

Testimony of Sherry Moses

DIRECT EXAMINATION

20

21 BY MR. CURTIS GLOVER:

22 Q. Now, Sherry, tell the jury where you
23 are from?

24 A. I'm from Pennsylvania.

25 Q. Okay. What town?

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1 A. Roaring Spring.

2 Q. Okay. And you know Darlie Routier?

3 A. Yes.

4 Q. How is it you know Darlie?

5 A. She is my niece.

6 Q. I see. How is that relationship?

7 A. I don't know what you mean.

8 Q. You're the sister of her mother; is
9 that right?

10 A. Yes. Um-hum. (Witness nodding head
11 affirmatively.)

12 Q. What is her mother's name?

13 A. Darlie Kee.

14 Q. Okay. She is named for her mother; is
15 that right?

16 A. Yes.

17 Q. Okay. What age difference between you
18 and Darlie, if you know?

19 A. I'm 40 and Darlie is 44.

20 Q. I'm not talking about this Darlie.

21 A. Oh, Darlie, I call her Darlie Lynn.

22 Q. Okay. Why don't we call her Darlie
23 Lynn?

24 A. Okay. She is 27 and I am 40.

25 Q. Okay. And, you live in Pennsylvania.

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1 What do you do there in Pennsylvania?

2 A. I help with my husband's business. He
3 has a flooring installation business and I home school my
4 children.

5 Q. Okay. How many kiddos do you have?

6 A. I have two.

7 Q. Okay. Boys, girls?

8 A. I have a daughter, 13, and a son, 7.

9 Q. Okay. You say you home school your

10 children. That means you teach them at home; is that
11 right?

12 A. Yes, I do.

13 Q. All right. Okay. Is Darlie Lynn
14 originally from Pennsylvania?

15 A. Yes, she is.

16 Q. Okay. Born there?

17 A. Yes.

18 Q. Okay. In the same neighborhood where
19 you live, that part of the country?

20 A. Yes. Um-hum. (Witness nodding head
21 affirmatively.)

22 Q. Did you know her as a small child?

23 A. Yes.

24 Q. Okay.

25 A. Yes, I was there when she was born.

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1 Q. Okay. And, I assume that at some
2 point in time she moved to Texas; is that right?

3 A. Yes. Um-hum. (Witness nodding head
4 affirmatively.)

5 Q. When would that have been, if you
6 know?

7 A. I think she was around 13.

8 Q. Okay. And where did she move to?

9 A. Well --

10 Q. Was it Lubbock or --

11 A. I'm not sure. They moved a couple
12 different places. There was Lubbock and Beaumont, at
13 different times.

14 Q. Okay. Let's kind of come up to the
15 present time and I'll ask you if over the past year or so
16 you have had occasion to visit with Darlie both here as
17 well as in Pennsylvania?

18 A. Yes, I have.

19 Q. Okay. Tell us about any trip to
20 Pennsylvania that she's made recently or in the past year
21 or so.

22 A. Okay. Her and Devon and Damon came up
23 in March of '95.

24 Q. Had Drake been born at that time?

25 A. No. She was pregnant with him at the
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1 time, but she didn't know it yet until she got home.

2 Q. Okay. And, during that visit up

3 there, did y'all get together and socialize?

4 A. Yeah.
5 Q. Tell the jury about the two boys.
6 What do you think about them at that time?
7 A. They were just precious, happy, little
8 boys that were just a joy to be with.
9 Q. Okay.
10 A. They were just happy because they
11 loved and just ornery little boys.
12 Q. Okay. Tell the jury about Darlie's
13 relationship with those little boys when you saw them
14 there.
15 A. Oh, she's just always such a gentle
16 mother, always very patient with them and just so
17 soft-spoken with them, even, you know, when they were
18 ornery or something, she would be just so gentle with
19 them. She never spanked them, just tell them to behave.
20 Q. Did she approach those boys in a
21 responsible manner?
22 A. Oh, yes, yes.
23 Q. Tell the jury about her demeanor, her
24 behavior as she was there. Did you see anything unusual
25 about her as she was there visiting in your home? And I
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1 think, what did you say, in March of '95?
2 A. Yes.
3 Q. Okay. These little boys were killed
4 in June of '96. That would have been, what,
5 approximately a year before that?
6 A. Yes.
7 Q. Okay.
8 A. Um-hum. (Witness nodding head
9 affirmatively.)
10 Q. Okay. Did you find anything unusual
11 about her relationship with those little boys as they
12 visited there in your home?
13 A. No, nothing unusual, just that she was
14 a wonderful mother.
15 Q. Okay.
16 A. I just thought her patience was
17 incredible.
18 Q. Okay. Did you have occasion then to
19 visit with her again in November of '95?
20 A. Yes, my daughter and I came down for
21 Thanksgiving.
22 Q. Okay. You came to the Dallas area?
23 A. Um-hum. (Witness nodding head
24 affirmatively.) Yes.
25 Q. Okay. And, that would be your

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1 daughter, what is her name?

2 A. Shana.

3 Q. Shana?

4 A. Um-hum. (Witness nodding head
5 affirmatively.)

6 Q. Where did you stay at the time that
7 you came in November of '95?

8 A. Mostly, I stayed with Darlie Kee, my
9 sister. But we had time that we stayed at Darlie Lynn's
10 house, too.

11 Q. Okay. If you would, tell the jury
12 about Darlie Lynn's household and how things went there
13 in her household when you visited there with her?

14 A. Well, it was just a special, joyous
15 time, being together because we don't get to see each
16 other that often and, just --

17 Q. Did she make -- tell the jury what she
18 did with her house on holiday periods.

19 A. Oh, she always had her house
20 beautiful. She loves beautiful things and she decorated
21 it really nice and put a lot of effort into it.

22 Q. Did she, by virtue of the effort that
23 you saw her exude there in your presence, by virtue of
24 the way she decorated, did that look to you like a person
25 who was down and out or depressed?

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1 A. No, not at all.

2 Q. Did she express anything to you that
3 indicated to you that she was suffering from any kind of
4 blues?

5 A. No.

6 Q. Okay.

7 A. No, not at all.

8 Q. I believe you told the jury it was a
9 joyous time?

10 A. Yes, it was, very.

11 Q. Okay. Did you then have occasion to
12 come back when the little boys were killed?

13 A. Yes.

14 Q. Okay.

15 A. We came back.

16 Q. When did you hear about this?

17 A. We heard just a little bit after it
18 happened. Darlie Kee called us on the phone.

19 She called my sister, LuAnn, first.

20 It was about 3:30 Dallas time. And she was just
21 hysterical.
22 And then my sister LuAnn called me,
23 and we just couldn't believe that this had happened. And
24 then I got a call from Darlie Kee, and she was just so
25 hysterical, and just screaming and crying, and just
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1 asking us to pray, that she thought Darlie Lynn might die
2 too.

3 And we just -- it was just so
4 unbelievable, it just happened.

5 Q. Okay. Did y'all then pack up and come
6 to Dallas?

7 A. Yes, sir. We just waited until we
8 could make the arrangements. We were on the phone all
9 day between Darlie, and Darlie was trying to arrange for
10 us to get airplane tickets transferred that Darlie Lynn
11 had had.

12 They had had tickets to come up to
13 visit us. We were planning a 50th anniversary for my
14 parents. And they changed the tickets over to our family
15 so that we could come down.

16 Q. Okay. Explain that to us. You say
17 they were planning to come up to a family reunion there
18 in Pennsylvania?

19 A. Yes.

20 Q. When was that to have been?

21 A. It was scheduled for June 15th.

22 Q. Okay.

23 A. We had been planning since January of
24 '96.

25 Q. And the little boys were killed on the
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1 6th of June; is that right?

2 A. Yes.

3 Q. So just shortly after that, they were
4 due, all of them, to go to Pennsylvania?

5 A. Yes, they were due to come in on the
6 14th.

7 Q. And had their tickets all ready to go?

8 A. Yes. Um-hum. (Witness nodding head
9 affirmatively.)

10 Q. Okay. They had Drake by then, did
11 they not?

12 A. Yes.

13 Q. Do you recall when Drake was born?

14 A. Yes, October 18, 1995.

15 Q. Okay. He was born then right before

16 you came down for the Thanksgiving visit; is that right?

17 A. Yes, he was exactly a month old when

18 we got there.

19 Q. Okay. So you had a chance to visit

20 with the newborn with his mom?

21 A. Yes.

22 Q. How was that?

23 A. Just very special, like all babies,

24 and we just enjoyed him a great deal, all of us.

25 Q. Was he special to her?

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1 A. Very special.

2 Q. Okay.

3 A. All of her babies were special to her.

4 Q. Getting to the events around this

5 awful thing in June, when did you have your occasion,

6 first occasion to see Darlie when you came to Dallas?

7 A. Oh, we came to the hospital shortly

8 after we flew into Dallas. It was a little before

9 midnight on Friday that we got there and we went into her

10 hospital room.

11 Q. Okay. Who was with you?

12 A. I went in with my sister LuAnn and

13 Darin was in the room and Dana and her mother, Darlie.

14 Q. Okay. Did you notice her condition as

15 she was there in the hospital bed?

16 A. Yes, I did. I sat on the bed with

17 her.

18 Q. Okay. Describe what she was doing, if

19 anything.

20 A. She was sort of numb when we first got

21 there, but when we started talking about what happened,

22 she started crying and just in agony.

23 Q. Do you know a false cry from a real

24 cry?

25 A. Yes, I do.

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1 Q. What kind of a cry was this?

2 A. It was a very deep cry.

3 Q. Did she have pictures of the boys

4 there?

5 A. I can't recall if she had them right

6 there at that time.

7 Q. Okay. Did you have occasion to see

8 her injuries?

9 A. Yes, I did.

10 Q. Describe those to the jury.

11 A. Well, naturally, I looked at her neck

12 first, you know, but her arm was bandaged and the bandage

13 was loose and she kept adjusting it and pulling it up,

14 and I noticed bruising on her arm, that was just covering

15 her arm.

16 Q. Do you know a bruise when you see it?

17 A. Yes, I do.

18 Q. You have lived 40-some-odd years, you

19 know a bruise when you see one?

20 A. Yes.

21 Q. Was her arm bruised?

22 A. Yes, it was.

23 Q. Any doubt in your mind about that?

24 A. No doubt at all.

25 Q. Okay. I guess you had occasion then

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1 to go to the funeral and the viewing of these little

2 boys?

3 A. Yes, I did.

4 Q. Okay. I believe the viewing was on

5 the 8th of June; is that right?

6 A. Yes, yes.

7 Q. There were a lot of people there?

8 A. Yes, a lot.

9 Q. Okay. Would you describe what you saw

10 concerning Darlie at that time, Darlie Lynn?

11 A. At the viewing?

12 Q. Yes.

13 A. Well, she got there late. We had all

14 been there a couple of hours before her because she was

15 with the police at the time.

16 Q. She was -- did she ever indicate to

17 you that she was anything less than cooperative with the

18 police?

19 A. Not at all. I thought she was very

20 cooperative. She just gave all -- every information she

21 could give. She just wanted to catch the man that did

22 this.

23 Q. Did she tell you that?

24 A. Yes, she did.

25 Q. Okay. The police then kept her for

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1 two hours, even through the viewing?

2 A. Well, she was there for like six or
3 seven hours with the police that day. She was two hours
4 late to the viewing.

5 Q. Okay. And how many people were at the
6 viewing, if you know, approximately?

7 A. There were probably several hundred.

8 Q. Okay. If you would, would you tell
9 the jury whether or not you had occasion to see her arms
10 there at this awful event?

11 A. Yes, I did.

12 Q. Okay.

13 A. She was wearing a short sleeve dress
14 for the viewing, and it was very visible, and the
15 bruising was really getting dark there.

16 Q. Did you have occasion to be around her
17 when she was viewing these two children?

18 A. Well, they took her in privately with
19 the immediate family and closed the doors. And I was
20 standing outside of the doors and I could hear her. I
21 could hear her screaming when she saw her boys, and she
22 was damning the person who did this to her babies. And
23 it just tore our hearts out, we could feel her pain.

24 Q. Did you remain in the Dallas area for
25 a time after this, Sherry?

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1 A. Yes, I did. We stayed for a week.

2 Q. Okay. Did you have occasion to go to
3 a prayer service at the grave site?

4 A. Yes, we did. It was the afternoon
5 before we left Dallas that we had the prayer service and
6 the birthday celebration for Devon.

7 Q. Okay. Describe the prayer service.

8 A. It was just -- we had prepared to
9 go -- the children had made cards up and plaques and
10 stuff, and they had gotten balloons, and just wanted to
11 make the day special to honor Devon, because he was
12 looking forward to his birthday so much, and they had
13 already had so much prepared for it.

14 And their birthdays were so special to
15 them, and Darlie always made them special to them. And,
16 we just gathered around and we wished him happy birthday,
17 and sang happy birthday to him and we just held hands and
18 prayed.

19 Q. Okay. I believe there was a prayer
20 service actually before the birthday party; is that
21 right?

22 A. Yes. This was sort of a birthday

23 celebration for just the family that was leaving that
24 day, that was flying back to Pennsylvania. And it was a
25 little more private, and then she said she was going to
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1 have a celebration for the children, to -- she just
2 thought it would be nice to just make it -- something
3 joyous out of it, you know, that because they had already
4 been prepared for the party, that she just thought it
5 would be something nice to do for Devon's friends.

6 Q. What did you think about that?

7 A. I didn't think anything of it. I just
8 thought that it was just Darlie Lynn's touch. That is
9 the way she always did things. She always made
10 everything special and beautiful for those boys. And it
11 was just, to me, it was just a final tribute to Devon.

12 Q. Okay.

13

14 MR. CURTIS GLOVER: Pass the witness.

15

16

17 CROSS EXAMINATION

18

19 BY MR. GREG DAVIS:

20 Q. Ms. Moses, my name is Greg Davis. I
21 don't believe we have had the opportunity to speak
22 before, have we?

23 A. No.

24 Q. Ms. Moses, first of all --

25

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1 MR. GREG DAVIS: Can I have a copy of
2 her written statement, her notes that she has given you
3 please?

4 MR. DOUGLAS MULDER: We didn't take
5 any statement from her.

6

7

8 BY MR. GREG DAVIS:

9 Q. Okay. So, I take it, prior to your
10 testifying today, that you have talked with Mr. Glover
11 about your testimony?

12 A. Yes, I did.

13 Q. How about the other four attorneys
14 over here, have you spoken with them also?

15 A. Preston Douglass was there.

16 Q. Okay. How many times have you met

17 with them?

18 A. Just once, briefly.

19 Q. Okay. Now, you have been in Kerrville
20 since when?

21 A. I'm trying to think. My mind is kind
22 of -- we got down here on the 11th.

23 Q. You got down here on January 11th, and
24 since that date, where have you been staying?

25 A. I have been staying at Inn of the
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1 Hills.

2 Q. How many other of the Routier family
3 are staying at the Inn of the Hills?

4 A. My sister Darlie is there and her
5 daughters, Dana and Danielle, my sister LuAnn, and my
6 daughter Shana.

7 Q. All right. And certainly, you have
8 had an opportunity to talk to them on a regular basis
9 since the 11th, haven't you?

10 A. Yes.

11 Q. Okay. Matter of fact, there are still
12 members of the Routier family inside the courtroom today,
13 aren't there?

14 A. Yes.

15 Q. Okay. This second row back here to my
16 left, are those members of the Routier family also?

17 A. A few, not many.

18 Q. If I could, the young lady here, the
19 blonde, with the red sweater, you recognize her, don't
20 you?

21 A. Yes.

22 Q. Okay. The woman who has been taking
23 notes throughout the trial?

24 A. Yes.

25 Q. And, who is that?
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1 A. Darin Routier's aunt.

2 Q. What is her name?

3 A. Sandy.

4 Q. Okay. And, certainly, since the 11th,
5 you have seen Sandy here in Kerrville, haven't you?

6 A. Yes.

7 Q. And I guess she has told you she has
8 been taking notes every day of the testimony, correct?

9 A. Yes, I am aware of that, yeah.

10 Q. Okay. And, Ms. Moses, isn't it true

11 that you are very much aware of just about every bit of
12 testimony that has been given in this case up to this
13 date?

14 A. Well, I have known everything before
15 this, because I have kept in touch with my sister from
16 the time this happened.

17 Q. Okay. My question though, Ms. Moses,
18 was, not what you knew before the trial began, but since
19 the trial began.

20 You have talked with the family, you
21 all have discussed the testimony, and as a matter of

22 fact, you have talked with Sandy, and she has been in
23 this courtroom taking notes every day, so you know what's
24 been going on in here, don't you?

25 A. Pretty much, yeah.

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1 Q. Okay. Did any of these attorneys ever
2 tell you about the Rule of Evidence where witnesses are
3 not supposed to discuss what is going on in this
4 courtroom?

5 A. I have not talked to the attorneys
6 until just briefly last night.

7 Q. So, they didn't tell you that it would
8 be improper for you to be talking with people who have
9 been inside this courtroom, discussing testimony? They
10 didn't -- they never went over that with you?

11 A. Not really, no.

12 Q. Certainly, it's very advantageous for
13 you as a witness, isn't it, to know what's been going on
14 outside of your presence. That helps you, doesn't it?
15

16 MR. DOUGLAS MULDER: Judge, there
17 hasn't been anybody testifying what went on back in
18 Pennsylvania here that I am aware of.

19 MR. GREG DAVIS: Is that an objection?

20 THE COURT: Well, is that an
21 objection?

22 MR. DOUGLAS MULDER: Yes, sir.

23 THE COURT: Okay. Overruled. Go
24 ahead.

25

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1 BY MR. GREG DAVIS:

2 Q. So you know what we have been hearing
3 in here, and you know that there has been a lot of

4 testimony about bruises to the right arm of Darlie Lynn
5 Routier, don't you?

6 A. Yes, I do.

7 Q. And, ma'am, just your own -- when you
8 came down here last year in June, I'm sure that when you
9 saw those bruises, you made some comments to the nurses
10 or doctors or someone in that hospital about them caring
11 for those bruises, that were so evident to you, didn't
12 you?

13 A. No, I did not, because I was at the
14 hospital around midnight, and I was only there a few
15 minutes.

16 Q. So, that day, those bruises were not
17 important enough for you to go up there to the nurse's
18 desk and say, "Listen. Would you please come down here
19 and look at these bruises because they are large enough,
20 I'm concerned about them." You didn't do that that day,
21 did you?

22 A. No, it's not my place to.

23 Q. And yet, some seven months later, you
24 are able to recall in great detail what those bruises
25 looked like?

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1 A. Yes, I am because they were the worst
2 bruises I have ever seen.

3 Q. The worse you have ever seen and you
4 never even told a nurse or a doctor about them or
5 inquired about them, did you?

6 A. They were just beginning the night
7 that I saw her.

8 Q. Ma'am, could you please answer my
9 question. Did you inquire, talk with medical personnel
10 about the bruises, the worst you had ever seen in your
11 life, while you were at Baylor Hospital?

12 A. No, I did not, because they were not
13 the worst I had seen at the time.

14 Q. Okay. Now, Ms. Moses, when you talked
15 with the defendant in this case, she described what
16 happened to her, didn't she?

17 A. Yes, she did.

18 Q. Okay. And, what did she say happened
19 to her that evening?

20 A. Well, there's a lot she can't
21 remember. She was in a lot of shock at the time, and
22 there's still a lot she can't recall.

23 Q. Well, I'm just talking about the
24 things that she could recall.

25 A. Well, she just said that she had been

1 sleeping downstairs with Devon and Damon, and that she
2 woke up with -- Damon had nudged her awake.

3 Q. Okay.

4 A. And she just saw this man leaving.

5 And then she started to follow him, and she realized that
6 the room she was in, the TV was on and there was a little
7 bit of light, but as she was getting further out into the
8 kitchen near the utility room, it was darker and she just
9 stopped and thought, he could still be out there, you
10 know, I better not go any further.

11 Q. Okay.

12 A. And she said about -- she wasn't even
13 aware that she was wounded until she had turned on the
14 lights and she saw her boys.

15 Q. Okay. So as I understand, what she
16 told you, and that is what you have to go on because you
17 weren't there that day, were you?

18 A. No, I was not.

19 Q. Okay. And, so, according to what the
20 defendant told you then, when she woke up, this man
21 started to walk away from her; is that right?

22 A. Yes, or was moving away, yes.

23 Q. Right. So she wasn't, according to
24 her story that she gave you anyway, this man did not
25 attack her after she woke up and saw him, did she?

1 A. She just had like a sensation of a
2 struggle, but she had been in a deep sleep.

3 Q. Um-hum. (Attorney nodding head
4 affirmatively.)

5 A. And I don't think she is aware of what
6 all happened to her.

7 Q. Well, certainly she didn't see this
8 intruder or this other person attack her two children
9 after she saw the man, did she?

10 A. We don't know if she saw that because
11 there is so much she doesn't remember.

12 Q. I'm just going on the version that she
13 gave you. In the version that she gave you, she does not
14 have this intruder attacking her children after she sees
15 the man, does she?

16 A. No.

17 Q. And in the version that she gave you,
18 she doesn't have the attacker attacking her after she
19 sees the man either, does she?

20 A. No.

21 Q. And he just simply leaves, she starts
22 to follow, then she stops and realizes that she has been
23 injured, correct?

24 A. Yes.

25 Q. Now, she did tell you though that she
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1 could recognize this man, didn't she?

2 A. No, she didn't.

3 Q. She didn't tell you that?

4 A. No, she just had a vague description
5 of him, that she didn't see him very well.

6 Q. All right. You recognize this
7 gentleman right back here in the front row, Mr. Bosillo,
8 don't you?

9 A. Yes, I do.

10 Q. And do you recall that Mr. Bosillo
11 came to talk with you there in Pennsylvania, didn't he?

12 A. Yes.

13 Q. And you were kind enough -- was it on
14 July the 4th?

15 A. Yes.

16 Q. You were kind enough to sit down and
17 talk with him for a little bit, weren't you?

18 A. Um-hum. (Witness nodding head
19 affirmatively.)

20 Q. Okay. And, isn't it true that when
21 Mr. Bosillo was talking with you, Ms. Moses, that you
22 told him that Darlie Lynn, the defendant in this case,
23 had told you that she could identify the person that did
24 this to her, didn't you?

25 A. No, I did not say that.

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1 Q. Were you at the hospital each day that
2 the defendant was in Baylor?

3 A. No, I just got there midnight Friday
4 and she was released the next day.

5 Q. Okay. So, you would not have been
6 there the next day when Drake was brought in there to her
7 and she refused to hold him. You were not there for
8 that?

9 A. No, I was not.

10 Q. Okay. I know that -- I have in my
11 notes here that she came and visited you in March of '95?

12 A. Yes.

13 Q. Then you and your family came down

14 here in November of '95; is that right?

15 A. Yes, my daughter and I did.

16 Q. All right. When you came down here in

17 November, things looked real good, didn't they, inside

18 the house? You didn't see any problems or any troubles;

19 is that right?

20 A. No, none.

21 Q. Wouldn't you agree with me, Ms. Moses,

22 that a lot of times families are going to keep their

23 problems to themselves and they may not share that with

24 people outside the house?

25 A. Not particularly with our family.

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1 We're a very close family and we share our problems.

2 Q. Okay. When -- just how quickly after

3 she attempted suicide in May, did someone call you from

4 that house to tell you that she had attempted suicide?

5

6 MR. DOUGLAS MULDER: Judge, there was

7 not any suicide attempt.

8 THE COURT: Well, if she knows the

9 answer, I'll let her answer it.

10 MR. CURTIS GLOVER: He is assuming a

11 fact not in evidence, Judge, and we would object to it.

12 THE COURT: I'll sustain the

13 objection. Let's ask the next question.

14 MR. GREG DAVIS: All right. Well, I

15 will ask it this way.

16 THE COURT: Rephrase your question.

17

18 BY MR. GREG DAVIS:

19 Q. Ms. Moses, when Mr. Bosillo came and

20 talked to you on July the 4th of last year, you and Mr.

21 Bosillo described this incident that occurred in May,

22 didn't you? You know what I am talking about, don't you?

23 A. No.

24 Q. Well, you are aware of a journal,

25 aren't you?

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1 A. I was aware a journal after it came

2 out in the newspapers.

3 Q. You mean that -- and that came out,

4 what, sometime in June?

5 A. Probably. I don't know the date.

6 Q. Well, you weren't made aware of any

7 journal entries by Ms. Routier at the time -- at or near

8 the time that she made these journal entries?

9 A. No.

10 Q. Okay. So that, apparently, that was

11 something that she was keeping to herself?

12 A. No, I do recall a mention of it while

13 I was there in June, the week I stayed there with them.

14 Q. Um-hum. (Attorney nodding head

15 affirmatively.)

16 Well, did she tell you what the entry

17 was, the last entry in that journal?

18 A. No.

19 Q. She didn't share that with you?

20 A. Not specifically. It was just --

21 people were talking about a journal or something and --

22 Q. Well, what did she share with you

23 about that journal entry?

24 A. We didn't talk one on one about the

25 journal.

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1 Q. So I guess the answer to the question

2 would be, she didn't share the contents of the journal

3 with you; is that right?

4 A. No.

5 Q. So whatever the content is, either

6 good or bad, I mean, she didn't go into that with you,

7 did she?

8 A. No.

9 Q. You said something that I noted there

10 in your direct examination, "She loved beautiful things."

11 She did, didn't she?

12 A. Yes, she did.

13 Q. There was a lot of money put into that

14 house out there, wasn't there?

15 A. Yes, there was.

16 Q. A lot of beautiful things in there?

17 A. Yes.

18 Q. At the viewing, Ms. Moses, on June the

19 8th?

20 A. Yes.

21 Q. Were you close enough to hear, what

22 words, if any, that the defendant uttered to the two

23 deceased children in the casket?

24 A. No. At the time I went in, it was

25 when other people were coming in and she was talking to

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1 them.

2 Q. So if she said something softly to the
3 two deceased children, you weren't in a position to hear
4 that; is that right?

5 A. No.

6 Q. You told us about the birthday party
7 on June the 14th. And have you seen the videotape of
8 that?

9 A. Yes, I have.

10 Q. Tell us about the birthday party that
11 happened on June the 9th at Darlie Kee's house.

12 A. She didn't have a birthday party.

13 Q. There wasn't another party after the
14 funeral on June the 9th?

15 A. No.

16 Q. And, would it be fair to say, Ms.
17 Moses, that your exposure to the defendant and her
18 children was pretty limited. I mean, you live in
19 Pennsylvania so you got to see them when they came to
20 Pennsylvania, and then you got to see them when you came
21 down in November; is that right?

22 A. Yes.

23 Q. Would you agree with me that it's
24 possible that the defendant behaved differently with her
25 children when you weren't around her?

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1 A. No, I don't believe that.

2 Q. You don't think that is even possible?

3 A. No, I don't, because I know her very
4 well.

5 Q. So, just no possibility that when you
6 were up there in Pennsylvania, that this woman over here
7 might just possibly treat her children just a little bit
8 differently than you had seen her treat them?

9 A. No.

10 Q. As I recall your testimony was, she
11 was always very softspoken with the kids; is that right?

12 A. Yes.

13 Q. Certainly, you wouldn't expect her to
14 be yelling or cursing at her children, that would be very
15 much out of character with what you saw during your
16 visits with her; is that right?

17 A. Well, I never saw that, no.

18 Q. That would really surprise you,
19 wouldn't it?

20 A. Well, not really. We all have
21 children, and we all tend to do that once in a while.

22 Q. Well, I'm just trying to understand.

23 You say she is softspoken, she is always softspoken.
24 Do you think maybe now, upon
25 reflection, maybe that there is a possibility that maybe
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1 she does talk to them a little bit differently than you
2 saw her talking to them?

3 A. Not by very much at all.

4

5 MR. GREG DAVIS: I'll pass the
6 witness, your Honor.

7 MR. CURTIS GLOVER: Nothing further,
8 Judge.

9 THE COURT: You may step down, ma'am.

10 Remember, ma'am, you are under the Rule of Evidence. Do
11 not discuss or talk to anybody. Do not read her notes
12 everyday. Is that clear?

13 THE WITNESS: Okay.

14 THE COURT: Thank you.

15 Your next witness.