

1 RE-OPENING THE CASE, WE WOULD MOVE FOR JOA.

2 THE COURT: DO YOU WISH TO RENEW YOUR MOTIONS?

3 MR. EIDE: YES.

4 THE COURT: BASED ON THE SAME ARGUMENT?

5 MR. EIDE: YES, YOUR HONOR.

6 THE COURT: THE COURT WOULD DENY THE MOTIONS FOR  
7 JUDGMENTS OF ACQUITTAL.

8 (THEREUPON, THE SIDE-BAR CONFERENCE WAS CONCLUDED.)

9 MR. EIDE: YOUR HONOR, AT THIS TIME THE DEFENSE  
10 WOULD CALL THE FIRST WITNESS, CHRISTI MOORE.

11 THEREUPON,

12 CHRISTI L. MOORE,  
13 WAS CALLED AS A WITNESS BY THE DEFENSE AND, AFTER HAVING  
14 BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED ON HER  
15 OATH AS FOLLOWS:

16 DIRECT EXAMINATION

17 BY MR. EIDE:

18 Q HELLO, MISS MOORE. COULD YOU PLEASE STATE YOUR  
19 FULL NAME, FOR THE RECORD?

20 A CHRISTI LYNN MOORE.

21 Q AND WHERE DO YOU LIVE?

22 A AT 1331 ADMIRAL DRIVE.

23 Q WHERE DO YOU WORK?

24 A I'M NOT WORKING RIGHT NOW.

25 Q DO YOU KNOW SCOTTY MERSON?

1 A YES, I DO.

2 Q AND HOW LONG HAVE YOU KNOWN SCOTTY?

3 A PROBABLY ABOUT A YEAR, IF THAT.

4 Q DO YOU REMEMBER SEEING SCOTTY ON MAY 18TH OF  
5 1990, THIS YEAR?

6 A HMM-HMM.

7 Q DO YOU REMEMBER GOING OVER AND GETTING HIM AT  
8 HIS TRAILER PARK?

9 A HMM-HMM.

10 Q COULD YOU TELL ME ABOUT WHAT TIME YOU WENT OVER  
11 THERE?

12 A I'D SAY IT WAS PROBABLY ABOUT TEN, 10:15,  
13 SOMEWHERE AROUND IN THERE.

14 Q WHO ELSE WENT WITH YOU?

15 A SHAWN AND ALLISON.

16 Q SHAWN WHO?

17 A SHAWN WILLEY, MY BOYFRIEND.

18 Q AND WHO IS ALLISON?

19 A ALLISON IS SCOTTY'S GIRL FRIEND.

20 Q WHAT IS HER LAST NAME?

21 A LOWERY.

22 Q AND WHAT DID YOU DO WHEN YOU GOT THERE?

23 A WHEN WE GOT TO SCOTTY'S HOUSE?

24 Q HMM-HMM.

25 A WE PICKED HIM UP, AND ON THE WAY HOME WE STOPPED

1 AT A CONVENIENCE STORE AND GOT A PACK OF CIGARETTES AND A  
2 SIX-PACK, AND WE WENT BACK HOME.

3 Q DO YOU KNOW WHERE THE TRAILER PARK IS LOCATED IN  
4 ORLANDO? CAN YOU DESCRIBE THAT?

5 A NO, NOT REALLY.

6 Q WERE YOU DRIVING?

7 A NO. SHAWN WAS.

8 Q ABOUT HOW LONG DID IT TAKE YOU TO GET OUT THERE?

9 A PROBABLY ABOUT 20 MINUTES, OR SO.

10 Q OKAY. DO YOU REMEMBER GETTING BACK TO YOUR PLACE?

11 A HMM-HMM.

12 Q WHERE WERE YOU LIVING AT THE TIME?

13 A AT TEN 58 HIGH MEADOW, IN APOPKA.

14 Q WHERE IS THAT?

15 A IN THE CHALET NORTH SUBDIVISION, OFF OF 441.

16 Q WHO WERE YOU LIVING THERE WITH?

17 A SHAWN, ALLISON, JUDY, TAMMY, MICHAEL, WILLEY,

18 AND I BELIEVE MICHAEL HYLAND WAS LIVING THERE, TOO.

19 Q WHAT TIME DID YOU GET BACK THERE?

20 A I'D SAY IT WAS PROBABLY ABOUT A QUARTER TO ELEVEN

21 OR ELEVEN O'CLOCK.

22 Q OKAY. WHAT DID YOU DO WHEN YOU GOT BACK?

23 A ATE DINNER.

24 Q WHAT ELSE?

25 A AFTER ME AND SHAWN ATE DINNER, WE WENT TO BED.

1 IT WAS SHORTLY AFTER WE ATE DINNER THAT WE WENT TO BED.

2 Q WHAT TIME DID YOU GO TO BED?

3 A I THINK IT WAS, LIKE, A QUARTER TO TWELVE.

4 Q AND DO YOU HAVE A BEDROOM THERE, OR WHAT?

5 A YEAH, ME AND SHAWN STAYED IN ONE BEDROOM.

6 Q ANYONE ELSE STAY IN THAT BEDROOM?

7 A NOT WITH ME AND SHAWN, NO.

8 Q DID SHAWN GO TO BED WITH YOU?

9 A YES, HE DID.

10 Q AND WHAT HAPPENED WHEN YOU WENT TO BED? DID YOU  
11 CLOSE THE DOOR?

12 A YEAH, WE CLOSED IT. WE LOCKED IT. AND HE PUT  
13 HIS KEYS UP ON THE HEADBOARD, AND WE WENT TO BED.

14 Q WHAT KIND OF BED DO YOU HAVE?

15 A A WATER BED.

16 Q WHAT SIZE IS IT?

17 A QUEEN.

18 Q DO YOU ALWAYS LOCK THE DOOR?

19 A YES.

20 Q ARE YOU SURE YOU LOCKED THE DOOR THAT NIGHT?

21 A HMM-HMM.

22 Q DID ANYONE COME IN YOUR ROOM IN THE MIDDLE OF  
23 THE NIGHT?

24 A NO. WE WOULD HAVE WOKE UP IF THEY DID BECAUSE  
25 THE KEYS WERE -- HE SLEEPS BY THE WALL. WHERE THE KEYS

1 WERE, THEY WOULD HAVE HAD TO GO OVER ME, AND THEY WOULD  
2 HAVE HAD TO GO ON THE WATER BED, AND IT WOULD HAVE WOKE  
3 ONE OF US UP.

4 Q WHERE WERE THE KEYS LOCATED?

5 A UP ON THE HEADBOARD OF THE WATER BED.

6 Q WERE THERE ANY OTHER KEYS BESIDES THOSE KEYS?

7 A BACK IN TAMMY'S ROOM.

8 Q ANY OTHER KEYS TO SHAWN'S CAR?

9 A NO.

10 Q DO YOU REMEMBER ANYONE OPENING YOUR DOOR IN THE  
11 MIDDLE OF THE NIGHT?

12 A NO.

13 Q DID YOU HEAR ANY TRUCK START OR CARS START IN  
14 THE MIDDLE OF THE NIGHT?

15 A NO.

16 Q WHEN YOU GOT UP THE NEXT MORNING, WHO WAS THERE  
17 IN THE TRAILER?

18 A EVERYBODY EXCEPT FOR, I BELIEVE, MICHAEL HYLAND.  
19 BECAUSE I THINK HE HAD ALREADY GONE TO WORK.

20 Q WHEN YOU WENT TO BED WAS SCOTTY IN THE TRAILER?

21 A YES, HE WAS.

22 Q WHEN YOU WOKE UP IN THE MORNING, WAS SCOTTY IN  
23 THE TRAILER?

24 A YES, HE WAS.

25 Q DO YOU KNOW IF SCOTTY LEFT THE TRAILER AT ALL

1 IN THE MIDDLE OF THE NIGHT?

2 A NO, NOT THAT I KNOW OF.

3 MR. EIDE: I DON'T HAVE ANY OTHER QUESTIONS,  
4 YOUR HONOR.

5 THE COURT: DOES THE STATE HAVE ANY QUESTIONS?

6 MR. BENDER: YES, YOUR HONOR.

7 CROSS-EXAMINATION

8 BY MR. BENDER:

9 Q HELLO, MISS MOORE. HOW ARE YOU?

10 A FINE. AND YOU?

11 Q I'M FINE. THANK YOU. YOU'VE KNOWN SCOTTY MERSON  
12 FOR JUST ABOUT ONE YEAR, YOU INDICATED?

13 A YEAH.

14 Q HOW OFTEN PRIOR TO MAY 18TH DID YOU SEE SCOTTY  
15 MERSON?

16 A I'D SAY PROBABLY AT LEAST ONCE A WEEK, AT LEAST.

17 Q WERE SHAWN, WHO IS YOUR BOYFRIEND, AND SCOTTY  
18 GOOD FRIENDS?

19 A YES. FROM WHAT I KNOW, THEY'VE BEEN GOOD FRIENDS  
20 FOR A WHILE.

21 Q AND DID YOU ACCOMPANY THEM ON SOCIAL OUTINGS?

22 A NOT ALL THE TIME, NO.

23 Q YOU'VE INDICATED THAT YOU WENT AND PICKED UP  
24 MR. MERSON ABOUT 10:15 AT HIS GRANDMOTHER'S TRAILER PARK?

25 A HMM-HMM.