

Joy Hedgecock Dyer: "Proof of Perjury and Prosecutor Misconduct"

The Transcript testimony of Joy H. Dyer has so many contradictions, it's impossible to list them all. Her statement to police is yet another example of a falsified police report filed by Det. J. D. Church. As other witnesses, while Ms Dyer was on the stand, she acknowledged inaccuracies, and statements she never made, within her reported statement (TTP. 2579, 19-24 / TTP. 2589, 22-25).

The Defendants contend nearly everything Joy Dyer said was a lie, orchestrated by the misconduct of D.A. Richard Parosh. See EXHIBIT/Affidavit by Edna Kimble, contained within The Grievance to The N.C. State Bar.

Edna Kimble and other witnesses heard Joy Dyer leaving the courtroom make the comment, "I don't know what the hell he wanted me to say." After Bonnie Kimble's conviction, a review of Joy Dyer's criminal record was made. Upon review it was discovered Ms. Dyer had several pending charges dismissed by D.A. Parosh. It turns out D.A. Parosh had a Plea Arrangement made with Joy Dyer in exchange for her testimony, which was not disclosed to the Defense, and clearly not disclosed to the jury.

Please note the following contradictions, and straight out lies found in Joy Dyer's transcript testimony, and her purported statement to investigators prior to trial. Of the four page statement, we start with Page 1, "In the spring of 1991..., Dyer stated she began dating Bonnie Kimble,..." (P.1). During trial Joy agreed that

this statement was wrong (TTP. 2579.22-24). Joy was dating Ronnie Kimble prior to 1991 (TTP. 2579.21), Joy was 15, just turning 16, so she started dating Ronnie in 1990 (TTP. 2580.8).

In early spring 1991 Joy became pregnant by Ronnie. After making Ronnie aware of the pregnancy, Joy claims Ronnie took her to see Ted Kimble, Ronnie's older brother, at the residence of Patricia Blakeley, located at 2410 Brandon Station Court, Pleasant Garden, North Carolina (P.1). At trial Joy only acknowledged calling it "Patricia's house," obviously Det. Church added the rest (TTP. 2589.22-25). Joy didn't know this was three full years before Ted Kimble married Patricia (TTP. 2589.11-13). Ofcourse Joy should have known since she testified that Ted Kimble was dating Janet Blakeley during the time she was dating Ronnie, and that their relationship lasted longer than hers. This further contradicts the police report which claims at the time Ted and Patricia were dating and later married (P.1).

The police report goes on to quote Ms Dyer. Once at Patricia's house, Ted questioned Joy of the validity of her pregnancy. (P.1). Then Ted insisted that Dyer accompany him to Phar-Mor Pharmacy for a pregnancy test (P.2), (TTP. 2565.14-17). Note in the police report Ms. Dyer stated "she" purchased an early pregnancy test (E.P.T.) (P.2), but testified that Ronnie went in and purchased the test (TTP. 2565.18-19/TTP. 2566.11). Once the E.P.T. was purchased Ms Dyer claims to have went to the Phar-Mor restroom (TTP. 2565.23), after utilizing the kit and obtaining a positive reading, she then notified Ted and showed him the results (P.2). Everyone rode back to Patricia's

house, and stood around (TTP-2566.11-16). At this point Ms. Dyer gave two completely different statements. In the police report Ms. Dyer stated Ted told her, she could not possibly have the baby because she wasn't married to Ronnie; Furthermore Ronnie did not have a good enough job to support her and the baby, then Ted began insisting she have the abortion. When asked, Dyer stated she was never physically threatened by Ted or Ronnie Kimble to have the abortion. (P.2). During the trial Joy Dyer changed her statement and said, she nor Ronnie knew what to do. Ted was like, "Well, I'll figure out what to do." Ted kept saying, "You're not going to ruin my family... my father's a pastor." That's when Ted showed Ms Dyer a gun he had on his side. Joy claim to be very, very nervous, and afraid. Ronnie then drove Joy home (TTP.2566.18-25/TTP.2567.1-25).

It needs to be pointed out, earlier in the trial Joy Dyer briefly testified and identified Ted's gun (TTP.757.20-25/TTP.758.1-6). Not only did Joy claim this to be the gun Ted flashed on her at Patricia's house, Joy claim there was a time Ted had brought the gun to her house for target practice, in her mom's front yard. Joy even noted a laser scope, red beam on the gun (TTP.758.7-19) The target practice supposedly took place in '92 or '93 (TTP.759.20). (Since the target practice never took place, Mr. & Ms. Hedgecock can verify Ted has never been at their house shooting a gun.)

Joy Dyer went on with her story and told of having the abortion (P.2) (TTP.2568.1-24) Not long after the abortion, Joy broke off the relationship with Ronnie (TTP.2568.25/TTP.2569.1-10).

Not only did Joy fail to mention anything about Ted Kimble having a gun in the police report, she never mentioned being scared, only upset. The FACT of the matter is, "TED KIMBLE DID NOT OWN A HAND-GUN AT THE TIME JOY DYER WAS PREGNANT!" While on the stand, Ms. Dyer identified both the gun and holster as that of which Ted flashed on her, at Patricia's house in the spring of 1991. Gun Permit Records from Guilford County Sheriff Clerk's Office prove Ms. Dyer committed "PERJURY"! Since Ms. Dyer had never seen the gun prior to trial, the only way she would know the gun had a laser scope on it, is by J.D. Church or D.A. Panosh showing it to her.

Joy Dyer testified to lie after lie. This was all part of Ms. Dyer's "secret" Plea Arrangement with D.A. Richard Panosh. Ms. Dyer's four page police report contradicts nearly everything she testified to. It's obvious that Det. J.D. Church falsified the police report, as he did in the case of Jeff Clark. Ms. Dyer contradicted her own testimony on the stand many times.

While Ms. Dyer testified Ted came over for target practice in '92 or '93 (TTP. 759.20); First, Ms. Dyer testified she broke up with Ronnie shortly after the abortion (May 1991) (P.2) (TTP. 2569.1-10) Second, "And had no more dealing with the Kimble family", then, "I broke up with him that summer in '92 ..." (TTP. 2590.8-12). It's all a matter of which statement one wish to believe. The police report quotes Ms. Dyer stating she dated Ted Kimble off and on (P.2). Ms. Dyer testified she had intercourse with Ted one time at age 15, before meeting Ronnie Kimble, (TTP. 2576.7-19), but then testified she never had a relationship with Ted (TTP. 2580.16).

Although Ms Dyer kept saying she was scared for her life (TTP. 2592.6), Joy admits she was never threatened physically, nor has she ever said that (TTP. 2593.1-13). Over and over Joy Dyer testified Ted showed her his gun while a Patricia's house, and told her she wasn't going to ruin his family (TTP. 2597.1-16). Obviously Joy was unaware Ted didn't own a handgun at that time.

A note of interest. Ms Dyer's statement to Det. Church goes on to make "wild and outrageous claims," All of which are false and have NO supporting evidence. This statement was taken on July 31, 1996.

NOTE: The last page of Ms Dyer's criminal record (enclosed) shows several charges dismissed by D.A. Richard Panosh. This Plea Arrangement was NOT disclosed.

Dyer is a former girlfriend of Ronnie Lee Kimble, white male, brother-in-law of victim Patricia Kimble, and was interviewed for this purpose.

Dyer stated she currently resides with her parents at their 7016 Hemphill Road, Julian, North Carolina, residence, telephone number 910-685-4425, after having separated from her husband, William Henry Dyer, white male, approximately one month ago. Dyer stated she and her husband both have one small female child. Dyer stated she has finished high school and has completed two years at Guilford Technical and Community College (GTCC) in the medical assistant program. Dyer stated she is currently unemployed, due to a recent car wreck involving Dyer's twin sister Faith, who died as a result.

In the spring of 1991 and while attending Vandalia Christian School, Dyer stated she began dating Ronnie Kimble, who was also a student (junior) at Southeast High School. During their courtship, Dyer stated she became pregnant by Kimble. At some point after making Ronnie Kimble aware of the pregnancy, Dyer stated she was picked up at her parents' residence, 7016 Hemphill Road, Julian, North Carolina, by Kimble and taken to the residence of Patricia Blakley, white female, located at 2410 Brandon Station Court, Pleasant Garden, North Carolina, where they were met by Ronnie Kimble's older brother Ted. According to Dyer, Patricia Blakley and Ted Kimble, white male, were both dating at that time and later married.

Once at the 2410 Brandon Station Court location, Dyer stated she was approached by Ted Kimble, who began to question the validity of Dyer being pregnant. Dyer stated she assured Ted that she

was pregnant, but Ted insisted that Dyer accompany him to the PharMoor Pharmacy on High Point Road in Greensboro, North Carolina, where Dyer purchased an early pregnancy test (EPT), which was subsequently utilized for verification. While at the PharMoor Pharmacy, Dyer stated she entered the ladies room and after utilizing the early pregnancy test kit, obtained a positive reading that she was, in fact, pregnant. Once she had verified the test results, Dyer stated she left the ladies room to notify Ted and show him the results.

After this, Dyer stated she was then told by Ted that Dyer could not possibly have the baby because Dyer and Ronnie were not married. Dyer stated she was further told by Ted Kimble that Ronnie did not have a good job needed to support Dyer and the baby. Dyer stated Ted Kimble began insisting that she have the abortion, which upset Dyer. When asked, Dyer stated she was never physically threatened by Ted or Ronnie Kimble to have the abortion. Following the confrontation with Ted Kimble regarding the abortion issue, Dyer stated she had decided to have the baby but reconsidered, after being confronted by Ronnie Kimble, who was also insistent that Dyer should have the abortion.

According to Dyer, sometime in the spring (May) of 1991, Ronnie Kimble came to her parents' residence, picked Dyer up, and proceeded to a High Point abortion clinic (unable to recall the exact location or name of the particular abortion clinic), where she had the abortion. Dyer stated she did not pay for the abortion but believes Ronnie Kimble did. After completing the abortion, Dyer stated she was driven back home by Ronnie Kimble and dropped off. Following this, Dyer stated she dressed and drove herself to school, where she received an award as part of the softball team. Shortly after having the abortion, Dyer stated she broke up with Ronnie Kimble, after having dated him for approximately three years.

During the entire time she dated Ronnie Kimble, Dyer stated Ronnie Kimble was overly "possessive." Dyer stated Ronnie Kimble constantly questioned who Dyer was seeing and associating with and never allowed Dyer to be in the company of other male or female friends. Prior to dating Ronnie Kimble, Dyer stated she dated Ted Kimble off and on.

Dyer stated and recalls on one occasion while dating Ronnie Kimble, she was at her place of employment, Mayflower Seafood Restaurant in Greensboro, North Carolina, when Ronnie Kimble came to the above restaurant, wanting to see and speak with Dyer. Dyer stated she refused to leave the restaurant to speak with Ronnie Kimble and while standing at the door, she observed

Ronnie Kimble pointing a rifle at her. During their relationship, Dyer stated she was always frightened of Ronnie Kimble. Dyer stated Ronnie Kimble was also prejudiced against blacks and recalls on one occasion when Ronnie Kimble observed some young black males (approximately 12 years of age) walking on High Point Road in Greensboro, North Carolina, when he told Dyer to, "Raise up, I'm going to get my gun," because Ronnie Kimble thought the young black males might throw some rocks at his truck. After this, Dyer stated Ronnie Kimble turned his truck around and began driving in the direction of the young black males.

When asked, Dyer stated Ronnie Kimble has always been dominated by his older brother Ted. According to Dyer, Ronnie would drop whatever he was doing whenever Ted called. On a past occasion and while at Ted and Ronnie Kimble's residence, Dyer stated she recalls Ted and Ronnie talking about "staging" a vehicle wreck to collect the insurance proceeds. Prior to her involvement with Ronnie Kimble, Dyer stated she recalls being told by Ronnie Kimble that he and Ted Kimble had, in fact, staged a vehicle accident. As part of the scheme, Ted broke Ronnie's nose to appear as though Ronnie sustained the broken nose during the accident. As a result of the "staged" accident, Dyer stated she was told by Ronnie that he was provided with part of the insurance money by Ted.

Following this and during her relationship with Ronnie Kimble, Dyer stated she was blamed by Ted Kimble for the destruction of his blue Isuzu truck, which Dyer denied. Dyer stated and recalls the truck was, in fact, damaged by Ted, who utilized a key to make a large scratch mark down the side of the truck. Dyer stated Ted Kimble subsequently submitted a claim for the damage to his Isuzu truck and "pocketed" the insurance proceeds. Dyer stated she also recalls Ted Kimble purposely destroying a radio amplifier contained in his personal vehicle in order to obtain a new one. Dyer explained that the warranty for the amplifier had expired and that Ted Kimble was unable to get his money back. According to Dyer, the Kimble family is very materialistic. When asked, Dyer stated she has not seen Ronnie Kimble since her marriage to Henry Dyer. Dyer stated that she would not be surprised to learn that Ted and Ronnie were involved in Patricia Kimble's death. Based on Ronnie Kimble's training in the Marine Corps, Dyer stated Ronnie Kimble was capable of committing Patricia's death. When asked, Dyer stated for a profit, Ted Kimble would be able to talk his brother Ronnie into conspiring with him (Ted) to kill Patricia Kimble because both are "money driven" and "schemers." According to Dyer, Ronnie Kimble never mentioned his childhood, but she does

recall that on a past occasion he told Dyer that he felt his mother liked Ted more than him (Ronnie). Dyer further related Ronnie Kimble's mother Edna did not seem to care for Dyer very much and recalls on one occasion in the past being referred to as a "bitch" by Edna Kimble.

The interview with Joy Dyer was concluded at approximately 2 p.m. on July 31, 1996.

HGP:jbp

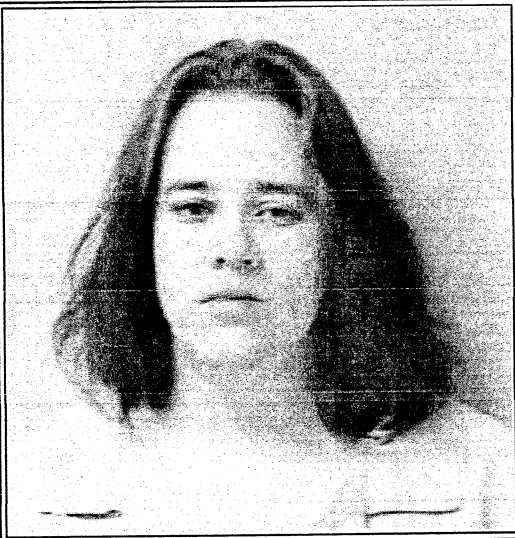


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Data current as of 2:00 AM EST on: 09/21/2004

General Summary Information			
DOC Number: 0793727	Inmate Status: ACTIVE INACTIVE		
P&P Status:			
Name(s): DYER, JOY H.			
Demographics			
Gender:	FEMALE	Race:	WHITE
Age:	30	Birth Date:	09/14/1974
			

Most Recent Incarceration Summary	
Conviction Date: 02/26/2003	Total Term: 1 YEAR 6 MONTHS
Projected Release Date: 02/09/2005	
Primary Offense: ROBBERY W/DANGEROUS WEAPON (ACCES A/F)	
Admission Date: 02/10/2004	Admitting Location: NCCI WOMEN
Special Characteristics: REGULAR	

Custody Classification: MINIMUM 1	Next Custody Review Date: 09/02/2004
Control Status: REGULAR POPULATION	Next Control Review: UNKNOWN
Number of Infractions: 0	Last Infraction On: N/A
Current Location: FOUNTAIN CCW	
Previous Location: NCCI WOMEN	
Last Movement: RECEIVED FROM NCCI WOMEN	On: 03/09/2004
Prior Incarcerations? N Detainers? N Escapes? N	

Most Recent Probation and Parole Summary
Status: CLOSED
Office of Supervision: DISTRICT 18 UNIT H
Crime: ROBBERY W/DANGEROUS WEAPON (ACCES A/F)
Crime Type: FELON
Punishment Type: INTERMEDIATE SS

**The sentence history for the offender follows.
Incarceration records are light blue; Supervision records are light green**

Incarceration Record for Sentence Number: BA-001			
Commitment Type:	INMATE		
Conviction Date:	02/26/2003	County of Conviction:	GUILFORD
Service Status:	ACTIVE	Sentence Status:	CORRECT
Projected Release Date:	02/09/2005	Sentence Begin Date:	02/09/2004
Actual Release Date:			
Punishment Type:	ACTIVE SS		
Sentence Type 1:	DEPT OF CORR DIV OF PRISONS		
Sentence Type 2:	PROBATION REVOCATION		
Minimum Term:	1 YEAR 3 MONTHS	Maximum Term:	1 YEAR 6 MONTHS

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	03024069	ROBBERY W/DANGEROUS WEAPON (ACCES A/F)	09/25/2002	FELON	CLASS F

Supervision Record for Sentence Number: 01-001					
Commitment Type: PROBATION/PAROLE					
Conviction Date: 02/26/2003			County of Conviction: GUILFORD		
Punishment Type: INTERMEDIATE SS					
Sentence Type 1: PROBATION					
Sentence Type 2: SUSPENDED SENTENCE					
Sentence Type 3: DEPT OF CORR DIV OF PRISONS					
Sentence Type 4: SPECIAL PROBATION (SPLIT)					
Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	03024069	ROBBERY W/DANGEROUS WEAPON (ACCES A/F)	09/25/2002	FELON	CLASS F

Back

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STATE OF NORTH CAROLINA

Guilford County

In The General Court Of Justice
Before The Clerk

IN THE MATTER OF:

Name And Address

Joy H. Dyer

CRIMINAL RECORD CHECK

Records Check From This Date To Present

May 1983

This is to certify that I have searched the indices to criminal actions in this office from the date shown above to the present to determine:

only the convictions and pending charges, if any,

the entire criminal record, if any,

which appear in the records under the name given above, and found:

that no record was indexed by the name given above.

the following excerpts from the public records indexed by the name given above.

The criminal records in this office are indexed solely by name and not by any other identifying characteristic. This office cannot guarantee that the records listed herein belong to the individual for whom such record is sought.

File No.	Race/Sex	DOB	Charge	Date Disposed And Disposition
		9/14/74	See Attached 1 page	

Date Of Search

8/28/00

Signature

Melissa Sutton

Deputy CSC Assistant CSC Clerk Of Superior Court

400 BUILFORD-6F
082800 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--UNSERVED--CONVICTED
CRITERIA- NAME: DYER,JOY? R=RACE: S=SEX: DOB:

DYER,JOY,HEDGECOCK	2323 KERSEY	S=F	R=W	DOB=09141974	96CR 046761	G
OF:052896 (M) SHOPLIFTING CONCEALMENT GOODS				DISMISSED BY DA	022800	CR
---	---	---		---		
DYER,JOY,HEDGECOCK	7016 HEMPHIL	S=F	R=W	DOB=09141974	97CR 027022	G
OF:011897 (T) DWLR				DISMISSED BY DA	022800	CR
---	---	---		---		
DYER,JOY,HEDGECOCK	115 E CARTER	S=F	R=W	DOB=09141974	97CR 057405	G
OF:062797 (T) DWLR				DISMISSED BY DA	022800	CR
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DYER,JOY,HEDGECOCK	601D W TERRE	S=F	R=W	DOB=00230000	98CR 090975	G
OF:090295 (M) COMMUNICATING THREATS				DISMISS DEFER PROSC	022800	CR

_OF:OFFENSE DATE,_DOB=BIRTH,(M)MISD,(F)FELONY,(T)TRAFFIC, *END*

082800 INFRACTION CHECK PENDING--DISPOSED--MOTOR V.--UNSERVED--RESPONSE-
CRITERIA- NAME: DYER,JOY? RACE: SEX: DOB:

DYER,JOY,HEDGECOCK	5516 CASCADE	S=F	R=W	DOB=09141974	96IF 020722	G
OF:032396 (I) SPEEDING	045 IN 35 ZONE			CHARGED		IF
(I) SPEEDING	044 IN 35 ZONE			CONV LESSOR OFFENSE	072396	
PEN/COSTS \$0					SATISFIED	
SPEC. COND: AC						
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_OF:OFFENSE DATE,_S=SEX,_R=RACE,_DOB=BIRTH,(T)TRAFFIC,(I)INFRACTION, *END*

1 that Ted didn't need to take a job. How do we cross-examine
2 all this stuff? I mean, we've talked about the individual
3 hearsay exceptions, and our position is, it doesn't fit.
4 It's not then existing mental or emotional condition. It's
5 a statement of fact. But it's not a fact, based on what the
6 other --

7 THE COURT: I'm going to exclude it as to this
8 defendant.

9 MR. PANOSH: All right.

10 (Proceedings continued in open court.)

11 MR. PANOSH: Your Honor, we'd withdraw this
12 witness. Thank you.

13 THE COURT: You may step down, Ms. Young.
14 (The witness left the witness stand.)

15 MR. PANOSH: Ms. Dyer, please. Come up.

16 MR. LLOYD: Your Honor, may we approach? We'd
17 request a voir dire on this witness.

18 MR. PANOSH: This is not going to be within the
19 motion for limine.

20 THE COURT: How long is the voir dire going to
21 take?

22 MR. PANOSH: Your Honor, it isn't going to be
23 necessary. This is not covered by the motion in limine.

24 THE COURT: Sir?

25 MR. PANOSH: This witness's testimony is not

1 covered by the motion in limine.

2 THE COURT: Proceed.

3 JOY HEDGECOCK DYER, being first duly sworn, testified as
4 follows during DIRECT EXAMINATION by MR. PANOSH:

5 Q State your name, please.

6 A Joy Hedgecock Dyer.

7 Q And are you familiar with Janet Blakley?

8 A Yes, sir.

9 Q And in the course of your acquaintanceship with Janet
10 Blakley, did there come a time when you introduced Theodore
11 Kimble to --

12 A Yes, sir.

13 Q -- you introduced the two?

14 A Yes, sir.

15 Q And are you also acquainted with Ronnie Kimble?

16 A Yes, sir.

17 Q And in the course of your acquaintanceship with Ronnie
18 Kimble, did you and he date for a period of time?

19 A Yes, sir.

20 Q Now, in the course of your acquaintanceship with Ted
21 and Ronnie Kimble, did there ever come a time when Theodore
22 Kimble showed you a particular gun?

23 A Yes, sir.

24 Q Would you describe that, please.

25 A It was a black gun --

1 Q Could you keep your voice up.

2 A Yes, sir. It was a black gun with a -- with a scope.

3 MR. HATFIELD: I can't hear this witness.

4 THE COURT: A little bit louder, please, Ms.

5 Hedge-- or --

6 A I said, it was a black gun, just --

7 Q And is this the gun that -- where were you when you saw
8 this?

- 9 A I was at Patricia house.

-10 Q Did there come a time when that gun was brought to your
-11 house, in reference to target practice?

12 A Yes, sir.

13 Q Okay. Would you describe that, please.

-14 A Ted had come over to the house and asked if he could
-15 shoot the gun. We was in my mom's front yard. We had took
-16 a cardboard -- cut out a piece of cardboard, set it to the
17 side, and was shooting the gun.

18 Q What do you remember about that particular gun?

19 A It had a laser scope, like a red, red beam.

20 Q How frequently did Ted carry that gun?

21 A I wouldn't know.

22 Q Did you date Ronnie Kimble before or after he joined
23 the Marine Corps?

24 A Before.

25 Q And after he joined the Marine Corps, did there come a

1 time when you had any further contact with him?

2 A Yes. He --

3 Q When was that?

4 A He had come to my mother house when I was engaged to my
5 ex-husband at the time. He had ran from his mother house
6 across the field through the woods, to come and see me.

7 Q And how do you know he was in the Marine Corps at that
8 time?

9 A He had on his uniform.

10 Q Do you know approximately when it was that you saw Ted
11 with that particular gun -- or Ted and Ronnie with that
12 particular gun?

13 MR. HATFIELD: Objection. That's not what she
14 testified to.

15 THE COURT: Sustained.

16 Q Drawing your attention to the time that they were
17 target practicing, who was present?

—18 A Ted and Ronnie.

19 Q And when was that?

20 A In '92 or '93.

21 Q Okay.

22 MR. PANOSH: Thank you. No further questions.

23 MR. HATFIELD: May I take a minute to --

24 THE COURT: Wait a minute, ma'am.

25 MR. HATFIELD: Could I confer with counsel, before

1 I --

2 THE COURT: Yes, you may.

3 (Mr. Hatfield and Mr. Lloyd conferred.)

4 MR. HATFIELD: No questions. Thank you, Judge.

5 THE COURT: You may step down, Ms. Hedgecock.

6 (The witness left the witness stand.)

7 MR. PANOSH: We'd recall Reuben Blakley for a
8 limited purpose.

9 MR. HATFIELD: Object.

10 THE COURT: Overruled.

11 MR. PANOSH: May I approach the witness?

12 THE COURT: Mr. Blakley, the Court will remind you
13 you're still under oath, sir.

14 (Mr. Panosh placed exhibits on the witness stand.)

15 REUBEN BLAKLEY, being first duly sworn, testified as follows
16 during DIRECT EXAMINATION by MR. PANOSH:

17 Q Mr. Blakley, you've previously testified that you were
18 the first person to arrive and discover the fire?

19 A Yes, sir.

20 Q When you walked around the house, as you've previously
21 testified to, would you tell the ladies and gentlemen of the
22 jury whether the windows were open or closed.

23 A All the windows were closed and all the doors were
24 closed.

25 Q And during the period of time that the -- there were

1 Q What was your function there that day?

2 A Security of -- prisoner security, to insure he didn't
3 leave the custody of the sheriff's department.

4 Q During the period of time that he was present in the
5 inter-- in the conference room, did you stay with him at all
6 times?

7 A Yes, sir.

8 Q During the period of time that I left the room, did you
9 stay with him at all times?

10 A Yes, sir.

11 Q Did he ever indicate to you that he had any changes or
12 discrepancies in his statement?

13 A No, sir, he did not.

14 MR. PANOSH: No further questions.

15 THE COURT: Questions?

16 MR. LLOYD: No questions, Your Honor.

17 THE COURT: Step down, sir.

18 Next witness, please.

19 (The witness left the witness stand.)

20 MR. PANOSH: Ms. Dyer, please. Come up, please.

21 Ms. Dyer.

22 JOY HEDGECK DYER, being first duly sworn, testified as
23 follows during DIRECT EXAMINATION by MR. PANOSH:

24 Q Your name is presently what?

25 A Joy Hedgecock Dyer.

1 Q And during the period of time before you were married
2 to Mr. Dyer, you were Joy Hedgecock; is that correct?

3 A Yes, sir.

4 Q And you've previously testified that you dated Ronnie
5 Kimble?

6 A Yes, sir.

7 Q Did there come a time when there was a pregnancy in
8 relationship to that dating?

9 A Yes, sir.

10 Q Would you tell the ladies and gentlemen of the jury the
11 details of that, please.

12 MR. HATFIELD: Objection. That's irrelevant.

13 THE COURT: Overruled.

14 A I had -- me and Ronnie had been dating for a while. I
15 was late on my period, so I had told Ronnie. We went over
16 to Patricia house, where Ted was at. We told Ted, and Ted
17 was like, "Well, let's go get a pregnancy test." So we
18 drove to Phar-Mor. Ronnie went in and purchased the test,
19 came back and gave it to me. I went into Phar-Mor --

20 MR. HATFIELD: I can't hear her.

21 THE COURT: A little bit louder, please, Ms. Dyer.

22 A little bit louder, please.

23 A I went to Phar-Mor rest room.

24 Q Could you back up and say -- you said you drove. Who
25 drove where?

1 A Ted was driving.

2 Q And who was with Ted?

3 A Me and Ronnie.

4 Q Where did you go?

5 A To Phar-Mor.

6 Q Phar-Mor's a --

7 A Drug--

8 Q -- pharmacy?

9 A Yes, sir, it's like a --

10 Q What happened at Phar-Mor?

11 A Ronnie went in, purchased a pregnancy test, came out
12 and gave it to me. I went into the rest room at Phar-Mor
13 and took the test, came back out and showed it to him. And
14 it was positive. We drove back to Patricia house. We was
15 standing out at Patricia house. I didn't know what to do.
16 I was very nervous and upset. I was young.

17 Q How young were you, ma'am?

18 A I was about 16 years old. Ronnie didn't know what to
19 do, either. Ted was like, "Well, I'll figure out what to
20 do." Ted kept on saying, "You're not going to ruin my
21 family. You're not going to ruin my family. My family's a
22 pastor -- my father's a pastor." That's when -- he had --
23 he had a gun on him at that time. And that's when he had
24 showed it to me. I just got very, very nervous. I was
25 afraid. I did not know what to do. Then when Ted said that

1 he would think of something, he would figure it out, that's
2 when Ronnie drove me back to my mom and dad's house.

3 Q You said he had the gun on him. Who is "he"?

4 A Ted.

5 Q Where did you see the gun?

6 A It was on his hip.

7 Q Excuse me?

8 MR. HATFIELD: It was what?

9 A It was -- it was in -- like in a holster right here.

10 (Indicated.) He lifted up his sweat -- I could see it under
11 his sweat shirt.

12 Q Did there come a time when you did see that gun?

13 A Yes, sir.

14 Q And where -- what were you discussing at the time you
15 were shown the gun? What were you saying?

16 A Can you --

17 Q What was being said at the time that the gun was shown
18 to you?

19 A He told me that I wasn't going to ruin his family, his
20 father was a pastor.

21 Q Who said that you weren't going to ruin his family?

22 A Ted.

23 Q What happened after -- you said Ronnie took you back to
24 your home?

25 A Yes, sir.

1 Q What happened after that in regards to the pregnancy?

2 A The next thing I know, my mom and dad had woke me up
3 one Saturday morning, told me to get ready, that Ronnie was
4 coming over to take me out to eat breakfast. So I got
5 ready, I got dressed. Ronnie came and picked me up. I
6 went, with the intentions that I was going to eat breakfast.
7 And instead of going to eat breakfast, we went to an
8 abortion clinic in High Point.

9 Q Who was driving?

10 A Ronnie was.

11 Q Was Ted with you?

12 A No.

13 Q Did you then have an abortion?

14 A Yes, sir.

15 Q Do you know who went in and filled out the paperwork?

16 A I filled it out. He was there with me.

17 Q Who was with you?

18 A Ronnie.

19 Q Ronnie went into the clinic with you?

20 A Yes, sir.

21 Q Do you know who paid for it?

22 A I assume he did. I didn't.

23 Q Was the abortion your idea?

24 A No, sir.

25 Q How long after that did you and Ronnie break up?

1 A Not long after.

2 Q After the breakup, what occurred in regard to Ronnie?

3 A Well, I had wrote him a letter, told him that I didn't
4 -- I thought it was best that we didn't see each other
5 anymore. He had sent two dozen roses up to work, where I
6 worked at Mayflower, and it had a note on it that said "Just
7 because." He would sit in the parking lot and wait for me
8 to come out, and I would have to avoid -- I would have to go
9 out another door or with people around me, because I was
10 very scared.

11 Q How many times do you remember him being in the parking
12 lot?

13 A Two or three times.

14 Q Any portion of those events that sticks out in your
15 mind?

16 A Yes, sir.

17 Q What was that?

18 A One special time when he had sent the roses up that
19 day, that same night, when I walked out, he was holding a --
20 there was a rifle out the window, the window was rolled down
21 halfway. The windows are tinted. It was a Ford Ranger
22 truck. The windows were tinted. And the window was halfway
23 down, and the rifle was out of it. I ran back inside and
24 got some fellows in the kitchen to help me walk out and get
25 into my sister car that was parked on the side.

1 Q After that, did there ever come a time when he came in
2 further contact with you?

3 A Yes, sir.

4 Q What was that?

5 A He would follow me to church, sit behind me when I was
6 with my -- which is my ex-husband now, he would be sitting
7 beside me, he would drop notes over my shoulder, saying, "I
8 want you back. Can't we work this out?" and other things.
9 And another time, he ran over to my mom house when he -- in
10 his uniform.

11 Q Drawing your attention to the time when he dropped the
12 notes, were you married at that time?

13 A No, sir.

14 Q Do you remember when it was that he appeared at your
15 mother's house in his uniform?

16 A '94. I know I was pregnant.

17 Q And that was not -- that pregnancy had nothing to do
18 with Ronnie; is that correct?

19 A No.

20 Q That was Mr. Dyer?

21 A Yes, sir.

22 Q And he came to your house?

23 A Yes, sir.

24 Q Other than saying it was '94, can you be more specific
25 about the time?

1 A Probably around July. I was about five months
2 pregnant.

3 Q When was your baby born?

4 A In September.

5 Q So that would have been four months prior to September?

6 A Yes, sir. She was born in the -- in the latter part of
7 September, September 24th. My husband -- my -- it was my
8 fiance at the time, he was sitting there with me when Ronnie
9 came up.

10 Q And what was the -- does your husband have any
11 disabilities?

12 A Yes, sir. He hearing impaired.

13 Q Okay. And what was the nature of the conversation,
14 when he came to your house that evening in his uniform?

15 A He had told me that he -- it didn't matter that I was
16 pregnant, if I still loved him, cared about him, he would
17 raise the baby, he would take care of it.

18 Q He was asking to --

19 A To try to work it back out.

20 Q Now, during the period of time that you knew Ted and
21 Ronnie, did they associate together?

22 A Somewhat.

23 Q What would they do?

24 MR. HATFIELD: Objection.

25 THE COURT: Overruled.

1 A Ted and Ronnie -- at one part when me and Ronnie first
2 got together, I know that we would go out and double-date
3 together. That's when my twin sister was alive.

4 Q Did there come a time when you were enrolled at GTCC?

5 A Yes, sir.

6 Q When was that?

7 A In '92, when I graduated, I enrolled in -- right after
8 I graduated from high school, into GTCC.

9 Q Did there come a time when anything happened in regard
10 to Ronnie at GTCC?

11 A Yes, sir.

12 MR. LLOYD: Well, objection, Your Honor. Doesn't
13 have anything to do with anything that's come before.

14 THE COURT: Overruled.

15 Q Would you tell the ladies and gentlemen of the jury
16 about that, please.

17 A Yes, sir. I was in the pool room. I had a break from
18 in between my classes. And I was shooting some pool. And
19 he came up in the -- he came up to the college, and came up,
20 wanted to speak to me. He came in the pool room and grabbed
21 me by the arm and took me out to the -- to the front of the
22 college, and was sitting there telling me that he had to
23 talk to me. We sat and talked for a while. I don't
24 remember exactly what the conversation was about. I
25 remember he came up there and got me and pulled me around to

1 the front, to where his car was parked. It was a -- or his
2 truck was parked.

3 Q Were you dating at that time?

4 A No, sir. We had broke up.

5 MR. PANOSH: No further questions. Thank you,
6 ma'am.

7 CROSS-EXAMINATION by MR. HATFIELD:

8 Q Do you know what year you were born in?

9 A '74.

10 Q So in the spring of 1991, were you 16 years old?

11 A Yes, sir, I was.

12 Q And did you say that during that period when you were
13 16 years old, you were going to Vandalia Christian School?

14 A Yes, sir, I was.

15 Q But at that time, your twin sister was still living; is
16 that right?

17 A Yes, sir.

18 Q And you dated Ronnie that year?

19 A Yes, sir.

20 Q And he came to your house numerous times, didn't he?

21 A Of course. Several times.

22 Q And he got to be very good friends with your mother and
23 father, didn't he?

24 A Uh-huh.

25 Q Are you still close to your mom and dad today?

1 A Yes, I am.

2 Q And you know that they care a great deal about Ronnie,
3 don't you?

4 MR. PANOSH: Objection.

5 Q Don't you know --

6 THE COURT: Sustained.

7 Q Don't you know that even after he broke up with you, he
8 continued to be friends with your parents?

9 A I know that they spoke, yes, I do.

10 Q They spoke on many, many occasions, didn't they?

11 A Well, I could not say. I do not live at home.

12 Q Because --

13 A I'm not with my mother and father.

14 Q Because eventually you had a falling out with your
15 parents, didn't you?

16 A I've never had a falling out with my father or mother.

17 Q Now --

18 A I moved away from home, to be on my own.

19 Q But you're really not on your own, are you?

20 A Yes, I am.

21 Q You're just living with a man, aren't you?

22 A No.

23 MR. PANOSH: Objection.

24 THE COURT: Overruled.

25 Q Aren't you living with Mr. Jeter?

1 A No.

2 MR. PANOSH: Object.

3 THE COURT: Overruled.

4 Q Are you living with Mr. Graham?

5 MR. PANOSH: Objection.

6 A Mr. --

7 THE COURT: Well, sustained, unless you've got
8 some basis for that, counsel.

9 MR. HATFIELD: I do.

10 Q Are you living --

11 THE COURT: Overruled.

12 Q -- with Mark Anthony Graham at the present time?

13 A No. Who's Mark Anthony Graham? He's the one that --
14 he's the one that was driving the car on my sister, to when
15 she was killed.

16 Q Are you living with Bobby Jeter at the present time?

17 MR. PANOSH: Objection.

18 A No, I'm not.

19 THE COURT: Sustained.

20 Q Now, when you started going with Ronnie Kimble, how
21 long was it after you and he began going together that you
22 became pregnant?

23 A About two years.

24 Q So it was a really long relationship, wasn't it?

25 A Yes, sir.

1 Q And it was a very close relationship, wasn't it?

2 A Yes, sir.

3 Q But it wasn't the first relationship in which you had
4 engaged in sexual intercourse in your life, was it?

5 MR. PANOSH: Object, please.

6 THE COURT: Sustained.

7 Q Isn't it a fact you had intercourse with Ted Kimble?

8 MR. PANOSH: Object, please.

9 THE COURT: Overruled.

10 THE WITNESS: Do I answer?

11 THE COURT: You need to answer, ma'am.

12 A Yes, I have.

13 Q And your -- the incidents of sexual intercourse with
14 Ted Kimble took place before you went with Ronnie Kimble;
15 isn't that right?

16 A That's right. I met -- I met Ronnie through Ted.

17 Q And actually, you were 15 years old when you had your
18 relations with Ted Kimble; isn't that right?.

19 A Yes, sir. And it was one time.

20 Q What?

21 A Yes, sir. And it was only one time.

22 Q It happened up at a church gathering?

23 MR. PANOSH: We object --

24 A No.

25 MR. PANOSH: -- to relevance.

1 THE COURT: Well, sustained as to that.

2 Q Now, the business about one time is what you told your
3 mom and dad, isn't it?

4 MR. PANOSH: Objection.

5 THE COURT: Sustained.

6 Q You said you had sexual intercourse with Ted Kimble one
7 time, but as a matter of fact, that's simply what you told
8 your mom and dad, isn't it?

9 MR. PANOSH: Object, please.

10 THE COURT: Overruled.

11 THE WITNESS: Do I answer?

12 THE COURT: You need to answer, ma'am.

13 A That's what I told my mom and dad? I never told my mom
14 and dad about that. My sister came in and found us and
15 told, and I got grounded for a month. And why I was
16 grounded, that was the only time I had -- that I had
17 intercourse with Ted, was, he was let in through my bedroom
18 window, with my twin sister's boyfriend at the same time.
19 That was the only time. I was grounded for a month after
20 that, in which Ted and Janet started to date.

21 Q And you have been angry at Ted Kimble ever since,
22 haven't you?

23 A No. I am not angry at anybody.

24 Q Because you felt he took advantage of you when you were
25 just a kid?

1 A No. No.

2 Q Are you saying you're not angry at Ted Kimble over
3 that?

4 A No.

5 Q So are you saying that after that happened, you were
6 grounded for a month, that you then became friends with Ted
7 Kimble?

8 A We spoke.

9 Q And you say that at the same time that he had his
10 relationship with you and you were grounded for a month,
11 that he began to date Janet Blakley; is that right?

12 A Yes, sir.

13 Q And how many years did Ted date Janet Blakley?

14 A About a -- he dated -- they dated longer than me and
15 Ronnie did.

16 Q So the relationship between Ted Kimble and Janet
17 Blakley began before your relationship with Ronnie Kimble,
18 didn't it?

19 A About the same time.

20 Q And it lasted longer than your relationship with Ronnie
21 Kimble, didn't it?

22 A Yes, it did.

23 Q Now, when did you go to High Point and have this
24 abortion?

25 A In '91.

1 Q So you --

2 A It was -- it was the same day that I received an award
3 at school for second team all-state softball.

4 Q And you're quite positive it was 1991?

5 A (The witness nodded her head up and down.)

6 Q Well, you said in your statement that you gave to the
7 District Attorney's Office, "In the spring of '91, while
8 attending Vandalia Christian School, Dyer stated she began
9 dating Ronnie Kimble," didn't you?

10 A When -- can you please refrain (sic) it.

11 (Mr. Hatfield handed a document to the witness.)

12 Q Can you read that, please. (Indicated.)

13 (Time was allowed for the witness.)

14 A Me and Ronnie were dating before 1991.

15 Q So the statement's wrong?

16 MR. PANOSH: We object.

17 THE COURT: Sustained.

18 Don't make any comment.

19 Q Is there an error in this statement, in terms of when
20 it purports to say that you started dating Ronnie Kimble?

21 A Yes, sir, because we was dating before 1991.

22 Q Okay. So the statement's wrong in that respect, isn't
23 it?

24 A (The witness nodded her head up and down.)

25 Q Would you answer the question, please.

1 A What was the question?

2 Q The question is, the statement was wrong, with respect
3 of when it says you started dating Ronnie Kimble?

4 A I just answered your question.

5 Q So when did you start dating Ronnie Kimble?

6 A When I was a freshman in high school.

7 Q And how old were you then?

8 A 15, just turned 16, 15.

9 Q Well, then how old were you when you had your
10 relationship with Ted Kimble?

11 A 15. It was the same time. That's what I'm trying to
12 tell you, it was the same time.

13 Q So you had a relationship with Ted Kimble, and then you
14 turned around and began a relationship with Ronnie Kimble;
15 is that what you're testifying to?

16 A Me and Ted never had a relationship.

17 Q Well, he climbed in your window with another guy,
18 didn't he?

19 A Uh-huh.

20 MR. PANOSH: We object. Been over that.

21 THE COURT: Well, overruled.

22 You may answer that, ma'am.

23 A Yes, sir, he did.

24 Q And subsequently, you say you began dating Ronnie
25 Kimble?

1 A Yes, sir, after the month was up that I was grounded.
2 Ronnie had come down to the house. In fact, it was me, Ted,
3 Faith, Randy, Ronnie and my sister Donna had all went to a
4 movie. That's when the first time that I had met Ronnie.

5 Q Now, at that time, Ted Kimble did not live with his
6 parents, did he?

7 A No, sir. He lived at the end of my road.

8 Q And that's not very far from where your parents' house
9 is, is it?

10 A No, sir.

11 Q So you were living with your parents' house -- at your
12 parents' house with them, weren't you?

13 A Yes, sir.

14 Q And Ted and a roommate of his were living just a little
15 ways away in a house trailer, weren't they?

16 A Yes, sir.

17 Q And you used to --

18 A But I didn't know that, until Ted had stopped me one
19 day when I was running down the road. I had no idea.

20 Q So you'd already -- he'd already climbed in the window
21 and visited you?

22 A No.

23 Q So he stopped you when you were running down the road
24 before?

25 A One day -- that's how we actually met. We spoke for a

1 while before anything was even engaged.

2 Q You and Ted spoke for a while before anything was
3 engaged?

4 A Yeah. Because I mean, I didn't -- I didn't do anything
5 until after school was out, and I was -- I was still in
6 school when I met Ted, before the -- before the summer
7 break. I was still in school. Me and Ted didn't do
8 anything until that summer.

9 Q And then -- and at that time --

10 A Because I remember I was grounded on July 4th, because
11 he was up at the top of the road, shooting off fireworks.

12 Q And you could see the fireworks out your window?

13 A On the front -- I was sitting on the front porch. And
14 every morning before he would leave for work, he'd leave a
15 rose.

16 Q Every morning when he left for work, what?

17 A He would come by and put a rose on the porch, when I
18 was grounded.

19 Q A little token of his affection?

20 A I assume so.

21 Q So, even though you were grounded, you continued to
22 communicate with Ted Kimble?

23 A No, I didn't.

24 Q And when was it that you met Ronnie Kimble?

25 A I met Ronnie before I had gotten grounded.

1 Q You met Ronnie because you knew him through school;
2 isn't that right?

3 A No, I didn't meet Ronnie through school. I met Ronnie
4 through Ted. Because Ronnie had went out with my sister
5 Donna one time to the movies. That's how I met Ronnie.
6 Ronnie was supposed to be going out with Ted -- I mean, with
7 Janet while I was with Ted. Then Ted wanted to date Janet
8 when I was -- when I had gotten grounded, then Ted and Janet
9 got together. And then after that, that is when Ronnie had
10 started coming over to the house more often and stuff, and
11 we just eventually got together.

12 Q Janet Blakley is your cousin, isn't she?

13 A No.

14 Q She's no relation to you?

15 A No. We were --

16 Q But she was a friend at that time?

17 A Yes, sir.

18 Q Are you and she the same age?

19 A No, sir. She's a little older than me.

20 Q So, you're saying that the way that the thing happened
21 is, Ronnie Kimble dated Janet Blakley and you dated Ted
22 Kimble?

23 A No, I never said that they dated. I said that they
24 were supposed to go out, and they never did.

25 Q Who --

1 A So he --

2 Q Who determined that they were supposed to go out?

3 A That's what the thing were. I was supposed to go out
4 with Ted, Ronnie was supposed to meet Janet, and Faith, my
5 twin sister, was with Randy. We was all --

6 Q I'm sorry. I couldn't hear. Who was the last name?

7 A My twin sister, Faith, was with Randy Fields.

8 Q Randy Fields?

9 A Yes.

10 Q All right. Did that happen?

11 A No, it didn't.

12 Q And what did happen, you met Ronnie instead?

13 A No. Ronnie ended up going out with my sister Donna.

14 We all went to the movies. Donna and Ronnie rode in the
15 back of Ted's pickup truck with us. We went to the movies
16 and then we come back out. And then when I got grounded,
17 that's when Ted told me that he would like to take Janet
18 out, and I told him, "Well, that's fine."

19 Q Because you were forbidden to have any further dealings
20 with Ted, right?

21 A I wasn't forbidden, no. When I got off of grounding,
22 it would have been fine.

23 Q But your parents found out about what had happened
24 because of your sister, and that's why they grounded you?

25 A Well, yeah. I mean -- yes, of course.

1 Q And they were determined to prevent you from having any
2 more to do with Ted?

3 A No, they didn't. If that was so, why would my parents
4 invite them, Janet, Ronnie, Ted, Patricia, all of them, to
5 the New Year's Eve party that they had? If I was forbidden,
6 why would my parents go out the way to invite them into
7 their house? I don't understand that.

8 Q So at that time, it was a very happy, friendly group?

9 A For -- yes, sir.

10 Q And that happy, friendly group evolved into a steady
11 relationship between you and Ronnie Kimble; is that right?

12 A Yes, sir.

13 Q And that was the first steady relationship that you
14 ever had?

15 A As far as into the terms that me and him was, yes.

16 Q And that was the first steady relationship he'd ever
17 had, wasn't it?

18 A No.

19 Q Now, did you and he consider yourselves to be in love?

20 A Yeah, concerning at the -- at the age that I was, I --
21 yeah, I guess so. I guess that's what you would call it.

22 Q And you weren't dating anybody else, and he wasn't --

23 A No. No.

24 Q And he wasn't dating anybody else, was he?

25 A No, sir, not that I know of.

1 Q And then, you found that you were pregnant; isn't that
2 right?

3 A Yes, sir.

4 Q Now, precisely when was it that you learned that you
5 were pregnant?

6 A I can't tell you the exact date, sir.

7 Q Can you tell me --

8 A That's --

9 Q Can you tell me whether it was in 1991 or 1992?

10 A It was -- it was '91.

11 Q And you say that in 1991, as your relationship
12 progressed with Ronnie, Ted's relationship progressed with
13 Janet Blakley; is that right?

14 A I didn't involve myself in their relationship, sir.

15 Q Well, didn't you say that Ted went with Janet Blakley
16 for several years?

17 A Yes, sir, he -- yes, sir, he did.

18 Q All right. Then at some time in 1991, you sensed that
19 you might be expecting a baby; is that right?

20 A Well, yes, sir. When I missed my period, I assumed so.

21 Q Did you tell Ronnie you missed your period?

22 A Yes, sir, I did. That's why we went to Phar-Mor.

23 Q Were you concerned about that?

24 A Of course.

25 Q Did you discuss it with your mom?

1 A No, I didn't.

2 Q You didn't discuss it with your mom, because she is
3 completely opposed to abortion; isn't that right?

4 A Yes, that's right.

5 Q And so is your father; isn't that right?

6 A Yes, that's right.

7 Q And for them, it's a matter of religious conviction;
8 isn't that right?

9 A Yes, sir. And it's also a matter of religious
10 conviction for myself, also.

11 Q But you don't always live up to your convictions, do
12 you?

13 MR. PANOSH: We object, please.

14 THE COURT: Sustained.

15 Q You didn't live up to your conviction in this case, did
16 you?

17 A That wasn't my choice.

18 Q You went ahead and had the abortion, didn't you?

19 A I was scared.

20 Q You were scared to have a baby when you were 16 years
21 old?

22 A I would rather have a baby than to have an abortion.

23 Q That's what --

24 A If that --

25 Q -- you think now?

1 A If that was the case, I would not have my child that I
2 have now.

3 Q Well --

4 A I wasn't married then.

5 Q You don't even have custody of the child you had --

6 MR. PANOSH: We object.

7 A I do, too.

8 THE COURT: Sustained.

9 Q Isn't it a fact that in your separation agreement with
10 your husband, that he has physical custody and you and he
11 have legal joint custody?

12 A That's right.

13 MR. PANOSH: Object.

14 A We have joint custody.

15 THE COURT: Overruled.

16 Q So the fact is that your current child, who was born on
17 September 24, 1994, named Arizona --

18 MR. PANOSH: We object, please.

19 THE COURT: Sustained.

20 Q -- that child is in the custody of your ex-husband?

21 THE COURT: She's answered that, sir.

22 Q Now, in 1991, you say that you went, not to Janet
23 Blakley's house, but to Patricia Blakley Kimble's house?

24 A (The witness nodded her head up and down.)

25 Q That's the lady who died, that this case is all about?

1 A That's exactly right.

2 Q And you say that in 1991, you went over there, and Ted
3 and Patricia were living there?

4 A No, not -- I -- not that I know of. Ted was there.

5 Q Ted was at Patricia --

6 A That's right.

7 Q -- Blakley Kimble's house --

8 A That's right.

9 Q -- in 1991?

10 A That's right.

11 Q Are you aware that this is three full years before Ted
12 Kimble and Patricia Kimble got married?

13 A No, I didn't know that.

14 Q Because you didn't know that Ted and Patricia didn't
15 even know each other in 1991, did you?

16 MR. PANOSH: Objection.

17 THE COURT: Well, sustained.

18 Q The fact is, you didn't go to Patricia Kimble's house,
19 because Ted Kimble didn't even know Patricia Kimble in 1991;
20 isn't that right?

21 A No, that's not right. I went to Patricia house.

22 Q And you said, you told the investigators when they
23 wrote up this report, that it was at Brandon Station Court,
24 didn't you?

25 A It was Patricia house.

1 Q But you know that Ted Kimble did not even know Patricia
2 Blakley Kimble then, don't you?

3 MR. PANOSH: Objection.

4 A If --

5 THE COURT: Well, sustained.

6 A If I --

7 Q When did Ted Kimble marry Patricia Blakley?

8 A I have no idea. When I broke up with Ronnie, my
9 dealings with the Kimble family, I had no more. I broke
10 that off. I had no more dealings with the Kimble family
11 after '92. I broke up with him that summer in '92, and
12 that's when I started dating my ex-husband.

13 Q Now, you stated when you told the investigators about
14 all this stuff, that sometime in May of 1991, you went to an
15 abortion clinic; is that right?

16 A Yes, sir.

17 Q And at the time you talked to them, you said you
18 couldn't remember the location of the clinic; is that right?

19 A That's right. I know it's in High Point, because I
20 know we went down High Point Road, past Jefferson-Pilot, and
21 all that. I remember that, because I was sick, and I had my
22 head out the window.

23 Q Now, you don't know who paid for it, do you?

24 A No, I don't know who the money -- who had -- who gave
25 up the money. I didn't pay for it, so obviously it got

1 paid.

2 Q You don't know whether it had to be paid for or not, do
3 you?

4 A No.

5 Q Now, did Ronnie Kimble walk into that clinic with you?

6 A Yes, he did.

7 Q Did you walk in of your own free will?

8 A No.

9 Q Are you saying that you were dragged into the clinic?

10 A I was held by the arm. I was scared.

11 Q If you were held by an arm, why didn't you tell the
12 investigators that when they wrote this report?

13 A (No response was given by the witness.)

14 Q When you got inside the clinic, did you meet a medical
15 doctor?

16 A A nurse, a woman.

17 Q Did you --

18 A She set me down. She wanted to make sure that we
19 watched a movie, a video, like they always -- I guess they
20 said that that was routine.

21 Q And she had you sign some papers, didn't she?

22 A Yes, sir.

23 Q And the papers indicated that you understood what you
24 were doing, and that you were doing it freely and
25 voluntarily; isn't that right?

1 A Yes, sir, that's what -- we signed the papers.

2 Q Now, did someone make you sign those papers?

3 A No one forced -- no one held my hand and made me sign
4 the papers, no.

5 Q And no one --

6 A But I was scared for my life.

7 Q And no one --

8 A I was scared.

9 Q No one dragged you in there, either, did they?

10 A What do you mean, drag me by the hair in there?

11 Q You're just making all that up now, in the aftermath,
12 aren't you?

13 MR. PANOSH: Object, please.

14 THE COURT: Sustained.

15 Q Isn't it a fact that you felt no fear whatsoever,
16 except the fear you felt that your mother would find out
17 what you were doing?

18 A My mother?

19 Q Yes, sir -- yes, ma'am.

20 A No. My mom and dad would have supported me and loved
21 me and took care of me and the baby.

22 Q Well, why did you tell the investigators, when asked,
23 "Dyer stated she was never physically threatened by Ted or
24 Ronnie Kimble to have the abortion"? Why did you tell the
25 investigators that?

1 A I wasn't physically threatened.

2 Q You said --

3 A Not physically.

4 Q You said, when I wasn't around, and this jury wasn't
5 around, and no one was putting any pressure on you at all,
6 you said that you were never physically threatened, didn't
7 you?

8 A Not physically, yes, sir.

9 Q But now you're in here --

10 A I haven't said that, even still sitting here, I have
11 not said that I was physically threatened. I haven't come
12 out of my mouth and said that I was physically threatened.
13 I have -- I have not said that.

14 Q Have you ever gone back to try to locate that abortion
15 clinic, so that you could find out more about it?

16 A No, sir.

17 Q When did your mom and dad finally find out what you'd
18 done?

19 A I don't know.

20 Q You've talked about it with them, haven't you?

21 A No.

22 MR. PANOSH: Object.

23 THE COURT: Overruled.

24 Q Now, do you remember what years you worked at the
25 Mayflower seafood restaurant?

1 A Yes, sir, '92 and '93.

2 Q When were those years?

3 A '92 and '93.

4 Q So sometime in 1992, after you had the abortion, you
5 and Ronnie decided not to see each other anymore; is that
6 right?

7 A Yes, sir. That's what --

8 Q And he had a difficult --

9 A -- I decided.

10 Q Excuse me?

11 A That's what I had decided.

12 Q You decided?

13 A Yes, sir.

14 Q So it was really a unilateral decision, you didn't want
15 to have anything more to do with him?

16 A Yes, sir.

17 Q Because you found Mr. Dyer?

18 A No, sir.

19 Q Well, you engaged in an extramarital relationship with
20 Mr. Dyer, too, didn't you?

21 MR. PANOSH: Object.

22 THE COURT: Overruled.

23 Q Didn't you?

24 A Yes, sir.

25 Q And you incurred a pregnancy with Mr. Dyer, didn't you?

1 A That's right.

2 Q And before you had a chance to marry Mr. Dyer, Ronnie
3 said that if you would come back to him, he would take
4 responsibility for that; isn't that right?

5 A Uh-huh.

6 Q Ronnie didn't want that abortion any more than you did,
7 did he?

8 A I guess -- I don't know.

9 Q You know he didn't want it any more than you, don't
10 you?

11 A I don't know.

12 Q You know that he was just as torn up over that as you
13 were, don't you?

14 A During -- Okay. If he was so torn up about that, then
15 why would he put that through me -- would why he -- why
16 would he cause me to go through that?

17 Q Because both of you mutually agreed --

18 MR. PANOSH: Object to him answering the question.

19 Q Isn't it a fact --

20 THE COURT: Overruled.

21 Q -- that both of you mutually agreed that you were just
22 too young to have a baby --

23 A No, sir.

24 Q -- and to take care of -- That's what you both agreed
25 to, isn't it?

1 A No, that is not what I agreed to.

2 Q Ronnie Kimble begged you to get married and to face
3 life and to have that baby and to not have an abortion,
4 didn't he?

5 A No, sir.

6 Q Now, you say that you went to Patricia Blakley Kimble's
7 residence --

8 MR. PANOSH: It's been asked and answered, please.

9 Q -- on Brandon Church (sic) Court --

10 THE COURT: Overruled.

11 Q -- and met Ted Kimble there; is that right?

12 A Yes, sir.

13 Q And you're saying that he had a gun strapped to his
14 hip; is that right?

15 A Yes, sir.

16 Q And where was Patricia?

17 A In the house. She wasn't outside.

18 Q And at that time, was Ted Kimble living at that house?

19 A I don't know that. Not that I know of, no.

20 Q And were you able to see, under the circumstances, what
21 this gun looked like?

22 A It was a black gun. That's all that I seen.

23 Q Did he ever take it out of the holster?

24 A Not then. Not then.

25 Q And as a matter of fact, there was a shirt covering it?

1 A It was a sweat shirt.

2 Q Yes. So you couldn't even see it, could you?

3 A He showed it to me. He lifted it up and then put the
4 sweat shirt back down.

5 Q And told you he had a gun on his hip?

6 A He showed it to me. He didn't tell me.

7 Q And did he tell you that he was going to do anything
8 with that gun?

9 A No, sir, he didn't say that. Only thing, when he
10 showed me the gun, he told me that I was not going to ruin
11 his family, that his father was a pastor.

12 Q He was -- that you were not going to ruin his family?

13 A (The witness nodded her head up and down.)

14 Q But you're going to ruin his family now, if you
15 possibly can, aren't you?

16 A (The witness shook her head from side to side.)

17 MR. PANOSH: Object, please.

18 THE COURT: Sustained.

19 Q What is your reason for coming in here and dredging up
20 these events from seven or eight years ago in your miserable
21 life?

22 MR. PANOSH: Objection.

23 THE COURT: Sustained.

24 Q What is your reason for coming here and bringing these
25 things to everybody's attention, eight years after they

1 happened?

2 A I was asked these questions from the past. I had no
3 dealing with this. They came to me. I did not find
4 anybody. My dealing of being here is to tell the truth.

5 Q That's what they told you upstairs, isn't it?

6 A I haven't even been upstairs.

7 Q Well, where were you when you wrote the statement that
8 said that you were never physically threatened by Ted or
9 Ronnie Kimble? Where were you then?

10 A Wrote a statement?

11 Q When you told the people that wrote this statement down

12 --

13 A In Greenville --

14 Q -- where were you?

15 A -- North Carolina.

16 Q What?

17 A In Greenville, North Carolina. They came to me.

18 Q And you told them that back in the days when you were
19 dating Ronnie Kimble, that he was overly possessive, didn't
20 you?

21 A Yes, sir.

22 Q And that's really what that's about, is the fact that
23 while you were still going with him, you just decided to
24 move to another person, and you took up a relationship with
25 Mr. Dyer; isn't that right?

1 A No, sir. I was broke up with Ronnie for a good two,
2 three months, before me and Henry even got together. My
3 twin sister, Faith, was dating his twin brother at the time,
4 Sammy.

5 Q What period of time did you work at the Mayflower?

6 A From '92 to '93.

7 Q So when was it that you claim that Ronnie Kimble came
8 to the Mayflower and sat outside, after he'd given you
9 roses?

10 A In May of -- May of 1992, right after I had graduated
11 from high school. That's when I got -- when I got -- when I
12 had graduated from high school, the day after I graduated,
13 my family went to the beach for six days. We came back.
14 The following week, me and my twin sister went together to
15 Mayflower and applied for a job.

16 Q Now, according to the language that is incorporated in
17 this statement that was written down in Greenville, it says
18 that "sometime in the spring (May of 1991)," you all went to
19 get this abortion. Is this accurate?

20 MR. PANOSH: Objection. This has been over --

21 MR. HATFIELD: I want to --

22 MR. PANOSH: -- at least twice.

23 MR. HATFIELD: I want to orient it to the
24 Mayflower thing. I think I can ask --

25 THE COURT: Well, Mr. Hatfield, we've been over

1 it three or four times. I remember that the --

2 MR. HATFIELD: Well, I'm slow to remember. I'm
3 sorry, Your Honor.

4 THE COURT: One more time.

5 Answer it, ma'am.

6 Q Was it -- is it accurate when it says May of 1991?

7 A As far as?

8 Q When you had the abortion.

9 A Yes, sir.

10 Q So are you saying now that in May of 1992, you
11 graduated from high school and received your awards? Did
12 you just say you graduated from high school in May of 1992?

13 A That's right, May 29, 1992.

14 Q And are you saying that a full year after you had this
15 abortion, that Ronnie Kimble was still bringing you roses?

16 A Yes, sir, it was.

17 Q And that sometime around May of 1992, you say you saw
18 him out in the parking lot one day and you thought he had a
19 gun with him?

20 A Yes, sir.

21 Q Who else was there?

22 A Several people that worked there.

23 Q Can you name them?

24 A No. It's been so long ago. They were kitchen people.

25 Q So there isn't anybody that you can think of now who

1 would back you up on this?

2 A Not now. She's dead.

3 Q Your sister's dead?

4 A Yes.

5 Q So it's true, as I just asked you, that there's no one
6 who can back you up on that story, right?

7 A No, sir.

8 Q And you never really told that story until these
9 investigators went down and asked you about it, did you?
10 You never told that story to anybody, about thinking that
11 you saw Ronnie with a gun?

12 A Wrong.

13 Q Well, who did you tell it to?

14 A I told my sister. My sister Bonnie, she knew about the
15 abortion. My sister Donna knew about the abortion. They
16 both knew when it happened.

17 Q Now --

18 A I talked to my sister instead of my parents, because I
19 felt like I was closer to my older sister.

20 Q Plus, they're not as opposed to abortion as your
21 parents?

22 A Oh, yes, they are. Very.

23 Q Now, what did this gun look like?

24 A Which gun?

25 Q This gun you claim you saw.

1 A When I had the pregnancy test and we came back to
2 Patricia house --

3 Q No.

4 A -- and Ted --

5 Q The gun that you claim you saw in Ronnie's possession.

6 A In Ronnie's possession, the one at Mayflower, it was a
7 rifle. He carried it behind his seat in the truck.

8 Q Was there a rack on the --

9 A No.

10 Q -- window of the truck?

11 A It was behind the seat.

12 Q And you had seen it on many previous occasions?

13 A Yes. We target practiced with it, went to turkey
14 shoots, shot in my mama's back yard in the woods.

15 Q You shot the gun yourself, didn't you?

16 A Yes, I had.

17 Q What kind of gun was it?

18 A This was a rifle. I don't -- I don't know. I'm not an
19 expert on guns, sir.

20 Q And was it in rather new condition, or was it an older
21 gun?

22 A I cannot remember that.

23 Q Is it something that Ronnie had had for as long as you
24 knew him?

25 A I can't say -- I would not know that.

1 Q So, in a full year after you've had your abortion, and
2 many, many, many months after you had broken up with Ronnie,
3 you say that he was still trying to communicate with you,
4 and that he left you some flowers at Mayflower; is that
5 right?

6 A Yes, sir.

7 MR. PANOSH: Objection.

8 Q And you say --

9 THE COURT: Overruled.

10 Q -- that you saw this gun, that you'd seen many times
11 before, in his possession then; is that right?

12 A Yes, sir. This was after we had broken up. He had
13 been following me to church, about ran my ex-husband off the
14 road, chasing him up and down Randleman Road.

15 Q Did you tell the people that wrote this report about
16 your ex-husband, so they could go ask him about this?

17 A Yeah, if -- yeah, I have.

18 Q Did you tell these investigators that Ronnie Kimble's
19 mother did not particularly like you?

20 MR. PANOSH: Object.

21 THE COURT: Overruled.

22 THE WITNESS: Answer?

23 THE COURT: You may answer.

24 A Yes, sir.

25 Q And that bothered you, didn't it?

1 A I guess to some degree, back in -- back when we was
2 dating.

3 Q And did you also tell these investigators that you
4 thought that Ronnie Kimble's parents paid more attention to
5 Ted than they did to Ronnie?

6 A Yes, sir.

7 Q And you knew that of -- as a fact, of --

8 A Yes, sir.

9 Q -- your own observation, didn't you?

10 A Yes, sir.

11 Q Everything that Ted did was right, wasn't it?

12 MR. PANOSH: Object.

13 THE COURT: Overruled.

14 Q In their -- in your observation, everything that Ted
15 did was right, wasn't it?

16 A Accord-- what I thought?

17 Q Yeah, what you say. You saw that the way Ted was
18 treated was, everything he did was right? .

19 A The way I thought the way that everything that he did
20 the way his parents thought --

21 Q Yeah.

22 A -- was right? Yes, sir.

23 Q And everything that Ronnie did was a little bit
24 lacking, wasn't it?

25 A Uh-huh.

1 Q And during the time before you broke up with Ronnie,
2 you felt very sorry for him for that situation, didn't you?

3 A Yes, sir. Well, during the whole time that we was
4 together.

5 Q So, aren't we really just looking back on a typical
6 teenage relationship that just didn't go anywhere? Isn't
7 that what this is all about?

8 MR. PANOSH: Object.

9 THE COURT: Sustained.

10 Q You were a teenager and he was a teenager; isn't that
11 right?

12 A Yes, sir.

13 Q And no matter what you and he might have wanted to do,
14 you were just too young to really do it, weren't you?

15 A What do you mean --

16 Q You just --

17 A -- too young to really --

18 Q You couldn't get married and have that baby and --

19 A I could have got married.

20 Q -- big house in the country --

21 A I could have --

22 Q What?

23 A I could have gotten married or had the baby.

24 Q How were you going to support yourselves?

25 A I don't know. I could have lived at home with my mom

1 and dad.

2 Q And Ronnie could have mowed lawns, right?

3 THE COURT: Well, sustained. Move along.

4 Q Isn't it a fact that the -- that Ronnie was very
5 industrious in running his yard care business during this
6 period when you knew him?

7 A Yes. He had a lawn care service.

8 Q And he had quite a few customers, didn't he?

9 A Yes, sir. I helped out on occasions.

10 Q And he worked real hard whenever he was not in school;
11 isn't that right?

12 A That's right.

13 Q And he paid his way for everything, didn't he?

14 A Yes, sir, as far as I -- as far as I know, yes, sir.

15 Q And until your relationship went sour, he took good
16 care of you, didn't he?

17 A What do you mean took good care of me?

18 Q He dated you and was nice to you and made you feel good
19 and did things with you and was a good companion for you,
20 wasn't he?

21 A At the beginning.

22 Q And then the pregnancy came along, didn't it?

23 A Yes, sir.

24 Q Things changed?

25 A (The witness nodded her head up and down.)