

ELEVENTH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA
PARISH OF SABINE

STATE OF LOUISIANA *
VERSUS * CRIMINAL DOCKET NUMBER 30,770
RICKEY JOHNSON *

Transcript of proceedings had at the Trial of the
above numbered and entitled matter on January 5th, 6th and
7th, 1983, at Many, Sabine Parish, Louisiana.

THE HONORABLE W. CHARLES BROWN
DISTRICT JUDGE, PRESIDING

APPEARANCES:

MR. JAMES LYNN DAVIS,
District Attorney
11th Judicial District
State of Louisiana
P.O. Box 1008
Many, Louisiana 71449

FOR THE STATE OF LOUISIANA

MR. WILLIAM D. DYESS,
Attorney at Law, and
Indigent Defender
11th Judicial District Court
State of Louisiana
505 Smith Street
Many, Louisiana 71449

FOR THE DEFENDANT

REPORTED BY:

Marguerite B. (Marty) Daniel and
Hazel Rogers
Court Reporters
11th Judicial District Court

1 with me about that. That's all right
2 Judge.

3 THE COURT: It is repetitious.

4 DISTRICT ATTORNEY: All right.

5 I have no problem with that.

6 I believe that's all I have.

7 RE-CROSS EXAMINATION

8 BY MR. DYESS:

9 Q Mr. Ranier, there are a lot of people living in those
10 Middle Creek Apartments, aren't there?

11 A I believe it is almost full.

12 Q At the time this was alleged to have occurred, it
13 was almost full, too, wasn't it?

14 A There were quite a few.

15 Q How many people do you believe, in your opinion,
16 how many people lived there?

17 A Thirty (30) or forty (40) families.

18 Q And no one saw Rickey Johnson?

19 A There were people who knew Rickey Johnson, but no
20 one saw Rickey Johnson on the night of the crime, Sir.

21 MR. DYESS: I tender.

22 DISTRICT ATTORNEY: I don't
23 have any further questions.

24 (WITNESS EXCUSED)

25 PAT WOJTKIEWICZ

26 called as a witness, having been already sworn,
27 was examined and testified as follows:

28 DIRECT EXAMINATION

29 BY THE DISTRICT ATTORNEY:

30 Q State your name, please, sir.

31 A Pat Wojtkiewicz.

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1 Q And what is your job, MR. Wojtkiewicz?
2 A I am a criminalist at the Northwest Louisiana Crime
3 Lab.
4 Q And how long have you been that?
5 A Since May of 1977.
6 Q Tell me something about your background. I would
7 like to know how you are qualified to do what you do.
8 A I have a Bachelor of Science in Biology from L.S.U.
9 Shreveport, and I have a Master of Science in Micro-
10 biology from Northwestern State University. Since I
11 graduated from Northwestern, I went to work at the
12 Crime Lab. While working at the Crime Lab, I trained
13 for a short time under a serologist that worked at
14 the Crime Lab. I have also subsequently attended
15 approximately two (2) seminars a year that deal with
16 the forensic analysis of the criminal analysis of
17 seminal fluid, of blood, saliva and other materials
18 that would relate to my work. I have also been in
19 a school with Walter Chrome where I was taught to
20 use the (one word unintelligible) microscope for
21 analysis of chemicals and particles, glass. I also
22 attended two (2) schools taught by Sam Clark, who is
23 former director of the F.B.I. Crime Laboratory, or
24 the supervisor of it, in which he taught myself and
25 other persons in the laboratory hair analysis, and to
26 some extent, a little bit of fiber analysis.
27 Q The purpose of all this education is to qualify you
28 for an expert?
29 A Yes, it is.
30 Q And what do you do as an expert?
31 A As an expert in forensic serology, I analyze evidence

1 as submitted by a Police Agency or evidence as
2 submitted in connection with a criminal case.
3 My analysis specifically is to search for blood,
4 identify the types of blood, search for seminal
5 fluid and identify blood types if it is possible
6 from the seminal fluid. I also am concerned with
7 hair matches or hair transfers or fiber transfers
8 and so forth.

9 Q Mr. Wojtkiewicz, in this field, is it possible from
10 modern scientific techniques, accepted methods that
11 are used, to identify a blood group from male
12 spermatazoa?

13 A In some instances it is possible to get an A, B, O
14 type from spermatazoa. It would be possible in the
15 case the person was a secretor, where a secretor is
16 a person who secretes their blood type in their saliva
17 or seminal fluid.

18 Q What is seminal fluid?

19 A Seminal Fluid is the male ejaculate, male sex fluid.
20 It contains spermatazoa which is the germ cell. It
21 also contains associated enzymes and materials that
22 can be used for identification and grouping.

23 All right.

24 DISTRICT ATTORNEY: With that
25 testimony, if it please the Court,
26 I would submit that he is an expert
27 in this field that he has testified
28 about.

29 MR. DYESS: No objection, Your
30 Honor.

31 THE COURT: Let me be received

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as an expert in the field of
forensic serology.

DISTRICT ATTORNEY (Continuing)

Q Mr. Wojkiewicz, did you have occasion to investigate
an alleged crime in Sabine Parish involving a rape
and specifically Yvette Perry and Rickey Johnson?

A I was submitted some evidence from a deputy from
Sabine Parish concerning a case of Yvette Perry and
Rickey Johnson.

Q Do you have the results of those tests with you?

A Yes, I do.

Q Would you please look at what you received and
describe it; describe the tests that you run and the
results of those tests.

A I received a Sex Crime Examination Kit which contained
a tube of blood and a plastic tube containing a
saliva sample from Yvette Perry.

Q And what was the saliva sample for?

A A saliva sample is used to determine if a person is
a secretor or not.

Q What is a secretor?

A A secretor is an individual who secretes their blood
type in their water soluble fluids, saliva, seminal
fluid and vaginal fluid. There is a non-secretor
whose saliva, you could not find their blood type
from their saliva because they do not secrete their
blood type in their saliva. Approximately twenty (20)
to twenty-five per cent (25%) of the people are
non-secretors. The first two samples, the tube of
blood from Miss Perry and the saliva sample from
Yvette Perry are reference samples. They are samples

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1 so that I could take the blood from what her blood
2 type is and take the saliva and determine if she is
3 a secretor or not. The next two (2) items I received
4 was a vaginal swab and a vaginal washing.

5 Q What is a vaginal swab?

6 A This is a swab that is collected by a doctor or
7 whoever collected the evidence from the vaginal vault
8 of the victim and it is stored, put back in the
9 Sex Crime Investigation Kit, and it is used to test
10 to see if there was any seminal fluid present in the
11 saliva when the swab was taken.

12 Q What is a vaginal washing?

13 A A vaginal washing is a washing out or a lavage of the
14 vaginal vault that uses approximately six (6)
15 milliliters of physiological saline to wash out the
16 vaginal vault. This would collect -- it would also
17 clean and collect the vaginal vault of any seminal
18 fluid traces that would have been remaining after the
19 swab was taken.

20 Q All right. Now did you test those? First, I am talking
21 about Yvette Perry. Did you test those?

22 A Yes, I did.

23 Q What were the result of the tests?

24 A In the vaginal swab and the vaginal wash, I found
25 seminal acid phosphatase and spermatozoa. This
26 indicates to me that seminal fluid was present in
27 those items. I also tested both items for blood
28 groups, specific substances, which would be blood
29 groups that would be found in the vaginal fluid
30 or the seminal fluid. I found blood group specific
31 substance O in the vaginal washing, which indicates

1 that there was someone involved who was Blood Group
2 O and a secretor.

3 Q What was her blood group?

4 A She was blood group O, and a non-secretor.

5 Q All right. What did you obtain in reference to the
6 offender, Rickey Johnson?

7 A I obtained the blood sample and saliva samples from
8 Rickey Johnson.

9 Q Were you able to determine that there was some
10 spermatazoa in her vagina at the time this vaginal
11 swab or vaginal washing was taken?

12 A I found spermatazoa present in the vaginal swab and
13 the vaginal wash.

14 Q You speak of spermatazoa, you are talking about what?
15 In layman's terms?

16 A This is the reproductive cell, the male reproductive
17 cell, the term cell that is found in the male ejaculate
18 or seminal fluid.

19 Q Commonly referred to as sperm?

20 A Yes.

21 Q So there was male sperm in her vagina, is that correct?

22 A There was spermatazoa present, yes.

23 Q Now in connection with the blood that you did on each
24 one of them, were you able on each of these tests
25 that you ran, what was the blood of the victim,
26 Yvette Perry, and how is it different from the other
27 blood group that you determined to be present?

28 A Yvette Perry's type was blood group O and a non-
29 secretor. So that taking her saliva, no blood group
30 specific substance could be detected in that. Her
31 vaginal fluid would have no blood group specific

1 substance present, so if any typing was done, her
2 vaginal fluid would not show any type because she is
3 a non-secretor. Rickey Johnson is blood group O
4 and a secretor so that by typing his saliva, blood
5 typing his saliva, you would be able to pick up the
6 blood group O substance. His seminal fluid would
7 have the blood group O substance present.

8 Q Were you able to do that?

9 A I typed his saliva and blood and he was blood group
10 O and a secretor.

11 Q Which is different from the victim, Yvette Perry?

12 A It is different because Yvette Perry is a non-secretor.

13 Q What you found in Yvette's, the washings and the swab
14 from Yvette Perry's vagina, didn't it match the
15 saliva and the blood group of the defendant, Rickey
16 Johnson?

17 A It could have come from him since there was blood
18 group O specific substance present. Miss Yvette
19 Perry is a non-secretor so it did not come from her.
20 It would have had to come from someone who is blood
21 group O and a secretor, and Rickey Johnson is blood
22 group O and a secretor.

23 Q Were these the substance of the tests you ran in this
24 case, Mr. Wojkiewicz?

25 A That is the main results, yes.

26 DISTRICT ATTORNEY: Thank you
27 very much. I tender this witness
28 for cross examination.
29
30
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CROSS EXAMINATION

BY MR. DYESS:

Q Mr. Wojkiewicz, you said that you found in the examination that you performed, as an expert, that blood group O was found and that there was a secretor involved, those together?

A I believe I said blood group O specific substance was found in the vaginal washing and that would have had to have come from a blood group O secretor.

Q Okay. Is blood type O a common type blood group?

A Yes, it is.

Q How common is it?

A Uh --

Q What percent of our male population has blood group O, do you know?

A The general population or would you want to be specific, more or less, by race?

Q Black general population?

A Approximately 50%.

Q So there could have been 50% of the black male population that could have had this type blood group involved in this case?

A That is not entirely correct. You ask me the type of blood group O is 50%. They would also have to be blood group O and a secretor, which would reduce the percentage approximately one-fourth (1/4), so the black population that could have been involved would have to have been a male and blood group O and a secretor, and that would have been involved approximately 35 to 40% of the black male population.

Q So, you are saying, now, by that testimony that

1 35 to 40% of the black male population could have
2 had intercourse with Yvette Perry?
3 A Well, it obviously --
4 Q From your tests?
5 A From my tests.
6 Q From your knowledge of blood groups?
7 A Yes.
8 Q You did not determine, correct me if I am wrong,
9 you did not determine positively that Rickey Johnson
10 committed the crime? You just did a test.
11 A I ran tests and found blood group O specific substance
12 present and they were the same type as that of
13 Rickey Johnson, the blood types.
14 Q But you also testified that O group plus secretor
15 is 35 to 40% of the male black population?
16 A Black male population.
17 Q So it is 35 to 40% of the black male population
18 that could have committed this crime?
19 A Had they had the opportunity to leave the seminal
20 fluid, yes.

21 MR. DYESS: I tender.

22 RE-DIRECT EXAMINATION

23 BY THE DISTRICT ATTORNEY:

24 Q If they had not had the opportunity to leave this
25 seminal fluid, then they wouldn't have had this
26 opportunity, would they?
27 A I don't know about that.
28 Q In other words, for somebody to have ejaculated,
29 generally it is by sexual intercourse? Is that not
30 true as a general rule?
31 A I don't know if that is the only method.

1 Q I understand that that is not the only method but
2 is that what is generally the case?

3 MR. DYESS: Objection, Your
4 Honor. He is testifying. He said
5 he didn't know.

6 THE COURT: Overruled.

7 THE WITNESS (Continuing)

8 A Would you please repeat the question.

9 Q All right. As a general rule, transmission of the
10 male sperm is by ejaculation as a result of sexual
11 intercourse, is that not your understanding of the
12 way this thing works?

13 A Yes, sir.

14 Q All right. Now, if it is shown that nobody else
15 had access to Yvette Perry, this is a theoretical
16 question I am asking you, if it is shown that nobody
17 else had sexual intercourse with Yvette Perry during
18 the appropriate period of time that is under con-
19 sideration, would your answer to this question be
20 in your opinion that this individual did it or did
21 not do it?

22 MR. DYESS: Your Honor, that
23 is calling for speculation.

24 DISTRICT ATTORNEY: That is a
25 hypothetical question and he is an
26 expert and he can answer it.

27 THE COURT: Overruled.

28 THE WITNESS (Continuing)

29 A This is a theoretical situation and those facts
30 were shown, I would say that it would have been
31 possible for Rickey Johnson to have had intercourse

1 DISTRICT ATTORNEY (Continuing)

2 Q Mr. Wojkiewicz, is that about what you know about
3 this case?

4 A Yes, sir. My knowledge of the case is what would
5 be submitted in the report.

6 DISTRICT ATTORNEY: I tender.

7 RE-CROSS EXAMINATION

8 BY MR. DYESS:

9 Q Mr. Wojkiewicz, you have testified already that
10 forty per cent (40%) of the male population, black
11 male population, could have, if there were a crime
12 committed, could have committed this crime, is that
13 right?

14 A That's correct, had they had the opportunity to
15 commit the crime.

16 Q So there is no way in the world that you can be
17 certain that Rickey Johnson was one of that 40%
18 of the black male population of the United States?

19 A He is the same consistent blood type as what was
20 found in the seminal fluid.

21 Q But there would be 40% of the black male population
22 that could have, also, committed this crime?

23 A Had they had the opportunity, that's correct.

24 MR. DYESS: That's all.

25 DISTRICT ATTORNEY: I don't have
26 anything else.

27 (Both attorneys to the Bench.)

28 (A brief recess was declared
29 and the jury left the courtroom.)

30 THE COURT: Does the State
31 waive the polling of the jury?

1 with her.

2 Q And he would have been the one from which you would

3 be able to determine this blood grouping that you

4 have identified and he as being a secretor, is that

5 correct.

6 A Yes. My results do not exclude him as a possible

7 contributor of the seminal fluid.

8 Q How are you able to determine if male sperm if there

9 is male sperm in the vagina of a woman?

10 A I work from the vaginal swab and the vaginal washes

11 and I assume that they would be taken from the

12 vaginal vault. I examine them microscopically under

13 an amount that I prepare at the laboratory.

14 Q How long does one of those things exist, male sperm?

15 A It depends on the situation. In the vaginal vault

16 there is an outside limit of approximately 72 hours

17 or three (3) days. In the cervical area of the

18 female, they can last up to a week. In the laboratory

19 if I have a sample that is frozen, it could last up

20 to years.

21 Q If they are frozen?

22 A If they are mounted in specimen mounts, again it could

23 be for years.

24 Q In this case, how did you obtain -- what is this

25 thing called that you examined?

26 A Sex Crime Examination Kit.

27 Q How did you obtain it?

28 A I received it from Deputy Jimmy Kinnie.

29 Q Was it in a frozen state or an unfrozen state when

30 you got it?

31 A I don't recall if it was frozen or not.

1 Q And what do you do after you get it at the Northwest
2 Crime Lab?

3 A After I receive a Sex Crime Examination Kit, I
4 remove the blood, put it in the refrigerator and
5 put the Sex Crime Examination Kit in the freezer.

6 Q Is that where it is maintained?

7 A Yes, it is.

8 Q Do you have those things there with you?

9 A Yes, I do.

10 Q Let me see them. (witness hands to the District
11 Attorney) How about pulling that out and explaining
12 to this jury what each of them represents.

13 THE COURT: Do you want to
14 identify this?

15 DISTRICT ATTORNEY: This is
16 going to be identified as "State's
17 Exhibit No. 6), the entire package
18 here. You don't have to take this
19 back with you, do you?

20 THE WITNESS: No, I don't.

21 DISTRICT ATTORNEY (Continuing)

22 Q We will introduce the entire packet in this case and
23 then from that, I will keep the contents inside this
24 packet here and you identify each one of them from that.
25 Let me mark that for identification.

26 A This is the instruction sheet and check list for the
27 person examining the victim to fill out and read to
28 get a procedure on how to do the examination, or the
29 order of the examination, mainly. This is a tube of
30 blood. I can identify the blood in this case by
31 the chronological number and my initials. It also

has the name, Yvette Perry, here, that someone else wrote to identify the tube of blood. This is used to determine the blood type of Yvette Perry. This is a plastic tube which contains a saliva sample, that also has the name, Yvette Perry, written on the label across it. I can identify it from the Lab number and my initials. This is a saliva sample that is used, a piece of gauze that the alleged victim chews on and saliva is deposited on the gauze and then put in the tube and delivered to the Crime Lab for examination. This is the tube that identified the vaginal swab, double tipped swab. It has the name Yvette Perry on it. It has written on the tube swab sample from the vaginal vault. I have our Lab number and my initial on it. This is used to take the vaginal swab sample from an alleged victim. It is used to identify, when I receive it, I use it to identify seminal fluid, spermatazoa and seminal acid phosphatase and also attempt blood grouping analysis on it. This is a plastic tube with a small amount of liquid at the bottom, written on the label is Yvette Perry Vaginal Washing. I have the Crime Lab number and my initials on it to identify it. This is used to wash out the vaginal vault after the swab is taken. It collects traces of seminal fluid, that the swab perhaps missed, and it also has a general cleaning action of the vaginal vault. This is a plastic bag that contains pubic hair combings. It is used to collect any possible foreign hair, pubic hair, of the alleged victim. This is a plastic bag which contains known pubic hair from Yvette Perry

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1 and it is identified by Yvette Perry's name on the
2 front; also the other sack of combings has Yvette
3 Perry's name on it, my Crime Lab number and my
4 initials. This is a known hair sample of Yvette
5 Perry so that if there is foreign hairs in the
6 combings, they would be able to be determined by knowing
7 the characteristics of Yvette Perry's hair.

8 Q In connection with that investigation, the hair
9 portion of this thing, were you able to determine
10 anything from that?

11 A I did not find any foreign pubic hair present in
12 the combings. This is a plastic tube which contains,
13 or is identified as having clippings, fingernails,
14 and the name Yvette Perry on it. I have the Crime
15 Lab number and my initials on it. In this case
16 there was nothing for me to compare it to. There
17 was no clothing submitted to check for fiber transfers
18 in the fingernail clippings. There is also a
19 plastic bag which contains another plastic tube,
20 some more of these pipettes. These are supplies
21 that are put in the kit. I would imagine that the
22 doctor simply -- or whoever examined her -- put them
23 in a plastic bag and put them back in the kit.

24 Q Is that what you received on Yvette Perry in this case?

25 A Yes.

26 OFFERING

27 In connection with that testimony, I would
28 offer all these items as "State's Exhibit 6"
29 at this time.

30 DISTRICT ATTORNEY (Continuing)

31 Q Let me ask you this. In connection with the hair

1 combings, is it unusual that you would not find foreign
2 hair?

3 A I have had numerous cases in which I have not found
4 foreign hair from pubic hair combings.

5 Q But it is a step and a method used in the investigation
6 of serious crimes, particular rape victims, that
7 combings be made of the victim in order to try to
8 compare and see if there is foreign hair in the
9 pubic hair, is that not true?

10 A That's correct. Once a victim cleans herself or
11 showers, then that type evidence would be lost, so
12 the kit is designed to collect as much possible
13 evidence before or during the examination so that
14 it would not be lost at a later time.

15 Q Did you receive similar items at the Lab on the
16 offender, Rickey Johnson?

17 A I received a Sex Crime Suspect KIT: Also a tube of
18 blood and a saliva sample from Jimmie Kinney.

19 Q Are they contained in that thing right there, which
20 I am going to mark "State 7"?

21 A Yes.

22 Q At this time for purposes of identification. Is it
23 all inside that?

24 A Yes.

25 Q Very quickly, tell me what is inside.

26 A There is a tube of blood; a saliva sample from
27 Rickey Johnson; there are pubic hair combings, pubic
28 hair plucked, a reference pubic hair from Rickey
29 Johnson, head hair combings; head hair plucked from
30 Rickey Johnson and there are two (2) plastic bags
31 from left and right hand fingernail scrapings from

1 Rickey Johnson.

2 OFFERING

3 In connection with that testimony,
4 I would offer and introduce at this
5 time the packet and contents identified
6 as "State Exhibit 7" of Rickey Johnson.

7 MR. DYESS: No objection.

8 THE COURT: Let it be received
9 in evidence.

10 DISTRICT ATTORNEY (Continuing)

11 Q Did you report the results of this to the Sheriff of
12 Sabine Parish, Louisiana in a written form?

13 A Yes, I did.

14 Q Is this the original of that report that I am showing
15 you at this time?

16 A (Witness examines document handed him) Yes, There
17 were two (2) parts to the report.

18 OFFERING

19 In connection with that testimony,
20 at this time I would offer into
21 evidence those two (2) originals of
22 the reports from the Crime Lab marked
23 as "State's Exhibit 8".

24 MR. DYESS: No objection, Your
25 Honor.

26 THE COURT: Let them be received
27 in evidence.

28 DISTRICT ATTORNEY: Your Honor, I
29 would amend that offering to mark
30 them "State 8" and "State 9".
31

1 DISTRICT ATTORNEY; State waives.

2 THE COURT; Defense?

3 MR. DYESS: Defense waives it.

4 RE-DIRECT EXAMINATION

5 BY THE DISTRICT ATTORNEY:

6 Q Mr. Wojkiewica, I have another question for you.

7 In connection with venereal disease, and particularly
8 syphilis: from July 12th if somebody were contaminat-
9 ed with that disease on that day, the morning of
10 July 12th, by what date would that have shown up, in
11 your opinion as an expert in this field?

12 A The incubation period of syphilis: the primary period,
13 is about two (2) to six (6) weeks.

14 Q Two (2) to six (6) weeks?

15 A That's when the first appearance of the shanker would
16 occur.

17 Q So if somebody had syphilis: on July 12, 1982,
18 within a period of six (6) weeks thereafter, it would
19 have shown up on whoever had it, is that right?

20 A If they were infected with the terpinema germ or
21 microbe on July 12th, then the symptoms of primary
22 syphilis: would become apparent in about two (2) to
23 six (6) weeks.

24 Q Which would have been about September, 1982, is that
right?

25 A That would be -- six weeks would be near the beginning
of September.

26 Q End of September, not in September?

That would be the approximate date.

So the end of July is approximately two (2) weeks
and all of August, is that correct?

1 A That's correct.
2 Q So anybody who would have had syphilis and had
3 sexual intercourse, it would have shown up not later
4 than 1 September or 31 August, 1982, is that correct.
5 A It is possible that it could have been later.
6 Q How much later?
7 A Well, the general range is given, two (2) to six (6)
8 weeks. That doesn't mean that every case is going
9 to fall within that range. It could show up sooner,
10 some show up later. It just depends. I don't know
11 how much later.
12 Q Say in November, 1982, would that be within the
13 range?
14 A That would have been out of general range.
15 DISTRICT ATTORNEY: That's all.
16 RE-CROSS EXAMINATION
17 BY MR. DYESS:
18 Q Mr. Pat, I have a few more questions. You have a
19 Crime Kit right here, is that right?
20 A That's right.
21 Q And you have one on the victim and you have one on
22 the suspect, that suspect right there, haven't you?
23 A Yes, sir.
24 Q You've got a blood sample in there, don't you?
25 A Yes, sir.
26 Q And you examined this blood, didn't you?
27 A I examined it for typing, yes.
28 Q You didn't examine it for syphilis or V.D.
29 A No one asked me to examine it for that.
30 Q You would not have picked it up during your examination?
31 A No, I would not have, not in a typical examination.

1 Q Have you run any tests on Rickey Johnson as to
2 whether or not he has V.D.?

3 A No, I have not.

4 Q On the victim?

5 A No, I haven't.

6 Q Or gonorrhea?

7 A No, I haven't.

8 RE-DIRECT EXAMINATION

9 BY THE DISTRICT ATTORNEY:

10 Q Never have done that, have you?

11 A No, I haven't.

12 RE-CROSS EXAMINATION

13 BY MR. DYESS:

14 Q Or the victim?

15 A I haven't run it on the victim, either.

16 DISTRICT ATTORNEY: Thank you.

17 (WITNESS EXCUSED)

18 DR. EUGENE POIMBOEUF

19 called as a witness by the State, after being duly
20 sworn, was examined and testified as follows:

21 DIRECT EXAMINATION

22 BY THE DISTRICT ATTORNEY:

23 Q State your name, please, sir?

24 A Clarence E. Poimboeuf.

25 Q Your occupation?

26 A Physician.

27 THE COURT: Doctor, you are under
28 the rule of sequestration. Do you
29 understand those rules? You are not
30 to discuss the case with anyone
31 else or allow them to discuss it with