

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

JOHN WAYNE DEDMON,]
Plaintiff,]

/S.]

CASE NO. 2 98 0094
JUDGE WISEMAN/BROWN

PUTNAM COUNTY SHERIFF'S DEPARTMENT;]
JERRY ABSTON, in his official and]
individual capacity; SHIFT]
SUPERVISOR known only as]
'Lightning Mayberry"; CORRECTION]
OFFICER known only as "Hoover";]
TRANSPORTATION OFFICER known only]
as "Art Rowland"; LIEUTENANT NEIL]
BLYTHE; UNKNOWN PERSONNEL OF THE]
PUTNAM COUNTY SHERIFF'S DEPARTMENT.]
Defendants.]

AND

IN THE CIRCUIT COURT OF PUTNAM COUNTY, TENNESSEE

JOHN WAYNE DEDMON]
Plaintiff,]

VS.]

NO. 98 J0332
JURY (12)

JAMES L. SMITH, D.D.S.,]
Defendant.]

DEPOSITION OF: JOHN WAYNE DEDMON

TAKEN: FEBRUARY 16, 1999

CONDENSED VERSION, INDEX, AND EXHIBITS

Page 2

APPEARANCES:

FOR THE PLAINTIFF:
 Ms. Lisa Harris
 The Harris Law Firm
 P. O. Box 873
 Cookeville, TN 38503

FOR THE DEFENDANTS:
 U.S. DISTRICT CT.
 Mr. Daniel H. Rader, III
 Moore, Rader, Clift, and
 Fitzpatrick
 46 North Jefferson Ave.
 Cookeville, TN 38501

FOR THE DEFENDANT:
 PUTNAM CIRCUIT COURT
 Mr. Darrell G. Townsend
 Howell and Fisher
 Court Square Building
 300 James Robertson Pky.
 Nashville, TN 37201-1107

Page 5

1 JOHN WAYNE DEDMON,
 2 having first been duly sworn, was examined and deposed as
 3 follows:
 4
 5 DIRECT EXAMINATION
 6
 7 BY MR. DANIEL H. RADER, III:
 8
 9 Q State your full name for the record,
 10 please.
 11 A John Wayne Dedmon.
 12 Q What's your present address?
 13 A 743 Hutchison Road, Cookeville.
 14 Q How old are you?
 15 A Thirty-two.
 16 Q Mr. Dedmon, my name is Dan Rader; and
 17 I'm here to take your deposition today about a lawsuit you
 18 filed against Putnam County and the Putnam County Sheriff's
 19 Department and various personnel. You understand that. Is
 20 that right?
 21 A Yes, sir.
 22 Q And I'm going to be asking you a number
 23 of questions today. If at any time you don't understand a
 24 question or you want me to repeat or rephrase it, just tell
 25 me; and I'll be glad to do that. All right? And if I ask

Page 3

1 The deposition of JOHN WAYNE DEDMON was
 2 taken at the offices of Moore, Rader, Clift, and
 3 Fitzpatrick, 46 North Jefferson Avenue, Cookeville,
 4 Tennessee, on February 16, 1999.
 5 It was stipulated and agreed by and between
 6 the respective parties of the herein-entitled cause of
 7 action that the deposition herein was taken by agreement
 8 pursuant to the Tennessee Rules of Civil Procedure and/or
 9 Federal Rules of Civil Procedure, whichever is applicable,
 10 before Maxine Frasier, Court Reporter and Notary Public at
 11 Large in the State of Tennessee;
 12 That all testimony and proceedings be
 13 written down in shorthand by her and thereafter transcribed
 14 by her or under her direction, and that said deposition may
 15 be read and used in evidence in said cause of action in any
 16 trial thereon or any proceeding therein;
 17 That all objections, except as to the form
 18 of the question, are reserved to on or before the hearing.
 19 And it is further agreed that all formalities as to
 20 caption, certificate, transmission filing, etc., are
 21 expressly waived. It is agreed that the Court Reporter,
 22 being a Notary, may swear the witness and, after
 23 transcribing the testimony, affix the signature of the
 24 witness thereto.
 25

Page 6

1 you to repeat something, I'm not fussing at you. I just
 2 can't hear very well sometimes; so just bear with me.
 3 Okay?
 4 A Um-hum [affirmative response].
 5 Q And you need to try to answer yes or no
 6 or not nod your head; because the court reporter can't take
 7 down --
 8 A Okay.
 9 Q -- um-hum and huh-uh and head nods and
 10 things like that. So I may ask you to verbalize your
 11 response; and if I do that, I'm not fussing at you either.
 12 We're just trying to make a complete record.
 13 A Okay.
 14 Q Are you married?
 15 A No, sir.
 16 Q Have you been married?
 17 A Yes, sir.
 18 Q What was your wife's name? How many
 19 times have you been married?
 20 A Three times.
 21 Q When were you most recently divorced?
 22 A I don't remember.
 23 Q Well, just give me your best estimate.
 24 A '91.
 25 Q And who were you married to then?

Page 4

1 INDEX OF TESTIMONY
 2 The Testimony of JOHN WAYNE DEDMON
 3 Direct Examination by Mr. Rader 5
 4 Cross Examination by Ms. Harris206
 5 Redirect Examination by Mr. Rader207
 6
 7 INDEX OF EXHIBITS
 8 No. Page
 9 1. Two log sheets for medicine, including copies
 10 of receipts for two medications 89
 11 Late 2, Letter from Castle Dental Center185
 12 Late 3, Photographs 185
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23 Note: All proper names, unless provided by counsel to the
 24 reporter, represent the best phonetic approximation of that
 25 name.

Page 7

1 A Tammy Austin.
 2 Q How long were you married to Tammy
 3 Austin?
 4 A A couple of years.
 5 Q Who were you married to before her?
 6 [Witness consults with Ms. Harris.]
 7 A Tracy Cronk.
 8 Q Tracy who?
 9 A Cronk.
 10 Q How do you spell that last name?
 11 A C-r-o-n-k.
 12 Q How long were you married to Tracy
 13 Cronk?
 14 A Couple of years.
 15 Q Did that marriage end in divorce?
 16 A Yes, sir.
 17 Q And when were you divorced from her?
 18 A '89.
 19 Q Who were you married to before that?
 20 A Cindy Cumby.
 21 Q Sandy?
 22 A Cindy.
 23 Q Cindy?
 24 A Cumby.
 25 Q Cumby?

Page 14

1 Q When was that?
 2 A Till October 27 or 28 of last year.
 3 Q 1998?
 4 A Yes, sir.
 5 Q How long did you work there?
 6 A Couple of weeks.
 7 Q What did you do for them?
 8 A Worked in packing.
 9 Q Why did they let you go?
 10 A Laid off.
 11 Q How about before that? Where did you
 12 work?
 13 A Cumberland Valley Shows.
 14 Q When did you work for them?
 15 A Spring and summer of '98.
 16 Q What did you do for them?
 17 A Ride operator.
 18 Q Why did that job end?
 19 A Season ended.
 20 Q So you knew that was seasonal work when
 21 you took it.
 22 A Yes, sir.
 23 Q What did they pay you to be a ride
 24 operator?
 25 A \$450 a week.

Page 17

1 Q Same thing you did for Cumberland
 2 Valley Shows?
 3 A Yes, sir.
 4 Q And what area did they cover?
 5 A North Carolina, South Carolina,
 6 Georgia.
 7 Q How long did you work for them?
 8 A Till I turned myself in in April. I
 9 worked for them from December...from January of '97 till
 10 April of '97.
 11 Q What did you do before that?
 12 A Worked in Jamestown.
 13 Q What did you do in Jamestown?
 14 A Worked for the Tennessee Bureau of
 15 Investigation.
 16 Q What did you do for the TBI?
 17 A I was a informant, buying drugs.
 18 Q How long did you do that?
 19 A From January of '95 until December of
 20 '96 if I ain't mistaken.
 21 Q For two years?
 22 A January of '96 is what it was until
 23 December of '96, December 17, as a matter of fact.
 24 Q Were you on the payroll?
 25 A No, sir.

Page 15

1 Q What did you do before that?
 2 A Worked at East Side Cafe.
 3 Q When did you work for them?
 4 A October of '97.
 5 Q Till when?
 6 A Till late January, early February of
 7 '98.
 8 Q Why did that job end?
 9 A I left to go with the carnival.
 10 Q Where did you pick up with the
 11 carnival?
 12 A Florida.
 13 Q Who runs East Side Cafe?
 14 A Carol run it when I --
 15 Q Carol?
 16 A I think her name was Gobby. She's been
 17 married. I think it's been changed; but she sold it and
 18 don't own it no more.
 19 Q And she's the one who hired you?
 20 A Yes, sir.
 21 Q What did you do at East Side Cafe?
 22 A Washed dishes, clean up.
 23 Q What did she pay you?
 24 A \$150 a week.
 25 Q And then you went with the carnival?

Page 18

1 Q How were you paid?
 2 A \$100 a buy, \$200 a buy.
 3 Q Who was your contact, I guess?
 4 A I worked for several different agents,
 5 none in particular.
 6 Q Just name an agent you did work for.
 7 A Butch Morris.
 8 Q Who else?
 9 A Milton Bowling.
 10 Q Milton Boles?
 11 A Bowling, B-o-w-l-i-n-g.
 12 Q Anybody else?
 13 A That's all I can remember.
 14 Q What did you do before you were an
 15 informant for TBI?
 16 A I worked Crossville before that as a
 17 informant.
 18 Q For who?
 19 A Butch Morris.
 20 Q TBI?
 21 A Yes, sir.
 22 Q Before you became an informant, what
 23 did you do?
 24 A 1985, I worked at Pre-wash.
 25 Q Aquatech?

Page 16

1 A Yes, sir.
 2 Q And stayed with them until the carnival
 3 season was over?
 4 A Yes, sir.
 5 Q And then you worked at Dana for two
 6 weeks?
 7 A Yes.
 8 Q So you haven't worked now in about
 9 three or four months?
 10 A Yes, sir.
 11 Q Have you been drawing?
 12 A No, sir.
 13 Q Had any income?
 14 A No, sir.
 15 Q From any source?
 16 A Other than my mother. That's it.
 17 Q Before you were in jail between
 18 April 29 and September 30 of '97, where did you work?
 19 A Stein Shows.
 20 Q What is that?
 21 A They're located out of Ohio.
 22 Q What is Stein Shows?
 23 A It's a carnival.
 24 Q What did you do for them?
 25 A Ride operator.

Page 19

1 A Yes, sir.
 2 Q Do I understand you were basically an
 3 informant for about ten years between 1985 and 1996?
 4 A Yes, sir, off and on.
 5 Q Did you have any regular employment
 6 during that time?
 7 A I worked at some factories.
 8 Q Just sporadic?
 9 A Worked at Duriron for about seven
 10 months till I got laid off.
 11 Q Why did you get laid off at Duriron?
 12 A It was through a temporary service.
 13 Q What did you do for them?
 14 A Fork lift operator. Worked in the
 15 machine shop.
 16 Q What kind of drugs would you buy for
 17 the TBI?
 18 A Cocaine, Marijuana, Valium, all kinds
 19 of drugs.
 20 Q Were you a free-lance operator; or did
 21 you work under their direction?
 22 A I was free lance. If they needed
 23 somebody, they'd take me where they needed me to be, put me
 24 in a house, pay my rent, pay my light bill, pay my phone
 25 bill. They done it all.

Page 20

1 Q Did they set up any sting operations
2 with you?
3 A Yes, sir.
4 Q Basically, you have a reputation; and
5 your reputation among law enforcement and among the inmates
6 is being a snitch, isn't it?
7 A Yes, sir.
8 Q And that's mainly what you've done,
9 except for this carnival work, these last ten years, isn't
10 it? That's mainly how you've got by.
11 A Not necessarily, no.
12 Q Well, besides the carnival work and
13 being a snitch, what other main source of income did you
14 have?
15 A I worked for Ricky Webb, Middle
16 Tennessee Auto Body and Frame, for three or four years in
17 between.
18 Q Just doing body work?
19 A Driving a wrecker, doing body work. I
20 worked in a steel mill in Detroit. I worked for Buddy Gaw,
21 my cousin.
22 Q What did you do for Buddy Gaw?
23 A Worked in his body shop.
24 Q Which Buddy is it, Big Buddy or Little
25 Buddy?

Page 21

1 A Big Buddy. Took care of his trailer
2 park. Worked in Griffin, Georgia. Ran a body shop down
3 there.
4 Q Let me ask you this: You testified
5 that when you got out of jail on September 30, you were in
6 the hospital. You got out of the hospital and got out of
7 jail at the same time. Right?
8 A Yes, sir.
9 Q And, basically, what they did, they had
10 a hold on you from Fentress County, didn't they?
11 A Yes, sir.
12 Q And what was that for?
13 A It's where I didn't go back to court.
14 I didn't complete my stay at New Leaf.
15 Q What is New Leaf? A drug rehab?
16 A Yes, sir.
17 Q What kind of drugs were you hooked on?
18 MS. HARRIS: Object to the form of the question.
19 MR. RADER:
20 Q Well, what kind of drugs were you
21 having a problem with that sent you to a rehab program?
22 A Valium, Cocaine.
23 Q Who sentenced you to the drug rehab
24 program?
25 A The judge in Fentress County. I can't

Page 22

1 remember his name.
2 Q Butch Campbell or --
3 A Butch Campbell.
4 Q General Sessions Judge.
5 A Yes, sir. That was at my request.
6 Q That was part of the probation, wasn't
7 it?
8 A No, sir.
9 Q It wasn't part --
10 A I requested it before anything like
11 that was ever brung up.
12 Q But he made that a condition to your
13 suspended sentence, didn't he?
14 A Yes, sir. I was given a year
15 unsupervised probation.
16 Q And as part of that, you volunteered
17 and he made it part of the order that you participate in a
18 drug rehabilitation program --
19 A Yes, sir.
20 Q -- at this New Leaf facility. Now
21 where is it located?
22 A Cookeville, at Plateau Mental Health.
23 Q Is it an inmate type facility or a
24 residential facility; or is it something you just go to?
25 A It was a residential type thing.

Page 23

1 Q When were you supposed to be there,
2 from when to when?
3 A From January...I believe it was
4 January...I think it was January of '97...either '96 or
5 '97... '97. I was there for three or four days and I run
6 off.
7 Q I'm sorry. You ran off?
8 A Yes, sir.
9 Q Where did you run off to?
10 A Florida.
11 Q To the carnival.
12 A Yes, sir.
13 Q How long were you supposed to be there?
14 A Fourteen days.
15 Q And that was for addiction to Valium
16 and Cocaine?
17 A Yes, sir.
18 Q And why did you ask Butch Campbell to
19 let you go to the rehabilitation program?
20 A I needed some help, which I'd done been
21 in jail for nearly a month.
22 Q At Fentress County?
23 A Yes, sir. Fentress County and Scott
24 County.
25 Q And you needed some help because of a

Page 24

1 Valium and Cocaine addiction?
2 A Yes, sir.
3 Q And you recognized that yourself. Is
4 that right?
5 A Yes, sir.
6 Q But when you got down here to New Leaf,
7 you only stayed three or four days and then vamoosed.
8 A Yes, sir.
9 Q So when you surrendered to Putnam
10 County then in April, you still had this hold on you in
11 Fentress County, didn't you?
12 A Yes, sir.
13 Q Why did you have to surrender to Putnam
14 County?
15 A I didn't surrender to Putnam County.
16 Q I thought you said you turned yourself
17 in.
18 A I turned myself in at Cumberland
19 County.
20 Q When did you do that?
21 A April 29.
22 Q And they sent you to Putnam County?
23 A They put me in jail in Cumberland
24 County; and then they transported me to the county line.
25 Q Did they have a hold on you in

Page 25

1 Cumberland County?
2 A Did they have a hold on me?
3 Q Yeah.
4 A No, sir.
5 Q Why did you surrender yourself in
6 Cumberland County?
7 A That's where I was at in a motel there
8 the night before.
9 Q What made you decide to turn yourself
10 in up there?
11 A I just did. I was tired of running.
12 Q Tired of running?
13 A Yes, sir.
14 Q Then you stayed there until
15 September 30; and they had the hold on you in Fentress
16 County; and Fentress County came and got you at the
17 hospital, didn't they?
18 A They picked me up at the jail.
19 Q At the jail. And how long were you in
20 Fentress County then?
21 A Till about nine o'clock that night when
22 my mom come and got me.
23 Q And they let her make a bond on you,
24 didn't they?
25 A Yes, sir.

Page 26

1 Q What became of those Fentress County
 2 charges?
 3 A I had done pled guilty to them.
 4 Q I know. But you hadn't complied with
 5 the sentence: so what became of them?
 6 A I never went back to court.
 7 Q Have you ever worked things out up in
 8 Fentress County; or are those charges still pending?
 9 A What I have in Fentress County is a
 10 condition between the clerk and the attorney general; so I
 11 don't have to go back to court. I ain't on probation up
 12 there no more.
 13 Q I don't understand a condition between
 14 the attorney general and the clerk. What do you mean?
 15 A It's an agreement that we have.
 16 Q Well, what agreement is it between you
 17 and the clerk and the attorney general?
 18 A That I pay them when I can pay them.
 19 Q How much do you owe them?
 20 A \$2,000, if that.
 21 Q What's that for?
 22 A Checks. Worthless checks.
 23 Q And why did Putnam County have a hold
 24 on you that you had to surrender and serve from April 29
 25 till September 30 in jail in 1997 for those charges?

Page 27

1 A Worthless checks.
 2 Q And did you write those checks?
 3 A Yes, sir. I was turning myself in the
 4 twenty-ninth day of April.
 5 Q And so you still owe bad checks in
 6 Fentress County.
 7 A Yes, sir.
 8 Q Does any other law enforcement agency
 9 have a hold on you now?
 10 A No, sir, as far as I know.
 11 Q Do you have any criminal charges
 12 pending anywhere else right now?
 13 A No, sir.
 14 Q Have you been arrested since
 15 September 30, 1997?
 16 A Yes, sir.
 17 Q What for?
 18 A A capias.
 19 Q By who?
 20 A Putnam County.
 21 Q What for?
 22 A Failure to pay fines and court costs.
 23 Q In which county?
 24 A Putnam County.
 25 Q And how long were you in jail?

Page 28

1 A I served ten days.
 2 Q In Putnam County jail?
 3 A No, sir.
 4 Q Where?
 5 A Overton County.
 6 Q When was that?
 7 A I was sentenced in July, if I'm not
 8 mistaken, of '98 and served my time in Overton County on --
 9 Q Were those --
 10 A -- weekends.
 11 Q I'm sorry?
 12 A On weekends.
 13 Q Were those Overton County charges?
 14 A No, sir.
 15 Q Whose charges were they?
 16 A Putnam County.
 17 Q Why did you serve your time in Overton
 18 County jail?
 19 A Neil Blythe let me.
 20 Q Mr. Blythe who is sitting next to me?
 21 A Yes, sir.
 22 Q Mr. Blythe has basically tried to work
 23 with you in your times you've been in jail, hasn't he?
 24 MS. HARRIS: Object to the form.
 25 MR. RADER: Go ahead.

Page 29

1 A What you're asking me, work with me, I
 2 was in population.
 3 Q Well, but he tried to protect you
 4 because you were a snitch and you were known among the
 5 other inmates as a snitch, weren't you?
 6 A I never was in segregation.
 7 Q But they put you in an area where the
 8 people who would pose a danger to you couldn't get to you,
 9 didn't they?
 10 A I was in population.
 11 Q You were in minimum security, weren't
 12 you?
 13 A Yes, sir.
 14 Q Do you deny that he tried to work with
 15 you and protect you when you were in jail because you were
 16 a known snitch? Do you deny that today under oath?
 17 A Yes, sir.
 18 Q Now why do you think he would let you
 19 serve your ten days in Overton County; or why did he tell
 20 you he was letting you do that?
 21 A He never told me why. He just let me
 22 do it.
 23 Q And did you serve that time?
 24 A Yes, sir.
 25 Q Any other arrests since --

Page 30

1 A No, sir.
 2 Q -- you got out on bond in Fentress
 3 County, I guess, on the night of September 30?
 4 A No, sir.
 5 Q Now since you were released from
 6 Fentress County that evening, besides 743 Hutchinson Road,
 7 where else have you made your residence in Putnam County
 8 since September 30, 1997?
 9 A 358 West Fourth Street.
 10 Q Where is that?
 11 A Byron Looper's house.
 12 Q Where is that? Physically, where is
 13 that?
 14 A Cookeville, Tennessee.
 15 Q I mean, where? Tell me how to get
 16 there, just generally.
 17 A Go up Willow, North on Willow --
 18 Q Yeah.
 19 A -- to Fourth Street. Turn left.
 20 Q Is that across from Tech?
 21 A No, sir.
 22 Q More down toward town?
 23 A It's closer to the hospital.
 24 Q Any place else?
 25 A 561 West Eighth Street.

Page 31

1 Q 561 West Eighth?
 2 A Yes, sir.
 3 Q Whose house is that?
 4 A Kathy Weatherbee.
 5 Q Who is she?
 6 A Just a friend of mine.
 7 Q Girl friend?
 8 A No, sir.
 9 Q How old is she?
 10 A Forty.
 11 Q Where does she work?
 12 A She don't.
 13 Q Where else have you lived in Putnam
 14 County since --
 15 A In Putnam County?
 16 Q In Putnam County since September 30,
 17 '97.
 18 A 5336 Dodson's Branch Road.
 19 Q Whose house is that?
 20 A My house.
 21 Q Your personal house?
 22 A No, sir, it's not a house. It's an
 23 apartment.
 24 Q Who has those apartments?
 25 A Johnny Hall.

Page 32

1 Q Any place else in Putnam County since
 2 September 30, '97?
 3 A No, sir.
 4 Q When did you live at 5336 Dodson's
 5 Branch Road in Johnny Hall's apartments? From when to
 6 when?
 7 A From December of '98 until about a week
 8 ago.
 9 Q What happened a week ago?
 10 A I moved my stuff 'cause it's time to go
 11 back to the carnival now.
 12 Q Is that what you plan on doing, go back
 13 to Florida with the carnival?
 14 A [Affirmative nod.]
 15 Q You need to answer out loud.
 16 A Yes, sir.
 17 Q And which shows are you planning on
 18 going with?
 19 A Cumberland Valley.
 20 Q And what territory will you be in?
 21 A South Florida.
 22 Q When did you live at 561 West Eighth
 23 Street?
 24 A 358 West...oh, 561 West Eighth Street.
 25 Q Didn't you say you lived there?

Page 35

1 from...probably the total, the whole time I was there, was
 2 about three months during that period of time.
 3 Q But that's where your stuff was.
 4 A Yes, sir.
 5 Q Now did you pay any rent there?
 6 A Yes, sir.
 7 Q Who did you pay?
 8 A Byron Looper.
 9 Q What rent did you pay?
 10 A \$200 a month.
 11 Q And how did you pay that?
 12 A What time I was -
 13 Q Check or cash or what?
 14 A Cash.
 15 Q Do you have any receipts?
 16 A Yes, sir.
 17 Q And where are they?
 18 A My mother has all them.
 19 Q Who else lived with you during that
 20 period of time between December, '97, and November, '98?
 21 A Nobody lived with me.
 22 Q Who else lived in that house with you?
 23 A Byron.
 24 Q Anybody else?
 25 A A man named John. I can't remember his

Page 33

1 A Yes. In October of '97. No. It was
 2 October of...when I got out of jail was '97. Yeah. I'm
 3 sorry.
 4 Q October, '97?
 5 A Yes, sir.
 6 Q How long did you stay there?
 7 A About a month.
 8 Q What relationship did you have with
 9 Kathy Weatherbee that she let you stay at her home?
 10 A She's a good friend of mine.
 11 Q Anybody else live in that home besides
 12 you and her?
 13 A Her brother.
 14 Q What's his name?
 15 A Gerald Bilyeu, B-i-l-y-e-u.
 16 Q Did you pay any rent?
 17 A Yes, sir.
 18 Q How much?
 19 A \$50 a week.
 20 Q Does she still live there?
 21 A Yes, sir.
 22 Q And she doesn't work anywhere.
 23 A No, sir.
 24 Q Does Gerald Bilyeu work anywhere?
 25 A He worked at East Side Cafe.

Page 36

1 last name.
 2 Q How old was he?
 3 A In his forties.
 4 Q Do you know anything about him—what he
 5 did, where he worked?
 6 A He was a truck driver for North
 7 American.
 8 Q Did you maintain a key to that house
 9 the whole time?
 10 A Yes, sir.
 11 Q Do you still have it?
 12 A Yes, sir.
 13 Q Now was that house...did Byron Looper
 14 and this John live there the whole time you were there?
 15 A Yes, sir.
 16 Q Did you ever work for Byron Looper?
 17 A No, sir.
 18 Q Ever have any employment relationship
 19 with him at all?
 20 A I might have raked the yard or painted
 21 a room or...that was it.
 22 Q And how is it you know Byron Looper?
 23 A Through Jerry Burgess.
 24 Q Has Mr. Burgess represented you on your
 25 criminal cases?

Page 34

1 Q When did you live at 358 West Fourth
 2 Street?
 3 A December of the same year.
 4 Q December, 1997?
 5 A Yes.
 6 Q Till when?
 7 A Till...I kept my stuff there. I wasn't
 8 there because I was with the show the biggest part of the
 9 time, plus I stayed in Livingston some. I stayed there, I
 10 guess, a total of three months. I left there for good
 11 in...it was either late November of '98 or early December
 12 of '98.
 13 Q You moved your stuff in there and lived
 14 there in December, '97.
 15 A Um-hum [affirmative response].
 16 Q Then you were there off and on in '98.
 17 A Well, --
 18 Q Then you finally moved your stuff out
 19 in November of '98?
 20 A Yes.
 21 Q Is that what you're telling me? Is
 22 that --
 23 A Yes, sir.
 24 Q Did I understand that right?
 25 A While I was gone, I kept my stuff there

Page 37

1 A No, sir.
 2 Q Is he just a personal friend?
 3 A Yes, sir.
 4 Q How did it come to pass that you went
 5 to live in Byron Looper's home on December, 1997, two
 6 months after you got out of jail on these charges?
 7 A I was looking for a place to live, and
 8 he rented me a place to live.
 9 Q And Mr. Burgess connected you?
 10 A Yes, sir.
 11 Q Were you living there when Mr. Looper
 12 was charged?
 13 A Yes, sir.
 14 Q Were you at the residence when he
 15 was --
 16 MS. HARRIS: I'm going to object to the relevance of
 17 this.
 18 MR. RADER: Well, I think it's relevant. I think
 19 it could lead to discoverable information. Let's just put
 20 it that way.
 21 Q Were you there when he was being sought
 22 for questioning?
 23 A No, sir.
 24 Q Where were you then?
 25 A Cumberland County.

Page 38

1 Q What were you doing in Cumberland
 2 County?
 3 A Working at Dana.
 4 Q Where were you living then?
 5 A In a motel.
 6 Q What motel?
 7 A I can't remember the name of it because
 8 I wasn't there but a couple of weeks.
 9 Q But all your stuff stayed down here.
 10 A Biggest part of it, yeah.
 11 Q What made you finally move your stuff
 12 out over there?
 13 A My mother wanted me to move.
 14 Q Why?
 15 A She didn't want me there.
 16 Q What damages are you claiming in this
 17 lawsuit against the sheriff's department?
 18 A What do you mean?
 19 Q What are you suing for? How do you say
 20 you were harmed? What injuries or damages do you claim
 21 occurred to you that you're asking to be compensated? You
 22 sued for \$400,000. Why? What's happened to you that says
 23 you're entitled to that much?
 24 A I had to have surgery, had to have
 25 drains put in my mouth. I laid in the hospital for four

Page 41

1 emotionally affecting you during that time frame?
 2 A Yes, sir.
 3 Q In September, '98?
 4 A Yes, sir.
 5 Q October?
 6 A Yes, sir.
 7 Q November?
 8 A Yes, sir.
 9 Q And December?
 10 A Yes, sir.
 11 Q January?
 12 A Yes, sir.
 13 Q '99. And right now.
 14 A Yes, sir.
 15 Q So it's affected you emotionally this
 16 whole time.
 17 A Yes, sir.
 18 Q But in spite of this emotionality, you
 19 were able to function, weren't you?
 20 A Yes, sir.
 21 Q You moved in with Kathy Weatherbee.
 22 A Yes, sir.
 23 Q Stayed with her and her brother.
 24 A Yes, sir.
 25 Q Did you go from her house to Byron

Page 39

1 days. It took me nearly a month to get over...about a half
 2 a month...two weeks to three weeks to get over what
 3 happened to me. And I was left to lay there and suffer.
 4 Q Left to lay where?
 5 A In jail.
 6 Q What else?
 7 A And I had to, like I said, have
 8 emergency surgery.
 9 Q Are you claiming emotional injuries?
 10 A Yes, sir.
 11 Q And mental anguish?
 12 A Yes, sir.
 13 Q And does it worry you a lot?
 14 A It bothers me the way I was treated,
 15 yeah.
 16 Q Think about that. Is that right?
 17 A Yes, sir.
 18 Q And you were thinking about that during
 19 the month of September or during the month of October, '97,
 20 after you got out of jail?
 21 A Yes, sir.
 22 Q And in the month of November?
 23 A Yes, sir.
 24 Q And in the month of December?
 25 A Yes, sir.

Page 42

1 Looper's house?
 2 A Yes, sir.
 3 Q And you were working at the East Side
 4 Cafe.
 5 A Yes, sir.
 6 Q And you went and joined the carnival.
 7 A Yes, sir.
 8 Q When was it during this interval that
 9 you claimed you taped Bill Gibson?
 10 MS. HARRIS: Object to the relevance of that.
 11 MR. RADER: Well, all this emotional activity, we
 12 need to explore how much this was emotionally affecting
 13 him. When --
 14 MS. HARRIS: I'm going to object to the relevance.
 15 I'm going to advise him not to answer the question.
 16 MR. RADER: It leads to discoverable information
 17 and affects his thought process when he claims he was
 18 emotionally affected.
 19 Q Did you claim you made this tape after
 20 November...after this --
 21 MS. HARRIS: This has nothing to do with the
 22 lawsuit. I'm going to object to the relevance. I'm going
 23 to advise that he not answer it.
 24 MR. RADER: Okay. Let me just set the time frame;
 25 and you can instruct him not to answer; and we'll certify

Page 40

1 Q And in the month of January?
 2 A Yes, sir.
 3 Q And February?
 4 A Yes, sir.
 5 Q And March?
 6 A Yes, sir.
 7 Q And April?
 8 A Yes, sir.
 9 Q And May?
 10 A Yes, sir.
 11 Q And June?
 12 A Yes, sir.
 13 Q And July?
 14 A Yes, sir.
 15 Q And August?
 16 A Yes, sir.
 17 Q And September?
 18 A Yes, sir.
 19 Q Talking about '98 now. Right?
 20 A Yes, sir.
 21 Q And you're thinking about that. It's
 22 on your mind all the time. Right?
 23 MS. HARRIS: Object to the form. That wasn't --
 24 MR. RADER:
 25 Q Was it on your mind? Was it

Page 43

1 this to the judge.
 2 Q Do you claim to have made this tape
 3 recording after September 30, 1997?
 4 MS. HARRIS: Don't answer the question.
 5 MR. RADER: No. I'm entitled to set the time
 6 frame.
 7 Q Do you claim this occurred after
 8 September 30, 1997?
 9 MS. HARRIS: He's never claimed that occurred.
 10 MR. RADER: Beg your pardon?
 11 MS. HARRIS: He's not claiming that occurred.
 12 MR. RADER: You're not claiming that occurred at
 13 all?
 14 MS. HARRIS: Not in this lawsuit, he's not.
 15 MR. RADER: No. I'm talking about his emotional
 16 state of mind and well being and his activities, that he's
 17 been able to conduct and transact business. That's an
 18 element that can be explored for the jury to determine how
 19 much he's been...how much...his credibility...how much he's
 20 really been affected emotionally based on the activities
 21 he's otherwise been able to do.
 22 MS. HARRIS: Okay. So what you're --
 23 MR. RADER: And what's really on his mind.
 24 MS. HARRIS: What you're asking is when this
 25 incident had the opportunity to emotionally affect him was

Page 44

1 from the time it occurred to the present.
 2 MR. RADER: No. He's testified that. I didn't ask
 3 him that. He's testified that. And so then I'm able to
 4 explore emotionally how he's been able to function and what
 5 activities he's been able to be involved in to test what
 6 the nature and extent of that emotional affliction is.
 7 Q So the question is: -
 8 MS. HARRIS: Certify it to the judge.
 9 MR. RADER: -- When do you claim this taping took
 10 place?
 11 MS. HARRIS: We are not going to answer that
 12 question.
 13 MR. RADER: Okay. Now "we." I'm not asking you
 14 any questions. Are you instructing this gentleman not to
 15 answer that?
 16 MS. HARRIS: I am instructing Mr. Dedmon not to
 17 answer the question.
 18 MR. RADER: Are you claiming any form of privilege?
 19 MS. HARRIS: It's not relevant.
 20 MR. RADER: Are you claiming any form of privilege,
 21 is my question.
 22 MS. HARRIS: I'll go on the roll and say it's not
 23 relevant.
 24 MR. RADER: Okay. So you're not claiming any
 25 privilege.

Page 45

1 MS. HARRIS: I have no attorney-client privilege on
 2 it, no.
 3 MR. RADER: Are you claiming any other privilege?
 4 Claiming any privilege against self-incrimination?
 5 Q Are you taking the Fifth Amendment on
 6 this, Mr. Dedmon; because that's what it comes down to.
 7 MS. HARRIS: Would you mind if I conferred?
 8 MR. RADER: Not a bit while I'm getting the Federal
 9 Rules of Civil Procedure while you're at it; because absent
 10 a privilege, he's compelled to answer; or somebody is going
 11 to have to pay the court costs and attorneys' fees. I'm
 12 going to read you the rule so there's no misunderstanding
 13 about it.
 14 [Witness confers with Ms. Harris.]
 15 MR. RADER: It says:
 16 "All objections made at the time of
 17 the examination to the qualifications of the officer
 18 taking the deposition, to the manner of taking it, and
 19 other aspects of the proceedings shall be noted by the
 20 officer upon the record of the deposition; but the
 21 examination shall proceed, with the testimony being
 22 taken subject to the objections."
 23 There's another rule that more
 24 specifically says this.

Page 46

1 Are you going to instruct this
 2 gentleman not to answer this question?
 3 Q The question presently is when does he
 4 claim this alleged recording of District Attorney Bill
 5 Gibson occurred, the time frame? Did it occur after
 6 September 30, 1997? That's the question. Now do you want
 7 to answer that, Mr. Dedmon?
 8 MS. HARRIS: Let me see that rule book, please.
 9 [Book passed to Ms. Harris.]
 10 [Ms. Harris left room to use phone.]
 11 [Break.]
 12 MR. RADER: Okay. I'm going to read for the record
 13 Federal Rules of Civil Procedure, Rule 30(b)(1):
 14 "Any objection to evidence during a
 15 deposition shall be stated concisely and in a non-
 16 argumentative and non-suggestive manner. A party may
 17 instruct a deponent not to answer only when necessary
 18 to preserve a privilege, to enforce a limitation on
 19 evidence directed by the Court, or to present a motion
 20 under paragraph (3)."
 21 Subdivision (d) in the comments says:
 22 "The first sentence of new
 23 paragraph (1) provides that any objections during a
 24 deposition must be made concisely and in a non-
 25 argumentative and non-suggestive manner. Depositions

Page 47

1 frequently have been unduly prolonged, if not unfairly
 2 frustrated, by lengthy objections and colloquy often
 3 suggesting how the deponent should respond. While
 4 objections may, under the revised rule, be made during
 5 a deposition, they ordinarily should be limited to
 6 those that under Rule 32(d)(3) might be waived if not
 7 made at that time, i.e., objections on grounds that
 8 might be immediately obviated, removed, or cured, such
 9 as to the form of a question or the responsiveness of
 10 an answer. Under Rule 32(b), other objections can,
 11 even without the so-called 'usual stipulation'
 12 preserving objections, be raised for the first time at
 13 trial and, therefore, should be kept at a minimum
 14 during a deposition.
 15 "Directions to a deponent not to answer
 16 a question can be even more disruptive than
 17 objections. The second sentence of new paragraph (1)
 18 prohibits such directions except in three
 19 circumstances indicated: to claim a privilege or
 20 protection against disclosure, that is work product;
 21 to enforce a Court directive limiting the scope or the
 22 length of permissible discovery; or to suspend the
 23 deposition to enable presentation of a motion under
 24 paragraph (3)."
 25 Now it's my understanding you're not

Page 48

1 claiming any privilege. The question is: Are you
 2 instructing this man not to answer the question regarding
 3 his activities regarding when this alleged cause of action
 4 arose when he's testified that it affected his thought
 5 process and his emotional well-being? My position is that
 6 we're entitled to explore both his physical and emotional
 7 activities from that time forward so that we can put in
 8 context what, if any, alleged damages occurred; and we're
 9 going to explore his activities since that time. We've
 10 already explored a fair amount of them; and we're going to
 11 go ahead and do it in some more detail. Now unless he's
 12 claiming some kind of privilege, I think he's compelled to
 13 answer under these rules. So that's where we are.
 14 MS. HARRIS: Okay. I'm going to...I object to the
 15 information, that it is not relevant, first of all. And we
 16 are going to move for a protective order because it is
 17 oppressive and unduly burdensome for him to reveal this
 18 information.
 19 MR. RADER: It's oppressive for him to tell what
 20 activities he's been involved in since September 30, 1997?
 21 MS. HARRIS: Not all activities. This one in
 22 particular.
 23 MR. RADER: Why is this one oppressive?
 24 MS. HARRIS: Mainly due to the subject of the
 25 information. He'd be more than willing to answer any

Page 49

1 questions, you know, about other activities. I don't think
 2 that this is relevant. I think that it's just your attempt
 3 to make this...to get information for other reasons.
 4 MR. RADER: It's my attempt to explore what
 5 emotional activities he's been involved with to determine
 6 how this may have affected him emotionally. Now if he
 7 wants to withdraw any claim for damages regarding any kind
 8 of mental or emotional effect after September 30, 1997,
 9 then I'll withdraw the question if he'll withdraw that
 10 claim. So are you going to withdraw that claim?
 11 MS. HARRIS: I'm not going to withdraw the claim.
 12 MR. RADER: Then we want to go on his activities.
 13 MS. HARRIS: I'm not going to allow him to answer
 14 any questions dealing with this or any other questions
 15 dealing on that subject.
 16 MR. MOORE: I want to know what "this" and "that"
 17 is.
 18 MS. HARRIS: I'm sorry. Anything involving his
 19 activities with Gibson and the tape.
 20 MR. RADER: Well, the only question I have: Are
 21 you claiming any privilege?
 22 MS. HARRIS: We're claiming that the information
 23 is...can I see the book?
 24 [Book passed to Ms. Harris. Six
 25 minute review.]

Page 50

1 MS. HARRIS: If we're going to continue in this line
 2 of questioning, we're going to have to stop the deposition;
 3 and we'll file the motion for the protective order.
 4 MR. RADER: Well, we'll go on to a different line
 5 of questioning rather than stop the deposition.
 6 MS. HARRIS: I would prefer that.
 7 MR. RADER: But I want to know--first of all, the
 8 question that I have is: Does he say this occurred after
 9 September 30, 1997? And I think we have to let him answer
 10 that to see if it falls within these parameters; and then
 11 if it happened after September 30, 1997, when he got out of
 12 jail, when he got out of the hospital--if it happened after
 13 then, then I'll honor your objection; and we'll present
 14 this to the Judge at a later time. But I think we have to
 15 establish the time frame.
 16 MS. HARRIS: Okay. Go ahead and answer that
 17 question. He'll answer the time frame question.
 18 MR. RADER:
 19 Q Did this activity occur after
 20 September 30, 1997?
 21 A Yes, sir.
 22 Q Now let's go on then. Let me ask you
 23 this. After September 30, 1997, were you involved in the
 24 election campaign of Jerry Burgess against Bill Gibson?
 25 MS. HARRIS: Object to the relevance.

Page 51

1 MR. RADER: Well, it has to do with his activities,
 2 his physical activities.
 3 Q Go ahead. Jerry Burgess ran against
 4 Bill Gibson for the District Attorney General in May of
 5 1998. Were you involved in that election campaign?
 6 MS. HARRIS: I'm going to object to the relevance on
 7 these political issues. It does not...he could have done
 8 these things or not done these things; and it doesn't
 9 affect his claim for emotional damage.
 10 MR. RADER: Well, it has to do with what's going on
 11 in his mind and what's emotionally tearing him up. That
 12 campaign was unsuccessful. I'm entitled to explore if that
 13 emotionally bothered him if he was involved in it.
 14 Q Were you involved in the election
 15 campaign of Jerry Burgess against Bill Gibson in May of
 16 1998?
 17 MS. HARRIS: I'm going to object to any question
 18 dealing with his --
 19 MR. RADER: Are you instructing him not to answer?
 20 MS. HARRIS: I'm going to at the end. I'm going to
 21 object to any question dealing with his political
 22 connections and with Byron Looper and Jerry Burgess and
 23 Bill Gibson. And if we continue with those questions,
 24 we'll either continue with the deposition or move for a
 25 protective order on those issues.

Page 52

1 MR. RADER: Are you instructing him not to
 2 answer --
 3 MS. HARRIS: I'm instructing him --
 4 MR. RADER: -- if he was involved in that political
 5 campaign?
 6 MS. HARRIS: I'm instructing him not to answer.
 7 MR. RADER:
 8 Q Were you involved in the election
 9 campaign of Byron Looper against...for the congressional
 10 seat after September 30, 1997?
 11 MS. HARRIS: I'm going to object to the question on
 12 the grounds that --
 13 MR. RADER: Well, we don't have to give the same
 14 speech every time.
 15 MS. HARRIS: Okay. Object and --
 16 MR. RADER: Are you instructing him not to answer?
 17 MS. HARRIS: -- instruct him not to answer.
 18 MR. RADER:
 19 Q Other than the political campaigns that
 20 we've asked about that you've been instructed not to
 21 answer, were you involved in any other political campaigns
 22 since your release from the hospital on September 30, 1997?
 23 MS. HARRIS: I object to the form of the question.
 24 I don't even understand it.
 25 MR. RADER:

Page 53

1 Q Were you involved in any political
 2 campaigns besides Mr. Looper's campaign and Mr. Burgess'
 3 campaign which your lawyer has instructed you not to tell
 4 us about--were you involved in any other political
 5 campaigns since September 30, 1997, in the State of
 6 Tennessee?
 7 MS. HARRIS: Object to the form.
 8 MR. RADER: Are you instructing him not to answer
 9 this question?
 10 MS. HARRIS: You can answer.
 11 A No, sir.
 12 MR. RADER:
 13 Q Do you maintain a voter's registration
 14 card? Can you vote? Are you registered to vote?
 15 A Yes, sir.
 16 Q Where?
 17 A Putnam County.
 18 Q The records at the Putnam County jail
 19 indicate that you've been an inmate in there for one length
 20 of time or another since 1983 for twenty-four times. Does
 21 that sound about right to you?
 22 A Yes, sir.
 23 Q Are you under the care of a doctor now?
 24 A No, sir.
 25 Q When's the last time you saw a doctor

Page 54

1 about anything?
 2 A October.
 3 Q October of what?
 4 A '98.
 5 Q And who did you see?
 6 A Dr. Richard Miller.
 7 Q Who is he?
 8 A It's a doctor in Livingston.
 9 Q What kind of doctor is he?
 10 A Medical doctor.
 11 Q What did you see him for?
 12 A My colon.
 13 Q What kind of problems are you having
 14 with your colon?
 15 A Bleeding.
 16 Q What kind of diagnosis did you get?
 17 A It hadn't been diagnosed yet. I was
 18 supposed to go for tests in the next week and a half, I
 19 believe. I don't remember the date exactly. Baptist
 20 Hospital in Nashville.
 21 Q You saw a doctor in October and he set
 22 you up for tests in February?
 23 A Yes, sir.
 24 Q To check to see if you have colon
 25 cancer?

Page 55

1 A Yes, sir. I didn't have the money.
 2 Q So that's the reason there's a four
 3 month delay?
 4 A Yes, sir.
 5 Q Are you concerned about that?
 6 A Yes, sir.
 7 Q Any member of your family die of
 8 cancer?
 9 A No, sir.
 10 Q But you haven't scheduled that yet.
 11 Right?
 12 A It's been scheduled, but I don't know
 13 the exact date of it. It's at home on the refrigerator.
 14 Q Where did you get the money?
 15 A My mother.
 16 Q How much is it?
 17 A \$5,000.
 18 Q When are you leaving to join the
 19 carnival again?
 20 A They're supposed to call me once they
 21 get to Florida.
 22 Q What's your best estimated time?
 23 A Show opens the first week in March.
 24 Q Where?
 25 A Miami.

Page 56

1 Q Who is your contact with that carnival?
 2 A John Marconi.
 3 Q What's his job?
 4 A He runs the show.
 5 Q So you think sometime before March 1,
 6 you'll be headed to Florida.
 7 A Depends on what they say in Nashville.
 8 Q But you don't know what definite day
 9 that's been scheduled?
 10 A No. I can't remember.
 11 Q Before you saw Dr. Miller about your
 12 colon problems, when was the next most recent doctor that
 13 you saw?
 14 A At the ER. I can't remember his name.
 15 For the same thing.
 16 Q ER where?
 17 A Cookeville.
 18 Q For rectal bleeding?
 19 A Yes, sir.
 20 Q How long before October '98 would that
 21 have been?
 22 A It was after.
 23 Q Is this still a persistent problem?
 24 A At times.
 25 Q Before October '98, who had you seen?

Page 59

1 A Yes, sir.
 2 Q So the prescription took care of it.
 3 A Yes, sir.
 4 Q And you didn't need to have the tooth
 5 pulled.
 6 A Right.
 7 Q Everything is okay now.
 8 A Yes.
 9 Q Before you saw Dr. Brooksbank, who was
 10 the next most recent doctor you had seen?
 11 A When I was in the hospital.
 12 Q So after you got out of the hospital,
 13 you've seen Dr. Brooksbank one time; and that was for a
 14 different tooth; and that's the only time you've been to
 15 any dental care since you got out of the hospital. Is that
 16 right?
 17 A No, sir.
 18 Q What other dental care have you had?
 19 A Castle Dental Centers.
 20 Q Who?
 21 A Castle Dental Centers on Willow.
 22 Q How do you spell that?
 23 A C-a-s-t-l-e.
 24 Q Who runs that?
 25 A I have no idea what their name is.

Page 57

1 What was the next most recent doctor you had seen before
 2 October '98?
 3 A Dr. Brooksbank, I believe.
 4 Q And when did you last see him?
 5 A I can't remember.
 6 Q Just give me your best estimate.
 7 A Sometime in '98.
 8 Q But you don't know when.
 9 A No, sir.
 10 Q What did he do for you when you last
 11 saw him?
 12 A Looked at my teeth.
 13 Q Anything else?
 14 A That's it.
 15 Q Did he give you treatment?
 16 A I was having a toothache.
 17 Q Did he give you any treatment, is my
 18 question.
 19 A He didn't pull nothing, no. He wrote
 20 me a prescription.
 21 Q Did he fill it?
 22 A Yes, sir.
 23 Q What prescription was it?
 24 A I can't remember.
 25 Q Where did you fill it?

Page 60

1 Q Do you know what the name of the
 2 dentist is? Do you know?
 3 A No, sir.
 4 Q Well, aside from Castle Dental Centers
 5 who we don't even know who that dentist is, the only
 6 dentist you've seen is when they got you out of the
 7 hospital and when you saw Dr. Brooksbank the one time. Is
 8 that right?
 9 A I seen Dr. Brooksbank after I was
 10 released from the hospital.
 11 Q You think you saw him more than one
 12 time?
 13 A I saw him probably three or four days
 14 after I was released from the hospital.
 15 Q So you've seen him two times since you
 16 got out of the hospital?
 17 A Yes, sir.
 18 Q And one time was just a follow-up
 19 check?
 20 A Yes, sir.
 21 Q And the next time was for this problem
 22 with this upper front tooth. Is that right?
 23 A Yes, sir.
 24 Q And he told you to take a prescription
 25 and come back and he'd pull that tooth?

Page 58

1 A It was either at the drug store on
 2 Fourth Street or Eckerd's, one. I can't remember which one
 3 it was.
 4 Q Which tooth was hurting you there in
 5 '98 that you saw Dr. Brooksbank?
 6 A This tooth right here.
 7 Q On the front?
 8 A Yes, sir.
 9 Q Left hand side?
 10 A Yes, sir. Upper.
 11 Q And do you know what was making it
 12 hurt? Did he tell you what was making it hurt?
 13 A What had happened is a knot come up on
 14 my face, on the left side of my face, a big knot. I went
 15 to Dr. Brooksbank because I thought it might have had
 16 something to do with the surgery that I had. I wasn't for
 17 sure if it was the toothache; but the knot was right there
 18 above that tooth.
 19 Q What did he say?
 20 A He told me that he needed to pull the
 21 tooth; and he wrote me a prescription and told me it would
 22 cost...I forget how much; but I took the prescription,
 23 filled the prescription, took the medicine; and I didn't
 24 have the work done.
 25 Q Did it clear up?

Page 61

1 A I believe he told me he'd pull it. I'm
 2 not for sure, but --
 3 Q But you did half of what he told you
 4 and not the other half. Is that right?
 5 A I never had the tooth pulled. I never
 6 went back to him.
 7 Q Can you think of the name of the
 8 dentist at Caste Dental Center now?
 9 A I've got a letter from him that's got
 10 his name on it, but I couldn't think of his name.
 11 Q Is it a man or a woman?
 12 A It's a man.
 13 Q How many times have you been to Castle
 14 Dental Center?
 15 A Twice.
 16 Q And when was the last time you've been
 17 there?
 18 A It was in '98.
 19 Q Well, give me your best estimate of
 20 when it was.
 21 A I think it was the sixth or seventh
 22 month of '98.
 23 Q June or July?
 24 A Yes, sir.
 25 Q Why did you go see them in June or July

Page 62

1 of 1998?
 2 A To look at my medical records, my
 3 dental records.
 4 Q Just look at your records?
 5 A And to check my mouth, yeah.
 6 Q Did they do any treatment of you that
 7 day?
 8 A He made X-rays of my mouth.
 9 Q Did he give you any treatment?
 10 A No, sir.
 11 Q And when did you see him before that?
 12 A It was probably two or three weeks
 13 before that.
 14 Q Why did you see him then?
 15 A Same reason.
 16 Q Just to look at your mouth?
 17 A Yes, sir.
 18 Q Did they give you any treatment then?
 19 A No, sir.
 20 Q So the people at Castle Dental, whoever
 21 they are, have never given you any medical treatment or
 22 dental treatment.
 23 A No, sir.
 24 Q They've just looked at you twice.
 25 A Right.

Page 65

1 Q Well, who is it?
 2 A I can't remember his name.
 3 Q Do you know where he went to dental
 4 school?
 5 A I have no idea.
 6 Q How old a man is he?
 7 A I have no idea.
 8 Q And they never have given you any
 9 treatment, never have given you any dental treatment.
 10 A He's never prescribed nothing for me.
 11 He's never pulled a tooth for me.
 12 Q Did he even clean your teeth?
 13 A No, sir.
 14 Q Well, so now let me just make sure I've
 15 got...we've covered all your medical and dental care since
 16 September 30 of 1997. Okay? You listen to me carefully.
 17 Mr. Dedmon. You saw Dr. Brooksbank, you say, three or four
 18 days after you got out of the hospital for a follow-up
 19 appointment.
 20 A Yes, sir.
 21 Q You've seen him one other time over
 22 this upper tooth we've talked about.
 23 A Yes, sir.
 24 Q You've seen Castle Dental two times
 25 where they've examined you but not given you any treatment.

Page 63

1 Q Did they give you any opinion as to
 2 what they saw or observed?
 3 A Could not give me a medical opinion
 4 because he didn't have my X-rays.
 5 Q Well, he's got them now, hasn't he?
 6 A He don't have the X-rays that Dr. Smith
 7 made of me.
 8 Q Well, how did you happen to pick out
 9 Castle Dental?
 10 A It's independently owned.
 11 Q By who?
 12 A I don't have no idea. I can't
 13 remember.
 14 Q Well, if you don't know who owns it,
 15 how do you know it's independently owned?
 16 A I believe, if I ain't mistaken, that's
 17 what I was told.
 18 Q Who told you that?
 19 A They have dental offices all over the
 20 State of Tennessee.
 21 Q Well, do you think Dr. James Smith's
 22 dental practice is not independently owned?
 23 A I have no idea.
 24 Q Well, what does independently owned
 25 have to do with anything?

Page 66

1 A Yes, sir.
 2 Q You've seen a doctor in the emergency
 3 room at Cookeville for rectal bleeding; and you've seen
 4 Dr. Richard Miller in Livingston for rectal bleeding; and
 5 you're going for some kind of a rectal examination at
 6 Baptist Hospital next month; but you don't know when. Is
 7 that right?
 8 A Next week.
 9 Q Next week.
 10 A Or a week and a half. Something like
 11 that.
 12 Q Well, next week.
 13 A Yes, sir.
 14 Q Now is that everything? Is that all
 15 your medical and dental care since September 30, 1997, that
 16 you remember?
 17 A The best I can remember, yeah.
 18 Q Who was your regular dentist before you
 19 went into the jail to serve this time on April 29, 1997?
 20 A I can't remember his name either. He
 21 died. He was located there on Jefferson.
 22 Q Phillip Webb?
 23 A Right next door to the pharmacy down
 24 there.
 25 Q Phillip Webb?

Page 64

1 A They have several dentist offices in
 2 several different areas, not just one like Dr. Smith has.
 3 Q Well, do you think Dr. Andy Thompson or
 4 Dr. Clark Childress or Dr. Zollie Ferrell or Dr. David
 5 Draper or any of the dentists in town...which of those do
 6 you think aren't independently owned?
 7 A I have no idea.
 8 Q Well, what does independently owned
 9 have to do with anything?
 10 A I went to them for a medical opinion.
 11 Q Why did you go to them for a medical
 12 opinion?
 13 A Because I couldn't get my X-rays.
 14 Q Had you ever been to them before?
 15 A No, sir.
 16 Q Did the same man see you both times?
 17 A Yes, sir.
 18 Q And we don't even know who he is, do
 19 we?
 20 MS. HARRIS: I object to the form. He does know.
 21 He just --
 22 MR. RADER:
 23 Q Who is it?
 24 MS. HARRIS: -- doesn't know the name.
 25 MR. RADER:

Page 67

1 A That might have been him. I can't
 2 remember. All I know is he died.
 3 Q When's the last time you had your teeth
 4 cleaned?
 5 MS. HARRIS: I object to the question.
 6 MR. RADER: Well, I think his dental hygiene is --
 7 MS. HARRIS: It's not relevant to this case.
 8 MR. RADER: Of course, it's relevant.
 9 MS. HARRIS: What's relevant is whether or not they
 10 let him sit there with a swelled up face.
 11 MR. RADER: All right.
 12 MS. HARRIS: I mean, that he needed dental
 13 treatment. I appreciate your not opposing me on that
 14 issue.
 15 MR. TOWNSEND: Well, this deposition is also being
 16 taken for use in my case in which Dr. Smith is accused of
 17 dental malpractice; so his entire dental history is
 18 relevant.
 19 MR. RADER:
 20 Q When is the last time you had your
 21 teeth cleaned, Mr. Dedmon?
 22 A Back in '89 or '90.
 23 Q Whose office was that done at?
 24 A Affordable Dentures is where they done
 25 it.

Page 68

1 Q Why were you at Affordable Dentures?
 2 A I'd had three teeth knocked out in a
 3 car wreck.
 4 Q When was that?
 5 A Back when I was a kid.
 6 Q Do you have a plate?
 7 A Yes, sir.
 8 Q Where is it?
 9 A In the front.
 10 Q So your front teeth there are
 11 artificial?
 12 A Yes, sir.
 13 Q And the first real tooth is the one up
 14 there on the side where you pointed to a minute ago?
 15 A Yes, sir.
 16 Q Going in that direction?
 17 A Yes, sir. Which these teeth...two of
 18 my two front teeth were broke off. One of them was knocked
 19 out on this side over here. They were capped. I was a kid
 20 when this happened and...
 21 Q When's the last time you had a tooth
 22 filled?
 23 A I have no idea.
 24 Q Well, if we saw you on April 30, 1997,
 25 when you were reporting to serve your time in the jail and

Page 71

1 A I have no idea.
 2 Q Up until September 23, 1997, that we're
 3 here about today when all this starts, in the twenty-four
 4 times you'd been an inmate at the Putnam County jail, had
 5 you ever been mistreated in any way before to amount to
 6 anything?
 7 A Can I ask her something here [referring
 8 to Ms. Harris]?
 9 Q Well, no. Well, answer that question.
 10 Up until September 23, '97, when they took you to Dr. Smith
 11 and had your two teeth pulled, up until that time, in the
 12 twenty-four times you'd been in jail at the Putnam County
 13 jail, had you ever been mistreated in any way before by the
 14 jail personnel?
 15 A I don't remember.
 16 Q You don't remember any other episodes
 17 of any mistreatment at the Putnam County jail prior to when
 18 the events started that led to this lawsuit today on
 19 September 23, 1997?
 20 A Except for while I was in there, I was
 21 jumped by three guys, while I was in minimum security.
 22 Q Now when was that?
 23 A I don't remember exactly what month it
 24 was. There was a report made of it.
 25 Q Was it three other inmates?

Page 69

1 we asked you, "Who is your dentist," who would you have
 2 told us?
 3 A Affordable Dentures.
 4 Q And they're out here by the truck stop
 5 on 111?
 6 A Yes, sir.
 7 Q How many times have you been to
 8 Affordable Dentures for dental care?
 9 A Two or three times. I had to go out
 10 there where they could make the thing for my teeth; and I
 11 had to go back for them to pull them.
 12 Q Now you haven't had any partials or
 13 replacement teeth made for these two teeth that were pulled
 14 on September 23, 1997, have you?
 15 A No, sir.
 16 Q You just have empty places there?
 17 A Yes, sir.
 18 Q Has anybody recommended you have any
 19 kind of replacement teeth put in those locations?
 20 A No, sir.
 21 Q As I understand it, your tooth on the
 22 right side was pulled?
 23 A Yes, sir.
 24 Q Show me where that was just on the
 25 outside of your mouth.

Page 72

1 A Yes, sir.
 2 Q And did they hurt you?
 3 A Hurt my back.
 4 Q Other than that, in the twenty-four
 5 times prior to September 23 when they took you over to
 6 Dr. Smith's office that morning to have these two teeth
 7 pulled, other than when three other inmates jumped you
 8 earlier sometime between April and then, had you had any
 9 other problems at the Putnam County jail with the way the
 10 jail personnel treated you?
 11 A Yes.
 12 Q Now when do you claim the jail
 13 personnel mistreated you before September 23, 1997?
 14 A I was married to Morris Cronk's
 15 daughter.
 16 Q That's been several years ago?
 17 A Yes, sir.
 18 Q '89?
 19 A Yes, sir.
 20 Q Since that divorce with Morris Cronk's
 21 daughter, the times you were an inmate between '89 and
 22 September 23, '97, there would be no other problems except
 23 for when the three inmates jumped you?
 24 A No, sir.
 25 Q Is what I said true?

Page 70

1 [Witness points.]
 2 Q Now you didn't have any follow-up
 3 problems with it. Right?
 4 A No, sir.
 5 Q It just healed normally?
 6 A Yes, sir.
 7 Q And resolved.
 8 A Yes, sir.
 9 Q Is that right? But it's the one where
 10 the tooth was pulled on the left -
 11 A Yes.
 12 Q - that you developed the abscess and
 13 had to have the surgery with Dr. Brooksbank.
 14 A Yes, sir.
 15 Q Show me just on the outside of your
 16 mouth where that was.
 17 [Witness points.]
 18 Q On the upper left.
 19 A Both them's upper.
 20 Q Was it the same tooth on opposite sides
 21 so far as you know as a lay person?
 22 A Yes, sir.
 23 Q Do you know what caused your tooth to
 24 be decayed on either side of your mouth that resulted in
 25 that, them having to be pulled?

Page 73

1 A Yes, sir.
 2 Q Now how do you say the jail personnel
 3 were responsible in regard to the three inmates jumping
 4 you?
 5 MS. HARRIS: Object to the form. I don't think
 6 that's what he testified to.
 7 MR. RADER: Well, I said did the jail personnel
 8 mistreat him; and he said three inmates jumped him; and I'm
 9 asking how he would characterize that as the jail personnel
 10 mistreating him. That's the only episode he gave me.
 11 Q So if you don't say the jail personnel
 12 had anything to do with that, then we'll drop that and go
 13 on to something else. Do you say the jail personnel had
 14 anything to do with the three people jumping you?
 15 A He wouldn't even talk to me about it.
 16 Q Mr. Blythe?
 17 A Yes, sir.
 18 Q Other than that, any other complaints?
 19 A No, sir.
 20 Q Now have you ever been mistreated by
 21 the people at the Fentress County jail?
 22 A No, sir.
 23 Q How many times have you been in
 24 jail at Fentress County jail? Just roughly. Your best
 25 estimate.

Page 74

1 A Couple of times.
 2 Q Couple of times?
 3 A Yes, sir.
 4 Q Overton County jail?
 5 A One time.
 6 Q Cumberland County jail?
 7 A One time.
 8 Q Smith County jail?
 9 A None.
 10 Q DeKalb County jail?
 11 A None.
 12 Q Jackson County jail?
 13 A None.
 14 Q White County jail?
 15 A None.
 16 Q What other jails have you been an
 17 inmate in besides the ones I've listed?
 18 A That's it.
 19 Q Ever been in the federal pen?
 20 A No, sir.
 21 Q Now have you ever paid Dr. Brooksbank
 22 for his charges for treatment?
 23 A Yes, sir.
 24 Q Have you paid the Cookeville General
 25 Hospital bill?

Page 77

1 A He told me I had two teeth that needed
 2 to come out.
 3 Q Huh [questioning response]?
 4 A He told me I had two teeth that needed
 5 to be pulled.
 6 Q And did you agree to let them be
 7 pulled?
 8 A I let him pull them.
 9 Q And did he give you a shot when he
 10 pulled them?
 11 A He numbed my mouth, yes, sir.
 12 Q And then you were transported back to
 13 the jail the records show at ten-thirty a.m.?
 14 A Yes, sir.
 15 Q When you were transported back,
 16 Dr. Smith didn't give you a prescription for pain
 17 medication, did he?
 18 A No, sir.
 19 Q And he didn't give you a prescription
 20 for any antibiotics, did he?
 21 A No, sir.
 22 Q And he was the treating dentist, wasn't
 23 he?
 24 A Yes, sir.
 25 Q So when you were transported back to

Page 75

1 A The county paid it.
 2 Q Have you ever paid Dr. Smith's bill?
 3 A The county paid it.
 4 Q Do you have a bill at Castle Dental?
 5 A I paid it.
 6 Q Do you have a bill at Affordable
 7 Dentures?
 8 A Paid.
 9 Q Now who was it that jumped you in the
 10 jail?
 11 A Robert Mee, Louis Perez, Greg Taylor.
 12 Q Is Greg the one who has been killed?
 13 A I don't know if he's dead or not.
 14 Q Why did they jump you?
 15 A I have no idea.
 16 Q Was it because you were a snitch?
 17 A They never said one way or another.
 18 Q So you have no idea why they jumped
 19 you.
 20 A Right. I was asleep.
 21 Q Have you been involved in any other
 22 episodes that have resulted in you being injured in any way
 23 since September 30, 1997?
 24 A No, sir.
 25 Q Before the deputies took you to

Page 78

1 the jail and put back in the general jail population, the
 2 jail people didn't have a medical prescription to give you
 3 any kind of medication, did they?
 4 A No, sir.
 5 Q Now on September 25, Roberta Arnold
 6 arranged for you to be taken back over to the emergency
 7 room at four-forty a.m., didn't she?
 8 A That was the first time I went to the
 9 emergency room.
 10 Q Yes. Is that right?
 11 A Yes, sir.
 12 Q And before that, Ms. Arnold had had you
 13 moved down; and you were in the holding cell by the booking
 14 officer, weren't you?
 15 A Yes, sir.
 16 Q And you'd been there since she came on
 17 duty at around five-fifty or six o'clock the evening
 18 before, hadn't you?
 19 A No, sir.
 20 Q When do you say you were brought down
 21 there?
 22 A She put me on medical watch at twelve
 23 o'clock that night.
 24 Q And why was that?
 25 A Because I couldn't...my head was

Page 76

1 Dr. Smith's office on September 23, has the Putnam County
 2 Sheriff's Department or Fentress County or Overton County
 3 or Cumberland County, any place where you've been an
 4 inmate, have any of those places ever taken you to either a
 5 dentist or the doctor or the hospital before?
 6 A I can't remember. I don't think so.
 7 Q So the first time that you've been
 8 taken from a jail to receive any kind of medical or dental
 9 attention is when you were taken to Dr. Smith's office on
 10 September 23, 1997. Is that right?
 11 A Best I can remember, yeah.
 12 Q Now on that occasion, the deputy did
 13 take you over to Dr. Smith's office. Is that right?
 14 A The transportation officer took me.
 15 yeah.
 16 Q And when you were there, Dr. Smith
 17 pulled two of your teeth?
 18 A Yes, sir.
 19 Q And he discussed that with you, didn't
 20 he?
 21 A No, sir.
 22 Q He didn't discuss it with you?
 23 A No, sir.
 24 Q He didn't ask you if you wanted the two
 25 teeth pulled?

Page 79

1 swelled up and my eye.
 2 Q Now earlier you had asked for some pain
 3 medication; and they had given you some aspirin, didn't
 4 they?
 5 A That night on sick call, they did.
 6 Q And then she moved you down and put you
 7 in this holding cell?
 8 A Yes, sir.
 9 Q And you continued to complain of pain
 10 and discomfort, didn't you?
 11 A Yes, sir.
 12 Q And she had you transported to the
 13 emergency room at four-forty a.m., didn't she?
 14 A Yes, sir.
 15 Q And at that time, the emergency room
 16 doctor, Dr. Samuels, saw you, didn't he?
 17 A Yes, sir.
 18 Q And the transportation officer took you
 19 over there, didn't he?
 20 A Yes, sir.
 21 Q And they gave you a shot, didn't they?
 22 A Yes, sir.
 23 Q And they gave you pain medicine there,
 24 didn't they?
 25 A They give me a shot and they give me

Page 80

1 some pills to take right there.
 2 Q And did you take them?
 3 A Yes, sir.
 4 Q And they gave you a prescription for
 5 Penicillin, didn't they?
 6 A Yes, sir.
 7 Q And Tylenol No. 3.
 8 A Yes, sir.
 9 Q And they told you to follow up with a
 10 dentist for further evaluation and treatment, didn't they?
 11 A Yes, sir.
 12 Q And when they said follow up with a
 13 dentist, that was Dr. Smith, wasn't it?
 14 A Yes, sir.
 15 Q And they told you to take the
 16 Penicillin and the Tylenol four times a day, didn't they?
 17 A Yes, sir.
 18 Q And they'd just given you one shot and
 19 the medication there at the emergency room, didn't they?
 20 A Yes, sir.
 21 Q So the next one would have been due
 22 later on that morning, wouldn't it?
 23 A Yes, sir.
 24 Q And this Dr. Samuels—do you have
 25 anything against him?

Page 81

1 A No, sir.
 2 Q Have any reason to think he didn't have
 3 your best interest at heart?
 4 A No, sir.
 5 Q Have any reason to think he mistreated
 6 you in any way?
 7 A No, sir.
 8 Q Was guilty of any medical malpractice?
 9 A No, sir.
 10 Q Or didn't prescribe adequate care and
 11 treatment for you?
 12 A No, sir.
 13 Q And he discharged you back to the
 14 sheriff's department to be taken back over to the jail,
 15 didn't he?
 16 A Yes, sir.
 17 Q And when you got back over to the jail,
 18 where were you placed?
 19 A Back on medical watch.
 20 Q Back in the cell right behind the
 21 booking officer. Correct?
 22 A Right beside it.
 23 Q Right beside it.
 24 A Yes, sir.
 25 Q Where you were basically, if you needed

Page 82

1 to be, in communication with somebody at all times. Right?
 2 A Yes, sir.
 3 Q Then at eight-ten that morning they
 4 took you over to Dr. Smith's office, didn't they?
 5 A Yes, sir.
 6 Q And Dr. Smith, at that time, examined
 7 your mouth, didn't he?
 8 A Yes, sir.
 9 Q And you told him you had just come from
 10 the emergency room an hour or so ago, didn't you?
 11 A Yes, sir.
 12 Q And that the doctor there had given you
 13 prescriptions.
 14 A Yes, sir.
 15 Q And he gave you different
 16 prescriptions, didn't he?
 17 A He took the prescriptions that
 18 Dr. Samuels had wrote me that Art Rowland had with him and
 19 give them to Dr. Smith. Dr. Smith looked at them, said I
 20 didn't need them, wadded them up, threw them in the
 21 garbage, and wrote me one for something stronger.
 22 Q He wrote you two prescriptions, didn't
 23 he?
 24 A Yes, sir.
 25 Q And you still had just been given all

Page 83

1 this medicine at the emergency room just a couple of hours
 2 earlier. Right?
 3 A Yes, sir.
 4 Q So then Dr. Smith gave you two new
 5 prescriptions.
 6 A Yes, sir.
 7 Q And he had looked at the prescriptions
 8 Dr. Samuels had given you and decided to change the
 9 medication. Is that right?
 10 A Yes, sir.
 11 Q And Dr. Samuels had put in his last
 12 note that you were to follow up with a dentist for further
 13 evaluation and treatment. Isn't that right?
 14 A Yes, sir.
 15 Q That's, in fact, what happened, wasn't
 16 it?
 17 A And was told to come back to the
 18 hospital if I got any worse.
 19 Q Well, I want you to just...have you
 20 scen...you've seen these records, haven't you?
 21 A Yes, sir.
 22 Q And what it says is: "Patient's
 23 problems discussed with Dr. Brooksbank."
 24 A Yes.
 25 Q "It was decided to place the patient on

Page 84

1 Penicillin VK, Tylenol No. 3, and to follow up with dentist
 2 for further evaluation and/or treatment."
 3 A Yes, sir.
 4 Q And that's what you understood, wasn't
 5 it?
 6 A Yes, sir.
 7 Q So within two hours of leaving the
 8 emergency room, you were following up with Dr. Smith in his
 9 office. Right?
 10 A Yes, sir.
 11 Q And at that time, he decided to change
 12 your prescription and gave you two other prescriptions
 13 instead of the ones that Dr. Samuels had given you.
 14 A Yes, sir. His words to me were I was
 15 just swelled; I'd be all right in two or three days; I
 16 didn't need these prescriptions; he'd write me one for
 17 something else...two for something else. That was all that
 18 was said.
 19 Q And he did write two for something else
 20 and gave those to the officer who had you there, didn't he?
 21 A Yes.
 22 Q Now Mr. Rowland was courteous to you,
 23 wasn't he?
 24 A Yes, sir.
 25 Q And he transported you back and forth

Page 85

1 without any problem, didn't he?
 2 A Yes, sir.
 3 Q Now when you got back to the jail—did
 4 they take you back to the jail before they went to Eckerd's
 5 and filled these prescriptions?
 6 A Yes, sir.
 7 Q They took you back to the jail and
 8 where did they put you then?
 9 A Same cell.
 10 Q There by the booking officer.
 11 A Yes, sir.
 12 Q Not back in the general population.
 13 A No, sir.
 14 Q And were you in there by yourself?
 15 A Yes, sir.
 16 Q And you were in close contact with the
 17 personnel at the jail then, weren't you?
 18 A Yes, sir.
 19 Q And the officer came back from Eckerd's
 20 with your prescription, didn't he?
 21 A Yes, sir.
 22 Q Your two prescriptions. And did you
 23 ever find out what those prescriptions were for?
 24 A For infection and for --
 25 Q No. What the medicine was.

Page 86

1 A I don't remember the name of it.
 2 Q Well, the prescription from the
 3 hospital was for Penicillin, 250 milligrams; and the
 4 prescription Dr. Smith gave you on the antibiotic was
 5 Penicillin, 500 milligrams. Did you know that?
 6 A Yes, sir, I know that.
 7 Q And you were given that prescription at
 8 ten o'clock that morning, weren't you?
 9 A Ten or ten-thirty, yes, sir.
 10 Q And you were given it again at noon,
 11 weren't you?
 12 A Best I can remember, yeah.
 13 Q And you were given it again at six
 14 o'clock that evening, weren't you?
 15 A Best I can remember.
 16 Q And then Ms. Arnold had you transported
 17 back to the emergency room at nine o'clock that evening
 18 where you were admitted. Right?
 19 A Yes.
 20 Q And at the same time they gave you the
 21 antibiotics, the 500 milligrams of Penicillin, they also
 22 gave you the pain medicine Dr. Smith had prescribed for
 23 you, didn't they?
 24 A Yes, sir.
 25 Q And do you know now that that was

Page 89

1 you're reading from some sort of record; and if that's what
 2 the record says, you know, we'll consider that. But he
 3 doesn't know and wouldn't have a way of knowing; and he's
 4 testified to that.
 5 MR. RADER:
 6 Q You know the medication officer comes
 7 around at intervals, don't you, Mr. Dedmon?
 8 A Yes, sir.
 9 Q And you've testified that it was, you
 10 thought, between ten and ten-thirty when you got the first
 11 medicine after you came back from Dr. Smith's office.
 12 Isn't that true?
 13 A Yes, sir.
 14 Q And it was noon when you got the next
 15 round and six when you got the next round. Do you know
 16 that?
 17 A Yes, sir.
 18 Q And at each time they gave you the
 19 medicine, they gave you both the antibiotic and the pain
 20 medicine. Right?
 21 A Yes, sir.
 22 Q Two different kinds.
 23 A Yes, sir.
 24 Q I'm going to ask you to look at these
 25 two logs and see if these aren't your signatures on these

Page 87

1 Tylenol No. 4?
 2 A Yes, sir.
 3 Q And that Dr. Samuels had just given you
 4 Tylenol No. 3?
 5 A Yes, sir.
 6 Q And do you know that Tylenol No. 4 is
 7 twice as strong as Tylenol No. 3? Do you know that?
 8 A Yeah.
 9 Q And you were given that at ten o'clock,
 10 at noon; and Ms. Arnold gave you two doses of that at six,
 11 didn't she, a double dose?
 12 A I don't remember that.
 13 Q Well, you admit getting it at ten,
 14 twelve, and six. Right.
 15 A I remember getting medicine; but I
 16 don't remember, you know, --
 17 Q Do you know that Ms. Arnold called the
 18 emergency room to ask them if it was okay to give you two
 19 Tylenol No. 4 there at six o'clock instead of just the one
 20 because you were complaining of pain?
 21 A I have no idea about that.
 22 Q And do you remember getting the two
 23 Tylenol No. 4 at six o'clock from Ms. Arnold?
 24 A I remember getting my medicine; but I
 25 don't remember... she didn't give it to me. The best I can

Page 90

1 where you got that medicine. Is that your name up there in
 2 the middle? Look right there in the middle. Is that your
 3 signature? Is that you?
 4 A That's my signature.
 5 Q Look on the second page in the same
 6 place. Is that your signature up there?
 7 A That's my signature.
 8 MR. RADER: I'm going to make it an exhibit.
 9 [Two log sheets for medicine including
 10 copies of receipts for two medications
 11 marked Exhibit I.]
 12 Q Now after you saw Dr. Smith on
 13 September 25 at eight-ten in the morning, you never have
 14 seen him again, have you, for a dentist?
 15 A To look at me for a dental problem?
 16 Q Right.
 17 A No, sir.
 18 Q So do I understand then you've only
 19 seen Dr. James Smith two times in your whole life?
 20 A No, sir.
 21 Q When have you seen him other than that?
 22 A I went to him to ask for my X-rays.
 23 Q I'm talking about for any treatment.
 24 You've seen him two times in your whole life for treatment.
 25 A That's it.

Page 88

1 remember, Gary Haile give it to me.
 2 Q Right. That's right. Now was
 3 Ms. Arnold always courteous and polite to you?
 4 A Yes, sir.
 5 Q And she was the one who sent you to the
 6 emergency room both times, wasn't she?
 7 A Yes, sir.
 8 Q And you feel like she had your best
 9 interest at heart, don't you?
 10 A She did, yeah.
 11 Q And Mr. Haile and the other medication
 12 officers gave you your medicine throughout the day just as
 13 prescribed by Dr. Smith, didn't they? Sir?
 14 A To the best of my knowledge, they did.
 15 Q Well, you were in the emergency room at
 16 four-forty and got out when they finished with you. Then
 17 you went to Dr. Smith's office and took medicine at ten,
 18 twelve, and eighteen, antibiotics and pain medication all
 19 three times, and then were returned to the emergency room
 20 that evening at nine o'clock. Now that's what happened on
 21 the day of the twenty-fifth, isn't it?
 22 MS. HARRIS: Dan, I'm going to object to that
 23 question being asked and answered. He has said that he
 24 remembers getting his medicine; he doesn't know what time;
 25 and for good reason, he doesn't know what time. I assume

Page 91

1 Q That's it. Right?
 2 A Yes, sir.
 3 Q And that was on September 23 when he
 4 pulled these two teeth. Is that correct?
 5 A Yes, sir.
 6 Q And on September 25 when he wrote you
 7 these two prescriptions.
 8 A Yes, sir.
 9 Q And you haven't been back to him for
 10 any care or treatment. Right?
 11 A No, sir.
 12 Q So the last treatment that he afforded
 13 you were the examination that he did on September 25 and
 14 writing these two prescriptions, one for the 500 milligrams
 15 of Penicillin and one for the Tylenol No. 4.
 16 A Yes, sir.
 17 Q And he gave those to the sheriff's
 18 department; and they came back to the jail; and they gave
 19 you the prescriptions that he had written for you, didn't
 20 they?
 21 A Yes, sir.
 22 Q And then when your situation didn't
 23 improve, Ms. Arnold sent you back to the emergency room at
 24 eight, fifty-seven, or nine o'clock that night.
 25 A Yes, sir.

Page 92

1 Q And when they got you back to the
 2 emergency room, they admitted you.
 3 A Yes, sir.
 4 Q And then you had surgery with
 5 Dr. Brooksbank.
 6 A Yes, sir.
 7 Q And then were discharged on
 8 September 30 from the hospital and then transported to
 9 Fentress County where you worked out your problems there.
 10 A Yes, sir.
 11 Q So the personnel at the sheriff's
 12 department did everything that Dr. Smith told them to do,
 13 didn't they?
 14 A No, sir.
 15 Q Now when you went back on September 23,
 16 he didn't give you any prescriptions for any medication,
 17 did he?
 18 A I wasn't even put on a soft diet.
 19 Q So when the sheriff's department got
 20 hold of you, they didn't have any medicine to give you
 21 because none had been prescribed. Is that right? On
 22 September 23?
 23 A Yes, sir.
 24 Q And then when medicine was prescribed,
 25 they gave it to you, didn't they?

Page 93

1 A Yes, sir.
 2 Q Now what do you say, after
 3 September 23, that Dr. Smith told the sheriff's department
 4 to do that the sheriff's department didn't do?
 5 MS. HARRIS: I'm sorry. Could you repeat that?
 6 MR. RADER:
 7 Q On September 23, after his teeth were
 8 filled and he wasn't given any prescription and not put on
 9 a soft diet, what do you say Dr. Smith told the sheriff's
 10 department to do with you that they didn't do?
 11 A On the twenty-third, once he pulled my
 12 teeth, I didn't get nothing for pain; I didn't get nothing
 13 for infection; I wasn't put on a soft diet. I went back to
 14 the jail right before lunch. Now I had a tooth pulled on
 15 the right and a tooth pulled on the left. Went right back
 16 into population. I can tell you exactly what was for lunch
 17 that day. He did not tell them to do anything for me.
 18 Q All right. And they -
 19 A I wasn't given no kind of medical care
 20 provided when I left from Dr. Smith's office.
 21 Q The jail didn't do anything he didn't
 22 tell them not to do, did they?
 23 A Not until the twenty-fifth day of
 24 September.
 25 Q On the twenty-fifth day of September,

Page 94

1 Dr. Smith told the deputy--was it Mr. Rowland that had you
 2 over there that day?
 3 A Yes, sir.
 4 Q Mr. Rowland. - to get these two
 5 prescriptions for you and to give you these two
 6 prescriptions, Tylenol No. 4 and 500 milligrams of
 7 Penicillin, for the rest of that day. And they did that,
 8 didn't they?
 9 A Yes, sir.
 10 Q So what I'm telling you, the sheriff's
 11 department did everything that Dr. Smith told them to do in
 12 regard to your care and treatment, didn't they?
 13 MS. HARRIS: I'm going to object to the form of the
 14 question.
 15 MR. RADER: Go ahead and answer it.
 16 MS. HARRIS: You can answer it if you can.
 17 MR. RADER:
 18 Q The sheriff's department did everything
 19 Dr. James Smith told them to do in regard to your care and
 20 treatment for your dental problem, didn't they?
 21 A They did what they had to do once the
 22 process starting happening. He wrote me prescriptions for
 23 antibiotics and for pain stronger than what Dr. Samuels had
 24 give me to cover his tracks. And he, Neil Blythe, sitting
 25 there, never one time while I was on medical watch, to the

Page 95

1 best I can remember, come to see about me.
 2 Q That's not my question, Mr. Dedmon. My
 3 question is: The Putnam County Sheriff's Department did
 4 everything Dr. Smith prescribed for them to do for you in
 5 regard to your care and treatment, didn't they?
 6 MS. HARRIS: I'm going to object to the question,
 7 Dan. He doesn't know the answer.
 8 MR. RADER: Well, he does know the answer because
 9 he was there.
 10 MS. HARRIS: He doesn't know everything that
 11 Dr. Smith was told to do.
 12 MR. RADER: Don't argue.
 13 Q Did you hear Dr. Smith tell them to do
 14 anything for you that they didn't do?
 15 A I didn't hear Dr. Smith tell them to do
 16 anything for me except fill them prescriptions.
 17 Q And they did that, didn't they?
 18 A Yes, sir.
 19 Q He didn't give you a prescription for
 20 either pain or antibiotics the first time he pulled your
 21 teeth, on September 23, did he?
 22 A Right.
 23 Q Didn't put any restrictions on your
 24 activities, did he?
 25 A No, sir.

Page 96

1 Q So when you went back over to the jail,
 2 the sheriff's department didn't have any instructions that
 3 you know of from Dr. Smith other than no restrictions and
 4 no medications. Right?
 5 A Right.
 6 Q And that was what they did, wasn't it?
 7 A Exactly.
 8 Q And when they took you back over there
 9 and he gave you two prescriptions, they filled those and
 10 gave those to you just like he told them to, didn't they?
 11 A Yes, sir.
 12 Q Now when you went to Dr. Samuels at the
 13 hospital that morning on September 25 at four-forty, we've
 14 already covered that he told the sheriff's department to
 15 follow up with a regular dentist, didn't he?
 16 A Exactly.
 17 Q And they had you there as soon as his
 18 office opened at eight o'clock in the morning, ten minutes
 19 later, didn't they?
 20 A Yes, sir. The best I can remember,
 21 they did.
 22 Q So they did what Dr. Samuels told them
 23 to do, didn't they?
 24 A No, sir.
 25 Q What did they do differently than what

Page 97

1 Dr. Samuels told them to do?
 2 A They didn't fill the prescriptions.
 3 Q Huh [questioning response]?
 4 A They didn't fill the prescriptions.
 5 Q No. But they filled the two other ones
 6 that Dr. Smith had given you, didn't they?
 7 A Yes.
 8 Q And it was stronger medication than
 9 even what Dr. Samuels had given you, wasn't it?
 10 A Yes, sir.
 11 Q So you not only got what the hospital
 12 prescribed but you got more than what the hospital
 13 prescribed, didn't you?
 14 A I didn't get nothing that the hospital
 15 prescribed.
 16 Q Yeah. You got double. They gave you
 17 250 milligrams of Penicillin; you got 500. They gave you
 18 Tylenol No. 3; and you got Tylenol No. 4. So you got a
 19 double dose of what Dr. Samuels prescribed for you, didn't
 20 you? Isn't that true?
 21 A I got a shot of antibiotics in the ER
 22 when I first got there.
 23 Q And you got pain medicine there, too,
 24 didn't you?
 25 A Right. But the prescriptions that

Page 98

1 Dr. Samuels wrote me were never filled.
 2 Q That's right. Because the
 3 prescriptions that Dr. Smith wrote you were filled, weren't
 4 they?
 5 A Exactly.
 6 Q And it was the same thing, only
 7 stronger, wasn't it?
 8 A Right.
 9 Q And you got it timely, didn't you?
 10 A Yes, sir. Best of my knowledge, I did.
 11 Q Now the emergency room record shows you
 12 got four kinds of medication. You got Nalfon, 600
 13 milligrams; you got Bicillin IM. That's the shot you got.
 14 And you got pain medication. Do you remember getting all
 15 those at the hospital?
 16 A I remember getting medication. I don't
 17 remember all...what it was.
 18 Q Other than not filling the prescription
 19 the hospital gave you and filling the one Dr. Smith gave
 20 you instead, can you name me a single other thing that the
 21 sheriff's department didn't follow regarding any medical or
 22 dental advice you got between September 23 and
 23 September 25, 1997?
 24 A Bringing me back to the hospital if I
 25 got any worse.

Page 101

1 Q Did you drink anything for dinner?
 2 A Maybe some milk.
 3 Q Did you drink any water during the day,
 4 September 23, after you got back?
 5 A No.
 6 Q After dinner, do they serve you any
 7 kind of a snack before you go to bed?
 8 A I didn't get no snack from them, no,
 9 sir.
 10 Q Well, then do I understand your
 11 testimony to be that from the time they brought you back
 12 from Dr. Smith's office, you didn't have anything to eat
 13 the whole rest of that day, the twenty-third; you might
 14 have drank some Kool-Aid for lunch; and you might have
 15 drank some milk at dinner time; but other than that, you
 16 didn't ingest any water, food, or other liquids during the
 17 course of the whole rest of the day of September 23.
 18 A No, sir.
 19 Q I mean, is what I said true?
 20 A Yes, sir.
 21 Q Now did you smoke any cigarettes?
 22 A Can't smoke in the Justice Center.
 23 Q Did you chew any chewing gum?
 24 A No gum allowed in the Justice Center.
 25 Q Well, do people smoke in the Justice

Page 99

1 Q Well, they did take you back at nine
 2 o'clock that night, didn't they?
 3 A I said there all day.
 4 Q Did they take you back at nine o'clock
 5 that night?
 6 A Yes, sir.
 7 Q So from September 23 through September
 8 25, over a two-day period, two-day period, you were at the
 9 dentist's office twice.
 10 A Yes, sir.
 11 Q And the emergency room twice.
 12 A Yes, sir.
 13 Q Between September 23 and September 25.
 14 A Yes, sir.
 15 Q And you were ultimately admitted to the
 16 hospital.
 17 A Yes, sir.
 18 Q And by your own admission, you say from
 19 September 25 at midnight, you were placed at the booking
 20 area where they could keep a close watch on you.
 21 A Yes, sir.
 22 Q And where you could communicate with
 23 the booking officer.
 24 A It was midnight the twenty-fifth, yeah.
 25 Now the best I can remember this, I was placed on medical

Page 102

1 Center?
 2 A Some of them do.
 3 Q Well, did you? Whether you're allowed
 4 to or not, did you smoke any?
 5 A Got caught one time.
 6 Q No. I'm talking about on September 23.
 7 A No, sir.
 8 Q Did you chew any gum?
 9 A No, sir.
 10 Q Put anything in your mouth at all?
 11 A No, sir.
 12 Q Anybody beat you up or hit you or
 13 mistreat you in any way on September 23?
 14 A No, sir.
 15 Q Any other inmates jump you or do
 16 anything?
 17 A No, sir.
 18 Q Now in your cell there—did you have a
 19 cell by yourself?
 20 A No, sir.
 21 Q Who was in your cell?
 22 A I was in a pod. I can't remember who
 23 all was in there.
 24 Q Well, in your little bunk...where your
 25 bunk was, how many people had a bunk where you were?

Page 100

1 watch till four-forty...four-thirty or four-forty. That's
 2 right.
 3 Q Now in your jail cell at the jail, —
 4 A Yes, sir.
 5 Q — you were in the minimum security
 6 area?
 7 A Yes, sir.
 8 Q And I'm talking about after you got
 9 back from Dr. Smith's office on September 23.
 10 A Yes, sir.
 11 Q Did you eat lunch that day?
 12 A No, sir.
 13 Q So it doesn't matter what they had for
 14 lunch. You didn't eat it. Right?
 15 A No, sir.
 16 Q Didn't matter whether you were on a
 17 soft diet or no diet or whatever it was, you didn't eat.
 18 You put yourself on no eating at that point in time, didn't
 19 you?
 20 A Right.
 21 Q Now did you eat dinner?
 22 A No, sir.
 23 Q Were you drinking liquids?
 24 A I think they served Kool-Aid for lunch,
 25 the best I can remember. I had some Kool-Aid.

Page 103

1 A If I ain't mistaken, there's sixteen
 2 beds in there.
 3 Q That's because you were in minimum
 4 security?
 5 A Yes, sir.
 6 Q And how did you spend the day, in your
 7 bed or just milling around?
 8 A In the bed.
 9 Q So you put yourself on bed rest and no
 10 food. Right?
 11 A Yes, sir. After lunch, they had
 12 visitation. My mother come to see me. I couldn't even
 13 hold my head up at that point; and she stayed about five
 14 minutes; and I went to bed.
 15 Q Your mother saw you on the twenty-
 16 third?
 17 A Yes, sir.
 18 Q Is she allowed to give you any
 19 medicine?
 20 A No, sir.
 21 Q Does she have to see you through a
 22 glass wall; or can she make physical contact with you?
 23 A Glass.
 24 Q In your cell there where your bunk is,
 25 is there an intercom?

1 A No cell.
 2 Q Well, whatever area you're in, is there
 3 an intercom where you can call to the --
 4 A At the front of the door, there is,
 5 where you come in and out of the cell block.
 6 Q So if you need to call for anything,
 7 you can buzz the intercom and call for it?
 8 A Yes, sir.
 9 Q During the twenty-third, after you got
 10 back from Dr. Smith's office, did you ever get on the
 11 intercom or call for any help?
 12 A Yes, sir.
 13 Q And who did you call to?
 14 A Todd Logan was in the control room. I
 15 asked him for some aspirin. He told me to go lay down.
 16 Q Anything else?
 17 A I asked again a couple of hours later;
 18 didn't get nothing; so I went and laid back down.
 19 Q And did you have any aspirin stashed
 20 there?
 21 A No, I didn't have none stashed.
 22 Q Did any of the other inmates have any
 23 aspirin stashed?
 24 A Nobody give me none.
 25 Q Did you ask them for any?

1 A Well, no.
 2 Q I thought later on that day you said
 3 they did give you some aspirin.
 4 A That night when the shift changed.
 5 Q So, ultimately, you got some aspirin on
 6 the twenty-third.
 7 MS. HARRIS: On the twenty-third?
 8 MR. RADER: I'm talking about the twenty-third now.
 9 Q Did you get some aspirin on the twenty-
 10 third?
 11 A Best I can remember, I didn't get no
 12 medicine...it was either until that night...if I ain't
 13 mistaken, Bill Waller's shift worked that night. And I
 14 can't remember who the medical officer was exactly. I
 15 think I got it that night. It was either that night or it
 16 was the twenty-fourth when Roberta's shift was on. I think
 17 it was the twenty-third, though.
 18 Q So you went to bed on the night of the
 19 twenty-third.
 20 A Yes, sir.
 21 Q And what time did you wake up on the
 22 twenty-fourth?
 23 A I didn't go to sleep.
 24 Q Well, what time did you get out of bed?
 25 A I was up and down all night. I was up

1 probably...when they come in to make the rounds to do head
 2 count, it's five-thirty, I think. I was already swelling
 3 then; and I showed the guy that come in to make the head
 4 count. I can't remember who it was exactly. And he told
 5 me whenever the medical officer come around, which I think
 6 was Jerry Hunt, that he would tell him. Well, Jerry looked
 7 at me and told me he'd check back on me. And Art Rowland
 8 come up there in the evening before he --
 9 Q Let's just stick with the morning. So
 10 at five-thirty in the morning, they come and make rounds.
 11 A Right.
 12 Q And you tell this man who you don't
 13 remember who it was that you're swelling up some.
 14 A Exactly. Well, he seen it.
 15 Q He said he'd have Jerry Hunt check on
 16 it.
 17 A Yeah.
 18 Q And did you eat anything for breakfast
 19 that day?
 20 A No, sir.
 21 Q Did you drink any liquids?
 22 A No, sir.
 23 Q Put anything in your mouth at all?
 24 A No, sir.
 25 Q Brush your teeth?

1 A I couldn't do nothing with my mouth.
 2 Q You didn't put anything in your mouth
 3 at all.
 4 A No, sir.
 5 Q Did you drink any water?
 6 A No, sir.
 7 Q So Jerry Hunt came; and what time did
 8 he come?
 9 A It was...he come right before
 10 breakfast; because some of the guys in there got medicine
 11 before breakfast.
 12 Q Did he give you any medicine?
 13 A No, sir.
 14 Q Did you ask him for any medicine?
 15 A Yes, sir.
 16 Q What did you ask him for?
 17 A For some aspirin.
 18 Q And he didn't give you anything?
 19 A No, sir.
 20 Q What did he say?
 21 A Told me he'd be back later.
 22 Q And that was...what time of the day
 23 would you say that was?
 24 A It was right before breakfast. It was
 25 either right before breakfast or right after breakfast;

1 because there was certain people that was in the cell block
 2 that got prescribed medication.
 3 Q And they gave it to them.
 4 A Right.
 5 Q Now were you having any kind of a feud
 6 with Jerry Hunt at this time?
 7 A No, sir.
 8 Q Were you having any kind of a feud with
 9 Neil Blythe at this time?
 10 A No, sir.
 11 Q Were you having any kind of a feud with
 12 any jail personnel at this time?
 13 A No, sir.
 14 Q Was anybody harboring any grudges or
 15 wanting to get even with you for any reason at this time,
 16 any jail personnel?
 17 A Best of my knowledge, no.
 18 Q So you were getting along with
 19 everybody at the jail; and you were a model prisoner during
 20 this interval.
 21 A Exactly.
 22 Q So there would be no reason why they
 23 would intentionally withhold medicine on you to get even
 24 with you or be mean spirited or say, "We're going to show
 25 that Dedmon; we're not going to give him any aspirin."

1 Right? Nobody was out to get you.
 2 A I don't know that.
 3 Q Well, you didn't have that feeling, did
 4 you?
 5 A I didn't know that.
 6 Q Certainly Jerry Hunt never gave you any
 7 indication he would have withheld medicine from you on
 8 purpose, did he?
 9 A Like I said, I can't tell if he would
 10 or if he wouldn't. I have no idea.
 11 Q But you didn't have any indication that
 12 anybody was out to get you, did you?
 13 A No, sir.
 14 Q So when did you next see some jail
 15 personnel during the twenty-fourth? We're after breakfast
 16 now. Didn't eat anything for breakfast. Right?
 17 A No, sir.
 18 Q Did another inmate eat your breakfast?
 19 A Yes, sir.
 20 Q Who did you give your breakfast to?
 21 A I don't remember.
 22 Q You didn't bargain that away?
 23 A You can bargain it but --
 24 Q Well, did you bargain it? That's my
 25 question.

Page 110

1 A No.
 2 Q You just gave it.
 3 A Yes, sir.
 4 Q What do you get normally when you
 5 bargain your breakfast?
 6 A You can trade for just about anything.
 7 Q Well, did you try to trade for any
 8 aspirin?
 9 A No, sir.
 10 Q Now it's a fact that prisoners up there
 11 hoard aspirin and Tylenol; and from time to time, they'll
 12 have to have a sweep; and they'll fine hoards of aspirin
 13 and Tylenol among the prisoners in the jail. Isn't that
 14 true? That happens, doesn't it?
 15 A They never took none from me.
 16 Q Well, have you seen them take them from
 17 other people?
 18 A I can't tell you that, no, sir.
 19 Q Well, did you ever try to trade for
 20 any, that breakfast for any aspirin?
 21 A No, sir.
 22 Q So when is the next time after
 23 breakfast that you saw any jail personnel?
 24 A When Art Rowland come to see about me.
 25 Q When was that?

Page 111

1 A Almost his time to go home.
 2 Q Well, what time —
 3 A It was in the evening.
 4 Q After lunch?
 5 A Yes, sir.
 6 Q Had they already served lunch?
 7 A Yes, sir.
 8 Q Now did you eat any lunch?
 9 A No, sir.
 10 Q What happened with your lunch tray?
 11 A I give it away.
 12 Q Who did you give it to?
 13 A I don't remember.
 14 Q Did you bargain for it?
 15 A No, sir.
 16 Q Did you try to get any aspirin for it?
 17 A No, sir.
 18 Q Did you get on the intercom between
 19 breakfast and lunch and try to get any aspirin or Tylenol
 20 or anything like that?
 21 A Like I said, I don't recall getting
 22 anything from Jerry Hunt that whole day.
 23 Q My question is: Between breakfast and
 24 lunch, until when this gentleman went off his shift in the
 25 evening, you said, did you get on the intercom and try to

Page 112

1 get any aspirin or Tylenol or anything?
 2 A Yes, sir.
 3 Q You didn't say that a minute ago.
 4 A Yes, sir.
 5 Q Who did you call?
 6 A I pushed the button that goes in the
 7 control room.
 8 Q What did you ask for?
 9 A Some aspirin.
 10 Q And what did they tell you?
 11 A They said that they'd send somebody.
 12 Q Do you know who you were talking to?
 13 A I don't know who I was talking to.
 14 Q How many times did you do that?
 15 A I done it a couple of times, and Shaun
 16 Lafever done it one time.
 17 Q I'm talking about between breakfast and
 18 when this fellow went off his shift now after lunch.
 19 A Two times.
 20 Q Two times. And did anybody ever come
 21 around with any aspirin?
 22 A No, sir.
 23 Q Did they ever come around and give
 24 anybody else any aspirin?
 25 A Best I can remember, nobody else got

Page 113

1 anything.
 2 Q So who was the next person you came in
 3 contact with then?
 4 A Roberta Arnold's shift.
 5 Q And that was about five-thirty in the
 6 afternoon on the twenty-fourth?
 7 A Yes, sir.
 8 Q And who did you see then?
 9 A I believe Greg Haile.
 10 Q And where did you see Greg Haile?
 11 A He come in to do a head count and to
 12 pass out medicine.
 13 Q And tell me what happened with Greg
 14 Haile?
 15 A He said he'd get hold of Roberta and
 16 have her come look at me.
 17 Q And did Roberta come and look at you?
 18 A She come and looked at me, asked me
 19 what I wanted to do. She said, "You want me to take you
 20 downstairs?" It was later, after five-thirty, before she
 21 come up to see me.
 22 Q Around six o'clock, wasn't it?
 23 A I can't remember exactly what time it
 24 was. All I know, it was after I had talked to Greg.
 25 Q Did you ask Greg for any aspirin?

Page 114

1 A Yeah. Greg got me some.
 2 Q Greg gave you some aspirin.
 3 A Yes, sir.
 4 Q Was that the first aspirin you had been
 5 given since the night of the twenty-third?
 6 A Yes, sir.
 7 Q How many did Greg give you?
 8 A He give me two.
 9 Q Did you take them?
 10 A Yes, sir.
 11 Q What did you wash them down with?
 12 A I think a Pepsi.
 13 Q Was that the first thing you'd had to
 14 drink since you left Dr. Smith's office except for the
 15 Kool-Aid and the milk?
 16 A Yes, sir.
 17 Q So since you left Dr. Smith's office
 18 about six o'clock the following day, on the twenty-fourth,
 19 the only thing you had put in your body was some Kool-Aid,
 20 some milk, and now some Pepsi.
 21 A Right.
 22 Q And some aspirin on the twenty-third
 23 and then some aspirin by Greg Haile on the afternoon of the
 24 twenty-fourth.
 25 A Right.

Page 115

1 Q And some Pepsi at the same time. So
 2 then Roberta came up and saw you right after...was that
 3 right before dinner or right after dinner on the twenty-
 4 fourth?
 5 A Dinner is served before second shift
 6 comes on.
 7 Q Well, what time is this? Did she come
 8 to see you right before dinner or right after dinner?
 9 A It was midnight that night.
 10 Q She didn't come till midnight? I
 11 thought you said Greg Haile was there at five-thirty and
 12 she came up right after that.
 13 A What she done is she come up there to
 14 see me; and something was going on in some other part of
 15 the jail. She was at the door; and she seen me; but she
 16 didn't take me downstairs right then. She told me she'd be
 17 back. Well, it was eleven-thirty, I guess. Shaun Lafever
 18 got on the speaker and told them that I needed to be seen;
 19 that I needed to see a doctor. And Greg came back in
 20 there. And then Roberta came back. And they put me on
 21 medical watch.
 22 Q But before that, you were telling me
 23 when Roberta came up the first time, she asked you if you
 24 wanted to go down to the holding —
 25 A She asked me if I wanted --

Page 116

1 Q Is that when you told her no?
 2 A What I told her was...is...she was on
 3 the other side of the door.
 4 Q Yeah.
 5 A We was standing up at the door. There
 6 was three of four of us. And she told me to go lay down
 7 for a little while. You know, she said, "If you don't get
 8 to feeling better," she said, "I'll take you back
 9 downstairs," the best I can recall. But it was midnight
 10 before I got put on medical watch.
 11 Q Well, when she said, "I'll take you
 12 back downstairs," when had you been downstairs before?
 13 A She said she'd take me downstairs, not
 14 back downstairs--she'd take me downstairs.
 15 Q Yeah. But you said, "back downstairs."
 16 Is that what she said?
 17 A She told me she'd take me downstairs.
 18 Q And when she came up there to the door
 19 and saw you the first time after you'd seen Greg Haile, you
 20 said she asked you, "What do you want to do?" Remember
 21 that?
 22 A Yeah.
 23 Q And when she said, "What do you want to
 24 do," what did you tell her?
 25 A She said, "Do you want to go

Page 117

1 downstairs," she said, "and be placed on medical watch,"
 2 she said, "or do you want to go back in there and lay
 3 down," cause, see, I figured downstairs, you know, if I got
 4 any worse, I'd be right there. So what I done was I went
 5 back into minimum there and stayed. And when it got to
 6 where I couldn't stand it no longer, --
 7 Q That's when Shaun Lafever called --
 8 A Right.
 9 Q -- and she took you down.
 10 A Exactly.
 11 Q But she had offered to take you down
 12 before or go lay down. She said, "What do you want to do?"
 13 A Right.
 14 Q And you went back and laid down in
 15 minimum.
 16 A I went back and laid down in minimum,
 17 yeah.
 18 Q And then when it got to where you
 19 thought the pain was worse, you had Shaun Lafever call her;
 20 and then she came and got you; and she took you down by the
 21 booking office. Right?
 22 A Right.
 23 Q And then you stayed down there, what,
 24 about four more hours?
 25 A Um-hum [affirmative response].

Page 118

1 Q Then they took you over to the
 2 hospital.
 3 A I continued...as the day and night went
 4 on, I continued to get worse, is what it was.
 5 Q Now when she took you down to the
 6 booking that you say happened around midnight, did they
 7 give you any more aspirin then?
 8 A No, sir.
 9 Q Did you ask for any?
 10 A I don't remember.
 11 Q Were you drinking or eating anything
 12 then?
 13 A No, sir.
 14 Q Besides you and Roberta, was anybody
 15 else down there at the booking? Just the two of you?
 16 A Greg Haile, Tony Whiteaker, Tony Key,
 17 and Officer Jimmy Eldridge.
 18 Q Well, now was Jimmy Eldridge ugly to
 19 you in any way?
 20 A At about four-thirty...between four and
 21 four-thirty, he had arrested a guy for something. I don't
 22 know what. But he was down there in booking. And she
 23 asked him if it warranted me going to the hospital; and he
 24 looked at her; and he looked at me; and he said, "I believe
 25 it does." And she said, "Well, I'm going to take him." He

Page 119

1 said, "Well, you'd better take him right now."
 2 Q So he was on your side. He took up for
 3 you there; said, "Take him to the"--agreed with her, take
 4 you to the hospital.
 5 A Yeah.
 6 Q What about Greg Haile? Was he ugly to
 7 you or out of the way to you in any way?
 8 A No, sir.
 9 Q And who else did you say was down
 10 there?
 11 A Tony Whiteaker.
 12 Q Was Tony Whiteaker ugly or out of the
 13 way to you in any way?
 14 A No, sir.
 15 Q Who else was down there?
 16 A Tony Key, I believe.
 17 Q Was Tony Key ugly or out of the way to
 18 you in any way?
 19 A No, sir.
 20 Q Now who at the jail do you say, between
 21 September 23 and when you got admitted to the hospital on
 22 the evening of September 25, who at the jail do you say was
 23 ugly or out of the way to you in any way?
 24 A Lightning Mayberry.
 25 Q Anybody else?

Page 120

1 A Hoover.
 2 Q I'm sorry.
 3 A Hoover.
 4 Q Mike Hoover. Anybody else?
 5 A Art Rowland.
 6 Q I'm sorry?
 7 A Art Rowland.
 8 Q Art Rowland. Anybody else?
 9 A I never seen Neil, the best of my
 10 knowledge.
 11 Q Have we covered everybody who you claim
 12 was ugly or out of the way to you, those three people?
 13 A Right.
 14 Q Let's start with Art Rowland.
 15 Mr. Rowland was the one who took you to Dr. Smith's
 16 office, wasn't he?
 17 A Yes, sir.
 18 Q And filled the prescriptions.
 19 A Yes, sir.
 20 Q How was he ugly to you?
 21 A He got mad because Roberta had took me
 22 to the doctor. He was standing over there behind the desk.
 23 Q Was this after you'd gone to the
 24 emergency room at four-forty in the morning?
 25 A Yes, sir. His words was he was the

Page 121

1 transportation officer; he transported people to the doctor
 2 and back; that I didn't need to go to the hospital.
 3 Q Did he do anything else? Or is that
 4 it?
 5 A It wasn't long after that he took me
 6 and put me in shackles and took me to Dr. Smith's office.
 7 Q Did he do anything else?
 8 A Other than calling Ms. Arnold a few
 9 names, that's it.
 10 Q Anything else? So the only thing he
 11 did was fuss at Roberta Arnold for having you transported
 12 to the emergency room when it should have been his job to
 13 do that; and he said the statement he didn't think you
 14 needed to go. So he was mostly complaining that she had
 15 had you taken over there. Right?
 16 A Right.
 17 Q But after that, he took you to
 18 Dr. Smith's office himself.
 19 A Exactly.
 20 Q Now Mike Hoover. What did Mike Hoover
 21 do?
 22 A Every time I asked him to take me back
 23 to the hospital during that day after I'd come back from
 24 the dentist, they wouldn't take me back.
 25 Q This is during the twenty-fifth.

Page 122

1 A Yes.
 2 Q Now what job does Mike Hoover have?
 3 A He's a guard at the jail.
 4 Q During that day, you're still in the
 5 booking area.
 6 A Yes, sir.
 7 Q And is Mike Hoover the booking officer?
 8 A I have no idea. All I know is he's a
 9 correction officer.
 10 Q And you say you asked him to take you
 11 back to the hospital during that day?
 12 A Um-hum [affirmative response].
 13 Q You need to say yes or no.
 14 A Yes, sir.
 15 Q And how many times did you ask him?
 16 A I can't remember.
 17 Q Well, just give me your best estimate.
 18 A Seven or eight times.
 19 Q And what did he say?
 20 A Have to check with Neil.
 21 Q Have to check with Neil.
 22 A Yes, sir.
 23 Q Did he say anything else?
 24 A He said he would talk to Lightning.
 25 Q Anything else?

Page 122

1 A Yes, sir.
 2 Q How long did that take?
 3 A Not even a minute.
 4 Q Less than a minute.
 5 A I couldn't pinpoint it exactly for you,
 6 but....
 7 Q And what were you doing during that
 8 interval?
 9 A Laying there.
 10 Q Laying on the cot?
 11 A Yes, sir.
 12 Q Did you say anything to him?
 13 A Yes, sir.
 14 Q What did you say to him?
 15 A You don't want to know that, sir.
 16 Q No, sir. That's why I'm here today. I
 17 do want to know. What did you say to him?
 18 A When he laughed at me, I called him a
 19 bastard.
 20 Q Anything else?
 21 A That's it.
 22 Q And did he say anything back to you?
 23 A He walked off.
 24 Q So he didn't say any ugly thing to you.
 25 He just laughed and walked off.

Page 123

1 A Lightning looked at me one time.
 2 Q Well, we'll get to Lightning in a
 3 minute. Let's finish with Mike Hoover first. Did Mike
 4 Hoover do anything else?
 5 A That's it.
 6 Q So what you say Mike Hoover did was
 7 that you asked him, after you got back from Dr. Smith's
 8 office --
 9 A Yes, sir.
 10 Q -- and started taking your pain
 11 medicine and your antibiotics, that you were asking
 12 Mr. Hoover to take you back over to the hospital; and he
 13 said, "I'll have to check with Neil."
 14 A Yes, sir.
 15 Q And you say that happened seven or
 16 eight times --
 17 A Yes, sir.
 18 Q -- during the course of that day before
 19 you were later on taken at nine o'clock that night.
 20 A Yes, sir.
 21 Q Is that everything Mike Hoover did?
 22 A Yes, sir.
 23 Q Now Lightning Mayberry is Steve
 24 Mayberry. So what do you say Steve Mayberry did?
 25 A He come to the window.

Page 126

1 A Exactly.
 2 Q And you called him a bastard.
 3 A Yes, sir.
 4 Q And that was it.
 5 A That's it.
 6 Q It took probably less than thirty
 7 seconds instead of less than a minute, didn't it?
 8 A Somewhere around there, I guess, you
 9 know.
 10 Q And I apologize for asking you this
 11 again; but do you recall whether that was before or after
 12 lunch?
 13 A I can't remember.
 14 Q Now before Ms. Arnold came on there in
 15 the evening of the twenty-fifth, who was the booking
 16 officer?
 17 A I can't remember everybody that was in
 18 booking that day. I believe that... I can't remember the
 19 rest of them.
 20 Q After you got back from Dr. Smith's
 21 office, when Mr. Rowland brought you back, you went
 22 straight back into the booking area. You didn't go back
 23 into the general population, did you?
 24 A No, sir.
 25 Q And when you were in there, did the

Page 124

1 Q When is this? Let's see when is this?
 2 A During the day of the twenty-fifth.
 3 Q After you'd come back from Dr. Smith's
 4 office.
 5 A Yes, sir.
 6 Q And after you'd been given the shots
 7 and the medicine at the emergency room and been started on
 8 your medicine at the hospital.
 9 A Yes, sir.
 10 Q What did Mr. Mayberry do?
 11 A He stood there at the window and
 12 laughed at me.
 13 Q Anything else?
 14 A And walked off.
 15 Q Anything else?
 16 A No, sir.
 17 Q Did that happen in the morning, at
 18 noon, or at night?
 19 A It was during the day.
 20 Q Well, before or after lunch?
 21 A I can't tell you. It was during the
 22 day. I don't know exactly what time it was.
 23 Q So he came to your cell there at the
 24 booking area, looked in on you, laughed, and then walked
 25 off.

Page 127

1 Tylenol No. 4 help you out any at all?
 2 A No, sir.
 3 Q Did the shot they gave you at the
 4 emergency room help you out any at all?
 5 A No, sir.
 6 Q So whatever they gave you at the
 7 hospital and the Tylenol No. 4, neither one of them seemed
 8 to make a big difference in your discomfort level.
 9 A No, sir.
 10 Q Were you having any trouble besides
 11 just the pain and discomfort?
 12 A Couldn't see hardly. My eyes were
 13 almost swelled together.
 14 Q Anything else?
 15 A I could only open my mouth so far.
 16 Q Anything else?
 17 A My neck was swelling up. Other than
 18 being in terrible pain, that's it.
 19 Q Were you talking?
 20 A Yeah, I could talk, you know.
 21 Q Did you cuss anybody besides Steve
 22 Mayberry?
 23 A No, sir.
 24 Q Were you drinking anything?
 25 A I think I might have been given some

Page 134

1 surrendered yourself to the authorities in Putnam County in
 2 April. During that time from January to April, did you go
 3 back to doing drugs?
 4 A No, sir.
 5 Q Did you do any drugs at all?
 6 A No, sir.
 7 Q You just went cold turkey.
 8 A Exactly.
 9 Q Did your mother visit you in the jail
 10 other than that one time that you've told us about?
 11 A All the time.
 12 Q I'm talking about between September 23
 13 and when they took you over to the hospital.
 14 A Yes, sir.
 15 Q Did she see you on the twenty-fourth?
 16 A She seen me the day the tooth was
 17 pulled.
 18 Q That's the twenty-third. You told us
 19 that. You said she stayed five minutes and you went back
 20 to bed. Now did she see you the next day?
 21 A No, sir.
 22 Q Did she see you the twenty-fifth before
 23 they took you to the hospital?
 24 A My niece seen me the twenty-fifth,
 25 which was visiting day if I ain't mistaken, too.

Page 135

1 Q There in the booking area? She came
 2 into the --
 3 A Downstairs.
 4 Q -- booking area and saw you? Sir?
 5 A Not in the booking area but in
 6 visitation downstairs.
 7 Q What time of the day on the twenty-
 8 fifth was this?
 9 A I can't remember.
 10 Q Was it before or after lunch?
 11 A I can't remember. I believe it was
 12 after lunch, but I wouldn't swear to it.
 13 Q Was it before or after Ms. Arnold came
 14 back on?
 15 A Before.
 16 Q So then you left the booking area on
 17 the twenty-fifth and went down to the visitors' area.
 18 A Which is just behind booking.
 19 Q And did you walk around there to do
 20 that?
 21 A I walked up there, yes, sir.
 22 Q And what did you have, orange coveralls
 23 on? Is that how you were dressed?
 24 A Orange pants --
 25 Q Jump suit?

Page 136

1 A -- and shirt.
 2 Q What was her name?
 3 A Angel.
 4 Q Angel?
 5 A Buchanan.
 6 Q How old is she?
 7 A Twenty-one.
 8 Q What does she do for a living?
 9 A She works at Peeble's.
 10 Q What, if anything, was said between you
 11 and her?
 12 A I told her to go see my mother at the
 13 hospital and have my mama call my attorney and have my
 14 attorney come down there.
 15 Q Who was your attorney?
 16 A Randy Chaffin.
 17 Q Did Randy come and see you?
 18 A Yes, sir.
 19 Q When did he come and see you?
 20 A About an hour later.
 21 Q On the twenty-fifth?
 22 A Yes, sir.
 23 Q Was that before or after Ms. Arnold
 24 came on duty?
 25 A Before.

Page 137

1 Q What, if anything, did Mr. Chaffin do?
 2 A He looked at me. He seen me.
 3 Q When you see Mr. Chaffin, is it behind
 4 the glass or do you get to see --
 5 A He come to my cell.
 6 Q There behind booking?
 7 A Yes, sir.
 8 Q So you actually have a face-to-face
 9 conference with him.
 10 A Yes, sir.
 11 Q In person.
 12 A Yes, sir.
 13 Q And what, if anything, was said then?
 14 A He asked me who I'd been in a fight
 15 with.
 16 Q What did you tell him?
 17 A I told him that I'd had a tooth pulled.
 18 Q And what did he say then?
 19 A He asked me who pulled it and how long
 20 I'd been like that; and that was basically it.
 21 Q Did he say anything else?
 22 A Said he couldn't do nothing because of
 23 who had pulled the tooth.
 24 Q What did that mean?
 25 A That he couldn't represent me. He had

Page 138

1 been my criminal attorney at times.
 2 Q Was he your criminal attorney when you
 3 were in jail later?
 4 A No, sir.
 5 Q What did you ask him to do about having
 6 your tooth pulled?
 7 A I didn't feel that I was being treated
 8 right.
 9 Q By who?
 10 A I was left to lay there, you know.
 11 Q By who?
 12 A By the people that were in the jail
 13 that day. And they acted like it was nothing. So when my
 14 niece came, I talked to her for probably five minutes, if
 15 that long. I couldn't even hold my head up. I had to sit
 16 like this. And I went back to my cell; and she went to the
 17 hospital. My mother called Mr. Chaffin; and Mr. Chaffin
 18 come to the jail.
 19 Q Did your mother come and see you?
 20 A No, sir.
 21 Q So when Randy came up there, Randy
 22 Chaffin, he came back in your cell and talked to you.
 23 A Yes, sir.
 24 Q And did you tell him at that time you
 25 wanted to sue James Smith?

Page 139

1 A I didn't tell him I wanted to sue
 2 anybody. I told him what had happened and who was
 3 involved; and he told me he couldn't do nothing to help me
 4 because of who it was.
 5 Q And then did he leave?
 6 A Yes, sir.
 7 Q So he didn't give you any help at all.
 8 A Exactly.
 9 Q He didn't even get the booking officer
 10 and say, "Look, take him back over to the hospital." He
 11 didn't even do that much, did he?
 12 A Best of my knowledge, he didn't, no.
 13 He could have. I don't know.
 14 Q Were you friends with Randy?
 15 A Yes. I'm still friends with him.
 16 Q And he was actually your lawyer in some
 17 things, wasn't he?
 18 A Right.
 19 Q So he didn't do anything to help you.
 20 A He didn't do anything because of the
 21 ties between Bill Cameron's office and who Dr. Smith was.
 22 Q But he didn't do anything even with the
 23 jail personnel, did he, as far as you know?
 24 A Because he has to work through them
 25 people.

Page 140

1 Q As far as you know, he didn't do
2 anything with them, does he?
3 A As far as I know, no, he didn't.
4 Q Well, now the fact of the matter is
5 Randy Chaffin defends a lot of criminal cases where the
6 deputy sheriffs are the prosecuting officers day in and day
7 out, doesn't he?
8 A Oh, yeah.
9 Q You've seen him cross examine them in
10 court, haven't you?
11 A Yes, sir.
12 Q And fuss at them, haven't you?
13 A Yes, sir.
14 [Break.]
15 Q Mr. Dedmon, I just have a few more
16 questions, I think; and I don't know whether
17 Mr. Townsend...how many he's going to have; but we're going
18 to try to get done, if we can, before lunch. How long were
19 you with Mr. Chaffin there at the jail?
20 A A few minutes. He stood there at the
21 cell door where I was at.
22 Q And about what time of the day was
23 that?
24 A I couldn't tell you.
25 Q And he told you...he asked you who

Page 141

1 pulled your tooth and said he couldn't get involved because
2 it was Dr. Smith?
3 A Yes, sir.
4 Q Did you ask him at that time to go call
5 a doctor for you?
6 A I can't remember what I asked him.
7 Q Did you ask him to go call an ambulance
8 for you?
9 A I can't remember. He said that he
10 remembered that my mother had called him and that I wanted
11 him to come and see me down at the jail.
12 Q But you can't testify under oath here
13 today that you asked him, Mr. Chaffin, to get you any kind
14 of medical or dental help at all there when he saw you, did
15 you?
16 A No, sir.
17 Q Now in regard to Roberta Arnold, do you
18 have any criticism of her at all?
19 A No, sir.
20 Q In fact, she's the one that really
21 helped you out more than anybody else, isn't she?
22 A Yes, sir.
23 Q And she tried to go above and beyond
24 the call of duty to get you attention and medical help,
25 didn't she?

Page 142

1 MS. HARRIS: Object to the form.
2 MR. RADER: Go ahead and answer it if you can.
3 A I don't know what you mean.
4 MR. RADER:
5 Q Well, you said earlier that Mr. Hoover
6 had complained to her because she had you taken over to the
7 jail [sic] and that wasn't her place to do that. So she
8 really kind of went out of her way to do that for you based
9 on your own observation there, didn't she?
10 A Mr. Arnold --
11 Q Arnold.
12 A I mean, Rowland --
13 Q Rowland. Okay.
14 A -- complained because she --
15 Q Yeah.
16 A -- took me to the hospital.
17 Q So that's what I'm saying. She had
18 gone out of her way to help you, hadn't she, as far as you
19 could see?
20 A She wasn't going to let me sit there
21 and suffer, no, sir. If that's what you're asking me, no,
22 sir.
23 Q Now since you got out of jail on
24 September 30, --
25 A Yes, sir.

Page 143

1 Q -- 1997, have you been seen by any
2 psychologist?
3 A No, sir.
4 Q Or any psychiatrist?
5 A No, sir.
6 Q Have you ever been back over to Plateau
7 for anything?
8 A No, sir.
9 Q Or to any psychological or psychiatric
10 facility?
11 A No, sir.
12 Q Or for any kind of counseling at all?
13 A No, sir.
14 Q Have you been prescribed any medication
15 since you got out of jail on September 30, 1997, for any
16 reason?
17 A Just for my...Dr. Brooksbank,
18 Dr. Miller. I believe that's it.
19 Q What did Dr. Miller give you?
20 A I can't remember.
21 Q Was it pain medicine or something else?
22 A No. It's for stomach cramps, is what
23 it's for. I can't remember if Dr. Miller give it to me or
24 if it was through the doctor in Nashville that prescribed
25 it. It's on the bottle at home. I don't remember.

Page 144

1 Q Do you drive a vehicle?
2 A No, sir.
3 Q Do you own a car?
4 A No, sir.
5 Q Motorcycle?
6 A No, sir.
7 Q What means of transportation do you
8 have?
9 A My feet.
10 Q So if we see you, you've walked
11 wherever you happen to be.
12 A Or ride in a cab.
13 Q Do you claim that you've in any way
14 limited your activities as a result of this tooth problem
15 since you were released from the custody of the Putnam
16 County Sheriff's Department on September 30, 1997?
17 A I can't work in the heat for long
18 periods of time.
19 Q Anything else?
20 A That's about it.
21 Q Where have you been required to work in
22 heat for long periods of time?
23 A When I was with the show in Florida.
24 Q Anything else?
25 A That's it.

Page 145

1 Q Has any medical doctor or dentist
2 placed you on any kind of physical restrictions --
3 A No, sir.
4 Q -- as a result of this tooth problem?
5 A No, sir.
6 Q Now have the people at the Castle
7 Dental facility --
8 A Yes, sir.
9 Q -- expressed to you any critical
10 opinion of either the Putnam County Sheriff's Department or
11 Dr. Smith?
12 A All I was told was that they couldn't
13 give me a medical opinion because they didn't have my
14 X-rays.
15 Q The answer is, no, they haven't been
16 critical of either Dr. Smith or the sheriff's department?
17 A I can't say that they have; and I can't
18 say that they hadn't. All I know is I've got a letter from
19 him saying that he can't determine what happened to me
20 because he doesn't have my X-rays.
21 Q And did you see him there for the
22 purpose of trying to get evidence against either the
23 sheriff's department or Dr. Smith?
24 A Yes, sir.
25 Q And did your lawyer send you over

Page 146

1 there?
 2 A No, sir.
 3 Q Who sent you over there?
 4 A I went myself.
 5 Q When you were at the jail on the
 6 twenty-third or twenty-fourth or twenty-fifth, did you ever
 7 call Jerry Burgess and seek any assistance from him in
 8 getting medical attention or dental attention?
 9 A No, sir.
 10 Q Or Mr. Looper?
 11 A No, sir.
 12 Q Did you know these gentlemen at that
 13 time?
 14 A I knowed of Jerry Burgess, yeah.
 15 Q Did you know Mr. Looper at the --
 16 A No, sir.
 17 Q -- time you were in jail? Had
 18 Mr. Burgess represented you in the past?
 19 A No, sir.
 20 Q Has he ever represented you in a
 21 criminal matter?
 22 A No, sir.
 23 Q Or a civil matter?
 24 A No, sir.
 25 Q Aside from this lawsuit, have you ever

Page 149

1 Q When did you work for Mr. Williams?
 2 A It was in the summer of '98.
 3 Q Where?
 4 A Overton County.
 5 Q In what capacity? What did you do?
 6 A I can't divulge that.
 7 Q Why not?
 8 A Best of my knowledge, it's still an
 9 ongoing investigation.
 10 Q Well, I don't want to know specifically
 11 what you did like, you know...but was it like making buys?
 12 A Yes, sir.
 13 Q Was it doing anything other than making
 14 buys?
 15 A No, sir.
 16 Q Have you ever testified as a
 17 prosecution witness on any criminal matter in which you've
 18 served as an informant?
 19 A Yes, sir.
 20 Q When was the last time you did that?
 21 A 1989 or '90, one or the other.
 22 Q And did that result in a conviction?
 23 A Yes, sir.
 24 Q What DA put you on the witness stand?
 25 A Tommy Thompson.

Page 147

1 filed suit against anybody else?
 2 A No, sir.
 3 Q Has anybody else ever sued you in civil
 4 court?
 5 A I've been sued by the City of
 6 Cookeville, Putnam County Ambulance Service, places like
 7 that.
 8 Q Why did the ambulance service sue you?
 9 A For a bill.
 10 Q And why did the City of Cookeville sue
 11 you?
 12 A For a bill.
 13 Q Have you ever been sued for anything
 14 other than a bill?
 15 A No, sir.
 16 Q Now in all the convictions that you've
 17 had, do you know if any of them constitute felonies?
 18 A Some of them were felonies. I was
 19 charged with five felonies, if I ain't mistaken, when I was
 20 in jail then; but they were all reduced to misdemeanors.
 21 Q Do you have a felony conviction on your
 22 record to your knowledge?
 23 A No, sir. To the best of my knowledge,
 24 I don't.
 25 Q Have you ever served any time in the

Page 150

1 Q What county was that?
 2 A Wilson County.
 3 Q Have you ever been used as a witness by
 4 the attorney general's office here in town?
 5 A No, sir.
 6 Q Have you ever been used as a snitch or
 7 an informant by the Putnam County Sheriff's Department?
 8 A Yes, sir.
 9 Q And when was the last time you did
 10 that?
 11 A '96.
 12 Q Did they pay you?
 13 A Yes.
 14 Q Who paid you?
 15 A Dave Burgess.
 16 Q What was the nature of your work in
 17 that regard?
 18 A Drugs.
 19 Q Well, was it making a buy?
 20 A Yes, sir.
 21 Q Did they videotape it?
 22 A I don't remember if they videotaped it.
 23 I wasn't paid. I was not paid.
 24 Q I thought you said Doug Burgess paid
 25 you.

Page 148

1 Tennessee State Penitentiary?
 2 A No, sir.
 3 Q Or any state penitentiary system?
 4 A No, sir.
 5 Q Since your release from the Putnam
 6 County jail, have you worked as an informant?
 7 A Yes, sir.
 8 Q And who have you worked for as an
 9 informant since September 30, 1997?
 10 A Drug enforcement administration out of
 11 Nashville, Tennessee.
 12 Q And who have you worked for for them?
 13 What's your contact?
 14 A Rick Williams.
 15 Q And what position does he have?
 16 A Drug Task Force.
 17 Q Have you ever worked for the Drug Task
 18 Force in Putnam County?
 19 A Yes, sir.
 20 Q Since your release from jail?
 21 A No, sir.
 22 Q Have you ever worked with Sam Lee?
 23 A No, sir.
 24 Q Or Bob Terry?
 25 A No, sir.

Page 150

Page 151

Page 154

1 A Well, he was supposed to pay me; but he
2 never paid me.
3 Q How much was he supposed to pay you?
4 A \$100, I believe is what it was. I was
5 never paid, though.
6 Q Well, do you harbor any animosity
7 because he didn't pay you and was supposed to?
8 A No. It ain't the first time it's
9 happened.
10 Q Well, why do you think he didn't pay
11 you?
12 A I couldn't tell you why he didn't pay
13 me.
14 Q Have you ever worn a wire for the
15 Putnam County Sheriff's Department?
16 A Yes, sir.
17 Q When did you last do that?
18 A I can't remember.
19 Q Well, has it been since before this
20 incident, since September 30, '97?
21 A Yeah.
22 Q Before that?
23 A Yeah.
24 Q Have you done it since then?
25 A No, sir.

1 Q And did you ask Mr. Greer or his girl
2 friend to obtain any medical assistance for you?
3 A I talked to him for a couple of
4 minutes; and, to be honest, I can't remember what I said to
5 him.
6 Q As far as you know, the answer is no?
7 A Yes, sir.
8 Q Or his girl friend?
9 A Yes, sir.
10 Q So you talked to Mr. Greer. And on
11 Angela, you had her call your mother.
12 A She went to my mother.
13 Q Went to see your mother who sent the
14 lawyer up.
15 A Yes.
16 Q Who does your mother go to as a
17 dentist?
18 A I have no idea.
19 Q When you're in your holding cell, is
20 the window out where the person in the booking area can
21 look and see you at any time?
22 A If I'm laying down, you can walk by and
23 see me. Well, they sit up high. I believe they can see
24 you. Depends on which end that you're laying at.
25 Q So it depends upon where they are, they

Page 152

Page 155

1 Q In regard to your claims in this
2 lawsuit or in the lawsuit against Dr. Smith, have you tape
3 recorded any conversations?
4 A No, sir.
5 Q Have you tried to?
6 A No, sir.
7 Q Have you videotaped anything?
8 A No, sir.
9 Q Have you tried to?
10 A No, sir.
11 Q Have you had other people do that on
12 your behalf?
13 A No, sir.
14 Q When you were in the holding cell there
15 on the afternoon of the twenty-fifth, did you have access
16 to a telephone?
17 A No, sir.
18 Q Did you ask Mr. Chaffin to call anybody
19 for you?
20 A Best of my knowledge, no, I didn't.
21 Q Besides Angel and Randy Chaffin and
22 your mother, on the twenty-third, do you know of any of
23 your personal friends or relatives that were not inmates or
24 sheriff's personnel that saw you during that interval
25 before you were taken to the hospital?

1 can either visualize you sitting; or if they stand up, they
2 can look down and see you.
3 A Yeah. If you're standing, they can see
4 you; but if you're laying down with your head down at this
5 end, I don't think they can see your head. I think they
6 can see your feet.
7 Q During the twenty-fifth when they took
8 you to the visiting area twice, did you need physical
9 assistance to get there?
10 A I walked on my own.
11 Q Are you shackled when they take you to
12 visitors or --
13 A No, sir.
14 Q -- just free? During the course of the
15 day of the twenty-fifth, did the people at the jail talk to
16 you and ask you how you were getting along?
17 A No, sir.
18 Q Did they ever ask you if you were
19 having any particular problems that you remember?
20 A I told them, you know, that my head was
21 hurting and my face was hurting. It didn't do me no good.
22 Q But you didn't tell them anything else
23 was bothering you besides your head was hurting and your
24 face was hurting and your face was swelling up.
25 A Right.

Page 153

Page 156

1 A No, sir.
2 Q When your mother saw you on the twenty-
3 third, --
4 A There was --
5 Q Do you want to say something else?
6 A There was somebody else that come
7 during the day that my niece was there to see me while I
8 was downstairs.
9 Q And who was that?
10 A He had been a prisoner in the jail.
11 His name was Mark Greer. They let him in somehow or
12 another, him and his girl friend, to see me while I was
13 downstairs.
14 Q The twenty-fifth?
15 A Yes, sir.
16 Q And where did you see him?
17 A Down there in visiting.
18 Q In visiting?
19 A Yeah.
20 Q So you had two visitors.
21 A Yeah.
22 Q So did you make two trips over to --
23 A Yes, sir.
24 Q -- the visitors' center?
25 A Yes, sir.

1 Q And if they asked about anything else,
2 it wasn't bothering you. Right?
3 A They didn't ask me anything else.
4 Q You don't think they asked anything
5 else.
6 A I know they didn't.
7 Q Do you have a clear memory of
8 everything that was said there that day?
9 A Biggest part of it.
10 Q If they had asked you about anything
11 else, you'd have said it was just fine except for your face
12 swelling up and your --
13 A That was obvious. I mean, --
14 Q -- pain...and your pain and your face.
15 A Right.
16 Q And your eyes swelling up.
17 A Right.
18 Q If they had asked you if your foot is
19 hurting, if your arm is hurting, if your heart is hurting,
20 if your heart is racing, anything like that, you'd have
21 said, "That's just fine."
22 A Yes, sir.
23 Q Or your breathing or anything else.
24 Right?
25 A My breathing didn't start bothering me

Page 157

1 till my neck started swelling.
 2 Q And you never told them your breathing
 3 was bothering you, did you?
 4 A Yes, sir.
 5 Q When did you tell them that?
 6 A I believe it was Roberta that I told;
 7 and she left the door open.
 8 Q When was that?
 9 A When she came on.
 10 Q On the twenty-fifth?
 11 A When they came on that evening and the
 12 medical officer checked on me, he went straight to
 13 Lightning and asked him why I hadn't been took back to the
 14 hospital. Lightning said that he had told Neil; and the
 15 story I got was that Neil had called ER and that the ER
 16 said that there wasn't nothing they could do for me. That
 17 was the story that I got.
 18 Q Who did you get that story from?
 19 A I got that story from Roberta Arnold
 20 and Greg Haile.
 21 Q Now when did you last talk to Roberta
 22 Arnold?
 23 A Been a few months. Several months.
 24 Q Well, when was it?
 25 A August, I guess.

Page 160

1 Q Who said that?
 2 A Roberta.
 3 Q Anything else?
 4 [Off-the-record discussion.]
 5 Q Go ahead. Anything else said?
 6 A She didn't feel that I was treated
 7 right.
 8 Q Were those her exact words?
 9 A You got it. Yes, sir.
 10 Q What else was said? Exact words.
 11 A Said she wasn't lying for nobody. If
 12 she got on the stand, if it went that far, she would tell
 13 the truth. She would tell exactly how she found me and
 14 what was told to her.
 15 Q And do you believe that to be true?
 16 A Yes, sir.
 17 Q And do you believe her to be a truthful
 18 person?
 19 A Yes, sir.
 20 Q And what else was said? Exact words.
 21 A That's it basically. I can't remember
 22 anything else.
 23 Q Have any other conversations with her
 24 about this episode?
 25 A No, sir.

Page 158

1 Q August of '98?
 2 A Yes, sir.
 3 Q Where did that conversation take place?
 4 A At the jail.
 5 Q Were you an inmate or just a visitor?
 6 A A visitor.
 7 Q Why did you go by the jail to visit?
 8 A To see Neil.
 9 Q Why did you go to see Neil?
 10 A To see about doing my time in Overton
 11 County.
 12 Q And he let you do that.
 13 A Yes, sir.
 14 Q Give you any hard time about that?
 15 A No, sir.
 16 Q You asked him if you could do your time
 17 in Overton County?
 18 A Yes, sir.
 19 Q So that was your idea.
 20 A Yes, sir.
 21 Q And he went along with it.
 22 A Yes, sir.
 23 Q And set up the arrangements.
 24 A Yes, sir. He wrote on my mittimus that
 25 I could serve my time up there if they would let me.

Page 161

1 Q That's the one and only time.
 2 A Yes, sir.
 3 Q Now you said what she said; and you
 4 said she said, "Based on what I've been told." Did she
 5 tell you what she'd been told?
 6 A Yes, sir.
 7 Q What did she tell you she'd been told?
 8 A She told me that Lightning had told her
 9 and Greg Haile... had talked to Neil and that Neil had
 10 called the ER over there at the hospital in Cookeville here
 11 and that they told him there wasn't nothing I could
 12 do...they could do for me. That's the story that I got
 13 from her.
 14 Q Anything else?
 15 A That's it.
 16 Q Have we covered everything she told you
 17 about this episode when you talked to her?
 18 A Yeah. When I talked to her, yes.
 19 Q Have you talked to any other jail
 20 personnel about this situation like this?
 21 A Greg Haile.
 22 Q What did Greg Haile tell you?
 23 A He wasn't going to lie.
 24 Q Well, anything else?
 25 A That they didn't want him to get on the

Page 159

1 Q Why did you want to do that?
 2 A Well, you know, basically, I didn't
 3 want to go back through the same thing I'd just went
 4 through in case that did happen again.
 5 Q What? Have a tooth problem?
 6 A Tooth problem. Anything health wise,
 7 medical wise, you know.
 8 Q Had you ever been in the Overton County
 9 jail before?
 10 A No, sir.
 11 Q Did you have a friend in Overton County
 12 jail?
 13 A No, sir.
 14 Q Well, for whatever reason, Neil let you
 15 do that. Right?
 16 A Yes, sir.
 17 Q Now when you went and talked to
 18 Roberta, what was said between you and Roberta?
 19 A She asked me what I was going to do. I
 20 told her I was going to sue the sheriff's department. And
 21 her words were: "I don't blame you. If you need me, call
 22 me."
 23 Q Was anything else said?
 24 A Nothing other than, "I'd own this
 25 county."

Page 162

1 stand and testify to this and other things that had
 2 happened in the jail, especially this.
 3 Q Who is "they"?
 4 A The people in the sheriff's department.
 5 Q Well, did he name "they"? Did he name
 6 names on "they"; or did he just say -
 7 A The sheriff, Neil.
 8 Q He said the sheriff and Neil -
 9 A Yes, sir.
 10 Q -- don't want him to get on the witness
 11 stand?
 12 A Yes, sir.
 13 Q Did he name anybody else besides the
 14 sheriff and Neil who didn't want him on the witness stand?
 15 A Basically, that's it.
 16 Q When did you talk to Greg Haile?
 17 A Couple of weeks ago.
 18 Q And where did you see him?
 19 A At home.
 20 Q At whose home?
 21 A His home.
 22 Q And how did you happen to be at his
 23 home?
 24 A He lives up the street from my mother.
 25 Q Did you walk up there?

Page 163

1 A Yes, sir. No. My mother dropped me
 2 off there, and I walked back home.
 3 Q Do you have a driver's license?
 4 A No, sir.
 5 Q When did you last have a driver's
 6 license?
 7 A It was taken in '90.
 8 Q For what?
 9 A Where I run over a truck and didn't pay
 10 for it.
 11 Q Insurance violation?
 12 A Yes, sir.
 13 Q Financial Responsibility Law violation?
 14 A They took it where...it was Morris
 15 Cronk's truck.
 16 Q Well, was it a DUI or a --
 17 A No. It wasn't a DU --
 18 Q -- Financial Responsibility Law
 19 violation?
 20 A They called it hit and run. I copped a
 21 plea in criminal court and lost my license for a year. And
 22 I've got caught driving without them several times; and I
 23 hadn't got them back.
 24 Q I get the idea your marriage to the
 25 Cronk family wasn't a very happy occasion. Was that

Page 164

1 putting it mildly?
 2 A I guess you could put it mildly like
 3 that if you wanted to.
 4 Q What else did Greg Haile say?
 5 A He wasn't lying for nobody, job or no
 6 job.
 7 Q Did you go see him specifically about
 8 this lawsuit?
 9 A Yes, sir. Because their words were if
 10 I needed them, come to them, from Roberta and him.
 11 Q Anybody else? Did you talk to anybody
 12 else at the sheriff's department?
 13 A That's it. Take that back. Doug
 14 Burgess.
 15 Q When did you talk to Doug Burgess?
 16 A Couple of weeks ago. Week and a half
 17 ago.
 18 Q Where did you see him?
 19 A His house.
 20 Q How did you get there?
 21 A I drove there.
 22 Q How did you drive there?
 23 A In a truck.
 24 Q In your mother's car or --
 25 A In a truck.

Page 165

1 Q Whose car?
 2 A It was my mother's truck.
 3 Q Or whose vehicle?
 4 A My mother's.
 5 Q And what was said with Doug Burgess?
 6 A He told me that he was in the sheriff's
 7 office one day or upstairs there, talking to the sheriff,
 8 when Neil brung some papers in to the sheriff about the
 9 lawsuit; and the sheriff called me several bad names. And
 10 he stated that he didn't blame me for doing what I done.
 11 Q Doug Burgess said he didn't blame you
 12 for doing what you did or --
 13 A Yes, sir.
 14 Q -- the sheriff said he didn't blame you
 15 for doing what you did?
 16 A The sheriff didn't say that. The
 17 sheriff called me several bad names. And Doug told me that
 18 he didn't blame me for suing them.
 19 Q Well, did Doug say he knew anything
 20 about the specific facts of this episode?
 21 A Just other than he said that I wasn't
 22 done right. That's it. I mean, he didn't know any of the
 23 facts of...he didn't see me in the hospital or he didn't
 24 see me in the jail, you know. He seen pictures of me.
 25 Q Do you have any pictures of yourself?

Page 166

1 A Yes, sir.
 2 Q Where are they?
 3 A She has them.
 4 Q Do you have those today?
 5 MS. HARRIS: Yeah. I think it's part of your
 6 discovery packet.
 7 MR. MOORE: I can't hear you.
 8 MS. HARRIS: Yeah. I have the pictures, and I'll
 9 get them to you.
 10 MR. RADER:
 11 Q Who took the pictures?
 12 A My sister.
 13 Q What's her name?
 14 A Karen Buchanan.
 15 Q When did she take them?
 16 A While I was in the hospital.
 17 Q Were any taken after you got out of the
 18 hospital?
 19 A No, sir.
 20 Q Any other pictures besides the pictures
 21 of you in the hospital?
 22 A That's it.
 23 Q Why did Karen take them? Did you tell
 24 her to?
 25 A My mother told her to.

Page 167

1 Q Did you talk to anybody else at the
 2 sheriff's department about this episode?
 3 A Neil.
 4 Q When did you talk to Neil?
 5 A When I took him my paper work for him
 6 to sign for me to go where I could do my time in Overton
 7 County.
 8 Q And what was said then?
 9 A He asked me if I ever sued that doctor,
 10 referring to Dr. Smith.
 11 Q And what did you say?
 12 A No, not yet.
 13 Q Anything else said?
 14 A I believe, if I'm not mistaken, I told
 15 him I hadn't made up my mind what I was going to do.
 16 Q Was anything else said?
 17 A That's it basically. He signed my
 18 paper for me to take back to Overton County. He wrote me a
 19 little thing on my mittimus and I went on my way. That was
 20 the same time that I talked to Greg Haile and Roberta
 21 outside.
 22 Q I thought you said you went to Greg
 23 Haile's house.
 24 A Well, I went to Greg Haile's house a
 25 couple of weeks ago; but I talked to Greg Haile and Roberta

Page 168

1 outside at the jail the same day I seen him.
 2 Q And were they together when you talked
 3 to them?
 4 A They was outside. I believe Greg was
 5 there to get his check or something; and Roberta was
 6 working. She was working.
 7 Q What did Greg Haile say at the jail?
 8 A He didn't say a whole lot of anything.
 9 All he said was, "When you need me," he said, "come and
 10 find me." He said, "You know where I live at."
 11 Q Anybody else employed by the Putnam
 12 County Sheriff's Department you talked to?
 13 A The sheriff.
 14 Q Sheriff Abston. And what did you talk
 15 to Sheriff Abston about?
 16 A When I took him the bill.
 17 Q The bill? From who?
 18 A From the hospital.
 19 Q What was said then?
 20 A His words was, "Dr. Smith is going to
 21 have to pay for some of this shit."
 22 Q Anything else?
 23 A That was his words. Huh [questioning
 24 response]?
 25 Q Anything else said?

Page 169

1 A That's it. That was all he had to say.
 2 And I walked out.
 3 Q What does this mean, that gesture you
 4 gave?
 5 A That's all he said. I mean, what he
 6 said was, "Dr. Smith is going to have to pay for some of
 7 this shit." And I said, "Well," I said, "as long as it's
 8 paid, it don't matter to me."
 9 Q Anything else?
 10 A I gestured like that to him, and I
 11 walked out.
 12 Q Anything else?
 13 A That's it.
 14 Q Talk to anybody else
 15 affiliated...employed by the Putnam County Sheriff's
 16 Department?
 17 A Tony Key.
 18 Q When did you talk to Tony Key?
 19 A He was working security down at the
 20 mall. His words was that I didn't get treated right
 21 either.
 22 Q How did that come up? Did you approach
 23 him --
 24 A Yes, sir.
 25 Q -- to talk to him about this lawsuit?

Page 172

1 best I can remember, the month of September, they spent
 2 something like \$1,800 at Dr. Smith's office.
 3 Q \$1,800?
 4 A The month of September.
 5 Q Of '97?
 6 A Yes, sir.
 7 Q What did you do with that information?
 8 Anything?
 9 A I still have it.
 10 Q Anything else?
 11 A Other than me asking Neil--I believe I
 12 asked him at the same time I was down there if he had sent
 13 Dr. Smith my file and if Dr. Smith had sent him anything;
 14 and he told me, I believe, that they had. But I didn't get
 15 none of it from the jail from Neil. Basically --
 16 Q Anything else?
 17 A I believe that's everybody I talked to
 18 about it. I can't think of anybody else that works in the
 19 jail that I talked to.
 20 Q Have you ever talked to Dr. Smith?
 21 A Yes, sir.
 22 Q When did you talk to him?
 23 A I went to him in October?
 24 Q Of '98?
 25 A '97.

Page 170

1 A Yes, sir.
 2 Q Tell me what was said.
 3 A He said he wasn't going to jeopardize
 4 his career neither to lie for anybody.
 5 Q Did he say anything else?
 6 A That's it.
 7 Q Any specifics of your treatment
 8 discussed?
 9 A He told me I looked like a punkin head.
 10 That's about it, you know, there in a conversation that
 11 lasted three or four minutes, I guess. He told me what
 12 kind of truck...he'd bought him a new truck, a new Dodge.
 13 It looked like that Dodge that Walker drives on Texas
 14 Ranger. That's basically it.
 15 Q Anything else?
 16 A That was right before Christmas if I
 17 ain't mistaken.
 18 Q This past Christmas.
 19 A [Affirmative nod.]
 20 Q Have you talked to anybody else from
 21 the sheriff's department?
 22 A I talked to one of the girls there to
 23 get a record of who all Dr. Smith worked on that month when
 24 he worked on me. I believe that's all of it.
 25 Q Anybody else at all?

Page 173

1 Q '97. All right.
 2 A And asked him for my medical record, my
 3 file and for my X-rays. He give me a thing showing that
 4 he'd made X-rays and he'd extracted two teeth, what time it
 5 was, the date it was, and told me he couldn't give me the
 6 X-rays because they were either misplaced or he'd lost
 7 them.
 8 Q Anything else?
 9 A I ended up with a copy of the envelope
 10 that they had been in and him writing a note on it saying
 11 that he's sorry for the inconvenience, that sometimes this
 12 happens because there's three or four inmates there at a
 13 time, which that didn't really pertain to it because I was
 14 the only inmate took to the dentist that day. I was took
 15 by myself. Whether it be because I was who I was, the fact
 16 that I was a snitch, that I was took by myself, I don't
 17 have no idea. But I was took by myself to the dentist that
 18 day; and when he checked me down there on the twenty-fifth,
 19 he had my X-rays.
 20 Q And you saw them.
 21 A He pulled them out and looked at them.
 22 Q On the twenty-fifth.
 23 A Yes, sir.
 24 Q When he gave you the two prescriptions.
 25 A Yes, sir.

Page 171

1 A Best that I can remember, that's all of
 2 them.
 3 Q Did you get a record of who Dr. Smith
 4 had worked on besides you?
 5 A Yes, sir.
 6 Q And what did you do with that list?
 7 A I still have it.
 8 Q Did you contact any of those people?
 9 A No, sir.
 10 Q Why did you want the list?
 11 A I wanted to see basically how much the
 12 county spent on him that month, how much they paid him to
 13 do dental work.
 14 Q Why did you want to know that?
 15 A Used to, the health department used to
 16 do it for them, didn't charge them nothing the best I can
 17 recall, is what I was told.
 18 Q Who told you that?
 19 A I think it was a woman in Doug
 20 McBroom's office, County Executive's office. They wouldn't
 21 even give me a copy of where they had paid the bill.
 22 Q Well, how much did they pay Dr. Smith
 23 for the work?
 24 A I believe it was a hundred and some
 25 dollars. I don't know the exact dollar figure; but the

Page 174

1 Q Did you talk to anybody else?
 2 A Dr. Samuels.
 3 Q When did you talk to Dr. Samuels?
 4 A The night that I was admitted.
 5 Q Any time since you've been discharged,
 6 September 30 of '97?
 7 A No, sir.
 8 Q Anybody else?
 9 A That's it, I believe. I hadn't talked
 10 to Dr. Brooksbank any more. That's everybody.
 11 Q Anybody with Putnam County government?
 12 A Just the woman at the office.
 13 Q At Doug McBroom --
 14 A Doug McBroom.
 15 Q -- Doug McBroom's office. Anything
 16 else?
 17 A That's it. She wouldn't give me a copy
 18 of nothing; so I left empty handed. I got the run around
 19 everywhere I went basically; so....
 20 Q Now you said last summer you worked for
 21 the TBI as an informant?
 22 A Not the TBI.
 23 Q I mean the people in Nashville.
 24 A Drug Enforcement.
 25 Q And you said you wore a wire for the

1 TBI?
 2 A I ain't wore a wire for the TBI in a
 3 couple of years, few years.
 4 Q Do you still have the wire?
 5 A No, sir.
 6 Q How do you tape record people when you
 7 do that?
 8 A You don't tape record people with a
 9 wire. Somebody sits, doing surveillance; and they do the
 10 taping.
 11 Q Have you tape recorded people for the
 12 TBI?
 13 A Yes, sir.
 14 Q When did you last do that?
 15 A '97. No. '96. I'm sorry.
 16 Q And how did you do that? Physically,
 17 how did you do that?
 18 A Tape recorder.
 19 Q What kind of tape recorder?
 20 A Mini cassette.
 21 Q And where did you have it?
 22 A In my pocket.
 23 Q Like which pocket?
 24 A Any of them.
 25 Q Have you ever tape recorded anybody on

1 didn't volunteer to do.
 2 Q I understand that. But the whole
 3 purpose you went to his house was to get him to be a
 4 witness for you in this lawsuit, wasn't it?
 5 A I had told him that the time was coming
 6 closer, you know, and that I wanted him to know.
 7 Q Well, that was the whole reason you
 8 went to his house, wasn't it?
 9 A Right.
 10 Q Well, did you tape record that
 11 conversation?
 12 A No, sir.
 13 Q And when you saw this gentleman out at
 14 the mall, the only reason you approached him was to be a
 15 witness in this lawsuit, wasn't it?
 16 A He approached me.
 17 Q Well, the only --
 18 A He walked up to me and asked me how I
 19 was doing.
 20 Q Did you tape record that conversation?
 21 A No, sir.
 22 Q Did you have it tape recorded?
 23 A No, sir.
 24 Q Did you have a tape recorder in your
 25 pocket?

1 the telephone?
 2 A Yes, sir.
 3 Q When did you last do that?
 4 A I couldn't tell you. It's been --
 5 MS. HARRIS: Can you repeat the question? I'm not
 6 sure what you're asking.
 7 MR. RADER: Tape recorded somebody on the
 8 telephone.
 9 MS. HARRIS: In any situation?
 10 MR. RADER: Yeah.
 11 MS. HARRIS: I object to the relevance.
 12 MR. RADER: I'm going to tie it up. Go ahead. Go
 13 ahead and answer the question.
 14 A I did what I was taught to do. Yeah,
 15 I've done it before.
 16 Q Who taught you to do it?
 17 A The TBI.
 18 Q When did you last tape record somebody
 19 on the telephone?
 20 MS. HARRIS: I'm going to object to the relevance
 21 and --
 22 MR. RADER: I'm going to tie it up if you'll just
 23 go ahead and answer the question.
 24 Q When did you last do it?
 25 A When I was working in Jamestown which

1 A No, sir.
 2 Q Did you have a tape recorder in your
 3 possession when you talked to Mr. Halle?
 4 A No, sir.
 5 Q Or tape record his conversation?
 6 A No, sir.
 7 Q Or Ms. Arnold?
 8 A No, sir.
 9 Q At any time?
 10 A No, sir.
 11 Q Have you tape recorded any personnel
 12 with the Putnam County Sheriff's Department?
 13 A No, sir.
 14 Q At any time?
 15 A Oh, I have, yes.
 16 Q When was the last time you tape
 17 recorded somebody with the sheriff's department?
 18 MS. HARRIS: I'm going to object. We're going to
 19 move to protect on anything that doesn't have to do
 20 with...if you're asking him...if you'll ask a specific
 21 question about this lawsuit, I'll let him answer.
 22 MR. RADER: No.
 23 Q I'm asking about tape recording my
 24 client any time, period.
 25 A Yeah, I have.

1 was '97. I mean--no. I'm sorry. '96.
 2 Q Now you've listed all these people
 3 you've talked to--Roberta, Greg Haile, Neil Blythe,
 4 Mr. Key, Sheriff Abston. Did you tape record any of those
 5 individuals?
 6 A No, sir.
 7 Q Did you have a tape recorder in your
 8 pocket?
 9 A No, sir.
 10 Q Did you have anybody tape record any of
 11 those individuals?
 12 A No, sir.
 13 Q Have you seen a tape of any of those
 14 individuals?
 15 A No, sir.
 16 Q Did you tape record any of those people
 17 over the telephone?
 18 A No, sir.
 19 Q When you went to see Greg Haile at his
 20 home, you went for the sole purpose of this lawsuit, didn't
 21 you?
 22 A Yes, sir.
 23 Q And to try to elicit his help and his
 24 testimony, didn't you?
 25 A I didn't ask him to do nothing that he

1 Q When did you last tape record anybody
 2 with my client?
 3 A '91, '92, '93, '94, '95.
 4 Q When in '95?
 5 A I can give you years. I can't give you
 6 specific dates, but I can give years.
 7 Q Have you tape recorded anybody with the
 8 Putnam County Sheriff's Department, any employee or
 9 representative or the sheriff or anybody associated with
 10 the sheriff's department, since January 1, 1997?
 11 A No, sir.
 12 Q Have you tape recorded any potential
 13 witness to this lawsuit since September 30, 1997, anybody
 14 whose name has been mentioned today?
 15 A No, sir.
 16 Q Except for the photographs that your
 17 sister took in the hospital --
 18 A Yes, sir.
 19 Q -- and except for the medical records
 20 at Dr. Smith's office, the medical records at Cookeville
 21 General Hospital, and your prison records at the Putnam
 22 County Sheriff's Department, do you have any tangible
 23 evidence that you say in any way relates to this lawsuit,
 24 any tangible evidence at all?
 25 A I don't have no tapes, no.

Page 181

1 Q Any tangible evidence.
 2 MS. HARRIS: Maybe you'd better define tangible
 3 evidence for him.
 4 MR. RADER:
 5 Q Physical evidence. Anything.
 6 A Pictures and witnesses. That's it.
 7 Q Do you have any tangible evidence other
 8 than the photographs that your sister took in the hospital?
 9 A I don't know what tangible is.
 10 Q Physical evidence.
 11 MR. MOORE: A piece of paper.
 12 MS. HARRIS: Oh. -
 13 A Oh, yeah.
 14 MS. HARRIS: I mean, yeah. If you're going to
 15 include -
 16 A Yeah.
 17 MR. RADER:
 18 Q What kind of pieces of paper do you
 19 have?
 20 MR. MOORE: You mean you didn't know that's what he
 21 meant?
 22 MS. HARRIS: Who? Me?
 23 MR. MOORE: Yeah.
 24 MS. HARRIS: Well, if he's talking about medical
 25 records, I mean, -

Page 184

1 basically. That's what I'm saying.
 2 Q Well, that's all right. We're past
 3 that. But when you got to the dentist, you needed to go to
 4 the dentist. You agree with that, don't you?
 5 A Yeah, I needed to go to the dentist.
 6 Q And Dr. Smith told you he thought you
 7 needed to have two teeth pulled; and you said, "Okay, pull
 8 them." Isn't that true?
 9 A Yeah.
 10 Q And then it was the problems that
 11 developed afterwards that you're complaining about, isn't
 12 it?
 13 A Exactly.
 14 Q That's what I thought. I just wanted
 15 to make sure I understood everything. Now do you have-I'm
 16 going to ask you this one last time; then I'm going to
 17 quit. Do you have any kind of recordings of any kind of
 18 these witnesses you've identified here today?
 19 A No, sir. But I'm sure I could get some
 20 if you wanted them.
 21 Q How could you get them?
 22 A Huh [questioning response]?
 23 Q How could you get them?
 24 A They'd give them to me.
 25 Q Who is they?

Page 182

1 MR. RADER:
 2 Q I said besides the medical records at
 3 the hospital and besides the medical records at Dr. Smith's
 4 office and besides your inmate records at the sheriff's
 5 department and besides the pictures your sister took, -
 6 A I have -
 7 Q - do you have any tangible evidence?
 8 A I have a letter from Castle Dental
 9 Center.
 10 Q You mentioned that. Anything else?
 11 And I don't mean just pieces of paper. I mean any tangible
 12 evidence. Anything physical you can see, touch, bring in
 13 the courtroom and say, "Look here, this supports my
 14 position."
 15 A No, sir.
 16 Q So it's just your word and what
 17 people's words have told you that you've told us here
 18 today, other than those items that I mentioned.
 19 A Well, I believe I couldn't get much
 20 better witnesses than people that work for the sheriff's
 21 department. I'm not trying to be sarcastic about it; but I
 22 believe these people will tell the truth, you know. And my
 23 X-rays would speak for themselves if I had them, I believe,
 24 which I can't get them. They're gone.
 25 Q What are these X-rays supposed to show?

Page 185

1 A Greg -
 2 Q The people you've identified?
 3 A Yes, sir. Greg Haile and Roberta
 4 Arnold. I know they would.
 5 Q Anybody else? Anything else?
 6 A That's it.
 7 MR. RADER: Now we're going to suspend this
 8 deposition because we don't have the answers to
 9 interrogatories. I'm going to reserve the right to
 10 conclude it after I see those answers to interrogatories.
 11 In the answers to interrogatories, are you going to be
 12 giving us this letter from Castle Dental?
 13 MS. HARRIS: Yeah. I'm sure it was included in
 14 there along with the pictures.
 15 MR. RADER: Well, we'll make that Late-filed
 16 Exhibit No. 2 just in the event it's not.
 17 [Letter from Castle Dental Center
 18 to be marked Late-filed Exhibit 2.]
 19 MR. RADER: And the photographs are going to be
 20 Exhibit 3 just in the event they're not.
 21 [Photographs to be marked Late-filed
 22 Exhibit 3.]
 23 Q Now you've got this letter from Castle
 24 Dental at your home or in your possession somewhere or a
 25 copy of it?

Page 183

1 A Huh [questioning response]?
 2 Q What are these X-rays supposed to show?
 3 A Well, they can't show nothing if I
 4 don't have them. I don't know what they would show.
 5 Q Well, now correct me if I'm wrong; but
 6 I think about nine o'clock this morning, I asked you on
 7 September 23 if your teeth weren't bothering you and you
 8 wanted to go to the dentist office; and you said, "Yeah."
 9 And they took you to the dentist office; and Dr. Smith said
 10 they needed to be pulled; and you said, "Okay, pull them."
 11 And he pulled them. And you needed that dental care; and
 12 you got that dental care. And it's this follow up abscess
 13 that developed that's caused you the problems; not the
 14 fact -
 15 MS. HARRIS: Object to the form of the question.
 16 MR. RADER: Well, that's all right.
 17 Q Have I missed something here?
 18 A If I ain't mistaken, which I've got
 19 record of it, too, I put in on either September 11 of '97
 20 or September 14-I believe it was September 11--to be taken
 21 to the dentist.
 22 MR. RADER: That's all true. But you needed dental
 23 care; and that's why you went to the dentist on
 24 September 23.
 25 A It took me two weeks to get there

Page 186

1 A Yes, sir.
 2 Q And do I understand you to say that
 3 they told you they couldn't give an opinion about Dr. Smith
 4 because they didn't have any X-rays?
 5 A Exactly.
 6 Q Did the man from Castle tell you what
 7 he thought the X-rays might show that would allow them to
 8 form an opinion?
 9 A He told me he could not give me an
 10 opinion because he didn't have the X-rays. That's all he
 11 told me.
 12 Q Did he tell you why he needed the X-
 13 rays to make an opinion?
 14 A No, sir. Yes, sir. He told me that he
 15 couldn't give his opinion because there was no X-rays for
 16 him to look at. He couldn't diagnose me without the X-
 17 rays. He couldn't tell what needed to be done to me.
 18 Q He just couldn't do anything without
 19 seeing the X-rays.
 20 A Right.
 21 Q Tell me what it is about heat that
 22 bothers you from working and how you think that's related
 23 to your tooth that was pulled.
 24 A I had infection spread all through my
 25 body; and I was on some of the best antibiotics they could

1 put through me at the hospital. It's just...I turn pale.
 2 The heat just drains me. I don't know, you know, what
 3 would exactly cause it, even if it, you know, had anything
 4 to do with that; but I've never had no problem like that
 5 before.
 6 Q What did Dr. Samuels tell you when you
 7 saw him on September 25?
 8 A His words were, "Why hadn't you been
 9 brung back here?" And he asked me if his prescriptions
 10 that he had got prescribed through Dr. Brooksbank but he
 11 wrote the prescription for...why they wasn't filled. I
 12 told him what happened; and he went through the roof.
 13 Q What do you mean, "he went through the
 14 roof"?
 15 A I told him that Dr. Smith tore them up
 16 and give me something that he wanted me to have.
 17 Q You had this discussion with him there
 18 on September 25?
 19 A [Affirmative nod.]
 20 Q You need to say out loud.
 21 A Yes, sir.
 22 Q When they brought you back at nine
 23 o'clock?
 24 A Yes, sir.
 25 Q And you haven't said anything to him

1 Q What other time have you been shot?
 2 A I was shot when I was eighteen years
 3 old.
 4 Q Who shot you then?
 5 A We was out shooting beer cans and stuff
 6 down at Window Cliff, and I got shot.
 7 Q By who?
 8 A Bill Thomas.
 9 Q On purpose or by accident?
 10 A By accident.
 11 Q Where were you shot then?
 12 A In the leg. In the back of the leg.
 13 Q Were you hospitalized then?
 14 A No, sir.
 15 Q Where else have you been shot?
 16 A I was in White County and got into it
 17 with this guy, and he shot me.
 18 Q Who was it?
 19 A That was back in the eighties. I can't
 20 remember his name.
 21 Q Where did he shoot you?
 22 A In the arm.
 23 Q Right arm?
 24 A Yes, sir.
 25 Q What kind of gun did he shoot you with?

1 since.
 2 A No, sir.
 3 Q He was still on duty there that night?
 4 A Yes, sir.
 5 Q What was he pulling, about a twenty-
 6 four hour shift that day?
 7 A He works six to six.
 8 Q Well, you were there at four-forty; and
 9 you were there at nine. That's neither --
 10 A I was there at four-forty in the
 11 morning; and then I was back there at nine o'clock at
 12 night. He went home at six o'clock that morning.
 13 MS. HARRIS: Six to six. Six p.m. to six a.m.
 14 A And he was back at six o'clock that
 15 next night when I came in.
 16 MR. RADER: All right.
 17 A Like they work at the jail six to six.
 18 Q Why do you owe a bill through
 19 Cookeville Ambulance Service?
 20 A I don't. It's paid.
 21 Q It's paid. How many times have you
 22 been shot?
 23 A Huh [questioning response]?
 24 Q How many times have you been shot?
 25 A Three times.

1 A .25, I believe.
 2 Q Were you hospitalized over that?
 3 A No, sir.
 4 Q What kind of gun did you shoot yourself
 5 with?
 6 A .38.
 7 Q Where were you when you shot yourself?
 8 A Home.
 9 Q Anybody else present?
 10 A I was outside.
 11 Q Was anybody else present?
 12 A No. Nobody else was right there with
 13 me, no.
 14 Q Was anybody else home?
 15 A My wife was in the house.
 16 Q Did she take you to get medical
 17 attention?
 18 A No.
 19 Q How did you get medical attention?
 20 A Morris took me.
 21 Q Did he live there with you?
 22 A He lived in the house up the street.
 23 Q What kind of emotional problems were
 24 you having then?
 25 A They was about to drive me crazy. They

1 Q And where were you most recently shot?
 2 A Left shoulder.
 3 Q And how did you get shot?
 4 A I shot myself.
 5 Q Why?
 6 A I guess you'd say that I went through
 7 an emotional breakdown, you know.
 8 Q When did you shoot yourself?
 9 A When I was married to Morris' daughter.
 10 Q Why did you shoot yourself in the
 11 shoulder?
 12 A I just shot myself.
 13 Q Were you trying to kill yourself or
 14 just make people feel sorry for you?
 15 A No.
 16 Q Draw attention to yourself?
 17 A No.
 18 Q Were you trying to kill yourself?
 19 A I was going to kill myself, yeah.
 20 Q Well, why did you shoot yourself in the
 21 shoulder?
 22 A Well, from where the hole was at and
 23 where my heart is it, there's about this much difference.
 24 Q Were you hospitalized?
 25 A No, sir.

1 I took everything I had.
 2 Q Did you see a psychiatrist then?
 3 A No.
 4 Q Psychologist then?
 5 A I guess if I went and seen one, they'd
 6 tell you I was legally crazy, just to be honest about it.
 7 Q Right now?
 8 A Yeah.
 9 Q Why do you think you're crazy right
 10 now?
 11 A Well, considering, you know, everything
 12 I've been through and the way that I've been treated, which
 13 I'll grant you I'll take the blame for some of it, you
 14 know. But I was promised the sun, the stars, and the moon
 15 from Sheriff Jerry Abston long before I ever had a criminal
 16 record, you know. And, you know, I just got treated as a
 17 outcast. And to be honest about it, I'm sure there's no
 18 love lost between me and him, you know. That's not why I
 19 shot myself. That's not why I filed this lawsuit. I filed
 20 this suit because of the way I was treated. It don't come
 21 to the money. The money is the furthest thing...beside the
 22 point. None of them but one person come to see about me
 23 while I was in the hospital. Greg Haile come to see me
 24 after I had surgery. And the day I got ready to be
 25 released, my mother called Neil and told him that she

1 wanted them prescriptions filled; and he said he'd be sure
 2 they got filled. But he also told her that she could bring
 3 me back to the jail and me a prisoner. And when I got back
 4 to the jail a couple of hours later, they took time
 5 checking me out. Hoover did come and get me and bring me
 6 back. Didn't shackle me. Even let me smoke on the way
 7 out. Even let me smoke in the car. But when I got back to
 8 the jail, he met me at the back in the sally port and told
 9 me that I had some good time coming, that he was going to
 10 let me go. Well, I was a county prisoner serving a
 11 straight, flat six months, no good time. I got out twenty-
 12 eight days early. So that right there told me something;
 13 and I just don't appreciate the fact, the way that I was
 14 treated, you know. They tried to stick me with the
 15 hospital bill to begin with, you know. It showed, when I
 16 went to see my probation officer, that I was released from
 17 jail September 26. And every time I went to see my
 18 probation officer, he didn't request that I take a drug
 19 test. I requested it. It's there on paper in black and
 20 white.
 21 Q Who is your probation officer?
 22 A Mitch Teeters. I ain't on probation no
 23 more.
 24 Q Tell me this: What did Jerry Abston
 25 promise you the moon and the stars and whatever else it

1 Q Tell me this: -
 2 A I was around long before the task force
 3 was ever thought of, you know.
 4 Q Is it your testimony you were let out
 5 twenty-eight days early from your sentence?
 6 A That's what happened. I was supposed
 7 to be released the twenty-eighth day of October and
 8 transferred to Fentress County. Well, Fentress County got
 9 me that day; and they took me up there; and they bring the
 10 clerk down there; and they bring the sheriff in there at
 11 Fentress County. They said, "We see why they released you
 12 now and sent you to us." They said, "You're a walking
 13 drugstore," you know. They said, "We can't keep you here;
 14 we can't pay to keep you here; we can't pay to take you to
 15 the doctor." So they let me go, let my mama come up there
 16 and sign a bond; and she don't even own land in Fentress
 17 County, you know. They took and shifted me to Fentress
 18 County to where I'd be calling on somebody else, where they
 19 wouldn't have to pay for it.
 20 Q What did it tell you when they let you
 21 out twenty-eight days early? You said, "That told me
 22 something." What did that tell you?
 23 A What did it tell me?
 24 Q Yeah.
 25 A It told me they knew what was fixing to

1 was? What was it he promised you?
 2 A I worked for him in Monterey.
 3 Q As a snitch?
 4 A Yeah.
 5 Q What else?
 6 A He told me one time, he said, "You do
 7 this for me." He said, "I'll see that it comes back to you
 8 down the road." He did help me get a job with Wells Fargo.
 9 He did help me get a job with...I was security at the
 10 hospital. I forgot about them. That's been so long ago.
 11 Q What else?
 12 A He said that he'd help me get on
 13 somewhere at some sheriff's department away from here where
 14 nobody knowed me, you know. None of that ever come
 15 through. All they wanted was one thing from me.
 16 Q When did you figure out he was not
 17 going to come through with what he promised you? When did
 18 you finally realize that?
 19 A I guess I finally realized that after I
 20 kept having to beat my head against the wall.
 21 Q When was that? What time? When are
 22 you talking about? '95?
 23 A When I went through my episode with
 24 Morris.
 25 Q When you shot yourself?

1 happen.
 2 Q What does that mean? What was fixing
 3 to happen?
 4 A That I was fixing to sue them. That
 5 they knowed that they had done messed up.
 6 Q What took you a year to do it?
 7 A What took me a year to do it?
 8 Q Yeah.
 9 A Finding somebody to do it, you know.
 10 It's a political machine. They know that, and you know
 11 that as well as I do, you know. Just think of being afraid
 12 of somebody, you know. When it comes right down to it, I
 13 ain't afraid of none of them one on one. I'll grant you
 14 that. I ain't sitting here threatening nobody or nothing
 15 like that. But I'm the small man. He's worked there for
 16 twenty-something years. The sheriff's been there
 17 for...since Christ was a cowboy. I mean, it's just beside
 18 the point of the way they treat people.
 19 Q How many times have you been stabbed?
 20 A How many times have I been stabbed?
 21 Q That's right.
 22 A Two times.
 23 Q Who stabbed you?
 24 A I was stabbed once when I worked for
 25 Bob Hill.

1 A Yeah.
 2 Q So you realized then that Jerry wasn't
 3 going to do it; and you were married to Morris' daughter;
 4 and you shot yourself. Was Morris still a deputy then?
 5 A Yeah, he was a deputy then if you want
 6 to call him that. He never arrested nobody to amount to
 7 nothing. You know, they had their favorites. That's
 8 beside the point why we're being here; but, you know, I
 9 guess if everything come out on everybody, I wouldn't be
 10 the only bad apple in the bunch.
 11 Q Didn't you know all along, being a
 12 snitch, you could never be a regular deputy?
 13 A That's awful odd; because I believe
 14 they've got a boy that works for ABC that was a snitch.
 15 Q ABC is state, isn't it?
 16 A Well, he was a snitch.
 17 Q But isn't that state?
 18 A Yeah.
 19 Q State employee.
 20 A He was a policeman in Baxter before he
 21 was ever with ABC.
 22 Q What's his name?
 23 A I can't remember his name. Sam Lee,
 24 he was a snitch. If I ain't mistaken, he had a record.
 25 Now he's the Director of the Drug Task Force.

1 Q Why did you get stabbed down at
 2 Bobby's?
 3 A Me and a boy got in a argument. He
 4 stabbed me in the leg.
 5 Q Who was it?
 6 A Howard. He's dead now. He got shot.
 7 I can't remember his last name.
 8 Q Where were you stabbed?
 9 A In the leg.
 10 Q Did you go to the hospital over that?
 11 A Yeah.
 12 Q Hospitalized?
 13 A No, sir.
 14 Q Where else have you been stabbed?
 15 A Once in the elbow right here and the
 16 arm here.
 17 Q That arm has kind of taken a beating
 18 there, hadn't it, that left arm?
 19 A Yes, sir.
 20 Q The left side of your body is not doing
 21 too good, is it?
 22 A I'm left handed, too.
 23 Q Is that right? You shot yourself in
 24 the left arm. You've been stabbed in the left arm. Where
 25 did you get stabbed in the left arm? Under the elbow?

1 A Right here at the elbow.
 2 Q And who stabbed you then?
 3 A Randall Stapleton.
 4 Q When did that happen?
 5 A We was juveniles then.
 6 Q Did you go to the hospital over that?
 7 A No.
 8 Q How many stitches?
 9 A No, I did not go to the hospital.
 10 Q I understood your answer. How many
 11 stitches did you have?
 12 A No stitches.
 13 Q Toughed it out?
 14 A My father wrapped it up, and I went on
 15 my merry way.
 16 Q Had any broken bones?
 17 A Yes, sir.
 18 Q Where?
 19 A Left hand.
 20 Q How did you break that?
 21 A Fighting.
 22 Q Who were you fighting with?
 23 A Greg Fox.
 24 Q When was that?
 25 A Ninety-something. I can't remember

1 Q And the Cocaine? Same?
 2 A On the street.
 3 Q Do you blame Jerry Abston for you
 4 shooting yourself in the shoulder there with Morris Cronk?
 5 A I don't blame Jerry Abston for me
 6 shooting myself, you know.
 7 Q Do you blame Morris Cronk?
 8 A He's got a letter up there in one of
 9 his files, me admitting to shooting myself, you know. You
 10 know, what I done...I done a lot of things to myself, grant
 11 you; and I know that. But I don't feel that I should have
 12 been treated any different than anybody else would be; and,
 13 you know, when it comes right down to it—you can check it
 14 —every case I ever made for the TBI, for the sheriff's
 15 department or any sheriff's department as far as that goes,
 16 or any task force, every one of them were prosecuted, you
 17 know, every one of them. There was hardly ever one of my
 18 cases that I made that wasn't prosecuted.
 19 Q Did you ever work for the city police,
 20 Cookeville City Police?
 21 A I believe I did one time.
 22 Q Did you ever work for Bill Gibson?
 23 A That's a joke. Yes, sir, I have.
 24 Q When did you work for him?
 25 A Crossville.

1 exactly what year it was. It was '90. It was '89 or '90.
 2 Q And what did you hit with your fist to
 3 break it?
 4 A I hit him in the head.
 5 Q What happened to him?
 6 A Broke this bone on the side of his
 7 skull.
 8 Q Did you go to the hospital over that?
 9 A Yeah. Both of us did.
 10 Q How did he come out? Did he die?
 11 A No.
 12 Q Were you hospitalized?
 13 A I had to have pins put in my hand.
 14 Q Who did that?
 15 A I couldn't tell you his name. It's
 16 been ten years ago. I can't...
 17 Q Broke any other bones?
 18 A No, sir.
 19 Q Do you own a motorcycle?
 20 A Yes, sir.
 21 Q Where is it?
 22 A American Twin Motorcycles.
 23 Q I said where is it?
 24 A It's at American Twin Motorcycles.
 25 Q Where is that?

1 Q When? When was the question. Not
 2 where.
 3 A Poker machine operation in...it was
 4 like September, October, till December 17 when I got
 5 arrested in Jamestown, which was '96.
 6 Q Worked for him in '96?
 7 A Um-hum [affirmative response].
 8 Q Undercover gambling?
 9 A Yes, sir.
 10 Q Were you a prosecuting witness
 11 appearing before the grand jury?
 12 A They all copped a guilty plea.
 13 Q No. That's not my question. Did you
 14 appear before a grand jury?
 15 A No, sir.
 16 Q Did you have a partner?
 17 A Partner? No, sir.
 18 Q How many real teeth do you have now?
 19 A All of them except the two that were
 20 pulled and these three.
 21 Q Do you have any trouble with your arm
 22 where you shot yourself?
 23 A No, sir.
 24 Q Or where you got stabbed?
 25 A No, sir.

1 A Behind the old K-Mart building.
 2 Q Down here?
 3 A Yes, sir. Old K-Mart building, the old
 4 one.
 5 Q Oh, down by Ravens?
 6 A No. That's the old Wal-Mart building.
 7 Q Down where that outlet store is.
 8 A Yes.
 9 Q What kind of motorcycle?
 10 A Harley.
 11 Q Do you drive it?
 12 A No, sir.
 13 Q Is it driveable?
 14 A No, sir.
 15 Q Have you ever been arrested for any
 16 drug related charge?
 17 A No, sir.
 18 Q When they did your intake statement at
 19 that New Leaf, were you truthful to that case worker who
 20 took all the information about you?
 21 A Yes, sir.
 22 Q Who got you hooked on Valiums?
 23 A I did it to myself.
 24 Q Where did you get the Valiums?
 25 A Buying them on the street.

1 Q Or where you broke your hand?
 2 A No, sir. When it gets cold, it might
 3 get a little tight at times. That's it.
 4 Q Now aside from just putting people on
 5 the ride and turning the lever to turn the machine on, what
 6 other duties do you have there for the carnival?
 7 A Tearing it down. Tear down the ride,
 8 set the ride back up, clean it, keep up the maintenance on
 9 it.
 10 Q So you're the person who puts it
 11 together, runs it, and takes it back apart.
 12 A My ride, yeah.
 13 Q Moves it on to the next venue.
 14 A Well, I don't move it, but --
 15 Q Well, you put it on the truck to move.
 16 A Yeah. It's on a trailer. It unfolds
 17 and --
 18 Q What ride are you responsible for?
 19 A Scorpion.
 20 Q You're going to have to explain that to
 21 me.
 22 A Looks like a big spider that's got six
 23 cars on each arm.
 24 Q Yeah.
 25 A It flips up sideways and just goes

1 around and around.
 2 Q Is it the one that goes...it's not the
 3 Mixer.
 4 A No, sir.
 5 Q That's a different machine.
 6 A Yes, sir.
 7 Q What does the Scorpion do now?
 8 A It's just a --
 9 Q Flip you upside down?
 10 A Yes. Well, it will flip you up on your
 11 side and up in the air. The arms will come down on it; and
 12 this arm up here will go up, you know. It's got three arms
 13 on it. That's it.
 14 MR. RADER: All right. I think that's all I've got
 15 until we get those answers to interrogatories and we have
 16 this hearing on the tapes. Are you still claiming
 17 emotional damages? You can withdraw that if you want to.
 18 It's up to you and your lawyer.
 19 MS. HARRIS: Are you going to ask any questions.
 20 MR. TOWNSEND: Not today.
 21 MS. HARRIS: Are you definitely going to ask
 22 questions later?
 23 MR. TOWNSEND: No.
 24 MS. HARRIS: I just have some redirect then.
 25

1 Haile; and he said that Roberta was trying to get hold of
 2 somebody.
 3 Q This is after Roberta came back on duty
 4 around --
 5 A Right.
 6 Q -- six; and you ultimately went at
 7 nine?
 8 A Right.
 9 Q This is in that three-hour time frame
 10 there?
 11 A Right.
 12 Q So you asked Hoover then?
 13 A I asked Hoover during the day.
 14 Q You asked Hoover during the day.
 15 A Right. Asked Hoover.
 16 Q What did you ask Hoover during the day?
 17 A I told him I needed to go back to the
 18 hospital; I was getting worse.
 19 Q And this was when you were down by the
 20 booking room?
 21 A Yes, sir.
 22 Q And what did he say?
 23 A He said that Lightning would talk to
 24 Neil and tell Neil.
 25 Q Why didn't you tell me that earlier

1 CROSS EXAMINATION
 2
 3 BY MS. LISA HARRIS:
 4
 5 Q When you were at the ER on the first
 6 time--that would be the early morning of the
 7 twenty-fourth--did Dr. Samuels say anything to you and/or
 8 the guard regarding --
 9 A When he give Greg Haile my
 10 prescriptions, he told him--this was right before shift
 11 change--said be sure that if I got any worse, to see that I
 12 got back as soon as possible.
 13 Q And he said that to you--let me
 14 rephrase that. You personally heard him say that.
 15 A Yes, ma'am.
 16 Q During the day of the twenty-fifth, you
 17 see Dr. Smith in the morning of the twenty-fifth. Then
 18 you're returned to the jail. Did Dr. Smith see you any
 19 time at the jail throughout the day of the twenty-fifth?
 20 A No, ma'am.
 21 Q Mr. Rader had asked a number of
 22 questions about what you were able to eat and drink and
 23 referred to it as that you put yourself on a diet. Was it
 24 your choice to not eat or did you have a problem not being
 25 able to eat?

1 today?
 2 MS. HARRIS: It did come up earlier that he did.
 3 MR. RADER: Oh, yes, it did. I covered every
 4 conversation with everybody.
 5 A I believe I did tell you that.
 6 Q If you didn't tell me that, do you have
 7 a reason why you wouldn't have earlier?
 8 A No, sir. But I believe I did.
 9 Q Now when Roberta came back on, you were
 10 talking to her and who else?
 11 A Greg Haile.
 12 Q Greg Haile.
 13 A Tony Whiteaker.
 14 Q And what was said then?
 15 A They wanted to know why I hadn't been
 16 took back to the hospital. That's the first thing that
 17 Greg Haile done. He told Roberta to come and look at me.
 18 They wanted to know why I hadn't been took back. Lightning
 19 told them that he'd told Neil and Neil hadn't come to see
 20 about me; that he'd done all he could do. That was what
 21 they told me; and that's how it was left.
 22 Q But then you went back to the hospital
 23 there at eight, fifty-seven that evening.
 24 A Yes, sir.
 25 MR. RADER: That's all.

1 A I couldn't eat, period.
 2 Q When you were put on medical watch down
 3 near the booking room, did you say anything to the guard
 4 about wanting to go back to the hospital?
 5 MR. RADER: Object to the form of that question.
 6 MS. HARRIS: Let me rephrase that.
 7 Q After you were put on medical watch,
 8 did you ever ask to go back to the hospital?
 9 MR. RADER: Object to the form of that question.
 10 MS. HARRIS: You can answer it.
 11 A Yes, ma'am.
 12 MS. HARRIS: I have nothing further.
 13
 14 REDIRECT EXAMINATION
 15
 16 BY MR. DANIEL H. RADER, III:
 17
 18 Q Now that's all brand new. We've sat
 19 here since nine o'clock this morning; and it's one o'clock,
 20 four hours, took about a fifteen or twenty minute break.
 21 Who did you ask to go back to the hospital? Who did you
 22 ask?
 23 A Hoover. While Roberta was in there
 24 trying to see about getting me to the hospital. I asked
 25 Roberta; and they said that they was trying. I asked Greg

1 AND FURTHER THIS DEPONENT SAITH NOT.
 2
 3 /S/ JOHN WAYNE DEDMON
 4 -----
 5 BY: COURT REPORTER
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1 STATE OF TENNESSEE
2 COUNTY OF PUTNAM

3
4 I, Maxine Vaughn Frasier, being a Court
5 Reporter and Notary Public-at-Large in and for the State of
6 Tennessee, certify that the witness was duly sworn by me
7 and thereafter testified as set forth in the foregoing
8 deposition; and I further certify that said deposition is a
9 true record of the testimony given by said deponent. I
10 further certify that I am not interested in this matter,
11 nor of kin nor counsel to any of the parties.

12 In witness whereof, I have hereunto set my
13 hand and affixed my seal this fourth day of March, 1999.

14
15 _____
16 Notary Public-at-Large
17 My Commission Expires:
18 2-26-2000
19
20
21
22
23
24
25