

Keith Sampsell. - Robert Fries.

Q. How do you know it was Mike Grimes?

A. Because he turned and looked and said "Hello".

Q. Was he underneath the car?

A. Yes.

Q. Could you see his face?

A. Yes.

Q. Was he underneath the car or underneath the hood?

A. Underneath the car.

Q. Underneath the car?

A. Yes, laying towards the outside.

Q. No further questions.

By Mr. Fierro:

That is all, step down. May he be excused?

By Mr. Ertel:

Yes.

(Excused from witness stand.).

ROBERT O. FRIES, being duly sworn according to law,  
testified as follows:

DIRECT EXAMINATION

By Mr. Fierro:

Q. What is your name?

A. Robert Otto Fries, II.

Q. Bob, do you know Kim Hubbard?

A. Yes.

Q. How old are you?

A. 17.

Q. Where do you live?

Robert Pries.

A. 2020 West Southern Avenue, South Williamsport.

Q. Bob, you recall last October 19th?

A. Yes.

Q. Were you in school that day?

A. No.

Q. Was school out?

A. Yes.

Q. Bob, did you see Kim Hubbard on October 19th?

A. Yes, I did.

Q. Where?

A. Hum-Dinger.

Q. Tell this Jury, this Jury heard a lot of times about the Hum-Dinger, was it is and where it is located?

A. It is located on Southern Avenue and it is a Drive-In Restaurant.

Q. You say you saw Kim at the Hum-Dinger that day?

A. Yes.

Q. What time?

A. From 4:00 until around quarter after four.

Q. Until around a quarter after four?

A. Yes.

Q. What did you do at quarter after four?

A. I was sitting out behind the Hum-Dinger in a car, listening to a stereo.

Q. What time did you leave the Hum-Dinger?

A. About quarter after...well, I was home at twenty after four, so however long it takes me to get from the Hum-Dinger

Robert Fries.

to my house.

Q. How long does it take you?

A. About three minutes.

Q. Is that driving or walking?

A. Driving.

Q. What time do you think that it was that you left the Hum-Dinger?

A. About quarter after four.

Q. What time did you get home?

A. Twenty after.

Q. How do you know you got home twenty after four?

A. Because I was going to go riding after I got home, and I wanted to see what time it was so to see how much time it was I could go up and ride.

Q. When you left the Hum-Dinger, where was Kim?

A. Standing on the ledge on the side of the building.

Q. When you left, was Kim still there?

A. Yes.

Q. Do you know Kim Hubbard's car?

A. Yes.

Q. Did you know it before October 19th?

A. Yes.

Q. Can you tell the Jury what kind of car and color?

A. It was an Oldsmobile Cutlass, and like, I don't know, like a shade of green, I couldn't tell you exactly what color it was, but it was like a greenish color.

Q. Was there anything visible that was wrong?

A. No... well. it had a smashed in fender and a bumper

Robert Fries.

that was kind of offset.

Q. Which fender?

A. The left front.

Q. Bob, I am going to show you marked for identification purposes as Exhibit No. 115, take a look at it, we know it is a helmet, did you ever see this helmet in Kim Hubbard's car at any time?

A. No, not that I can remember.

Q. Cross examination.

By The Court:

Mr. Ertel?

CROSS EXAMINATION

By Mr. Ertel:

Q. I am curious, how long were you at the Hum-Dinger that day?

A. From about 3:30 to about quarter after.

Q. Quarter after four?

A. Yes.

Q. Your name is Robert Fries, Jr.?

A. Yes.

Q. You live at 2020 West Southern Avenue?

A. Yes.

Q. That is in South Williamsport?

A. Yes.

Q. You are a friend of Kim Hubbard's?

A. Yes.

Q. Good friend?

A. Yes.

Robert Fries.

Q. Close personal friend?

A. Yes.

Q. Would you consider yourself his best friend?

A. One of his best.

Q. Do you recall on the 26th of October, 1973, being stopped in a traffic check?

A. Yes.

Q. Do you recall saying to the Police Officers that you saw the victim on the afternoon she was reported missing, and at the time you saw her was in the area of the Hubbard home around 3:45 P.M.?

A. Yes.

Q. You were at the Hum-Dinger from 3:35 to 4:15?

A. I thought the whole thing over and tried to figure out exactly where I was and it couldn't have been the girl.

Q. Yet on the 26th of October, that is only about six or seven days after she was missing you saw the girl, and you know Jennifer Hill, don't you?

A. No.

Q. You don't know Jennifer Hill?

A. No, just a picture of her in the paper.

Q. Never saw her at all?

A. Never.

Q. At that time you were sure you saw the victim?

A. I thought I did.

Q. And it was around the Hubbard home?

A. Yes.

Q. You told the Police Officers around 3:45, wasn't it?

Robert Pries.

A. I believe so.

Q. Now, I want to get this straight about this 3:30 to 4:15 at the Hum-Dinger, what time did Kim Hubbard show up there?

A. I believe it was around 4:00.

Q. Who was he with, if anyone?

A. I didn't notice if he was with anybody or not, I didn't see him with anybody in particular, like if he got a ride down or not.

Q. You don't know who he was with?

A. No.

Q. You didn't see him arrive?

A. I was in the back of the lot, but I couldn't tell you what direction he entered.

Q. Was Ard Stetts there at the same time he was there?

A. Yes.

Q. Did Ard leave before him?

A. Yes.

Q. Did Ard, how much time before that, before you that Ard Stetts left?

A. I imagine about five, maybe ten minutes.

Q. So Ard Stetts left around 4:05 or 4:10?

A. Yes.

Q. Ard Stetts was driving his Bronco?

A. Yes.

Q. Did Kim Hubbard ever tell you he was in that cornfield where Jennifer Hill was found?

A. He said he has been parking down there already.

Robert Fries.

Q. In that cornfield, didn't he?

A. Which cornfield, you know, I couldn't tell you, but I imagine down in that location.

Q. Didn't you tell me when I interviewed you prior to this case, in the presence of Corporal Barto, he told you he had been in that cornfield where the girl had been?

A. Yes, he said down, I don't know if the exact same spot where she was found, but in there.

Q. He had been parking in that cornfield?

A. Yes.

Q. He told you that?

A. Yes.

Q. Did he tell you what day he was parking in that cornfield?

A. No, it was before this though.

Q. Incidentally, you saw an ear ring in Kim Hubbard's car?

A. Yes.

Q. You drew a picture of that ear ring for us?

A. Yes, Sir.

(Commonwealth's Exhibit No. 120 marked for identification.).

Q. This was drawn in your presence, was it not?

A. Yes.

Q. And it shows the curve in the Sylvan Dell Road, doesn't it?

A. Yes.

Q. It shows the road going back to the tanks, does

Robert Fries.

it not?

A. Yes.

Q. Didn't you identify that as the place where he told you he had been parking?

A. No, I said he has been parking in the cornfield. You can get into it from the back also.

Q. But in that cornfield where that road was, where the Arco Gas Tanks were?

A. Yes.

Q. Then you drew us a picture of an ear ring you saw in his car, did you not?

A. Yes.

Q. Was this the original ear ring you drew?

A. Yes.

Q. Then you changed it and made it like this?

A. No, that there is the same thing.

Q. Then you made it over here a little bit different?

A. No, I was just drawing it.

Q. Incidentally, you changed that ear ring after you saw a picture of Jennifer Hill with an ear ring which I presented to you, did you not?

A. No, I didn't.

Q. You don't recall having seen this picture?

A. Yes, I saw the picture, but I didn't change the drawing, I had it in my mind what the ear ring looked like, it was not one Jennifer Hill was wearing.

Q. Not the one you drew first?



Robert Fries. - Wendy Shaffer.

A. I drew this then you showed me a picture.

Q. Then you drew another one?

A. It is the same one.

Q. No further questions.

RE-DIRECT EXAMINATION

By Mr. Fierro:

Q. You say that is not, the picture, the one you drew, which resembles Jennifer's ear ring, is that correct?

A. That is correct.

Q. That is all.

RE-CROSS EXAMINATION

By Mr. Ertel:

Q. Incidentally, you also identified that ear ring being for a pierced ear, did you not?

A. Yes.

Q. Thank you, no further questions.

By Mr. Fierro:

Step down.

(Excused from witness stand.).

By Mr. Ertel:

He is not excused.

WENDY SHAFER, being duly sworn according to law, testified as follows:

By The Court:

Q. How old are you, Miss?

A. 11.

Q. Proceed.