

Trooper Richard Reitz.

By Mr. Fierro:

All right.

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

By Mr. Fierro:

Offer at Side Bar.

(AT SIDE BAR.).

By Mr. Ertel:

We are going to put him on, he made the search of the house, he talked to Mrs. Hubbard to search the house. He picked up a blue shirt. Mrs. Hubbard was trying to imply we planted the shirt, when he stated he showed the shirt to Mrs. Hubbard, she saw him get it, she said, "It is Kim's, he has not worn it for a long time. We are ready to follow up it is only paint on the shirt, not blood. She raised it.

By Mr. Fierro:

This is what I object to, his offer. Now, one, she said this Officer handed the shirt to her, not the way he is stating in the officer, and he wants to rebut that it was paint, not blood, this is only a matter of opinion and not true rebuttal.

By The Court:

She didn't testify it was blood, the only thing she testified to the mode of getting the shirt.

By Mr. Fierro:

She said the Officer showed her the package, he turned it around.

Trooper Richard Reitz.

(Off-the-record discussion.)

By Mr. Fierro:

It is not true rebuttal.

By The Court:

No, but I will permit it.

(END OF SIDE BAR.)

DIRECT EXAMINATION

By Mr. Ertel:

Q. State your full name?

A. Richard A. Reitz.

Q. Your occupation?

A. Pennsylvania State Policeman.

Q. How long have you been a State Trooper?

A. Approximately eight years.

Q. Trooper Reitz, did you have the occasion to make the search, or be a party to a search of the Hubbard home?

A. Yes.

Q. Did you have the occasion to locate a blue shirt in the atticway?

A. Yes, I did.

Q. Would you describe the circumstances of that in your relationship with Mrs. Hubbard at that point?

A. As I recall, I went into Kim's room, Kim Hubbard's, along with Trooper Fama, and searched the room and adjacent atticway.....

By Mr. Fierro:

I object.

Trooper Richard Reitz.

By The Court:

Would you limit it to that one specific item, Sir?

By Mr. Fierro:

I object to the shirt in question, this is not the shirt discussed at Side Bar.

By The Court:

I assumed it was.

By Mr. Ertel:

I assume it is too.

By Mr. Fierro:

I am assuming it was not.

By The Court:

May I see Counsel?

By Mr. Ertel:

I will represent it is.

By The Court:

May I see Counsel?

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

By The Court:

The offer is limited to the shirt, Sir.

A. Would you repeat the last question?

(Official Reporter read question as follows: "Q. Would you describe the circumstances of that in your relationship with Mrs. Hubbard at that point?")

By Mr. Ertel:

Q. Referring.....well, let's have this marked.

(Commonwealth's Exhibit No. 124 marked.).

Trooper Richard Reitz.

Q. I show you marked as Commonwealth's Exhibit No. 124, can you identify that?

A. Yes, I can.

Q. What is it?

A. It is a blue shirt which I found in the atticway adjacent to Kim Hubbard's room.

Q. In the Hubbard home?

A. Yes.

Q. Will you describe the circumstances and what happened in relation to Mrs. Hubbard when you got that shirt?

A. I looked at the shirt, which was hanging on a bar, and I asked Mrs. Hubbard if this was Kim's shirt, and she said that it was, but that he didn't wear it. The reason I got the shirt off of the rack was because.....

By Mr. Fierro:

We object to this.

By The Court:

Sustained.

By Mr. Ertel:

Q. Was there markings on the shirt?

A. Yes.

Q. Are they still on it?

A. Yes.

Q. Will you show it to the Jury, please?

A. I point to this particular marking, which is red, or sort of bronze-red in color, and it is the reason why I grabbed the shirt off of the rack.

Trooper Richard Reitz.

Q. Did you let Mrs. Hubbard see it or do anything with it?

A. Yes, I showed the shirt to Mrs. Hubbard and she said it was Kim's shirt.

Q. What did you do with the shirt then?

A. I took it and gave it to Trooper Fama who was helping me in the search, he marked the bag and put it in this particular bag.

Q. Is that your total relationship as far as that shirt with Mrs. Hubbard?

A. Yes, the only thing else she had stated was that Kim didn't wear this shirt, that he only wore the "T" shirts in the drawer, which we had already searched.

Q. No further questions.

CROSS EXAMINATION

By Mr. Fierro:

Q. Well, Trooper Reitz, let's not leave the Jury with any wrong impression about this mark on the shirt, you don't want them to believe that it is somebody's blood, do you?

By Mr. Ertel:

We will stipulate it is paint, and we are prepared to put our Chemist on the stand to show it is, and he is here to be cross examined.

By Mr. Fierro:

No further questions.

(Excused from stand.).