

1 some point did you see him do anything with the black hoodie  
2 that he came in with?

3 A. No.

4 Q. All right. Well, did you see him -- did you see him in  
5 any other clothes?

6 A. Well, he changed.

7 Q. All right. So tell us about what happened.

8 A. He needed something to put on him.

9 MR. KLYMAN: Objection, Your Honor.

10 THE COURT: That's sustained.

11 Q. (By Mr. Mastroianni) All right. Okay. Did you hear  
12 him say anything about clothing?

13 A. Yes.

14 Q. What did you hear him say about clothing?

15 A. He asked Linka to get him something to change into.

16 Q. All right. And after hearing him ask for something to  
17 change into, did you see -- did you see him do anything with  
18 his clothing?

19 A. No. I don't remember.

20 Q. Okay. Well, what do you remember about changing?

21 A. Linka came downstairs with a change of clothes for him.

22 Q. And do you know what color the clothes were that she  
23 came down with?

24 A. I can't remember.

25 Q. Did you actually see him changing out of any outfits?

1 A. In the midst of that, I was taking my baby and going  
2 upstairs.

3 Q. All right. And as far as you knew, Linka had brought  
4 him something to change into?

5 A. Yes.

6 Q. Now, where was Carolyn Wright when this was going on?

7 A. She was, like, stuck in a chair sitting down.

8 Q. Okay. So she was there when this was going on too?

9 A. Yes.

10 Q. And at some point did she get herself upstairs?

11 A. Yeah.

12 Q. At some point did you get yourself upstairs?

13 A. Yes.

14 Q. When you went upstairs, what did you do?

15 A. I put my baby underneath the bed and I told her,  
16 Carolyn, to follow me into the room.

17 Q. And did you do anything -- did you look out the windows  
18 at all?

19 A. Yes.

20 Q. Okay. Do you know the person you identified as  
21 Mr. Kirkland went after you went upstairs?

22 A. No.

23 Q. Did you hear the door open?

24 A. Yes.

25 Q. All right. Did you look out the window to see if

1 A. No.

2 Q. They found out where you were and they talked to you;  
3 is that right?

4 A. Well, I really talked to the District Attorney  
5 yesterday.

6 Q. So when I say the District Attorney, I'm talking about  
7 Mr. Mastroianni. First time you talked to him was  
8 yesterday, right?

9 A. Yes, sir.

10 Q. Now, as far as this whole incident that you just  
11 described, after it was over with, the police came in the  
12 house, didn't they?

13 A. Yes.

14 Q. And you were still in the house, correct?

15 A. Yes.

16 Q. And they asked you what you were doing there, so on and  
17 so forth, correct?

18 A. Yes.

19 Q. And then at some point they took you down to the police  
20 station, correct?

21 A. Yes.

22 Q. Now, when you were at the police station, you gave them  
23 a statement, right?

24 A. Yes.

25 Q. Before you gave them a statement, you had some

1 conversation with Linka Baulkman, didn't you?

2 A. Yes, but not really.

3 Q. Well, she told you enough to tell you not to cooperate  
4 with the police, didn't she?

5 A. No.

6 Q. Well, did she tell you to lie to the police?

7 A. No.

8 Q. Well, did she tell you not to tell the entire truth to  
9 the police?

10 A. No.

11 Q. So, that first statement that you gave to the police,  
12 you didn't tell the entire truth, though, did you?

13 A. I felt that I did.

14 Q. You felt that you did. Well, let me ask you this: Did  
15 you tell the police, when you gave them that statement on  
16 April 30, 2011, how many guns this person had when he came  
17 into the house?

18 A. I said there was one -- no, I didn't even mention how  
19 many guns he had at all when he came in the house.

20 Q. You never said that to the police; is that right?

21 A. No.

22 Q. Well, at some point during your statement, did you tell  
23 the police about how many guns that you saw?

24 A. I said I seen him take a black gun off his waist.

25 Q. Okay. And that's all you told them about the number of

1 guns, wasn't it?

2 A. Yes.

3 Q. Well, you told us today you saw two guns, correct?

4 A. Yes.

5 Q. All right. So, when you said to the police on April  
6 30, 2011 that there was one gun, that wasn't true, was it?

7 A. No.

8 Q. Okay. So you did lie to the police, didn't you?

9 A. Yes.

10 Q. Well, now, also as far as your statement to the police,  
11 you testified a little bit earlier today that this person's  
12 eyes were bloodshot, correct?

13 A. Yes.

14 Q. You didn't tell the police that back in April 30, did  
15 you?

16 A. Yes, I did.

17 MR. KLYMAN: If I may approach the witness, please,  
18 Your Honor?

19 THE COURT: Yes, you may.

20 Q. (By Mr. Klyman) Ms. Carter, I'm going to show you a  
21 statement and ask you if you recognize that particular  
22 statement?

23 (Pause)

24 Q. Do you recognize that?

25 A. Which one do you want me to --

1 Q. Well, I'm referring to this three-page statement. It's  
2 three pages. Do you see at the bottom of each page a  
3 signature?

4 A. Yes.

5 Q. That's your signature, isn't it?

6 A. Yes.

7 Q. And do you recognize that as being the statement that  
8 you gave to the police on April 30?

9 A. Yes.

10 Q. Okay. In that statement -- have you seen that before I  
11 just gave it to you? Have you seen it before?

12 A. Yes.

13 Q. When did you see it last?

14 A. Yesterday or today.

15 Q. All right. So you had a chance to read it over both  
16 yesterday and today?

17 A. Yes.

18 Q. And you looked it over carefully, didn't you?

19 A. Yes.

20 Q. Because, you know, this isn't the first time you've  
21 seen it when I just handed it to you, right?

22 A. Correct.

23 Q. Do you need another chance to look it over to see as to  
24 whether or not you told the police this person had bloodshot  
25 eyes?

1 A. Well, I don't say that they are bloodshot.

2 Q. So you don't say that?

3 A. No.

4 Q. But you testified just a few minutes ago that you did  
5 say they were bloodshot, correct?

6 A. Correct.

7 Q. Okay. So that wasn't true, was it?

8 A. No.

9 Q. Now, let's go further as far as what it is you said to  
10 the police. Now, you say that this person came in wearing a  
11 black hoodie, wearing some gloves; is that right?

12 A. Yes.

13 Q. And was he wearing the gloves on his hands when you saw  
14 him?

15 A. Yes.

16 Q. But you didn't see him take them off, did you?

17 A. No.

18 Q. I'm sorry?

19 A. No.

20 Q. And as far as that hoodie he was wearing, you didn't  
21 see him take that off either, did you?

22 A. No.

23 Q. Now, you also said earlier about the gun that you  
24 testified that you saw being placed in the chair. You  
25 testified to that earlier today, correct?

1 A. Yes.

2 Q. And when you talked to the DA yesterday, you told him  
3 that too, right?

4 A. Yes.

5 Q. You didn't tell the police that back on April 30, 2011,  
6 did you?

7 A. It's not in my statement.

8 Q. Now, as far as your relationship with Ms. Baulkman, you  
9 said you're pretty close; is that right?

10 A. Yes.

11 Q. Like sisters; is that right?

12 A. Yes.

13 Q. But like you said, she didn't tell you anything about  
14 not to talk to the police or not telling the truth to the  
15 police?

16 A. No. She just made comments, but it was not at the  
17 police station.

18 Q. Well, she made a comment and that comment was for you,  
19 essentially, not to cooperate, isn't that right?

20 A. No.

21 Q. Well, keeping that comment in mind, did you decide to  
22 lie to the police on April 30?

23 A. No.

24 Q. You decided to go ahead and tell them the truth; is  
25 that right?



1 A. Yes.

2 Q. And you said you told them the truth on April 30; is  
3 that right?

4 A. Yes.

5 Q. Even though you admit that you lied about certain  
6 things in your statement, isn't that right?

7 A. I may not have told it all in my statement but I don't  
8 think I lied about anything in my statement.

9 Q. So you left certain details out; is that correct?

10 A. Yes.

11 Q. Did you forget about those details when you were in the  
12 police station?

13 A. I don't recall.

14 Q. Well, let me ask you this: This has been two years  
15 since you gave that statement, isn't that right?

16 A. Uh-huh.

17 Q. Have you given any thought as to what you told the  
18 police?

19 A. No, I just let it all go and I went on with my life.

20 Q. You moved on with your life and forgot all about it,  
21 isn't that right?

22 A. (Indicating)

23 Q. At what point did you remember that, gee, I didn't tell  
24 the police there was two guns. I just told them one gun and  
25 that wasn't true?

1 Did you ever call the police and say: By the way, in  
2 that statement that I gave you, what I told you wasn't  
3 correct?

4 A. No, this is the first time I got to ever read the  
5 statement after the police station.

6 Q. Okay. Well, you remember telling the police as far as  
7 just the one gun, correct?

8 A. I just -- I don't even remember that. I know I said it  
9 because I'm reading the statement that I wrote or that I was  
10 told.

11 Q. Okay. But you will admit that what you told the police  
12 wasn't entirely correct, isn't that right?

13 A. Yes.

14 Q. And, in fact, there's several things that you told the  
15 police that weren't entirely correct, isn't that true?

16 A. There's things I did not tell that took place.

17 Q. I'm sorry?

18 A. There's things that I have not said that have taken  
19 place in the house.

20 Q. Now, you were asked some questions about who else was  
21 in the house, and one of the questions had to do with  
22 whether this fellow by the name of Chicken was there, isn't  
23 that correct?

24 A. Yes.

25 Q. That person, you know him also as Trevin Smith,

1 correct?

2 A. I just know him as Chicken.

3 Q. Did you ever know him as Trevin Smith?

4 A. No.

5 Q. You have been told that his name was Trevin Smith,  
6 though, isn't that correct?

7 A. I found out after that his name was Trevin Smith.

8 Q. Okay. Well, whatever name that you told to the police,  
9 the fact is that you said that Chicken, who we now know is  
10 Trevin Smith, was not in the house that day, isn't that  
11 correct?

12 A. Yes. The way they asked me was if he was there at the  
13 time, and I said no, he wasn't there either. That's in my  
14 statement.

15 Q. Well, did you volunteer to them and say: Well, he  
16 wasn't there at the time, but he was there earlier?

17 A. No, I didn't.

18 Q. So whether or not you tell the entire truth depends on  
19 who asks you a question, is that what you're telling us?

20 A. I didn't want to get involved.

21 Q. You didn't want to get involved. But here you are  
22 you're involved, aren't you?

23 MS. BELL: Objection, Your Honor.

24 THE COURT: Overruled.

25 Q. (By Mr. Klyman) You prefer not to be on the witness