

## **TESTIMONY OF THE WITNESS**

**NARA CAPEZZALI**

**THE WITNESS, CAUTIONED UNDER ARTICLE 498 OF THE CODE OF CRIMINAL PROCEDURES, READS THE REQUIRED OATH.**

PERSONAL DETAILS: Capezzali Nara, born in Foligno, May 9th, 1940

PRESIDENT – The Prosecutor

**PROSECUTOR – DR MIGNINI**

Qu - Madam, you live in via del Melo?

Ans – Yes.

Qu – Number 26?

Ans – Yes.

Qu – For how long?

Ans – That would be about 20 years, perhaps even longer.

Qu – Where is your residence exactly in respect of the ...

Ans – It is right above the car-park.

Qu – Are you able to see the house at number 7 via della Pergola from your residence?

Ans – Yes.

Qu – That is the one lower down...

Ans – I am able to only see a bit of the roof from my first floor, however having another house to rent above, I can see the whole house.

Qu – All the house, that is from your own residence you see however only part of the roof?

Ans– Yes, yes.

Qu – You are a widow madam?

Ans – Yes.

Qu – Since when?

Ans- Almost two years on June 21st.

Qu – So on June 2007?

Ans – Yes.

Qu – Your husband was called?

Ans – Marziano Giuseppe.

Qu – You live alone in the house?

Ans - No, with my daughter, Marziano Sabrina.

Qu – You remember, I would like you to tell us what you remember of the night between the 1st and the 2nd November, that is the night before the discovery of the body which took place the day after. What did you see, what did you hear?

Ans – I really didn't see anything.

Ans – Let's see, excuse me a moment, before we go ahead, I need to ask you questions one at a time, so you ... don't finish everything, wait for my question and then go ahead, you see.

Ans – Yes.

Qu – Go ahead.

Ans – Well, I went to bed about nine, I had a look at the TV, but there was nothing that interested me, so I went to sleep.

Qu – Excuse me, at about 9.00 or 9.30PM.

Ans – 9.00 or 9.30PM, not that I looked at my watch, but more or less, I always go to bed at that time.

Qu - So 9.00 to 9.30PM?

Ans – Yes.

Qu – In your statements of November 27th, 2007, why did you say that you went to bed at 9.30, do now you remember better, or was it a different time?

Ans – No, it's not a different time because I always go to bed around that time.

Qu – All right. Go on and tell what happened.

Ans – I got up to the bathroom, when I went ...

Qu - Wait. How long did you sleep, about?

Ans – Well I think that I slept a couple of hours, perhaps even a little more, I don't know because ...

Qu – Are you unable to say, however around two hours...

DEFENSE- GHIRGA – President, but this is not right, he continues to always suggest the answers, the statement will be useful for the challenges! I ask that the President makes her reply and then he will challenge with the statement he has in his hands.

PRESIDENT – Agreed counsel, perhaps the Prosecutor ...

PM – DR. MIGNINI – Perhaps the defense did not hear, but the lady...

DEFENSE - GHIRGA - No, no, I heard well, you are suggesting the times to her, however now and (incomprehensible).

PRESIDENT – Grazie Counsel, however ...

DEFENSE - GHIRGA – No, I really heard!

PM – DR. MIGNINI – I stress that ...

PRESIDENT – Excuse me please, let's avoid that!

DEFENSE - GHIRGA – No, he said that I don't understand

PRESIDENT – Excuse me Prosecutor, let's go back to the question.

DEFENSE - GHIRGA – He suggested the time and the time of her first sleep!

PRESIDENT – Counsel!

PM – DR. MIGNINI – The lady said that she slept two hours or a little more.

PRESIDENT – Let's go back to the question and avoid these ...

PM – DR. MIGNINI – I ask not to be interrupted further! The lady said two hours or a little more, this is the situation.

PRESIDENT – Go on Prosecutor.

PM – DR. MIGNINI – You slept for two hours or a little more, you don't remember exactly, but more or less that's it.

Ans – Yes, broadly speaking, it's always like that.

Qu- And you went to bed about ...

PRESIDENT – What time did you go to bed?

Ans – At 9.30

PRESIDENT – And you've said this from the start?

Ans – Slept?

PRESIDENT – Yes, how long did you sleep?

Ans – Two hours or a bit more, I now don't know...

PRESIDENT – Go on Prosecutor.

PM - DR MIGNINI – Thus, when you awoke, you had slept a bit or let's say that you are able to estimate the length of your sleep, of this first stage of sleep, you said roughly that period.

Ans - Yes

Qu – Other times, on other occasions, you wake up for the first time, after going to bed, you said, how you felt, you said that you always go to bed at that time ...

Ans – Yes, yes.

Qu – You wake up a first time?

Ans – Yes.

Qu – After how long usually? In other cases, did you look at the time?

Ans – Well, I know how to work it out, because since I have to take some tablets ... well they are to make you go to the bathroom and well more or less I take them at that time and then they have that effect on me, well after two hours, two hours and a bit.

PRESIDENT – At what time do you take the pills?

Ans – When I go to bed.

PRESIDENT – Then around 9.30.

Ans – Yes.

PRESIDENT – They work after how long?

Ans – After two hours, two hours and a bit.

PRESIDENT – For this reason you estimate your first period of sleep as two hours and a half, two hours and a little, is that so?

Ans – Yes.

PRESIDENT – For how long has this been happening to you? Ans – Since... it's a bit because I'm overweight, a bit because my husband only died a while ago, well my legs swell up a bit and then ...

PRESIDENT – So this habit of taking these pills how long ago in time is it?

Ans – It goes back two years, from when my husband died, no longer.

PM – DR. MIGNINI – Let's say that normally you wake up for the first time after about two hours or a little more from the time you take the medicine.

Ans – Yes.

Qu – Then, normally I mean, you wake up again during the night?

Ans – No.

Qu – To be precise, I challenge you that in the record of the statement of November 27th 2007, page 12, you said that you get up again about three o'clock and then fall asleep again, that is to say then there would normally be a double ...

Ans – Yes, well, then that was so, now ...

Qu – No, what interests me is then.

Ans – Yes, yes.

Qu – Well then, that is a little after the death of your husband, you would get up this many times?

Ans – Yes

Qu – So in practice, twice?

Ans – Twice in the night.

Qu – Before going ahead I would like to ask you this: did it happen that you were woken up and however after hearing screams or noises coming from below, that is ...

DEFENSE – BONGIORNO – President, there is an objection to this question.

PM – DR. MIGNINI – Why? I don't understand.

DEFENSE – BONGIORNO – Because of the manner (the question is put).

PRESIDENT – The defense is perhaps afraid that answers are being suggested. Perhaps we can say noises, then perhaps we can get to the next specifics if in the answer the witness should be ...

PM – DR. MIGNINI – Whether it happened that she was awoken by noises or screams coming from any direction at all.

PRESIDENT – This, excuse me PM, with reference to when?

PM – DR. MIGNINI – In general. After the death of her husband, the phase which we are considering is from her husband's death up to the night in question. Did it happen that she was awoken, having heard screams, noises? Ans – I got up to go to the bathroom, when I was near the door, the window ...

Qu – No, wait.

DEFENSE - BONGIORNO – Let her finish.

PM – DR. MIGNINI – But she has not understood.

PRESIDENT – Perhaps that is not the answer to the question put.

Ans – I'm here for the first time.

PRESIDENT – Don't worry, madam.

PM – DR. MIGNINI – Before getting to the night in question, wait a moment, now I wanted to know about before, in the period before, between the death of your husband and that night. Did it happen that you were awoken by noise or screams before?

Ans – Well. Yes, because down there there is the car-park where there are so many ...

PRESIDENT – So many?

Ans – They park their cars because they are going to the town centre, there are comings and goings.

PRESIDENT – Other than the cars, is there something else or is it only cars?

Ans – Well, there would be the druggies.

PRESIDENT – The screams, who screams? This is what the PM is asking.

Ans – Yes, but among them, among those going to get their cars, there are people running after them... well, shouts of joy, it's not that ...

PM – DR. MIGNINI – These noises, these shouts,  
where do they come from?

Ans – The car-park.

Qu – From the car-park, that's from below?

Ans – Yes, from below.

Qu – Thus before you heard ... but what happened differently from this time?

Ans – Yes, it happens every evening, until a certain time.

PRESIDENT – To complete this answer, until what time do these noises occur, shouts?

Ans – But until they have come to get the last car. PRESIDENT – And up until what time does this happen?

Ans – One, two, I this ...

PRESIDENT – However you said before "I go to bed at 9.30, I awake after two hours, at 11.30", how long after do you go back to sleep from 11.30 onwards? Straight away?

Ans – Straight away.

PRESIDENT – Then you said "I wake up again about three". Ans – Yes.

PRESIDENT – Well, if you are asleep. Did you hear these noises other times? •Ans – But every time I hear them it's not that I get up again to see who it is or isn't, now I hear them and for me ...

PRESIDENT – So you wake up?

Ans – Yes.

PRESIDENT – This goes on until one?

Ans – Until one.

PRESIDENT – Please go on PM.

PM – DR. MIGNINI – Let's go back to that night now, between one and two.

Qu – You get up because you have to go to the bathroom?

Ans – Yes

Qu – And what happens?

Ans – What happens is that getting up I'm going past the window of the dining room, because the bathroom is on that side, and as I am there I heard a scream, but a scream that wasn't a normal shout, I heard it like that, I got goose bumps to be truthful. At that moment I no longer knew what was happening, and then I went on to the bathroom. There is a little window with no shutters, none at all, but I can even see through the little window when cars come in and

where they come out and the stairway which goes up.

Qu – The metal one?

Ans – Yes, for pedestrians, it's steel. I looked out through the window panes but I didn't see anyone, there was nobody there, only two or three cars.

Qu – Did you hear any noise?

Ans – Then while I was going back to go to bed, I still hadn't done that, I heard noises, running on the metal stairway and running on the gravel, among the leaves, because it was in winter still, among the leaves and the gravel path of the apartment, of the cottage that is.

Qu – That's to say the yard?

Ans – Of the yard which is there beyond the cottage, the driveway of the cottage that is.

Qu – Of via della Pergola.

Ans – I heard running.

Qu - Look, let's go back to these aspects and let's try to be more detailed. This shout, this scream upset did it?

Ans – Yes, a lot. In fact, right now every time that I go by that window it's for me as if I seem to hear that scream again.

Qu – This scream then, was it human?

Ans – Yes.

Qu – Was it a man or a woman?

Ans – It was from a woman.

Qu – So it was a woman's scream?

Ans – Yes. It was a bit stretched out for a single scream, then there was nothing more to be heard. Until I went back to sleep.

PRESIDENT – Excuse me, this prolonged (scream), can you describe it better?

Ans – Well, it wasn't like a scream for help, it didn't sound like "Help!" no, it was a cry .. how can I describe it ... aaahhhh, a long scream.

PM – DR. MIGNINI – Well, you go by the window and you hear this cry?

Ans – Yes.



Qu – Then you continue to go towards the bathroom, you told me?

Ans – Yes.

Qu – Do you open the bathroom window?

Ans – No.

Qu – Explain what happened for us.

Ans – I haven't any shutters on that window, I only have double-glazing so I can look straight out.

Qu – So you looked out of the bathroom window?

Ans– I didn't open up because I had all the little succulent plants there for the light.

Qu – However you looked out through the window?

Ans– Yes.

Qu – And from the window you said that you could also see the metal stairway of the car-park?

Ans – Yes, because I remember them ... I am standing in this way, take this into account, and so those stairs are there.

Qu – You should explain where they were, making gestures is another matter.

PRESIDENT – In respect to yourself looking, are they on the right or the left these stairs?

Ans – On the right, the metal stairs.

PRESIDENT – The entrance to the car-park?

Ans – The entrance to the car-park is still on the right, however there is also where the cars enter which is on the left. There are two entrances, one for car entry and the two others which go down.

PRESIDENT – That is to say the ones leaving?

Ans – Yes, the other one is only for pedestrians, the steel one.

PM – DR. MIGNINI – You could see therefore the metal stairs of the car-park...

Ans – Yes, yes.

Qu – And you could see the roof of the house or something more of the house?E vedeva anche il tetto della casa o anche qualcosa altro della casa?

Ans – No, the roof of the house and a piece of the gate, the gate which shuts off the house from the driveway.

Qu – So the metal gate?

Ans – Yes, the metal gate.

Qu– So you hear the scream, go to the bathroom, look out the window and you don't see anything?

Ans – No.

QU – Then you go back to the bedroom?

Ans – Yes.

Qu – When is it that you hear the noises you described, and then we will see what they are?

Ans – I hear the noises I described when I was closing the bathroom door, then I heard running, because that steel there makes a tremendous noise at night, then when you you don't hear cars going by or such like, I looked out but there was nobody there.

Qu – From which way?

Ans – To the left and the right, and there was nobody there.

Qu – Then you heard the scuffling?

Ans – The same, in the meantime I heard running on the stairs, from the other direction they were running in the driveway.

Qu – This the precise question I ask you, because you said it, but I want it to be clear. So the noise of the scuffling in the gravel and in the leaves, you said in the yard ...

DEFENSE – BONGIORNO – By the way, I did not hear leaves.

PM – DR. MIGNINI – Well, I did.

PRESIDENT – Yes, yes, she said leaves and gravel.

Ans – Yes, dry leaves, it was winter then.

PRESIDENT – Go ahead PM.

PM – DR. MIGNINI – So you hear this noise of scuffling on the gravel and on the dry leaves and you hear the noise of footsteps ...

Ans – The other way, they were running away on the other side.

Qu – On the metal stairs. These two noises are contemporaneous, or does one follow the other from what you remember? Did they happen at the same moment?

Ans – Almost at the same moment, while I heard the one on the stairs because they were making more noise, then straight after I heard the others.

Qu – You heard them almost contemporaneously then?

Ans – Yes, yes.

Qu – The noise of feet on the gravel and in the dry leaves?

Ans – Yes.

PRESIDENT – Excuse me, the noise on the metal stairs?

ANS – Yes, they are made from metal. They make a tremendous noise.

PM – DR. MIGNINI – Then what did you do? Did you hear screams?

Ans – Yes.

Qu – You heard other screams?

Ans – No, no, absolute silence.

Qu – Then what did you do?

Ans – I went back to bed but I couldn't sleep, I had to ... because I could still hear that cream which had really ... I really felt bad about it, really! I got up and I had to make myself a camomile tea.

Qu – Your daughter...

Ans – My daughter sleeps like a log.

PRESIDENT – Excuse me, but were you sleeping alone or with someone else?

Ans – No, I have slept with my daughter since my husband died; she keeps me company by sleeping with me.

PRESIDENT – So there is only you and your daughter?

Ans – And my daughter.

PRESIDENT – There is nobody else in the house??

Ans – No, unfortunately there is no-one else.

PM – DR. MIGNINI – Did you try and wake your daughter?

Ans – No, why? If the scream had gone on I could have got her to hear it, but ...

Qu – So you had a camomile, you said?

Ans \_ Yes.

Qu – So you couldn't sleep??

Ans – No.

Qu – You had a camomile and then went back to bed?

Ans – Then I went back to bed.

Qu – After how long did you go to sleep?

Ans – It took some time because I was thinking about it, thinking about it, I said: "but that scream didn't seem possible..." a bit because it was windy, with this scream I felt as though I was in the house of horrors.

Qu – Listen, I was wanting to go back to those noises which you heard, the footsteps on the metal stairs and the scuffling at the same time in the yard.

Ans – Yes.

Qu- Are you able to state whether whoever was in the yard was one or more people, and the same as to who was running on the metal steps?

Ans – No.

Qu – You aren't able?

Ans – No, unfortunately no.

Qu – However you heard them almost at the same time?

Ans - Contemporaneously, I heard a sound like someone running away to one side and someone running off on the other side.

Qu – Then what time did you get up that morning? Did you wake up during the night?

Ans– No, after I went back to sleep, however still thinking about that scream and what it was like.

Qu – What time did you get up that morning?

Ans – I get up as I always do about seven thirty, eight o'clock. Anyway, it's not as if I have my husband any more and I don't have to prepare his breakfast or such things, and so I get up later.

Qu – Then what happened that morning?

Ans – That morning while I was cleaning the house, I heard the boys coming downstairs running, saying: "Signora, signora, they have killed a girl over there in that cottage"; "Not really – I say – you lot are always carrying on!", "No, no, I'm telling you the truth!" In fact they all ran to go and see, but I didn't go because I'm not like that. Then after I went out to get the bread...

Qu – About what time?

Ans – It would have been around eleven, and I stopped at the newsstand and there were already these posters which talked about this girl and then I said: "Oh God, I heard it then, it was this girl"

Qu – Excuse me, try to remember. You looked at the time when you left the house, when they told you that a girl had been killed.

Ans – Yes.

Qu – Did you look at the time? Do you remember what time it was?

Ans – It's not likely for me to be always looking at the time; it would have been towards eleven because I always go out at that time.

Qu – Are you sure of that time, or could it have been ... you are not so sure?

Ans – Certain, double certain, no; however I would have had to get ready, clean the house first, then get ready ...

Qu – Then you saw the police?

Ans – No, because I am more upstairs and I didn't go downstairs to see.

Qu – Look, on page 12 of the statement of November 27th, 2007, you stated... that's page 13,

You stated, you say: "I went out about eleven – then you say – however from the window I saw all these people".

Ans – Yes.

Qu – I ask: "The Police?" "Yes, I heard the boys running down, I say: 'But what's happened?' that I was coming back...", then you referred to the police.

Ans – Yes, because the police, it's not that I saw them, but from the barrier where they put the cars, see, you could see the lights flashing.

Qu – Listen, did you go back to that area in the following days?

Ans – No ... yes, what's more I took a branch of roses, I had roses flowering.

Qu – So you went back past the newsstand, for example, in the following days?

Ans – I have to go past; to go and do the shopping I have to go that way.

Qu – So you go past any way?

Ans – Yes.

Qu – So - do you remember - in the following days you went by more than once in that area?

Ans – Yes, yes.

PRESIDENT – Excuse me, when you say the newsstand, which newsstand are you talking about?

Ans– There is a newsstand there in Piazza Grimana.

PRESIDENT – A stand selling newspapers?

Ans – Yes, yes.

PM – DR. MIGNINI – Are you sure that you saw these posters that morning or did you see them later?

DEFENSE – BONGIORNO – President, this is a typical question trying to ... he made a precise affirmation. fatto una precisa affermazione.

PRESIDENT – Excuse me, did you see any posters going past this newsstand?

Ans – I did not really see the posters, perhaps the day after, because I go and do the shopping every day, however I really can't remember ...

DEFENSE – BONGIORNO – I'm just saying one thing, on certain points it is clear that if we say posters and we very well know that at eleven in the morning there were not any posters, we either proceed to a challenge or that's it, because really this way we have this type of ...

PRESIDENT – Let us here whether there was a statement on this point.

PM – DR. MIGNINI – No, she did not make statements about the posters.

PRESIDENT – So there is no challenge.

DEFENSE – BONGIORNO – You could challenge in the sense that it is the first time that she talks of a poster, but not to say ...

PRESIDENT – No, agreed.

PM – DR. MIGNINI – As she did not ever say it, now she has cleared it up; I was trying to understand whether she remembered precisely when she saw these posters speaking of the crime.

Qu- What were the posters talking about, if you remember this?

Ans – That they had killed this girl by cutting her throat and that ... I read the biggest ones.

Qu – When did you read these headlines? The same morning, when you went out, or later on?

Ans – It seems to me ...

Qu – The morning that you took this branch of rose?

Ans – About eleven because after I stopped as well to find out who it was, in fact the photographers were there behind me but I didn't know that they were photographers and that they had cameras in the bags, then I as soon as I said: "I heard this scream and running on the steps", well from then on they didn't leave me in peace any more, to tell the truth!

Qu – If you could clarify this point, because you said so ... Is it the very morning when the victim is discovered, the murder?

Ans – Yes.

Qu – And you took this branch of roses and where did you put it?

Ans – Yes, but a few days later.

Qu – Ah, this is a few days later?

Ans – Yes, yes.

Qu – But when do you see the posters, these headlines you spoke about?

Ans – The posters were the day after it seems to me.

Qu – The day after.

Ans – It seems to me that it was the day after, however ...

Qu – And the one talking about journalists, was saying that they were journalists?

Ans – Yes.

Qu – With these cars?

Ans – That was in the morning however, the ones that I saw straight away.

## **PROSECUTOR MIGNINI**

Qu – That morning you saw the journalists.

Ans– Yes.

Qu – What time did you have lunch that day, if you remember?

Ans– Nowadays it isn't as if I take much notice.

Qu – You can't say so exactly?

Ans – No.

Qu – No more questions.

## **CIVIL PARTY – PACELLI**

Qu – Madam, before making statements on November 27th, 2007 to the Deputy Prosecutor of the Republic, had you talked about these matters to the police? If you remember.

Ans – No, I don't remember. No, I don't think so, only to a photographer, and now I don't remember who it is, who said: "Seeing that you heard these things you must go to the police", because to me it didn't seem something ...

Qu – You went spontaneously to the police?

Ans – Certainly.

Qu – Do you know Amanda?

Ans – No, I only saw her going by when they were going to school.

Qu – So you can exclude that you ever spoke to Amanda? With certainty, you never spoke to Amanda?

Ans – No, no.

Qu – Thank you Mr President.

## **CIVIL PARTY PERNA**

For the moment no questions.

## **DEFENSE – BONGIORNO**



Qu – Madam, I wanted to ask you something, now I will ask some questions, you will forgive me, about these times you wake up at night. I'm not interested in your present waking up, because we are interested in 2007. So your husband had been dead for how long?

Ans – For almost two years, because now on June 21st it is two years.

Qu – On the other hand, in 2007 a few months had passed since his death, right?

Ans – Yes.

PRESIDENT – Excuse me, on June 21st your husband has been dead for two years?

Ans – Yes.

PRESIDENT – That is June 21st, 2009?

Ans – Yes.

PRESIDENT – Well he died on June 21st 2007?

Ans – Yes.

PRESIDENT – So he died that same year?

Ans – Yes.

DEFENSE – BONGIORNO – It is this that I wished to clarify because there was ... in fact then he had died a few months before.

Ans – Yes.

Qu – At that time you were taking these pills, even other pills?

Ans – No, I was only taking those because unfortunately my feet were swelling and then they found that I had ... well I wasn't getting rid of the water I was drinking, I was drinking a lot...

Qu – And so you were on these pills to deal with this problem. I was asking you something, you said that at night you got up twice.

Ans – Yes.

Qu – You always got up twice, sometimes three times?

Ans – No, twice, because that what it is ... in fact I worked it out from that.

Qu – Well in fact in the previous testimony, on page 12 you say that you get up twice at night and sometimes three times.

Ans – Now.

Qu – No, madam, because in this testimony was given in 2007.

Ans – Yes, but they gave me those pills however ...

PRESIDENT – Excuse me a moment madam, the testimony with exact date.

Ans – For a while they even gave me them ...

DEFENSE – BONGIORNO – Madam, on November 27th when the Prosecutor was asking you these questions about your waking up at night, you said: "Well, about what time, many times even two or three times. Now, I get up because my husband is dead." This is a statement from then that says two or three times.

Ans – Yes. Then later they reduced them and now on the other hand it's normal, after all.

Qu – Yes. Madam for the moment I'm interested in talking, as I was saying before, of the time of the events, and therefore is it correct to say that at times you got up three times?

Ans – Yes, however not always, once every so often, or according to how I saw things during the day.

Qu – Then it is true, and you confirm it for me because you had stated that you got up two or three times, depending on the quantity of water you drank during the day?

Ans – Yes.

Qu – If you got up three times during the night tell me the times ... we have understood the times for getting up twice; if however you drank a great deal during the day, the first time you got up in the night what was the time?

Ans – But many times it was at four or five in the morning.

PRESIDENT – Excuse me, madam, excuse me.

Ans – But this only happened to me once in a hundred years, however.

PRESIDENT – Excuse me Madam, you said before: "When I got up twice, I would wake up at these times, 11.30 and at three", now the lawyer is contesting what you said on November 27th, and that is shortly after the fact, that sometimes,

therefore a little after the fact, that sometimes you also woke up three times.

Ans – Yes

PRESIDENT – Well we are no longer at 11.30 and 3.00, the times of the nightly awakenings, but there are three awakenings, so the lawyer is asking when were these?

Ans – But the last awakening, was however perhaps only once a week.

DEFENSE - BONGIORNO – Yes, madam, however my question is this, it is linked to a fact ... I am not saying that night, for now what interests us is the period, in order to understand some things. If you drank more during the day, the first time you went to the bathroom, at night, was it before 11.30 or not?

Ans - No, but I don't remember this. No, about that time because by then I had worked out that I could go at those times, but the third time that you are saying, that was a time I went once in a hundred years, I didn't go often.

Qu – Yes madam. Well let us say that you regularly got up twice at night, as it says here, because I read it out to you, you say that however at times when you drank more it was three times, what does this phrase mean?

Ans – If I drank more, according to the need I felt to drink.

Qu – So if you drank more during the day, what time did you first wake up?

Ans – The first time would be after two hours because before I went to bed I went to the bathroom, then again after another two hours.

Qu – And the third awakening was at what time?

Ans – But what third awakening? The third awakening that happened very now and again?

Qu – Madam, in the hypothesis when there were three awakenings, I would like to know the three times. Even if it was three times in your life, the time when you awoke three times in a night, because you drank more ... you said: "I usually woke at 11.00 to 11.30PM - it is written in the testimony and then at night - but sometimes I drank more and I woke up a third time". I wanted to know about the very rare occasions when you woke up three times because you had drunk more, the three times, that is all!

Ans – And so what! I don't know! I never looked at my watch so I couldn't know whether ...

PRESIDENT – Excuse me madam, you say that you never looked at your watch, but answering the PM's questions, you stated this: "I wake up twice at night, once at 11.30 – and you picked that time because the medicine has effect after two hours – and the second time at three".

Ans – Yes.

PRESIDENT – The three times business, you did not say on what basis is the difference from this time, so all right. The defense is now asking you, and is asking you about it on the basis of

your previous statements, which were even closer to the time of the fact, that is November 27th, so, in that period, you said that you wake up three times, with respect to those three times. Now she is asking you when was the third time?

Ans – But the third time, I have told her about it, is very rare that it happens to me a third time.

PRESIDENT – But even if it is rare, the lawyer is asking you, even if it has happened since your husband died, since when there has been this particular situation, when did this third time take place? If you can, say so.

Qu – I don't know, I wasn't wearing a watch, if I'd been wearing a watch ...

PRESIDENT – I was only asking this, if you can say so, if you can state it.

Ans – No, I don't know this.

PRESIDENT – Go on counsel.

DEFENSE – BONGIORNO – You were saying that your daughter was at home, that you slept together?

Ans – Certainly.

Qu – In the statement it states that you slept together, but in the same room?

Ans – Yes, in the same room.

Qu – Your daughter heard nothing?

Ans – Yes, my daughter ... even if you pick her up and take her away I think she wouldn't know for how deeply she sleeps.

Qu – Madam why didn't you decide to call your daughter seeing how this scream upset you so?

Ans – Because ...

PRESIDENT– Excuse me, you didn't call your daughter?

Ans – No, straight away, no.

PRESIDENT – You didn't call her?

Ans – Straight away I could have thought, yes, all right, this scream had upset me so much, but I didn't think of such a thing. A thing as big as this I had not ever ...

DEFENSE – BONGIORNO – Madam, when you went to the bathroom did you or did you not look at the time?

Ans – No! Why would I look at it, to go to the bathroom you don't need to look at the time!

Qu – Madam I am not asking you questions ...

PRESIDENT – Excuse me madam, simply answer the questions, whether you looked at the time or not, you do not need to give reasons one way or the other, just stay with the questions.

DEFENSE – BONGIORNO – You were saying that you didn't look at the time when you went to the bathroom for the first time, after which I want to ask, after you went to the bathroom you heard this scream precisely, you went back, but how much time passed before you went back to sleep? Did you at least look at the time after or not?

Ans – No because I went to bed, I couldn't sleep and then I got up, made myself a camomile tea and the I don't know when I went to sleep.

Qu– Madam, is this making a camomile something you remember with certainty?

Ans – I should think so!

Qu – Why?•

Ans – Because I was agitated just from hearing this scream.

Qu – Why haven't we read about the camomile in previous statements?

Ans – How come no?!

Qu – Madam you were on Porta a Porta?

Ans – I made the camomile and also stated that! Ans – Madam, did you declare this camomile to the justice authorities or to Porta a Porta?

Ans – But it came back to me at Porta a Porta ...

Qu – You didn't go on TV transmissions?

Ans – No! The journalists quoted me, but I didn't go there. •

Qu – Madam, do you know what Porta a Porta is? Ans – Yes, certainly. Vespa's show?

Qu – Yes.

Ans – No, I was at Porta a Porta for the journalists, but not in person, that's what I meant.

Qu – You made a statement which was then broadcast on Porta a Porta?

Ans – Yes.

Qu – Didn't you know that it was being broadcast on Porta a Porta?

Ans – No.

Qu – That is to say, they didn't tell you: You are making ...

Ans – There were journalists who wanted a statement, nonetheless I wasn't there ... the second ones, that American whom I didn't know, who wasn't even very polite because really ...

PRESIDENT– Excuse me madam, only the statements you made and your as precise as possible memories are of interest.

DEFENSE – BONGIORNO – Madam in your statements which we have in transcripts, unless there are transcripts we don't have, this story of the camomile is not here.

Ans – It should be there because I have always declared it and I said it before as well.

Qu – Well I obviously request the transcripts to be produced, this being an anomaly as far as the reconstruction is concerned. When did you make your statements to the court authorities, not to the police.

PRESIDENT – Do you remember when you made your statements?

DEFENSE – BONGIORNO – How did you decide... How come you went to the court authority?

Ans – Because I felt I should do so.

Qu – When you did you feel you should do so, then this scream, it had been an excruciating scream as we said, when did you go to the police?

Ans– I don't remember now, but two or three days later, I don't remember.

PRESIDENT– Excuse me madam, first you said that you went to the judicial authorities, now the police, that is to say, who did you go to, the judicial authority, to the Prosecutor or to Police Headquarters?

Ans – I rang up, I don't remember who answered.

PRESIDENT– Where did you ring?

Ans – The Police and they told me to go ...

DEFENSE – BONGIORNO – When did you ring the police?

Ans – I don't remember. I haven't got all this in my memory.

Qu – You were saying that the day after you had the certainty that something serious had happened, true? At this point you connected the scream to the serious thing they were telling you about?

Ans – Yes.

Qu – This connection happened that day after?

Ans – Really I could see all these important people who were watching on the terrace and I had two young people who were also on the terrace.

PRESIDENT – What do you mean two young people?

Ans – The two young people.

DEFENSE – BONGIORNO – So you saw ...

Ans – Yes, now I don't remember the name ...

Qu – Sollecito and Knox. Where were Sollecito and Knox?

Ans – They were at the railing of the car-park and I was on my balcony, a few metres away from them.

Qu – This, in the morning, you saw them?

Ans – Yes, in the morning when the dead girl was still inside the house.

Qu – And where were they?

Ans – At the railing of car-park.

Qu – And all the police were there and there was all this confusion?

Ans – There were all these people and all this confusion, yes.

Qu – But they weren't in via della Pergola, they were to one side, according to what you remember?

Ans – Yes, they weren't there at the cottage, there is the street and then there is that railing of the car-park and they were there.

Qu – And you could see the police and the journalists? What could you see?

Ans – I heard the siren of the ambulance and all these things.

Qu – These things you are saying which happened at eleven o'clock?

Ans – What?

Qu – That you went out that morning at eleven?

Ans – Yes.

Qu – Madam are you sure that this was the morning after the scream when you remember all these things?

Ans – But what I remember, when I saw them there as well, it was the day after practically.

Qu – To reconstruct the days, madam, was it the day after the scream? That is, during the night you hear the scream, and in the morning at eleven you see these things, is that it?

Ans – Yes.

Qu – On the other hand, when do you see the posters?

Ans – I see the posters the day after.

Qu – The day...

Ans – Because I went out, but not because I paid much attention.

Qu – The day of the posters is the day after, or the same day when you see Raffaele and Amanda and you see the posters?

Ans – I cannot remember this, Unfortunately I don't remember.

Qu – On these posters they were saying there had been a murder and that people had been arrested?

Ans – No, not arrested yet, but that in via della Pergola there had been this murder that they were called such and such, all the names, however it's not that I stopped because I am not a curious type, not at all.

Qu – But I wanted to ask you something, on this poster, when you say all the names, whose names? Meredith, and then whose names?

Ans – Of Meredith who was killed, of Sollecito, the girl. The black lad and that other tall one.

Qu – So the names of Sollecito, Knox, Guede and Lumumba, these four names?

Ans – Yes.

Qu – So these four names you read them on the poster which you see not the day after, but the day after that day?



Ans – The day after.

Qu – The call to the police, the one you make, you don't remember the day, here it takes place in the next statement of the 27th, the statement means the summary of what you did, so it shows on the 27th that you have telephoned and they ask you: "Why did you call the police only today?" and that is November 26th. How long had passed from when you had the memories? Was it two or three days or longer?

Ans – I don't remember, perhaps even longer, some days longer, but I don't remember.

Qu – Madam many days had passed.

Ans – Yes, because I didn't know what to do, it's not easy.

Qu – What is not easy, madam? Explain it better to us.

Ans – It's not easy saying things to the police. I can say by then they had – I won't say discovered me, but by then the journalists knew, I had already been to Porta a Porta, so ... I had gone, and I had not gone there![to police]

Qu – All right, they called you for an interview.

Ans – Actually they called me, they rang the bell, I haven't got a door phone, I opened the door and ...

Qu – Madam you went to Porta a Porta, according to us, on October 30th, 2008, after the preliminary hearing, so you had not done the interview before going to the justice department?

Ans – But what is this preliminary hearing?! I don't ...

PRESIDENT – Madam, excuse me...

DEFENSE – BONGIORNO – No, President, however I believe that every now and again she says she does not understand when ...

Ans – I don't ...

PRESIDENT – Excuse me madam, the lawyer is asking you whether you understand from that statement of November 27th, 2007 that you phoned the police on November 26th, that is the day before, as she read out. She asks you: With respect to the facts between November 1st and 2nd, these days went by, that is more than 20 days. How did you come to this decision? Now you have said: "Yes, because by then I felt a bit ... I had talked to the journalists about it, they knew"; however the lawyer is saying to you that Porta a Porta took place later, so she is asking why you ring the police after this period of time, after these days have gone by?

Ans – In the meanwhile the journalists were coming, an American came with an interpreter, then I decided ...

DEFENSE – BONGIORNO – Madam, what were you saying to these journalists from time to time? Why were they coming to see you?

Ans – I don't know why they were coming to me, I didn't call them, eh!

PRESIDENT – Excuse me madam, the lawyer is asking you what the journalists were asking you?

Ans – They were asking me what I had heard. That's all, they weren't asking me anything else!

DEFENSE – BONGIORNO – But why were the journalists coming to you? How did they know that you had some news to do with this crime?

Ans – Because to tell the truth when I saw the posters I said that I had heard that scream and running away to the left and the right that evening. Well no way I realised there were journalists behind me with their camera in a bag and unfortunately I ... they started coming and knocking, calling, ringing up! Why? Because I repeated things to my friends saying that I had heard this scream that evening!

PRESIDENT – Madam, this statement of yours: "That evening I heard a scream", did you say it to your friends or on it's own, just a comment?

Ans – No.

PRESIDENT – Because now you were talking about friends.

Ans – I said it to my friends.

PRESIDENT – Who are these friends, what ere they called?

Ans– They are elderly people, very elderly.

PRESIDENT – Nonetheless to your friends.

Ans – With some friends.

DEFENSE – BONGIORNO – Madam, I am interested in your friends' names.

Ans – No, why must I tell you ...

Qu – No, on the contrary tell me your friends' names!

PRESIDENT – If you know the names you must say them otherwise you become a witness ...

Ans– I don't know their surnames.

PRESIDENT – But what you know is evidence and you must say it, without...

Ans – There were some people ...

PRESIDENT – Tell us these names.

Ans – There were some people there, one is called Dina and the other is called Lina.

DEFENSE – BONGIORNO – Madam, where were you precisely?

Ans – In front of the newsstand. •

Qu – These posters were in front of the newsstand?

Ans – Yes.

Qu – On these posters there were the names of

Guede, Lumumba, Sollecito and Knox?

Ans – Yes, that this thing had happened.

Qu – And it was the day of November 3rd because the 2nd was the morning, and on the 3rd you saw the posters, can you confirm that for me?

Ans – No.

Qu – Well now you tell me.

Ans – I can't confirm that for you because I can't remember precisely.

PRESIDENT – Madam, if it can help you, November 3rd is a Saturday, the 4th is Sunday, so perhaps this can somehow help with your memory, referring to the days of the week as well. November 2nd is Friday, November 1st is a holiday, if on the basis of these elements you can remember whether it was the 3rd or Sunday.

Ans – No, because I was going to get the bread and so on Sunday the shops are not open near us and so it wasn't Sunday.

PRESIDENT – And so it could have been Saturday or could it have even been Monday?

Ans – Perhaps.

PRESIDENT – Monday was the 5th.

DEFENSE – BONGIORNO – One moment, there is a temporal connection in the transcript; the lady says on page 13, referring to the first day she went out after the scream she says: "I had been sick for two or three weeks with giddiness, I had labyrinthitis and the flu... I went out the day after this happened – that's after I heard the scream– I went out to buy bread".

Ans – Because I didn't have any, my daughter was working and when she came back she didn't have bread to eat and so I made myself get up and go and get this bread because I didn't have anyone else who could go.

Qu – Right, in fact you say exactly this. You say: "I had to go out to get the bread because my daughter had found a little job".

Ans – Yes.

Qu – What was your daughter's job?

Ans – Now I can't remember ... Wait ...

PRESIDENT – You don't remember?

Ans – No.

PRESIDENT – Was it a job for just that day? A permanent job, to help you a little?

Ans – No, a few days, yes. Perhaps in rural tourism.

PRESIDENT – All right. Go on.

DEFENSE – BONGIORNO – So your daughter was doing this ...

Ans – They called her when they needed her.

Qu – And your daughter had this little job and you go out to buy the bread, right?

Ans – Yes.

Ans – We are interested in reconstructing the times, that is why we are asking you these questions, I am not exactly interested in what your daughter was doing. So you go out to buy bread, and at this point tell me everything you do that morning, when it is you see the first journalists, the police, everything you do that morning.

Ans – That morning I went downstairs because I heard running down the stairs, as I have lads who rent a house, so I could hear running down the stairs and I said to admonish them: "Oh no boys, no!" They say: "Signora, signora, run, they have killed a girl here, in via della Pergola", but right then not even the name of via della Pergola got through to me.

Qu – You said in the transcript that you went out about eleven??

Ans – Yes.

Qu – And about eleven these lads tell you that a girl has been killed.

Ans – No, no, they told me that earlier on, but I came back later.

Qu – First of all, at what time did you learn this girl had died?

Ans – It would have been around 9.30, 10.00, I don't know. After I got ready and...

Qu – Well at 9.30 on the day after the scream you learn from whom that the girl has been killed?

Ans – From these lads running down and then I saw all these big cars... not cars, people, so I say: "Something has happened here", but I was thinking that there had been an accident, a car smash because there often are here.

Qu – So at 9.30 you know these things, then you go out and what happens ... at what time do you see Amanda and Raffaele?

Ans – While I was doing the housework I looked out onto my terrace and I saw those two who were kissing.

PM – DR. MIGNINI – We are making a...

PRESIDENT – Please.

DEFENSE –BONGIORNO – We were following the day. Madam, so go on with your day and where do you go at this point?

Ans – To get the bread.

Qu – The journalists you mention, do you see them that morning?

Ans– Yes.

Qu – You see them at 9.30 ...

Ans – But I didn't know that they were  
journalists.

Qu– Madam, tell me what you see that morning and who you talk to that morning?

Ans– I talked to these friends and while we were reading ...

Qu – Madam so you are talking to your friends in front of the posters that same morning?

Ans – No, the day after.

Qu – Well we are examining the first morning.

Ans– I understand, but I can't remember everything!

PRESIDENT – Excuse me madam, please.

DEFENSE - MAORI – However when you say the day after it is the day after that night, and the day after ...

PRESIDENT – Excuse me! Please! Madam you are a witness, the witness has an important role because he helps everyone to reconstruct an event of great importance, of significance.

Ans – Certainly.

PRESIDENT – The witness is called to this role and his role is important. There are questions, you allow the questions to finish being put to you and then you reflect and answer calmly; this is not the same as a conversation that you can have meeting friends, where someone says one thing and then another. You must be attentive, answer with ... if maybe you need a break, we will have one.

Ans – No.

PRESIDENT – The important thing is that you should give answers to the questions put to you ... with the right consideration, recalling to mind your memories, without being hasty and without using superfluous words, only words for the answers.

Ans – Judge, my memories...

PRESIDENT – Wait for the questions then answer.

DEFENSE – BONGIORNO – The morning after the scream, that is the scream at night, the morning after was the day of November 2nd. You said that at 9.30 for the first time you learnt of this crime, what happens next interests me.

PM – DR. MIGNINI – But she explained before!

DEFENSE – BONGIORNO – No ... (Incomprehensible – mixed voices)

PRESIDENT – Excuse me! Please! We have a recording and so everything said is recorded and then we shall see.

PM – DR. MIGNINI – She talked about her conversation with her friends before.

DEFENSE – BONGIORNO – However, President it's not possible that when a witness is in difficulty the PM arrives ...

**COURT**

Qu – Excuse me! Well, you try to go back to your memory of the day about which the defense is asking questions, recapitulating, summarising your answers. If you can't say so by all means, but try to follow. Well you heard a scream, agreed?

Ans – Yes.

Qu – You heard the scream, you said: "I went to bed at 9.30, I awoke at 11.30"; when did you hear the scream after this first awakening?

Ans – The first awakening.

Qu – Then at what time did you hear it?

Ans – When I got up around eleven ... when I went to the bathroom, the first time I went to the bathroom.

Qu – So around 11.30?

Ans – That's right.

Qu – Then you have already recalled: "I couldn't sleep because the scream had been quite terrifying, my daughter was asleep, I was alone, I made myself a camomile, I finally went back to sleep and I awoke".

Ans – Yes.

Qu – At what time did you wake up, can you say? We are at the morning of November 2nd, Friday, at what time did you awake this morning?

Ans – But I can't say when because I hardly ever look at the clock, only when I put in the pasta do I look at my watch, if not for this I only wear it as a memento of my husband but the time doesn't interest me.

Qu – However we are at the morning of November 2nd, listen to the question and answer with the correct ...

Ans – This is why I can't answer about the time.

DEFENSE – BONGIORNO – What do you succeed in remembering of this morning of the morning of November 2nd?

Ans – I may be stupid but...

PRESIDENT – Madam calm down. At a certain point do you go out or do you stay home?

Ans – When did this crime take place?

Qu – The morning of November 2nd. You heard the scream in the night, what happens in the morning?

Ans – I went shopping, I said so! I did the housework, I got dressed and I went to do the shopping.

Qu – And when you go and do the shopping at a certain point you talk about these young people, who are these people?

Ans – These young people are that lad there and that girl there.

Qu– Excuse me, you said before: "There are these young people to whom I ..."

Ans – No, this was the day after that again.

Qu – Look madam, you must stay attentive in setting out the circumstances, because if not then ... really I was thinking that was the same morning.

Ans – No, the girl who they had to take away was still there and they were doing the investigations, but what would I know, I didn't even go and see!

### **DEFENSE – BONGIORNO**

Qu – At this point I would like to proceed a moment with the cross-examination because otherwise ...

PRESIDENT – Go ahead.

DEFENSE – BONGIORNO – Madam, the night there is a scream, let's start with a first question, are you sure this scream was between the 1st and the 2nd November?

Ans – The night of Halloween!

Qu – The night of Halloween is October 31st, could it be that this scream was the 31st?

PRESIDENT – Madam you say the night of Halloween, can you indicate on the calendar when the night of Halloween is?

Ans – No because I wasn't interested.

DEFENSE –BONGIORNO – But were there masked people around that night?

Ans – No, no, there was no-one, nobody•.

Qu – How do you come to say that the scream was on the 1st, then you tell me the night of Halloween, and the night of Halloween is the night between the 31st and the 1st? Is the night of Halloween between the 1st and the 2nd?



Ans – I don't remember all these times, these things, I don't remember them any more.

Ans – So madam you are not capable of ...

Ans – I want to try to forget, not to be always remembering.

Qu– Yes madam, however since it is quite important to understand because I tell you in it's the interest of everyone, to understand whether it was the night of Halloween or another night, let's see whether you ... why did you tell me the night of Halloween? Is there some reason? Did you link it to the fact that at the time you were told that it was the night of Halloween or did it come to you just now?

Ans – No, I don't know why, perhaps I said it or because I heard it ... yet... I don't know, I only know it came into my mind that it was those nights then.

Qu – So we are sure that it was the night Halloween?

PM – DR. MIGNINI – Those nights she said, the plural was heard.

DEFENSE – BONGIORNO – Madam those nights or that night? That is to say did you hear this scream more than once?

Ans – One time.

Qu – The night of Halloween?

PRESIDENT – Excuse me this night, you know which it is on the calendar, you have already said, but do you know or do you not?

Ans – I don't know! I have told her that I never look at times.

PRESIDENT – Well the lawyer is telling you, if you don't know when it is accurately will you remove this indication?

PM – DR. MIGNINI – But it is there ... she said so...

DEFENSE – BONGIORNO – The PM must not intervene! Assistance is not permitted!

(Incomprehensible – mixed voices).

Ans – I only say one thing that I heard that scream, I heard running on the steps and heard running on the weeds, I don't know anything else!

Qu – Madam if you only know this, that is that you heard a scream and that then you heard running do you have some indications, some precise and concrete elements on the basis of which to tell us the date in the ambit of which you heard these things? A date that you can say with certainty, swearing it?

Ans – I don't know! I don't remember and I can't swear! If I can't remember any more, unfortunately so much time has passed ...

Qu – Madam, speaking a moment about noise, apart from the night when you heard them, let us talk about the kind of noise you heard, you were telling me, you spoke before of a noise going up the steps...

Ans – Not going up, running.

Qu – Running or going up the steps and the scuffling with the sound of leaves or pebbles?

Ans – Of gravel, it was gravel.

Qu – You told the PM: "I don't know how many people were there".

Ans - No.

Qu – You didn't see anyone?

Ans – If only I had!

Qu – Why?

Ans – At least we'd know the truth!

Qu – The truth about what? Madam if you don't know on which date all this took place, the truth about what?

Ans – About who it was, excuse me madam!

PRESIDENT – Madam, please, let's continue. Thank you counsel.

DEFENSE – BONGIORNO – Madam as you heard this scuffling, can you exclude that this scuffling was animals rather than people?

Ans – Animals paws?! Don't tell there are bears or ...

PRESIDENT – Madam please, can you exclude this or not?

RISPOSTA – They are the footsteps of people! I've been hearing these steps for a lifetime now!

PRESIDENT – Madam you must only answer the questions, the questions are what they are.

No comments! So you say you heard the steps of people.

Ans – Yes, but I'd already said before there were people,

DEFENSE – BONGIORNO – Madam, this is our work. Ans – Yes, of course, confusing people and making ...

PRESIDENT – Madam! Please! You must be very attentive in your role, the parties as attentive in theirs, since the lawyers with the Prosecutor are attempting to have the elements to reconstruct the truth from everyone's point of view , and you must perform this task. Continue.

DEFENSE – BONGIORNO – Madam, even if you are not able to tell us the date of the scream, not the date, are you able to tell us what the lads said to you in the morning: "There was a crime at 9.30?", are you sure it was the day after the scream or could it be the following day? Ans – If the lads told me that it happened the day after because perhaps during the night they may have heard ...

Ans – Excuse me counsel, with these terms "after" and "following" perhaps we will create confusion." Now when the boys told you that a girl had been killed did they tell you in the morning? ragazza uccisa glielo dicono di mattina?

Ans – Yes, ma but the day after.

PRESIDENT – With respect to the scream that you heard this morning, do you mean in continuity, or was there the scream, then a morning, you went back to bed and the lads tell you this, or is it the same morning as the scream?

Ans – The day of the scream.

PRESIDENT – So it is the same morning following the night, or there was a night, a day, and it was the next day?

Ans – No, no. At night there was this scream and the morning and in the morning they found the dead girl.

PRESIDENT – The morning directly after there was the news these lads give you, is that it?

Ans – Yes.

DEFENSE – BONGIORNO – Madam, just to clarify. At night there is the scream, then you wake up

Ans – Well, inevitably.

Qu – Yes, you wake up in the morning, you have this precise memory, and then these lads tell you of the crime?

Ans – Yes.

Ans – At 9.30AM?

Ans – But perhaps a little later than 9.30 in the morning because I had finished the jobs, I heard running down the stairs, I looked out the door and I said to them: "What are you doing lads?! All this carry-on", "Signora! Signora!"

During the night they killed a girl! They cut her throat! In via della Pergola", "But you are joking?!" He says: "Look down below the terrace", I looked and there was the ambulance, I looked and there were so many people, there was the ambulance, and I saw the police and the lights of the police.

Qu – At this point you went to buy bread or did you buy bread later?

Ans – No, I stopped to listen more to what all those people were saying who had gathered round the newsstand.

Qu – At this point we are – to avoid misunderstandings – scream in the night hours, you wake up, you hear these lads, see this confusion and you stop by the newsstand, correct?

Ans – Yes, to talk.

Qu – At this moment you see the posters?

Ans – No, at this moment I don't see the posters, I only see that there were people behind me having a lot of things to say.

Ans – Who were carrying cameras, however since there were a few rain spots you see that they have put them inside, but they weren't dressed as carabinieri or anything else I could recognise, they were in ordinary clothes.

Qu – And then?

Ans– I thought that they were agents, or something.

Qu – And so what happens?

Ans – Well, I started to talk with those ladies

Qu – Your friends?

Ans– Yes, they are two little old ladies, I told them: "Last night ... look who it was screaming!" I was thinking that there had been a car accident because there at that house there are car accidents out the front, that's what I thought, I was expecting everything except something like that.

Qu – And while you were telling your friends...

Ans – Oh yes, the people behind us...

Qu – They could hear?

Ans – Yes.

Qu – Before you were saying that with your friends you were commenting on the posters, so there weren't any posters? Look at me.

Ans – No, I look at who...

PRESIDENT – Excuse me, madam!

PM – DR. MIGNINI – She has already said! PRESIDENT – Excuse me, however counsel, it's already enough ...

DEFENSE – AVV. BONGIORNO – She has not understood about the posters, President.

PRESIDENT – She has already answered about the posters.

DEFENSE – BONGIORNO – And so?

Ans – But now must you really make me make a mistake?!

PRESIDENT – Please madam! It is in the interests of all that you answer, telling about the things you were a witness to, and so you mustn't be surprised at all and neither must you comment. Just stay with the answers and that way you will save your energy and answer better.

DEFENSE – BONGIORNO – I only have two more questions, if you answer these I have finished. I want to know if these posters..

PRESIDENT – But you have already spoken about the posters, counsel.

PM – DR. MIGNINI – Already spoken!

Ans – You are making me confused!

DEFENSE – BONGIORNO – You will find a transcription in which you say you were talking with your friends in front of the posters, now you say however that these posters were not there. They were there or they weren't?

PM – DR. MIGNINI – She has already answered!

PRESIDENT – Madam you must not ... unfortunately we are here as well like you and so and therefore...

Ans – No, but if you ask me a question a hundred times and I get confused, it's useless! I have no experience in ...

PRESIDENT – Excuse me madam, but even asking questions in different ways is useful in evaluating the exactitude of your memory. Unfortunately everyone knows that coming here for

you, being in this court and place under questioning is not your usual way, however it is a service which you are giving and so you must do it as well as possible. Now the lawyer is asking you when you comment with your friends whom you meet by chance, is it correct, in front of the newsstand do you remember whether this newsstand had outside some newspaper headlines, some posters?

Ans – No, they were talkig about them.

PRESIDENT – Weren't there any posters which have

Ans – They were talking about them and then I said: "Just last night I heard ...".

PRESIDENT – Go on counsel.

DEFENSE – BONGIORNO – At this point I wanted to know the surnames of Tina and Lina.

Ans – I don't know them.

Qu – Thank you President.

PRESIDENT – You know them or you don't?

Ans – I don't know them, I know their names. PRESIDENT – Do you know where they live?

Ans – They live where we do.

PRESIDENT – But do you know the precise address?

Ans – Yes, in via del Melo but now I don't remember the number. One of them was operated on recently.

PRESIDENT – Madam the question is only to have the possibility of identifying these two friends of yours ...

Ans – Two... there were groups of people. PRESIDENT – But you only know the name of two of these persons?

Ans – Yes.

## **DEFENSE – MAORI**

LM: In that period, we are talking precisely about the end of October or the beginning of November of 2007, you had some illness? You didn't feel well, you had some physical health problems?

NC: No, I only had this labyrinthitis which unfortunately I've had for twenty years.

LM: This labyrinthitis, what troubles did it give you?

NC: At the change of seasons it made my head spin, made me giddy and even fall over.

LM: So loss of balance?

NC: Loss of balance.

LM: Loss of consciousness?

NC: No, no, I've never lost that in my whole life.

LM: In your house, which faces north, have you double glazing?

NC: Yes.

LM: In all the rooms?

NC: Yes.

LM: In the living room as well?

NC: Yes.

LM: Thank you.

## **DEFENSE – GHIRGA**

LG: Regarding the time when you went to bed, you said here at nine o'clock or twenty-one hours, then later you stated 21.30, why did you say at 21.00 to the first question of the prosecutor? Could it be that ...

NC: Actually I didn't say 21.00, actually I said nine o'clock.

GCM: Madam however we know that nine o'clock is 21.00, counsel is asking...

NC: But I didn't say 21.00!

GCM: All right, you said nine in the evening, is that so?

NC: Yes.

LG: Was it 9.00 PM, 9.30 still in the evening?

NC: I don't remember, I know that more or less I always go to bed at that time.

LG: But we can consider 21.00 as well then?

NC: Because it's cold and I go to bed at that time.

LG: So 21.00 to 21.30 we will estimate, however nine o'clock was your first answer. You sleep with your daughter in the room which looks out onto via del Melo, that is on the internal lane?

NC: Yes.

LG: And if I am not mistaken when you get up from your bedroom – let's leave at what time – you go through the livingroom, you go into the bathroom where the small window is closed?

NC: Yes.

LG: I have understood completely?

NC: Yes.

LG: You hear the scream when you are in the bathroom which has this window?

NC: No.

GM: She did not say that!

GCM: When do you hear the scream?

NC: While I ...

LG: President, permit me, I interrupted the first time and then as you saw...

GM: Yes, however her answers must also be taken into account.

LG: No, no, I asked a question, did you hear the scream when in the bathroom with the little window?

NC: No.

LG: But when did you hear it?

NC: Well I said that I got up from bed to go to the bathroom and I must go through a bit of the bedroom, cross the living room and then the entrance and then go to the bathroom; when I was in front of the living room door where there is a covered balcony, I heard this scream which paralyzed me in that minute!

LG: 25 days go by from when the fact occurred and you go to the police, true madam?

NC: I don't know; I know it was several days.

LG: In that period of time your desire to go to the police remained firm, you had some... I'll rephrase that question: when did you convince yourself to go to the police to report this occurrence of the scream?



NC: Every day, “I’ll go now, I’ll talk to someone, now that...”, because in my life nothing of that sort had ever happened to me and I didn't even know how to behave and then because I was thinking about it I decided and I said: “I’ll go now, I don’t know what my evidence will be worth but I’ll go all the same.”

LG: It seems from reading that record of 27th November which we will ask to be produced, that your will was not so firm.

GCM: Excuse me counsel, this will be an opinion that perhaps you will offer at the right time.

LG: Well I will put it differently. I challenge that answering whoever was questioning her, on page 12 she says: “then you talked about it with your daughter?”, “but no really, I didn't talk about it because I wasn't yet convinced about it myself.” If you would like to explain that sentence better.

NC: I wasn't convinced whether to go there, or whether to forget about going there, see, this is what I meant.”

GCM: Completing the question which you were asked. You weren't convinced, but then what made you decide?

NC: I don’t know, perhaps...

GCM: You don’t know...

NC: I did it according to my feelings.

LG: Let’s go back the morning after when you go out, buy bread, see the young people, may I ask you at what time you usually had lunch at that time?

NC: When my daughter went out and I was waiting for her, because she had found this little job and they called her now and again, well I waited for her to put the pasta on so that she would at least find it hot.

GCM: And when did this happen, at what time?

NC: Many time at one, just as it could be two, as it could be midday, it’s not as if we had a fixed time.

GCM: That day can you say when you ate? It’s November 2nd – a Friday.

NC: Don’t tell me the date because at school I was hopeless at dates!

LG: Madam I challenge you, that’s what we say, that answering the questions of the Prosecutor as before or someone else: “what time did you eat?”, “about midday... always with my husband,

who when he was retired wanted to eat early, midday – half past twelve.” Since you had been a widow for five months, this habit of midday – half past twelve..

GCM: Madam, this habit, counsel is asking you, had it remained unchanged even after you lost your husband?

NC: But no, because after I would wait...

GCM: It had changed and if so in what sense?

NC: Because of waiting for my daughter who was coming back from work so as she would have a hot meal.

LG: Looking from your balcony madam at the house in via della Pergola and the valley of Monte Laguardia, you spoke of the iron steps.

NC: Yes.

LG: Do you have them to the right? On your right there is an iron stairway?

NC: Yes, certainly there is the iron stairway.

LG: And on the left there is another one?

NC: No.

LG: None at all?

NC: No, there's only the steps, a bit of a ramp for people with a pram and then those that come in with cars because there you only enter on the other side.

LG: At a certain point, talking about, to know what you remember of these protagonists, it of no interest whether you read it on the posters, you say that Meredith had a swollen lip, there is a reference and to check your memories, on page 13. However you say that Meredith, these young people after her death... I use the words but not to challenge: “Meredith has a lip as swollen as this”, but what had she done to her lip?

NC: I don't know what she had done.

LG: Do you remember having described Meredith after her death, talking about Meredith as having a swollen lip? Do you remember this description of Meredith?

NC: After her death...

LG: No, Meredith died, poor girl, afterwards...

GCM: Madam, the girl who was found killed, did you know her?

NC: I didn't know her, as I didn't know signorina Amanda, but I saw them going by every day to go to university because to get to the university they have to go by, either in Piazza Grimana or the little pedestrian street which goes by the pharmacy.

LG: That's exactly what you said.

NC: I would stop many times there on the benches to take a bit of a breath or because I was tired by the bags of shopping and I would see this girl going by.

LG: As far as this quite legitimate comment is concerned, did you refer to Meredith describing her: "how crazy these girls are"?

NC: That's true.

LG: Because she had a swollen lip?

NC: It's true because I looked at her and it really made me feel like laughing because she had a lip like a sausage. Either she had done it to herself, or something had stung her...

LG: Did you see this lip in some newspaper or on television?

NC: No, no, I really saw her, while she was walking in front of me and I was sitting on the bench.

LG: Can you say how many days before her death?

NC: This...

GCM: A month before, 10 days before, a few days before?

NC: But how should I know?

GCM: You don't remember.

NC: I looked at her because it made me notice.

GCM: But you can't say how many days before.

LG: Did you see anything the same, similar with Amanda's face?

NC: No, no.

LG: You didn't see...

NC: No, I only noticed one thing, which has unfortunately come to mind...

LG: All right.

GCM: Excuse me, let's allow her to finish.

NC: I noticed something only because before there were two of them together going to university, then afterwards they were no longer together, one of them would go by first and then the other, or one would go the bottom way and the other the top way, anyway I understood that they weren't friends anymore.

GCM: All right.

LG: Thank you.

NC: In all this period of time so many things even come back to mind that in that minute I hadn't in mind.

GCM: Go ahead counsel.

### **DEFENSE – DALLA VEDOVA**

CDV: You've been answering for a long time, so I will limit myself only to asking for some clarification because I still have some clarifications to have from you. You said that you have been living in this house for twenty years, perhaps longer.

NC: Perhaps longer.

CDV: And the house is exactly above the car-park?

NC: In fact they took a piece of land away from us to build the car-park.

CDV: How many years has this car-park been there?

NC: It would be twenty years, certainly. I came to live here after with my husband because that piece of land and the house on it had been inherited by my husband.

CDV: Madam you also said that more than once you have heard noises coming from the car-park, how far is it from your balcony to the car-park?

NC: If I stretch out my hand I can't touch it because it is a little lower down, but...

CDV: So 10 meters?

NC: About..

CDV: From here to there?

NC: About 10 meters.

CDV: The distance between you and me?

NC: Yes.

CDV: So 10 meters?

NC: It would be 10 meters. Because I have the balcony then I have a little bit of garden with a few plants and then right away there is the car-park which in fact means the cars are below me and that makes me angry.

CDV: Madam you have heard noises various times?

NC: Yes.

CDV: You have told how sometimes there were young people joking?

NC: Yes, young people, for sure.

CDV: You said that there was also a bag snatch?

NC: More than one!

CDV: You told about how there was even a violent attack on a girl in that car-park?

NC: Yes.

CDV: President. I am referring to the record of the interview of November 27th, 2007. On that occasion, did you hear screams?

NC: No, perhaps I wasn't home.

CDV: So...

NC: Or I was sleeping. Perhaps I wasn't there because I had gone out when these things happened.

GCM: Can we rephrase the prior question about the violence?

CDV: You reported that in the past you heard noises because in that area, in the car-park I presume, it was established there had been bag-snatching and even a... "they steal handbags – you said – and they tried to rape girls".

NC: Yes, that's what they said.

CDV: Did you hear it?

NC: No, I didn't hear, but I was told that when they squabble they are taking drugs there, that they even found dead people there for all I know, actually I too heard these things.

CDV: But have you heard the noise of people taking drugs?

NC: The drug addicts come under my window, I often find syringes there.

CDV: But on the evening of November 1st to 2nd did you also hear the noises of people taking drugs?

NC: No, I don't know, don't tell me the dates because I can't...

**COURT**

GCM: Madam, leaving dates aside, did you hear the noises of people taking drugs?

NC: No.

GCM: Yes or no?

NC: No, but I'm not saying I heard them on those days...

GCM: But sometimes you've heard the noises of people taking drugs there?

NC: Yes, certainly.

GCM: And what sort of noises were they?

NC: Nothing, with those tourniquets, I look down many times when hanging out the clothes... what's more to tell the truth there was a druggie in my place...

GCM: And so?

NC: He did this to me!

GCM: You saw something, but noises from someone taking drugs?

NC: No, you don't hear, but the syringes are there.

GCM: Excuse me, but is it you who says that you heard the noises of drug-takers?

NC: No, people who when they are drugged... apart from them opening up the back-yard and taking everything away. When they take drugs they get nasty, they start to kick the gate, they start...

GCM: You heard these sorts of noises?

NC: Yes.

GCM: Of people who were drugged?

NC: Yes.

GCM: Kicking the gate and then what other sort of noise?

NC: Under the windows, then...

GCM: That's to say what under the windows?

NC: They swear, they run back, then someone trips up...

GCM: This sort of noise.

NC: Yes it's a shambles.

## **DEFENSE – DALLA VEDOVA**

CDV: Madam, but you also said that often there are these drugged people who do these things and you said now that you heard a dead person as well, killed.

NC: Yes, someone killed himself with drugs just near the car-park because there are some alcoves.

CDV: But on the day of November 1st or 2nd?

NC: No.

CDV: This memory refers to when?

NC: I'm saying that every now and then one of them dies, but I didn't look at the time.

CDV: But more or less, madam, do you remember whether it was the week before that matter we are concerned with?

NC: No, no, not then...

GCM: Was your husband already dead when this fact occurred, did it happen after your husband died?

NC: What?

CDV: The death you were referring to?

NC: No, my husband was still here.

CDV: When this tragic event happened with someone on drugs your husband was still here?

NC: Yes.

CDV: You madam, on these occasions, that is the handbag snatches, the episodes with drug takers and even this death, did you report it, did you go to tell the police?

NC: No.

CDV: What you had heard...

NC: We always testify that we have put chains or things everywhere at the back, we tell the police, they even come poor things but what can they do?!

GCM: Madam, counsel is asking you: on this occasion, in this event, hearing that scream, seeing what had happened, you say: "I ring police headquarters and on November 27th they call me and I go and give a statement." Counsel is asking you, did you also witness or have news of these people taking drugs, an attempted rape of a girl, a death, on these occasions did you go the police to make a statement?

NC: No, I didn't go but everyone who was there rang the police, they come.

GCM: Did you ring?

NC: Yes, they come but since at that point they had lots of opportunities to run away.

GCM: All right, go ahead counsel.

CDV: So on that occasion the police came to ask you information however? I'm referring to the alleged bag snatching, of the attempted rape?

NC: No, I only gave a statement about this thing, not at all for anything else!

CDV: But after the finding of the victim's body, Meredith Kercher, were you contacted by the police?

NC: After, yes.

CDV: After a long or a short time?

NC: Really I wasn't contacted, I rang up, and I don't remember who replied, and said to me: "Well come down here."

CDV: However I wanted to ask you, seeing that you said before that for other episodes there were investigations and the poor police do what they can as you said...

NC: Even too much I'd say, the night, the day go by, they come back but that lot are like lice, the more you squash them, the more they multiply!

GCM: Excuse me madam, but let's keep to questions put to you, just keep with that.

CDV: Straight after the discovery, let's talk about the 2nd, the 3rd the 4th November, 2007, some investigators, some police came to ask you some questions?

NC: No, I was the one who went.



CDV: So madam you talked about some journalists, now I want to get to the moment when you made the phone call. You also told about photographer who said to you: "But you must call the police."

NC: That's true.

CDV: Do you remember the name of this photographer?

NC: No.

CDV: Was he Italian or a foreigner?

NC: He was Italian.

CDV: You had something to do with some foreign journalists?

NC: Yes.

CDV: Can you tell us what they did to you and on which occasion you had something to do with these journalists?

NC: One of them seemed to me to be American and he had the girl as an interpreter.

CDV: But they came to your house?

NC: No, because I didn't open the door and I spoke to them through the bars on the kitchen window.

CDV: However the journalist from "Porta a Porta" came to your house?

NC: We don't have an intercom and so we have to open up and you find them in front of you so many times.

CDV: Do you remember whether the journalist from "Porta a Porta" was a man or a woman?

NC: No, it was a man .

CDV: Are you sure?

NC: Well, I think so, at least ...

CDV: How many times did you go on "Porta a Porta", or do an interview which went on "Porta a Porta"?

NC: I don't know, everyone saw me and I didn't succeed in seeing myself! Everyone was saying to me: "We saw you there."

GCM: How many time did this happen, this interview? You have already clarified that you didn't go to "Porta a Porta".

NC: The first time they asked me how I had seen these people, well about these noises and this scream, from which direction... they came, I don't know whether they were always from the police, they came to the house, they saw the window as well in fact...

GCM: But this is the police or the journalists?

NC: No there was the police as well.

GCM: So the police came to your home as well?

NC: Yes, to see what the house was like, how I could have heard through the window-panes.

CDV: Madam I must go step by step a little because I need to clarify some subtleties, I am not trying to ask new questions. Going back to the question of "Porta a Porta", on October 30th an interview of about 10 minutes was broadcast where a woman is interviewing you. I know, President, if she feels it necessary she can see it, so the journalist was a woman, not a man. So if you will permit me...

GCM: Yes, we can do that. But you remember whether it was..

NC: But accompanied by other people as well, how would I know if she was a journalist or who she was.

GCM: Excuse me madam, counsel is saying to you: the journalist who is said to have interviewed you for the episode of "Porta a Porta" broadcast in October 2008 would seem to have been a woman. Since you before referred to a man, even if not for really certain, he was asking you this. Are you sure there was a man, there was a woman, there were several people, was he/she alone?

NC: There were two or three with a camera, the big ones, really big ones, certain young fellows whom I felt...

GCM: There were some men, but there was also a woman journalist?

NC: There was a woman journalist.

GCM: There was?

NC: I think so because she had a microphone, she was talking to me.

GCM: So there was also a woman journalist who had a microphone.

NC: But I think so.

GCM: If it's just to show that a woman journalist...

CDV: I can avoid making the link and I can have it shown here to the witness. If you authorize me.

GM: Excuse me President, but what is the relevance?! She has already said it was a woman, but what relevance does that have!

CDV: It is relevant according to the defense because I asked the specific question whether it was a man or a woman and here it is seen that it is a woman.

GM: But she said so!

GCM: However you have told us that there were several people and that the one holding the microphone was a woman journalist.

NC: Yes.

CDV: Who was asking the questions?

NC: It seems to me the woman, but I don't know if she was the journalist or whoever.

CDV: President, we hold that it is important in establishing reliability to check on the precise statements of the witness and that is why I am trying to understand what she says.

GCM: In fact counsel we are asking many, many questions and as you can see the witness has already been here answering for about two hours.

CDV: But I can even break here, I do not want...

GCM: We can have a break, if you need a little rest we can have one.

MC: President, excuse me, I believe that at this point it would be useful, seeing that as always the reliability of the witness is being questioned, I believe it would be useful and therefore the office of the Prosecutor will join in the request to see the umpteenth episode of "Porta a Porta" where it will be seen for the umpteenth time that Mrs Capezzali is stating exactly what she stated this morning. For which reason there is a request on behalf of the office of the Prosecutor to see the video of the interview.

CDV: I had asked to show the video in order to clarify the statement of the witness who had said...

MC: (Incomprehensible – off microphone).

CDV: It serves to evaluate what we are always doing in a preliminary way about...

GCM: Excuse me, we will however continue with the examination which the Defense of Amanda Knox is now conducting in the procedures, for heaven's sake...

MC: Then the court will decide about the request of the prosecutor.

GCM: Certainly, when it is the turn of the prosecutor the request will be weighed up so that we have it at our disposition.

MC: The defense, who is a specialist, has it...

CDV: It's difficult however having to listen to the comments. I'm just trying to do an analysis of the facts and yet I hear the prosecutor making comments which are really inappropriate!

MC: (Incomprehensible – off microphone).

CDV: No, I didn't make any comment about the prosecutor.

GCM: Well, excuse me, if there is the need for a short stay in the proceedings we can have one, however let's proceed in an orderly fashion. Go ahead counsel.

CDV: Madam, well let's go back to the evening when you say that you heard this, can you tell me exactly... that evening was cold, or warm?

NC: It was cold and windy.

CDV: And how were the windows, shut?

NC: Of course.

CDV: How are your windows made?

NC: My windows are made of wood, they have double glazing and they have a shutter.

CDV: When you say: "they have double glazing" do you mean that every single window has two panes or are there two windows, one in front of the other?

NC: No, two panes in each side, and opening in the middle.

CDV: And the window opening onto the balcony has a window on the balcony?

NC: No.

CDV: So there's only one window?

NC: A window going to the balcony.

CDV: You said that you don't see the windows of the house in via della Pergola from your house.

NC: That's so.

CDV: More or less what distance would there be between your balcony and the house?

NC: I don't know.

GCM: As the crow flies obviously.

NC: 200 meters, but I don't know.

CDV: But you can see the little garden where the gravel would be?

NC: Yes, a bit and I can see also a bit of the gate where you enter, the gate and then there's the gravel to go to the house.

CDV: Going back to another question when I was interrupted, when you decided to call the police, so that must have been on November 26th because that is the day before you made the statement, and in the statement you say: "I rang yesterday". Can you be more precise for me about that moment? Who was it who said to you: "Call the police" and not the carabinieri, for example?

NC: A journalist said that to me.

CDV: Was he there when you made the phone call?

NC: No unfortunately, I was alone and he only told me, I say: "I feel guilty, because I heard this and that, what must I do?" and then he said to me: "Didn't you go to the police? Didn't you ring them?" I say: "No, because I've never done things like that, I don't know how to." So we talked like that, and he said to me: "Go to the police, ring them."

CDV: Did you talk to your daughter about this matter, whether it was the case to ring the Police or not?

NC: Yes certainly.

CDV: And what did your daughter advise?

NC: "Ah I know nothing about it - she told me - I heard nothing and I know nothing about it."

CDV: But did your daughter tell you to make the call?

NC: I didn't ask her that, I did it myself, it's not as if I need my daughter's consent at my age!

CDV: But if you were so upset about this matter, did you speak about it with someone else in the family?

NC: No, what other family member do I have, I've my daughter, I've my son who...

CDV: Some person expert in these matters, a lawyer, for example”

NC: No.

CDV: Do you remember the name of the journalist who is supposed to have told you to call the police” Did he actually give you the phone number?

NC: No.

CDV: So you found the phone number?

NC: I found it.

CDV: I've finished for now thank you

**Prosecutor - DR MIGNINI**

GM: Madam, to be clear, you hear the scream, you go back, then you have the camomile, you go to sleep and in the morning you wake up. What time did you get up that morning?

NC: Every morning, almost, many times I can get up at nine, now that I haven't my husband, often I don't have breakfast, just as I can get up at seven thirty, if I have to go, if I have to go to the doctor's, if I have to go and do...now I'm doing exercises for the labyrinthitis, you see, it depends.

GM: You stated in the record of November 27th that you got up that morning after the scream, immediately after the scream to be clear, about eight forty-five.

NC: Yes.

GM: You confirm that?

NC: Yes, yes.

GM: You get up, a little time goes by as you get washed etc, have breakfast.

NC: Yes.

GM: Then what do you do?

NC: Then I started to do...

GM: What did you do before you went out?

NC: I started to do a bit of housework. I made the bed and then after...

GM: Wait. Was your daughter there that morning when you were doing the housework?

NC: No, she had gone to work.

GM: How many times a week did your daughter go to work?

NC: Very rarely.

GM: So that morning, immediately after the scream, your daughter was at work?

NC: Yes.

GM: And when does your daughter come back from work?

NC: I don't know, depending upon what they have to do, how many clients they have.

GM: Do you remember when she returned that day?

NC: At one, one thirty, many times at two.

GM: So you went out?

NC: Yes, because I didn't have any bread.

GM: Wait a moment, did you wait for your daughter for lunch or did you eat alone?

NC: No, I waited the return of my daughter because I had made pasta so it was warm because the weather was cold.

GM: So roughly, you have said so, but I ask you to repeat it another time, when did your daughter return that day? She went to work and she returned, was there a minimum work-time that she usually did, on average, what time did your daughter return for lunch?

NC: I told you at one, the latest was at two.

GM: So you awaited your daughter's return to have lunch?

NC: Yes.

GM: Another thing I wanted to ask you. So this conversation with the boys which you said took place, when the a girl had been killed, did it happen before or after lunch?

NC: Before.

GM: You have said several times to have seen posters about the crime, because posters...a question: are there always posters at that newsstand?

NC: Yes, outside.

GM: About various subjects?

NC: Yes, all sorts.

GM: You remember the first time you saw the posters talking about this crime you mentioned a few days later.

NC: A few days later.

GM: Do you remember what was written on these posters? On the poster you saw a few days later?

NC: I only saw "In Perugia it happened... in via della Pergola ..." the names of the young people, of the girl and then...

GM: You read this poster?

NC: No.

GM: Did you read it carefully?

NC: No, I'm the sort of person who doesn't like these things, in fact I didn't even go onto the balcony to see it, not at all.

GM: Then you continued to see these posters on subsequent days?

NC: Yes.

GM: They were still talking about the crime?

NC: Yes.

GM: At a certain point they were talking about the arrest of the young people?

NC: Yes, even that.

GM: Do you remember then there was a subsequent arrest? Of the young black man.

NC: No, because I've been in bed for nearly two months with this giddiness because when those things happen to me...

GM: So you went back...

NC: After I didn't go out any more.

CDV: Finish.

GM: I am trying to understand, I am asking questions.

GCM: Yes, the lady has finished.



CDV: It would opportune for the witness to finish.

GM: I am trying to ask my questions!

GCM: Excuse me!

CDV: It is not a challenge to the question, it is a challenge to the fact that the witness must finish the answer.

GM: The witness is...

CDV: Not be interrupted with other questions.

GM: No, I am trying to be exact!

GCM: Please, we will do it following the last recommendation, wait for the question to finish and for the lady to finish. Go ahead.

GM: When were you at home for about three months because you were ill? In which period?

NC: Every now and again I get it, then with change of season, when it's cold and when the heat comes.

GM: But in that period when did it happen to you?

NC: Well in that period I was still quite well.

GM: So this thing you are saying you are referring to later facts?

NC: Yes, later facts.

GM: I have no further questions.

NC: Every now and again afterwards they put out these posters and I read them sometimes, I'm not one to go buying newspapers.

## **CIVIL PARTY – PERNA**

SP: Madam you spoke about the scream you heard and the noises which you generally hear and have heard for years in your house.

NC: Yes.

SP: The scream you heard is different from the usual noises you are used to hearing or not?

NC: Too unusual!

GCM: Excuse me?

NC: Different, I don't know, there was something that made me understand that something had happened, some accident, because I told you things are always happening there, below that road, but I didn't expect such a thing had happened.

SP: Before you told how you went to the bathroom and heard the scream while you were on the way to bathroom.

NC: Yes, just in front of the window of the living room.

SP: After which you go to the bathroom.

NC: Yes.

SP: And when you do you hear the noise of running on the steps and the noise of people running on the gravel and in the leaves?

NC: Really before I went to the bathroom I looked out the window, but my window looks on to practically the whole arch of the car-park, I see where the cars go in, in fact lots of times I put myself on the balcony when my daughter comes back to see her coming in and putting the pasta on, thus going in, and then I see the exit of the car-park however there are these things in the middle, these iron steps that go and exit in via Pinturicchio.

SP: But you went to the bathroom and when did you hear the noise of the people running with respect to going to the bathroom?

NC: Heavens above, when I left the bathroom, what can I say to you?!

SP: So did a few minutes pass or not between hearing the scream and leaving the bathroom?

NC: A minute may have gone by, however running could be heard, and it wasn't going slowly, but they were running. And then if they were young people... their feet were heavy, there were shoes, the step was heavier than a woman, a woman always has smaller heels or...

SP: I have no more questions.

## **DEFENSE – BONGIORNO**

GB: Now madam, answering the prosecutor, you were saying, about the period you were in bed that it was not during the period we are discussing, correct?

NC: Yes, yes.

GB: In the record however, on page 13, when they ask you: "Did you go out that morning? Did you go out?" you reply: "No, it was only two or three weeks since I had been sick with giddiness, I have labyrinthine and influenza and I went out the day, well the day after this happened", thus it would appear that you are saying that in that period you had been giddy for two or three weeks.

NC: Yes, in fact I was taking the medicine that they always give me.

GB: So madam you had giddiness for two or three weeks in that period?

NC: No, I had had it before that period, a bit before. I can't remember now the previous days, then this giddiness went away and I made an effort. To tell the truth I made an effort because I was short of things.

GB: You made an effort to go out that morning?

NC: Yes, of course, how could manage?!

GB: In fact you made an effort to go out because you didn't have your daughter and you had had this giddiness and the flu?

NC: Yes, yes.

GB: Thank you.

### **DEFENSE – GHIRGA**

LG: There was also a fracture of the sacral bone at that time? As well as the illnesses you told my colleague Bongiorno about, you had broken your sacral bone recently?

NC: I had fallen about 15 years before.

LG: You said that this fracture prevents you...

NC: Yes, just look how lucky I am!

### **DEFENSE – DALLA VEDOVA**

CDV: Madam do you know all the residents in via della Pergola?

NC: No.

CDV: Had you seen them?

NC: Yes, but I didn't know that they all lived there. The one I saw most was Amanda.

CDV: Did you ever see the boys who lived in the downstairs apartment?

NC: No, no. I may have seen them but I didn't know they lived there. They went past me many times...

CDV: When you say they, exactly who? Can you tell me their names?

NC: Him, her and Meredith.

CDV: Sollecito and Knox, but Sollecito doesn't live in the house in via della Pergola?

NC: Well he was her boyfriend, he went to get her.

CDV: And so you saw him many times?

NC: No, many times... when I managed to go and do the shopping I saw them often.

CDV: So for how long had you been seeing Sollecito in company with Knox at her house?

NC: How should I know, I wasn't exactly counting the times, sir!

CDV: Five times, thirty times...

GCM: Excuse me madam, counsel is not asking you how many times you saw him but how long was it since you started seeing Raffaele Sollecito.

NC: Not so long, three or four times I may have seen him.

CDV: Can you be more precise? Where did you see him...

NC: When he passed by with the girl or when he went by alone with his back-pack.

CDV: Where did he pass by exactly madam? Where were you when you saw Sollecito going by? In via Grimana or on the balcony?

NC: In Piazza Grimana because now and again everyone has to go there, at least that little street where the pharmacy is.

CDV: Excuse me madam, but do you remember exactly when you were in piazza Grimana and saw Sollecito going by?

NC: Of course.

CDV: You remember when, on which occasion?

NC: On which occasion, but I look at it like this, but I certainly don't ask myself what he going to do, where, who is it! I have a look and that's that!

CDV: Excuse me madam, do you remember whether for example Patrick Lumumba ever went by in Piazza Grimana? You know who Patrick lumumba is?

NC: Which one, the tall one?

CDV: Do you know who Patrick Lumuba is?

NC: No.

CDV: Do you know who Mr Rudy Guede is?

NC: No.

CDV: But did you follow these happenings in the newspapers?

NC: No.

CDV: But you did see the posters near the newsstand?

NC: Yes, I read the few words they put in the posters and that's enough.

CDV: And didn't you ever see the photos?

NC: Yes of course.

CDV: The photos of the black people, did you ever notice them?

NC: Look, one is there, but he never went by, I never saw him passing by in Piazza Grimana.

GCM: You are making a sign indicating the gentleman who is present next to counsel Pacelli, Mr Patrick Lumumba. Had you ever seen Mr Lumumba?

NC: No, I had never seen him.

GCM: So why were you indicating him now?

NC: Because in the photos...

CDV: Madam, when you heard the scream you were in a period of mourning because it was five months since...

NC: And what do you mean?!

CDV: No, I am saying to you that it had been five months since you had lost your husband.

NC: Yes.

CDV: Had your habits in that period changed in respect to the preceding period when you husband was there?

NC: No.

GCM: Excuse me counsel, can we perhaps make the question more precise in reference to what.

CDV: I wanted to know whether in that period you had any particular habits, did you stay home a lot, for example?

NC: Home a lot of course. I didn't go out dancing!

GCM: Excuse me madam, just stay with the questions. Did you stay at home more than before?

NC: Yes.

CDV: And you were worried, anxious you say in the record of November 2007.

NC: But you tell me who isn't anxious when her husband dies.

CDV: Well that evening when you heard that excruciating scream didn't it come to mind to go down and see what it was?

NC: No.

CDV: But this scream agitated you even more?

NC: Certainly.

CDV: But in this agitation didn't you think of awakening your daughter, of calling the police?

NC: And why?!

CDV: Because there were the drug addicts...

SP: President we object because she has already answered these same questions!

CP: There is an objection.

GCM: Counsel...

NC: (incomprehensible voices) Counsel you do not know whether she has named a drug addict..

GCM: Excuse me madam, please. Let's ask questions which have not been put, she has already answered on this.

CDV: Yes, however if you heard the scream coming from the cottage in via della Pergola?

NC: Yes.

CDV: And you knew that in via della Pergola there were some girls...

NC: Excuse me, I was thinking that there had been an accident.

GCM: Counsel please, perhaps...

CDV: I understand, she has answered that she thought it was an accident.

NC: I didn't in the least think of such a thing.

GCM: Madam did you understand that this scream came from the cottage?

NC: No! No!

GCM: It doesn't seem to me that she had made that statement.

NC: No, I was thinking that there had been an accident, because there the barriers are always all bent, accidents never cease happening.

GCM: Thinking that there had been an accident you looked out to see a car crash?

NC: Yes, but I can't see it because there is the car-park.

GCM: So you didn't look out because anyway you wouldn't have seen it?

NC: No, but I don't look out because I am afraid.

CDV: Thank you, I have finished.

## **COURT**

GCM: Excuse me madam, had you ever heard on other occasions a scream like you heard that night, or was it the first time you heard a scream like that?

NC: As you say...

GCM: No, as you were saying.

NC: So excruciating?

GCM: Yes.

NC: No.

GCM: You had never heard one?

NC: Perhaps in films, but still not like that, because films don't affect me but that gave me goose-bumps.

GCM: Then I wanted to ask you, before you referred to the young people whom you meet who give you the news that a young girl had been killed.

NC: Yes.

GCM: I seem to have heard that you also referred to the young people and you say: "What are you doing? Running like that?" because they are tenants?

NC: Yes, yes.

GCM: But are they your tenants?

NC: Yes.

GCM: And what are these fellows' names?

NC: They went away ages ago.

GCM: It's 2007 ...

NC: I know, but they are...

GCM: Were they your tenants?

NC: They were my tenants but they said that they didn't hear and didn't see anything, I say: "But how come you ran downstairs..."

GCM: Agreed, you know who these lads were. They were your tenants but you don't know anyone's name.

NC: It's not that I don't want to give anyone's name, it's a year since they went away and now they don't come to mind, only that they made this statement saying that they hadn't heard anything.

GCM: So you don't know the names of these lads who were running?

NC: No.

GCM: You went out on the morning of November 2nd, before the morning of November 2nd had you gone out on some other occasion or was it the first time you had gone out for a while?

NC: It was the first time because I had to make an effort because I didn't have anything for when my (daughter) was coming home...

GCM: So you had always been at home for a few days and that morning was the first time you went out again?

NC: Yes.

GCM: Then the request already shadowed by the defense to view the video of the interview to which the prosecutor assented has remained in suspense.

GM: On another occasion the film was shown for the purpose of reliability.

GCM: Can we see it? As a court we don't have it at our disposition, if we can...if there is agreement of course, otherwise it will be acquired as a document when eventually requested.

GB: There is agreement and we hope that there will be agreement when we ask for similar things.



GCM: All right, we acknowledge that there is agreement.

MC: There is not a general agreement to screen films, the prosecutor has stated now, given that the Court has already held it to be a criterion, at least one of the criteria to check on the reliability of the witness verifying the content of statements made to journalists, so if it is valid for Quintavalle, I believe the same principle is valid for the lady as well.

GCM: Excuse me, to be precise, the Court has held this on the basis of the relevant instance of the defense, not already ex officio.

CDV: President, I would make a clarification. This defense does not hold the viewing of the film necessary to check the reliability of the witness. It had requested the immediate viewing when the witness stated that the journalist, who turns out to be female, a lady in the film, the lady made a mistake or did not remember correctly, having stated that it was a man. So the request to see the film comes from the prosecution, not from this defense, because we have no interest in using this document for the purpose of reliability, but only to show that the journalist was a person of the female sex, that's all.

GCM: We acknowledge this, in as much that this moment had been overtaken in relation to the subsequent answers of the witness, all the same seeing that there is this request, and if the other parties agree to see it, perhaps we could ask the witness afterwards whether she confirms, and recognizes those statements to conclude this examination. We acknowledge that we will proceed to viewing in court this video relative to the interview of the witness by the representative of the television program "Porta a Porta". We acknowledge that during the hearing of the recording the lady shows she is upset by crying silently.

GCM: Madam do you recognize your voice?

NC: Yes, it's me.

GCM: You can go. There was one aspect that perhaps the defense had asked for the production of the record of November 27th, if there is agreement on this... there is no objection.

GB: I produce the record of November 27th, 2007 at 16.49 hours. It is acknowledged that the record relative to the summary information given by Mrs Nara Capezzali on November 27th, 2007, at 16.49 hours is produced for the purpose of usability on the agreements of the parties.

GB: President, I beg your pardon, probably I will have to leave, and therefore I leave behind my substitute.

GCM: Yes, we will have a few minutes' recess.

The Court suspends the trial. The court continues the trial.