

Natalie Forsberg. - Richard Forsberg.

A. No, he was standing there at the car.

Q. Did he have some tools in his hand?

A. This, I can't tell you. I mean, as I said, we just pulled up and he was standing there working.

Q. What kind of clothes did he was he dressed in?

A. I don't know, he usually has jeans on, I couldn't tell you what he had on.

Q. There is just no question he was out there?

A. No.

Q. No further questions.

By Mr. Fierro:

Step down. May she be excused?

By Mr. Ertel:

As far as I am concerned.

(Excused from witness stand.).

RICHARD FORSBERG, being duly sworn according to law, testified as follows:

DIRECT EXAMINATION

By Mr. Fierro:

Q. State your name?

A. Richard Forsberg.

Q. How old are you?

A. 43.

Q. What is your occupation?

A. High School Teacher.

Q. Where?

A. Williamsport Area High School.

Richard Forsburg.

Q. A lady by the name of Natalia just testified, is that your wife?

A. She is.

Q. Of course, you are related to Kim Hubbard?

A. He is my Nephew.

Q. His Mother is your sister, is that correct?

A. That is correct.

Q. Next door to the Hubbards lives your Mother?

A. Right.

Q. Your sister?

A. Right.

Q. Mrs. Grimes?

A. Yes.

Q. Now, Mr. Forsberg, let's go back to last October 19th, did you have any occasion to be on West Central Avenue last October 19th?

A. I did.

Q. Where did you go?

A. Went to my Mother's to wait until my wife quit work.

Q. By your Mother we mean Mrs. Forsberg?

A. Yes.

Q. Who lives with Mrs. Grimes?

A. Yes.

Q. That is the place where that is next door to the Hubbards?

A. Yes.

Richard Forsberg.

Q. There is an empty lot in between?

A. Yes.

Q. Both of these houses are on the same side of the street?

A. They are.

Q. Now, you say you went to your Mother's, why?

A. I leave high school at 3:30, I live in Nesbit Heights, that is seven and a half miles away, I pick my wife up at 5:00, and to save gas and money I don't go home, I spend my time with my Mother until my wife quits work. This is practically a daily activity.

Q. Even though it may be daily, let's go to October 19th, did you visit your Mother?

A. I did.

Q. Did you have anyone with you when you drove up?

A. My four year old son, Brian.

Q. Did you go into the house?

A. I did.

Q. Do you know, by the way, what time you got there or approximately what time you got there?

A. Approximately ten minutes of four.

Q. About ten minutes of four?

A. Yes.

Q. Did you see Mike Grimes?

A. I did.

Q. Where did you see him?

A. He was working on his car in front of the house.

Q. Are you sure?

Richard Forsberg.

A. Positive. I spoke to him, I made a comment about him taking the car to the garage and having it done right.

Q. You went into the house?

A. I did.

Q. Did you leave the house anytime that afternoon?

A. Not until it was time to pick my wife up.

Q. What time would that have been?

A. Approximately quarter of five.

Q. How do you know?

A. I looked at the clock and time consciously, I have to pick my wife up.

Q. Do you know what time your wife quit work?

A. She is to punch out at 5:00.

Q. How often do you pick your wife up, or did you at that time?

A. Every day she works.

Q. Every day?

A. This is every day of the week except Wednesday.

Q. It was then?

A. It was then.

Q. Presumably it still is?

A. It is.

Q. Did you pick your wife up?

A. Yes.

Q. Who was driving?

A. I was.

Q. Where did you go when you picked her up?

Richard Forsberg.

A. I would say normal traffic. We just beat the 5:00 traffic by picking her up at 5:00.

Q. When you got there, what time did you say you think it was?

A. Approximately ten to quarter after.

Q. Was Kim Hubbard's car there?

A. It was.

Q. Was Mike's car?

A. It was.

Q. What did you do, Mr. Forsberg, then?

A. Since there was such a small space and my wife was going to take the car, I just pulled up beside it, slid out and took Brian and went in the house.

Q. When you went in the house, you mean your Mother's place?

A. Yes.

Q. Did you see Mike in your Mother's place?

A. He was still on the car outside when I got back.

Q. He still was?

A. Yes.

Q. Do you have any idea what time your wife came back from the Super-Duper or whatever the marketing place was?

A. Approximately twenty-five to six.

Q. Where did you go, if you did, at that time?

A. Well, we left the house approximately quarter of five to head for home....quarter of six, I am sorry.

Q. Had left for home?

Richard Forsberg.

A. Yes.

Q. Where is that?

A. Nesbitt Heights, west of DuBoistown.

Q. When you say you left, you mean you, your wife and child?

A. Yes.

Q. At approximately quarter to six?

A. Yes.

Q. Well, would that be heading west?

A. West.

Q. From where your Mother lives?

A. Yes.

Q. Did you have to go by the Hubbard house?

A. Yes.

Q. Did you see Kim Hubbard's car?

A. Yes, it was there at that time.

Q. Are you sure of that?

A. Positive.

Q. Was there anything distinctive about the Hubbard car that you knew at that time?

A. Yes, my wife pointed out the fact of the fender which she had not seen before, she asked me if I knew when Kim smashed it. I had no idea.

Q. Other than the smashing of the fender, were you familiar with the car?

A. I knew it was a green Cutlass, I had looked at it the day after Kim rebuilt it or redone it over at the Community

Richard Forsberg.

College.

Q. Now, Mr. Forsberg, I am going to show you marked for identification as Commonwealth's Exhibit No. 115, it is a helmet, I am asking you did you ever see this helmet in Kim Hubbard's car?

A. No, Sir, I did not, never.

Q. Did you ever see this helmet?

A. I never saw that helmet before today.

Q. Cross examination.

CROSS EXAMINATION

By Mr. Ertel:

Q. Mr. Forsberg, you say it is a custom of your's to go to your Mother's?

A. It is.

Q. So you would go there every day?

A. Every day.

Q. Incidentally, obviously you didn't have Brian at school, where did you get Brian?

A. I picked Brian up, I can't think of the name of the road, it is the road that follows the river into Duboistown, you come out Valley Street, and instead of making the loop to go over Arch, you come back around the railroad track, Pat Lynn is the babysitter .

Q. Is that Riverside Drive?

A. No.

Q. It does not matter. You had to go there and pick up Brian?

Richard Forsberg.

Q. Did you have to get him dressed or anything, get his clothing?

A. We have to put his coat on.

Q. What time do you quit at school?

A. 3:30.

Q. What do you teach?

A. I teach Bookkeeping and Data Processing currently.

Q. What time do students leave?

A. They leave at 3:10.

Q. Now, how was the traffic that day when you went over to Williamsport, was it easier to get over to Williamsport than it was to come back?

A. You mean when I left my Mother's home?

Q. When you left the Forsberg home over there to come to pick up your wife, was it easier to come over?

A. It was.

Q. In other words, the traffic was lighter?

A. It was particularly coming from South Side over.

Q. Do you recall how long you had to wait for your wife?

A. Four or five minutes.

Q. Where do you wait?

A. I stay in my car, I pull in the parking lot directly behind the Carroll House.

Q. It took her four or five minutes to come out?

A. From the time she punched out, I would say maybe three, maybe four minutes.

Richard Forsberg.

Q. Now, when you first went over there, you parked your car right in front of the Grims's car?

A. In front of Mike Grimes' car.

Q. Now, which direction did you come from when you went to the Forsberg house initially, and I am talking about the time when you were, after you picked up your son and went there?

A. I had come up Clinton Street, which is a side street to the corner where my Mother lives, from Southern, made the loop, there was no parking places available and I went on up until I found one in front of Mike's car.

Q. Your car would have been pointed in what direction?

A. West.

Q. Towards Maynard Street?

A. Yes.

Q. What direction was Mike's car pointed?

You were on the correct side of the street?

A. On the right side going west.

Q. You were parked in the direction that you were supposed to?

A. Yes.

Q. You didn't see Hubbard's car at that time at all?

A. I did not.

Q. Incidentally, your wife only went to the grocery store or something like that for something like twenty minutes?

A. That is right.

Q. She didn't do her weekly buying?

A. No, she went after some necessities.

Richard Forsberg.

Q. So that normally you would stop there and she would go and get the groceries?

A. That is true, Sir, I do not like to go grocery shopping.

Q. You do this pretty much every week?

A. Pretty much.

Q. Your car was parked directly in front of Mike's car?

A. It was.

Q. Were there anyother cars on the street?

A. There was two cars behind Mike's, one was his Dad's, I don't know who the other one belonged to.

Q. Mike was still working on his car when you came back between 5:10 and 5:15 in the afternoon?

A. He was.

Q. He was still out front?

A. Yes.

Q. Was he underneath or on his feet?

A. He was moving around under the hood, moreorless, he was not on the ground.

Q. He was bending over like you would look?

A. Putting something back. I didn't put my head under to see what he was doing.

Q. Incidentally, you said that you knew that Kim rebuilt his car at the Community College?

A. Yes.

Q. When was that?

Richard Forsberg.

A. That was last summer, because I had made arrangements with Kim to repaint mine after school reopened in September.

Q. That car, was it repainted then?

A. Back at that time I think Kim said he had painted it.

Q. Well, it was pretty shiny then, a new paint?

A. I would say so, metallic.

Q. Metallic green?

A. Yes.

Q. Did you ask Mike what he was fixing on his car?

A. I don't know if I asked him what he was fixing or if he made a comment as to working on the starter, I believe.

Q. How about the battery terminal?

A. I couldn't say, I don't think the battery terminal was mentioned at that time.

Q. Are you sure about what he talked about at that time or don't you have a specific recollection?

A. I am not specific, although I think it was more to the starter than the battery.

Q. Incidentally, when you were inside of the house, where were you in the house?

A. Sitting at the kitchen table.

Q. Where was your Mother?

A. Sitting at the end of the kitchen table opposite me.

Q. Where was Mrs. Grimes?

A. Floating around the kitchen from the sink to the stove

Richard Forsberg.

to the refrigerator.

Q. Is the kitchen towards the back of the house?

A. It is in the rear of the house.

Q. Did Mrs. Grimes make any indication to you of seeing anybody?

A. I can't say she specifically said she saw anybody, no.

Q. Did you see Kim that day at all?

A. I did not.

Q. At no time?

A. No.

Q. No further questions.

By Mr. Fierro:

No further questions.

(Excused from witness stand.).

By The Court:

We are going to recess. The Defendant is excused. The Jury is excused. Everyone else remain seated until they leave. Court is recessed.

(Recessed at 12:20 P.M., EDST, and reconvened at 1:30 P.M., EDST.).

By The Court:

May I see Counsel?

(Side Bar consultation not made a part of the record.).

By The Court:

Would you have Mr. Forsberg come in?

Richard Forsberg.

RICHARD FORSBERG, previously sworn, recalled to the witness stand and testified as follows:

CROSS EXAMINATION

By Mr. Ertel:

Q. Mr. Forsberg, I neglected to ask you, you returned to the house while your wife went to get the groceries?

A. I pulled up, I got out and went in the house and she went on to the store.

Q. And you were in there, I think you said somewhere approximately a half hour?

A. To be approximate, yes.

Q. Twenty-five minutes?

A. Somewhere around there.

Q. Did you see Mike in the house?

A. He came in one time with something from the car, talked to his Mom and went back out.

Q. So he was still outside when you left?

A. When I left when?

Q. The second time, at 5:45 or in that neighborhood?

A. No, he was not there when I left at 5:45.

Q. But you don't know where he went?

A. I have no idea.

Q. But he only came in to get something and went back out?

A. He came in and went upstairs and came back down and left.

Q. No further questions.

Nancy Stuempfle.

By Mr. Fierro:

No further questions.

(Excused from witness stand.).

NANCY STUEMPFLE, being duly sworn according to law,
testified as follows:

DIRECT EXAMINATION

By Mr. Fierro:

Q. What is your name?

A. Nancy Stuempfle.

By Mr. Ertel:

May I have an offer?

(Side Bar not made a part of the record.).

By Mr. Ertel:

Has she been in the Court Room?

By Mr. Fierro:

Yes, she has been in the Court Room.

By Mr. Ertel:

I move to disqualify her.

By The Court:

Refused, proceed.

By Mr. Fierro:

Q. Where do you reside?

A. 222 Spring Street, Duboistown.

Q. Nancy, concerning last October 19th, did you have
an occasion to see Kim Hubbard?

A. Yes, I did.

Q. Was he with anybody?