

1 factors that we were dealing with. We also had the name
2 of LC and Little C that was out there. And that was
3 another name we were using for identification that we
4 were looking towards. And his name was listed in
5 our police data. We were just looking around for other
6 physical characteristics. The mole was only one of them.

7 The reason why we did not pick Ashton Davis was
8 because he had long dreadlocks at the time. Which was
9 totally -- there was no description of that whatsoever.
10 And that's when the two would have been very, very
11 different. At the time I was also told that Ashton Davis
12 wasn't even in town at the time. And then after the fact
13 when we wanted to interview him, my understanding was --
14 and I don't know where I got this -- but I was told he
15 was in Atlanta, Georgia. That he had left and went to
16 Atlanta, Georgia. I had no idea where Ashton Davis was
17 or who he was at the time. And then, I realized, yes, of
18 course, I want to speak with Ashton Davis to get his side
19 of the story. I checked in the system and I found out
20 that he was in jail. So I immediately, as soon as I
21 found out that he was in jail, I went up to the jail to
22 interview Ashton Davis. And that's when he told me that
23 he was in Des Moines, Iowa, at the time of the robbery.

24 THE COURT: Okay.

25 MR. SOMMERS:- Your Honor, he just said --