

Testimony of Susie Brewer in Misskelley trial Feb 1994

DIRECT EXAMINATION

BY CROW:

Q: State your name ma'am.

A: Susie Brewer.

Q: And how old are you?

A: Fifteen.

Q: Do you go to school?

A: Yes, sir.

Q: Where?

A: Marion Junior High.

Q: What grade are you in?

A: Ninth.

Q: Where do you live?

A: In Highland Trailer Park.

Q: Okay. If you'll turn around behind you, there's State's Exhibit Two, and up here is Highland Trailer Park. Do you recognize that?

A: Yes, sir.

Q: Okay. Can you tell me roughly where you live there?

A: Is this the back street?

Q: That's, that's where Stephanie lives, right there.

A: Okay, I live right down here.

Q: Okay.

A: No here.

Q: Other side? Okay. That's uh, that's the 'T' and that's where Stephanie lives and Jessie's house is over here.

A: Okay.

Q: Okay, so down here. Okay.

A: (TURNS BACK AROUND)

Q: About how far is that from where Jessie lives?

A: About a two minute walk.

Q: Okay. What is your relationship with Jessie Misskelley?

A: I'm his girlfriend.

Q: Okay. You understand you're under oath?

A: Yes, sir.

Q: You understand you have to tell the truth today?

A: Yes, sir.

Q: Do you remember the day of May 5th?

A: Yes, sir.

Q: You gave that day a lot of thought in the last few months?

A: Yes, sir.

Q: Okay. You go to school that day?

A: Yes, sir.

Q: How'd you get home from school?

A: I walked home.

Q: Okay. Do you know what time you got home?

A: About 3:30.

Q: And what'd you do when you got home?

A: I went to Stephanie's, that's where Jessie was cause he was babysitting Stephanie's kids.

Q: Okay.

A: And she got back about 4:00 and we went walking.

Q: Okay. Did you go home before you went to Stephanie's?

A: No, my momma drove by and I told her I was there with Jessie.

Q: Okay. And you went walking around the trailer park?

A: Mmm-hmm. We went to Johnny Hamilton's.

Q: Okay. You know about what time that was?

A: About 4:15, 4.

Q: Did you have a watch on?

A: No, sir.

Q: Okay. That afternoon, did you keep Jessie in your sight the whole time that afternoon?

A: Not the whole time. He was probably out of my sight about 15, 20 minutes.

Q: That happen one time or several times, was he out of your sight?

A: Well the first time he went to McNease's to talk to him and then I was standing in his yard when he was talking to Louis.

Q: Okay. So during the course of the afternoon, you were around Jessie?

A: Most of the time.

Q: Most of the time, okay. You remember going to Johnny Hamilton's house for a while?

A: Yes, sir.

Q: Okay. Do you remember, sometime in the afternoon --

FOGLEMEN: Your Honor, I object to leading.

THE COURT: Avoid leading.

BY CROW:

Q: Was there a time in the after -- well -- do you know who Louis Hoggard is?

A: Yes, sir.

Q: Okay. Tell me, was there any contact between Louis Hoggard and Jessie that afternoon?

A: Yes, sir, he was asking Jessie what --

Q: -- You can't tell what he, you can't tell what he said. Did you see 'em together?

A: Yes, sir.

Q: Okay. Do you have any idea what time it was when Jessie and Louis were talking?

A: Probably about 6:30, I'm not sure.

Q: Okay. What did you see -- did you see what Jessie did after he got through talking to Louis?

A: He went back to his house to get the mask and he was letting little kids try it on.

Q: Okay. So somewhere after that time, Jessie's letting -- goes and gets his mask and is letting little kids try on his mask. You know who those kids were?

A: Cody Romero and Justin Romero.

Q: Okay. Cody Romero and Justin Romero?

A: Yes, sir.

Q: Whose children are those?

A: Stephanie Dollar's.

Q: Stephanie Dollar's. Do you know what was the last time you saw Jessie that night?

A: 7:00.

Q: Okay. What was he doing?

A: Uh, I walked to Stephanie's and when I walked, I looked and I was watching him walk to Roger's house (inaudible)

Q: Okay. So, where is Roger's house in connection to Jessie's house?

A: Across the street.

Q: Okay. And from Stephanie's house -- you walked in her house.

A: I walked in her house.

Q: Okay. And what -- how'd you see Jessie?

A: She's got a door, and it's got a little piece of glass that you can look out.

Q: Okay. From that time on, do you know what Jessie did the rest of the night? I mean personal knowledge, you've heard things, but do you know any personal knowledge what Jessie did the rest of the night after that?

A: All I know is he went to Dyess.

Q: Okay, you've been told that, but you don't -- you have any personal knowledge -- first-hand knowledge -- what he did from that point on? Did you see him again the rest of the night?

A: Un-uh (No).

Q: Okay. Can I have a minute, your Honor? (pause) Pass the witness.

CROSS-EXAMINATION

BY DAVIS:

Q: Ms. Brewer, you're Jessie Misskelley's girlfriend, is that correct?

A: Yes, sir.

Q: How long has that relationship existed?

A: A year and two weeks.

Q: Okay. So when did y'all first start seeing each other?

A: January 16th, of last year.

Q: Okay. And are you real good friends with Stephanie Dollar?

A: Yes, sir.

Q: And in fact, that's where you said you were at on this particular afternoon of May 5th. Is that correct?

A: Yes, sir.

Q: Okay. Is that pretty common for you to be over at her house around her kids?

A: Yes sir, I go there every afternoon.

Q: Okay. So as far as being there at Stephanie Dollar's house with her kids, nothing unusual about that. That happens everyday.

A: Yes, sir.

Q: Okay. Now, during this time period was Jessie steadily employed? Was he working on a regular basis?

A: He was working with Ricky Deese.

Q: Was he working on a regular basis -- five days a week, eight hours a day?

A: No, sir.

Q: Okay. Would he be over there pretty frequently with you over at Stephanie's too?

A: Yes, sir.

Q: Okay, so there's nothing unusual about that. Now, you've indicated that -- Mr. Crow asked you said do you know where he went after you last saw him. And I believe you indicated you knew he went wrestling?

A: Yes, sir.

Q: Okay, you didn't go wrestling with him.

A: No, sir.

Q: How did you know that, who did you talk to?

A: Because he goes every Wednesday night.

Q: Okay. That's not what I asked you. If you would, who did you talk to? Did you talk with Fred Revelle about where he was that Wednesday night?

A: Johnny Hamilton.

Q: Okay. So you talked with some other people about putting Jessie in a particular place on that particular evening?

STIDHAM: Your Honor, I object to the form of that question.

THE COURT: Overruled. This is cross-examination. Go ahead.

BY DAVIS:

Q: Have you talked with other people about times and places that Jessie was on that particular evening?

A: I knew he was there.

Q: I didn't ask you that. Have you talked with other people about times and places that Jessie was on that particular evening?

A: Yes, sir.

Q: Okay. And in fact, you discussed it extensively with Stephanie Dollar, correct?

A: Yes, sir.

Q: And you discussed it with a Johnny Hamilton? Is that correct?

A: Yes, sir.

THE COURT: You have to answer out loud.

SUSIE: Oh. Yes, sir.

BY DAVIS:

Q: Did you discuss it with a Fred Revelle?

A: Yes, sir.

Q: Okay. And in fact, Fred Revelle was the first one who mentioned that he was in Dyess wrestling on this particular night, isn't that true?

A: Yes, sir.

Q: And he brought that to your attention, correct?

A: They were talking about that day.

Q: Okay. Fred Revelle's the one who brought to your attention that on the 5th of May they were in Dyess wrestling. Is that correct?

A: And so did Johnny.

Q: Okay. And Stephanie Dollar brought to your attention an incident that occurred at the trailer park on the 5th, is that correct?

A: Yes, sir. I was there, too.

Q: Okay. But Stephanie Dollar's the one who mentioned to you that it occurred on that particular day?

A: Yes, sir.

Q: And this Mr. Hoggard that you referred to, he's a neighbor to Jessie is he not?

A: Yes, sir.

Q: Okay. (pause) One second, your Honor. Pass the witness.

REDIRECT EXAMINATION

BY CROW:

Q: Miss Brewer, after Jessie was arrested for this crime, did May 5th become an important date to you?

A: Yes, sir.

Q: Become an important date to a lot of people in the trailer park?

A: Yes, sir.

Q: Y'all try to figure out what you remembered about that date?

A: Yes, sir.

FOGLEMEN: Your Honor, I'd ask that he refrain from leading.

THE COURT: Sustained.

CROW: Nothing further.

THE COURT: Alright, you may stand down. You want to keep her in the witness room? Or in the hall? Alright, you need to go back outside please, ma'am.

(WITNESS EXCUSED)