

1 Q. What grades did you go there?

2 A. Sixth.

3 Q. Were you involved in any extracurricular activities
4 at Alkali Creek School?

5 A. I don't rightly remember.

6 Q. After you finished Alkali, what school did you
7 start?

8 A. Castle Rock Junior High.

9 Q. Were you involved in any extracurricular activities
10 while at Castle Rock?

11 A. Miscellaneous things. I am not -- I don't really
12 remember.

13 Q. Cheerleading, or--

14 A. Not cheerleading. A little bit in band, a little
15 bit in chorus.

16 Q. And were you on the honor roll?

17 A. I believe I was for maybe a quarter or semester.

18 Q. I want to direct your attention, Amy, to the
19 week that started the 14th or 15th of April, 1986.

20 A. Yes.

21 Q. Had there been some plans in your family to make
22 a move from Billings prior to that time?

23 A. Yes, there was.

24 Q. And where was it intended that your family move?

25 A. To Atlanta, Georgia.

1 Q. What was the reason for that move?
2 A. My Dad was being transferred to a different job.
3 Q. Where had your father worked while in Billings?
4 A. Ryan's IGA.
5 Q. What kind of a job did he have there?
6 A. Chief Engineer. He helped design the remodeling
7 of stores.
8 Q. And was he going to take a similar position in
9 Atlanta?
10 A. Yes.
11 Q. Do you remember approximately when the movers
12 came?
13 A. I would have to say about Tuesday of that week.
14 Q. And they were doing the regular things that
15 movers do on those days?
16 A. Yes.
17 Q. Packing the boxes, getting ready to move the
18 family's furniture and belongings?
19 A. Yes.
20 Q. When was the first night that any member of your
21 family stayed in the Metra Inn?
22 A. Thursday night.
23 Q. Had you and your brother and mother stayed there
24 the night before?
25 A. I don't remember.

1 Q. On Thursday, then, what arrangements were made
2 as far as where you were going to stay?

3 A. I believe my Mom had reservations at the motel
4 for us to stay there that night.

5 Q. And when was the furniture loaded onto the truck?
6 Was it that same day?

7 A. Yes.

8 Q. Where was your father earlier in the week?

9 A. He was in a business meeting in Minneapolis,
10 Minnesota.

11 Q. And do you recall what day it was when he returned
12 from that meeting?

13 A. Thursday evening.

14 Q. And he arrived at the airport?

15 A. Yes.

16 Q. And the family went to pick him up?

17 A. Yes.

18 Q. What was done after you had picked your father
19 up at the airport?

20 A. We had gone back and dropped off his luggage at
21 the motel, and then went to dinner.

22 Q. Was your father going to travel with you and your
23 mother and brother to Atlanta?

24 A. No, he wasn't.

25 Q. What were the arrangements?

1 A. Me, my Mother, my Brother would drive to Grand
2 Island, Nebraska, and my Dad would meet us in Atlanta the
3 Monday of the following week.

4 Q. And what car were you going to take to Grand Island?

5 A. Honda Accord.

6 Q. There was another car that was your father's;
7 correct?

8 A. Yes.

9 Q. What was that car?

10 A. It was a Dodge.

11 Q. What arrangements had been made for the Dodge?

12 A. There was a person at my Dad's work that was
13 going to buy it, but agreed to let my Dad drive it until
14 he left on the airplane.

15 Q. What arrangements had your father made for living
16 quarters after your planned departure?

17 A. He had rented a bed, and had his clothes at our
18 house, and was going to stay at the house until he left.

19 Q. So he was going to spend Thursday evening with
20 you, your mother, and brother?

21 A. Yes.

22 Q. And then stay in the house on a rollaway, or
23 something, until he came down and followed you?

24 A. Yes.

25 Q. And the car would be sold, his car would be sold

1 before he left?

2 A. Yes.

3 Q. After he came in at the airport on Thursday, then,
4 what did the family do for dinner?

5 A. We went to Frederick's.

6 Q. And after finishing dinner at Frederick's, what
7 was done next?

8 A. We then, my Mom then dropped me off at Carrie's
9 house, my friend.

10 Q. And that is Carrie?

11 A. Kinsey.

12 Q. And what were your plans with Carrie for the
13 evening?

14 A. We were going to go up, and I was going to go up
15 and say good-bye to her and Steve Friedt.

16 Q. Who is Steve Friedt?

17 A. Steve Friedt is a friend of mine, and Carrie's
18 boyfriend.

19 Q. Do you recall approximately what time it might
20 have been when you got to Carrie's house?

21 A. I would say about between 6:00 and 6:30.

22 Q. And you went, then, from Carrie's house to Friedt's
23 house?

24 A. We waited a little while at Carrie's house until
25 Steve came and picked us up.

1 Q. And then you went to Steve's home?

2 A. Yes.

3 Q. How long did you remain there?

4 A. Until about 9:00 or 9:30.

5 Q. Where did you go then from Steve's house?

6 A. We drove and took Carrie home, and then we went
7 for a short drive to go see the City lights, and then he
8 took me back to the motel.

9 Q. What time did you get back to the motel?

10 A. Right at about 10:00.

11 Q. What did you do upon arriving at the motel?

12 A. Went into my room 149.

13 Q. How did you gain entry into the room?

14 A. By knocking.

15 Q. And one of your family let you in?

16 A. Yes.

17 Q. Who was present when you got back to the motel
18 on Thursday night?

19 A. My Mother, my Father, and my Brother.

20 Q. Were they still up?

21 A. Yes.

22 Q. Directing your attention, then, to Friday, the
23 18th of April, what had been the prearranged plans for
24 travel for that day?

25 A. Me, my Mother, my Brother would get up, and my Dad

1 would help load the car, and we would drive to Grand Island,
2 Nebraska, to stay with my Gramma.

3 Q. What time did you plan to get up?

4 A. About 4:30 or 5:00.

5 Q. Who got up first?

6 A. My Mother.

7 Q. What did she do?

8 A. She went and got in the shower.

9 Q. Who awakened you?

10 A. My Mother.

11 Q. After she had showered?

12 A. Yes.

13 Q. What did you do after you were awakened?

14 A. I went and got in the shower, also.

15 Q. Then your mother proceeded to get dressed and
16 make arrangements in the room?

17 A. Yes.

18 Q. When was your brother awakened?

19 A. Shortly after I was. I believe he was awake when
20 I got out of the shower.

21 Q. After you finished showering, what did you do?

22 A. I got dressed and blow-dried my hair, and went
23 out to open up the car.

24 Q. Do you remember what clothes you put on?

25 A. Yes. A pair of black sweats and a sweatshirt.

1 Q. Do you remember what your mother was wearing?

2 A. Yes. I remember she was wearing jeans, a sweater,
3 and a blouse.

4 Q. Do you remember what color the blouse was?

5 A. The blouse was multi-colored green and blues.

6 Q. And the sweater?

7 A. Was a cream-colored with three buttons.

8 Q. Any collar?

9 A. No.

10 Q. You then proceeded to the Honda to begin loading;
11 is that correct?

12 A. Yes.

13 Q. Did you take anything with you?

14 A. Yes. I believe I took a pillow and a small suit-
15 case.

16 Q. And how did you gain entry to the Honda?

17 A. With a key.

18 Q. This is a Honda that has a slanted back on it?

19 A. No.

20 Q. It has a trunk?

21 A. Yes.

22 Q. How did you open the trunk?

23 A. With a key.

24 Q. You then placed the suitcase in the trunk?

25 A. Yes.

1 Q. And what did you do with the pillows?
2 A. I put them in the back seat of the car.
3 Q. After doing those things, what did you do next?
4 A. Walked towards the door.
5 Q. When you say "the door", do you mean the door
6 to your room?
7 A. Yes.
8 Q. What room was that?
9 A. 149.
10 Q. Of the Metra Inn?
11 A. Yes.
12 Q. What occurred as you approached the door to your
13 room?
14 A. Someone came from behind me.
15 Q. What did that person do?
16 A. Pushed the door open.
17 Q. That person then followed you in the room?
18 A. Yes.
19 Q. Was that person carrying anything?
20 A. Yes.
21 Q. What?
22 A. A duffel bag with a gun in it.
23 Q. Did you see the gun?
24 A. I saw the barrel of the gun.
25 Q. Was there any doubt in your mind about what it was?

1 A. No.

2 Q. How did that person gain entry to your room?

3 A. By when I opened the door he pushed the door open.

4 Q. What did he say when he entered the room?

5 A. He said something like: "Calm down. I need your
6 money. We are going to go to the next room."

7 Q. Could you describe that person.

8 A. Yes. He was fairly tall, I don't believe he was
9 six foot, but maybe, had kind of strawberry blondish hair,
10 and a mustache.

11 Q. Do you remember what he was wearing?

12 A. Kind of a vest, with a hat, a flannel shirt under-
13 neath.

14 Q. Do you see that person in the courtroom today?

15 A. Yes, I do.

16 Q. Would you please point him out.

17 A. He is sitting over there on the chair (indicating).

18 MR. GANNETT: Let the record reflect that the
19 witness has indicated the Defendant, Mr. Dawson.

20 Q. Prior to approximately 5:00 A.M. on Friday the 18th
21 of April, 1986, had you ever knowingly encountered this
22 individual?

23 A. No.

24 Q. Were you able to observe the gun that the Defendant
25 was holding?

1 A. Yes; later on.

2 Q. Describe the gun that you saw, please.

3 A. It was black, had a revolver in it, and had a
4 black kind of rubber grip handle.

5 Q. As best as you can recall, immediately after you
6 got into Room 149, he instructed you and the members of
7 your family to be calm?

8 A. Yes.

9 Q. And then he also said something about wanting
10 some money?

11 A. Yes.

12 Q. What did he say, as best as you can recall?

13 A. As best as I can recall, he said something to
14 the effect, just to stay calm and quiet, and that he needed
15 our money, and we were going to go into the room next door.

16 Q. Did you see anyone with him?

17 A. No, I did not.

18 Q. How then were you and your family moved from
19 Room 149 to the room next door?

20 A. We walked out with him behind us.

21 Q. Do you remember the order?

22 A. I believe it was me and my Brother first, with my
23 Father and Mother following us, and him following them.

24 Q. Where was the gun?

25 A. I believe it was still in the duffel bag.

1 Q. Were you aware of its presence?
2 A. Yes.
3 Q. Was the gun shown to anyone while you were in
4 Room 149?
5 A. It was shown but not pointed.
6 Q. But it was shown so that everyone in the room
7 was aware of its presence?
8 A. Yes.
9 Q. What room did you ultimately go to then?
10 A. Room 151.
11 Q. And where was that in relation to 149?
12 A. Next to it.
13 Q. As you were going from Room 149 to Room 151, was
14 the weapon, the gun, concealed in any way?
15 A. Yes. It was put back into the bag.
16 Q. So that apparently anyone outside would not see
17 the gun?
18 A. Yes.
19 Q. How did Mr. Dawson appear upon his entry into
20 your room? Did he appear to know what he was doing?
21 A. Yes.
22 Q. Did he give directions in a direct and understand-
23 able manner?
24 A. Yes.
25 Q. Were you able to understand his words?

1 A. Yes.

2 Q. Did he seem to be making sense?

3 A. Yes.

4 Q. When you arrived in Room 151, what did you see?

5 A. I saw that there was miscellaneous tape and things
6 on what is on the diagram that says north bed.

7 Q. I am showing you what has been marked as State's
8 Exhibit No. 196. Do you recognize that?

9 A. Yes.

10 Q. That is a drawing that depicts the arrangements
11 of the furniture and the fixtures in Room 151; is that
12 right?

13 A. Yes.

14 Q. And that particular drawing is one that you and I,
15 in our conversations, have used to discuss things that
16 happened in Room 151 after you and your family arrived there?

17 A. Yes.

18 Q. And you recognize that Exhibit as being one that
19 you and I prepared together?

20 A. Yes.

21 Q. When you got into Room 151, you indicated that
22 you saw some items laying on one of the beds?

23 A. Yes.

24 Q. What were those items?

25 A. I can remember tape, and a sock or two, and a

1 bandanna or two.

2 Q. Where were those items located?

3 A. In the central part of the end part of the bed.

4 Q. Which bed?

5 A. The north bed.

6 Q. As it is labeled on the Exhibit?

7 A. Yes.

8 Q. After you got into Room 151 -- First of all, you,
9 your brother, your mother, and your father were all moved
10 into that room?

11 A. Yes.

12 Q. Was the door left open or closed after you got
13 in the room?

14 A. It was closed.

15 Q. Who closed it?

16 A. Dawson.

17 Q. Did you see the gun again after you got in Room
18 151?

19 A. Yes. He laid it on the south bed.

20 Q. What was the next thing that he began to do then
21 after he had gotten your family in the room and laid the
22 gun on the south bed?

23 A. He told us to lay face first down on the floor.

24 MR. GANNETT: Your Honor, at this time I would
25 think it would be appropriate for the record to reflect

1 that copies of what has been marked as Exhibit 196 have
2 been distributed to members of the jury.

3 And I assume at this time that Counsel for the
4 Defendant has no objection to that procedure.

5 MR. BECK: That is correct, Your Honor.

6 THE COURT: Thank you.

7 Q. Amy, do you remember what your father and your
8 brother were wearing as you got to Room 151?

9 A. I can remember that my Father was wearing a pair
10 of jeans and a white T-shirt. I do not remember what kind
11 of shoes he was wearing.

12 Q. When you say "T-shirt", you mean a white like
13 undershirt that a man might wear under a suit?

14 A. Yes.

15 Q. And do you remember what your brother was wearing?

16 A. I cannot remember specifically, but I believe
17 he was wearing yellow sweats and maybe some type of red
18 shirt.

19 Q. Immediately then after you had entered the room,
20 the Defendant had you and your family lie on the floor;
21 correct?

22 A. Yes.

23 Q. Looking at Exhibit 196, does that depict where
24 everyone initially laid down?

25 A. Yes.

1 Q. There is a stick figure with a "D" in the circle
2 that depicts the head. Who is that?

3 A. That is my Father, David.

4 Q. There is a stick figure with a head facing in
5 the direction of your father's that has an "AM". Who is that?

6 A. That is me.

7 Q. That is you?

8 A. Yes.

9 Q. And then the stick figure with the "M" on the head,
10 who is that?

11 A. That is my Mother.

12 Q. And then, finally, the last figure depicted says
13 "A.J." who is that?

14 A. That is my Brother.

15 Q. And these lettered stick figures accurately
16 portray where everyone initially laid when you got in the
17 room?

18 A. Yes.

19 Q. What then was the next thing that happened after
20 you got in the room and he had everyone lie down?

21 A. He proceeded to tape my Father's hands and feet.

22 Q. And he had the hands crossed?

23 A. Yes.

24 Q. And taped the hands behind your father's back?

25 A. Yes.

1 Q. Then he proceeded to tape his feet?

2 A. Yes.

3 Q. Did you see what kind of tape was used?

4 A. I am not positive on what kind of tape was used,
5 but I think it was clear tape with strings in it.

6 Q. You did later, during the period of time that you
7 spent in the company of Mr. Dawson, see the tape up close?

8 A. Yes.

9 Q. And, in fact, you, yourself, were taped from
10 time to time and could observe the tape that was used on you?

11 A. Yes.

12 Q. And the tape that was used on you, and that you
13 saw later, had it come from the same roll of tape--

14 A. Yes.

15 Q. --that were used to tape your father, mother,
16 and brother?

17 A. Yes.

18 Q. As Mr. Dawson was applying the tape to your father,
19 did he say anything to your father?

20 A. Not really, that I can remember.

21 Q. Did your father say anything to him?

22 A. I don't believe so.

23 Q. After he had taped your father's hands and feet,
24 did he do any other application of tape?

25 A. Yes. He applied a gag to my Father.

1 Q. What did he use for a gag?
2 A. A sock.
3 Q. Where did he get the sock?
4 A. Off of the north bed.
5 Q. And did that seem to be one of the items that you
6 had seen laying there as you came in the room?
7 A. Yes.
8 Q. How did he apply the gag to your father?
9 A. With tape.
10 Q. Did he tape all the way around the head?
11 A. Yes.
12 Q. Was there anyone else in Room 151 when you and
13 your family arrived there?
14 A. No.
15 Q. Up until the point in time that you have now
16 described, did anyone else enter that room?
17 A. No.
18 Q. What did he do then after he had finished taping
19 and gagging your father?
20 A. He went to my Mother, and began to tape her in
21 the same fashion.
22 Q. Was your mother located as is depicted in
23 Exhibit 196?
24 A. Yes.
25 Q. What occurred as he approached your mother and

1 began to tape her?

2 A. I think she said something like: "Leave. Just
3 leave my family alone. Take whatever you want. Just leave
4 my family alone."

5 Q. And then from where you were located, could you
6 see how he proceeded to tape her?

7 A. Yes.

8 Q. And was it in the same manner that he had
9 previously taped your father?

10 A. Yes.

11 Q. Again, hands behind the back and crossed?

12 A. Yes.

13 Q. And then feet taped together near the ankles?

14 A. Yes.

15 Q. Did he also gag and tape her?

16 A. Yes.

17 Q. Did you see what materials were used for that
18 procedure?

19 A. Yes. A sock.

20 Q. How was that attached to your mother?

21 A. With tape.

22 Q. After taping and gagging your mother, what did
23 Mr. Dawson do next?

24 A. Went and taped my Brother.

25 Q. And, again, the same procedure used?

1 A. Yes.

2 Q. Did you see what kind of gag material was used
3 for your brother?

4 A. Later I saw what was around his mouth, it looked
5 like a blue bandanna.

6 MR. GANNETT: Your Honor, might we have a brief
7 recess at this time?

8 THE COURT: Ladies and Gentlemen of the Jury,
9 we will take a recess at this time.

10 The Bailiff will summon you when we are ready
11 to proceed.

12 The admonition applies.

13 ((Short recess taken.))

14 THE COURT: Court is in session. You may be seated.

15 Q. After your father and mother and brother had been
16 taped and gagged, what was the next thing that Mr. Dawson
17 directed be done?

18 A. That we go into Room 149 and remove all of the
19 luggage and belongings and bring them into 151.

20 Q. When you say "we", who do you mean?

21 A. Me and him.

22 Q. Yourself and Mr. Dawson?

23 A. Yes.

24 Q. How did he direct you to accomplish that?

25 A. He looked out the door to make sure that nobody

1 was outside, and then we walked over to Room 149 and went in.

2 Q. Where was the gun?

3 A. He had it with him then. He was hanging on to it
4 kind of under his vest jacket.

5 Q. So he had it on his person when you go from 151
6 to 149?

7 A. Yes.

8 Q. Did he put it on his person in such a way that
9 you would be made aware of its presence?

10 A. I think it caught my attention when he did pick
11 it up.

12 Q. After you got back in Room 149, what did you do
13 there?

14 A. I picked up as much as I could carry, and I think
15 he picked up one small article, such as a pillow, and walked
16 to 151.

17 Q. Back to 151?

18 A. Yes.

19 Q. How many trips like that did you have to make?

20 A. About three or four.

21 Q. Do you remember roughly what it was that your
22 family had taken into Room 149?

23 A. A couple of suitcases, one or two make-up bags,
24 a garment bag, probably, and a box.

25 Q. Where did the box come from?

1 A. It contained some things that had come from our
2 house that the packers would not pack.

3 Q. Do you have any recollection of what some of
4 those items might have been?

5 A. Aerosol cans, such as Lyesol, and telephones.

6 Q. Did Mr. Dawson do anything in Room 149 after you
7 had removed all of the family's belongings?

8 A. He walked through the room looking to make sure
9 that everything was removed, and used a towel to wipe down
10 some of the things that he may have touched.

11 Q. Do you remember some of the things he wiped?

12 A. The handle to the bathroom door, the key, the
13 handle to the front door, those are the only things I can
14 remember.

15 Q. Did he appear to be rational and logical in his
16 thinking at that time?

17 A. Yes.

18 Q. What was done after all of the personal items
19 had been removed from Room 149?

20 A. We walked to Room 151.

21 Q. Where were those items, the personal items of
22 your family placed?

23 A. Right inside the door.

24 Q. If you will look again at Exhibit 196, immediately
25 inside what is labeled as the outside door there is about

1 a quarter of a circle drawn. Do you see that?

2 A. Yes.

3 Q. What is the significance of that circle?

4 A. That is where all of our belongings and luggage
5 were set.

6 Q. So, roughly, within the area depicted by the
7 quarter of a circle, within that area the suitcases, the
8 make-up bags, the box, the hang up clothes, those things
9 were placed there after they were brought into Room 151?

10 A. Yes.

11 Q. After all of those items had been brought into
12 Room 151, what was the next thing that Mr. Dawson did?

13 A. Had me lie down on the floor, and taped my hands
14 and my feet.

15 Q. There is a stick figure that is present between
16 the curtains and the south bed on Exhibit 196. Who does
17 that represent?

18 A. That represents me.

19 Q. And that is the position in which you were placed
20 after personal items had been brought from Room 149?

21 A. Yes.

22 Q. And when you were in that position, how did Mr.
23 Dawson go about securing you?

24 A. With tape.

25 Q. And did he tape your hands?

1 A. Yes.

2 Q. Were they taped in front of you or behind you?

3 A. Behind me.

4 Q. And how were your feet taped?

5 A. They were taped together.

6 Q. Did you have an opportunity to see the tape he was
7 using as he taped you?

8 A. Not directly.

9 Q. Was any type of gag applied to you?

10 A. Yes.

11 Q. How was that applied?

12 A. With tape.

13 Q. What material was used to gag you?

14 A. A bandanna.

15 Q. What was the next thing that was done; then, after
16 all the belongings were in Room 151 and now all members of
17 your family had been taped and gagged?

18 A. Could you repeat that.

19 Q. What was the next thing that happened after you
20 and Dawson finished removing the personal property and you
21 had been taped and gagged?

22 A. He began to go through all our personal belongings.

23 Q. All of the things that you had just brought from
24 Room 149?

25 A. Yes.

1 Q. How did he proceed to go through those things?

2 A. Just opening up everything and dumping it out.

3 Q. And did he go through every container that your
4 family had with them?

5 A. Yes.

6 Q. Did he do any sorting or moving of those items?

7 A. On the south bed he did sort through the purses
8 and the wallets and everything that was in them.

9 Q. What did he do with the other items of clothing,
10 and so forth?

11 A. Left them in piles in the half-circle.

12 Q. Do you know whether or not there were any items
13 of value contained within your family's belongings?

14 A. Yes. There was money, and on my Mother and Father
15 was jewelry.

16 Q. Do you have any idea how much money might have
17 been present?

18 A. Over \$100.00.

19 Q. And who would have had that in their possession?

20 A. It would have been between my Mother and Father.

21 Q. Any other items of cash or items similar to cash?

22 A. There were traveler's checks and credit cards.

23 Q. Did you have any money?

24 A. I may have had a couple of dollars, but I don't
25 remember.

1 Q. Were there any significant items of jewelry present?

2 A. On my Mother, she had her new ring that she had
3 just gotten, and my Father's ring.

4 Q. From where you were located, could you tell
5 whether or not Mr. Dawson located the money as he went
6 through your property?

7 A. Yes.

8 Q. How could you tell that?

9 A. Because I saw him pick it up and put it in his
10 pocket.

11 Q. And this is as you were located, as drawn in
12 Exhibit 196, near the south bed?

13 A. Yes.

14 Q. Could you tell whether or not he observed any
15 of the items of jewelry?

16 A. Yes. I saw him dump most of the jewelry right
17 out onto the round table.

18 Q. Did he say anything about the jewelry?

19 A. Not aloud.

20 Q. Pardon me?

21 A. Not aloud.

22 Q. He didn't say anything out loud that you could hear?

23 A. Yes.

24 Q. I am going to show you, Amy, what has been
25 previously marked as State's Exhibit 70F. It is a photograph.

1 Do you recognize any of the items that are shown in that
2 photograph?

3 A. Yes, I do.

4 Q. What do you recognize?

5 A. I recognize the bracelets, the gold jewelry, and
6 the earrings, and the two rings that are on here, and the
7 video card.

8 Q. To whom did those items belong?

9 A. To me, my Mother. And the card belonged to my
10 Father.

11 Q. And you recognize these as being items that your
12 family had with them on Friday, April 18, 1986?

13 A. Yes.

14 MR. GANNETT: Your Honor, with that, I would move
15 admission of this Exhibit.

16 MR. BECK: No objection, Your Honor.

17 THE COURT: Exhibit 70F is admitted.

18 Q. Amy, I notice in Exhibit 196, among the items
19 along the left-hand side of that Exhibit as you hold it,
20 with the bathroom being in the back, is indicated a television
21 set.

22 A. Yes.

23 Q. As Mr. Dawson was going through your family's
24 property, was that television set on or off?

25 A. It was on.

1 Q. Do you recall it being on?

2 A. Yes.

3 Q. Was it turned to low? Or, was the volume turned
4 up?

5 A. Fairly high.

6 Q. Do you remember what program may have been playing?

7 A. Some morning show.

8 Q. During the time that Mr. Dawson went through
9 you family's belongings, did he give any instructions to
10 you or any member of your family?

11 A. No.

12 Q. Did he indicate that he wanted people to be still,
13 or keep their heads down, or anything like that?

14 A. Yes. Maybe once or twice.

15 Q. What did he say; if you recall?

16 A. I think my Mother was locking up trying to see
17 something, maybe trying to see me and my Brother. And he
18 said: "Put your head down."

19 Q. Your dog was also in the room; right?

20 A. Yes.

21 Q. And he had been brought into the room when the
22 family members were moved there?

23 A. Yes.

24 Q. He continued to be in the room and move about?

25 A. Yes.

1 Q. As you laid where you were depicted in Exhibit 196,
2 could you see under the south bed?

3 A. Yes.

4 Q. Was there anything under the south bed?

5 A. Only my dog.

6 Q. Could you see as far as the north bed?

7 A. A little bit.

8 Q. Could you see anything at all under the north bed?

9 A. From where I was looking, I couldn't see anything.

10 Q. And your vision was partially obscured by your
11 brother?

12 A. Yes.

13 Q. After Mr. Dawson had completed his inspection of
14 your family's personal belongings, do you recall what he
15 did next?

16 A. He was looking out the window and out the door,
17 and looking through the stuff for a long period of time.

18 Q. After he had completed all of the inspection, did
19 he have any contact with any member of your family, then?

20 A. Yes. My Father.

21 Q. What did he do?

22 A. He drugged my Father.

23 Q. He approached your father as he laid where
24 indicated in Exhibit 196?

25 A. No. My Father had been moved.

1 Q. I am showing you what has been marked as Exhibit
2 197. Do you recognize that?

3 A. Yes.

4 Q. Again, that is an Exhibit that you and I created
5 during our conversations; correct?

6 A. Yes.

7 Q. Does that Exhibit accurately depict the location
8 of the members of your family at the time Mr. Dawson
9 approached your father?

10 A. Yes.

11 Q. And what did Mr. Dawson do once he approached
12 your father?

13 A. He tied a towel around one of his arms and began
14 to, what I could see, inject him with something.

15 Q. Did it look like he was trying to give him a shot?

16 A. Yes.

17 Q. And you were still located between the table and
18 the south bed?

19 A. Yes.

20 MR. GANNETT: Your Honor, I offer what has been
21 marked as State's Exhibit 197.

22 MR. BECK: No objection.

23 MR. GANNETT: At this time let the record reflect
24 I am handing to the jury Exhibit 197. I don't see a number
25 on it, but this is Exhibit 197.

1 THE COURT: Exhibit 197 is admitted.

2 MR. GANNETT: It has a small "2" in the portion
3 of the picture nearest the curtains, to keep it in sequence.

4 Q. From your location as indicated in Exhibit 197,
5 you were able to see Mr. Dawson working with your father
6 and attempting to give him a shot?

7 A. Yes.

8 Q. Did Mr. Dawson say anything to your father?

9 A. I believe my Father talked to him first. He said,
10 asked what it was.

11 Q. Your father asked about the substance that was
12 contained in the shot?

13 A. Yes.

14 Q. What did Mr. Dawson say?

15 A. Said something like it was some sort of drug
16 that would make him sleep, or knock him out.

17 Q. Did Mr. Dawson make any comment to indicate that
18 if your father was unconscious it would make it easier for
19 him to get away?

20 A. Yes.

21 Q. What did he say; if you recall?

22 A. He said that we would all, just after he drugged
23 all of us, we would all be asleep, and he would just leave,
24 and we would be found later by maids, or somebody, or he
25 would leave notice at the front desk.

1 Q. Were you able to determine how many shots he
2 attempted to give your father?

3 A. I know it was more than one.

4 Q. Were you able to see how many different locations
5 in which he tried to give your father a shot?

6 A. I believe he tried in both arms.

7 Q. Approximately how long did he work with your
8 father attempting to give him a shot?

9 A. About ten minutes.

10 Q. After he had finished working with your father,
11 what did he do next?

12 A. He then went over to the counter that is next to
13 the T.V. to what seemed to be like refill.

14 Q. When you say "the counter next to the T.V.", you
15 mean the area in the drawing that is near your father's
16 feet and between the television and the sink?

17 A. Yes.

18 Q. And it appeared as though he were mixing a
19 substance at that location?

20 A. Or something like that. I couldn't see.

21 Q. Your mother is depicted as being located near
22 the sink area with her head and body kind of diagonal; is
23 that right?

24 A. Yes.

25 Q. Do you know when it was that she was moved to

1 that location?

2 A. No, I didn't. He, throughout the time, would
3 have me, if I ever, you know, inched up my way to the south
4 bed, he would have me move so I couldn't see what was going
5 on around the bed.

6 Q. During this time he was working with your father,
7 and then as he began to work with your mother, you attempted
8 to get towards the end of the south bed so you could see
9 what was going on?

10 A. Yes.

11 Q. And occasionally he would turn around and see
12 that you had moved. And what kind of direction would he
13 give you?

14 A. Mostly verbally, tell me to move back.

15 Q. And that is the significance of the arrow that
16 is there by your feet on Exhibit 197; is that right?

17 A. Yes.

18 Q. So, from time to time he would tell you to move
19 back?

20 A. Yes.

21 Q. During this time, were you able to determine what
22 direction your brother's head was located in?

23 A. No.

24 Q. You were able, however, to see where your mother
25 was located, as is shown in the drawing?

1 A. Yes.

2 Q. As Mr. Dawson approached your mother, what did he
3 do?

4 A. He began to kneel down and tie a towel around her
5 arm, also.

6 Q. You described this earlier, this towel around the
7 arm of your father. In what part of that body would that
8 towel be applied?

9 A. In his arm. Above the elbow.

10 Q. Some means of a tourniquet?

11 A. Yes.

12 Q. Did he apply the same procedure with your mother?

13 A. Yes.

14 Q. What happened as he began that procedure with her?

15 A. She, not yelling, but loudly, told him to just
16 take the money, take the cars, take whatever he wanted,
17 just leave her family alone.

18 Q. Did she try to, in any way, prevent him from
19 coming near her?

20 A. Yes. She kicked at him.

21 Q. What did he say?

22 A. I don't remember him saying really anything.
23 Except for just: "Calm down. Everything will be fine.
24 Before you know it, I will be gone and you will be back
25 to your life."

1 Q. Did Mr. Dawson give your mother any shots?

2 A. I couldn't directly see him do that, because he
3 saw me and had me move down again.

4 Q. Did your father remain conscious after Mr. Dawson
5 had given the shot to him?

6 A. I think he did for a little while, but I don't
7 think not for very long.

8 Q. Did your mother remain conscious after Mr. Dawson
9 had given the shots to her?

10 A. I didn't hear anything from her. And he wouldn't
11 really let me see her. So, I have no idea.

12 Q. Do you have any estimate as to the possible time
13 at which Mr. Dawson began to give shots to your father?

14 A. I know it was probably about an hour, or maybe --
15 About an hour, I think.

16 Q. What time of day; if you have any guess?

17 A. Kind of early morning, about 10:00 or so. Not
18 early morning, but about morning.

19 Q. Had Mr. Dawson done anything to indicate to anyone
20 outside the room that they should not come in the room?

21 A. I don't think so.

22 Q. Did he use any signs that are sometimes available
23 in motels?

24 A. I think he did put the "Do Not Disturb Sign" out.

25 Q. On the door handle to the outside of the room?

1 A. Yes.

2 Q. During the time that Mr. Dawson was working with
3 your father, or prior to the time he worked with your father,
4 did he have any conversation with your father about any of
5 the contents of the wallets or purses?

6 A. Yes, he did ask him about the automatic teller
7 card, what the card number was to gain access.

8 Q. And what did your father tell him?

9 A. He couldn't remember.

10 Q. And this was one of the items that would have
11 been included in the credit cards in the wallet of your
12 father?

13 A. Yes. Or my Mother.

14 Q. And those items would have been among those that
15 were sorted, placed on the south bed as he went through
16 your property?

17 A. Yes.

18 Q. Did he indicate why he wanted to have that informa-
19 tion when he questioned your father?

20 A. I think he said he wanted to get the money out
21 of the account, possibly. He was -- I remember he was very
22 forceful with my Father.

23 Q. I am showing you what has been marked as State's
24 Exhibit No. 198. This is another drawing of the same room.

25 A. Yes.

1 Q. Do you recognize that?

2 A. Yes.

3 Q. And, again, that is a drawing that you and I did
4 together when we previously discussed what occurred?

5 A. Yes.

6 MR. GANNETT: Your Honor, I would move the
7 admission of Exhibit 198.

8 MR. BECK: No objection, Your Honor.

9 THE COURT: Exhibit 198 is admitted.

10 MR. GANNETT: The record should reflect at this
11 time Exhibit 198, a copy of Exhibit 198 is being distributed
12 to the jury.

13 Q. Amy, referring then to Exhibit 198, this indicates
14 you still in a position between the table and the south bed?

15 A. Yes.

16 Q. And originally your feet were up against the wall;
17 correct?

18 A. Yes.

19 Q. There is also an arrow that seems to indicate
20 your body being turned around. How were you instructed to
21 do that?

22 A. After he had drugged my parents, he had told me
23 to move and to face my head towards the wall.

24 Q. So this was in response to him seeing you trying
25 to watch what was going on, and then he, at some point,

1 made you turn around so your head was toward the wall?

2 A. Yes.

3 Q. And what did he say to you?

4 A. Just: "Turn around and move towards the wall."

5 Q. Did he help you at all in making that maneuver?

6 A. He asked if I needed any help, and I shook my
7 head "No".

8 Q. You at this time were still taped and gagged?

9 A. Yes.

10 Q. Did you see what occurred after he had you move
11 with your head towards the wall?

12 A. No.

13 Q. Could you see what, if anything, he was doing
14 with your parents?

15 A. No, I could not.

16 Q. Was the television off or on?

17 A. The television was on.

18 Q. Was the volume high or low?

19 A. Fairly high.

20 Q. Where was your brother located?

21 A. He was still between the two beds.

22 Q. And, again, you could not determine which
23 direction his head was pointing?

24 A. Yes.

25 Q. In the drawing in Exhibit 198, we still have

1 indicated the quarter circle in the area immediately next
2 to the outside door.

3 A. Yes.

4 Q. What continued to be located in that area?

5 A. Most all of our family belongings.

6 Q. What did Mr. Dawson then do after everyone was
7 located as depicted in Exhibit 198?

8 A. He then had me untape my hands and my feet, and
9 instructed me to pack all of the belongings that were out
10 of the suitcases back into the suitcases.

11 Q. Did he leave the gag in place on your mouth?

12 A. Yes.

13 Q. What did you see as you got up to begin the re-
14 packing process?

15 A. I saw that my Mother and Father were near the
16 sink underneath a blanket.

17 Q. And that is as depicted in Exhibit 198?

18 A. Yes.

19 Q. How were you able to determine the direction of
20 their heads?

21 A. Because I could see my Mother's foot or feet
22 taped up.

23 Q. What do you mean when you say "taped up"?

24 A. Like she was laying on her stomach with her feet
25 taped, like a piece of tape running from her feet to her
hands.

1 Q. As though she was lying on her stomach with her
2 hands behind her, legs bent at the knees, tape running
3 from her feet to her hands?

4 A. Yes.

5 Q. It appeared as though her feet and hands were
6 taped in that manner?

7 A. Yes.

8 Q. Did you make any comment to Mr. Dawson after you
9 made that observation?

10 A. Yes.

11 Q. What did you say?

12 A. I asked him: "Will you cut her feet down. She
13 can't do any harm to you now."

14 Q. What did he say?

15 A. He said he would later.

16 Q. What observations were you able to make about
17 items contained on the south bed after you were allowed
18 to get up and begin repacking?

19 A. That the credit cards were all mostly in a pile
20 in one section. Everything was kind of sectioned off.
21 Kind of order type pairs, or--

22 Q. There appeared to have been some sorting that
23 had occurred?

24 A. Yes.

25 Q. Could you determine anything about the value of

1 the items that had been sorted?

2 A. Just that I could not see any money. I saw there
3 was a pile of traveler's checks, a pile of credit cards,
4 and a pile of miscellaneous things.

5 Q. Did he have you repack any of the items that had
6 been sorted and placed on the south bed?

7 A. After he had re-sorted through them, while I was
8 packing up the other things, he had me put some of the things
9 back in purses.

10 Q. How did you go about trying to repack the remaining
11 family belongings?

12 A. I tried to fold them up and pack them nice, but
13 he did not like that. I was taking my time doing it. And
14 asked me to hurry and not fold anything.

15 Q. And did you comply with that request?

16 A. Yes.

17 Q. What was done after you had completed repacking
18 the family belongings?

19 A. He had me lay back down in the same place, and
20 taped me back up.

21 Q. Again, as you lay near the south bed, were you
22 able to see under the bed?

23 A. Yes.

24 Q. Was there anything or anyone under the bed?

25 A. Only my dog.

1 Q. From what you could see of the north bed, was
2 there anything or anyone under the north bed?

3 A. No.

4 Q. Had anyone entered the room since Mr. Dawson
5 and you had completed removing your family's items from
6 Room 149?

7 A. No.

8 Q. Had you heard the door open at any time?

9 A. No.

10 Q. Had your dog barked or given any signal that
11 anyone else had entered the room?

12 A. No.

13 Q. So it appeared from the time everyone was in
14 Room 151 until you were located in the position as depicted
15 on Exhibit 198, no one else had entered or left the room?

16 A. Yes.

17 Q. I am showing you what has been marked as State's
18 Exhibit No. 199. Excuse me, just a minute. In looking
19 back, Amy, at Exhibit 198, do you have any estimate as to
20 the possible time when everyone would have been so located?

21 A. I would say it was late morning, going onto early
22 afternoon.

23 Q. I am showing you what has been marked for identifi-
24 cation as State's Exhibit No. 199. Do you recognize that?

25 A. Yes.

1 Q. Again, that is a drawing that you and I have
2 constructed during our conversations?

3 A. Yes.

4 Q. And you recognize it as being one that you and I
5 talked about?

6 A. Yes.

7 MR. GANNETT: Your Honor, I move the admission
8 of State's Exhibit No. 199.

9 MR. BECK: No objection, Your Honor.

10 THE COURT: Exhibit 199 is admitted.

11 Q. Directing your attention to what has been marked
12 and admitted as State's Exhibit No. 199, this depicts the
13 location of the members of your family other than yourself;
14 correct?

15 A. Yes..

16 Q. Because you were up moving around doing the re-
17 packing?

18 A. Yes.

19 Q. Also, in the area that had previously been contained
20 with our quarter circle, there now are some items that are
21 depicted between the television set and the door.

22 A. Yes.

23 Q. What did we intend those to represent?

24 A. The suitcases and personal belongings.

25 Q. The repacked items that had previously been strewn

1 about in the quarter circle area?

2 A. Yes.

3 Q. And you completed the repacking of those items?

4 A. Yes.

5 Q. As you repacked the items, did you notice anything
6 in the vicinity of the south bed?

7 A. On the south bed?

8 Q. In the vicinity of the south bed?

9 A. I noticed a patch of what looked like blood. I
10 remember I touched it, and it was red, it looked like blood.

11 Q. Did the presence of that substance in any way
12 relate to where any member of your family had previously
13 been located?

14 A. That is where my Father was laying.

15 Q. At the time you saw Mr. Dawson begin to give him
16 a shot?

17 A. Yes.

18 Q. Did you ask Mr. Dawson about the substance you
19 saw on the floor?

20 A. I don't believe I asked him at that time. I
21 believe I asked him some other time.

22 MR. GANNETT: Your Honor, could we have a break?

23 THE COURT: Ladies and Gentlemen of the jury,
24 we will be in recess until you are summoned by the Bailiff
25 to come back in the courtroom.

1 Admonition applies.

2 Court is in recess.

3 ((Short recess taken.))

4 THE COURT: Court is in session. You may be seated.

5 Q. Amy, directing your attention to the area between
6 the end of the south bed and the television where you
7 thought you saw blood, how big an area was this?

8 A. It was about that big (indicating).

9 Q. Six or eight inches across, maybe?

10 A. Yeah.

11 Q. And you do recall seeing that for the first time
12 when you got up to repack the family belongings?

13 A. Yes.

14 Q. Also depicted in Exhibit 199 is the location for
15 your brother, Andrew?

16 A. Yes.

17 Q. He was kind of diagonal there by the table?

18 A. Yes.

19 Q. Was he awake?

20 A. Yes.

21 Q. How could you tell that he was awake?

22 A. I could see his eyes.

23 Q. And did you look at him as you were packing?

24 A. Yes.

25 Q. Did he look at you?

1 A. Yes.

2 Q. And he gave some movement?

3 A. Yes.

4 Q. What kind of movement?

5 A. Sluggish.

6 Q. Had he received any substance from Mr. Dawson at
7 that time?

8 A. Yes.

9 Q. Describe what happened.

10 A. He had put something in a glass of water and had
11 my Brother drink it.

12 Q. Could you see what was put in the water?

13 A. No, I could not.

14 Q. Was there any mixing of this substance that was
15 done by Mr. Dawson?

16 A. I believe so.

17 Q. Where was that activity conducted?

18 A. At that table where it had been done before.

19 Q. At the table between the television set and what
20 is the sink near where your parents lay?

21 A. Right.

22 Q. Could you still see the feet or legs of your
23 parents?

24 A. Yes.

25 Q. What was covering them?

1 A. It was either a blanket or a quilt off of one of
2 the beds.

3 Q. Did you ask Mr. Dawson anything about the welfare
4 of your parents?

5 A. Yes. I asked him if they were okay, were they
6 okay, had he checked on them recently.

7 Q. What did he say?

8 A. He said: "I checked on them. They are fine.
9 Don't worry about it."

10 Q. What was the next thing that was done after you
11 completed repacking your family's items?

12 A. He said something about my Brother's stomach
13 being upset, and wanted to go and get some milk, and move
14 the cars.

15 Q. Then what was done?

16 A. He had me get my shoes on, and put a stocking hat
17 on, and push all my hair up in a stocking hat. And he
18 grabbed the keys for both of the cars. And we moved them.

19 Q. Where did the stocking cap come from?

20 A. I don't remember.

21 Q. Was it a hat that belonged to you or any member
22 of your family?

23 A. No.

24 Q. So it was something that he apparently had with
25 him?

1 A. Yes.

2 Q. Had you seen it before he asked you to put it on?

3 A. No.

4 Q. What kind of a stocking cap was it?

5 A. It was one, you could either pull it down over
6 your face, with the eyes and mouth holes.

7 Q. And how did he have you wear it?

8 A. Like a stocking cap, on top of my head, not over
9 my face.

10 Q. What did he have you do with your hair?

11 A. Push it up in the hat.

12 Q. How was your hair fixed at the time?

13 A. It was just down.

14 Q. So he just, basically, had you stuff your hair
15 up in the hat and pull the hat down?

16 A. Yes.

17 Q. So that there was no hair showing near your collar?

18 A. Yes.

19 Q. What did you do then?

20 A. We then went out and got into the Dodge and moved
21 it.

22 Q. And he got the car keys from the south bed? Or,
23 where?

24 A. Yes, from the south bed.

25 Q. So you and he went out of Room 151 and got in

1 your father's car?

2 A. I think it was my Father's car.

3 Q. How did he, Mr. Dawson, gain access to the car?

4 A. With a key.

5 Q. Who drove?

6 A. He did.

7 Q. Where did you ride?

8 A. To the Husky, next door.

9 Q. And you were located where in the car?

10 A. In the passenger seat.

11 Q. Front seat?

12 A. Yes.

13 Q. Do you recall what route you took to get to the
14 Husky?

15 A. Around the front way out onto Main Street, and
16 over to the Husky.

17 Q. What did you do once you arrived at the Husky?

18 A. Parked the car in the back parking lot.

19 Q. After the car had been parked, what did you do next?

20 A. We walked the back way down to the Husky, down
21 the back parking lot, to the back part of the motel.

22 Q. So you walked back behind the Husky to the parking
23 area nearest your room?

24 A. Yes.

25 Q. Or Room 151?

1 A. Yes.

2 Q. Was there any conversation during that walk?

3 A. Not much. Mostly just silence.

4 Q. What did you do once you arrived back in the
5 vicinity of Room 151?

6 A. Got into the Honda. The other car. I don't
7 remember which car was first.

8 Q. Who drove?

9 A. He did.

10 Q. How did you get in the car?

11 A. I got in the passenger door.

12 Q. He had the key?

13 A. Yes.

14 Q. Unlocked the car?

15 A. Yes.

16 Q. Where did you go?

17 A. Around a different way to the Husky.

18 Q. Do you remember how you went the second time?

19 A. Kind of around the back way, around Bench, I don't
20 remember the exact route.

21 Q. A way different than the first trip?

22 A. Yes.

23 Q. Did he give any explanation as to why he was going
24 another way?

25 A. So not to look, I guess, suspicious.

1 Q. Did he say that?

2 A. I think so.

3 Q. Where did he park the second car?

4 A. Not next to the other car, but in the same
5 general area.

6 Q. A few parking spaces away?

7 A. Yes.

8 Q. The same direction? Or, opposite direction?

9 A. Opposite direction.

10 Q. Where was the gun?

11 A. The gun was laying in the car with him.

12 Q. Was it somewhere where you could see it?

13 A. Yes.

14 Q. Did he get the gun in such a way so you would know
15 he had it with him?

16 A. Yes.

17 Q. How did he do that?

18 A. Just kind of making sure that I was looking when
19 he picked it up.

20 Q. After the second car had been moved, what happened
21 next?

22 A. We walked into the Husky, and he used the telephone
23 right near the front lobby area.

24 Q. Where were you when he used the phone?

25 A. Standing right next to him. He wouldn't let me go.

1 He wouldn't let me be very far away.

2 Q. How was he maintaining control of you?

3 A. For the most part, he was hanging onto the back
4 part of my sweatshirt near the neck.

5 Q. Maintaining contact somewhere in the collar area?

6 A. Yes.

7 Q. So you knew he was there?

8 A. Yes.

9 Q. And you also knew he had the gun?

10 A. Yes.

11 Q. Did you hear anything of his phone conversation?

12 A. A little bit. Asking about a Tom person, a couple
13 yeses and noes, and no real conversation of any substance.

14 Q. Could you determine who he had called?

15 A. I believe it was Pat.

16 Q. After he finished using the phone, what did he
17 do next?

18 A. He walked me into the Husky, and he got milk,
19 and a newspaper, and a package of cigarettes, I think.

20 Q. And did he purchase those items there?

21 A. Yes.

22 Q. He went to the counter?

23 A. Yes.

24 Q. Where were you when he was at the counter?

25 A. Standing kind of next to him.

1 Q. And, again, he was in close contact with you?
2 A. Yes.
3 Q. Did you do anything to attempt to signal anyone?
4 A. I tried to, but he would, if I would try to open
5 my mouth like to say anything, he would look at me very
6 sternly.
7 Q. After he had purchased those items, you and Mr.
8 Dawson then left the Husky?
9 A. Yes.
10 Q. Where did you go?
11 A. Walked back to Room 151.
12 Q. What route did you take walking back?
13 A. The back way we had taken the first time.
14 Q. Did you do anything before you arrived back at
15 Room 151?
16 A. Yes. We walked over to what I think was his car,
17 over to where his car was, and brang it back by 151.
18 Q. What kind of car was this?
19 A. A black VW.
20 Q. By "VW", you mean a Volkswagen?
21 A. Bug, yeah.
22 Q. Rabbit, Bug, or--
23 A. A Bug.
24 Q. Did he indicate that was his car?
25 A. Yes, I believe so.

1 Q. Where was that car parked when you first saw it?
2 A. Near the old drive-in right behind the motel.
3 Q. Was it in the parking lot?
4 A. No.
5 Q. Did he say anything about why the car was located
6 where it was?
7 A. No.
8 Q. What did you do with the car then?
9 A. Drove it up towards the motel.
10 Q. Excuse me. He drove it?
11 A. Yes.
12 Q. And where did he park it?
13 A. Right in front of Room 151.
14 Q. After Mr. Dawson's car had been parked, what did
15 you do next?
16 A. Went into Room 151.
17 Q. And "you", meaning yourself and Mr. Dawson then
18 returned to Room 151; correct?
19 A. Yes.
20 Q. How was entry gained to the room?
21 A. With a key.
22 Q. Who had the key?
23 A. David Dawson.
24 Q. And he had to use the key in order to open the door?
25 A. Yes.

1 Q. Upon your entry into the room, did you have an
2 opportunity to look around the room?

3 A. Yes.

4 Q. Did you see things as they are depicted in Exhibit
5 199 upon your re-entry?

6 A. Yes.

7 Q. Had anything been changed?

8 A. No.

9 Q. Family belongings were still in the same area?

10 A. Yes.

11 Q. Your brother was still in the same position?

12 A. Yes.

13 Q. And your parents were still under the blanket or
14 quilt?

15 A. Yes.

16 Q. Once you got back into the room, did Dawson
17 prepare anything for you to take?

18 A. No.

19 Q. What happened after you got back in the room?

20 A. He sat me next to the wall between the south bed
21 and the table, and taped my hands in front of me, and my
22 feet, and gagged me again.

23 Q. When you came back into the room, did you lock
24 at your brother?

25 A. Yes.

1 Q. Were you able to tell if he was still breathing?

2 A. Yes, I could see him breathing.

3 Q. Could you detect any other movement?

4 A. No.

5 Q. He was asleep, apparently?

6 A. Yes.

7 Q. I am showing you what has been previously marked
8 as State's Exhibit 200. Do you recognize that?

9 A. Yes.

10 Q. Again, this is another drawing of the same room;
11 correct?

12 A. Yes.

13 Q. And as the ones before, this is also a drawing
14 that you and I have prepared in our conversations?

15 A. Yes.

16 MR. GANNETT: Your Honor, I move the admission
17 of State's Exhibit 200.

18 MR. BECK: No objection, Your Honor.

19 THE COURT: 200 is admitted.

20 MR. GANNETT: Let the record reflect I am present-
21 ing what has been previously marked as State's Exhibit 200
22 to the jury.

23 Q. Amy, do you have any estimate as to approximately
24 what time it would have been when you came back to Room 151
25 after participating in the move of all three cars?

1 A. About mid-afternoon.

2 Q. After you re-entered the room, then, Mr. Dawson
3 again taped your feet?

4 A. Yes.

5 Q. And did he also tape your hands?

6 A. Yes.

7 Q. In what fashion did he tape your hands?

8 A. In front of me.

9 Q. And where did he have you locate yourself?

10 A. With my back against the wall between the south
11 bed and the curtains.

12 Q. And we have a little circle and a line coming
13 down from it on this drawing, which is Exhibit 200. Does
14 that depict your location at that time?

15 A. Yes.

16 Q. And you were sitting with your back against the
17 wall?

18 A. Yes.

19 Q. And your hands and feet in front of you?

20 A. Yes.

21 Q. Were your legs straightened out? Or, were they
22 bent at the knee?

23 A. I had them bent at the knee.

24 Q. Were you gagged?

25 A. Yes.

1 Q. What type of a gag was applied?

2 A. The same bandanna, with tape.

3 Q. What did Mr. Dawson do after he had placed you
4 in that position?

5 A. He handed me the comics of the paper.

6 Q. Is that the same paper that he had purchased at
7 the Husky?

8 A. Yes.

9 Q. So he handed those to you so that you could look
10 at them as you sat there?

11 A. Yes.

12 Q. What did he then do?

13 A. Flipped through the paper.

14 Q. Where was he seated when he did that?

15 A. Seated in one of the chairs by the table.

16 Q. This table is the round circle near the curtains
17 there?

18 A. Yes.

19 Q. How long did that consume? How much time did he
20 sit there and look at the paper?

21 A. He flipped through it really quickly like he was
22 looking for something.

23 Q. Did he then proceed to move about the room at all?

24 A. Yes.

25 Q. What did he do?

1 A. He looked out the curtain, and out the door,
2 looked out through the peephole in the door. And he just
3 paced a lot. And lit up a couple of cigarettes.

4 Q. What was the next thing that you remember him
5 doing after pacing and moving about the room and checking
6 out the door?

7 A. Taking the piece of paper away from me, and having
8 me lay down on the floor.

9 Q. Where did he have you lay?

10 A. In the same place, with my head toward the wall.

11 Q. Could you see over the bed while you were still
12 sitting?

13 A. A little bit, yes.

14 Q. Could you see to the location of your parents?

15 A. Yes, a little bit.

16 Q. Could you see to the location of Andrew?

17 A. I could see parts of him.

18 Q. Enough to know where he was generally positioned?

19 A. Yes.

20 Q. So then Mr. Dawson came and had you lay down so
21 that you could no longer see over the bed?

22 A. Yes.

23 Q. And he had your head placed against the wall?

24 A. Yes.

25 Q. In which direction did he have you face your eyes?

1 A. I think I was looking under the south bed.

2 Q. So you would have been looking towards the bathroom?

3 A. Yes.

4 Q. Could you see anything that Mr. Dawson then
5 proceeded to do in the room?

6 A. No.

7 Q. How long a period of time did he have you remain
8 positioned, laying and looking toward the south bed?

9 A. For most of the -- for quite a long time.

10 Q. Was there anything under the south bed?

11 A. My dog.

12 Q. Was there anything else under the south bed?

13 A. No.

14 Q. Could you see under the north bed?

15 A. A little bit, yes.

16 Q. From what you could see under the north bed, was
17 anything under the north bed?

18 A. No.

19 Q. Did anyone enter the room after you and Mr. Dawson
20 returned?

21 A. No.

22 Q. At any time, from the Friday morning until Sunday
23 morning, did anyone other than Mr. Dawson and yourself
24 enter that room?

25 A. No.

1 Q. After Mr. Dawson had required you to lay there
2 underneath the south bed for some fairly significant period
3 of time, what was the next thing you remember him doing?

4 A. Him doing a lot of pacing.

5 Q. Moving back?

6 A. Looking out the curtain, out the peephole in the
7 door. Seems he would go and look through some of the
8 jewelry that was still on the table. Just a lot of moving
9 around the room.

10 Q. What was the next thing that happened then that
11 caused you to move from the position where you were taped,
12 gagged, and laying near the south bed?

13 A. You mean, the next thing that happened?

14 Q. The next thing that happened to cause you to get
15 up, to be removed from the position.

16 A. I had to go to the bathroom.

17 Q. How were you able to communicate that to Mr. Dawson?

18 A. One of the times when he was pacing and looking
19 out the peephole or curtain, he saw me moving, it caught
20 his attention.

21 Q. What did he do then?

22 A. He -- I pulled down the gag a little bit, and
23 asked if I could go to the bathroom.

24 Q. And did he indicate that that would be all right?

25 A. He thought about it for a minute. And said he

1 thought about it. He said: "Well, okay."

2 Q. What did he do with the tape around your feet?

3 A. He cut it.

4 Q. What did he do with the tape around your hands?

5 A. Cut it.

6 Q. What did he cut it with?

7 A. A knife.

8 Q. What kind of a knife?

9 A. Kind of a buck knife.

10 Q. Do you have any feel for how long the handle of

11 that knife might have been?

12 A. Maybe four inches long, but I am not, yeah.

13 Q. Something like the distance between the tip of

14 your thumb and the tip of your little finger?

15 A. Yeah.

16 Q. Where did he get the knife?

17 A. From his pocket.

18 Q. And then he cut the tape on your feet and the

19 tape on your hands?

20 A. Yes.

21 Q. What did he do with the tape after it had been

22 cut?

23 A. It just remained, you know, taped to my ankles,

24 but was cut so I could walk.

25 Q. Describe the method that he used, then, to get

1 you from the vicinity of the south bed into the bathroom.

2 A. He more or less escorted me, type, and would not
3 let me touch, you know, get near where they were laying,
4 or touch them. He made me step over them diagonally to
5 get into the bathroom.

6 Q. As you stood up and began to move toward the
7 bathroom, did you notice anything about the location of
8 your brother?

9 A. He had been moved underneath the blanket with
10 my parents.

11 Q. So he had been moved from his previous position
12 diagonal to the table, and when you went to the bathroom
13 he had been placed under the blanket that had previously
14 covered your parents?

15 A. Yes.

16 Q. Could you see anything under that blanket?

17 A. I could see what looked like a phone cord that
18 had been sticking out the end of the blanket.

19 Q. Where did you see the cord?

20 A. Near towards where I thought their heads were.

21 Q. You saw that as you went into the bathroom?

22 A. Yes.

23 Q. Once he let you in the bathroom, the door was shut?

24 A. Yes.

25 Q. And you finished going to the bathroom. And how

1 did you signal you wanted out?

2 A. I opened the handle of the door.

3 Q. Where was Mr. Dawson?

4 A. Standing right in the doorway between the main
5 room and the bathroom type rooms.

6 Q. Did he do anything to direct your physical move-
7 ment as you came out of the bathroom?

8 A. He kind of put his arm diagonally so I would have
9 to walk between him and the wall, yeah, so I didn't get
10 near them.

11 Q. So he basically stood straddling the people that
12 were under the blanket, and held his arms out so you would
13 walk between he and that direction?

14 A. I don't know if he was straddling them. But he
15 had his arms between my family and the bathroom so I would
16 walk in between him and the wall.

17 Q. So that you would not have an opportunity to do
18 anything with the blanket?

19 A. Yes.

20 Q. Did you say anything to him at that time?

21 A. I may have asked him if they were all right.
22 Either at that time or the second time I went to the bath-
23 room I asked him about the phone cord.

24 Q. What did he say when you asked him about the
25 phone cord?

1 A. He said it must have gotten drug along, or however,
2 when he had moved my family over there under a blanket.

3 Q. Did you ever hear any of the movements that took
4 place when your mother, father, and brother were moved
5 from their previous locations and placed under the blanket?

6 A. I don't remember. But the T.V. was still on
7 and it was pretty loud. So I really could only hear the
8 T.V.

9 Q. And at the time these movements occurred, were
10 you positioned in a way where you could see what was going
11 on?

12 A. No.

13 Q. Did Mr. Dawson ever prepare any substance that
14 he requested that you drink?

15 A. Yes.

16 Q. When did he do that?

17 A. Later on Friday night.

18 Q. After you had gone to the bathroom a couple of
19 times?

20 A. Yes.

21 Q. Did he make any remarks about the substance that
22 he prepared for you indicating prior knowledge on his part?

23 A. Something like it was sleeping pills that were
24 crushed up in water.

25 Q. Did he indicate he had had any kind of training?

1 A. At some time I can remember him saying something
2 about some kind of medical training, or something, when I
3 asked him about, when we were driving Saturday, I asked him
4 about the drugs, you know, would my family be okay, and
5 things like that. He had mentioned something, but I can't
6 remember. It might say in my statement. But, I don't
7 remember.

8 Q. Where did he prepare the substance he wanted you
9 to drink?

10 A. Over by the same counter.

11 Q. He then presented you the substance in what form?

12 A. In a glass, with water.

13 Q. Mixed up with water?

14 A. Yes.

15 Q. What did he ask you to do?

16 A. To drink it.

17 Q. Where was he when he asked you to drink it?

18 A. Standing in between the south bed and the north
19 bed.

20 Q. What did you do with the substance he had given you?

21 A. When he wasn't looking, wasn't paying attention
22 to me, I would dump it out on the south bed.

23 Q. Where were you positioned when he gave you the
24 substance?

25 A. Sitting on the south bed.

1 Q. Did he ever indicate to you that he was aware you
2 had not taken the substance?

3 A. No.

4 Q. How were you able to conceal the fact that you had
5 not consumed it?

6 A. I kind of tried to act like I had drank it.

7 Q. Did you put anything over the area where you had
8 dumped it?

9 A. Yes. A pillow.

10 Q. Were you restricted in your movements at all as
11 you sat on the south bed when he gave you the substance to
12 drink?

13 A. Yes. My hands were still taped in front of me,
14 and my feet, I think, were still taped. But I am not sure.

15 Q. So he had re-taped your hands and feet after you
16 had gone to the bathroom?

17 A. Yes.

18 Q. And you made two trips to the bathroom that
19 evening?

20 A. Yes.

21 Q. And from the beginning of these events until
22 sometime late on Friday, you had not been to the bathroom
23 at all?

24 A. What?

25 Q. Starting in the morning when you went out to load

1 the car, from that time until the first time you went to
2 the bathroom, you had not been in the bathroom in Room 151
3 at all?

4 A. Correct. I was scared to ask him.

5 Q. During this period of time, how did Mr. Dawson
6 appear?

7 A. He seemed very awake, very jittery, and seemed
8 to know that he knew what he was doing.

9 Q. How long did you remain on the bed after he had
10 given you the substance that you poured out?

11 A. Until after midnight.

12 Q. How were you able to make that estimate as to time?

13 A. Because it was after the, whenever the T.V. station
14 does its sign off.

15 Q. Did Mr. Dawson ever leave the room during the
16 time that you were located on top of the bed?

17 A. Yes.

18 MR. GANNETT: Your Honor, perhaps this would be
19 an appropriate time to break for lunch.

20 THE COURT: Ladies and Gentlemen of the jury, we
21 will take our noon recess at this time. We will be in recess
22 until 1:15 this afternoon.

23 You are admonished as I do at every other recess
24 not to discuss this case among yourselves nor allow anyone
25 to discuss it with you. You should neither form nor express

1 an opinion about the case until it has been submitted to
2 you for your final consideration and verdict.

3 We are in recess until 1:15.

4 ((Noon recess taken.))

5 THE COURT: Court is in session. You may be seated.

6 Q. Amy, as we recessed this morning, I think that
7 you had indicated that Mr. Dawson had had you place yourself
8 on top of the south bed?

9 A. Yes.

10 MR. GANNETT: And, Ladies and Gentlemen of the
11 jury, Exhibit 201 is number 6 with a circle around it on
12 the bottom right-hand side of the Exhibit you have been
13 given.

14 Q. How were you secured in that position?

15 A. Um, I had my hands taped together behind me, and
16 my feet taped together in front of me. And he run tape
17 from my hands to the posts so I wouldn't be able to get off
18 the bed.

19 Q. So, were your legs straight or bent at the knee?

20 A. Straight.

21 Q. And there was tape around your feet in the vicinity
22 of your ankles?

23 A. Yes.

24 Q. And as your feet were then taped in front of you,
25 there was also tape that went to the opposite bed legs; right?

1 A. Yes.

2 Q. And your hands were taped behind you?

3 A. Yes.

4 Q. And then there was also tape that ran from your
5 hands to the bed supports at the front of the bed?

6 A. Yes.

7 Q. And you were then positioned in the bed facing
8 the television?

9 A. Yes.

10 Q. And that is depicted on State's Exhibit No. 201;
11 is that correct?

12 A. Yes.

13 Q. And that Exhibit was also prepared in the fashion
14 that we have described earlier?

15 A. Yes.

16 MR. GANNETT: I would move the admission of
17 Exhibit 201, Your Honor.

18 MR. BECK: No objection, Your Honor.

19 THE COURT: Exhibit 201 is admitted.

20 Q. As you were situated, as indicated on Exhibit 201,
21 Amy, did you notice any change in the location of your
22 parents or your brother?

23 A. No.

24 Q. Nothing seemed to have been changed in that area
25 of the room?

1 A. Correct.

2 Q. Could you see whether or not anything was
3 different on the television or on the table to the right
4 of the television?

5 A. No.

6 Q. Where was Mr. Dawson after he had located you as
7 you described on the bed?

8 A. He was sitting -- Well, when he had me taped
9 like that, he left.

10 Q. Pardon me?

11 A. When he had me taped like that on the bed, he
12 left and went to make a phone call.

13 Q. How do you know that?

14 A. Because that is what he told me he was going to do.

15 Q. He said that before he left the room?

16 A. Yes.

17 Q. And he left you taped in this position as he
18 left the room?

19 A. Yes.

20 Q. Did anyone come into the room while he was leaving?

21 A. No.

22 Q. How did he gain re-admission to the room?

23 A. With a key.

24 Q. The door was fully closed after he left?

25 A. Yes.

1 Q. What did you do while he was gone?

2 A. I tried to get the gag off so I could try and
3 get, maybe wake up my parents, try to make noise, tried to
4 get the tape, but I couldn't break the tape.

5 Q. You were gagged again at that time; correct?

6 A. Yes.

7 Q. And you were unable to make any noise of any great
8 sound?

9 A. Correct.

10 Q. Do you have any estimate as to how long you were
11 there in that position on the bed?

12 A. For about ten to 15 minutes.

13 Q. What did he say when he came back?

14 A. I don't remember him commenting.

15 Q. Did he ever say anything about why he felt it
16 necessary to leave the room and make a phone call?

17 A. Something about that he couldn't use the phone
18 that was there, that the hotel would have a record of it.

19 Q. So there was a phone present in the room?

20 A. Yes.

21 Q. And he indicated he didn't feel he could use that
22 phone because somebody might record the number he was calling
23 from or calling to?

24 A. Yes.

25 Q. What happened after he got back from making the

1 phone call?

2 A. He cut the tapes so that I was free.

3 Q. And which tapes did he cut?

4 A. Just the ones that went to the bedposts..

5 Q. So he cut the ones leading from your feet to the
6 bedposts and from the posts leading from your hands to the
7 opposite supports at the head of the bed?

8 A. Yes.

9 Q. Where did he locate you after he had done that?

10 A. He left me on the end of the bed.

11 Q. And you remained taped?

12 A. Yes.

13 Q. Your hands behind you and your feet in front of
14 you?

15 A. Yes.

16 Q. What did Mr. Dawson do at that time?

17 A. Sat in the chair that is marked on the diagram
18 and smoked cigarettes.

19 Q. Did he do anything else?

20 A. Paced.

21 Q. Do you recall what television show, if any, may
22 have been playing while you were located on the bed?

23 A. I can remember the last part of Miami Vice, and
24 maybe a show after it.

25 Q. After he had cut the tape leading from your feet

1 and hands to the bed legs, how were you positioned on the
2 bed?

3 A. I was sitting towards the end, more towards the
4 right-hand corner.

5 Q. Were you still sitting up? Or, did you lay over?

6 A. Part of the time I was sitting up, part of the
7 time I was laying down.

8 Q. I am showing you what has been marked as State's
9 Exhibit No. 202. Again, do you recognize that?

10 A. Yes.

11 Q. And is that another drawing of Room 151?

12 A. Yes.

13 Q. And, again, that is something that you and I
14 prepared in our discussions of these events?

15 A. Yes.

16 MR. GANNETT: I would move the admission of
17 Exhibit 202, Your Honor.

18 MR. BECK: No objection, Your Honor.

19 THE COURT: Exhibit 202 is admitted.

20 MR. GANNETT: Let the record reflect that a copy
21 of Exhibit 202 has been provided to the jury.

22 Q. Amy, the drawing that is marked as Exhibit 202
23 depicts you on the bed with your face at the upper left-hand
24 corner; is that correct?

25 A. Right-hand corner.

1 Q. Maybe I am looking at it wrong. The way you are
2 looking at it, the length ways, where is your face located?

3 A. Upper right-hand corner.

4 Q. In what direction were you looking at that time?

5 A. I was looking towards the bathroom area.

6 Q. Is this the position in which you spent most of
7 the night?

8 A. Yes.

9 Q. And were you still taped?

10 A. Yes.

11 Q. Did you have any conversations with Mr. Dawson
12 during the evening?

13 A. Yes.

14 Q. Who initiated the conversation?

15 A. Dawson did.

16 Q. What kinds of things did he talk about?

17 A. Talked about things that he had -- Past experiences
18 of his.

19 Q. Things that were of some significance to him,
20 but didn't mean anything to you?

21 A. Didn't mean anything to me.

22 Q. Were you awake or asleep during most of the
23 evening, then?

24 A. Awake.

25 Q. During the time that you were in this position

1 on the bed, as is depicted in Exhibit 202, did you see or
2 hear anyone enter the room?

3 A. No.

4 Q. Other than -- Or, excuse me. During the time
5 in which things were like they are as in Picture 202, did
6 anyone leave the room?

7 A. No.

8 Q. Where was your dog?

9 A. He was laying next to me on the bed.

10 Q. And does, then, Exhibit No. 202 accurately depict
11 the physical situation as it existed as Saturday morning
12 arrived?

13 A. Yes.

14 Q. What was the first thing that happened, then, on
15 Saturday morning?

16 A. He needed to go make another phone call.

17 Q. Did he take you with him?

18 A. Yes.

19 Q. Where did he go?

20 A. Up to the Husky.

21 Q. Where were you during the time he made the call?

22 A. Standing next to him.

23 Q. Did you hear who he placed the call to?

24 A. Pat.

25 Q. Did he indicate that he was attempting to locate

1 some particular individual?

2 A. Yes.

3 Q. Who?

4 A. From what I could gather from the conversation,
5 Tom.

6 Q. How did you get from Room 151 to the Husky?

7 A. Walked.

8 Q. Did he make any purchases at the Husky?

9 A. No.

10 Q. How did you get back?

11 A. Walked.

12 Q. Did he require you to wear any items of special
13 clothing?

14 A. No.

15 Q. When you arrived back at Room 151, how was entry
16 gained to the room?

17 A. With the key.

18 Q. Did it appear that the door had been locked upon
19 your departure?

20 A. Yes.

21 Q. As you entered the room, did you notice if anything
22 had changed in the room?

23 A. No.

24 Q. Everything was still the same?

25 A. Yes.

1 Q. From what you could tell, nothing had moved?

2 A. Correct.

3 Q. What was the next thing that happened on Saturday
4 morning?

5 A. He -- We went and were driving around.

6 Q. Okay. I am going to show you what has been marked
7 as State's Exhibit 203. This, again, is a drawing you and
8 I prepared in the same fashion as those we have talked about
9 before.

10 A. Yes.

11 Q. And it depicts the status of the room as of
12 roughly Saturday evening; is that correct?

13 A. Yes.

14 MR. GANNETT: I move the admission of 203, Your
15 Honor.

16 MR. BECK: No objection, Your Honor.

17 THE COURT: Exhibit 203 is admitted.

18 Q. We skipped over some time during the day on
19 Saturday. And Exhibit 203, which should be 8 on the
20 materials given to the jury, does that accurately portray
21 the condition of the room as you returned to it Saturday
22 evening?

23 A. Yes.

24 Q. There is still the south bed and the north bed
25 indicated there on the Exhibit; correct?

1 A. Yes.

2 Q. At the end of the south bed, between the television
3 and the end of the south bed, there are some indications
4 contained there. First of all, what are the items closest
5 to the television?

6 A. A dog water dish and a dog food dish.

7 Q. Where did those items come from?

8 A. Belongings that were of our family.

9 Q. Who had placed those items in that location?

10 A. Dawson.

11 Q. And was there anything contained in those items?

12 A. Yes.

13 Q. What?

14 A. Dog food and water.

15 Q. Also at the end of the bed there is a circle that
16 has "AM" in it. Is that where you were positioned?

17 A. Yes.

18 Q. Were you bound or gagged?

19 A. Yes.

20 Q. And how were you, how was it that you were bound?

21 A. With my hands in front of me, my feet taped, and
22 a gag around my mouth.

23 Q. So you again were taped by this time, your hands
24 were taped in front of you?

25 A. Yes.

1 Q. And feet taped around the ankles again?

2 A. Yes.

3 Q. And a gag placed over your mouth and taped once
4 more in that area?

5 A. Yes.

6 Q. We also have a circle, and it says "Tigger" with
7 an arrow. What is that?

8 A. My dog.

9 Q. And he was right next to you?

10 A. Yes.

11 Q. In the previous drawings, Amy, there has been an
12 indication of the continuing existence of this spot that
13 you thought was blood that was located in the area where
14 your father had been when Dawson used the shots.

15 A. Yes.

16 Q. Did you notice anything about that particular
17 spot after you returned to the motel on Saturday evening?

18 A. That is when I noticed it looked like it was clean,
19 that somebody had attempted to clean it up.

20 Q. Who was the only person that could have attempted
21 that clean-up?

22 A. Dawson.

23 Q. At sometime after you returned to the motel on
24 Saturday evening, you were placed in the bathroom?

25 A. Yes.

1 Q. How long between the time you returned and the
2 time you were placed in the bathroom?

3 A. Um, an undetermined amount of time. I am not
4 real sure.

5 Q. What was it that caused, apparently caused Mr.
6 Dawson to place you in the bathroom?

7 A. He said there was something going on outside.
8 He said there was possibly some drunks outside making a
9 lot of noise, and he wanted to put me in the bathroom for
10 safekeeping.

11 Q. How did he get you from the position at the end
12 of the bed to the bathroom?

13 A. Cut the tape.

14 Q. What did he use to cut the tape?

15 A. The knife.

16 Q. The same knife you described before?

17 A. Yes.

18 Q. Where did he get that knife?

19 A. From his pocket.

20 Q. How did he have you travel from the position at
21 the end of the south bed into the bathroom?

22 A. Walk.

23 Q. Where was he?

24 A. Escorting me.

25 Q. Were you able to do anything to see under the
blanket?

1 A. No.

2 Q. What did you do once you got in the bathroom?

3 A. Sat down on the floor.

4 Q. Where did you position your back?

5 A. Against the tub.

6 Q. Was there anything else in the bathroom with you?

7 A. Yes; a blanket and a pillow.

8 Q. Where were they?

9 A. Underneath me and behind me.

10 Q. The blanket was underneath you?

11 A. Yes.

12 Q. The pillow behind you?

13 A. Yes.

14 Q. And you were sitting on the tile floor?

15 A. Yes.

16 Q. Where was the dog?

17 A. In my lap.

18 Q. And that is the circle with the "T" in the bath-

19 room area?

20 A. Yes.

21 Q. Do you have any estimate of time as to how long

22 you were in there before the door was opened?

23 A. About an hour to an hour and-a-half.

24 Q. What thoughts were going through your mind during

25 that time?

1 A. I was very scared. I thought that the next person
2 that opened the door would be Dawson to kill me, or do
3 something. It was very horrible, very scary.

4 Q. Who was the next person to open that door?

5 A. Detective Hatfield.

6 Q. I am showing you what has been marked as State's
7 Exhibit 204. This is something that you and I have also
8 examined before; correct?

9 A. Yes.

10 Q. And does it accurately depict the location of the
11 furniture and the bedding, the beds and the television set,
12 as it existed when you exited the bathroom?

13 A. Yes. Except that the -- I don't remember the
14 straight-back chair.

15 Q. The straight-back chair in the vicinity of the
16 television?

17 A. Yes.

18 Q. But you do remember the other chair closer to the
19 bathroom?

20 A. Yes.

21 Q. Was there anything on that chair?

22 A. Yes; a blanket.

23 MR. GANNETT: I want to move the admission of
24 State's Exhibit 204, Your Honor.

25 MR. BECK: No objection, Your Honor.

 THE COURT: Exhibit 204 is admitted.

1 Q. I want to return now to earlier on Saturday
2 morning after you had left the room with Dawson to make
3 the first phone call.

4 A. Yes.

5 Q. What was the next thing that happened after you
6 got back to the room after he made his first phone call on
7 Saturday?

8 A. Everything was the same.

9 Q. Did you remain in the room then the rest of the
10 morning?

11 A. No.

12 Q. Where did you go next?

13 A. We made our first trip to Pat's house.

14 Q. Who was present? Who went with you?

15 A. Um, it was me, Dawson, and my dog.

16 Q. Where was the gun?

17 A. It was in the car with us.

18 Q. Whose vehicle did you use?

19 A. What appeared to me to be Dawson's car.

20 Q. It was not either one of your family's vehicles?

21 A. Correct.

22 Q. And it was the one that had been moved the day
23 before?

24 A. Yes.

25 Q. What happened when you got to the individual by

1 the name of Pat. What happened when you got to his house?

2 A. Me and my dog remained in the car, and he walked
3 up to the front door and talked to Pat outside.

4 Q. Mr. Dawson did?

5 A. Yes.

6 Q. Could you hear what they talked about?

7 A. No, I could not.

8 Q. Did you see them exchange any items?

9 A. I think he exchanged the gun with him.

10 Q. You think Dawson gave the gun to Pat?

11 A. Yes.

12 Q. Did you hear anything that they said to each other?

13 A. No.

14 Q. Did Dawson say anything when he got back in the car?

15 A. Just said he wanted to go see if he could find his
16 friend Tom.

17 Q. Did he indicate that any money had changed hands
18 between he and Mr. Palmer?

19 A. He mentioned something about some money, but I
20 don't remember. I think it might be in my statement.

21 Q. How long were you and Mr. Dawson at Pat Palmer's
22 house?

23 A. About ten minutes.

24 Q. Were you constantly in a position where he could
25 see you?

1 A. Yes.

2 Q. What happened after he got back in the car, then,
3 at the Palmer house?

4 A. We drove out to the area that I took the police,
5 and he was looking for Tom.

6 Q. What area are you talking about?

7 A. I don't really know the name of the area. But
8 I took Detective Hatfield there. I think it is out near
9 Roundup.

10 Q. An area outside of town?

11 A. Yes.

12 MR. GANNETT: Your Honor, could we have a break,
13 please.

14 THE COURT: Ladies and Gentlemen of the jury, we
15 will be in recess until you are summoned back to court by
16 the Bailiff.

17 I again admonish you.

18 Court is in recess.

19 ((Short recess taken.))

20 THE COURT: Court is in session. You may be seated.

21 Q. I believe when we broke, Amy, you indicated that
22 you had gone to the home of a Mr. Pat Palmer in Mr. Dawson's
23 car with Mr. Dawson?

24 A. Yes.

25 Q. And then when you left there, you went for a

1 drive where?

2 A. Out somewhere I think near Roundup, or out towards
3 the end of town.

4 Q. Did he say anything about where he was taking you?

5 A. Somewhere where his friend, he thought his friend
6 would be.

7 Q. This friend that he had apparently been trying
8 to call?

9 A. Yeah.

10 Q. Did anything happen while you were on this drive?

11 A. No.

12 Q. Did you drive continuously, or was the car stopped?

13 A. He stopped once, he said, to put oil in it.

14 Q. Any other stops?

15 A. No.

16 Q. Where did you go first when you got back into
17 town?

18 A. I can't remember if we stopped at Pat's house or
19 not.

20 Q. Did Mr. Dawson make any more phone calls?

21 A. Yes.

22 Q. Who did he call?

23 A. I think he called Pat one more time.

24 Q. Where was that call made from?

25 A. A Kwik Way on Main.

1 Q. On Main Street in the Heights?

2 A. Yes.

3 Q. Where did you go after the phone call had been
4 made?

5 A. He stopped, we stopped at Taco Bell, because he
6 said he wanted to get something to eat.

7 Q. And this was at what time, approximately?

8 A. I have really no idea. Probably late afternoon.

9 Q. On Saturday?

10 A. Yes.

11 Q. And had you had anything to eat--

12 A. No.

13 Q. --since Friday morning?

14 A. Correct.

15 Q. After you took the drive in the country, did you
16 ever return to the motel?

17 A. Yes.

18 Q. What happened when you returned to the motel?

19 A. We waited there for a few minutes, and then Pat
20 was dropped off by somebody in a car with a license plate
21 Sylvia, and he took Dawson's car.

22 Q. "He" being Pat?

23 A. Yes.

24 Q. And he left in Dawson's car?

25 A. Yes.

1 Q. How did you get back in the motel room?
2 A. With a key.
3 Q. Who had the key?
4 A. Dawson.
5 Q. Who opened the door?
6 A. Dawson.
7 Q. Did the door appear to be locked?
8 A. Yes.
9 Q. What did you do after Pat borrowed Dawson's car?
10 A. Waited there, and watched T.V. for a little while.
11 Q. Where were you located?
12 A. In front of the south bed.
13 Q. Did Mr. Palmer ever return the car?
14 A. Yes.
15 Q. Do you have any estimate as to how long he had
16 the car?
17 A. About 20 to 30 minutes.
18 Q. What occurred upon Pat Palmer's return to the
19 motel?
20 A. We took Pat back to his house.
21 Q. "We" being Dawson and you accompanied Pat in the
22 car?
23 A. Yes.
24 Q. Where were the people in the car located?
25 A. I sat in the passenger seat in the front, and

1 Palmer sat in the back part.

2 Q. Did you have your dog with you, also?

3 A. Yes.

4 Q. And this was in Dawson's car?

5 A. Yes.

6 Q. Where did you go?

7 A. Back up to Pat's house.

8 Q. How long did you remain there?

9 A. Just long enough for him to get out of the car.

10 Q. Was there any conversation between Pat and Dawson

11 at that time?

12 A. Maybe a salutation. Like: "Good-bye."

13 Q. Where did you go after Pat was dropped?

14 A. We stopped at a bank.

15 Q. Do you know where that was?

16 A. On Main Street.

17 Q. What was the reason for the stop?

18 A. I think he was getting money out of an account.

19 Q. Do you know whether or not he got any money?

20 A. Yes, he did.

21 Q. Do you know how much?

22 A. No, I do not.

23 Q. Did he say that he had any purpose for getting

24 the money?

25 A. No, he did not.

1 Q. Where were you most of the day during the daylight
2 hours on Saturday?

3 A. Most of the time, driving around with him.

4 Q. Were you bound or taped in any way?

5 A. No, I was not.

6 Q. Did you make any stops at Mr. Dawson's apartment?

7 A. Yes.

8 Q. Do you remember how many?

9 A. I believe two.

10 Q. Do you remember what times of the day you would
11 have made those stops?

12 A. One I am not real sure, and one was probably
13 about 4:00, later in the afternoon.

14 Q. That was the second stop?

15 A. Yes.

16 Q. Was the first stop in the morning or the afternoon?

17 A. I can't remember.

18 Q. During the first stop, did Mr. Dawson get anything?

19 A. I think he got, like, a little medicine-like kit,
20 a bag that you would put, like, medicine and shaving stuff in.

21 Q. Anything else?

22 A. I don't think so.

23 Q. Did he bring anything from the apartment to the
24 car on the second stop?

25 A. I don't think so.

1 Q. Was anyone left with you in the car during either
2 of the stops--

3 A. No.

4 Q. --you made at Palmer's?

5 A. No.

6 Q. How long were you in the car by yourself on the
7 first stop?

8 A. To Dawson's house?

9 Q. Yes.

10 A. About ten minutes.

11 Q. How long were you alone in the car by yourself
12 on the second stop?

13 A. Maybe a little bit more than ten minutes.

14 Q. I am showing you what has previously been marked
15 as State's Exhibit 87. Do you recognize this?

16 A. Yes, I do.

17 Q. What is it?

18 A. It is my tape case.

19 Q. Opening the Exhibit, I am taking out the tape
20 that says "Def Leopard" on it.

21 A. Yes.

22 Q. Do you remember having that tape?

23 A. Yes.

24 Q. Opening the tape, the tape itself is labeled as
25 State's Exhibit No. 87, and I believe it is A. Opening,

1 then, the paper that has the Def Leopard Pyromania picture
2 on it, there is some writing. Do you recognize that writing?

3 A. Yes.

4 Q. Who wrote that?

5 A. I did.

6 Q. When did you write it?

7 A. The second stop in his car.

8 Q. On Saturday?

9 A. Yes.

10 Q. Read what you have written.

11 A. SS, which stands for social security number,
12 558-237913, David Dawson, Jacobs Construction, P.O. Box 3517,
13 Baton Rouge, Louisiana. I didn't get to finish the zip code.

14 Q. Where did you get that information?

15 A. Out of his glove box.

16 Q. What was in his glove box?

17 A. It looked like some kind of check, or something,
18 from the company.

19 Q. What reason did you have for writing this informa-
20 tion down?

21 A. I guess to leave something behind in case I didn't
22 make it.

23 Q. You wanted to leave a trail so that somehow
24 somebody could find this man?

25 A. Yes.

1 Q. Did you consider leaving the car at that time?

2 A. Yes.

3 Q. What made you decide not to leave the car?

4 A. Because I really didn't think any normal, rational
5 person would believe what I would have told them.

6 Q. Did the concern for your family cause you to
7 stay in the car?

8 A. Yes. Because Dawson always held the idea over
9 my head that they were still alive. And that, rationally,
10 to me I wouldn't be able to get somewhere fast enough
11 walking when he had a car.

12 Q. So you were afraid if you tried to get away from
13 him that he would get back to the motel and hurt your
14 family before you could get help?

15 A. Yes.

16 Q. And that is why you remained with him?

17 A. Yes.

18 Q. Did he ever indicate to you that you were his
19 hostage?

20 A. He mentioned something like I was kind of just in
21 case something happened, kind of like security.

22 Q. Like some kind of shield, or something, if the
23 need arose?

24 A. Yeah.

25 Q. At any time from Friday morning until Detective

1 Hatfield arrived on Saturday night did you feel like you
2 were free to go?

3 A. No.

4 Q. Did you feel he was requiring you to stay there?

5 A. Yes.

6 Q. And that if you did go, harm might be done to
7 your family?

8 A. Yes.

9 Q. When you returned to the motel on Saturday night,
10 did you see your family's cars?

11 A. I don't remember.

12 Q. And when you returned to the motel room on
13 Saturday evening, do you have any feel for approximately
14 what time it might have been?

15 A. I think after 5:00.

16 Q. Did you do anything or have the dog do anything
17 from when you left the car until you went into the room?

18 A. Yes. I asked if I could walk him. And Dawson
19 stood by the door and watched me take him over to a little
20 patch of grass just a few feet away.

21 Q. And then you have already described the scene as
22 you returned to the motel room; correct?

23 A. Yes.

24 Q. Previously, prior to your coming to Billings to
25 testify in this case, you did have an opportunity to examine

1 some weapons at the Billings Police Department?

2 A. Yes.

3 Q. And during that opportunity, did you, in fact,
4 identify a particular weapon?

5 A. Yes.

6 Q. And that was the one that you recalled Dawson
7 having with him on Friday and Saturday?

8 A. Yes.

9 Q. Did you see Mr. Dawson place the chair that was
10 closest to the blanket that covered your family? Did you
11 see him place the chair in that position as is indicated
12 on Exhibit 204?

13 A. No, I did not.

14 Q. As you returned to the motel on Saturday evening,
15 did Mr. Dawson say anything to you about what he was thinking
16 about doing with you or any member of your family?

17 A. He was talking about putting us in the car and
18 leaving us somewhere.

19 Q. Did he give you any more indication than that?

20 A. I can't remember. I think I might have said
21 something in my statement. But I can't remember.

22 Q. During the time you were with him, did you feel
23 the need to please him and to comply with his requests?

24 A. In some aspects, yes.

25 Q. As you have indicated before, given the concern

1 you had for your family?

2 A. Yes.

3 Q. Did Dawson ever say anything to you that indicated
4 he had at some point given money to Mr. Palmer?

5 A. Yes, I think he did.

6 Q. What is it that you recall him saying?

7 A. I recall him saying something about that he gave
8 the money to Palmer for safekeeping. And one of the times
9 he talked to him he had done something with the money. He
10 had to go get it.

11 Q. Meaning that Palmer had done something with the
12 money that Dawson had given to Palmer?

13 A. Yes.

14 Q. And that Palmer then needed to do something to
15 retrieve the money?

16 A. Yes.

17 Q. At any time on Friday, did you observe Mr. Dawson
18 taking any drugs?

19 A. Not that I directly saw. I saw that maybe he
20 was going to, but I didn't, I wouldn't watch him, I didn't
21 watch.

22 Q. Did you at any time on Saturday see Mr. Dawson
23 engage in any activity that appeared as though he was
24 taking drugs?

25 A. I didn't directly see him. He might have, maybe,

1 when he took a drink of water, swallowed something, but I
2 didn't see him inject something, or anything.

3 Q. At all times when he was in your immediate
4 presence, did he seem to know where he was?

5 A. Yes.

6 Q. Did he seem to know what he was doing?

7 A. Yes.

8 Q. Did he have any periods during which he was
9 disoriented or didn't appear to be organized?

10 A. No.

11 Q. After you were placed in the bathroom, what were
12 you thinking?

13 A. I was thinking: "Why is this happening to me
14 and my family? Am I going to live to see tomorrow? Is
15 my Mom and Dad and my Brother going to be with me?"

16 MR. GANNETT: Break, Your Honor.

17 THE COURT: Ladies and Gentlemen of the jury,
18 we will be in recess until the Bailiffs summon us back.

9 ((Long recess taken.))

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