

In Re: William Thomas Zeigler, Jr.
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AUDIO RECORDED INTERVIEW OF FELTON THOMAS, JR.

TAKEN BY: Lynn-Marie Carty, Investigator, FL
Deputy Gene Jones, Sylvester, GA
Deputy Jeff Thompson, Sylvester, GA

DATE: September 23, 2013

TIME: Approximately 10:10 to 11:13 a.m.

PLACE: Fort Pierce Police Department
Fort Pierce, FL

TRANSCRIBED BY: Laura J. Heckman, Notary Public
State of Florida at large

ALSO PRESENT: Tamiko Stephens

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1 MR. THOMAS: My mother died in Moultrie in 2000, and
2 I got sisters there. I got a whole bunch of peoples
3 just all over the place.

4 Okay. Back to what you were saying.

5 INVESTIGATOR CARTY: We were talking on the phone
6 about this, you and I before, and you said you didn't
7 want to see anybody that was in prison that shouldn't be
8 in there, and that I got you thinking when I told --
9 explained to you what was -- what was done and what --
10 what happened here. It happens a lot.

11 MR. THOMAS: Okay. Try to understand me. I'm not
12 trying to put nobody in prison or nothing. I don't got
13 nothing against none of these people.

14 INVESTIGATOR CARTY: Oh, I know.

15 MR. THOMAS: Because I don't know them. I don't
16 know them people.

17 INVESTIGATOR CARTY: I know. I understand.

18 MR. THOMAS: And I don't want to see nobody be in --
19 in trouble, but I -- you telling me I -- I don't know
20 who -- who -- who to pick out. Only thing I can tell
21 you is what happened when I was there.

22 INVESTIGATOR CARTY: How would you pick him out?
23 Did they give you a lineup?

24 MR. THOMAS: It wasn't a lineup. It was -- I was in
25 court.

1 INVESTIGATOR CARTY: Uh-huh. I know. And --

2 MR. THOMAS: I -- I was in court.

3 INVESTIGATOR CARTY: Uh-huh.

4 MR. THOMAS: Yeah. And that's the same man I saw in
5 the car there, driving that car when it pulled it up.
6 He pulled up in the car. Me and Charlie in the van. He
7 pulled up in the car.

8 INVESTIGATOR CARTY: So they never gave you a lineup
9 or anything like that?

10 MR. THOMAS: Uh, no, I ain't get no lineup. I only
11 saw this man twice in my whole life, to know him twice.
12 It was that night and at the courthouse.

13 INVESTIGATOR CARTY: Uh-huh.

14 MR. THOMAS: That's the only time.

15 INVESTIGATOR CARTY: Do you that people -- that
16 mistaken identity happens all the time?

17 MR. THOMAS: Well, I can -- I can understand that
18 problem, too, but how would I know who -- who to --
19 who -- okay. Like two men standing there, I wouldn't --

20 DEPUTY JONES: I was in law enforcement for 24
21 years.

22 (Multiple people speaking at once.)

23 MR. THOMAS: -- and then -- and then you come -- and
24 then you explain to me, you tell me like you talking to
25 me, you'll get the wrong man every time. How do I know?

1 I don't know this man; I don't know that man. How do I
2 know I got the wrong man? All right. The only thing I
3 know is the man that was there then, that's the one I'm
4 looking it.

5 INVESTIGATOR CARTY: Looks like him.

6 DEPUTY JONES: Do you remember what time of day it
7 was when Charlie picked you up?

8 (Multiple people speaking at once.)

9 MR. THOMAS: It -- it -- it was in the evening time.
10 I was in Oakland. I -- I was in Oakland. I was living
11 in Oakland at Red Dixon place, room and house where he
12 had a little private house that I was staying.

13 INVESTIGATOR CARTY: How big was that place on
14 Harriet Street?

15 MR. THOMAS: It's like a -- okay.

16 INVESTIGATOR CARTY: Like how many units around
17 like?

18 MR. THOMAS: Yeah. It's kind of like a little --
19 little -- little old like stump by the stop sign back up
20 in -- back up to here, and the house on this side and a
21 big field on that side.

22 INVESTIGATOR CARTY: Yeah.

23 MR. THOMAS: And a field behind the house.

24 INVESTIGATOR CARTY: Uh-huh.

25 MR. THOMAS: A field behind the house. And he lived

1 in the last house on the left-hand side going down.

2 INVESTIGATOR CARTY: Who? Dixon?

3 MR. THOMAS: Yeah. Red Dixon lived up there.

4 INVESTIGATOR CARTY: But did he have like a lot of
5 rooms that he rented, or what are you saying, like where
6 you lived?

7 MR. THOMAS: Yeah. That was the side of the home
8 he had -- I think it was -- I think he had three
9 bedrooms.

10 INVESTIGATOR CARTY: Oh, okay.

11 MR. THOMAS: I think -- I think it was, because I
12 was -- I was living in the -- in the back one. I lived
13 in the back bedroom there.

14 INVESTIGATOR CARTY: Right.

15 DEPUTY JONES: It's kind of like a boarding house,
16 something along that nature?

17 MR. THOMAS: Uh-huh. When I came there, I was -- I
18 was looking for a place to stay at, and he said he had a
19 place that I can stay at. That's why I was staying
20 there.

21 DEPUTY JONES: Good Lord was looking after you.

22 INVESTIGATOR CARTY: Uh-huh.

23 MR. THOMAS: Yeah. Yeah. I only -- I only did --
24 work in different places, back and forth, back and
25 forth, back and forth, all up in Missouri and Kansas

1 City and all -- all over the place, Indiana, packing
2 watermelons all over the place. That's the type of work
3 I was doing.

4 INVESTIGATOR CARTY: Did you see anything in the
5 newspaper about this right after the murders at all?
6 Did you see anything in the paper?

7 MR. THOMAS: Yeah, there was something in the paper
8 about this Jamaican. They said he was there. He was at
9 the man's house. I never did see not -- see no truck
10 there. I never seen nobody, but they say he was there.
11 He supposed to been.

12 DEPUTY JONES: When you went to Zeigler's house?
13 (Multiple people speaking at once.)

14 MR. THOMAS: Yes, when he took us there.

15 DEPUTY JONES: That's when you was with Charlie?

16 MR. THOMAS: Yes. Yes.

17 INVESTIGATOR CARTY: And --

18 DEPUTY JONES: Did you all stay in the car or get
19 out or --

20 MR. THOMAS: Stayed in the car. He rushed right
21 out.

22 DEPUTY JONES: Was the car in the garage at that
23 time?

24 MR. THOMAS: I -- I -- I ain't planned on taking no
25 car in the garage. But he rushed out and went -- and

1 went in the house, and when he come back, he went to a
2 little shelf up there and he got a box of cartridges,
3 and he told Charlie that -- like, Charlie, load the gun.
4 You want to load one of these guns? He got a big old
5 brown bag in between me and him about this high.

6 So that's all I know. That's all I got to say. I
7 don't have nothing against the man. I don't know
8 nothing about it. The man didn't never did nothing to
9 me. I don't know nothing about it. That's right.
10 That's the only thing I can say is that.

11 DEPUTY JONES: Did you go (inaudible) any things
12 that -- that particular night at any point in time that
13 made you felt like that maybe this man wasn't who he
14 said he was or could possibly be somebody else, or do
15 you feel 100 percent certain that who you were talking
16 to was who he was?

17 MR. THOMAS: That's the only thing I can go by.

18 DEPUTY JONES: What you were told?

19 MR. THOMAS: Yeah. I -- I don't know --

20 INVESTIGATOR CARTY: Oh, I have a question.

21 MR. THOMAS: Yeah.

22 INVESTIGATOR CARTY: I have a really interesting --
23 this is what I would love to know. Did you see the guy
24 earlier sharpening any tools anywhere?

25 MR. THOMAS: No. No. No.

1 DEPUTY JONES: When you work in the field, do you
2 have -- did you all have a guy that come around and like
3 sharpen knives or blades or anybody like that that would
4 come to the fields and do it for the work?

5 MR. THOMAS: No, nothing I can think of.

6 DEPUTY JONES: Working in the fields, did you ever
7 know a white man, his nickname was Slim, they just
8 called him Slim, and he was kind of a tall guy?

9 MR. THOMAS: No.

10 DEPUTY JONES: That don't ring no bell?

11 MR. THOMAS: Because I -- I was working with most
12 of the -- most of the way -- most of the big crews
13 that's coming out of Orlando coming through --

14 DEPUTY JONES: They was all coming in that time for
15 the season to work?

16 INVESTIGATOR CARTY: So what did you mean when you
17 said the guy was acting kind of funny that day when you
18 were sharpening the tools and that's what made you know
19 that something was up and that's why you got out of the
20 car and left?

21 MR. THOMAS: I don't know nothing about sharpening
22 no tools.

23 INVESTIGATOR CARTY: I mean, I'm just saying that
24 you had said that, so I was wondering --

25 MR. THOMAS: No, I didn't. I never told nobody that

1 in my whole life.

2 INVESTIGATOR CARTY: But, I mean, like in the court.
3 Like in the court you were saying that -- that when you
4 were in the car, that after Charlie went in the store
5 and the guy told you to get back in the car, you thought
6 to yourself, I don't know about this situation. And
7 then you had said --

8 MR. THOMAS: Not when they got -- when they got out
9 the car and went to the store in there, he opened the
10 door, said, Come on, Charlie. He said, Come on you all.

11 So I got out the car. I said, I'm not going in
12 that store because it's dark in there. I'm not going in
13 that store.

14 He said, Well, if you ain't going to the store, you
15 get back in the car and sit down.

16 And when they went up to that store, I got right
17 out, went across the street over there. They had just
18 had built a new grocery store called Food World right
19 next to Kentucky Fried Chicken. And I saw some guy from
20 Oakland over there, a (inaudible) guy named Sam.

21 INVESTIGATOR CARTY: Uh-huh.

22 (Multiple people speaking at once.)

23 MR. THOMAS: I saw him from Oakland. And I told him
24 like, Man, them people over there acting like a clown,
25 man. I ain't messing around over there with them

1 people.

2 I said, You going back -- will you take me back to
3 Oakland with you?

4 He said, Yes.

5 So, I went back -- I went back to Oakland, come back
6 down (inaudible), that guy he knew who I was, I was
7 drinking a beer, and I got in a car with another guy.
8 He came -- I went to Tilldenville. You know where
9 Tilldenville is at?

10 (Multiple people speaking at once.)

11 INVESTIGATOR CARTY: Uh-huh.

12 MR. THOMAS: It's an old bar.

13 INVESTIGATOR CARTY: Was it Browns?

14 MR. THOMAS: (Inaudible).

15 INVESTIGATOR CARTY: Was it Browns Bar?

16 MR. THOMAS: I don't know. But, you know, the place
17 I was at, you know, it was -- it was a lot of -- there's
18 a lot of gay people over there in Tilldenville.

19 INVESTIGATOR CARTY: Oh. Oh, I didn't know.

20 MR. THOMAS: There's a lot of gay people up in
21 there. So everybody's mixed all up in there together.

22 So I'm drinking. And -- and one guy come in and
23 said, Thomas. Said, Is that you?

24 I said, Yeah, that's me. What's wrong with you,
25 man?

1 He said, Man. He said, Weren't you with Charlie?

2 I said, Yeah, I was with Charlie.

3 He said, Man, everybody up in that store, all them
4 people killed. We thought you was dead in that store.

5 I said, What? He said it so fast. I said, What?

6 They dead.

7 I just left that man at -- when -- when they went in
8 the store.

9 He said, Everybody there is dead in that store.
10 They find bodies all over the place.

11 And I said, Take me -- take me back over to the --
12 we're -- we're going back home, you know, back across
13 Highway 50, back over there to Oakland, and when I got
14 there, where I live at down there was surrounded, just
15 surrounded with cars and police and everything.

16 DEPUTY JONES: At the store?

17 MR. THOMAS: No, not at the store, at the place
18 where I live at.

19 DEPUTY JONES: Where you had lived at?

20 INVESTIGATOR CARTY: On Harriet Street?

21 MR. THOMAS: Yeah.

22 INVESTIGATOR CARTY: Yeah.

23 MS. THOMAS: Where I was rooming at.

24 And -- and that whole place back there was full of
25 police. So I have another friend of mine that -- his

1 name was Larry. I was going with his sister. That's
2 that guy I was talking about. His sister, she's in
3 Pompano now.

4 INVESTIGATOR CARTY: Does his guy's name begin with
5 a -- let me think, maybe a G?

6 MR. THOMAS: Yeah. Govan.

7 INVESTIGATOR CARTY: What is it?

8 MR. THOMAS: Larry Govan.

9 INVESTIGATOR CARTY: Yeah. Yeah. Yeah.

10 DEPUTY JONES: Gold -- Govan?

11 MR. THOMAS: Yeah. Yeah.

12 DEPUTY JONES: And you were dating his sister?

13 MR. THOMAS: Huh?

14 DEPUTY JONES: You were going with his -- his
15 sister?

16 MR. THOMAS: Yeah, but they were living in New York.

17 DEPUTY JONES: Okay.

18 MR. THOMAS: And then --

19 INVESTIGATOR CARTY: He was going with you -- you
20 were going with his sister. Okay. Got it. Yeah.

21 MR. THOMAS: Yeah. Yeah. So he was living -- he
22 was living in New York so . . . He come down here with
23 us to pick fruit. A little short guy.

24 INVESTIGATOR CARTY: Really?

25 MR. THOMAS: Yeah. He come down here and want to

1 pick fruit.

2 So I saw him and I said, Hey, man. I said, All them
3 police down there so come on and take me to Orlando.
4 Take me to Orlando, you know.

5 We got on the road. We got to Orlando on Highway
6 50. When we got back about to Scaggs Albertsons, you
7 know, it was a shopping place on Highway 50 --

8 INVESTIGATOR CARTY: Sure.

9 MR. THOMAS: -- is nothing, and his car ran out of
10 gas.

11 It's like, man, I'm not messing around. I mean, You
12 got to get gas the fastest way you can. I'm going on
13 down and around. And I went on down -- I walked on down
14 the line. So I come into a little --

15 INVESTIGATOR CARTY: Was there one other guy with
16 you that you picked up that was at the store that was
17 kind of high?

18 MR. THOMAS: No.

19 INVESTIGATOR CARTY: Oh, okay.

20 MR. THOMAS: No. No.

21 INVESTIGATOR CARTY: Okay. Go ahead. Sorry.

22 MR. THOMAS: So, I gotta -- I kind of walked on down
23 the street and walked on down Highway 50 further down.
24 I might have walked about a half a mile down, and there
25 was little restrooms over there. And I seen the police

1 also over there. And I went over there and I told him.
2 He said he ain't heard nothing about it on the scanner.

3 INVESTIGATOR CARTY: He said what?

4 MR. THOMAS: He said he hasn't heard anything about
5 it.

6 INVESTIGATOR CARTY: Oh, okay.

7 MR. THOMAS: I told him what was going on. He said,
8 I haven't heard anything about it. He said, Let me
9 check.

10 He got on the scanner, and he said, Yes, they want
11 you back over there right now.

12 And he carried me back to the store. And that's the
13 first time I ever been in the store. And all the people
14 was in the store, the detectives and everybody was in
15 the store.

16 INVESTIGATOR CARTY: Why would the whole
17 neighborhood where you lived be surrounded with police
18 when the murders happened? Do you know? I mean, did
19 you wonder?

20 MR. THOMAS: I don't know. Because he -- they --
21 they know -- I don't know how they knew, but they know I
22 was with Charlie. They knew I was with him.

23 INVESTIGATOR CARTY: So they were looking for you
24 when they were surrounding your neighborhood do you
25 think?

1 MR. THOMAS: I was with Charlie so they -- yeah.

2 INVESTIGATOR CARTY: Yeah. What about Johnny
3 Thornton (phonetic)? That was sad.

4 MR. THOMAS: Who is Johnny Thornton?

5 INVESTIGATOR CARTY: Johnny Thornton, the guy that
6 was -- who was also a picker from Hilton. He came down
7 and he would stay over there at the Winter Garden Inn.

8 MR. THOMAS: I don't know no Johnny Thornton.

9 INVESTIGATOR CARTY: Oh, I thought you -- I thought
10 you knew him.

11 MR. THOMAS: I don't know a Johnny Thornton. I
12 don't know him. I don't know him. I know a Jamaica
13 guy, Coke, back from the store right there. Me and him
14 go up the road together, me and his -- me and him and
15 his family. We go up the road together. That time he
16 went up there he stayed up there. He went to Rochester
17 and he stayed, him and his family both.

18 INVESTIGATOR CARTY: Did they?

19 MR. THOMAS: These people put him up in a place.

20 INVESTIGATOR CARTY: That's good.

21 MR. THOMAS: Yeah.

22 INVESTIGATOR CARTY: What about Robert Foster?

23 MR. THOMAS: I don't know Robert Foster. That
24 Calvin brung up something about Robert Foster. I don't
25 even know him.

1 INVESTIGATOR CARTY: Well, I only ask you because
2 his name was in the paper every day after the murders --

3 MR. THOMAS: Yeah.

4 INVESTIGATOR CARTY: -- as one of the witnesses.

5 MR. THOMAS: But -- but this guy here, he was
6 telling the paper, everybody was talking about it. He
7 said that Jamaica say he went up there, say he was his
8 handyman. Said he went up there and said he drove
9 around, and said when he drove around to the back of the
10 store, it's a big fence back there, gate, big fence back
11 there. And he said when he drove in the gate, he locked
12 the gate -- locked the gate on it. He locked the gate
13 on it and he went though the back door.

14 And he said -- he call him in the store, call him to
15 come in the store, and said as he was walking in the
16 store, he heard like something pop, pop, pop. He said,
17 Hell, what you trying to do, kill me with those, Mr.
18 Zeigler? And he said he jumped out and ran and got back
19 over the fence. I don't know nothing about that spot
20 neither. That's just what they had in the paper.

21 INVESTIGATOR CARTY: But did you -- did you hear him
22 say Mr. Zeigler or did -- are you aware of the fact
23 that --

24 MR. THOMAS: I -- I -- I don't know nothing they
25 said. I wasn't there at that time.

1 INVESTIGATOR CARTY: Because you were at the trial.
2 And they obviously kept saying that the person had --
3 that it was a white man.

4 MR. THOMAS: I wasn't in there when the people
5 was --

6 INVESTIGATOR CARTY: Oh, okay. Right.

7 MR. THOMAS: When -- when they was testifying. I
8 was outside so I could not hear nothing, and then they
9 call me in.

10 INVESTIGATOR CARTY: Okay.

11 MR. THOMAS: Yeah.

12 DEPUTY JONES: Yeah. They bring you all in one at a
13 time, and then when you got through testifying you go
14 back in --

15 MR. THOMAS: Yeah. You don't -- you don't never
16 hear other man -- what the other man testifying about
17 because it's all over; they put stuff in the paper, you
18 know, what --

19 INVESTIGATOR CARTY: Well, why would you be -- so
20 why would every -- why are you afraid like right now and
21 who are you afraid of? If you've -- if -- if -- if the
22 right guy's in there -- in the prison all -- in a cage
23 for 37 or 8 years, why -- what -- what's the problem?
24 You know what I mean? Like, why --

25 MR. THOMAS: Don't you know that's that Klan area

1 down there. Them KK boys down there. They know
2 people --

3 INVESTIGATOR CARTY: Yeah.

4 MR. THOMAS: They know people that -- that are real
5 together there.

6 DEPUTY JONES: (Inaudible.)

7 MR. THOMAS: I ain't -- I ain't taking no chances on
8 nobody.

9 INVESTIGATOR CARTY: Is there anybody specific,
10 though, that you're afraid of?

11 DEPUTY JONES: Is there a reason that you think that
12 they were involved in that?

13 MR. THOMAS: It just ain't never really actually
14 left my mind from that. It's --

15 DEPUTY JONES: Well, I mean, what I know they --
16 'cause trust me, I don't like them either.

17 Let me give you a little story on my behalf. I
18 was -- when I was a police chief in Poulan, and that man
19 right there can verify this, I was fired from there.
20 You know why? My daughter married a black man. I got
21 two biracial grandchildren, two girls, and I love them
22 to death, but I got fired because of that.

23 MR. THOMAS: Yeah.

24 INVESTIGATOR CARTY: You got fired?

25 DEPUTY JONES: The racial issue is still just as hot

1 in that area as it ever has been. Nothing's changed.

2 MR. THOMAS: Man, it ain't never changed. It ain't
3 never changed nowhere.

4 DEPUTY JONES: It's not going to.

5 MR. THOMAS: It ain't never change nowhere. People
6 just got to realize that.

7 DEPUTY JONES: But -- but why -- why -- you related
8 to her that you were kind of worried about them. Is
9 there a reason? Was something mentioned back then that
10 would make you think they were involved in that somehow?

11 MR. THOMAS: No. I ain't have no idea what was
12 going on with that. I don't have no idea.

13 INVESTIGATOR CARTY: But why did you like run away
14 and were afraid for your life and everything, that
15 somebody was hunting you down but -- who was it?

16 MR. THOMAS: It's like I told you --

17 INVESTIGATOR CARTY: Yeah. Okay. I'm just trying
18 to --

19 MR. THOMAS: -- Winter Garden -- I heard about
20 Winter Garden and all of them places, Winter Garden,
21 Ocoee. You can't even hardly go to the store at night
22 in Ocoee. Ocoee is right down the road, and that's --
23 they had a store that stayed open all night called
24 Beauregards down there in Ocoee, and people could go
25 down there, and they have -- they have problem with --

1 the black people have a problem with white peoples down
2 there.

3 DEPUTY JONES: When you and Charlie first went to
4 the store, just you and him the first time, there was
5 nobody in the store?

6 MR. THOMAS: When we first went to the store, the
7 store was dark. The store was dark.

8 DEPUTY JONES: No lights on at all?

9 MR. THOMAS: There wasn't nothing there. We parked
10 on the side.

11 DEPUTY JONES: No cars out front?

12 MR. THOMAS: No cars. No nothing there. When we
13 got back, there was nothing there but just his van.

14 And then he says, The man supposed to be here so I
15 can get my TV for my old lady. He was going to get a TV
16 for his old -- get his old lady a TV for a Christmas
17 present.

18 INVESTIGATOR CARTY: Uh-huh.

19 DEPUTY JONES: Was it dark at this time or still
20 kind of light?

21 MR. THOMAS: Yeah, it -- yeah, it was dark. It was
22 dark at that time.

23 DEPUTY JONES: Do you know about what time of night
24 that was?

25 MR. THOMAS: No, I don't. It wasn't -- it wasn't

1 late late, though. I don't know the time. Back then
2 time was getting dark pretty early.

3 DEPUTY JONES: Back then it probably would have been
4 dark between -- probably between 6:30 and 7.

5 MR. THOMAS: Seven o'clock, yeah. Something like
6 along in there, yeah.

7 DEPUTY JONES: You think it was somewhere in the
8 neighborhood of 7 when you and Charlie went to the store
9 to get the TV?

10 MR. THOMAS: Uh, I can't -- I can't put my --
11 pinpoint exactly what time it was, but it wasn't late,
12 though. I know that.

13 INVESTIGATOR CARTY: Like what do you call late?

14 DEPUTY JONES: No cars -- there was no cars?

15 MR. THOMAS: It wasn't -- it wasn't 10 o'clock. It
16 wasn't up in that area.

17 DEPUTY JONES: Right. So at that time there was no
18 cars at the store, period?

19 MR. THOMAS: There was no cars at the store. No
20 lights at the store either.

21 DEPUTY JONES: And then you all pulled to the back?

22 MR. THOMAS: No, we ain't pull in no back.

23 DEPUTY JONES: Yeah. I mean, not right behind the
24 store, but like parked right around from the store or
25 something?

1 MR. THOMAS: No, we parked right in the front of the
2 store on the side there. Right on the side. Not side
3 of the building, but in front of the building. Like we
4 parked in front of the building right here.

5 INVESTIGATOR CARTY: What car was in front of the
6 building besides yours?

7 MR. THOMAS: Wasn't no car in front of no building.

8 INVESTIGATOR CARTY: No cars?

9 MR. THOMAS: No.

10 DEPUTY JONES: Okay. Then that's where you all are
11 sitting when the -- the guy pulled up to talk to you
12 all?

13 MR. THOMAS: He pulled right up said, Come on,
14 Charlie, get in here. He said, Who you got there? He
15 said, Who is that in the car there?

16 He says, That's Tom. He come help me get a TV.

17 He said, Get in the car for a minute. You all going
18 to ride with me a minute.

19 So I get in the car and this guy here --

20 DEPUTY JONES: That's when you all rode out to, what
21 was it, orange groves?

22 MR. THOMAS: Yeah. That's where we're going.

23 That's where he -- he get -- carried us then.

24 He said, Who's that Charlie?

25 He said, Tom.

1 He said, Come on. Get in.

2 Well, I got in the front seat. Charlie got in -- in
3 the back seat on right back of him. He got in back the
4 driver, and I got in the front seat. And he went out --
5 from the store he went straight across by Kentucky Fried
6 Chicken, straight across Highway 50, and he went down
7 the road about -- I guess about two miles, and he -- and
8 he turn around. He turn around and head back this way.

9 He said, Look, Charlie, I got some pistols here and
10 I want to see if they accurate. He said, You want to
11 try one? He fired out the window three or four times,
12 pow, pow, pow.

13 DEPUTY JONES: Now, that was Charlie or the other
14 guy?

15 MR. THOMAS: Both of them. He give Charlie a pistol
16 to shoot too. And he asked me, he said, Do you want to
17 shoot? He said, you want to try, Tom?

18 I said, No, I don't know about no guns or nothing.
19 And he took off.

20 INVESTIGATOR CARTY: So you didn't fire guns?

21 MR. THOMAS: No, no, no.

22 INVESTIGATOR CARTY: You did not fire the guns?

23 MR. THOMAS: No, I ain't fire --

24 INVESTIGATOR CARTY: Tell me about this guy's
25 glasses. I want you to picture this guy's face right

1 now and tell me what his glasses -- with your hands,
2 please.

3 MR. THOMAS: Well, I was staying away from the guy
4 all the time, but I was -- I was paying -- paying
5 attention to what he was doing. He was spitting. I
6 said, What's wrong with him?

7 DEPUTY JONES: How -- how was voice? Did he have a
8 deep voice or --

9 MR. THOMAS: Well, it's been about almost 40 years
10 ago. I -- I can't bring his voice back up, how it used
11 to sound, because I just can't catch a man's voice the
12 first time I hear him talking and never seeing him
13 before.

14 DEPUTY THOMPSON: Right. Okay.

15 INVESTIGATOR CARTY: Did he smoke cigarettes?

16 MR. THOMAS: He wasn't smoking?

17 INVESTIGATOR CARTY: No smoking?

18 MR. THOMAS: No, he wasn't smoking.

19 INVESTIGATOR CARTY: Seriously, how many times did
20 he spit? Like he's talking to you, and just, like,
21 pretend you're him.

22 MR. THOMAS: He just (spit sound) had went (spit
23 sound) like someone making him sick.

24 INVESTIGATOR CARTY: Ah. Huh. And how was his
25 hair? What does his hair look like?

1 MR. THOMAS: I don't know what his hair look like.
2 His hair -- he -- he didn't have on -- he didn't have on
3 no cap or nothing, though. He had glasses on.

4 INVESTIGATOR CARTY: Yeah. That's what I want to
5 know.

6 MR. THOMAS: He had a -- he had a pair of glasses
7 on. And I wasn't paying that much attention. He had
8 on -- I know he had to have glasses on because I looked
9 up, he had glasses and he started spitting.

10 DEPUTY JONES: When you all left, where did you go
11 then?

12 MR. THOMAS: When we finally left -- okay. When --
13 when he came back from out there shooting, we went back
14 to the store again.

15 DEPUTY JONES: Was there a car there this time?

16 MR. THOMAS: No. I ain't see no car.

17 Went back to the store, and he said, Come on,
18 Charlie. Come on. I ain't my key. He said, I know how
19 to get in.

20 So, he went right out there to the side of the
21 store, and there's a fence around there, and he climbed
22 over that fence. He's like, Come on, Charlie. Come on
23 across, Charlie. You all, come on. I know how to get
24 in.

25 And he went across that fence. He went across the

1 fence, and then Charlie and he were on that fence. And
2 Charlie got on the fence. He hit the back window, bam,
3 with -- with some --

4 DEPUTY JONES: I believe I'd a been gone then.

5 MR. THOMAS: Yeah. And so I was.

6 INVESTIGATOR CARTY: Yeah, really. That's a --
7 that's a red flag.

8 MR. THOMAS: Yeah. So --

9 INVESTIGATOR CARTY: Why would he do that? Why
10 would he do that if he was the owner of the store?

11 MR. THOMAS: And Charlie -- and Charlie jumped off
12 the fence. He said, Oh, no, what you trying to do, man?

13 He jumped off the fence. He jumped off the fence.

14 He said, Okay, then. So I tell you what, I go to
15 house and get -- I ain't got my key. So I got to the
16 house and get the key and come back in.

17 So we got in the car. He went, uh, up past the
18 liquor store, somewhere up in there, the liquor store on
19 the corner there.

20 DEPUTY JONES: Uh-huh.

21 MR. THOMAS: They passed that and they went around
22 til he come to the -- went down the road a little bit
23 then turn to the -- to the right, and then he passed a
24 little -- passed a place, looked like it was -- should
25 have been some kind of factory or a warehouse or -- a

1 building or somewhere people worked at. And then we
2 went up there and made a -- made a left, and then made
3 another right, right up in the garage there.

4 INVESTIGATOR CARTY: And -- wait. Wait. He pulled
5 up into the garage?

6 MR. THOMAS: He pulled right up to the edge of the
7 garage like this.

8 INVESTIGATOR CARTY: Inside the garbage?

9 MR. THOMAS: Facing -- uh-huh, facing the garage.

10 INVESTIGATOR CARTY: In it?

11 MR. THOMAS: Yes.

12 INVESTIGATOR CARTY: Okay.

13 MR. THOMAS: And then he went in there and he got a
14 key, and then he come back. On the way back to the car
15 we looking -- we're looking right at him, everything he
16 was doing. He come back, reached up on the shelf and he
17 got a box of shells.

18 He said, Come on, Charlie, load -- load one of these
19 guns. Load those guns right there.

20 So Charlie went to loading the gun back up. He
21 asked me did I want to load one. I said, No, I don't
22 mess with no gun, period.

23 So, now, we go back to the store. We go back to his
24 store, and then pulled around -- he went to the -- the
25 right, and then he went around and come -- he went

1 around the corner and come back up on the side of the
2 store, up on this side.

3 He said, Tom.

4 I said, Huh?

5 He said, If you don't mind, hit that switch. Hit
6 that switch for me.

7 There was a big old -- big old box there, switch
8 box.

9 INVESTIGATOR CARTY: Uh-huh.

10 MR. THOMAS: He said, Hit that switch.

11 So I hit the switch and he went on around there, and
12 he parked in front of the store and he unlocked the --
13 unlocked the door.

14 INVESTIGATOR CARTY: So he unlocked the door, the
15 white guy?

16 MR. THOMAS: Yeah. Yeah. He unlocked the door.

17 INVESTIGATOR CARTY: Uh-huh.

18 MR. THOMAS: He unlocked the door.

19 DEPUTY JONES: Was there another car there then in
20 front of the store?

21 MR. THOMAS: Wasn't nobody there but just two -- two
22 cars -- two vehicles was there, the van and his car.
23 That was the only thing there. The van and his car was
24 the only thing there.

25 INVESTIGATOR CARTY: So when you went to his -- when

1 he went -- when this white man went back to that
2 house, where did this key come from? Do you know?

3 MR. THOMAS: He brung it back out with him. I don't
4 know where he had the key.

5 DEPUTY JONES: He actually went in the house?

6 MR. THOMAS: Yeah. He went in. I don't know if he
7 had this key in his pocket all the time or --

8 DEPUTY JONES: Which door did he go in?

9 MR. THOMAS: He went through that garage door in --
10 in -- went in --

11 DEPUTY JONES: Like if I -- if I'm picturing the
12 house right, I think the house has a front door, maybe
13 one that lead into the garage and a back door.

14 MR. THOMAS: Well, you know he got in from the --
15 the garage he got in. He drove straight in, and he got
16 out and he went into the house, and he come back. On
17 the way back to the car he stopped, went over to the
18 shelf and got a box of bullets like this.

19 He asked Charlie, he said, Charlie, load one of
20 these guns.

21 He loaded one.

22 He said, You want to gonna one, Tom?

23 I said, No. No, because I don't mess with guns and
24 stuff.

25 So he turned back around and went to the store.

1 This time when he got to the store, he went -- we went
2 on the right-hand side and come back around on this --
3 on this side where the big box -- switch box is.

4 He said, Tom, hit that -- hit that switch button.
5 I hit --

6 DEPUTY JONES: What was the reason for that?

7 MR. THOMAS: You have to ask him that. I don't
8 know. And I was thinking about that all the time.

9 DEPUTY JONES: Was the switch up and you let it
10 down?

11 MR. THOMAS: I pulled the switch down like this.

12 DEPUTY JONES: It wasn't already down?

13 MR. THOMAS: No. He said, Hit that switch. Pull
14 that switch down.

15 I pulled it down. Back in front of the store again.
16 He got out.

17 INVESTIGATOR CARTY: In front?

18 MR. THOMAS: He got out in front, right in front of
19 the store.

20 INVESTIGATOR CARTY: Uh-huh.

21 MR. THOMAS: Okay. We was parked -- he was parked
22 on the left-hand side of the front of the store. I'm
23 more on the right. I'm more on the right in front of
24 the store than what they was. They was sitting on --
25 off to the side because he got out and unlocked the

1 door.

2 He said, Come on, Charlie.

3 He was standing in the door. And when Charlie
4 walked in, he said, Come on, Tom.

5 I said, No, I'm not going in there, man. It's dark
6 in there. I'm not going in that store. I said, You cut
7 some lights on, I'll come in there.

8 He said, You ain't going -- he said, You ain't going
9 in, so you get back in the car and sit down.

10 And when he got back in the car, when they hit that
11 door, I jumped out -- I jumped out of the car and hauled
12 ass across the street.

13 DEPUTY JONES: Now, all this happened and there
14 wasn't an expanded time frame in there? It all happened
15 just like that?

16 MR. THOMAS: He was a quick check (phonetic) man.
17 He -- he was -- he was just -- he was just ready. He --
18 he -- he was in a hurry -- or whoever you all say he is,
19 he was in a hurry.

20 INVESTIGATOR CARTY: Well, you say the one that we
21 call Zeigler, yeah.

22 MR. THOMAS: That's the way they call him. That's
23 what everybody -- that's what Charlie called him, and
24 that's the only way I know that's who it was by that
25 name. And I still don't know who it was. I just go by

1 what the man said.

2 DEPUTY JONES: Do you mind looking at a couple
3 photographs and see if you might recognize a couple
4 gentlemen?

5 MR. THOMAS: Yeah, I --

6 DEPUTY JONES: You might; you might not.

7 MR. THOMAS: I don't mind.

8 (Multiple people speaking at once.)

9 DEPUTY JONES: I know it took some time to come up
10 here and -- to be here and I do appreciate it.

11 MR. THOMAS: I don't know that man by no mustache,
12 no.

13 INVESTIGATOR CARTY: Without the mustache.

14 MR. THOMAS: I don't know. It's been a long time.
15 I don't know. I can't say. I can't say who that is. I
16 don't know. I'm not sure I know that picture there.

17 INVESTIGATOR CARTY: That's his brother-in-law.

18 MR. THOMAS: I don't --

19 INVESTIGATOR CARTY: Opps. Sorry. Thank you.

20 And then this guy right here -- this guy right here
21 was the tool sharpener guy, Slim.

22 MR. THOMAS: I don't know him.

23 INVESTIGATOR CARTY: And he's arrested him a bunch
24 of times. He's -- he's no longer living.

25 MR. THOMAS: I don't -- I don't know him at all.

1 INVESTIGATOR CARTY: This is him like right before
2 he died.

3 MR. THOMAS: I don't know him.

4 INVESTIGATOR CARTY: And he's from like Albany and
5 Sylvester.

6 MR. THOMAS: I don't know him. But I -- I left
7 Georgia when I was pretty young.

8 INVESTIGATOR CARTY: Have you ever heard people say
9 that it was the wrong guy?

10 MR. THOMAS: No, I don't keep up with it.

11 INVESTIGATOR CARTY: You didn't even know --

12 MR. THOMAS: I -- I don't -- I don't -- can't tell
13 you whether he was the wrong guy or that man --

14 INVESTIGATOR CARTY: Uh-huh.

15 MR. THOMAS: -- or the wrong guy. I wouldn't know
16 or not unless I see this man because -- and I wouldn't
17 surely know him now after 40-something years and I ain't
18 seen him but just -- just -- just that night --

19 INVESTIGATOR CARTY: Uh-huh.

20 MR. THOMAS: -- for the first time.

21 INVESTIGATOR CARTY: They called him -- I heard
22 there was a rumor going around in Winter Garden and
23 Oakland, that like -- that Ed Williams, he worked for
24 the guy for a long time, but when he got into the car
25 with Rogina (phonetic) -- Rogina Thomas and Katherine

1 Thomas, he said, A white guy, a white guy; it was a
2 white guy. And then -- and then it turned into being
3 Tommy.

4 MR. THOMAS: I don't know nothing about that.

5 INVESTIGATOR CARTY: I want to -- I want to show you
6 this.

7 MR. THOMAS: I don't know nothing about that.

8 INVESTIGATOR CARTY: This is what else I got. Look
9 at this.

10 MR. THOMAS: I can understand the problem
11 investigating stuff and the -- and the confusion or
12 whatever -- whatever stuff you all got going on, but
13 I've told you all, I've told you everything I know about
14 this case. I don't know anything else about this case.
15 And I don't know these peoples too good anyway because I
16 hadn't been in Oakland very long.

17 INVESTIGATOR CARTY: Right.

18 MR. THOMAS: So I don't -- I don't even really know
19 these people. The only thing I know it was Charlie, Jr.
20 and two black people around there because he was
21 (inaudible) fruit, and he had a little small softball or
22 a little baseball team.

23 INVESTIGATOR CARTY: Yeah.

24 MR. THOMAS: Yeah. That's the only thing I know
25 about this.

1 INVESTIGATOR CARTY: Yeah. That's the one that
2 Robert Foster played on with Dean Wallace. He was a
3 white guy. They had -- Dean Wallace used to run the
4 place, the softball league with his -- with his wife,
5 Mary.

6 MR. THOMAS: Uh-huh.

7 INVESTIGATOR CARTY: And they had six kids.

8 MR. THOMAS: I don't know.

9 INVESTIGATOR CARTY: So you never -- you never met
10 Robert Foster.

11 Whatever happened to Govan? Where is he?

12 MR. THOMAS: Who?

13 INVESTIGATOR CARTY: Larry.

14 MR. THOMAS: Larry, he died.

15 INVESTIGATOR CARTY: Oh, yeah?

16 MR. THOMAS: Yeah.

17 INVESTIGATOR CARTY: How long ago?

18 MR. THOMAS: I don't know. He died -- he been dead
19 a few years now, and my daughter -- my daughter said --
20 cause that's my daughter's Uncle Larry.

21 INVESTIGATOR CARTY: Right.

22 MR. THOMAS: Yeah.

23 INVESTIGATOR CARTY: Did he have a son that lived in
24 Orlando, Larry, Jr.? Because there was one Larry.

25 MR. THOMAS: No.

1 INVESTIGATOR CARTY: No?

2 MR. THOMAS: No. Them -- them are Govans. They
3 from -- they from New York. They live out there on
4 Highway 18 between Alvin New York and a place called
5 Barclay.

6 INVESTIGATOR CARTY: Oh, I never heard of them.

7 MS. THOMAS: They from New York.

8 INVESTIGATOR CARTY: So how big is Hilton, New York?

9 MS. THOMAS: Hilton, New York is -- that's a --
10 that's a -- that's a -- that's a small ass -- small
11 place. The biggest thing there is the -- is the apple
12 place there.

13 INVESTIGATOR CARTY: Oh. Is that where it is?

14 MR. THOMAS: Yeah. I picked apples all up in there.

15 INVESTIGATOR CARTY: Oh, I see.

16 MS. THOMAS: I pick apples all up around through
17 there. Hilton --

18 INVESTIGATOR CARTY: Okay.

19 MR. THOMAS: Hilton, Alvin, Lindenville. That's all
20 I did is travel for the season and pick apples up all
21 around through there.

22 INVESTIGATOR CARTY: Wow.

23 MR. THOMAS: Wow. All I did was plant the seeds and
24 pick apples and --

25 INVESTIGATOR CARTY: Let me ask you this, Felton.

1 MR. THOMAS: Uh-huh.

2 INVESTIGATOR CARTY: What if through no fault of
3 your own --

4 MR. THOMAS: Uh-huh.

5 INVESTIGATOR CARTY: -- you were wrong to cite the
6 fact that it was that black guy and it was -- if I said
7 it was that black guy and I said it was you but it was
8 somebody else, and I was mistaken, I didn't do it on
9 purpose, I didn't mean it or anything like that, I was
10 wrong, can you -- can you think --

11 MR. THOMAS: No. No.

12 INVESTIGATOR CARTY: -- that that would be possible?
13 That's what I want to know.

14 MR. THOMAS: No, no, no, no, no.

15 INVESTIGATOR CARTY: Why can't -- why aren't you
16 wrong?

17 MR. THOMAS: No. What I seen is what I seen.

18 INVESTIGATOR CARTY: Right.

19 MR. THOMAS: And -- and --

20 INVESTIGATOR CARTY: No, no. I'm not -- I'm saying
21 -- I'm saying I believe every single thing you said I'm
22 saying, but --

23 MR. THOMAS: And I can't say -- I -- I can't say I
24 don't believe this or don't believe that.

25 INVESTIGATOR CARTY: I'm saying if it was a

1 different white guy in every single other -- you told me
2 on the phone, you said, How can I be in his garage?
3 Well, I know why, because his brother-in-law was down
4 for the weekend, and his -- and his -- and his
5 brother-in-law and his mother and father-in-law were
6 staying there. And that's how I know. That's how --

7 MR. THOMAS: Who -- who said that?

8 INVESTIGATOR CARTY: Just everybody know -- it's --
9 his in-laws came for Christmas.

10 MR. THOMAS: I mean, they had all kind of stuff on
11 that man. They said that man kill them people on
12 account of having a big insurance. That was all in the
13 paper.

14 INVESTIGATOR CARTY: See what I mean?

15 MR. THOMAS: Somebody said that man had them people
16 on a great big insurance.

17 INVESTIGATOR CARTY: That he had the people -- that
18 he -- that he killed --

19 MR. THOMAS: Million dollar insurance and stuff like
20 that. I -- I don't know nothing about --

21 INVESTIGATOR CARTY: Oh, I -- oh, I see what you're
22 saying. I hear what you're saying, yeah. Yeah, I see
23 what you're saying.

24 Well, the brother-in-law was mad because his parents
25 went into the Colquitt County Courthouse and they signed

1 their will out on August 6th, 1975.

2 MR. THOMAS: I don't know nothing about that.

3 INVESTIGATOR CARTY: And they brought it with them
4 and they wanted Tommy to be the executor. So his
5 brother-in-law was not happy.

6 And his brother-in-law, this guy, he was a warden in
7 Moultrie, Georgia at the time. It says right here.
8 It's a whole story all about how he's a prison warden in
9 Moultrie, Georgia, playing softball on the nights of the
10 trial when he gets home, and he was going to lose his
11 whole inheritance and he was not happy.

12 I have papers where he beat his whole family. Okay?
13 This is all about him. He came home in a stupor and he
14 threatened to kill his family. He threatened to kill --
15 he punched his pregnant daughter in the face. And this
16 guy, the brother-in-law, he got \$3 million from
17 the will, from these -- these murders, 3 million. He
18 did not want to lose his inheritance.

19 And these are his parents. And they had this will
20 in the courthouse up in Colquitt since August of '67,
21 and they were changing it, and they asked Tommy Zeigler
22 to be the executor. So they wanted to take their son,
23 the jail warden, off of there because all he did was
24 drunk and ravel rouse, and that's the truth, and that's
25 what we found out to be true.

1 And his daughter-in-law, guess what, the ring that
2 was missing from Tommy's wife's hand --

3 MR. THOMAS: Uh-huh.

4 INVESTIGATOR CARTY: -- she knows exactly where it
5 is. It's in Moultrie, Georgia in a safety deposit box
6 at the Colony Bank.

7 MR. THOMAS: Ha, ha, ha . . .

8 And her -- this is her grandfather Perry, Jr.,
9 Tommy's brother-in-law. And right now he is having his
10 lungs rejected. He had a lung transplant, and right at
11 this very moment he's in the hospital, in Shands
12 teaching hospital in Jacksonville -- I'm sorry, Mayo
13 Clinic. And this is the guy that punched his pregnant
14 daughter in the face, got \$3 million --

15 MR. THOMAS: Ha, ha, ha . . .

16 INVESTIGATOR CARTY: -- and was very upset because
17 his parents were going to take him off the will and make
18 Tommy the executor because he was a good businessman.

19 So this guy ended up getting like a Hummer, you
20 know, \$3 million.

21 MR. THOMAS: Uh-huh.

22 INVESTIGATOR CARTY: And he was a tyrant. His whole
23 family's petrified to come forward, but they came
24 forward and told the truth. And that's his
25 daughter-in-law.

1 And this guy said to his son, chased him down and
2 said, Boy, I'm going to put you in jail. I'm going to
3 see that you never get out. I'm an Edwards. I've been
4 known to do it before and I can do it again, and you'll
5 never see the light of day.

6 MR. THOMAS: Well, see, I don't know nothing about
7 that, none of that as far as that. The only thing I
8 know about is what -- I was with Charlie and what
9 happened with him. I don't know nothing else.

10 INVESTIGATOR CARTY: Uh-huh.

11 MR. THOMAS: I ain't got no -- I ain't got no second
12 guess or nothing about what I first said. The only
13 thing I said, only thing I know is what happened when I
14 was there. That's the only thing I know.

15 INVESTIGATOR CARTY: But I can't believe you don't
16 remember --

17 MR. THOMAS: Look, I --

18 INVESTIGATOR CARTY: No. I know. I'm saying I
19 can't believe you don't remember this one thing where
20 you said you were sitting in the car and when the guy
21 told you come in -- I mean, you said it in the court
22 because the lady typed it up. And it's nothing bad.
23 I'm just saying it's a quote -- you said, you thought to
24 yourself, I've got to get out of here because he was
25 acting kind of funny on the truck today.

1 MR. THOMAS: No. No.

2 INVESTIGATOR CARTY: Oh. I wish I had that because

3 --

4 MR. THOMAS: No, no, no, no, no, no, no, no.

5 INVESTIGATOR CARTY: But I -- but, I mean, who would
6 that have been?

7 MR. THOMAS: Somebody misunderstood me if I --

8 INVESTIGATOR CARTY: Right. Right.

9 MR. THOMAS: -- said some stuff like that. I ain't
10 never said anything like that.

11 INVESTIGATOR CARTY: They would have misunderstood
12 you?

13 MR. THOMAS: Yes. Somebody done might misunderstood
14 me, because I know what I said.

15 INVESTIGATOR CARTY: Do you think that you could
16 point out the wrong white guy?

17 MR. THOMAS: If I don't -- if I know a person -- if
18 I don't person and you line a whole lot of people up I
19 ain't seen but one -- one time, and you telling me about
20 another person, I don't know who I might pick out,
21 because I can't pick out but the person that I saw.
22 That's all I can do.

23 INVESTIGATOR CARTY: Well, they didn't give you a
24 lineup. They didn't come to you and say -- when you --
25 when this all happened, not at the trial, but when this

1 all happened, they didn't put a lineup up there and say,
2 Here, out of all these guys pick out which white guy you
3 were with?

4 MR. THOMAS: No such thing. They had no lineup.

5 INVESTIGATOR CARTY: So you really only had one
6 person to pick from.

7 MR. THOMAS: The person whoever's in the car with
8 me, that's the only person I seen. I don't know about
9 them other people. That's the only one I seen.

10 INVESTIGATOR CARTY: Right.

11 MR. THOMAS: And so, why should I know another
12 person just on -- I ain't know that man over there. If
13 I ain't seen this man, I just seen this man here, I got
14 to know this man here. I don't that man there. You put
15 that man up over there in front of me, going to tell me
16 about that man over there in front of me or who he is or
17 what he said, I still wouldn't know him.

18 DEPUTY JONES: Mr. Thomas, I'd like to ask you one
19 question.

20 MR. THOMAS: Yeah.

21 DEPUTY JONES: If you'll study on it a few minutes,
22 will you?

23 MR. THOMAS: All right.

24 DEPUTY JONES: When you was in court testifying --

25 MR. THOMAS: Uh-huh.

1 DEPUTY JONES: -- and if basically you told the same
2 story you just went through here with us about you being
3 with Charlie, the guy coming up and all of that.

4 MR. THOMAS: Yeah.

5 DEPUTY JONES: And when they asked you, Is that man
6 in the courtroom today --

7 MR. THOMAS: Yes.

8 DEPUTY JONES: -- I'm certain at that time you
9 pointed to Mr. Zeigler.

10 MR. THOMAS: That's right.

11 DEPUTY JONES: And the way I want to ask this is in
12 this fashion.

13 MR. THOMAS: Uh-huh.

14 DEPUTY JONES: Was that -- I mean, I'm sure you'd
15 already saw --

16 MR. THOMAS: Uh-huh.

17 DEPUTY JONES: -- photographs in the paper, news
18 articles that had been out about it, you know, maybe the
19 news or the paper were covered with it to show people
20 what happened.

21 MR. THOMAS: No. Actually -- actually, I really
22 don't read too good anyway. So I don't -- I don't --

23 DEPUTY JONES: What -- what I'm -- what I'm getting
24 at is this, because I've seen this being in law
25 enforcement all my life.

1 MR. THOMAS: Uh-huh. Uh-huh.

2 DEPUTY JONES: Like you said, you didn't know a lot
3 of these people. You didn't know them back then.

4 MR. THOMAS: That's right.

5 DEPUTY JONES: You knew Charlie. That's basically
6 about the only person you knew.

7 MR. THOMAS: I know Charlie, yeah.

8 DEPUTY JONES: So you had to go based on what this
9 man told you, right? Just like if he were to tell me
10 that so and so were together and I never saw them, then
11 I got to go with what he tells me.

12 MR. THOMAS: Yeah.

13 DEPUTY JONES: So you were testifying -- had you
14 ever been in court prior to this for anything?

15 MR. THOMAS: Uh --

16 DEPUTY JONES: The way I'm asking this, the man
17 who's sitting in that particular chair when you were
18 sent in, when you went up there and testified that this
19 is the guilty party because --

20 MR. THOMAS: No. No. I ain't -- I ain't never
21 testified against nobody.

22 DEPUTY JONES: You was able to look at him and say
23 that's who I was with that night?

24 MR. THOMAS: Yeah, because, remember, I had left. I
25 was -- that's the man right there with them glasses on.

1 They asked me to point the man out. That's the man with
2 the glasses on right there.

3 DEPUTY JONES: You could recognize him by glasses or
4 facial features or -- I mean, what recollect --

5 MR. THOMAS: Yeah. Yeah. He -- he -- he was
6 pretty -- he was pretty tall there. I don't know. He
7 should have been about pretty close to six feet or
8 something about like that. Yeah, he was pretty tall and
9 thin just like the guy was in the car. So that's the
10 only man I know right there.

11 So, you know, I'm really sorry I can't help you out
12 with no more than I -- I know, but that's all I know.

13 INVESTIGATOR CARTY: In the parking lot you saw him
14 too?

15 MR. THOMAS: Yeah, I saw him.

16 INVESTIGATOR CARTY: In the parking lot before you
17 guys walked in you were with Frye?

18 MR. THOMAS: But we -- I wasn't with no Frye.

19 INVESTIGATOR CARTY: Well, who was with you when you
20 walked into the -- you know, when you walked into the
21 courthouse somebody was with you.

22 MR. THOMAS: I didn't walk in the courthouse. I was
23 on -- the detectives, they had -- I was like under
24 police protection.

25 INVESTIGATOR CARTY: Yeah.

1 MR. THOMAS: And detectives, they brung me in there.

2 INVESTIGATOR CARTY: That's who Frye is I'm saying.

3 MR. THOMAS: I don't -- I don't even know him, but
4 he was a nice guy. He gave me some clothes to wear.

5 INVESTIGATOR CARTY: A really good friend of mine --

6 DEPUTY JONES: Do you feel it's safe to say that
7 everything that you and Charlie and that man done that
8 afternoon probably could have happened between 6 and 7
9 o'clock? Because shortly after 7 I think's when you
10 went across the street and caught a ride.

11 MR. THOMAS: Well, he was -- I can tell you this, it
12 wasn't real late. It wasn't real late. It was just
13 dark. I didn't have no reason to keep up with no --

14 DEPUTY JONES: It was like the sun was going down
15 when Charlie picked you up?

16 MR. THOMAS: Huh?

17 DEPUTY JONES: Like the sun was going down when
18 Charlie picked you up around the campfire?

19 MR. THOMAS: No, it was -- it was -- it was -- it
20 was -- it was -- it was dark when Charlie picked me up.
21 It was dark when Charlie picked me up because was he
22 riding through, and I was sitting out there drinking a
23 beer. It never did dawn on me that's the man that owned
24 the place and he owned the store too. So they go make a
25 fire down in a barrel, and I was out there by myself

1 drinking a beer. They had a little bar or a little club
2 or whatever they had right there. So I bought me a beer
3 and I was out there drinking that beer.

4 And so he rode along -- he come along and say, What
5 you doing, Tom?

6 I said, I'm just drinking a beer.

7 He said, Why don't we ride. Go over here with me
8 and pick my old lady's TV up.

9 I said, I don't care.

10 So I got I the van and went.

11 DEPUTY JONES: And you can remember without a shadow
12 of doubt there was no cars at all in the front of the
13 store other than what you all were riding in?

14 MR. THOMAS: Wasn't nothing. That store was --
15 that -- that store was dark. It looked like midnight.
16 That store was dark. Wasn't no lights in that store at
17 all.

18 INVESTIGATOR CARTY: You wouldn't be able to tell if
19 there lights in the store if it wasn't dark out
20 probably, right? It would probably have been dark out
21 because you couldn't see.

22 MR. THOMAS: Well, you know, you can't see a light
23 against a light that much.

24 INVESTIGATOR CARTY: Yeah, that's what I'm saying.
25 That's exactly what I'm saying. Yeah. Oh, wow.

1 My -- I have a friend that's an attorney. He's in
2 his 70s right now. He saw Detective, I think it was
3 Frye, walking in with you and point to Tommy in the
4 parking lot.

5 MR. THOMAS: I don't know nothing about that.

6 INVESTIGATOR CARTY: You don't remember that?

7 MR. THOMAS: No. I ain't -- I don't remember.
8 Ain't nothing like that happen.

9 INVESTIGATOR CARTY: Okay. Well, I heard that from
10 like several people --

11 MR. THOMAS: Ain't -- ain't -- ain't nothing --

12 INVESTIGATOR CARTY: -- so I had to ask.

13 MR. THOMAS: Nothing like that happen. Nothing like
14 that happen.

15 This man -- this man you call a Frye, I don't even
16 know him. I don't even know the detective's name.

17 INVESTIGATOR CARTY: That's the detective's name,
18 the guy that brought you -- that talked to you at the
19 store, Detective Frye, Don Frye.

20 MR. THOMAS: Yeah. It was -- it was a whole bunch
21 of people there.

22 INVESTIGATOR CARTY: Yeah. Yeah.

23 MR. THOMAS: There was a whole -- whole -- a whole
24 bunch of people there.

25 INVESTIGATOR CARTY: Right.

1 MR. THOMAS: And -- and -- and they said -- said
2 Zeigler -- that this man Zeigler said he called and say
3 Charlie tried to rob him -- Charlie tried to rob him.
4 Said he had -- he had done shot himself in the side
5 right here. They could tell he had shot himself in the
6 side because he had gun powder right here.

7 DEPUTY JONES: Now, who told you that?

8 MR. THOMAS: Huh? That's what them detectives and
9 them told me.

10 DEPUTY JONES: That night at the store?

11 MR. THOMAS: Huh? Yeah. They said he has shot
12 himself in the side.

13 INVESTIGATOR CARTY: Does that make sense that
14 someone --

15 MR. THOMAS: They said he was sitting in -- they
16 said he was sitting in a -- in a -- in a -- in a -- a
17 sofa chair when they got -- when they broke in the
18 store. Said he was sitting in a sofa chair.

19 INVESTIGATOR CARTY: Yeah. He called for help. I
20 mean, he called them to please come help me; I've been
21 shot. He woke up.

22 MR. THOMAS: Uh-huh.

23 INVESTIGATOR CARTY: But, I mean, did you ever hear
24 of anybody shooting themself with a .357 Magnum, I mean,
25 and thinking they're going to make it?

1 MR. THOMAS: I don't know.

2 INVESTIGATOR CARTY: To me --

3 MR. THOMAS: I don't know. I don't know. I don't
4 know how you would shoot yourself. People can shoot
5 themselves all the time in ways, I'm talking about on
6 accident and everything else. Strange things happen.
7 But I don't know what happened to him. After I left I
8 don't know what happened to the man or nobody.

9 INVESTIGATOR CARTY: So who all --

10 MR. THOMAS: When you leave -- when -- when -- when
11 I tell you about what I tell you, you can -- you can --
12 you can use your own imagination what else -- what else
13 that happened that I -- your own imagination what else
14 happened. That's all I know.

15 INVESTIGATOR CARTY: So who are you afraid of all
16 this time?

17 MR. THOMAS: Huh?

18 INVESTIGATOR CARTY: Who are you afraid of?

19 MR. THOMAS: I really ain't afraid of nobody. I'm
20 just being careful.

21 INVESTIGATOR CARTY: Then why were you telling
22 Calvin that you're afraid you're going to get killed?
23 Why -- why are you saying that?

24 MR. THOMAS: Well, because in the area that I was in
25 when all this happened, them people don't give a shit

1 about me like that. Not my color. They don't give a
2 shit about me like that. So, that's the way it go.

3 You already know how things is over there in Winter
4 Garden and all them places. He know too.

5 DEPUTY JONES: I never been there, but I know
6 how it is around my area.

7 INVESTIGATOR CARTY: Well, I know. I understand
8 what you're saying.

9 MR. THOMAS: You know too. That's because I was
10 raised up around there so I know what happen with -- how
11 people do and all that stuff. I know how they try to
12 change stuff and fix stuff, and when -- when they want
13 something to go one way, they'll force it on you the
14 best way they can but --

15 INVESTIGATOR CARTY: And you don't --

16 DEPUTY JONES: Well, seeings you said that, when you
17 were talking with detectives in the store that night,
18 did you feel like some of that was going on there, they
19 wanted you to say what they wanted to hear?

20 MR. THOMAS: No. They just asked me what -- they
21 was asking me what happened, a whole bunch of them.
22 Winter Garden polices and everybody else was at --
23 everybody was in the store --

24 INVESTIGATOR CARTY: Uh-huh.

25 MR. THOMAS: -- questioning me.

1 INVESTIGATOR CARTY: But you didn't know -- you
2 never saw him before, so how could you tell them who he
3 was at that time?

4 MR. THOMAS: They didn't ask me who he was at that
5 time.

6 INVESTIGATOR CARTY: Exactly.

7 MR. THOMAS: They didn't ask me who he was at that
8 time.

9 INVESTIGATOR CARTY: Right. Right. That's the
10 whole point.

11 MR. THOMAS: They didn't ask me who -- who this man
12 was.

13 DEPUTY JONES: All you -- all you knew is Charlie
14 had told you he was the store owner?

15 MR. THOMAS: Huh?

16 DEPUTY JONES: All you knew at that point when they
17 talked to you about --

18 MR. THOMAS: The man in the car.

19 DEPUTY JONES: -- was that Charlie had told you he
20 took --

21 MR. THOMAS: The man -- the man in the car.

22 DEPUTY JONES: How did he tell you? Did he say he
23 owned the store or --

24 MR. THOMAS: The man -- the man in the car told
25 me -- Charlie told me the man in the car was

1 Mr. Zeigler, and that's all I can know, Mr. Zeigler, the
2 man in the car.

3 INVESTIGATOR CARTY: This is from court. About --
4 we were waiting there about five minutes.

5 Question -- no worries. Pardon me.

6 Question: What happened then?

7 Answer: A guy drove up in it looked like a
8 Cadillac.

9 Question: What did the guy do?

10 Answer: Well, he came to the van and he told me to
11 come around him for a few minutes, say that the guy's
12 supposed to own the furniture hadn't gotten there yet.

13 MR. THOMAS: No. That's wrong. That's wrong right
14 there.

15 INVESTIGATOR CARTY: So the court's --

16 DEPUTY JONES: Have you ever saw the court
17 documents?

18 MR. THOMAS: No, but that's wrong right there.

19 DEPUTY JONES: You never saw the court documents --

20 MR. THOMAS: No, that's wrong.

21 DEPUTY JONES: -- the way they've got it what you
22 said?

23 MR. THOMAS: That's wrong right there, nope.

24 DEPUTY JONES: Would you like to see them?

25 MR. THOMAS: Huh?

1 DEPUTY JONES: Would you like to see them?

2 MR. THOMAS: Yeah. Read them out. Read them out to
3 me. Get him to read them out.

4 INVESTIGATOR CARTY: Read them out. Do you have
5 them?

6 MR. THOMAS: No, that's wrong right there.

7 DEPUTY JONES: Yeah, what we got in the car.

8 INVESTIGATOR CARTY: Sure. I mean, this is exactly
9 what it says. I mean -- no, I'm just letting you know.
10 I mean, I didn't -- I wasn't even -- I was --

11 MR. THOMAS: Well, somebody rewrote that. That's
12 wrong there.

13 INVESTIGATOR CARTY: This was straight from the
14 court.

15 MR. THOMAS: But that's wrong there.

16 INVESTIGATOR CARTY: Right.

17 MR. THOMAS: That's wrong there. Read that part
18 again right there you read.

19 INVESTIGATOR CARTY: We need to show him the trial
20 actually.

21 MR. THOMAS: You got -- you got something wrong in
22 that, though.

23 INVESTIGATOR CARTY: I mean, I don't have it wrong
24 because alls I did was go to a copy machine and push a
25 button and bring this to you. So I wasn't there when

1 they did all this. You know what I mean? I'm just on
2 this now.

3 MR. THOMAS: Yeah. I don't know nothing about that
4 file right there.

5 INVESTIGATOR CARTY: Really? So if anybody said --
6 told you that you said that in court, they would be --
7 what, that's not true?

8 MR. THOMAS: That's not true. I deny that because I
9 didn't say that.

10 INVESTIGATOR CARTY: And then it says, Wait a
11 minute. Was it a black man or a white man?

12 A white man.

13 Do you see that man in this courtroom?

14 Yes, I do. Right there.

15 Would you point him out?

16 The man in the middle right there.

17 MR. THOMAS: Yeah. They asked me what -- can I
18 point the man out. I said, Yeah, that's the man right
19 there. Now, that's -- that part right right there, but
20 I don't no nothing about that. I never said that. So
21 somebody got that wrong there.

22 INVESTIGATOR CARTY: Do you want us to show you the
23 file? Because he has it with him.

24 MR. THOMAS: You can get the file and show that to
25 me, but I don't -- I -- that -- that's wrong right

1 there. I ain't said nothing like that. Somebody got
2 something twisted up wrong.

3 INVESTIGATOR CARTY: But, I mean, it's in like the
4 court -- it's in the original papers.

5 MR. THOMAS: Well, the court got to be wrong because
6 I -- it ain't -- it ain't me wrong with that.

7 INVESTIGATOR CARTY: Right. See, my concern is,
8 now, with all this going on and everything, it's -- you
9 know, the FBI's getting involved. It's turned it into
10 like a bigger thing. You know, it's conspiracy to
11 commit murder across state lines. And so, I just want
12 to make sure you were protected and okay, and then have
13 an opportunity, you know, to -- to know what's going on
14 here because it's not just me.

15 MR. THOMAS: I see what -- I see what's working up.
16 I see what -- I see what they trying to do.

17 INVESTIGATOR CARTY: Who? Who are they?

18 MR. THOMAS: Huh?

19 INVESTIGATOR CARTY: Who are they?

20 MR. THOMAS: Everybody involved in this case
21 trying -- what they trying to work out. I don't know
22 nothing about what that paper say right there. That's
23 not true. I told you everything that I know about this
24 case.

25 INVESTIGATOR CARTY: Right.

1 MR. THOMAS: And that's what I know about this case.
2 So I done told you over and over, over and over, over
3 and over, same thing over and over.

4 What -- what you want -- what you want -- what you
5 want me to say? You want me to say, No, that's not the
6 man, that man over there's the man? Did I know that man
7 there? I don't know none of these people.

8 INVESTIGATOR CARTY: I can picture how I might think
9 that I was with Gene --

10 MR. THOMAS: I don't know none of them people.

11 INVESTIGATOR CARTY: I might think I was with Gene
12 if I was inside of his garage and -- with another guy if
13 I didn't know Gene. I might think, Well, I was in the
14 man's garage, which is what you said you --

15 MR. THOMAS: Okay. You talking to me right now.
16 Okay. If you go someplace and somebody ask me, Do you
17 recognize that lady right there? I said, I just got
18 through talking to that lady.

19 DEPUTY JONES: But it doesn't mean you know her.

20 MR. THOMAS: It don't make me know her. That's
21 right.

22 If you tell me your name is JoAnn, that's what I'm
23 going to tell that man right there, your name is JoAnn.

24 INVESTIGATOR CARTY: Right.

25 MR. THOMAS: And that's what I'm going to say, too,

1 because I don't know anybody by their name. Call you
2 JoAnn and tell him that that's JoAnn right there. To
3 point JoAnn out, I say, That's here right there. So
4 that's all I know.

5 INVESTIGATOR CARTY: That's --

6 DEPUTY JONES: When you're over at the house and the
7 guy went in the house, did he use a key to unlock the
8 door or was the door already unlocked?

9 MR. THOMAS: I wasn't paying attention to that. He
10 got out of the car and went straight -- he went straight
11 out of the car right -- went straight from the car,
12 walked up to the door, open the door, went in the house,
13 and then came right back out. When he came back out, he
14 reached over the shelf and got a box of bullets and he
15 gave them to Charlie.

16 He said, Charlie, you want to load one of these
17 guns?

18 Charlie loaded one of the guns and he loaded one of
19 the guns, and he put the guns back in the bag.

20 He ask me, Do you want to load one, Tom?

21 I said, No, sir. I don't mess with guns.

22 But I don't know where the man kind of pointed,
23 'cause when he pulled them out to shoot them guns, he
24 said, I just want to see if these guns accurate. I just
25 bought these guns. I want to see if they're accurate.

1 Pow, pow, pow, just like that. And I thought to myself
2 then, I said, How in the hell he can see if a gun is
3 accurate in the dark.

4 DEPUTY JONES: He just bought them up there?

5 MR. THOMAS: I don't know nothing.

6 DEPUTY JONES: He said he just bought them?

7 MR. THOMAS: He said he just bought the guns.

8 INVESTIGATOR CARTY: Which hand was he shooting it
9 with?

10 MR. THOMAS: I wasn't paying no attention, but he
11 was -- I don't -- I don't know.

12 DEPUTY JONES: He was driving the car, right?

13 MR. THOMAS: He was driving the car. So he was
14 shooting out the window like that. And Charlie's is
15 loaded. Charlie was in back of him back there, and
16 Charlie, he shot out the window too.

17 INVESTIGATOR CARTY: With his left?

18 MR. THOMAS: Huh?

19 INVESTIGATOR CARTY: With his left? What I'm
20 saying, Did he shoot out the window with the hand that
21 you got up there?

22 MR. THOMAS: Man, I was sitting in front. I don't
23 know whether he twist on this side or he shot out the
24 window, but I know they was doing some shooting, and
25 I -- I was ready to haul ass right then.

1 DEPUTY JONES: I know. I can't say that I blame
2 you.

3 INVESTIGATOR CARTY: Really.

4 MR. THOMAS: He was crazy, man.

5 DEPUTY JONES: Oh, my back's getting (inaudible).

6 INVESTIGATOR CARTY: You okay?

7 DEPUTY JONES: Oh, yeah.

8 INVESTIGATOR CARTY: You tired?

9 (No audible response heard.)

10 INVESTIGATOR CARTY: I bet.

11 MR. THOMAS: And then I got to say, you know, I
12 ain't -- I ain't got nothing against nobody. I don't
13 want to give nobody no problem in something they didn't
14 do. The only thing I can tell you is what I know.
15 That's it. I can't you no more; I can't tell you no
16 less.

17 INVESTIGATOR CARTY: So, I mean, they go by the
18 court testimony. I don't make it up. I wasn't even out
19 there on --

20 MR. THOMAS: I didn't say you made it up.

21 INVESTIGATOR CARTY: So I just want you know I --

22 MR. THOMAS: I said that's wrong right there. I
23 never put that.

24 INVESTIGATOR CARTY: Other stuff that -- that they
25 typed that is -- is in court too. I mean, it says that

1 you did fire a gun out the window. It says that, that
2 you said you did. You said that you did it one time.
3 That's what it says. I'm telling you the truth.

4 (Multiple people speaking at one time.)

5 INVESTIGATOR CARTY: I'm being straight up with you.

6 MR. THOMAS: They can say anything they want. I
7 don't give a shit what they say. I know I ain't do
8 that. I ain't do that.

9 INVESTIGATOR CARTY: The reason I'm saying it is
10 because I'm being honest with you. I'm saying that to
11 you.

12 MR. THOMAS: I'm being honest with you. I'm saying
13 that to you. I never had my hand on one of those guns.
14 Never. And so, there ain't nothing --

15 DEPUTY JONES: Did you tell them that night at the
16 store that you had shot one?

17 MR. THOMAS: No. No.

18 DEPUTY JONES: Do you have -- do you have any idea
19 what they put in their report?

20 MR. THOMAS: In their report? What -- what they put
21 in the report is what I told them, is what I told them.
22 And they had nothing in the report like that.

23 DEPUTY JONES: You never read it; you never saw it?

24 INVESTIGATOR CARTY: Well, you don't even know what
25 it says all about you.

1 DEPUTY JONES: I'm going to grab the report
2 outside.

3 MR. THOMAS: What's all they got in the report? If
4 they got I did, that's not true. Nope.

5 INVESTIGATOR CARTY: Well, in the court, when you're
6 sitting there and there's like a hundred people --

7 MR. THOMAS: When I was sitting there, I know
8 everything that man asked me. I did not say that. I
9 ain't told nobody I shot no gun. So that's a boo boo.

10 DEPUTY JONES: Did he ask you if you fired a gun?

11 MR. THOMAS: That's boo boo.

12 DEPUTY JONES: Did he ask if you had fired one?

13 MR. THOMAS: He asked me if I -- yeah, they asked me
14 did I fire a gun.

15 DEPUTY JONES: And you answered?

16 MR. THOMAS: And I said, No, I haven't fired no
17 He asked me -- they asked me. The courts asked me
18 all kinds of questions.

19 INVESTIGATOR CARTY: But in the court it said that
20 you said --

21 MR. THOMAS: I don't care what they have in the
22 court. I didn't -- I didn't --

23 INVESTIGATOR CARTY: But, I mean, that's the case.
24 You know, that's the --

25 MR. THOMAS: I did not say that. I'm telling you

1 straight up --

2 INVESTIGATOR CARTY: Okay.

3 MR. THOMAS: -- I did not say that.

4 INVESTIGATOR CARTY: But do You want -- do you want
5 us to show you what it says?

6 MR. THOMAS: Yeah. Let me see them.

7 INVESTIGATOR CARTY: Okay.

8 MR. THOMAS: Because somebody got them wrong.

9 DEPUTY THOMPSON: We're going to go out to the car.

10 INVESTIGATOR CARTY: Okay. Because this is the
11 thing, in there it says that it's all you.

12 MR. THOMAS: No. No. Somebody -- somebody --

13 INVESTIGATOR CARTY: See, the thing is, that's why I
14 want to make sure. That's why --

15 MR. THOMAS: Somebody just done rewrote something in
16 there ain't got no business being there because it's not
17 right. After 40 years anything could happen. All the
18 technology stuff they got, and you can put anything
19 anywhere you want to put it and it make it to be like
20 you want to put in.

21 INVESTIGATOR CARTY: Yeah. But --

22 MR. THOMAS: I don't want to hear that.

23 INVESTIGATOR CARTY: But the truth -- I know you
24 probably don't, but the truth is that the court
25 transcripts that I have are the original ones from

1 the -- from the very beginning, and they're all yellowed
2 up, the ones that I have at my house.

3 MR. THOMAS: I don't care how many you got at your
4 house. I've told tell you the truth.

5 INVESTIGATOR CARTY: I mean, they did write that,
6 though.

7 I mean, I believe -- see, what I'm trying to say is,
8 I believe what you're telling me, but I'm just wanting
9 you to know what --

10 MR. THOMAS: You got all the information you need
11 from me? Because I ain't got time for all this here
12 carrying on stuff and all this pretend and stuff going
13 on.

14 INVESTIGATOR CARTY: I am not pretending. I'm just
15 telling you what it said. Let me give you this.

16 MR. THOMAS: I'm out of here because I don't want --
17 I don't want -- I don't want to hear all that because --
18 just trying to get me in some kind of entrapment.

19 INVESTIGATOR CARTY: I'm really not. I'm -- I'm
20 only -- the only thing I know about -- see, I was a
21 mother, like, with a little baby in 1976. I wasn't even
22 an investigator. So the only way I know what happened
23 is to read what is all in these big binders. So I was
24 reading what it said.

25 MR. THOMAS: What is that? You -- when you wrote

1 down what it said, didn't you?

2 MS. STEPHENS: No, he went to the car to get the big
3 file.

4 MR. THOMAS: He going to the car to look for
5 something. That ain't going to be on me like that.

6 INVESTIGATOR CARTY: This is what I wanted to give
7 you. This is a tape. Do you have a DVD player? Do you
8 have a DVD player?

9 MR. THOMAS: What I got to have that for?

10 INVESTIGATOR CARTY: Because it shows an example of
11 this happening to somebody else. It's another guy
12 that -- that I thought that --

13 MR. THOMAS: I don't have anything to do with nobody
14 in that car.

15 INVESTIGATOR CARTY: I know. I understand. I mean,
16 I'm trying to help you. I don't want anything to happen
17 when this comes out. That's all I'm saying.

18 MR. THOMAS: I don't care what come out. I'm saying
19 that all I know that if all --

20 MS. STEPHENS: What supposed to come out?

21 INVESTIGATOR CARTY: Well, there's a documentary
22 coming out about it, it will be all over the place.
23 And, you know, I'm telling you, I don't make up the
24 court testimony. He did say that. He probably was
25 upset and nervous. He was doing a lot of stuttering.

1 But I want him to know what is said, not -- I didn't
2 change it. You know what I'm saying? It's in books.
3 It's in -- it's in books. It's a court testimony.

4 He said that he said, All right, that'd be fine, and
5 shot one out the window, but then now he's saying not.
6 So -- so he needs to know what they're trying to do, and
7 I'm trying to explain that to him. That's all I'm
8 trying to explain to him, what the deal is. That's all
9 I'm trying to do.

10 And this is a DVD about ano -- how that happened to
11 somebody else where they were made to point out the
12 wrong person. So that's what it is.

13 MR. THOMAS: I don't even need to listen to that.
14 That -- that's what happened to somebody else. I don't
15 need -- I don't need that.

16 INVESTIGATOR CARTY: You might be surprised at how
17 they do these things. You were just talking about
18 modern technology and all this stuff. This guy
19 realized, he all of a sudden went, Oh, I get what you're
20 saying.

21 MR. THOMAS: I don't -- I don't know what on that
22 DVD. I ain't trying to go by that DVD. It has nothing
23 to do with me.

24 INVESTIGATOR CARTY: It's six minutes, but I'm
25 telling you it really does. It has everything to do

1 with you. I --

2 MR. THOMAS: It -- it don't have nothing to do with
3 me.

4 INVESTIGATOR CARTY: Well, it's just an example of
5 these kind of things that happen to people.

6 MR. THOMAS: I can believe that. I don't have
7 nothing to do with that.

8 INVESTIGATOR CARTY: And it's a guy talking about
9 how terrible it was for him going through this. So I
10 asked my friend to make a copy of it for you because
11 he's doing a documentary all about his case. And so I
12 had him make you this copy.

13 MR. THOMAS: I -- I don't -- I don't -- nothing
14 about this case.

15 INVESTIGATOR CARTY: This lawyer that I do work for
16 sometimes and is a nice guy said that he would help you
17 if you needed any help.

18 MR. THOMAS: I don't need no help from him. Help me
19 for what?

20 INVESTIGATOR CARTY: Well, because you had told me
21 on the phone yesterday, remember? Didn't you -- don't
22 tell me you didn't say that you said --

23 MR. THOMAS: I told you I'll -- I get me a lawyer;
24 you said you had one.

25 INVESTIGATOR CARTY: I said I know one.

1 MS. STEPHENS: What you need a lawyer for?

2 MR. THOMAS: I don't need no lawyer. What do you
3 think about that? What I need a lawyer for?

4 MS. STEPHENS: What does he need a lawyer for?

5 INVESTIGATOR CARTY: Are you asking me what does
6 he --

7 MR. THOMAS: Yeah. Why I need a lawyer?

8 INVESTIGATOR CARTY: Because yesterday he had said
9 to me my friends --

10 MR. THOMAS: No, no, no.

11 INVESTIGATOR CARTY: -- said that maybe I should get
12 a lawyer when I talk to you.

13 MS. STEPHENS: You talking about like --

14 MR. THOMAS: Talking to you all.

15 MS. STEPHENS: (Inaudible.)

16 INVESTIGATOR CARTY: Because we really know that
17 there's a wrongfully convicted man in prison and we feel
18 terrible about it. And we know that things like this
19 happen, and we know who it was, and it was his
20 brother-in-law.

21 MR. THOMAS: Then why didn't you all go see the
22 brother-in-law?

23 INVESTIGATOR CARTY: No. No. I'm telling him --
24 I'm -- what I'm trying to tell him is, when it comes out
25 what he said at the beginning of the trial, that's not

1 my fault. I was a mother with a kid. You know what I'm
2 saying? I didn't type the court transcripts. But
3 that's what's going to come out in a documentary so I
4 wanted to make sure he had a lawyer.

5 Do you remember yesterday when he --

6 MR. THOMAS: Let me see what you -- let me see what
7 you got in there.

8 (Multiple people speaking at once.)

9 INVESTIGATOR CARTY: This is the guy got Casey
10 Anthony off.

11 MR. THOMAS: I don't need that. You can keep that.

12 INVESTIGATOR CARTY: Oh. His name is Jose Baez.
13 You don't want it?

14 MR. THOMAS: I don't need that.

15 INVESTIGATOR CARTY: Okay.

16 MR. THOMAS: I don't need that.

17 MS. STEPHENS: But what he need a lawyer for?

18 MR. THOMAS: I don't need no lawyer. What I need a
19 lawyer for?

20 INVESTIGATOR CARTY: Well, you said you wanted one.
21 I said --

22 MR. THOMAS: I said if you all -- I said -- I
23 mentioned do I need a lawyer.

24 DEPUTY THOMPSON: I got a question I wanted to ask
25 you. Did you ever go back out with -- with the police

1 ever at all to the orange groves to show them where the
2 guns had been shot?

3 MR. THOMAS: Yeah. Yeah. They rerouted me. I had
4 to reroute them the route that I went.

5 DEPUTY THOMPSON: Yes.

6 MR. THOMAS: And -- and they try to put in some kind
7 of time --

8 DEPUTY THOMPSON: Some kind of time (inaudible).

9 MR. THOMAS: -- or something place to place, you
10 know.

11 (Multiple people speaking at once.)

12 DEPUTY THOMPSON: Okay. Okay.

13 MR. THOMAS: And then when I (inaudible).

14 DEPUTY JONES: So they was in a hurry, in a lot --
15 in a lot more of a hurry than you all was in probably,
16 huh?

17 MR. THOMAS: I don't know. Probably everybody kind
18 of was speeding a little bit that night.

19 INVESTIGATOR CARTY: Sounds like it.

20 MR. THOMAS: Everybody was kind of speeding that
21 night.

22 DEPUTY THOMPSON: It sounds like everybody was in a
23 hurry that night.

24 MR. THOMAS: Yeah.

25 (Multiple people speaking at once.)

1 MR. THOMAS: I forgot the color of the car. A
2 yellowish looking car.

3 INVESTIGATOR CARTY: A what?

4 MR. THOMAS: A beige color.

5 DEPUTY THOMPSON: An unmarked -- like an unmarked
6 police car?

7 MR. THOMAS: No. No. It wasn't -- it wasn't like
8 that. It was a regular car.

9 DEPUTY THOMPSON: Uh-huh.

10 MR. THOMAS: It was a regular car.

11 DEPUTY THOMPSON: Like a --

12 MR. THOMAS: And I ain't too good with models and
13 makes of cars anyway.

14 DEPUTY THOMPSON: Was it a long a car, big long car,
15 a big car?

16 MR. THOMAS: It was a nice ride. He -- it -- a lot
17 of --

18 DEPUTY THOMPSON: Kind of like a --

19 MR. THOMAS: Yeah. Just --

20 DEPUTY THOMPSON: An Oldsmobile?

21 MR. THOMAS: It was like an Oldsmobile or something
22 like that.

23 DEPUTY THOMPSON: Most of them big Olds and
24 Buicks --

25 MR. THOMAS: Yeah.

1 DEPUTY THOMPSON: -- they had them -- them kind
2 of --

3 MR. THOMAS: It was something about like that there.

4 INVESTIGATOR CARTY: How many doors? Do you
5 remember how many doors it had?

6 MR. THOMAS: Yeah. It got four doors on it.

7 INVESTIGATOR CARTY: Okay. Because this -- you know
8 who -- you know who the State Attorney is? It's not me,
9 okay? That's the other side. You know that, right?

10 MR. THOMAS: I don't know nothing about no --

11 MS. CARTY No. I'm saying -- I'm saying I am not
12 them. They are the opposite side, okay? They're the
13 ones that --

14 MR. THOMAS: That's the State Attorney that --

15 INVESTIGATOR CARTY: Okay. This is the internal
16 file that I got, okay? These are the words right here.
17 This them -- see, I just (audio ends).

18 (At which time audio recording ended.)

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STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, Laura Heckman, do hereby certify that I was authorized to and did transcribe the audio recorded interview of Felton Thomas, Jr. to the best of my ability and that the transcript is a true and complete record of the audio recording.

DATED the 14th day of August, 2014, in Pinellas County, Florida.



Laura J. Heckman

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