a whole bunch of phone
16 calls today and yesterday. Correct?

17 | A Yes.

18 Q All right. And you -- none of those calls involved --
19 involved Mr. Carmen. Correct?

20 | A Yes.

21 Q Okay. And the information that you had with regard to what
22 was going on before May of '11, or even the summer of '11, was
23 information you obtained from other people. Correct?

24 | A Yes.

25 Q All right. And, then, you were up here and down in Los

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- 1 Angeles for the next year or so. Correct?
- 2 A Yes.
- 3 Q All right. And -- and the bottom line was that the
- 4 money -- if you made the money, you kept the money for yourself.
- 5 Correct?
- 6 A Yes.
- 7 Q Okay. And that applied to anybody that was out there?
- 8 A Yes.
- 9 Q Okay. And you described an incident where there was almost
- 10 a feeding frenzy at a parking lot, I think, is the way I heard
- 11 it. There was a whole bunch of people and --
- 12 A Yes.
- 13 Q Do you remember that? And did you know all the people that
- 14 were there in that lot selling pills?
- 15 A I knew a couple of them, yes.
- 16 Q But there were other people that you didn't know. Correct?
- 17 A Yes.
- 18 Q And, so, during the fall of '11 and for sure in the year of
- 19 2012, word got out in Los Angeles sort of the gold rush that was
- 20 happening in Spokane?
- 21 A Yes.
- 22 Q Now, it wasn't just in Spokane either, was it? There were
- 23 other cities in the country that were having that same --
- 24 A Not to my knowledge.
- 25 Q Not to your knowledge. Well, aren't you familiar what went

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S. HORN/CR - NOLLETTE

1445

1 on in Atlanta?

2 A No, I'm not.

3 Q Okay. You're not.

4 A No.

5 Q Okay. Now, have you been -- since your arrest, you've been
6 transported from place to place in vans. Correct?

7 A Yes.

8 Q And some of those times you were transported with other
9 codefendants. Correct?

10 A Yes.

11 Q And some of the time you were transported with Mr. Madison?

12 A No. Just once.

13 Q Just once?

14 A Yes.

15 Q When was that?

16 A When I was transported to Davenport where I'm housed now.

17 Q Just this last weekend you mean?

18 A Well, a couple of weeks ago, yes.

19 Q Okay. And so you had an opportunity to talk with him at
20 that time.

21 A Yes.

22 MR. NOLLETTE: That's all the questions I have. Thank
23 you.

24 THE COURT: Mr. Lee.

25 MR. LEE: Yes, your Honor.

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S. HORN/CR - LEE

CROSS EXAMINATION

1
2 CROSS BY MR. LEE:

3 Q Ms. Horn, before I get into specifics, I'm gonna ask you a
4 couple questions about some testimony you gave. Okay?

5 Now, during the course of your testimony, you talked about
6 the pill game. You used that phrase quite a bit. Right?

7 A Yes.

8 Q Correct? And you're talking about, in general, people
9 selling pills in the Spokane area. Right?

10 A Yes.

11 Q And those are people that -- some are Eight Treys?

12 A Yes.

13 Q Some aren't?

14 A Yes.

15 Q Some are involved in this case or indicted.

16 A Correct.

17 Q Some aren't.

18 A Yes.

19 Q Some that -- potentially, people that you don't even know
20 about are selling in Spokane.

21 A Yes.

22 Q It's -- it's a pretty big market here. Right?

23 A Yes.

24 Q And that's, in fact, why people came up here from Los
25 Angeles.

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S. HORN/CR - LEE

1447

- 1 A Yes.
- 2 Q I think your own words were "everyone is doing their own
3 thing." Is that right?
- 4 A Yes.
- 5 Q Because it's about the money.
- 6 A Yes.
- 7 Q If there's -- you know, if -- if you do things yourself,
8 there's more money in that, isn't there?
- 9 A Correct.
- 10 Q And you -- if you can develop your own sources?
- 11 A Yes.
- 12 Q Your observe fades?
- 13 A Yes.
- 14 Q It's when you start getting other people involved that you
15 have to share.
- 16 A Yes.
- 17 Q Now, your fiancée is Gilbert Madison. Right?
- 18 A Yes.
- 19 Q How long have you been with him?
- 20 A Going on four years now.
- 21 Q All right. So you know him pretty well.
- 22 A Yes.
- 23 Q Did you know him before then?
- 24 A Yes, I did.
- 25 Q He -- he gave testimony previously. You're aware of that?

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S. HORN/CR - LEE

1448

- 1 A I am now, yes.
- 2 Q He's pretty high up? As far as selling pills, he's a
- 3 pretty big player?
- 4 A I wouldn't really say that.
- 5 Q You would say he's not a big player?
- 6 A Yes.
- 7 Q And what is that based on? The amount?
- 8 A Yes.
- 9 Q How many -- how much money do you think he made in, say, a
- 10 week in Spokane?
- 11 A I can't really say.
- 12 Q You -- you don't want to say or you don't know?
- 13 A I can't really say. I don't really know.
- 14 Q But you were with -- you were with him --
- 15 A Yes.
- 16 Q -- the last four years. He's your fiancé. And you're
- 17 saying you don't know how much money he's making.
- 18 A Not a week in Spokane, no.
- 19 Q Do you talk to him about business?
- 20 A Sometimes.
- 21 Q Sometimes? How -- how often?
- 22 A It wasn't that often.
- 23 Q This is a pretty big part of your life. Right? This --
- 24 this pill game. This selling.
- 25 A Yes.

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S. HORN/CR - LEE

1449

1 Q But you didn't -- you only talked to him a little bit?

2 A Yeah. I didn't -- I never asked him questions. Certain
3 questions I didn't asked him.

4 Q So the whole selling of pills wasn't a big part in your
5 lives?

6 A Not in our lives as in our relationship. But, yes, we
7 played a part in it.

8 | Q But not enough to justify talking about it?

9 | A No.

10 Q And you don't know how much money that he would make at any
11 given time?

12 | A Sometimes, yeah.

13	Q	Okay.
----	---	-------

14 | A But I can't say a week.

15 Q Okay. Give me a figure. Throw a figure out there.

16 A Maybe about 15, 20,000.

17 Q In how much of a time? What time frame are we talking
18 about?

19 | A Every -- like every -- often.

20 | Q Every -- how -- is that a week? A month?

21 | A Sometimes a month.

22 Q Sometimes a month?

23 | A Yes.

24 | Q Sometimes is it more than that?

25 | A Could be, yes.

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S. HORN/CR - LEE

1450

1 Q Okay. And you don't consider that a big player?

2 A No.

3 Q That's a meaningless amount of money?

4 A Yes.

5 Q Were you making more?

6 A No.

7 Q Now -- but he's -- and, in the Eight Treys -- I guess,
8 let's back up a little bit. In the Eight Treys, he's -- he's
9 pretty high up. Right?

10 A Yes.

11 Q All right. Now, you've had -- and I have five interviews,
12 but you had mentioned a sixth. So, just to clarify this, you
13 had an interview just this last Saturday with the Government?

14 A Yes.

15 Q And how long was that?

16 A It was for a few hours.

17 Q A few hours? All right. And you talked about your
18 testimony?

19 A Not really. Just went over the basic things that they had
20 already asked me in prior -- to other interviews.

21 Q Stuff they were going -- testimony. Stuff they were going
22 to ask you.

23 A Yes.

24 Q Now, the interviews -- and I won't rehash the exact dates,
25 but you had five interviews prior to that with the Government.

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S. HORN/CR - LEE

1451

1	A	Yes.
---	---	------

2 Q Right? And, at each interview -- each time that -- they
3 asked a lot of detailed questions. Right?

4 | A Correct.

5 | Q They wanted to know all these connections.

6	A	Yes.
---	---	------

7 | Q And who was involved with who.

8 | A Yes.

9 Q "Did this person distribute for this person?" Right?

10	A	Yes.
----	---	------

11 Q "What did this person do?"

12 | A Yes.

13 Q "Was this person a courier?"

14 | A Yes.

15 Q "And who were they a courier for?"

16 | A Yes.

17 Q All right. And, skipping to that first -- or going back to
18 that first interview, that very first time you spoke to
19 officers, the prosecutors weren't there at that time. Right?

20 | A No.

21 Q And there were a bunch of officers?

22 | A Yes.

23 Q Do you remember how many?

24 | A Two.

25 | 0 Two? And that was recorded?

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S. HORN/CR - LEE

1452

1 A I believe so, yes.

2 Q And, at that point in time, they stressed to you, "Oh,
3 there's a need -- there's a need to be truthful." Right?

4 A Yes.

5 Q And, at that point, in fact -- and you earlier testified
6 you that weren't. Right?

7 A No.

8 Q Okay. And you also testified about your need to be
9 truthful at this hearing. Right?

10 A Yes.

11 Q So both were -- you were supposed to be truthful on both
12 occasions. Right?

13 A Yes.

14 Q You weren't on the first one.

15 A No.

16 Q Now -- and those interviews. Long interviews?

17 A Some of them, yes.

18 Q How -- how long was the longest interview?

19 A Maybe around five hours.

20 Q Five hours? Did any of the interviews having to get
21 continued for the following day, or it was just all in one day?

22 A It was in one day.

23 Q And that's because of, as I indicated, you're -- you're
24 having to give a lot of detail. They're asking a lot of
25 questions.

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S. HORN/CR - LEE

1453

1 A Correct.

2 Q Now, would you say, in your testimony that you've just
3 given over the last -- there were times when you were untruthful
4 in your testimony?

5 A Only in the very first one.

6 Q I'm talking about your testimony in front of the jury.

7 A Oh, no. There's not times that I wasn't truthful.

8 Q Oh, there's not a time?

9 A No.

10 Q All right. You mentioned at the beginning about your
11 criminal history.

12 A Yes.

13 Q Right? And your statement was "I've only been convicted of
14 a" -- I think it was a misdemeanor forgery.

15 A No, I didn't say, "only." I stated all my criminal
16 history.

17 Q But you said -- but did you only state the misdemeanor
18 forgery?

19 A No.

20 Q Did you say anything else to the jury?

21 A Yes.

22 Q What did you say?

23 A I said my first arrest was a misdemeanor weed charge.

24 Q Misdemeanor weed. Okay.

25 A Yes.

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S. HORN/CR - LEE

1454

1 Q So you -- you mentioned misdemeanor weed for one, and you
2 mentioned a misdemeanor forgery.

3 A Yes.

4 Q Okay. But weren't you convicted of a possession of cocaine
5 for sale charge --

6 A Yes.

7 Q -- in Los Angeles?

8 A Yes.

9 Q That's something completely different.

10 A Yes.

11 Q And you didn't tell that to the jury.

12 A Not that I remember, no.

13 Q And that's a felony.

14 A Yes.

15 Q Now, this plea agreement -- actually -- well, earlier --
16 earlier in your testimony you were shown a bunch -- a bunch of
17 pictures from -- they said Instagram. Right?

18 A Yes.

19 Q I think it might be Facebook, but one of those social media
20 services.

21 A Yes.

22 Q All right. Now, during that, you were -- there was shown
23 pictures of money. Like, there was pictures of money. People
24 flashing money. Right?

25 A Yes.

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S. HORN/CR - LEE

1 Q And you had made the statement that "I never posted
2 anything about money." Like, "I don't have any pictures of
3 money on there."

4 A Yes.

5 Q All right. Was that -- was that true?

6 A Yes.

7 Q And this --

8 MR. LEE: What I'm showing her is Government
9 Exhibit 38-14b, and it was previously published to the jury. So
10 I'm asking that it be published to the jury.

11 MR. SMOOT: Your Honor, this -- this was not published
12 to the jury. It's not admitted.

13 THE COURT: Is this admitted?

14 MR. LEE: It's not admitted but it was shown to the
15 jury. It was published to the jury.

16 THE COURT: Not "b," though.

17 MR. LEE: Not "b"? Okay. Well, for the witness only
18 then. And, for the record, it's Government's Exhibit 38-14b.
19 Yeah. I'm trying to find a way to -- does somebody know how
20 to -- I always hate technology. Okay. There we go.

21 Q (BY MR. LEE) Do you recognize that picture?

22 A Yes.

23 Q Is that a picture of money?

24 A Yes.

25 Q Is that on your Facebook?

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1456

1 A Yes.

2 Q All right. So you weren't being truthful to the jury when
3 you said you didn't have any pictures of money.

4 A That I can remember, yes. I did say that.

5 Q Okay. Now, you entered into a plea agreement with the
6 Government. Correct?

7 A Yes.

8 Q And you did review that plea agreement?

9 A Yes.

10 Q And that's -- if I said that was a 39-page plea
11 agreement --

12 A Possibly, yes.

13 Q All right. A lot of conditions in there?

14 A Yes.

15 Q On a lot of different sections?

16 A Yes.

17 Q All right. And that entailed you pleading to conspiracy.
18 Right?

19 A Yes.

20 Q In fact, in this particular case, as far as the indictment,
21 you had three charges.

22 A Yes.

23 Q Is that right? You were charged with a continuing criminal
24 enterprise. Right?

25 A Yes.

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1457

1 Q That was Count 1. A conspiracy to distribute was Count 2.
2 Right?

3 A Yes.

4 Q Count 3 was distribution of OxyContin?

5 A Yes.

6 Q Right? So, by this plea agreement, you're pleading guilty
7 to Count 2 only. Right?

8 A Yes.

9 Q Count 1, the continuing criminal enterprise, that's being
10 dismissed if you cooperate.

11 A No.

12 Q No?

13 A That wasn't what it -- it was stated to me.

14 Q Are you pleading guilty to the continuing criminal
15 enterprise?

16 A No.

17 Q Okay. What do you think happened to the continuing
18 criminal enterprise?

19 A Well, it was dismissed; but it wasn't in discussion as far
20 as my cooperation.

21 Q Is it -- was that provision contained in the plea
22 agreement?

23 A That it was going to be dismissed? Yes.

24 Q Okay. Now, let's go over specific parts of this plea
25 agreement then. Okay? The Defendant -- No. 7. The defendant

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1 | agrees to cooperate completely and truthfully with the United
2 | States. Correct?

3 | A Yes.

4 Q That was in there? Defendant agrees, if the defendant
5 breaches this plea agreement, the agreement's null and void and
6 you waive the right to challenge any additional charges for any
7 criminal activity. Right?

8 | A Yes.

9 Q That was part of the plea agreement?

10 | A Yes.

11 Q Dismissal. At the time of sentencing -- which you haven't
12 been sentenced yet. Right?

13	A	No.
----	---	-----

14 Q You're not going to be sentenced until after you give
15 testimony. Is that your --

16 | A Yes.

17 Q Is that your understanding? At the time of sentencing
18 based on the defendant's agreement to cooperate, the United
19 States agrees to move at sentencing to dismiss Count 1 of the
20 indictment, which charges the defendant with engaging in a
21 continuing criminal enterprise. Right?

22 | A Yes.

23 | Q So that's actually in the agreement.

24 | A Yes.

25 Q So, to fulfill this agreement -- if you fulfill this

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S. HORN/CR - LEE

1459

1 agreement, that continuing criminal enterprise charge gets
2 dismissed.

3 A Yes.

4 Q And you know that. You're aware of that.

5 A Yes, I am.

6 Q All right. Skipping into the plea agreement. If the
7 defendant fully complies with the cooperation agreement, the
8 United States agrees to recommend not more than 180-month term
9 of imprisonment. Right?

10 A Yes.

11 Q If the defendant fails to comply with cooperation
12 agreement, the United States reserves the right to recommend any
13 term of imprisonment up to the statutory maximum. Right?

14 A Yes.

15 Q What is your understanding of the statutory maximum?

16 A Twenty years.

17 Q What about the continuing criminal enterprise?

18 MR. SMOOT: Objection, your Honor.

19 MR. LEE: And if -- if I can, your Honor, the --

20 THE COURT: Well, I -- I'm not sure you know.

21 MR. LEE: That I know or that she knows?

22 THE COURT: I'm -- I'm going to sustain the objection
23 if you're getting into the CCE penalty phase.

24 Q (BY MR. LEE) The continuing criminal enterprise charge,
25 that Count 1, that's a more serious charge than the conspiracy

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S. HORN/CR - LEE

1460

1 | charge. Right?

2	A	Yes.
---	---	------

3 Q And it carries with it a more heavy penalty as far as you
4 know.

5	A	Yes.
---	---	------

6 | Q So pretty big incentive to provide important testimony?

7 | A Yes.

8 Q And, as far as sentencing goes, the -- your understanding
9 is your sentence will depend upon your testimony.

10 | A I don't look at it that way.

11 Q So, if you didn't -- well, let me ask you this: If you
12 didn't have anything to say about anybody, do you think you'd
13 get a lighter sentence?

14	A	Possibly.
----	---	-----------

15 Q So you would just enter into a cooperation agreement
16 without knowing what you're going to get.

17	A	Correct.
----	---	----------

18 Q Now, you had went over a bunch of calls. Right?

19 | A Yes.

20 Q And that was with the Government and in testimony.

21 | A Yes.

22 Q Let me reference some of these calls. Call -- a call from
23 August 13th of 2012. I don't know if the date's too important,
24 but it's between you and Madison. In that call, you were
25 actually speaking about business with Madison. Right?

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1461

1 A Yes.

2 Q Okay. So you did have conversations with Madison even over
3 the phone about selling.

4 A Yes.

5 Q Call No. -- or date August 15th of 2012 there was a call
6 between you and Haynes. Do you recall that call? It's -- let
7 me -- let me refresh your memory. You were discussing prices to
8 set in the area --

9 A Yes.

10 Q -- and trying to get people together to establish these
11 prices.

12 A Yes.

13 Q All right. And do you have any knowledge if there was
14 meetings prior to that to try and establish prices with people
15 selling in the area?

16 A Not to my knowledge. If it didn't involve me, I wouldn't
17 know about it.

18 Q Have there -- had there been talk?

19 A That maybe this happened prior before?

20 Q Yeah. About wanting to have other meetings.

21 A Not really.

22 Q Okay. Just that one time?

23 A Yes.

24 Q Mr. Blackmon wasn't invited to that meeting, was he?

25 A No.

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1462

1 Q Now, again, you've had six meetings now with the
2 Government --

3 A Yes.

4 Q -- about your testimony. Right?

5 A Yes.

6 Q You gave testimony earlier that you didn't know any other
7 Pacos in the area.

8 A Correct.

9 Q Is that truthful?

10 A Yes.

11 Q What about Damian Johnson?

12 A I don't know who that is.

13 Q You don't know Damian Johnson?

14 A No.

15 Q Do you remember in the interviews that you had with the
16 Government --

17 A Yes.

18 Q -- mentioning the name "Damian Johnson"?

19 A No.

20 Q You don't remember at all? And, so, I'm going to give you
21 some reference. Okay? Do you remember an interview on
22 June 12th of 2014?

23 A I remember interviews. I don't remember the dates.

24 Q And these interviews -- officers were present at the time.
25 Right?

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S. HORN/CR - LEE

1463

1 A Yes.

2 Q So, if I said, Officer Sullivan was there at that
3 particular time, do you recall that?

4 A Yes.

5 Q How about Officer Meyer?

6 A Yes.

7 Q The prosecutors?

8 A Yes.

9 Q They were all present?

10 A Yes.

11 Q And there was somebody taking notes?

12 A Yes.

13 Q At that meeting, do you recall being shown a picture of a
14 person and identifying that person as Damian Johnson?

15 A No.

16 Q Also known as Lil Paco?

17 A No.

18 Q What about January 13th of 2014? Do you recall a meeting
19 then?

20 A Possibly, yes.

21 MR. SMOOT: Your Honor, could the Government see what
22 the counsel is referring to?

23 (Discussion off the record)

24 MR. SMOOT: Your Honor, I'm going to move to strike
25 the references to "Lil Paco" and "Damian Johnson" as

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1464

1 misrepresentation of the conversation.

2 MR. LEE: And the only objection I have is -- at least
3 my argument is it's not a misrepresentation, but there's also
4 two officers who were present.

5 THE COURT: Well, let's talking about that in the
6 morning. Okay?

7 MR. LEE: Okay.

8 THE COURT: And I'll -- remind me. I'll reserve that
9 request, Mr. Smoot. Go ahead, Mr. Lee.

10 MR. LEE: Okay.

11 Q (BY MR. LEE) You had mentioned in the testimony that you
12 saw Mr. Blackmon driving a Charger around.

13 A Yes.

14 Q Is that correct? Is that, in fact, his girlfriend's
15 Charger?

16 A Yes.

17 Q And it's fiancée? Ex-fiancée? Is that -- do you -- or do
18 you have any knowledge of that?

19 A I have no knowledge of any fiancée or anything.

20 Q But you did see -- you did see him hanging around a female.

21 A Well, he told me it was his girlfriend. So, yes.

22 Q Okay. You had also talked about Amber. Amber Branch. And
23 you know that person. Right?

24 A Yes.

25 Q That's a person that actually hangs around a lot of people?

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- 1 A Yes.
- 2 Q Sleeps around?
- 3 MR. SMOOT: Objection. Relevance.
- 4 Q (BY MR. LEE) A lot of social connections.
- 5 A Yes.
- 6 Q Is -- are -- are some of those people in the indictment?
- 7 A Yes.
- 8 Q Joseph Shorts?
- 9 A He's not in the indictment.
- 10 Q You don't know? Well, does she hang around Joseph Shorts?
- 11 A Yes.
- 12 Q Turner?
- 13 A Yes.
- 14 Q Glen Turner? And you actually had spoken to the Government
- 15 about Amber Branch during those meetings, right? Those
- 16 interviews?
- 17 A Yes.
- 18 Q And you gave a lot of detail on Ms. Branch.
- 19 A Yes.
- 20 Q At any time -- and -- and let's -- during those -- those
- 21 five meetings, at any time did you mention, "Oh, yeah.
- 22 Mr. Blackmon actually -- she sells pills for Mr. Blackmon"?
- 23 A I don't remember. I remember stating that I knew that she
- 24 was in a relationship with Mr. Blackmon.
- 25 Q And she was in a social relationship. Right?

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S. HORN/CR - LEE

1466

1 (Interruption by the reporter)

2 Q (BY MR. LEE) Sorry. She was in a social relationship with
3 Mr. Blackmon. Right?

4 A As well as intimate, yes.

5 Q Well, that -- that's what I meant by "social," but --

6 A Yes.

7 Q And, so, you -- you don't remember if you had -- had said
8 any of that during the interviews?

9 A No, I don't remember.

10 Q Would anything refresh your recollection?

11 A Maybe.

12 Q If I showed you the -- the interview, the notes from the
13 officer during that interview --

14 MR. SMOOT: Objection.

15 MR. LEE: I can refresh the witness's recollection.
16 Right?

17 THE COURT: Well, just ask her is there -- just ask
18 her if she said that or didn't say that. I'm not sure I
19 understand your question, Mr. Lee.

20 Q (BY MR. LEE) Did you ever say in the interview, any of the
21 interviews, that Mr. Blackmon had Ms. Branch distribute pills
22 for him?

23 A I don't remember.

24 MR. LEE: And, at this point, I would still ask to --
25 for an ability to refresh the witness's recollection.

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1 MR. SMOOT: Your Honor -- your Honor, I would object.
2 It's not -- it's not anything that she's drafted or written.
3 It's not her report.

4 THE COURT: It's not. We can discuss that again in
5 the morning, but I'm inclined to sustain the objection to that.

6 MR. LEE: Okay.

7 Q (BY MR. LEE) Now, you had brought up the name "Trent." A
8 fade.

9 A Yes.

10 Q Okay. And you had provided testimony that Mr. Blackmon
11 sold to him, like, before you could get to him I think is what
12 you said. Right?

13 A It was inside of a phone conversation, yes.

14 Q Now, your testimony was that you came up and this Trent was
15 getting out of Mr. Blackmon's car or Mr. Blackmon was getting
16 out of his car? What --

17 A It was a conversation me and Mr. Haynes was having. And I
18 just told him that, yes, I went to meet Trent. When I got
19 there, he was getting out of the car from dealing with
20 Mr. Blackmon.

21 Q And, again, in your five interviews with the Government,
22 did you ever -- do you recall ever mentioning that?

23 A Yes, because I went over the phone calls. So, yes.

24 Q Which -- which date?

25 A I don't know which date.

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1468

1 Q All right. But, on one of those dates, your recollection
2 is "Yes, I did."

3 A Yes.

4 Q "We did talk about that."

5 A Yes.

6 Q In the phone call -- in that phone call where you're
7 talking -- this one you're actually talking to Mr. Blackmon.
8 Right? I'm referencing one of the phone calls that was played
9 earlier where you're asking him about Vicodin?

10 A Yes.

11 Q In that call, you were asking if he knew anybody that
12 wanted Vicodin. Right?

13 A Yes.

14 Q Not OxyContin.

15 A Yes.

16 Q Those are two different pills. Right?

17 A Yes.

18 Q They -- they cost different amounts?

19 A No. Same amount.

20 Q Oh, you think they cost the same amount?

21 A Yes.

22 Q How much does a Vicodin go for?

23 A That type of Vicodin -- it went for 10, \$12. Just the same
24 as price as the oxys in California.

25 Q Okay. Do they look different?

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1 A Yes.

2 Q Do they have a different affect on people, at least to your
3 knowledge?

4 A That's something I wouldn't be able to tell you.

5 Q Do people seem to want OxyContin more than the Vicodin?

6 A Yes.

7 Q Because you said earlier that, you know, those pills really
8 aren't in as high of demand.

9 A Yes.

10 Q So, going back to the call, you -- you asked Mr. Blackmon
11 if he knew anybody that wanted Vicodin pills.

12 A Yes.

13 Q All right. And, in fact -- and the phone call ended, but
14 you never met up with Mr. Blackmon.

15 A No.

16 Q He never tried to contact you.

17 A No.

18 Q He never contacted you the next day, say, "Hey, what about
19 those pills?"

20 A No.

21 Q You don't actually know much about Mr. Blackmon. Right?

22 A Personally, no.

23 Q You actually -- he -- he keeps to himself.

24 A Sometimes, yeah.

25 Q And he oftentimes times doesn't even hang out with the

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1 other Eight Treys. Is that right?

2 A Sometimes.

3 Q He has other people that he hangs out with.

4 A I would guess, yes.

5 Q In fact, his fiancée is one of those people or --

6 A Yes.

7 Q You actually would have no idea where he would get pills.
8 Right?

9 A No.

10 Q Because Haynes didn't get pills.

11 A Not to my knowledge.

12 Q Madison didn't.

13 A Not to my knowledge.

14 Q Carmen didn't.

15 A Not to my knowledge.

16 Q And you've had conversations with Haynes. Right? About
17 business? About selling?

18 A Yes.

19 Q You've had conversations with Mr. Madison, your fiancée.

20 A Yes.

21 Q You've had conversations with Mr. Carmen. Right?

22 A In the beginning, yes.

23 Q Okay. Mr. Blackmon -- he didn't -- you had mentioned, I
24 think, was it three addresses that you were moving around in
25 there? How many places did you stay in?

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1 A Four.

2 Q To your knowledge, did Mr. Blackmon hang out at any four of
3 those addresses?

4 A No.

5 Q Would you see him kind of around town at restaurants with
6 his fiancée?

7 A Sometimes.

8 Q At one point there was some concern about Carmen even
9 labeling Mr. Blackmon a snitch. Right?

10 A I heard about that.

11 Q And -- and you talked about that in -- in the interviews
12 before. Right?

13 A About him being a snitch?

14 Q No, about Carmen thinking he was a snitch.

15 A Yeah.

16 Q Okay. What's a snitch?

17 A It's very different ones. Everyone's labeled a snitch in
18 different -- very different ways that they know that they think
19 that person's a snitch.

20 Q So a snitch is somebody that tells? Talks to the police?

21 A Yeah.

22 Q Maybe makes some controlled buys for the police?

23 A Yes.

24 Q So that's somebody that no one's going to want to hang
25 around with.

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1 A Not necessarily but you have some that choose not to.

2 Q Let me rephrase that. That's somebody that you wouldn't
3 want to do business with.

4 A Yes.

5 Q That'd be bad for business.

6 A Yes.

7 Q And, to your knowledge, would that apply to other people
8 that are -- that are dealing?

9 A Not to my knowledge.

10 MR. LEE: I don't have any more questions. Thank you.

11 THE COURT: Redirect?

12 MR. SMOOT: Yes, your Honor. Your Honor, the United
13 States would move to admit Exhibit -- Government Exhibit 38-14b.
14 It was shown to the witness earlier and as --

15 THE COURT: Any objection, Mr. Hormel?

16 Mr. Christianson?

17 MR. HORMEL: No objection. No objection.

18 THE COURT: Mr. Nollette?

19 MR. NOLLETTE: I just want to review it, Judge, just a
20 second.

21 MR. CHRISTIANSON: No objection by Mr. Tones.

22 MR. LEE: No objection.

23 MR. NOLLETTE: No objection.

24 THE COURT: Admitted.

25 (Exhibit No. 38-14b admitted into evidence)

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1 MR. SMOOT: Publish, please.

2

3

REDIRECT EXAMINATION

4 REDIRECT BY MR. SMOOT:

5 | Q Ms. Horn, you were just shown this picture of money?

6 | A Yes.

7 Q And is this a picture you post on your Facebook?

8 | A Yes.

9 | Q Okay. Can you get a good look at that picture?

10	A	Yes.
----	---	------

11 | Q What kind of denominations of money do you see?

12 | A \$1 bills and \$5 bills.

13 Q Did you see other denominations in the case? Excuse me.

14 In your involvement in the pill game, did you see other
15 denominations?

16	A	Yes.
----	---	------

17 Q Okay. What types of denominations did you see in your
18 suitcase?

19	A	50s, 100s, 20s, 10s.
----	---	----------------------

20 Q Ms. Horn, just -- just to -- I know you've asked and
21 answered this, but just to refresh our -- our recollection, when
22 did you come up to Spokane?

23	A	In 2011 of May.
----	---	-----------------

24 Q Okay. And where -- to your knowledge, were other people
25 involved -- in Spokane involved in the pill hustle before you

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- 1 came up?
- 2 A Yes, a couple.
- 3 Q Okay. And you -- had you heard that there was a hustle
- 4 going on in Spokane before May, 2011?
- 5 A Yes.
- 6 Q Were you -- and how did you hear about it?
- 7 A I heard rumors and also heard it from Carmen, himself.
- 8 Q Okay. And what did Carmen tell you?
- 9 A He didn't really go into details. He used to call me,
- 10 frankly, just to check up on me. And, then, he asked was I
- 11 straight in the terms and as in was I okay or did I need
- 12 anything. And I used to tell him, like, "Oh, I'm kinda doing
- 13 bad, you know. I'm working over here, but I'm -- I lost this
- 14 job." Or my car broke down, and he help. And he indicated,
- 15 "Well, if you come up here and hang out with me here in Spokane,
- 16 you know, you won't have that problem."
- 17 Q Okay. What did that mean to you?
- 18 A Meaning if -- basically, come up here and hustle and, then,
- 19 I wouldn't have to worry about any financial problems.
- 20 Q Okay. You -- you indicated that, when you were adopted
- 21 into the Eight Treys, that some Eight Treys took you under their
- 22 wing.
- 23 A Yes.
- 24 Q That have something to do with that?
- 25 A I wouldn't say that. No.

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1 Q Okay. But you did indicate that, when you were adopted in,
2 it was at the time that you hung out with Carmen?

3 A Well, after a while, I met him, yes.

4 Q Okay. And Haynes?

5 A Yes.

6 Q And James.

7 A Yes.

8 Q Okay. So, during these conversations with Carmen about not
9 having those money problems if you came up to Spokane, did he
10 indicate --

11 MR. NOLLETTE: Objection. It's leading. There's no
12 foundation.

13 THE COURT: Sustained on the leading and ask a
14 preliminary question.

15 MR. SMOOT: I hadn't got to the question yet.

16 Q (BY MR. SMOOT) When you had those conversations, did
17 Mr. Carmen tell you anyone else that was involved?

18 A One -- one time he called me, and we had a small
19 conversation. He told me to hold on, and Mr. Haynes got on the
20 phone. So that was indicating that he was out there with Carmen
21 in Spokane.

22 Q Anyone else?

23 A No.

24 Q Did he mention Mr. Turner?

25 A No.

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1 Q Did he mention Mr. Miles?

2 A No.

3 Q Did he mention Nocomie Moore?

4 A No.

5 Q Did he mention Harry Johnwell?

6 A No.

7 Q What about Donald Lynch?

8 A No.

9 Q Okay. Did he mention anyone else as being involved in the
10 pill game prior to May, 2011, in your conversations, other than
11 Mr. Haynes?

12 A No.

13 Q Did you ask him?

14 A No, I didn't.

15 Q Why not?

16 A At that time, I wasn't curious.

17 Q Okay. And what -- what -- tell us about your conversation
18 with Mr. Haynes on the telephone.

19 A Once I found out that he was out there, speaking of
20 Spokane, it -- hustling, like, we had a conversation one time.
21 I told him -- I said, "Bro, I'm broke. I'm doing bad. I need
22 some help." Then he was, like, "I'll see what I can do for
23 you."

24 So, later down the line, he called me out the blue; and
25 said, "Sis, I can help you out with a little change if you do --

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1 if you come up this way." And I asked him what I need to do.

2 And he told me. And he say he was gonna have someone come meet
3 me, which was, he would bring me the oxys.

4 Q Okay. All right. Did he -- at that time, did he mention
5 anything about Mr. Carmen?

6 A No, he didn't.

7 Q Did you know that, when you came up, you were going to see
8 Mr. Carmen?

9 A Yeah.

10 Q Okay. Why did you know you'd see him?

11 A Because I know that he resided in the Spokane area at that
12 time.

13 Q Okay. Do you know why he was in Spokane?

14 A He had been living here for a while. So --

15 Q But did you know if he was involved in the pill game at
16 that time?

17 A Yes.

18 Q Okay. You were asked about -- about meetings.

19 A Yes.

20 Q Okay. Do you know if there are -- did -- were you involved
21 in any meetings?

22 A Before I came to Spokane? No.

23 Q Okay. And that's kind of a broad question. I guess I
24 should narrow it down. Were you involved in any meetings in
25 Spokane regarding the pill hustle?

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1 | A No. We didn't really -- we didn't have time to meet up.

2 | We -- we talked about it, but we never went forward with it.

3 | Q Okay. Talked about having a meeting?

4	A	Yes.
---	---	------

5 Q Okay. Were you in Spokane constantly from May, 2011, until
6 your arrest?

7 A On and off, yes.

8 | Q Okay. And what do you mean by "on and off"?

9 | A Sometimes in Spokane, sometimes at home in Los Angeles.

10 Q Okay. When you were in Los Angeles, did you know if others
11 were in Spokane?

12 | A A couple, yes.

13 Q Okay. And, to your knowledge -- to your knowledge, who was
14 in Spokane when you were in Los Angeles?

15 A Haynes, sometimes James. At that time, a frame (phonetic),
16 Mr. Lynch, Mr. Turner. Of course, Carmen. He stayed there.

17 Q Do you have any knowledge as to whether or not there were
18 any meetings amongst those individuals?

19 A Not to my knowledge.

20 Q Okay. Does that mean there wouldn't be meetings?

21 MR. NOLLETTE: Objection to the form of the question.

22 THE WITNESS: I can't say there wouldn't be or there
23 was.

24 THE COURT: Overrule the objection.

25 Q (BY MR. SMOOT) All right. I think you indicated

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1 | previously that you had -- you overheard conversations between
2 | Mr. Haynes and Mr. Carmen.

3 | A Sometimes.

4 Q Okay. Sometime -- did -- were there -- do you know if
5 there were conversations that you didn't overhear?

6 A I'm not aware of that.

7 Q Okay. Okay. Do you know whether Mr. -- Mr. Carmen and
8 Mr. Madison discussed the -- the pill hustle in Spokane?

9 | A No.

10 Q Okay. Do you know whether Mr. Carmen or Mr. -- and
11 Mr. Turner discussed the pill hustle in Spokane?

12 | A No.

13 Q Do you know if Mr. Carmen and Mr. Haynes discussed it?

14 | A While in Spokane, yes.

15 Q Okay. What about Mr. Carmen and Mr. Miles?

16	A	No.
----	---	-----

17 Q Do you know if they had any discussions about the pill
18 hustle?

19 | A Not to my knowledge, no.

20 Q Okay. How about Mr. Carmen and Ms. Moore?

21 | A Not to my knowledge.

22 | Q Mr. Carmen and Mr. Lisbey?

23	A	No.
----	---	-----

24 Q So it's possible they could have had conversations but you
25 don't know about it.

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1 A Correct.

2 Q Okay. You were -- you reviewed a telephone call about a
3 vehicle. A rent-a-car --

4 A Yes.

5 Q -- I believe. And that call was with Ms. Guthrie?

6 A Yes.

7 Q Okay. Now, you referenced a "Brandon" in that call.

8 A Yes.

9 Q That was not Brandon Chavez.

10 A Correct.

11 Q Okay. What -- what Brandon were you referencing?

12 A To Mr. James.

13 Q And why would you reference Mr. James as "Brandon" to
14 Ms. Guthrie?

15 A At the time, that's -- when he met her, that's what he told
16 her his name was.

17 Q You were present when he met her?

18 A I was in Spokane, but I wasn't present.

19 Q Okay. Okay. But you knew that that's who she knew as
20 "Brandon."

21 A Yes.

22 Q Okay. Now, would that be similar to discussions with
23 fades? Would you -- if you -- strike that.

24 You talked a little bit about sharing fades or -- let me --
25 let me rephrase that.

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1 I think you were asked if you keep -- if a person would
2 keep their plugs secret.

3	A	Yes.
---	---	------

4 Q Because, if you shared your plugs, it might hurt your
5 business.

6 | A Yes.

7 Q Okay. And I think you were asked the same question about
8 fades.

9 | A Yes.

10 | Q Okay. But you didn't always keep your fades secret.

11 | A No, because we shared them amongst each other.

12 Q Okay. Who'd you share your fades with?

13 | A James and Haynes.

14 Q Okay. And did -- did you see -- did you share fades with
15 Carmen?

16	A	No.
----	---	-----

17 | Q Why not?

18 A Because, at the time when I got more involved, Carmen
19 wasn't staying in Spokane no more. He relocated to Los Angeles.

20 Q Okay. So was he -- did he still -- was he still involved
21 in distributing OxyContin?

22 | A Yes.

23 Q And how -- how did he distribute OxyContin in Spokane if he
24 was in Los Angeles?

25 | A He distributed through Mercedes.

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1 Q Okay. Did you share fades with Mercedes?

2 A Sometimes.

3 Q Okay. And why did you share fades with these other
4 individuals?

5 A Why didn't I or why did I?

6 Q Why did you?

7 A Why did I?

8 Q Yeah.

9 A Because we came to an agreement to sometimes. It was in
10 times of looking out. As far as in, oh, if their phone wasn't
11 ringing and my phone was, and if I didn't have any pills, I say,
12 "Hey, my phone ringing. You got some pills? I got some people
13 can you meet."

14 Q Okay. So is it fair to say that you actually benefited
15 sharing fades?

16 A No. You wouldn't benefit -- I didn't benefit. I didn't
17 get anything off of it.

18 Q Well, did -- if you shared your fades with Mr. Haynes, did
19 he share fades with you?

20 A Yes.

21 Q Okay. And did that hold true with Mr. James?

22 A Yes.

23 Q Okay. And what about Mercedes Reeves? Ms. Reeves?

24 A That was -- not really. It was really off with her. It
25 wasn't a consistent thing with her.

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1 Q Okay. You were asked about guns and asked if -- if some of
2 the individuals you were involved with carried guns while
3 distributing oxys in -- in Spokane. Do you know if
4 individual -- if they -- individuals carry guns?

5 A No, not to my knowledge.

6 Q Okay. Now, do you mean that you -- to your knowledge that
7 they didn't carry guns or you just don't know?

8 A I don't know.

9 Q Okay. Were there guns in Spokane?

10 A Yes.

11 Q You had one, in fact.

12 A Yes.

13 Q Okay. And where were -- where were the guns that you know
14 of typically kept?

15 A In the residence where we -- where we stayed.

16 Q Okay. And were these the same residence that pills were
17 kept?

18 A Yes.

19 Q And money?

20 A Yes.

21 Q Okay. Are you aware of any guns that went from Spokane to
22 Los Angeles?

23 A A couple.

24 Q How are you aware of those?

25 A I was present at the time.

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1	Q	Present where?
---	---	----------------

2 | A In Spokane.

3 Q Were you with anyone?

4	A	Yes.
---	---	------

5 | Q Who were you with?

6 | A Mr. James and Mr. Moore.

7 Q Okay. And how -- did you see the guns?

8 | A Yes.

9 | Q And -- and how do you know they were going to Los Angeles?

10 | A Because Mr. Moore was driving back to Los Angeles.

11 | Mr. James asked him to take them down to LA for him.

12 Q Okay. Do you know of anyone else that may have transported
13 guns to Los Angeles?

14 | A Not to my knowledge.

15 Q Okay. Do you know of anyone that wanted to get guns in
16 Los Angeles?

17 | A Yes.

18 | Q Involved in the pill hustle?

19 | A Yes.

20 Q Who was that?

21 A Mr. James, Mr. Haynes, Mr. Shelmon, Carmen, and Richard one
22 time. But I don't know if he went forward with it.

23 | Q You were asked about a play and what a play could mean.

24 | A Yes.

25 Q Okay. Is it fair to say that a play could have multiple

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1 meanings?

2 A Yes.

3 Q Okay. What was -- what did "play" mean in terms of the
4 pill hustle in Spokane?

5 A It was another word of you have a -- like, a fade. "You
6 have a fade for me? A play for me?" The same thing as a fade.

7 Q Okay. Could that be a -- we've talked about just fades
8 that you distribute to.

9 A No. It woulda been a fade that we was receiving from.

10 Q Okay. So that would be, like, a plug fade?

11 A Yes.

12 Q Could be a play?

13 A Yes.

14 Q And was that the type of play that you talked about in this
15 case?

16 A Yes.

17 Q We've had -- there's been some discussion about meeting
18 with the Government.

19 A Yes.

20 Q You met -- you met with the United States a few times.

21 A Yes.

22 Q Okay. And did you write any -- any reports?

23 A Nope.

24 Q Did you review any reports?

25 A No, I didn't.

1486

1 | Q Okay. Did you read any reports?

2	A	No.
---	---	-----

3 Q So any stacks of paper that was held up in front of you
4 while you were testifying, did that mean anything to you?

5 | A What do you mean?

6 Q Well, Mr. Christianson held up a stack of paper and asked
7 you about reports or interviews. Have you seen anything in the
8 stack of paper?

9 | A No.

10 Q Okay. Do you even know what it is?

11	A	No.
----	---	-----

12 Q Okay. Why -- you -- you were asked about a number of
13 interviews. For your first interview, the day you were
14 arrested, where was that?

15 | A In Los Angeles.

16 Q Okay. Do you recall where in Los Angeles?

17 A Yes, at the Los Angeles Dodger Stadium.

18 Q Okay. And do you recall the time?

19 A About, maybe, 5:00 in the morning.

20 Q Okay. And do you recall whether you were the only person
21 of -- related to this -- to the pill hustle that was present?

22 A No, I wasn't the only person.

23 Q Okay. Did you see other people?

24 | A Yes.

25 Q Okay. And do you -- and you indicated that you were not

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1 truthful.

2 A Yes.

3 Q And why weren't you truthful?

4 A At the time, I was scared. I didn't really know what --
5 how to answer the questions or what should I not or what -- or
6 should I even cooperate with the -- the law enforcement. So I
7 started to get in denial about questions that they asked me.

8 Q Okay. And did any of that denial have to do with the fact
9 that you saw other people you knew?

10 A That, too. And, not only that, though, I was followed -- I
11 was trying my best to follow the rules and not talk to the
12 police.

13 Q I think it was referenced four meetings with the
14 Government, at least, that turned into reports?

15 A Possibly, yeah.

16 Q You don't know how many reports were made.

17 A Yeah, I don't.

18 Q And do you know how many meetings that you had with the
19 Government?

20 A I had a few, yeah.

21 Q Okay. And one of them was as recently as Saturday.

22 A Yes.

23 Q Okay. And I think it was asked -- there was a question as
24 to 30 hours total?

25 A Yeah.

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1 Q Do you know if it was 30 hours?

2 A No, I don't.

3 Q Did you watch a clock?

4 A No.

5 Q Okay. But you -- but the meetings were quite lengthy.

6 A Yes, they were.

7 Q Okay. Did you have -- is -- why do you think they took so
8 long?

9 A Because there was numerous things they went over, and that
10 there was a lot of questions that was being asked.

11 Q Okay. And you answered the questions that you were asked?

12 A Yes.

13 Q Okay. Did you -- were you asked to look at some pictures?

14 A A couple but not very many.

15 Q Did you -- you were asked about -- well, were they -- were
16 they pictures related to individuals in the -- in the pill
17 hustle?

18 A Yes.

19 Q Okay. Do you recall identifying anyone named -- known as
20 Bugga Red?

21 A Yes.

22 Q Okay. Now, to your knowledge, do you know if that person
23 was involved in the pill hustle?

24 A Not to my knowledge, no.

25 Q You were asked about Chico and Rico and Cheeks.

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- 1 A Yes.
- 2 Q Okay.
- 3 (Discussion off the record)
- 4 Q (BY MR. SMOOT) Okay. Did you -- let me go back and ask.
- 5 Did -- when you -- when you identified an individual that you
- 6 knew as Bugga Red, is that an Eight Trey name?
- 7 A Yes.
- 8 Q Okay. Do you know his government name?
- 9 A At the time, I didn't know it, no.
- 10 Q Okay. All right. Did this -- do you know it now?
- 11 A Yes.
- 12 Q Is it something that you learned after you were arrested?
- 13 A Yes.
- 14 Q And what is that name?
- 15 A Damian Johnson.
- 16 Q Okay. Other names you were asked about. You were asked
- 17 about Chico and Rico and Cheeks.
- 18 A Yes.
- 19 Q Okay. Are those -- is that the same person or different
- 20 people?
- 21 A Well, I know that Chico and Rico is; but I've never
- 22 referenced to him as "Cheeks" or even hear him referenced him to
- 23 as that.
- 24 Q Okay. And who is Chico and -- and Rico?
- 25 A Mr. Tones.

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1 Q So how long have you -- just -- how long had you been
2 involved in this pill hustle?

3 A I'd say about a little bit over a year.

4 Q Okay. Well, from May, 2011?

5 A Until my current arrest.

6 Q Okay. And when was that?

7 A February, 2013.

8 Q Okay. It's almost two years?

9 A You could say, yes.

10 Q You were asked to describe your role.

11 A Yes.

12 Q And how did you describe it?

13 A As a carrier/distributor.

14 Q Okay. And, so, your -- your participation in it grew over
15 time.

16 A Yes.

17 Q And you also had knowledge of other individuals --

18 A Yes.

19 Q -- involved in the hustle. So did you have a lot of
20 information to provide to the United States?

21 A Yes.

22 Q Okay. And it -- could that be a reason why there were so
23 many interviews?

24 A Yes.

25 Q Okay. And is it fair to say that, as information -- as

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1 questions were asked, you answered them?

2 A Yes.

3 Q Okay. And is it fair to say that sometime -- that
4 sometimes different questions were asked at different
5 interviews?

6 A Yes.

7 Q Okay. Did you dictate which questions would be asked?

8 A No, I didn't.

9 Q All right. You just answered as given.

10 A Yes.

11 Q So is it fair to say that -- that -- you said that
12 sometimes you shared fades.

13 A Yes.

14 Q And perhaps you didn't share plugs, but were couriers
15 shared?

16 A Not to my knowledge.

17 Q Okay. Were -- were -- sometimes you share vehicles.

18 A Yes.

19 Q Okay. And you shared residences?

20 A Yes.

21 Q You heard a call about Mr. Chavez, perhaps, getting pills
22 from YD?

23 A Yes.

24 Q Okay. Did that stop Mr. Chavez from get getting pills from
25 you?

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1 A Typically, yes. Because, once he was dealing with someone
2 else, he would normally just deal with that person. Unless he
3 was dealing directly with me, he would deal directly me.

4 Q Okay. What about Mr. Haynes?

5 A Same thing.

6 Q Okay. If you delivered pills to Ms. -- to Christina, was
7 she connected to Mr. Chavez?

8 A Yes.

9 Q Okay.

10 THE COURT: Do you have much more, Mr. Smoot?

11 MR. SMOOT: I do have a little more, your Honor.

12 THE COURT: Let's adjourn for the day. We'll pick up
13 at -- remember, ladies and gentlemen, we start at 8:00 in the
14 morning and counsel at 7:30. Please don't talk about the case.

15 (Jury out at 4:28 p.m.)

16 (Court recessed at 4:28 p.m.)

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25

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1 can continue your redirect examination of Ms. Horn.

2

3 REDIRECT EXAMINATION (continued)

4 REDIRECT BY MR. SMOOT:

5 Q Good morning, Ms. Horn.

6 A Good morning.

7 Q When we left off yesterday, we were talking about
8 Mr. Chavez? And I believe that -- I'm going to show you a
9 couple things. We'll probably try to do this quickly.

10 MR. SMOOT: And this can be shown to the jury.

11 Q (BY MR. SMOOT) Do you recall a telephone call that we went
12 over that indicated that -- that Brandon was getting fronted by
13 YD?

14 A Yes.

15 Q Okay. And I'm going to ask you to read the date of that
16 call on the front.

17 A August 15, 2012.

18 Q Okay. Do you recall another call in which we talked in --
19 where Mr. Chavez talked to Haynes about -- Mr. Haynes about
20 being robbed?

21 A Yes.

22 Q Okay. And, in that call, do you recall him saying that
23 "We'll have to get together sometime"?

24 A Yes.

25 Q Can you read the date on that call?

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1 A August 25th, 2012.

2 Q I believe that there was another call that we went over in
3 which -- opening it up to where they talked about getting pay
4 stubs for a particular person?

5 A Yes.

6 Q And what was the purpose of getting the pay stubs?

7 A To obtain an apartment.

8 Q Okay. And what was the date on that call?

9 A September 11, 2012.

10 Q Excuse me. And do you recall going over a telephone call
11 between Mr. Haynes and Mr. Chavez in which Mr. Chavez asked, "I
12 need to come see you so call me."

13 A Yes.

14 Q And what was the date on that call?

15 A September 19th, 2012.

16 Q Do you recall a follow-up call in which, in particular,
17 Erika Woods, was discussed between Mr. Haynes and Mr. Chavez?

18 A Yes.

19 Q And what was the purpose of that call?

20 A To obtain check stubs for apartment.

21 Q And what was the date of that call?

22 A September 24, 2012.

23 Q And do you recall a call between yourself and Mr. Haynes
24 that discussed Christina stopping by to pick up 100 pills?

25 A Yes.

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1 Q Okay. Was that at the Lacey house?

2 A Yes.

3 Q And what was the date of that call?

4 A September 29, 2012.

5 Q Okay. And do you recall whether -- that we -- whether we
6 went over a call that came right after that in which you were
7 directed to give Christina an additional 50 pills?

8 A Yes.

9 Q Okay. So, even though you had learned or had heard, at
10 least, that Mr. Chavez was getting fronted some pills by YD, is
11 it fair to say that he continued to be in touch with Mr. Haynes?

12 MR. HORMEL: Objection. Leading, your Honor.

13 THE COURT: It is leading. Try not to lead.

14 MR. SMOOT: Okay.

15 Q (BY MR. SMOOT) Based on those calls, did Mr. Chavez
16 continue to be in touch with Mr. Haynes?

17 A Yes.

18 MR. HORMEL: Again, your Honor. Leading again.

19 THE COURTROOM DEPUTY: Microphone please.

20 MR. HORMEL: Excuse me. Objection. Leading again.

21 THE COURT: It is leading. Try not to lead,

22 Mr. Smoot.

23 Q (BY MR. SMOOT) Did you have any -- do you know whether
24 Mr. Haynes had any contact with Mr. Chavez after learning that
25 he may have gotten pills from YD?

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1 A Yes.

2 Q Okay. And were you involved in any of that contact?

3 A Yes.

4 Q Ms. Horn, I know that we've been here quite a few days.

5 It's been a long couple of days. And you were asked a number of

6 questions over the last couple of days. And you were asked

7 quite a bit during the interviews. Correct?

8 A Yes.

9 Q In any of those interviews, did you take your own notes?

10 A No.

11 Q Okay. Did you write anything down?

12 A No.

13 Q Okay. And did you observe other people taking notes?

14 A Yes.

15 Q Did you read those notes?

16 A No.

17 Q Okay. How about during your testimony? Did you take any
18 notes?

19 A No.

20 Q Okay. Did you observe other people taking notes?

21 A No.

22 Q Okay. But you didn't write anything down concerning your
23 testimony over the last couple of days.

24 A No.

25 Q Okay. So, during those interviews when you spoke with the

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1 agents and the Government, did you speak based on your
2 independent recollection of your involvement?

3 A Yes.

4 MR. NOLLETTE: Objection. Vouching.

5 THE COURT: Say it again.

6 MR. NOLLETTE: Vouching for the witness by the
7 Government.

8 THE COURT: Ask it over again. I missed that.

9 MR. SMOOT: The question was whether she spoke --
10 whether she spoke with the Government based on her own
11 recollection of the events.

12 THE COURT: Overruled.

13 Q (BY MR. SMOOT) And you can answer again.

14 A Yes.

15 Q Okay. And, during testimony, did you speak from any notes
16 that you'd taken over the last few years?

17 A No.

18 Q Okay. I believe that you were asked yesterday about prior
19 convictions or arrests?

20 A Yes.

21 Q Okay. And I believe it was suggested that you only
22 provided information about one arrest?

23 A Yes.

24 MR. SMOOT: Your Honor, if I could ask Madam Court
25 Reporter, if I'm addressing her in the correct way, to read back

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1 a transcript from Wednesday morning at 9:30. Approximately
2 9:30.

3 THE COURT: Well, have you given her a heads up as to
4 where she can find that?

5 MR. SMOOT: Yes, your Honor. And, in terms of the
6 context, if the -- if the Court Reporter could read back line of
7 questioning regarding prior drug dealing.

8 THE COURT: Do you have that? Go ahead.

9 (The requested questions and answers were read by the Court
10 Reporter as follows:

11 Q Okay. You mentioned -- you referenced drugs in terms of --
12 in -- in the context of putting in work. What did that mean?

13 A Selling drugs in the local area.

14 Q Is that something that you did?

15 A Yes.

16 Q And did that help you obtain respect or status as an Eight
17 Trey?

18 A No. But it gave -- it gave me -- it gave me, like, a --
19 kind of like a leeway to be able do that in the Eight Trey area.

20 Q And was there anyone in particular that you would sell
21 drugs for?

22 A At the time, yes.

23 Q And did that -- did -- all right. I'll come back to that.
24 Did you ever get convicted or arrested for drug dealing?

25 A Yes.

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1 Q And what happened?

2 A I got arrested. Then I was released on probation
3 conditions.

4 Q Just one time or --

5 A Twice.

6 Q What about any other -- I say, "brushes with the law," but
7 arrests or convictions?

8 A Yes. I have a misdemeanor charge for a forgery, forging a
9 check.

10 Q All right. Anything else?

11 A No.

12 (End of read back by the Court Reporter)

13 MR. SMOOT: Thank you.

14 Q (BY MR. SMOOT) Ms. Horn, I -- did you answer -- did you,
15 basically, just answer questions that were provided to you?

16 A Yes.

17 Q Okay. And I don't believe that -- that, based on that
18 record, I asked you what type of convictions you have. I'm
19 sorry about that. What -- what type of drug dealing arrests or
20 convictions did you have?

21 A At first, I had a misdemeanor marijuana charge. Then a few
22 years later I was -- I plead guilty to cocaine base for sale.
23 And, then, a few years later after that, I had a misdemeanor
24 charge for forging a check.

25 Q Thank you. Ms. Horn, you were asked a little bit about

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1 your plea agreement yesterday.

2 A Yes.

3 MR. SMOOT: Your Honor, at this time, I would move to
4 admit the plea agreement. It's a sealed document. I'd move it
5 under seal, and I would move it pursuant to the Rule of
6 Completeness. There were bits and pieces discussed concerning
7 the plea agreement; and I would move that it would be, again,
8 admitted under the Rule of Completeness and admitted as an
9 exhibit under seal.

10 MR. HORMEL: Objection, your Honor.

11 THE COURT: I don't think the plea agreement should
12 come in. She can answer any questions propounded to her
13 regarding the provisions of the plea agreement itself, which I
14 believe she's already done. And probably there will be some
15 more questions on recross in view of the statement you just
16 made.

17 MR. SMOOT: In that case, your Honor, I would like to
18 go over the plea agreement with the defendant and have the
19 defendant indicate -- provide testimony on certain provisions
20 showing that plea agreement to the defendant only.

21 THE COURT: You may.

22 MR. HORMEL: Your Honor, there may be certain
23 objections -- there may be certain objections to some portions
24 of what he's doing because I understand the case law in the
25 Ninth Circuit regarding how far a prosecutor can go in examining

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1 a witness on a plea agreement.

2 THE COURT: Have you discussed this with counsel as to
3 what you intend to ask? Which sections you intend to inquire
4 about?

5 MR. SMOOT: Your Honor, the -- Ms. Horn was asked
6 about the charges she plead to, she was asked about an agreement
7 for cooperation, and she was asked about sentencing. Those are
8 the areas that the United States would go into, but I believe it
9 would be more productive to have the witness be able to see it
10 and read some of those portions.

11 THE COURT: So just those three provisions.

12 MR. SMOOT: Yes, your Honor.

13 THE COURT: Go ahead.

14 MR. SMOOT: Witness only.

15 Q (BY MR. SMOOT) Ms. Horn, can you see your screen?

16 A Yes.

17 Q Okay. And what -- and do you recognize what I've placed on
18 that screen?

19 A Yes.

20 Q Okay. And what is it?

21 A It's the plea agreement between me and the Government.

22 Q And is that your signature?

23 A Yes.

24 Q And can you tell me what the date is?

25 A March 3rd, 2014.

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1524

1 Q There were some questions about meeting with the United
2 States or the Government. The first time you met, I guess, with
3 the Government was just agents at the date of your arrest.

4 Correct?

5 A Yes.

6 Q Okay. And we've talked about that a little bit. And I
7 believe that the -- that you were asked if you met with the
8 Government at least four or five times.

9 A Yes.

10 Q You didn't recall the specific dates; but I believe that it
11 would have been indicated of November, 2013; January, 2014;
12 June, 2014; and July, 2014?

13 A Yes.

14 Q Does that sound about right even though you wouldn't
15 remember the exact dates?

16 A Yes.

17 Q Okay. And, then, also, I think, it was discussed that you
18 met with the Government last Saturday?

19 A Yes.

20 Q Okay. So is it fair to say that you began meeting with the
21 Government, not including your first post-arrest statement, long
22 before you entered into this plea agreement?

23 A Can you repeat that --

24 MR. HORMEL: Objection, your Honor. That's leading,
25 also.

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1 THE COURT: Well, it's background. Overruled.

2 Q (BY MR. SMOOT) Okay. It -- is it -- when I gave you those
3 dates -- although you don't remember those -- the specific
4 dates, did that sound right that you met with the Government in
5 November of 2013 and January of 2014?

6 A Yes.

7 Q Okay. But you didn't sign this plea agreement until
8 March --

9 A Yes.

10 Q -- 2014? Okay. Ms. Horn, can you -- can you read what's
11 on the screen?

12 A Yes.

13 Q Okay. I'm going to ask you specifically what you plead to.
14 And, if you could -- if you could, read what's on the screen
15 pursuant to your plea agreement. All right?

16 A I agreed to plead guilty to Count 2 of indictment filed on
17 the 25th of 2013 which charged me with conspiracy of
18 distribution of a mixture or substance containing a detectable
19 amount of oxycodone hydrochloride and opiates as a substitute to
20 controlled substance specified in forms of pills containing
21 oxycodone hydrochloride.

22 Q Okay. So you pled to conspiracy.

23 A Yes.

24 Q Why'd you plead to conspiracy?

25 A I took the plea deal admitting that I -- I was guilty of

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1 the conspiracy.

2 Q Okay. And what did it mean to you to be guilty of
3 conspiracy?

4 A That I had involvement in the -- in the oxycodone pill
5 game.

6 Q And you already indicated that you agreed to cooperate.

7 A Yes.

8 Q Now, I'm going to ask you about sentencing. Do you see
9 that paragraph, Paragraph 12?

10 A Yes.

11 Q Okay. And can you read the highlighted part?

12 A If the defendant fully complies with the cooperation
13 agreement, the United States agrees to recommend not more than
14 180 months terms of imprisonment.

15 Q 180 months?

16 A Yes.

17 Q Is that 15 years?

18 A Yes.

19 Q Now, you're hoping not to get 15 years.

20 A Yes.

21 Q Or more.

22 A Yes.

23 Q But has anyone made you any promises as to what you may
24 get?

25 A No.

1527

1 Q Has -- has the Government indicated whether it -- whether
2 they would ask for 15 years or any other number?

3	A	No.
---	---	-----

4 | Q Okay. And, ultimately, again, who is the sentence up to?

5 | A The judge.

6 Q Okay. Ms. Horn, I just have a couple -- really a couple
7 more questions. You were asked -- I think you were asked
8 about -- in terms, like, "independent contractors" and "crews"
9 and things like the "wild, wild west" or a "free-for-all" up
10 here. Were those your words?

11	A	No.
----	---	-----

12 Q Okay. So, in your words, how would you describe the pill,
13 game?

14 A Well, a lot of individuals had their own individual things
15 that they had going on. But everybody cooperated to a certain
16 extent as far as in securing apartments, fades, vehicles,
17 interacting with each other. But, at end of the day, everybody
18 obtained they own money for themselves.

19 Q Okay. And what was the goal of all this acting together?

20 | A For everybody to make money.

21 | Q Okay. And how was money made?

22 | A Distributing oxys.

23 MR. SMOOT: Just a moment, your Honor.

24 (Discussion off the record)

25 MR. SMOOT: That's it. Thank you, Ms. Horn.

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1 THE COURT: Recross? And the order was first
2 Mr. Hormel.

3
4 RECROSS EXAMINATION

5 RECROSS BY MR. HORMEL:

6 Q The first question is -- is I know you've talked a lot
7 about these different interviews and the reports that were made
8 of your interviews that you weren't privy to, apparently, to
9 determine whether or not what you said in those reports were
10 true or false. Correct?

11 A Yes.

12 Q You -- during those interviews --

13 MR. SMOOT: Objection, your Honor. I'm going to move
14 to strike. I believe that he asked what she said in the
15 interviews, or was written, was whether true or false.

16 MR. HORMEL: Your Honor, I asked her if she -- she
17 said she didn't read them. So she wasn't privy to the
18 information in those interviews to determine whether they were
19 true or false. That was the question.

20 THE COURT: That's true. Overruled. Go ahead.

21 Q (BY MR. SMOOT) During those interviews, you used the word
22 "crew." Correct?

23 A Yes.

24 Q And, the other thing is, you used the term "cocaine base"
25 to describe your conviction in California. Right?

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1 A Yes.

2 Q "Cocaine base" is crack cocaine. Correct?

3 A Yes.

4 MR. HORMEL: That's all I have.

5 THE COURT: Mr. Christianson?

6 MR. CHRISTIANSON: I can't tell if my microphone's on
7 or not but no questions.

8 THE COURT: All right. We heard you. No questions.
9 Mr. Nollette.

10 MR. NOLLETTE: Yes, your Honor. I just have a few.

11

12 RECROSS EXAMINATION

13 RECROSS BY MR. NOLLETTE:

14 Q Good morning.

15 A Good morning.

16 Q Now, the prosecutor has talked to you about a plea
17 agreement. And you went through that with your lawyer?

18 A Yes.

19 Q And, during the negotiations for that plea agreement, you
20 discussed alternatives. Correct?

21 A Yes.

22 Q In other words, what directions you could go?

23 A Yes.

24 MR. SMOOT: Your Honor, objection. This is bringing
25 in plea discussions rather than the actual plea agreement.

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1 THE COURT: Overruled. But, Mr. Nollette, I'm going
2 to be very careful about questions that get into discussions
3 between --

4 MR. NOLLETTE: Right.

5 THE COURT: -- Ms. Horn and her lawyer.

6 MR. NOLLETTE: Right.

7 THE COURT: And I think we all understand that.

8 MR. NOLLETTE: I'm not going to get into that.

9 THE COURT: So that's about as far as we're going to
10 go.

11 MR. NOLLETTE: That's it, Judge. I'm not going to get
12 into that at all.

13 THE COURT: All right.

14 Q (BY MR. NOLLETTE) It's your understanding that you were
15 talking with your -- with the Government about resolving it
16 during the period of the months that you were giving statements
17 to them. Correct?

18 A Resolving what?

19 Q I'm sorry?

20 A You're asking me resolving what?

21 Q You were talking -- you were trying to resolve this matter
22 for yourself to your advantage. Correct?

23 A Yes.

24 Q You were charged with the continuing criminal enterprise.
25 Correct?

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1 A Yes.

2 Q And that charge has a lot more time potential than this
3 charge. Correct?

4 A Yes.

5 Q And isn't it true that you attempted during the
6 negotiations to try to get your sentence reduced as much as you
7 could.

8 A Yes.

9 Q And the way to do that was to talk with them throughout
10 these interviews. Correct?

11 A Yes.

12 Q You didn't write stuff down. They wrote it down. Correct?

13 A Yes.

14 Q And they asked the questions. Correct?

15 A Yes.

16 Q And, then, from one interview to the next to the next, they
17 discussed different people.

18 A Yes.

19 Q And, at some point, they -- they -- they addressed, "Well,
20 these ten people are still set for trial. And, so, we'll focus
21 on them." Correct?

22 A Well, I was informed that it was a number amount of people
23 that was set for trial; but I wasn't identified the names.

24 Q No, but you just said generally they were -- these are the
25 people. There were a number of people that hadn't resolved.

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1532

1 A Yes.

2 Q And, then -- so the Government, then, focused their
3 questions in that respect. Correct?

4 A No. They continued to question me as in -- about
5 everybody, not just specifically the ones that was goin' to
6 trial.

7 Q You had no control over as -- as it relates to who was
8 going to trial. You didn't know who was going to trial at that
9 point, did you?

10 A No, I didn't.

11 Q So you don't know whether they're questions had to do with
12 people that were going to go to trial or not, do you?

13 A Correct.

14 Q Okay. Now, I used the term "gold rush," and so forth,
15 yesterday. And you indicated that's what was occurring.

16 A Yes.

17 Q Is that correct? Is that a fair statement about what was
18 happening?

19 A Yes.

20 Q There was a lot of money that was -- people down in
21 Los Angeles were aware in this pill game. Correct?

22 A Yes.

23 Q And word got out around there about that. Correct?

24 A Yes.

25 Q And it wasn't just the Eight Treys that were involved.

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1533

1 Correct?

2 A Correct.

3 Q Okay. There were other gangs and independent people that
4 were in --

5 MR. SMOOT: Objection, your Honor. This is asked and
6 answered, and it's beginning to be outside the scope.

7 THE COURT: It is, Mr. Nollette. We spent a good deal
8 of time on -- on that. I think it's clear.

9 Q (BY MR. NOLLETTE) You made a statement that Alex James was
10 in Spokane. Is that correct?

11 A Yes.

12 Q And when did you see Alex James in Spokane?

13 A On my second trip.

14 Q Okay. And do you remember the month? First one was in,
15 what, May?

16 MR. SMOOT: This is outside the scope, your Honor.
17 Objection.

18 MR. NOLLETTE: I'm not going to go any further than --

19 THE COURT: All right. Go ahead and answer, Ms. Horn.

20 THE WITNESS: About April -- well, June, July,
21 something like that.

22 Q (BY MR. NOLLETTE) Okay. You indicated on redirect by the
23 prosecutor that everybody cooperated. Is that what you said?

24 A Yes.

25 Q But isn't it true that people were taking other people's

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1 fade phones?

2 A Possibility, yes.

3 Q Possibility?

4 A Yeah.

5 Q They were taking other people's fade phones.

6 A Possibility they could have, yes.

7 Q That's not a sign of cooperation, is it?

8 A No, it's not.

9 Q Okay. And, the bottom line, people were out to make money
10 for themselves. Correct?

11 A Yes.

12 Q And they were able to keep the money for themselves.
13 Correct?

14 A Yes.

15 MR. NOLLETTE: Thank you. I have no further
16 questions.

17 THE COURT: Mr. Lee.

18

19 RECROSS EXAMINATION

20 RECROSS BY MR. LEE:

21 Q Good morning.

22 A Good morning.

23 Q You had said just a few minutes ago that -- if you can
24 refresh my recollection, you said that people were cooperating
25 by doing this. Everybody was doing their own game, but people

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1 were cooperating by renting apartments, doing this, doing this.

2 Is that correct?

3 A Yes.

4 Q Can you -- can you say, again, what your response to that
5 question was?

6 A Yeah. Everybody cooperated to a certain extent of sharing
7 vehicles, fake phones, and residence.

8 Q Okay. Did you have a meeting with the Government last
9 night?

10 A No, I did not.

11 Q Now, you had mentioned in -- in redirect that you do know
12 Damian Johnson. Right?

13 A Yes.

14 Q Do you recall in cross examination saying you didn't know a
15 Damian Johnson?

16 A Yes, I did.

17 MR. SMOOT: Your Honor, this is outside the scope.

18 THE COURT: Yeah, but it's okay to clear it up because
19 of some uncertainty. But I don't think you need to go into --

20 MR. LEE: I'm not going any further than that.

21 Q (BY MR. LEE) Now -- and it's true. You've had meetings
22 for many months now with the Government. Right?

23 A Yes.

24 Q In total, I think it's six now. Is that right?

25 A Yes.

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1 Q And it is true you entered a cooperation agreement -- a
2 written cooperation agreement in March. Right?

3 A Yes.

4 Q But your meetings even prior to that time were in
5 anticipation of -- of cooperating and getting benefit. Right?

6 A Meaning?

7 Q A benefit from the Government. Some kind of benefit. The
8 reason you were talking to the Government was to get some
9 benefit.

10 A Yes.

11 Q And that benefit is some reduction in sentence, perhaps.

12 A Yes.

13 Q Or less charges.

14 A Possibly, yes.

15 Q And, otherwise, you wouldn't be here testifying, right, if
16 you weren't getting a benefit.

17 A Correct.

18 Q And you're hoping to get a pretty big benefit by being here
19 cooperating because, otherwise, again, you would not be here.

20 Is that right?

21 A Correct.

22 Q And, as far as the sentence -- when it gets to the point of
23 testifying and when your testimony is done, the judge determines
24 your sentence as you've said. Right?

25 A Yes.

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1 Q The judge, in determining your sentence, your knowledge is
2 that he will take into account the testimony and the extent of
3 your testimony. Right?

4 A Yes.

5 Q And the -- and, really, what your testimony meant to the
6 case. Right?

7 A Well, that's where -- if that's the way he would refer it
8 as to when he sentences me, then, yes.

9 MR. LEE: No more questions.

10 THE COURT: All right. Thank you, Ms. Horn. That
11 completes your testimony.

12 THE WITNESS: You're welcome.

13 THE COURT: And you may step down. Ms. Van Marter, do
14 we have another witness?

15 MS. VAN MARTER: We do, your Honor. Raelynn Andrews.

16 (Witness enters courtroom)

17 THE COURT: Ms. Andrews, please step up here, face me,
18 and raise your right hand to be sworn, if you would, please.

19 That's fine.

20 (RAELYNN ANDREWS, called by the Plaintiff, was sworn)

21 THE COURT: Please be seated, and Mr. Stewart is going
22 to snap your photo.

23 (Law Clerk takes picture of the witness)

24 MS. VAN MARTER: May I proceed, your Honor?

25 THE COURT: You may proceed.