

Norma Hill.

else, that means, doesn't it, that Kim could have been there and you didn't pay attention and didn't see him, isn't that correct?

By Mr. Ertel:

I object.

By The Court:

The objection is sustained.

By Mr. Pierro:

Q. Your statement you were paying attention or weren't paying attention to anybody because you were looking for Jennie, doesn't that mean you were not looking around to see who else was there?

A. I was looking around, but I was looking everywhere I could, but I was looking for Jennie.

Q. You were not paying particular attention to other people, were you?

A. No.

Q. That is all.

By The Court:

Mr. Ertel?

By Mr. Ertel:

Nothing further.

(Excused from witness stand.)

JACQUELYN HILL, being duly sworn according to law, testified as follows:

DIRECT EXAMINATION

Jacquelyn Hill.

74.

By Mr. Ertel:

Q. State your full name?

A. Jackie Hill.

Q. How old are you?

A. 13.

Q. You are the sister of Jennifer Hill?

A. Yes.

Q. That was your Mother who just testified?

A. Yes.

Q. Jackie, going back to the 19th of October, did you see Jennie on that day?

A. No.

Q. Did you have the occasion to make a phone call on that day?

A. Yes.

Q. Approximately what time?

A. About twenty-five after four.

Q. Who did you call?

A. The Hubbards.

Q. To whom did you speak?

A. Ruthie.

Q. Did you speak to anybody else?

A. No.

Q. Did anyone tell you to call there?

A. My Mother.

By Mr. Fierro:

I object to this, your Honor.

Jacquelyn Hill.

By The Court:

The objection is sustained.

By Mr. Pierro:

If she answered, I don't know, I move it be stricken.

By The Court:

Strike it from the record, she did, she said her Mother. The Jury is instructed to disregard the answer.

By Mr. Ertel:

Q. Who was home when you called?

A. You mean at my house?

Q. Yes?

A. Well, my Mom and Dad and my Sister and my Brother and that, I think that is all.

Q. And to whom did you speak at the Hubbard home?

A. Ruth.

Q. What did you ask Ruthie?

By Mr. Pierro:

I object, your Honor.

By The Court:

The objection is sustained.

By Mr. Ertel:

No further questions.

CROSS EXAMINATION

By Mr. Pierro:

Q. Jackie, were you in Court while your Mother just testified?

A. Yes.

Jacquelyn Hill.

Q. You heard her testify as to who made calls to the Hubbard house, didn't you?

A. Yes.

Q. You heard her testify as to what time she thought those calls were made, didn't you?

A. Yes.

Q. Were you at home when your Dad called the Hubbard house?

A. I don't know, because I was out looking with my Mom and I don't know when he called.

Q. You don't know when he called?

A. No.

Q. Your Mother just testified that he called at quarter or ten minutes to five and that she was present, now were you there when your Father called?

By Mr. Ertel:

If she remembers.

A. I don't remember.

By Mr. Fierro:

Please don't interrupt the witness. I object to any remarks.

By The Court:

If there is any objection, make them to the Court.

By Mr. Fierro:

He was not making an objection.

By The Court:

That is what I am stating now, if there is any

Jacquelyn Hill.

objections, make it to the Court. Proceed, Mr. Fierro.

By The Court:

Q. Do you understand the question, Miss?

A. Yes.

By Mr. Fierro:

Q. Is your answer "yes" to the question, or don't you know?

A. I don't know.

Q. Did you hear me ask your Mother about the calls that were made.....

By Mr. Ertel:

I object to the question.

By Mr. Fierro:

I have not finished the question.

By The Court:

Refrain from answering until I hear the whole question.

By Mr. Fierro:

Q. Did you hear me ask your Mother about the calls that were made that afternoon?

A. Yes.

Q. To the Hubbard house?

A. Yes.

Q. Did you hear that question?

A. Yes.

Q. Did you hear your Mother's answer?

A. Yes.

Jacquelyn Hill.

By Mr. Ertel:

I object to this line of questioning, because that is not a correct statement of what he asked, he asked the question.....

By Mr. Fierro:

I object to his making.....

By The Court:

Side Bar, Gentlemen.

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

By The Court:

Mr. Fierro, rather than my having the question read back, would you restate it, please?

By Mr. Fierro:

Yes, your Honor.

Q. Now, Jacquelyn, you have heard your Mother's answers this morning, didn't you?

A. Yes.

Q. Did you hear your Mother answer that she heard or saw you make a telephone call to the Hubbard house?

By Mr. Ertel:

I object to the question.

By The Court:

The objection is sustained.

By Mr. Fierro:

Q. When I asked your Mother what calls were made to the Hubbard house, you didn't hear your mother say that you called, did you?

Jacquelyn Hill.

By Mr. Ertel:

I object to the question, it is a misstatement.

By The Court:

Reword your question.

By Mr. Fierro:

Q. Was your Mother present when you made this call to the Hubbard house?

A. Yes.

Q. She was, you are sure of that?

A. Yes.

Q. Who asked you to make that call?

A. My Mom.

By Mr. Ertel:

I object to that, I asked the question and it could not be answered.

By The Court:

The objection is over ruled, it was answered.

By Mr. Ertel:

I will withdraw the objection anyway, since I did want the answer.

By Mr. Fierro:

Q. Were you present when your Mother made a call to the Hubbard house?

A. No.

Q. Was your Dad at home when you made this call?

A. Yes.

Q. Was your Dad there when your Mother asked you to

Jacquelyn Hill.

— make the call?

— A. Yes.

— Q. And you say that was around, I am sorry, 4:25?

— A. Uh-huh.

*Jacquelyn calls at 4:25*

— Q. How do you fix that time?

— A. Well, I was up at my girlfriend's house and I was staying overnight and my Mom called me, I don't know what time she called me anyhow, but I left about ten after five.... after four, something like that, I don't know what time it was, but I looked at the clock when I got home, it was about twenty after four, and then I set at the table a little bit and it was twenty-five after and she told me to call.

— Q. Jacquelyn, were you there when your Father called the Hubbard house?

— A. I don't know, I don't remember.

— Q. You don't remember?

— A. No.

— Q. Were you there when your Mother called the Hubbard house?

— A. No, because I think at the time she called I was at my girlfriend's house.

Q. When you called the Hubbard house you spoke to Ruthie?

A. Yes.

Q. Did you ask to speak to anyone else?

A. No.

Q. You did not?

A. No.



Jacquelyn Hill.

Q. All right, that is all.

RE-DIRECT EXAMINATION

By Mr. Ertel:

Q. Jackie, before you get off of the stand, were you in the Court Room when Mr. Fierro asked what calls your Mother and Father placed to the home, were you here?

A. Uh-huh.

Q. Did he ask what calls were placed, or just what your Mother and Father placed, do you recall?

A. No.

Q. No further questions.

By Mr. Fierro:

No further questions.

(Excused from witness stand.).

By The Court:

Proceed.

By Mr. Ertel:

I would like to call Mrs. Hill for a moment.

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

NORMA JEAN HILL, previously sworn, recalled and testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. Mrs. Hill, were you asked by Mr. Fierro what all calls were made from your home?

By Mr. Fierro:

I object to that.

Norma Hill.

By The Court:

The objection is sustained.

By Mr. Ertel:

Q. Mrs. Hill, did you, when you answered as to the phone calls, what phone calls were you relating to?

By Mr. Fierro:

I object to this, this is improper re-direct and also leading.

By The Court:

Just ask the question, Sir.

By Mr. Ertel:

Q. Mrs. Hill, were you ever asked whether anybody else other than your husband and you made any phone calls?

A. No.

By Mr. Fierro:

I object to what she was asked.

By The Court:

Sustained.

By Mr. Ertel:

Q. Did Jennifer....did Jackie make a call in your presence?

A. Yes, she did.

By Mr. Fierro:

I object on the grounds it is improper re-direct and the other girl did testify.

By The Court:

The Court will permit it, but, however, it is very