



1 making a statement, that he was shot behind the pub,  
2 because that is going to imply that all the evidence  
3 suggesting that it was in the back of the car and  
4 everybody saying it was in the back of the car was a  
5 cover-up. So I want you to understand the importance  
6 of that statement to me.

7 A. I understand.

8 Q. And I don't want you to think I'm trying to  
9 badger you as to what --

10 A. No, I don't think you are badgering me at  
11 all.

12 Q. -- is it in your head that makes you think it  
13 was behind the pub. I mean, was there a blood stain  
14 found back there?

15 A. No.

16 Q. Was there somebody that said that, yeah, they  
17 drug him back there?

18 If I recall correctly, in your statement,  
19 when the gun is shot in the parking lot and you  
20 described him putting the gun -- him being, Dan putting  
21 the gun on top of the car, doing something with it,  
22 having trouble getting a shell into the chamber; I  
23 mean, you were pretty specific about seeing that stuff,  
24 and then Bernie getting the gun and ultimately shooting  
25 it and then Shawn coming back into possession of it.

1 A. Yes.

2 Q. All of that was accurate, correct?

3 A. Yes.

4 Q. Okay.

5 A. Except for I never said anything about Shawn  
6 having the gun.

7 Q. Okay. Well, you didn't remember, I guess,  
8 was how --

9 A. No, I never saw Shawn with the gun.

10 Q. Okay.

11 MR. PORTER: But you did indicate that  
12 there was some sort of a case that this gun was removed  
13 from, that come from the car, that he removed it -- Dan  
14 removed this from Rita's car, the rear seat of the car,  
15 set the case up on top of the car --

16 THE WITNESS: Yes.

17 MR. PORTER: -- and took the gun out of  
18 its case?

19 THE WITNESS: Yes.

20 BY MR. BARTLETT:

21 Q. Are you sure about that, that there was a  
22 case?

23 A. I could be wrong.

24 Q. Or could he have just laid it on top of the  
25 car?