

## **Testimony of Ryan Clark – Jessie Misskelley trial**

Ryan Clark, having been first duly sworn to speak the truth, the whole truth and nothing but the truth, then testifies as follows:

DIRECT EXAMINATION

BY MR. FOGLEMAN:

FOGLEMAN: Will you please state your name and address?

RYAN: Ryan Clark. I live at fourteen hundred East Barton.

FOGLEMAN: What is your relationship to Chris Byers?

RYAN: He was my brother.

FOGLEMAN: How old are you?

RYAN: Fourteen.

FOGLEMAN: Do you go to school?

RYAN: Yes, sir. I go to West Memphis Christian.

FOGLEMAN: I want to direct your attention to May 5th, the day that your brother disappeared.

Did you help in looking for him?

RYAN: Yes, sir, I did.

FOGLEMAN: Where all - - what all did you do looking for him?

RYAN: I walked around the woods looking for him, and thats about all.

FOGLEMAN: When did you first start looking for him? Well, when you first started looking for him, were you with anybody?

RYAN: Yes, I was with my friend, Britt Smith.

FOGLEMAN: About what time did you get with your friend, Britt Smith?

RYAN: I dont know. It was dark. I didnt pay any attention.

FOGLEMEN: Was there anybody else that you were with or had been with?

RYAN: Britt's sister was helping to look and her boyfriend, Richie was looking and his cousin, Robbie. I forgot his last name.

FOGLEMEN: When you say you looked in the woods, I want you to look at States Exhibit 101. Look over that picture and see if you recognize that area.

RYAN: (EXAMINING) Yes, sir, I do.

FOGLEMEN: You do recognize that?

RYAN: Um-hum.

FOGLEMEN: If you could take this pointer and point to the jury the area where you were looking.

This is the interstate. This is the truck stop and the Blue Beacon.

RYAN: (POINTING) We looked - - we looked - - we looked right over here. The other day we walked over here.

FOGLEMEN: When was that? You said The other day?

RYAN: It was the same day but in the nighttime we were looking - -

FOGLEMEN: Uh-huh.

RYAN: We were looking over there where the truck stop and Blue Beacon - -

FOGLEMEN: You see this? How do you get across this big ditch?

RYAN: There is a pipe right there.

FOGLEMEN: Which woods were you looking in?

RYAN: In the nighttime?

FOGLEMEN: Um-hum.

RYAN: (POINTING) We were looking around here.

FOGLEMEN: Did you go on the north side of the ditch?

RYAN: Yeah - - well, I didnt. My friend Richie did. They were over here (POINTING) and they went over here to like right here while we were over here.

FOGLEMEN: You yourself didnt go on the north side of the pipe looking?

RYAN: Um-hum.

FOGLEMEN: What is all this area called?

RYAN: Robin Hood.

FOGLEMEN: What are these lines and things on here?

RYAN: Motorcycle trails.

FOGLEMEN: When - - after your brother wasnt at home - - were you at home when he left or do you know?

RYAN: I was at court.

FOGLEMEN: After you got back from - - Why were you at court?

RYAN: I was riding my three @#%\$ on this street and the woman was in the car and she came flying past me because we thought we made her mad or something and she came flying past us and the cop saw her and he gave her a ticket for reckless driving.

FOGLEMEN: You were there to testify?

RYAN: Yes, sir.

FOGLEMEN: After you got home from court, was your brother at home?

RYAN: Um-um.

FOGLEMEN: After you found he wasnt at home, did you do anything to look for him there around that area?

RYAN: Yes, sir, I did. I looked around on Wilson Street because my dad said he went to his

friend Steve Branchs.

FOGLEMAN: Did you look on North 14th?

RYAN: Yeah, I went down the street.

FOGLEMAN: Did you find anything down the street?

RYAN: Not really.

FOGLEMAN: Did you find a skateboard?

RYAN: Yeah, I found a skateboard, but I aint never seen it before.

FOGLEMAN: You hadnt ever seen it?

RYAN: No.

FOGLEMAN: While you and Britt were searching the woods, did you hear anything?

RYAN: Yeah, we heard some splashing. We heard - - it was me and Britt. We were walking by the - - it wasnt nowhere near where they found them, but it was down - - there is a bridge. We were right about there, and we heard some splashing. So I started yelling and stuff at them, and I told my friend Britt, When I count to three, run. After that we took off running.

CROSS EXAMINATION

BY MR. STIDHAM:

STIDHAM: Do you remember telling the police that you heard somebody rustling around in the woods about the same time you heard the splashes?

RYAN: Yes, I did.

STIDHAM: Do you remember what time that was?

RYAN: No, I dont.

STIDHAM: Do you remember what time you told the police it was?

RYAN: I dont know.

STIDHAM: Was it about nine oclock? Was it after dark?

RYAN: It was dark.

STIDHAM: Do you remember what time it got dark that day?

RYAN: I dont know. It was kind of late because it was in the summertime.

STIDHAM: Did you see anybody running from the area or the scene?

RYAN: I didnt see nothing but I heard something.

STIDHAM: But you couldnt tell who it was or what it was just by the sound?

RYAN: It sounded like somebody was running across it, sounded like somebody was running from us or something or running at us.

REDIRECT EXAMINATION

BY MR. FOGLEMAN:

FOGLEMAN: Would you show on the map where you were when you first heard the rustling in the woods?

RYAN: (POINTING) It was about right here.

FOGLEMAN: That is on the south side of the big ditch?

RYAN: The splashing was over here. (INDICATING)

(WITNESS EXCUSED)