

Testimony of Keith Mercier in Misskelley trial Feb 1994

FOGLEMEN: Your Honor, he'll need to be sworn.

THE COURT: Alright, raise your right hand, please sir. Do you swear to tell the truth, the whole truth and nothing but the truth in the matter now pending before the Court, so help you God?

MERCIER: I do.

BY FOGLEMAN:

Q: Could you state your name and where you live for the jury?

A: My name is Keith Douglas Mercier, I live in -- I used to reside in Highland Trailer Park.

Q: Alright. And um, have you ever been to Dyess wrestling?

A: I went down there one time with some friends, not wrestling.

Q: Okay, but you went down -- were they wrestling?

A: Yeah, they were.

Q: Alright. And do you recall whether or not that was before or after the murders of the three children?

A: That was before.

Q: Okay. I want to show you what's introduced as State's Exhibit 103, and ask if you recognize the signature on the very bottom.

A: Yes, sir.

Q: Alright. Whose signature is that?

A: That's mine.

Q: Alright. Would you mind taking this yellow highlighter and highlighting that for --

A: (MUMBLES ASSENT)

Q: -- the jury? Do you recall signing that?

A: Yes, sir.

Q: Alright. And uh, how many times did you go?

A: One time.

Q: One time.

A: One time, best of my knowledge.

FOGLEMEN: Alright, I don't have any further questions.

BY STIDHAM:

Q: Merciers, is that --

A: Yes, sir, that's correct.

Q: With a name like Stidham you gotta be real careful, you gotta be sensitive to people's last names.

A: Yeah.

Q: Are you on the search and rescue team?

A: Yes sir, I am.

Q: Do you remember May the fifth?

A: Yes, sir.

Q: Do you remember going to the search and rescue meeting with Kevin Johnson?

A: Yes sir, I recall.

Q: And at the meeting, uh, some of the guys have scanners?

A: Radios in their truck, yessir.

Q: You told me out in the hall that that night at the meeting it came over the scanner that the boys were missing?

A: I didn't hear it, someone else said something about it but I didn't hear it personally.

STIDHAM: Pass the witness.

FOGLEMAN: I don't have any questions.

THE COURT: Alright, you may stand down. You're free to go.

MERCIER: Alright, thank you.

(WITNESS EXCUSED)

THE COURT: Call your next witness.

FOGLEMAN: Call Deputy Dollahite.