

Yes.

OFF REC b552 PG 12702

Q What did they exactly tell you? Have you got a word-for-word statement from them?

A I have a tape recorded statement. It has ~~not~~ been transcribed.

Q Was it a long statement or very short statement?

A Probably ten minutes.

Q Okay. In ten minutes, what was the gist of that ten-minute statement? What did they actually say?

A They advised that they were asleep next door. That they heard a loud thud like they thought that the commode lid had been slammed down, which woke them both up. They both sat up in the bed.

Then they heard what appeared to be arguing, and they called the front desk.

Q Okay. They heard the loud thud, they heard what appeared to be arguing, and they called the front desk?

A Yes.

Q Where did you get the information as set forth in the affidavit which says:

"At approximately 4:05 a.m., the above-named defendant and victim, Charlotte Swenson Martz, became involved in an argument of some type. And a few minutes later, a loud bang was heard by the witness."

What witness told you that?

1 A. Like I say, I did not write that affidavit.

2 Q. Well, ma'am, you interviewed these witnesses  
3 personally?

4 A. Yes sir.

5 Q. And you know what they told you?

6 A. Yes sir.

7 Q. And you signed this affidavit under oath, which is  
8 different than what they told you?

9 A. Yes sir.

10 Q. Did you think there was something wrong with that?

11 A. I did not reread it once it was typed, that was  
12 my error.

13 Q. You never read the affidavit, you just signed it?

14 A. I did not reread it.

15 Q. What do you mean, you didn't reread it?

16 THE COURT: She's already said it was her error.

17 Please move on, Mr. Barest.

18 MR. BAREST: All right, sir.

19 Q. And you have a telephone call from a physician  
20 saying that he received a call from a woman saying that she  
21 shot Charlotte Metz, is that correct?

22 A. Martz.

23 Q. Martz. Is that correct?

24 A. Yes. He cannot recall her name, though. He advised  
25 he was told, but he can't recall it.