



1                   (The defendant, Aaron Brantley, is  
2 present in court, represented by counsel.)

3                   THE COURT: Let's bring the jury in.

4                   THE BAILIFF: All rise for the jury.

5                   THE COURT: Good morning. Ladies and  
6 gentlemen, I hope everybody had a good night. We  
7 are ready to begin the trial of the case, and  
8 before we do, I'm going to give you some  
9 preliminary instructions about how the case is  
10 going to proceed.

11                   Ladies and gentlemen, you've been sworn  
12 and impaneled and are about to try a criminal case  
13 entitled the State of Georgia versus Aaron  
14 Brantley. The defendant has been indicted by the  
15 grand jury of Fulton County. An indictment  
16 composed of the following counts; rape, aggravated  
17 sodomy and sexual battery. In this indictment that  
18 I just read you the defendant has plead not guilty  
19 and denies each and every allegation therein. That  
20 is what forms the issue that you have been selected  
21 sworn and impaneled to try. Before we begin the  
22 trial I'm going to give you some preliminary  
23 instructions on the fundamental principles of  
24 criminal law. I will also instruct you on the role  
25 of the judge, the lawyers and the jury, and give

1 you an overview of the trial procedure. Many of  
2 you may have never served on a jury before. It is,  
3 therefore, necessary that these instructions be  
4 given so that you have a general understanding of  
5 procedure in a criminal trial, what will be  
6 expected of you, and how you are to conduct  
7 yourself during the trial.

8 The defendant is charged in the  
9 indictment with crimes that are violations of  
10 certain laws in the State of Georgia. I want to  
11 emphasize to you that the indictment, including all  
12 of the counts therein, and the plea of not guilty,  
13 are the legal procedures by which these criminal  
14 charges are brought against the defendant. The  
15 charge and plea of not guilty are not evidence of  
16 guilt and you should not consider them as evidence  
17 or implication of guilt of any crime whatsoever.  
18 This defendant is presumed to be innocent until  
19 he's proven guilty. The defendant enters upon the  
20 trial of the case with a presumption of innocence  
21 in his favor. This presumption remains with the  
22 defendant until it is overcome by the State with  
23 evidence that is sufficient to convince you beyond  
24 a reasonable doubt that the defendant is guilty of  
25 the crime or crimes charged. No person shall be

1 convicted of any crime unless and until each  
2 element of the crime is proven beyond a reasonable  
3 doubt. The burden of proof rests upon the State to  
4 prove every material allegation of the indictment  
5 and every essential element of the crimes charged  
6 beyond a reasonable doubt. However, the State is  
7 not required to prove the guilt of the accused  
8 beyond all doubt or to a mathematical certainty.

9 A reasonable doubt means just what it  
10 says. It is a doubt of a fair minded impartial  
11 juror honestly seeking the truth. It is a doubt  
12 based upon common sense and reason. It does not  
13 mean a vague or arbitrary doubt, but a doubt for  
14 which a reason can be given arising from a  
15 consideration of the evidence or lack of evidence,  
16 a conflict in the evidence or any combination of  
17 these. There is no burden of proof whatsoever upon  
18 the defendant and the burden never shifts to the  
19 defendant to prove his innocence.

20 If after having given consideration to  
21 all the facts and circumstances of the case your  
22 minds are wavering, unsettled or unsatisfied then  
23 that is a doubt of the law and you should acquit  
24 the defendant. But if no doubt exist in your minds  
25 about the guilt of the accused then you would be

1 authorized to convict the defendant.

2 If the State fails to prove the  
3 defendant's guilt beyond a reasonable doubt it  
4 would be your duty to acquit the defendant. Under  
5 our system it is my duty as trial judge to  
6 determine the law that applies to this case and to  
7 instruct you, the jury, on specific rules of law  
8 that you must apply to the facts in arriving at a  
9 verdict. I'm giving you some of those instructions  
10 now. I will give you more detailed instructions  
11 after the evidence has been presented and the  
12 lawyers have made their closing arguments.

13 During the trial I maybe called upon to  
14 rule on motions or objections to evidence. Nothing  
15 I say in making these rulings or anytime during the  
16 trial is evidence and should not be considered as  
17 an indication that I have any leaning in this case  
18 whatsoever. My only interest in this case is to  
19 see that it is fairly tried according to the laws  
20 and constitution of the State of Georgia and the  
21 constitution of the United States. As expected,  
22 the lawyers serve as advocates for their client and  
23 are duty bound to represent their client to the  
24 best of their ability. The lawyers also serve as  
25 officers of this in court, as such are bound to

1 follow applicable law trial procedures and rules of  
2 evidence during the trial. If at any time the  
3 lawyer believe that any law or procedure or rule of  
4 evidence is being violated they may make motions  
5 regarding the conduct of the trial or objections to  
6 the admission of evidence. In making these motions  
7 or objections the lawyers are simply seeking to  
8 fulfill their duty to the client and to the Court.  
9 Sometimes these motions or objections may require  
10 the Court to consider outside your presence the  
11 questions raised and you will be excused to the  
12 juror room. We will try to minimize the number and  
13 length.

14 Trial procedure in a criminal trial is  
15 generally as follows. First, the attorneys for  
16 both sides have the opportunity to make what is  
17 called an opening statement. The opening statement  
18 is not evidence. Remember what the lawyers say is  
19 not evidence, but it is a preview or outline of  
20 what they expect the evidence to be. Following the  
21 opening statement the evidence will be presented.  
22 Evidence can be in the form of testimony given by  
23 witnesses or physical evidence that will be labeled  
24 with exhibit numbers for identification. After the  
25 presentation of all of the evidence the attorneys

1 have the opportunity to make what is called a  
2 closing argument or summation. At this time the  
3 attorneys may suggest which laws are applicable and  
4 how they should be considered in light of the  
5 evidence, and point out to you certain parts of the  
6 evidence they think are favorable to their  
7 position. Following the closing argument I will  
8 charge you more specifically on the law that  
9 applies to this case, then ask you retire to the  
10 jury room to deliberate and reach your verdict.

11 It is your duty to determine the facts of  
12 the case and to apply the law to those facts. I  
13 will instruct you on the law that applies to this  
14 case, but you must determine the facts from the  
15 evidence.

16 Evidence by definition is the means by  
17 which any fact in issue is establish or disproved.  
18 Evidence consists of two things, testimony and  
19 exhibits. Testimony is the testimony you will hear  
20 under oath from those who take the witness stand.  
21 Exhibits are those documents, photographs or other  
22 physical evidence that are admitted into evidence.  
23 The object of this trial is to discover the truth.  
24 During the trial the admission of evidence will be  
25 governed by certain rules of evidence. The rules

1 were drafted with one prominent purpose in mind and  
2 that purpose is discovery of truth. Consequently,  
3 the rules of evidence seek to assure only the best  
4 and highest evidence is admitted for your  
5 consideration.

6 During the trial the attorneys have the  
7 right to object to the admission of evidence. If  
8 they believe its admission would violate a rule of  
9 evidence, I will admit or exclude the evidence  
10 according to these rules. If I overrule an  
11 objection that means you are allowed to consider  
12 the evidence being offered. If I, on the other  
13 hand, sustain an objection this means you may not  
14 consider the evidence being offered. If for some  
15 reason you hear or see inadmissible evidence before  
16 an objection can be ruled on, and the objection is  
17 sustained, I will instruct you to disregard it and  
18 you should disregard that evidence entirely in your  
19 deliberations and in reaching a verdict. You must  
20 determine the credibility and believability of the  
21 witnesses. It is for you to determine which  
22 witness or witnesses you believe and which witness  
23 or witnesses you do not believe if there are some  
24 whom you do not believe. In determining the  
25 credibility or believability of the witnesses you

1 may consider all of the facts and circumstances of  
2 the case, the manner in which the witnesses  
3 testify. Their interest or lack of interest in the  
4 case. Their means of opportunity for knowing the  
5 facts about which they testify. The nature of the  
6 facts about which they testify. The probability or  
7 improbability of their testimony and the  
8 occurrences about which they testify. You may also  
9 consider their personal credibility insofar as it  
10 may appear to you from the trial of the case. As  
11 the fact finder it is your duty to believe the  
12 witnesses who you think are most believable. It is  
13 for you alone to determine what testimony you  
14 believe and what testimony you will not believe, if  
15 there is some tell you do not believe. It is  
16 important that you pay close attention to the  
17 evidence as it's being presented during the trial.  
18 At anytime you can't see or hear please let me no  
19 and I will do what ever I can to make sure that  
20 you're able to see and hear everything being  
21 presented. If your in need of a recess at any  
22 point and time please just raise your hand and let  
23 me know. It's important that you're comfortable  
24 during this trial so you can focus on the evidence  
25 being presented. Please remember this is not

1 television. You don't get an instant replay of the  
2 evidence, so it's important that you pay attention  
3 as it's being presented to you during the trial of  
4 the case. It is important that you view the  
5 evidence with open mind at all times and reach no  
6 final conclusions until the trial is over. Do not  
7 jump to conclusions before all of the evidence is  
8 presented. Remember during the course of the trial  
9 it would be improper for you to discuss the case  
10 with anyone or to allow anyone to discuss the case  
11 with you or in your presence or hearing. This  
12 applies even to discussions amongst yourselves in  
13 the jury room or elsewhere before actual  
14 deliberations begin. You've been provided with  
15 pencils and note pads for your use during the  
16 trial. You may take notes, but you're not required  
17 to do so. If you decide to take notes, please  
18 remember that note taking should not divert you  
19 from paying full attention to the evidence in  
20 evaluating the witness' credibility. Your  
21 observation of the witnesses during the testimony  
22 can be vital to your determination of the  
23 believability of their testimony. The notes that  
24 you take are for your use only and not to be shared  
25 with anyone until your deliberations begin with

1 your fellow jurors. Notes are not evidence but,  
2 are only memory aids and should not take precedence  
3 over your recollection. It is the duty of each  
4 juror to recall the evidence, and while you may  
5 consider another juror's notes to refresh your  
6 memory, you should rely on your own recollection of  
7 the proceeding. Do not be influenced by the notes  
8 of others jurors unless their notes help you in  
9 determining your own independent recollection.  
10 Notes are not entitled to any greater weight than  
11 the recollection or impression of each juror as to  
12 what the evidence may have been. When the trial is  
13 over the notes will be collected and destroyed. I  
14 would suggest that you put your name on the outside  
15 of your notebook when you get a minute because  
16 during breaks you will leave your notebooks sitting  
17 on a table in the jury room that way you can  
18 retrieve them.

19 You must decide the case for yourself  
20 solely on the testimony you hear from the witness  
21 stand and exhibits admitted into evidence. You may  
22 not visit any scenes depicted by the evidence. You  
23 may not utilize any books or documents not in  
24 evidence during your deliberations. You may not  
25 read or listen to any accounts of the trial that

1 might appear in the news media. You may not  
2 discussion this case with anyone other than your  
3 fellow jurors during deliberations. During the  
4 trial you may not conduct any independent research  
5 about the case, the matters in the case, the  
6 individuals or other things related to the case.  
7 You should not consult a dictionary or reference  
8 materials, search internet websites or blogs or use  
9 any other electronic tools to obtain information  
10 about the case or help you decide the case. Please  
11 do not try to find out any information from any  
12 sources outside the confines in the courtroom to  
13 include media of any sort or online legal research.  
14 After you've retired to deliberate you may begin  
15 discussing the case with your fellow jurors, but  
16 you cannot discuss the case with anyone else until  
17 you have returned a verdict and the case is at an  
18 end. I know many of you use cell phones,  
19 Blackberry or other tools of technology. You may  
20 not talk to anyone about this case or use that tool  
21 to communicate electronically with anyone about  
22 this case. This includes family, personal  
23 colleagues. You may not communicate with anyone  
24 about the case on your cell phone, through email  
25 Blackberry, Iphone, text message, on Twitter,

1 through any blog, website, internet chatroom or by  
2 way of any social network, including Facebook, My  
3 Space, LinkedIn, You Tube Twitter, Instagram. I  
4 don't even know what yesterday's communication tool  
5 is, but whatever it is you can't use it. All  
6 right. That concludes my initial instructions.

7 Mr. Chase, are you ready?

8 MR. CHASE: Yes, Judge.

9 Good morning. I want to take just a  
10 second to thank you all for coming down here and  
11 honoring your jury service because we truly could  
12 not do the work here without you all answering the  
13 call. My name again is Edward Chase. I'm a chief  
14 senior assistant district attorney with the Fulton  
15 County DA's Office, which means I represent the  
16 citizens of the State of Georgia when ever a crime  
17 has been committed in Fulton County. That is  
18 exactly what happened on April 5th of 2013.  
19 Because on April 5th of 2013, Aaron Brantley, the  
20 defendant sitting before you, took advantage of a  
21 co-worker when she had too much to drink during a  
22 going away celebration. Took advantage of her by  
23 raping her, by penetrating her vagina with his  
24 penis against her will and performing oral sex on  
25 her against her will. That is what the evidence is

1 going to show. But let's go back to the beginning.  
2 That's always the best place to start. So Aaron  
3 Brantley -- and Aaron and Shenay a lot people are  
4 going to call her by her middle name. Aaron joined  
5 the Foy law firm, the Strong Arm. They worked  
6 there together for about five years. Aaron  
7 Brantley having worked there longer than Ms.  
8 Bridges. They had a good working relationship.  
9 There were no problems between them. On April 5th  
10 of 2013, one of their other co-workers was leaving  
11 the firm. About ten of them decided that they were  
12 going to go to the Taco Mac on Lindbergh and have a  
13 going away celebration. So the evidence will show  
14 that Eric Watkins whose, another witness in this  
15 particular case, was one of the first to arrive,  
16 and some other people from the firm started  
17 trickling in, and Shenay Bridges showed up around  
18 6:00. Aaron Brantley was the last to arrive. He  
19 showed up later. During the course of this going  
20 away celebration the victim is going to tell you  
21 that she had four drinks. She had an Amaretto  
22 Sour. She had two shots of Tequila, and then she  
23 ordered a Bob Marley which apparently is a very  
24 high alcohol content drink. What else is she going  
25 to tell you? She's going to tell you that for her

1 that actually wasn't a whole lot. She's been out  
2 socially and had more than that. Some of the other  
3 witnesses will also probably say the same thing.  
4 They have been out with her before and she's had  
5 more than that and not been that drunk. But this  
6 day was different. And why is that? She had  
7 braces and her braces had to be tightened earlier  
8 that day. Anyone who has braces know that when  
9 your braces are tightened your teeth hurt and  
10 because of that she didn't eat very much during the  
11 day. She's also going to tell you that she's  
12 fasting from certain types of foods, including  
13 meat. So during the course of the day she's going  
14 to say she had maybe some mash potatoes and at the  
15 Taco Mac she had a few french fries. But she drank  
16 like she didn't. She drank like she normally would  
17 if she were to go out in a social setting and she  
18 drinks pretty much along the lines that everyone  
19 else that was there at the party. The alcohol  
20 because she had nothing in her stomach, you will  
21 hear from an expert toxicologist who will tell you  
22 essentially alcohol went to her blood stream and  
23 went to her brain and she got extremely  
24 intoxicated. Her blood alcohol level at 3:30 in  
25 the morning was still 88 milligrams per deciliter.

1 If we put it into a more non-technical terms  
2 everyone knows that you can't drive with .08,  
3 right. Her blood alcohol level six hours after the  
4 sexual contact timeline that's established by Mr.  
5 Brantley's statement -- we will get into more of  
6 that. Six hours later her blood alcohol level is  
7 still over the legal limit to drive. Dr. Morgan is  
8 going to tell you that at the rate that the body  
9 metabolizes the alcohol, her blood alcohol level  
10 was probably closer to 200 milligrams per deciliter  
11 at the time of this sexual contact. What he will  
12 describe as comatose. That's how intoxicated she  
13 was. And the defendant knew it. He knew it  
14 because at the table while they're all there she's  
15 already showing the signs of the alcohol. Everyone  
16 will testify that she had her head down on the  
17 table for an extended period of time. In fact,  
18 Eric Watkins, he even made a joke about it to the  
19 table, can't handle your alcohol. She threw up at  
20 the table before they left the Taco Mac in a bag  
21 that several witnesses also say the defendant was  
22 holding. And she had to be helped down the stairs.

23 Now, I'm not going to sit here and say  
24 that she was carried down or anything like that,  
25 but you all will see because the video surveillance

1       alleged from the Taco Mac can't lie. The video  
2       surveillance will show that she had to be helped  
3       out. She had to be helped walk from the table down  
4       the stairs, down the stairs and out the door and  
5       who is the person that was assisting her? Aaron  
6       Brantley. He is going to tell you in the interview  
7       that he gave to the Atlanta Police Department that  
8       he had no idea that she was drunk. She was fine.  
9       She was the life of the party. That's what he is  
10      going to say. That he didn't notice her with her  
11      head down. He didn't even know she threw up until  
12      a half hour after they were in the car together.  
13      When she walked out she was fine. We walked out  
14      together. At one point she put her head on my  
15      shoulder like we were a couple. That's what he  
16      wants you to believe. But you all will get to see  
17      the physical evidence. The video surveillance  
18      alleged which shows the truth. She was  
19      intoxicated. Everyone knew it, including him.  
20      When they get out to the car -- excuse me, before  
21      they get to the car when they're right outside the  
22      Taco Mac door there is a conversation held between  
23      Ms. Bridges, the defendant and another witness who  
24      will testify, Lakiva Watkins. Lakiva Watkins is  
25      the wife of Eric Watkins. She's going to tell you

1 that she actually offered Shenay, do you want me to  
2 give you a ride home because they live relatively  
3 close to each other. She's going to tell you that  
4 the defendant interjected, and said, no, it's fine,  
5 I will sit with her. The victim also said I have  
6 -- said something. I have had more than this  
7 because in her mind she's maybe not thinking she  
8 was all that drunk because she had more than that.  
9 But she's going down quick. Everyone will tell you  
10 she was going down quick. When they get to the car  
11 she remembers initially sitting in the driver seat  
12 and the defendant was sitting in the passenger seat  
13 and then her memory goes blank. It goes blank and  
14 the next thing she remembers now she's in the  
15 passenger seat and he is in the driver seat. And  
16 it's kind of fuzzy as to what's happening and she's  
17 goes out again, but when she wakes up again the  
18 defendant is on top of her. The defendant is  
19 penetrating her vagina with his penis. Saying do  
20 you like it. Is it good. She was scared. She  
21 will actually tell you that she just wanted it to  
22 be over. She started to cry. The defendant kept  
23 going. Her memory, because she's so intoxicated  
24 kind of goes out again. But she does remember a  
25 short while later texting her other co-workers and

1       texting her boyfriend, and I'm sure the defense  
2       will make a big deal about the boyfriend, and she  
3       did have a boyfriend at the time, and we are not  
4       going to hide from that. She text her co-workers,  
5       "police, rape. AB." And she's going to tell you  
6       that she didn't call anyone because she was scared.  
7       She text her co-workers. She text Christopher  
8       Collins who you will hear from. And she text Eric  
9       Watkins who you will hear from, and she also text  
10      her boyfriend that Dequandre Newel. Eric Watkins  
11      was already at home when he got those text. But he  
12      became so upset and so concerned for her that he  
13      and his wife, and his wife is actually coming back  
14      from picking up the kids from the baby sitter when  
15      he got those text. He and his wife jump in the car  
16      and they call the defendant, what's going on.  
17      What's going on. Meet us at the McDonald at  
18      Northside. Because they wanted to know what's  
19      going on in this situation. These are two  
20      co-workers that they have all been friends with.  
21      So they drive to the McDonalds at Northside where  
22      both of them will tell you that when she got out of  
23      the car she basically fell out of the car. Fell to  
24      her knees crying hysterically as to what happened  
25      to her. But before they even get to the McDonalds

1 Eric Watkins asked to speak to Shenay, and he will  
2 tell you that on the phone he could tell that she  
3 was crying and she asked to speak to his wife  
4 Lakiva. Asked to speak to her, and Lakiva got on  
5 the phone and she will tell you that she was  
6 hysterical crying on the phone. Why is all that  
7 important? Because you're also going to hear from  
8 the defendant when he gave a statement on April  
9 17th of 2013, to the Atlanta Police Department, and  
10 in his statement he says that she was fine.  
11 Nothing -- she wasn't all that drunk. Now, she was  
12 totally fine. That when they got in the car he sat  
13 in the driver seat. Remember the victim's first  
14 memory. She was in the driver seat. But he is  
15 going to say he was in the driver seat. And the  
16 victim got in and she basically immediately came  
17 onto him. She asked when is Eric coming back to  
18 pick me up. Because you see the defendant's theory  
19 is that Ms. Bridges and Eric Watkins were having an  
20 affair behind Lakiva Watkins' back and that's what  
21 he says, and that's what you will hear during the  
22 course of the interview that he gave. That they  
23 were having an affair, and that it was Eric Watkins  
24 who was suppose to come back and everyone kind of  
25 left Shenay on him. He's going to say that Eric

1       Watkins was suppose to come back later in the night  
2       presumably so they could go up an and have a  
3       rendezvous. He is going to say that when Ms.  
4       Bridges and him first got in the car she said when  
5       is Eric coming back for me. He said, I don't know.  
6       And then she starts coming onto him sexually. He's  
7       going to tell you that she was rubbing on him. And  
8       then she put her, both of her legs on the dashboard  
9       exposing her vagina, and then he leaned over and  
10      performed oral sex on her. But the angle wasn't  
11      all that great so he stopped. But I guess she  
12      wasn't satisfied quite yet so she threw her legs up  
13      to her shoulders and he commented, wow, flexible.  
14      That's what he says. A woman who is so intoxicated  
15      is doing all of this in the car. He's going to  
16      tell you that she -- her sexual appetite was  
17      insatiable, and so she actually took her exposed  
18      buttocks and vagina, put it on the center console  
19      and at that point he got up and he started dry  
20      humping her but he didn't expose anything yet, but  
21      the angle wasn't so good and so again she says  
22      that's not so good. At first she goes and sits  
23      back in her seat, but she still couldn't get enough  
24      according to him. So she jumps over the center  
25      console onto his lap and starts gyrating on him.

1 And at that point he does expose his penis and they  
2 have sex for a couple of minutes he says and then  
3 it was over. And what he says is that she was so  
4 fine. She was fine. The detective asked, well,  
5 what happened after that. He is going to say well  
6 she leaned back and she grabbed her phone out of  
7 her purse and she just sat there and she was  
8 texting and face booking. Texting and face  
9 booking. She was fine the whole time because  
10 according to his timeline the sex happened between:  
11 9:00 and 9:30. Well, you see, ladies and  
12 gentlemen, the problem is that the evidence will  
13 show at the time he didn't know about all of the  
14 other evidence that the Atlanta Police Department  
15 already had. Her text messages. You will see they  
16 did a forensic extraction, what we call a cell  
17 phone dump of both her phone and his phone. And  
18 you will see that during the course of the night  
19 Ms. Bridges does not -- see these text messages  
20 about 9:28 from her sister, "where are you," and at  
21 10:05 she text back "on the way home." I will ask  
22 her about this. She doesn't even remember sending  
23 that particular text. The text messages sent by  
24 Arriene Bridges is not until 11:02. And an hour  
25 and half after the defendant says that she grabbed

1 her phone and was just constantly texting and face  
2 booking. She was fine. They were just chilling  
3 out. At 11:02. And do you know what that next  
4 text message was. 11:09. "Police." And then she  
5 text another co-worker. "Police. Rape. AB." I  
6 told you that they did a forensic extraction of her  
7 phone. They also did of his phone, and see this is  
8 where we know that he knew how drunk she was. How  
9 do we know? His finger told us. His finger told  
10 us because at 9:42 Eric Watkins the person that's  
11 allegedly coming back to pick her up to rendezvous  
12 with her text, "shenay good." Eric Watkins  
13 responds later on I'm waiting on -- at 9:59 I'm  
14 waiting on her to sober up. I'm waiting on her to  
15 sober up. Earlier he said she was fine. She was  
16 the life of the party. And he is going to say the  
17 whole reason that anyone needed to sit with her  
18 because they are concerned about her drinking and  
19 driving. But he told you he is waiting on her to  
20 sober up and he says that after, according to his  
21 timeline, the sex was over. What else does he say?  
22 He text again at 10:01. "I will sit with her." At  
23 10:03, he says she was throwing up, but she  
24 stopped. Does that sound like someone whose fine?  
25 At 10:03 he texts Eric Watkins again, "I will sit

1 with her until she's good." And at 10:29, a half  
2 hour later he text Eric Watkins again, "still  
3 sitting. She's about passed out over here." He  
4 knew how intoxicated she was. That is what the  
5 evidence is going to show. That Shenay Bridges was  
6 at that party. She got really drunk. And he took  
7 advantage of that situation knowing how drunk she  
8 was.

9 Ladies and gentlemen, the Judge is going  
10 to tell you that this is a search for the truth.  
11 And it is. It's a search for the truth of what  
12 happened on April 5th of 2013. And I submit to you  
13 that after you hear from all the witnesses and you  
14 look at all the evidence the truth is going to say  
15 only one thing, and that is the defendant is guilty  
16 of rape of aggravated sodomy and of sexual battery.  
17 I will come back at the end and ask you to return a  
18 true verdict of guilty. Thank you.

19 THE COURT: Mr. Adams.

20 MR. ADAMS: The good thing is that when  
21 you start hearing the evidence you get to hear all  
22 of it. All right. And you don't just get to hear  
23 it in the way that's characterized by the State.  
24 All right. So when you hear the evidence and when  
25 you see the text messages, and when you hear the

1 statements that's given by people you won't hear  
2 anything like she was insatiable or she jumped over  
3 onto my lap or she just couldn't get enough. It's  
4 fine to characterize things like that for dramatic  
5 effect, but you get to hear all the evidence, and  
6 what the evidence will show is that Shenay Bridges  
7 was not drunk, right. And you know where you're  
8 going to get that evidence from? From evidence.  
9 From one of the four statements or from four of the  
10 four statements she gave to the police, right.  
11 From the witnesses who were there at the location  
12 who talked about her telling them on numerous  
13 occasions that she was fine. You're going to hear  
14 the evidence from the witnesses whose talked about,  
15 well she told them about how much she had to eat  
16 that day. And you will hear that. You will see  
17 that. More importantly, from every single one of  
18 those text messages because the prosecution is  
19 right about one thing. The text messages establish  
20 a timeline. And those five or six that were quoted  
21 by the prosecuted, oh, there is a whole lot more  
22 than that. There is a whole lot more, and the most  
23 important text message is going to be after the  
24 consensual sex occurs in the car when a text  
25 message goes out from this person that they're

1 going to want to try to convince was drunk out of  
2 her mind where she's texting to her sister who has  
3 just picked up her baby, who she's taking some  
4 wings home to. "I'm on the way home." 10:05 is  
5 going to be the most important text message. All  
6 right. Because what you're going to hear, the  
7 evidence they're going to try to convince you with,  
8 is that she was so drunk she didn't know what was  
9 going on, and they're going to have her tell you, I  
10 presume, that when she told her sister she was on  
11 the way home after the sex had occurred. I don't  
12 even remember that text message, right. And the  
13 text messages between Aaron Brantley and Eric  
14 Watkins they're going to try and say that the  
15 timeline, this incident occurred between ten and  
16 10:30, all right. But guess what? Like I said  
17 you're going to get to see, ladies and gentlemen,  
18 every single one of the text messages including the  
19 text message between Aaron Brantley and his  
20 girlfriend and other people between 10:00 and 10:30  
21 where they're going to try and convince he is  
22 texting back and forth to someone while he's raping  
23 her. Look, let's -- you know what, he was right.  
24 Let's start at the beginning, right, because you  
25 guys are going to hear a lot of evidence and you

1       deserve to hear every single piece of it. Not a  
2       dramatized version of it. So, they have indicted  
3       Aaron Brantley with rape, aggravated sodomy and  
4       sexual battery. They're allegations. This  
5       indictment, their accusation against him is that he  
6       forcibly and against the will of Shenay Bridges  
7       raped her or had sex with her against her will on  
8       April the 5th of 2013. And that, he, against her  
9       will forcibly performed oral sex on her against her  
10      will. And that he touched her breast. That's the  
11      sexual battery that they have indicted him for,  
12      right. Now, what they're going to attempt to do is  
13      they're going to have Shenay Bridges come in here  
14      and tell you that this happened because she was so  
15      drunk out of her mind something within her system  
16      that she couldn't control her body. She gave four  
17      statements, right. I want you to hear them. The  
18      first two where she's saying I don't know what's  
19      happening. I felt like I couldn't move my body.  
20      I'm in the car and I couldn't control my body. I  
21      tried to get to the window, but I couldn't move my  
22      hand. All right. Pay attention to that. Second  
23      put a pen right there. One thing I want you all to  
24      do is take some notes. I ask you folks about  
25      paying attention to detail. Pay attention to

1 detail, right. Pay attention to everything that  
2 she says. She gave four statements. They were all  
3 recorded by the detective. You will hear from him.  
4 There were ten people in Taco Mac. The detective  
5 reached out to them. So let's hear what they all  
6 have to say. Let's hear what the boyfriend got to  
7 say. Let's hear what Eric Watkins has to say most  
8 importantly. Lakiva Watkins. Aaron Brantley  
9 worked at the Foy law firm. For about 13 years he  
10 work there. He was an investigator. He's the  
11 person who went out and met with clients. Got  
12 information. Took it back to the law firm. Met  
13 with the attorneys. Met with the other folks at  
14 the law firm. Shenay Bridges was a clerk. She  
15 worked in the intake section of the law firm. A  
16 pretty big law firm. Like the prosecutor said  
17 you've probably seen the commercial. John Foy  
18 strong arm of the law. She worked there for a  
19 couple of years. They knew each other. All these  
20 folks know each other. Ms. Bridges obviously knew  
21 Eric Watkins. Pay attention to that. And his  
22 wife, Lakiva Watkins. Pay attention to that. Judy  
23 Veras is the woman who was leaving the law firm.  
24 She was leaving to go take a job elsewhere. So on  
25 the evening of April 5th, they're giving her a

1 going away party. It's at the Taco Mac on Piedmont  
2 Road. Over there by Lindbergh. We'll talk about  
3 that a little bit. That's what you will hear.  
4 This evidence will show you Eric Watkins gets there  
5 first with Judy. I think he actually drove there.  
6 Folks start trickling in, and then Aaron Brantley  
7 is, in fact, the last one to arrive. You will hear  
8 from the witnesses. They also joke with him about,  
9 Aaron, you're always late. You're never on time  
10 for anything. He gets there last. He is sitting  
11 there. They're there for three hours.

12 Now, let me tell you what the evidence  
13 will tell you about Shenay Bridges' state of mind  
14 over that period of time that the evidence will  
15 show you. She was not drunk or she was not as they  
16 are trying to characterize her. First of all, her  
17 own words. You will hear from her and everyone  
18 else who spoke to her when she got there. She  
19 talked about the fact that she had her braces  
20 tightened. Her mouth was hurting. So she couldn't  
21 eat some hard stuff, but she had a whole lot of  
22 food that day. And if you hear him trying to tell  
23 you that she had eaten that day or she didn't have  
24 nothing in her system and so she's drunk pay  
25 attention to what she told the detectives she had.

1 Two bowls of grits. Two mash potatoes. A bunch of  
2 fruit cups. Two, not one, two Boost meal  
3 replacements throughout the course of the day.  
4 Apple sauce. Chips and Queso. French fries.  
5 Right. All of that stuff is in her system. I know  
6 you heard them say a second ago all she ate was  
7 french fries. Pay attention to her own words  
8 because as you sit here as jurors this isn't about  
9 characterization, it's about facts, right. And the  
10 truth is that's what she had to eat. She gets  
11 there and she has some drinks. And she will tell  
12 you in her own words that that was a very, not just  
13 light, but a very light night for her. She said, I  
14 go out and drink all the time. What's a normal  
15 night? Seven Tequila shots. I normally chase it  
16 with seven Amaretto Sours. So 14 drink is a normal  
17 night for her. This ain't the defense saying that.  
18 That's what their evidence is going to say. You  
19 didn't hear that in their opening, but that's what  
20 the witness is going to say. So, she has four  
21 drinks. She has -- Eric Watkins orders her a shot.  
22 She has another shot. She has some other drink and  
23 half of a Bob Marley. Lakiva Watkins will say she  
24 didn't finish it, she drank like half of it. At  
25 some point she puts her head down on the table.

1 She's holding her face, right. She had her braces  
2 tightened. Said she isn't feeling that well. She  
3 goes to the bathroom and she comes back and she  
4 throws up, according to one of the witnesses, in a  
5 bag. What does she say then? What happened then,  
6 because she's not stumbling. She's not slurring  
7 her words. She's not falling down drunk. What she  
8 says to Kiva Watkins at that very moment is whew, I  
9 feel a lot better now now that I've gotten that out  
10 my stomach. I feel a lot better now now that I got  
11 that off my stomach. You okay, they ask her.  
12 Yeah, I'm fine. Not my words. Not Aaron  
13 Brantley's words. Look - -just listen to the  
14 evidence. This is what you're going to hear,  
15 right. They're getting ready to leave. They're  
16 sitting at the table. Everyone has divided up  
17 checks. He pays his. She pays hers. They're  
18 getting ready to go. She takes off her shoes. She  
19 takes off her shoes to go ahead and walk out.  
20 She's leaning on Aaron Brantley, and folks, look at  
21 the table. For god's sake, she ain't leaning on  
22 him falling down. She's not walking down falling  
23 down the stairs. It's not about characterization.  
24 It's about what you actually see on the tape. They  
25 walk down the stairs. She's downstairs. Lakiva

1       Watkins, Eric Watkins, Judy Veras, they're like,  
2       you all right. She's like, yeah, I'm fine. I've  
3       had a whole lot more to drink than this, I'm good.  
4       Her words. She says that three, four, five times.  
5       She says it to all the other people in the  
6       restaurant. She says it when she's standing there  
7       with Aaron Brantley, right. So at that point you  
8       will see Aaron Brantley is hearing her say, and  
9       they know each other. These folks are friends.  
10      I'm good. They get downstairs. You will see the  
11      video of them standing in the lobby of Taco Mac,  
12      Right. Not passing out drunk. She ain't falling  
13      down. She ain't all over the place. You will see  
14      the video show them walking out together with her  
15      head on his shoulder. Not like this. But just  
16      walking. Walking. Lakiva Watkins go to the  
17      bathroom. As they're walking out Aaron and Shenay  
18      are walking out toward the parking lot. She comes  
19      behind them, and she asks them -- she asks her, are  
20      you, all right. You okay. She's like, yeah, I'm  
21      good. Listen to what Shenay tells the detective.  
22      She tells the detective, I was fine. I wasn't  
23      stumbling. I -- this is Shenay Bridges the person  
24      they say was too drunk. This is what she tells the  
25      detective. She tells them after the fact. I was

1 fine. I wasn't stumbling. Her words. Verbatim.  
2 I wasn't stumbling. I wasn't slurring my words. I  
3 was good. Lakiva Watkins will tell you she has a  
4 whole three minute conversation with her between  
5 the Taco Mac and the parking deck. You all right.  
6 Yeah, I'm good. I'm fine. Lakiva Watkins will  
7 tell you -- I know what they're going to try to  
8 characterize as. Lakiva Watkins says that Shenay  
9 Bridges tells her I'm good and she watches her walk  
10 away. She ain't stumbling. She's not unsteady.  
11 She's not looking drunk. You ain't got to take my  
12 word for it. Pay attention to their witnesses. So  
13 they get to the parking lot. Aaron Brantley gets  
14 in the driver seat. She gets in the passenger  
15 seat. He suppose to stay there, sit with her, make  
16 sure she's all right. Because as far as he knows  
17 Eric Watkins is suppose to go and drop his wife  
18 home and then come back and pick up Shenay. Now,  
19 why does he say that. He says that -- you will  
20 hear from his statement that earlier in the evening  
21 Eric's wife wasn't suppose to be there. Eric's  
22 there. Everyone else is there. Shenay's mood  
23 changes when Eric's wife gets there. So they're in  
24 the car. He is waiting for Eric to come back and  
25 pick up Shenay. It's about 9:50. I want you look

1 at the text messages. I forgot to tell you that  
2 you're going to see this, too. Shenay has the  
3 presence of mind -- remember according to him she's  
4 drunk out of her mind. Before she leaves the  
5 restaurant, she is having this conversation with  
6 her sister about you want me to bring you anything  
7 to eat, to order some lemon pepper wings. Wait for  
8 it to come, pay for it. It's in a bag and she's  
9 talking with her. Taking her sister home some  
10 food. It's 9:15. We are in the car. There are  
11 some text messages. The sister is texting her, are  
12 you on the way home. All right, now, let me jump  
13 forward and come back to the sex in the car. What  
14 you're going to hear about the consensual sex in  
15 the car because about 10:05. Shenay Bridges text  
16 her sister and there is a phone call between her  
17 and her sister at 10:05. Don't take my word for  
18 it. And if they don't introduce them I will. I'm  
19 on the way home. Why. I'm on the way home. Now,  
20 what's happened before this. They're in the car.  
21 Shenay Bridges on the passenger seat. He's on the  
22 driver seat. She start -- they're talking for  
23 awhile. She starts rubbing his leg, right. He  
24 will tell you and he gave a lengthy statement to  
25 the detective at APD. APD -- after this is

1 reported APD calls him, he calls them back. Calls  
2 him back again. APD calls him. They talk to him  
3 on the phone. Mr. Brantley does. He wants to know  
4 what time you want me to come down. He goes down  
5 there. He goes down with an attorney. He gives a  
6 statement two hours almost. Maybe a little less.  
7 He is in there. She is rubbing on his leg. He's  
8 getting aroused. Now, this ain't -- you will see.  
9 This ain't some thug life video where you got this  
10 real racy language or she's doing this, she's doing  
11 that. You're going to hear words like penis, my  
12 private. I was getting aroused, that sort of  
13 thing. She starts feeling him up. He asked -- and  
14 then she puts her legs up on the dashboard. She's  
15 on the passenger side. She puts her leg on  
16 dashboard. I want you to pay attention to that.  
17 She's going to say he put my legs on the dashboard.  
18 I couldn't move. I didn't know what was going on.  
19 He took off my bottoms. He took off my stockings  
20 and my panties. That right there is important  
21 because you're going to hear about what the police  
22 found in the car later on, right. What actually  
23 happens. She puts her legs up, and he says. You  
24 want some oral sex. She says, yes, not shakes her  
25 head. Not shrugs, not kind of unequivocal. She

1        says, yes. They're in a Dodge Stratus. It's a  
2        four door car, but it's a small car. There's a  
3        center console in the middle, right. So imagine  
4        them, him leaning over her in the a passenger seat.  
5        Him trying to put his head between her legs and  
6        he's telling you quite candidly in the interview to  
7        the police. He was, like really wasn't working  
8        that well. At some point she puts her legs up and  
9        so -- the conversation is going on there like, wow,  
10       you're flexible. They would have you believe that  
11       that's a conversation of a rape going on. Some how  
12       or the other they're maneuvering in the car. She's  
13       putting her -- she raises her dress up. He tries  
14       to have sex with her from behind. It's not really  
15       working. Dry humping. Some how or the other they  
16       end up either in the same seat for awhile or they  
17       move for awhile. Now, here's how you're gonna  
18       know. His statement is detailed. Now, unlike her  
19       statement that you will hear at one some point she  
20       said I couldn't move my body. Another statement,  
21       the fourth one -- I'm sorry, the third one, she  
22       says, I was banging against the window. I was  
23       kicking against the windshield. I had to reach  
24       back behind the chair and find my phone. His  
25       statement is pretty detailed. He even says, well,

1 I didn't last that long. This takes place between  
2 roughly 9:15, 9:30, 9:40, somewhere in that range.  
3 Let's say 9:45. We know there is sex in the car  
4 because there is dna that is found. He have never  
5 denied that they have sex. Tells them it's  
6 consensual. After the sex is over Ms. Bridges is  
7 still in the passenger seat. He's in the driver  
8 seat. So they're in the car. She reaches because  
9 she drops her cell phone behind the driver seat,  
10 and she says this, right. Remember her statement  
11 is going to be that she couldn't mover her body,  
12 she couldn't control her body at all. In one of  
13 her statements she says she reaches back and she  
14 picks up her cell phone from behind the driver seat  
15 and she kind of held it down. Now, I want you to  
16 ask herself when you're hearing this evidence. If,  
17 that she, in fact, had been raped how it is she  
18 finds herself in a position at 10:05 to text I'm on  
19 the way home. You don't see a 10:00 or 9:50 or  
20 9:55 or 10:01 text and says rape. AB. Call the  
21 police. I just been raped. Help. No, after the  
22 sex you hear -- your see a text that says, on the  
23 way home. She tells the detectives -- well she  
24 gives a statement that he ejaculated on my breast.  
25 I want to you wait for them to introduce that

1 dress, right. Wait for it. You're going to be  
2 waiting. She tells the police that he took her  
3 panties and her stockings off. I want you to wait  
4 and listen to the evidence when he drives her to  
5 meet Eric and Lakiva at McDonalds about how they  
6 described she gets out of the car and she has her  
7 stockings on but the police later on find her  
8 panties on the passenger floorboard. Stockings on,  
9 panties are on the floorboard. She tells the  
10 police that it didn't happen in the parking deck.  
11 He drove somewhere. He drove out of the parking  
12 lot and it happened in a residential area. I saw a  
13 big gray house. I could only see the skyline. I  
14 saw a don't park here sign. And guess what else  
15 she told the police. That when they drove out of  
16 the parking lot they had to stop at the parking,  
17 you know, where the attendant sits, right. That  
18 there was an attendant in there, and he she had--  
19 that she was covered over with some kind of hooded  
20 jacket. And they stopped at the pay gate, the  
21 place you pay to go out. There is someone in there  
22 while she's sitting in the car with a hooded jacket  
23 covering her while he is supposedly on his way to  
24 drive her out of there to go rape her in a  
25 residential area. That's her statement. I want

1 you to wait for them to bring in that parking  
2 attendant. Wait for it. You will be waiting.  
3 When the detective comes in, when the detective  
4 comes in and gives you the cell phone dump so you  
5 can see the text messages, I want you to wait to  
6 see whether you hear any evidence about cell phone  
7 triangulation that would show where the vehicle was  
8 at any given time that night. I want you to wait  
9 for that. Wait for it. Because remember they  
10 indicted him. They charged him based on what she  
11 said. Their burden. Judge will tell you that.  
12 Eric Watkins attempts to call Aaron Brantley's  
13 phone at about 9:28 that night. Another little  
14 thing you want to pay attention to. That doesn't  
15 come in until 9:42. You see the cell phone  
16 records. Why not? Because they're parked in this  
17 parking lot where the section is bad. You know  
18 that because Aaron Brantley gives a statement later  
19 on saying that at some point after the sex occurred  
20 he is still sitting there with her. He is trying  
21 to get a signal. He drives the car up higher in  
22 the parking lot next to a window where he can get a  
23 signal and it's not until right at 9:59, 10:00 that  
24 he actually responds to Eric Watkins. Because  
25 after they have sex she's laying there. She's on

1 the cell phone. She's sleeping. She's up. At one  
2 point she leans back and takes -- goes in her purse  
3 and takes out her medication and takes the pill.  
4 She has the presence of mind to do that, right .  
5 But remember she's passed out drunk. He tells the  
6 police that. And what do the police find out when  
7 they actually talk to her. Oh, yeah, I do take  
8 various medication. She's taking something called  
9 Sertraline. She's taking something call Nadolol.  
10 She's taking something called Singulair. She's  
11 taking something for her heart. She's taking  
12 magnesium, something like that. All right. But  
13 she tells them, I didn't take it that night.  
14 Because I knew I was going to be drinking I didn't  
15 take it that night. At some point after she takes  
16 her pill she leans back and gets the same bag that  
17 she has to go food in and she throws up in it right  
18 after she takes her pill. Aaron Brantley tells him  
19 that. Meanwhile there are text coming in, text  
20 going out. About are you almost home. Where are  
21 you. Another important text you're going to see,  
22 this 11:00 text, right. Right before she sends out  
23 this text at 11:00 saying rape, and she sends that  
24 text to Dequandre Newel her boyfriend, right.  
25 Before she sends that text a text message comes

1 into her from Dequandre Newel. "Where are you?"  
2 He text her. The boyfriend text her. "Where are  
3 you?" The next text to from her to him. "Rape."  
4 And then she start sending out text to her Eric  
5 Watkins, to Chris Collins. "Rape. A B. Police."  
6 Remember, she's incapacitated. Can't move her  
7 body. Can't feel her hands, can't feel nothing,  
8 but you'll see a bunch of text going out at that  
9 point. Pay attention, folks. This is a serious  
10 case. She's goes to the hospital. Before she goes  
11 to the hospital there is actually a phone call  
12 where Eric Watkins calls Aaron's phone. Aaron's  
13 talking to him. "Where's Shenay. She's right  
14 here." She sent a text before. "In and out of  
15 sleep. She passed out. She threw up when she got  
16 that pill, but she's okay now." After -- this is  
17 after the sex. Eric. Where is Shenay? Aaron  
18 Brantley. She right here. You want to talk to  
19 her. You want to talk to her. Here. Hands her  
20 the phone. There is a phone conversation. He is  
21 driving her at this point to meet up with Eric  
22 Watkins, Lakiva Watkins. He will tell you that at  
23 some point it's like a switch flicked in her. And  
24 I'm a lawyer, right. I'm not a psychic, and so I  
25 don't believe you will hear any evidence attempting

1 to read anyone's mind or tell you what's in  
2 anyone's mind so or you could do is look at the  
3 physical evidence here and determine why they say  
4 what they said. But you can look at what they said  
5 and see whether it's make any sense or not. She  
6 gets with Eric and Lakiva. They have their kids in  
7 the back of the car. She gets in the car with  
8 them. She falls out on the floor. She's like, you  
9 know me. You know me. I wouldn't-- You know me  
10 is what she's saying to Lakiva. Meanwhile, right  
11 before that she's sending text messages to her  
12 boyfriend. Never got this messed up before. I  
13 don't know what happened, but I wouldn't betray  
14 you. I love you. And that's to her boyfriend,  
15 right. She gets in the car with Lakiva. Eric gets  
16 in the car with Aaron and they drive him back to  
17 the Taco Mac to pick up his car. The conversation  
18 in the car between Eric and Aaron on the drive down  
19 there -- even before the drive. You know she's  
20 saying you raped her. Aaron is like, man, I ain't  
21 rape her. I didn't. I did not rape that woman.  
22 Listen to what Eric has to say. Look at the text  
23 messages, right. When she sends out the text  
24 message, rape AB. What everyone is texting back  
25 AB, you're sure. He's a stand up guy. Naw. She

1 goes to the hospital that night. There is a rape  
2 kit done. They find the presence of semen. Should  
3 be consistent with them having consensual sex. No  
4 semen in the vagina. Semen from the rectal swabs  
5 which indicate some contact with -- of the semen  
6 and the rear, right, the buttocks, the rectum, what  
7 ever. No bruises. No bruises. She doesn't have  
8 any kind of injuries of her hands. Her fist don't  
9 appear to be bruised up or discolored from banging  
10 against the window. They -- the police go in.  
11 They inspect the car. They get a search warrant  
12 and have her sign it. No damage to the windshield  
13 that she said she was kicking at some point when  
14 she didn't have control of her body. She makes  
15 allegations. The police move forward. They get a  
16 statement from her. They talk to a couple other  
17 people who were there. They get video from Taco  
18 Mac. They call Aaron Brantley. He comes in and  
19 talks to them and gives them a statement. And we  
20 are here. This is a difficult case because Aaron  
21 Brantley is charged with a extremely, extremely  
22 serious offense. Rape, aggravated sodomy. Their  
23 burden. The Judge has told you and will tell you  
24 it's to see whether they can prove this case beyond  
25 a reasonable doubt.

1 MR. CHASE: Objection, Judge. At this  
2 point he is getting into argument.

3 THE COURT: Sustained.

4 MR. ADAMS: They've got evidence to  
5 present to you. We will have an opportunity to  
6 question it. You will have an opportunity to in  
7 your own mind question it. Pay attention.

8 Couple of things I want you to wait for  
9 that you ain't going to get. The evidence is going  
10 to show that he's not guilty of forcible against  
11 her will rape. The evidence is going to show that  
12 he is not guilty of aggravated sodomy. Not guilty  
13 of the sexual battery. The evidence will show you  
14 that they had consensual in the car and every  
15 characterization they want to make is not borne out  
16 by her words, anyone else's words or the evidence.  
17 I don't care what any expert has to say. Pay  
18 attention and wait for it.

19 THE COURT: All right. Call your first  
20 witness.

21 MR. CHASE: The State calls Arriene  
22 Bridges.

23 ARRIENE BRIDGES

24 HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS  
25 FOLLOWS:

1 THE BAILIFF: State your full name for  
2 the record?

3 THE WITNESS: Arriene Bridges.

4 DIRECT EXAMINATION

5 BY MR. CHASE:

6 Q. Good morning, Ms. Bridges.

7 A. Good morning.

8 Q. Do you also go by any other name?

9 A. My middle name, Shenay.

10 Q. And tell me a little about yourself; how old  
11 are you?

12 A. 33.

13 Q. And what kind of work do you do?

14 A. Now, I'm a realtor.

15 Q. Have you always been a realtor?

16 A. No. Previously I worked in a personal  
17 injury law firm as an intake assistant.

18 Q. Okay. And do you have any children?

19 A. Yes, two boys, 11 and three.

20 Q. You said that you worked at a personal  
21 injury law firm, which law firm?

22 A. Foy & Associates.

23 Q. And you were in the intake department?

24 A. Yes.

25 Q. What specifically did you do?

1           A.        If someone called into the office to see  
2 whether or not they had a case against who ever, whether  
3 there was an automobile or slip and fall, they spoke  
4 with myself or someone else in our department.

5           Q.        And do you recall the dates that you worked  
6 at Foy & Associates?

7           A.        From January 2005, I believe, to May -- May  
8 of 2013, I'm sorry.

9           Q.        And who was your supervisor?

10          A.        Eric Watkins.

11          Q.        And was he your supervisor the entire time  
12 that you worked there?

13          A.        Yes.

14          Q.        Now, tell me a little bit about the office?  
15 Did you socialize with your co-workers?

16          A.        Yes, in our department mainly.

17          Q.        How often would you socialize with your  
18 co-workers?

19          A.        Birthdays. I mean, we really didn't need a  
20 reason. Birthdays, new babies, marriages. Someone  
21 moving onto a better position.

22          Q.        At that office, did you know a person by the  
23 name of Aaron Brantley?

24          A.        Yes.

25          Q.        And how did you know Mr. Brantley?

1           A.       He was one of the investigators for the  
2 intake department.

3           Q.       So you all worked in the same department?

4           A.       Yes.

5           Q.       And did you know him the entire time you  
6 were at the office?

7           A.       Yes.

8           Q.       Who was there longer, you or him?

9           A.       He was.

10          Q.       You said that he was an investigator.  What  
11 duties did an investigator have at Foy & Associates?

12          A.       Going and signing up new clients as we  
13 schedule their appointments.  Retrieving police reports.  
14 Delivery for the office.  Various duties, but primarily  
15 to sign up new clients.

16          Q.       Did you work closely with Mr. Brantley?

17          A.       Yes.  I scheduled those new clients, so I  
18 would in turn tell him his schedule.  Not just him,  
19 though, any investigator.  Give them their schedule or  
20 let them know what else needed to be done for the  
21 office, whether it was errands for Mr. Foy or any type  
22 of pick up or drop off.

23          Q.       Did you ever have any issues with Mr.  
24 Brantley in your work environment?

25          A.       In the work environment just that he was

1 always late, and when he first started after I noticed  
2 that he was always late to everything I started to --  
3 telling him that his appointments were 30 minutes  
4 earlier and he would be on time. And then there was a  
5 complaint about that, so I had to then tell him that it  
6 was real time and he was late again.

7 Q. Did you prior to April 5, 2013, did you ever  
8 have any issues with Mr. Brantley outside of the office?

9 A. No.

10 Q. Did you ever date Mr. Brantley or have a  
11 romantic relationship?

12 A. No.

13 Q. Now, when you would socialize -- let me ask  
14 you this. Did you ever socialize with Mr. Brantley  
15 outside of the office?

16 A. Yes.

17 Q. Would it be alone or in groups?

18 A. In group settings.

19 Q. Did you ever socialize with him alone?

20 A. No.

21 Q. I want to bring you back to April 5th of  
22 2013. Do you recall that day?

23 A. Yes.

24 Q. And let's start earlier in the day, okay.  
25 Can you tell me how your day began?

1           A.       I got up, got dressed for work. Went in.  
2 There was a young lady who was moving -- she was leaving  
3 the firm. So we all decided that we were going to go  
4 out with her to celebrate. I remember leaving work and  
5 going home because I didn't want to go, but knowing that  
6 it would probably be my last time seeing her I decided  
7 to go so I left home. Told the kids and my sister that  
8 I would be back shortly. I was going to bring them  
9 dinner.

10          Q.       You were suppose to bring your sister  
11 dinner?

12          A.       Yes.

13          Q.       Did your sister tell you at that time what  
14 she wanted?

15          A.       No, she was going to tell me --I was going  
16 to call once I got there, tell her what was on the menu  
17 and bring her and the boys something back.

18          Q.       Tell me about your -- what you ate that day?  
19 Do you recall what you ate that day?

20          A.       Not specifically, but I had just had my  
21 braces tightened, and when I have my braces tightened I  
22 usually eat soft foods. So like mash potatoes or  
23 typically for breakfast grits. Lunch, potatoes or apple  
24 sauce; things like that.

25          Q.       And did you have any meat that day?

1 A. No.

2 Q. And was there a specific reason why you  
3 didn't have meat?

4 A. I couldn't chew it.

5 Q. Did you have any food when you were at the  
6 Taco Mac?

7 A. I ordered fries hoping I would be able to  
8 chew them, but I wasn't so I didn't eat. I think I  
9 remember like a bread or something, but nothing major.

10 Q. Did you have dinner before you went to Taco  
11 Mac?

12 A. No.

13 Q. Did you have any protein shake during the  
14 course of that day?

15 A. Maybe a Boost. Boost.

16 Q. Do you remember when you had that?

17 A. It would have been at lunch.

18 Q. What time do you normally eat lunch?

19 A. About 1:00. 12:30, 1:00.

20 Q. Now, you stated that when you first got off  
21 work you went home?

22 A. Yes.

23 Q. Where do you live? Where did you live at  
24 the time?

25 A. In Marietta.

1 Q. About how long would it take you to get  
2 home?

3 A. Usually about 45 minutes. I left work at  
4 four because my then one year old was in daycare, and I  
5 didn't want to be picking him up at six or 6:30, so I  
6 got off at four.

7 Q. And so you went and picked your child up.  
8 Where did you take the child?

9 A. Home.

10 Q. Did you live with anyone?

11 A. Yes. My mother, my sister. Everyone.

12 Q. You stated you were going to go to a going  
13 away party. Where was the going away party at?

14 A. Taco Mac down by Lindbergh.

15 Q. Do you recall about what time you arrived?

16 A. Not the exact time. I mean -- no, I don't.  
17 I do remember parking at a limited parking space,  
18 though, that it was timed because I didn't intend to be  
19 there long, and I believe it was like a one hour  
20 parking.

21 Q. And you stated - - did you come with anyone  
22 or did you go by yourself?

23 A. I went by myself.

24 Q. When you got there were other people already  
25 there?

1 A. Yes.

2 Q. Who do you remember already being there?

3 A. Eric Watkins. Mya Woods, Judy Veras the  
4 young lady who we were there to celebrate with, Mallory.  
5 The entire department, receptionist and a few  
6 paralegal's. Joel Schneider. I'm going around the  
7 table, I'm sorry. Chris Collins. That's all that I  
8 remember.

9 Q. Was Aaron Brantley at the table when you  
10 arrived?

11 A. No.

12 Q. Did Aaron Brantley ever come to the Taco Mac  
13 that night?

14 A. Yes.

15 Q. Now, before you arrived at the Taco Mac, had  
16 you consumed any alcohol?

17 A. No.

18 Q. Had you taken any medication?

19 A. No.

20 Q. Do you take any medication?

21 A. Yes.

22 Q. What medication did you take at the time?

23 A. Nadolol which is a beta blocker for my  
24 heart. Symbicort for asthma. Singulair and Zyrtec  
25 which are both allergy medicine, and magnesium also for

1 my heart.

2 Q. Did you take any of those medications before  
3 you went to the Taco Mac?

4 A. No, I take them at night before I go to bed.

5 Q. Do you carry any of those medications with  
6 you?

7 A. Albuterol for my asthma, rescue inhaler.

8 Q. Do you even carry any of the other  
9 medications with you? Albuterol in pill form or is that  
10 a different kind?

11 A. It's actually a spray inhaler if I were to  
12 have an asthma attack.

13 Q. When you were at the Taco Mac did you  
14 consume any alcohol?

15 A. Yes.

16 Q. Do you recall how much alcohol you consumed?

17 A. I remember having Tequila shots and a Bob  
18 Marley which I didn't finish and an Amaretto Sour.

19 Q. Do you know how many Tequila shots you had?

20 A. Two.

21 Q. Ms. Bridges at that time how often did you  
22 drink?

23 A. Not often. Well, then I was more of a  
24 social drinker. Only in social settings. I don't like  
25 to drink by myself; however, in a social setting I

1 drink.

2 Q. When you say you drink, how much would you  
3 normally consume?

4 A. Five or six shots with a drink for each one,  
5 an Amaretto Sour for each one.

6 Q. That's maybe ten and 12 drinks total?

7 A. Yes.

8 Q. Was that over a short period or long period  
9 of time that you would consume that?

10 A. It would be over the entire time we were  
11 out. So if I was out four or five hours over --spread  
12 out, not all together.

13 Q. How intoxicated would that amount of alcohol  
14 get you?

15 A. Typically I was --I would still function. I  
16 still was aware of my surroundings. Still able to walk  
17 on my own. Drive home with no problem.

18 Q. On that night, on April 5, 2013, did you get  
19 intoxicated?

20 A. Yes.

21 Q. Had you ever felt like you did on April 5,  
22 5, 2013? Had you ever felt like that before from  
23 drinking?

24 A. Only one other time.

25 Q. Do you recall Mr. Brantley arriving to the

1 Taco Mac?

2 A. Yes.

3 Q. And do you recall where he sat?

4 A. Yes, right beside me.

5 Q. Who was sitting on the other side of you?

6 A. It was Chris Collins.

7 Q. When Mr. Brantley arrived had you already  
8 begun to consume alcohol?

9 A. Yes.

10 Q. What would you say your intoxication level  
11 was at that point?

12 A. I was fine.

13 Q. Now, you stated that you were -- you had  
14 ordered some fries?

15 A. Yes.

16 Q. And you tried to eat a few of them?

17 A. Yes.

18 Q. Did you eat anything while you were at the  
19 Taco Mac?

20 A. A few of the fries, and they had like cheese  
21 dip, and I think I got --I remember ordering bread  
22 because the chips were too hard to have with the dip, so  
23 bread and cheese at this point.

24 Q. Did you have a lot of that cheese dip?

25 A. No.

1 Q. During -- you stated that Mr. Brantley sat  
2 next to you. Do you recall any of the conversation that  
3 you had with him during the course of that night?

4 A. No.

5 Q. Were you flirting with him?

6 A. No.

7 Q. During the course of that evening was there  
8 any conversation with Mr. Brantley about hanging out  
9 after the Taco Mac?

10 A. No. I was going back home to the kids.

11 Q. Was there any conversation about engaging in  
12 sexual intercourse?

13 A. No.

14 Q. While you were at the Taco Mac did you begin  
15 to feel the effect of the alcohol?

16 A. Yes.

17 Q. How did you feel the effect of the alcohol?

18 A. I threw up at the table.

19 Q. Before you threw up at the table did  
20 anything else-- did you --

21 A. I remember laying my head on the table and  
22 Eric kind of joking with me what's wrong, we've never  
23 seen this before. You haven't really had much to drink,  
24 and then ordering the food to go for my sister and the  
25 boys, and when it got to the table I threw up in it.

1 Q. So you threw up at the table?

2 A. Yes.

3 Q. Do you remember who was around you when you  
4 threw up?

5 A. Everyone was still at the table. And by  
6 then Kiva Watkins, Eric's wife had shown up and there  
7 were the two additional people showed up.

8 Q. You said Kiva Watkins showed up. What was  
9 your relationship with Kiva Watkins like?

10 A. It was good. We were friends outside of  
11 work. I've been to functions at their house. Our kids  
12 went to the same school. We hung out together before.

13 Q. And Eric Watkins, what was your relationship  
14 like with him?

15 A. The same. I been to their house several  
16 times and because we lived in the same area we car  
17 pooled to work for a brief period of time.

18 Q. Did you and Eric Watkins have a romantic  
19 relationship?

20 A. No.

21 Q. At the time on April 5th of 2013, did you  
22 have any plans to meet up with Eric Watkins later in the  
23 night?

24 A. No.

25 Q. Was there ever a time when you reported Eric

1 Watkins to your HR department?

2 A. Yes.

3 Q. What was the purpose of reporting Eric  
4 Watkins to your HR department?

5 A. He offered to help me take care of my kids  
6 knowing that I needed extra money and said that he  
7 didn't -- he admired me, and I stopped driving with him  
8 to work after that.

9 Q. And so you went to someone in HR?

10 A. Yes.

11 Q. What was the outcome of that interaction  
12 with Mr. Watkins?

13 A. What do you mean?

14 Q. Did anything come of it as far as HR was  
15 concerned?

16 A. No, they -- she asked me if I was going to  
17 stop riding with him and if I wanted to be moved to  
18 another department, and I told her as long as you -- he  
19 and I were able to get along and move passed it we were  
20 fine.

21 Q. Did you discuss this with Mr. Watkins?

22 A. Yes.

23 Q. Were the two of you moved passed this?

24 A. Yes.

25 Q. Now, when you said that you were friends

1 with him and his wife was this before or after you  
2 reported him to HR?

3 A. Both before and after.

4 Q. How long before April 5, 2013, did you  
5 report to HR department?

6 A. Maybe two years.

7 Q. Did you ever tell anyone that Eric Watkins  
8 was stalking you?

9 A. No.

10 Q. Did you ever ride with Eric Watkins to work  
11 after you reported him to the HR department?

12 A. No.

13 Q. But you continued to socialize with him; is  
14 that correct?

15 A. Yes.

16 Q. Had you ever been out socially drinking, I  
17 mean, with Kiva Watkins?

18 A. Just she and I?

19 Q. Or she in a group?

20 A. Yes.

21 Q. Had you consumed alcohol in front of her?

22 A. Yes. She was kind of my drinking buddy.

23 Q. You stated that you ordered some food for  
24 your sister. How intoxicated would you say that you  
25 were at that point?

1 A. When I ordered the food?

2 Q. Yes?

3 A. Tipsy. I don't know how to define it, but I  
4 mean like I remember feeling the alcohol but still being  
5 aware of my surroundings and still feeling like myself.

6 Q. To you, did it seem like the amount of  
7 alcohol that you had, did you think that was going to  
8 get you very drunk?

9 A. No.

10 Q. Do you remember leaving the Taco Mac?

11 A. No.

12 Q. What is the last memory that you have inside  
13 of the Taco Mac?

14 A. Throwing up at the table.

15 Q. Do you remember -- you said that everyone  
16 was there and you threw up at the table, correct?

17 A. Yes.

18 Q. Do you remember going to your car?

19 A. No.

20 Q. What is the next memory that you have after  
21 throwing up at the table?

22 A. Being in my driver seat.

23 THE COURT: Mr. Chase, is this a good  
24 time to take a morning recess?

25 MR. CHASE: It can be, yes.

1                   THE COURT: Why don't we take about 15  
2 minutes. Please remember all of my instructions.  
3 Don't talk to each other about the case. Don't  
4 talk about anything related to the case. Don't try  
5 and find out any information about the case. Don't  
6 communicate about the case with each other, with  
7 anyone else. Don't try to go by any scenes,  
8 though, if you could manage that. I'd like to know  
9 how you're traveling in 15 minutes time, but you  
10 understand all of the instructions. Please just  
11 stretch, get something to drink and enjoy your  
12 break, okay.

13                   THE BAILIFF: All rise for the jury.

14                   (Jury exits courtroom.)

15                   (Brief recess.)

16                   THE COURT: All right. You can take your  
17 seats. You want to go ahead and voir dire the  
18 witness at this point so. I figured we were at  
19 good breaking point. From what little I know this  
20 would be a good opportunity.

21                   (Out of the presence of the jury.)

22 VOIR DIRE EXAMINATION

23 BY MR. ADAMS:

24                   THE COURT: Mr. Adams is going to ask you  
25 a few questions, all right. Let's remember to

1 limit it to the areas in question. You will  
2 obviously have a full opportunity to cross-examine  
3 the witness at the appropriate time.

4 MR. ADAMS: Yes, ma'am.

5 THE COURT: Mr. Chase, if you keep using  
6 your phone in the courtroom I'm going to confiscate  
7 it.

8 BY MR. ADAMS:

9 Q. Ms. Bridges, good morning, ma'am.

10 Ms. Bridges, are you familiar with Sayonarra  
11 Silva?

12 A. Yes.

13 Q. How do you know Ms. Silva?

14 A. She's also an employee at Foy & Associates.  
15 She's was John's assistant.

16 Q. You say Ms. Silva was an employee at Foy &  
17 Associates?

18 A. Yes.

19 Q. Was she employed there back in 2009?

20 A. Yes.

21 Q. Was she employed up through and including  
22 2013?

23 A. Yes.

24 Q. Were you -- is it someone that you knew?

25 A. Yes.

1 Q. Were you good friends with her?

2 A. Not initially, no.

3 Q. Was she working there at the same time Aaron  
4 Brantley was working there?

5 A. Yes.

6 Q. Did you at some point become aware that she  
7 and Aaron Brantley were in a relationship?

8 A. Yes.

9 Q. Would she have been the one to tell you  
10 that?

11 A. No.

12 Q. Who told you that?

13 A. We kind of figured it out. They were  
14 hanging out a lot, and then like she was actually a part  
15 of the complaint for me telling Aaron to show up to his  
16 appointments 30 minutes early, and yeah, when she  
17 complained and started complaining about him having late  
18 appointments and them not being able to spend time  
19 together.

20 Q. Did she personally tell you that she was in  
21 a relationship with Aaron Brantley?

22 A. No.

23 Q. Did she ever discuss with you anything about  
24 their relationship?

25 A. Yes.

1 Q. All right. When and what did she tell you  
2 about that relationship?

3 A. Initially they were in love and how they did  
4 all types of things together, and then at the end of it  
5 that he became abusive and he threw her from a moving  
6 vehicle.

7 Q. What specifically did she tell you about  
8 that incident involving the vehicle?

9 A. That they were headed back to her apartment,  
10 I believe, and they got into an argument. I don't  
11 remember the reason for the argument, but they got into  
12 an argument, and he got upset and opened the door and  
13 threw her from the vehicle. And then she had to --  
14 when they -- once she made it to the apartment -- he had  
15 a key. She ended up calling the police and trying to  
16 get a restraining order against him.

17 Q. Were you in any form or fashion involved in  
18 that restraining order process?

19 A. What do you mean?

20 Q. Did you have to testify as a witness or give  
21 any sort of statements in regards to Mr. Brantley or Ms.  
22 Silva or their relationship?

23 A. No, I offered to.

24 Q. Did you write anything for Mr. Brantley?

25 A. I don't remember.

1 Q. Did you offer to testify in that area?

2 A. Yes.

3 Q. And you offered to testify for Mr. Brantley;  
4 is that right?

5 A. Yes.

6 Q. What were you going to testify to?

7 A. That I didn't believe he was capable of it.

8 Q. And would I be correct that you never ended  
9 up actually going in a courtroom and testifying?

10 A. No, I was never called.

11 Q. But you did write a statement that would  
12 have taken place of -- in place of any testimony; is  
13 that correct?

14 A. Sure. I don't remember, but yes, I guess.

15 Q. Okay.

16 MR. ADAMS: If I may have one second,  
17 Judge?

18 THE COURT: Sure.

19 MR. ADAMS: For purposes of this hearing  
20 or for purposes of perfecting the record, I'm going  
21 to mark what I'm going to show the witness as D1.

22 THE COURT: How about MD1 for -- so we  
23 know it's for the motion, so it doesn't get  
24 confused in the record. I realize you may need it  
25 at some point, but for now I hate to have the

1 record be confused for -- if you have other  
2 exhibits the jury would be confused.

3 MR. ADAMS: Yes, ma'am, I agree. MD1.  
4 It's a two-page document. I've shown it to the  
5 State. May I approach?

6 THE COURT: Yes.

7 BY MR. ADAMS:

8 Q. Ms. Bridges, do you recognize this document  
9 that I'm showing, apparently a two-page document?

10 A. Yes.

11 Q. Is that your handwriting and signature?

12 A. Yes.

13 Q. Do you want to take a look at it, review it  
14 if you would, and let me ask you a question or two about  
15 it, please? Are you done. Is that a true and correct  
16 copy of the statement that you wrote back in 2009; is  
17 that about right?

18 A. Yes.

19 Q. Ma'am, so you agree then after reviewing  
20 this document that you did, in fact, write a statement  
21 on Aaron Brantley's behalf?

22 A. Yes.

23 Q. And it was in relation to a temporary TPO  
24 sought by Ms. Silva against Aaron Brantley?

25 A. Yes.

1 Q. And you knew about the allegation that she  
2 was making against him; is that right?

3 A. Yes.

4 Q. And you didn't believe her?

5 A. Yes.

6 Q. And that is why you vouch for that? That  
7 was intended to be introduced into a court of law,  
8 right?

9 A. Yes.

10 Q. You mentioned in your testimony a little bit  
11 earlier that Ms. Silva told you about this incident  
12 involving a car? Did she tell you about anything else  
13 involving her and Aaron Brantley and any difficulty they  
14 had?

15 A. No.

16 Q. And what was the circumstances under which  
17 she told you about that situation?

18 A. She came into the office with like clothes  
19 on -- like a full sweater covering up her neck and her  
20 arm, and she was crying, and she said that he -- there  
21 were bruises and he had beat her.

22 Q. But in fact, when you saw -- you saw Aaron  
23 Brantley and you noticed that he actually had some  
24 injuries and scratches; is that right?

25 A. Yes, I did.

1 MR. ADAMS: All right. That's all.

2 THE COURT: Mr. Chase.

3 MR. CHASE: Nothing further.

4 THE COURT: You may step down for a few  
5 minutes. We will get you back in in just a few  
6 minutes. Please don't talk to anybody during the  
7 recess. The district attorney's office folks will  
8 show you where the bathroom is. Just don't discuss  
9 anything with anyone until we get started again,  
10 all right.

11 THE WITNESS: Okay.

12 (Out of the presence of the jury).

13 MR. ADAMS: I think technically where we  
14 are that Court has ruled that you will allow her to  
15 testify to some of her knowledge about the  
16 relationship between Ms. Silva and Mr. Brantley.

17 THE COURT: Correct.

18 MR. ADAMS: So my argument at this point  
19 is that so, number one, to allow her to say what  
20 Ms. Silva told her specifically would be hearsay  
21 unless they plan upon calling Ms. Silva. Ms.  
22 Bridges can't say Ms. Silva told me XYZ. And so I  
23 would object to her being allowed to testify about  
24 it on those grounds. In my estimation the only  
25 thing she could say is that she was aware of a

1 relationship between Mr. Brantley and Ms. Silva and  
2 she wrote a statement on Mr. Brantley's behalf at  
3 some point supportive of him or we can keep it out  
4 all together. I don't know how we get around that  
5 hearsay problem separate and apart from it bringing  
6 front and center his character into evidence on a  
7 case that he is -- bringing his character into  
8 evidence improperly. That would unfairly prejudice  
9 him. We don't have the opportunity to cross a -- a  
10 hearsay statement that she said was made to her,  
11 and so I would renew my objection to it coming in  
12 under those grounds as well. If the Court is  
13 inclined to let her testify about it in any record  
14 I would suggest that is the only thing she could  
15 say she's familiar with their relationship and that  
16 at some point she wrote a statement on his behalf.  
17 Anything else, it wasn't coming from her.

18 THE COURT: Mr. Chase.

19 MR. CHASE: Well, Judge, the issue and I  
20 think that the -- Johnson versus the State is the  
21 -- is what the State is relying upon for this.  
22 It's not so much proving the underlying matter. It  
23 goes to what was going through Ms. Bridges' mind at  
24 the time of the incident. What was going through  
25 her mind was, number one, that she was afraid

1 because of what she knew that the defendant had  
2 done to Ms. Silva. Yes, she did not believe the  
3 defendant initially, and she's been very clear  
4 about that. She's been clear about that with us.  
5 She wrote that statement. She's not trying to hide  
6 from that, but what she will testify to that in the  
7 car when he was on top of her she realized at that  
8 moment that Ms. Silva was not lying and she became  
9 afraid because of that knowledge. And it's the  
10 knowledge, that's the -- that is the specific thing  
11 that we are trying to get into because it's that  
12 knowledge of what happened that she will testify to  
13 is one of the reasons why, even though, physically  
14 she couldn't really fight back. She just wanted it  
15 to be over and she just wanted to lay there because  
16 she was afraid he was going to hurt her. And I  
17 think that's the relevant portion as to what was  
18 going through her mind.

19 MR. ADAMS: May I respond briefly,  
20 please?

21 THE COURT: In a minute.

22 Go ahead, Mr. Adams.

23 MR. ADAMS: Judge, a couple of things in  
24 response, and I think the argument is a little bit  
25 disingenuous. We are here on a rape case and we

1 are not playing games here. So what happened here,  
2 looking at the practical. She's allowed to testify  
3 that Aaron Brantley threw a woman out of a car  
4 sometime in the past. That's a tremendous  
5 character -- attack on his character. That's not  
6 something that the jury is going to be able to  
7 disregard. They're going to keep it in. We're not  
8 considering that for the truth of whether it  
9 happened or not. That is putting his character  
10 front and center in a way we are not able to  
11 properly rebut. But more importantly, it's coming  
12 in by hearsay. So how does -- Mr. Chase makes  
13 reference to it's her knowledge. It's her  
14 knowledge. Well, she can't have knowledge about  
15 something that is a hearsay statement. And more  
16 importantly, something that she says herself she  
17 didn't believe. Not only -- she didn't just doubt  
18 it, she just did not believe it. She wrote a  
19 statement and she just testified I didn't believe  
20 that happened. So now to say, okay, well she's  
21 sitting in this car, and she had that knowledge,  
22 and so -- actually before I say that. Let me put  
23 that in perspective, and again, I'm inviting Mr.  
24 Chase to stand up and correct me if I'm saying  
25 what's -- something wrong that's opposite to what's

1 in the discovery. But in her statement she never  
2 says anything about the reason I didn't fight back.  
3 The reason I didn't resist. I just wanted to lay  
4 there was because I thought about what happened  
5 with Ms. Silva. She never says that. I know you  
6 haven't heard that evidence yet. I'm inviting you  
7 to correct me if I'm wrong. The only time she  
8 refers to that is in a conversation. She says when  
9 they're drifting back into a conversation to meet  
10 Watkins at the McDonalds she thought about that.  
11 Not that -- this is after the alleged incident.  
12 But that's kind of a secondary argument. The real  
13 argument is that it's hearsay.

14 THE COURT: But under the case law there  
15 is an exception. A hearsay exception to the state  
16 of mind. So --I mean, you've got great cross  
17 examination, Mr. Adams and --

18 MR. ADAMS: You're the gate keeper in  
19 terms of this character evidence. If it's not like  
20 saying anything innocuous. This is a significant  
21 attack on his character that this jury is going to  
22 hear about that we can't unring that bell.

23 THE COURT: Well, most 403, 404 evidence  
24 peripherally implicates character. It doesn't  
25 change. If her state of mind was that she was

1       scared of him because she knew of the specific  
2       incident, I think under 403 it is relevant. Let me  
3       take a look and I will confirm my ruling, but my  
4       inclination it's in, and you can cross-examine her  
5       about all of that.

6                 MR. ADAMS: Yes, ma'am.

7                 THE COURT: I understand your argument,  
8       Mr. Adams, but if you hear somebody's done  
9       something and you initially don't believe it and  
10      then you're confronted with a similar situation,  
11      I'm not sure you can say that the fact that she  
12      didn't believe it at one time -- and I'm not  
13      saying she believed it at the time of the incident,  
14      Mr. Adams. That's a question for the jury to  
15      decide, but I don't think that goes to whether or  
16      necessarily it's inadmissible.

17                MR. ADAMS: I just think that the -- you  
18      know, the ultimate decision that you have to make  
19      in regards to all of those other things being part  
20      of the analysis, whether it's more prejudicial than  
21      probative, and I can't see any way that this type  
22      of evidence is not more prejudicial than probative  
23      given the question surrounding the evidence, her  
24      admitted state of mind as to whether she believed  
25      it or not, and when she references it.

1                   THE COURT: Candidly, I think that part  
2                   is the easy analysis. I think it's clearly more  
3                   probative than prejudicial under the circumstances.  
4                   So that part of the analysis is not concerning me  
5                   at this point. So I'm going look at it for a  
6                   minute, and then I'll give you a final ruling, but  
7                   my inclination for your planning purposes that it's  
8                   in. Now, it is in a very limited fashion, so I  
9                   want you to make sure you instruct witness  
10                  accordingly.

11                  MR. CHASE: Okay. All right.

12                  THE COURT: Upon further reflection, I'm  
13                  not going to allow it in under 403. If the witness  
14                  is available my ruling on the 404(b) remains.  
15                  In other words, if the defense is consent which  
16                  is what I've heard in this case, and there is a  
17                  witness that says that they were pushed, forced  
18                  coerced into having non-consensual sex, especially  
19                  when alcohol is involved, I still think that goes  
20                  to 404 (b) issues; however, I do not think she can  
21                  testify to what she knew about the TPO or the  
22                  incident that led to the TPO. So I'll give you a  
23                  minute to speak with her.

24                  MR. CHASE: Okay. I would like one  
25                  clarification. Perhaps, if Ms. Bridges would step

1 out real quick.

2 THE COURT: Ms. Bridges, if you will just  
3 step outside that door for one second.

4 (Witness exits courtroom.)

5 MR. CHASE: If I elect to call Ms. Silva  
6 in my case in chief, could I then put Ms. Bridges  
7 back up?

8 THE COURT: Not likely on the 403 issue.  
9 I think Ms. Silva, I have ruled based on, and I  
10 would-- Mr. Adams, I would give you the opportunity  
11 to voir dire the witness before it comes in since  
12 its only been a proffer. If, in fact, she says  
13 what's in the notice, that she was essentially  
14 coerced into and cajoled into having non-consensual  
15 sex, I think that goes to the issue of consent in  
16 this case, and primarily consent, but lack of  
17 accident or mistake and motive I would let it in,  
18 but not as to the other.

19 MR. CHASE: Not as to the throwing out of  
20 the car?

21 THE COURT: No.

22 (Witness recalled.)

23 THE COURT: Let's bring the jury in.

24 THE BAILIFF: All rise for the jury.

25 THE COURT: Just for y'all's knowledge

1           there are no assigned seats.  It's an interesting  
2           phenomenon everybody always sits in the exact same  
3           seats, but you don't have to if you don't choose  
4           to.  I apologize for the delay.  As I told you  
5           earlier this morning things come up that we have to  
6           take up outside the presence of the jury.  If you  
7           get frustrated with that please direct it at me and  
8           not the parties, and I will keep everything I can  
9           to keep those to a minimum.

10                           All right.  Go ahead, Mr. Chase.

11 BY MR. CHASE:

12           Q.           Ms. Bridges, I think we left off with -- we  
13           talked about the last memory you had was vomiting at the  
14           Taco Mac.  What is the very next thing you remember  
15           after vomiting in Taco Mac?

16           A.           Being in the driver seat of my vehicle.

17           Q.           Is that a clear memory?

18           A.           It's foggy.

19           Q.           Do you remember anyone else being in the car  
20           with you?

21           A.           Yes.  Aaron Brantley was in the passenger  
22           seat.

23           Q.           And did anything occur at that point that  
24           you remember?

25           A.           I remember sitting and kind of leaning

1 forward with my head on the steering wheel, and he was  
2 saying that he would sit there as long as necessary, and  
3 while we were sitting he was going to roll a blunt.

4 Q. And do you remember anything else or did you  
5 remember -- did your memory stay intact at that point?

6 A. It's kind of in and out. The next thing I  
7 remember is being in the passenger seat and coming to  
8 and Aaron was on top of me.

9 Q. When you say on top of you, what do you mean  
10 by that?

11 A. Having sex. And telling me that he loved  
12 me.

13 Q. Ma'am, do you remember how you got into the  
14 passenger seat?

15 A. No.

16 Q. You stated that -- how was your seat  
17 positioned?

18 A. It was reclined and pushed back as far as it  
19 could go.

20 Q. And was it like that when you were arrived  
21 at the Taco Mac?

22 A. No.

23 Q. You stated that he was on top of you. Do  
24 you recall where -- the positioning of your body?

25 A. I was laid back in the seat with my right

1 leg up on the dash.

2 Q. Did you put your leg on the dashboard?

3 A. No.

4 Q. And where was the defendant's body?

5 A. Directly over me and his head was near mine.

6 I remember him trying to kiss me and me closing my mouth  
7 and like squeezing my lips together so that he couldn't.

8 I remember him being inside of me.

9 Q. When you say he was inside of you, what part  
10 of your body was he inside?

11 A. In my vagina.

12 Q. And what body part was inside of your  
13 vagina?

14 A. His penis.

15 Q. Do you recall how you got to that point?

16 A. No.

17 Q. When your memory comes back was he already  
18 penetrating you?

19 A. Yes.

20 Q. Did you recall what you were wearing that  
21 night?

22 A. Yes.

23 Q. What were you wearing?

24 A. I had on a skirt and a white shirt and a  
25 pink blazer.

1 Q. And were you wearing underwear that night?

2 A. Yes.

3 Q. Did you have your underwear when you went  
4 into the Taco Mac?

5 A. Yes.

6 Q. Did you recall ever taking your underwear  
7 off?

8 A. No.

9 Q. Was he saying anything to you while he was  
10 on top of you?

11 A. He just said he loved me and calling me  
12 baby.

13 Q. Do you remember if you said anything to him  
14 in response?

15 A. No.

16 Q. Did you do anything with your body?

17 A. Besides my lips and my head.

18 Q. Were you able to do anything with your body?

19 A. No, I felt like my body was dead weight. I  
20 couldn't.

21 Q. Did you try?

22 A. Yes, but it was like I couldn't move.

23 THE COURT: You're the furthest away. If  
24 at any time you can't hear will you just let me  
25 know. Go ahead.

1 BY MR. CHASE:

2 Q. Do you remember Mr. Brantley do anything  
3 else to you?

4 A. I remember his fingers also.

5 Q. What did he do with his fingers?

6 A. He placed them in my vagina as well.

7 Q. Now, Ms. Bridges, did you give Mr. Brantley  
8 consent to have sex with you that night?

9 A. No.

10 Q. Did you give him consent to place his  
11 fingers inside of your vagina?

12 A. No.

13 Q. Did you want to have sex with him?

14 A. No.

15 Q. Do you recall if there was ever any oral  
16 sex?

17 A. Yes.

18 Q. Tell the ladies and gentlemen of the jury  
19 what you recall about that?

20 A. I think it was before his fingers, and he  
21 leaned over.

22 Q. When you say he leaned over?

23 A. He leaned over to the passenger side.

24 Q. So was this is before or after he was on top  
25 of you?

1 A. Before.

2 Q. And your memory's clear about the oral sex?

3 A. Yes.

4 Q. Do you remember how your body was during the  
5 oral sex?

6 A. Sitting up in the seat but still feeling  
7 like I couldn't move, and I remember going in and out,  
8 like conscious one minute and unconscious the next, I  
9 guess.

10 Q. Do you remember the vaginal penetration; do  
11 you remember that ending?

12 A. No.

13 Q. Did you remain conscious or do you lose  
14 consciousness again?

15 A. I lost consciousness again. The thing I  
16 remember was him being back in the driver seat and  
17 crying.

18 Q. During the sexual intercourse, do you  
19 remember the defendant's clothing?

20 A. I remember his pants were down.

21 Q. Where were his pants down to?

22 A. His knees.

23 Q. Do you recall if he ejaculated?

24 A. Yes.

25 Q. Where?

1           A.       I don't remember, but I remember there was a  
2 stain on my seat.

3           Q.       So you don't actually remember him actually  
4 ejaculating?

5           A.       Not at the moment.

6           Q.       During when he was -- during the vaginal  
7 intercourse what was your reaction to it?

8           A.       Shocked. I was upset.

9           Q.       Was there any manifestation?

10          A.       I was crying.

11          Q.       You were crying?

12          A.       A huh.

13          Q.       When you were crying you remember how hard  
14 you were crying?

15          A.       Like I am now. What do you mean?

16          Q.       Was it like a hysterical crying to catch  
17 your breath cries or like you said like now?

18          A.       Like now.

19          Q.       Did you ever verbally tell him no or stop?

20          A.       No. I was afraid.

21          Q.       You were afraid? After the sex you said  
22 that you lost consciousness again; is that correct?

23          A.       Yes.

24          Q.       What's the next thing that you do remember?

25          A.       Looking over my back and my phone was on the

1 floor behind the driver seat, and I remember leaning  
2 kind of through the seats to reach it, and grabbing my  
3 phone and immediately texting everyone that I had  
4 recently communicated with that I need help.

5 Q. Do you know how much time passed between  
6 when you lost consciousness and when you regained  
7 consciousness?

8 A. No.

9 Q. Do you recall if during the sexual  
10 intercourse you ever hit the window or did anything of  
11 that nature?

12 A. Not during. Afterwards like coming to fully  
13 trying to get out of the car, but just punch the windows  
14 and kicking, and I remember him saying, calm down and we  
15 couldn't drive around with me acting like that.

16 Q. Was this around the time that you went for  
17 your phone or was it after that?

18 A. It was after the phone.

19 Q. Do you recall your phone number at the time?

20 A. 404-749-6595.

21 Q. Do you recall your sister's phone number at  
22 the time?

23 A. Yes. 770-896-6163.

24 Q. Do you recall texting your sister that  
25 night?

1 A. Yes, later.

2 Q. What's the first text that you recall  
3 texting your sister?

4 A. Help.

5 Q. Do you recall texting your sister anything  
6 about being on the way home?

7 MR. ADAMS: Objection to the leading  
8 question.

9 THE COURT: Sustained.

10 BY MR. CHASE:

11 Q. So the first text you remember was, you said  
12 later on?

13 A. Yes, about help me. Needing help.

14 Q. Do you remember texting her earlier in the  
15 night?

16 A. No.

17 Q. You stated that you got your phone, correct,  
18 when you were in the car?

19 A. Yes.

20 Q. When you got your phone what did you do with  
21 your phone?

22 A. What do you mean? I started texting.

23 Q. You started texting people?

24 A. Yes.

25 Q. Do you recall who you text?

1           A.       My sister, Eric Watkins, Chris Collins, and  
2 Dequandre Newel.

3           Q.       Who is Chris Collins?

4           A.       He's a -- at the time a co-worker as well in  
5 the intake department.

6           Q.       And who is Dequandre Newel.

7           A.       He was my boyfriend at the time.

8           Q.       Had you received any other communication  
9 from Mr. Newel that night?

10          A.       Earlier in the -- no, not that night.  
11 Earlier in the day.

12          Q.       What did you text Mr. Newel, Mr. Collins,  
13 Mr. Watkins?

14          A.       I needed help. Police. I think I may have  
15 actually text Aaron's initials AB and rape.

16          Q.       At any point did your phone ever ring?

17          A.       Yes.

18          Q.       Do you recall who called you?

19          A.       I think it was Eric and Dequandre.

20          Q.       Did you answer those telephone calls?

21          A.       No. Dequandre, no. Eric I think I sent him  
22 to voice mail the first few times and then I think he  
23 called Aaron's phone.

24          Q.       Why didn't you answer those phone calls?

25          A.       Because I was afraid to talk in front of

1 Aaron.

2 Q. When you received those calls had the sexual  
3 intercourse already occurred?

4 A. Yes.

5 Q. Now, you stated that Mr. Newel was your  
6 boyfriend, correct?

7 A. Yes.

8 Q. Did he live in the Atlanta area?

9 A. No.

10 Q. Where he did live?

11 A. At the time he was in California.

12 Q. The two of you still together?

13 A. No.

14 Q. When did the two of you part ways?

15 MR. ADAMS: Objection as to relevance.

16 MR. CHASE: That's fine. I will move on.

17 THE COURT: Sustained.

18 BY MR. CHASE:

19 Q. You stated that Mr. Watkins also called?

20 A. Yes.

21 Q. Was there ever a point where you spoke with  
22 Mr. Watkins on the phone?

23 A. Yes.

24 Q. When was it in relation to when you began  
25 texting?

1 A. After.

2 Q. Do you recall where you were at that point?

3 A. Physically?

4 Q. Were you still in the car?

5 A. Yes.

6 Q. Do you remember where the car was?

7 A. No. I remember driving, but I remember  
8 driving and there just being a lot of trees. I know  
9 that we ended up somewhere off of West Paces Ferry  
10 because we met Eric and his wife at McDonalds not far  
11 from there.

12 Q. During that car ride did you speak with  
13 anyone?

14 A. I spoke with Eric.

15 Q. Did you speak with anyone else?

16 A. I don't remember speaking with anyone else.

17 Q. Do you remember pulling out of the parking  
18 deck?

19 A. The main thing a wet shirt or maybe my  
20 blazer, I don't know. Something being thrown over me  
21 until -- and the person in the booth, but I don't know  
22 like time. I don't know. I just remember leaving and  
23 seeing the concrete, what I thought was a stucco  
24 building possibly and lights to my right.

25 Q. Do you know if you left the deck before or

1 after the sexual intercourse?

2 A. No, I don't remember.

3 Q. You stated that there was a sweat shirt or  
4 jacket of some sort over you. Did you have any clothing  
5 on underneath that?

6 A. No. From the bottom down, I'm sorry.

7 Q. You still had clothes on the top?

8 A. Yes.

9 Q. While you were driving to McDonalds did the  
10 defendant say anything to you?

11 A. Yes.

12 Q. What did he say?

13 A. He asked me why I was crying. And he asked  
14 me if I wanted anymore sex.

15 Q. Did you respond to him?

16 A. I told him no.

17 Q. I can't remember if I asked you this  
18 already. Whose Lakiva Watkins?

19 A. Lakiva Watkins is Eric Watkins' wife.

20 Q. At any point that night did you speak with  
21 Lakiva Watkins?

22 A. I don't remember speaking to her until  
23 seeing her.

24 Q. Tell me about that when you saw them. Where  
25 did you see Eric Watkins and Lakiva?

1           A.           He pulled into the McDonalds parking lot and  
2 I jumped out of the car and went -- they were like  
3 coming towards the vehicle, and I remember being in  
4 someone's arms, but I collapsed to the ground crying.  
5 And Eric lifted me up and put me into their truck, their  
6 SUV.

7           Q.           Do you recall if you had on underwear at  
8 that point?

9           A.           No, just my skirt

10          Q.           Just your skirt?

11          A.           Yes.

12          Q.           Do you recall anything about your leggings  
13 at that point?

14          A.           No. I remember having some on at the  
15 hospital, so I guess I put them on to get out of the  
16 car.

17          Q.           When you got to the McDonalds did you tell  
18 Eric and Lakiva what had happened to you?

19          A.           Yes. I was raped.

20          Q.           And did you know --was Mr. Brantley  
21 present?

22          A.           Yes. Eric went over to talk to him.

23          Q.           What did you all do after the McDonalds?

24          A.           Went to Piedmont Hospital.

25          Q.           And when you went to Piedmont Hospital what

1 was the purpose of you going there?

2 A. To have a rape kit done.

3 Q. When you left the Taco Mac what was your  
4 plan for the rest of the evening?

5 A. To go home and spend the evening with the  
6 kids.

7 Q. When you were at the hospital you stated  
8 that you had a medical examination, correct?

9 A. Yes.

10 Q. And can you -- who was there at the hospital  
11 with you?

12 A. Lakiva Watkins.

13 Q. So you went to the hospital the night of the  
14 incident?

15 A. Yes.

16 Q. Who stayed with you during the entire game?

17 A. Lakiva Watkins.

18 Q. Do you remember the examination that the  
19 doctor did?

20 A. Yes.

21 Q. Can you tell us was that an intrusive  
22 examination?

23 A. It felt like being raped all over again.

24 Q. Do you recall giving statements to Detective  
25 Sluss at the hospital?

1 A. Yes.

2 Q. And what was your state of mind when you  
3 gave Detective Sluss those statements?

4 A. What do you mean?

5 Q. What time of the night was it?

6 A. It was like wee hours of the morning. Maybe  
7 2:00 in the morning. I was tired. Still kind of  
8 piecing together what had just happened. Terrified.

9 Q. I want to back up to the when you were back  
10 in the car in the parking deck, okay. You previously  
11 stated that Mr. Watkins -- Mr. Brantley penetrated you  
12 vaginally from both sides, correct? Did he ever touch  
13 anywhere on your body?

14 A. I -- I remember like feeling on my breast.

15 Q. Did you give him permission to feel on your  
16 breast?

17 A. No.

18 Q. Did you remember saying anything when he  
19 felt on your breast?

20 A. Just crying.

21 Q. The next day you remember having any  
22 interaction with the people you saw the night before?

23 A. Q and Eric. Q had driven my car home. So  
24 later that evening they brought my car back to me and  
25 they came in and sat with me for awhile and we just

1 talked and we checked to make sure that I was okay.

2 Q. Did you return to work at the Foy &  
3 Associates?

4 A. Yes.

5 Q. When did you return to work?

6 A. A few days later. I --I actually -- a week  
7 later.

8 Q. And were you-- did you stay at the job very  
9 long?

10 A. No.

11 Q. On the day that you returned, did you stay  
12 the full day?

13 A. No.

14 Q. Did you ever resign from the Foy law firm?

15 A. Yes.

16 Q. How -- when did you resign from the law  
17 firm?

18 A. The end of April.

19 Q. Why did you resign from the law firm?

20 A. Because I was told that --

21 MR. ADAMS: Objection to hearsay.

22 THE COURT: Mr. Chase.

23 MR. CHASE: I don't know if it would be  
24 admitted for the truth of the matter asserted.

25 MR. ADAMS: Objection as to relevance.

1 THE COURT: Sustained.

2 BY MR. CHASE:

3 Q. Did you leave at the end of the month?

4 A. Yes.

5 Q. Did you have any interaction with the  
6 defendant after that night?

7 A. No.

8 Q. When you returned to work what was your  
9 emotional state?

10 MR. ADAMS: I'm going to object to  
11 relevance on those grounds.

12 THE COURT: Overruled.

13 A. Depressed. Afraid. Because I knew or I  
14 felt that at some point I would see Aaron in the office  
15 which is why I didn't stay the full day the first day  
16 that I went back. I was pulled into the office and told  
17 he was coming.

18 Q. Don't tell us what someone else said. After  
19 you left what effect has this had on you long term?

20 MR. ADAMS: Objection as to relevance.

21 THE COURT: Overruled.

22 A. I don't trust anyone really. I'm a realtor  
23 so my job involves me going out meeting new people all  
24 the time, and as a result I took self-defense classes  
25 with the Police Department, shooting classes with the

1 Police Department. I frequent a shooting range. I'm  
2 terrified of being alone with any male whether I know  
3 them or not. And I can't have a relationship now  
4 because I don't trust.

5 MR. CHASE: Nothing further, Judge.

6 THE COURT: Mr. Adams.

7 MR. ADAMS: Thank you, your Honor.

8 CROSS EXAMINATION

9 BY MR. ADAMS:

10 Q. Good morning, Ms. Bridges.

11 A. Good morning.

12 Q. I just have a few questions if you don't  
13 mind.

14 You started off your testimony by describing  
15 for the jury your relationship, your knowledge of Aaron  
16 Brantley. You too worked together; is that correct?

17 A. Yes.

18 Q. Back in April of 2009, y'all worked together  
19 at the Foy & Associates law firm, true?

20 A. Yes.

21 Q. Aaron had worked there a few number of years  
22 before you started working there, true?

23 A. Yes.

24 Q. And then at some point you started working?  
25 Y'all got to know each other as co-workers; is that

1 true?

2 A. Yes.

3 Q. By the time April of 2009 rolls around  
4 you've already known Aaron Brantley for a couple of  
5 years?

6 A. Yes.

7 Q. I think I heard you say that you socialized  
8 outside with other co-workers outside of work; would  
9 that be fair?

10 A. Yes.

11 Q. And your testimony to this jury you just  
12 had a friendly relationship with Mr. Brantley; is that  
13 correct?

14 A. Yes.

15 Q. You were asked by the prosecutor about the  
16 events of April the 5th of 2013, and you certainly have  
17 a clear recollection of the events leading up to you  
18 going to the Taco Mac on that evening; is that true?

19 A. Yes.

20 Q. By the way, you were also asked about -- you  
21 said you never had any sort of romantic relationship  
22 with Aaron Brantley?

23 A. Yes.

24 Q. And anytime that you've interacted with him  
25 outside of work it would have been with other

1 co-workers; is that true?

2 A. Yes.

3 Q. Was there a time when you invited Aaron  
4 Brantley and another third person to go on a trip to  
5 Jamaica?

6 A. It was a lot of people that were invited,  
7 yes.

8 Q. Did you invite Aaron Brantley to go on a  
9 trip to Jamaica?

10 A. Yes.

11 Q. That would have been somewhere in 2009,  
12 true?

13 A. Yes. I don't remember the year.

14 Q. And in regards specifically to Eric Watkins,  
15 you have testified to this jury that you did not have  
16 any sort of -- in 2013, April of 2013, you did not have  
17 any sort of relationship with Eric Watkins; that's what  
18 you said, right?

19 A. No relationship.

20 Q. Romantic relationship?

21 A. No.

22 Q. And you've told this jury that you didn't  
23 have a romantic relationship with him anytime before  
24 that, right?

25 A. Correct.

1 Q. What you've also told this jury, correct me  
2 if I'm wrong, is that there was an incident that  
3 occurred in sometime before 2013, that precipitated you  
4 going to human resources about Eric Watkins; is that  
5 right?

6 A. Correct.

7 Q. And if I'm correct, and correct me if I'm  
8 wrong, your testimony is that you went to human  
9 resources because he offered to help you take care of  
10 your kids, and he told you that he admired you?

11 A. Yes.

12 Q. That was the reason that you thought was  
13 significant enough that you actually went to human  
14 resources about that?

15 A. Yes.

16 Q. Was there anything else or is that it, I  
17 mean, he admired you. I'm offering to help you take  
18 care of your kids, and that was the reason you went to  
19 human resources?

20 A. And he called and text.

21 Q. Okay. He was calling and texting you?

22 A. One night, yes.

23 Q. All right. Did you ever have occasion to  
24 say to anyone at the office, Aaron Brantley or anyone  
25 else, that Eric Watkins was "stalking you?"

1 A. No.

2 Q. Never said that to anyone?

3 A. No.

4 Q. But you are certain and you are telling this  
5 jury that there was this incident, and when was the  
6 incident when you went to human resources; what year was  
7 it, please?

8 A. I don't know.

9 Q. But there was a particular person in human  
10 resources that you went to and spoke to about Eric  
11 Watkins; is that right?

12 A. Yes.

13 Q. And you specifically told them he is  
14 offering to help me take care of my kids and he told me  
15 he admired me? That's what you told them, right?

16 A. Yes.

17 Q. And did they subsequently, human resources,  
18 the best you know, did human resources subsequently then  
19 talk to Eric Watkins about your complaint about that?

20 A. I don't know.

21 Q. Okay. You do know, and you did tell this  
22 jury, though, that at some point after the incident took  
23 place you had a conversation with Eric Watkins about  
24 that, right?

25 A. Yes.

1 Q. And y'all came to terms and kind of moved on  
2 in y'all's relationship as friends, right?

3 A. Yes.

4 Q. And you're crystal clear about that, right,  
5 about that incident about what Eric Watkins said to you  
6 about you going to human resources and then subsequently  
7 you having a conversation with him about it?

8 A. Yes.

9 Q. All right. And in preparation for your  
10 testimony here, did you have occasion to speak to either  
11 the district attorney or an investigator from the  
12 district attorney's office about that incident?

13 A. Yes.

14 Q. You told them about it, right?

15 A. Yes.

16 Q. All right. You were telling them about your  
17 work at Foy & Associates, and you specifically told --  
18 was it a district attorney or was it one of their  
19 investigators?

20 A. Actually I told the police and Mr. Chase and  
21 I spoke about it as well.

22 Q. And when did you tell the police about that,  
23 please?

24 A. When I went down to the station.

25 Q. When you gave your statement in this case in

1 2013?

2 A. Yes.

3 Q. All right. And so you -- was it Detective  
4 Sluss, is that his name?

5 A. Yes.

6 Q. He would have been the person that you would  
7 have told about the incident, right?

8 A. Yes.

9 Q. So at this point we've got -- and you don't  
10 have any reason to believe that Detective Sluss, he  
11 didn't seem like he had memory issues or he doesn't  
12 remember stuff or he's absent minded? You don't have  
13 any reason to believe when you told him that?

14 MR. CHASE: Objection.

15 THE COURT: Sustained.

16 BY MR. ADAMS:

17 Q. You told Detective Sluss, you told the DA  
18 and you told an investigator for the DA, right?

19 A. Yes.

20 Q. Okay. What is the name of human resource  
21 person that you told about this?

22 A. Eadie Sumner.

23 Q. Now, she was working at Foy & Associates at  
24 that time as a human resources person, right?

25 A. Yes.

1 Q. Do you know whether she's still working  
2 there?

3 A. No, I don't.

4 Q. No, you don't know?

5 A. No, I don't know.

6 Q. Was she working there in 2013 when this case  
7 -- when this incident occurred?

8 A. Yes.

9 Q. Which would have been around the time she  
10 spoke to Detective Sluss, right?

11 A. Yes.

12 Q. Did you tell the D.A.'s Office about that  
13 and about Eadie Sumner having this information back in  
14 2013 or sometime more recently?

15 A. Then in 2013.

16 Q. You had -- you do recall -- I want to --  
17 I'm going to go forward a little bit to the statement  
18 that you gave to the detective, and then I'm going to  
19 move back in time. You do recall giving a statement to  
20 the detective, correct?

21 A. Yes.

22 Q. And in fact, the very first time that you  
23 spoke to the detective or detectives, (plural) would  
24 have been the early morning of April the 6th of 2013; is  
25 that true?

1 A. Yes, at the hospital.

2 Q. You were at the hospital. Detective Sluss  
3 came in, right?

4 A. Yes.

5 Q. And there was another officer with him as  
6 well, wasn't there?

7 A. Yes.

8 Q. And those two officers or detectives spoke  
9 to you, and you gave them a statement at that time;  
10 isn't that right?

11 A. Yes.

12 Q. And then they had you to sign a consent form  
13 for them to go search your car, right?

14 A. Yes.

15 Q. You remember that? You have a clear  
16 recollection of that conversation about that and then  
17 asking you to sign that form on that night, true?

18 A. Not everything, but yes.

19 Q. You remember signing the form, right?

20 A. Yes.

21 Q. You remember them presenting it to you?

22 A. Yes.

23 Q. And as far as you know they then left and  
24 went to go search your car, right?

25 A. Yes.

1 Q. And they left you there talking to the  
2 doctor, is that correct?

3 A. Yes.

4 Q. And they came back in while you were talking  
5 to that doctor, true?

6 A. Yes.

7 Q. You recall that in that very first  
8 conversation that you had with the detective, with  
9 Detective Sluss and other detectives, that it was  
10 recorded, right?

11 A. No.

12 Q. You don't know if it was recorded or not?

13 A. No.

14 Q. What about the second one when you're  
15 talking to the doctor, do you know whether that was  
16 recorded or not?

17 A. No.

18 Q. What about -- so that night, morning, April  
19 6th, you give a statement, true?

20 A. Yes.

21 Q. Right. Sometime thereafter about April the  
22 8th or so, about two days later you go down to police  
23 headquarters and you meet with Detective Sluss again?

24 A. Yes.

25 Q. And you had spoken to him during those two

1 days, right?

2 A. Yes.

3 Q. To set up this time for you to come down  
4 because he wanted to know all of the information you had  
5 about this case?

6 MR. CHASE: Objection. Calls for  
7 speculation what the detective wanted to know.

8 MR. ADAMS: I will rephrase the question.

9 THE COURT: Sustained.

10 BY MR. ADAMS:

11 Q. You were going down there to tell him all of  
12 the information that you had about the case, true?

13 A. Yes.

14 Q. And you did, in fact, go down there and met  
15 with him, was there another detective present?

16 A. Yes.

17 Q. Do you recall if that interview was  
18 recorded?

19 A. Yes.

20 Q. And when you gave that interview you were  
21 not under the influence of alcohol?

22 A. No.

23 Q. You were not under the influence of any  
24 drugs?

25 A. No.

1 Q. You were clear headed?

2 A. Yes.

3 Q. You were able to tell them everything that  
4 you could possibly remember about this rape you say  
5 occurred on the night of April the 5th, right?

6 A. That I could remember at that time, yes.

7 Q. Yes. I mean, on April the 6th, when you're  
8 sitting in police headquarters you told them everything  
9 you could remember, right?

10 A. At that time, yes.

11 Q. You met with them for about 40 minutes or  
12 so? Is that about how long the interview was?

13 A. I don't remember the time.

14 Q. But you do remember being asked specific  
15 questions by the detective and answering those questions  
16 to the detective, correct?

17 A. Yes.

18 Q. And then two days later, on April the 10th,  
19 you had another conversation with Detective Sluss, did  
20 you not?

21 A. I guess, yes.

22 Q. It was by phone. You had a phone  
23 conversation with him; do you remember that?

24 A. I had several phone conversations with  
25 Detective Sluss.

1 Q. Do you know whether he indicated that phone  
2 conversation was recorded or not?

3 A. No.

4 Q. But you do remember you spoke to him over  
5 the phone after April 8th, right?

6 A. Yes.

7 Q. Just to be clear, we've got statements at  
8 the hospital, statements at the police headquarters and  
9 then certainly a statement or conversation by phone,  
10 right?

11 A. Yes.

12 Q. Are you prepared to admit right now, Ms.  
13 Bridges, that the testimony that you've just given on  
14 the stand is contradictory to the things that you told  
15 Detective Sluss?

16 A. No.

17 Q. You would not say that that's the case?

18 A. No.

19 Q. Everything you just told this jury is the  
20 same thing that you told Detective Sluss, right?

21 A. To the best of my recollection, yes.

22 Q. All right. And certainly you're not under  
23 the influence of any alcohol, drugs or anything that  
24 impairs your ability to recall right now, are you?

25 A. No.

1 Q. You -- at the time back on April 5th of  
2 2013, you were taking several medications, true?

3 A. Yes.

4 Q. And you listed a few of them previously.

5 Okay, I'm sorry, before I get there. Did you ever meet  
6 and talk to some -- Dr. Brent Morgan?

7 A. No.

8 Q. You were never called or interviewed by  
9 someone name Dr. Brent Morgan, were you?

10 A. Not that I know of.

11 Q. And so you would never have had occasion to  
12 either write out a statement for Dr. Brent Morgan or  
13 give an interview to Dr. Brent Morgan to tell Dr. Brent  
14 Morgan about the incident on April the 5th? You never  
15 did that, did you?

16 A. I don't know who Dr. Brent Morgan is.

17 Q. Here you go. And you never came to the DA's  
18 Office at any point and sat down at their request to  
19 meet with someone name Dr. Brent Morgan, did you?

20 A. No.

21 Q. If Brent Morgan were to walk into the  
22 courtroom today you wouldn't know who he is?

23 MR. CHASE: Objection. Asked and  
24 answered.

25 THE COURT: Sustained.

1 BY MR. ADAMS:

2 Q. On the night around the time, April 5, 2013,  
3 you were taking something called Nadolol?

4 A. Yes.

5 Q. You were taking Symbicort?

6 A. Yes.

7 Q. You were taking Zyrtec?

8 A. Yes.

9 Q. You were taking Singulair?

10 A. Yes.

11 Q. You were taking Magnesium?

12 A. Yes.

13 Q. You were taking something called Sertraline?

14 A. Yes.

15 Q. And did you ever talk to anyone, whether it  
16 was the detective or anyone in the DA's Office about  
17 possible drug interaction -- drug interactions between  
18 alcohol and any of those medications that might have  
19 been in your system?

20 A. Later, yes.

21 Q. In fact, the detective asked you about those  
22 things, didn't he?

23 A. Yes.

24 Q. Detective Sluss?

25 A. Yes.

1 Q. Now, on the day of the -- on April 5th, you  
2 had your braces tightened?

3 A. Yes.

4 Q. And you testified to this jury, you told Mr.  
5 Chase, the prosecutor, that your teeth were hurting,  
6 your mouth was hurting?

7 A. Yes.

8 Q. You werent eating any meat on that day, I  
9 think, is what you said; is that right?

10 A. Yes.

11 Q. You did have several things to eat. You  
12 consumed several things on that day, didn't you?

13 A. Yes.

14 Q. You had two bowls of grits in the morning,  
15 right?

16 A. Yes.

17 Q. You had some apple sauce throughout the  
18 course of the day, right?

19 A. Yes.

20 Q. You had two or three, maybe four fruit cups  
21 throughout the course of the day, correct?

22 A. Yes.

23 Q. You had not one, but two Boost during the  
24 course of that day, did you not?

25 A. I don't remember how many, but, yes, I drank

1 Boost as well.

2 Q. You remember telling Detective Sluss that  
3 you drank two Boost throughout the course of April 5th?

4 A. No.

5 Q. You had some mash potatoes; is that right?

6 A. Yes.

7 Q. One or two containers?

8 A. I don't remember.

9 Q. You remember telling Detective Sluss that  
10 you had two containers or something of mash potatoes  
11 that day; do you remember that?

12 A. I remember telling him about what I ate.

13 Q. You remember telling Detective Sluss that  
14 you ate some french fries and some Queso at Taco Mac?

15 A. Tried to eat french fries, yes.

16 Q. Did you tell him whether or not you had --  
17 whether there was a big plate of nachos that was ordered  
18 for the table, that you ate some while you were there at  
19 Taco Mac?

20 A. I didn't eat the nachos because I couldn't  
21 chew, but possibly some bread with Queso dip, yes.

22 Q. By the time you got to Taco Mac that evening  
23 you had two bowls of grits, two containers of mash  
24 potatoes, couple of containers of apple sauce, three or  
25 four fruit cups, some Boost. And then you said your

1 lunch time was about 1:00, right, and you if do lunch  
2 that's what you would have had the Boost?

3 A. Yes.

4 Q. You get to Taco Mac, but you're going home  
5 first; is that right?

6 A. Yes.

7 Q. Now, here's a question I have for you. When  
8 you went home your sister was there and your testimony  
9 is also that your kids were there; is that right?

10 A. Yes.

11 Q. Now, just to clear something up. Did your  
12 sister go and pick the kids up before you got home?

13 A. No, my sister wasn't driving. She's a  
14 teenager.

15 Q. How old is your sister?

16 A. Now, she's 19.

17 Q. Whose James?

18 A. My older son.

19 Q. He at the time would have been how old?

20 A. Nine, ten.

21 Q. Did you have to go and pick him up?

22 A. No. He rode the bus. Only my younger son  
23 Ashton.

24 Q. I'm going to give you a phone number, right,  
25 and you tell me if you recognize whose number it is.

1 404-337-4826. You know that number?

2 A. No.

3 Q. But your testimony is that Jayden rides the  
4 bus, right?

5 A. Yes.

6 Q. Did someone go and meet him at the bus stop?

7 A. No, it let off in front of our house.

8 Q. So your recollection and your testimony to  
9 this jury is that you're certain there wouldn't have  
10 been any need on that day for anyone to go get Jayden,  
11 right?

12 A. Not unless the driver didn't let him off  
13 because my nephew wasn't older enough to get off and  
14 that happened occasionally.

15 Q. You remember texting Aaron Brantley early  
16 that evening on the way to Taco Mac or sometime before  
17 you got to Taco Mac?

18 A. No.

19 Q. Your testimony, Ms. Bridges, when you got to  
20 Taco Mac you had some drinks; is that right?

21 A. Yes.

22 Q. You were sitting at the table; is that  
23 correct?

24 A. Yes.

25 Q. And you had two Tequila shots, one of which

1 is ordered by Eric Watkins, right?

2 A. Yes.

3 Q. And certainly as far as you know you were  
4 within sight of Eric Watkins? You could see him; he  
5 could see you?

6 A. We were sitting next to each other.

7 Q. Like side to side?

8 A. I think Mya was directly next to me and he  
9 was next to her.

10 Q. All right. And he ordered at least one of  
11 the Tequila shots; is that right?

12 A. Yes.

13 Q. You hadn't had anything to drink before  
14 then; is that correct?

15 A. Yes.

16 Q. So you got to Taco Mac somewhere around  
17 6:00, would that be safe to say?

18 A. Sure.

19 Q. Now, you testified earlier that you were in  
20 a one hour parking lot?

21 A. It was limited because I didn't intend to be  
22 there so there was no need to --

23 Q. Do you --I'm sorry to cut you off. Finish  
24 your statement.

25 A. There was no need for me to park in

1 unlimited parking. I wasn't going to be there long.

2 Q. Do you remember telling Detective Sluss when  
3 you spoke to him later on you parked in a three hour  
4 parking lot so you were very aware at 9:00 you had to  
5 get on out of there? Do you remember telling him that?

6 A. Sure. I don't remember the exact time limit  
7 on the space, but I know it was limited.

8 Q. But you certainly had the presence of mind  
9 to remember that you had three hours and as it  
10 approaches 9:00 you got to leave because your time is  
11 about to be up, right?

12 A. Yes.

13 Q. You certainly had the presence of mind to  
14 remember that you were going to order some wings for  
15 your sister to take home, right?

16 A. Yes.

17 Q. You did, in fact, order those wings?

18 A. Yes.

19 Q. And during the period of time that you were  
20 at Taco Mac, you had two Tequila shots, you had an  
21 Amaretto Sour and Bob Marley that you didn't finish,  
22 true?

23 A. Yes.

24 Q. And you talked to Detective Sluss about the  
25 things that you had to drink that night, correct?

1 A. Yes.

2 Q. And, in fact, I think I heard you say to the  
3 prosecutor, well, I didn't feel - you didn't feel drunk  
4 after you had those drinks, right?

5 A. Correct.

6 Q. And just to skip forward a bit. You know  
7 for a fact that after you went to the hospital and you  
8 had a rape kit done and did a toxicology that there  
9 wasn't any date rape drug or anything like that in your  
10 system; you know that, don't you?

11 MR. CHASE: Objection. Calls for  
12 speculation.

13 THE COURT: Sustained.

14 BY MR. ADAMS:

15 Q. So you had these drinks. You don't know  
16 what's contained in the report?

17 THE COURT: Sustained.

18 BY MR. ADAMS:

19 Q. So you had these drinks, right, and you  
20 didn't feel drunk, right?

21 A. Right.

22 Q. In fact, when you were talking to the  
23 detective he was -- you were telling him about what your  
24 normal drinking habits are; do you remember that?

25 A. Yes.

1 Q. He asked you about that and you told him  
2 that that was a "very light night" for you? Do you  
3 remember telling him that?

4 A. Yes.

5 Q. Because you told him that were occasions  
6 where you would go out and have up to seven Tequila  
7 shots and chase everyone of them with an Amaretto Sour,  
8 correct?

9 A. Correct.

10 Q. You're here and you're talking to this  
11 detective about the fact that a normal night is 14  
12 drinks, right?

13 A. Yes.

14 Q. And so here you are at Taco Mac and you've  
15 had essentially three and a half because you didn't  
16 finish the Bob marley; is that right?

17 A. Yes.

18 Q. And you're there at Taco Mac and you weren't  
19 feeling well right, correct?

20 A. Yes.

21 Q. Your stomach was upset; isn't it?

22 A. Correct.

23 Q. Because you threw up?

24 A. Yes.

25 Q. And you remember telling Lakiva Watkins

1 after you threw up not all geez I feel drunk. You told  
2 her I feel a lot better now that I got that off my  
3 stomach; do you remember telling her that?

4 A. No.

5 Q. Do you deny that conversation occurred, you  
6 just don't remember?

7 A. I have no clue of it. I don't remember  
8 anything after vomiting at the table.

9 Q. So your testimony to this jury is that you  
10 vomited at the table and then the next thing you  
11 remember is being inside the car?

12 A. Correct.

13 Q. So you don't have recollection of any  
14 conversation you would have had with Lakiva Watkins at  
15 the table after that?

16 A. No.

17 Q. You have no recollection of any conversation  
18 or otherwise going down the stairs?

19 A. Correct.

20 Q. Nothing in the lobby or outside walking to  
21 the parking deck; none of that you remember?

22 A. Correct.

23 Q. Do you remember telling Detective Sluss,  
24 though, about the conversations that you had with Lakiva  
25 after you threw up? You remember telling --do you

1 remember that conversation?

2 A. No, the only thing that I remember is saying  
3 what was said to me at the table.

4 Q. So you would not have told Detective Sluss,  
5 I spoke to Lakiva, and I told her I was fine?

6 A. I could have, but I don't remember.

7 Q. Did you -- let me ask if you remember this.  
8 Do you remember telling Detective Sluss specifically "as  
9 I was walking to the parking lot I wasn't swaying. I  
10 wasn't unsteady on my feet. I was fine." Do you  
11 remember telling the detective that?

12 A. No.

13 Q. So your testimony today, right, is that the  
14 only thing you're able to testify to is what happened at  
15 the table, and the next memory you have is in the car,  
16 right?

17 A. Correct.

18 Q. And if I heard you correctly when you were  
19 testifying for Mr. Chase your recollection is that you  
20 woke up in the car or you're in the car or you're in the  
21 driver seat?

22 A. Yes.

23 Q. Do you remember, Ms. Bridges, telling the  
24 detective about a conversation you had with Aaron  
25 Brantley as you walk to the car, and as you got in the

1 car?

2 A. No.

3 Q. Do you remember telling the truth that at  
4 some point that night you were in the car and you tried  
5 to roll down the window but you couldn't move your  
6 hands; you remember telling him that?

7 A. No, I remember punching the window.

8 Q. But I'm asking you very specifically about  
9 what you may-- what you recall saying to Detective  
10 Sluss?

11 A. No.

12 Q. Okay. You remember telling the detective  
13 that when you were in the car you didn't smoke anything  
14 and Aaron Brantley didn't smoke anything; do you  
15 remember that?

16 A. No, I don't remember.

17 Q. Well, but earlier, right, when you were  
18 testifying you said something about Aaron Brantley  
19 rolling a blunt; you remember testifying to that a  
20 little while ago?

21 A. He said while we were sitting he was going  
22 to roll a blunt, yes.

23 Q. But you don't remember having that  
24 conversation with Detective Sluss about, I didn't smoke,  
25 he didn't smoke; you didn't remember that, right?

1 A. No.

2 Q. Okay, now, I think I remember this  
3 correctly, but you correct me if I state it wrong. When  
4 you were testifying earlier the prosecutor asked you a  
5 question about what you remember next after being in the  
6 driver seat; you remember that question?

7 A. Yes.

8 Q. And did you remember that your answer right  
9 then was "the next thing I remember I was in the  
10 passenger seat. Aaron was on top of me having sex  
11 telling me that he loved me."

12 A. Yes.

13 Q. That was your testimony, right?

14 A. Yes.

15 Q. And that was truthful testimony; is that  
16 correct?

17 A. Yes.

18 Q. Now, then the prosecutor asked you a  
19 question about his hands, about Aaron Brantley's hands.  
20 You remember him asking you that question?

21 A. Yes.

22 Q. After this statement?

23 A. Yes?

24 Q. And then you went back, and you said, oh,  
25 yeah, I remember his hands were -- he placed his finger

1 inside my vagina?

2 A. Yes.

3 Q. And you said that occurred before he was on  
4 top of you having sex?

5 A. Yes.

6 Q. And so when you testified initially that I'm  
7 in the driver seat and the next thing I remember is  
8 being in the passenger seat with him on top of me having  
9 sex that's not totally accurate then, is it?

10 A. My memory is like a movie. Piecing pieces  
11 together. I do remember all of the order is vague to  
12 me. I don't remember a lot of that night.

13 Q. But you do remember talking to Detective  
14 Sluss, and as best you can recall on April the 6th,  
15 April the 8th, telling him what happened that night?  
16 You remember that?

17 A. Yes.

18 Q. You remember him -- you remember telling  
19 Detective Sluss something about Aaron Brantley taking  
20 off your stockings and taking off your panties?

21 A. Yes.

22 Q. You remember that now?

23 A. Yes.

24 Q. Now, when you testified earlier you said  
25 that your stockings came off you some way? You assume

1 he took them off, but you don't remember that?

2 A. I don't know. I mean, I remember having  
3 tights.

4 Q. And your recollection. Let me make sure I'm  
5 sure of what your recollection is. Is it simply that  
6 you know at some point your tights and your underwear  
7 were off or do you have a specific recollection of Aaron  
8 Brantley somehow taking off your tights and your  
9 underwear, which one is it?

10 A. I think at some point they were off.

11 Q. But you do not have a specific recollection  
12 of him doing it?

13 A. No.

14 Q. Okay. And so if you told Detective Sluss  
15 that he put my feet up on the dashboard and then he  
16 maneuvered my stockings and my panties down, you have  
17 --you would have been what kind of making it up at that  
18 point when you told the detective?

19 A. No. If I said it that was a memory at that  
20 time.

21 Q. But that's not your memory now?

22 A. No. Its been how many years.

23 Q. But you testified earlier that when you're  
24 talking to Detective Sluss in the early morning of April  
25 6, 2013, you were still feeling kind of foggy, feeling

1 some kind of way, right?

2 A. Yes.

3 Q. Today as you're testifying here in court in  
4 front of this jury you're clear headed, not under the  
5 influence of anything, right?

6 A. No.

7 Q. You -- strike that. You told this jury --  
8 so this is in a parking deck, right?

9 A. Yes.

10 Q. Your car is -- you have a 2008 Dodge  
11 Stratus?

12 A. At that time, yes.

13 Q. Gray car, four door?

14 A. Yes.

15 Q. Passenger seat and driver seat that leans  
16 back, right?

17 A. Yes.

18 Q. And there is a console in the center. This  
19 is not a bench seat, it's kind of a bucket seat with a  
20 console in the center, right?

21 A. Right.

22 Q. And to get out of that parking lot you go  
23 passed a booth that sometimes has a person in the booth  
24 right?

25 A. Yes.

1 Q. And your testimony today is that you  
2 remember driving up to that booth, right?

3 A. Yes.

4 Q. Aaron Brantley was driving your car, right?

5 A. Yes.

6 Q. You were in the passenger seat?

7 A. Yes.

8 Q. You had something, either a jacket or a  
9 sweat shirt or something covering you, right?

10 A. Yes.

11 Q. And there was an attendant in the booth?

12 A. Yes.

13 Q. Do you remember any conversation between Mr.  
14 Brantley and the attendant in the booth?

15 A. No.

16 Q. Do you remember him paying the attendant in  
17 the booth?

18 A. No.

19 Q. Do you remember having to use one of those  
20 cards you put into the machine that has a little arrow  
21 on it so that the arm goes up? Do you remember him  
22 doing any of that?

23 A. No.

24 Q. But you certainly remember that there that  
25 booth and an attendant in the booth, right?

1 A. Yes.

2 Q. And you told that to the detective when you  
3 met with him, didn't you?

4 A. Yes.

5 Q. Just look, I presume, if I'm wrong correct  
6 me, that you told that to the DA or DA's investigators  
7 when you met with them, right?

8 A. Yes.

9 Q. You don't know -- your testimony is that you  
10 don't know whether the sex that took place took place  
11 before you left the parking lot or after?

12 A. No.

13 Q. You don't know?

14 A. No.

15 Q. Now, do you remember, though, telling  
16 Detective Sluss that you were absolutely sure that the  
17 sex takes place outside of the parking deck in a  
18 residential area where you could see a big gray stucco  
19 house.

20 A. A grey stucco building, yes.

21 Q. You told him that?

22 A. Yes.

23 Q. You told the detective that the --

24 A. Light post in front of it, yes.

25 Q. You also told him there was a no parking

1 sign or something in front of it, right?

2 A. Yes.

3 Q. But the point is that you specifically told  
4 the detective that you were certain that this incident,  
5 this sexual contact took place on a residential street  
6 not in a parking lot?

7 A. At that time, yes.

8 Q. All right. Now, that was at that time, but  
9 at this time you're telling the jury that you don't know  
10 where it occurred; is that correct?

11 A. Exactly.

12 Q. Do you remember giving the detectives  
13 details about, you know, what street it might have been  
14 on, what turns had to be made; do you remember giving  
15 him that specific detail back then?

16 A. I remember giving details about seeing trees  
17 and lots of big houses.

18 Q. So, if your statement to the detective back  
19 then was that you're sure it happened in a residential  
20 location somewhere outside the parking lot deck, and  
21 your testimony under oath today is that I don't know  
22 where it happened, whichever of those two is the truth?

23 A. If I had to say I would say the fresher  
24 memory which was then.

25 Q. So has something happened in between the

1 fresher memory then and now to make you certain under  
2 oath that you don't know where this happened?

3 A. Time.

4 Q. Truth changes all the time?

5 MR. CHASE: Objection.

6 MR. ADAMS: What's the objection?--

7 THE COURT: Mr. Adams, the last time I  
8 looked I get to control the courtroom, not you.

9 MR. ADAMS: You're correct.

10 MR. CHASE: I think -- relevance.

11 THE COURT: Sustained.

12 BY MR. ADAMS:

13 Q. When you were talking to the detective did  
14 you have any discussion with the detective about making  
15 sure that you're -- the thing that you told him was  
16 accurate as possible?

17 A. Yes.

18 Q. Because you were aware at that time that you  
19 were charging Mr. - that you were alleging that Mr.  
20 Brantley had actually raped you, had committed the  
21 criminal offense of rape; you were aware of that?

22 A. Yes.

23 Q. Just like you're aware of it today as you  
24 sit in this courtroom, right?

25 A. Yes.

1 Q. You received, according to your testimony  
2 earlier, phone calls were coming in from your sister and  
3 is it Eric Watkins?

4 A. Yes.

5 Q. Because at some point you had to lean back  
6 and get your phone, right?

7 A. Yes.

8 Q. Your phone -- your cell phone had some how  
9 fallen behind the driver seat of the car?

10 A. Right.

11 Q. Now, you testified at some point you felt as  
12 though you couldn't move your body, right?

13 A. Yes.

14 Q. You felt as though you were just limp;  
15 correct?

16 A. Yes.

17 Q. But you reached back and you got the phone  
18 and you saw that these calls were coming in?

19 A. Yes.

20 Q. It is your testimony; however, that you  
21 didn't answer any of these phone calls?

22 A. No, not that I remember.

23 Q. Is it your testimony today, Ms. Bridges,  
24 that you did not send any text messages?

25 A. No, I sent text. I remember sending a text.

1 Q. What's the first one you remember sending,  
2 is that help text?

3 A. No, rape.

4 Q. Do you remember sending a text to your  
5 sister telling her you're on your way home?

6 A. No.

7 Q. Do you remember a text message from your  
8 sister coming in that said, "where are you," and then  
9 you sending a response text saying, "on the way home."

10 A. No.

11 Q. You don't remember that?

12 A. No.

13 Q. Do you remember any text coming in from your  
14 boyfriend, Dequandre Newel?

15 A. No.

16 Q. Do you remember responding to a text from  
17 Mr. Newel after -- strike that. You said you didn't  
18 answer the phone because you were quote "afraid to talk  
19 in front of Aaron;" is that right?

20 A. Yes.

21 Q. And but at some point while you're driving  
22 in the vehicle Mr. Brantley actually got a phone call  
23 and then gave you the phone to talk to Eric Watkins,  
24 right?

25 A. Yes.

1 Q. You talked to Eric Watkins at that time, did  
2 you not?

3 A. Yes.

4 Q. And your recollection and your testimony is  
5 that the only person you talked to in that car that  
6 night on the way to McDonalds was Eric Watkins, right?

7 A. Yes.

8 Q. And if I remember correctly your testimony  
9 was quote "the sex had already occurred when the calls  
10 came in, right?

11 A. Yes.

12 Q. And you're sure of that, aren't you?

13 A. As far as I could remember, yes.

14 Q. Your testimony today is that Aaron Brantley  
15 said to you while you're in the car quote "why are you  
16 crying; do you want some more sex?"

17 A. Yes.

18 Q. When you got to the McDonalds you met with  
19 Lakiva and Eric Watkins. You testified earlier quote "I  
20 guess I put my leggings on to get out of the car."

21 A. Yes.

22 Q. Do you have a specific recollection of doing  
23 that?

24 A. No.

25 Q. In fact, your testimony earlier initially

1 was that you just had on a skirt, right?

2 A. Yes.

3 Q. And then when Mr. Chase asked about, well,  
4 what about your leggings, you said you remember having  
5 them on at the hospital?

6 A. Yes.

7 Q. And so you must have quote "I guess put on  
8 my leggings to get out of the car."

9 A. Yes.

10 Q. Your recollection-- your testimony today,  
11 rather, is that you left McDonalds and y'all went  
12 directly to Piedmont Hospital?

13 A. Yes.

14 Q. Did you have further conversation with  
15 Dequandre Newel after you got home? After you left the  
16 hospital and got home, did you talk to him?

17 A. Yes.

18 Q. And you would have spoken to your sister and  
19 your mother as well, right?

20 A. Yes.

21 Q. All right. After those phone conversations  
22 with the detective somewhere around the 10th of April,  
23 2013, did you have any further meeting with the  
24 detective or was that pretty much it?

25 A. I'm sorry, I didn't hear you.

1 Q. Did you have a meeting or interview with the  
2 detective anytime after the middle of April of 2013?

3 A. I don't know. After I met with the DA's  
4 Office I don't remember meeting with Detective Sluss  
5 again.

6 Q. At anytime when you met with the DA's  
7 Office, Ms. Bridges, did they give you an opportunity to  
8 review any statements that you had made previously?

9 A. Yes.

10 Q. Written version of those statements or audio  
11 tape version of those statements?

12 A. Written.

13 Q. Were they like a transcript?

14 A. No.

15 Q. What was it exactly?

16 A. Like notes.

17 Q. Okay. Notes from whom?

18 A. I don't remember.

19 Q. Okay. Were they notes that you had written?

20 A. I don't remember. I remember a note pad.

21 Q. Okay. So they gave you someone's note pad  
22 with some notes on it?

23 A. No, we discussed what was on the note pad  
24 and I didn't look at anyone's.

25 Q. Okay.

1           A.        Like we reviewed it orally. We spoke about  
2 what I had stated before and clarified events and like  
3 we are now.

4           Q.        But you never had an opportunity to listen  
5 to an audio statement or audio recording of your  
6 previous statements?

7           A.        No.

8           Q.        All right.

9                    MR. ADAMS: That's all I have.

10                   THE COURT: Mr. Chase.

11                   MR. CHASE: Briefly, your Honor.

12 REDIRECT EXAMINATION

13 BY MR. CHASE:

14           Q.        Mr. Adams asked you about the second  
15 interview that you had with the detective, and that was  
16 down at the Atlanta Police headquarters, correct?

17           A.        Yes.

18           Q.        And you testified that you remember -- you  
19 gave truthful statements to the best that you can  
20 remember at that time?

21           A.        Yes.

22           Q.        I think that's what you said. What do you  
23 mean the best you could remember at that time?

24           A.        As I stated before I have flashes all back  
25 in the car and I remember different things each time so

1 it's kind of like piecing it together in order or trying  
2 to the best that I can. So my memory then is much  
3 different than now. There is some things that I feel I  
4 know I've forgotten.

5 Q. Do you try to think about this on a daily  
6 basis?

7 A. No.

8 Q. Mr. Adams asked you about the defendant  
9 saying he was going to roll a blunt. That was your  
10 testimony; you remember him saying that, correct?

11 A. Yes.

12 Q. Did you actually remember him rolling a  
13 blunt?

14 A. No.

15 Q. Did you ever tell anyone you remember him  
16 rolling a blunt?

17 A. No.

18 Q. What you told me was the comment that he  
19 made?

20 A. Yes.

21 MR. CHASE: Nothing further

22 THE COURT: Anything else, Mr. Adams

23 MR. ADAMS: Nothing on recross. Thank

24 you.

25 THE COURT: You may step down. Thank

1           you, Ms. Bridges.

2                       MR. ADAMS: I would ask that she be  
3           subject to recall, rather.

4                       THE COURT: Ladies and gentlemen, this is  
5           a good time, we have gone a little bit, to take a  
6           lunch recess. You have -- we've gotten started on  
7           the case, but the instructions remain the same as  
8           they will at every break. Please do not discuss  
9           anything that you've heard with each other, with  
10          anyone else. Don't try to find out any information  
11          out about any of the parties, subject matter of the  
12          case. Don't try to look anything up online, do any  
13          legal research, try to go by any scenes,  
14          communicate with anyone via internet, Blackberry,  
15          cell phone, iphone, Twitter, texting, any social  
16          media. I can't even think of all of them. An hour  
17          and about 15 minutes give y'all enough time to get  
18          in and out of here and get lunch. Great. Let's be  
19          in recess until right at 2:00, all right. Enjoy  
20          your recess. Thank you for your patience.

21                      THE BAILIFF: All rise for the jury.

22                      THE COURT: We will be in recess until  
23          2:00.

24                      L U N C H E O N R E C E S S .

25                      A F T E R N O O N S E S S I O N .

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(Record resumed.)

(Defendant present.)

MR. ADAMS: One of the jurors, I believe she is number one in the jury.

THE COURT: Ms. Tejada.

MR. ADAMS: Yesterday afternoon when Mr. Brantley and I were leaving the building we were at the corner on Pryor, I guess that's Martin Luther King, she was actually walking behind us. I didn't see her until she came up on us. I turned around and she asked me, she said is that way to the MARTA station, and I kind of backed off, and you know, said -- you know, I pointed. I didn't say anything to her. But anyway I just want to bring that to the Court's attention. I didn't have any communication with her other than that. Mr. Brantley was present. He didn't say anything to her, but I wanted you to know.

THE COURT: Mr. Chase.

MR. CHASE: I have no input. That's fine.

THE COURT: Since you bring it up, just so you know I went down to get crackers in the cafeteria, saw three of the jurors. They waved. I said, told you the food wasn't very good. They

1           said, you're right, and I came back upstairs.

2                   All right. Let's bring the jury in.

3           Thank you for letting us know, Mr. Adams.

4                   MR. ADAMS: Yes, ma'am.

5                   THE COURT: Call your next witness.

6                   MR. CHASE: It's going to be Dr. Raj

7           Kothari.

8                   THE BAILIFF: All rise for the jury.

9                   MR. CHASE: State calls Dr. Raj Kothari.

10                   DR. RAJ KOTHARI

11           HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS

12           FOLLOWS:

13                   THE BAILIFF: State your full name and

14           occupation, please?

15                   THE WITNESS: Raj Kothari. R-A-J

16           K-O-T-H-A-R-I.

17           DIRECT EXAMINATION

18           BY MR. CHASE:

19           Q.        You said you're an emergency room physician?

20           A.        Yes, sir.

21           Q.        Where are you currently employed?

22           A.        I work at Piedmont Atlanta Hospital.

23           Q.        Where were you employed on April 6th of

24           2013?

25           A.        At Piedmont Atlanta Hospital.

1 Q. And are you employed as an emergency room  
2 physician there?

3 A. Yes, sir.

4 Q. Can you tell the ladies and gentlemen of the  
5 jury a little bit about your educational background?

6 A. Sure. Hello my name is Raj, so I'm an  
7 emergency physician. I graduated from medical school in  
8 1997. I did my emergency medicine training at Carolinas  
9 Medical Center in Charlotte. Graduated in 2000, and I  
10 have been Board Certified since. So I have been  
11 practicing now about 15 years.

12 Q. And you've always worked at Piedmont?

13 A. I worked here in greater Atlanta area. I  
14 worked at several places. I have been at Piedmont now  
15 almost three to four years.

16 Q. And as an emergency room physician do you  
17 ever have an occasion to treat victims of sexual  
18 assault?

19 A. Yes, I do, unfortunately.

20 Q. And have you ever conducted a sexual assault  
21 examination yourself?

22 A. Yes, I have.

23 Q. I want to bring you to --

24 MR. CHASE: Your Honor, at this time the  
25 State would move into evidence Exhibit 2 which is a

1 self-authenticated document pursuant to O.C.G.A.  
2 24-8-803 subsection (6) and O.C.G.A. 24-8-903  
3 subsection (11) self-authenticating. It has been  
4 shown to defendant prior to this.

5 MR. ADAMS: No objection.

6 THE COURT: It's in.

7 BY MR. CHASE:

8 Q. Dr. Kothari, were you working the night of  
9 April 6, 2013?

10 A. Yes. I had a chance to look through my  
11 records. Yes, I was working.

12 Q. Have you had -- State's Exhibit 2 that I  
13 just gave you, what is State's Exhibit 2?

14 A. This is a medical record of the patient that  
15 night from start to finish.

16 Q. And what is the patient's name?

17 A. Patient's name is Arriene Bridges.

18 Q. And do you recall when Ms. Bridges arrived  
19 to Piedmont Hospital?

20 A. I don't, and as I talk about the case just  
21 so you know like emergency department when we work we  
22 see maybe about 20 to 30 patients a night. This having  
23 happened two to three years ago my recollection of this  
24 is basically off the record. I do remember writing  
25 some. Most of it I will be referring to my record, but

1 yes, I was actually working the night shift. Just in  
2 looking at the records it looks like she'd actually come  
3 in right after midnight.

4 Q. And did -- what was the chief complaint that  
5 Ms. Bridges had on April 6, 2013.

6 A. Two complaints. She came in stating that she  
7 was raped.

8 Q. And did she tell you during the course of  
9 your treatment of her, specifically, what happened to  
10 her?

11 A. I did.

12 Q. What did she tell you?

13 A. Our job in the emergency department is to  
14 take care of patients medically, and to obtain a history  
15 and to examine the patient and to be able to help them  
16 medically. So it's called a history and present  
17 illness. If you don't mind I'm going to refer to my  
18 chart. So under history and present illness I a scribe  
19 that works for me who basically will listen with me and  
20 be able to translate as a court reporter would, and  
21 document the interaction between me and patient and then  
22 it goes into an electronic record. My first line says  
23 that the patient came to ED with recent sexual assault  
24 per her as well as the co-worker the last evening.

25 Q. Okay. Did she give you a listing of any

1 medications that she was on?

2 A. She did. Yes, she did.

3 Q. What medication do your notes reflect?

4 A. Looked through my records as well. She was  
5 on several medications. Patient had cardiac history  
6 which I can list all the medications that she's on. She  
7 was taking like Tylenol No. 3 as needed. She was on  
8 antibiotic Amoxicillin. She was taking medication for  
9 allergy. She also was on a medication Singulair which  
10 is for asthma. She's on Nadolol, Prednisone and  
11 Sertraline.

12 Q. What is Nadolol?

13 A. A beta Blocker. A beta blocker used for  
14 hypertension for patients who have cardiac history.

15 Q. And you listed two more, what were they?

16 A. Prednisone and Sertraline.

17 Q. And what are those?

18 A. Prednisone is an anti-inflammatory. It's  
19 used for a lot of different things. In her case it's  
20 probably for her lung history.

21 Q. And the last one?

22 A. The last one is Sertraline.

23 Q. And what is Sertraline used for?

24 A. The trade name is Zoloft maybe more commonly  
25 known. It's treated for a variety of things. It can be

1 used for anxiety. It can be used for depression. Post  
2 traumatic stress disorder; a lot of different things.

3 Q. To your knowledge do any of those drugs have  
4 any negative interaction with alcohol?

5 A. No, they do not.

6 Q. Did she give you any --I believe you kind of  
7 mentioned it. Did she give you any previous medical  
8 history or any medical conditions?

9 A. Yes. In my chart we always do chart and  
10 that's important. When we see them their medical  
11 history. I have written patient has a history of  
12 asthma, cardiac history, cardiac arrest, diverticulitis,  
13 diverticulosis, migraine, ovarian cyst, prolong --  
14 and this is all just from all of the patient's asthma  
15 history.

16 Q. So you mentioned she did have a cardiac  
17 history?

18 A. Yes, sir.

19 Q. Any of those previous conditions to your  
20 knowledge, would those conditions have any sort of  
21 negative interaction with alcohol?

22 A. Generally, I mean, it's not advised actually  
23 to drink alcohol, you know, but the --but you know  
24 there's no negative effect when you have these medical  
25 problems especially if they're being taken care of with

1 medications.

2 Q. During the course of your examination did  
3 you get a weight of the victim?

4 A. I did.

5 Q. And what was the weight?

6 A. In the beginning of my chart it says patient  
7 stated weight is 116 pounds.

8 Q. Did you perform a rape examination or sexual  
9 assault examination?

10 A. Yes, sir.

11 Q. Okay. And what exactly does the sexual  
12 assault examination consist of?

13 A. So any patients who come to -- a lot of  
14 different things. Patients-- not all patients who are  
15 sexually assaulted get a rape kit is what we call it in  
16 the emergency department. It's only offered indication  
17 when the patient complains that, yes, this was a  
18 non-consensual intercourse. A rape kit is actually  
19 brought by what ever jurisdiction that the event  
20 occurred. The police will actually bring in the rape  
21 kit. We don't have them in the emergency department.  
22 It's a tedious process. It's a long process. It's not  
23 a fun process for the patient.

24 Q. How would it begin?

25 A. We would -- a rape kit is brought by the

1 police officer to the room where the patient is. There  
2 is no in and out of the room. The physician, the nurse  
3 and the patient are generally the only three people in  
4 the room. It starts with a patient being undressed,  
5 because she's in a gown, and the patient has to go  
6 through quite a bit of stuff. Patient is basically  
7 exposed with evidence collection, if you will, with the  
8 doctor and the nurse. It starts with a patient being in  
9 stirrups. It's a pelvic exam. We perform the pelvic  
10 exam exposed to myself as well as the nurse. Generally  
11 in a position for about a half hour plus with  
12 examination with a speculum where we get cultures.

13 Q. What is a speculum?

14 A. A speculum is a plastic or steel instrument,  
15 depending on what you have in the emergency department,  
16 that's inserted into the vaginal opening. It's  
17 uncomfortable. Most women, I think, have had a pelvic  
18 exam. It's like an annual Pap Smear. When we do that  
19 we obtain several different cultures more than we  
20 normally get on annual exam.

21 Q. And was a rape examination or sexual assault  
22 examination performed by you for Ms. Bridges?

23 A. Yes. And so I perform the exam. It's  
24 always performed by a physician as well as a emergency  
25 nurse or trained nurse, and we are usually the only two

1 staff members that are in the room with the patient.

2 Q. Now, you stated that there was some evidence  
3 collection that occurs during this examination, correct?

4 A. Correct.

5 Q. Where -- what kind of evidence are you  
6 looking for?

7 A. So, medically speaking and taking care of  
8 the patients we have our own cultures that we do to see  
9 if a patient has an infection, etc. The rape kit comes  
10 -- it's a sealed kit. Once it's opened everything is  
11 labeled where we have to obtain swabs of every area that  
12 potentially had assault. So we would do swabs of  
13 vaginal area. Swabs of the cervical area. Swabs of the  
14 oral area. Swabs of the rectal area. All of these are  
15 done in succession and it's not -- a swab is performed  
16 any that could be evidence we plate that on a little  
17 plate that eventually is sealed closed, placed in the  
18 bag. Everything is labeled as the patient is still  
19 there with us in the room.

20 Q. And what area do you specifically swab?

21 A. So the first thing would be when I perform  
22 the pelvic exam we will actually swab the external area  
23 which is the vaginal area and the vault which is kind of  
24 like the internal canal. The cervix is basically the  
25 doorway to the uterus. We will actually do swabs of the

1 cervical area as well as the rectal area. Swabs are  
2 using, they look like Q tips. Uncomfortable. Once the  
3 rectal swabs are done then we take the pelvic or the  
4 speculum out and we perform further exam.

5 Q. What are you looking for in the further  
6 exam?

7 A. Further exam is, again, medically speaking  
8 what we want to do is see if a patient was harmed in any  
9 way. See if the patient was bruised in any way. And  
10 then evidence collection is when we take a comb. We  
11 comb through the pubic area for any possible evidence.  
12 Sometimes pubic areas -- so they do pull out so that can  
13 actually be put into plastic bags and kept within a  
14 chain of custody. After that we do hair from the head.  
15 Those are physically pulled out, they're not cut.  
16 They're physically pulled out so that can be  
17 uncomfortable. That also goes into collection.

18 Q. When you get a sexual assault kit with the  
19 police is the kit itself sealed?

20 A. The kit is sealed.

21 Q. Are all of the internal items like the Q tip  
22 are those items sealed as well?

23 A. Correct. Everything is actually in the  
24 sealed container.

25 Q. Now, the Q tip that you described is it like

1 the size of a regular Q tip you clean your ear with?

2 A. It has to be probably a length to be able to  
3 obtain cervical cultures the tip of it is like a Q tip  
4 that you would use or you would buy.

5 Q. And what about clothing; do you do anything  
6 with clothing?

7 A. We will depending --it's dependent if a  
8 patient had just come from having a sexual assault then  
9 all the clothes are folded up. They are placed in a bag  
10 and then all of that is put into a plastic bag which  
11 eventually is sealed with just the two of us that are in  
12 the room.

13 Q. And did you do that in this case?

14 A. Independently, I don't remember. I know  
15 that that's our routine when ever we do perform a sexual  
16 assault exam. So generally we do that, but I don't  
17 remember.

18 Q. And did you in this particular case, do your  
19 notes reflect whether or not you obtained evidence?

20 A. I have read my notes. I do know that I  
21 wrote that a sexual assault kit was performed, but I  
22 don't have anywhere specific that I had written that, I  
23 don't think.

24 Q. Okay. What about the drape, is the drape  
25 that you put over the patient sometimes kept as well?

1           A.       It depends. I will generally perform  
2 probably a good part of the exam by the end the nurse is  
3 still also in the room. The nurse sometimes will  
4 collect it if possible evidence is gone from the patient  
5 on to the gown or to the drape. So everything is  
6 generally -- is kept as much as we can whether there is  
7 any evidence or not. Again, our job is just to help  
8 facilitate getting everything in the proper chain of  
9 custody. I'm not sure if we did or not on her.

10          Q.       I'm going to show you what's been marked as  
11 State's Exhibit 4 for identification purposes. Do you  
12 recognize State's Exhibit 4?

13          A.       Yes.

14          Q.       And what do you recognize State's Exhibit 4  
15 to be?

16          A.       This is the sexual assault evidence  
17 collection kit that I had performed on the patient.

18          Q.       Okay. And when you finished with that  
19 particular kit, did you seal the kit yourself?

20          A.       I independently -- I don't remember. I  
21 know that our routine is to actually close these kits  
22 and a sticker is actually that comes with the container.  
23 So a sticker is placed over there. Everything is  
24 sealed. So this is -- when this comes out of the room  
25 it's handed directly to an officer. So it's sealed

1 without anybody else touching it.

2 Q. And the evidence -- excuse me, any clothing  
3 that you would have taken, those would have also been  
4 sealed; is that correct?

5 A. That's correct. It's either sealed by  
6 myself or the nurse that's in the room.

7 Q. I'm going to show you what's previously  
8 marked as State's Exhibit 3, 5, 6 and 7.

9 MR. CHASE: May I approach, Judge?

10 THE COURT: Go ahead.

11 BY MR. CHASE:

12 Q. State's 3, 5, 6 and 7, can you let us know  
13 what they are? State's Exhibit 3, specifically?

14 A. This is the typical fashion that everything  
15 is collected. State's Exhibit 3 states this is the  
16 drape, and it's stapled across the top, and it is sealed  
17 either by myself or it's by the nurse.

18 Q. And so either yourself or the nurse that was  
19 working with you sealed that; is that correct?

20 A. That's correct.

21 Q. And what about State's Exhibit 5?

22 A. State's Exhibit 5 states on here skirt.  
23 This is the patient's skirt that's in this bag.

24 Q. And so -- was that also sealed by you?

25 A. Either myself or the nurse, correct.

1 Q. And what about State's Exhibit 6?

2 A. And State's Exhibit 6 on the back says  
3 description of item, black woman's panties.

4 Q. Okay. Do you recall if those were collected  
5 by you or not?

6 A. I don't know. Again, proper chain of  
7 custody would either be myself or nurse; one of us would  
8 actually do that.

9 Q. What about State's Exhibit 7?

10 A. State's Exhibit 7 it, states on here  
11 tights/leggings.

12 Q. Do you recall if those were recovered by  
13 you?

14 A. Again, I don't remember. But --

15 Q. Was there a sticker on that one?

16 A. There is a -- on here it's handwritten. It  
17 just says tights and leggings and patient's  
18 identification on here.

19 Q. That patient's identification sticker that  
20 you're pointing to, is that from Piedmont Hospital?

21 A. This is from Piedmont Hospital.

22 Q. Is that how you can recognize these as being  
23 part of this case?

24 A. Correct. Yes, on everything it's very  
25 typical when they come in patients are coming into

1 triage we will actually print off labels so everything  
2 is identified.

3 Q. Those items are still sealed; is that  
4 correct?

5 A. Yes, sir.

6 Q. If you could go ahead and look inside  
7 State's Exhibit 3.

8 A. Okay. At this point I'm allowed to open it;  
9 is that correct?

10 Q. Yes.

11 A. Do you actually want me to open this?

12 Q. Yes.

13 A. Okay.

14 Q. What do you see inside?

15 A. It's a drape.

16 Q. Is that consistent with the description of  
17 what's on the outside?

18 A. Yes, sir. It says drape.

19 Q. Okay. And what about State's Exhibit 5. If  
20 you can go ahead and open that?

21 A. State's Exhibit 5 it states that it's a  
22 skirt. And then there's an article of clothing inside.

23 Q. This looks like a skirt?

24 A. Yes.

25 Q. How about State's Exhibit 7. Can you go

1 ahead and open that?

2 A. And then state Exhibit 7 is black article of  
3 clothing.

4 Q. Okay.

5 A. It says on here it's tights.

6 Q. Is that consistent with what you found?

7 A. Yes, sir.

8 MR. CHASE: Your Honor, at this time, I  
9 would move State's Exhibits 3, 5 and 7 into  
10 evidence.

11 MR. ADAMS: Can I have a moment?

12 THE COURT: Sure.

13 MR. ADAMS: No objection.

14 THE COURT: They're in, 3,5 and 7.

15 MR. CHASE: The State has not entered six  
16 in yet. Six is for identification only at this  
17 point.

18 THE COURT: So three, five and seven  
19 there is no objection to; is that correct?

20 MR. ADAMS: No objection.

21 THE COURT: Okay.

22 BY MR. CHASE:

23 Q. Do you recall Ms. Bridges' demeanor during  
24 the course of the examination?

25 A. Again, I don't independently remember. I

1 will always make a note on patient on how they appeared  
2 on the physical exam. Physical exam states "patient  
3 awake and quiet/sad appearing" is what I put in the  
4 record.

5 Q. And did you find any signs of physical  
6 trauma during your examination?

7 A. I did not.

8 Q. And in your experience is it uncommon not to  
9 find signs of physical trauma?

10 A. In my experience and even with literature  
11 with a sexual assault of any kind generally there is no  
12 physical trauma that's noted in the genital urinary  
13 area.

14 Q. Did you see any bruising about the body?

15 A. I reviewed my chart. I don't mention  
16 anything of bruising.

17 Q. Would bruising necessarily show right away?

18 A. You will not. You may see some earthing  
19 redness. Sometimes it's immediate, just depending on  
20 how big the vessel is.

21 Q. Did you order any lab tests during the  
22 course of your examination?

23 A. Yes, I did.

24 Q. And what lab test did you ask for?

25 A. I ordered a CVC.

1 Q. What's a CVC?

2 A. A CVC is a patient's white count for  
3 hemoglobin or how anemic your blood level or blood  
4 counts level. I also ordered a chemistry which looks at  
5 the patient's renal function and their electrolytes and  
6 their sugar. I also ordered STD testing, gonorrhea and  
7 clamydia.

8 Q. Is that standard for a sexual assault exam?

9 A. Yes. Also a pregnancy test. I ordered a  
10 urine drug screen and then a alcohol test.

11 Q. And as far as the urine drug screen what  
12 were the results of that drug screen?

13 A. Let me review the record. Urine drug screen  
14 is negative, and it checks for all major drugs such as  
15 barbiturate, benzoid's cocaine, opiates and etc.

16 Q. You also mentioned that you asked for an  
17 alcohol test?

18 A. Yes.

19 Q. And is that a blood test or urine test?

20 A. It's a serum test. It's a blood test.

21 Q. And did you recall what time you ordered  
22 that test?

23 A. Honestly, I don't remember. I don't even  
24 remember what time I ordered the test. I can review my  
25 notes and tell you?

1 Q. Do you -- does the records reflect when the  
2 blood was drawn for the test?

3 A. It does. The nurses always when they see a  
4 patient will actually keep a time line. So the nurses  
5 will actually state when they drew the blood.

6 Q. What time did they draw the blood for Ms.  
7 Bridges?

8 A. If you don't mind let me just look through  
9 her notes. On her timeline it states that 3:46 is  
10 reassessment. Nurse's name is Linda. It states that  
11 blood was drawn for the lab.

12 Q. And that's 3:46 a.m. or p.m.?

13 A. 3:46 in the morning.

14 Q. And did you ultimately review the results of  
15 that laboratory test?

16 A. Yes, I did.

17 Q. Do you recall what time you reviewed the  
18 results of the lab test?

19 A. There is --I don't remember it, but in  
20 looking at my note. Electronic records have away when  
21 ever review labs it will actually time stamp it and many  
22 the stamp there it states that after 4:24 in the morning  
23 I reviewed the laboratory alcohol level.

24 Q. And what were the results of the alcohol  
25 test?

1           A.       Alcohol of 88.  When I say 88 it depends on  
2 what you would hear traditionally of an alcohol level of  
3 the legal limits to drive point .08.  What this would  
4 translate to is a .088.  So in this -- this is just a  
5 different unit.  We show it as 88 milligrams per  
6 deciliter.

7           Q.       Now, the -- So you say it would translate  
8 to .088, and you said the common knowledge that we have  
9 in our DUI --

10                   MR. ADAMS:  You're Honor, I'm going to  
11           object to that line of questions.  DUI blood  
12           alcohol is irrelevant in this case.

13                   MR. CHASE:  That's okay.  I will move on.

14 BY MR. CHASE:

15           Q.       Now, can you tell us the units it was  
16 measured in?

17           A.       The units are milligrams per deciliter.

18           Q.       Do you -- did you discharge Ms. Bridges with  
19 any medication?

20           A.       Let me review my record.  I know we  
21 administered medications in the emergency department.  
22 And I don't see where she was discharged with any  
23 medications, though.

24           Q.       Do you recall-- do the records state what  
25 time she was discharged?

1 A. Yes, it does. And discharge is 6:24 in the  
2 morning.

3 MR. CHASE: Nothing further.

4 CROSS EXAMINATION

5 BY MR. ADAMS:

6 Q. Good afternoon, sir. Dr. Kothari, right?

7 A. Yes, sir.

8 Q. Am I pronouncing that correctly?

9 A. Call me Raj.

10 Q. Dr. Kothari, is more appropriate or doctor.

11 All right. So you were the emergency room  
12 physician on duty on the evening of April the 5th going  
13 into the April 6th of 2013, right?

14 A. Yes, sir.

15 Q. Okay. And when Ms. Bridges came in she  
16 would have been seen initially by a triage nurse?

17 A. That's correct.

18 Q. And in fact, if you look at the record the  
19 medical records there in front of you, there are some  
20 notes that are taken by a triage nurse that becomes  
21 part of the record, correct?

22 A. That's correct.

23 Q. So, for example, you would be able to look  
24 at the record and see what Ms. Bridges said when she  
25 came in not just to you but to the other nurses as well?

1 A. That's correct.

2 Q. The nurse?

3 A. Right.

4 Q. And in one of the things that is done when  
5 someone comes in, history is taken?

6 A. That's correct.

7 Q. We -- doctors use the terms history  
8 differently from regular folks, we are not talking about  
9 American history and World History, this person's  
10 particular background and medical history, true?

11 A. That's correct.

12 Q. You would, and the nurses would want to know  
13 what this person is complaining of?

14 A. That's correct.

15 Q. In this case and the primary complaint that  
16 you testified earlier was a sexual assault; is that  
17 right?

18 A. That's correct.

19 Q. Now, of course you didn't know Shenay  
20 Bridges before she walked into the hospital that  
21 morning?

22 A. That's correct.

23 Q. You never met her before?

24 A. No. You say Shenay, that's her first name.

25 Q. Arriene Shenay Bridges. You never met her

1 before, you don't know her?

2 A. No, sir.

3 Q. You certainly were not with her anytime  
4 prior to about midnight of April 6, 2013, before she got  
5 to the hospital?

6 A. That's correct.

7 Q. You don't know what she was doing, true?

8 A. Correct.

9 Q. You don't know what her activities were,  
10 what her alertness all of that, you don't know what that  
11 was?

12 A. That's correct.

13 Q. What you do know, though, is that when she  
14 came in, and when she spoke to the triage nurse, on page  
15 11 of your record, at about 1:04 four in the morning,  
16 when she'd been there for less than an hour that the  
17 notations made was that she was conscious and oriented,  
18 right?

19 A. Okay. Let me just pull up. Sorry they  
20 weren't labeled.

21 MR. ADAMS: May I approach the witness,  
22 Judge?

23 BY MR. ADAMS:

24 Q. Let me show you my copy, make sure we're on  
25 the same page.

1                   You do know that at 1:04, right around April  
2 6th, her level of consciousness is that she's conscious  
3 and oriented, right, at least that's the observation?

4           A.       And that is where -- I'm sorry, where is  
5 that written?

6           Q.       Down towards the middle. Middle towards the  
7 bottom right above assessment?

8           A.       Neuro alert and oriented times three.

9           Q.       Yes, that's it.

10                   MR. ADAMS: Judge, do you mind if I stand  
11 next to Dr. Kothari.

12                   THE COURT: Yes.

13 BY MR. ADAMS:

14           Q.       She was conscious and oriented, right?

15           A.       That's correct. This is actually the triage  
16 nurse's.

17           Q.       But these are the notes that became part of  
18 the record?

19           A.       Yes.

20           Q.       Just like you made observations that became  
21 part of the record and the scribe took down stuff that  
22 became part of the record; this is all one record,  
23 right?

24           A.       That's right.

25           Q.       And in fact, you would have probably

1 consulted with the nurses who saw her before you, would  
2 that be correct?

3 A. Sometimes. Occasionally, if we actually get  
4 enough information from this then sometime we don't.

5 Q. For like the blood test that had to be done  
6 someone else would have done it, but would you have  
7 gotten those results and you would have evaluated them  
8 to be included in the record, true?

9 A. That's correct.

10 Q. So you note from the record that she at 1:04  
11 appeared to be alert as to time?

12 A. Correct.

13 Q. Alert as to place?

14 A. Correct.

15 Q. Alert as to persons?

16 A. That's right.

17 Q. And alert as to events, correct?

18 A. That is correct.

19 Q. Did you actually sit down in a room with her  
20 and take a statement?

21 A. Yes, sir, I did.

22 Q. So, do you recall there being a period of  
23 time where you're in a room, right, probably with your  
24 describe and Ms. Bridges and there were two police  
25 officers who at some point walk out of the room and then

1 come back into the room; you remember that?

2 A. Honestly, I don't remember. I don't have a  
3 lot of independent recollection of this aside from the  
4 chart.

5 Q. Okay. And you're pretty much going by  
6 what's written in the chart?

7 A. Yes, sir.

8 Q. All right. Let me ask you about that then.  
9 You talked earlier about the medication that she was  
10 taking?

11 A. Yes.

12 Q. I heard you mention a number of medications.  
13 I want to ask you about a couple of things. Sertraline,  
14 you indicated is the generic or non-generic name for  
15 Zoloft?

16 A. Yes.

17 Q. You said that Sertraline is taking for a  
18 variety of medical conditions?

19 A. Correct.

20 Q. Anxiety, true?

21 A. Yes.

22 Q. PTSD, post traumatic stress disorder?

23 A. Could be, yes.

24 Q. Depression?

25 A. Correct.

1 Q. What else?

2 A. I'm sure there is more F.D.A. indicated  
3 federal drug administration. Just so you know, I'm an  
4 emergency room physician so my job I don't prescribe  
5 Sertraline. It's not an emergency medication. So  
6 generally those are patients -- when see the patients on  
7 Sertraline that could be associated medical condition.

8 Q. But you don't know what she was taking  
9 Sertraline for?

10 A. No. I know that she was taking Sertraline.

11 Q. Now, you were asked a question a little  
12 while ago, right, about the alcohol interaction; how  
13 alcohol interacts with Sertraline?

14 A. Okay, right.

15 Q. Would you agree with me that when someone is  
16 prescribed a drug like Sertraline they're advised not to  
17 drink alcohol while they're on that drug, would you  
18 agree with that?

19 A. It make sense.

20 Q. Not that it make sense, that's what's done,  
21 right?

22 A. It depends on what's on the label of the  
23 Sertraline. Again, I don't prescribe Sertraline, so I'm  
24 not telling my patients not to drink or not with  
25 Sertraline.

1 Q. Do you as the doctor that you are. And I  
2 know there are different specialties so maybe you might  
3 educate me a bit, but do you know whether or not  
4 Sertraline is one of those drugs that the prescribing  
5 physician would advise you not to take alcohol while  
6 you're taking it?

7 A. That's a good question. I'll be honest with  
8 you, I'm not sure. I could make that statement, I  
9 think, with other drugs if somebody was on binge of  
10 diazepam or a sedative, something that's mind altering.  
11 So I don't know.

12 Q. Is Sertraline considered a mood altering  
13 drug?

14 A. Yes, you can classify it as that.

15 Q. Okay. All right. And it wasn't just that  
16 she was -- she told you that's a medication that she was  
17 prescribed that was actually in her blood, true?

18 A. Correct. Again, there is list of  
19 medications that she's on. And whether she's taking  
20 them or not I don't know, but I would assume, yes, that  
21 would be in her blood if she's taking it.

22 Q. Prednisone. She told you that's a  
23 medication she took, right?

24 A. Yes.

25 Q. Nadolol is a beta blocker, true?

1 A. That's correct.

2 Q. Beta blocker is sometimes used for  
3 hypertension and other conditions, right?

4 A. Correct. That's right.

5 Q. What other conditions do you use a beta  
6 blocker like Nadolol for?

7 A. Works or slows your heart rate down. So  
8 patients who have arrhythmia atrial fibrillation can use  
9 this. Beta blockers are used for stage fright before  
10 you actually go into public speaking.

11 Q. Anxiety?

12 A. It's used for a variety of things.

13 Q. Did she indicate to you that she was -- she  
14 took it for heart problems?

15 A. There is a lot of different drugs you could  
16 take. Are you talking about her list? Hold on one  
17 second.

18 Q. I'm going to ask you specifically.  
19 magnesium? Did she tell you she took magnesium?

20 A. It's not on her medication list.

21 Q. She was taking antibiotics?

22 A. She was taking antibiotics. It stated on  
23 here that she was on antibiotic. I can go into detail.  
24 It states here that she had it prescribed back in  
25 December 2012. So when you look at that patients

1 generally are not on antibiotic chronically, so I don't  
2 know if she was on it at the time or not.

3 Q. She may have been; she may not have been?

4 A. That's correct.

5 Q. Drugs like Sertraline, what type of doctors  
6 prescribe those drugs?

7 MR. CHASE: Objection. Relevance.

8 THE COURT: Sustained.

9 BY MR. ADAMS:

10 Q. In getting her history, were you able to  
11 determine whether she was, at that time, currently under  
12 treatment by any other physician?

13 A. I'm looking through my record. I would  
14 assume so because she was on other medication.

15 Q. Let's move on a little bit to the physical  
16 exam. You said that part of the quote unquote "rape  
17 kit" there's a vaginal exam?

18 A. That's correct.

19 Q. One of things you're looking for to see if  
20 there is the presence of or not presence of -- might be  
21 vaginal trauma?

22 A. That's correct.

23 Q. Now, in regards to sexual assaults and  
24 talking just briefly about the female anatomy --this is  
25 probably real elementary for you. The vagina produces

1 lubrication, true?

2 A. That's correct.

3 Q. All right. Someone is sexually aroused --  
4 when a woman is sexually aroused her vagina will produce  
5 lubrication, true?

6 A. That's true. Not on all patients, but yes.

7 Q. Generally speaking?

8 A. Correct.

9 Q. If a woman is not sexually aroused, for  
10 example, if she is -- in your experience, right, if she  
11 is engaging in some sort of sexual act, sexual  
12 intercourse, not aroused, forcible, non-consensual,  
13 right, there maybe the presence of vaginal trauma  
14 because the lack of lubrication would make it easier for  
15 there to be vaginal trauma; is that an accurate  
16 statement?

17 A. Yes, I see what you're saying, but in the  
18 case of --I mean, the vagina is such that woman have  
19 children and having children tears can happen and tears  
20 cannot happen. In a case like sexual assault it is  
21 intercourse. I'm not here legally, but just medically  
22 speaking is that in intercourse, whether it is  
23 consensual or not consensual the vagina is such that it  
24 accommodates. So, typically, you know, in any case  
25 there is generally not trauma that's seen.

1 Q. Right. I'm not by any means a vagina  
2 expert, term of art. But I mean, realistically, one of  
3 the things you're looking for is to see if there's  
4 trauma, right?

5 A. That's correct. That's why we do the exam.

6 Q. And really to break it down kind of simply,  
7 the simple reason you're looking for it is because the  
8 presence of vaginal trauma, right, may give you some  
9 information as to whether there was a sexual assault or  
10 not, true?

11 A. It can. That's correct. It can and it  
12 cannot. It does for both. It does -- not all trauma  
13 leads to sexual assault and not the absence of trauma  
14 doesn't mean there is not a sexual assault. They're not  
15 that directly related. It's just more evidence.

16 Q. You're looking to see if it's there or not?

17 A. That's why we do the exam.

18 Q. In this case it was not?

19 A. Correct.

20 Q. You swab -- you took a vaginal swab, true?

21 A. That's correct.

22 Q. Rectal swab, oral swab?

23 A. I don't remember if it's in the evidence  
24 collection. That is certainly our procedure to collect  
25 all of that.

1 Q. That's what you generally do. You think you  
2 may have done it in this case, but you're not a hundred  
3 percent sure?

4 A. If it's in the sexual assault kit then, yes,  
5 it was performed by myself.

6 Q. It would have been done, put in the kit.  
7 The kit would have been sealed and sent off where, GBI?

8 A. Yes, sir or a police officer that's there.

9 Q. Do you remember specifically handing the  
10 sexual assault kit off to a police officer that morning?

11 A. I don't. I don't remember.

12 Q. Maybe have been you, may have been a nurse?

13 A. Either myself or the nurse, and the sexual  
14 assault, the actual bag, the collection bag, it actually  
15 states on there who received that and the chain of  
16 custody who -- which officer it was given to.

17 Q. And who they got it from?

18 A. And who they got in from, correct.

19 Q. Do you remember --I know you talked earlier  
20 about the collection of things like clothing, and in  
21 fact, we saw the bag with the drape, the stockings and  
22 skirt, right?

23 A. Yes, sir.

24 Q. You would have been collecting that for  
25 purposes of putting it in the bag and sending it off

1 with the police, right? In other words, you wouldn't  
2 have analyzed that?

3 A. No.

4 Q. But we certainly know because we've got  
5 these bags here and the stuff is in them that they were  
6 collected at the hospital, presumably given to the  
7 police and sent off somewhere?

8 A. Correct.

9 Q. All right. Her blood alcohol level was 88.  
10 I think you described that as 88 milligrams per  
11 deciliter; am I saying that correctly?

12 A. Let me look at that one more time just to  
13 make sure. There are so many laboratory tests sometimes  
14 they get the units mixed up. Correct, it's 88  
15 milligrams per deciliter.

16 Q. How does alcohol metabolize in the system?

17 A. Alcohol metabolizes by the liter and liter  
18 has enzymes to break down alcohol. And so it first  
19 passes through the liver.

20 Q. It goes into the blood?

21 A. And then products and by products will enter  
22 into the serum.

23 Q. You -- I don't know if you answered this  
24 question already. You do or do not have a personal  
25 recollection of your conversation with her?

1 A. I do not.

2 Q. Okay. Will you have recorded your  
3 conversation with her, audio recorded that conversation?

4 A. No, sir.

5 Q. Okay. So if there is an audio recording of  
6 your conversation with her you weren't the one doing it?

7 A. No, sir.

8 Q. In preparation for your testimony in here  
9 today, did you meet with the D.A.'s Office and talk to  
10 folks in the DA's Office?

11 A. I did it over the phone.

12 Q. You did not have an opportunity to review  
13 any audio tape that would have had any recording with  
14 you and Ms. Bridges on it; is that true?

15 A. No, sir, I did not.

16 MR. ADAMS: One moment please, Judge.

17 THE COURT: Sure.

18 MR. ADAMS: Okay. Can I approach the  
19 witness?

20 BY MR. ADAMS:

21 Q. Let me pull up this record again and ask you  
22 to look at what's marked here as page four. Not real  
23 four numerically.

24 A. Yes, sir.

25 Q. The record makes reference to skin, skin

1 color, neuro exam, etc. And it also makes reference to  
2 psychiatric, correct?

3 MR. CHASE: Objection, Judge. Can we  
4 approach?

5 THE COURT: Sure.

6 (Side bar discussion held amongst the  
7 Court and counsel, off the record.)

8 (Open court.)

9 (Record resumed.)

10 BY MR. ADAMS:

11 Q. Under psychiatric it says "memory in tact,"  
12 right?

13 A. Yes.

14 Q. Would you have been the one to make that  
15 entry or it would it be someone else?

16 A. That was the scribe. Again, the scribe is  
17 our assistant who actually transcribed everything that  
18 we record.

19 Q. Is that your assessment that the scribe took  
20 that?

21 A. Yes.

22 Q. So psychiatric "memory in tact?"

23 A. Yes.

24 MR. ADAMS: All right. That's all.

25 REDIRECT EXAMINATION

1 BY MR. CHASE:

2 Q. This says psychiatric "memory in tact."  
3 What are they referencing?

4 A. So, I mean, on our physical exam it's  
5 important into all organ systems and one of the organ  
6 systems is psychiatric organ system. Memory in tact.  
7 That is my physical assessment of the patient in talking  
8 to her that she's able to give me a history, and as I'm  
9 talking to her, and that's a reflection. That's what it  
10 reflects.

11 Q. Did you have an extended conversation with  
12 her about the details of what happened to her earlier  
13 that night?

14 A. Yes, sir.

15 Q. How long was this conversation?

16 A. Generally, when I see a patient I'll  
17 actually interview them for five to ten minutes. And  
18 just -- it does say memory intact, but our history  
19 taking what's called the history of present illness.  
20 Everything that she's telling me is actually just put in  
21 the medical record. Physical exam is my physical exam  
22 of the patient. And that is basically outside of what  
23 she's able to tell me. So everything she has told me  
24 is, I guess, recorded by myself as facts in the history  
25 of the present illness, but it's also subjective whereas

1 my physical exam is an objective finding on the patient.

2 Q. What about when you said she was alert and  
3 oriented. Medically speaking, what was that?

4 A. That's a common phrase that was alert and  
5 oriented means I'm able to talk to the patient and she's  
6 able to talk to me as opposed to being unable to give me  
7 a history.

8 Q. Someone who in your experience have people  
9 who have been under the influence of alcohol have been  
10 alert and oriented?

11 A. Oh, absolutely. Correct.

12 Q. You give advice to patients all the time,  
13 correct?

14 A. Yes, sir.

15 Q. As to whether or not -- how to follow  
16 instructions regarding certain medications?

17 A. Yes, sir.

18 Q. Do patients always follow your advice?

19 A. No, not always, I'm sure.

20 Q. Antibiotics. Are patients suppose to drink  
21 on antibiotics, drink alcohol?

22 A. Certain antibiotics you are not allowed to  
23 drink alcohol. Certain antibiotics you can.

24 Q. If you were to drink on the antibiotics is  
25 it going to have a bad effect on you?

1 A. It depends on the antibiotic.

2 Q. What about on --to your knowledge,  
3 Sertraline, if you were to drink on Sertraline, would it  
4 have some sort of bad negative effect?

5 A. The Sertraline meaning the Sertraline anti  
6 depressant Zoloft. So Sertraline is an anti depressant  
7 not an antibiotic. There's not a negative effect that I  
8 know of with alcohol and Sertraline.

9 MR. CHASE: Nothing further.

10 RECROSS EXAMINATION

11 BY MR. ADAMS:

12 Q. Just to be clear. You don't prescribe  
13 Sertraline?

14 A. That's correct, I do not.

15 Q. That's not your specialty?

16 A. That is correct.

17 Q. When I asked you earlier different things  
18 that Sertraline treats, we talked about anxiety and PTSD  
19 and depression, and all that stuff. Again, that's not  
20 your specialty?

21 A. It's not my specialty. I know about it  
22 because I've gone to medical school.

23 Q. But you also don't know what she was taking  
24 it for?

25 A. That's correct. I don't know what she was

1 taking it for.

2 Q. And in fact, the person we are here talking  
3 about isn't just, you know, kind of a non-descript  
4 anybody out here. We are talking about Arriene Bridges,  
5 correct?

6 A. Right.

7 Q. That's all.

8 THE COURT: May step down. Thank you.

9 (Witness excused.)

10 THE COURT: Call your next witness.

11 MR. CHASE: The State Calls Dr. Brent  
12 Morgan.

13 DR. BRENT MORGAN

14 HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS  
15 FOLLOWS:

16 THE BAILIFF: State your full name for  
17 the record?

18 THE WITNESS: Brent Wilson Morgan.

19 DIRECT EXAMINATION

20 BY MR. CHASE:

21 Q. And sir, how are you currently employed?

22 A. I'm employed by Emory University.

23 Q. Okay. And what is your position at Emory  
24 University?

25 A. I got several different positions. I'm vice

1 chair of our department of emergency medicine. I'm on  
2 the Associate Medical Director of the Georgia Poison  
3 Center, and the director of a training program which is  
4 called the Fellowship in Medical Toxicology. Emory,  
5 Grady and Center for Disease Control.

6 Q. And what is your -- do you currently work as  
7 a physician?

8 A. I do.

9 Q. And what is your educational background?

10 A. I went to undergraduate college a small  
11 liberal arts school called Baldwin Wallace. I went to  
12 medical school at Ohio State University, and then I did  
13 a primary residency in emergency medicine up in  
14 Cleveland, and then moved south and did two years  
15 additional training in medical toxicology which is kind  
16 the study of poison and I came here in '96.

17 Q. And do you have any licensure or board  
18 certifications?

19 A. Yes.

20 Q. And what are those?

21 A. Board certified in both emergency medicine  
22 and medical toxicology. Licensed to practice medicine  
23 here in Georgia.

24 Q. And are you on any committees associated in  
25 your field?

1 A. Yes.

2 Q. And what committees are those?

3 A. One I'm most involved with the residency  
4 directors committee of medical toxicology. It's a --  
5 our specialty in medical toxicology. The physicians you  
6 train, young doctors to become toxicologist. We have a  
7 committee that we get together and meet and talk about  
8 different training issues going on in training programs.

9 Q. Have you ever held any leadership positions  
10 in that committee?

11 A. In that committee I have done a couple of  
12 leadership things working with trying to get our  
13 programs. One called Match. I have other leadership  
14 committees in --America College of Medical Toxicology  
15 in the Toxicology section. Kind of, you know, done a  
16 lot of things over the last 19 years.

17 Q. Have you been on any editorial boards in  
18 your field?

19 A. I haven't been on any editorial boards, but  
20 I have reviewed manuscripts.

21 Q. And I can't remember if you said this  
22 already, are you a member of any professional societies  
23 in your field?

24 A. I am.

25 Q. And what societies were those?

1           A.       So the ACD, American College Medical  
2 Toxicology. Society of Academic Emergency Medicine and  
3 there is another toxicology group, the American  
4 Association of Clinical Toxicologist includes physicians  
5 and pharmacist who study poisoning.

6           Q.       In your field do you do continuing  
7 education?

8           A.       Yes.

9           Q.       And do you also participate in either  
10 national or international conferences?

11          A.       Yes.

12          Q.       Have you ever had occasion to present in any  
13 of those conferences?

14          A.       Yes.

15          Q.       And are those in the field of toxicology?

16          A.       Mostly toxicology is what I present in. I  
17 present in emergency medicine conference. I'm kind of  
18 presenting on toxicology topics. Obviously the  
19 emergency department deals with a lot of poisoning as  
20 well?

21          Q.       Teaching experience?

22          A.       I do quite a bit.

23          Q.       The biggest thing running this training  
24 program where we teach young doctors who want to be  
25 medical toxicologist. We have had that program since

1 2000. We usually have at least a couple of physicians  
2 in it every year. It's a two-year training program. We  
3 have international physicians who come and train with us  
4 as well. Like right now I think we have three  
5 physicians from different countries who are training  
6 with us at the poison center. We have emergency medical  
7 residents who train in the emergency department. I  
8 teach them on a daily basis on the work in the emergency  
9 department. A lot of training that we do.

10 Q. And during your career have you ever studied  
11 or become familiar with alcohol and its physiological  
12 effects on the body?

13 A. Common toxin or substance that we see in our  
14 clinical practice especially in the emergency  
15 department.

16 Q. Sir, have you ever previously testified in a  
17 court proceeding?

18 A. I have.

19 Q. Have you ever been declared an expert in the  
20 field of toxicology?

21 A. I have.

22 Q. And do you recall how many times you've been  
23 declared an expert?

24 A. I think it's four now that I have been  
25 thinking about it over the weekend.

1 MR. CHASE: Your Honor, at this time, I  
2 would ask that or I would tender Dr. Brent Morgan  
3 as an expert in forensic toxicology.

4 MR. ADAMS: May I have an opportunity to  
5 voir dire the witness?

6 THE COURT: Very briefly.

7 MR. ADAMS: All right.

8 VOIR DIRE EXAMINATION

9 BY MR. ADAMS:

10 Q. Dr. Morgan, good afternoon. Did I hear you  
11 say that you've been qualified as an expert four times?

12 A. I testified in court four times, so I think  
13 that means I been qualified as an expert.

14 Q. And you were qualified as expert in what  
15 area, specifically?

16 A. So I testified here in a case in Fulton  
17 County involving another sexual assault and whether  
18 drugs or abuse could have been involved in that.

19 I testified by video in a civil matter that  
20 involved a motor vehicle accident where the driver  
21 tested positive for certain drugs.

22 Earlier this year I testified in court over  
23 in Alabama involving a lady who died from an adverse  
24 reaction to one of her medications that she was taking.

25 And then I've testified in South Carolina

1 involving the Graniteville, Norfolk Southern train car  
2 and release of a lot of gas and resulted in about eight  
3 fatalities and lot of people exposed.

4 Q. Those are the four times you've been  
5 qualified as an expert?

6 A. I think so, yes.

7 Q. Just so I'm clear you were qualified as an  
8 expert in what specifically?

9 A. You know, I'm not sure medically what the  
10 term kind of means, but you know, I guess, medical  
11 toxicology. I gave testimony at trial in those cases  
12 and subsequent cases.

13 Q. In those cases you were retained as an  
14 expert to testify?

15 A. Yes.

16 Q. All right.

17 MR. ADAMS: That's all.

18 THE COURT: I will qualify Dr. Morgan as  
19 an expert.

20 BY MR. CHASE:

21 Q. Dr. Morgan, we've been talking a little bit  
22 about toxicology. Can you explain to the ladies and  
23 gentlemen what is the study of toxicology?

24 A. It's really the study of any foreign  
25 substance that you put into the body and how your body

1 reacts to it or the effects of the substance has on your  
2 body. How your body absorbs it, metabolizes it,  
3 eliminates it. Any foreign substance that has adverse  
4 effects on the body.

5 Q. Is it also the study of how different drugs  
6 may interact with each other?

7 A. Yes.

8 Q. What is -- I think I've already asked you,  
9 but you study alcohol specifically, correct?

10 A. Yeah, we certainly talked about alcohol  
11 quite frequently.

12 Q. And what is the term EtOH, what does that  
13 mean?

14 A. Ethane is a two carbon molecule and then  
15 when you add an OH group then it becomes alcohol. So  
16 it's the ethane, the two carbon and the OH would be the  
17 alcohol.

18 Q. Now, alcohol that people drink, what kind of  
19 alcohol is that?

20 A. Ethanol.

21 Q. In general, how does alcohol consumption  
22 affect the body physically?

23 A. Well, I mean thinking about more of it  
24 acutely as opposed to the fact that someone using it  
25 chronically over years. It's mostly, you know, CNS

1 nervous system or brain toxin. It impairs your brain's  
2 ability to function properly. It interferes with a lot  
3 of neuro transmitter so the that brain can't communicate  
4 with either parts of the brain and also can't  
5 communicate with your body as well.

6 Q. Now, is it safe to say that if the amount of  
7 alcohol in the system is increased then the effect would  
8 also be increased?

9 A. In general, yes.

10 Q. How is alcohol processed through the body?

11 A. Well, most people take it orally, a liquid  
12 and this gets absorbed into the gastrointestinal tract  
13 and it gets taken up into the blood stream. It gets  
14 distributed acutely functioning of the brain and then  
15 your liver does the majority of the metabolism breaking  
16 it down through non-toxic substance. Some individuals  
17 can have some of the enzyme that breaks down the alcohol  
18 also in their stomach and intestine and it can actually  
19 break it down before you absorb it even.

20 Q. For those of us that didn't do well in  
21 biology, how does alcohol get from the intestinal tract  
22 to the brain?

23 A. It absorbs it through just diffusion. It's  
24 able to kind to get in through the intestinal wall. Get  
25 into the small capillaries there and then goes into

1 bigger blood vessels and takes it up to the heart and  
2 the heart pumps it out to the rest of the brain.

3 Q. Why does a person feel intoxicated when  
4 they've consumed alcohol?

5 A. Well, it in general it has a CNS inhibitor.

6 Q. CNS is?

7 A. Central nervous system of your brain. Kind  
8 of depresses things. It's interesting because it first  
9 depresses the frontal part of your brain, the part that  
10 we use to critical think and kind of controls our  
11 actions. And so if you -- when you first start drinking  
12 people commonly actually appear more excited and robust  
13 because it inhibits that frontal part of your brain that  
14 kind of tells us don't do that, act a certain way and  
15 kind of -- tells us right and wrong. The higher your  
16 level goes and it starts inhibiting other parts of your  
17 brain from functioning properly.

18 Q. How is blood alcohol level, how is that  
19 measured by the medical professionals?

20 A. So I think we're --most people are familiar  
21 with DUI, driving while intoxicated, and the way they  
22 measure the blood there is through either drawing a  
23 blood sample, and they test it with what they call the  
24 whole blood. The total amount of blood they took out.  
25 They test it right from that. They also do a

1 breathalyzer sometimes, and there is a correlation  
2 between the blood that is pumping through your body goes  
3 through your lungs and it off gasses. Some of that  
4 alcohol and when you breath it out it's a direct  
5 correlation how much you have. You breath out and  
6 what's in your blood. Hospitals do it a little bit  
7 differently. We draw the blood, but then we spin it  
8 down and throw away the cells. So you end up with a  
9 little less fluid because your blood has some cells in  
10 it. And so the same amount of alcohol content will stay  
11 in there. They throw away the cells. So a -- we test  
12 it in the hospital. That's called during the serum  
13 instead of a whole blood. And really bottom line is  
14 that a hospital blood test is going to be a little bit  
15 higher, up ten, maybe up 15 percent higher than what a  
16 police test the sample for.

17 Q. What does the amount of alcohol in that  
18 serum test, what does that tell us?

19 A. It tells us if there is a pretty good  
20 correlation between, you know, how individuals --the  
21 effects of the alcohol of the individual and on their  
22 brain and the amount that's measured in their blood.

23 Q. Does alcohol affect everyone the same way?

24 A. No, it does not.

25 Q. What are some of the things that might

1 affect how alcohol affects people?

2 A. Well, you know, some people who drink a lot  
3 can have a high tolerance. These are individuals who  
4 usually drink everyday. They may never actually sober  
5 up, and I have seen patients in my practice who come in  
6 that have levels that would kill people who are not  
7 drinkers and they're able to talk. In other words,  
8 these are pretty, you know, slurred and stuff like that,  
9 but they're able to converse. And so that's one of the  
10 effects. Some people can metabolize it a little faster  
11 than others as well, and then some people can have more  
12 of the enzyme in their stomach and their intestines. So  
13 they can break it down even before it even gets into the  
14 blood and alcohol won't even cause an adverse effect.

15 Q. And you mentioned a term metabolize. What  
16 do you mean by the term metabolize?

17 A. That's when an enzyme in your body, usually  
18 in your liver, sometimes in your intestines will break  
19 the chemical down to something else and when it does it  
20 with alcohol it breaks it down into a non-toxic  
21 metabolite that you just eliminate.

22 Q. Is that how people, I guess, sober up?

23 A. Yes, that's how you sober up or how you  
24 eliminate any drug.

25 Q. Different levels of intoxication, do they

1 have effects on the body itself? Most of the central  
2 nervous system have effects on the body itself?

3 A. The central nervous system essentially  
4 touches every part of our body. If your brain is not  
5 working, telling you to move or breath, that's not going  
6 to happen. You can have some other effects like heart  
7 effects, sometimes something called holiday heart that  
8 they've have gone on a kind of drinking for a while and  
9 over the holidays they will drink a lot, and they can go  
10 in with an abnormal heart rate. We will call that a  
11 binge drinking.

12 Q. And are you familiar with the term  
13 angulation?

14 A. Angulation, yes.

15 Q. What is angulation?

16 A. So angulation essentially means blocking.

17 Q. Does alcohol have an effect on angulation?

18 A. It does, yeah.

19 Q. And what effect does it have?

20 A. You know, if they're unsteady probably  
21 walking one of the test that the police do when they  
22 pull people over for suspected DUI, see if they could  
23 walk that straight line. Alcohol affects the part of  
24 our brain that controls your balance and whether you can  
25 stay steady. That is one of the first signs you've had

1 too much to drink.

2 Q. And what about on a person reflexes, what  
3 effect does alcohol might have on person's reflexes?

4 A. You're not going to get the impulses down  
5 from the brain to respond to certain stimuli, and so the  
6 reflex can be decreased. They could have decreased  
7 muscle tone as well because the brain is not sending  
8 those messages down to the muscles that maintain a  
9 normal tone.

10 Q. What, if any, effect does alcohol have on  
11 muscle tone itself?

12 A. It could be decreased.

13 Q. And what does that mean in laymen's terms?

14 A. You know, you have -- you got kind of floppy  
15 kind of arm movement and legs. You're kind of wobbly  
16 when you're walking as opposed to having a nice stiff  
17 erect posture when you're walking.

18 Q. Does alcohol ever cause vomiting?

19 A. It certainly does, yeah.

20 Q. And if a person vomits, does that decrease  
21 the amount of alcohol that's in the blood?

22 A. It does not. No, it's alcohol cause  
23 vomiting. A lot of it is from intoxication and your  
24 inner ear which helps control your balance. And so if  
25 those nerve cells in there aren't firing right to tell

1 you where you are in space then people start throwing  
2 the spinning and grounds moving and everything and some  
3 people will also vomit from that. So vomiting will  
4 empty what's in the stomach. If there is anymore  
5 alcohol that's in the stomach that hasn't been absorbed  
6 yet, it's still sitting in the stomach and you're going  
7 to get rid of that. But what's already been absorbed in  
8 the blood, gone up to the brain is not removed with  
9 vomiting.

10 Q. And if you were to measure someone's  
11 intoxication, blood alcohol level, as they were getting  
12 intoxicated versus sobering up, are the effects the same  
13 as the same blood alcohol level?

14 A. It's kind of interesting and really kind of  
15 poorly understood is that people are more impaired kind  
16 of on the way up than they are on the way down when you  
17 study them. The brain sort of adapts or exactly why,  
18 but say someone is in the middle of drinking and they're  
19 going to really tie one on, get their blood level up to  
20 like 200 at a peak, 200 milligrams per deciliter. When  
21 they would reach like 150 on the way up they would be  
22 more intoxicated than when they're coming back down and  
23 reach 150. Not --I don't want to say it's a huge  
24 difference. It's certainly not going to be safe to  
25 drive or anything like that. It's interesting that they

1 do worst on a test of dexterity and memory and stuff  
2 like that on the way up.

3 Q. What effects, if any, does alcohol have on a  
4 person's speech?

5 A. It makes it so they have slurred speech,  
6 hard for them to kind of coordinate sounds and that  
7 tongue in their mouth to get the right words out.

8 Q. What, if any, effects does it have on a  
9 person's consciousness?

10 A. You know, it can go initially from when ever  
11 you're just one drink, inhibited the frontal lobe of  
12 your brain and more boisterous and more talkative where  
13 you get up to life threatening level where they get into  
14 deep coma and the brain stops sending signals down to  
15 the lungs to tell you to breath, and so it will stop  
16 breathing. So it can -- it starts getting more a CNS  
17 depressant. Most people, you know, average drinker, you  
18 know, a little over 100, 150, but it can vary in  
19 tolerance.

20 Q. What about -- what effect, if any -- I think  
21 you spoke about it a little bit, does the alcohol on the  
22 brain's ability to make judgments?

23 A. Again, because it suppresses that frontal  
24 lobe you just can't weigh decisions as well and make the  
25 same type of judgements that you would when that person

1 is sober.

2 Q. And does it get worst as the alcohol level  
3 increases?

4 A. It usually gets worse and at some point they  
5 get to a point where they are half semi-conscious going  
6 in and out and clearly that person is not going to be  
7 able to think really at all to make any type of critical  
8 decision.

9 Q. Are there different factors that might  
10 affect how intoxicated a person gets at any particular  
11 time?

12 A. Certainly, you know, obviously the amount  
13 that they drink. We do know also that the type of --  
14 the amount and type of food that they eat can affect how  
15 rapidly the alcohol is absorbed. So if the foods that  
16 delay absorption are more proteins and fats and then  
17 sometimes those people won't absorb the full dose of  
18 alcohol for up to six hours. It's usually less than  
19 that, but it's possible while you're digesting food the  
20 alcohol is getting soaked up by the food and not seeing  
21 the intestinal wall and being able to absorb things that  
22 are simple for you to digest like simple carbohydrates  
23 your body is going to get those out of the stomach  
24 intestines really fast and the alcohol is just there by  
25 itself and the body is going to rapidly absorb that up

1 to the bloodstream.

2 Q. A person who has consumed carbohydrates  
3 versus meats or something like that would the food  
4 actually would not do as much to prevent the  
5 intoxication; is that correct?

6 A. Yes. They would get -- they would get a  
7 higher level a lot faster, and then they also wouldn't  
8 be able to take advantage of having some of the enzyme  
9 in their intestine to break down some of the alcohol  
10 before it's absorbed.

11 Q. What is considered a high level of alcohol?

12 A. Well, I mean, certainly for driving impaired  
13 in the U.S. all the states use the --

14 MR. ADAMS: I'm going to object to that  
15 question, your Honor. I think the question and the  
16 answer to that question is not relevant to our  
17 trial. And so the effect on alcohol versus DUI law  
18 and how different states have quantified the level  
19 for trial, I think that's not relevant.

20 THE COURT: I'm going to let you rephrase  
21 the question and see if you can phrase it in a way  
22 that is specific to this case.

23 BY MR. CHASE:

24 Q. Let me ask you this. Do different people  
25 experience alcohol levels differently?

1           A.       Yes.

2           Q.       And can the same person experience the same  
3 alcohol level differently on different days?

4           A.       That depends sort of on their habitual  
5 amount of drinking.  Someone could be a daily drinker  
6 and then have a certain level, and then could cut back  
7 and then over the course of, you know, several weeks  
8 then they would tend to be more intoxicated again at a  
9 similar level, and then also the rate of rise, how fast  
10 that alcohol level goes up can also affect it.  I  
11 suppose if you got this kind of slow steady rise that  
12 the individual won't be so intoxicated.  If they  
13 suddenly chugged a whole bottle of wine, if they didn't  
14 have anything in their stomach and they absorb things  
15 really fast.

16          Q.       When you say chronic drinker, what do you  
17 mean by that?

18          A.       When I say that I'm talking about someone  
19 who drinks, you know, everyday at least like a bottle of  
20 wine.  Like someone like that and they stop drinking and  
21 they actually stop going through withdrawal.  So those  
22 individuals can build up a pretty significant tolerance  
23 to the effects of alcohol.

24          Q.       Were you employed by my office or retained  
25 by my office to review certain records?

1 A. I was.

2 Q. Do these records -- those records were in  
3 relation to Arriene Bridges; is that correct?

4 A. Yes, that's correct.

5 Q. And what was the purpose of the review of  
6 those records?

7 A. To see if the alcohol had any effect in this  
8 case.

9 Q. And do you recall what materials you  
10 received from the District Attorney's Office?

11 A. Yes.

12 Q. And what materials did you receive?

13 A. I received medical records from Piedmont  
14 Hospital, and then several interviews from the  
15 plaintiff, also from the defendant, and then a couple of  
16 witnesses as well.

17 Q. And did you actually review all of those  
18 materials?

19 A. I did, and I remembered something else I  
20 received. I received some videos at the Taco Mac,  
21 security videos.

22 Q. And you said that you received the medical  
23 record. What did you look for when you were looking in  
24 the medical record?

25 A. Probably the biggest thing I was looking for

1 was -- that I noticed, looked at all of the records, her  
2 alcohol level was at the time that it was drawn at  
3 Piedmont Hospital.

4 Q. And what was her level when it was drawn?

5 A. It was 88 milligrams per deciliter.

6 Q. Do you recall the approximate time it was  
7 drawn?

8 A. The lab report said the time was 3:20 in the  
9 morning.

10 Q. And from a clinical perspective how  
11 intoxicated is someone at 88 milligrams per deciliter?

12 A. You're going to have decreased coordination.  
13 They may have some slurred speech at that level. They  
14 have been shown to have an increased risk of having a  
15 fatal automobile accident at that level. So it varies.

16 Q. Could a person be considered potentially  
17 still alert and oriented for medical purposes?

18 A. Yes.

19 Q. Were you able to determine from the records  
20 that you received when the approximate time of the  
21 sexual contact was?

22 A. Not precisely. I think maybe ten p.m.

23 Q. And were you able to, I guess, determine  
24 what Ms. Bridges' alcohol level may have been at the  
25 time of the sexual contact?

1 MR. ADAMS: I'm going to object to that  
2 because it calls for speculation. The answer to  
3 the previous question was that not exactly he  
4 wasn't able to determine what the time of the  
5 sexual contact was. To follow up with a question  
6 asking him to make a factual determination about  
7 what her blood level was at a time that's he's not  
8 aware of would not be appropriate. I'm going to  
9 object.

10 THE COURT: I will let you rephrase the  
11 question. We've got an expert on the stand.

12 BY MR. CHASE:

13 Q. If a person was -- if sexual contact  
14 occurred around 10:00, as you said, and the blood was  
15 drawn at approximately 3:28 a.m., correct, would you be  
16 able to, I guess, calculate back what their blood  
17 alcohol level may have been at the 10:00 time?

18 A. Yes.

19 Q. And how do you do that?

20 A. Well, humans typically eliminate ethanol 15  
21 milligrams per deciliter 20 milligrams less than an  
22 hour. Some individuals can be faster than that, but  
23 that's, you know, rare. Those are the ones going to be  
24 more chronic drinkers. And so if we -- to make my math  
25 easy for me, if we say it was a six hour difference that

1 would put us at 9:30. You could take your six times 15  
2 which is 90 and then you would add that to the 88, and  
3 that would put it at 178 milligrams per deciliter at  
4 9:30. I guess if you want to say it was ten you would  
5 take 7.5 off of that. That's going to be at the low end  
6 of the metabolism where we consider the slowest. The  
7 higher end would be someone whose does 20. A normal  
8 person higher than 20. So their milligrams per  
9 deciliter per hour. So you take six times 20 and we get  
10 120, and then you would add that to the 88, and there we  
11 are looking at a value of 208 milligrams per deciliter.

12 Q. So on average -- so your calculation with  
13 that time frame we're talking about would be  
14 approximately 178 to 208?

15 A. Six hours before, yes.

16 Q. And if a person's blood alcohol level is at  
17 that level, what kind of symptoms are they experiencing?

18 A. So they can be in and out of consciousness.  
19 They can have a staggering gait. They can have a  
20 slurred speech. They can be sick and vomiting,  
21 decreased muscle control.

22 Q. Did you review the amount of drinks from the  
23 records that you received? Did you review the amount of  
24 drinks Ms. Bridges consumed that day?

25 A. Yes.

1 Q. What do you recall about the amount of  
2 alcohol that she consumed?

3 A. She said -- I saw four drinks.

4 Q. And did she -- do you recall what types of  
5 drinks she consumed?

6 A. I believe one was called a Bob Marley. I  
7 think there were some Whiskey Sours, and I think she had  
8 a shot of Tequila.

9 Q. Would that amount of alcohol allow a person  
10 to get to that level of 170 to 208?

11 A. It certainly could. Especially if someone  
12 is not very big. Someone who weighed like 120 pounds,  
13 and a lot of times when we study it in science we hear  
14 about it only takes one drink, and one drink from a  
15 scientific stand point is five ounces of wine, an ounce  
16 and a quarter of liquor or twelve ounce beer, and but we  
17 got lay people sometimes we will see them in the  
18 emergency department. I just had three beers, but  
19 they're talking three, 40 ounces. So what's in a Bob  
20 Marley. When I went looked it up it's one drink but it  
21 has a higher -- very high proof alcohol, and it's 151  
22 percent whereas normally we talk about a drink of liquor  
23 we are talking about something that's 80 proof as  
24 opposed to this. I'm sorry, being 151 proof. And  
25 again, I don't know how many shots you put into an

1 Amaretto Sour, and I don't know how big the shots are at  
2 the Taco Mac for Tequila, but it would take, you know,  
3 about -- between five and six drinks for someone who  
4 weighed what the plaintiff weighed to get her to that  
5 level.

6 Q. So when you talk about proof what do you  
7 mean by proof?

8 A. So proof is an interesting story, but before  
9 the days -- that term came up before the days that we  
10 could actually measure alcohol levels and the British  
11 Navy would actually pay their solders in Rum as far as  
12 of wages and certainly -- so no one wanted to get  
13 gypped on their wages and they want to make sure they're  
14 getting a strong Rum as opposed to something that's  
15 watered down. And they discovered that if you mix a  
16 little bit of the alcohol with gun powder, and if it was  
17 -- if you could ignite it, then they said, oh, that's  
18 100 percent proof. You could still make gun powder that  
19 it's good stuff. There wasn't enough water in it. And  
20 when we had the ability to measure alcohol  
21 concentrations. That that ratio between proof and  
22 alcohol content was pretty close to two to one. It's  
23 actually like 52 percent. It has to be able to still be  
24 high or higher to have made gun powder. We just kind of  
25 changed that to give a 50 percent alcohol level then you

1 have 100 hundred percent proof. So that ratio that's  
2 why that's two to one the proof to two percent.

3 Q. Am I correct that somethings that's 150  
4 proof would be about twice what an 80 proof would be  
5 drinking like the same shot?

6 A. Pretty close.

7 Q. Do you recall what the -- what Ms. Bridges'  
8 weight was from the medical records?

9 A. From the medical record she weighed 116  
10 pounds.

11 Q. What about a person's consciousness. Those  
12 levels 178 to 208?

13 A. They could be drowsy. They could kind of  
14 drift in and out of consciousness.

15 Q. How quickly does a person, I guess, regain  
16 their sobriety?

17 A. It depends on how high their level is when  
18 ever they stop absorbing and their liver can start  
19 breaking it down. So they can -- sometime they can  
20 recover after a short little nap and their levels are  
21 brought down a little bit and the brain kind of gets  
22 revigorated. Sometimes it can be short. Sometimes it  
23 can be awhile. Sometimes you got to it watch people  
24 when they're really really drunk a whole night shift.

25 Q. So one whose level is between 178 to 208

1 describe how physiologically they would progress if they  
2 would have sobered up?

3           A.       They just kind of gradually, you know, over  
4 the course of a few hours start, you know, start waking  
5 up and coming a little more responsive. Their speech is  
6 a little less slurred as it goes on. At some point we  
7 start trying to say, well, let's see if they can  
8 ambulate and be safe to walk out of here. What we do in  
9 our final step as far as assessing one in the emergency  
10 department to say, well, it's okay to let them go.

11           Q.       We talked a little bit about the effects of  
12 the brain, decision making center of the brain. After  
13 all of the items that you have reviewed, do you believe  
14 that Ms. Bridges had the ability to consent that night?

15                   MR. ADAMS: Your Honor, you know, he  
16                   can't testify to that. That's the ultimate issue.  
17                   He cannot testify to that.

18                   MR. CHASE: Under O.C.G.A. --

19                   THE COURT: Rephrase that question.

20 BY MR. CHASE:

21           Q.       In your opinion do you believe that Ms.  
22 Bridges was physiologically able to consent?

23                   MR. ADAMS: That is the same question,  
24                   Judge.

25                   MR. CHASE: If we can be heard, Judge.

1 THE COURT: This is a good time for us to  
2 take an afternoon break. This is one of those  
3 time. Please remember all of the instructions I  
4 have previously given. Please don't discuss  
5 anything about this case, any issues in the case  
6 with any parties in the case. We will be in recess.  
7 This may take us just a sec, so 20 minutes.

8 (Jury exits.)

9 MR. CHASE: I have to point the Court to  
10 the new rules of evidence section 24-7-74. That is  
11 the section that is relevant in this particular  
12 case. Specifically on expert witness and what they  
13 are able to testify to. Subsection (a) says that  
14 "testimony in the form of an opinion or inference  
15 otherwise admissible shall not be objectionable  
16 because it embraces the ultimate issue to be  
17 decided by the trier of fact."

18 THE COURT: Well, I agree with that, but  
19 I think that it's not necessarily the question  
20 here. I think you could ask him theoretically  
21 could it affect her ability to consent or not  
22 consent.

23 MR. CHASE: And that's what the old rules  
24 said. The new rules --

25 THE COURT: I'll give you ten minutes to

1 get me a case on point because I don't think it's  
2 quite as far as you're wanting to go, Mr. Chase. I  
3 understand -- believe it or not I studied the new  
4 rules, too. I understand it can go to the ultimate  
5 issue in the case, but I'm not sure that's --  
6 that's what it means in this particular incident.

7 MR. CHASE: I will be relying on the  
8 Carlson book. And Judge, the rule now as far as my  
9 understanding of it --

10 THE COURT: I can read the rule, Mr.  
11 Chase, but I'm not sure it applies to the specific  
12 question you're asking. Go ahead. The jury's  
13 gone, ask your question.

14 VOIR DIRE EXAMINATION

15 BY MR. CHASE:

16 Q. In your opinion based upon the review of the  
17 items that you observed, do you believe that Ms. Bridges  
18 had the ability physiologically to consent to sexual  
19 intercourse that night?

20 A. I do not.

21 THE COURT: Mr. Adams, you want to ask  
22 follow-up questions?

23 MR. ADAMS: Yes.

24 VOIR DIRE EXAMINATION

25 BY MR. ADAMS:

1 Q. You did not interview Ms. Bridges, true?

2 A. That's correct.

3 Q. You never met her?

4 A. I have not.

5 Q. You don't know whether what she says that  
6 evening, that night is true or not true, right?

7 A. That's correct.

8 Q. You don't know what conversation she would  
9 have had with the person that she claims sexually  
10 assaulted her, right?

11 A. That's correct.

12 Q. You don't know what her understanding or  
13 what desire or what she wanted to do that night would  
14 have been? You don't know that, right?

15 A. I do not.

16 Q. And so you don't know whether she said  
17 something that would have indicated consent or not, do  
18 you?

19 A. I don't know what she said that night,  
20 that's correct.

21 Q. And would you agree that you would have to  
22 know how a person acted; what they did; what they said  
23 to be able to determine whether they gave consent or  
24 not, true?

25 A. I mean, I don't believe the question whether

1 she gave consent, whether I think she has the mental  
2 capacity to give reliable informed consent.

3 Q. One of things you testified about, right,  
4 was the blood alcohol -- you gave an opinion as to what  
5 you think her blood alcohol level would have been at a  
6 particular time; is that right?

7 A. Yes.

8 Q. Now, if I heard you correctly one of the  
9 things you said is that for it to be at that level her  
10 blood alcohol level to be at that level it would have  
11 taken five or six drinks, is that what you testified to?

12 A. Of a -- what we have measured as a standard  
13 drink, yes.

14 Q. And you know from your review of the record,  
15 the statements, all of that, that she supposedly only  
16 had three and a half drinks, right?

17 A. Again, you're talking lay person drinks.  
18 When you say I drank three and a half. That's like  
19 saying I have one beer, a 40 ounce. I'm telling you  
20 --well I could do the math backwards, and you could tell  
21 it took about five to six scientifically we will call  
22 standard drinks to get her there and you can get that by  
23 one Bob Marley all the stuff you had in there.

24 Q. Well, that's my point. Do you know how much  
25 of the Bob Marley she drank?

1           A.           I heard anywhere from a half to she had the  
2 full four drinks.

3                        THE COURT:   I will give you some lead  
4 way, but you're not helping your case at this point  
5 on this issue.  This is all great cross examination  
6 stuff, but right now the question has to go to the  
7 ultimate issue question.

8                        MR. ADAMS:  Well, then I will cut it off  
9 where I was at before in regards to his ability to  
10 say whether or not she did anything evidencing  
11 consent or whether she gave consent or not.

12 BY MR. ADAMS:

13           Q.           And if I'm correct, doctor, because you  
14 don't know what she said, you don't know what she did;  
15 you're not able to say whether she gave consent or not  
16 that night?

17           A.           I think what I'm trying to say is that, you  
18 know, even if she said, yes, that I don't think she had  
19 the mental capability to give informed consent to know  
20 what the consequences of what she was doing.  I saw her  
21 with her head down at a restaurant because she was too  
22 drunk.  I saw her staggering when she got up.  I saw she  
23 needed assistance getting down the stairs, and it took  
24 an extra large amount of time.  I saw her throw up.  So  
25 to me that she has significant CNS impairment, and

1 someone who has that degree of impairment in my mind  
2 can't give consent.

3 Q. You saw -- you got statements, right?

4 A. I saw the video.

5 Q. But did you also review the statements from  
6 people who were there that night?

7 A. Yes.

8 Q. Would that have included a statement from  
9 someone name Lakiva Watkins; do you remember that?

10 A. Yes.

11 Q. And did you take that into account in making  
12 a determination as to what kind of condition Ms. Bridges  
13 was in?

14 A. I did.

15 Q. And do you recall from that statement, that  
16 Ms. Watkins described her as not staggering, as walking  
17 with her to the parking lot, and she appeared to be  
18 steady on her feet; did you take that into account?

19 A. I took more with what I saw with my own  
20 eyes, and also took into account the fact that she was  
21 the only one that they were worried about driving that  
22 night. They knew she was severely intoxicated, and they  
23 were concerned about her. And no one else observed  
24 drinking that night did they say, hey, watch this guy.  
25 Somebody else watch this lady. They could tell how

1 intoxicated she was.

2 MR. ADAMS: I have no additional  
3 questions.

4 THE COURT: I just have a clarification  
5 question, doctor. I sort of hear you're saying two  
6 different things, and I'm hearing, correct me if  
7 I'm wrong because I may just be hearing it wrong.  
8 In answer to Mr. Chase's question you said because  
9 of her blood alcohol content you did not believe  
10 she could consent, but what I heard you say to Mr.  
11 Adams' questions were it was based on all of the  
12 circumstances of everything you reviewed including  
13 her blood alcohol content?

14 THE WITNESS: Yes. So, it's not solely  
15 on the blood alcohol content. It was her behavior  
16 and the degree of intoxication that she showed

17 THE COURT: Okay. I feel my ruling is  
18 correct. You cannot ask that particular question.  
19 You need to rephrase the question. I think you can  
20 ask the doctor about his conclusion, how he gets  
21 there, but your question was far too narrow even  
22 under the new statute.

23 MR. CHASE: And I would just say for the  
24 record that the -- under the new statute it goes  
25 -- he can opine to the legal conclusion which I

1 can't ask him was she raped.

2 THE COURT: Mr. Chase, I understand that  
3 but -- I'm allowing you to testify -- I'm allowing  
4 you to ask the doctor to testify with the  
5 appropriate questions as to whether or not he  
6 believed the victim was capable of given consent,  
7 but I will not allow it to be as narrow as the  
8 question you asked based on the doctor's testimony.

9 MR. CHASE: Okay.

10 THE COURT: Mr. Adams. I think he can  
11 testify as to he just did based on all of that what  
12 his opinion is as to her ability to consent. I'm  
13 sustaining your objection as to the very narrow  
14 question that Mr. chased asked.

15 MR. ADAMS: Yes, Judge.

16 THE COURT: I'm not trying to cut you  
17 off.

18 MR. ADAMS: No, no, no. I understand the  
19 Court's ruling, and I'm going to take a look at the  
20 statute while we have a few more minutes.

21 THE COURT: If you see anything else I  
22 will be happy to hear from you. I think Mr. Chase  
23 is correct in the recitation of the law, though,  
24 not as it impacted the specific narrow questioning.

25 MR. CHASE: I just want to make sure that

1 I understand the Court's ruling. He can to testify  
2 that based upon all of the factors he can testify  
3 as to his opinion whether or not she had the  
4 ability to consent; is that correct?

5 THE COURT: Correct.

6 MR. ADAMS: The problem with that is --  
7 so I'm kind of in two different places because my  
8 understanding is whether he is testifying that  
9 based on her blood alcohol level that she would  
10 have had the ability to consent, right. I thought  
11 that's what he was asking and that's what I  
12 objected to.

13 THE COURT: And that's what I have now  
14 sustained.

15 MR. ADAMS: I understand your ruling  
16 there, but if he is going to be allowed to give  
17 essentially an expert opinion based on that, but  
18 then based also upon viewing the videotape, based  
19 on statements that he doesn't know anything about  
20 their accuracy from witnesses that's -- that can be  
21 the basis of expert opinion.

22 THE COURT: That's a different objection,  
23 Mr. Adams.

24 MR. ADAMS: Well, I guess I'm making  
25 that, too.

1 THE COURT: And that maybe valid, but I  
2 think he can, and that's why I wanted a  
3 clarification question so I could make a fair  
4 ruling. I think he can testify to what he observed  
5 in the physiological affect and how that would play  
6 into her psychological or -- I'm probably not using  
7 the right scientific words.

8 THE WITNESS: Mental capacity to do it.

9 THE COURT: I don't know that he could  
10 use statements or things hypothetically, but I  
11 think if he viewed the video and watched her  
12 actions and watched how she acted and he couples  
13 that with his expertise on how alcohol affects the  
14 body, how it affects the brain and what the  
15 hypothetical alcohol content would be, I think he  
16 can testify to that. And what that impact would  
17 have on the victim. If you find something I will  
18 be happy to look at it.

19 MR. ADAMS: Yes, ma'am.

20 THE COURT: Go ahead, Mr. Adams.

21 MR. ADAMS: I just wanted to discuss with  
22 the Court a little bit more after kind of taking a  
23 look at the statute. Actually, I'm looking at  
24 24-7-704. 24-7-704 two sections (a) and (b) and  
25 what the statute has been citing to is subsection

1 (a) which does, in fact, say that testimony in the  
2 form of an opinion or inference otherwise  
3 admissible shall not be objectionable because it  
4 embraces an ultimate issue to be decided by the  
5 trier of fact. But I come back to that, but I  
6 wanted to look at more, subsection (b) deals with  
7 expert opinion as regard to the defendant. So it  
8 specifically says "no witness testifying with  
9 respect to the mental state or condition of accused  
10 in a criminal proceeding shall state an opinion on  
11 inference as to whether the accused did or did not  
12 have the mental state or condition constituting an  
13 element of the crime charged or defense thereto.  
14 So element of issues are matters for the trial."  
15 So not withstanding the fact subsection (b) really  
16 is talking about the mental state of the accused,  
17 of the defendant, I would analogize to it to the  
18 testimony that's been proffered today that the  
19 State wants to get in, and I can't imagine that the  
20 legislature would enact this section that says that  
21 well, you -- it's improper for an expert to give an  
22 opinion about the mental state of one party in a  
23 legal proceeding, but it can give an opinion as to  
24 mental state or condition of another. And so  
25 looking at some of the cases that --I'm sorry my

1       wifi is not that great, so can't do the research I  
2       really want to do. But looking at some of the  
3       cases that annotate it in Goger's book it makes --  
4       it draws references to a couple of cases. So one  
5       of them is Fordham F-O-R-D-H-A-M versus the State.  
6       The cite to that is 254 Ga. 59. That's a (1985)  
7       case. I will talk about the State case first  
8       before talking about federal law. But in that case  
9       the Court said --and this principle is, I think,  
10      is still good law. "Where it's possible for a  
11      juror to take the same elements and constituent  
12      factors which guide the expert to its conclusions  
13      and from them alone make an equally intelligent  
14      judgment of their own independently on the opinion  
15      of others that undoubtedly this should be down, but  
16      it is also true if the nature of the question is  
17      such that the factors leading to a conclusion are  
18      not known to the common or average man, but among  
19      those things shrouded in the mystery of  
20      professional skill or knowledge, then the light of  
21      that knowledge should not be withheld from the  
22      jury." So in putting that in this case the State  
23      wants Dr. Morgan to be able to testify that the --  
24      that Ms. Bridges did not give consent or was not  
25      able to give consent on that night. You've already

1 ruled on the first part of my objection, but the  
2 other part which would purportedly allow him to a  
3 give an opinion as to whether she was able to give  
4 consent based upon analysis of the blood alcohol  
5 level, but the review of other evidence,  
6 specifically statements, hearsay at this point from  
7 witnesses. A videotape or videotapes that he  
8 looked at which can be looked at and analyzed just  
9 as easily by a lay person as Dr. Morgan. An  
10 analysis of the voracity of the statements given by  
11 those other people at the table which can be looked  
12 at and analyzed just as equally, just as  
13 efficiently by the jurors, a lay person as Dr.  
14 Morgan. He ought not to be allowed to give an  
15 opinion based on that. One of the analogies that's  
16 drawn is a case in Carter versus State. Carter  
17 versus State. The cite for that *266 Ga. App. 691*.  
18 That's a (2004) case. "The issue in that case was  
19 where the Court of appeals ruled that the opinion  
20 testimony, expert or otherwise, as to whether an  
21 individual appearing in a videotape of an armed  
22 robbery was properly identified as the defendant  
23 was not admissible since the determination of the  
24 identity of the person in the video was not beyond  
25 the ability of the jury." So in that case you've

1 got an expert looking at a video and testifying  
2 that the identification of the person in that video  
3 and their expert opinion was right. In this case  
4 you've got Dr. Morgan saying that he looked at the  
5 blood alcohol level, video from Taco Mac. He read  
6 the statements from witnesses who were there and  
7 offered an opinion, and while we're talking about  
8 the statements so Dr. Morgan essentially gets  
9 statements that are written. He doesn't talk to  
10 those witnesses and some of his earlier testimony  
11 specifically was that, well, she was the only  
12 person that they were concerned about not driving  
13 that night. Well, he doesn't know that. So he was  
14 not --

15 THE COURT: I think I indicated that that  
16 -- he couldn't base it on what folks were saying.

17 MR. ADAMS: But I think what you said is  
18 that he could offer an opinion about whether or not  
19 she had the ability to consent if he's basing it on  
20 the blood alcohol level and the other stuff.

21 THE COURT: Well, and the other things he  
22 observed.

23 MR. ADAMS: The other things he observed  
24 would be a videotape which the jury is just as able  
25 to look at and make a determination about

1 themselves. They don't need Dr. Morgan to  
2 determine whether or not she looks like she's  
3 impaired on this videotape. They don't need Dr.  
4 Morgan to determine whether or not the statements  
5 written by witnesses evidence impairment or  
6 inability to give consent. And that's what the  
7 cases -- that's what the Carter case and the  
8 Fordham case essentially stands for. I just think  
9 it's instructive to look at subsection (b) of that  
10 code section. He can testify as to alcohol level.  
11 He's done that. I would strongly object to him  
12 being able to offer his opinion whether or not she  
13 had the ability to consent because --the last  
14 thing. Even if we just looked strictly at  
15 subsection (a). What subsection (a) says is the  
16 testimony is not objectionable because it embraces  
17 an ultimate issue. Well, this is more than an  
18 ultimate issue. This is the ultimate issue. If  
19 his expert opinion is she didn't give consent then  
20 we've got a rape. You know, he is answering the  
21 question for the jury and that's not his job. Let  
22 them figure it out.

23 MR. CHASE: Judge, I think that the  
24 reading of subsection (b) actually supports the  
25 State's position. I think the legislature clearly

1 intended that the opinion evidence that Dr. Morgan  
2 would provide is contained within subsection (a),  
3 and so they specifically because they wanted to  
4 provide an extra protection for the defendant so an  
5 expert didn't come up and talk about a defendant's  
6 state of mind. They specifically went back in and  
7 they carved an exception to rule (a). So I think  
8 that that actually says that they did, in fact,  
9 intend for the type of opinion evidence that Dr.  
10 Morgan would provide to be presented to the jury.

11 As far as ultimate issue question, rule  
12 four -- 704, number one, is a new rule to Georgia.  
13 It is not -- so talking about these cases from 1985  
14 and 2004 it's kind of like dealing with apples and  
15 oranges. While some of the precedence maybe  
16 helpful we didn't have rule 704 prior to January 1,  
17 2013. So I don't think we can necessarily look at  
18 those cases as instructive as to what the current  
19 state of the law is.

20 As far as the ultimate issue, rule 704  
21 permits the ultimate factual opinions. Do you  
22 believe in your opinion she had the ability to  
23 consent. It will ultimately be the jury's decision  
24 as to whether or not they want to believe Dr.  
25 Morgan. Whether or not they believe he is a

1 credible witness that's within their purview. But  
2 as far -- but it specifically bars expert opinions  
3 on legal issues. Was she raped, and that's not the  
4 question that's being presented before Dr. Morgan.  
5 So under rule 704 we would, I think the statute  
6 clearly allows the doctor to present his -- what  
7 his opinion is, and it would ultimately be the  
8 jury's decision as to whether or not or what weight  
9 to give that opinion, if any, at all.

10 MR. ADAMS: Consent is not just a factual  
11 issue. Consent is a legal issue. It's a legal  
12 element in the offense of rape. You can't just say  
13 it's factual so let the jury determine it. If he  
14 gives an opinion as to that issue he's giving an  
15 opinion as to a legal element that's been met, your  
16 Honor.

17 THE COURT: I think Mr. Chase is correct  
18 that the focus is specifically on the rule as it  
19 relates to the accused. I remain -- let me  
20 rephrase it. I think that the State can ask a  
21 hypothetical question about how the alcohol level  
22 and the observations may have affected the victim's  
23 ability to give or not give consent, but not go to  
24 the ultimate question of whether she could or she  
25 could not. Did that make sense, Mr. Adams? Did

1 you follow that?

2 MR. ADAMS: Yes.

3 THE COURT: I know you don't like it, and  
4 I know you stringently object, and I'm not sure  
5 that stringently objects makes the objection  
6 anymore objectionable than a regular objection.

7 MR. ADAMS: Well, the question then would  
8 be what his answer would be to that because it  
9 could very well be the same and maybe while we are  
10 outside the presence of the jury now.

11 THE COURT: I rarely try and give  
12 instructions on what questions can be asked. I  
13 think in this incident unless you'd rather me give  
14 -- just give direction we can go ahead and let Mr.  
15 Chase ask the question for its approval by the  
16 Court before we bring the jury back in. That's  
17 your call.

18 MR. ADAMS: Yes. And certainly not  
19 waiving my previous objection I would -- I think  
20 that's the best course of action. I don't want a  
21 jury being brought in and right after they they're  
22 brought back in he says something that I object and  
23 they got to go back out.

24 THE COURT: Go ahead, Mr. Chase.

25 VOIR DIRE EXAMINATION

1 BY MR. CHASE:

2 Q. Dr. Morgan, let me present to you a  
3 hypothetical question. Someone whose blood alcohol  
4 level is between, I believe, you said 178 and 208; is  
5 that correct?

6 A. Yes.

7 Q. And someone who may have been observed to be  
8 unsteady on their feet in video surveillance, is --  
9 would you be able to make a determination -- would you  
10 be able to tell how the alcohol affected their ability  
11 to consent?

12 A. I think that alcohol level of that content  
13 and the video shown intoxication shows that the thinking  
14 ability is impaired. She can't use her frontal lobe as  
15 well. So she may make a decision that you would not  
16 make when you were sober. It impairs your ability to  
17 give consent.

18 THE COURT: I will allow that.

19 Dr. Morgan, I don't usually instruct, but  
20 in this case all of your answers was fine, but  
21 please confine it to it would affect.

22 Mr. Adams, I know you object, but I will  
23 narrow it to that.

24 MR. ADAMS: Yes, your Honor.

25 MR. CHASE: As far as talking about the

1 video, just present it to him in a hypothetical  
2 seeing a person in a video whose unsteady on their  
3 feet.

4 THE COURT: You can ask hypothetical's.

5 THE BAILIFF: All rise for the jury.

6 (Jury entering).

7 THE COURT: You can take your seats. I  
8 apologize for the delay. As I said, please, if you  
9 get frustrated direct those frustrations at me and  
10 not the parties in the case. Okay. Go ahead, Mr.  
11 Chase.

12 MR. CHASE: Thank you, Judge.

13 BY MR. CHASE:

14 Q. Dr. Morgan, let me ask you a hypothetical  
15 question. Hypothetically, if you encountered a person  
16 whose blood alcohol level was 178 and 208 milligrams per  
17 deciliter, and hypothetically if you observed video  
18 surveillance of them being unsteady on their feet, how  
19 would that affect that person's ability to give consent?

20 A. I think alcohol level of that magnitude  
21 showing the patient as intoxicated by their inability to  
22 normally walk shows that the alcohol is affecting the  
23 brain, and it's not going to affect their balancing  
24 ability. It's going to affect other parts of the  
25 ability including our frontal lobe and our critical

1 thinking area. So I think would affect and impair ones  
2 ability to give consent.

3 MR. CHASE: Thank you, doctor.

4 THE COURT: Mr. Adams.

5 MR. ADAMS: Thank you, Judge.

6 CROSS EXAMINATION

7 BY MR. ADAMS:

8 Q. Dr. Morgan, good afternoon, sir?

9 A. Good afternoon.

10 Q. You and I have had a chat before, true?

11 A. Yes.

12 Q. We had a little chat outside in the hallway  
13 earlier?

14 A. Yes, sir.

15 Q. You were qualified as a forensic, an expert  
16 in forensic toxicology, true?

17 A. I would say medical toxicology not forensic.

18 Q. All right, medical toxicology. Let me kind  
19 of start at the back of your testimony and work our way  
20 to the front.

21 One of the things that you said was that you  
22 had the opportunity to review the medical record in this  
23 case, correct?

24 A. That's correct.

25 Q. You gave us a time as to when you said the

1 blood was drawn, right?

2 A. Correct.

3 Q. You -- the time that you gave was 3:28,  
4 right?

5 A. Correct.

6 Q. And you know that from looking at the  
7 medical record?

8 A. That's my belief and looking at the medical  
9 record, yes.

10 Q. So 3:28, let me make sure I wrote down --  
11 3:28 is your time that you know that -- you're aware  
12 that the blood was drawn, correct?

13 A. From looking at the medical record that's  
14 what it indicates to me.

15 Q. So if the medical record is incorrect as to  
16 the time then that would affect your -- the opinions  
17 that you have tendered to this jury; is that correct?

18 A. That's correct.

19 Q. So, for example, if the doctor, the  
20 emergency room doctor has a different time that the  
21 blood was drawn you would agree that there is some  
22 discrepancy there, right?

23 A. Certainly, yes.

24 Q. Medical records can be wrong, correct?

25 A. Yes, medical records like everything else

1 can be wrong.

2 Q. And you're aware from looking at the medical  
3 records that Arriene Bridges came to Piedmont Hospital  
4 at about a little bit after midnight, right?

5 A. That's correct.

6 Q. Yet and still the record seems to indicate  
7 that the blood was drawn at least according to your  
8 testimony at 3:28?

9 A. Yes.

10 Q. Now, you looked at the medical record. Did  
11 I hear you say that you had the opportunity to review  
12 the videotape from Taco Mac?

13 A. I did, yes.

14 Q. You had the opportunity to review statements  
15 given by individuals who were at Taco Mac with Ms.  
16 Bridges, right?

17 A. Yes, I did.

18 Q. Did you also say that you had the  
19 opportunity to review the statements given by Ms.  
20 Bridges herself?

21 A. Yes, I did.

22 Q. All right. I would assume then and you tell  
23 me if this is true, that you read statements from Ms.  
24 Bridges that make reference to her saying that the  
25 amount of drinks she had on that night was a very light

1 night for her? You remember seeing those statements?

2 A. I don't remember a light night. I'm not  
3 saying she did say that, but that doesn't ring a bell  
4 with me.

5 Q. Well, do you remember seeing any statements  
6 that she gave Ms. Bridges where she said that her normal  
7 course would be seven Tequila shots followed by seven  
8 Amaretto Sours. Do you remember seeing that statement  
9 from her?

10 A. I don't.

11 Q. All right. But your testimony, right, is  
12 that you-- your expert testimony is that you arrived at  
13 your opinion based on the information that was given to  
14 you, I guess, presumably by the DA's Office, right?

15 A. Correct.

16 Q. It would be helpful for you arriving --  
17 looking at -- coming up with your opinion to know if  
18 Arriene Bridges maintains or says that, hey, I have  
19 drank seven Tequila shots followed by seven Amaretto  
20 Sours and been just fine? That would tell you something  
21 about Arriene Bridges, right?

22 A. A little bit. Depends on the time frame,  
23 what she was eating at the time, yeah.

24 Q. Seven -- seven Tequila shots and seven  
25 Amaretto Sours is a lot of alcohol?

1 A. That's a lot of alcohol.

2 Q. That's a lot of alcohol, true?

3 A. Correct.

4 Q. It's more than two Tequila shots, Amaretto  
5 Sours and half a Bob Marley, you would agree with that?

6 A. I would say that's more, yes.

7 Q. Now, one of things that you look at in  
8 making a determination or drawing an expert opinion,  
9 right, about what someone's condition was at a  
10 particular time is their own kind of self analysis or  
11 self description about how they felt, right?

12 A. Sure.

13 Q. So in arriving at this -- by the way, you  
14 said-- did I hear you say that they retained you? DA'S  
15 Office hired you to come in here and testify?

16 A. I think so, yeah. I don't remember what  
17 kind of agreement we have to tell you the truth but --

18 Q. There is an agreement, right?

19 A. I'm not sure we actually have one for this  
20 case, but I was going to talk to him about it to see if  
21 I get paid for my time.

22 Q. You haven't got the money yet, but you  
23 expect to be paid for your testimony, right?

24 A. Yes, I get paid for my time.

25 Q. They better pay you, right?

1 A. If they don't I'm sure there's a recourse.

2 Q. All right. All joking aside, essentially  
3 they came out and they retained you to come in here and  
4 testify as their expert, true?

5 A. That's true.

6 Q. You are a doctor; that's correct?

7 A. That's true.

8 Q. You were not a doctor at Piedmont on the  
9 night that Ms. Bridges came in?

10 A. I was not.

11 Q. You've never met Ms. Bridges?

12 A. That's correct.

13 Q. Never interviewed her?

14 A. I did not.

15 Q. You don't know anything about the woman  
16 other than what you see in writing and what they said to  
17 you, right?

18 A. That's correct.

19 Q. Do you know what medication she was taking  
20 around April the 5th, April 6th?

21 A. I know a few of them, yes.

22 Q. Do you know all of them?

23 A. I'm not sure exactly. I didn't talk to her  
24 and saw some things.

25 Q. You didn't talk to her but -- tell me if

1 this is true. You'd probably get a whole lot more  
2 knowledge about someone that you're offering an opinion  
3 about by actually interviewing them or talking to them?

4 A. I think you would probably get more.

5 Q. Did anyone in the DA's say, hey, you know  
6 what, Dr. Morgan, why don't you come in on Tuesday at  
7 4:00 and we will make Ms. Bridges available to you  
8 because we want you to have as much information as  
9 possible when you come into this courtroom and testify  
10 in this case where we've charged Aaron Brantley with  
11 rape; did anyone tell you that?

12 A. They didn't tell me that, no.

13 Q. What do you know about how much Aaron  
14 Brantley had to drink that night?

15 A. Not much. Nothing that I recall.

16 Q. Nothing to drink? You don't know much?

17 A. Not that I would testify about.

18 Q. You don't know?

19 A. I wasn't focusing on that during my review.

20 Q. They didn't ask you to focus on that, right?

21 A. Right.

22 Q. They want you to testify about Arriene  
23 Bridges?

24 A. Yes.

25 Q. So you're in a position as you sit here on

1 this stand giving your expert opinion to this jury to  
2 tell them what alcohol was doing to Aaron Brantley on  
3 that night?

4 A. I'm not. That's correct.

5 Q. You're aware, though, from reading the  
6 statements, and I guess maybe a police report, too, did  
7 you read one of those?

8 A. Yeah, police report and their interviews. I  
9 heard his through the audio interviews.

10 Q. Right. You know that Mr. Brantley was  
11 drinking that night, too, right?

12 A. Yes.

13 Q. So we got two people who are drinking and  
14 you're here to offer your expert opinion on Ms. Bridges,  
15 right?

16 A. Correct.

17 Q. Do you know what she had to eat that day?

18 A. I -- I have heard a variety of things that's  
19 been -- that were said in the records, yes.

20 Q. Because one of the things you told this jury  
21 not too long ago was that the amount of food that you  
22 have in your system, the type of food that you have in  
23 your system would have an effect on alcohol absorption  
24 and your level of intoxication?

25 A. How fast you absorb it, yes.

1 Q. Okay. I don't mean to over simplify. I'm  
2 not a doctor, but are you able as you sit here today  
3 offering your expert opinion to tell this jury exactly  
4 what it was that Ms. Bridges had to eat on April the 5th  
5 of 2013?

6 A. I really can't. I wasn't there to watch her  
7 eat all day. I can go by what was in the records that I  
8 reviewed.

9 Q. And you certainly didn't talk to her to ask  
10 her so you could make a determination about her level of  
11 alcohol absorption, did you?

12 A. I did not.

13 Q. You never talked to someone named Lakiva  
14 Watkins, did you?

15 A. I did not.

16 Q. You saw her statement?

17 A. I believe I listened to her interview. I  
18 may -- I may have seen a statement, but I definitely  
19 remember the interview.

20 Q. Did you utilize the information that was  
21 contained in Lakiva's Watkins' statement in making your  
22 expert determination on expert opinion about the  
23 possible level of intoxication of Ms. Bridges that  
24 night?

25 A. I mean, it was --I considered it in my

1 opinion, yes.

2 Q. All right. Do you -- you talked earlier  
3 about alcohol having different effects on different  
4 people, right?

5 A. Yes.

6 Q. Everyone is physiologically different,  
7 right?

8 A. A little bit.

9 Q. Depending on if you're a drinker, not a  
10 drinker, that might have some impact on how alcohol  
11 affects you on any given day, right?

12 A. That's correct.

13 Q. Now, you -- one of the things you said was  
14 that in some people you might see depending on the level  
15 of alcohol in their system, right, you might see some  
16 ability to weigh decisions appropriately, right?

17 A. Ask the question again?

18 Q. Maybe that was a bad question. Their  
19 judgment, people's judgment could be impaired sometimes  
20 when they drink alcohol?

21 A. Yes.

22 Q. People's dexterity could be impaired  
23 sometimes when they drink alcohol?

24 A. Yes.

25 Q. Generally speaking someone says they are so

1 impaired that they can't move, right, they don't have  
2 any control over their body, would you expect that  
3 person within the next minute or two to be able to then  
4 bang on a window or kick on a windshield? Would their  
5 ability return just like that?

6 A. It has to return at some point. I'm not  
7 aware of like studies to show whether people say they  
8 can't move and how fast it does come back.

9 Q. What about their ability to send text  
10 messages and read, understand and respond to text  
11 messages; what about that?

12 A. Again, at some point you -- either that type  
13 of ability is going to come back to some dexterity until  
14 -- at some point someone who is that intoxicated will  
15 start to be able to function and use her phone.

16 Q. Here's my most specific question. I'm going  
17 to use my last example. If I'm so intoxicated, I'm  
18 telling you now I'm so intoxicated I can't move, I can't  
19 raise my hand. I can't --I don't have any control over  
20 my body, would you expect about a minute or two after  
21 that for me to be leaning back and picking up a cell  
22 phone from the bottom of a car of the floorboard,  
23 reading text, understanding it enough to respond to the  
24 text? Sending those text, would you expect that?

25 A. I think that that rapid of recovery would be

1 unusual.

2 Q. Okay. And that's all I've got.

3 THE COURT: Mr. Chase, anything else?

4 REDIRECT EXAMINATION

5 BY MR. CHASE:

6 Q. What about hypothetically this person passed  
7 back out and then awoke at a period of time later, would  
8 it be reasonable to think that they might be able to  
9 text someone at that point?

10 A. Sometimes you get in a semi-conscious state  
11 and that's why you can't really move, you're kind of not  
12 all there and a little bit of a coma and then you maybe  
13 kind of wake back up a little bit more. So that would  
14 be possible.

15 Q. Hypothetically speaking, would it be  
16 possible for someone to, let's say, send a text message  
17 and later not remember it?

18 A. Oh, yeah. There is a lot of people get  
19 alcohol levels that intoxicated. There is a lot of  
20 blackouts and things they can't remember.

21 Q. But physically they're still able to perform  
22 the acts, correct?

23 A. Yes.

24 MR. CHASE: Nothing further.

25 THE COURT: Anything else, Mr. Adams?

1 MR. ADAMS: No, ma'am.

2 THE COURT: Thank you, Dr. Morgan. You  
3 may step down.

4 (Witness excused.)

5 THE COURT: Call your next witness.

6 MR. CHASE: The State Calls Kimberly  
7 Mundrick.

8 KIMBERLY MUNDRICK

9 HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS  
10 FOLLOWS:

11 THE BAILIFF: State your full name for  
12 the record?

13 THE WITNESS: Kim Mundrick.

14 M-U-N-D-R-I-C-K.

15 DIRECT EXAMINATION

16 BY MR. CHASE:

17 Q. Good evening, Ms. Mundrick. How are you  
18 currently employed?

19 A. Georgia Bureau Investigation Division of  
20 Forensic Science also known as the GBI Crime Lab or  
21 Georgia State Crime Lab.

22 Q. And what is your position there?

23 A. I'm a forensic biologist.

24 Q. And how long have you been employed there?

25 A. Approximately seven years.

1 Q. And what does your job entail there?

2 A. As a forensic biologist I receive evidence  
3 from state and local agencies, examine the evidence for  
4 biological fluid. Mainly blood, semen or saliva. If  
5 one of these fluids is present I will perform DNA  
6 testing and write a report based on my findings.

7 Q. Can you tell us about your educational  
8 background?

9 A. I received my Bachelor's of Science degree  
10 in Health Sciences from Brenau University in Gainesville,  
11 Georgia and my Master's of Forensic Degree in Drexel  
12 University College of Medicine, Philadelphia,  
13 Pennsylvania. I also received intensive in-house  
14 training from the GBI in the areas of blood, semen,  
15 saliva and DNA analysis which included written, oral and  
16 block test.

17 MR. ADAMS: I'm sorry to interrupt,  
18 Judge. I want to save some time. Ms. Mundrick,  
19 I'm not objecting to her qualifications as an  
20 expert.

21 THE COURT: She will be qualified as an  
22 expert in her field.

23 BY MR. CHASE:

24 Q. Ma'am, are you familiar with the term DNA?

25 A. Yes.

1 Q. What is DNA?

2 A. DNA stands for deoxyribonucleic acid. It is  
3 a genetic blue print. It governs inheritance traits of  
4 all humans. It's found in every cell. It is the same  
5 in every cell, and it doesn't change over time.

6 Q. How is DNA transferred from one person to  
7 another?

8 A. DNA can be transferred by physical touch, as  
9 well as potentially dust.

10 Q. Okay. What does it mean to perform a dna  
11 typing -- I'm sorry, male dna screening?

12 A. When I perform a male dna screening I'm  
13 screening the evidence submitted for the presence of

14 Q. And I'm going to approach you with State's  
15 Exhibit 4, 8, 9 and 10. Did you receive a request from  
16 the Atlanta Police Department to do a male dna screening  
17 on this there case number 130906143?

18 A. Yes.

19 Q. And was that given a department Division of  
20 Forensic Science case number as well?

21 A. Yes.

22 Q. And what division of science case number?

23 A. 2013, 1009408.

24 Q. And what did you receive from the Atlanta  
25 Police Department?

1           A.           I received a sexual assault evidence  
2 collection kit as well as a some buccal swabs as well as  
3 some blood.

4           Q.           And on State's Exhibit 4, is that the sexual  
5 assault kit that you received?

6           A.           Yes.

7           Q.           And that was for the case numbers that we  
8 just mentioned; is that correct?

9           A.           Yes.

10          Q.           Okay. And who is the name of the alleged  
11 victim on that sexual assault kit?

12          A.           Arriene S. Bridges.

13          Q.           And was the sexual assault kit sealed  
14 according to lab standards when you received it?

15          A.           Yes.

16          Q.           If you want I have --

17                       MR. CHASE: Well, if there is no objection  
18 I would move State's Exhibit 4 into evidence.

19                       MR. ADAMS: There is none.

20                       THE COURT: It's in.

21 BY MR. CHASE:

22          Q.           That is the sexual assault kit?

23          A.           Yes.

24          Q.           What does the sexual assault kit contain?

25          A.           In the -- in this case it contains vaginal

1 cervical swabs, rectal swabs. Could I refer to my  
2 notes?

3 Q. Sure?

4 A. Vaginal cervical smears and rectal smears.

5 Q. And during the course of your dna screening,  
6 did you find the presence of human male dna on any of  
7 the items?

8 A. Yes.

9 Q. And what items did you find human male dna?

10 A. On the rectal swabs.

11 Q. Did you issue a report?

12 A. Yes.

13 Q. And is that report reflected in State's  
14 Exhibit 8?

15 A. Yes.

16 MR. CHASE: Your Honor, at this time, I  
17 move State's Exhibit 8 in evidence.

18 MR. ADAMS: No objection.

19 THE COURT: It's in.

20 BY MR. CHASE:

21 Q. And as far as -- what do you do from that  
22 point once you find the presence of male dna?

23 A. Once human male dna has been found I will  
24 then perform dna testing. Where I have dna profile or  
25 profiles from the evidence and compare it to general

1 known reference samples.

2 Q. You say known reference samples, did you  
3 receive known reference samples in this particular case?

4 A. The buccal swabs as well as the blood.

5 Q. And is that -- is it -- did you receive  
6 buccal swabs from the defendant?

7 A. Yes, it is.

8 Q. Is that State's Exhibit 10?

9 A. Yes.

10 Q. And who submits the buccal swab from the  
11 defendant?

12 A. The Atlanta Police Department. The  
13 submitting agency.

14 MR. CHASE: Your Honor, I move State's  
15 Exhibit 10 into evidence.

16 MR. ADAMS: Objection.

17 THE COURT: I'm sorry, was that no?

18 MR. ADAMS: No objection.

19 THE COURT: It's in.

20 BY MR. CHASE:

21 Q. Did you -- when you had those known samples,  
22 did you do a comparison?

23 A. Yes.

24 Q. And what were your findings when you did  
25 your dna comparison?

1 A. May I refer to my --

2 Q. You can.

3 Are your findings contained within State's  
4 Exhibit 9?

5 THE COURT: What is nine?

6 MR. CHASE: Nine is the report from --

7 THE COURT: I thought it was eight.

8 MR. CHASE: Exhibit 8 is dna screening.

9 This report is dna typing.

10 BY MR. CHASE:

11 Q. Did you issue a report?

12 A. Yes.

13 Q. And what were the findings of your report?

14 A. That the dna obtained from the rectal swabs  
15 contained dna of two individuals. The first profile  
16 obtained from rectal swabs from our item number matches  
17 the profile of Arriene S. Bridges and the second profile  
18 obtained from the rectal swabs from our item one match  
19 the profile of Aaron Brantley.

20 Q. And you memorialized that in your report  
21 that's State's Exhibit 9?

22 A. Yes.

23 MR. CHASE: Your Honor, I move State's  
24 Exhibit 9 into evidence.

25 MR. ADAMS: No objection.

1 THE COURT: It's in.

2 Mr. CHASE: Nothing further.

3 CROSS EXAMINATION

4 BY MR. ADAMS:

5 Q. Couple of questions, Ms. Mundrick.

6 Good afternoon, by the way. So let's see if I can  
7 summarize what we got here. You're a forensic biologist  
8 who received evidence from the Atlanta Police  
9 Department, true?

10 A. Yes.

11 Q. One of those items of evidence was a -- you  
12 found dna on a rectal swab that was submitted for  
13 analysis, right?

14 A. Correct.

15 Q. Were two items. One was male dna, one was  
16 female dna?

17 A. Yes.

18 Q. The female dna belongs to someone name  
19 Arriene Bridges, right?

20 A. Yes.

21 Q. The male's dna belongs to a man name Aaron  
22 Brantley?

23 A. Yes.

24 Q. There were vaginal swabs identified as  
25 having come from vaginal swabbing; is that right?

1 A. Yes.

2 Q. You were not able to find any dna on any of  
3 those -- no male dna?

4 A. Correct.

5 Q. So no male dna on the vaginal swabs. Male  
6 dna on the rectal swabs, right?

7 A. Correct.

8 Q. So when these items of evidence come to you  
9 at the crime lab from APD is there normally a detective  
10 who has submitted them and asked for a specific type of  
11 testing?

12 A. Yes.

13 Q. All right. In this case did you at any  
14 point receive a black -- well, a skirt for any sort of  
15 testing?

16 A. Not to my knowledge.

17 Q. All right. So you don't have any  
18 recollection of receiving a skirt that you were asked to  
19 identify or examine for the presence of seminal fluid or  
20 dna or anything like that?

21 A. Again, not to my knowledge.

22 Q. All right. And you've been with GBI for  
23 seven years?

24 A. Yes.

25 Q. If you have done that would you have created

1 a report just like these you have in front of you in  
2 your thing -- your folder, right?

3 A. Yes.

4 Q. All right. That's all.

5 REDIRECT EXAMINATION

6 BY MR. CHASE:

7 Q. Is it the policies of the GBI to test  
8 absolutely every piece of evidence that the police  
9 department may collect?

10 A. No.

11 Q. And why is that?

12 A. If we worked everything that was submitted  
13 we'd be still working stuff from even early 90s.

14 Q. Does the GBI currently have a backlog?

15 A. Yes.

16 Q. What is the current backlog?

17 A. I know it's over -- it's in the hundreds. I  
18 don't know the precise number.

19 Q. Do you know the timeline. Weeks, months, or  
20 do you not know?

21 A. I don't know.

22 MR. CHASE: Thank you.

23 RECROSS EXAMINATION

24 BY MR. ADAMS:

25 Q. There is a backlog, but a police agency or a

1 district attorney's office can call the GBI and say,  
2 hey, this is a piece of evidence that I want to skip  
3 ahead of the others because it's so important and I want  
4 it analyzed; they can do that, right?

5 A. Yes.

6 Q. They didn't that in regard, in this case,  
7 regarding this skirt as far as you know?

8 A. As far as I know, no.

9 THE COURT: Thank you. You may step  
10 down. Thank you, Ms. Mundrick.

11 (Witness excused.)

12 All right. Ladies and gentlemen, this is  
13 a good time for us to recess for the evening.  
14 We've been going all day. Please remember all of  
15 the instructions that I give you at every recess.  
16 Please don't talk to each other about the case.  
17 Don't talk to anybody else about the case. Don't  
18 go home tonight, talk to your family, friends,  
19 colleagues. Please don't try and find out any  
20 information about any of the subject matter  
21 discussed during the day in any peripheral form in  
22 any direct form. We will keep moving along in this  
23 case. Please don't watch any tv that would impact  
24 any issues in this case or any information that  
25 you've obtained in this case. Please don't try and

1 go by any crime scenes. Don't communicate  
2 electronically. Send out any text, face book or  
3 any of those other technology things. Just enjoy  
4 your evening. 9:15 work for everybody this  
5 morning. Is that pretty good. All right. Then we  
6 will see you back at 9:15 tomorrow morning. Thanks  
7 for your patience today. If you will please leave  
8 those in the jury room. It will be locked over  
9 night and they will be there for you in the  
10 morning. All right. Thank y'all very much.

11 (Jurors exits.)

12 THE COURT: Y'all can take your seats.  
13 You've got how many more witnesses?

14 MR. CHASE: I assume most of tomorrow at  
15 this rate. We have -- there is two more GBI. So  
16 those should be relatively quick.

17 THE COURT: How much videotape are you  
18 playing?

19 MR. CHASE: Of the Taco Mac?

20 THE COURT: Just all of your videotape,  
21 how much time?

22 MR. CHASE: The defendant's statement is  
23 over an hour. Then we've agreed to redact as I  
24 mentioned last night. So --

25 THE COURT: I've heard you reference the

1 victim's statement. Are any those being played at  
2 this point that --

3 MR. CHASE: I have a feeling, Mr. Adams  
4 --

5 THE COURT: Right now I'm -- how is your  
6 case looking like and then I'm going to get to Mr.  
7 Adams.

8 MR. CHASE: I mean, it's -- I would  
9 hope that the witnesses tomorrow should be shorter,  
10 most of them should be shorter than they were  
11 today, but I mean Detective Sluss is probably going  
12 to be a half day. The victim's statement -- the  
13 defendant's statement alone is over an hour.

14 THE COURT: Mr. Adams, do you have any  
15 idea how long your case is generically? I know  
16 there are some things you may have decided at this  
17 point, but I'm trying to get a ball park. I'm not  
18 holding you to it.

19 MR. ADAMS: If we put up a case not more  
20 than a half day. The reality is let's be quite  
21 candid, most of my case is probably going to come  
22 out through cross examination which might be  
23 lengthy particularly when it comes to someone like  
24 Detective Sluss whose got a lot of stuff that he is  
25 going to go through just with the State and also

1 with myself.

2 THE COURT: All right.

3 MR. ADAMS: I'm still hoping we can be  
4 done with closing argument no later than Friday.

5 THE COURT: Have y'all talked about  
6 anything that you might be able to agree to in  
7 terms of foundational stuff for cell phone and all  
8 that?

9 MR. CHASE: Yes. As far as the Taco Mac  
10 video that's coming in under business records.  
11 Detective Sluss will enter it through him. As far  
12 as the cell phones and itself, the cell phone dump  
13 I don't think -- both sides want it so foundational  
14 issue wouldn't be much, but defense is going to  
15 spend sometime with the detective who actually did  
16 the dump, but the foundational stuff shouldn't be  
17 long. I can speed through that like I did with GBI  
18 as long as I know ahead there is not going to be an  
19 issue.

20 THE COURT: Y'all be back again about ten  
21 after nine. If there is anything y'all need to  
22 take up, please let Ms. Frankesh or somebody know  
23 before we get started. All right.

24 (Whereupon, the proceedings are  
25 concluded.)

C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF FULTON:

I DO HEREBY CERTIFY THAT THE FOREGOING  
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THIS, THE 13TH DAY OF APRIL, 2016

/s/ Karen Rivers  
\*\*\* (KAREN RIVERS), CCR-\*\*\*2575  
RPR, OFFICIAL COURT REPORTER  
SUPERIOR COURT OF FULTON COUNTY