

Exhibit 1



CIVIL ACTION NO. 22-CV-4337

DENNIS JACKSON

V.

CITY OF CHICAGO, ET AL.

DEPONENT:

JAMES MCINTYRE

DATE:

AUGUST 31, 2023

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
CIVIL ACTION NO: 22-CV-4337

DENNIS JACKSON,

Plaintiff

V.

CITY OF CHICAGO, ET AL.,

Defendants

DEPONENT: JAMES MCINTYRE

DATE: AUGUST 31, 2023

REPORTER: KRYSTAL BARNES

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Chicago, IL 60606

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The Deposition of JAMES MCINTYRE, taken on August 31, 2023

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	Page 2	Page 4
1	APPEARANCES	1
2		2
3	ON BEHALF OF THE PLAINTIFF, DENNIS JACKSON:	3 The deposition of JAMES MCINTYRE was taken at KENNETH N.
4	Joel Flaxman, Esquire	4 FLAXMAN, P.C., 200 SOUTH MICHIGAN AVENUE, SUITE 201,
5	Kenneth N. Flaxman, P.C.	5 CHICAGO, ILLINOIS 60604 on THURSDAY the 31ST day of
6	200 South Michigan Avenue	6 AUGUST 2023 at 10:02 a.m. (CT); said deposition was
7	Suite 201	7 taken pursuant to the FEDERAL Rules of Civil Procedure.
8	Chicago, Illinois 60604	8
9	Telephone No.: (312) 427-3200	9 It is agreed that KRYSTAL BARNES, being a Notary Public
10	E-mail: jaf@kenlaw.com	10 and Court Reporter for the State of Illinois, may swear
11		11 the witness and that the reading and signing of the
12	ON BEHALF OF THE DEFENDANTS, CITY OF CHICAGO, ET AL.:	12 completed transcript by the witness is not waived.
13	Alexander Michelini, Esquire	13
14	Jordan Yurchich, Esquire	14
15	City Of Chicago, Department of Law	15
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22		22
23		23
24		24
25		25
1	INDEX	Page 5
2		1 PROCEEDINGS
3	DIRECT EXAMINATION BY MR. FLAXMAN	2
4	CROSS-EXAMINATION BY MR. MICHELINI	3 THE REPORTER: All right. Can you raise your
5	REDIRECT EXAMINATION BY MR. FLAXMAN	4 right hand for me, please, sir? Do you solemnly
6	RECROSS-EXAMINATION BY MR. MICHELINI	5 swear or affirm that the testimony you are about to
7		6 give will be the truth, the whole truth and nothing
8		7 but the truth?
9	EXHIBITS	8 THE WITNESS: I do.
10	Exhibit	9 THE REPORTER: You may begin.
11	1 - Portion of Complaint	10 MR. MICHELINI: Good morning, Mr. McIntyre.
12		11 THE WITNESS: Good morning to you.
13		12 MR. MICHELINI: Do you want to put his name on
14		13 the record?
15		14 MR. FLAXMAN: No. I want to question my
16		15 witness.
17		16 MR. MICHELINI: Oh, I'm sorry. You can start.
18		17 MR. FLAXMAN: That's okay. My bad.
19		18 DIRECT EXAMINATION
20		19 BY MR. FLAXMAN:
21		20 Q. Mr. McIntyre, my name is Joel Flaxman. We've
22		21 been introduced.
23		22 A. Uh-huh.
24		23 Q. Could you state and spell your name for the
25		24 record, please?
		25 A. James McIntyre. That would be

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<p>1 M-C-I-N-T-Y-R-E. Page 6</p> <p>2 MR. FLAXMAN: Okay. And the two other lawyers 1</p> <p>3 who are in the room, could you please put your 2</p> <p>4 names on the record? 3</p> <p>5 MR. MICHELINI: Alex Michelini on behalf of 4</p> <p>6 defendants. 5</p> <p>7 MR. YURCHICH: Jordan Yurchich on behalf of 6</p> <p>8 the defendants. 7</p> <p>9 MR. FLAXMAN: Okay. 8</p> <p>10 BY MR. FLAXMAN: 9</p> <p>11 Q. And Mr. McIntyre, you're appearing today in 10</p> <p>12 response to a subpoena; is that right? 11</p> <p>13 A. Yes. 12</p> <p>14 Q. Okay. And you understand we want to ask you 13</p> <p>15 questions about a day when you were arrested with Dennis 14</p> <p>16 Jackson in 2017? 15</p> <p>17 A. Yes. 16</p> <p>18 Q. Okay. And is Mr. Jackson your friend? 17</p> <p>19 A. Yes, he is. 18</p> <p>20 Q. Okay. And he was your friend in 2017? 19</p> <p>21 A. Yes. 20</p> <p>22 Q. And you're still friends today? 21</p> <p>23 A. Yes, we are. 22</p> <p>24 Q. Okay. And Mr. McIntyre, you and I spoke 23</p> <p>25 before the deposition today; is that right? 24</p>	<p>1 doing a good job of this, but please give yeses and nos, 1</p> <p>2 verbal answers instead of just shaking your head or 2</p> <p>3 saying uh-huh; is that okay? 3</p> <p>4 A. That's fine. 4</p> <p>5 Q. Okay. And when was the last time you had a 5</p> <p>6 shift at your job? 6</p> <p>7 A. Last night until this morning. 7</p> <p>8 Q. Okay. All right. Well, thank you for coming 8</p> <p>9 in after doing a shift. 9</p> <p>10 A. Uh-huh. 10</p> <p>11 Q. Are you on any drugs or had anything to drink 11</p> <p>12 before today's deposition? 12</p> <p>13 A. No, sir. 13</p> <p>14 Q. Okay. So is there any reason you wouldn't be 14</p> <p>15 able to truthfully answer our questions today? 15</p> <p>16 A. No. 16</p> <p>17 Q. Okay. So as I said before, I do want to ask 17</p> <p>18 you about this arrest with Dennis Jackson in 2017. Do 18</p> <p>19 you remember being arrested with Dennis Jackson in 2017? 19</p> <p>20 A. Yes. 20</p> <p>21 Q. And where did that occur? 21</p> <p>22 A. 100 -- I'm not sure the exact address, but 100 22</p> <p>23 and -- I think that's 120th Place. 23</p> <p>24 Q. Okay. 24</p> <p>25 A. And like right off of Calumet Avenue. 25</p>
<p>1 A. Yes, we did. Page 7</p> <p>2 Q. Okay. And did you ask me to represent you for 1</p> <p>3 purposes of the deposition? 2</p> <p>4 A. Yes. 3</p> <p>5 Q. Okay. And did I agree to do that? 4</p> <p>6 A. Yes, sir. 5</p> <p>7 Q. Okay. And are you currently employed? 6</p> <p>8 A. Yes, I am. 7</p> <p>9 Q. How are you employed? 8</p> <p>10 A. I'm a production supervisor at Dakkota 9</p> <p>11 Integrated Systems. 10</p> <p>12 Q. Okay. And what are your responsibilities with 11</p> <p>13 that position? 12</p> <p>14 A. Managing the production line, supervising 13</p> <p>15 people. 14</p> <p>16 Q. Okay. Where's the Dakkota Integrated Systems? 15</p> <p>17 A. Integrated. Yeah, Integrated Systems. 12525 16</p> <p>18 South Chevrolet [sic] Avenue. 17</p> <p>19 Q. And I should have said this earlier. When I 18</p> <p>20 ask a question, please let me ask the whole question. 19</p> <p>21 And I'm going to let you do the same when you give your 20</p> <p>22 answers so that our court reporter has an easy time 21</p> <p>23 writing things down. Is that all right? 22</p> <p>24 A. Okay. That's fine. 23</p> <p>25 Q. Okay. And also, please, I think you've been 24</p>	<p>1 Q. Okay. And what time of day? Was it evening 1</p> <p>2 time? 2</p> <p>3 A. Yes, evening. 3</p> <p>4 Q. Okay. And tell me why were you there? 4</p> <p>5 A. I had just been dropped off and Dennis was 5</p> <p>6 giving me a ride home. 6</p> <p>7 Q. Okay. And who dropped you off? 7</p> <p>8 A. My kid's mom. 8</p> <p>9 Q. Okay. And what's her name? 9</p> <p>10 A. Bianca Spencer. 10</p> <p>11 Q. Okay. And you said you were dropped off. 11</p> <p>12 Dennis was going to give you a ride? 12</p> <p>13 A. Yes. 13</p> <p>14 Q. Where was he giving you a ride to? 14</p> <p>15 A. To my -- my place of residence. 123 East 15</p> <p>16 119th Street. 16</p> <p>17 Q. Okay. And do you know why Dennis was at that 17</p> <p>18 location on 120th Place? 18</p> <p>19 A. Yes. He was visiting his grandmother. 19</p> <p>20 Q. And what happened after Bianca dropped you 20</p> <p>21 off? 21</p> <p>22 A. I got in the car with him. We chatted for a 22</p> <p>23 few minutes. And I guess while I was chatting, that's 23</p> <p>24 when we were being apprehended by the police. 24</p> <p>25 Q. Okay. And you said you got in the car with 25</p>

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<p>1 him. You mean with Dennis, right?</p> <p>2 A. With Dennis, yes. I'm sorry.</p> <p>3 Q. That's all right. Where was Dennis when you</p> <p>4 were dropped off?</p> <p>5 A. He was coming out his grandma's getting into</p> <p>6 his vehicle.</p> <p>7 Q. Okay. And what kind of car was that?</p> <p>8 A. A white Chevy Tahoe.</p> <p>9 Q. And was that on 120th Place?</p> <p>10 A. Uh-huh. Yes.</p> <p>11 Q. Yeah? Okay. And so did he get into the</p> <p>12 driver's side?</p> <p>13 A. Yes.</p> <p>14 Q. And did you get into the passenger side?</p> <p>15 A. Passenger side, yes.</p> <p>16 Q. Okay. And you said that you were in the car</p> <p>17 with Dennis for some amount of time?</p> <p>18 A. A few minutes, yes.</p> <p>19 Q. Okay. How long? Was it more than ten</p> <p>20 minutes?</p> <p>21 A. Between ten and 15 minutes.</p> <p>22 Q. Okay. And during that ten or 15 minutes, what</p> <p>23 happened?</p> <p>24 And I'm sorry, that's a bad question. You got</p> <p>25 into the car with Dennis and then about ten or 15</p>	<p>Page 10</p> <p>1 A. Yes. It's the alley.</p> <p>2 Q. Okay. And why are you familiar with that</p> <p>3 area?</p> <p>4 A. Because my car was parked there having some</p> <p>5 work done on it. It was kind of in a broke-down state.</p> <p>6 Q. And what kind of car was that?</p> <p>7 A. A Pontiac Grand Am.</p> <p>8 Q. Do you remember the license plate?</p> <p>9 A. No.</p> <p>10 Q. And on the night that you got arrested with</p> <p>11 Dennis, how long had your car been behind those</p> <p>12 buildings?</p> <p>13 A. It had been there for a week or two.</p> <p>14 Q. And you said it was having work done; is that</p> <p>15 right?</p> <p>16 A. Yes.</p> <p>17 Q. Who was doing work on it?</p> <p>18 A. A guy by the name of Lester.</p> <p>19 Q. And when you left the car there, did you give</p> <p>20 your keys to Lester?</p> <p>21 A. No.</p> <p>22 Q. So who had the keys?</p> <p>23 A. I did.</p> <p>24 Q. And did you leave the car locked?</p> <p>25 A. Yes.</p>
<p>1 minutes later, you said police arrived?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Before the police arrived, what were</p> <p>4 you doing with Dennis in the car?</p> <p>5 A. Just talking.</p> <p>6 Q. And were you drinking alcohol?</p> <p>7 A. No.</p> <p>8 Q. Was Dennis drinking alcohol?</p> <p>9 A. No.</p> <p>10 Q. Okay. And during that ten or 15 minutes, did</p> <p>11 you ever get out of the car?</p> <p>12 A. No.</p> <p>13 Q. And you said Bianca dropped you off. Did you</p> <p>14 go anywhere from the time you went from her car into</p> <p>15 Dennis' car?</p> <p>16 A. No.</p> <p>17 Q. You went straight into Dennis's car?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. At any time during that night did you</p> <p>20 go behind the building on 120th place?</p> <p>21 A. No.</p> <p>22 Q. And are you familiar with the area behind the</p> <p>23 buildings on 120th place?</p> <p>24 A. Yes.</p> <p>25 Q. And is that like an alley?</p>	<p>Page 11</p> <p>1 Q. And at any time on the day of your arrest, did</p> <p>2 you go to the car?</p> <p>3 A. No.</p> <p>4 Q. At any time on the day of your arrest with</p> <p>5 Dennis Jackson, did you unlock the car and go inside of</p> <p>6 it?</p> <p>7 A. No.</p> <p>8 Q. You told us that Bianca dropped you off and</p> <p>9 then Dennis was going to give you a ride, and that your</p> <p>10 home address was pretty close to where she dropped you</p> <p>11 off, right?</p> <p>12 A. Yes.</p> <p>13 Q. Why was he giving you a ride in that short</p> <p>14 distance?</p> <p>15 A. Because I -- we were feuding, me and her, kind</p> <p>16 on the odds. We -- even though she came to visit me, we</p> <p>17 really wasn't on a good term, so I didn't want to take</p> <p>18 her to the house.</p> <p>19 Q. Okay. You mean you didn't want to take her to</p> <p>20 your house?</p> <p>21 A. Yes.</p> <p>22 Q. And -- okay. And -- now, you said after ten</p> <p>23 or 15 minutes of being in the car with Dennis, the</p> <p>24 police arrived; is that right?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">Page 14</p> <p>1 Q. And what was the first thing you saw that let 2 you know that police had arrived? 3 A. Well, we had a car approach us from the front 4 and a car approach from the rear. 5 Q. And were they marked cars? 6 A. No, detective cars. 7 Q. Okay. And did you recognize them as police 8 cars right away? 9 A. Yes. 10 Q. Okay. Is 120th place a two-way street? 11 A. Yes. 12 Q. And did you say anything to Dennis or Dennis 13 say anything to you when the cars first approached? 14 A. No. We -- we were both just looking like what 15 could be the issue. Just kind of stunned in a sense. 16 Q. And what happened next? 17 A. That's when they got out the car and proceeded 18 to approach us, and then asked us to come get out the 19 car. 20 Q. Okay. And did you say anything to the 21 officers when they asked you to get out of the car? 22 A. Yes. I asked the -- there was a female 23 officer to approach my side. I asked her not to -- to 24 pull on me or anything because I had just injured my 25 back and she was kind enough to help me out the car.</p>	<p style="text-align: right;">Page 16</p> <p>1 with narcotics. 2 Q. Do you remember who told you that? 3 A. No. It was a guy, though. It wasn't her. 4 Q. And did you come to find out the officers said 5 that they saw you and Dennis selling drugs out of 6 Dennis' car? 7 A. Yes. Later on. 8 Q. Okay. Was that true? 9 A. No. 10 Q. And you were charged for drugs, right? 11 A. Yes. 12 Q. And did you want to go to trial to challenge 13 the charge? 14 A. Yes. 15 Q. Okay. But eventually you took a plea, right? 16 A. Yes. 17 Q. And was that about a year after the arrest? 18 A. Yes. 19 Q. Okay. Why did you take a plea? 20 A. Tired of being incarcerated. I was missing my 21 family. I was tired of the conditions. Just ready to 22 be done with the whole thing. 23 Q. And do you remember what the plea was for? 24 A. Three years. 25 Q. Okay. And you served that at 50 percent?</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Okay. How had you injured your back? 2 A. Playing ball, basketball. 3 Q. And was that that same day, the day before? 4 A. Maybe a day or so before. It wasn't the same 5 day, though. 6 Q. And did you know the name of any of those 7 officers who arrested you? 8 A. No. 9 Q. And do you remember what any of them looked 10 like? 11 A. Like I say, the female officer, I think she 12 was blonde, if I'm not mistaken. That's about all I can 13 remember of those officers. 14 Q. Okay. And what happened next after the 15 officers took you out of the car? 16 A. She proceeded to pat me down to make sure I 17 didn't have anything on me and handcuffed me, and then 18 helped me into her police car. 19 Q. Okay. Did they tell you why you were being 20 put into a police car? 21 A. They said they would explain everything once 22 they got us to the police station. 23 Q. And did somebody explain you everything at the 24 police station? 25 A. Yeah, they just told us we were being charged</p>	<p style="text-align: right;">Page 17</p> <p>1 A. Yes. 2 Q. Okay. And so when did you actually come home? 3 A. April of -- It would be '19, I think it was. 4 April 2019. 5 Q. And do you know what happened to your car? 6 A. Yeah. I later got rid of it. 7 Q. Was it still parked there when you got out? 8 A. No. I got rid of it while I was incarcerated. 9 I needed it for the money. 10 Q. Oh, okay. So you had somebody -- 11 A. Yes. 12 Q. Okay. And when the police stopped you at the 13 scene, did you have the keys for your car? 14 A. Yes. 15 Q. Did an officer take them from you? 16 A. Yes. 17 Q. When was that? 18 A. During the -- the pat down. When the officer 19 patted me down, she emptied everything out of my 20 pockets. 21 Q. Did you see what she did with the keys? 22 A. No. 23 Q. And did you ever get them back? 24 A. Yes, I did. My property, I had to have -- I 25 had to have my property turned over to my mom. And she</p>

<p>Page 18</p> <p>1 was the one that actually got rid of the car for me.</p> <p>2 Q. Okay. Do you know if she got the keys from</p> <p>3 the police department?</p> <p>4 A. I'm assuming so. They're the ones who had it</p> <p>5 after me.</p> <p>6 Q. Okay. And what's your mom's name?</p> <p>7 A. Janice Hatcher, H-A-T-C-H-E-R.</p> <p>8 Q. And did you find out that officers said that</p> <p>9 they found bags of drugs in your car?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Do you know how bags of drugs could</p> <p>12 have gotten into the car?</p> <p>13 A. No. But I have an idea.</p> <p>14 Q. What's your idea?</p> <p>15 A. That they put it there. Or they just lied and</p> <p>16 said they found it there.</p> <p>17 Q. Did anybody else have keys to the car?</p> <p>18 A. No.</p> <p>19 Q. So do you recall having a preliminary hearing</p> <p>20 in court?</p> <p>21 A. Yes.</p> <p>22 Q. And did you see the officer who testified at</p> <p>23 that hearing?</p> <p>24 A. Yes.</p> <p>25 Q. Do you remember seeing that officer the night</p>	<p>Page 20</p> <p>1 break?</p> <p>2 (OFF THE RECORD)</p> <p>3 THE REPORTER: We're back on the record.</p> <p>4 MR. MICHELINI: All right.</p> <p>5 CROSS-EXAMINATION</p> <p>6 BY MR. MICHELINI:</p> <p>7 Q. Good morning, Mr. McIntyre.</p> <p>8 A. Good morning.</p> <p>9 Q. I know you did it earlier. Just I'm going to</p> <p>10 go through maybe some of the same questions that Joel</p> <p>11 just asked you. But could you just state your name for</p> <p>12 the record and spell it?</p> <p>13 A. James McIntyre, M-C-I-N-T-Y-R-E.</p> <p>14 Q. Okay. And what's your date of birth?</p> <p>15 A. [REDACTED] 76.</p> <p>16 Q. Okay. And how old does that make you today?</p> <p>17 A. 47.</p> <p>18 Q. Okay. You understand that you're under oath,</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And that means you have to tell the</p> <p>22 truth?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And you already said that there's no</p> <p>25 reason why you wouldn't be able to tell the truth today,</p>
<p>Page 19</p> <p>1 of your arrest?</p> <p>2 A. Not -- not really, no.</p> <p>3 Q. Okay. And had you ever seen that officer</p> <p>4 before your arrest?</p> <p>5 A. No.</p> <p>6 Q. Okay. And when the police arrested you, they</p> <p>7 said that they found \$531 on your person. Do you</p> <p>8 remember having that much money?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Is that a yes?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Was that money that you earned selling</p> <p>13 drugs?</p> <p>14 A. No.</p> <p>15 Q. Okay. Where'd you get that money?</p> <p>16 A. I did odd jobs for my uncle. He was rehabbing</p> <p>17 homes, so I would do -- help do demolition, clean up,</p> <p>18 stuff like that.</p> <p>19 Q. What's his name?</p> <p>20 A. Isaiah Hatcher. He's my mom's brother.</p> <p>21 MR. FLAXMAN: All right. I don't have any</p> <p>22 other questions. Thank you for your time. The</p> <p>23 lawyers for the defendants, I think they have some</p> <p>24 questions now. So thanks for cooperating.</p> <p>25 MR. YURCHICH: Sure. Yeah. Can we take a</p>	<p>Page 21</p> <p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. You're not under the influence of any drugs</p> <p>4 that would preclude you from telling the truth?</p> <p>5 A. No.</p> <p>6 Q. Okay. Have you ever been deposed before?</p> <p>7 A. No.</p> <p>8 Q. Okay.</p> <p>9 A. It's my first time.</p> <p>10 Q. All right. So just some ground rules, and</p> <p>11 Joel kind of touched upon some of these, is you know,</p> <p>12 uh-huhs and yeah-huhs don't really pick up well on the</p> <p>13 record.</p> <p>14 A. Uh-huh.</p> <p>15 Q. So if I ask a question, just make sure that</p> <p>16 you're responding in the affirmative and negatives; is</p> <p>17 that fair?</p> <p>18 A. Fair.</p> <p>19 Q. Saying yes or no?</p> <p>20 A. Yes, it is.</p> <p>21 Q. Okay. In addition, if you don't understand</p> <p>22 any question, just let me know and I can rephrase it,</p> <p>23 okay?</p> <p>24 A. Okay.</p> <p>25 Q. The flip side of that coin is that if I ask</p>

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<p style="text-align: right;">Page 22</p> <p>1 you a question and you answer it, I'll assume that you 2 understand the question; is that fair?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. You know why you're here today?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And why is that?</p> <p>7 A. To be deposed for Dennis Jackson's, I guess, 8 this would be his appeal or so to speak.</p> <p>9 Q. You said his appeal?</p> <p>10 A. I'm thinking.</p> <p>11 Q. Okay. Do you understand that this is a civil 12 case?</p> <p>13 A. Oh, a civil case?</p> <p>14 Q. Yeah.</p> <p>15 A. Now I do.</p> <p>16 Q. You do?</p> <p>17 A. Now I do.</p> <p>18 Q. Okay. All right. And you understand that a 19 civil case is where someone is suing for money damages, 20 correct?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. And that's different than a criminal 23 case where the state or the federal government files 24 criminal charges against someone?</p> <p>25 A. Yes.</p>	<p>1 friends; is that fair?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Where do you currently work?</p> <p>4 A. Dakkota Integrated Systems.</p> <p>5 Q. Okay. And what do you do there?</p> <p>6 A. I'm a production supervisor.</p> <p>7 Q. Okay. And what does that entail?</p> <p>8 A. Managing my production line. Like I said, 9 dealing with employees, that type of thing.</p> <p>10 Q. Okay. What did you do before that? Or how 11 long have you been -- strike that.</p> <p>12 How long have you been working in that role?</p> <p>13 A. Since I was released from this case here.</p> <p>14 Q. So that was April 2019, you said earlier?</p> <p>15 A. Yes. So I got there maybe -- I'd say maybe 16 seven or eight months after that.</p> <p>17 Q. Okay. And you've been working in that 18 position since you got there?</p> <p>19 A. No. I started from the line. I was a -- a 20 operator on the production line and just advanced in.</p> <p>21 Q. Okay. But in the same company?</p> <p>22 A. In the same company, yes.</p> <p>23 Q. Okay. And then you advanced to some sort of 24 manager role?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Okay. You said that you know Dennis Jackson 2 and that you're friends with him, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. How long have you known Dennis Jackson?</p> <p>5 A. For 20 years.</p> <p>6 Q. Okay. So how did you first meet him?</p> <p>7 A. In the same neighborhood. We grew up in the 8 same neighborhood, playing basketball at the local 9 parks.</p> <p>10 Q. Okay. So how old were you when you guys first 11 met?</p> <p>12 A. Probably like maybe 18, 17.</p> <p>13 Q. Okay. Childhood friends, though?</p> <p>14 A. Yes. Yes.</p> <p>15 Q. Okay. It goes back a long time, yeah?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And what neighborhood did you guys grow 18 up in?</p> <p>19 A. The Rosen neighborhood.</p> <p>20 Q. Okay. And could you just describe how often 21 you would see him growing up, your friendship?</p> <p>22 A. I would see him just about every day.</p> <p>23 Q. Okay. For all 20 years that you've known him?</p> <p>24 A. Just about, yes.</p> <p>25 Q. Okay. So you guys are pretty much best</p>	<p>1 Q. Okay. And when did you advance to that 2 manager role?</p> <p>3 A. When?</p> <p>4 Q. Yeah.</p> <p>5 A. Let's just say July of '21.</p> <p>6 Q. Okay. But you've been working for that 7 company, you said initially on the lines, approximately 8 from April of 2019 or sometime after that?</p> <p>9 A. No. Maybe like six or seven months after I 10 was released.</p> <p>11 Q. Oh, okay. Got you. When you first started 12 working there?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Okay. I understand. Prior to that, what did 15 you do for a living?</p> <p>16 A. I worked at a company in Glenview, American 17 Paper Company. It was driving forklifts, that type of 18 thing, picking and packing. I also, like I said, did 19 odd jobs with my uncle who did rehabbing homes and stuff 20 like that.</p> <p>21 Q. Okay. So I want to go back to the forklift 22 job you mentioned.</p> <p>23 A. Uh-huh.</p> <p>24 Q. What was the name of the company?</p> <p>25 A. What did I say? American Paper Company out in</p>

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<p>1 Glenview. I think that's the name.</p> <p>2 Q. And just in Glenview. You don't know the 3 address?</p> <p>4 A. Nah.</p> <p>5 Q. No? Okay.</p> <p>6 A. I don't remember it.</p> <p>7 Q. All right. When did you work for American 8 Paper Company?</p> <p>9 A. I want to say from 2013 to maybe like 2015. 10 Some -- somewhere around that way.</p> <p>11 Q. Okay. And then what were you doing in that 12 role?</p> <p>13 A. Like I said, driving forklifts, picking, and 14 packing, putting away product, putting away inventory.</p> <p>15 Q. Okay. Why did you leave in 2015?</p> <p>16 A. Child support was kicking my butt.</p> <p>17 Q. Okay.</p> <p>18 A. And I was staying in Indiana at the time, 19 commuting from Indiana to Glenview. I don't know if you 20 know how far the distance is.</p> <p>21 Q. Right.</p> <p>22 A. It was an hour and a half each way.</p> <p>23 Q. Right. Okay. So the mileage, I guess, you 24 could say --</p> <p>25 A. Yeah.</p>	<p>Page 26</p> <p>1 A. A-M-A-Y-A.</p> <p>2 Q. Okay. How much were you paying in child 3 support back in 2015 when you left?</p> <p>4 A. Altogether, they was hitting me for -- I think 5 I was close to 700 a month.</p> <p>6 Q. Okay. And how much were you being paid at 7 your job at the forklift?</p> <p>8 A. Peanuts. I think it would -- may have been 9 like 15, \$16 an hour at the time.</p> <p>10 Q. Okay. How much would you approximate you were 11 making a month there?</p> <p>12 A. I'm not 100 percent sure, but it wasn't -- I 13 believe between 2000 to 2,500, something like that at 14 the time.</p> <p>15 Q. Okay. And you said \$700 alone was going out a 16 month of child support.</p> <p>17 A. Yeah.</p> <p>18 Q. And that doesn't even account for any of your 19 monthly expenses, correct?</p> <p>20 A. Yeah, exactly.</p> <p>21 Q. Okay. After you left that job, you said that 22 was in 2015?</p> <p>23 A. Uh-huh.</p> <p>24 Q. You said you did odd jobs for your --</p> <p>25 A. My uncle.</p>
<p>Page 27</p> <p>1 Q. -- was the reason you left that job?</p> <p>2 A. The mileage. And like I said, the child 3 support at the time, it just didn't add up. It was -- 4 like I was actually working to pay to go to work.</p> <p>5 Q. Got you. Right. Okay. I understand. And 6 you mentioned the child support. That child support, do 7 you pay that to, is that Brianna [sic]?</p> <p>8 A. Bianca.</p> <p>9 Q. Bianca, I'm sorry.</p> <p>10 A. No. I have a -- a daughter by a previous 11 relationship.</p> <p>12 Q. Okay.</p> <p>13 A. And I was paying child support for her.</p> <p>14 Q. Okay. And who is that person you were paying 15 child support to?</p> <p>16 A. Athena Walker.</p> <p>17 Q. Okay. Can you spell that real quick?</p> <p>18 A. A-T-H-E-N-A, Walker, W-A-L-K-E-R.</p> <p>19 Q. Okay. And what's the name of the child that 20 you were paying child support for?</p> <p>21 A. Amaya.</p> <p>22 Q. Okay. And it's also Walker?</p> <p>23 A. Yeah. Amaya Walker McIntyre.</p> <p>24 Q. Okay. What's the first name? How do you 25 spell that?</p>	<p>Page 29</p> <p>1 Q. Okay. So what was the name of your uncle 2 again?</p> <p>3 A. Isaiah Hatcher.</p> <p>4 Q. Okay. And you said that was your mom's 5 brother?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And can you just describe what you 8 would do for your uncle?</p> <p>9 A. Like I say, he was into rehabbing homes. So I 10 would help with the demolition, clean up. Also 11 assisting with -- anything I could do as far as, like, 12 just helping with rehabbing. Help with electricians and 13 all of that type of stuff.</p> <p>14 Q. Okay. So just kind of general construction on 15 homes?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Okay. Was it primarily just residential?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And he would pay you in cash?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Would he pay you per job? How would 22 that work out?</p> <p>23 A. Yeah. He would -- he would -- he'd try to set 24 up something where he would pay me weekly.</p> <p>25 Q. Okay. And how much were you making weekly</p>

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<p>1 with working odd jobs for your uncle?</p> <p>2 A. It would range. Different -- different fees</p> <p>3 for the jobs.</p> <p>4 Q. Okay.</p> <p>5 MR. FLAXMAN: Can I take just a quick break?</p> <p>6 MR. MICHELINI: Yeah.</p> <p>7 MR. FLAXMAN: I'm sorry.</p> <p>8 MR. MICHELINI: Go off the record.</p> <p>9 (OFF THE RECORD)</p> <p>10 THE REPORTER: All right. We're back on</p> <p>11 record.</p> <p>12 BY MR. MICHELINI:</p> <p>13 Q. Okay. So you said that your uncle was paying</p> <p>14 you in cash for these odd jobs that you started doing</p> <p>15 after you worked on the forklift, correct?</p> <p>16 A. Yes.</p> <p>17 Q. So did you hold any other positions while you</p> <p>18 were doing that for your uncle?</p> <p>19 A. No.</p> <p>20 Q. That was your main source of income?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And I'm sorry if I asked this already,</p> <p>23 but how much did you make approximately a month working</p> <p>24 for your uncle doing the odd jobs?</p> <p>25 A. Yeah, it -- it ranges. So I would say, again,</p>	Page 30	Page 32
	Page 31	Page 33

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<p style="text-align: right;">Page 34</p> <p>1 A. Uh-huh. 2 Q. Okay. 3 A. I'm sorry, yes. 4 Q. Yes. Did you ever sell drugs after you got 5 that job with the forklift? 6 A. No. 7 Q. You never sold drugs again? 8 A. No. 9 Q. Okay. So you gave up selling drugs once you 10 went to that job? 11 A. Yes. 12 Q. And that was in 2015? 13 A. '13. 14 Q. '13. I'm sorry. I apologize. I want to go 15 back to that period that you were selling drugs. You 16 said you mostly dealt cocaine? 17 A. Yes. 18 Q. Okay. And how would you deal the cocaine? 19 A. In small quantities. 20 Q. Okay. I guess I'm asking more so about the 21 process, how it would work. 22 A. Yeah. We would bag it up and make small dime 23 bags. 24 Q. Okay. And so you said you would sell a small 25 amount to individual customers; is that fair?</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Well, like I said, I grew up in that 2 neighborhood. So you kind of knew the users from being 3 around a while. And you, you know, like I say, just word 4 of mouth, I guess. 5 Q. Okay. And would you be selling on the street, 6 like a corner? Or would you be dealing at a house? How 7 would you distribute this? 8 A. On the -- be on the street. 9 Q. You'd be on the street? 10 A. Yeah. 11 Q. Okay. So where would you usually be on the 12 street? What intersection? 13 A. It wasn't a specific intersection. Like I -- 14 I stayed in this vicinity, this area. And normally, 15 once I got started, getting my name out there, I would 16 work off the phone, my cell phone, they would call me. 17 I'd just probably meet them somewhere nearby. 18 Q. Okay. 19 A. In this -- like I said, this little -- this 20 area I stayed in. 21 Q. Got you. So you would be in a certain area? 22 A. Yeah. 23 Q. Okay. And was that a couple blocks? 24 A. A couple blocks, maybe three or four blocks. 25 Q. Okay. What was that vicinity of those blocks</p>
<p style="text-align: right;">Page 35</p> <p>1 A. True. Yes. 2 Q. Okay. And it was packaged in small baggies? 3 A. Yes. 4 Q. Okay. Approximately how much would you put in 5 each baggie? You said it was called a dime bag? 6 A. Yes. So maybe two-tenths. 7 Q. What does that mean? 8 A. Two-tenths of a gram. 9 Q. Oh, two-tenths of a gram. 10 A. Uh-huh. 11 Q. Okay. Per bag that you would sell? 12 A. Per -- yes. 13 Q. And how much would you charge for that? 14 A. Ten dollars. 15 Q. Okay. And how would those dime bags be 16 packaged? 17 A. In -- well, we -- we used sandwich bags, put 18 them in the corners and just tie knots in them. 19 Q. Okay. 20 A. And then just tear it off. 21 Q. Okay. So they would be packaged small little 22 plastic baggies; is that fair? 23 A. Yeah. 24 Q. Okay. How would you go about finding people 25 to sell drugs to?</p>	<p style="text-align: right;">Page 37</p> <p>1 that you would sell in? 2 A. Like I say, between 118th Street and 122nd, 3 something like that. It ran -- like I said, because 4 they stayed all over the neighborhoods. 5 Q. Okay. And when you were selling these drugs 6 on the street, would people come up to you? Or would 7 they seek you out? Explain how that would work. 8 A. No. Like I said, I grew up in this 9 neighborhood. So you kind of knew who the users were. 10 Q. Okay. 11 A. From just sitting around a while and -- and 12 word of mouth. "Hey," you know, "I -- I now have what 13 you're looking for or give me a call." And then 14 whenever they needed to get in touch with me, they would 15 call me. "Hey, where are you?" And I would go meet 16 them. 17 Q. Okay. So the people would call you and then 18 you would meet them at a certain location? 19 A. Uh-huh. If they were in the neighborhood, I 20 would -- if they would maybe -- like I said, if they 21 were close by, I would probably walk to them. If they 22 were out the neighborhood and coming back to the 23 neighborhood, they would probably just meet me wherever 24 I was at. 25 Q. Okay. And when people would meet you, would</p>

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<p style="text-align: right;">Page 38</p> <p>1 you be handing them the drugs on the street? Where 2 would you be handing them the drugs? 3 A. Yes. I would hand it to them on the street. 4 Q. Okay. So you wouldn't be dealing out of your 5 house? 6 A. No. 7 Q. Okay. Why is that? 8 A. Well, I wouldn't -- first, I wouldn't bring 9 that to my mom's house. 10 Q. Okay. 11 A. And then just wouldn't take a chance on having 12 -- you know, having your house raided or anything like 13 that. 14 Q. Okay. And so you were staying at your mom's 15 place at the time? 16 A. Uh-huh. 17 Q. Okay. 18 A. Yes. Yes. 19 Q. Sorry. Appreciate that, thank you. So when 20 people would call you up, would they tell you that they 21 just want a certain amount? Or how would that work? 22 A. No. Once they'd call me, I would say, "Hey, 23 where are you? If you're close by let's meet here," or 24 -- or "I would meet you there." And then we would 25 discuss whatever -- what they needed.</p>	<p>1 contacted you via phone? 2 A. Yes. 3 Q. Okay. What about someone approaching you on 4 the street? 5 A. No. 6 Q. Okay. You never did that? 7 A. No. 8 Q. Okay. Whenever you sold the drugs, can you 9 just describe how the transaction would go? You 10 mentioned that they would call you on the phone and then 11 you would meet them somewhere on the street? 12 A. Yes. So say, for instance, you call me and 13 say, "Hey Alex, what's up? Hey, can you meet me at my 14 house?" Say you stay two blocks away, right? 15 Q. Right. 16 A. "Sure, I'll be right there." And you get 17 there and say, "What do you need?" And you tell me what 18 you need. We did our transaction. And I would leave 19 and go on about my business. 20 Q. Okay. And so I guess what I'm getting at is, 21 you would have the drugs on your person? 22 A. Most of the time, yes. 23 Q. Okay. And you didn't know how much people 24 would want, right? 25 A. Right.</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. Okay. And you said you were selling dime bags 2 for ten dollars apiece? 3 A. Yes. 4 Q. Okay. And approximately how much money were 5 you making doing that at the time? 6 A. There were times you had your good nights; you 7 had your bad nights. Say approximately 2000 a week. 8 Q. 2000 a week? 9 A. Yes. 10 Q. Okay. And that was on average? 11 A. Yes. 12 Q. Okay. So to sell \$2,000 worth of drugs, 13 that's a large quantity of ten-dollar bags; is that 14 fair? 15 A. Yes. 16 Q. That's 200 bags, correct? 17 A. Yes. 18 Q. Okay. And so the, I guess, quantity of, or 19 amount of hand-to-hand transactions you would have was 20 around 200 around that time? 21 A. Yes. 22 Q. Okay. Did you ever sell to anyone that you 23 didn't know? 24 A. No. 25 Q. Okay. You always sold to someone that</p>	<p>1 Q. Until they told you? 2 A. Yes. 3 Q. And so you would carry a large amount of 4 drugs, correct? 5 A. Not necessarily a large amount but -- 6 Q. Okay. Enough, though? 7 A. -- a couple -- a couple bags, yes. 8 Q. Okay. At least a couple bags because you 9 didn't know what quantity they would need? 10 A. Exactly, right. 11 Q. Right. So let's say I called you up and said, 12 "I want four dime bags." You want to be prepared for me 13 to have that much as opposed to just one, right? 14 A. Right. 15 Q. Okay. And so you would carry the drugs on 16 your person, meet them there. Whatever the amount was, 17 they would hand you the cash and you would give them the 18 drugs; is that fair? 19 A. Yes. 20 Q. Okay. You said some of these transactions 21 happened on the street, correct? 22 A. Yes. 23 Q. And some of them happened at other people's 24 houses? 25 A. Yes.</p>

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1 Q. Okay. When you were dealing the cocaine	1 A. I mean, I never tried it.	
2 during that period of time in your life, were you	2 Q. Okay. And correct me if I'm wrong, you see it	
3 dealing the cocaine with anybody else?	3 as more of a product? Just like you would sell anything	
4 A. No.	4 else, correct?	
5 Q. Okay. You were a sole proprietorship, I guess	5 A. Right, a means to make money.	
6 you could call it?	6 Q. Right.	
7 A. Yes.	7 A. That's strictly all it was.	
8 Q. Okay. How were you obtaining the drugs?	8 Q. Okay. During that time that you were dealing	
9 A. I was purchasing from someone.	9 cocaine, you were still interacting with Dennis Jackson,	
10 Q. Okay. So a supplier?	10 correct?	
11 A. Yes.	11 A. Yes.	
12 Q. Okay. And you wouldn't split the proceeds of	12 Q. Okay. Again, you said he was your best friend	
13 the drugs with anybody?	13 growing up, correct?	
14 A. No.	14 A. Yes, one of them.	
15 Q. Okay. The supplier would give you the drugs	15 Q. One of them.	
16 at a discount; is that fair?	16 A. Uh-huh.	
17 A. No.	17 Q. And you would see him pretty daily, almost	
18 Q. Okay.	18 daily at that time?	
19 A. Whatever it was that he asked for, he -- I	19 A. Almost, yes.	
20 paid.	20 Q. Okay. So he knew that you were dealing drugs,	
21 Q. But you would pay for a bulk amount; is that	21 right?	
22 fair?	22 A. For the most part, yes.	
23 A. Yes.	23 Q. What do you mean by for the most part?	
24 Q. Okay. Approximately how much would you buy at	24 A. I mean, he didn't know the details, but I	
25 a time from your supplier?	25 mean, he knew that -- yes.	
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1 A. Maybe a half ounce to an ounce.	1 Q. Okay. Did you ever sell Dennis Jackson drugs?	
2 Q. Okay. How many grams is that?	2 A. No.	
3 A. An ounce would be 28. A half ounce would be	3 Q. Okay. Does Dennis Jackson do drugs to your	
4 14.	4 knowledge?	
5 Q. Okay. And you were selling 0.02 grams?	5 A. No.	
6 A. Right.	6 Q. Okay. He doesn't do any drugs?	
7 Q. Dime bags, correct?	7 A. No drugs.	
8 A. Yes.	8 Q. Okay. I know we talked about you're not under	
9 Q. Okay. And so you'd buy either a half ounce or	9 the influence of drugs or alcohol right now. Do you	
10 an ounce of cocaine, correct?	10 drink alcohol?	
11 A. Yes.	11 A. Yes.	
12 Q. And then you would split up the cocaine into	12 Q. Okay. I know you said you didn't do cocaine.	
13 individual-sized packages; is that correct?	13 You do any other drugs besides cocaine?	
14 A. Correct.	14 A. I smoked marijuana back in my day.	
15 Q. Okay. Were you ever using the cocaine when	15 Q. Okay.	
16 you were dealing it?	16 A. But not now.	
17 A. No.	17 Q. Okay. Do you know Dennis Jackson to do any	
18 Q. Okay. You never used cocaine?	18 drugs, including alcohol?	
19 A. No.	19 A. He may drink. Have a drink here and there of	
20 Q. Okay. So you have no need for cocaine other	20 alcohol, but no drugs.	
21 than to use it as a product to sell, correct?	21 Q. Okay. And you never saw him do any drugs?	
22 A. Correct.	22 A. No.	
23 Q. Okay. And you never used it in your life?	23 Q. Okay. Including cocaine, right?	
24 A. No.	24 A. Including.	
25 Q. Okay. Why is that?	25 Q. Did you know Dennis Jackson to ever sell	

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<p style="text-align: right;">Page 46</p> <p>1 drugs?</p> <p>2 A. No.</p> <p>3 Q. Okay. He never told you that he sold drugs?</p> <p>4 A. No.</p> <p>5 Q. And you never, based on your interactions with</p> <p>6 him, thought that he sold drugs?</p> <p>7 A. No.</p> <p>8 Q. Okay. You said that period of time that you</p> <p>9 were selling drugs started approximately 2003?</p> <p>10 A. Ain't that what I said. I thought I said --</p> <p>11 what?</p> <p>12 Q. I'm sorry. I don't know if I have it in my</p> <p>13 notes. If you can recall, when did that start?</p> <p>14 A. I'd say around 2000.</p> <p>15 THE WITNESS: Was it 2003?</p> <p>16 MR. FLAXMAN: 2006 to 2013.</p> <p>17 MR. MICHELINI: 2006. I'm sorry. 2006 to</p> <p>18 2013.</p> <p>19 BY MR. MICHELINI:</p> <p>20 Q. You didn't have any other job at that time,</p> <p>21 correct?</p> <p>22 A. Correct.</p> <p>23 Q. Your sole source of income was selling drugs,</p> <p>24 correct?</p> <p>25 A. Yes.</p>	<p>1 A. Don't tell her I forgot.</p> <p>2 Q. Yeah, that's okay. So prior to 2006, what did</p> <p>3 you do for work?</p> <p>4 A. My mom helped take care of me.</p> <p>5 Q. You were dependent on your mother?</p> <p>6 A. Yeah.</p> <p>7 Q. Okay.</p> <p>8 A. And free meals at the time.</p> <p>9 Q. Okay. And so you didn't have really a source</p> <p>10 of income prior to 2006; is that fair?</p> <p>11 A. Yeah.</p> <p>12 Q. Okay. The drug dealing phase, that was</p> <p>13 essentially your first job or first occupation; is that</p> <p>14 fair?</p> <p>15 A. No. I had a job. I worked at McDonald's when</p> <p>16 I was 15.</p> <p>17 Q. Okay.</p> <p>18 A. So that was like my first, initial job.</p> <p>19 Q. Got you.</p> <p>20 A. But again --</p> <p>21 Q. As an adult?</p> <p>22 A. As an adult yeah, you could say that.</p> <p>23 Q. Okay. What was the address of your mom's</p> <p>24 place that you were staying at during that time?</p> <p>25 A. 123 East 119th Street.</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. And at that time were you paying child</p> <p>2 support?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And that was the same \$700 a month?</p> <p>5 A. No.</p> <p>6 Q. Okay.</p> <p>7 A. It was \$50 at that time.</p> <p>8 Q. \$50 a month?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Okay. When did the child support begin?</p> <p>11 A. Once I started working.</p> <p>12 Q. What do you mean working?</p> <p>13 A. Once I started at -- driving forklift.</p> <p>14 Q. Okay. And it started at 50?</p> <p>15 A. No. They raised it.</p> <p>16 Q. Okay. So my question is: When did you start</p> <p>17 paying child support, period, for that child?</p> <p>18 A. A while ago. So it would have been about,</p> <p>19 maybe when my daughter turned, maybe one. So that could</p> <p>20 have been about -- about 16, 17 years ago.</p> <p>21 Q. Okay. When was that child born?</p> <p>22 A. 2000 -- I think she was born 2004.</p> <p>23 Q. Okay.</p> <p>24 A. If I'm not mistaken.</p> <p>25 Q. Okay.</p>	<p>1 Q. Okay. And so that was the same house that you</p> <p>2 were staying at back in 2017; is that fair?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. I want to kind of go back. We kind of</p> <p>5 talked about you a little bit. Did you go to high</p> <p>6 school?</p> <p>7 A. Yes, I did.</p> <p>8 Q. Okay. What high school did you go to?</p> <p>9 A. I went to St. Martin de Porres before I was</p> <p>10 expelled.</p> <p>11 Q. Okay. Where is St. Martin de Porres?</p> <p>12 A. 111th at King Drive.</p> <p>13 Q. Okay. Can you spell it? I haven't heard of</p> <p>14 that school.</p> <p>15 A. St. Martin?</p> <p>16 Q. Yeah. And then the la [sic] Porres part, too.</p> <p>17 Yeah. That you don't know?</p> <p>18 A. It's St. Martin. S-T, dot, M-A-R-T-I-N. Yeah.</p> <p>19 D-E, de, Porres, P-O-R-R-E-S, I think.</p> <p>20 Q. Okay. We can look it up.</p> <p>21 A. It's -- it's called something different now.</p> <p>22 They changed it I think to -- it was a Catholic high</p> <p>23 school, but I think it's a Catholic college now.</p> <p>24 Q. Okay. When did you go to that high school?</p> <p>25 A. Back in '90. Like, '92 -- '91, '92, something</p>

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<p>1 like that.</p> <p>2 Q. Okay. And then you said you were expelled?</p> <p>3 A. Uh-huh.</p> <p>4 Q. What were you expelled for?</p> <p>5 A. Getting in trouble. Just being a -- a smart</p> <p>6 ass with the dean of students. Got on his -- his bad</p> <p>7 side.</p> <p>8 THE WITNESS: You found it?</p> <p>9 MR. YURCHICH: Is that it?</p> <p>10 MR. MICHELINI: Just put on the record the</p> <p>11 spelling if they ask for it.</p> <p>12 MR. FLAXMAN: Well, I don't know if it's the</p> <p>13 right one.</p> <p>14 THE WITNESS: It does -- what's the address</p> <p>15 say? It is 111 King Drive?</p> <p>16 MR. MICHELINI: No.</p> <p>17 BY MR. MICHELINI:</p> <p>18 Q. It says Washington Boulevard?</p> <p>19 A. Yes.</p> <p>20 Q. Is that what the building looks like?</p> <p>21 A. No. That's how -- they changed it to</p> <p>22 something else. That's not -- it's not St. Martin de</p> <p>23 Porres no more.</p> <p>24 Q. I'm not worried about it. But you said you</p> <p>25 got expelled just for --</p>	<p>Page 50</p> <p>1 Q. Okay. But you didn't get your diploma --</p> <p>2 A. No.</p> <p>3 Q. -- at Corliss public school? Okay. Did you</p> <p>4 leave?</p> <p>5 A. Yes. I stopped going.</p> <p>6 Q. Okay. Why did you stop going?</p> <p>7 A. Like I said, the -- the area I grew up in was</p> <p>8 in conflict with the area the school was in.</p> <p>9 Q. Got you.</p> <p>10 A. I had broke my leg. I had a cast from my hip</p> <p>11 to my ankle. And it was just a bad time for gangs at</p> <p>12 that time. So I -- I -- you know, didn't take the</p> <p>13 chance of it.</p> <p>14 Q. Got you. When did you get your GED?</p> <p>15 A. I think '99.</p> <p>16 Q. Okay. Where'd you get that GED from?</p> <p>17 A. Green County.</p> <p>18 Q. Is that the name of the school?</p> <p>19 A. No. That was a boot camp. That's the name of</p> <p>20 the county, that was -- the boot camp was in.</p> <p>21 Q. Is that in Illinois?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And you said the county that it's in is</p> <p>24 called Green County?</p> <p>25 A. Yes.</p>
<p>1 A. Just being a badass.</p> <p>2 Q. Okay.</p> <p>3 A. Just getting in trouble.</p> <p>4 Q. And you never went back to high school after</p> <p>5 that?</p> <p>6 A. My mom and dad transferred me to a public</p> <p>7 school, being upset that I was kicked out.</p> <p>8 And the public school they transferred me to</p> <p>9 was Corliss High School on 103rd.</p> <p>10 Q. Can you spell that real quick?</p> <p>11 A. Corliss, C-O-R-L-I-S-S.</p> <p>12 Q. Okay. Where's that located?</p> <p>13 A. On 103rd and -- right off of Cottage Grove,</p> <p>14 east of Cottage Grove.</p> <p>15 Q. Okay.</p> <p>16 A. And it was -- like I said, it was a public</p> <p>17 high school. I was -- I was the short guy freshman and</p> <p>18 sophomore year. I didn't start growing until I was 17.</p> <p>19 So the gangs were heavy back then and I ended up</p> <p>20 breaking my leg. And the area we stayed in was in</p> <p>21 conflict with the area that I moved to school, went to</p> <p>22 school to. So I -- it kind of discouraged me from</p> <p>23 going.</p> <p>24 Q. Got you. So did you finish high school?</p> <p>25 A. Eventually I got my GED.</p>	<p>Page 51</p> <p>1 Q. G-R-E-E-N?</p> <p>2 A. Uh-huh.</p> <p>3 Q. Okay. Do you know what town it was?</p> <p>4 A. No. I don't remember.</p> <p>5 Q. And it was a military bootcamp?</p> <p>6 A. Yeah.</p> <p>7 Q. Okay.</p> <p>8 A. But I don't remember. Like I said, I can't</p> <p>9 remember that county. It was so long ago.</p> <p>10 Q. And you were staying at that facility while</p> <p>11 you were earning your GED?</p> <p>12 A. Uh-huh.</p> <p>13 Q. Okay.</p> <p>14 MR. FLAXMAN: You've got to say yes.</p> <p>15 THE WITNESS: Yes. I'm sorry. I'm sorry.</p> <p>16 MR. FLAXMAN: She's going to appreciate it.</p> <p>17 THE WITNESS: I'm sorry.</p> <p>18 BY MR. MICHELINI:</p> <p>19 Q. Thank you.</p> <p>20 A. I'm -- in my head I'm thinking about --</p> <p>21 Q. Yeah. No problem.</p> <p>22 A. Yes, that was.</p> <p>23 Q. Okay. And you earned that GED in 1999?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Other than the GED, did you have any</p>

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<p>1 other formal education?</p> <p>2 A. I went to Lincoln Tech.</p> <p>3 Q. Okay. What's that?</p> <p>4 A. I went for electric systems training. That's in Melrose Park.</p> <p>5 Q. Okay. So a trade school?</p> <p>6 A. Trade school, yes.</p> <p>7 Q. Okay. And you said for electrical systems?</p> <p>8 A. Training.</p> <p>9 Q. Yes. And did you finish that certificate program?</p> <p>10 A. Yes. Yes.</p> <p>11 Q. Okay. When did you attend there?</p> <p>12 A. 2003. And I finished, I think, in 2004.</p> <p>13 Q. Okay. And then after that, do you have any other formal education?</p> <p>14 A. No.</p> <p>15 Q. Okay. So you received this certification in I'm sorry, what was it? Electrical --</p> <p>16 A. Systems training.</p> <p>17 Q. Systems training?</p> <p>18 A. Yes.</p> <p>19 Q. Did you seek a job in that field after you graduated from that trade school?</p> <p>20 A. I tried. But a lot of places wouldn't hire me</p>	Page 54	<p>1 being subpoenaed to be a witness in this case?</p> <p>2 A. I was contacted.</p> <p>3 Q. Who were you contacted by? Are you referring to Joel Flaxman? Okay. You're pointing to him?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. How did he contact you?</p> <p>6 A. By phone.</p> <p>7 Q. Okay. How did he get your phone number?</p> <p>8 A. MR. FLAXMAN: Objection. Foundation.</p> <p>9 BY MR. MICHELINI:</p> <p>10 Q. You can answer.</p> <p>11 A. I can?</p> <p>12 Q. Yeah.</p> <p>13 A. Okay.</p> <p>14 Q. Do you know how he got your phone number?</p> <p>15 A. Yes. Through my friend, Dennis Jackson.</p> <p>16 Q. Okay.</p> <p>17 A. Who's also his attorney.</p> <p>18 Q. Got you. So you understand that Mr. Flaxman represents Dennis Jackson in this case, correct?</p> <p>19 A. Correct.</p> <p>20 Q. That he's Mr. Jackson's attorney, correct?</p> <p>21 A. Correct.</p> <p>22 Q. All right. And you understand that he's not your attorney, right?</p>	Page 56
<p>1 because of the lack of experience. And I had to try to find something quick because my daughter was about to be born, so I ended up not even going into that field.</p> <p>2 Q. Okay. And you said that you graduated there what year?</p> <p>3 A. I think 2004.</p> <p>4 Q. Okay. And so then about two years later, that's when you started selling drugs; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. The daughter that you mentioned was being born around there, that's the daughter you were paying child support for?</p> <p>7 A. Yes.</p> <p>8 Q. And her name was, I'm sorry?</p> <p>9 A. Amaya.</p> <p>10 Q. Amaya. Okay. And that is a child from a different person besides Bianca Spencer, correct?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. All right. So we kind of talked about your occupational and educational history. I want to shift gears here to being here today. So prior to coming in today, did you do anything to prepare for your testimony today?</p> <p>13 A. No.</p> <p>14 Q. Okay. How did you find out that you were</p>	Page 55	<p>1 A. No. I asked him to be my attorney also.</p> <p>2 Q. Okay. When did you ask him to be your attorney?</p> <p>3 A. When he contacted me and I -- he told me about the deposition. So I wanted to make sure I was covered and not getting in trouble or anything like that.</p> <p>4 Q. Okay. But you're not a defendant in this case; is that correct?</p> <p>5 A. Correct.</p> <p>6 Q. Or a plaintiff, right?</p> <p>7 A. Right.</p> <p>8 Q. You're not a named party, correct?</p> <p>9 A. Correct.</p> <p>10 Q. You're a witness?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And so have you filed a retainer agreement with Mr. Flaxman?</p> <p>13 A. Correct.</p> <p>14 Q. You're instructing him not to answer that question.</p> <p>15 A. Correct.</p> <p>16 Q. Okay. I'm going to object to any questions about the retainer agreement or our discussions. I'm going to instruct the witness not to answer that question.</p> <p>17 A. MR. MICHELINI: So you're instructing him not to answer that question?</p> <p>18 Q. MR. FLAXMAN: Yes, I am.</p> <p>19 A. MR. YURCHICH: Based on the fact of whether</p>	Page 57

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<p style="text-align: right;">Page 58</p> <p>1 one even exists? We're not asking about the 2 details of a retainer agreement. We're just asking 3 if one exists or not.</p> <p>4 MR. FLAXMAN: And I'm instructing him not to 5 answer that.</p> <p>6 MR. YURCHICH: And what's the basis for the 7 objection?</p> <p>8 MR. FLAXMAN: That the terms of our agreement 9 are attorney-client privileged.</p> <p>10 MR. YURCHICH: Okay. So we're not even asking 11 what the terms are or if terms even exist. Well, 12 that's what we want to know, if there is even an 13 agreement. That's not attorney-client privilege. 14 We're just asking --</p> <p>15 MR. MICHELINI: -- if one exists.</p> <p>16 MR. YURCHICH: Similar to, did you meet with 17 your attorney to prepare for your deposition? 18 We're not asking about the substance of it.</p> <p>19 MR. FLAXMAN: Can you read back the question? 20 (REPORTER PLAYS BACK REQUESTED QUESTION).</p> <p>21 MR. FLAXMAN: No. I'm objecting to it. I 22 instruct the witness not to answer that question.</p> <p>23 BY MR. MICHELINI:</p> <p>24 Q. Okay. Your testimony is that you have a 25 retainer with Mr. Flaxman?</p>	<p>1 to represent you?</p> <p>2 MR. FLAXMAN: Objection to the form of the 3 question.</p> <p>4 BY MR. MICHELINI:</p> <p>5 Q. You can answer.</p> <p>6 A. Can you repeat it?</p> <p>7 Q. You haven't made an agreement for him to 8 represent you?</p> <p>9 MR. FLAXMAN: My objection is on the record.</p> <p>10 Go ahead.</p> <p>11 A. No. Not yet.</p> <p>12 BY MR. MICHELINI:</p> <p>13 Q. Okay. And I'm sorry, I didn't hear the 14 answer.</p> <p>15 A. No. Not yet.</p> <p>16 Q. Okay. So earlier you said that you wanted Mr. 17 Flaxman to represent you?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. But you haven't come to an agreement to 20 that representation?</p> <p>21 A. No. Not yet.</p> <p>22 Q. Okay. So to be fair, Mr. Flaxman does not 23 represent you currently?</p> <p>24 MR. FLAXMAN: Hold on. I'm objecting that you 25 are instructing the witness not to answer. We need</p>
<p style="text-align: right;">Page 59</p> <p>1 MR. FLAXMAN: I'm going to object to 2 foundation and vagueness. I don't know that he 3 understands what you mean by, "have a retainer 4 with."</p> <p>5 BY MR. MICHELINI:</p> <p>6 Q. Do you understand what a retainer is?</p> <p>7 A. Isn't that the same question you just asked?</p> <p>8 Q. No.</p> <p>9 A. If I have a retainer -- a retainer agreement?</p> <p>10 Q. Right. So just some housekeeping matters. If 11 there's an objection, the attorney is going to voice 12 their objection for the record, right?</p> <p>13 A. Yes.</p> <p>14 Q. Unless Mr. Flaxman instructs you not to 15 answer, you're obligated to answer the question; do you 16 understand that?</p> <p>17 A. I understand.</p> <p>18 Q. Okay. So even if there's an objection and he 19 doesn't say, don't answer that question, you have to 20 answer; do you understand?</p> <p>21 A. I understand.</p> <p>22 Q. Okay. So do you have a retainer with 23 Mr. Flaxman?</p> <p>24 A. No.</p> <p>25 Q. Okay. You haven't made an agreement for him</p>	<p>1 to take a break to discuss appropriately.</p> <p>2 MR. MICHELINI: Sure. Take a break.</p> <p>3 (OFF THE RECORD)</p> <p>4 THE REPORTER: We're back on the record.</p> <p>5 BY MR. MICHELINI:</p> <p>6 Q. Okay. Mr. McIntyre, so I want to be clear. Do 7 you have an attorney-client relationship with Mr. Joel 8 Flaxman?</p> <p>9 A. No more than for this case.</p> <p>10 Q. Say it again?</p> <p>11 A. No more than for this here case.</p> <p>12 Q. Okay. But you do have an attorney-client 13 relationship with Mr. Flaxman for this case, you're 14 saying?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And when did you form that 17 relationship?</p> <p>18 A. Last week when he contacted me for the case.</p> <p>19 Q. Okay. Just last week, you said?</p> <p>20 A. Yes. I think it was last week when I was 21 contacted.</p> <p>22 Q. Okay. And how did he contact you?</p> <p>23 A. By phone.</p> <p>24 Q. Okay. And when he contacted you, what did he 25 say?</p>

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1	A. He contacted me saying he was representing	1	A. Yes.
2	Dennis Jackson for the deposition, and that he needed me	2	Q. Okay. And he asked you details about the
3	to -- to appear for this deposition. And I asked him,	3	case?
4	was there anything that I need to be worried about? He	4	A. Yes.
5	said, no. So I said, "Will you be able to make sure	5	Q. Okay. And what did you guys talk about?
6	that I'm represented as well"? He said yes.	6	MR. FLAXMAN: And here I'm going to object
7	Q. Okay. And after that, after that question of	7	that our conversation was an attorney-client
8	asking him, will you represent me and he said yes, did	8	privileged conversation, I'm instructing the
9	you have further conversations with Mr. Flaxman about	9	witness not to answer.
10	the case?	10	MR. MICHELINI: Okay.
11	A. No. We came in this morning to meet with him,	11	BY MR. MICHELINI:
12	and he just basically went over what we --	12	Q. And going back to the conversation on the
13	MR. FLAXMAN: Don't go too far. He's asking	13	phone that Mr. Flaxman had with you last week, this is
14	you: Did we have a conversation? Yes or no?	14	over the phone when you asked him to represent you,
15	A. No. You said prior to him contacting me,	15	correct?
16	right? When we talked on the phone? Am I understanding	16	A. Yes.
17	you here?	17	Q. Okay. And what is your understanding of you
18	BY MR. MICHELINI:	18	asking Mr. Flaxman to represent you? What does that
19	Q. After you had that conversation with him?	19	mean?
20	A. After contact --	20	A. Representing, making sure that, like now, I
21	Q. After you had asked him to represent you for	21	don't want to say anything I shouldn't say, or get --
22	this case and he said yes, did you have further	22	you know, making sure that I'm not in no way liable for
23	conversations with Mr. Flaxman about the case?	23	what's going on. Because I've never been in a
24	A. The same day that we talked on the phone or...	24	deposition before.
25	Q. Anytime afterwards?	25	Q. Okay. Have you paid Mr. Flaxman any money?
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1	A. Yes.	1	A. No.
2	Q. Okay. When was that?	2	Q. Okay. The agreement for him to represent you
3	A. Today.	3	was just oral?
4	Q. Okay. And that was when you came into the	4	A. Verbal, yes.
5	office?	5	Q. Okay. You haven't signed anything?
6	A. Yes.	6	A. No.
7	Q. Okay. Prior to Mr. Flaxman talking to you on	7	Q. Okay. Have you spoken to Mr. Jackson about
8	the phone last week, had you ever talked to Mr. Flaxman	8	this case?
9	before?	9	A. Yes.
10	A. No.	10	Q. Okay. You guys obviously were arrested
11	Q. Okay. That was the first time he had	11	together back when it happened, right?
12	contacted you?	12	A. Exactly.
13	A. Yes.	13	Q. Okay. And you guys are friends, you guys talk
14	Q. And when you came in today, after you had	14	all the time, right?
15	asked him to represent you for this case, you talked	15	A. Yes. We've had plenty of conversations about
16	about the case, correct?	16	this case.
17	A. Yes.	17	Q. Okay. And so going back to around the time
18	Q. Okay. You talked about the substance of the	18	that you were arrested back in 2017, did you talk to
19	case?	19	Mr. Jackson about what had happened to you guys?
20	A. Yes.	20	A. Yes.
21	Q. Okay. And how long did that conversation	21	Q. Okay. And what did you guys talk about?
22	last?	22	A. We were wondering how did it happen and -- and
23	A. A few minutes.	23	why did it happen.
24	Q. Okay. And so that happened this morning prior	24	Q. Okay. And that was while both of your
25	to your deposition?	25	criminal cases were ongoing?

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1	A. Yes.	1	A. Dennis' grandma.
2	Q. Okay. Since the criminal cases have	2	Q. Dennis Jackson's grandma, correct?
3	concluded, both yours and Mr. Jackson, have you talked	3	A. Uh-huh.
4	to him about the case since?	4	Q. And that's correct, 313 East 120th?
5	A. Yes.	5	A. As far as my knowledge, yes. I'm not -- I'm
6	Q. Okay. What have you talked to him about?	6	not 100 percent sure.
7	A. I also, myself, tried to take legal action for	7	Q. But like you said earlier that it was on 120th
8	the case. And, like I say, we just discussed the fact	8	Street [sic], right?
9	that we're confused on how it happened.	9	A. 120th Place, yes.
10	Q. Okay. And you said you were taking other	10	Q. Yeah. Okay. There are railroad tracks to the
11	legal action?	11	southeast of that location, correct?
12	A. Yes. I tried.	12	A. Yes.
13	Q. What do you mean by that?	13	Q. Okay. Are those tracks abandoned, or are
14	A. I tried to have an appeal brought up for the --	14	there trains going there?
15	for the case. But when I spoke to a lawyer about it, he	15	A. No. Yeah, there are trains.
16	-- he kind of informed me of what could happen and how I	16	Q. There are trains that go on there?
17	could eventually be taken back into custody. And I just	17	A. Yes.
18	didn't want to go through that -- that whole	18	Q. Okay. Are the train tracks elevated?
19	situation again, of being locked up.	19	A. No.
20	Q. Okay. That was an appeal for your criminal	20	Q. Okay. It's ground level?
21	case after you pled guilty; is that correct?	21	A. Yes.
22	A. Yes.	22	Q. Okay. But you can see the train tracks from
23	Q. You eventually voluntarily dismissed that	23	Dennis Jackson's grandma's house, correct?
24	appeal; is that right?	24	A. Yes.
25	A. Yes.	25	Q. Okay. Is there anything in the way, or is it
Page 67		Page 69	
1	Q. Okay. And that was based upon a conversation	1	just kind of a clear shot across an open field?
2	you had with some attorney?	2	A. Well, you have trees.
3	A. Yes.	3	Q. Okay.
4	Q. Okay. Who was that attorney?	4	A. And -- and you have a house next to hers, but
5	A. I don't remember.	5	in certain areas, you can't see.
6	Q. Okay.	6	Q. Right. To the south of 120th at that
7	A. The attorney's name.	7	location, there's an open, vacant lot; is that fair to
8	Q. Okay. Was it the same attorney that	8	say?
9	represented you in the criminal case?	9	A. Yes.
10	A. No.	10	Q. Okay. And then next to the vacant lot is
11	Q. Okay. Who was that attorney; if you remember?	11	where the train tracks are?
12	A. Mark Kusatzky.	12	A. Yes.
13	Q. Do you know how to spell that last name?	13	Q. Okay. So you came over to Dennis Jackson's
14	A. Yeah, I do not.	14	grandma's house, right? Had you talked to him earlier
15	Q. It's okay. He's a private attorney; is that	15	that day?
16	fair?	16	A. I can't remember why we spoke earlier that
17	A. Yes.	17	day, but I know we spoke sometime -- sometime that day.
18	Q. Okay. He's not a public defender, right?	18	I don't know how early it was.
19	A. No, not a public defender.	19	Q. Right. Because he knew you were coming over
20	Q. Okay. So let's talk about the date of the	20	that day?
21	incident. So this happened back on November 6th of	21	A. Right.
22	2017; is that right?	22	Q. Okay. And what was the purpose of you going
23	A. Yes.	23	over to Mr. Jackson's house?
24	Q. Okay. Prior to arriving in that area of 313	24	A. For him to drop me off.
25	East 120th place, that's the address of --	25	Q. Okay. And so earlier, you said that Brianna

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<p>1 [sic] had dropped you off.</p> <p>2 A. Bianca.</p> <p>3 Q. Yeah. I'm sorry. I apologize. Bianca had</p> <p>4 dropped you off at Mr. Jackson's house, correct?</p> <p>5 A. Yes.</p> <p>6 Q. And then Mr. Jackson was going to give you a</p> <p>7 ride to your mother's house, right?</p> <p>8 A. Yes.</p> <p>9 Q. And that's on 119th?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And so that's only a few blocks away,</p> <p>12 correct?</p> <p>13 A. Correct.</p> <p>14 Q. How many blocks away is that?</p> <p>15 A. Four or five blocks away.</p> <p>16 Q. Okay. And so you could have walked back to</p> <p>17 your grandmother's house, correct?</p> <p>18 A. Any other time, I would have. But like I</p> <p>19 said, I had a back injury that -- that weekend.</p> <p>20 Q. Okay. And you had a back injury from playing</p> <p>21 basketball?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And when did that back injury occur?</p> <p>24 A. I'd like to say probably two days before the</p> <p>25 incident.</p>	<p>Page 70</p> <p>1 how I actually did it.</p> <p>2 Q. Okay.</p> <p>3 A. But it happened.</p> <p>4 Q. Got you. And what part of your body was</p> <p>5 injured? I'm sorry if I missed that part.</p> <p>6 A. Like, the lower back.</p> <p>7 Q. Okay. Oh, okay. It was something with your</p> <p>8 back?</p> <p>9 A. Yeah.</p> <p>10 Q. Okay. And totally a non-contact injury is</p> <p>11 what you're saying?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. All right. So your lower back was</p> <p>14 injured, and that's why Mr. Jackson was going to give</p> <p>15 you a ride back to your place?</p> <p>16 A. Yes.</p> <p>17 Q. So you were having trouble walking. Is that</p> <p>18 what you're saying?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. How were you getting around before</p> <p>21 Mr. Jackson? I mean, I guess how were you getting</p> <p>22 around since the time of your injury to that point?</p> <p>23 A. Like I said, I -- I had my -- like I said,</p> <p>24 when I injured myself, that's when my kid's mom came.</p> <p>25 And she called herself trying to help me out, doctor me</p>
<p>1 Q. Okay. Where were you playing basketball at?</p> <p>2 A. At a local gym that we call the Rec Center</p> <p>3 from 119th and Ashton.</p> <p>4 Q. Okay. Was Mr. Jackson there when you got</p> <p>5 injured?</p> <p>6 A. No.</p> <p>7 Q. Okay. Who was all there when you got injured?</p> <p>8 A. Some other friends.</p> <p>9 Q. Okay. Do you know their names?</p> <p>10 A. Yes. Dave, Reg.</p> <p>11 Q. All right. If you know their last name, could</p> <p>12 you just --</p> <p>13 A. No. No. I don't know last names.</p> <p>14 Q. Okay. And these are just guys you know from</p> <p>15 the neighborhood that you played ball with?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Okay. And it was Dave you said and then Reg?</p> <p>18 A. Dave, Reg, a couple guys.</p> <p>19 Q. Okay.</p> <p>20 A. All sorts of guys that was already there at</p> <p>21 the gym.</p> <p>22 Q. Okay. And you said it was playing ball? How</p> <p>23 did you do it?</p> <p>24 A. Like I said, I don't know. I think maybe I</p> <p>25 twisted wrong or something. I'm not 100 percent sure</p>	<p>Page 71</p> <p>1 up. Went and got me some ibuprofen, some -- some of</p> <p>2 those patches -- back patches, bought a back brace for</p> <p>3 me. And -- and basically, I hung out with her for that</p> <p>4 weekend.</p> <p>5 Q. Okay. So you're just limiting your</p> <p>6 activities; is that fair to say?</p> <p>7 A. Uh-huh.</p> <p>8 Q. Okay. Did you ever go to the hospital or</p> <p>9 anything like that?</p> <p>10 A. No. I did not.</p> <p>11 Q. Okay. It was just taking some over-the-</p> <p>12 counter medication?</p> <p>13 A. Yes.</p> <p>14 Q. And getting a back brace and things like that?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And did you have a car at that time?</p> <p>17 A. Yeah. But it was down.</p> <p>18 Q. Right. And that's the car that was in the</p> <p>19 backyard?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. It was not functioning at that time?</p> <p>22 A. No.</p> <p>23 Q. Okay. And so you had no other means of</p> <p>24 transportation besides Bianca?</p> <p>25 A. Correct. Or whoever else I had.</p>

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<p style="text-align: right;">Page 74</p> <p>1 Q. Or whoever else could drive you around?</p> <p>2 A. Uh-huh. Yes.</p> <p>3 Q. Okay. And were you not walking at all at that</p> <p>4 time?</p> <p>5 A. Not for that weekend. No. Like I said, I had</p> <p>6 injured my back playing ball, so it kind of had me</p> <p>7 limited to my -- my movements.</p> <p>8 Q. Okay. So Mr. Jackson offered to drop you back</p> <p>9 off at your house that's about four blocks away, you</p> <p>10 said?</p> <p>11 A. Yeah. Four or five blocks away. Yes.</p> <p>12 Q. Okay. When you arrived at -- strike that. You</p> <p>13 said earlier that your car was in -- was in the backyard</p> <p>14 of his grandma's place?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. So explain that. Is there a driveway</p> <p>17 that goes back there?</p> <p>18 A. Well, you -- it's -- it's an alley that you</p> <p>19 have to go through to get to the -- the backyard.</p> <p>20 Q. Okay. And so was the car parked on the</p> <p>21 street? Was it parked in the alley? Was it in the</p> <p>22 garage?</p> <p>23 A. No. It's a -- well, it's like a slab of</p> <p>24 concrete where a garage used to be. The garage was torn</p> <p>25 down, so it was just a flat slab of concrete.</p>	<p>1 A. No.</p> <p>2 Q. Okay. How did you get to that spot, though?</p> <p>3 A. How did I get there? I think he got it there.</p> <p>4 Q. Who is he?</p> <p>5 A. The -- the mechanic guy.</p> <p>6 Q. Oh, towed it?</p> <p>7 A. Yeah. Somehow pushed it there or something.</p> <p>8 But he was familiar with the area also. He -- he had a</p> <p>9 buddy that stayed a couple houses down. And so he --</p> <p>10 Q. What was the name of the mechanic, again?</p> <p>11 A. Lester.</p> <p>12 Q. Lester. Okay.</p> <p>13 A. Uh-huh.</p> <p>14 Q. And does he live nearby?</p> <p>15 A. He stayed in that area for a long period of</p> <p>16 time. He doesn't stay in the area now, though.</p> <p>17 Q. Okay. Do you know Lester's last name?</p> <p>18 A. No. I don't.</p> <p>19 Q. Okay. How do you know Lester? How did you</p> <p>20 meet him?</p> <p>21 A. Again, he stayed in -- in the same</p> <p>22 neighborhood.</p> <p>23 Q. Got you. Okay. Just kind of word of mouth</p> <p>24 that he's a mechanic.</p> <p>25 A. Yeah. He grew up in that neighborhood, so you</p>
<p style="text-align: right;">Page 75</p> <p>1 Q. And that's in the back of the house?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. But it's not a structure or anything</p> <p>4 like that?</p> <p>5 A. No.</p> <p>6 Q. Okay. It's open air?</p> <p>7 A. Yes.</p> <p>8 Q. Got you. And it wasn't on the street. It was</p> <p>9 on this property?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And how long had that car been back</p> <p>12 there?</p> <p>13 A. I'd say about -- about two weeks. About two</p> <p>14 weeks.</p> <p>15 Q. When did it stop working, I guess, is my</p> <p>16 question?</p> <p>17 A. About two weeks after.</p> <p>18 Q. Do you remember what happened to it? Yeah.</p> <p>19 A. Some -- he -- from what the -- my buddy, the</p> <p>20 mechanic, said, I think, I needed some head gaskets or</p> <p>21 something there for the (Inaudible).</p> <p>22 Q. So was it not running?</p> <p>23 A. No. It wasn't.</p> <p>24 Q. Okay. And so even though you had the keys to</p> <p>25 it, you could not drive it from that spot?</p>	<p>1 know.</p> <p>2 Q. Got you. Okay. And he was the one that was</p> <p>3 working on the car at the time?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Okay.</p> <p>6 MR. FLAXMAN: Was that a yes?</p> <p>7 THE WITNESS: Yes. Sorry.</p> <p>8 BY MR MICHELINI:</p> <p>9 Q. I do it, too.</p> <p>10 A. Yes.</p> <p>11 Q. And did you pay Lester to work on your car?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Do you remember how much you paid him?</p> <p>14 A. No. Not exactly.</p> <p>15 Q. Okay.</p> <p>16 A. Because the work wasn't finished, so no, I</p> <p>17 don't remember.</p> <p>18 Q. Okay. All right. So at any rate, the car was</p> <p>19 not functioning though, correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. You arrived at Mr. Jackson's house.</p> <p>22 Approximately what time did you arrive; do you remember?</p> <p>23 A. No.</p> <p>24 Q. You don't remember?</p> <p>25 A. No.</p>

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<p style="text-align: right;">Page 78</p> <p>1 Q. It was just nighttime? 2 A. Yes. 3 Q. Okay. How long after you arrived did you -- 4 or strike that. Let's go back. You arrived. What 5 happens after you arrive? 6 A. Once I got there, he was -- I called and let 7 him know I was getting ready to pull up. So he was 8 actually leaving out his grandma's. He got into the 9 car. I got out of the car and then got into the car 10 with him. 11 Q. Okay. So he comes out of the house? 12 A. Uh-huh. 13 Q. Yes? 14 A. Yes. 15 Q. And he enters the driver's seat? 16 A. Yes. 17 Q. Okay. And you go into the passenger seat? 18 A. Yes. 19 Q. Okay. And then was this for him to drive you 20 to your mom's place? 21 A. Yes. 22 Q. Okay. And why didn't Bianca just drop you off 23 at your mom's place? 24 A. Because, like I said earlier, me and her were 25 -- she did come and help me out, but we still wasn't</p>	<p style="text-align: right;">Page 80</p> <p>1 car, correct? 2 A. Correct. 3 Q. Okay. And that was Mr. Jackson's car? 4 A. Yes. 5 Q. It was a Tahoe if I remember correct? 6 A. Tahoe. Yes. 7 Q. Okay. What color was it? 8 A. White. 9 Q. Okay. And prior to the police arriving, did 10 anyone approach the white Tahoe? 11 A. No. 12 Q. Okay. And you never got out of the white 13 Tahoe until the police arrived, correct? 14 A. Correct. 15 Q. Okay. Why do you think the police thought you 16 were dealing drugs? 17 A. You want to know my honest opinion? 18 Q. Yeah. 19 A. Someone got jammed up doing whatever it was 20 they were doing. I heard that he got caught with some 21 narcotics, and his way of getting out of it was to rat 22 on somebody else. 23 Q. Who are you referring to? 24 A. This guy named Nate. I don't know his last 25 name. We call him Nate.</p>
<p style="text-align: right;">Page 79</p> <p>1 100 percent seeing eye to eye. So I didn't get -- I 2 didn't want to take her with me because I didn't want 3 her to think she was going to be able to stay. 4 Q. Okay. So you didn't want her to come back 5 over to your mom's house? 6 A. Right. 7 Q. Okay. 8 A. Correct. 9 Q. So Mr. Jackson comes out. He gets in the 10 driver's seat. You get in the passenger seat, and then 11 you guys are sitting there for some time? 12 A. Yeah. A few minutes just talking and going 13 over -- you know, just -- just talking. I was telling 14 him how everything went. You know, just -- he's my -- 15 like I said, my best friend, so we was just 16 communicating. 17 Q. Right. So you just ended up talking? 18 A. Yeah. 19 Q. Okay. About how long were you guys sitting in 20 the car? 21 A. I would say about ten to 15 minutes. Not -- 22 not very long. 23 Q. Okay. And during that time while you're 24 sitting in the passenger seat and Mr. Jackson is in the 25 front in the driver's seat, neither of you leave the</p>	<p style="text-align: right;">Page 81</p> <p>1 Q. Okay. This is the guy from the neighborhood? 2 A. Yes. 3 Q. Okay. Do you know Nate's last name? 4 A. I just said I didn't know his last name. 5 Q. Oh, okay. How long have you known Nate? 6 A. I also known Nate for a little while. 7 Q. What do you mean by a little while? 8 A. Some years. Some years. I don't know exactly 9 how many, but it's some years. 10 Q. Okay. So a long history between you and Nate? 11 A. Repeat that? 12 Q. You've known him for a while? 13 A. Yes. 14 Q. And you knew him for a while at that time back 15 in 2017? 16 A. Yes. 17 Q. Do you still talk to Nate? 18 A. No. 19 Q. Okay. You said that this was someone from the 20 neighborhood? 21 A. Yes. 22 Q. And you think that he got arrested or was in 23 trouble? 24 A. He did get arrested. 25 Q. Okay. When did he get arrested?</p>

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<p style="text-align: right;">Page 82</p> <p>1 A. The same day. The same -- a few minutes 2 before they arrested us.</p> <p>3 Q. Okay. So how do you know he got arrested the 4 same day a few minutes before?</p> <p>5 A. He -- he had a preliminary hearing the same 6 day, same courtroom, same time as us. And then it came 7 out later that he -- he did do exactly what I said he 8 did.</p> <p>9 Q. Okay. So I want to go back. So you're saying 10 that he was arrested the same day as you guys, correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And you know that because the prelim 13 date was on the same day?</p> <p>14 A. I know that -- I put two and two together, but 15 no, I found -- we found out that he -- he got arrested 16 through him telling some mutual friends what happened 17 and confessing up to it. But then as he did that, then 18 we realized that's why he was in preliminary hearing 19 with us also that day. But yes, he was in preliminary 20 with us. And we was wondering why, and we found out 21 why.</p> <p>22 Q. Okay. But he wasn't on the same criminal case 23 as you and Mr. Jackson, correct?</p> <p>24 A. Correct.</p> <p>25 Q. Okay. He was at a preliminary hearing?</p>	<p style="text-align: right;">Page 84</p> <p>1 arrest was?</p> <p>2 A. Being caught with some narcotics.</p> <p>3 Q. Okay. So it was drugs as well?</p> <p>4 A. Drugs. Yes.</p> <p>5 Q. And so your opinion or theory is that Nate 6 told the officer that arrested him that you and 7 Mr. Jackson were also dealing drugs?</p> <p>8 A. Yeah. They -- from what was said and what was 9 told about me to -- to our mutual friends that they were 10 talking about impounding his car. It was his wife's 11 car. He didn't have the money, and they gave him an 12 option of being able to keep the car, not only keep the 13 car, but not have any repercussions for the -- the 14 narcotics he was being charged with if he gave up 15 somebody.</p> <p>16 Q. Okay. Did you know Nate to be a drug dealer 17 at the time?</p> <p>18 A. Nate is not a drug dealer.</p> <p>19 Q. Oh, okay.</p> <p>20 A. He's a user.</p> <p>21 Q. He's a user. Okay.</p> <p>22 A. Yeah.</p> <p>23 Q. So he was just caught with possession of the 24 drugs?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 83</p> <p>1 A. Correct.</p> <p>2 Q. The same day? Did you hear his preliminary 3 hearing?</p> <p>4 A. No. I didn't.</p> <p>5 Q. Okay. Did someone you know hear it?</p> <p>6 A. Mr. Jackson did.</p> <p>7 Q. Okay. So Mr. Jackson heard this Nate person's 8 preliminary hearing?</p> <p>9 A. Correct.</p> <p>10 Q. And what did Mr. Jackson hear from the 11 preliminary hearing?</p> <p>12 A. They called his name. He stood up. They 13 never allowed him to approach the bench. He stood up 14 where he was sitting at, and they immediately dismissed 15 his case.</p> <p>16 Q. Okay. And so Mr. Jackson thought that was 17 suspicious?</p> <p>18 A. Yes.</p> <p>19 Q. And you thought that was suspicious?</p> <p>20 A. Yes. Very suspicious. Yes.</p> <p>21 Q. Okay. And how do you know that he was 22 arrested on the same date?</p> <p>23 A. Because he told mutual friends, and it came 24 out that that's what happened.</p> <p>25 Q. Okay. And do you know the nature of what his</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Okay. And you believe that the officers who 2 arrested him gave him an option to flip or rat on 3 someone else and that was the reason why the officers 4 targeted you and Mr. Jackson?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. I want to go back. We kind of went on 7 a tangent there with Nate.</p> <p>8 A. Okay.</p> <p>9 Q. So I'll go back. You and Mr. Jackson are 10 sitting in the white Tahoe, right?</p> <p>11 A. Yes.</p> <p>12 Q. Neither of you guys have left, right?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. It's nighttime you said?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. Was the car on?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. This is November, so it was a little 19 cold, right?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And you said approximately ten to 22 15 minutes go by, and then what happens?</p> <p>23 A. That's when the police arrived.</p> <p>24 Q. Okay. Yeah. So that's what I'm getting at.</p> <p>25 A. Uh-huh.</p>

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<p>1 Q. So kind of walk me through that. What 2 happens?</p> <p>3 A. Like I said, we had a car approach us from the 4 front coming off of Calumet Avenue, and then we had the 5 car approach us from the rear coming off of Indiana 6 Avenue.</p> <p>7 Q. Okay. How was the white Tahoe? Was it on the 8 street? Was it in the driveway?</p> <p>9 A. It was -- it was parked.</p> <p>10 Q. Yeah.</p> <p>11 A. Alongside the curb on the street.</p> <p>12 Q. Okay. Got you. Facing which way?</p> <p>13 A. Facing east towards Calumet Avenue.</p> <p>14 Q. Okay. Got you. So facing towards the train 15 tracks?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And you said two cars pulled up, one 18 from --</p> <p>19 A. The rear.</p> <p>20 Q. -- from the rear and one from the front?</p> <p>21 A. Correct.</p> <p>22 Q. And both those were unmarked squad cars?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. But they had their lights on, right?</p> <p>25 A. No.</p>	<p>Page 86</p> <p>1 Q. Okay. And when she patted you down, she 2 removed the keys to your car that was in the back?</p> <p>3 A. Everything -- everything out of my pockets.</p> <p>4 Q. Okay. What else did you have in your pockets?</p> <p>5 A. I had my ID, some money. What else? I -- I 6 had some -- the ibuprofen that I had on me. I had my 7 back brace on along with the back patch.</p> <p>8 Q. Okay.</p> <p>9 A. So she took all of that off me and just set it 10 on top of the car.</p> <p>11 Q. Got you. Did you see what was happening to 12 Mr. Jackson at this time?</p> <p>13 A. Yeah. He was being patted down as well.</p> <p>14 Q. Okay. He was placed in handcuffs?</p> <p>15 A. Yeah. Again, they had him on the front of the 16 car, patting down, emptying his pockets also before they 17 handcuffed us.</p> <p>18 Q. Okay. How many officers were on scene?</p> <p>19 A. I want to say between six or eight. Because 20 while we were there, that's when two more officers 21 walked up from somewhere. They just -- I don't know 22 where they came from. They walked up from somewhere.</p> <p>23 Q. Okay. So two additional officers --</p> <p>24 A. Yeah.</p> <p>25 Q. -- arrived later after the initial set of</p>
<p>1 Q. No, they didn't use their lights?</p> <p>2 A. No.</p> <p>3 Q. Okay. Two cars pull up?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. How did they pull up? Did they block 6 you in? Did they stay in the street?</p> <p>7 A. Yeah. Sort of blocked us in, but we were 8 parked. So like I said, they just pulled in front so we 9 wasn't able to pull out the car and they pulled in the 10 rear, which, again, wouldn't allow us to back up or --</p> <p>11 Q. Got you. But when they got out, they had 12 their vests on, right?</p> <p>13 A. Correct.</p> <p>14 Q. You recognized them as police officers, right?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. And when they got out, you said a 17 female officer got you out of the car?</p> <p>18 A. Yes. She came to my side and opened up my 19 door and grabbed my arm and asked me to step out. And I 20 asked her politely just, I'm going to step out. Just 21 don't pull me. I hurt my back. And then that's when 22 she began to -- to assist me getting out.</p> <p>23 Q. Okay. And at that point after she got you out 24 of the car, she put you in handcuffs?</p> <p>25 A. Patted me down first.</p>	<p>Page 87</p> <p>1 officers were there?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. What did those two additional officers 4 do?</p> <p>5 A. Nothing. They just walked up, and they -- at 6 that time, they were -- they was putting us into the 7 car. And they -- you know, they do their communicating, 8 talking, and then they left.</p> <p>9 Q. Okay. But you saw these other additional two 10 officers, right?</p> <p>11 A. Uh-huh.</p> <p>12 Q. Okay. And they saw you?</p> <p>13 A. Yeah. We was in the car.</p> <p>14 Q. Okay. Got you. All right. And then you were 15 transported to the police station?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. And what happened at the police 18 station?</p> <p>19 A. We went through the process, and that's when 20 they explained to us that we were being charged with 21 possession of narcotics. And that was about it. We 22 didn't really get the full details until the preliminary 23 hearing when we heard the officer testifying.</p> <p>24 Q. Got you. And when you did find out about what 25 the facts that the officers were alleging, you learned</p>

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<p style="text-align: right;">Page 90</p> <p>1 that, at first, you were charged with possession or 2 delivery and manufacturer of narcotics, correct? 3 A. Correct. Yes. 4 Q. Essentially dealing, right? 5 A. Right. 6 Q. Okay. Or possession with intent to deal? 7 A. Correct. 8 Q. Okay. And you learned through the criminal 9 case that the officers were alleging that you were going 10 back and forth between the Tahoe and your car in the 11 backyard, correct? 12 A. Correct. 13 Q. Okay. And that never happened? 14 A. No. 15 Q. Okay. You never did that that day? 16 A. No. 17 Q. And you never did that on any other day? 18 A. Correct. 19 Q. Okay. And no other time during that day, 20 correct? 21 A. Correct. 22 Q. Okay. You also learned that they found crack 23 cocaine in your vehicle, correct? 24 MR. FLAXMAN: Objection. Form. 25 BY MR MICHELINI:</p>	<p style="text-align: right;">Page 92</p> <p>1 that the officers planted the drugs in your car; is that 2 correct? 3 A. Correct. 4 Q. Okay. And you think that they did that 5 because they recovered your keys in your pocket, right? 6 A. Correct. 7 Q. Okay. And so then they would've had to have 8 gone after you had been detained and put the drugs in 9 your car then? 10 A. Correct. 11 Q. Okay. 12 A. Well if they said -- if they even found it 13 there, yes. 14 Q. Right. 15 A. But yes. 16 Q. Right. You're saying that they might not have 17 even found it there or there might not have ever been 18 drugs? 19 A. Correct. 20 Q. Okay. 21 A. And they just pulled it out to say, we found 22 it in this car. 23 Q. What about, like, the inventory sheets that 24 were filed in this case? Did you ever see those? 25 A. No. Inventory for what?</p>
<p style="text-align: right;">Page 91</p> <p>1 Q. You can answer. 2 A. Well, I -- I was informed that they found it. 3 I -- yes. 4 Q. Right. That they were alleging that they 5 found it? 6 A. That's where they found it, yeah. That's what 7 they claimed at the time. Yes. 8 Q. Okay. And who else had access? You said you 9 had the keys to that vehicle? 10 A. Me and me alone. 11 Q. Okay. So only you had access to your vehicle 12 in the backyard? 13 A. Correct. 14 Q. Okay. Lester didn't have access to it? 15 A. Not until I gave it to him. No. 16 Q. Okay. And when was the last time you'd given 17 him the keys to it? 18 A. Maybe three or four days before that, 19 something like that. 20 Q. Okay. But you had the only key? 21 A. Correct. 22 Q. And so unless you had given it to Lester, he 23 would not have access to it? 24 A. Correct. 25 Q. Okay. And you said earlier that you believe</p>	<p style="text-align: right;">Page 93</p> <p>1 Q. For the drugs? 2 A. No. 3 Q. But you understand that officers have to 4 document what they recover in a case; is that correct? 5 A. Correct. 6 Q. Okay. And that's an inventory number. Do you 7 understand what that is? 8 A. Yes. 9 Q. Okay. And so when an officer recovers 10 something, they have to file it, and there has to be a 11 number associated with the recovery; do you understand 12 that? 13 A. Uh-huh. 14 Q. Okay. And so there were inventory numbers 15 associated with the crack cocaine that the officer 16 allegedly found in your vehicle in this case, correct? 17 MR. FLAXMAN: Objection. Foundation. 18 BY MR. MICHELINI: 19 Q. You can answer if you know. 20 A. Can you repeat that? 21 Q. So we talked earlier that there's inventory 22 numbers associated with items that are recovered in any 23 criminal case. You understand that, right? 24 A. I understand that. I -- I think I understand 25 what you're saying. You're saying that for that -- for</p>

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<p style="text-align: right;">Page 94</p> <p>1 that cocaine --</p> <p>2 Q. Yeah.</p> <p>3 A. -- it had to be inventoried. There's a number</p> <p>4 that goes with it, right?</p> <p>5 Q. Right. Yeah.</p> <p>6 A. Yes. I understand.</p> <p>7 Q. Okay. And then part of the discovery of your</p> <p>8 criminal case were the inventory sheets for the crack</p> <p>9 cocaine?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. Right. And so I guess I'm asking is,</p> <p>12 how would the officers have falsified an inventory</p> <p>13 number for crack cocaine?</p> <p>14 A. And that's what I thought you were getting at.</p> <p>15 And again, how would I know?</p> <p>16 Q. Okay. And so you think that they either, one,</p> <p>17 never found anything, right?</p> <p>18 A. No. I think they had it the whole entire time</p> <p>19 under Nate. Somehow may have got something from Nate or</p> <p>20 used whatever it was they found on Nate and --</p> <p>21 Q. And that they later planted in your vehicle?</p> <p>22 A. Yes. I -- again, I wouldn't know what</p> <p>23 transpired on their end because I wasn't with them.</p> <p>24 Q. Do you agree that there was crack cocaine</p> <p>25 recovered from your vehicle, right?</p>	<p style="text-align: right;">Page 96</p> <p>1 was no crack cocaine in my car. Now where did they get</p> <p>2 this crack cocaine, I have no knowledge of.</p> <p>3 BY MR. MICHELINI:</p> <p>4 Q. But they allege that there was crack cocaine</p> <p>5 in your car?</p> <p>6 A. Yes. They did.</p> <p>7 Q. Okay. All right. And that there actually was</p> <p>8 some sort of physical crack cocaine, regardless of where</p> <p>9 it came from, whether they planted it or if it was there</p> <p>10 prior to; is that fair?</p> <p>11 A. Again, I can't testify to that because they</p> <p>12 didn't come present the cocaine to us. That's like we</p> <p>13 was telling you, "Hey, Alex, I found a gun in your car,"</p> <p>14 right? But I never showed you the gun.</p> <p>15 Q. I understand. I got you.</p> <p>16 A. Okay.</p> <p>17 Q. Okay. I want to circle back to a couple</p> <p>18 things. So that car that you had was a Pontiac,</p> <p>19 correct?</p> <p>20 A. Correct.</p> <p>21 Q. Grand Am?</p> <p>22 A. Correct.</p> <p>23 Q. And what color was it?</p> <p>24 A. Gray.</p> <p>25 Q. It was gray?</p>
<p style="text-align: right;">Page 95</p> <p>1 A. No.</p> <p>2 Q. You don't know that?</p> <p>3 A. No. I wasn't -- they didn't -- they didn't</p> <p>4 come and present and say, "Hey, this is what we found."</p> <p>5 Q. But you never saw it, right?</p> <p>6 A. No.</p> <p>7 Q. Okay.</p> <p>8 A. Like I said, we didn't -- we didn't know what</p> <p>9 the charges were until we got to the police station.</p> <p>10 Q. And that's what I'm going back to with the</p> <p>11 inventory numbers, is that there was crack cocaine</p> <p>12 inventory in this case, right?</p> <p>13 A. Yes.</p> <p>14 Q. Okay.</p> <p>15 A. We got an inventory number is what you said.</p> <p>16 Q. Right. Yeah. Correct.</p> <p>17 A. Yes. We got one.</p> <p>18 Q. And so there had to be something recovered.</p> <p>19 They weren't just creating it out of nothing is what I'm</p> <p>20 saying. Regardless, if they planted it or they found</p> <p>21 it, however they came across it, there was crack cocaine</p> <p>22 in your car is what I'm saying?</p> <p>23 MR. FLAXMAN: Objection.</p> <p>24 A. Again, you want me to admit to something I</p> <p>25 have no knowledge of. I don't -- all I can say is there</p>	<p style="text-align: right;">Page 97</p> <p>1 A. Yes.</p> <p>2 Q. So everything happens. You said the</p> <p>3 preliminary in criminal court, your criminal case, is</p> <p>4 pending, right?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. You eventually took a plea deal,</p> <p>7 correct?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. That plea deal included a reduction of</p> <p>10 the charge from a class 1 to a class 4; is that correct?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. Initially, you had been charged with</p> <p>13 delivery of a controlled substance, right?</p> <p>14 A. Uh-huh. Correct.</p> <p>15 Q. And the state's attorney agreed in exchange</p> <p>16 for your plea to reduce it to just possession of a</p> <p>17 narcotic, possession of crack cocaine, right?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And a class 4 felony carries with it</p> <p>20 the maximum sentence of three years; is that right?</p> <p>21 A. As far as I remember, yes.</p> <p>22 Q. Okay. And you received a three-year sentence</p> <p>23 for that?</p> <p>24 A. Yes. I did.</p> <p>25 Q. Okay. A class 1 felony has a much higher</p>

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1 sentencing range; is that correct?		1 A. Correct.
2 A. Again, as far as I know.		2 Q. Okay. And you discussed that deal with your
3 Q. Okay. But what I'm getting at is the reason		3 <u>criminal attorney</u> at the time?
4 you took the deal is because they would agree to reduce		4 A. Yes.
5 the number of years that you were facing for your		5 Q. And you decided that you were going to agree
6 criminal case?		6 to the plea deal?
7 A. Yes. That's the reason I took the deal		7 A. Yes.
8 because they presented the three-year sentence. Yes.		8 Q. Okay. But your testimony is that -- strike
9 Q. Right. The state's attorney offered you a		9 that. Part of that plea agreement, when you go into
10 deal, correct?		10 court, the judge reads you the charges and the actual
11 A. Correct.		11 basis for the charges; is that right?
12 Q. Okay. And you took the deal?		12 MR. FLAXMAN: Objection. That's not right.
13 A. Correct.		13 The judge doesn't read the charges.
14 Q. Okay. Earlier, you testified that you were		14 MR. MICHELINI: Do you have an actual
15 just kind of tired of the case, that you were getting		15 objection, or are you speaking?
16 dealt, you were frustrated?		16 BY MR. MICHELINI:
17 A. I would say that I was tired --		17 Q. You can answer if you know.
18 MR. FLAXMAN: Hold on. I'm objecting to		18 A. The judge reads off something. Yeah. He
19 Counsel's representation of prior testimony as		19 reads off the charges, I think. Yes.
20 inaccurate.		20 Q. Right. And the nature of the agreements
21 MR. MICHELINI: Okay.		21 between you and the state's attorney is right before the
22 BY MR. MICHELINI:		22 judge, right?
23 Q. You understand what I'm talking about? In		23 A. Correct.
24 your prior testimony, Mr. Flaxman was asking you		24 Q. Okay. So the state's attorney or your
25 questions?		25 attorney represented that you were going to take a deal
Page 99		Page 101
1 A. Correct?		1 for three years in exchange for a reduction of the
2 Q. He asked you why you decided to plead, right?		2 charge from delivery of a controlled substance to
3 A. Right.		3 possession of a controlled substance; is that right?
4 Q. And what was your answer?		4 A. Correct.
5 A. I -- I said I was tired of the conditions I		5 Q. Okay. And part of that court proceeding, the
6 was in.		6 judge asked you if you're waiving your right to a jury
7 Q. Okay. You were in Cook County during that		7 trial, right?
8 time?		8 A. Correct.
9 A. The Cook County Jail. Yes.		9 Q. Okay. And you did waive your right to a jury
10 Q. Okay. You were in Cook County custody the		10 trial?
11 entirety from your arrest up until your plea?		11 A. Yes.
12 A. Correct.		12 Q. Okay. And part of the proceeding is also the
13 Q. Okay. You never were on electronic		13 state's attorney proffering the factual basis for the
14 monitoring?		14 charges; is that right?
15 A. No.		15 A. When you say proffer, what do you mean?
16 Q. Okay. Is that because you were also on		16 Q. So the state's attorney reads, if the case
17 probation from another case?		17 were to proceed to trial, the facts that would be
18 A. Yes.		18 entered into evidence if it were to proceed to trial.
19 Q. Okay. We'll talk about that in a second. But		19 So that the judge knows that there's a factual basis for
20 your probation was revoked as a result of this arrest,		20 the plea. Do you remember that part?
21 correct?		21 A. Yes.
22 A. Correct.		22 Q. Okay. And the state's attorney did read the
23 Q. Okay. In addition to you being tired of the		23 factual basis for the charge?
24 condition of being in Cook County, the state's attorney		24 A. Yes.
25 also presented you a deal, right?		25 Q. Okay. And your attorney entered the

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<p style="text-align: right;">Page 102</p> <p>1 stipulation that those would be the facts if you 2 presented that in trial, correct? 3 A. As far as I remember, yes. I think that's 4 what he agreed to. 5 Q. Okay. And so the attorney is essentially on 6 your behalf agreeing that these are what the facts are 7 if this case were to see a trial; is that right? 8 MR. FLAXMAN: Objection. Form and foundation. 9 A. Yes. 10 BY MR. MICHELINI: 11 Q. Okay. Part of those facts were that you were 12 dealing drugs alongside Dennis Jackson that day; is that 13 right? 14 MR. FLAXMAN: Objection. Foundation. 15 A. Yes. 16 BY MR. MICHELINI: 17 Q. Okay. And your attorney entered the 18 stipulation on your behalf, correct? 19 A. Correct. 20 Q. Okay. But you're saying that none of that 21 happened? 22 A. Correct. Do you understand what a plea 23 agreement is? 24 Q. Yeah. 25 A. It -- it is -- and do you also understand</p>	<p style="text-align: right;">Page 104</p> <p>1 Q. Okay. So Mr. McIntyre, we were just 2 discussing your plea agreement with the state's 3 attorney's office; do you remember that? 4 A. Yes. 5 MR. MICHELINI: Okay. I'm going to show you 6 what we'll mark as Exhibit 1 for this deposition. 7 Give a copy to Mr. Flaxman here. 8 (EXHIBIT 1 MARKED FOR IDENTIFICATION) 9 BY MR. MICHELINI: 10 Q. Okay. So looking at Exhibit 1, this appears 11 to be part of the criminal court file for this -- for 12 this case because the incident happened in '17 -- in 13 2017; is that right? 14 A. Yes. 15 Q. Okay. Your name is at the top where it says, 16 Defendant Name, right? 17 A. Yes. 18 Q. The Case number is 17-CR-1747502, right? 19 A. Yes. 20 Q. Okay. 21 MR. FLAXMAN: Should this have a Bates label? 22 MR. MICHELINI: What's that? 23 MR. FLAXMAN: Should this have a Bates label? 24 MR. MICHELINI: These are just -- 25 MR. YURCHICH: You know, I'm sure we have</p>
<p style="text-align: right;">Page 103</p> <p>1 people have taken plea agreements knowing that they were 2 innocent? 3 Q. No doubt. 4 A. And -- and also that there have been cases 5 where plea agreements were taken and the defendants were 6 found innocent later, right? 7 Q. No doubt. 8 A. Okay. So yes. 9 Q. And in this case, you're maintaining that it 10 did not happen, right? 11 A. Correct. 12 Q. And that the reason you took the plea deal was 13 for the reduction and you were tired of the condition of 14 the jail? 15 A. Strictly just to get out of jail. I missed my 16 family, and I was tired of those terrible conditions. 17 Q. Okay. 18 MR. FLAXMAN: Want to take a break for a 19 second? 20 MR. MICHELINI: Sure. Okay. Let's take five 21 real quick and then we'll come back. 22 (OFF THE RECORD) 23 THE REPORTER: All right. We're back on the 24 record. 25 BY MR. MICHELINI:</p>	<p style="text-align: right;">Page 105</p> <p>1 produced these. 2 MR. FLAXMAN: Yeah. No, I'm not objecting to 3 using documents that I've definitely seen. I'm 4 just saying. 5 MR. MICHELINI: Right. 6 MR. FLAXMAN: These are from the public 7 docket. 8 MR. YURCHICH: I'm assuming. Maybe they're 9 not. I don't know if they've been -- 10 MR. MICHELINI: No, these are not. So these 11 are just from the public docket. 12 MR. FLAXMAN: Okay. 13 MR. MICHELINI: I am accustomed to deposition 14 exhibits coming from documents that have been 15 produced in discovery. I think we can just move on 16 from it on this one. 17 MR. FLAXMAN: Okay. 18 BY MR. MICHELINI: 19 Q. So this is from the criminal case for this 20 matter, correct? 21 A. Correct. 22 Q. Okay. I want to move on to the second page 23 here. This has your name, James McIntyre, right? 24 A. Yes. 25 Q. And this is the criminal complaints for this</p>

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1	case, correct?		
2	A. Correct.		A. Yes.
3	MR. FLAXMAN: Objection. Foundation.		Q. Okay. It's People of the State of Illinois v.
4	BY MR. MICHELINI:		3 James McIntyre, right?
5	Q. I mean, looking at this document, part of the		4 A. Yes.
6	criminal case is the complaint, right? Do you		5 Q. Okay. The charge is listed; charged for PCS
7	understand what that is?		6 (Class 4), right?
8	A. Yes.		7 A. PCS, yes.
9	Q. Okay. A criminal complaint is for the formal		8 Q. Yes. Do you understand that to be possession
10	allegations against you, right?		9 of a controlled substance?
11	A. Yes.		10 A. Yes.
12	Q. Okay. And this matter, and again, this is		11 Q. Okay. And this document says, "I hereon upon
13	Case number 17-CR-17475, right?		12 signing do hereby waive jury trial and submit the above-
14	A. Yes.		13 entitled cause to the court for hearing," correct?
15	Q. Do you see that at the bottom of the page?		14 A. Correct.
16	A. On page 2?		15 Q. Okay. And it's dated November 13, 2018,
17	Q. Yeah, page 2.		16 right?
18	A. Yes, I see it.		17 A. Yes.
19	Q. Okay.		18 Q. There's a stamp. There's also a date at the
20	A. The page number, right.		19 bottom of the page, right?
21	Q. And the allegations against you for James		20 A. Yes.
22	McIntyre, I'm reading where the page break is,		21 Q. Okay. And is that your signature at the
23	"Committed the offense of possession of controlled		22 bottom?
24	substance." And then "with intent to deliver" is		23 A. Yes, it is.
25	crossed out; is that right?		24 Q. Okay. And that was you signing or waiving
			25 your right to a jury trial, right?
		Page 107	Page 109
1	A. Correct.		1 A. Correct.
2	Q. Okay. And there's other portions that are		2 Q. Okay. The next page -- strike that.
3	crossed out here, including "with intent to deliver at		3 And so this is your understanding of signing
4	the main body" right?		4 your right to a jury trial in this matter, correct?
5	A. Correct.		5 A. Correct.
6	Q. And then also Graham or Moore, but is also		6 Q. Okay.
7	crossed out on this; is that correct?		7 MR. YURCHICH: I'll take the report.
8	A. Correct.		8 BY MR. MICHELINI:
9	Q. And also the statute in violation of Chapter		9 Q. Yeah. You received a sentence of three years,
10	720 Act 570 Section and then 401(c)(2) is crossed out,		10 correct?
11	correct?		11 A. Correct.
12	A. Correct.		12 Q. But you got credit for 374 days in custody?
13	Q. And in its place, 402(c) is written, right?		13 A. Correct.
14	A. Correct.		14 Q. Okay. And you also received as part of your
15	Q. Okay. And that's consistent with what you		15 sentence a one-year mandatory supervised release, right?
16	remember is that they amended the complaint from		16 A. Correct.
17	possession of a controlled substance with intent to just		17 Q. And that's like a probation, essentially,
18	possession of a controlled substance; is that correct?		18 right?
19	A. Correct.		19 A. Correct.
20	Q. Okay. And that was part of the plea deal that		20 Q. After you serve this sentence, you're on a
21	you reached with the state's attorney's office, right?		21 period where the court is watching you?
22	A. Correct.		22 A. Yeah, correct. Correct.
23	Q. Okay. I want to direct your attention to		23 MR. FLAXMAN: Objection. Foundation.
24	page 3 of this exhibit. Here it has the case number,		24 BY MR. MICHELINI:
25	the same case number, right, 17-CR-17475, right?		25 Q. Okay. Prior to this case, you had been

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1 arrested for possession of a controlled substance in 2 2016; is that right? 3 A. Correct. 4 Q. Okay. What happened in that case? How were 5 you arrested, I guess is my question? 6 A. I was -- I was selling drugs in the 7 neighborhood and that case was also -- someone also gave 8 me up on that case also. 9 Q. Okay. 10 A. And in this case, they gave my address and 11 they -- the police raided my home. 12 Q. Okay. So you were selling drugs back in 2016; 13 is that correct? 14 A. Correct. 15 Q. Okay. When was the last time you sold drugs? 16 A. 2016. 17 Q. So that case was the last time you sold drugs? 18 A. Correct. 19 Q. Okay. And in that case, that happened back in 20 February of 2016; is that right? 21 A. I think so. I think that's when it was. 22 Q. Okay. And you said that your house was 23 raided? 24 A. Correct. 25 Q. Okay. So the police were executing a search	1 about? 2 A. Correct. 3 Q. Okay. And you pled guilty in that case from 4 the search warrant, correct? 5 A. Correct. 6 Q. Okay. And again, the same thing happened with 7 the plea agreement where -- or strike that. And part of 8 the plea agreement, you agreed to waive your jury trial, 9 right? 10 A. Correct. 11 Q. Okay. And the state's attorney proffered a 12 factual basis for the case, right? 13 A. Correct. 14 Q. And the attorney entered the stipulation that 15 that there was a factual basis, correct? 16 A. Correct. 17 Q. Okay. And the judge explained to you that you 18 understood that factual basis, right? 19 A. Correct. 20 Q. Okay. In that case, you admittedly did have 21 possession of crack cocaine, correct? 22 A. Correct. 23 Q. Okay. And so that plea agreement was 24 legitimate, for lack of a better term, right? 25 A. Correct.
Page 111	Page 113
1 warrant? 2 A. Yes. 3 Q. Okay. And then as part of that case, they did 4 recover crack cocaine from your house? 5 A. Correct. 6 Q. Okay. How much, do you remember? 7 A. No. Not exactly. 8 Q. Okay. And you mentioned earlier part of your 9 routine in dealing drugs is you would have the drugs at 10 your house, right? You would keep the drugs at your 11 house that you had bought from the supplier? 12 A. Correct. 13 Q. Okay. And then you would take some of those 14 drugs down the street where you could sell it, right? 15 A. Correct. 16 Q. Okay. And so the drugs that were recovered 17 from that search warrant in 2016, those were the drugs 18 you were planning to sell; is that right? 19 A. Correct. 20 Q. Okay. And were they packaged up ready to 21 sell? 22 A. No. Not all of it, no. 23 Q. Okay. But some of it was? 24 A. Some of it was, yeah. 25 Q. And in the individual bags is what I'm talking	1 Q. Okay. You pled guilty because you did commit 2 a crime? 3 A. Correct. 4 Q. Okay. Part of the sentence that you received 5 in that case from 2016 was two years' probation, right? 6 A. Correct. 7 Q. Okay. And so you didn't serve any time on 8 that, correct? 9 A. Correct. 10 Q. Okay. Were you held in Cook County custody 11 prior to you entering the plea in that case? 12 A. No. 13 Q. Okay. You were on EM? 14 A. No. 15 Q. You were just released on your own 16 recognizance? 17 A. Yes. I bonded out. 18 Q. Okay. You bonded out and you weren't required 19 to wear a bracelet or anything like that? 20 A. No. 21 Q. Okay. And then you eventually did plead 22 guilty, right? 23 A. Correct. 24 Q. Okay. And you received the two years' 25 probation, right?

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<p>1 A. Correct.</p> <p>2 Q. Okay. And part of that probation was not</p> <p>3 committing any more crimes, right?</p> <p>4 A. Correct.</p> <p>5 Q. Or associating with people that commit crimes,</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And this case, the case that happened</p> <p>9 in 2017 with Mr. Jackson.</p> <p>10 A. Yes.</p> <p>11 Q. When you were arrested for this case that</p> <p>12 violated your probation?</p> <p>13 A. It did.</p> <p>14 Q. Okay. And because it violated your probation</p> <p>15 you were held in Cook County custody during the pendency</p> <p>16 of this 2017 case, right?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. The 2016 case's probation was</p> <p>19 terminated unsatisfactory, right?</p> <p>20 A. Correct.</p> <p>21 Q. Meaning that you had violated it, correct?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Was that part of the plea agreement for</p> <p>24 this 2017 case to terminate the probation</p> <p>25 unsatisfactorily?</p>	<p>Page 114</p> <p>1 while?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Did you blow into a breathalyzer in</p> <p>4 that case?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And it was above a 0.08?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Did you plead guilty in that case?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And then your sentence was three</p> <p>11 months; is that correct?</p> <p>12 THE REPORTER: Did you say three?</p> <p>13 MR. MICHELINI: Three.</p> <p>14 THE REPORTER: Okay.</p> <p>15 BY MR. MICHELINI:</p> <p>16 Q. So two years and six months, two and a half</p> <p>17 years?</p> <p>18 A. Probation, I think. Was it? I'm not -- I'm</p> <p>19 not 100 percent.</p> <p>20 Q. It was probation. It wasn't an IDOC sentence,</p> <p>21 I'm saying?</p> <p>22 A. Right, right.</p> <p>23 Q. Okay. So you were put on two and a half years</p> <p>24 of probation from that DUI?</p> <p>25 A. I think I was.</p>
<p>Page 115</p> <p>1 A. No. I think I -- the judge had violated me</p> <p>2 for the case before I was even -- had even pled guilty.</p> <p>3 Q. Okay. So I want to just talk briefly about</p> <p>4 your other criminal history. Other than the case that I</p> <p>5 just mentioned in 2016 and this -- - this one we were</p> <p>6 just talking about in 2017, do you have any other felony</p> <p>7 convictions?</p> <p>8 A. I had two DUIs.</p> <p>9 Q. Okay. When were the DUIs?</p> <p>10 A. One was in '13 and one -- no, one was in, I</p> <p>11 think, '04, and the other was in '06.</p> <p>12 Q. Okay.</p> <p>13 A. If I'm not mistaken.</p> <p>14 Q. Were they both felony convictions?</p> <p>15 A. Yes. I think so.</p> <p>16 Q. Okay. So the one from 2006, you're convicted</p> <p>17 of aggravated DUI for driving without a valid driver's</p> <p>18 license, right?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. What happened in that case if you could</p> <p>21 just briefly describe it?</p> <p>22 A. We -- I was with a friend. We had just left a</p> <p>23 bar and the officer said I had improper lane usage. But</p> <p>24 again, I -- I didn't think so, but I was intoxicated so.</p> <p>25 Q. Okay. And so you were driving the vehicle</p>	<p>Page 117</p> <p>1 Q. Okay. You didn't serve any IDOC time, is what</p> <p>2 I'm saying?</p> <p>3 A. No.</p> <p>4 Q. Okay. Prior to that 2006 DUI, you were also</p> <p>5 arrested for another DUI, right?</p> <p>6 A. Uh-huh, yes.</p> <p>7 Q. And that was in --</p> <p>8 A. '04, I think.</p> <p>9 Q. That happened in 2004. Would that be April</p> <p>10 2004?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. What happened in that case if you could</p> <p>13 just describe it?</p> <p>14 A. That case I actually was asleep in a car, a</p> <p>15 parked car, and received a DUI for that.</p> <p>16 Q. Okay. Were you in the driver's seat of that</p> <p>17 car?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And they still charged you with the</p> <p>20 DUI?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Did you take that case to trial, or did</p> <p>23 you plead out on that?</p> <p>24 A. I think I pleaded out on the that also.</p> <p>25 Q. Okay. And that was a misdemeanor DUI; is that</p>

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<p style="text-align: right;">Page 118</p> <p>1 correct?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. And you received a term of two years of</p> <p>4 supervision, court supervision?</p> <p>5 A. That was the stipulation, yes.</p> <p>6 Q. Okay. Prior to the misdemeanor DUI charge in</p> <p>7 2004, you've also been convicted of PWI, a felony</p> <p>8 possession of a possession of a weapon?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. That was back in 2000? I'm sorry.</p> <p>11 Yeah, yeah, August of 2000, is that when it happened?</p> <p>12 A. Yes, yes.</p> <p>13 Q. Okay. Can you tell me what happened in that</p> <p>14 case?</p> <p>15 A. I had a firearm.</p> <p>16 Q. Okay. Why did you have a firearm?</p> <p>17 A. I think I didn't have no particular reason.</p> <p>18 Like, I think, you know, -- somebody sold it to me</p> <p>19 cheap.</p> <p>20 Q. Okay. Did you have it for protection or...</p> <p>21 A. I mean, ultimately, yeah, that's why I got it,</p> <p>22 but I didn't really need it.</p> <p>23 Q. So during this time in 2000, were you dealing</p> <p>24 drugs?</p> <p>25 A. In 2000?</p>	<p style="text-align: right;">Page 120</p> <p>1 A. Correct.</p> <p>2 Q. And you decided to plead guilty because you</p> <p>3 did possess the weapon, right?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. In 1999, you were convicted of delivery</p> <p>6 of cocaine; is that also true?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. You were arrested back in February</p> <p>9 1999. Do you remember that?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. What happened in that case?</p> <p>12 MR. FLAXMAN: I'm sorry, did you say '95?</p> <p>13 MR. MICHELINI: 1999, I apologize.</p> <p>14 THE WITNESS: Did you ask what happened in</p> <p>15 that case?</p> <p>16 BY MR. MICHELINI:</p> <p>17 Q. Yeah.</p> <p>18 A. Yeah, I was with some friends. I was being</p> <p>19 misled at the time, young, and was caught holding</p> <p>20 someone else's stuff.</p> <p>21 Q. Okay. And so you weren't dealing drugs back</p> <p>22 in 1999?</p> <p>23 A. No.</p> <p>24 Q. Okay. So just explain what happened in that</p> <p>25 case?</p>
<p style="text-align: right;">Page 119</p> <p>1 Q. Yeah. When you were arrested for the PW?</p> <p>2 A. No.</p> <p>3 Q. Okay. And you weren't allowed to possess a</p> <p>4 firearm, or you didn't have a FOID card?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. You did serve time on that gun case; is</p> <p>7 that correct?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. You were sentenced to three years on</p> <p>10 that case?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. In that case, did you plead guilty?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Same thing, you know, during that plea,</p> <p>15 the state's attorney went through a proffer of that</p> <p>16 case, right?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And, you know, your attorney stipulated</p> <p>19 that there was a factual basis for that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And the judge admonished you that you</p> <p>22 were giving up your right to a jury trial?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. And you understood all those rights</p> <p>25 then?</p>	<p style="text-align: right;">Page 121</p> <p>1 A. Yeah, I was with the wrong crowd and trying to</p> <p>2 be fitting in and -- and was manipulated to hold someone</p> <p>3 else's drugs.</p> <p>4 And when the police pulled up on us, I had it</p> <p>5 in my pocket.</p> <p>6 Q. Okay. And someone else handed you the drug</p> <p>7 when the police came?</p> <p>8 A. They handed me the drug before the police</p> <p>9 came. I had it in my pocket and when they pulled up on</p> <p>10 us, that's when they searched me and got it.</p> <p>11 Q. Who was the person that handed you the drugs?</p> <p>12 A. A -- a guy by a nickname of Ant, but this</p> <p>13 was --</p> <p>14 Q. You don't talk to that person anymore?</p> <p>15 A. He moved out of town.</p> <p>16 Q. Okay.</p> <p>17 A. Maybe 14 years ago.</p> <p>18 Q. Got you. Same thing with that case, you pled</p> <p>19 guilty in that case?</p> <p>20 A. Correct.</p> <p>21 Q. Right. And the state's attorney proffered a</p> <p>22 factual basis for the case, right? Yes?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And the judge explained your right to a</p> <p>25 jury trial, right?</p>

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<p>1 A. Correct.</p> <p>2 Q. And you waived that right?</p> <p>3 A. Yes.</p> <p>4 Q. Part of those admonishments in each of these</p> <p>5 cases is that there's no other outside influence causing</p> <p>6 you to plead guilty; is that right?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And again, you pled guilty in knowing</p> <p>9 that there were no outside influences, and you wanted to</p> <p>10 plead guilty because you were guilty of that crime,</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. In that case, you served time on that</p> <p>14 possession of cocaine for four years; is that right?</p> <p>15 A. Yeah, yes. I went to bootcamp. That's what I</p> <p>16 went to bootcamp for.</p> <p>17 Q. Okay. So was that part of the --</p> <p>18 A. Plea agreement, yes.</p> <p>19 Q. That was part of the plea agreement to get</p> <p>20 your GED?</p> <p>21 A. Yeah.</p> <p>22 Q. Okay.</p> <p>23 A. No. It was -- it was something that they</p> <p>24 offered while I was in bootcamp.</p> <p>25 Q. Okay.</p>	<p>Page 122</p> <p>1 MR. MICHELINI: Okay. We don't have to go</p> <p>2 into those.</p> <p>3 Do you have something on that topic?</p> <p>4 MR. YURCHICH: On that topic, no.</p> <p>5 MR. MICHELINI: Do you want to take a break</p> <p>6 real quick and then we can go into the stuff. We</p> <p>7 can go back?</p> <p>8 MR. YURCHICH: Sure.</p> <p>9 MR. MICHELINI: Okay. Let's take a just a</p> <p>10 quick break, two minutes. We'll talk and we'll</p> <p>11 come back.</p> <p>12 THE REPORTER: We're off the record.</p> <p>13 (OFF THE RECORD)</p> <p>14 THE REPORTER: We're back on.</p> <p>15 BY MR. MICHELINI:</p> <p>16 Q. All right. So Mr. Jackson, I'm going to</p> <p>17 apologize if this is jumping back and forth. There's</p> <p>18 some stuff to clean up of questions I asked before,</p> <p>19 okay? So you mentioned that the person that you were</p> <p>20 dating at the time was Bianca what?</p> <p>21 A. Spencer.</p> <p>22 Q. Spencer?</p> <p>23 A. Yes.</p> <p>24 Q. Do you still have contact with her?</p> <p>25 A. Yes.</p>
<p>1 A. So was bootcamp part of your custody in IDOC</p> <p>2 then?</p> <p>3 Q. Okay. Got you. And so while you were in</p> <p>4 IDOC, this was an option to get your GED?</p> <p>5 A. Correct.</p> <p>6 Q. So you obtained your GED while you were in</p> <p>7 IDOC in custody, correct? Yes?</p> <p>8 A. Yes, correct.</p> <p>9 Q. Okay. Got you. You also have a conviction</p> <p>10 for, again, possession or delivery of cocaine for an</p> <p>11 arrest in 1998; do you remember that?</p> <p>12 A. No.</p> <p>13 Q. Okay. Was that arrest in 1999 for delivery of</p> <p>14 cocaine your first conviction?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. You don't remember a case in 1998 that</p> <p>17 you served four years for?</p> <p>18 A. No. I never served four years.</p> <p>19 Q. Okay. Outside of those convictions that we</p> <p>20 just talked about; do you have any other criminal</p> <p>21 convictions on your record?</p> <p>22 A. No.</p> <p>23 Q. Okay. There are other arrests, though; is</p> <p>24 that fair to say?</p> <p>25 A. Yes.</p>	<p>Page 123</p> <p>1 Q. Okay. Do you have her phone number?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Can you give that to us?</p> <p>4 A. No.</p> <p>5 Q. Why not?</p> <p>6 A. Why would you need to contact her?</p> <p>7 Q. Just in case we have to call her as a witness.</p> <p>8 A. No.</p> <p>9 Q. So you're refusing to give her number?</p> <p>10 A. I'm refusing, yes.</p> <p>11 Q. Okay. And you have it in your phone?</p> <p>12 A. I have it in my -- I have it in my memory.</p> <p>13 Q. Okay. You have it in your memory and you're</p> <p>14 refusing to give it to us?</p> <p>15 A. Yes.</p> <p>16 Q. Okay.</p> <p>17 MR. FLAXMAN: All right. Do we have a --</p> <p>18 yeah.</p> <p>19 BY MR. MICHELINI:</p> <p>20 Q. Do you know her date of birth?</p> <p>21 A. No.</p> <p>22 Q. Okay. And do you know her address?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. What is it?</p> <p>25 A. I'm not giving it to you.</p>

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<p>1 Q. Okay. Why not?</p> <p>2 A. Because I don't want her involved in this.</p> <p>3 That's my kid's mom. I want her -- this is something</p> <p>4 she wasn't involved in on the day it happened. She</p> <p>5 don't really know anything.</p> <p>6 Q. Right. But you testified earlier that she was</p> <p>7 the one that dropped you off, right?</p> <p>8 A. Yes, she was.</p> <p>9 Q. Okay. So what were you doing earlier that</p> <p>10 day?</p> <p>11 A. With her.</p> <p>12 Q. Okay. So again, she may be called as a</p> <p>13 witness.</p> <p>14 A. We had -- we had rented a -- a room for the</p> <p>15 weekend. I said she was there doctoring me up, helping</p> <p>16 me out, massaging me, giving me baths and stuff like</p> <p>17 that as well as bringing the ibuprofen and, you know,</p> <p>18 just trying to help me get over my back situation.</p> <p>19 She had no involvement in anything else outside of that.</p> <p>20 Q. Okay. So you were with her pretty much the</p> <p>21 whole day, though, right?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And you were with her at a room that</p> <p>24 you guys had rented?</p> <p>25 A. Yes.</p>	<p>Page 126</p> <p>1 then?</p> <p>2 A. Again, at the time he was staying in the</p> <p>3 neighborhood, but he doesn't stay in the neighborhood</p> <p>4 anymore.</p> <p>5 Q. Okay. But would you call him or how would you</p> <p>6 get in contact with him?</p> <p>7 A. Like I said, I would either call him or see</p> <p>8 him in the neighborhood.</p> <p>9 Q. Okay. So did you have his number then?</p> <p>10 A. Yes, I did.</p> <p>11 Q. Okay. Do you still have his number?</p> <p>12 A. No.</p> <p>13 Q. You just deleted it out of your phone?</p> <p>14 A. No. I don't have the same phone I had four</p> <p>15 years ago.</p> <p>16 Q. Okay. You have a different phone number?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. You mentioned earlier that you were the</p> <p>19 only one that had access to the car that day, correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. When was the last time you had accessed</p> <p>22 the car before the date that you were arrested in</p> <p>23 November?</p> <p>24 A. I said maybe a couple of days because Lester</p> <p>25 was, like I said, trying to work on it.</p>
<p>1 Q. Okay. Where was that?</p> <p>2 A. It was a hotel right off of Torrence Avenue at</p> <p>3 160 something right over by Kersey Street on the corner.</p> <p>4 I think it was -- I think the name of it is Unlimited or</p> <p>5 something like that.</p> <p>6 Q. Got you. And you were just hanging out in</p> <p>7 that room pretty much the whole day?</p> <p>8 A. Yes.</p> <p>9 Q. Until you went over to Mr. Jackson's house?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And then at what point did you go over</p> <p>12 to Mr. Jackson's house? What time was it?</p> <p>13 A. I don't remember the exact time, but it was,</p> <p>14 like I said, it was nighttime.</p> <p>15 Q. Okay. How long did it take to go from the</p> <p>16 place that you were at, that room that you had rented to</p> <p>17 Dennis Jackson's house?</p> <p>18 A. Maybe 20, 20 minutes. It wasn't that far.</p> <p>19 Q. Okay. You mentioned earlier that the mechanic</p> <p>20 that was working on your vehicle was named Lester,</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. Did you have Lester's contact information?</p> <p>24 A. No.</p> <p>25 Q. Okay. How would you get in contact with him</p>	<p>Page 127</p> <p>1 Q. Okay.</p> <p>2 A. So --</p> <p>3 Q. And when you -- when Lester would go work on</p> <p>4 it, would you supervise him? Would you watch him do it</p> <p>5 or would you just give him the key?</p> <p>6 A. Sometime I would, like, hang around the</p> <p>7 supervisors, but sometimes I -- I mean, you know, I -- I</p> <p>8 trusted him enough. The car wasn't worth it. It wasn't</p> <p>9 drivable, so I didn't have no fear of him driving out</p> <p>10 with it.</p> <p>11 Q. Right. Got it.</p> <p>12 A. So yeah, but at the same time I did hang</p> <p>13 around sometime because I wanted to know exactly what</p> <p>14 was the issue with it.</p> <p>15 Q. Got it. And the work that he was doing on the</p> <p>16 car, was that on the engine?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. All right. So he didn't need access to</p> <p>19 the interior of the car to work on it; is that fair?</p> <p>20 A. No more than just to pop the hood.</p> <p>21 Q. Got you. You mentioned that you eventually</p> <p>22 got rid of that car, the Pontiac?</p> <p>23 A. Yes.</p> <p>24 Q. When did you sell it?</p> <p>25 A. My mom sold it for me to -- and used the money</p>

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<p>1 to send me while I was incarcerated.</p> <p>2 Q. Okay. Your mom sold the car?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. It was impounded, though, as part of</p> <p>5 the investigation, right?</p> <p>6 A. No.</p> <p>7 Q. It was not?</p> <p>8 A. No.</p> <p>9 Q. Okay. It was -- they left it there?</p> <p>10 A. Yeah.</p> <p>11 Q. Okay. So she sold it while the criminal case</p> <p>12 was pending; is that right?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. Do you know how much she sold it for?</p> <p>15 A. Not exactly, 250. I think it was in, like,</p> <p>16 the -- the we buy junk.</p> <p>17 Q. The junk scrapyard?</p> <p>18 A. Yeah.</p> <p>19 Q. Okay. And she gave you that money for your</p> <p>20 criminal defense attorney to pay for him?</p> <p>21 A. Yeah. Not the -- the -- to send me while I</p> <p>22 was in jail.</p> <p>23 Q. Oh, okay. Like the commissary?</p> <p>24 A. Commissary, yes.</p> <p>25 Q. Okay. You mentioned earlier that you appealed</p>	<p>Page 130</p> <p>1 back into custody.</p> <p>2 Q. Okay. And that's why you chose not to?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. Even though you didn't do everything</p> <p>5 that was accused of you?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. We talked about some of your other</p> <p>8 criminal convictions, right?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And in each of those criminal</p> <p>11 convictions, you did plead guilty, right?</p> <p>12 A. Correct.</p> <p>13 Q. Okay. And in those other cases, you actually</p> <p>14 did commit those crimes that you pled guilty to,</p> <p>15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. This is the only one, this case from</p> <p>18 2017 where you were arrested with Mr. Jackson that you</p> <p>19 did not commit the crimes that you pled guilty to; is</p> <p>20 that right?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. You mentioned earlier in that period of</p> <p>23 time when you were dealing drugs that your area was</p> <p>24 between 111th and 115th Street; is that right?</p> <p>25 A. I -- no. I explained I gave you a</p>
<p>1 your plea in this criminal matter?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. Can you tell me a little bit more about</p> <p>4 that? Why did you appeal?</p> <p>5 A. Because we were unjustly incarcerated. I was</p> <p>6 in jail for something I didn't do.</p> <p>7 Q. Okay. And so the same reason you appealed is</p> <p>8 the same reason you described here today, is that you</p> <p>9 pled guilty to something that you didn't do?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. Why did you decide to drop the appeal</p> <p>12 then?</p> <p>13 A. After speaking to the attorney, he informed me</p> <p>14 that I could be taken back into custody, my bond could</p> <p>15 be raised, and I could possibly receive more time.</p> <p>16 Q. And how would that happen?</p> <p>17 A. Because appealing the case would open the case</p> <p>18 back up. So it was -- as he just explained it to me, it</p> <p>19 was like the time that I served would almost be like I</p> <p>20 didn't serve any time.</p> <p>21 Q. Right. And so that criminal case would be</p> <p>22 pending again is what you're saying?</p> <p>23 A. Exactly.</p> <p>24 Q. And that you would risk more jail time?</p> <p>25 A. Possibly more jail time as well as being taken</p>	<p>Page 131</p> <p>Page 133</p> <p>1 circumference. You asked where did the Rosen area</p> <p>2 start.</p> <p>3 Q. Oh, okay.</p> <p>4 A. But the area I said, I kind of --</p> <p>5 Q. Yeah, that's what I'm asking for.</p> <p>6 A. -- dealt drugs in was maybe, like I say,</p> <p>7 between 118th Street to 122nd.</p> <p>8 Q. Okay. And those are the north -- those</p> <p>9 streets go east-west, right?</p> <p>10 A. Correct.</p> <p>11 Q. And so those are the north-south boundaries,</p> <p>12 right?</p> <p>13 A. Yes.</p> <p>14 Q. What are the east-west boundaries of that area</p> <p>15 you were selling in?</p> <p>16 A. Would be -- it would be from State Street to</p> <p>17 down to like Calumet, down to like the train tracks you</p> <p>18 was saying.</p> <p>19 Q. Okay.</p> <p>20 A. Just Calumet Avenue.</p> <p>21 Q. So State Street would be like the western</p> <p>22 boundary, right?</p> <p>23 A. Right.</p> <p>24 Q. And then Calumet, that is the eastern</p> <p>25 boundary?</p>

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<p style="text-align: right;">Page 134</p> <p>1 A. Yes.</p> <p>2 Q. And you said 122nd was the southern?</p> <p>3 A. Yes.</p> <p>4 Q. And then what was the northern?</p> <p>5 A. 118th.</p> <p>6 Q. Okay. And so the area that you were arrested in with Mr. Jackson was within that area, correct?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And that was an area that you had dealt drugs from in the past; is that what you're saying?</p> <p>9 A. In that area, yes. Correct.</p> <p>10 Q. Got you. When you were talking about your time when you were dealing drugs, you were talking about the process of putting these drugs into individual baggies; do you remember that?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. At some point you said we would package them up in individual baggies. Are you referring to anyone else by saying that?</p> <p>13 A. No. I meant drug dealers.</p> <p>14 Q. Right. We colloquially, you just said --</p> <p>15 A. As a whole.</p> <p>16 Q. Got you. That's the process.</p> <p>17 A. Yeah, that's the process.</p> <p>18 Q. Okay. I understand. Got you. You said you</p>	<p style="text-align: right;">Page 136</p> <p>1 were handed to the customer by another person?</p> <p>2 A. No.</p> <p>3 Q. Okay.</p> <p>4 A. I never had any workers is what you're saying?</p> <p>5 Q. Right. Yeah. And so you understand that some drug dealers do operate like that, right?</p> <p>6 A. Yeah. The ones that are able to afford workers.</p> <p>7 Q. Okay. Right. So you're saying someone that could pay someone else?</p> <p>8 A. Yeah. I wasn't that big.</p> <p>9 Q. Okay. And the reason that some drug dealers do that is to separate --</p> <p>10 A. Some sales from the -- yeah.</p> <p>11 Q. The money from the drugs, right?</p> <p>12 A. Correct.</p> <p>13 Q. And you know, when someone sees, or an undercover officer buys, they're getting money from one person, right?</p> <p>14 A. Correct.</p> <p>15 Q. And receiving the drugs from another one?</p> <p>16 A. Correct.</p> <p>17 Q. Right. And there's a disconnect there in terms of the selling, right?</p> <p>18 A. Correct.</p>
<p style="text-align: right;">Page 135</p> <p>1 never served anybody with drugs while in your house; is that right?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. You'd always meet them either at their house or on the street, right?</p> <p>4 A. Correct.</p> <p>5 Q. Would you ever deal drugs while you were dealing drugs out of a car?</p> <p>6 A. Would I ever?</p> <p>7 Q. When you were dealing drugs you would never deal out of a car?</p> <p>8 A. No.</p> <p>9 Q. Okay. Did you ever work with anyone else while you were dealing drugs?</p> <p>10 A. No.</p> <p>11 Q. Okay. You were always operating by yourself?</p> <p>12 A. Always.</p> <p>13 Q. Okay.</p> <p>14 A. Correct.</p> <p>15 Q. Not even for a small period of time, not as a partner, but someone, you know, you could use or pay for a certain time?</p> <p>16 A. No.</p> <p>17 Q. Okay. So you never used some sort of system where money was exchanged to one person and then drugs</p>	<p style="text-align: right;">Page 137</p> <p>1 Q. And that's a strategy to try and defeat criminal prosecution, right?</p> <p>2 A. Right.</p> <p>3 Q. Okay. You said you never dealt out of a car, but would you ever travel in a car with the drugs to go meet people at their houses?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. So at points, you would be traveling with drugs on your person in a car; is that fair?</p> <p>6 A. Yes.</p> <p>7 Q. To go meet them at the point of sale?</p> <p>8 A. Yes.</p> <p>9 Q. But you would never tender them the drugs or exchange currency in the car?</p> <p>10 A. No.</p> <p>11 Q. Not even from a window, like handing it out?</p> <p>12 A. No.</p> <p>13 Q. Okay. It would always be in person?</p> <p>14 A. Correct.</p> <p>15 Q. Got you. Why is that?</p> <p>16 A. One, to keep from being arrested by being seen from a distance working for someone, a police officer, seeing a hand in hand. And two, just giving myself that option, if I was to be approached by an officer give me an option to -- to run and flee. I wouldn't be able to</p>

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1 do that.		1 A. No.
2 Q. Right?		2 Q. Okay. They just told you what the charges
3 A. You know, that -- it's easy in a car.		3 were?
4 Q. Got you. And so there were some strategies		4 A. Yes. No details on how it came about.
5 behind the way you operated when you were drug dealing,		5 Q. Okay. All right. And it was later during the
6 correct?		6 course of the criminal case that you learned about the
7 A. Yes.		7 details about what the officers were alleging, right?
8 Q. Okay. And those strategies, like you		8 A. Exactly.
9 mentioned just now, was you didn't want officers		9 Q. Okay. Part of those details that the officers
10 observing hand-to-hands, right?		10 were alleging in this case is that they observed you
11 A. Right.		11 from the train tracks; is that correct?
12 Q. Okay. And so the way that you operated was so		12 A. Yes.
13 you didn't get caught, right?		13 Q. Okay. And they observed you --
14 A. Correct.		14 A. From the south. From the east end of Calumet
15 Q. No drug dealer wants to get caught, correct?		15 at the train tracks, where observing -- observed someone
16 A. Exactly.		16 walk up to the car, hand Dennis some money, and I would
17 Q. Okay. And you said earlier that no one would		17 get out the car and go retrieve the drugs.
18 ever come up to you while you were seated in the		18 Q. Right. And then you would go to the Pontiac
19 vehicle, right?		19 in the backyard, retrieve the drugs for them and hand
20 A. Correct.		20 that off to a customer?
21 Q. Okay. Earlier I asked you about the time when		21 A. Correct.
22 the officers pulled up, one on either side of you guys		22 Q. Okay. That was part of the allegations of
23 when you were arrested, and you said that you were		23 what the officer was saying.
24 confused about why they were showing up, right?		24 A. Correct.
25 A. Correct.		25 Q. Right?
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1 Q. Okay. What were you confused about?		1 A. Right.
2 A. The way they pulled up we was, like I said,		2 Q. And we talked earlier just a few minutes ago
3 the only two out there. So when they pulled up, we knew		3 about how a system like that, there's a disconnect
4 it was something going on, and what was going on. Why		4 between the buyer, the money that's exchanged for the
5 were we being targeted?		5 drugs, and the drugs being handed to the customer,
6 Q. Right. And so you didn't understand why		6 right?
7 officers, all of a sudden just pulling you out of the		7 A. Correct.
8 vehicle, right?		8 Q. Okay. And you're familiar with that kind of
9 A. Correct.		9 system?
10 Q. Right. Because you had just been sitting		10 A. Correct.
11 there in the car with Mr. Jackson?		11 Q. Okay. Do you know other people that have
12 A. Correct.		12 dealt drugs in that manner?
13 Q. Okay. Did you ever ask them why you were		13 A. I seen it on shows.
14 being pulled out of the car?		14 Q. Like the Wire and things like that?
15 A. Yes.		15 A. The Wire, right. Exactly.
16 Q. Okay. You did that on scene?		16 Q. You mentioned that it was at nighttime, right,
17 A. Yes.		17 when this happened?
18 Q. Okay. And what did they say?		18 A. Yes.
19 A. Wait until we get to the station.		19 Q. Is there artificial lighting in that area?
20 Q. Okay. And at the station, that's when they		20 A. Streetlights.
21 explained that they were charging you with possession		21 Q. Okay. So there's streetlights in front of
22 with intent?		22 Jackson's house or?
23 A. Yes.		23 A. Yeah. Maybe one right there in front of
24 Q. Okay. Did they explain why they were charging		24 granny's house, a couple -- couple yards down.
25 you with that?		25 Q. Okay. And there were also house lights out at

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<p>1 that time?</p> <p>2 A. Yeah. There was plenty of lighting there.</p> <p>3 Q. Okay. Got you.</p> <p>4 A. It wasn't just pitch black.</p> <p>5 Q. Are there lights over by the train tracks as</p> <p>6 well?</p> <p>7 A. I think so.</p> <p>8 Q. Okay.</p> <p>9 A. I'm not 100 percent sure, but I -- I do think</p> <p>10 so, yes.</p> <p>11 Q. Okay. Earlier we talked about this person you</p> <p>12 called, was it Nate?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And you said that you thought that he</p> <p>15 was the one, or the reason, that the officers targeted</p> <p>16 you and Mr. Jackson, right?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And what made you think other than the</p> <p>19 situation with the prelim that he was the one?</p> <p>20 A. He spoke to someone about, I told you, he told</p> <p>21 a mutual friend.</p> <p>22 Q. Okay. Who was that mutual friend?</p> <p>23 A. Again, I don't want to get nobody involved in</p> <p>24 it that's not involved in it.</p> <p>25 Q. Okay. So you don't want to tell me who that</p>	<p>Page 142</p> <p>1 Q. Okay. What else?</p> <p>2 A. I'm basing it off of that as well as the --</p> <p>3 the police officer testimony.</p> <p>4 Q. Okay. At the prelim?</p> <p>5 A. At the prelim.</p> <p>6 Q. Okay. Was any of the officers that were</p> <p>7 involved in your arrest, or Mr. Jackson's arrest, the</p> <p>8 one that testified at Nate's prelim?</p> <p>9 A. No one testified for Nate?</p> <p>10 Q. No one testified at Nate's prelim because this</p> <p>11 was dropped.</p> <p>12 A. Correct. Yes.</p> <p>13 Q. Got you. So no one got up for the prelim, the</p> <p>14 judge just dropped it?</p> <p>15 A. No.</p> <p>16 Q. Okay. And you think that's because of some</p> <p>17 sort of deal that he struck with either the officers or</p> <p>18 the prosecutor?</p> <p>19 A. With the officers as well as maybe the</p> <p>20 prosecutor.</p> <p>21 Q. Okay. And I know you said you didn't want to</p> <p>22 tell me who that person was, the mutual friend, but what</p> <p>23 was the sum and substance of what that person told you</p> <p>24 that Nate said? Do you understand my question?</p> <p>25 A. Yeah.</p>
<p>1 person is?</p> <p>2 A. No.</p> <p>3 Q. Okay. But that person is someone that knows</p> <p>4 both you and Mr. Jackson and Nate?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Is that someone from the neighborhood?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And your belief about Nate is based</p> <p>9 upon what he told that person?</p> <p>10 A. Correct. As well as us putting two and two</p> <p>11 together with him being in the preliminary.</p> <p>12 Q. Okay.</p> <p>13 A. We had already suspected or wondered why Nate</p> <p>14 was there, but when he kind of confessed, a friend kind</p> <p>15 of put it all together.</p> <p>16 Q. Is it possible that this is all just kind of a</p> <p>17 coincidence?</p> <p>18 A. No.</p> <p>19 Q. You're sure that he was the one?</p> <p>20 A. Positive.</p> <p>21 Q. Okay. And that's based on, you're positive</p> <p>22 because of the conversation you had with Nate and also</p> <p>23 the fact of the prelim being on the same day that you're</p> <p>24 basing it off of?</p> <p>25 A. No.</p>	<p>Page 143</p> <p>1 Q. Okay.</p> <p>2 A. He just confirmed that Nate was the one that</p> <p>3 snatched on us or gave us up to get his himself out of</p> <p>4 his jam.</p> <p>5 Q. Got you. And that he was just telling you</p> <p>6 that you guys dealt drugs, even though you weren't?</p> <p>7 A. Right.</p> <p>8 Q. Got you. I think you mentioned this earlier,</p> <p>9 but you said the last time that you had been to the car</p> <p>10 was a couple days before that date?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And how often would you go and visit</p> <p>13 the car?</p> <p>14 A. It was based on whenever Lester had the time</p> <p>15 that --</p> <p>16 Q. Got you. Okay. Whenever he can work on it?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. You said no one else had keys to the</p> <p>19 car besides yourself?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. There was only one key for that car?</p> <p>22 A. Correct.</p> <p>23 Q. All right. You never asked, even after the</p> <p>24 officers told you that you were being charged with the</p> <p>25 narcotics, did you ask them, well, what are you talking</p>

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<p>1 about or where is this coming from?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. You asked them and then what did they</p> <p>4 say?</p> <p>5 A. They said that they -- we were being charged,</p> <p>6 we asked them on the -- on the scene, what's happening,</p> <p>7 what's going on? That's when they told us. Don't worry</p> <p>8 about it, we'll explain everything. Once we get to the</p> <p>9 station. So once we got to the station, they put us in</p> <p>10 separate holding cells or whatever the case may be.</p> <p>11 Q. Right.</p> <p>12 A. That's when they came and -- and explained,</p> <p>13 said, we charging you with -- with the intent --</p> <p>14 possession with the intent to deliver or sell. And we</p> <p>15 asked them like -- I think I asked them like, how -- how</p> <p>16 we been charged with that. We -- we didn't have</p> <p>17 anything like, where did this come from?</p> <p>18 Q. Got you. And what did they say to you?</p> <p>19 A. They said, at that time, it was out of their</p> <p>20 hand. They -- there really wasn't no explanation given</p> <p>21 from them.</p> <p>22 Q. Okay. Got you. But you did ask them where is</p> <p>23 this all coming from?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And I mean, did you essentially tell</p>	<p>Page 146</p> <p>1 was my second DUI.</p> <p>2 Q. Right.</p> <p>3 A. But I think the aggravated part, like he --</p> <p>4 the way he testified and -- and, you know, he just wrote</p> <p>5 it up, I think.</p> <p>6 Q. Correct me if I'm wrong, you're saying that</p> <p>7 his matter of dealing with you was aggravated, not the</p> <p>8 charge of aggravated DUI?</p> <p>9 A. Correct.</p> <p>10 Q. Okay. Got you. And you just, in your own</p> <p>11 words?</p> <p>12 A. Like I said, I -- I knew I was in the wrong. I</p> <p>13 -- I was intoxicated. But -- and you see this -- this</p> <p>14 case is the only case I ever tried to appeal.</p> <p>15 Q. Okay.</p> <p>16 A. Out of all the cases I ever had.</p> <p>17 Q. Got you. You mentioned that one of your</p> <p>18 convictions, one of the earlier ones, you were caught</p> <p>19 holding drugs for someone else?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Have you ever held drugs for someone</p> <p>22 else in any other instance besides that one?</p> <p>23 A. No.</p> <p>24 Q. Okay. Has anyone held drugs for you?</p> <p>25 A. No.</p>
<p>Page 147</p> <p>1 them that you guys have the wrong guys?</p> <p>2 A. Yeah. Yes, basically.</p> <p>3 Q. All right. We talked about this a little bit</p> <p>4 earlier and you said that this is the only case in which</p> <p>5 you pled guilty in, which you did not commit the crimes</p> <p>6 that you pled guilty to, correct?</p> <p>7 A. Correct.</p> <p>8 Q. Are there any other arrests or convictions</p> <p>9 that you were innocent from or you -- strike that.</p> <p>10 Sorry. That's a bad angle. We mentioned that you had</p> <p>11 other arrests besides the convictions that you have in</p> <p>12 your record, right?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. And in those arrests, were you innocent</p> <p>15 of those crimes as well?</p> <p>16 A. This is the one where I'm completely innocent.</p> <p>17 Now my aggravated DUI, it shouldn't have been. I -- I</p> <p>18 was intoxicated, I admit to that. But the aggravated</p> <p>19 part was due to the officer. His -- his language</p> <p>20 towards me and my friend at the time is kind of what</p> <p>21 sparked the -- the back and forth between me and him, if</p> <p>22 you know what I mean.</p> <p>23 Q. And you think that's why he charged you with a</p> <p>24 felony rather than a misdemeanor?</p> <p>25 A. Well, it was a felony, regardless, because it</p>	<p>Page 149</p> <p>1 Q. Okay. Again, when you were dealing drugs, you</p> <p>2 were solely dealing by yourself?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Can you tell me more about your</p> <p>5 relationship between Mr. Jackson? Actually, I know you</p> <p>6 said that you guys have known each other a long time,</p> <p>7 you're friends, right?</p> <p>8 A. Best friends, yes.</p> <p>9 Q. How often do you see each other now?</p> <p>10 A. A lot. I mean, outside of work. I mean, we</p> <p>11 still keep in contact with each other.</p> <p>12 Q. Okay.</p> <p>13 A. Yeah, we talk.</p> <p>14 Q. When was the last time you saw Mr. Jackson?</p> <p>15 A. It may have been this last weekend. Because I</p> <p>16 work nights, so --</p> <p>17 Q. Did your testimony come up when you saw him</p> <p>18 last?</p> <p>19 A. No.</p> <p>20 Q. Okay. You didn't talk about the case at all?</p> <p>21 A. No. I mean, there's nothing we haven't</p> <p>22 discussed before this deposition. Like I said, I had</p> <p>23 already tried to appeal this case years ago.</p> <p>24 Q. Right.</p> <p>25 A. We went through this together, me and him.</p>

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<p style="text-align: right;">Page 150</p> <p>1 Q. Right.</p> <p>2 A. So we had talked about this case inside and</p> <p>3 out before -- long before the deposition even came</p> <p>4 about.</p> <p>5 Q. Was Mr. Jackson the first person to approach</p> <p>6 you about testifying in this case?</p> <p>7 A. No.</p> <p>8 Q. Okay. It was Mr. Flaxman?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. So Mr. Jackson never reached out to you</p> <p>11 about testifying?</p> <p>12 A. No.</p> <p>13 Q. Okay. So I mean, you had several convictions</p> <p>14 for possession with intent for narcotics, correct?</p> <p>15 A. Yes.</p> <p>16 Q. So it's fair to say that you're familiar with</p> <p>17 that criminal charge, right?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. So there's an element the state has to</p> <p>20 prove for that and that you had possession, right?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And you would agree that, in some</p> <p>23 cases, someone can be charged with possession when they</p> <p>24 don't actually have it on the person, right?</p> <p>25 MR. FLAXMAN: Objection. Foundation.</p>	<p style="text-align: right;">Page 152</p> <p>1 Q. You understand these questions, correct?</p> <p>2 MR. FLAXMAN: Objection. Foundation.</p> <p>3 A. Yes.</p> <p>4 BY MR. MICHELINI:</p> <p>5 Q. Okay. You would agree that it's tougher, like</p> <p>6 I mentioned earlier, in a case where there's a</p> <p>7 disconnect between the money being exchanged with the</p> <p>8 customer, and the drugs being handed to the customer,</p> <p>9 than if someone were to just hand money and drugs by the</p> <p>10 same person?</p> <p>11 MR. FLAXMAN: Objection. Foundation.</p> <p>12 A. Yes, I would agree.</p> <p>13 BY MR. MICHELINI:</p> <p>14 Q. Okay. Do you understand my question?</p> <p>15 A. Yes.</p> <p>16 Q. All right. And it's tougher for the state to</p> <p>17 prove those cases where it is constructive possession as</p> <p>18 opposed to actual possession, right?</p> <p>19 MR. FLAXMAN: Objection. Foundation.</p> <p>20 A. Yes.</p> <p>21 BY MR. MICHELINI:</p> <p>22 Q. Okay. So earlier we had talked about, back in</p> <p>23 high school there were issues with rival gangs in that</p> <p>24 area?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 151</p> <p>1 A. Yes.</p> <p>2 BY MR. MICHELINI:</p> <p>3 Q. They call that constructive possession; do you</p> <p>4 understand that?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Constructive possession is when you had</p> <p>7 control over something and no one else did, do you</p> <p>8 understand that?</p> <p>9 MR. FLAXMAN: Objection. Foundation.</p> <p>10 BY MR. MICHELINI:</p> <p>11 Q. And so someone can be charged with possession</p> <p>12 of a narcotic when, in fact, they didn't even have it in</p> <p>13 their person, right?</p> <p>14 MR. FLAXMAN: Objection. Foundation.</p> <p>15 A. Yes.</p> <p>16 BY MR. MICHELINI:</p> <p>17 Q. That's where someone that would exclusively</p> <p>18 hold control over a certain area or a certain bag or</p> <p>19 something like that, correct?</p> <p>20 MR. FLAXMAN: Objection. Foundation.</p> <p>21 A. Yes.</p> <p>22 MR. FLAXMAN: Let me, say the objection first,</p> <p>23 then you can answer.</p> <p>24 THE WITNESS: Okay.</p> <p>25 BY MR. MICHELINI:</p>	<p style="text-align: right;">Page 153</p> <p>1 Q. Do you remember that?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. That was part of the reason you dropped</p> <p>4 out of public school, right?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. Were you associated with a gang back</p> <p>7 then?</p> <p>8 A. No.</p> <p>9 Q. Okay. Have you ever been associated with a</p> <p>10 gang?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Which gang?</p> <p>13 A. BDs</p> <p>14 Q. What's that?</p> <p>15 A. BDs.</p> <p>16 Q. BDs, is that Black Disciples?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Is that an offset of the Gangster's</p> <p>19 Disciples?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. When were you associated with the BDs?</p> <p>22 A. In my early 20s.</p> <p>23 Q. Okay. What year would that be?</p> <p>24 A. Yeah, it will be years.</p> <p>25 Q. So you were born in 1976, right? So would</p>

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<p>1 that've been the 90s?</p> <p>2 A. Yeah. That would've been the late 90s. So</p> <p>3 you would say around late 90s, early 2000s.</p> <p>4 Q. Okay. Are you still associated with the BDs?</p> <p>5 A. No.</p> <p>6 Q. Okay. When did you, I guess, break that</p> <p>7 association off?</p> <p>8 A. Around the early -- mid -- close to the mid-</p> <p>9 2000s, like maybe close to 2000s. Really right before</p> <p>10 my daughter was born. I got started, you know, wising</p> <p>11 up a little bit as far as that was concerned.</p> <p>12 Q. Okay. When you were selling drugs in that</p> <p>13 period from 2006 to 2013 you mentioned, were you</p> <p>14 associated with the Black Disciples then?</p> <p>15 A. Associated with them, but had no affiliation</p> <p>16 with them as far as drug wise, no.</p> <p>17 Q. Okay. So explain that to me. You said that</p> <p>18 you were still associated?</p> <p>19 A. Like I had explained earlier, my drug business</p> <p>20 was my drug business. I -- I didn't do it for anyone</p> <p>21 else but myself.</p> <p>22 Q. Got you. And so it wasn't because of the gang</p> <p>23 that you were associated that you were selling drugs,</p> <p>24 you were doing it on your own?</p> <p>25 A. Correct.</p>	<p>Page 154</p> <p>1 Q. That the Black Disciples are associated with?</p> <p>2 A. No.</p> <p>3 Q. No? Okay. It's different.</p> <p>4 A. It's different.</p> <p>5 Q. I guess, explain that to me.</p> <p>6 A. It's a makeup of all gangs in that area. You</p> <p>7 got the -- you have the Gs, Black Disciples, you also</p> <p>8 have some Four Corner Hustlers. It's a makeup of all of</p> <p>9 them.</p> <p>10 Q. Okay. And so was the Black Disciples'</p> <p>11 geographic range smaller, more precise, than where you</p> <p>12 were dealing out of that larger area?</p> <p>13 A. Yeah, very, very small.</p> <p>14 Q. Okay. And you said, what were the streets</p> <p>15 that were bound to the BDs geographic range?</p> <p>16 A. Again, U would say from a 118th and State, to</p> <p>17 122nd going west up to Wentworth Street.</p> <p>18 Q. Okay. And so that area is the same area that</p> <p>19 you were arrested in 2017; is that correct?</p> <p>20 A. No.</p> <p>21 Q. No?</p> <p>22 A. No.</p> <p>23 Q. It's 120th Street is what you're on, right?</p> <p>24 A. But east, east of Michigan. So Michigan is</p> <p>25 like a divide line.</p>
<p>1 Q. Okay. What sort of activities would you do on</p> <p>2 behalf of the gang?</p> <p>3 A. No more than socialize. Like I was not like</p> <p>4 a, what they would consider outstanding member or</p> <p>5 something like that. No send on missions or anything</p> <p>6 like that.</p> <p>7 Q. Okay. And what is the area that that batch</p> <p>8 known as the BDs operated that you were associated with</p> <p>9 them? Do you understand the question, the geographical</p> <p>10 area?</p> <p>11 A. Yeah. So I explained to you earlier, I was</p> <p>12 considered -- well, we were considered, down the hill.</p> <p>13 Anything from Michigan on down to Calumet Avenue,</p> <p>14 starting from 118th Street to 121st, right -- right</p> <p>15 across the -- to the railroad track.</p> <p>16 Q. Got you.</p> <p>17 A. So anything from State Street up to like</p> <p>18 Wentworth, 119th, 120th, even 118th was considered the</p> <p>19 Black Disciples, their -- their geographical area.</p> <p>20 Q. Their area?</p> <p>21 A. Right.</p> <p>22 Q. Okay. And so fair to say that same area that</p> <p>23 you were dealing drugs in, is that same area; is that</p> <p>24 right?</p> <p>25 A. No.</p>	<p>Page 155</p> <p>1 Q. Okay.</p> <p>2 A. The BDs were west of that. I hung east of</p> <p>3 Michigan.</p> <p>4 Q. Okay. And where you were arrested in 2017 is</p> <p>5 east of Michigan?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Got you. I understand. You said that</p> <p>8 you were not dealing on behalf of the gang, right?</p> <p>9 A. Correct.</p> <p>10 Q. Okay. But when you were operating in these</p> <p>11 other areas that were controlled by other gangs, was</p> <p>12 that ever an issue with you?</p> <p>13 A. No.</p> <p>14 Q. Okay. Why is that?</p> <p>15 A. Luckily enough for me I was -- I was somewhat</p> <p>16 of a cool guy. I got along with everyone.</p> <p>17 Q. Okay.</p> <p>18 A. So no one ever -- no one --</p> <p>19 Q. No one targeted you?</p> <p>20 A. -- never judged me off my gang affiliation,</p> <p>21 who I hung with, or any of that nature.</p> <p>22 Q. Okay. And when did you cut ties with the BDs?</p> <p>23 A. Like I said, right -- kind of right before my</p> <p>24 daughter was born.</p> <p>25 Q. Okay. And do you still see any of those</p>

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The Deposition of JAMES MCINTYRE, taken on August 31, 2023

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<p style="text-align: right;">Page 158</p> <p>1 members that you associated with back then?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Are those individuals still Black</p> <p>4 Disciples?</p> <p>5 A. I think so. I'm not 100 percent sure.</p> <p>6 Q. Okay. And when you say you see them, how</p> <p>7 often do you see these people?</p> <p>8 A. Just in passing, not very often.</p> <p>9 Q. Okay. Do you still live at your mom's</p> <p>10 address?</p> <p>11 A. Yes, right now, I do.</p> <p>12 Q. Okay. Where did you live prior to that?</p> <p>13 A. Moved to Indiana. We stayed in Griffith,</p> <p>14 Indiana.</p> <p>15 Q. Okay. Do you know the address?</p> <p>16 A. No. I can't remember the address.</p> <p>17 Q. Okay.</p> <p>18 A. Stayed on the west side of Chicago.</p> <p>19 Q. Okay. When did you live on the west side?</p> <p>20 When was it?</p> <p>21 A. I would say a year after my daughter was born.</p> <p>22 She was born in '04 sometime or like '05.</p> <p>23 Q. Okay. The \$531 that was recovered on the date</p> <p>24 of the incident, all that cash was from the work that</p> <p>25 you had done with your uncle; is that right?</p>	<p style="text-align: right;">Page 160</p> <p>1 A. You forgot McDonald's.</p> <p>2 Q. Oh, McDonald's, yes. That's correct. Anything</p> <p>3 else besides that? How can we forget McDonald's, right?</p> <p>4 A. Right. That was my start. I had little --</p> <p>5 little in and out jobs. Some may have lasted a week,</p> <p>6 some shorter. Like I had a few jobs, warehousing jobs.</p> <p>7 Q. Okay.</p> <p>8 A. Those are the most significant ones.</p> <p>9 MR. MICHELINI: Okay. Let me take a break</p> <p>10 real quick and then we'll come back. I'm probably</p> <p>11 almost done here.</p> <p>12 MR. FLAXMAN: Sure.</p> <p>13 MR. MICHELINI: Okay. Real quick. Two</p> <p>14 minutes.</p> <p>15 (OFF THE RECORD)</p> <p>16 THE REPORTER: We're back on the record.</p> <p>17 BY MR. MICHELINI:</p> <p>18 Q. Just a couple more questions. Sorry, it's</p> <p>19 taken a little while. You said earlier that Nate, the</p> <p>20 guy that you know from the neighborhood, is that Nate</p> <p>21 Johnson?</p> <p>22 A. I don't know his last name.</p> <p>23 Q. Okay. But you said that he was arrested the</p> <p>24 same day as you?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 159</p> <p>1 A. Yes.</p> <p>2 Q. Okay. When did you receive that \$531?</p> <p>3 A. Probably that -- that Friday, which would be</p> <p>4 the end of the week. Probably that Friday. But I think</p> <p>5 the -- the 17th -- well, the day of the incident was</p> <p>6 Sunday, Sunday night.</p> <p>7 Q. Okay. Maybe a couple days before?</p> <p>8 A. Uh-huh. Yes.</p> <p>9 Q. Had you spent any of that money or was it that</p> <p>10 exact amount that you paid you \$531?</p> <p>11 A. No. I spent some of the money.</p> <p>12 Q. Okay. How much did he pay you; do you</p> <p>13 remember?</p> <p>14 A. Not right offhand, no, I don't.</p> <p>15 Q. Okay. And he would just pay you, you said</p> <p>16 strictly in cash, right?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Did you ever file taxes for any of that</p> <p>19 income?</p> <p>20 A. No.</p> <p>21 Q. Okay. Besides any of the other occupations</p> <p>22 you've held, the forklift job, the one that you hold</p> <p>23 now, on the line, both the manager, and then selling</p> <p>24 drugs, any other jobs that we haven't talked about that</p> <p>25 you've held? Yes.</p>	<p style="text-align: right;">Page 161</p> <p>1 Q. Okay. Do you know if he was arrested around</p> <p>2 the same time?</p> <p>3 A. Well, I would think he was arrested a little</p> <p>4 bit before us in order for him to be able to tell on us.</p> <p>5 Q. Got you.</p> <p>6 A. To -- to give us up.</p> <p>7 Q. But like within the same hour?</p> <p>8 A. I would -- I would suspect close -- close to</p> <p>9 the time that yeah, they come, you know, grabbed us.</p> <p>10 Q. Got you.</p> <p>11 MR. YURCHICH: I was going to see if you have</p> <p>12 a picture of him, yeah.</p> <p>13 MR. MICHELINI: That's fine.</p> <p>14 MR. YURCHICH: That's all I have.</p> <p>15 MR. FLAXMAN: Good?</p> <p>16 MR. MICHELINI: Okay. I don't have anything</p> <p>17 further.</p> <p>18 MR. YURCHICH: Okay.</p> <p>19 MR. FLAXMAN: I want to briefly follow up.</p> <p>20 MR. YURCHICH: Okay.</p> <p>21 REDIRECT EXAMINATION</p> <p>22 BY MR. FLAXMAN:</p> <p>23 Q. You were asked questions about people selling</p> <p>24 drugs, where one person takes the money and another</p> <p>25 person hands over the drugs, do you remember that?</p>

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<p style="text-align: right;">Page 162</p> <p>1 A. Yes.</p> <p>2 Q. And you understand that the police story was</p> <p>3 that Dennis was taking money and you were providing the</p> <p>4 drugs, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. And you and Dennis were charged based</p> <p>7 on that police story, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. So was the police story that you had</p> <p>10 divided up operations, was that an obstacle to charging</p> <p>11 you here?</p> <p>12 A. You mean by obstacle?</p> <p>13 Q. Well, did the police have a hard time charging</p> <p>14 you or were you charged?</p> <p>15 A. Oh, no.</p> <p>16 MR. MICHELINI: Objection to speculation.</p> <p>17 You can answer.</p> <p>18 A. No, they -- no, they ain't have a hard time</p> <p>19 charging, they charged us.</p> <p>20 BY MR. FLAXMAN:</p> <p>21 Q. Okay. And in a case where the police arrest</p> <p>22 somebody who they say is selling drugs, they arrest</p> <p>23 somebody who they say bought drugs from that person,</p> <p>24 would you expect those two people to have the same type</p> <p>25 of drugs?</p>	<p style="text-align: right;">Page 164</p> <p>1 A. No.</p> <p>2 Q. Okay. Ever?</p> <p>3 A. I mean, I can't speak to -- all I know is, I</p> <p>4 didn't know -- know him to use cocaine.</p> <p>5 Q. Okay. And so his reputation was solely as a</p> <p>6 heroin abuser?</p> <p>7 A. Correct.</p> <p>8 MR. MICHELINI: Okay. Nothing further.</p> <p>9 MR. FLAXMAN: We'll reserve, please.</p> <p>10 THE REPORTER: All right. And your orders for</p> <p>11 transcripts?</p> <p>12 MR. MICHELINI: Yes, PDF please.</p> <p>13 THE REPORTER: Okay. And for you?</p> <p>14 MR. FLAXMAN: We'll take a copy, thanks.</p> <p>15 THE REPORTER: As a PDF as well?</p> <p>16 MR. FLAXMAN: Yeah.</p> <p>17 THE REPORTER: Okay.</p> <p style="text-align: right;">(DEPOSITION CONCLUDED AT 1:01 P.M. CT)</p>
<p style="text-align: right;">Page 163</p> <p>1 MR. MICHELINI: Objection, hypothetical,</p> <p>2 speculation. You can answer.</p> <p>3 A. Yes.</p> <p>4 BY MR. FLAXMAN:</p> <p>5 Q. Okay. So if the police said, we got cocaine</p> <p>6 from the seller and we got heroin from the buyer, would</p> <p>7 that make any sense?</p> <p>8 A. No.</p> <p>9 MR. FLAXMAN: I don't have anything else.</p> <p>10 RECROSS-EXAMINATION</p> <p>11 BY MR. MICHELINI:</p> <p>12 Q. You testified earlier that Nate was a user,</p> <p>13 right?</p> <p>14 A. Correct.</p> <p>15 Q. Do you know what drugs he used?</p> <p>16 A. Heroin.</p> <p>17 Q. Okay. Strictly heroin?</p> <p>18 A. Yes.</p> <p>19 Q. And how do you know that?</p> <p>20 A. I mean, I knew it from the neighborhood.</p> <p>21 Q. That was like his reputation?</p> <p>22 A. Yes.</p> <p>23 Q. Was a heroin user?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And you never knew him to use cocaine?</p>	<p style="text-align: right;">Page 165</p> <p>1 CERTIFICATE OF REPORTER</p> <p>2 STATE OF ILLINOIS</p> <p>3</p> <p>4 I do hereby certify that the witness in the foregoing</p> <p>5 transcript was taken on the date, and at the time and</p> <p>6 place set out on the Title page hereof by me after first</p> <p>7 being duly sworn to testify the truth, the whole truth,</p> <p>8 and nothing but the truth; and that the said matter was</p> <p>9 recorded digitally by me and then reduced to typewritten</p> <p>10 form under my direction, and constitutes a true record</p> <p>11 of the transcript as taken, all to the best of my skills</p> <p>12 and ability. I certify that I am not a relative or</p> <p>13 employee of either counsel, and that I am in no way</p> <p>14 interested financially, directly or indirectly, in this</p> <p>15 action.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 KRYSTAL BARNES,</p> <p>23 COURT REPORTER / NOTARY</p> <p>24 COMMISSION EXPIRES ON: 02/18/2026</p> <p>25 SUBMITTED ON: 09/11/2023</p>

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Plaintiff's Exhibit 1

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The State's Attorney of Cook County now appears before the Circuit Court of Cook County and in the name and by the authority of the People of the State of Illinois states that on or about November 06, 2017 at and within the County of Cook

~~Dennis Jackson~~
James McIntyre

committed the offense of POSSESSION OF CONTROLLED SUBSTANCE WITH
~~INTENT TO DELIVER~~

in that THEY, UNLAWFULLY AND KNOWINGLY POSSESSED WITH INTENT TO
DELIVER OTHERWISE THAN AS AUTHORIZED IN THE ILLINOIS CONTROLLED
SUBSTANCES ACT OF SAID STATE OF ILLINOIS THEN IN FORCE AND EFFECT,
GRAM OR MORE BUT LESS THAN 15 GRAMS OF A SUBSTANCE CONTAINING A
CERTAIN CONTROLLED SUBSTANCE, TO WIT: COCAINE, OR ANALOG THEREOF

IN VIOLATION OF CHAPTER 720 ACT 570 SECTION ~~401(e)(2)~~ ^{402(c)} OF THE ILLINOIS
COMPILED STATUTES 1992 AS AMENDED AND

contrary to the Statute and against the peace and dignity of the same
People of the State of Illinois.

COUNT NUMBER 1
CASE NUMBER 17CR-17475
CHARGE ID CODE: 5096200

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

JURY WAIVER (This form replaces CCG-63)

(Rev. 11/21/00) CCCR

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS

(or Municipality of: _____) Plaintiff,
vs.

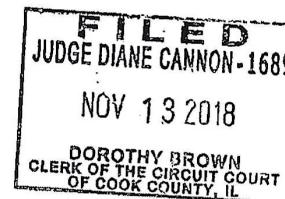
James McIntyre

Defendant.

Charge for PCs (class 4)

No. 17CL17475

I, the undersigned, do hereby waive jury trial and submit the above entitled cause to the Court for hearing.



Dated: 11/13, 18

Signed: James McIntyre

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Waiver of Pre-Sentence Report

(Rev. 01/02/01) CCG N064

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

v.

James McIntire

Defendant

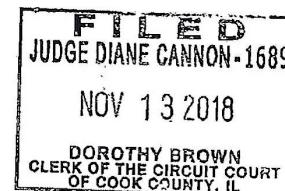
Charge for PCS

(class 4)

No. 17CR 17475

WAIVER OF PRE-SENTENCE REPORT

I, the undersigned, do hereby waive my rights to a Pre-Sentence Investigation and written report as provided in 730 ILCS 5/5-3-1.



Dated: 11/13/18

Signed: *James McIntire*

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
Page 1 of 1

IN THE CIRCUIT COURT OF COOK COUNTY

PEOPLE OF THE STATE OF ILLINOIS) CASE NUMBER 17CR1747502
 V.) DATE OF BIRTH [REDACTED] /76
JAMES MCINTYRE) DATE OF ARREST 11/06/17
 Defendant IR NUMBER 1061853 SID NUMBER 033381550

ORDER OF COMMITMENT AND SENTENCE TO
ILLINOIS DEPARTMENT OF CORRECTIONS

CERTIFIED

NOV 13 2018

The above named defendant having been adjudged guilty of the offense(s) ^{DORS/DOB/PC} ~~enumerated below~~
 is hereby sentenced to the Illinois Department of Corrections as follows:

Count	Statutory Citation	Offense	Sentence	Class
001	<u>720-570/402(C)</u>	POSS AMT CON SUB EXCEPT(A) and said sentence shall run concurrent with count(s) _____	<u>YRS. 003 MOS.00</u>	<u>4</u>
		and said sentence shall run (concurrent with)(consecutive to) the sentence imposed on:	<u>YRS. _____ MOS. _____</u>	<u>_____</u>
		and said sentence shall run (concurrent with)(consecutive to) the sentence imposed on:	<u>YRS. _____ MOS. _____</u>	<u>_____</u>
		and said sentence shall run (concurrent with)(consecutive to) the sentence imposed on:	<u>YRS. _____ MOS. _____</u>	<u>_____</u>
		and said sentence shall run (concurrent with)(consecutive to) the sentence imposed on:	<u>YRS. _____ MOS. _____</u>	<u>_____</u>

On Count _____ defendant having been convicted of a class _____ offense is sentenced as
 a class x offender pursuant TO 730 ILCS 5/5-5-3(C)(8).

On Count _____ defendant is sentenced to an extended term pursuant to 730 ILCS 5/5-8-2.

The Court finds that the defendant is entitled to receive credit for time actually
 served in custody for a total credit of 0374 days as of the date of this order
 Defendant is ordered to serve 0001 years Mandatory Supervised Release.

IT IS FURTHER ORDERED that the above sentence(s) be concurrent with
 the sentence imposed in case number(s) _____
 AND: consecutive to the sentence imposed under case number(s) _____

IT IS FURTHER ORDERED THAT MITT TO ISSUE _____

IT IS FURTHER ORDERED that the Clerk provide the Sheriff of Cook County with a copy of this Order and that the Sheriff
 take the defendant into custody and deliver him/her to the Illinois Department of Corrections and that the Department take
 him/her into custody and confine him/her in a manner provided by law until the above sentence is fulfilled.

DATED NOVEMBER 13, 2018
 CERTIFIED BY L LOPEZ
 DEPUTY CLERK
 VERIFIED BY _____

ENTER: 11/13/18

JUDGE: CANNON, DIANE G.

1689

CCG N305