

DIRECT EXAMINATION

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BY MR. BENDER:

Q GOOD AFTERNOON, SIR. WOULD YOU TELL US YOUR
NAME, PLEASE?

A RAYMOND STOCKWELL.

Q AND WHERE ARE YOU LIVING RIGHT NOW, SIR?

A I'M LIVING AT 3020 HARRISON AVENUE, ORLANDO.

Q HOW LONG HAVE YOU BEEN LIVING AT THAT HOME?

A THIRTY-FOUR YEARS.

Q DO YOU OWN IT?

A PARDON?

Q YOU'RE THE OWNER OF THE HOUSE?

A I AM, YES.

Q WHO DO YOU LIVE THERE WITH, PLEASE?

A WITH MY WIFE, MY GRANDSON, MY SON-IN-LAW AND
DAUGHTER AND TWO CHILDREN, MICHELLE AND ANGEL [REDACTED].

Q THOSE ARE YOUR GRANDCHILDREN; IS THAT CORRECT?

A GRANDCHILDREN, YES.

Q HOW LONG HAVE MICHELLE AND ANGELA BEEN LIVING
THERE WITH YOU, SIR?

A ABOUT THREE YEARS.

Q AND THEIR MOTHER, CATHY, AND HER HUSBAND LIVE
THERE, AS WELL?

A YES.

Q NOW, WHERE IS YOUR BEDROOM IN CONNECTION TO THE

1 GIRLS' BEDROOM?

2 A ADJACENT.

3 Q DIRECTLY NEXT TO IT?

4 A DIRECTLY NEXT TO IT, EAST OF IT.

5 Q I WOULD LIKE TO ASK YOU A QUESTION, SIR. DO YOU
6 KNOW A GENTLEMAN BY THE NAME OF SCOTTY MERSON?

7 A YES, I DO.

8 Q HOW DID YOU FIRST BECOME ACQUAINTED WITH HIM?

9 A THROUGH MY SON-IN-LAW'S DAUGHTER, BY A PREVIOUS
10 MARRIAGE.

11 Q AND THAT WOULD BE TINA █████, SIR?

12 A THAT'S CORRECT.

13 Q AND WHAT WAS TINA COLE AND SCOTTY MERSON'S
14 RELATIONSHIP, SIR?

15 A HE WAS HER BY FRIEND FOR SOME TIME. I DON'T
16 KNOW HOW LONG.

17 Q DID THEY AT ANY POINT IN TIME EVER LIVE TOGETHER?

18 A I THINK SO.

19 Q SHE AND SCOTTY MERSON?

20 A I THINK SO, YES.

21 Q WAS THERE EVER A TIME WHEN SCOTT MERSON LIVED
22 IN YOUR HOME; HOWEVER, SHORT A PERIOD OF TIME THAT MIGHT
23 HAVE BEEN?

24 A YES.

25 Q AND APPROXIMATELY HOW LONG DID HE LIVE THERE

1 WITH YOU ALL?

2 A I'D SAY NOT MORE THAN TWO WEEKS.

3 Q HE STAYED OVERNIGHT?

4 A YES.

5 Q WHEN HE WAS LIVING THERE TEMPORARILY, WHAT WAS --
6 HOW WAS YOUR RELATIONSHIP WITH MR. MERSON?

7 A JUST A GENERAL ACQUAINTANCE.

8 Q DID HE SEE A LOT OF MICHELLE AND ANGELA?

9 A WELL, WITH THEM BEING AROUND, YES, HMM-HMM.

10 Q WELL, DID ANGELA AND MICHELLE EVER ACCOMPANY
11 TINA AND SCOTTY OUTSIDE THE HOME?

12 A I DON'T REMEMBER ANY PARTICULAR OCCASIONS, BUT
13 I'M SURE THEY DID.

14 Q NOW, YOU'RE RETIRED; IS THAT CORRECT, SIR?

15 A THAT'S CORRECT.

16 Q YOU WORKED WHERE, BEFORE YOUR RETIREMENT?

17 A ORLANDO UTILITIES COMMISSION.

18 Q HOW LONG DID YOU WORK THERE FOR, SIR?

19 A JUST THREE MONTHS SHORT OF 35 YEARS.

20 Q SO YOU'VE BEEN IN THIS COLLEGE PARK AREA FOR
21 QUITE A WHILE?

22 A THAT'S CORRECT, 34 YEARS.

23 Q I WOULD LIKE TO DIRECT YOUR ATTENTION BACK TO
24 MAY OF THIS YEAR. DO YOU RECALL AN INCIDENT INVOLVING
25 MR. MERSON COMING INTO YOUR HOME?

1 A YOU MEAN, UNAUTHORIZED?

2 Q EXACTLY.

3 A YES, SIR, I REMEMBER.

4 Q AND COULD YOU TELL US THE GENERAL CHAIN OF EVENTS,
5 AS FAR AS WHAT YOUR SCHEDULE WAS THAT EVENING AND WHAT TIME
6 YOU GO TO BED, THAT TYPE OF THING?

7 WHEN DO YOU USUALLY GO TO BED?

8 A WELL, WE'RE USUALLY IN BED AROUND NINE O'CLOCK.
9 AND WE HAVE A TV IN OUR BEDROOM, WHICH WE WATCH UNTIL
10 USUALLY, UNTIL AFTER THE NEWS GOES OFF AT 11:30.

11 Q DO YOU HAVE ANY LIGHTS ABOVE YOUR BED?

12 A YES, WE EACH HAD AN ADJUSTABLE LAMP; ONE ON MY
13 WIFE'S SIDE AND ON MY SIDE.

14 Q DO YOU KNOW THE WATTAGES OF THE LIGHT BULBS THAT
15 YOU HAVE IN THOSE LIGHTS?

16 A SEVENTY-FIVE WATTS.

17 Q AND WHO SLEEPS CLOSEST TO THE DOOR, YOU OR YOUR
18 WIFE?

19 A MY WIFE.

20 Q DOES SHE NORMALLY KEEP HER LIGHT ON THROUGHOUT
21 THE EVENING, SIR?

22 A YES, SHE DOES.

23 Q HOW DO YOU LIKE HER KEEPING HER LIGHT ON?

24 A I DON'T LIKE IT.

25 Q ARE YOU ABLE TO SLEEP, NONETHELESS, WITH IT ON?

1 A YES.

2 Q WHAT'S THE PURPOSE THAT SHE HAS THAT LIGHT ON?

3 A WELL, PARTLY BECAUSE SHE STAYS AWAKE SO MUCH AND
4 READS AND PARTLY BECAUSE THE GIRLS WANT THE LIGHT ON FOR A
5 FEELING OF SECURITY.

6 Q NOW, THAT EVENING, DO YOU REMEMBER THE DATE IN
7 MAY THAT WAS, SIR?

8 A THAT WAS MAY THE 18TH.

9 Q IS THAT THE MORNING OF THE 18TH, OR MORNING OF
10 THE 19TH?

11 A THAT WAS THE MORNING OF THE 18TH.

12 Q SO YOU WENT TO BED ON THE 17TH?

13 A THAT'S CORRECT.

14 Q NOW, NORMALLY, I THINK YOU'VE INDICATED YOU WATCH
15 TV UNTIL YOU DOSE OFF?

16 A YES.

17 Q DO YOU RECALL HOW LATE YOU STAYED UP THAT NIGHT,
18 WATCHING TELEVISION?

19 A I DON'T KNOW IF I WENT TO SLEEP BEFORE OR AFTER
20 THE NEWS. BUT ABOUT THAT TIME, ANYWAY, CLOSE TO 11:30.

21 Q WHAT'S THE NEXT THING YOU REMEMBER, SIR, UPON
22 AWAKENING, IF AT ALL?

23 A I REMEMBER ANGEL COMING AROUND THE BED AND
24 COMPLAINING ABOUT HER LEG CRAMPING AND WANTED ME TO RUB
25 HER LEGS FOR HER, WHICH I OFTEN DO.

1 Q WAS THAT A NORMAL THING THAT YOU ALL DID FOR
2 ANGELA?

3 A THE RUBBING HER LEGS?

4 Q YES, THE RUBBING OF THE LEG?

5 A YEAH, THAT'S NORMAL AND QUITE OBVIOUS.

6 Q WAS SHE EXPERIENCING GROWING PAINS, OR WHAT WAS
7 THE REASON?

8 A THAT'S THE COMPLAINT, IS GROWING PAINS, AND
9 THAT'S WHAT WE BELIEVE IT IS.

10 Q AND APPROXIMATELY, IF YOU CAN RECALL, WHAT TIME
11 DID SHE COME INTO THE ROOM THAT MORNING?

12 A APPROXIMATELY TWO O'CLOCK, OR A LITTLE AFTER. ✓

13 Q AND DID SHE TELL YOU ANYTHING ABOUT MR. MERSON
14 BEING IN THE BEDROOM THAT NIGHT?

15 A NO, SHE DIDN'T.

16 Q WHAT WAS HER OVERALL DEMEANOR AND CHARACTER THAT
17 MORNING WHEN SHE WALKED INTO YOUR ROOM?

18 A WELL, SHE COME IN, AND SHE SAT DOWN ON THE EDGE
19 OF THE BED NEXT TO ME. I BEGAN TO RUB HER LEG. IT WAS
20 CRAMPING. AND NORMALLY SHE LIKES FOR ME TO RUB CONSIDERABLE
21 TIME. BUT I JUST DID A FEW LITTLE RUBS AND SQUEEZES. THAT
22 SEEMS TO BE WHAT RELIEVES THE SITUATION.

23 AND I HADN'T STARTED GOOD UNTIL SHE JUST LOOKED
24 AT ME STRANGE, LIKE SHE WAS ABOUT TO CRY, AND SHE JUST TOOK
25 OFF AND WENT AROUND AND DISAPPEARED OUT THE DOOR. AND I

1 WAS A LITTLE PUZZLED.

2 Q THAT WAS NOT CUSTOMARY FOR HER TO DO THAT?

3 A NO.

4 Q DID MICHELLE EVER COME INTO THE ROOM THAT EVENING?

5 A YES, BUT SHE DIDN'T COME ON MY SIDE OF THE BED.

6 Q DO YOU KNOW HOW LONG SHE WAS IN THERE?

7 A I DON'T REMEMBER.

8 Q DO YOU KNOW IF YOUR WIFE ACCOMPANIED THEM TO

9 THE KITCHEN AT ALL?

10 A I WAS AWARE SHE LEFT THE ROOM. BUT THAT'S ABOUT
11 IT.

12 Q SIR, DID YOU HEAR ANYONE AT ALL COME INTO THE
13 HOUSE AFTER YOU HAD GONE TO SLEEP ABOUT 11:30 THAT NIGHT?

14 A I DIDN'T HEAR A THING.

15 Q NOW, BACK IN MAY, THE 17TH OR 18TH OF MAY,

16 BACK IN THAT PERIOD OF TIME, DID YOU ALL HAVE THE

17 AIR-CONDITIONER RUNNING AT ALL IN THE HOUSE?

18 A IT RUNS AND CUTS OFF AND RUNS AND CUTS OFF, IN
19 CYCLES, IN OTHER WORDS.

20 Q WHEN THAT AIR-CONDITIONER IS RUNNING, SIR, IS
21 IT POSSIBLE TO HEAR A DOOR BEING OPENED AND SOMEONE ENTERING
22 AND EXITING THE HOUSE?

23 MR. EIDE: OBJECTION; SPECULATION IS WHAT IT
24 CALLS FOR FROM THE WITNESS.

25 MR. BENDER: YOUR HONOR, HE'S LIVED THERE FOR

1 35 YEARS.

2 THE COURT: THE QUESTION IS: IS IT POSSIBLE TO
3 HEAR A DOOR BEING OPENED?

4 MR. BENDER: YES, WITH THE AIR-CONDITIONER ON
5 AND FROM HIS LOCATION IN THE BEDROOM, COULD HE HEAR
6 THE DOOR BEING OPENED.

7 THE COURT: WHICH DOOR?

8 MR. BENDER: THE DOOR LEADING OUT INTO THE
9 BACKYARD.

10 THE COURT: OBJECTION IS OVERRULED.

11 BY MR. BENDER:

12 Q DO YOU UNDERSTAND MY QUESTION, SIR?

13 A OKAY.

14 Q IF YOU WERE IN THE BEDROOM WITH THE AIR-CONDITIONER
15 ON, WOULD YOU GENERALLY BE ABLE TO HEAR THE DOOR BEING
16 OPENED, THE DOOR LEADING OUT INTO THE BACKYARD?

17 A IF IT WAS OPENED CAREFULLY AND CLOSED CAREFULLY, NO.

18 Q NOW, I TAKE IT, AFTER THE GIRLS LEFT YOUR BEDROOM,
19 DID YOU GO BACK TO SLEEP, SIR.

20 MR. EIDE: OBJECTION, YOUR HONOR; LEADING QUESTION.

21 BY MR. BENDER:

22 Q DID YOU GO BACK TO SLEEP LATER THAT EVENING, SIR?

23 THE COURT: SUSTAINED.

24 THE WITNESS: YES.

25 BY MR. BENDER:

1 Q AND WHAT TIME DID YOU GET UP THE NEXT MORNING?

2 A AROUND SEVEN O'CLOCK.

3 Q AND WHAT TIME DID MICHELLE AND ANGELA NORMALLY
4 GET UP FOR SCHOOL?

5 A THAT'S ABOUT THE TIME THEY GET UP FOR SCHOOL,
6 ABOUT SEVEN O'CLOCK.

7 Q AND WAS THAT MORNING A SCHOOL MORNING?

8 A YES, IT WAS.

9 Q WHO USUALLY MAKES THE GIRLS BREAKFAST? DO THEY
10 DO IT THEMSELVES, OR DOES SOMEONE ELSE MAKE IT FOR THEM?

11 A THEIR FATHER USUALLY TAKES CARE OF THAT.

12 Q DID YOU TALK WITH THEM AT ALL THAT MORNING
13 BEFORE THEY LEFT FOR SCHOOL, SIR?

14 A I'M NOT CERTAIN WHETHER IT WAS THEN OR LATER
15 WHEN THEY CAME IN TO TELL US. I BELIEVE THAT IT WAS THAT
16 MORNING, AFTER THEY HAD TALKED TO THEIR MOTHER, THAT THEY
17 COME IN AND ANNOUNCED TO US WHAT HAD HAPPENED.

18 Q SO YOU LEARNED --

19 A I'M NOT CERTAIN IF IT WAS THEN, OR LATER.

20 Q SO DID YOU LEARN OF THIS SOMETIME IN THE AFTERNOON
21 AFTER THEY CAME BACK FROM SCHOOL, AS BEST YOU CAN RECALL,
22 SIR?

23 A I WAS TRYING TO THINK WHEN THE POLICE WAS OVER
24 THERE. IT WAS BEFORE THEY WAS OVER THERE. I CAN'T REMEMBER
25 WHETHER IT WAS BEFORE NOON OR AFTER NOON THAT THEY COME OVER

1 TO INVESTIGATE. I BELIEVE IT WAS BEFORE NOON. AND WE HAD
2 ALREADY HEARD THAT THE HOUSE HAD BEEN BROKEN INTO.

3 Q WELL, THE EXACT TIME IS NOT IMPORTANT, NECESSARILY,
4 SIR. BUT DID YOU AT SOME POINT IN TIME LEARN ABOUT THE
5 FACT THAT SCOTTY MERSON HAD BEEN IN THE HOUSE THAT NIGHT?

6 A YES.

7 Q WHO CALLED THE POLICE TO CONDUCT THE INVESTIGATION;
8 DO YOU RECALL?

9 A I BELIEVE THE SITUATION WAS THAT WHEN THE MOTHER,
10 MY DAUGHTER, FOUND OUT ABOUT IT, SHE CALLED HER HUSBAND AND
11 THEY TALKED IT OVER AND DECIDED TO ASK THE POLICE TO GET IN
12 ON IT.

13 Q SIR, I HAVE ONE MORE QUESTION FOR YOU. I WOULD
14 LIKE FOR YOU TO TAKE A LOOK AROUND THIS COURTROOM, AND I
15 ASK YOU, DO YOU SEE SCOTTY MERSON HERE TODAY?

16 A YES, I DO.

17 Q COULD YOU POINT HIM OUT TO US, PLEASE, AND TELL
18 US WHAT HE IS WEARING?

19 A WEARING THE DARK SUIT AND THE TIE -- (INDICATING).

20 Q SITTING BETWEEN THE TWO ATTORNEYS?

21 A YES.

22 MR. BENDER: YOUR HONOR, IF THE RECORD COULD
23 REFLECT THIS WITNESS HAS IDENTIFIED THE DEFENDANT
24 IN THIS CASE?

25 THE COURT: THE RECORD WILL SO REFLECT.