

## **APPENDIX**

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**APPENDIX A**

**IN THE 21st JUDICIAL DISTRICT COURT  
PARISH OF LIVINGSTON  
STATE OF LOUISIANA**

JAMES SKINNER,

v.

DARREL VANNOY,  
Warden

Case No. 15992

Division E

Judge Brenda Bedsole Ricks

**ORDER**

Upon consideration of the foregoing Post-Hearing Memorandum(s) submitted by the Petitioner and the State, IT IS HEREBY ORDERED that James Skinner's Application for Post-Conviction Relief is GRANTED on the basis of La. C. Cr. P. art. 930.3(1).

His conviction is hereby vacated and he is granted a new trial.

***DENIED***

It is so ordered on 23rd of June, 2023 ***See Reasons***

**Brenda Bedsole Ricks**

The Honorable Judge Brenda Bedsole Ricks  
Judge, Division E  
21st Judicial District Court

*Please serve:*

Jee Park  
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District Attorney's Office – 21st Judicial District  
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Livingston, LA 70754

2a

STATE OF LOUISIANA	NUMBER 15992, DIV. "E"
VERSUS	21st JUDICIAL DISTRICT COURT
JAMES SKINNER	PARISH OF LIVINGSTON
	STATE OF LOUISIANA
FILED: [June 23, 2023]	DY. CLERK: _____

### **REASONS FOR JUDGMENT**

This matter came before the Court on August 22, 2022, for an Evidentiary Hearing regarding an *Application for Post Conviction Relief* stemming from a conviction of second-degree murder. The Court took this matter under advisement on that date and later established a schedule for the filing of post-hearing memoranda. Memoranda for both the State and Defendant have been filed. After considering the pleadings and memoranda filed in this matter, as well as arguments by counsel, the Court renders Judgment as follows, with accompanying reasons.

Defendant argues that his rights to due process and effective counsel were violated in the events leading up to and during trial, and that he was prejudiced during trial as a result of such violations. The State argues that Defendant has not met the burden of proof required to overturn the jury verdict. This Court finds that Defendant has failed to prove any of his claims warranting relief.

Defendant's claim of a violation of his right to due process through *Brady* violations relies upon statements made by multiple parties over two decades ago. Additionally, Defendant asserts that the Supreme Court's decision to grant post-conviction

relief in *Weary* necessitates a like decision in the instant case. The statements presented, on their face, without further evidence of credibility, are not sufficient to undermine confidence in the outcome of the trial. Defendant failed to present any evidence as to the credibility of these statements. Further, the *Weary* case is distinguishable enough from the instant case that its decision does not compel this Court to follow suit.

Defendant's claim of a violation of his right to due process pursuant to *Napue* asserts that the State failed to "volunteer" further information regarding Eric Brown's testimony, to correct the testimony of Richard Rogers regarding the timeline of events, and to correct the testimony of Ryan Stinson regarding whether he "cut a deal" prior to testifying. Failure to volunteer information does not fall under the protection of *Napue* because it is wholly unrelated to the correction of false testimony. Defendant failed to show that the errors in Richard Rogers' testimony were the result of a willful intent to provide false testimony, rather than as a result of confusion, mistake, or faulty memory. Lastly, Defendant provided no evidence that Ryan Stinson entered into a deal with the State prior to his testimony.

Defendant lastly argues that his right to effective counsel was violated due to his counsel's failure to call an expert witness, investigate a witness's whereabouts, and investigate another witness's criminal history. Defendant failed to show that such inaction fell below an objective standard of reasonableness or that such inaction undermines confidence in the result of the trial.



Even considering Defendant's claims collectively in the light of the totality of the circumstances, Defendant has failed to meet the burden of proof required. The statements alleged to be *Brady* violations are not sufficient to undermine confidence in the outcome of the trial without establishing their credibility. The alleged *Napue* violations either did not fall under *Napue*, were not shown to be the result of willful intent to provide false testimony, or were not shown to be false testimony. Finally, the alleged *Strickland* violations do not fall under an objective standard of reasonableness. Therefore, this Court rules that Defendant failed to show that any of his claims warrant relief. Defendant's Application for Post Conviction Relief is **DENIED**[.]

A judgment conforming to this ruling will be signed upon submission.

Livingston, Louisiana this 23rd day of June, 2023.

/s Brenda Bedsole Ricks

Honorable Brenda Bedsole Ricks  
Judge 21st Judicial District Court  
Division "E"

**APPENDIX B**  
**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

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STATE OF LOUISIANA      NO. 2023 KW 0710

VERSUS

JAMES SKINNER      DECEMBER 27, 2023

---

In Re:      James Skinner, applying for supervisory writs,  
                  21st Judicial District Court, Parish of  
                  Livingston, No. 15992.

---

**BEFORE: GUIDRY, C.J., McCLENDON AND  
 LANIER, JJ.**

**WRIT DENIED.**

PMc  
 WIL

**Guidry C.J., dissents in part and concurs in part.** I would grant the application for the sole purpose of remanding the matter to the district court to conduct a full evidentiary hearing on relator’s claims under *Brady v. Maryland*, 373 U.S. 83, 86-87 (1963), and *Napue v. Illinois*, 360 U.S. 264, 269 (1959), in light of *Wearry v. Cain*, 57.7 U.S. 385 (2016) (per curiam), as previously ordered by the Louisiana Supreme Court in *State v. Skinner*, 2019-01427 (La. 2/26/20), 347 So.3d 870. Based on the claims presented in his application for postconviction relief, relator is entitled to a full evidentiary hearing, as his claims cannot be resolved based on the filing of documents and transcripts into the record. I concur in the denial of relator's claim of ineffective

6a

assistance of counsel. *See State v. Brumfield*, 2009-1084 (La. 9/2/09), 16 So.3d 1161 (per curiam).

COURT OF APPEAL, FIRST CIRCUIT

*Dana S. Hill*

DEPUTY CLERK OF COURT  
FOR THE COURT

\*\*\*

APPENDIX C

*The Supreme Court of the State of Louisiana*

STATE OF LOUISIANA                      No. 2024-KP-00142

VS.

JAMES SKINNER

-----

IN RE: James Skinner - Applicant Defendant;  
Applying For Supervisory Writ, Parish of Livingston,  
21st Judicial District Court Number(s) 15992, Court  
of Appeal, First Circuit, Number(s) 2023 KW 0170;

-----

**February 25, 2025**

Writ application denied.

JDH

JTK

WJC

JBM

Weimer, C.J., would grant and docket.

Griffin, J., would grant and assigns reasons.

Guidry, J., recused.

Supreme Court of Louisiana

February 20, 2025

Chief Deputy Clerk of Court

For the Court

8a

**SUPREME COURT OF LOUISIANA**

No. 2024-KP-00142

STATE OF LOUISIANA

VS.

JAMES SKINNER

On Supervisory Writ to the 21st Judicial District  
Court, Parish of Livingston

**GRIFFIN, J., would grant and assigns reasons.**

I would grant this writ application and remand  
for a new trial in accordance with *Wearry v. Cain*,  
577 U.S. 385, 136 S. Ct. 1002 (2016) (per curiam).  
There is no legitimate basis to treat the two co-  
defendants differently.

9a

**APPENDIX D**

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 25-30151

---

United States Court of  
Appeals  
Fifth Circuit  
**FILED**  
June 17, 2025  
Lyle W. Cayce  
Clerk

In re James Skinner,

*Movant.*

---

Motion for an order authorizing the  
United States District Court for the  
Middle District of Louisiana to  
consider a successive 28 U.S.C. § 2254  
application

---

**UNPUBLISHED ORDER**

Before SOUTHWICK, WILLETT, and OLDHAM, *Circuit Judges.*

PER CURIAM:

James Skinner was convicted by a non-unanimous jury of second-degree murder in the death of Eric Walber and sentenced to life in prison without the possibility of parole. His conviction became final in 2007, and in 2010, the district court dismissed his application for habeas relief as untimely. Skinner now moves for authorization to file a successive habeas application in accordance with 28 U.S.C. § 2244(b)(3)(C). He argues that the prosecution suppressed material evidence favorable to his case in violation of *Brady v. Maryland*, 373 U.S. 83, 87

(1963), and that it violated its obligation not to solicit, or to correct, false testimony under *Napue v. Illinois*, 360 U.S. 264, 269 (1959).

We may authorize a second or successive application only if the defendant makes a prima facie showing that “(i) the factual predicate for the claim could not have been discovered previously through the exercise of due diligence; and (ii) the facts underlying the claim, if proven and viewed in light of the evidence as a whole, would be sufficient to establish by clear and convincing evidence that, but for constitutional error, no reasonable factfinder would have found the applicant guilty of the underlying offense.” 28 U.S.C. § 2244(b)(2)(B); *see also In re Will*, 970 F.3d 536, 541 (5th Cir. 2020). “A prima facie showing is ‘simply a sufficient showing of possible merit to warrant a fuller exploration by the district court.’” *Id.* (quoting *In re Cathey*, 857 F.3d 221, 226 (5th Cir. 2017)). We will grant authorization to file a successive application so long as it’s “reasonably likely that the withheld evidence would have changed the outcome.” *Id.* at 544.

After careful review of Skinner’s motion, the proposed habeas application, and the voluminous exhibits, we find that Skinner has made a prima facie showing that at least some of the claims he presents in his new application could not have been discovered previously through the exercise of due diligence, and that, if proven and viewed in light of the evidence as a whole, may be sufficient to establish by clear and convincing evidence that, but for these constitutional errors, no reasonable factfinder would have found Skinner guilty of the offense.

Of course, we do not purport to make any conclusive findings at this stage, and our grant is “tentative.” *Id.* at 543. Even though Skinner may file his application, the district court must conduct its own “thorough review” of Skinner’s motion and must dismiss the motion, without reaching the merits, if it determines that Skinner has not satisfied the § 2244(b)(2)(B) requirements. *See id.* at 543; *see also In re Morris*, 328 F.3d 739, 741 (5th Cir. 2003).

IT IS THEREFORE ORDERED that Skinner’s motion for authorization to file a successive habeas corpus petition is GRANTED.

[SEAL]

**A True Copy**  
**Certified order issued Jun 17, 2025**

*Lyle W. Cayce*  
**Clerk, U.S. Court of Appeals, Fifth Circuit**



**APPENDIX E**

**[GRAND JURY OF LIVINGSTON PARISH]  
[INDICTMENT OF RANDY HUTCHINSON, JAMES  
SKINNER AND MICHAEL WEARRY]**

STATE OF LOUISIANA	In The
VS.	21st Judicial District
	Court
1) James Skinner	Parish of Livingston
B/M; DOB: 12/12/78	State of Louisiana
2) Randy Hutchinson	
B/M; DOB: 6/12/78	
3) Michael Weary	
B/M; DOB: 1/18/78	

\_\_\_\_June 7, 2000\_\_\_\_TERM

-----  
**THE GRAND JURY OF LIVINGSTON PARISH,  
LOUISIANA**

Presents that

James Skinner, Randy Hutchinson and  
Michael Weary

within the jurisdiction of this Honorable Court,

On or about April 4, 1998 did commit aggravated kidnapping of Eric Walber, in violation of Article R.S. 14:44 of the Louisiana Criminal Code.

On or about April 4, 1998 did, while armed with a dangerous weapon, rob on Eric Walber, in violation of Article R.S. 14:64 of the Louisiana Criminal Code.

13a

On or about April 4, 1998 did intentionally take a motor vehicle belonging to another person, in the presence of that person by use of force or intimidation, in violation of Article R.S. 14:64.2 of the Louisiana Criminal Code.

FELONY

contrary to the law of the State of Louisiana against the peace and dignity of the same.

Charlotte H. Herbert

ASST. DISTRICT ATTORNEY

A True Bill

Dewana Smith

FOREMAN OF THE GRAND JURY

*Filed in open Court*

*6-7-2000*

STATE OF LOUISIANA      21st JUDICIAL DISTRICT  
COURT

PARISH OF LIVINGSTON    STATE OF LOUISIANA

\*\*\*\*\*

WE THE GRAND JURY of the Parish of  
Livingston, State of Louisiana ask leave of this  
Honorable Court to file the following report:

I.

We were in session one (1) day, June 7, 2000, and  
on that day heard one (1) case and two (2) witnesses.

II.

We have returned "TRUE BILL" in the following  
case(s):

INVESTIGATION: DEATH OF ERIC WALBER

STATE OF LOUISIANA VS.      James Skinner, Randy  
Hutchinson and Michael  
Weary – First Degree Murder

STATE OF LOUISIANA VS.      James Skinner, Randy  
Hutchinson and Michael  
Weary – Agg. Kidnapping,  
Armed Robbery and  
Carjacking

STATE OF LOUISIANA VS.      Shadrick Reed and Darryl  
Hampton – Armed Robbery  
and Carjacking

We, the Grandy Jury, now beg leave to finally  
adjourn subject to recall.

15a

Livingston, Louisiana, this 7th day of June, 2000.

*Dewana Smith*  
FOREMAN, GRAND JURY

*Charlotte H. Herbert*  
ASST. DISTRICT ATTORNEY

*Filed in open Court*  
*6-7-2000*

STATE OF LOUISIANA

VS.

1) James Skinner  
B/M; DOB: 12/12/78

2) Randy Hutchinson  
B/M; DOB: 6/12/78

3) Michael Weary  
B/M; DOB: 1/18/78

In The  
21st Judicial District  
Court

Parish of Livingston  
State of Louisiana

\_\_\_\_June 7, 2000\_\_\_\_TERM

-----  
THE GRAND JURY OF LIVINGSTON PARISH,  
LOUISIANA

Presents that

James Skinner, Randy Hutchinson and  
Michael Weary

within the jurisdiction of this Honorable Court,

On or about April 4, 1998 did commit first degree  
murder of Eric Walber, in violation of Article R.S.  
14:30 of the Louisiana Criminal Code.

FELONY

contrary to the law of the State of Louisiana against  
the peace and dignity of the same.

Charlotte H. Herbert  
ASST. DISTRICT ATTORNEY

A True Bill

Dewana Smith  
FOREMAN OF THE GRAND JURY

*Filed in open Court*

*6-7-2000*

**APPENDIX F**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
[APRIL 18, 2000 STATEMENT OF SAM SCOTT]

[1]

**COPY FOR D.A.**

R-6706SS4

HOMICIDE INVESTIGATION OF ERIC WALBER

Statement taken from SAM SCOTT

Detective MURPHY MARTIN, DILLARD STEWART

TAPE #: 5045

=====  
Murphy: This is going to be a taped statement of Samuel Scott, black male, date of birth 6-30-78. Today's date is April the 18th. The time now, 10:07 a.m. Being taken at the Hunts Correctional Center St. Gabriel, La. Sam you called for us to come down here and talk to you?

Sam: Sir, yes sir.

Murphy: Alright. A few minutes ago I advised you your constitutional rights. is that right?

Sam: Yes sir.

Murphy: Is that your signature?

Sam: Yes sir.

Murphy: You understood them?

Sam: Yes sir.

Murphy: And you agreed to talk to us and we read over this consent to question and you signed your name, is that your signature?

Sam: Yes sir, yes sir.

Murphy: Present in the room is myself, Detective Murphy Martin and Detective Dillard Stewart. You told us about three homicides?

Sam: Yes sir.

Murphy: First one being the pizza boy, Eric Walber.

Sam: Yes sir.

Murphy: Tell us what you know about that.

Sam: He came through around. I'ma say at six. I'ma say at 7:30 to 8:30. He pass through the neighborhood where, where I live cause now we was good friends. Me and him, a couple more guys from Springfield that's white males.

Murphy: What's their names?

Sam: Uh. Chad and Brian and uh. I was at work, I had made it to work 6:00 that day and and I had missed his you know, missed him coming through looking for me cause I was at work. And by me being at work Darryl Hampton, Shadrick Reid and Michael Wearry, Eric Charles Brown and Randy Hutchinson. They uh, got into the car with Eric Walber and they was riding.

19a

Dillard: How many, how many of them was it?  
Name them again.

[2]

Sam: Eric Charles Brown, Randy Hutchinson,  
Darryl Hampton, Shadrick Reid and  
Michael Wearry.

Dillard: Alright, that's all of them?

Murphy: I guess, that's what he said.

Sam: And the gun that he was shot with was  
a 9mm and uh, all five guys beat him  
up. They beat him up uh. uh. Shadrick  
Reid was the shooter. Michael Wearry  
was the one that ran over him in .the  
car and it took place on Bla-. Bla-, Bla-  
Bla-

Dillard: Describe how to get there like you.

Sam: Blahut road. well. you come to the four-  
way stop on McCarroll Road. Make a left  
on uh, Blahut Road and go all the way  
to. come to the stop sign at the end of  
Blahut Road just at the stop sign on 43  
quarter mile I say before you get to Pot  
Luck but before you get to that stop  
sign. five blocks before you get to the  
stop sign it makes a right on a gravel  
road and it. that's where the uh. scene  
took place.

Dillard: You told us a while ago that that road  
went all the way through somewhere?

Sam: It. the road, the road. the road that it  
took place on. the gravel road. it goes. it



goes to another street. I believe it's Strawberry Lane or it come right out just along, on the other side of Pot Luck. close by the interstate.

Dillard: Tell us what else you know about it.

Sam: Uh, they uh, alright uh, it was two rings and the chain. Darryl Hampton had that in his possession.

Dillard: Did you ever see them?

Sam: Yes sir.

Dillard: What did they look like to you?

Sam: One. one. one look like uh, class ring and the other one looks like uh, initial ring and uh, I I can't remember if it was a herringbone or rope chain.

Dillard: How do you know all that?

Sam: I was told by, I was. we was talking and they told.

Dillard: Who told you?

Sam: All of them.

Dillard: All of them sat there together and told you that?

Sam: Well we was, me, it was me, Darryl Hampton, Shadrick Reid and Michael Wearry talking about it at one. one time and they all told me that they know how that took place in it and that second, on the second conversation was me and Randy Hutchinson, Shadrick and me

21a

and Eric Charles Brown separate on the conversation. They all told me that. Like that how they, took place –

Dillard: What was. when was the first time you talked to any of them about that?

[3]

Sam: The first time I talked to Michael Wearry, Shadrick Reid and Darryl Hampton was on the third day it happened and I believe it happened around the month of, I want to say, August of '99. I can't really remember the month that it happened in, it was. it's been almost, it's it's been almost a year, it's. it's been, it's been a quite. it's been quite some times ago.

Dillard: Yea.

Sam: It's been quite some time ago. It's. it happened in '98. I'm really want to say. It's

Dillard: Well, you don't –

Sam: in '98. It happened, all I know it happened during coming in toward the the the fall, autumn time.

Dillard: How, how many days, weeks or months after you heard about this boy?

Sam: It was, it was.

Dillard: It was it that they talked to you?

Sam: It was uh. (inaudible) a week, no, five days to a week after it happened. Five days to a week after it happened.

Dillard: And where did they actually uh, get with him at?

Sam: They got with, they got in the car with him on McCarroll Road in Springfield.

Dillard: Where at?

Sam: Uh, in Randy Hutchinson's yard, driveway.

Murphy: Did you ever see these people in the car?

Sam: Sir, yes sir.

Murphy: Where was that at?

Sam: That was like, I came, I came through Springfield on my break at 11:00 cause I working at Winn Dixie warehouse. I came through on my break and I seen them. I never did get a chance to stop them cause I had to get back to work on time.

Dillard: Where did you see them at?

Sam: I seen them at the top of McCarroll Road like three blocks from my house.

\* \* \*

[5]

Dillard: Well it was something else he carried in that car.

Sam: Yes sir. I just can't. (pause) uh. (pause) uh, I don't know if there was. I want to

23a

say it was uh. a gun. it was a knife, I want to say the 9mm belonged to him and again I want to say it wasn't, I don't know how they got possession of that. of the gun.

Dillard: What did you ever see Eric with?

[6]

Sam: Sir.

Dillard: What did you ever see Eric, him have?

Sam: The gun.

Dillard: I ain't said the gun. I said whatever. What did you see that he had in the car?

Sam: All I know he had a, a radio and some speakers.

Murphy: What kind of car did he have?

Sam: It was a, uh, a little green Isuzu uh, Nissan uh. Uh, it was a Honda, was it a Honda, uh, Nissan.

Dillard: What did it look like?

Murphy: What color was it?

Sam: I wanta, it was either gray or blue. I can't remember, I can't even remember what color the car was. Gray, was it gray, blue, it had to be one of those colors.

Dillard: Well you say you saw them in the car.

Sam: I know the car, I mean, I I can't, I can't. I know the car I done rode in the car with him, man. God, gray, what color

24a

was it. come on (inaudible) (pause) Mr. Murphy the car had, the car had to be blue or black. All I only colors that, know is is it was gray, black or blue. I just can't remember exactly which one (inaudible) it was um, it was a Nissan or a Honda. Honda. Honda.

Dillard: Tell us what it looked like?

Sam: It was small, it was a two door car.

(TAPE ENDS)

(SIDE B)

Murphy: Had to change the side of the tape.

Sam: It's small, it's a two door car. I know it's a two door car. It's a two door.

Murphy: Alright.

Sam: Two door.

Dillard: Ok. We gonna conclude that one about the Walber thing right now.

\* \* \*

25a

**APPENDIX G**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
[APRIL 25, 2000 STATEMENT OF SAM SCOTT]

[1]

**COPY FOR D.A.**

R-6706SS4

HOMICIDE INVESTIGATION OF ERIC WALBER

Statement taken from SAM SCOTT

Detective MURPHY MARTIN, DILLARD STEWART

TAPE #: xxxx

=====

\* \* \*

[3]

On 4-25-00, Det. Murphy Martin and myself met at the LPSO Jail to have Sam Scott call his girlfriend Yashika Jones in a controlled environment, to let her know if he had spoken with LPSO Detectives. The first call was placed at 8:30 am, she was not there. We were to call back in about 1 hour. When we called back at approx. 9:45 am, we were told she was not there but should be on her way home. While waiting to call back we were talking to Sam about how important it was for him to be telling the complete truth. When asked if he was on Crisp Road where [sic] Walber's body was found. He stated yes, he was there when they killed him, but stated he never touched Walber. He told us he saw them beat him and kick him and also run over him. Scott told that Pop

26a

skinner said Eric turned someone in, either Pop or a family member or someone Pop knew for having marijuana at school and he needed to get back at him.

\* \* \*

27a

**APPENDIX H**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
[POLICE REPORT IN RE: KEDRICK JOHNSON]

REFERENCE TO HOMICIDE OF ERIC WALBER:

DATE OF REPORT: 5-17-00

This date 5-17-00 Chief Foster told me that Kedrick Johnson wanted to talk to us again. We went to Jail and Kedrick told us he had lied to us yesterday. He hadn't heard anything. Sam Scott had told him what to say. He said Sam told him it would help him get out of jail.

REPORT OF MURPHY MARTIN



**APPENDIX I**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[STATEMENT OF REGGIE JACKSON]

**LIVINGSTON PARISH SHERIFF'S OFFICE**

VOLUNTARY STATEMENT      FILE # \_\_\_\_\_  
Officer \_\_\_\_\_

Complainant/Witness Name \_\_\_\_\_ DOB \_\_\_\_\_

Place of Occurrence \_\_\_\_\_ Date \_\_\_\_\_

Person to be Charged \_\_\_\_\_ Race \_\_\_\_ Sex \_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Place of Employment \_\_\_\_\_ Phone \_\_\_\_\_

Amount of: Theft, burglary, damage to property, etc. \_\_\_\_\_

DETAILS OF OFFENSE. (*State fully all other circumstances of offense*):

SWORN TO UNDER OATH TO BE TRUE AND CORRECT TO  
THE BEST OF MY KNOWLEDGE

*Take the charge.*

*He said I signed an affidavit while I was at DCI saying I had lied on them. Now they trying to give me the charge and I got to do what I got to do. He kept saying fuck em I got to do what I got to do. I told him hey whoever did it was wrong go ahead and take the charges. Whoever did it they need to take the charges, they knew the consequences before they did it.*

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*Sam told me I been down for 3 years and 3 months  
and my time is up and I still ain't gone home because  
of this.*

Signature X Reggie Jackson

Date 3-5-2002

Witness to Offense: \_\_\_\_\_ Phone \_\_\_\_\_

Witness to Offense: \_\_\_\_\_ Phone \_\_\_\_\_

30a

**LIVINGSTON PARISH SHERIFF'S OFFICE**

VOLUNTARY STATEMENT      FILE # \_\_\_\_\_  
Officer \_\_\_\_\_

Complainant/Witness Name \_\_\_\_\_ DOB \_\_\_\_\_  
Place of Occurrence \_\_\_\_\_ Date \_\_\_\_\_  
Person to be Charged \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Place of Employment \_\_\_\_\_ Phone \_\_\_\_\_  
Amount of: Theft, burglary, damage to property, etc. \_\_\_\_\_

DETAILS OF OFFENSE. (*State fully all other circumstances of offense*):

SWORN TO UNDER OATH TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

*He wouldn't tell me who did it but he said I'm gonna make sure Mike gets the needle cause he fucked over me. He kept shaking his head and smoking cigarettes. We played a couple of games of dominos then they called me for court. I haven't seen or talked to him since. If he would have told me who did this I would tell because I have a heart and what they did wasn't right.*

X Reggie Jackson

Signature X Reggie Jackson      Date 3-5-2002

Witness to Offense: \_\_\_\_\_ Phone \_\_\_\_\_

Witness to Offense: \_\_\_\_\_ Phone \_\_\_\_\_

**APPENDIX J**

STATE OF LOUISIANA	DOCKET: 17290 "E"
VERSUS	STATE OF LOUISIANA
SAMUEL SCOTT	PARISH OF LIVINGSTON
	21 <sup>st</sup> JUDICIAL DISTRICT COURT
	[MARCH 10, 2005]

**PLEA AGREEMENT**

On or about April 4, 1998, Eric Walber was kidnapped, robbed, and murdered. For two years, the case was unsolved. In March 2000, Samuel Scott came forward and gave information that led to the arrests of the individuals responsible for these crimes. Those individuals include Michael Weary, Randy Hutchinson, Shadrick Reed, Darrell Hampton, and James Skinner.

Since that time, Michael Weary has been convicted of First Degree Murder and sentenced to death. Shadrick Reed and Darrell Hampton have been convicted of Second Degree Murder and sentenced to life imprisonment. In July 2004, the trial of James Skinner ended in a mistrial. At each of these trials, Mr. Scott appeared and gave testimony on behalf of the State as to events of April 4, 1998 and the death of Eric Walber. As of this date, James Skinner and Randy Hutchinson are awaiting trial.

Although Samuel Scott was present during the commission of these offenses, he has always maintained that he did not actively participate in the

commission of these crimes. However, he realizes that he could be charged and convicted of these offenses as a principal to these crimes.

Because Mr. Scott came forward and gave information regarding the death of Eric Walber and has agreed to testify on behalf of the State of Louisiana, the State previously entered into a verbal agreement with Mr. Scott wherein Mr. Scott will plead to the offense of Manslaughter and receive a ten year sentence which is to run concurrently with any charges for which he was previously serving a prison sentence, namely, a distribution of cocaine charge, for which he received a five year sentence. This written agreement affirms the previous agreement.

Mr. Scott agreed to give full and truthful testimony concerning all matters within his knowledge regarding the death of Eric Walber and has done so in the trials at which he has previously testified. He agrees to continue to provide such testimony as long as it is needed.

\* \* \*

**APPENDIX K**

**[MINUTES OF MANSLAUGHTER PLEA  
PROCEEDINGS, MAY 31, 2005]**

MAY 31, 2005.

COURT CONVENED AT THE USUAL HOUR OF NINE O'CLOCK AM. BEFORE THE HONORABLE BRENDA BEDSOLE RICKS, DISTRICT JUDGE, DIVISION "E". THOMAS L. SULLIVAN, JR. CLERK OF COURT; WILLIE GRAVES, SHERIFF; SCOTT PERRILLOUX, DISTRICT ATTORNEY; TERRI NORTON, COURT REPORTER; AND GINGER WHITEHEAD, MINUTE CLERK.

**CASE #: 02-FELN-017290**

STATE OF LOUISIANA

CHARGE:

Vs.

MANSLAUGHTER

SAMUEL D. SCOTT

This matter appearing on the felony docket this date for the purpose of sentencing. The defendant being personally present in open court and accompanied by court appointed counsel, Jasper Brock. The State of Louisiana being represented by Assistant District Attorney, Charlotte Herbert. Deputy Clerk administered the oath to the defendant. The defendant stated that his date of birth was June 30, 1980. The defendant withdrew his previously entered plea of not guilty and entered a plea of NO CONTEST to the charge of manslaughter. The court ask the defendant if he understood all proceedings here today. The defendant stated that he understood. Mr. Brock waived the formal reading in the bill of information. Ms. Herbert read the statutes that pertained to the charge, the articles and possible

penalties. The court advised the defendant of the possible penalties if he pleads guilty or is found guilty at trial. The defendant stated that he understood the possible penalties. The court advised the defendant of the use of this conviction to provide for an enhanced penalty on subsequent conviction to multi bill. The defendant stated that he understood the enhanced penalty. The court advised the defendant of his right to plead not guilty and the burden of proof rest upon the State of Louisiana to prove each and every element of the offense beyond a reasonable doubt; his right to trial by jury; his right to confront your accuser[]s and to cross examine them; his right to remain silent and are not required to testify or to incriminate against yourself in anyway; his right to witnesses; his right to counsel; his right to appeal. The court advised the defendant that by entering a plea of NO CONTEST that he was giving up or waiving the above said rights. The defendant stated that he understood the above said rights and waives said rights. Mr. Brock advised the court that he had advised the defendant of all his legal and constitutional rights and feels that he understood them. The defendant stated that he was satisfied with representation of counsel. The court ask the defendant if he had any questions of the Court, Counsel or the State. The defendant stated that he had no questions. The court ask if any victim's [sic] were present. Ms. Herbert advised the court that the victim's Mother, Cherie Walber was and she gave statement. The court stated that she was satisfied that the plea of NO CONTEST was voluntary, knowingly and intelligently entered into and is therefore accepted by the court. The court

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advised the defendant of his right to delay sentencing. The defendant stated that he understood right and waives any delays. The court ask the defendant if he stands ready for sentencing. The defendant stated he was. The court sentenced the defendant to serve ten (10) years at hard labor with the Department of Corrections to run concurrent with any other charges that the defendant may have pending or have been charged with and all time served since December 13, 1997. The court advised the defendant of his right to 5 days to appeal; 30 days for reconsideration and 2 years in which to file for post conviction relief.

A TRUE EXTRACT FROM THE MINUTES OF THE COURT OF DIVISION E TWENTY FIRST JUDICIAL DISTRICT COURT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, DATED 5/31/05.

/ O. Wilkinson  
DEPUTY CLERK OF COURT



**APPENDIX L**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
[STATEMENT OF ERIC BROWN IN RE DASHAIN  
MOORE PHOTO ARRAY]

**VOLUNTARY STATEMENT**

DATE: 1-25-1999 FILE NUMBER: \_\_\_\_\_

STATEMENT OF: Eric Brown DOB: \_\_\_\_\_ Phone No. 567-2894

ADDRESS: P.O. Box [illegible]  
Albany, LA 70711

DETAILS OF STATEMENT: Det. Murphy Martin Brought 6 picture[s] of the Black males and I positively ID number 2 as they guy I saw with Michael Weary in a red Escort the same night that the pizza guy was killed. I saw them at a stop sign on Old Baton Rouge Highway by the Exxon store.

WITNESSES: Murphy Martin

Eric Brown  
SIGNATURE      DATE

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- 1: McEvan Johnson  
B/M DOB: 7-22-78
- 2: Dashain Moore  
B/M DOB: 5-7-79
- 3: Kelvin Johnson  
B/M DOB: 9-14-75
- 4: Derrick Patterson  
B/M DOB: 9-18-77
- 5: Anthony Grayer, B/M, DOB: 11-15-71
- 6: Jamie Cooper, B/M, DOB: 12-23-75

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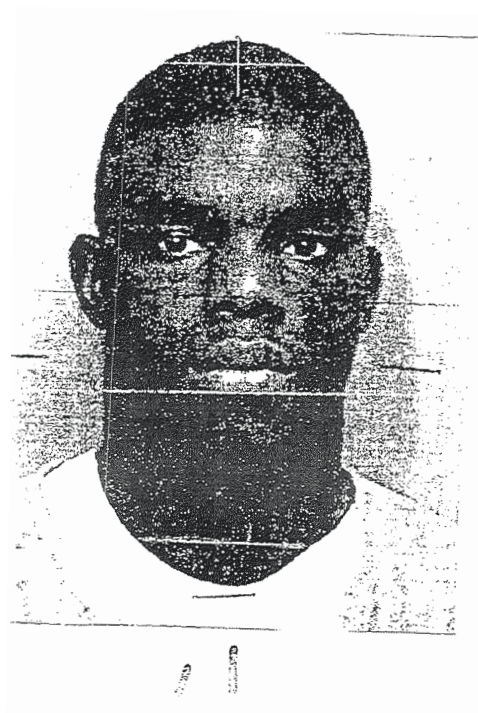
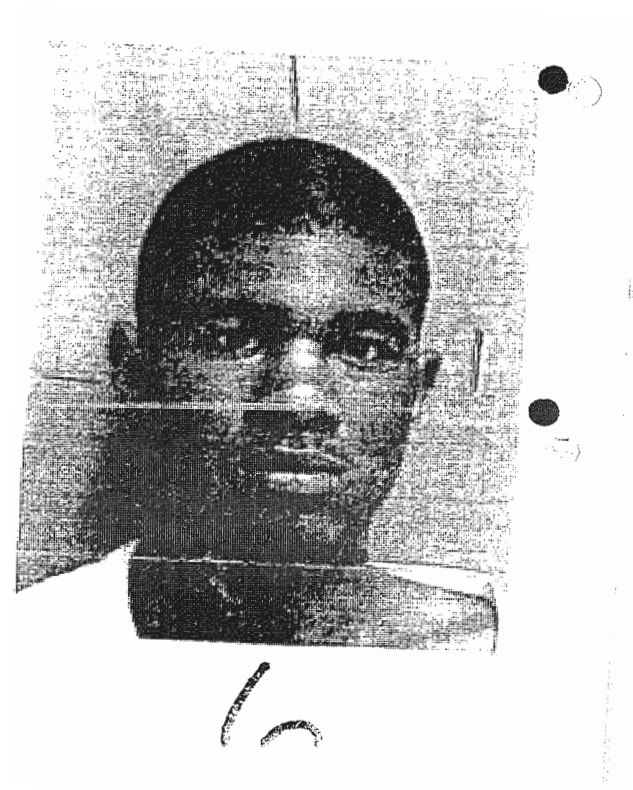


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R. 566

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Hearing Ex. 3

R. 567

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**APPENDIX M**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
[STATEMENT OF ERIC BROWN,  
JANUARY 24, 1999]

[1]

R-6706EB

Homicide Investigation of Eric Walber

Statement taken from Eric Brown

Detective Murphy Martin & Detective Dillard Stewart

TAPE #: 4830

=====  
Murphy: This is gonna be a statement of Eric Charles Brown. Time, time now is 6:29 p.m. Dec- January 24, 1999 at the Livingston Parish Jail. Present in the room myself, Murphy Martin, Detective Dillard Stewart, of course Eric Charles. Eric Charles state your full name.

Eric: Eric Charles Brown.

Murphy: Date of birth.

Eric: March 26, 1973.

Murphy: Address.

Eric: Uh. 31505 North Cafe Line

Murphy: Phone number.

Eric: 567-2894.



Murphy: Tell us about what you called us over here for.

Eric: Uh. I called Mr. Murphy because uh, I had uh some information to tell him about a murder that he had ask me about a few months back and uh, I told him that who I had seen driving uh, the car and that uh, the two people that I seen in the car was Mike-Mike and Kashaun.

Murphy: Mike-Mike who?

Eric: Uh, Michael Wearry.

Murphy: Kashaun, you know his last name?

Eric: No sir.

Murphy: Where's he from?

Eric: Springfield.

Murphy: Alright, you telling me that today you called me to come over and tell me that, is that right?

Eric: Yes sir.

Murphy: Doing this on your own free will?

Eric: Yes sir.

Dillard: Tell us, just give us some details on what you saw.

Eric: Uh, theres me and a, a friend guy of mine was coming off of Old Baton Rouge Highway.

Dillard: Who was with you?

Eric: Calvin Gross. Uh, uh, we was turning off of uh, Old Baton Rouge Highway and we saw uh, Mike-Mike and uh Kashaun at the stop sign so we just—

Murphy: What, what was they in?

Eric: They was in a uh, little small red Ford Escort and uh. We turned down the road and uh, we just kept going past on by them. Went on to Albany.

Dillard: Describe where that road is for us.

Eric: Uhm, if you coming from Old Baton Rouge Highway, if you coming from towards uh, Hammond way. Uh, you pass Hood road up, the you pass another road up then it's the third road then you take a right and you can come out closer to by Lewis Grocery Warehouse.

\* \* \*

Dillard: Tell us what all ya'll saw.

Eric: Uh, Michael Wearry and uh, Kashaun was in the car the stop sign. They pulled off going towards Springfield way and uh like I say me and Calvin we just kept going towards Albany. A few days later uh, Mike-Mike had uh, told Calvin that uh, well I had talked to Mike-Mike and he say ask me do I think Calvin tell anything. And say no just like that. I say (inaudible) so, a couple days later Calvin told me that uh, Mike-Mike had

told him say man uh, don't sell me out, just like that there. Say uh, don't even mention, don't even bring my name up saying you say [sic] me in a red car period. So Calvin say man, I don't know fuck who killed that boy just like that and the only thing they looking for me for I don't give a fuck just like that. And uh so, Mike-Mike had ask Darryl for some money a few days before that and uh.

Murphy: Darryl[.]

Eric: Hutchinson. And say uh, but Darryl didn't give him no money. So I had lent Mike-Mike three hundred dollars and uh, but everybody was saying Mike-Mike was in California but Mike-Mike wasn't in California. And uh so, and uh when I seen Mike-Mike again I, the police had done arrested him. I guess he thought that since I was, I had went to jail back then and uh, had I, I think I don't know if he thought cause I was in jail is you know, was I gonna tell on this then. So, but I didn't. I didn't say nothing about it you know and uh. So when Calvin had told me that Mike-Mike had said that uh, something about doing something about it. I was like man I don't give a fuck either you know. You know how guys talk or whatever so uh, Mike-Mike had uh. Police had picked Mike-Mike up in California so he got out of jail he was telling me about how a guy

in California was telling him how [3] to beat a lie detector test. Say something about when they ask you a question, after you answer it just say yes or no question after you answer it, to start counting and don't get your thoughts crossed up. Just say uh, so he had robbed some guy. I don't know who it was. (inaudible) for some marijuana. And uh, and he gave, and he had gave me some marijuana and uh, cause he had owed me three hundred dollars so, then he gave me a hundred and fifty dollars about, about a week later he gave me a hundred and fifty dollars and a uh, 9mm pistol. Well somebody broke into my Mama's house and stole that recently.

Murphy: When you first started, when you talk to you the first time didn't he tell you something about that boy?

Eric: About the uh, the boy who the

Murphy: (inaudible)

Eric: About Kashaun, oh yea, he say uh, Kashaun was fooled just like (inaudible) about it, just you know.

Dillard: What did they actually tell you about killing the boy?

Eric: Nothing but uh, he was like that Kashaun is a fool. He (inaudible) you know just like that there and say uh, and that was basically it.

Murphy: Where's Kashaun suppose to live?

Eric: In Springfield.

Dillard: Well did they tell Calvin something about doing it, how they killed him, what happened.

Eric: No, he just told Calvin that don't mention my name, don't even bring my name up saying you saw me in uh, uh red car period. Don't tell nobody you even say [sic] me in a red, no kind of red car. So, Calvin told him say man I don't give a fuck about that white boy cause, as long as they ain't looking me for it, I don't give a fuck who killed him.

Murphy: They, they didn't tell you nothing about what they done with the stuff they got off him, he didn't, he didn't tell you how they done it or nothing.

Eric: No, no, he no, he didn't never tell me that. I guess he didn't want to get in details you know, telling me all that.

Murphy: About what time of the night was that you seen him.

Eric: Uh, it was approximately about, I can't really say about nine or ten something. I don't really know. I you know.

Dillard: That's when you seen him in the car?

Eric: Yea, that's when we seen him at the stop sign.

Murphy: Alright, about how long ago was that?

Eric: Uh, let's see it had to been it was May or April something like, May I think. Was it May or April. It was when I got, I got locked up and I stayed in a month. So I don't know. I know I got locked up in April or May.

Murphy: Well, after you seen them you heard about the pizza boy?

[4]

Eric: Uh, yea. It was like the next day when I heard about the pizza boy.

Dillard: You got anything else you need to tell us?

Eric: No.

Dillard: Like anything else they said or Calvin Gross said that you knew about it or anything like that.

Eric: No sir. Calvin you know he just said he didn't care you know and long as the police whatin [sic] looking for him for it, you know, he whatin even worried about it.

Murphy: Time now is 6:36 p.m.. I dropped the tape recorded. Time now is 6:30 p.m.

Dillard: Is it still running.

Murphy: Yea. 1-24-99. Livingston Parish Jail.

END OF STATEMENT

Typed by Dy. Doris Stafford

May 7, 1999 @ 2:30 p.m.

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**APPENDIX N**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[LIVINGSTON PARISH SHERIFF'S OFFICE]  
[STATEMENT OF BEN JOY, APRIL 12, 1999]

4-12-99

I Ben Joy was talking with inmate Eric Brown. He stated to me that he was with Mike-Mike the night they carjacked the boy in Albany / pizza boy. He also told me he took a pair of tennis shoes from the boy. He said the name of another guy that was with them, he called him Bo-Bo. Eric also told me he was tryen [sic] to pin this crime on Mike-Mike. He said they would believe him because he has told on others befor [sic]. He also told me they threw some of the stuff away at a rest area on I-55 then he left the state!

*Ben Joy*  
4-12-99

51a

**APPENDIX O**

[TRIAL EXAMINATION OF ERIC BROWN]

[2414]

TWENTY-FIRST JUDICIAL DISTRICT COURT

PARISH OF TANGIPAHOA

STATE OF LOUISIANA

NUMBER: 15992      DIVISION: "B"

\*\*\*\*\*

STATE OF LOUISIANA

VERSUS

JAMES SKINNER

\*\*\*\*\*

TRANSCRIPT OF THE JURY TRIAL

FRIDAY, MAY 13, 2005

9:07 A.M.

BEFORE THE HONORABLE BRUCE C. BENNETT,  
JUDGE, PRESIDING

VOLUME V

APPEARANCES:

REPRESENTING THE STATE OF LOUISIANA:

Ms. Charlotte Herbert

Mr. Donald Wall

REPRESENTING THE DEFENDANT:

Mr. William Alford

REPORTED AND TRANSCRIBED BY:

Sharon A. Leroy, CCR-CVR-CM

\* \* \*

[2455:17]



[BY MR. WALL]

Q. Do you like coming in here and testifying against other people?

[ERIC BROWN]:

A. No, sir.

Q. Have you ever gotten anything for testifying?

A. No, sir.

Q. When you're in the Department of Corrections and you testify at somebody else, does that have any effect on you?

A. A lot of the effect.

Q. What kind of effect?

A. It's dangerous, you know. You never know what's gonna happen, who you're gonna get into it behind that. People are gonna look at you wrong, look at you bad, you know, stuff like that.

[2456]

This is a real big, big headache.

Q. It's kind of a code you don't talk against other people; Is that right?

A. Yes, sir.

Q. Have you ever been – Have you been charged by the district attorney in connection with your connection with what happened on April the 4th?

A. No, sir.

Q. So obviously you've never pled guilty to anything connected with this?

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A. No, sir. [2456:12]

\* \* \*

**APPENDIX P**

**[RESENTENCING HEARING OF ERIC BROWN]**

**TWENTY-FIRST JUDICIAL DISTRICT COURT  
PARISH OF LIVINGSTON  
STATE OF LOUISIANA**

**STATE OF LOUISIANA  
VERSUS  
ERIC C. BROWN**

**# 12298  
DIVISION: "D"**

**MOTIONS**

Testimony and Notes of Evidence, taken in the above-entitled and numbered cause, before the **HONORABLE DOUGLAS M. HUGHES**, Judge presiding on the 11th day of August, 2004.

**APPEARANCES:**

**REPRESENTING THE STATE OF LOUISIANA:**

**LEANNE MALNAR, ESQUIRE  
Assistant District Attorney**

**REPRESENTING THE DEFENDANT:**

**A. WAYNE STEWART, ESQUIRE**

\* \* \*

**[4]**

**[BY MR. STEWART]:**

\* \* \*

Quite frankly, and just to lay it on the line, I feel like The Court may have felt at that time that we had escaped or enabled our way through the system with

that verdict. Be that as it may The Court sentenced Mr. Brown to 15 years, which was the maximum sentence available. I've known this young man for a long, long time, and known his family. I know the conditions he was reared under. I know his momma, his daddy. He's been in and out of trouble at one time or another for a number of years and obviously that played a role in The Court's sentencing.

This man, as Senator Terry would say, "Has won the bronze star, the silver star, and three purple hearts." He's proven, Judge, he can be a citizen, and I think we all known that this man can be a citizen, and what I'm talking about is sometimes it's more than just going down and voting. Sometimes it's doing things that's just really not popular. I'm asking The Court to take this matter under advisement and consider a minimum of the sentence on this boy.

THE COURT:

Okay. Thank you, Mr. Stewart. Ms. LeAnne, I know that you're not necessarily familiar with the case.

MS. MALNAR:

No, I'm having a little bit of — [4:31]

\* \* \*

**APPENDIX Q**

**[RESENTENCING HEARING OF ERIC BROWN]**

**TWENTY-FIRST JUDICIAL DISTRICT COURT  
PARISH OF LIVINGSTON  
STATE OF LOUISIANA**

**STATE OF LOUISIANA  
VERSUS  
ERIC C. BROWN**

**# 12298  
DIVISION: "D"**

**MOTIONS**

Testimony and Notes of Evidence, taken in the above-entitled and numbered cause, before the **HONORABLE DOUGLAS M. HUGHES**, Judge presiding on the 29th day of September, 2005.

**APPEARANCES:**

**REPRESENTING THE STATE OF LOUISIANA:**

**DAVID GUIDRY, ESQUIRE**  
Assistant District Attorney

**REPRESENTING THE DEFENDANT:**

**A. WAYNE STEWART, ESQUIRE**

\* \* \*

[4]

**THE COURT:**

Well, there are some mitigating circumstances that I'm willing to address and make a ruling on this motion. Before I do that, though, Mr. Guidry, is there an objection from the district attorney's office?

MR. GUIDRY:

Yes, sir. I'm certainly not in a position to agree to that and my position is that we would stand in opposition to that request, Your Honor.

THE COURT:

I so note the objection of the district attorney's office, however again, there are some mitigating circumstances. So on Mr. Brown I amend as follows: I suspend all of his jail time except that which he's already served. Credit for time served. Terms of the probation for the remainder of the time I've just suspended are as follows: That upon release you'll go ahead and get hooked up with a probation officer, you pay a \$50.00 per month fee, and you stay out of trouble.

MR. STEWART:

Thank you.

THE COURT:

And Wayne, let's give him one notice for January 23rd to see how he's doing, settle back in, and then we'll go from there. Five years probation.

MR. STEWART:

Thank you, Judge.

58a

**APPENDIX R**

[TRIAL EXAMINATION OF RYAN STINSON]

[2414]

TWENTY-FIRST JUDICIAL DISTRICT COURT

PARISH OF TANGIPAHOA

STATE OF LOUISIANA

NUMBER: 15992      DIVISION: "B"

\*\*\*\*\*

STATE OF LOUISIANA

VERSUS

JAMES SKINNER

\*\*\*\*\*

TRANSCRIPT OF THE JURY TRIAL

FRIDAY, MAY 13, 2005

9:07 A.M.

BEFORE THE HONORABLE BRUCE C. BENNETT,  
JUDGE, PRESIDING

VOLUME V

APPEARANCES:

REPRESENTING THE STATE OF LOUISIANA:

Ms. Charlotte Herbert

Mr. Donald Wall

REPRESENTING THE DEFENDANT:

Mr. William Alford

REPORTED AND TRANSCRIBED BY:

Sharon A. Leroy, CCR-CVR-CM

\* \* \*

[2488:18]

THE COURT:

I understand that.

Hello, Ryan Stinson. How are you today? Just have a seat. I need to talk to you.

Mr. Stinson, counsel has just indicated to me, and I'm speaking of Mr. Wall, the prosecutor. He indicated to me that he had a conversation with you and that you indicated that you would not be testifying in this case.

MR. STINSON:

Yes, Sir.

[2489]

THE COURT:

You understand that under the Fifth Amendment of the Constitution and under the Louisiana —

MR. STINSON:

The law can't find me guilty if I can't remember something.

THE COURT:

Well, if you don't remember something you can say that pursuant to questions, if that's your response. And of course, Mr. Wall, if he's hostile then of course you might be able to lead him and ask him questions and he can say yes or no or I don't recall.

What I want you to understand is that if you're not in jeopardy, if you're not at risk of losing your freedom the Fifth Amendment does not apply. You don't have the right not to testify.



MR. STINSON:

I know that.

THE COURT:

You understand that? And if you refuse to testify, then you leave me no choice by [sic] to cite you for contempt of court and —

MR. STINSON:

I never said I would refuse to [2490] testify. If I don't remember, I don't remember.

THE COURT:

Well, this is a different ball game. You indicated to me that he was not going to testify.

MR. WALL:

That's precisely what he told me, your Honor, that he would not testify.

THE COURT:

I just want to make sure you understand what you're [sic] rights are in this case and I have no choice if you simply say "I'm not going to testify," then I can't make you talk, I can't make you testify. The only thing I can do is hold you in contempt and give you a sentence and string it at the end of whatever you're doing. And obviously that's not in your best interest to do that.

MR. STINSON:

This I understand.

THE COURT:

So are you willing to take the oath and at least give testimony and response to whatever questions you can respond to?

MR. STINSON:

Sure.

[2491]

THE COURT:

All right.

MR. WALL:

Your Honor, I would like for the Court also to instruct Mr. Stinson about the perils of having given sworn testimony in the past and deviating substantially from that in a matter that has a bearing upon this case as it relates to the crime of perjury.

THE COURT:

Let me put that in layman's terms. Mr. Stinson, if you've given previous testimony and raised your right hand and took the oath to tell the truth and then gave certain statements and those same questions are asked to you today, and you say "I don't recall" or you deny making those statements or your testimony is different from those statement[s], then you're in a different kind of box.

MR. STINSON:

I understand that.

THE COURT:

And that box is called perjury.

MR. STINSON:

I understand that, too.

THE COURT:

And the District Attorney, they [2492] have the right to prosecuted you for the —

MR. STINSON:

And also the law states that if a person cannot remember, a person cannot remember. It doesn't matter if it's two days ago such and such told me something, if I can't remember two days ago what such and such told me, I can't remember.

THE COURT:

I understand. I don't know if you recall when President Clinton was asked a bunch of questions and he got into that business "I do not recall. I do not recall," he ran the risk also of perjury himself. And that was one of the issue[s] even in the case against a president. It's a fine line but —

MR. ALFORD:

May I say something?

THE COURT:

Sure.

MR. ALFORD:

Your Honor, I think the prosecutor has just threaten[ed] the witness with a crime. Now, that invokes the Fifth Amendment.

MR. WALL:

Absolutely not.

[2493]

THE COURT:

No. I don't think so.

MR. ALFORD:

He's just said if he says he can't remember, then that's subjects him to perjury.

THE COURT:

Only if it constitutes the crime of perjury, Mr. Alford. I don't know if he's about to commit perjury or not.

MR. ALFORD:

Well, he said he doesn't remember.

THE COURT:

Well, I —

MS. HERBERT:

He hasn't said it yet.

THE COURT:

Hasn't said it yet. Shall we have the jury? You can stay right there, Mr. Stinson.

(The jury re-enters the courtroom at 11:13 a.m.)

THE COURT:

Folks, I got you in prematurely. I'm going to ask you to retire just briefly. Remain by the door.

(The jury exits the courtroom at 11:13 a.m.)

THE COURT:

Members of the audience, you may have a seat.

Mr. Wall, Mr. Stinson just asked [2494] me in a quiet voice if he could have a moment with the D.A. I don't know what that means. I don't know what the deal it, [sic] but he's requested a chance to chat with you. So if you want to do that, that's fine with me.

MR. WALL:

I'll be happy to talk to him.

THE COURT:

We're going to stay in session. If y'all want to step outside, that's fine.

(Mr. Stinson conversing with the D.A.)

THE COURT:

All right. Mr. Stinson is here. We're ready for the jury. Counsel, before the jury is called, I simply draw your attention in an anticipatory ruling. I don't know how this will go. Article 611(c) of the Code of Evidence. You might want to take notes, Gentlemen, 611(c), 804.83, 804(b)(1).

Let's have the jury.

MR. WALL:

Your Honor, before we bring them in I am now of the impression that Mr. Stinson is going to in fact testify.

THE COURT:

Well, let's see how it goes.

\* \* \*

[2500:28]

[DIRECT EXAMINATION OF RYAN STINSON]

[BY MR. WALL]:

Q. How big is E17?

A. E17 could be about – it's not very big. About 16-by-16, if the most. I really – I'm not no good on measurements. But it's big enough —[2501] It's mainly big enough for one person but they usually put two in there.

Q. If I was standing in the call [sic] and I did like that (indicating), could I touch both the walls?

A. Probably so. Yeah, you probably could.

Q. Okay. During the time that you were in E17, was anyone else ever put into that cell?

A. Yes, Sir.

Q. How long had you been in there before they put somebody else in?

A. A couple of days. If a couple of days. It might have been a day or two. I don't quite recall how long I was in there.

Q. Okay. When the jail has people in jail, do they keep records of where every inmate is housed and if they're moved, do they keep records of that?

A. To the best of my knowledge they do.

Q. Who was the person that was put in there with you?

A. A young dude they call Poc. He told me his name was Poc Skinner.

Q. Poc?

A. Skinner. That's what he told me.

Q. Okay. Do you see that person in court today?

A. Yes, Sir.

Q. Could you point him out and tell me what he's wearing, please?

A. He's wearing a white stripped [sic] shirt and [2502] brown khaki pants.

MR. WALL:

Let the record reflect, he's identified the defendant, James Skinner.

BY MR. WALL:

Q. When he arrived in the cell or was put in the cell with you, what happened?

A. Do you want me to start from the beginning?

Q. Yes.

A. When he first come in the cell, you know, like regular inmates, "My name's Ryan. Where you from? What you in for?" Things like that and just communicated at first and then he started talking about "They got me bad, they got me bad." And it went on from there and he started explaining things to me.

Q. Okay. He told you they got you bad —

A. The got him bad.

Q. — meaning he was innocent? Right?

A. Yes, Sir.

Q. Had you ever heard that before in a conversation with a jail inmate?

A. On – about every inmate you talk to, if you talk to a hundred, at least 99 of them are gonna tell you he's innocent.

Q. Did he tell you what he was – the charge that he was in jail for?

A. He told me he was in jail for murder.

Q. What did you think about that?

[2503]

A. I mean, that was my first time really being in jail, you know. I kind of got scared, you know. I wasn't – never been in no – I was a little younger than I am now and not understanding the system and I had got scared.

Q. Did you ask him any questions about the murder?

A. I asked him, I said, "Who they say you murdered?" and he told me, "Some boy they call Eric Wheeler." And I said, "Eric who?" and he said, "Eric Wheeler" and —

Q. Say the last name for me, please.

A. He said Wheeler, Waller, or something. I'm not good with pronouncing names. He said Eric Wheeler, Waller, something like that. And we got to talking.

Q. Did you ask him a lot of questions about it?

A. I didn't ask him a lot of questions. It seemed like when he got to talking, he just kept on, just kept on going and going, you know. And I would pop in every now and then and might put a question in every now and then.



Q. And while he was telling you this stuff, did you do anything to preserve it so you could remember it later or anything?

A. Well, due to the fact that I had been on suicide watch and I had just come off, I was waiting for my property to come, all I had was a sheet of paper and a little bitty old pencil that I had been using to write letters home with. And [2504] I started writing things down that he was saying.

Q. Was he watching you write them down?

A. No, I'd wait till he was looking out the tray hatch, trying to get a cigarette or talking to someone and I'd turn and face the wall and my mattress – if you put the mattress on there, you got a little room on the side and I'd jot it down and push my mattress back over, over the top of it.

Q. Why were you taking notes like that?

A. You know, where I come from – you know, I was raised in a good home and I don't think anyone should get away with doing anything wrong. Just like me, I did my crime and it's time I do my time for it.

Q. What did you plan to do with these notes that you were taking?

A. Well, I figured – at first, he really wasn't saying much, you know, but I was jotting them down. Then whenever he really got to talking, I, you know, put it down. I said whenever someone comes in, I'm going to give it to them and see what they think about it. [2504:23]

\* \* \*

[2507:1]

Q. What did he tell you about the murder?

A. You want me to tell you in detail?

Q. Sure. Start from the beginning. I'll probably interrupt you occasionally, but what did he tell you?

A. Well, he was sitting there talking and at first he kept on telling me he didn't do it and they got him bad. "I'll be out of here in a couple of days." And I said, "Well, I hope so." You know. I was trying to make him feel happy, you know. So he kept on talking and then later on, maybe 30 minutes later, he got to talking, he said, "Man," he said, "that white boy had it coming, though." He said – I said, "Well, what happened then?" You know. We kinda got more comfortable with each other in the cell, I guess. And he said, "Well, I was riding with the white boy," he said, and "I was trying to get him to pull around by my boys." He said he wouldn't. He said at first he wouldn't get over there, he said, and he went around there, he said, and I reached – he said, "I reached over, killed the engine, snatched the keys out the car", he said, "and I got out the car" – "me and my boys got out." I guess – I don't know where they was at. He said they got out. He said they pulled him out the car and started – he said, when he pulled the keys out, he said he hit him and he said, he come around and his boys got out and they helped him drag him out the car and they beat him up. Then he said, "I had to get in the car and run over the [2508] son of a bitch."

Q. Did he tell you what he – what they did after they ran over him?

A. He never – he said that they took the car. I remember him saying the car was somewhere in Albany. They had wiped the prints off. I don't know of [sic] they took the car and joy ride – I don't know what. All I know is he said that they wiped all the prints off and left it in Albany. [2508:9]

\* \* \*

[2520:13]

[BY MR. WALL]:

Q. As a result of coming here and testifying, do you expect to receive anything?

A. No, Sir.

Q. As a matter of fact, by coming here and testifying against James Skinner, does that hurt you in any way?

A. It affects my life in prison. It does. It's not common for an inmate to tell on another inmate, and it puts us in a predicament where it's a life or death predicament. Because anything can happen to you if they find out what you were doing, they could do you something, but I still decided to do it.

Q. Why?

A. As I said before, I mean, I feel that a person that takes another person's life should be punished for his crime or if you steal you should be punished for your crime. [2520:30]

\* \* \*

71a

**APPENDIX S**

**[PRISON TRANSFER SETTLEMENT HEARING  
OF RYAN STINSON]**

[1]

**RYAN STINSON, ET AL  
VERSUS  
DISTRICT ATTORNEY 21ST J.D.C.**

**July 9, 2007**

\* \* \*

[1:25]

RYAN STINSON: Being first duly sworn to tell the truth, the whole truth and nothing but the truth, so help him God, testified as follows:

THE COURT:

Q. This is number nine on the docket, Ryan [2] Stinson vs. D.A., 113,598. Mr. Stinson would you please give your name and address for the record.

A. Ryan Joseph Stinson. You said my DOC number too?

Q. Where do you live when you're not in jail?

A. I live in Amite, Louisiana.

THE COURT:

All right. Mr. Murphy do you have a stipulation?

BY MR. MURPHY:

Yes, your honor. Greg Murphy on behalf of the D.A.'s Office, Mr. Scott M. Perrilloux and Assistant D.A. Charlotte M. Herbert. Mr. Stinson had filed a motion to enforce a settlement this morning. We've

reached an agreement. We are, we had an agreement in place, but we needed some assistance from D.O.C. I spoke with Trey Boudreaux, one of the secretaries at Department of Corrections this morning. They've agreed to our wishes. they are going to move Mr. Stinson as per his request to Dixon Correctional Institute. When they move him I will provide Mr. Stinson with a release, and then he will dismiss this claim. What I [3] suggested to Mr. Stinson is that we just pass his motion for thirty days and that way that will give D.O.C. time to move him and give me time to prepare a receipt and release as per his request. And that will end the litigation regarding Mr. Stinson.

THE COURT:

Okay. So he's going to release it, you're not going to have a judgment from today?

BY MR. MURPHY:

No, judge.

BY MR. STINSON:

I'd like to also, on the motion, also there was a Motion for Appointment of Counsel that was continued to today. I'd like to withdraw that motion from the court.

THE COURT:

All right. We'll let it be withdrawn.

THE COURT:

Q. And you've heard the agreement read into the record by Mr. Murphy?

A. I'm in agreement with it.

73a

Q. You're in agreement with that.

A. I'm in agreement with it.

Q. Do you have any questions about it?

A. No, ma'am. [3:29]

\* \* \*

74a

**APPENDIX T**

[TRIAL EXAMINATION OF RAZ ROGERS]

[2417]

TWENTY-FIRST JUDICIAL DISTRICT COURT  
PARISH OF TANGIPAHOA  
STATE OF LOUISIANA

\* \* \* \* \*

STATE OF LOUISIANA  
VERSUS  
JAMES SKINNER

\* \* \* \* \*

NUMBERS: 15991, 15992

\* \* \* \* \*

TRANSCRIPT OF THE JURY TRIAL PROCEEDINGS  
HELD IN THE ABOVE MATTER ON THE  
14<sup>TH</sup> DAY OF MAY, 2005  
HONORABLE BRUCE C. BENNETT, JUDGE,  
PRESIDING

VOLUME V

APPEARANCES:

Ms. Charlotte Herbert	FOR THE STATE
Mr. Donald Wall	FOR THE STATE
Mr. William Alford	FOR THE DEFENDANT

REPORTED BY:  
Linda B. Bennett, C.C.R.

\* \* \*

[2898]

RAZ ROGERS

75a

A. I think that's it.

Q. All right. Are you what we might call a "weed head"?

A. No, sir. Not anymore. I used to smoke marijuana when I was in high school. I believe that just about everybody experiments with things of that – like that. I quit smoking marijuana at the age of – at age 18.

BY MR. ALFORD:

I don't have any more questions of this witness.  
[2898:12]

\* \* \*



76a

**APPENDIX U**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[21st JUDICIAL DISTRICT ATTORNEY'S OFFICE]  
[FEBRUARY 15, 2000]

**Eric Walber Case**

Annon Caller –

Steve & Raz Rogers

Travis Martin (boyfriend of April Runnel[ls])

April Runnells (best friend of Ann. caller – at one time)

April told Annon Caller that her boyfriend Travis was scared because of something he saw that he wasn't supposed to.

Steve, Raz and Travis was in an (car) accident and Travis was killed. Accident happened on Bankston Rd.

Steve & Raz supposed to have confessed to "someone" that they murdered Eric Walber. And one of the boys allegedly turned themselves in for the murder.

April Runnells is now living with Travis (deceased) brother and have a baby with him.

Information taken by: Andrea McMorris  
approx – 10:00 PM  
2/15/2000

**APPENDIX V**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
 [TANGIPAHOA PARISH SHERIFF'S OFFICE]  
 [POLICE NOTES RE: DASHAIN MOORE  
 INTERVIEW, MAY 11 – 26, 1998]

Date\_\_\_\_\_

Page No. 16

**TANGIPAHOA PARISH SHERIFF'S  
 DEPARTMENT  
 SUPPLEMENTARY REPORT**

---

 Classification or Offense  
 =====

---

 Item No.  
 =====

---

 Name of Complainant

Address

Phone No.  


---

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION,  
 ETC.

(investigating Officer must sign)

On 5-11-98 received fax from LPSO of armed robbery where a B/M 6'2" 140 # with tattoos on both arms took a W/M from Chevron in Albany to ATM machine in Springfield [sic], made W/M take out money. The W/M victim threw money at suspect and ran away. The suspect took Ford p/u. The suspect had a mountain bike that was put into rear of truck. the P/u was found burning near Springfield. In the p.m. D[a]shain Moore B/M was arrested for carjacking, armed robbery and agg. kidnapping.

On 5-12-98 TP 124 and 128 went to LPSO and questioned D[a]shain Moore in ref to the Walber homicide. D[a]shain says he knows nothing about the

homicide except what he read in the paper. Don Zulkey ran D[a]shain on the lie detector. Don says that D[a]shain failed the first test then passed the next two. D[a]shain offered to give blood samples, hair samples, or any other evidence that det's need. D[a]shain says that he and Kenneth Walker are best friends and hang [17] together most of the time. D[a]shain could not tell us where he was on 4-4-98.

On 5-19-98 Don Zulkey ran D[a]shain on the Polygraph again and D[a]shain passed the test. Don Zulkey also did a Polygraph on Melvin Tillman a B/M. Zukley says that Tillman was telling the truth as to what he saw and told Capt. Dangerfield. TP 128 & 102 called Deborah Tillman trying to locate her son Ben Tillman who is a brother to Melvin. Melvin says that Ben saw the B/M's in Eric's veh. at Melvin's Res.

On 5-26-98 TP 102 & 107 went to Slidell to question Benjamin Tillman. TP 107 removed a piece of carpet from Tillman's veh for evidence. On 5-27-98 TP 128 carried piece of carpet to JPSD crime lab for analysis.

25 Investigating Officer(s)\_\_\_\_\_26 Report Made by\_\_\_\_Date\_\_\_\_\_

White-Sheriff's Dept. Copy Canary-District Attorney's Copy

79a

**APPENDIX W**

[ARMED ROBBERY INVESTIGATION OF  
GARY STAFFORD]  
[LIVINGSTON PARISH SHERIFF'S OFFICE]  
[STATEMENT OF GARY STAFFORD,  
MAY 11, 1998]

C-8700

[Page 1]

State vs. Dashain Moore

Statement taken from Gary Stafford

Detective Chuck Watts, Dy. Daniel Gomez, LPSO

TAPE #: 4700

WATTS: Today's date is May the 11th., 1998. The time now is [] 1:50 a.m. This is Det. Chuck Watts with the [] Livingston Sheriff's Office [] Daniel Gomez with the Livingston Sheriff's Office. We're gonna be doing a taped interview of Gary Stafford, a white male [] his DOB is 8/10 of '79.

\* \* \*

[9]

C-8700

Page 9

Statement of Gary Stafford

WATTS: Okay, what did he say?

GARY: He told me he was blowing my brains out right now cause he didn't care. Cause he said because uh he said he done killed

one boy and he told me it was the Walber boy.

WATTS: Okay.

GARY: He said he didn't care if he killed me.

WATTS: Okay. Did he say anything else? What he did you say anything?

GARY: Uh he had a gun in my mouth.

WATTS: So, and I I can understand.

GOMEZ: Did he go into any details about the Walber boy?

GARY: No, that's all he said.

GOMEZ: He didn't tell you anything about how it was done or anything (inaudible)?

GARY: He just said he killed him. He was the one that done it.

GOMEZ: What did you tell him at that point when he told you that?

GARY: I didn't say nothing. I just (inaudible). The first chance I had I knew to get away cause if he was the one that done it I mean I wouldn't I probably wouldn't be sitting right here right now.

WATTS: Is there anything I left out?

GOMEZ: (Inaudible) have.

GARY: He just kept telling me he said he would blow my brains out if I didn't do what he said and all this and that if I try to run.

81a

GOMEZ: Did he have any distinctive thing about him like talk or

GARY: He smelled like he'd been drinking.

WATTS: Time now 2:10 uh a.m. the same date and time, same participants. This is gonna conclude this portion of taped statement.

END OF STATEMENT

Typed by Dy. Maxi Wilmot

May 12, 1998 @ 10:02 a.m.

**APPENDIX X**

**[STATE'S CLOSING ARGUMENT IN DASHAIN  
MOORE TRIAL FOR ARMED ROBBERY]**

**STATE OF LOUISIANA    CASE #: 98-FELN-014563**

<b>VS.</b>	<b>CHARGE:</b>
<b>DASHAIN MOORE</b>	<b>AGGRAVATED</b>
	<b>KIDNAPPING</b>
	<b>ARMED ROBBERY</b>

**[BEFORE THE HONORABLE  
BRENDA BEDSOLE RICKS, DISTRICT JUDGE,  
DIVISION "E"]**

**[NOVEMBER 10, 1999]**

**\*   \*   \***

**[246]**

**CLOSING ARGUMENT**

**MS. HERBERT:**

Good afternoon. Now you know what happened and what my job is to do now is just to give you a summary, but we heard all the testimony today and I'm sure all of you recall everything that was said by the different witnesses. You know how lawyers are and we feel like we've got to say a few things and then I'll sit down and then Mr. Ferrara will make his argument and I may rebut.

Gary Stafford testified from this witness stand. You got to see him. You got to size him up. You got to hear from him. A nice young man coming home to see his mom, stops to make a call, and the worst of nightmares that any of us could face occurred. He gets taken at gunpoint, kidnapped, and made to drive

around. He hears that if he doesn't comply he may die. He's going to die. A friend of his, Eric, who had just been found, this man makes a statement that he had killed him. He wouldn't hesitate to kill someone else. If that's use of force or intimidation, I don't know. He takes the Florida State cap off his head and says, you won't be needing this any more. What else is that but force or intimidation. He rides around. He's taking things from him. He has absolutely no regard for Gary Stafford whatsoever. He doesn't care what kind of fear he puts into him.

But, you know, he is being careful not to leave any fingerprints. He makes Gary go in first and close the door. This man is very careful about what he's doing. No fingerprints.       \*   \*   \*

\*   \*   \*



**APPENDIX Y**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
JULY – AUGUST 1998 POLICE NOTES IN RE  
JAMIE LEE]

[1]

**Walber Murder**

**Mon. July 13, 1998**

127 & 104 – S.R.T.

\* \* \*

- Obtained charges on Jammie Lee for 2nd degree battery. (poss. suspect.)
- Spoke to Jammies sisters, they believe he could have been involved because Jammie has been very violent lately. His ex-wife worked at Jr. food mart around the time of the murder.
- 104 found out she worked there after the murder.

\* Jammie Lee was arrested before for robbing a pizza boy (a couple of years ago) Tangi Village area

\* \* \*

[7]

**page 2 of 2**

**Sat. July 18, 1998**

Ryan also said that if Jammie did it that he would have been by himself but might tell Aron Rogers but not his sisters.

We asked Ryan if he knew if Jammie owned or wore any type of western style shirts with snaps rather than buttons. He said Yes he has seen him in

that type of shirt on different occasions and in different colors. He described one of the shirts that he saw Jammie wearing which matched the style shirt recovered at the scene [sic], but a different color.

Ryan added that during his conversation w/ Jammie he told him that he was wanted for 2nd degree battery and as a suspect in the murder and would not be taken alive by police + he said that he told his mother not to let his sisters attend his funeral.

- Ryan agreed to meet with Det. again and look at the shirt found at the scene.

- Ryan said that he went to the pizza place w/ the note instead of talking to police, because Jammie would kill him if he knew he talked to detectives but wanted someone to know.

- At approx. 7:55 p/m 127 received a page from Jammie Lee calling from 542-9573-911. Jammie asked me if I had a warrant for his arrest for 2nd degree battery and I said yes. He also asked if he was a prime suspect in the murder of the pizza boy. I told him that we would talk about it when he came in on the warrant. He told me that he was not going to jail for the rest of his life + I told him if he didn't do it, not to worry about. He said that he was not coming in but he would talk to me + that he would call me back later. "He never did."

\* \* \*

86a

**Thurs. July 23, 1998**

127, 104, 129 + S.R.T

Chasity – 419-1290

- Received info that Jammie Lee was at his mother's house at 250 Milton Rd 567-4722.

- Went to Jammie's mothers' house. 129 found him under the trailer.

\* - Jammie was booked on warrant for 2nd degree battery + questioned about the 30.

- He offered to take a lie detector [sic] + answered all of our questions. Very cooperative.

\* \* \*

[21]

**Thurs. August 13, 1998**

127, 129, 104

Met w/ Kenny + obtained psychic [sic] tape #3

-105 spoke to Chad Babb at L.P.S.O. Jail. Chad said he wanted to make a deal on the Walber murder but wanted his lawyer and a A.D.A. to be present.

- This meeting was set up for tomorrow –

105 spoke to J.J. Wise at the L.P.S.O. Jail, he is in the cell w/ Chad Babb. J.J. told him Chad said that Jammie Lee killed the pizza boy.

\* \* \*

- Went to Crisp Rd to check out leads from psychic.

87a

- Found the car seat on Crisp. Rd described by the psychic as the location where the items were thrown out of the car.

- This seat is approx. 1/10 of a mile towards OBR on the right.

- Reviewed tape #3

\* \* \*

[22]

**Pg. 1 of 2**

**Fri. August 14, 1998**

127, 105, 124. Met w/Mrs. Walber

Went to T.P.S.O Jail and spoke to Chad Babb, after he spoke to Chuck Ried (Public Defender) and we spoke to A.D.A. Don Wall.

Chad said that he bought a truck on April 4, 1998 and took his girlfriend to B.R. to eat supper and then brought his girlfriend to his house in Albany and when she fell asleep, he left in his truck w/ \$900 cash to go buy some crack. This was approx. 12 midnight.

At approx 4 or 5 a/m he saw Jammie Lee at the Chevron station. He was driving a red Chevy S-10 p/u and had a B/M w/ him poss. "Too Tall."

Chad said Jammie got out of the vehicle to talk to him and he noticed that Jammie had blood on his light colored blue jeans from his knees down and on his tennis shoes. He said his pants were very dirty but his t shirt was clean.

Chad asked him what happened + Jammie told him they hit a deer + they skinned him out. Chad then said that he saw the B/M talking to a B/M

88a

driving a maroon King Cab G.M.C p/u poss. 4x4 w/a W/M on the pass. side.

The B/M with Jammie bought crack from the B/M in the other truck. Then Chad bought a \$20 rock from the B/M also. He said he looked in + around Jammies truck and saw no signs of hitting a deer or a deer in the back of the truck + he left. Chad then left towards Gen. OH Rd. + realized that he wanted to go back + buy more crack from that B/M, so he wouldn't have to go back to Cafe Line Road. (OVER)

\* \* \*

[30]

**Fri. August 21, 1998**

127, 127, 126

- 105 spoke to Chad Babb at the jail, he told Mark that he saw Jammie Lee + Rodney Grabert beating Eric on Crisp Rd. the night of the murder.

He said he was not involved in the murder at all + had a crack head w/ him who can verify all of this. He told 105 that he was going to get his lawyer next week + discuss this in further detail.

He did not tell Mark who was w/ him.

\* \* \*

[31]

**Mon. August 24, 1998**

127, 104, 129 Met w/Mrs. Walber

\* \* \*

- Chad asked to talk to us from E-15

- He said that he wants to talk to us but his mother didn't want him to. He said that he wanted to call his mother tomorrow + tell her that he is going to talk to us. He did tell us that he witnessed Jammie Lee + Rodney Grabert AKA Two Tone fighting w/ Eric on Crisp Rd. + he saw a grey 4 dr. vehicle. He said he was driving his 1995 Ford p/u white w/ a blue bottom that he bought in B.R. on April 4, 1998. He also said that he had a W/F Amy Moore w/ him and dropped her off at Chevy's at 8 P/m on the 4th + went to Haynes Settlement + bought some crack + went to Crisp Rd. + witnessed the murder, then returned to Chevy's + drank w/ Amy then went to Chances Lounge + drank some more, then he took her home at approx. 1 a/m. He left + started smoking more crack + picked up a B/M Top Brown's son in law + rode around + at approx. 4 or 5 a/m they pulled into [32] Jan's Country Mkt. on Pumkin Center Rd. He said he saw Jammie Lee + Rodney Grabert in a red S-10 p/u in the parking lot talking to a B/M + a W/M in a maroon G.M.C + K Cab p/u + Rodney was buying crack from them.

Chad said Jammie had blood from his knees down on his blue jeans. Chad said that he asked Jammie what happened + Jammie told him they hit a deer.

He said he bought a \$20.00/100 rock from the 2 subjects in the maroon p/u + left. He turned around + went back to the store + Jammie was gone. He asked for another rock + they told Chad to follow them. He followed them to Dillon Ln. 3rd house on the left. The B/M went inside + got him 80.00/100 of crack + he left for the night.

90a

He then told us that he lied about that part + said that he + the B/M w/ him, were asked to pick him up at the old middle school in Albany. They picked him up + took him to Tangi Village + dropped him off. Chad said he + the B/M rode around + smoked crack until approx. 1 p/m Sunday the 5th.

**APPENDIX Z**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
 [TANGIPAHOA PARISH SHERIFF'S OFFICE]  
 [ALBANY POLICE DEPARTMENT COMPLAINT  
 REPORT IN RE CHAD SZISZAK CONFESSION]

**Albany Police Department Complaint Report**

Complaint Number\_\_\_\_ Type of Complaint: Information

Received by: Ronnie Gregoire How Handled:\_\_\_\_

Date/Time Received: 02-17-00 @ 1305

Date/Time of Offense: 02-14-00 @ 1100-1200

How Received: Phone Time Dispatched: \_\_--

Time Arrived: \_\_-- Time Cleared: \_\_--

-----  
 (Last) (First) (m)  
 Complaint: Gregoire Ronnie

Address: PO Box 1000 Zone: \_\_\_\_\_

City: Albany State: LA Zip: 70711

Phone: 567-2115

Business: Albany Police Dept

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

**Comments:**

At 1304 hrs. on 02-17-00 the Guidance Counselor Jennie Foster of Albany High School called this office and told this officer that two girls were in her office and did not want to be identifide [sic] but that on 02-14-00 Monday in the lunch room at Albany High School they were sitting with another student (Terri



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Danielle Luc Rey) The two girls told Mrs. Foster that Danielle told them that her mother (Joann Randall) was good friends with Chad Szisak and that she heard Chad tell her mother that when the Walber kid got killed that he was the driver of the car that stopped him. They stated that they did not know what to do, so they told their counselor.

I informed Det. Murphy Martin and he informed Det. Chris Gideon[.]

Officer: Ronnie Gregoire Badge# AP-2 Date: 02-17-00

**APPENDIX AA**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
 [TANGIPAHOA PARISH SHERIFF'S OFFICE]  
 [AMERICA'S MOST WANTED TIP ON CHAD  
 SZISZAK AND JAMIE LEE INVOLVEMENT]

504-545-[illegible] [504 549-7967 crossed out]

<b>AMERICA'S MOST WANTED</b>	<b>Fugitive <u>Eric Walberg</u> Date <u>1-29-00</u></b> <b>Operator: <u>1011</u> Time: <u>11:50</u></b> <b><u>pm</u></b>
	<input checked="" type="checkbox"/> AMW <input type="checkbox"/> FJ <input type="checkbox"/> Other
<b>When and where did you see him?</b>	Albany, La. (Tips the caller wanted to pass along).
<b>Why do you believe it's him?</b>	
<b>What was he doing?</b>	Chad was involved in the death of the Owens [strikeout] daughter, from years [strikeout] ago.
<b>Where is he now?</b>	
<b>What else can you tell us about the fugitive?</b>	Bobby and Denese Fabre said they heard that Chad [strikeout] Sziszak knows about the case. He was involved. Chad was with 2 black boys. One boy's name was Lee. Lee was with a football team a rival of Albany. That is why the

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	ring was taken. Chad parents are Rosie & Sunny. Chad has been in trouble, before.
<p><b>May we give your name and telephone number to law enforcement agents? They may wish to call you back for more information.</b></p> <p style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><b>Name</b> <u>Jim Konczoe</u></p> <p><b>Please characterize the caller</b> <u>White male, sincere repeating what he has heard</u></p> <p><i>( Caller was the leader of Eric's boy scout troop)</i></p> <p><b>Location:</b> <u>Albany, La.</u></p> <p><b>Phone</b> <u>225-567-1648</u></p>	

**APPENDIX BB**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
[TANGIPAHOA PARISH SHERIFF'S OFFICE]  
[POLICE NOTES IN RE: CHAD SZISZAK AND  
JAMIE LEE]

Thursday [undated]

Chris,

I got a call from a probation officer who said that his neighbor's daughter told him that Chad Seasock [sic] has been saying he killed Eric. Also, Jamie Lee has been making the same boast (Ward Sullivan's name came up somewhere as knowing this and something to do with Tylertown, Mississippi.

Chester

We have two hot spots on the night shift that if something isn't done soon, we'll probably be doing some free overtime in the coming weeks:

- 1) I gave Gary two call backs on 62cs at the North Pass boat landing
- 2) Next door at Big Wheel and their yard on Club Deluxe—They are killing them. Please watch these locations and watch the interstates for cars parking and people walking in to steal.

**APPENDIX CC**

[HOMICIDE INVESTIGATION OF ERIC WALBER]  
 [TANGIPAHOA PARISH SHERIFF'S OFFICE]  
 [STATEMENT OF GWENDOLYN ROBERTSON]

[1]

McDowell: Today is August 7, 1998. I'm Detective Jerry McDowell with the Tangipahoa Parish Sheriff's Office. Also accompanying me is Sgt. Roger Dale Sanders with the Sheriff's Office. Time now is 10:00 a.m. We're at the residence of Gwendolyn Robertson . . . Is all that information correct, Gwendolyn?

Robertson: Yes, it is.

\* \* \*

[2]

\* \* \*

McDowell: Now, you're talking about Will or Frank on the phone right now? You're speaking with Will?

Robertson: I'm speaking with Will on the phone.

McDowell: Okay.

Sanders: And Frank is . . .

[Robertson]: My brother . . . other brother. And I said, "Do what, Will?" And he repeated himself, you know . . . he repeated himself, saying, you know, "Gwen, did Frank mention to you that I had told him something had been eating at me?" And I said, "He sure

did." And, um, he said, "Did he say Crisp Road?" I said, "It wasn't Crisp Road that Frank had mentioned, you know, to us." You know, but I said, "I know Crisp Road." I said, "Will, you haven't . . ." because he was crying at the time, talking to me over the phone. And I just asked . . . I said, "Will, you haven't killed somebody, have you?" I said, "Will, you didn't kill the little Eric Walber boy?" You know, and he was just, you know, really broke down, crying. And, um . . . he said . . .

Sanders: (unclear)

Robertson: . . . he said, you know, he was having flashbacks. He could not sleep. He could not live with [3] himself. you know, he could not get this off of his mind. And, um, I said, "Will, did you know this boy?" He said, "No." I said, "Well, how did you come about getting, you know, on the Crisp Road with him?" He said, "I called and ordered a pizza and, you know, he met us" . . . met . . . I don't really know if he said "us" or "me" . . . "back on Crisp Road." He said, "You know where Crisp Road is on E.S. Bankston's land." I said, "Sure, Will, I know where that's at." You know. I said, "Will, why did you do something like this? Why?" You know. I said, "Are you in your right mind, Will?" He said . . . he said, "Yeah," he said, "I'm smart." He said . . . he said, you know . . . he said, "I'm in my right mind." I said,

“Will, people, you know, that does thing like, you know . . . they’re not right. And, um . . .

McDowell: Take your time.

Sanders: He said someone was with him or . . .

Robertson: And I asked him, I said, “Will, who was with you?” I said, “Was Tammy with you?” He said, “No.” He said, “It was me and another . . .” I don’t know if he said “boy” or “man”, but he said, “They . . .” he said, “He’s out of state.” He . . . he said . . . he . . . whenever . . . and then whenever I asked him, I said, “Will, why did you do this?” I said, “Tell [4] me why you . . . why you did this.” And that . . . he said, “Gwen, I have a lot of anger in me.” He said, “I feel like the world is against me.” And I told him, I said, “Will, the world is not against you.” I said, “Nobody’s against you.” I said, you know, “You’ve had more chances than anybody.” You know. And, um, he said . . . so I said . . . I said, “Well, the little car . . .” I said, “They found the little car down in Springfield, I believe, by an elementary school.” He said, “Yeah.” He said the car was drove three days. And he said the radio . . . I want to say the radio, maybe a car phone and I thought it was something else that was taken out of the car. He said, “Just, please, Gwen, come up here. I have to talk to you. Please come up here.” And I told him, I said, “Will I can’t come right

now. I have my daughter, Cherie, and the baby is on their way." And while I was on the phone talking to him, they pulled up and I said, "Will," you know, "I have to go", you know, "they're here now." Well, while they were here, I know my mother called maybe once and maybe he called back twice and I told him, I said, "You know, I'll be there as soon as, you know, they leave." He said, "You know, I've got to talk", you know. He said, "I've got to tell it to somebody,

\* \* \*

[9]

Sanders: He never mentioned his accomplice's name? Just that he was out of state?

Robertson: Yeah, just out of state.

Sanders: Has he been out of state all this time or did he just go out of state or you don't know?

Robertson: I don't know. But I do know . . . and I got the boy's name. Chad Sziszak. I seen Will with him, you know, about a . . . you know, whenever he had that car. Because I really don't ever see him . . . yeah, because he was with Tammy. You know, you'd see them riding. I mean, he don't work.

Sanders: What's Tammy's name?

Robertson: Um . . . her last name is Bates. And sometimes she goes by Stewart. I guess



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maybe that's her maiden name or something.

Sanders: Un-huh.

Robertson: But, I mean, I read in the paper it was Bates.

McDowell: Where does she . . .

Sanders: About the time that this murder took place, he and Chad Sziszak were buddy-buddy? Friends? Were seen together a lot or . . .

Robertson: I had seen them, yes, in Albany . . . um . . . that little . . . what is it? A Time-Saver or . . . right by the red light.

McDowell: Un-huh.

Robertson: And stuff there.

\* \* \*