

Testimony of Charles Ashley Jr in Misskelley trial Feb 1994

DIRECT EXAMINATION

Q=Crow

A=Ashley

Q: State your name sir.

A: Charles Adam Ashley, Jr.

Q: What do you go by?

A: Bubba.

Q: Everybody calls you Bubba?

A: Yes, sir.

Q: Where do you live?

A: Highland Trailer Park.

Q: In connection with Jessie Misskelley's trailer, where do you reside?

A: It's about three or four trailers, or four, down the street from me.

Q: Same side of the street?

A: No, sir, it's on the corner and his is down the road.

Q: How old are you?

A: Seventeen.

Q: You go to school?

A: Yes.

Q: Where do you go to school?

A: Marion High School.

Q: What grade are you in?

A: Tenth.

Q: Ok, how long have you known Jessie Misskelley?

A: All my life.

Q: Are you related to Jessie?

A: Yes.

Q: How are you related?

A: He's my cousin.

Q: You understand you're under oath?

A: Yes, sir.

Q: Do you remember an incident in May where the police were in the trailer park?

A: Yes.

Q: Could you tell me a little bit about what was going on?

A: The neighbors next door, they got in a fight for hitting-

Q: Let me interrupt you there, who are the neighbors?

A: Connie and Melvin Modin and the Dollars.

Q: Do you know what they were arguing about?

A: About the Mo-, Connie Modin hitting Cody Dollar.

Q: Were you present when some of this argument and discussion was going on?

A: Yes.

Q: Tell me a little more about it. Did the police come?

A: Yes, sir, the police come, they come in from both directions of the park, and then--

Q: Do you know how many police cars came?

A: About three, four, something like that.

Q: You were present when that happened?

A: Yes, sir.

Q: Who else was present?

A: Me, Jessie Misskelly, um

Q: Junior or senior?

A: Junior. My mom...

Q: Who's your mom?

A: Patsy Ashley. My dad was out in the yard, mowing it, so...

Q: Anybody else around? Do you remember?

A: And the Dollars, and-

Q: Was your sister there?

A: Yes, sir, she was.

Q: What's your sister's name?

A: Jennifer Lynn Ashley.

Q: You remember Jessie Misskelley being there?

A: Yes, sir.

Q: Are you positive about that?

A: Yes, sir.

Q: What was he doing?

A: I seen him walking down the street and I met him on the corner and we started talking.

Q: In relation to the police cars, where was he?

A: We was on the corner about eight yards away from a police car.

Q: About eight yards?

A: Yes, sir.

Q: What y'all do?

A: We was talking about him fixing to leave to go to Dyess to go to wrestling.

Q: Did y'all stay there while the police cars were there?

A: Yes, we stayed there for a little bit, and then Jessie said he had to go so he left.

CROSS EXAMINATION BY DAVIS

Q: Mr. Ashley, when was it you first realized, or somebody brought to your attention that you'd supposedly seen Jessie on the 5th of May?

A: Can you rephrase that question, please?

Q: When--did somebody come to you with some information and say 'Bubba, remember May 5th? Remember seeing Jessie on that date?? Did somebody come and mention that to you?

A: No, sir.

Q: Did anybody ever show you a police report from that day?

A: I've seen, well Stephanie had a police report, but I don't recall, it was about the argument or something, what time the police arrived and stuff.

Q: You said that she had it, how did you happen to see it?

A: She gave it to my mother, and my mother had it on her desk, and she showed me.

Q: Do you know why it was she gave that incident report to your mother?

A: No, sir, I don't.

Q: Was it your impression that that was done so that you could refer to that police report in trying to place this incident on May 5th?

A: No, sir.

Q: Did you look at the police report?

A: I just glanced at it, I didn't pick it up and read it.

Q: The fact of the matter is, that's where you picked up your time, wasn't it?

A: No, sir.

Crow: Objection Your Honor, I don't believe he testified to any times.

The Court: No, this is cross examination.

Q: Do you remember giving a statement to Officer Allen?

A: Yes, sir.

Q: And do you remember stating to him that you didn't know what time it was, but that Stephanie Dollar had showed you a police report?

A: No.

Q: Are you saying that's not true or you just don't recall?

A: I just don't recall.

Q: Ok, so if Officer Allen has in his report that you said that Stephanie Allen--Stephanie Dollar--showed you a report, then you wouldn't deny that, you'd just say you don't remember?

A: I just don't remember.

Q: Now, you indicated that when you saw Jessie that evening he was walking down the street by

himself. Is that right?

A: Yes.

Q: And when the police cars are out there he's standing on the corner talking to you.

A: Yes.

Q: And you were out there most of the time?

A: Yes, sir, I was helping my dad in the yard and then he come, and went out on the corner and met him.

Q: So Jessie's--the police are there, you're there, and Jessie's on the street corner talking with you while the officers take care of business?

A: Yes, sir.

Q: And that's as true as everything else you've testified to?

A: Yes, sir.

Q: Now, you're also familiar with Jason Baldwin, right?

A: Yes, sir.

Q: And him and Jessie used to hang out together a whole bunch didn't they?

A: Yes.

Crow: I'm going to object Your Honor, it's outside the scope of cross examination.

The Court: Overruled, go ahead.

Q: The used to hang out together a lot?

A: Yes, when Jessie lived in the trailer park at Lakeshore.

Q: And, they were close friends, would you say?

A: No, they just hung out and went places together.

Q: And Jessie Misskelley, Jr. is your cousin, is that right?

A: Yes, sir.

Q: Have you talked to Jessie Sr. about what your testimony was gonna be here today?

A: No, sir.

Q: Did you talk with Stephanie Dollar about what your testimony was going to be today?

A: No, sir.

Q: Did you talk with anybody about what your testimony was going to be?

A: No, sir.

Q: Mr. Stidham?

A: No sir.

Q: Nobody talked to you at all other than Officer Allen before you took the witness stand?

A: No, well yesterday Mr. --I don't know which one it was, but, him, he gave me my subpoena and then just told me when to be here.

Davis: Pass the witness.

Crow: Nothing further.

The Court: All right, you may stand down. You're free to go.