

1 first degree criminal homicide. The same thing I alluded to,
2 Your Honor, in the press. This individual basically has
3 given a statement, or basically actually he's changed the
4 statement, his story, from time to time, and he has basically
5 implied, basically, the individual was his source. He's also
6 implying that he had a gun which up until today we were led
7 to believe by the government and through the PSI that the gun
8 was one and the same, which was supposedly taken from this
9 other person.

10 Now, I believe that I should have a right to show that
11 basically is, that his story is -- that he is changing his
12 story, changing to protect this other individual, and I
13 should have the right -- I should have a right to explore
14 that at this point in time.

15 THE COURT: You can do that without using the name.

16 BY MR. SOMMERS:

17 Q All right. Is it safe to say that this unnamed
18 individual, you are afraid of this unnamed individual?

19 A I am what?

20 Q You are afraid of this unnamed individual?

21 A No.

22 Q Well then, why don't you want to give his name?

23 A The reason -- Hold on. First of all, as far as being,
24 I'm not afraid. Second of all, if that -- if that gun or,
25 and whatnot had anything to do with me, I would have been

1 sentenced accordingly.

2 Q Are you trying to protect this person?

3 A No.

4 Q Then why won't you give his name? If you're not trying
5 to protect him and you are not afraid of him, why did you
6 refuse to give his name?

7 MR. VAUDREUIL: Your Honor, I'll object. He does
8 not have to give his name because the Court has ruled he does
9 not --

10 MR. SOMMERS: The Court ruled at one time, Your
11 Honor. I think they just basically --

12 THE COURT: Mr. Sommers, the subject is closed.

13 BY MR. SOMMERS:

14 Q Isn't it true that you received cocaine in the end of
15 November from the same individual that you had received
16 cocaine prior from?

17 THE COURT: I'm sorry. You received cocaine --

18 MR. SOMMERS: Well, Your Honor, I guess, how can I
19 do this now, because I can't -- basically, I mean, the way it
20 should be straightforward is I should say, Can you -- Did
21 this individual, and I should be able to name his name, give
22 you cocaine to sell.

23 THE COURT: If it would make it easier for you, you
24 could just say John Doe.

25 BY MR. SOMMERS:

1 Q All right. Did John Doe give you cocaine to sell in the
2 end of November of 2002?

3 A At the end of November of 2002, the safe had been -- I
4 no longer had direct dealings with the safe.

5 Q I understand that. After you no longer had direct
6 access to the safe, were you still selling cocaine that you
7 were receiving from John Doe?

8 A It was my assumption that was the case. I made in my
9 statement that I did not have direct dealings with the
10 purchasing of the cocaine from the time it was, it left my
11 residence until December 4th.

12 Q So it's your testimony today that all of the cocaine
13 that you sold after the safe was moved to Mr. McCants' home
14 was cocaine that later came from that same safe?

15 A Say that again?

16 Q Well, isn't it -- I mean, you were selling cocaine after
17 the safe was moved to Mr. McCants' home, correct?

18 A Correct.

19 Q And isn't it true that some of the cocaine that you sold
20 after the safe was moved to Mr. McCants' home was cocaine
21 that you received?

22 A Already.

23 Q From somebody else? Not from Mr. McCants?

24 A The cocaine that was in the safe when it left my
25 residence and got to Mr. McCants' home, yes, I did sell that