

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION

3	UNITED STATES OF AMERICA,	)	
4	Plaintiff,	)	
5	vs.	)	CRIMINAL CASE NO. CCB-17-106
6	DANIEL THOMAS HERSL and	)	
7	MARCUS ROOSEVELT TAYLOR,	)	
	Defendants.	)	
	_____	)	

Thursday, February 1, 2018  
Courtroom 1A  
Baltimore, Maryland

BEFORE: THE HONORABLE CATHERINE C. BLAKE, JUDGE  
(AND A JURY)

VOLUME VI - EXCERPT

TESTIMONY OF DONALD STEPP

For the Plaintiff:

Leo J. Wise, Esquire  
Derek E. Hines, Esquire  
Assistant United States Attorneys

Reported by:

Douglas J. Zweizig, RDR, CRR  
Federal Official Court Reporter  
101 W. Lombard Street, 4th Floor  
Baltimore, Maryland 21201

1 For the Defendant Daniel Hersl:

2 William B. Purpura, Jr., Esquire  
3 Thomas W. Rafter, Esquire

4 For the Defendant Marcus Taylor:

5 Christopher C. Nieto, Esquire  
6 Jenifer Wicks, Esquire

7 Also Present:

8 Special Agent Erika Jensen, FBI

9 TFO John Sieracki

10 Matthew Kerrigan, Government's Trial Technician

11 Crystal Panas, Defense Paralegal

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P R O C E E D I N G S

(10:10 a.m.)

**THE COURT:** Good morning, everyone. Be seated, please.

**MR. PURPURA:** May we approach quickly?

**THE COURT:** Sure. Of course.

(Bench conference on the record:

**MR. PURPURA:** Good morning, Your Honor.

**THE COURT:** Good morning.

**MR. PURPURA:** Just out of an abundance of caution and to protect the record for Mr. Hersl, I'll make a motion for mistrial based on the outburst yesterday by Ronald --

**THE COURT:** Hamilton.

**MR. PURPURA:** -- Hamilton. Excuse me. I don't have a transcript of exactly what went on. But it was, in essence, two separate outbursts for, I'd say, at least 15 seconds per outburst.

The Court really couldn't control him. No one could control him at that point. His outbursts were directed not, quite frankly, at Mr. Nieto's client, but at the center of our defense, which is the Hamiltons' case. We're charged with a substantive count as well.

And he said he's here as a result of these officers ruined his life and caused a divorce and caused everything else. And things which would normally not be admissible he did

1 in a very emotional and emphatic way for at least, in my  
2 calculation, about 30 seconds before the jury.

3 So I would ask the Court to declare a mistrial as far  
4 as Mr. Hersl's concerned at this point.

5 **THE COURT:** All right. Anyone else want to be heard?

6 **MR. WISE:** We obviously would oppose a motion for  
7 mistrial. We repeatedly objected to the line of questioning  
8 that Mr. Nieto was pursuing. We thought the questioning was  
9 provocative, to say the least.

10 It was, frankly, invited, given the tone and the clear  
11 import, which was a man like that can't possibly have a house  
12 like that except if he's a drug dealer.

13 And so it wasn't -- it wasn't -- he didn't start  
14 shouting out of the blue in some explosion of anger. It was  
15 invited and it was persistent.

16 And, again, over our repeated objection that Mr. Nieto  
17 continued on that path. And the defense has obviously decided  
18 that they're going to cross each other's episodes; that's a  
19 strategic decision they've made.

20 Mr. Purpura has been doing that in episodes only  
21 involving Mr. Taylor. Mr. Nieto and Ms. Wicks have been doing  
22 that in episodes only involving Mr. Hersl.

23 And so I don't believe that, even though the fact it  
24 was directed at a Hersl episode, means it's not collectively  
25 part of defense and what they've tactically decided -- how

1 they've tactically to go after the victims in this case.

2 **THE COURT:** Okay.

3 **MR. NIETO:** Your Honor, may I?

4 **THE COURT:** Mr. Nieto.

5 **MR. NIETO:** And I would join with Mr. Purpura's  
6 request for a mistrial. I've had a little bit of time to sort  
7 of digest what was going on. It was the last witness of the  
8 day. There was no additional witnesses thereafter.

9 My -- our -- although Mr. Hamilton's testimony had  
10 focused more so on Mr. Hersl than it had on Detective Taylor,  
11 obviously with the conspiracy count and the racketeering, it  
12 would still be relevant testimony that could be considered  
13 against Detective Taylor.

14 This seems to be a -- seems to be some confusion on  
15 the part of the Government as to what the defense attorneys'  
16 roles are here and that we're somehow pigeonholed into  
17 witnesses that they determined are going to be specifically  
18 more focused on one or the other.

19 The questions that I were -- was presenting to the  
20 witness was specifically based on his testimony and his  
21 grand jury testimony.

22 And the version of events that the Government  
23 wholeheartedly adopted was that a couple with a total gross --  
24 not before taxes -- a total gross income of \$130,000, including  
25 losses and earnings and revenue from apartments that maybe --

1 or maybe he received all of it or he didn't, all of that with  
2 children, with a wife, they were able to afford a house that's  
3 a half a million dollars.

4 And those questions that I had posed to Mr. Hamilton  
5 was to try to take him down a path of absurdity, because that  
6 was what our position has been with regards to his testimony.  
7 And his outburst was not directly in response to a question  
8 that I had posed.

9 If memory serves, Your Honor, one of the last  
10 questions I had asked him was: How -- when he indicated what  
11 his down payment had been, how it -- what his mortgage payments  
12 were, because you can conclude, if his mortgage payments, from  
13 my estimation, were going to be approximately \$4,000 a month,  
14 with their gross income, they would have to be supplemented in  
15 some way. And that's where we were going with it.

16 Mr. Hamilton's credibility as a witness and the  
17 adoption by the United States Government that that is, in fact,  
18 truth is not only relevant for Defendant Hersl but also for  
19 Defendant Taylor.

20 And it's completely within my purview and right to be  
21 able to cross-examine that, notwithstanding the Government's --  
22 they weren't even actually objections; just mystification as to  
23 why I was doing what I was doing.

24 The witness's response or witness's outburst was not,  
25 in fact, in response to a question that I had posed. I

1 attempted during his outburst to stop him. I attempted to  
2 speak over him, and he continued and continued.

3 Then when we tried to bring it back in, he had another  
4 outburst sua sponte without a question being posed, per my  
5 recollection.

6 So our issue is that that is a bell that we did not  
7 invite to be rang and cannot be unring. And the prejudicial  
8 value of those unrequested and nonresponsive statements by the  
9 witness are prejudicial to not only Defendant Hersl's case but  
10 also to Detective Taylor, so we would be joining in  
11 Mr. Purpura's request.

12 **THE COURT:** Sure. Okay. Well, first of all, I will  
13 say that I agree with defense counsel that they were within  
14 their rights to somewhat overlap on cross-examination. I do  
15 not expect to have the same identical questions repeated over  
16 and over again.

17 But it seemed to me so far that defense counsel have  
18 taken a line of cross-examination in a somewhat different path,  
19 even if it sounds like the same thing to begin with. And I  
20 agree that the issue of the credibility of an important  
21 government witness such as this, given that this is a  
22 conspiracy, has certainly some impact on or could have some  
23 impact on Detective Taylor. So I don't fault defense counsel  
24 or both being involved in this cross-examination.

25 Having said that, it was fairly aggressive

1 cross-examination. It certainly was nothing provoked by the  
2 Government. I'm not saying that it was -- that it was unfairly  
3 provoked by the defense, but it clearly was in response to  
4 cross-examination by the defense that he had this outburst,  
5 nothing to do with the Government.

6 I don't think it is sufficient to warrant a mistrial.  
7 I would propose before we start testimony today to advise the  
8 jury that there was, as they will recall, an outburst from a  
9 witness on the stand at the end of trial yesterday; that what  
10 he said was not responsive to a question; it is not evidence;  
11 and it should be stricken and not considered in any way, if you  
12 want me to do that.

13 **MR. WISE:** Your Honor, we think it is -- it shouldn't  
14 be stricken. The -- these are charged as robberies. And the  
15 fear and effects of that -- the jury instructions on robbery  
16 make it clear that fear and the element of fear is from the  
17 perspective of the victim.

18 And I think what he was addressing was the fear that  
19 was felt at that time and its ongoing consequences. And I  
20 think that's evidence of the circumstances at that -- on that  
21 evening; that it wasn't just a search warrant that, you know,  
22 was executed in the normal course, and then they discovered  
23 money was missing.

24 This was a traumatic event. And just like in a  
25 robbery case, just like when Ms. Cousins testified in the fall



1 when she was robbed, the circumstances of that event came out.

2 We didn't -- we didn't invite it. We didn't push it,  
3 but they chose to. And we think it should not be stricken at  
4 all.

5 **THE COURT:** Mr. Nieto, what's your position on my  
6 instruction to the jury?

7 **MR. NIETO:** Your Honor, we would concur. Obviously,  
8 our position would be that a mistrial should be appropriate.  
9 But if Your Honor thinks a curative instruction at the start of  
10 today's testimony would be appropriate, we would agree.

11 There needs to be some -- it needs to be addressed in  
12 some fashion.

13 **THE COURT:** Mr. Purpura.

14 **MR. PURPURA:** Again, I agree there should be an  
15 instruction. And the Government should not be allowed to argue  
16 this in closing argument, which obviously it looks like it's  
17 their intent at this point.

18 **THE COURT:** Well, they won't be able to do that if  
19 it's stricken from the evidence.

20 **MR. PURPURA:** Thank you.

21 **THE COURT:** And I'm sure they will follow that.

22 I disagree that it reflected fear that he may have  
23 felt at the time. I think it reflected a great deal more of  
24 perhaps perfectly understandable anger rather than fear and  
25 anger about what the consequences of this have been to him in

1 regard, apparently, to his personal life and his relationship  
2 with his wife and so forth.

3 And I think that's very different from the fear that  
4 may have been generated in the victim of a violent crime at the  
5 time it's happening. That's not what I heard yesterday and, in  
6 any event, was not responsive to any question. So it's not  
7 evidence and shouldn't be considered as evidence.

8 **MR. PURPURA:** Thank you.

9 And the next very quick issue is the first witness who  
10 is going to testify is going to be Donald Stepp. Donald Stepp  
11 is going to reference meeting Mr. Hersl at a bar, at a party  
12 with police officers present.

13 And what he's going to recall is that Sergeant Jenkins  
14 was making public fun of Mr. Hersl regarding the number of  
15 writeups that Hersl has. Again, it goes to whether he does or  
16 does not have writeups, and it shouldn't be admissible. I  
17 think we can get around that by leading that Jenkins was making  
18 fun of Hersl for whatever reason.

19 **MR. HINES:** And that's not -- he won't testify that  
20 Jenkins was making fun of Hersl. What he'll say is Jenkins  
21 made those statements which induced him to join the conspiracy  
22 with Daniel Hersl moving forward.

23 He explained that Daniel Hersl was corrupt, the most  
24 Internal Affairs complaints. And at that moment Stepp agreed,  
25 moving forward, to start supplying Daniel Hersl with illegal

1 trackers. He started to -- he then moved forward and agreed to  
2 sell the drugs from the storage unit, so that's all relevant  
3 conduct in furtherance of the conspiracy.

4 **MR. PURPURA:** You know, there is nothing in any of  
5 these reports which indicates any of that information.

6 **MR. HINES:** It does.

7 **MR. PURPURA:** Just that does right there. Nothing  
8 more than that.

9 **THE COURT:** Where is that?

10 **MR. PURPURA:** There's initial report, and that's a  
11 subsequent report. And there's a third report too.

12 **MR. NIETO:** Yeah, there's -- I have the other report.

13 **THE COURT:** Well, in any event, I'm sustaining the  
14 objection to any reference to the number of writeups that  
15 Mr. Hersl may have had for the same reason that I did before.  
16 Under 403, this is just unduly prejudicial. I'm not going to  
17 wind up with a mini trial on whether those complaints were or  
18 were not justified.

19 You may -- I wish you would advise Mr. Stepp, which I  
20 didn't ask you to do, so I'm not blaming you; but the previous  
21 witness that was in this particular situation, we agreed that  
22 you wouldn't ask anything to bring it out. He didn't know that  
23 he wasn't supposed to volunteer it, so he did once or twice.

24 **MR. HINES:** In response to defense questions.

25 **THE COURT:** I agree. Again, I'm just saying I should

1 have thought of that the last time, but this time I am. If you  
2 could -- if we could figure out some, perhaps right now, even,  
3 before the jury goes in, I'm going to request that Government  
4 counsel advise Mr. Stepp that he will not be asked and he  
5 should not volunteer the comment about how many writeups  
6 Mr. Hersl has.

7 You may ask him if -- something to the effect of if  
8 Jenkins told him he could trust Hersl.

9 **MR. WISE:** I think the issue is trust; but the concept  
10 is it's a corrupt relationship, not trust him like you can  
11 trust him to do the right thing. It's you can trust him to  
12 commit crimes with us.

13 So maybe Mr. Hines could lead him to say what's the  
14 comment so that we don't get into the complaints, which is that  
15 immediately following that, Did he tell you -- did he describe  
16 Mr. Hersl as corrupt? And that was the word that Stepp has  
17 used. And that's what, in Stepp's mind, made him someone he  
18 would deal with.

19 **THE COURT:** What else is there in the conversation?

20 **MR. PURPURA:** And I don't see the tracker, I don't see  
21 anything about the tracker.

22 **MR. WISE:** It's in -- it's all in --

23 **MR. HINES:** I mean, Bill, correct me if I'm wrong; we  
24 expect you to attack his credibility on how he formed his  
25 agreement with Hersl. And if he can't describe all of the

1 actions that led up to that --

2 **MR. PURPURA:** The only thing in the 302, which Stepp  
3 says he's met Hersl two occasions, once at this gathering of  
4 400 officers. And what he recalls, according to this, is that  
5 he was being made fun of, publicly made fun of by Jenkins for  
6 his writeups.

7 And the second time is when their cars were passing.  
8 He's in a vehicle with Jenkins, and Hersl's coming by. And a  
9 tracker is thrown from Jenkins into Hersl's car. And that's  
10 it.

11 And that what he says. He says he's never talked to  
12 him or anything else. He's never had a conversation with  
13 Hersl. I mean, that's --

14 **MR. WISE:** Jenkins asked him for an illegal tracker to  
15 give to Hersl, and he knew it was for Hersl. He then, of  
16 course, provides drug proceeds, money that Jenkins tells him  
17 will be given to Hersl after they break into the Armstrong  
18 storage facility at Jenkins' direction when Hersl is there, and  
19 Hersl knows all about this.

20 **THE COURT:** Okay.

21 **MR. PURPURA:** See what happens.

22 **THE COURT:** Well, I don't know yet what the  
23 cross-examination is going to be. Possibly it will open the  
24 door for something, but I don't think leading him to say that  
25 he used the word "corrupt" is going to work either.

1           **MR. WISE:** Did he ask him, How did he -- how did he  
2 describe Mr. Hersl to you? With the admonition before he goes  
3 in to say, Whatever you're going to say, but don't talk about  
4 IAD complaint --

5           **MR. PURPURA:** What would he say?

6           **MR. WISE:** Well, he would say he told him he was a  
7 corrupt cop.

8           **MR. PURPURA:** Does he use those words?

9           **THE COURT:** If he -- if that's what he has said, that  
10 those are the words that are used, then you can ask that, just  
11 telling him not to get into any --

12           **MR. HINES:** Writeups.

13           **THE COURT:** -- writeups.

14           And you can cross-examine him on: Where is that in  
15 the 302? If you need to.

16           **MR. PURPURA:** Is the corrupt cop as a result of the  
17 writeups? Is that what the issue is? Is that what he's basing  
18 that upon?

19           **MR. HINES:** I think that's part of it. It's Jenkins'  
20 statement.

21           **MR. WISE:** He knows everything Jenkins is doing.  
22 Stepp knows everything Jenkins is doing. So I think it's --  
23 the writeups, in his mind, are part of it. But there's also a  
24 lot more that Jenkins is doing. So I think it's a broader --

25           **MS. WICKS:** And I think that's part of the problem.

1           **THE COURT:** You're not going to be picked up.

2           **MS. WICKS:** I think that's part of the problem, is  
3 that there is a lot more that Jenkins is doing and that Jenkins  
4 is doing with this witness. I don't think it's the same  
5 conspiracy, and I don't think these are co-conspirator  
6 statements.

7           So I would be objecting also on behalf of Mr. Taylor.  
8 Just because Jenkins is describing something to Mr. Stepp  
9 doesn't mean that it's a co-conspirator statement.

10           **THE COURT:** Okay. All right. Well, I'll respectfully  
11 disagree with that. From everything I've heard, I think it is  
12 going to be a co-conspirator statement.

13           I will just ask you to tell Mr. Stepp not to mention  
14 Internal Affairs writeups, that sort of stuff.

15           **MR. HINES:** Okay.

16           **THE COURT:** Okay? Is he behind the door there?

17           **MR. WISE:** I can go back and find him briefly.

18           **THE COURT:** Okay. Why don't you find him and tell me  
19 when you've done that.)

20           (Bench conference concluded.)

21           **THE COURT:** All right. We'll get the jury.

22           **MR. WISE:** Would Your Honor like the next witness  
23 brought in now or after --

24           **THE COURT:** No; because I'm going to instruct the  
25 jury.

1           **MR. WISE:** I see. Okay.

2           (Jury entered the courtroom at 10:29 a.m.)

3           **THE COURT:** All right. Welcome back. And be seated,  
4 please.

5           Let me start, ladies and gentlemen, first of all,  
6 apologizing for our delay. There were a combination of  
7 technical and other issues that we had to deal with.

8           Before we get started today, I do want to think back  
9 to yesterday afternoon. You will recall that the witness at  
10 the end of the day, Mr. Hamilton, when he was testifying, that  
11 there was what I will just describe as an outburst towards the  
12 conclusion of his testimony.

13           That -- what he said at that point, it was not  
14 responsive to any specific question that had been asked and it  
15 is not evidence.

16           I am instructing you that it is stricken from the  
17 testimony, and you may not consider it in any way as part of  
18 the evidence in this case. It is simply not evidence.

19           Thank you.

20           Now, before we call the first witness, I have a note,  
21 so I'll ask counsel up to the bench.

22           (Bench conference on the record:

23           **THE COURT:** All right. Ms. Moyé has been given  
24 another note by a juror. Ms. Moyé's been given another note,  
25 and she's also going to relate something the juror said to her.



1           **THE CLERK:** Yes. The juror gave me the note this  
2 morning. She said, I'm not sure if they asked -- answered this  
3 question on -- yesterday.

4           **THE COURT:** Okay. She said she's not sure it was  
5 answered.

6           And the question is: How did they get permission to  
7 go to Carroll County? Don't they have to have permission to  
8 cross county/city lines?

9           Seems to me, in fact, there's been testimony about  
10 there's citywide jurisdiction --

11           **MR. PURPURA:** Statewide.

12           **THE COURT:** -- but perhaps that can be addressed with  
13 another witness or something like that. But, anyway, that's  
14 the question.

15           **MR. PURPURA:** Thank you.

16           **THE COURT:** Okay.

17           **MR. PURPURA:** Judge, I apologize. I'm concerned that  
18 I may be missing some -- a 302 on Stepp, because I can't find  
19 that. If the Government can just take a moment before they  
20 start the direct and point to where it is on the 302, then I'd  
21 be satisfied.

22           **MR. WISE:** Point to where what is?

23           **MR. PURPURA:** Where the reference that Stepp was  
24 supplying trackers to Hersl.

25           **MR. WISE:** Yeah, I know --

1           **MR. HINES:** We'll show you.

2           **MR. PURPURA:** Show me? Right? Because I'm concerned  
3 that I'm missing something, so they can take a second to show  
4 me; is that fair?

5           **MR. WISE:** We provided the Jencks two weeks ago. I  
6 don't -- you know, I don't know what to say. I mean, he's  
7 going to testify if something -- if you can't find something in  
8 the 302, you can ask him about it.

9           **MR. PURPURA:** I'm concerned it doesn't exist. That's  
10 all.

11           **MR. WISE:** It's a live trial.

12           **THE COURT:** Then --

13           **MR. PURPURA:** The Government's represented it exists  
14 in the 302.

15           **THE COURT:** Yes. And I expect they will be able to  
16 come up with it and perhaps -- who's doing the questioning?

17           **MR. HINES:** I'm doing the questioning.

18           **THE COURT:** Perhaps Mr. Wise can help look for it if  
19 it's not in there. We seem to have a good point for  
20 cross-examination. And if you think there's something even  
21 further, you'll make that motion.

22           **MR. PURPURA:** Okay.

23           **THE COURT:** Okay?)

24           (Bench conference concluded.)

25           **THE COURT:** All right. Would you like to call a

~~STEPP~~ ~~DIRECT~~

1 witness.

2 **MR. HINES:** United States calls Donald Stepp,  
3 Your Honor.

4 **THE COURT:** All right.

5 **THE CLERK:** Please raise your right hand.

6 DONALD STEPP, JR., GOVERNMENT'S WITNESS, SWORN.

7 **THE CLERK:** Please be seated.

8 Please speak directly into the microphone. State your  
9 full name for the record and spell your last name, please.

10 **THE WITNESS:** Donald Carroll Stepp, Jr., last name  
11 spelled S-T-E-P-P.

12 **THE CLERK:** Thank you.

13 DIRECT EXAMINATION

14 **BY MR. HINES:**

15 **Q.** Good morning, Mr. Stepp.

16 **A.** Hi. How are you?

17 **Q.** Are you presently a defendant in a pending federal case?

18 **A.** I am.

19 **Q.** What are you charged with in that case?

20 **A.** Drug charges.

21 **Q.** What have you pled?

22 **A.** I pled guilty.

23 **Q.** Why did you plead guilty?

24 **A.** Because I am guilty.

25 **Q.** What kinds of drugs were you charged with in that case?

~~STREET DIRECT~~

1 **A.** Cocaine base, cocaine, heroin, MDA, I think they call it  
2 Molly.

3 **Q.** Who did you get the crack cocaine and heroin from that  
4 you're charged with in that case?

5 **A.** Sergeant Wayne Jenkins.

6 **Q.** Did you admit in your case that you received other drugs  
7 from Wayne Jenkins that he and other officers had robbed from  
8 citizens in Baltimore?

9 **A.** Yes, I have.

10 **Q.** Who prosecuted you for the crimes you committed?

11 **A.** The United States of America.

12 **Q.** As part of your plea agreement, did you agree to cooperate  
13 with the United States?

14 **A.** I did.

15 **Q.** What does that mean?

16 **A.** That means just to come forward with the facts and the  
17 truth.

18 **Q.** What, if anything, do you hope to get in return for saying  
19 the truth and the facts?

20 **A.** I hope I get a reduced sentence.

21 **Q.** Have you been sentenced yet?

22 **A.** No, I haven't.

23 **Q.** Who will sentence you?

24 **A.** The United States of America, you will.

25 **Q.** And the judge ultimately decides your sentence?

~~STIPP~~ ~~DIRECT~~

1 A. Yes.

2 Q. Is the judge a party to your plea agreement?

3 A. No, she's not.

4 Q. Even if the Government recommends that you get a lower  
5 sentence, does the judge have to follow that recommendation?

6 A. No, she doesn't.

7 Q. Have any promises been made to you about what your  
8 sentence will actually be?

9 A. No.

10 Q. What is the maximum penalty for the crime that you pled  
11 guilty to?

12 A. Life imprisonment.

13 Q. What is the minimum penalty for the crime that you pled  
14 guilty to?

15 A. Ten years, no parole.

16 Q. If the Government makes a motion based on your truthful  
17 testimony, can your attorney argue for a sentence less than ten  
18 years?

19 A. Yes, from what I understood, yes.

20 Q. But even if that motion is made, can the Government ask  
21 for anything up to life imprisonment?

22 A. Yes, they can.

23 Q. Mr. Stepp, how old are you today?

24 A. I'm 51.

25 Q. And where are you from, sir?

1 A. Baltimore, Maryland.

2 Q. How long have you lived in Baltimore?

3 A. Just basically my whole life.

4 Q. Prior to your arrest, what did you do for a living?

5 A. I owned a bail bonds company.

6 Q. And can you describe to the jury what a bail bonds company  
7 is.

8 A. Bail bondsmans wait for people to get locked up; we act in  
9 a fiduciary capacity to take funds, secure bails, to get  
10 people's freedoms, and get 'em back out.

11 Q. So after the police and prosecutors charge someone in a  
12 case, does a commissioner decide what that person's bail is?

13 A. They do. Commissioner, after they're arrested, they --  
14 they'll go in front of the commissioner. Commissioner then  
15 will either determine to let 'em go or give 'em a bail.

16 If they give 'em a bail, that's when we step in. And we  
17 look for indemnification, indemnitors, people that's willing to  
18 sign for them. And then from there, we'll try to secure their  
19 bails and get their freedom.

20 Q. As a bail bondsman, did you have the same powers as the  
21 police?

22 A. No, I don't.

23 Q. Were you authorized to investigate crimes?

24 A. No, I wasn't.

25 Q. Were you authorized to arrest people for drug or gun

1 offenses?

2 **A.** No, I wasn't.

3 **Q.** How do you know former Sergeant Wayne Jenkins?

4 **A.** I grew up with his brother Bobby Jenkins. I grew up with  
5 him, went to school with him. So I've known the family for  
6 close to 40 years.

7 And then I would go over and start playing cards with a  
8 lot of police officers and stuff. They'd have local card games  
9 that I would attend, and I would go to those. And then I got  
10 to know Wayne pretty good from the card games and stuff.

11 **Q.** Did Wayne Jenkins ask you to sell drugs?

12 **A.** At first it was his brother. It was his older brother.  
13 But, secondly, after years went by, then it come down to be --  
14 it come down to be him.

15 **Q.** Where were you when Wayne Jenkins first asked you to sell  
16 drugs?

17 **A.** We was -- we was riding to Delaware State Park Casino when  
18 it had opened, and I was in the passenger seat. And he started  
19 saying to me that, you know, that he gets -- he gets a lot of  
20 narcotics, which was well known; that he was one of the top  
21 cops here in the city and seizing some of the biggest busts in  
22 Baltimore City history that he had had.

23 So I knew -- I knew his reputation of what he had, and he  
24 just asked me. He just come out and says he sent his brother  
25 to me years ago and that he could start doing it, you know, if

~~STAPP~~ ~~DIRECT~~

1 I wanted to do it. I agreed.

2 **Q.** I'm showing you what's been marked as  
3 Government's Exhibit DA-3. It's -- is this a photograph from  
4 your phone, Mr. Stepp?

5 **A.** It is.

6 **Q.** And is it dated -- it's small, but is it dated  
7 December 15th, 2012, in the bottom left-hand corner?

8 **A.** It is, yes.

9 **MR. HINES:** And, Mr. Kerrigan, if you zoom in on the  
10 top.

11 **BY MR. HINES:**

12 **Q.** What does this photo show?

13 **A.** It shows Delaware Park Casino. It looks like the roulette  
14 table that we was at, and I recall this and remember it.

15 **Q.** And who's in the photograph?

16 **A.** That is -- that is the back of Sergeant Wayne Jenkins  
17 right here with the -- towards the right of the photo with  
18 the -- looks like a gray jacket that he's wearing. That's me  
19 standing right in behind him.

20 **Q.** And you described a moment ago the excursion in which  
21 Sergeant Jenkins proposed giving drugs to you. Is this that  
22 same excursion?

23 **A.** Yes, this is it. This was the time.

24 **Q.** And what he said to you was in the car ride?

25 **A.** Yes, he did.



~~STREET DIRECT~~

1 Q. When you gave your phone to the FBI -- or let's back up a  
2 step.

3 After your arrest, did you give your phone to the FBI?

4 A. I did.

5 Q. Did you have several photos on your phone of you and  
6 Wayne Jenkins?

7 A. I had many photos.

8 Q. I'll show you an example, Government's Exhibit DA-11.

9 Is this a photo dated February 3rd, 2013?

10 A. It is.

11 Q. And who's in the photograph?

12 A. That would be me and -- at that time Sergeant Wayne Earl  
13 Jenkins.

14 Q. And where are you guys?

15 A. We was at the Super Bowl. It was the 2012 NFL season, but  
16 it was February 2013 for the San Francisco 49ers/Baltimore  
17 Ravens Super Bowl in New Orleans.

18 Q. So this was approximately two months after the Delaware  
19 state trip; right?

20 A. Correct.

21 Q. When did you actually start to receive drugs from  
22 Wayne Jenkins?

23 A. It would have been soon after the Delaware State Park  
24 incident that he started to bring -- he started to bring  
25 amounts of drugs to the house right after this -- right after

1 the Delaware State Park.

2 **Q.** Can you sort of explain why, as a licensed bail bondsman,  
3 you agreed to start selling drugs for Wayne Jenkins?

4 **A.** Well, you know, we know that it's a tragic mistake, you  
5 know, looking back in hindsight. But it was 40 years of  
6 knowing his family, knowing his brother as good as I did, and  
7 knowing that he originally sent his brother to me eight, nine  
8 years before anything took place.

9 I felt comfortable with it because all the police officers  
10 that I met, which were many during the card games, in my  
11 opinion, they owned the city. So that was my -- my assessment  
12 at the time.

13 I value -- you know, I evaluate risk every day, what I do  
14 with my job. You know, I look at risk. I thought it was a  
15 winner. And I'm here because of greed. It's that simple.

16 **Q.** Were you already selling drugs at the time that Jenkins  
17 asked you?

18 **A.** I was.

19 **Q.** And did you have a supplier for those drugs?

20 **A.** I did.

21 **Q.** What kind of drugs were you selling?

22 **A.** Strictly just cocaine.

23 **Q.** Did you have a customer base in --

24 **A.** Yes.

25 **Q.** -- and around Baltimore?

1 **A.** I did.

2 **Q.** When -- after Jenkins began giving you drugs, what kind of  
3 drugs did he give you?

4 **A.** Phew, it was -- it was just -- it was just over the top.  
5 I can't -- everything and anything that could be imagined. I  
6 didn't even know what some of the stuff was. I mean, it was  
7 just -- it was coming in such an abundance that I didn't even  
8 know what it was.

9 I mean, there was so -- he would call it different names  
10 of scramble, capsules of heroin, of -- this is cocaine. This  
11 is crack. This is Molly. This is -- I didn't even know  
12 because I -- I didn't -- that wasn't my base. That wasn't my  
13 clientele.

14 **Q.** What drugs did you know that you were able to sell?

15 **A.** I could tell the cocaine. I knew the cocaine from my  
16 years of dealing with it. I always knew that -- what was real  
17 and what was fake.

18 **Q.** Did you also receive marijuana?

19 **A.** I did. I did. You know, I ended up branching out because  
20 I knew what marijuana was, and he was bringing an extreme  
21 abundance of marijuana.

22 **Q.** So you said you think of things as a fiduciary. You know,  
23 given your mind-set, why did you decide that these drugs made  
24 sense for you to sell versus the other drugs you had from your  
25 other supplier?

1 **A.** Strictly financial reasons. The prices that we negotiated  
2 worked. You know, I would pay \$34,000 to \$39,000 for a  
3 kilogram of cocaine that I could get from Sergeant Jenkins at  
4 \$15,000. To me it was just a mathematical equation, and I felt  
5 good. After knowing the family for 40 years and knowing what I  
6 knew about him, I felt as though it was a -- it was a good  
7 gamble and a good risk.

8 **Q.** Okay.

9 **A.** We know that that was wrong.

10 **Q.** So that I understand, your supplier would sell it to you  
11 for thirty-four to thirty-nine thousand a kilogram?

12 **A.** Correct.

13 **Q.** And then did you have to mark that up to resell it?

14 **A.** Well, I sold -- my number one client base was a  
15 professional base that I would sell to people for a hundred  
16 dollars a gram, \$125 a gram. You get a thousand -- thousand  
17 grams in a kilogram. The math is kind of simple, 100,000 to  
18 one twenty-five. So the profit ratio, when it was -- it was  
19 significant.

20 **Q.** And when Wayne Jenkins gave you a kilogram of cocaine, did  
21 you say you only had to pay him 15,000?

22 **A.** \$15,000, correct.

23 **Q.** So you made a greater profit on those drugs from the --  
24 from Jenkins?

25 **A.** Correct.

~~STAFF DIRECT~~

1 Q. Did -- how did Jenkins get these drugs to you?

2 A. Phew.

3 MS. WICKS: Objection.

4 THE COURT: Overruled.

5 THE WITNESS: Various different ways. Normally --  
6 normally he -- sometimes he'd meet me at lunch, breakfast, and  
7 we would do it at lunch or breakfast. A lot of times, though,  
8 because I would be in bed, he would -- he knew my shed was  
9 unlocked. I'd just leave the -- I'd have a lock on the shed,  
10 but I would leave it unlocked.

11 I knew if I'd come up in the morning, if the shed was  
12 locked, I knew that he had been in there and left something.  
13 And he would normally get back to me.

14 A lot of times it was like that. Or he would call me  
15 just to tell me to meet him. Or if it was something  
16 substantial, he would call me late at night and tell me to get  
17 up and open my garage door.

18 BY MR. HINES:

19 Q. How frequently did this occur?

20 A. Almost nightly.

21 Q. How much money did you earn from the sale of drugs that  
22 Jenkins gave you?

23 A. What did I make? Probably -- probably a million dollars  
24 or more.

25 Q. And what did you return to Jenkins?

1 **A.** I'd give him -- on the set prices that we'd have, I would  
2 give him that. I would say that he's profited over a  
3 quarter-of-a-million dollars to a half-million dollars would be  
4 my guesstimate.

5 **Q.** Did Jenkins tell you what unit he was in?

6 **A.** I've known him -- I've known him to be in various units  
7 throughout Baltimore City for the ten-plus years that I -- that  
8 I knew him. So I knew that he was in Selective Enforcement  
9 Unit, Major Crimes, Narcotics, right into the  
10 Gun Trace Task Force.

11 **Q.** Did he say anything about what the Gun Trace Task Force  
12 did?

13 **A.** Yeah. I mean, it was -- it was a front. It was -- it was  
14 a front for a criminal enterprise. It's what he -- it was --

15 **MR. PURPURA:** Objection, Judge. Objection.

16 **THE COURT:** Do you want to come up to the bench?

17 **MR. PURPURA:** Are these in quotes or is he just  
18 ad-libbing at this point?

19 **THE COURT:** Who made the statement that you just  
20 repeated, Mr. Stepp?

21 **THE WITNESS:** It was Sergeant Jenkins.

22 **THE COURT:** Okay.

23 **BY MR. HINES:**

24 **Q.** Other than saying that it was a criminal enterprise, what  
25 else did Wayne Jenkins say about the Gun Trace Task Force?

1 **A.** Pardon? Can you repeat that. I didn't --

2 **Q.** Sure. You said that Sergeant Jenkins said it was a  
3 criminal enterprise. Apart from that, what else did  
4 Wayne Jenkins say about the Gun Trace Task Force?

5 **A.** There was -- there's umpteen conversations that I've had  
6 with him about it. But he would use -- it gave him free reign  
7 of the entire city. So he really liked this unit because other  
8 units would have him confined to special areas and segregated  
9 areas.

10 He enjoyed the Gun Trace Task Force because it just opened  
11 up the entire city. So it gave him the pick of -- of the  
12 cream-of-the-crop officers in what he was doing, and it gave  
13 him the ability to be able to have the entire city at his  
14 disposal.

15 **Q.** Did Jenkins tell you that he was committing robberies?

16 **A.** He didn't tell me that he was committing robberies, but it  
17 was -- it was obvious that, you know, he --

18 **MR. PURPURA:** Objection. It's nonresponsive,  
19 Your Honor.

20 **MR. HINES:** Sure.

21 **BY MR. HINES:**

22 **Q.** Did you ultimately agree to commit robberies with  
23 Wayne Jenkins?

24 **A.** I didn't call them robberies, but yes, yes.

25 **Q.** What -- okay. Then what did you -- what kinds of things

1 did you agree to do with Wayne Jenkins?

2 **A.** I was basically a person that would -- you know, I would  
3 get rid of the stuff. I dealt solely and exclusively with him,  
4 not the other -- not the other officers that was within his  
5 unit, even though I knew everything that was going on within --  
6 within the unit because of talking to him, but my business was  
7 with him and him solely. So --

8 **Q.** And why did you want your business to be with him solely?

9 **MR. PURPURA:** Objection; leading, Judge. Leading.

10 **THE COURT:** Overruled.

11 **THE WITNESS:** I -- there was no need -- I didn't want  
12 any more exposure than what I already had. To me it was solely  
13 him, and I didn't want anything to do with the other people  
14 that was in his unit.

15 **BY MR. HINES:**

16 **Q.** Did Jenkins ask you to buy any items for him?

17 **A.** Yes. He needed what -- what he called quick bags for his  
18 crew. And because he didn't want the stuff to tag back to him,  
19 he knew that I had the bail bond shop and I could get it  
20 delivered. Plus we had -- you know, in the bail bond business,  
21 you have things known as fugitive apprehension units that can  
22 go after bail skips, people that skip bails. You have to have  
23 bounty hunters that go and chase 'em down.

24 So they knew this equipment wouldn't raise any flags for  
25 me being able to order up specialized equipment that he needed



~~STAFF DIRECT~~

1 off of the books that wouldn't tag back to him.

2 **Q.** What did he tell you he wanted to use the equipment for?

3 **A.** Equipment was used for him and his squad and -- and the  
4 many members that he had throughout Baltimore Police  
5 Department.

6 **Q.** Did he say what they were going to do with the equipment?

7 **A.** It was kind of obvious from, you know, the --

8 **MR. PURPURA:** Objection.

9 **THE COURT:** Sustained. "Did he say."

10 **BY MR. HINES:**

11 **Q.** Sure. Set aside what was obvious. Did he say to you what  
12 he was going to do with this equipment?

13 **A.** Yes, he did. He was supplying -- he was supplying men  
14 within his unit and men within other parts of the Baltimore  
15 Police Department.

16 **Q.** And did you find it unusual that he was coming to you to  
17 order equipment rather than getting it from the Baltimore  
18 Police Department?

19 **A.** Well, you know, it's obvious when you're taking, in my --  
20 it was obvious to me that when I'm taking millions of dollars  
21 worth of drugs from the Baltimore Police Department and selling  
22 them, that these are not a -- this is not a normal police  
23 department.

24 So by getting -- by getting --

25 **MR. PURPURA:** Judge, objection again.

~~STIPP DIRECT~~

1           **THE WITNESS:** -- this equipment --

2           **MR. PURPURA:** This is, again, nonresponsive to a  
3 simple question. This witness takes every opportunity to --

4           **THE COURT:** Now, Mr. Purpura, that's -- all right.  
5 You can make your objection.

6           **MR. PURPURA:** Objection.

7           **THE COURT:** Thank you.

8           Mr. Stepp can stop.

9           **MR. HINES:** I'll move on, Your Honor.

10          **THE COURT:** You can ask a different question.

11          **MR. HINES:** Sure.

12          **BY MR. HINES:**

13          **Q.** I'd like to show you what's been marked -- or actually  
14 admitted as Government's Exhibit 19A -- 19B, the photograph.

15               Do you recognize any of the gear in 19B?

16          **A.** I do. I recognize all of it.

17          **Q.** Was some of that gear, with the exception of the Baltimore  
18 police vest, gear that you purchased for Jenkins?

19          **A.** Over the many orders that I've took for 'em and the many  
20 lists that he --

21          **MR. PURPURA:** Objection. Again, nonresponsive.

22          **THE COURT:** Overruled.

23          **MR. PURPURA:** Very good.

24          **THE COURT:** Let him finish his question -- his answer.  
25 Go ahead.

~~STEPP DIRECT~~

1           **THE WITNESS:** Many lists that would come from him that  
2 he would give me for specialized equipment like this, I would  
3 order for him. A lot of times he would call me for other  
4 specialized equipment to add on to get stuff that they needed.  
5 It was a steady abundance of equipment that they needed.

6           **THE COURT:** Now, repeat the question.

7           Mr. Stepp, listen to the question and see if you can  
8 answer it.

9           **BY MR. HINES:**

10          **Q.** Apart from the Baltimore police vest, was any of this  
11 equipment on 19B equipment that you ordered or provided to  
12 Wayne Jenkins?

13          **A.** Everything except what's circled there I ordered for him,  
14 I believe all of it.

15          **Q.** And turning to FBI-20B, were some of these tools things  
16 that you ordered for Wayne Jenkins?

17          **A.** I ordered all of them for him, I believe. And he would --  
18 it was an enormous list that he would keep me up with of what  
19 he wanted.

20          **Q.** I'll show you -- how did you order these tools for him?

21          **A.** I ordered them through Amazon. I would order them through  
22 Amazon and then would get them to him when he would -- he would  
23 come by and pick them up.

24          **Q.** I'm going to show you Exhibit DA-14.

25               Is this an Amazon printout list in your name?

~~STENO~~ ~~DIRECT~~

1 A. Correct. It is.

2 Q. Did you provide this to the FBI?

3 A. I did.

4 Q. And just directing your attention to Page 3 of DA-14.

5 A. Correct.

6 Q. Are these some of the items that we just saw in 20B and  
7 19B?

8 A. Yes.

9 Q. Same thing with the following page?

10 A. It's a grappling hook.

11 Q. And how about this item here (indicating)?

12 A. It's a machete.

13 Q. Did Wayne Jenkins tell you why he needed a machete?

14 A. Phew, no. Just -- they just put in the --

15 **MR. PURPURA:** Objection.

16 **BY MR. HINES:**

17 Q. Just --

18 A. No. I'm sorry.

19 Q. I'd like to show you a photograph marked DA-5. Who's in  
20 that photograph?

21 A. That would be me.

22 Q. And the date is February 19th, 2015?

23 A. Yes, it is.

24 Q. Where are you in that photograph?

25 A. It was the first time that he asked me to come to

~~STENO~~ ~~DIRECT~~

1 Baltimore City Police headquarters.

2 Q. So you're actually in the Baltimore Police Department  
3 headquarters?

4 A. Correct.

5 Q. Which office are you in?

6 A. That was Wayne Jenkins' office there. That was his  
7 original -- the first office that I ever went into with him.

8 Q. And what do you have on you?

9 A. I have on a police vest.

10 Q. And what's --

11 A. It's his. And his gun.

12 Q. And the "his" is Wayne Jenkins?

13 A. Correct.

14 Q. What's in your right hand?

15 A. His gun.

16 MR. HINES: And, Mr. Kerrigan, if you could just zoom  
17 in on this section here (indicating).

18 Yes, sir.

19 BY MR. HINES:

20 Q. What is that photograph that's sitting on that table?

21 A. That was a picture of -- it's a picture of recent busts  
22 that he's had within Baltimore, and he -- he had them on his  
23 desk and was showing me.

24 Q. And if you turn to Government's Exhibit DA-4, is this  
25 another one of the photographs that was on the desk?

~~STEPP~~ ~~DIRECT~~

1 A. Correct, it was.

2 Q. What did Wayne Jenkins say to you about this photograph?

3 A. He's told me that this was a bust that him and his -- his  
4 guys were in on, and he made good money out of this bust too.

5 Q. And directing your attention to Government's Exhibit DA-6,  
6 is this another photograph of you?

7 A. It is.

8 Q. Who took that photograph?

9 A. Wayne Jenkins took that photograph.

10 Q. And that's in the police department headquarters again?

11 A. Correct.

12 Q. Now, while you're in headquarters, what conversation, if  
13 any, do you have with Wayne Jenkins about working with him to  
14 steal stuff?

15 A. He was working on some very big cases in Baltimore, and he  
16 was well known to be the most prolific --

17 **MR. PURPURA:** Objection. That's nonresponsive. Can  
18 we get a relevance -- a time period now, please.

19 **BY MR. HINES:**

20 Q. Yeah. So the date -- if you go back to DA-6 a second  
21 here, you can see the photo -- the date on the photo,  
22 February 19th, 2015.

23 A. Yes.

24 Q. And my question was, Mr. Stepp, what specifically did  
25 Mr. Jenkins say to you about stealing stuff?

~~STEFF DIRECT~~

1 **A.** That it was easy for him to be able to steal because he  
2 had access, unbelievable access in his position.

3 **Q.** Did you agree to steal stuff with Mr. Jenkins?

4 **A.** Yes.

5 **Q.** Are you aware of other officers who were involved in  
6 stealing stuff with you?

7 **A.** Yes.

8 **Q.** Who else was involved?

9 **A.** Many people have been involved. I mean, definitely the --  
10 his immediate squad in the Gun Trace Task Force at that time  
11 that they were moving him up, we knew that all of them were  
12 stealing. But there was other units and other officers too  
13 that stole.

14 **Q.** Can you give an example of who within the  
15 Gun Trace Task Force was involved that you knew of.

16 **A.** The entire unit.

17 **Q.** Okay. Does that include Detective Taylor?

18 **MR. PURPURA:** Objection.

19 **MS. WICKS:** Objection.

20 **THE COURT:** Do you want to ask him who that includes.

21 **MR. HINES:** Yeah.

22 **BY MR. HINES:**

23 **Q.** Who does the entire unit include?

24 **A.** I knew of the names that he would give me, but there  
25 was -- he -- it was his -- he got to handpick everyone that

~~STEPP~~ ~~DIRECT~~

1 come inside of his unit.

2 **THE COURT:** Mr. Stepp, you need to listen to the  
3 question.

4 **THE WITNESS:** I'm sorry.

5 **THE COURT:** Answer the question.

6 **BY MR. HINES:**

7 **Q.** What were the names of the people that you knew of that  
8 worked with Wayne Jenkins in the unit?

9 **A.** Oh, Detective Danny Hersl, Detective Marcus Taylor,  
10 Detective Ward, Detective -- Detective Rayam, Detective Gondo,  
11 Detective -- I don't know who else I'm forgetting out of the  
12 whole thing, but there's --

13 **Q.** Are you aware of an episode at the Belvedere Towers?

14 **A.** I am.

15 **Q.** Was that in the spring of 2015?

16 **A.** Yes.

17 **Q.** What was your involvement in this episode?

18 **A.** No involvement in it except that he called me late that --  
19 he woke me up and told me to get up and open the garage door,  
20 so I knew it was something substantial by the way he was  
21 talking.

22 **Q.** When you say he called you, who --

23 **A.** Sergeant Wayne Jenkins.

24 **Q.** And did Jenkins come to your house?

25 **A.** He did.



1 Q. What happened when he arrived?

2 A. I opened the garage door. He pulled up with his  
3 police-issued surveillance car, undercover car. He pulled up.  
4 He popped the trunk of the car. He started looking around.

5 And I'm looking at him, like, why are you so nervous?

6 He started looking around. He pulled out two duffel bags,  
7 started walking towards my garage door. And I said, "What do  
8 you got?"

9 And he goes, "It's full of cocaine."

10 And I'm like, "Oh, my God." So I'm thinking he's got, you  
11 know, a hundred pounds of cocaine, but it was -- he said, "Just  
12 kidding. 60 pounds of weed."

13 Q. 60 pounds of what?

14 A. 60 pounds of marijuana. I'm sorry.

15 Q. And what was your reaction when you learned it was  
16 marijuana instead of cocaine?

17 A. It was 30 pounds of marijuana. Let me correct that.  
18 30 pounds of marijuana.

19 Q. Thank you, sir.

20 A. Okay.

21 Q. What was your reaction when you learned it was 30 pounds  
22 of marijuana instead of cocaine?

23 A. I was kind of disappointed because my base wasn't -- my  
24 base wasn't marijuana. So I knew I was going to have trouble  
25 getting rid of it.

~~STEFF DIRECT~~

1 Q. Now, when you were arrested, was your home searched?

2 A. It was.

3 Q. And was it -- who was -- what agencies were involved in  
4 the search?

5 A. Baltimore County and the FBI.

6 Q. Did you ultimately provide the FBI or learn that the FBI  
7 had seized a bag?

8 A. I did.

9 Q. And what was that bag?

10 A. It was one of the bags that was brought to me by  
11 Sergeant Jenkins that night.

12 Q. I'm showing you what's been admitted as Government's  
13 Exhibit FBI-24, submitted on Tuesday.

14 A. That's the bag he brought the marijuana in.

15 Q. From the Belvedere Towers?

16 A. Correct.

17 Q. And he told you it was from the Belvedere Towers?

18 A. He did.

19 Q. Did you learn who else -- well, did Wayne Jenkins tell you  
20 who else was involved in the Belvedere Towers incident?

21 A. He told me he's with his squad, that it was his squad. So  
22 I took it that it was the immediate members.

23 **MR. PURPURA:** Objection.

24 **THE COURT:** Just stop with he told you it was his  
25 squad.

~~STEFF DIRECT~~

1 **BY MR. HINES:**

2 **Q.** Were you later present for a conversation in which you  
3 learned who from his squad was with him?

4 **A.** Yes, I did.

5 **Q.** Where was that conversation?

6 **A.** That would have been at Scores adult nightclub in  
7 Baltimore City.

8 **Q.** And why were --

9 **MR. PURPURA:** I apologize. Just for relevancy again,  
10 can we get a time reference period.

11 **MR. HINES:** Sure.

12 **BY MR. HINES:**

13 **Q.** So I asked you a moment ago about the Belvedere Towers in  
14 spring of 2015.

15 **MR. PURPURA:** Thank you.

16 **BY MR. HINES:**

17 **Q.** When did this -- when were you at Scores?

18 **A.** It was -- it was sometime soon after -- soon after that  
19 date that you just said, probably within weeks. I would -- I  
20 would say it was within weeks that we -- we all went to Scores.

21 **Q.** And who's "we all went to Scores"?

22 **A.** It was a drug dealer out of New York. His name was  
23 Morano. He come. He had some of his friends with him. We  
24 had -- we had paid for security through Baltimore Police  
25 Department. Mr. Marcus Taylor, he was one of the members that

~~STREET DIRECT~~

1 was doing it. Another sergeant named Thomas Wilson was also  
2 there. Another off-duty police officer, I can't remember his  
3 name; it was Steve-something. Sergeant Wayne -- Sergeant Wayne  
4 Earl Jenkins was there. And I was there and some other people  
5 was there.

6 **Q.** Was -- I think you said his name is Morano, the guy from  
7 New York. Was he your drug supplier?

8 **A.** He was.

9 **Q.** And that's who Detective Taylor and others were providing  
10 security for?

11 **A.** Correct.

12 **Q.** And this was at the adult nightclub?

13 **A.** Yes.

14 **Q.** Did you have a conversation with Jenkins and Mr. Wilson?

15 **A.** I did.

16 **Q.** What was said?

17 **MS. WICKS:** Objection. Hearsay.

18 **THE COURT:** You don't -- come up to the bench. I  
19 mean, I assume it's going to be co-conspirator.

20 (Bench conference on the record:

21 **THE COURT:** I think we need to be specific about what  
22 was said by whom, but what's the objection?

23 **MS. WICKS:** I don't think this witness is a part of  
24 the conversation. He overhears a conversation apparently  
25 between Jenkins and Wilson. Wilson is not alleged to be a

1 member of the conspiracy.

2 **THE COURT:** Okay. What's the conversation?

3 **MR. HINES:** So he's present for the conversation.

4 That's what he just testified to. What Jenkins tells

5 Mr. Wilson and him is that Taylor was in on the --

6 Detective Taylor was in on the marijuana sale from

7 Belvedere Towers. So as Your Honor said, these are

8 co-conspirators.

9 **THE COURT:** Okay. Objection --

10 **MR. NIETO:** And, Your Honor, the 302 had reflected

11 that this was he overheard this conversation between these two

12 other people. This is the first time we're hearing that he was

13 an active participant in the conversation. That was part of

14 our objection.

15 **MS. WICKS:** I don't see how this is in furtherance of

16 the conspiracy if he's just describing something that's already

17 occurred to somebody else that's outside of the conspiracy. I

18 don't think there's any allegation that Wilson is a member of

19 the conspiracy.

20 **MR. HINES:** It's Detective Taylor. That's why it's

21 relevant, because as you know from the Jencks, after this,

22 Stepp shows up at the Stevenson house when Detective Taylor's

23 there.

24 **THE COURT:** Okay. The question is: At any time in

25 committing any robberies, did Mr. Stepp actually use any

~~STAPP DIRECT~~

1 official police gear or pose as a police officer?

2 Second question: Was he, Mr. Stepp, armed with a  
3 police weapon?

4 **MR. HINES:** May I take that and give it back to you?

5 **MR. WISE:** While we're up here, just to save us the  
6 trip, this is the 302 of Stepp that references the illegal  
7 tracker, the paragraph at the bottom. The date is 12/19,  
8 Page 7 of 11. And we've just put brackets around the reference  
9 to the illegal tracker.

10 **MR. PURPURA:** I have that, but the Government  
11 proffered -- that's what obviously threw me off, was that Stepp  
12 was supplying trackers to Hersl.

13 **MR. WISE:** That's who he threw the tracker to. Him  
14 and Jenkins pulled up to Hersl's car, and he threw the tracker  
15 to Hersl.

16 **MR. PURPURA:** That Jenkins threw a tracker to Hersl.

17 **MR. WISE:** No. I think it's Stepp's tracker. Stepp  
18 gave it to Jenkins. Jenkins threw it to Hersl. He knows it's  
19 Hersl.

20 **THE COURT:** Okay.)

21 (Bench conference concluded.)

22 **THE COURT:** All right. Go ahead, Mr. Hines.

23 **BY MR. HINES:**

24 **Q.** So I asked you about a conversation you said you  
25 participated in with Jenkins and Thomas Wilson?

~~STREET DIRECT~~

1 A. Correct.

2 Q. What was said during this conversation?

3 THE COURT: By?

4 BY MR. HINES:

5 Q. By Detective Jenkins -- or Sergeant Jenkins.

6 A. The question come from Sergeant Thomas Wilson. It didn't  
7 come from Sergeant Jenkins.

8 Q. And what was the question by Thomas Wilson?

9 A. The question from him was: How was Marcus Taylor doing as  
10 being, I guess, one of the newbies to the unit?

11 And Sergeant Jenkins replied that he's doing great, that  
12 he was a part of the 30 pounds that come from the  
13 Belvedere Tower.

14 Q. And the 30 pounds being in reference to the marijuana?

15 A. Correct.

16 Q. Do you know Oreese Stevenson?

17 A. I do.

18 Q. How are you familiar with Oreese Stevenson?

19 A. Just hearing the names from Sergeant Jenkins. I don't  
20 know him personally. I've never met him. Just know him from  
21 Sergeant Jenkins.

22 Q. Were you involved in an episode involving him?

23 A. Correct.

24 Q. Can you describe what happened.

25 A. I was home. The phone rings. It's Sergeant Jenkins.

1 Says, Donnie, I need you to -- I need you to come to this  
2 address as quick as you can. I got a monster, as he called  
3 them, substantial -- substantial, large amount -- he called him  
4 a drug lord that day.

5 Q. A drug lord, you said?

6 A. A drug lord. He says, One of Baltimore's drug lords.

7 Q. And which -- what address did Sergeant Jenkins give to you  
8 or talk to you about?

9 A. I can't remember the exact address. I punched it in on my  
10 TomTom within my bail bonds truck and started to go that way.  
11 So he told me to hurry up. He told me that there was -- there  
12 was -- he described to me, he says, "I need you to hurry up and  
13 get here. I got the guy in my office. I'm debriefing him."

14 And he told me that he was crying, trying to set up his  
15 supplier, and that if I hurried up and would get there, that  
16 his squad didn't realize -- the squad didn't realize what was  
17 really going on.

18 Wayne was telling me I could get -- there was a  
19 quarter-of-a-million dollars on top of a small safe and that  
20 there was over a half-million dollars of cash in the safe. And  
21 6 feet to the left of the safe, he told me there was a closet  
22 that contained 10 kilograms of cocaine. He said, "Donnie,  
23 you're looking at a total take of 1.75 million." He says, "If  
24 you get in, we can split it."

25 Q. And just so -- to be clear, Jenkins is telling you things



1 that Jenkins says that Stevenson told him?

2 **A.** Correct.

3 **Q.** Okay. Did you believe Jenkins?

4 **A.** Oh, I believed him.

5 **Q.** So what did you do?

6 **A.** I put the address in my TomTom GPS and drove -- started  
7 heading to that address. He was telling me to go around to the  
8 back door; that no one was in there; that there was -- that he  
9 had him there; the house was completely empty.

10 **Q.** What happened -- at some point did you see Jenkins or  
11 others arrive at the house?

12 **A.** I did.

13 **Q.** What happened after you saw them arrive?

14 **A.** After they arrived, I watched Jenkins produce a key. I  
15 had a pair of binoculars. So I -- I don't -- went around the  
16 house twice, and there was somebody there on the back. So I  
17 just went and pulled to the front. And I said, "I'm not doing  
18 it," because it was just a bad situation, so I wasn't doing it.

19 So I pulled a block and a half, maybe two blocks away,  
20 pulled out my binoculars, started watching. I had done talked  
21 to Jenkins saying that there was somebody in the back that, you  
22 know, the place isn't empty.

23 **Q.** Did you take a photograph on your phone?

24 **A.** I did.

25 **Q.** I'm showing you what's been marked as

1 Government's Exhibit DA-8. Is this a photograph you took on  
2 March 22nd, 2016?

3 **A.** Correct.

4 **Q.** And is this at Heathfield?

5 **A.** It is.

6 **Q.** And if you zoom in right there, who's in that photograph  
7 or who did you know in that photograph?

8 **A.** Well, when they -- when they pulled up in the unmarked  
9 car, you know, I recognized Sergeant Jenkins was the only  
10 Caucasian officer that was working that day that was with the  
11 four officers that got out; and the other officer being Taylor,  
12 Ward, and Mr. Hendrix. That was the one to the right, right  
13 here. In the middle of the photo was Sergeant --  
14 Sergeant Jenkins.

15 **Q.** So did these officers essentially get into the house  
16 before you could?

17 **A.** No. I knew I -- I wasn't going because someone was on the  
18 back. And I told him the place, it's -- somebody's --  
19 somebody's there, and I think that they're trying to empty the  
20 house out.

21 **Q.** Well, how old was the person on the --

22 **A.** He was a young -- he was a younger gentleman, but he had a  
23 big bag. So I thought for sure that he was there to empty the  
24 place out. But I just -- I told him that it's -- it's a no-go  
25 for me.

1 Q. At any time in the commission of any robberies, did you  
2 wear any police gear or pose as a police officer?

3 A. Never.

4 Q. Were you ever armed with a police weapon?

5 A. Never.

6 Q. So what were you wearing when you -- when you saw this boy  
7 in the back when you got to the house?

8 A. Just normal clothes.

9 Q. Then after -- you said you saw Jenkins use a key on the  
10 door?

11 A. I did.

12 Q. What happened next?

13 A. I watched -- when Jenkins arrived at the scene, he  
14 directed -- he directed one of the officers to the door to the  
15 left. Here in the photo coming away -- to the right-hand side  
16 is Oreese's door. Come to the left was the neighbor's door  
17 where they're standing at. They're standing at the neighbor's  
18 right there on that spot.

19 Q. This is the neighbor's door (indicating)?

20 A. Correct.

21 Q. And this is Stevenson's house?

22 A. Correct.

23 Q. And the officers are at the neighbor's house?

24 A. They are. He's -- this is when Sergeant Jenkins is  
25 directing the officers. He had one go to the corner. He

1 directed one to go to the neighbor's. And then he took --  
2 Marcus Taylor went right in behind him, went through the front  
3 door of Oreese Stevenson's house with the key.

4 **MS. WICKS:** Objection, Your Honor. May we approach?

5 **THE COURT:** All right.

6 (Bench conference on the record:

7 **MS. WICKS:** This witness just testified he was a block  
8 and a half to two blocks away, so I don't know what his basis  
9 of knowledge is for what Sergeant Jenkins is saying at the  
10 building.

11 **THE COURT:** I don't think he just testified to  
12 anything that Jenkins said. He said he directed  
13 people: somebody to the neighbors, somebody to another corner,  
14 and then he went in with Mr. Taylor. And he was watching with  
15 binoculars.

16 **MS. WICKS:** Okay. Just wasn't clear to me.

17 **THE COURT:** Okay.)

18 (Bench conference concluded.)

19 **BY MR. HINES:**

20 **Q.** After you saw Sergeant Jenkins and Detective Taylor enter  
21 Oreese Stevenson's house, what happened next?

22 **A.** I sat there to watch and see what was going -- what was  
23 going to transpire. Approximately three to five minutes after  
24 they entered the door, you still got the one officer that's  
25 talking to the next-door neighbor; you still have one officer

~~STEFF DIRECT~~

1 that is -- is down to the left -- down by the end of the  
2 street. He comes back up, goes into the house. Eventually the  
3 other officer next door goes in too.

4 Three to five minutes, then Sergeant Jenkins comes through  
5 the door. I had my binoculars. I'm looking at him through the  
6 binoculars. And as soon as he exits the door, I like to  
7 describe it as he -- I know how he -- from knowing him, I know  
8 how he looks with his gear and stuff on from seeing him so many  
9 times.

10 **Q.** So he had his BPD vest on?

11 **A.** He did. He had his -- he had his Baltimore --  
12 Baltimore City Police -- a bulletproof vest he was wearing.

13 **Q.** Was he armed?

14 **A.** He was.

15 **Q.** Did you see if the other officers had their vests and guns  
16 as well?

17 **A.** They was. They was all armed and all of 'em displaying  
18 their vests.

19 **Q.** So after you saw Jenkins with his vest, what did you  
20 observe?

21 **A.** As I like to say, he come out the door looking like  
22 Santa Claus. He was -- he was -- he was protruding from the  
23 vest (indicating), so I knew -- I was thinking that it was the  
24 10 kilos that he was talking about and the money that was on --  
25 the quarter million dollars that was on top of the safe.

~~STEFF DIRECT~~

1 Q. And then did you learn what it actually was that he had?

2 A. Well, what had happened was he went straight to --

3 THE COURT: Mr. --

4 THE WITNESS: He went straight to the back of the  
5 unmarked police car.

6 MR. PURPURA: Judge, objection, again.

7 THE COURT: No. He -- I thought he was going that  
8 way, but he's now said he went straight to the back of the  
9 police car.

10 So go ahead.

11 BY MR. HINES:

12 Q. What happened when Jenkins went to the back of the police  
13 car?

14 A. He threw a bag in the back of the police car trunk.

15 Q. And what happened after he threw the -- a bag in the  
16 police car trunk?

17 A. He rang my cell phone and asked me where I was at. And I  
18 was sitting approximately a block and a half, two blocks off,  
19 which you can see from the photo exactly where I'm sitting,  
20 that distance to the door.

21 And he told me to -- he said, "Don't come near the house."  
22 He wanted me to shoot straight down the street that was right  
23 there.

24 Q. Did he not want the -- did he tell you that he didn't want  
25 the other officers to see you?

~~STREET DIRECT~~

1 **A.** No, he didn't want -- they never -- they didn't know about  
2 many occasions, but that was one that they didn't know about.

3 **Q.** And what happens after you had this call with Jenkins and  
4 you arranged where you were?

5 **A.** I started driving down the street. As I drove down the  
6 street, he come flying behind me with the police car. I  
7 stopped. He jumps. He opens the -- the passenger door to my  
8 truck, throws 2 kilograms of cocaine in it and says, "Donnie,  
9 can you -- can you get me -- I'm going on vacation, can you get  
10 me \$5,000 within this week? I'm leaving for vacation."

11 I said, "Yes, I ain't got a problem."

12 He just threw me a couple hundred thousand dollars' worth  
13 of drugs in my truck. So, of course, I told him that I'd get  
14 him his \$5,000 within a week.

15 And he told me if I got pulled over, to give him a call,  
16 that he would come and fix it and told me to drive and do the  
17 speed limit and I left.

18 **Q.** Did you ultimately sell those 2 kilograms of cocaine?

19 **A.** I did.

20 **Q.** And how much did you sell those 2 kilos for?

21 **A.** Phew, took me a while, but my biggest seller, again, is I  
22 sell grams of cocaine, so it takes quite a while.

23 **Q.** And how much money did you return to Jenkins for those  
24 2 kilograms of cocaine?

25 **A.** The agreed amount of what was said with him, \$30,000,

1 \$15,000 each.

2 Q. Now, I'd like to move on to -- you testified that you knew  
3 Daniel Hersl; is that right?

4 A. Correct.

5 Q. How did Jenkins describe Daniel Hersl to you?

6 A. He has stated to me that he's one of the most corrupt cops  
7 in Baltimore City.

8 Q. What happened after Jenkins told you that Daniel Hersl was  
9 one of the most corrupt cops in Baltimore City?

10 A. What do you mean what happened?

11 Q. Did you have a subsequent -- moving on from that time when  
12 he told you that, did you have a subsequent interaction with  
13 Daniel Hersl?

14 A. Yes. The first time -- the first time I met Mr. Hersl,  
15 seen Mr. Hersl --

16 Q. Let's -- just to orient you, did you meet -- the first  
17 time you met him, did you meet him at a bar?

18 A. Correct.

19 Q. Let's talk about the second time, now moving forward.  
20 When was that that you saw Daniel Hersl?

21 A. I saw Daniel Hersl when we was leaving headquarters one  
22 night. He was going in to do some admin. He needed a ride. I  
23 took him in. We were sitting at his desk. He got -- he  
24 received a phone call from Mr. Hersl of -- that he needed one  
25 of the trackers.



~~STEPP DIRECT~~

1 So we left headquarters --

2 Q. You were in Baltimore Police Department headquarters?

3 A. Yes.

4 Q. And you left with Jenkins?

5 A. Left with Jenkins.

6 Q. To meet Hersl?

7 A. In my truck; correct.

8 Q. And what did Jenkins tell you was the reason you guys  
9 needed to meet Hersl?

10 A. That Hersl was up -- the phrase was that "he was up on  
11 somebody," which meant that he was up on a target of someone,  
12 whoever they were going to rob or bust or whatever, both sides  
13 that they worked. I don't know, but that --

14 MR. PURPURA: Judge, Your Honor, I apologize.

15 THE COURT: I'll strike that last part.

16 MR. PURPURA: Counsel understands the witness. They  
17 can control the witness. This is getting --

18 THE COURT: We'll strike the last part.

19 And, Mr. Stepp, please just answer the question.

20 BY MR. HINES:

21 Q. What happened after Jenkins told you that Daniel Hersl  
22 wanted -- or had a target?

23 A. We left. After that happened, he needed one of the GPS  
24 tracking devices, one of the GPS units.

25 Q. I'm showing you what's been marked as Government's

1 Exhibit DA-7.

2 Are these some of the types of tracking units that you  
3 had?

4 **A.** Yes.

5 **Q.** And why or how did you purchase or come to get these  
6 tracking units?

7 **A.** In the bail bond business, we're entitled on big bails --  
8 it's within our contracts that we're entitled to use GPS  
9 devices. So we will use them on large bails. So he knew I had  
10 access to GPS devices that were off the books.

11 **Q.** When you say "off the books," what does that mean?

12 **A.** That means I'm paying for 'em in cash. There's no paper  
13 trail. There's no credit card receipts. There's nothing that  
14 shows anything with the -- with the units.

15 **Q.** And the date of this photo is April 20th, 2015?

16 **A.** Correct.

17 **Q.** When you and Jenkins left Baltimore Police Department, did  
18 you have one of your trackers with you?

19 **A.** He had one within the office there, yes.

20 **Q.** And was it a Baltimore Police Department tracker?

21 **A.** No, it wasn't. It was one -- it was one of my units that  
22 I got.

23 **Q.** And what did you and Jenkins do with one of your units?

24 **A.** We drove -- come up out of the headquarters in  
25 Baltimore City and drove over to Monument Street where

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1 Danny Hersl pulled up in an unmarked, blue police car. And he  
2 rolled his window down. No words were exchanged. I handed  
3 Jenkins the unit. He threw it through the window. It went  
4 through the window with Danny Hersl.

5 **Q.** No words exchanged at all?

6 **A.** Nothing.

7 **Q.** I'd like to now direct your attention to August 8th, 2016.  
8 Did you participate in a robbery involving a storage unit off  
9 Sinclair Lane?

10 **A.** Yes.

11 **Q.** How did you become involved in the robbery?

12 **A.** Got a phone call from Sergeant Jenkins again, telling me  
13 that he had -- he had a storage locker. He had the guy. He  
14 says, "Donnie, there's \$220,000 in cash. There's 8 kilos of  
15 cocaine. I have the codes to the door. I need you to head  
16 this way and bring something to get through the door."

17 **Q.** Did Jenkins sometimes embellish the amount of drugs or  
18 money that was in these locations?

19 **A.** You never -- you never knew with him because with -- yes,  
20 some of the -- some of the places that I went were definitely  
21 embellished. But you never knew with him --

22 **MR. PURPURA:** Judge, objection.

23 **THE COURT:** Stop. That's fine. You've answered it.

24 **BY MR. HINES:**

25 **Q.** Did you agree to go to this storage unit?

1 **A.** I did.

2 **Q.** What happened -- did you go there?

3 **A.** I did go there.

4 **Q.** And what happened when you got there?

5 **A.** I got -- he told me to come up behind this storage unit  
6 where there was no cameras to climb a fence. It's already  
7 getting dark on me when I pulled in behind the storage unit.  
8 And I couldn't get through the foliage and stuff, so I had to  
9 come back out and come a different way.

10 So when I had to come a different way, I had to come in  
11 front of the unit. I ended up parking my truck across the  
12 street and walking across 'cause I -- he had told me that  
13 there's cameras, to turn the other way. So I walked across,  
14 turned my head away from the cameras to get across another --  
15 another entrance into the storage unit.

16 **Q.** Did you have to scale a fence?

17 **A.** I did.

18 **Q.** What happened when you tried to scale the fence?

19 **A.** I rolled my ankle and thought I broke it. So it turned  
20 into a real situation of getting into the unit because I -- I  
21 actually thought I had broke my ankle when I come across the  
22 fence.

23 **Q.** Did you take a photograph of your ankle the following day?

24 **A.** I did.

25 **Q.** I'm showing you what's been marked as

1 Government's Exhibit DA-9. The photo is dated August 9th,  
2 2016. What is this a photograph of, Mr. Stepp?

3 **A.** It's a photograph of my right ankle that I rolled coming  
4 across the fence at the storage unit.

5 **Q.** So what happened after you rolled your ankle?

6 **A.** Well, I was driven by the \$220,000 and 8 kilos. I went  
7 ahead and sucked it up and started heading in to get into this  
8 storage unit.

9 **Q.** And how did you endeavor to get into the storage unit?

10 **A.** Sergeant Jenkins provided me with the codes to get through  
11 the initial door. I got through the initial door. He gave me  
12 the number to the unit. I headed up to the unit.

13 I had a -- I took a grinder with me to the storage unit.  
14 I tried the grinder. It wasn't working correctly. And I also  
15 had a crowbar with me. The crowbar eventually worked, and I  
16 entered into the unit.

17 **Q.** I'm showing you what's been admitted as DA-15.

18 Zoom out here a second. Whoa.

19 It's a series of photographs, Mr. Stepp.

20 Are these photographs of the unit that you went to?

21 **A.** Correct.

22 **Q.** And how did you get into the unit?

23 **A.** The grinder didn't work, so I end up using a crowbar.

24 **Q.** Did you destroy the unit?

25 **A.** I did.

1 Q. What did you find in the unit?

2 A. When I got inside of the unit, it was a very small unit.  
3 It was -- I would guesstimate 4 foot wide, 6 to 8 foot in  
4 length. It was a -- it was a very small storage unit.

5 It wasn't much stuff in it. It was tools, working stuff,  
6 things like just odds and ends.

7 Finally come across a bag that had, I would estimate, 4 to  
8 10 empty kilo wrappers. It was multiple -- from my experience  
9 of knowing what kilo wrappers were, kilograms of cocaine  
10 wrappers, there was approximately -- better guesstimates would  
11 probably be 6 to 10 of the empty kilo wrappers that was inside  
12 of a bag.

13 One of 'em, though, contained three-quarters of a kilogram  
14 of cocaine where the top part was broke off. Come to find out  
15 subsequently that was like 700 and -- it was a little over  
16 three-quarters of a kilo of cocaine.

17 Q. So did you take that cocaine?

18 A. I did.

19 Q. Did you find anything else in the unit that you took?

20 A. Well, I was looking for the \$220,000 that I was told that  
21 was in the unit. It wasn't in -- I took everything out of the  
22 unit looking for it, going back through it twice. Then I  
23 started looking at the walls thinking, well, maybe the person  
24 was putting it in the ceiling or had it behind walls.

25 And at that time I started beating the walls to the

1 storage unit to look to see if it was -- because he had certain  
2 tools there that made me think that it was possible that he was  
3 hiding the money that was in behind the walls.

4 Q. Did you take the 3 quarters of a kilo of cocaine?

5 A. I did.

6 Q. And what happened next?

7 A. Well, it was a real hard task with my ankle to get back  
8 across that fence; but eventually I made it, got back into the  
9 truck.

10 I called Sergeant Jenkins because I -- after I come out, I  
11 seen the officers that were -- were still there.

12 Q. Who did you see there?

13 A. I seen Mr. Hersl. I seen Mr. Hendrix. I seen  
14 Sergeant Jenkins was out front.

15 At that time I got back in my truck, drove by 'em and  
16 left, but --

17 Q. Let me ask you a question here: What were Hersl, Jenkins,  
18 and Hendrix wearing?

19 A. They were wearing their Baltimore City Police -- the same  
20 gear that you seen in front -- in the last photo that you  
21 showed.

22 Q. And were they armed?

23 A. Yes.

24 Q. That includes Mr. Hersl?

25 A. Correct.

1 Q. So what happened after you got back in your truck?

2 A. At that time I -- I called Wayne because I was real upset  
3 that that money's there [sic], and I was automatically thinking  
4 that maybe they would think that I took this money and just hid  
5 it myself, is what I was thinking.

6 And I didn't like that kind of a feeling. So I was real,  
7 real upset on the phone with him saying that it -- it wasn't  
8 there and neither is the 8 kilos that -- there's empty kilo  
9 wrappers there, but there's not no 8 kilos there.

10 Q. What happened after you told Jenkins that there wasn't as  
11 much drugs and money as he had said there was going to be?

12 A. He had said to me that he knew I was telling the truth;  
13 that it's okay; that he then stated to me that Taylor blew it,  
14 that Taylor blew the whole thing.

15 Q. And what did he mean -- what did you understand that to  
16 mean?

17 A. Well, I asked him, I said, "What does that mean?"

18 And he had told me that they -- they sent Taylor down to  
19 the target's -- the target's house. They sent Taylor to the  
20 target's house, not the storage unit where we was at, but they  
21 sent Taylor back to the house to watch the house to make sure  
22 that nothing exited from the house, from anybody that they had.

23 Q. And is that where he said that the -- all the drugs and  
24 money were that he thought?

25 A. He said that Taylor had called and said that there was a



~~STEFF DIRECT~~

1 lady that left that house with two trash bags of -- large trash  
2 bags and that he didn't pull 'em over and that Taylor blew it  
3 by letting the lady get out of the house with drugs and the  
4 cash.

5 **Q.** What happened after he told you that Taylor blew it?

6 **A.** He eventually come to my house later that evening.

7 **Q.** What happened when Sergeant Jenkins got to your home?

8 **A.** He looked at my ankle, and he requested money because he  
9 had to go back because it was in -- quote/unquote, he said that  
10 it was Danny Hersl's score, and "score" being his score; it was  
11 his case.

12 **Q.** Did Jenkins say that because it was Daniel Hersl's score,  
13 that he had --

14 **MR. PURPURA:** Objection. Objection.

15 **THE COURT:** Sustained.

16 **MR. PURPURA:** This is leading.

17 **MR. HINES:** I think he asked me to lead, but I'll  
18 rephrase, then, Your Honor.

19 **MR. PURPURA:** I didn't ask . . .

20 **BY MR. HINES:**

21 **Q.** What else did Sergeant Jenkins tell you?

22 **A.** He told me that Danny Hersl was real upset with me because  
23 I had left and those kilo -- those empty kilo wrappers that  
24 were there, that eventually they went back and they used the  
25 report that it was burglarized.

1 But he was mad at me because I had left approximately a  
2 little over 4 ounces of cocaine in those empty kilo wrappers.  
3 And he said, "You had done left 4 extra ounces that was there,  
4 and that's money." So he was real upset with that, that  
5 Danny Hersl was upset that I left the 4 ounces inside the empty  
6 kilo wrappers.

7 **Q.** So Jenkins tells you that Danny Hersl is upset --

8 **A.** Correct.

9 **Q.** -- that you had missed 4 ounces of cocaine?

10 **A.** Correct.

11 **Q.** And is that because you could have sold it?

12 **A.** Correct.

13 **Q.** Did you sell the three-quarters of a kilo of cocaine?

14 **A.** I did.

15 **Q.** What did you do with the money?

16 **A.** That night he come over and needed money because he said  
17 Danny needed some money. So I gave him money that evening, a  
18 couple thousand dollars, I think it was. And then he end up  
19 leaving and went back to see Mr. Hersl, from what --

20 **MR. PURPURA:** Objection.

21 **THE WITNESS:** -- he said to me.

22 **BY MR. HINES:**

23 **Q.** So Sergeant Jenkins told you he went to see Daniel Hersl  
24 with the money?

25 **A.** That's why he needed the money, to go back to see Danny.

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1 Q. And what -- were you paying the money because it was  
2 Daniel Hersl's score?

3 A. Well, I was paying the money because I owed, it was  
4 three-quarters -- I owed him approximately, I think it come to  
5 be -- if it was \$15,000 for a kilo, we just did the math, at  
6 15 -- 15 times 750-some grams, I think it was. It was  
7 three-quarters of a kilo, so we just -- we do the math that  
8 way. \$15 a gram, you know, it was --

9 Q. Did -- I didn't mean to cut you off.

10 A. Okay.

11 Q. Did Hersl or Jenkins ever give you the other 4 ounces of  
12 cocaine?

13 A. There was so much coming from Mr. Jenkins that very  
14 possible I got --

15 MR. PURPURA: Objection.

16 BY MR. HINES:

17 Q. You don't know for sure if the cocaine was from the  
18 storage unit that Jenkins gave you after the fact?

19 A. It could have been from anywhere.

20 Q. How much is 4 ounces of cocaine worth?

21 A. 4 ounces of cocaine is 112 grams of cocaine at a hundred,  
22 \$125 a gram. I don't have my calculator on me, but that's how  
23 much it's worth to me.

24 Q. On -- so when you were -- I'm going to go back to your  
25 arrest a moment here. When you were arrested, did you have

1 some paperwork in your house that was seized?

2 **A.** I did.

3 **Q.** And what was that paperwork?

4 **A.** It was the indictments that originally come out with  
5 Sergeant Jenkins and his squad.

6 **Q.** And why did you have those indictments?

7 **A.** Well, I was -- I was in pretty -- I was keeping up on the  
8 case because I was obviously pretty worried that they were  
9 coming to get me, speaking of the FBI.

10 **Q.** What kinds of quantities did Jenkins bring and leave in  
11 your toolshed?

12 **A.** Phew, it varied. It was -- but it accumulated to -- over  
13 the years it just -- I can't even sit here and begin to fathom  
14 how much that he's brought.

15 **Q.** Did --

16 **A.** Large amounts.

17 **Q.** Did you receive any prescription pills?

18 **A.** Yes.

19 **Q.** What -- where were those prescription pills from?

20 **A.** It was during the riots of Freddie Gray that he called me  
21 again and told me to -- woke me up and says, "I need you to  
22 open the garage door."

23 So I went downstairs, opened the garage door. Same  
24 routine: pulls in, police-issued car, undercover car, popped  
25 his trunk. This time he come out with two trash bags, large

1 trash bags.

2 And he goes -- I go, "What's this?"

3 And he says, "I just got people coming out of these  
4 pharmacies. I've got -- I've got an entire pharmacy. I don't  
5 even know what it is."

6 **Q.** Did Jenkins say he was allowed to give you these pills  
7 because of Freddie Gray's death?

8 **A.** No, he never -- he never stated that.

9 **Q.** I want to -- after you began cooperating with the FBI, did  
10 you provide any information to the FBI and the FBI's dive team?

11 **A.** I did.

12 **Q.** What did you tell them?

13 **A.** I believed a watch that was -- that he had brought to me,  
14 I believed that it was Oreesse Stevenson's watch, after reading  
15 the indictments and stuff, that they were looking for a  
16 Breitling watch.

17 Once they were charged and the news come out, I knew that  
18 I -- I believed that I held Oreesse Stevenson's watch. So at  
19 that time I took the watch and threw it at the end of my pier.  
20 I live on a waterfront property and went down on my pier and  
21 threw it down on a pylon to get rid of the watch because I was  
22 expecting the FBI to eventually get to my house.

23 **Q.** Did you tell the FBI the exact pylon and location where  
24 that watch was thrown?

25 **A.** I did.

~~STEFF DIRECT~~

1 Q. And did you later learn whose watch it actually was?

2 A. I didn't learn --

3 MR. PURPURA: Objection.

4 BY MR. HINES:

5 Q. Let me ask you --

6 THE COURT: Sustained.

7 BY MR. HINES:

8 Q. Let me show you what's been -- was admitted yesterday  
9 afternoon as RH-8A. Do you recognize this exhibit?

10 A. I do.

11 Q. What is this exhibit?

12 A. That is a watch that Sergeant Wayne Earl Jenkins brought  
13 to my house --

14 Q. And was this --

15 A. -- gave to me to sell.

16 Q. And was this the watch that was -- that you threw in the  
17 water by your pier?

18 A. It is.

19 MR. HINES: No further questions, Your Honor.

20 THE COURT: All right. We'll take the mid-morning  
21 recess.

22 (Jury left the courtroom at 11:39 a.m.)

23 (Recess taken.)

24 THE COURT: All right. You can be seated, please.

25 Ready for the jury?

1 **MR. PURPURA:** Yes, Your Honor.

2 (Jury entered the courtroom at 11:55 a.m.)

3 **THE COURT:** You can be seated, please.

4 **THE CLERK:** Mr. Stepp, you're still under oath.

5 **THE WITNESS:** Pardon?

6 **THE CLERK:** You're still under oath.

7 **THE WITNESS:** Thank you, ma'am.

8 **THE COURT:** All right. Mr. Purpura.

9 **MR. PURPURA:** Thank you.

10 CROSS-EXAMINATION

11 **BY MR. PURPURA:**

12 **Q.** Mr. Stepp, Mr. Hines asked you if you were in the  
13 bail bond business, and you were; is that correct, sir?

14 **A.** Correct.

15 **Q.** And the name of your bail bond company is what, sir?

16 **A.** Double D Bail Bonds.

17 **Q.** Double D?

18 **A.** Correct.

19 **Q.** What does the Double D stand for, sir?

20 **A.** The original partner that I had, his name was Dennis. My  
21 first name is Donald. That's how we come up with Double D.

22 **Q.** D, D.

23 **MR. PURPURA:** Can we please have Defense  
24 Exhibit No. 23.

25 **THE CLERK:** Mr. Purpura, microphone, please.

~~STEP~~ ~~CROSS~~

1           **MR. PURPURA:** Thank you.

2           **BY MR. PURPURA:**

3           **Q.** Do you see the screen in front of you?

4           **A.** Pardon?

5           **Q.** Is that -- do you see the screen in front of you?

6           **A.** I do.

7           **Q.** Do you see Defense Exhibit No. 23 there?

8           **A.** I do.

9           **Q.** And is that one of your bail bond vehicles?

10          **A.** It is.

11          **Q.** And does that have your bail bond logo on it?

12          **A.** It does.

13          **Q.** And you can see -- and who do the Ds stand for?

14          **A.** Pardon?

15          **Q.** Who do the Ds stand for on that?

16          **A.** Donald and Dennis.

17          **Q.** And you can see that as well, correct, the DD?

18          **A.** Yes, correct.

19          **Q.** Thank you.

20                   **MR. PURPURA:** You can put it down.

21                   Can we go to the document camera, please.

22           **BY MR. PURPURA:**

23           **Q.** Now, you indicated you knew Mr. Jenkins for almost

24           40 years; correct?

25           **A.** I knew his brother for almost 40 years.



~~STEP~~ ~~CROSS~~

1 Q. Take that back.

2 And you met Sergeant Jenkins, Wayne Jenkins, for how long?

3 A. 10, 15 years.

4 Q. And during that time, you found him to be honest?

5 A. Find Sergeant Jenkins to be honest?

6 Q. Just -- that's kind of like a yes -- do you think he's an  
7 honest man? Is he a thief?

8 A. No --

9 Q. Does he steal?

10 A. No, he's not an honest man.

11 Q. He's not an honest man; right?

12 A. Correct.

13 Q. And you already indicated that he embellishes; right? He  
14 exaggerates. He'll say things which are just not true;  
15 correct?

16 A. Correct.

17 Q. Now, when you spoke about going with Sergeant Jenkins --  
18 and I'll put up briefly -- it's not a very good picture, DA-3,  
19 Government DA-3, which is the casino in Delaware Park. And  
20 that was in 2012; correct?

21 A. Correct.

22 Q. So you knew Jenkins back in 2012; right?

23 A. Yes, I did.

24 Q. And at that point you haven't done anything illegal with  
25 Mr. Jenkins, have you?

~~STEP~~ ~~CROSS~~

1 A. No, sir.

2 Q. Okay. And when you went to the casino, you didn't go with  
3 Dan Hersl, did you?

4 A. I did not.

5 Q. You never went to the casino with Dan Hersl, did you?

6 A. Never have.

7 Q. And then you indicated there were card games; do you  
8 remember that?

9 A. I do.

10 Q. And you played in how many card games with Baltimore City  
11 police officers?

12 A. Phew, countless.

13 Q. And Jenkins was mostly there, correct, because he was your  
14 contact?

15 A. Correct; brothers and other police there, yes.

16 Q. Dan Hersl wasn't a card player. He was not in those  
17 games, was he, sir?

18 A. Never have seen Danny Hersl at any card game.

19 Q. And then you said you gave your phone to the FBI; correct?

20 A. I have.

21 Q. And when you gave the phone to the FBI, they were able to  
22 download -- and you helped them download all the photographs on  
23 the phone; correct?

24 A. I have.

25 Q. And they showed you photographs which they were going to

~~STEP~~ ~~CROSS~~

1 use like Government Exhibit DA-4; correct?

2 **A.** Correct.

3 **Q.** And you called that a photograph of Sergeant Jenkins'  
4 crew; is that correct? That's what you said.

5 **A.** I would say, yes, that that would be an accurate  
6 statement, yes.

7 **Q.** So all you know is that they're police officers; right?

8 **A.** Yes.

9 **Q.** And this apparently was taken, if we can see it -- there  
10 it is, February 19th, 2015; right?

11 **A.** I think that -- I'm not sure on the dates that it was  
12 took.

13 **Q.** All right. Did you ever know the names of the people in  
14 that picture?

15 **A.** I knew the guy to the left, Ben. I can't recall the other  
16 guys' names, besides Wayne in the middle.

17 **Q.** Very good. Obviously, Dan Hersl is not there in that  
18 photograph; right?

19 **A.** He is not.

20 **Q.** As a matter of fact, on your count -- how many pictures do  
21 you have involving police officers or things with Jenkins?

22 **A.** Hundreds.

23 **Q.** Hundreds; right?

24 And Government has all those pictures; right?

25 **A.** They do.

~~STEP~~ ~~CROSS~~

1 Q. Not one picture of Danny Hersl (indicating); right?

2 A. Not one picture.

3 Q. You went to the Super Bowl with Jenkins, not Dan Hersl;  
4 correct?

5 A. Correct.

6 Q. You indicated that getting involved with the drugs was a  
7 tragic mistake. I think those were your words; correct?

8 A. It was.

9 Q. And that was that Jenkins made you feel comfortable. He  
10 sent his brother to see you. And you figured that he was like  
11 the prince of the city, so you were protected?

12 A. At the time, yes.

13 Q. All right. He made you feel that way; correct?

14 A. He did.

15 Q. But as you indicated before, you were already selling  
16 drugs; right?

17 A. Correct.

18 Q. And when we talked about wholesale, you were not a  
19 wholesale drug trafficker, were you?

20 A. I don't quite get that.

21 Q. You're not a large -- you were not a large-quantity  
22 trafficker. You are a gram trafficker; correct?

23 A. Yes, that was my number one -- that was my number one  
24 base.

25 Q. And the way you break it down, if you had a hundred grams

~~STEP~~ ~~CROSS~~

1 of cocaine, cocaine powder --

2 **A.** Correct.

3 **Q.** -- and you could sell a gram --

4 **A.** Correct.

5 **Q.** -- for a hundred to \$125 a gram, like you said, do the  
6 math; right?

7 **A.** Correct.

8 **Q.** So you're making a hundred to a hundred twenty-five  
9 thousand off of that hundred grams; right?

10 **A.** Off of a thousand grams.

11 **Q.** Off a thousand grams; correct?

12 **A.** Correct.

13 **Q.** And that's a lot of money if a kilo is going for perhaps  
14 thirty to thirty-five thousand; correct?

15 **A.** It is.

16 **Q.** And you indicated you earned a million or more dollars;  
17 correct?

18 **A.** In the overall scheme of things, yes.

19 **Q.** Did you give any of that back to the Government so far?

20 **A.** They've took it all.

21 **Q.** How much money?

22 **A.** They've took a couple thousand dollars.

23 **Q.** A couple thousand? Well, it seems like you're short about  
24 999,000, then?

25 **A.** I had issues.

~~STEFF~~ ~~GROSS~~

1 Q. Now, is it fair to say that you've got a -- you've been a  
2 criminal all your life; right?

3 A. Not all my life.

4 Q. Well, let's say past the age of 10.

5 A. Sure. Yes.

6 Q. All right. You've been involved with theft schemes --

7 MR. HINES: Objection, Your Honor.

8 May we approach?

9 THE COURT: Sure.

10 (Bench conference on the record:

11 MR. PURPURA: I can shortcut it. I'm not asking about  
12 prior convictions. It's credibility. He's involved in thefts.  
13 He's involved with credit card fraud. That all goes to his  
14 credibility.

15 MR. HINES: I think there's one admissible credit card  
16 fraud conviction.

17 MR. PURPURA: I'm not asking about convictions,  
18 counsel. I'm asking about, were you involved in thefts and  
19 credit card frauds?

20 I'm not -- I don't care about his convictions. That  
21 goes to his credibility.

22 MR. HINES: As to whether he was involved in an arrest  
23 that did not result in a conviction?

24 THE COURT: My understanding is that Mr. Purpura is  
25 not going to ask whether he was arrested or convicted of any of

~~STAPP~~ ~~CROSS~~

1 these. He's going to find out if Mr. Stepp is admitting to  
2 prior fraudulent behavior which would go to his credibility.

3 **MR. HINES:** Okay.

4 **THE COURT:** Okay.)

5 (Bench conference concluded.)

6 **BY MR. PURPURA:**

7 **Q.** Mr. Stepp, I believe I left off, I was asking you about  
8 some prior, when you were younger, fraudulent activities.

9 Do you remember that?

10 **A.** I do.

11 **Q.** Okay. And, in fact, you were involved in fraud when you  
12 were younger is that correct, sir?

13 **A.** Yes. I was an addict.

14 **Q.** An addict at fraud or just an addict in general?

15 **A.** I was an addict at that time.

16 **Q.** You were a drug addict?

17 **A.** Correct.

18 **Q.** And you -- as a result of that, you were involved in a lot  
19 of fraud; correct?

20 **A.** Much fraud.

21 **Q.** Great fraud.

22 And in fraud, you have to lie and you have to deceive; is  
23 that fair to say?

24 **A.** Correct.

25 **Q.** And you became very good, adept at lying and deceiving

~~STEP~~ ~~CROSS~~

1 when you're involved in fraud, isn't that correct, sir, even as  
2 an addict?

3 **A.** Well, I -- you know, I wasn't too good at fraud, I'd say,  
4 because it put me in prison and destroyed my life as an addict.  
5 So I don't -- I don't consider that to be too good.

6 **Q.** Well, I didn't ask you if you got convicted, but  
7 apparently you were in prison for a period of time as well; is  
8 that correct, sir?

9 **A.** Correct.

10 **Q.** While in jail, you did make steps to get clean; correct?

11 **A.** I did.

12 **Q.** And you can see how bad drugs are; right?

13 **A.** I do.

14 **Q.** And caused you to be involved in a lot of, as you said,  
15 fraud and credit card fraud; right?

16 **A.** It did.

17 **Q.** Criminal activities; right?

18 **A.** Correct.

19 **Q.** And when you came out, you actually got a reduced sentence  
20 'cause you kind of promised the Court you'd do really good and  
21 you were going to live --

22 **A.** Talking about coming out of prison, you're talking about?

23 **Q.** Yeah, yeah. Did you promise the Court or anyone you were  
24 going to do good when you got out of prison?

25 **A.** I just got out. They modified my sentence, and it got me



~~STEP~~ ~~CROSS~~

1 loose.

2 **Q.** You said the judge actually -- so you told the Government  
3 the judge took notice that I was going to change my life  
4 around, and you got a reduced sentence; right?

5 **A.** I did, yes.

6 **Q.** Didn't change your life around, did it?

7 **A.** One mistake with Sergeant Jenkins, and here we are.

8 **Q.** Well, you -- actually before Sergeant Jenkins; right?  
9 Come on.

10 **A.** We can say -- we can say that.

11 **Q.** We can blame so much --

12 **THE COURT:** Stop.

13 **MR. PURPURA:** I'm sorry, Judge.

14 **THE COURT:** Okay. He needs to ask a question and  
15 finish it.

16 **THE WITNESS:** Yes, ma'am.

17 **THE COURT:** You answer and finish it.

18 **THE WITNESS:** Okay.

19 **THE COURT:** Let's not talk over each other. Okay.

20 **BY MR. PURPURA:**

21 **Q.** We can agree that Jenkins is deceitful. He lies. He's a  
22 drug dealer. But he's not the only bad thing in your life --

23 **A.** True.

24 **Q.** -- right?

25 The other bad thing --

~~STEFF~~ ~~GROSS~~

1 A. -- is myself; that's correct.

2 Q. There you go.

3 A. Hey.

4 Q. And what you did after you got released and you knew how  
5 bad cocaine -- what was your -- you were addicted to what?  
6 What was your addiction?

7 A. My drug of choice was cocaine.

8 Q. Cocaine.

9 And you knew how bad cocaine was. You were still able to  
10 and you continued to sell cocaine; correct?

11 A. Correct.

12 Q. But you were able to sell it and not use it; right?

13 A. A little bit of both.

14 Q. A little bit of both. All right.

15 And you started on selling, as you told the Government,  
16 small amounts on the side; right?

17 A. Correct.

18 Q. And then one of your friends introduced you to a loan  
19 brokerage business; correct?

20 A. Correct.

21 Q. And in that brokerage business, there was actually people  
22 who became your clients for cocaine sales; correct?

23 A. Correct.

24 Q. And your sales, then, substantially increased; right?

25 A. At that time, yes, correct.

~~STEP~~ ~~CROSS~~

1 Q. And that's all without the help of Sergeant Wayne Jenkins;  
2 right?

3 A. No. No.

4 Q. He helped on that as well?

5 A. No. I'm saying he --

6 Q. Right. Right.

7 A. You're asking if, is it --

8 Q. That was probably a bad question. I apologize.

9 A. Okay.

10 Q. Let me start -- Jenkins was not involved at that time with  
11 giving you drugs. You had --

12 A. No, he wasn't.

13 Q. -- another source?

14 A. No. It was -- it was -- it was solely me.

15 Q. Solely you?

16 A. Nothing to do with Sergeant Jenkins.

17 Q. Very good.

18 And during that time period, you actually became a pretty  
19 big gambler as well; correct?

20 A. Correct.

21 Q. And you were betting, as you indicated to the Government,  
22 tens of thousands of dollars on football games, sporting  
23 events; correct?

24 A. Correct.

25 Q. And you purchased your house; correct?

~~STEP~~ ~~CROSS~~

1 A. Correct.

2 Q. And as you indicated to the jury, your house is on the  
3 water. And you got this beautiful pier that goes out into the  
4 water as well; right?

5 A. I do.

6 Q. You do. And you have a beautiful house; right?

7 A. I do.

8 Q. And you actually -- you're not in jail now, are you?

9 A. I'm not.

10 Q. You're allowed -- well, you're on electronic monitoring.  
11 You're detained at that beautiful house you have; right?

12 A. Correct.

13 Q. And that house, as you told the Government, is, what,  
14 about \$850,000; correct?

15 A. Correct.

16 Q. And then what happened -- and you were doing pretty good.  
17 2008 rolled around, and this is still before Wayne Jenkins;  
18 right?

19 A. Correct.

20 Q. And then we have a problem in the market, housing. The  
21 bubble bursts and other things burst in 2008 --

22 A. Correct.

23 Q. -- correct?

24 All right. And because of that, your actual legal  
25 business, you weren't making as much money. And you had some

~~STEP~~ ~~CROSS~~

1 jeopardy to your house and a mortgage and things like that;  
2 right?

3 **A.** Correct.

4 **Q.** And so then you had to go deeper into drug trafficking;  
5 right?

6 **A.** Correct.

7 **Q.** And you -- well, you're from Baltimore; right?

8 **A.** I am.

9 **Q.** And you live in -- don't tell me where, but what county  
10 are you living in right now?

11 **A.** Baltimore County.

12 **Q.** In Baltimore County. So a Baltimore City guy,  
13 Baltimore County guy. In 2008, then you reach out -- in the  
14 drug-trafficking world, you're reaching out for Colombian and  
15 Dominican sources; right?

16 **A.** Correct.

17 **Q.** And tell the jury, what do you need a Colombian or  
18 Dominican source for?

19 **A.** It's -- they had the best supply line in -- in the drug  
20 business.

21 **Q.** Of what?

22 **A.** Of cocaine.

23 **Q.** And what do you -- just tell me, how does that work? You  
24 just pick up the phone and you go to -- well, not Yellow Pages  
25 anymore. Do you Google "Colombian, Dominican traffickers"?

~~STEP~~ ~~CROSS~~

1 A. It doesn't work that way.

2 Q. What do you do? Tell us. Go ahead. Spit it out. You  
3 like to talk.

4 A. It takes -- it takes a lot of years to get up to -- to  
5 people like that.

6 Q. And that's exactly what happened. And you were so  
7 embedded in that drug world in all those years that you got up  
8 to people like that; right?

9 A. Correct.

10 Q. Now, let me ask you, you mentioned Oreese Stevenson. And  
11 we showed -- you showed us -- we saw those pictures of  
12 Oreese Stevenson.

13 Did you ever think that maybe you should have probably  
14 deleted some of those pictures on your camera?

15 A. Nah. I kind of liked them as insurance myself.

16 Q. Well, what do you mean by that?

17 A. Just -- I didn't trust him.

18 Q. You didn't trust Wayne Jenkins?

19 A. Correct.

20 Q. 'Cause he's not truthful; he's not honest; you didn't  
21 trust him. Right?

22 A. Correct.

23 Q. So you wanted to have something over his head; right?

24 A. Not something over his head; it was just --

25 Q. Yeah. What do you mean?

~~STEP~~ ~~CROSS~~

1           **THE COURT:** Let him finish.

2           **THE WITNESS:** I guess -- yes.

3           **BY MR. PURPURA:**

4           **Q.** Kind of like blackmail.

5           **A.** Wasn't blackmail. I'd have took my stuff to the grave.

6           **Q.** But it was your insurance, as you put it. You had that  
7 information; correct?

8           **A.** I didn't trust him down the end. I was starting to worry  
9 about my life.

10          **Q.** Now, Wayne Jenkins, from the Oreese Stevenson incident,  
11 gave you 2 kilos of cocaine. And you sold that cocaine; right?

12          **A.** I did.

13          **Q.** No reference to Mr. Hersl in that incident?

14          **A.** Not at all.

15          **Q.** Eric Clash; do you know who Eric Clash is?

16          **A.** I do.

17          **Q.** What's his nickname?

18          **A.** White Boy.

19          **Q.** Who's Eric Clash?

20          **A.** Sergeant Jenkins told me he's the biggest drug lord in  
21 Baltimore City.

22          **Q.** And that came from Sergeant Jenkins; right?

23          **A.** Correct.

24          **Q.** Not from Danny Hersl (indicating); right?

25          **A.** Correct.

~~STEFF~~ ~~GROSS~~

1 Q. Sergeant Jenkins wanted to go after Eric Clash; right?

2 A. Correct.

3 Q. And you were up for it as well; correct?

4 A. Correct.

5 Q. To steal and take drugs from him; correct?

6 A. Correct.

7 Q. Jenkins brought so much drugs to your house during that  
8 period of time that you gave him a key to the -- your garage or  
9 where did you give him a key to?

10 A. Correct, to the shed, shed lock.

11 Q. So he wouldn't bother you during that period of time;  
12 correct?

13 A. Correct.

14 Q. Hersl (indicating) never came to your house, did he?

15 A. Never has.

16 Q. Not for a card game, not for dinner, not for a drink?

17 A. Never.

18 Q. Not to go fishing off of your pool --

19 A. Never.

20 Q. -- pier? Excuse me. Nothing; right?

21 Involved in thefts of watches. I'm not sure -- I'm not  
22 sure that Mr. Hines asked you those questions. You were  
23 involved in thefts of watches as well?

24 A. Correct.

25 Q. And that was with Mr. Jenkins; is that correct, sir?



~~STEP~~ ~~CROSS~~

1 A. It was.

2 Q. That you and Mr. Jenkins targeted a person who you both  
3 thought would have apparently expensive watches; is that right?

4 A. No. That's not correct.

5 Q. What did you target him for?

6 A. What's that again?

7 Q. Why was he targeted?

8 A. He was targeted for a large sum of cash and narcotics.

9 Q. Fair enough.

10 You go into -- did you go into his house?

11 A. I did.

12 Q. Who broke in the house with you?

13 A. Sergeant Jenkins entered the house first.

14 Q. Okay. When you went in the house and Mr. Jenkins went in  
15 the house, there was no one in the house at that time at all;  
16 correct?

17 A. Correct.

18 Q. So you knew, based on all your contacts with the criminal  
19 world, that you were committing a burglary when you broke into  
20 that house at that time; is that correct, sir?

21 A. I did.

22 Q. Because it was your intent when you broke into that house  
23 to take goods from that house; correct, sir?

24 A. Correct.

25 Q. Okay. You didn't find drugs, and you didn't find money in

~~STEFF~~ ~~GROSS~~

1 the house; correct?

2 A. Correct.

3 Q. What you did find were expensive watches; correct?

4 A. Correct.

5 Q. About five watches, I believe?

6 A. It was.

7 Q. And --

8 A. I think it was six.

9 Q. Six?

10 A. Or seven.

11 Q. Total price, ballpark?

12 A. Quarter of a million dollars.

13 Q. You take 'em?

14 A. Yes.

15 Q. Hersl's not there, is he?

16 A. No.

17 Q. Hersl never got one of those watches, did he?

18 A. Never.

19 Q. Then there's a second time you talked about breaking into  
20 another home with a Baltimore County police officer as well;  
21 isn't that right?

22 A. Correct.

23 Q. And that was you and Jenkins and this Baltimore County  
24 police officer; is that correct?

25 A. Correct.

~~STEP~~ ~~CROSS~~

1 Q. And you told that information to the Government; right?

2 A. I did.

3 Q. And they were writing it down as you told it to 'em;  
4 correct? Do you remember?

5 A. Pardon again? What was that?

6 Q. I'm talking fast. I apologize.

7 A. It's okay.

8 Q. Special Agent Jensen, she was taking notes when you were  
9 talking to the Government, do you remember?

10 A. I don't recall her, no.

11 Q. All right. When you broke into this house, you were  
12 wearing a ski mask; is that correct?

13 A. Correct.

14 Q. You had gloves on; isn't that correct?

15 A. Correct.

16 Q. And your intent, again, was another burglary; is that  
17 correct, sir?

18 A. Correct.

19 Q. And you didn't want anyone to be home when you broke in  
20 the house; right?

21 A. Correct.

22 Q. You wanted to get in; you wanted to steal; and you wanted  
23 to get out. Right?

24 A. Correct.

25 Q. Despite the fact that you broke in and you and Jenkins had

~~STEP~~ ~~CROSS~~

1 gloves and masks on, you found nothing in this house; is that  
2 correct?

3 **A.** Correct.

4 **Q.** Kenny Bird Jackson, who's he?

5 **A.** According to Sergeant Jenkins, he's one of the largest  
6 heroin dealers in Baltimore.

7 **Q.** You -- you -- you -- you broke into Kenny Bird Jackson's  
8 car?

9 **A.** I did.

10 **Q.** Come on. Daylight?

11 **A.** Correct.

12 **Q.** One of the largest drug traffickers in Baltimore. You a  
13 little nervous about doing that?

14 **A.** No offense to Kenny Bird Jackson or any of the other  
15 people, I didn't know who they was.

16 **Q.** All right.

17 **A.** I do now.

18 **Q.** Having second thoughts about breaking into his car?

19 **A.** Yes. Yes.

20 **Q.** You broke into his car at Jenkins -- at Jenkins'  
21 directions; correct?

22 **A.** Correct.

23 **Q.** And I didn't ask you before; but when that  
24 Baltimore County police officer and Jenkins, you found nothing,  
25 again, Hersl wasn't there either, was he?

~~STEFF~~ ~~CROSS~~

1 A. He was.

2 Q. And Kenny Bird Jackson -- where was Kenny Bird Jackson's  
3 car?

4 A. It was inside the Sam's Club parking lot on Route 40.

5 Q. What kind of car was it?

6 A. I believe it's a silver Acura.

7 Q. You actually stole about somewhere between fifteen to  
8 nineteen thousand dollars from that vehicle; is that correct?

9 A. I think it was more around 19,000.

10 Q. 19,000?

11 A. Uh-huh.

12 Q. Fair enough.

13 Split it with Hersl -- didn't split it with Hersl, did  
14 you?

15 A. No.

16 Q. Split it with Jenkins; correct?

17 A. Correct.

18 Q. You also were involved in tracking Kenny Bird to a home;  
19 correct?

20 A. Correct.

21 Q. You -- you, with gloves and a mask, you had broke into  
22 that home; correct?

23 A. Not me. That was Sergeant Jenkins, but I was there.

24 Q. You were outside when Jenkins broke in?

25 A. Yes. Correct.

~~STEP~~ ~~CROSS~~

1 Q. Again, you didn't want Kenny Bird to be home. You're  
2 trying to get in there secretly; is that correct?

3 A. Didn't -- at that time I didn't know who the target was.  
4 It was just Jenkins telling me what he had.

5 Q. No one in the house, to your knowledge; correct?

6 A. Correct.

7 Q. It was just you and Sergeant Jenkins; correct?

8 A. Correct.

9 Q. You guys were kind of like a team out there doing this  
10 stuff; correct?

11 A. Correct.

12 Q. In that house you found 41 pounds of weed; right?

13 A. No.

14 Q. What did you find in that house?

15 A. He come out with 4 pounds of --

16 Q. 4 pounds?

17 A. -- very low-quality weed.

18 Q. I apologize.

19 And it was really -- it was bad weed. Couldn't do much  
20 with it; fair to say?

21 A. Very, very true.

22 Q. You told us about the Dominican drug dealer who came up  
23 here. His name was Morano; is that right?

24 A. Correct.

25 Q. And I believe what you testified to is that at that point

~~STEP~~ ~~CROSS~~

1 there was some off-duty Baltimore City Police that were  
2 accompanying you that evening; is that correct?

3 **A.** I don't know if they were off duty.

4 **Q.** All right. And Jenkins described them as his guys; is  
5 that correct?

6 **A.** Correct.

7 **Q.** And it was not Danny Hersl (indicating), was it?

8 **A.** It was not.

9 **Q.** Let me just ask you about the storage unit. I believe --  
10 I'm getting some of my dates mixed up here.

11 **MR. PURPURA:** Your Honor, just one second, if I may.

12 **THE COURT:** Sure.

13 (The defendant conferred with counsel.)

14 **BY MR. PURPURA:**

15 **Q.** The storage unit where you injured your foot, August 8th,  
16 2016, now, you were interviewed about that incident; is that  
17 correct?

18 **A.** Correct.

19 **Q.** And it was -- you were instructed -- you get a call. Was  
20 it a random call by Sergeant Jenkins at that point?

21 **A.** It was.

22 **Q.** You weren't expecting Sergeant Jenkins to call you, were  
23 you?

24 **A.** No.

25 **Q.** Sergeant Jenkins didn't before -- this is August 8th,

~~STEP~~ ~~CROSS~~

1 2016 -- he didn't say that I've got some information; we're  
2 going to take someone down, and we're going to hit a storage  
3 unit?

4 **A.** He didn't.

5 **Q.** Okay. So you get a call sometime early evening, late  
6 afternoon, early evening that Jenkins needs you right away?

7 **A.** Correct.

8 **Q.** He didn't want you to hesitate. He needed something done  
9 fast; correct?

10 **A.** Correct.

11 **Q.** And he gave you an incentive that there's going to be a  
12 large amount of money and a substantial amount of drugs there;  
13 correct?

14 **A.** Correct.

15 **Q.** And so you basically dropped everything at that point, and  
16 you went to the storage unit; correct?

17 **A.** Correct.

18 **Q.** And you were unarmed when you went there?

19 **A.** Correct.

20 **Q.** And your intent was to break into that storage unit;  
21 correct?

22 **A.** Correct.

23 **Q.** And you received some aid by Sergeant Jenkins because  
24 Sergeant Jenkins gave you a combination to what?

25 **A.** Repeat that again, Mr. Purpura.



~~STEP - CROSS~~

1 Q. Did you receive any aid by -- from Sergeant Jenkins with  
2 combinations to the gate or anything like that?

3 A. On the phone he -- he had told me which way to come -- to  
4 come to the unit, and he did have codes to the door to get  
5 through.

6 Q. Okay. And so you did that; is that right?

7 A. I did.

8 Q. No preplanning, no anything. It's just spur of the  
9 moment; correct?

10 A. Correct.

11 Q. And your intent and what you did was you broke into an  
12 empty storage unit, and you stole about three-quarters of a  
13 kilo of cocaine; correct?

14 A. Correct.

15 Q. And you thoroughly searched that unit; right?

16 A. Oh, I did.

17 Q. As a matter of fact, we have photographs where the walls  
18 were broken side to side. And that's what you did; correct?

19 A. That was -- that was me.

20 Q. And you thoroughly, when you saw those wrappers and that  
21 cocaine, you thoroughly went through the cocaine to make sure  
22 that you got everything you could get; is that fair to say?

23 A. I was looking for the -- because of what he said. I  
24 didn't thoroughly go through what I believed to be empty  
25 wrappers, so I didn't -- obviously from what he said, I didn't

1 thoroughly go through them. I was just looking for bigger  
2 amounts.

3 **Q.** Okay. And you didn't find any more?

4 **A.** Correct.

5 **Q.** Now, when you spoke to the Government about this incident  
6 on December 19th, 2017, that's the second time you spoke with  
7 the Government.

8 Do you remember talking to them three times?

9 **A.** I do.

10 **Q.** December 18th, December 19th, and January 3rd --

11 **A.** Correct.

12 **Q.** -- of 2018; right?

13 **A.** Okay. Sounds about right.

14 **Q.** Thank you.

15 And the second time you were asked some questions about  
16 this storage unit, and you indicated to the Government that you  
17 learned that the unit -- this is the one on August 8th, 2016 --  
18 the unit belonged to Thomas Wilson, brother-in-law. Wilson was  
19 Jenkins' ex-partner?

20 **A.** Correct.

21 **Q.** All right. And so who is this Thomas Wilson to you?

22 **A.** It's Wayne Jenk -- he's been to my house for parties.

23 He's been -- he -- he worked the security detail, coming out  
24 with us with the fights.

25 **Q.** That's a police officer you're talking about?

~~STEP~~ ~~CROSS~~

1     **A.**    Correct.

2     **Q.**    All right.  And that's what you told the Government.  You  
3     thought that Jenkins told you that the storage unit, according  
4     to you -- or did Jenkins tell you that?

5     **A.**    He did.

6     **Q.**    All right.  That the storage unit belonged to a police  
7     officer, Thomas Wilson's brother-in-law; right?

8     **A.**    He did.

9     **Q.**    And that's what you told the Government; right?

10    **A.**    I did.

11    **Q.**    Did you ever find out that's wrong?

12    **A.**    No, I never did.

13    **Q.**    Do you know the -- do you know who Dennis Armstrong is,  
14    who owned that storage unit or rented that storage unit?

15    **A.**    I was told, from what I heard, that it was Thomas Wilson's  
16    brother-in-law.

17    **Q.**    All right.  Well, do you -- is --

18                 **THE COURT:**  Sustained.

19    **BY MR. PURPURA:**

20    **Q.**    Do you know who a Dennis Armstrong is?

21    **A.**    I do not.

22    **Q.**    Is Thomas Wilson -- is he Caucasian, or is he  
23    African-American?

24    **A.**    He's African-American.

25    **Q.**    And do you know what his brother-in-law's name is?

1 **A.** Pardon?

2 **Q.** Do you know his name, the brother-in-law?

3 **A.** I don't.

4 **Q.** And this is what Jenkins told you; is that correct, sir?

5 **A.** It is correct.

6 **Q.** Now, on that storage unit, you never gave Danny Hersl any  
7 cash; correct?

8 **A.** Never.

9 **Q.** Danny Hersl never gave you any drugs; correct?

10 **A.** Never.

11 **Q.** But what you -- what Jenkins told you is that he had to  
12 give money to Danny Hersl for information; correct?

13 **A.** Yes. He told me that he had to take money back to  
14 Danny Hersl because it was his -- I guess his investigation,  
15 and it was his --

16 **Q.** Well, what you told the Government was for information; is  
17 that fair to say?

18 **A.** I -- I don't recall that.

19 **Q.** Okay. What information?

20 **A.** What do you mean "what information"?

21 **Q.** What information did Danny Hersl give, if you know?

22 **A.** That Danny Hersl gave me information?

23 **Q.** No. What information did Dan Hersl give to  
24 Detective Jenkins about the storage unit?

25 **A.** I don't know if he gave any information. I wasn't there.

1 Q. You don't know anything about the incident on August 8th,  
2 2016, do you, sir?

3 A. I don't.

4 Q. You don't know anything about the stop, whether it was a  
5 random stop?

6 A. I don't.

7 Q. You don't know if it was a high-speed chase?

8 A. I have no idea.

9 Q. And you don't know if Sergeant Jenkins was truthful or not  
10 truthful?

11 A. Don't -- don't know, but I could take a guess.

12 Q. You know, as a matter of fact, you've never even had a  
13 conversation with Dan Hersl, have you?

14 A. Never.

15 Q. And the only two times you ever saw Dan Hersl in your  
16 entire life was once at a party sometime in 2015 where those  
17 400 police officers are present; right?

18 A. I do recall that.

19 Q. I know. Some party you set up, had help in setting up;  
20 correct?

21 A. Correct.

22 Q. So there's 400 police officers there. And Dan Hersl,  
23 Jenkins, and 398 others were present; correct?

24 A. At different points in time, yes.

25 Q. And not once during that night did you talk to Dan Hersl

1 (indicating); right?

2 **A.** Correct.

3 **Q.** And the only other time you saw him for a -- apparently a  
4 very short period of time, within seconds, was when a GPS unit  
5 was given to Mr. Hersl, according to you, by Sergeant Jenkins.  
6 And Sergeant Jenkins was working at that time; is that correct?

7 **A.** Correct.

8 **Q.** And Dan Hersl was, as you say, following a target or on a  
9 target at that point; correct?

10 **A.** Correct.

11 **Q.** And he was given a GPS unit; correct?

12 **A.** Correct.

13 **Q.** And other than that, you've had absolutely no contact with  
14 Mr. Hersl; is that correct?

15 **A.** Correct.

16 **Q.** Now, when you're arrested, what date were you arrested on?

17 **A.** I'm not sure. Sometime in December.

18 **Q.** December -- December 18th sound about right to you?

19 **A.** It does.

20 **Q.** I take that back, December 13th sound right?

21 **A.** Somewhere right around there.

22 **Q.** Okay. Fair enough.

23 And to be fair, so the jury knows, when you were first  
24 arrested on December 13th, 2017, you were arrested by  
25 Baltimore County and -- well, actually Baltimore County. It

~~STEP~~ ~~CROSS~~

1 was a state charge or a city charge?

2 **A.** It was a state charge.

3 **Q.** State charge.

4 Was it in the county or the city originally?

5 **A.** It was in the county.

6 **Q.** Can't be both. Were you taken -- where were you taken  
7 when you --

8 **A.** I was taken to the local, Baltimore County.

9 **Q.** Baltimore County.

10 **A.** Correct.

11 **Q.** So you had Baltimore County charges at that point, state  
12 charges; correct?

13 **A.** Correct.

14 **Q.** And because you're a bail bondsman, Double D Bail Bonds,  
15 you were able to bail out fairly quickly; is that --

16 **A.** That would be correct.

17 **Q.** But then what happened was that a couple days later, the  
18 federal indictment comes down --

19 **A.** Correct.

20 **Q.** -- and you get arrested; right?

21 Now, your house was searched on the night or the -- the  
22 night you were arrested.

23 Do you remember that?

24 **A.** I do.

25 **Q.** And one of the bases for the search was just before the

1 house was searched, you actually served a customer; correct?

2 **A.** Correct.

3 **Q.** Was it a -- it was a woman; right?

4 **A.** Correct.

5 **Q.** Small amount of cocaine; right?

6 **A.** Correct.

7 **Q.** \$125 worth of coke?

8 **A.** This one was a half ounce for 650.

9 **Q.** So this woman came to your house?

10 **A.** She did.

11 **Q.** So she gave you \$650 for a half ounce of cocaine; right?

12 **A.** Approximately, yes.

13 **Q.** All right. And you had no problem selling it to her;  
14 right?

15 **A.** Correct.

16 **Q.** 'Cause that's what you were doing?

17 **A.** Correct.

18 **Q.** For years and years and years?

19 **A.** Correct.

20 **Q.** She gets stopped by the police. They get a  
21 search warrant. They hit your house; right?

22 **A.** Correct.

23 **Q.** At that time in your house, they find 223 plastic baggies.

24 Why would you have so many plastic baggies with coke? Is that

25 the way you were packaging your coke, in plastic baggies?



- 1     **A.**    Correct.
- 2     **Q.**    That was 262 grams' worth; sound about right?
- 3     **A.**    Correct.
- 4     **Q.**    37 plastic bags with rock.  That would be crack; right?
- 5     **A.**    The crack come from Sergeant Jenkins.  The powder was
- 6     mine.
- 7     **Q.**    Whoever it came from, it was in your house; right?
- 8     **A.**    Correct.
- 9     **Q.**    And you had it to sell, right?
- 10    **A.**    Correct.
- 11    **Q.**    You're not using crack yourself, are you?
- 12    **A.**    No.
- 13    **Q.**    And you really don't care who you sell the crack to?
- 14    **A.**    No.
- 15    **Q.**    As long as they got green; right?
- 16    **A.**    No, no, no.  I don't sell crack.
- 17    **Q.**    What were you going to do with the 37 plastic baggies of
- 18    crack?
- 19    **A.**    It was just in the box.  It was there for years.
- 20    **Q.**    Just going to keep it there?
- 21    **A.**    I was looking, but I -- I still had it.
- 22    **Q.**    If you didn't want to sell it, why didn't you just throw
- 23    the damned stuff out?
- 24    **A.**    That's a good question.
- 25    **Q.**    That is a good question.  Can you answer it?

- 1 **A.** I guess greed, maybe hold on to it.
- 2 **Q.** 'Cause you wanted to sell it; right?
- 3 **A.** Correct.
- 4 **Q.** You had 14 more plastic baggies with rock; right?
- 5 **A.** I'm not sure.
- 6 **Q.** All told, you had over 423 grams of crack in your house?
- 7 **A.** Yes.
- 8 **Q.** That's a lot of crack; right?
- 9 **A.** It is.
- 10 **Q.** Man, as a matter of fact, your lawyer, he told you what  
11 that amount of crack does to you in the federal system, didn't  
12 he?
- 13 **A.** No.
- 14 **Q.** He didn't? We'll have to talk to him.  
15 Now, in addition, you even had some heroin; right?
- 16 **A.** Unbeknownst, yes.
- 17 **Q.** 14 grams of heroin? Yes? No? Do you know?
- 18 **A.** No. No, I didn't know -- I didn't know the heroin was in  
19 there.  
20 Never sold a grain of heroin a day in my life.
- 21 **Q.** Who lives -- who lives in your house?
- 22 **A.** I do.
- 23 **Q.** Who else?
- 24 **A.** My fiancée.
- 25 **Q.** Who else?

~~STEP~~ ~~CROSS~~

1 A. My daughter.

2 Q. Your daughter?

3 A. Uh-huh.

4 Q. And I'm not prying, but your daughter is special needs;  
5 fair to say?

6 A. Correct.

7 Q. Now, after you get -- after you get arrested and you began  
8 to cooperate, you actually told the Government that you missed  
9 some drugs. I got more drugs in the house; right?

10 A. Correct.

11 Q. And they went back in; they got a couple kilos of cocaine?

12 A. Approximately 3.

13 Q. Packaging and scales?

14 A. Correct.

15 Q. Watches, four Rolex, one Breitling, Breitling. Too  
16 expensive for me.

17 A. I thought it was more than that.

18 Q. A lot of watches; right?

19 A. Correct.

20 Q. All right. And then you know at that point that you're  
21 now in the federal system; right?

22 A. Correct.

23 Q. And I think 51's young. But 51, you're 51 years old;  
24 right?

25 A. True.

1 Q. You want to be able to spend as much time as you can with  
2 your fiancée?

3 A. Correct.

4 Q. And as we mentioned before, with your daughter; correct?

5 A. Correct.

6 Q. You had to be nervous March 1st, 2017, when you see that  
7 Jenkins gets arrested.

8 A. Beyond nervous.

9 Q. You knew you had some stuff on him 'cause you had your  
10 cell phone. You had your little insurance; right?

11 A. Correct.

12 Q. But you don't know if Jenkins is going to cooperate;  
13 right?

14 A. That is true.

15 Q. And if Jenkins is going to cooperate, you're going down  
16 like a lead weight; right?

17 A. Correct.

18 Q. And so what you did, as you told us what you did, is you  
19 followed what was going on; correct?

20 A. I did.

21 Q. And I would assume you had a very keen interest to follow  
22 every single news report, TV report; right?

23 A. True.

24 Q. In addition, you have a keen interest and you could obtain  
25 information by going on the federal Web site and looking at

1 PACER to see what's going on, filings; correct?

2 A. Correct.

3 Q. And that's what you did; right?

4 A. More with the news.

5 Q. But you also had ability to see what was being filed in  
6 the federal system; correct?

7 A. I didn't have the ability, but I was more into the news  
8 side.

9 Q. All right. And you're thinking, you know -- and you've  
10 been around the criminal justice system. You're thinking, if  
11 they get me, what can I do; right?

12 A. I wasn't thinking -- I didn't -- I thought I was going to  
13 get through, to be honest with you.

14 Q. But like you said, you always weigh the odds. You've got  
15 to have a little insurance there; right?

16 A. I didn't -- I knew I had it, but I didn't think that he  
17 would -- I didn't think that he would reveal me.

18 Q. Yeah. Well, anyway, bottom line is this: Is  
19 Wayne Jenkins sittin' over here today (indicating)?

20 A. He's not.

21 Q. No, 'cause you know he's already pled guilty; right?

22 A. Correct.

23 Q. Who's left here, Taylor and Hersl (indicating); right?

24 A. Correct.

25 Q. If you don't say something about Taylor and Hersl, you

~~STEP~~ ~~CROSS~~

1 ain't got no cooperation; right?

2 **A.** Mr. Purpura, I'm just bringing the facts and the truth.

3 **Q.** I know. That's a good statement.

4 **A.** It's not a good statement. It's a for-real statement.

5 **Q.** Am I right or wrong? If you don't have information --

6 **MR. HINES:** Judge --

7 **THE COURT:** Sustained.

8 **THE WITNESS:** The facts are the facts, Mr. Purpura.  
9 You can't change 'em.

10 **THE COURT:** Okay. That's fine. Just wait.

11 **BY MR. PURPURA:**

12 **Q.** Now, you have a plea agreement in this case; right?

13 **A.** I do.

14 **Q.** All right. And I mentioned you've been released, so  
15 you're not being detained; correct?

16 **A.** Correct.

17 **Q.** And your particular plea agreement is for conspiracy to  
18 distribute more than 280 grams of crack; right?

19 **A.** Correct.

20 **MR. HINES:** Objection --

21 (The defendant conferred with counsel.)

22 **BY MR. PURPURA:**

23 **Q.** I'm being corrected, which is fine. And I apologize. I  
24 wasn't trying to mislead you.

25 It's possession with intent to distribute more than

1 280 grams of crack; correct?

2 **A.** I believe you.

3 **Q.** All right. That's good.

4 And you know -- and your attorney, Marshall Henslee  
5 (indicating), did he tell you what the penalties were?

6 **A.** Sure. I've spoke with my attorneys; yes.

7 **Q.** Sure. Sure. And the bottom line is, as the Government  
8 pointed out, you know that you can face a maximum of life  
9 imprisonment; right?

10 **A.** I do.

11 **Q.** And anyone by statute could face the same thing if they  
12 have more than 280 grams of crack; correct?

13 **A.** Correct.

14 **Q.** And also, your lawyer went through the guidelines with  
15 you, the United States sentencing guidelines; correct?

16 **A.** They have.

17 **Q.** Okay. "They," so you have two lawyers?

18 **A.** I do.

19 **Q.** It's a great country.

20 The --

21 **A.** How many does Mr. Hersl have?

22 **Q.** He's got one and a half right now.

23 **MR. PURPURA:** I apologize, Tom.

24 **BY MR. PURPURA:**

25 **Q.** He's got one; he's got one pro bono, if you want to know.

~~STEP~~ ~~CROSS~~

1 **A.** All right. There we go.

2 **THE COURT:** All right. That's two.

3 **THE WITNESS:** I'll take the pro bono.

4 **THE COURT:** Moving on.

5 **THE WITNESS:** I'm sorry.

6 **BY MR. PURPURA:**

7 **Q.** That was wrong. I'm sorry.

8 Bottom line is this: that you know this 'cause you spoke  
9 to your lawyers and you're very interested in it, right, how  
10 much penalties you face; correct?

11 **A.** It's my life, so I'm very interested in it.

12 **Q.** Very good. And you know that, as the Government pointed  
13 out in the counts you have, you face a mandatory minimum of ten  
14 without the possibility of parole; correct?

15 **A.** I do.

16 **Q.** And the only way for you -- because of your particular  
17 circumstance, the only way for you to get below ten years would  
18 be through cooperation; correct?

19 **A.** That is correct.

20 **Q.** And with cooperation and in your plea agreement, you can  
21 erase that mandatory minimum which allows you -- just allows  
22 you to go below that; correct?

23 **A.** Correct.

24 **Q.** Because if you didn't cooperate -- if you didn't  
25 cooperate, no matter who you were, if you're the President's



~~STEP~~ ~~CROSS~~

1 son or anybody else, it wouldn't matter. You'd face that ten  
2 real years in federal prison; correct?

3 **A.** Correct.

4 **Q.** And ten years means what in federal prison?

5 **A.** It means actually ten -- ten years.

6 **Q.** And you do hope that your cooperation does shorten your  
7 sentence any amount of time; is that fair to say?

8 **A.** That is a correct statement.

9 **MR. PURPURA:** And, Judge, I do apologize to my  
10 co-counsel.

11 And I have nothing further. Thank you.

12 Thank you, sir.

13 **THE COURT:** Two full counsel.

14 **MR. PURPURA:** Full counsel. Yes.

15 **THE COURT:** All right. Ms. Wicks.

16 **MS. WICKS:** Thank you.

17 **CROSS-EXAMINATION**

18 **BY MS. WICKS:**

19 **Q.** Good afternoon, sir.

20 **A.** Good afternoon.

21 **Q.** You were pretty -- when you were hanging out with  
22 Wayne Jenkins and -- you thought you were pretty well connected  
23 with the police force in Baltimore; correct?

24 **A.** I didn't think. I knew I was.

25 **Q.** You knew you were?

~~STEP~~ ~~CROSS~~

1 A. Correct.

2 Q. And you knew you were based on what Wayne Jenkins was  
3 telling you; correct?

4 A. Correct.

5 Q. And at that time you also were working on your business  
6 being a bail bondsman; correct?

7 A. Correct.

8 Q. And it was -- you were lobbying for the bail bondsman  
9 industry; correct?

10 A. Correct.

11 Q. You were making campaign contributions; correct?

12 A. Correct.

13 Q. Including to Marilyn Mosby; correct?

14 A. To who?

15 Q. Marilyn Mosby, to her campaign?

16 A. Yes, correct.

17 Q. Other politicians in Baltimore and outside of  
18 Baltimore City; correct?

19 A. Correct.

20 Q. But a lot of your business as a bail bondsman centered  
21 around Baltimore City and Baltimore County; correct?

22 A. Correct.

23 Q. And you were depending on what Jenkins was telling you to  
24 make decisions about risks you were apparently willing to take  
25 with him; correct?

1 **A.** Correct.

2 **Q.** And while you and Jenkins were doing these robberies  
3 together, Jenkins would be telling his wife and you would be  
4 telling your fiancée, Kelly, that you were working together to  
5 apprehend guys that had skipped out on your bail bonds;  
6 correct?

7 **A.** Correct.

8 **Q.** So part of the reason that you were taking the pictures  
9 all the time was to be showing Kelly what -- that you were  
10 doing stuff with Jenkins; correct?

11 **A.** That is correct.

12 **Q.** And so over the years, there's years and years and years  
13 of pictures of you doing things with Jenkins; correct?

14 **A.** That is correct.

15 **Q.** Because you want to be -- your wife to know what you're  
16 doing; correct?

17 **A.** Correct; video and pictures.

18 **Q.** Pardon me?

19 **A.** I had videos and pictures.

20 **Q.** Okay. And he would -- to your knowledge, Jenkins would be  
21 telling his wife that he was assisting you with your bail bonds  
22 work; correct?

23 **A.** Correct.

24 **Q.** Okay. And then there's a night you talked about there  
25 were several police officers -- you said Marcus Taylor,

1 Thomas Wilson, some other Baltimore County cop, I think you  
2 said, and Jenkins -- were providing a security detail for a guy  
3 that happened to be your friend 'cause he was your drug  
4 connect; correct?

5 **A.** Correct.

6 **Q.** And that was a security detail through the Baltimore  
7 Police Department; correct?

8 **A.** It was a private through Mr. Jenkins and  
9 Mr. Thomas Wilson, his old partner, had -- had formed a  
10 security business.

11 **Q.** Okay.

12 **A.** And because they had this security business, I retained  
13 that.

14 **Q.** Okay. So you retained the private security business that  
15 Jenkins and Wilson were running together. And you knew that  
16 Baltimore police officers, Baltimore County officers, other  
17 law enforcement, could be working a secondary job for security  
18 through a security company; right?

19 **A.** Correct.

20 **Q.** So there wasn't anything fishy about you hiring a security  
21 firm to provide security for your client; correct?

22 **A.** That is absolutely correct.

23 **Q.** Okay. And so that was an interaction that you had with  
24 Marcus Taylor; correct? He was a paid employee, essentially,  
25 providing security to your client?

~~STEP~~ ~~CROSS~~

1 **A.** Correct.

2 **Q.** Now, on this day --

3 **MS. WICKS:** And if I could have -- I think it's DA-9.  
4 Is that . . .

5 Thank you. Okay.

6 **BY MS. WICKS:**

7 **Q.** This is DA-9. And just showing you the bottom, I'm  
8 pointing at the date that's on DA-9. That's the date that the  
9 photograph was taken in your iPhone; correct?

10 **A.** I'm not sure, but that -- that could be correct.

11 **Q.** Well, you said that's the date -- when you testified on  
12 direct, you said that was the date that you took that  
13 photograph; correct?

14 **A.** Not -- I'm not sure if that's the exact date, because if  
15 it come back into my phone through a different -- if I put it  
16 in my favorites or something, it might have timestamped it  
17 incorrectly.

18 **Q.** Okay. So you --

19 **A.** But that is my -- that is my foot, if that's what you're  
20 trying to get at.

21 **Q.** Okay. I'm believing that's your foot.

22 **A.** Okay.

23 **Q.** But I'm asking: Do you know that's the date of the  
24 incident that -- you were saying that's the day after the  
25 incident where you broke into the storage unit and hurt your

1 foot.

2 **A.** Not sure if that's the exact date of the storage unit.

3 **Q.** So you don't know what the exact date of the storage unit  
4 is?

5 **A.** Correct. Correct. I don't. I don't recall the date.

6 **Q.** But what you do know, and we have evidence of, is you hurt  
7 your foot around that time?

8 **A.** That is -- that is -- whenever this original picture here  
9 was taken, this is either the night of or the day after --

10 **Q.** Okay.

11 **A.** -- that event.

12 **Q.** And on that -- during that incident or, I guess,  
13 afterwards -- well, Jenkins had told you that you were going to  
14 be looking at a lot of money, \$200,000 and 8 kilos in that  
15 storage unit; right?

16 **A.** 220,000, he stated.

17 **Q.** Okay. 220,000?

18 **A.** Correct.

19 **Q.** Okay. And 8 kilos of cocaine were -- that's what you were  
20 looking for in that score; correct?

21 **A.** Correct.

22 **Q.** And when you went into the storage unit, you -- that's the  
23 day you found three-quarters of a kilo of cocaine and no money;  
24 correct?

25 **A.** Absolutely correct.

1 Q. And so afterwards, whatever day this was, Jenkins tells  
2 you that Taylor messed the investigation up; correct?

3 A. That is what he stated.

4 Q. Okay. And on this date and in other dates, you talked  
5 about Oreese Stevens [sic] as well. Your dealings with Jenkins  
6 getting stuff out of people's houses, that's between you and  
7 him; correct?

8 A. It is. Correct.

9 Q. Okay. He doesn't want other people knowing that he's  
10 basically giving you drugs, and you and he have this deal going  
11 where he's making money off the drugs; correct?

12 A. Absolutely correct.

13 Q. And so back on the Oreese Stevenson date, when you come  
14 there, you're parked a block and a half or two blocks away,  
15 using your binoculars; is that what you said?

16 A. Correct.

17 Q. Okay. Using your binoculars to see the officers that are  
18 on the scene, but Jenkins doesn't want them to know that you're  
19 there; correct?

20 A. That is true.

21 Q. Okay. And back on the day that you break into this  
22 storage unit and break through the walls, Jenkins is telling  
23 you that he had sent Taylor to do something and Taylor hadn't  
24 done it right; right?

25 A. That was his statement.

~~STEP~~ ~~CROSS~~

1 Q. But his statement to you right after you didn't find  
2 220,000 -- I'm sorry, \$220,000 and 8 kilos of cocaine, he's  
3 basically apologizing to you. That's perhaps why there's not  
4 so much money and not so much cocaine; correct?

5 A. Correct.

6 Q. Okay. But Jenkins is the one telling you that  
7 Marcus Taylor had something to do with that investigation;  
8 correct?

9 A. That is true.

10 Q. You did not see Marcus Taylor at the storage unit that  
11 day; correct?

12 A. Correct -- I seen officers there. Marcus Taylor wasn't  
13 one that I believe that I seen.

14 Q. Okay. And back -- now, going back for a moment to the  
15 Oreese Stevenson incident, Jenkins calls you on the phone and  
16 tells you that he has this guy that he's talking to. And in  
17 the end, he's apparently -- he's referring to talking to  
18 Oreese Stevenson; correct?

19 A. Correct.

20 Q. And he says he has the guy in his office and that the  
21 guy's talking about 10 kilos of cocaine and five hundred to  
22 seven hundred fifty thousand dollars in the guy's house;  
23 correct?

24 A. Correct.

25 Q. And so you're driving pretty fast to get there to try to



1 help Wayne get this score; right?

2 **A.** Correct.

3 **Q.** And when you get there, you observe a young man in the  
4 back of the house; is that correct?

5 **A.** Correct. Correct; on the porch.

6 **Q.** Okay. Not a police officer?

7 **A.** Correct.

8 **Q.** And it's a young -- is it a young African-American man?

9 **A.** It is.

10 **Q.** And how old was this person?

11 **A.** I'd guesstimate anywhere from 12 to 16.

12 **Q.** Okay. So a teenager?

13 **A.** Correct.

14 **Q.** With a book bag?

15 **A.** Correct -- no. It was a rather large bag.

16 **Q.** What -- how would you describe the bag?

17 **A.** Large.

18 **Q.** Like a duffel bag?

19 **A.** It was a big bag.

20 **Q.** Okay. Did it have straps like he could put it on his back  
21 or it's just -- he's carrying a big bag but it's empty?

22 **A.** It's an empty bag, but it was a big bag. It was a large  
23 bag. I didn't get -- I didn't get a real good chance to see if  
24 it was puffed out, but he had a large bag with him.

25 **Q.** Okay. And when you call Wayne to -- I'm sorry. When you

1 call Jenkins to tell him that this young man is back there,  
2 Jenkins asked you to drive through again to get the guy to  
3 leave; correct?

4 **A.** No. He wanted me to drive through and double-check to  
5 make sure that that was the correct address that he was on;  
6 that he was on the thing -- he told me to count the houses down  
7 from the address from the front --

8 **Q.** Okay.

9 **A.** -- and then go around into the alley and count the same  
10 number back to make sure it was the same -- the same exact  
11 house.

12 **Q.** So you're saying at no time did he ask you to try to get  
13 rid of the kid that's in the back?

14 **A.** No.

15 **MS. WICKS:** Court's indulgence.

16 **BY MS. WICKS:**

17 **Q.** You met with -- I know Mr. Purpura asked you about this.  
18 But you met several times with the Government pursuant to your  
19 proffer agreement in December; correct?

20 **A.** Correct.

21 **Q.** And once in January, at least; correct?

22 **A.** Correct.

23 **Q.** And you told them "when driving through the alley the  
24 second time, the boy ran"?

25 **A.** He did.

1 Q. I'm sorry. I'll start a little earlier.

2 You -- you called Jenkins to inform Jenkins of the boy's  
3 presence, and Jenkins instructed Stepp to drive through the  
4 alley again. When driving through the alley the second time,  
5 the boy ran. And then you contacted Jenkins to let him know  
6 what happened; correct?

7 A. Correct.

8 Q. And it's your testimony the person that was behind the  
9 house was not a police officer; correct?

10 A. Correct.

11 Q. There's only one person that you saw behind the house that  
12 day, and that was this young teenage boy with a large, empty  
13 bag; correct?

14 A. Correct.

15 Q. And when you came through the second time, he ran?

16 A. He did.

17 **MS. WICKS:** Court's indulgence.

18 **BY MS. WICKS:**

19 Q. And although Jenkins told you there was going to be  
20 10 kilos of cocaine, he only gave you 2 kilos of cocaine that  
21 day to sell?

22 A. Correct.

23 Q. And he came out, and I guess you met him a ways away from  
24 the house. You left the area. He came to where you were and  
25 gave you the cocaine; correct?

1 **A.** I was right there. It was the street. It was one street  
2 off of the actual street where the house was.

3 **Q.** Okay. But he made sure that the other officers didn't see  
4 what he was doing; correct?

5 **A.** Correct. He did not want any of the other officers to see  
6 me.

7 **Q.** There were no other officers in his car at the time;  
8 correct?

9 **A.** Correct.

10 **Q.** There were no other officers that you could see at that  
11 time when this transfer of 2 kilos of cocaine was made?

12 **A.** Oh, no. There was nobody else around.

13 **Q.** And at that point, after you got the cocaine, you left;  
14 correct?

15 **A.** Correct.

16 **MS. WICKS:** Court's indulgence.

17 **BY MS. WICKS:**

18 **Q.** Now, the -- when you -- when the police -- well, when  
19 Wayne Jenkins got arrested March 1st, you were pretty  
20 concerned; correct?

21 **A.** That would be an understatement.

22 **Q.** Okay. But you kept selling drugs; correct?

23 **A.** Not immediately after.

24 **Q.** But apparently, at least -- starting at least the date you  
25 got arrested, you were up to selling a fair amount of drugs;

1 correct?

2 **A.** Correct.

3 **Q.** And you had a lot of drugs in your house; correct?

4 **A.** Correct.

5 **Q.** And you had -- before when Jenkins was bringing you drugs,  
6 you had other drug suppliers; correct?

7 **A.** Correct.

8 **Q.** And so once Wayne Jenkins got arrested, then you had to  
9 lean on your other drug suppliers for drugs as well; correct?

10 **A.** Correct.

11 **Q.** And so the drugs that were in your house in December of  
12 2017 when you got arrested were drugs that you had acquired  
13 from other drug suppliers, in addition to Jenkins; correct?

14 **A.** It would be -- there's a lot of Sergeant Jenkins' drugs  
15 that were on the scene of my house, and then there was also the  
16 drugs that I had personally obtained myself.

17 **Q.** From other drug suppliers?

18 **A.** Correct.

19 **Q.** Okay. You had personally obtained the drugs from Jenkins  
20 as well; correct?

21 **A.** Yes, correct.

22 **Q.** Okay. So that you had a -- several sources of drugs. One  
23 was Sergeant Jenkins; correct?

24 **A.** Correct.

25 **Q.** And there wasn't anyone else on the Baltimore Police

1 Department that you were getting drugs from other than  
2 Sergeant Jenkins; correct?

3 **A.** Correct.

4 **Q.** Now, in terms of your plea agreement, your plea is to  
5 possession with intent to distribute the drugs that were found  
6 in your house on December 14th; correct?

7 **A.** Correct.

8 **Q.** In addition to that, there were subsequent searches with  
9 your consent of your house where they found 3 more kilos of  
10 powder cocaine; correct?

11 **A.** Correct.

12 **Q.** You're not going to be -- you're not going to be facing  
13 charges for that as well; correct?

14 **A.** I'm not sure. I don't -- I believe so.

15 **Q.** Well, your cooperation agreement includes immunity for any  
16 disclosures that you make to the Government under the  
17 agreement; correct?

18 **A.** Correct.

19 **Q.** And any information and documents that you fully and  
20 truthfully disclosed to the Government will not be used against  
21 you directly or indirectly in any federal criminal case;  
22 correct?

23 **A.** Correct.

24 **Q.** And so these burglaries, home invasions, drug dealing for  
25 years and years, that's information that you've provided to the

~~STEP~~ ~~CROSS~~

1 Government, you're not going to be charged for that; correct?

2 **A.** Correct.

3 **MS. WICKS:** Court's indulgence.

4 **BY MS. WICKS:**

5 **Q.** What paperwork did you have in your house concerning this  
6 case? What paperwork did you have in your house concerning  
7 this case when you got arrested?

8 **A.** Probably a printout of the original indictment.

9 **Q.** The original indictment.

10 And you reviewed the original indictment?

11 **A.** I have.

12 **Q.** Okay. And in reviewing the original indictment, you were  
13 aware --

14 **MS. WICKS:** Court's indulgence.

15 **BY MS. WICKS:**

16 **Q.** Well, when was the first time that you told the Government  
17 that Wayne Jenkins told you that Marcus Taylor messed up the  
18 investigation on the day that you broke into the storage unit?

19 **A.** I don't know which -- I don't know what session that it  
20 was. Just -- we was just going through the different stuff,  
21 and I -- that come up. I don't know which one it was. I'm not  
22 sure.

23 **Q.** Okay. But you believe that you told them that before  
24 today?

25 **A.** Yes.

1 **Q.** Okay. And the -- you believe that the incident where you  
2 hurt your ankle was on or around August 8th or 9th of 2016;  
3 correct?

4 **A.** I'm not sure on the exact date. It depends on what my  
5 phone -- going back to the phones would dictate the times. And  
6 if there's -- if we look at the police report or whatever it  
7 was of the storage unit, it would tag back to right around that  
8 vicinity.

9 That picture was either taken that night or the following  
10 day of the incident at the storage locker from the fence of  
11 when I hurt it.

12 **Q.** Okay. So I'm showing you again DA-9, and the date on that  
13 is August 9th of 2016; correct?

14 **A.** Correct; but it could be -- it could be an incorrect time  
15 of when the phone -- the picture might have got moved from a  
16 different section within the phone to another section on the  
17 app. I'm not -- I'm not sure if that was when the actual  
18 picture was taken. But I do know this --

19 **THE COURT:** Okay. I think we've been through this a  
20 couple times.

21 **BY MS. WICKS:**

22 **Q.** Well, so do you believe Wayne Jenkins may have been lying  
23 to you about Marcus Taylor having anything to do with the  
24 investigation that led to you breaking into that storage unit?

25 **A.** That is a very fair assessment to say. And you know what?



~~STAPP REDIRECT~~

1 I can't endeavor [sic] into Sergeant Jenkins' mind. It's just  
2 impossible.

3 **Q.** It wouldn't surprise you to find out that maybe he was  
4 lying to you about that?

5 **A.** It would not surprise me in the least.

6 **MS. WICKS:** Thank you. No further questions. Thank  
7 you, Your Honor.

8 **THE COURT:** All right. Any redirect?

9 **MR. HINES:** I can be very brief, Your Honor.

10 **THE COURT:** Okay.

11 **REDIRECT EXAMINATION**

12 **BY MR. HINES:**

13 **Q.** Mr. Stepp, you were asked if you --

14 **THE CLERK:** Mr. Hines, excuse me, microphone.

15 **BY MR. HINES:**

16 **Q.** Mr. Stepp, you were asked if you were released on  
17 conditions pending your sentencing, and you're out at your  
18 home; right?

19 **A.** Correct.

20 **Q.** Who made the decision to release you?

21 **A.** I believe it was Federal Judge Gallagher,  
22 Magistrate Gallagher.

23 **Q.** And as part of your conditions, are you on electronic home  
24 monitoring?

25 **A.** I am.

~~STEP 1 REDIRECT~~

1 Q. Essentially, you can't go anywhere; is that right?

2 A. Correct.

3 Q. You were asked some questions about your house and it  
4 being a waterfront property.

5 What's the financial status of your home?

6 A. I'm \$1.2 million in debt, and I'm getting ready to lose  
7 it.

8 Q. Is the bank going to foreclose on it?

9 A. Soon.

10 MR. HINES: No further questions, Your Honor.

11 THE COURT: All right. Thank you, sir. You are  
12 excused.

13 (Witness excused.)

14 THE COURT: And, ladies and gentlemen, we will take  
15 the lunch recess. I'll see everybody at 2 o'clock.

16 (Jury left the courtroom at 1:00 p.m.)

17 (Luncheon recess taken.)

18 (End of excerpt.)

19

20

21

22

23

24

25

INDEX

GOVERNMENT'S EVIDENCE

<u>WITNESS</u>	<u>DR</u>	<u>CR</u>	<u>RDR</u>	<u>RCR</u>
DONALD STEPP, JR.	19	71, 113	129	--

I, Douglas J. Zweizig, RDR, CRR, do hereby certify that the foregoing is a correct transcript from the stenographic record of proceedings in the above-entitled matter.

\_\_\_\_\_  
/s/

Douglas J. Zweizig, RDR, CRR  
Registered Diplomat Reporter  
Certified Realtime Reporter  
Federal Official Court Reporter  
DATE: February 4, 2018

\$

\$1.2 [1] 130/6

\$1.2 million [1] 130/6

\$125 [4] 28/16 67/22 77/5 104/7

\$130,000 [1] 5/24

\$15 [1] 67/8

\$15,000 [4] 28/4 28/22 56/1 67/5

\$200,000 [1] 118/14

\$220,000 [4] 59/14 61/6 62/20 120/2

\$30,000 [1] 55/25

\$34,000 [1] 28/2

\$39,000 [1] 28/2

\$4,000 [1] 6/13

\$5,000 [2] 55/10 55/14

\$650 [1] 104/11

\$850,000 [1] 84/14

'

'cause [9] 60/12 80/20 86/20 104/16 106/2 108/9 109/21 112/8 116/3

'em [14] 22/10 22/15 22/15 22/16 32/23 34/19 53/17 58/12 62/13 63/15 65/2 90/13 91/3 110/9

/

/s [1] 131/9

1

1.75 million [1] 48/23

10 [4] 62/8 62/11 73/3 78/4

10 kilograms [1] 48/22

10 kilos [3] 53/24 120/21 123/20

100,000 [1] 28/17

101 [1] 1/24

106 [1] 1/4

10:10 a.m [1] 3/2

10:29 a.m [1] 16/2

11 [2] 25/8 46/8

112 grams [1] 67/21

113 [1] 131/4

11:39 a.m [1] 70/22

11:55 a.m [1] 71/2

12 [1] 121/11

12/19 [1] 46/7

129 [1] 131/4

13th [2] 102/20 102/24

14 [3] 35/24 36/4 106/4

14 grams [1] 106/17

14th [1] 126/6

15 [5] 3/16 61/17 67/6 67/6 73/3

15,000 [1] 28/21

15th [1] 24/7

16 [1] 121/11

18th [2] 98/10 102/18

19 [2] 46/7 131/4

19,000 [2] 93/9 93/10

19A [1] 34/14

19B [4] 34/14 34/15 35/11 36/7

19th [5] 36/22 38/22 75/10 98/6 98/10

1:00 p.m [1] 130/16

1A [1] 1/9

1st [2] 108/6 124/19

2

2 kilograms [3] 55/8 55/18

55/24

2 kilos [1] 55/28 87/11 123/28

24/11

2 o'clock [1] 130/15

2008 [3] 84/17 84/21 85/13

2012 [4] 24/7 25/15 73/20 73/22

2013 [2] 25/9 25/16

2015 [7] 36/22 38/22 40/15 43/14 58/15 75/10 101/16

2016 [9] 50/2 59/7 61/2 95/16 96/1 98/17 101/2 128/2 128/13

2017 [4] 98/6 102/24 108/6 125/12

2018 [3] 1/9 98/12 131/12

20B [2] 35/15 36/6

20th [1] 58/15

21201 [1] 1/25

220,000 [3] 118/16 118/17 120/2

223 [1] 104/23

22nd [1] 50/2

23 [2] 71/24 72/7

24 [1] 42/13

262 grams [1] 105/2

280 grams [3] 110/18 111/1 111/12

3

30 [1] 4/2

30 pounds [5] 41/17 41/18 41/21 47/12 47/14

302 [8] 13/2 14/15 17/18 17/20 18/8 18/14 45/10 46/6

37 [2] 105/4 105/17

398 [1] 101/23

3rd [2] 25/9 98/10

4

4 ounces [6] 66/2 66/5 66/9 67/11 67/20 67/21

4 pounds [2] 94/15 94/16

40 [5] 23/6 26/5 28/5 72/25 93/4

40 years [1] 72/24

400 [3] 13/4 101/17 101/22

403 [1] 11/16

41 pounds [1] 94/12

423 grams [1] 106/6

49ers/Baltimore [1] 25/16

4th [1] 1/24

5

51 [3] 21/24 107/23 107/23

51's [1] 107/23

6

6 feet [1] 48/21

60 pounds [3] 41/12 41/13 41/14

650 [1] 104/8

7

700 [1] 62/15

71 [1] 131/4

750-some [1] 67/6

8

8 kilos [7] 59/14 61/6 64/8 64/9 118/14 118/19 120/2

8A [1] 70/9

8th [6] 59/7 95/15 95/25 98/17 101/1 128/2

9

999,000 [1] 77/24

9th [3] 61/1 128/2 128/13

Page 132 of 153

a.m [4] 3/2 16/2 70/22 71/2

ability [3] 31/13 109/5 109/7

able [13] 6/2 6/21 9/18 18/15 27/14 31/13 32/25 39/1 74/21 82/9 82/12 103/15 108/1

about [66] 4/2 9/25 12/5 12/21 13/19 14/3 17/9 18/8 21/7 28/6 30/11 30/25 31/4 31/6 36/11 38/2 38/13 38/25 43/13 44/21 46/24 48/8 53/24 55/1 55/2 56/19 73/17 76/18 77/23 78/11 78/17 78/18 78/20 79/7 80/22 80/22 84/14 87/9 90/5 90/19 92/13 92/18 93/7 94/22 95/9 95/16 97/12 98/5 98/13 98/15 98/25 100/24 101/1 101/4 102/18 105/2 109/25 114/24 115/24 116/20 119/5 120/21 122/17 128/23 129/4 130/3

above [1] 131/8

above-entitled [1] 131/8

absolutely [4] 102/13 116/22 118/25 119/12

absurdity [1] 6/5

abundance [4] 3/10 27/7 27/21 35/5

access [3] 39/2 39/2 58/10

accompanying [1] 95/2

according [4] 13/4 92/5 99/3 102/5

accumulated [1] 68/12

accurate [1] 75/5

acquired [1] 125/12

across [8] 60/11 60/12 60/13 60/14 60/21 61/4 62/7 63/8

act [1] 22/8

actions [1] 13/1

active [1] 45/13

activities [2] 79/8 80/17

actual [3] 84/24 124/2 128/17

actually [20] 6/22 21/8 25/21 34/13 37/2 45/25 54/1 60/21 70/1 80/19 81/2 81/8 82/21 83/18 84/8 93/7 102/25 104/1 107/8 113/5

Acura [1] 93/6

ad [1] 30/18

ad-libbing [1] 30/18

add [1] 35/4

addict [7] 79/13 79/14 79/14 79/15 79/16 80/2 80/4

addicted [1] 82/5

addiction [1] 82/6

addition [4] 106/15 108/24 125/13 126/8

additional [1] 5/8

address [7] 48/2 48/7 48/9 49/6 49/7 122/5 122/7

addressed [2] 9/11 17/12

addressing [1] 8/18

adept [1] 79/25

admin [1] 56/22

admissible [3] 3/25 10/16 78/15

admit [1] 20/6

admitted [4] 34/14 42/12 61/17 70/8

admitting [1] 79/1

admonition [1] 14/2

adopted [1] 5/23

<p><b>A</b></p> <p>adoption [1] 6/17</p> <p>adult [2] 43/6 44/12</p> <p>advise [3] 8/7 11/19 12/4</p> <p>Affairs [2] 10/24 15/14</p> <p>afford [1] 6/2</p> <p>African [3] 99/23 99/24 121/8</p> <p>African-American [3] 99/23 99/24 121/8</p> <p>after [45] 5/1 13/17 15/23 22/11 22/13 23/13 25/3 25/18 25/23 25/25 25/25 27/2 28/5 32/22 43/18 43/18 45/21 49/13 49/14 51/9 52/20 52/23 53/19 54/15 55/3 56/8 57/21 57/23 61/5 63/10 64/1 64/10 65/5 67/18 69/9 69/14 82/4 88/1 107/7 107/7 117/24 118/9 120/1 124/13 124/23</p> <p>afternoon [5] 16/9 70/9 96/6 113/19 113/20</p> <p>afterwards [2] 118/13 119/1</p> <p>again [23] 4/16 7/16 9/14 10/15 11/25 33/25 34/2 34/21 38/10 43/9 54/6 55/21 59/12 68/21 89/6 91/5 91/16 92/25 94/1 96/25 122/2 123/4 128/12</p> <p>against [2] 5/13 126/20</p> <p>age [1] 78/4</p> <p>agencies [1] 42/3</p> <p>Agent [2] 2/8 91/8</p> <p>aggressive [1] 7/25</p> <p>ago [4] 18/5 23/25 24/20 43/13</p> <p>agree [11] 7/13 7/20 9/10 9/14 11/25 20/12 31/22 32/1 39/3 59/25 81/21</p> <p>agreed [6] 10/24 11/1 11/21 24/1 26/3 55/25</p> <p>agreement [10] 12/25 20/12 21/2 110/12 110/17 112/20 122/19 126/4 126/15 126/17</p> <p>ahead [5] 34/25 46/22 54/10 61/7 86/2</p> <p>aid [2] 96/23 97/1</p> <p>ain't [2] 55/11 110/1</p> <p>all [70] 4/5 6/1 6/1 7/12 9/4 11/2 12/22 12/25 13/19 15/10 15/21 16/3 16/5 16/23 18/10 18/25 19/4 26/9 34/4 34/16 35/14 35/17 39/11 43/20 43/21 46/22 52/5 53/17 53/17 59/5 64/23 70/20 70/24 71/8 74/22 75/7 75/13 75/24 76/13 77/20 78/2 78/3 78/6 78/13 82/14 83/1 84/24 86/7 87/14 89/15 89/18 91/11 92/16 95/4 98/21 99/2 99/6 99/17 104/13 106/6 107/20 109/9 110/14 111/3 112/1 112/2 113/15 115/9 129/8 130/11</p> <p>allegation [1] 45/18</p> <p>alleged [1] 44/25</p> <p>alley [4] 122/9 122/23 123/4 123/4</p> <p>allowed [3] 9/15 69/6 84/10</p> <p>allows [2] 112/21 112/21</p> <p>almost [3] 29/20 72/23 72/25</p> <p>already [7] 26/16 32/12 45/16 60/6 73/13 76/15 109/21</p> <p>also [14] 2/7 6/18 7/10 14/23 15/7 16/25 27/18 44/1 61/14 93/18 109/5 111/14 114/5 125/15</p>	<p>although [2] 5/9 123/19</p> <p>always [2] 27/15 109/11</p> <p>am [8] 12/1 16/16 19/18 19/24 40/14 85/8 110/5 129/25</p> <p>Amazon [3] 35/21 35/22 35/25</p> <p>AMERICA [3] 1/3 20/11 20/24</p> <p>American [3] 99/23 99/24 121/8</p> <p>amount [9] 48/3 55/25 59/17 96/12 96/12 104/5 106/11 113/7 124/25</p> <p>amounts [4] 25/25 68/16 82/16 98/2</p> <p>anger [3] 4/14 9/24 9/25</p> <p>ankle [8] 60/19 60/21 60/23 61/3 61/5 63/7 65/8 128/2</p> <p>another [15] 7/3 16/24 16/24 17/13 37/25 38/6 44/1 44/2 52/13 60/14 60/15 83/13 90/20 91/16 128/16</p> <p>answer [6] 34/24 35/8 40/5 57/19 81/17 105/25</p> <p>answered [3] 17/2 17/5 59/23</p> <p>any [41] 8/11 10/6 10/6 11/4 11/5 11/13 11/14 14/11 16/14 16/17 21/7 32/12 32/16 32/24 34/15 35/10 38/13 45/18 45/24 45/25 45/25 51/1 51/1 51/2 68/17 69/10 74/18 77/19 78/25 92/14 97/1 98/3 100/6 100/9 100/25 113/7 124/5 126/15 126/19 126/21 129/8</p> <p>anybody [2] 64/22 113/1</p> <p>anymore [1] 85/25</p> <p>anyone [5] 4/5 80/23 91/19 111/11 125/25</p> <p>anything [19] 11/22 12/21 13/12 20/18 21/21 26/8 27/5 30/11 32/13 52/12 58/14 62/19 73/24 97/2 97/8 101/1 101/4 116/20 128/23</p> <p>anyway [2] 17/13 109/18</p> <p>anywhere [3] 67/19 121/11 130/1</p> <p>Apart [2] 31/3 35/10</p> <p>apartments [1] 5/25</p> <p>apologize [9] 17/17 43/9 57/14 83/8 91/6 94/18 110/23 111/23 113/9</p> <p>apologizing [2] 16/6 120/3</p> <p>app [1] 128/17</p> <p>apparently [9] 10/1 44/24 75/9 80/7 89/3 102/3 114/24 120/17 124/24</p> <p>apprehend [1] 115/5</p> <p>apprehension [1] 32/21</p> <p>approach [3] 3/5 52/4 78/8</p> <p>appropriate [2] 9/8 9/10</p> <p>approximately [9] 6/13 25/18 52/23 54/18 62/10 66/1 67/4 104/12 107/12</p> <p>April [1] 58/15</p> <p>April 20th [1] 58/15</p> <p>are [40] 5/16 5/17 7/9 8/14 14/10 14/10 14/23 15/5 19/16 19/17 19/19 21/23 21/25 25/14 30/17 33/22 36/6 36/24 37/5 39/5 40/13 41/5 45/7 47/18 51/23 51/24 58/2 61/20 73/14 76/22 80/12 81/7 84/8 85/10 101/17 105/11 110/8 119/17 129/23 130/11</p> <p>area [1] 123/24</p> <p>areas [2] 31/8 31/9</p>	<p>argue [2] 9/15 21/17</p> <p>argument [1] 133/16 133/16 133/16 133/16</p> <p>armed [9] 46/2 51/4 53/13 53/17 63/22</p> <p>Armstrong [3] 13/17 99/13 99/20</p> <p>around [19] 10/17 26/25 41/4 41/6 46/8 49/7 49/15 81/4 81/6 84/17 93/9 102/21 109/10 114/21 118/7 122/9 124/12 128/2 128/7</p> <p>arranged [1] 55/4</p> <p>arrest [5] 22/4 22/25 25/3 67/25 78/22</p> <p>arrested [17] 22/13 42/1 67/25 78/25 102/16 102/16 102/24 102/24 103/20 103/22 107/7 108/7 124/19 124/25 125/8 125/12 127/7</p> <p>arrive [2] 49/11 49/13</p> <p>arrived [3] 41/1 49/14 51/13</p> <p>as [90] 3/22 3/23 4/3 4/4 5/15 6/16 6/22 7/21 8/8 8/14 10/7 12/16 14/16 16/11 16/17 20/12 22/20 22/20 24/2 26/2 26/6 26/6 27/22 28/6 32/21 34/14 42/12 45/7 45/21 46/1 47/9 48/2 48/2 48/2 49/25 51/2 53/6 53/6 53/7 53/16 53/21 55/5 57/25 60/25 61/17 64/10 64/11 70/9 72/17 75/20 76/15 78/22 79/18 80/1 80/4 80/7 80/14 82/15 83/4 83/19 83/21 84/2 84/4 84/13 84/25 86/15 87/6 88/3 88/23 90/20 91/3 95/4 97/17 101/12 102/8 105/15 105/15 106/10 108/1 108/1 108/4 108/18 111/7 112/12 114/20 119/5 125/9 125/20 126/13 129/23</p> <p>aside [1] 33/11</p> <p>ask [24] 4/3 11/20 11/22 12/7 14/1 14/10 15/13 16/21 18/8 21/20 23/11 32/16 34/10 39/20 63/17 65/19 70/5 78/25 80/6 81/14 86/10 92/23 95/9 122/12</p> <p>asked [22] 6/10 12/4 13/14 16/14 17/2 23/15 23/24 26/17 36/25 43/13 46/24 54/17 64/17 65/17 71/12 88/22 98/15 122/2 122/17 129/13 129/16 130/3</p> <p>asking [6] 78/11 78/17 78/18 79/7 83/7 117/23</p> <p>assessment [2] 26/11 128/25</p> <p>Assistant [1] 1/19</p> <p>assisting [1] 115/21</p> <p>assume [2] 44/19 108/21</p> <p>attack [1] 12/24</p> <p>attempted [2] 7/1 7/1</p> <p>attend [1] 23/9</p> <p>attention [3] 36/4 38/5 59/7</p> <p>attorney [2] 21/17 111/4</p> <p>attorneys [2] 1/19 111/6</p> <p>attorneys' [1] 5/15</p> <p>August [8] 59/7 61/1 95/15 95/25 98/17 101/1 128/2 128/13</p> <p>August 8th [6] 59/7 95/15 95/25 98/17 101/1 128/2</p> <p>August 9th [2] 61/1 128/13</p> <p>authorized [2] 22/23 22/25</p> <p>automatically [1] 64/3</p> <p>aware [3] 39/5 40/13 127/13</p> <p>away [7] 49/19 51/15 52/8 60/14 96/6 119/14 123/23</p>
--	---	--

<p><b>B</b></p> <p>back [53] 22/10 24/16 25/1 26/5 29/13 32/18 33/1 38/20 46/4 49/8 49/16 49/21 50/18 51/7 53/2 54/4 54/8 54/12 54/14 60/9 62/22 63/7 63/8 63/15 64/1 64/21 65/9 65/24 66/19 66/25 67/24 73/1 73/22 77/19 100/13 102/20 107/11 117/15 119/13 119/21 120/14 120/14 121/4 121/20 122/1 122/10 122/13 128/5 128/7</p> <p>bad [8] 49/18 80/12 81/22 81/25 82/5 82/9 83/8 94/19</p> <p>bag [19] 42/7 42/9 42/14 50/23 54/14 54/15 62/7 62/12 121/14 121/15 121/16 121/18 121/19 121/21 121/22 121/22 121/23 121/24 123/13</p> <p>baggies [5] 104/23 104/24 104/25 105/17 106/4</p> <p>bags [8] 32/17 41/6 42/10 65/1 65/2 68/25 69/1 105/4</p> <p>bail [26] 22/5 22/6 22/8 22/12 22/15 22/16 22/20 26/2 32/19 32/20 32/22 48/10 58/7 71/13 71/15 71/16 72/9 72/11 103/14 103/14 103/15 114/6 114/8 114/20 115/5 115/21</p> <p>bail bond [7] 32/19 32/20 58/7 71/13 71/15 72/9 72/11</p> <p>bails [5] 22/9 22/19 32/22 58/7 58/9</p> <p>ballpark [1] 90/11</p> <p>Baltimore [59] 1/10 1/25 20/8 22/1 22/2 23/22 25/16 26/25 30/7 33/4 33/14 33/17 33/21 34/17 35/10 37/1 37/2 37/22 38/15 42/5 43/7 43/24 53/11 53/12 56/7 56/9 57/2 58/17 58/20 58/25 63/19 74/10 85/7 85/11 85/12 85/12 85/13 87/21 90/20 90/23 92/6 92/12 92/24 95/1 102/25 102/25 103/8 103/9 103/11 113/23 114/17 114/18 114/21 114/21 116/1 116/6 116/16 116/16 125/25</p> <p>Baltimore City [11] 23/22 30/7 43/7 56/7 56/9 58/25 74/10 85/12 87/21 114/18 114/21</p> <p>Baltimore City Police [4] 37/1 53/12 63/19 95/1</p> <p>Baltimore County [15] 42/5 85/11 85/12 85/13 90/20 90/23 92/24 102/25 102/25 103/8 103/9 103/11 114/21 116/1 116/16</p> <p>Baltimore's [1] 48/6</p> <p>bank [1] 130/8</p> <p>bar [2] 10/11 56/17</p> <p>base [8] 20/1 26/23 27/12 28/14 28/15 41/23 41/24 76/24</p> <p>based [5] 3/12 5/20 21/16 89/18 114/2</p> <p>bases [1] 103/25</p> <p>basically [5] 22/3 32/2 96/15 119/10 120/3</p> <p>basing [1] 14/17</p> <p>basis [1] 52/8</p> <p>be [98] 3/3 3/25 4/5 5/12 5/12 5/14 5/14 5/17 6/13 6/14 6/20</p>	<p>7/7 7/7 7/10 8/11 8/14 9/3 9/8 9/8 9/10 9/11 9/11 9/11 9/15 9/16 9/18 10/7 10/10 10/16 12/4 13/17 13/23 15/1 15/7 15/12 16/3 17/12 17/18 17/21 18/15 19/7 21/8 23/13 23/14 25/12 27/5 29/8 30/3 30/6 31/13 32/8 36/21 38/16 39/1 44/19 44/21 44/25 48/25 62/11 64/11 67/5 70/24 71/3 73/4 73/5 75/5 80/5 80/14 91/19 94/1 96/11 97/24 102/23 103/6 103/16 105/4 108/1 108/6 109/13 112/18 115/3 115/3 115/9 115/15 115/20 116/3 116/17 117/10 118/14 123/19 124/21 125/14 126/12 126/12 126/20 127/1 128/14 128/14 129/9</p> <p>beating [1] 62/25</p> <p>beautiful [3] 84/3 84/6 84/11</p> <p>became [3] 79/25 82/22 83/18</p> <p>because [51] 6/5 6/12 15/8 15/24 17/18 18/2 19/24 26/9 26/15 27/12 27/19 29/8 31/7 31/10 32/6 32/18 39/1 41/23 45/21 49/18 50/17 59/19 60/20 63/1 63/10 64/2 65/8 65/9 65/12 65/22 66/1 66/11 66/16 67/1 67/3 68/8 69/7 69/21 74/13 80/4 84/24 89/22 96/23 97/23 100/14 103/14 112/16 112/24 115/15 116/12 117/14</p> <p>become [1] 59/11</p> <p>bed [1] 29/8</p> <p>been [33] 4/20 4/21 6/6 6/11 9/25 10/4 16/14 16/23 16/24 17/9 20/21 21/7 24/2 25/23 29/12 34/13 39/9 42/12 43/6 49/25 57/25 60/25 61/17 67/19 70/8 78/1 78/6 98/22 98/23 109/10 110/14 128/19 128/22</p> <p>before [21] 1/11 4/2 5/24 8/7 11/15 12/3 14/2 16/8 16/20 17/19 26/8 50/16 76/15 81/8 84/17 92/23 95/25 103/25 108/4 125/5 127/23</p> <p>began [3] 27/2 69/9 107/7</p> <p>begin [2] 7/19 68/13</p> <p>behalf [1] 15/7</p> <p>behavior [1] 79/2</p> <p>behind [10] 15/16 24/19 52/2 55/6 60/5 60/7 62/24 63/3 123/8 123/11</p> <p>being [13] 7/4 7/24 13/5 32/25 47/10 47/14 50/11 65/10 109/5 110/15 110/23 114/6 130/4</p> <p>believe [16] 4/23 35/14 35/17 49/3 79/7 90/5 93/6 94/25 95/9 111/2 120/13 126/14 127/23 128/1 128/22 129/21</p> <p>believed [5] 49/4 69/13 69/14 69/18 97/24</p> <p>believing [1] 117/21</p> <p>bell [1] 7/6</p> <p>belonged [2] 98/18 99/6</p> <p>below [2] 112/17 112/22</p> <p>Belvedere [7] 40/13 42/15 42/17 42/20 43/13 45/7 47/13</p> <p>Belvedere Tower [1] 47/13</p> <p>Belvedere Towers [6] 40/13 42/15 42/17 42/20 43/13 45/7</p> <p>Ben [1] 75/15</p>	<p>bench [13] 3/7 15/20 16/21 16/22 18/24 20/16 44/18 44/20 46/21 52/6 52/18 78/10 79/5</p> <p>besides [1] 75/16</p> <p>best [1] 85/19</p> <p>better [1] 62/10</p> <p>betting [1] 83/21</p> <p>between [4] 44/25 45/11 93/7 119/6</p> <p>Beyond [1] 108/8</p> <p>big [7] 38/15 50/23 58/7 83/19 121/19 121/21 121/22</p> <p>bigger [1] 98/1</p> <p>biggest [3] 23/21 55/21 87/20</p> <p>Bill [1] 12/23</p> <p>binoculars [7] 49/15 49/20 52/15 53/5 53/6 119/15 119/17</p> <p>Bird [7] 92/4 92/7 92/14 93/2 93/2 93/18 94/1</p> <p>bit [3] 5/6 82/13 82/14</p> <p>blackmail [2] 87/4 87/5</p> <p>BLAKE [1] 1/11</p> <p>blame [1] 81/11</p> <p>blaming [1] 11/20</p> <p>blew [4] 64/13 64/14 65/2 65/5</p> <p>block [4] 49/19 52/7 54/18 119/14</p> <p>blocks [4] 49/19 52/8 54/18 119/14</p> <p>blue [2] 4/14 59/1</p> <p>Bobby [1] 23/4</p> <p>bond [7] 32/19 32/20 58/7 71/13 71/15 72/9 72/11</p> <p>bonds [7] 22/5 22/6 48/10 71/16 103/14 115/5 115/21</p> <p>bondsman [6] 22/20 26/2 103/14 114/6 114/8 114/20</p> <p>bondsmans [1] 22/8</p> <p>bono [2] 111/25 112/3</p> <p>book [1] 121/14</p> <p>books [3] 33/1 58/10 58/11</p> <p>both [6] 7/24 57/12 82/13 82/14 89/2 103/6</p> <p>bother [1] 88/11</p> <p>bottom [6] 24/7 46/7 109/18 111/7 112/8 117/7</p> <p>bounty [1] 32/23</p> <p>Bowl [3] 25/15 25/17 76/3</p> <p>box [1] 105/19</p> <p>boy [5] 51/6 87/18 122/24 123/5 123/12</p> <p>boy's [1] 123/2</p> <p>BPD [1] 53/10</p> <p>brackets [1] 46/8</p> <p>branching [1] 27/19</p> <p>break [5] 13/17 76/25 96/20 119/21 119/22</p> <p>breakfast [2] 29/6 29/7</p> <p>breaking [3] 90/19 92/18 128/24</p> <p>Breitling [3] 69/16 107/15 107/15</p> <p>Breitling watch [1] 69/16</p> <p>brief [1] 129/9</p> <p>briefly [2] 15/17 73/18</p> <p>bring [6] 7/3 11/22 25/24 25/24 59/16 68/10</p> <p>bringing [3] 27/20 110/2 125/5</p> <p>broader [1] 14/24</p> <p>broke [16] 60/19 60/21 62/14 89/12 89/19 89/22 91/11 91/19 91/25 92/7 92/20 93/21 93/24 97/11 117/25 127/18</p>
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Case 1:17-cr-00106-ECB Document 361 Filed 03/01/18 Page 14 of 155

<p><b>B</b></p> <p>broken [1] 97/18</p> <p>brokerage [2] 82/19 82/21</p> <p>brother [13] 23/4 23/12 23/12 23/24 26/6 26/7 72/25 76/10 98/18 99/7 99/16 99/25 100/2</p> <p>brother-in-law [4] 98/18 99/7 99/16 100/2</p> <p>brother-in-law's [1] 99/25</p> <p>brothers [1] 74/15</p> <p>brought [7] 15/23 42/10 42/14 68/14 69/13 70/12 88/7</p> <p>bubble [1] 84/21</p> <p>building [1] 52/10</p> <p>bulletproof [1] 53/12</p> <p>burglaries [1] 126/24</p> <p>burglarized [1] 65/25</p> <p>burglary [2] 89/19 91/16</p> <p>burst [1] 84/21</p> <p>bursts [1] 84/21</p> <p>business [14] 32/6 32/8 32/20 58/7 71/13 82/19 82/21 84/25 85/20 114/5 114/20 116/10 116/12 116/14</p> <p>bust [3] 38/3 38/4 57/12</p> <p>busts [2] 23/21 37/21</p> <p>buy [1] 32/16</p>	<p>cards [1] 23/7</p> <p>care [2] 78/20 105/12</p> <p>Carroll [2] 17/7 19/10</p> <p>Carroll County [1] 17/7</p> <p>carrying [1] 121/21</p> <p>cars [1] 13/7</p> <p>case [18] 1/4 3/21 5/1 7/9 8/25 16/18 19/17 19/19 19/25 20/4 20/6 22/12 65/11 68/8 110/12 126/21 127/6 127/7</p> <p>cases [1] 38/15</p> <p>cash [6] 48/20 58/12 59/14 65/4 89/8 100/7</p> <p>casino [5] 23/17 24/13 73/19 74/2 74/5</p> <p>CATHERINE [1] 1/11</p> <p>Caucasian [2] 50/10 99/22</p> <p>caused [3] 3/24 3/24 80/14</p> <p>caution [1] 3/10</p> <p>CCB [1] 1/4</p> <p>CCB-17-106 [1] 1/4</p> <p>ceiling [1] 62/24</p> <p>cell [2] 54/17 108/10</p> <p>cell phone [2] 54/17 108/10</p> <p>center [1] 3/20</p> <p>centered [1] 114/20</p> <p>certain [1] 63/1</p> <p>certainly [2] 7/22 8/1</p> <p>Certified [1] 131/11</p> <p>certify [1] 131/6</p> <p>chance [1] 121/23</p> <p>change [3] 81/3 81/6 110/9</p> <p>charge [5] 22/11 103/1 103/1 103/2 103/3</p> <p>charged [7] 3/21 8/14 19/19 19/25 20/4 69/17 127/1</p> <p>charges [4] 19/20 103/11 103/12 126/13</p> <p>chase [2] 32/23 101/7</p> <p>check [1] 122/4</p> <p>children [1] 6/2</p> <p>choice [1] 82/7</p> <p>chose [1] 9/3</p> <p>Christopher [1] 2/4</p> <p>Christopher C. Nieto [1] 2/4</p> <p>circled [1] 35/13</p> <p>circumstance [1] 112/17</p> <p>circumstances [2] 8/20 9/1</p> <p>citizens [1] 20/8</p> <p>city [24] 17/8 23/21 23/22 26/11 30/7 31/7 31/11 31/13 37/1 43/7 53/12 56/7 56/9 58/25 63/19 74/10 76/11 85/12 87/21 95/1 103/1 103/4 114/18 114/21</p> <p>citywide [1] 17/10</p> <p>Clash [4] 87/15 87/15 87/19 88/1</p> <p>Claus [1] 53/22</p> <p>clean [1] 80/10</p> <p>clear [4] 4/10 8/16 48/25 52/16</p> <p>clearly [1] 8/3</p> <p>client [4] 3/20 28/14 116/21 116/25</p> <p>clientele [1] 27/13</p> <p>clients [1] 82/22</p> <p>climb [1] 60/6</p> <p>close [1] 23/6</p> <p>closet [1] 48/21</p> <p>closing [1] 9/16</p> <p>clothes [1] 51/8</p> <p>Club [1] 93/4</p> <p>co [6] 15/5 15/9 15/12 44/19</p>	<p>45/8 113/10</p> <p>co-conspirator [4] 15/5 15/9 15/12 44/19</p> <p>co-conspirators [1] 45/8</p> <p>co-counsel [1] 113/10</p> <p>cocaine [60] 20/1 20/1 20/3 26/22 27/10 27/15 27/15 28/3 28/20 41/9 41/11 41/16 41/22 48/22 55/8 55/18 55/22 55/24 59/15 62/9 62/14 62/16 62/17 63/4 66/2 66/9 66/13 67/12 67/17 67/20 67/21 67/21 77/1 77/1 82/5 82/7 82/8 82/9 82/10 82/22 85/22 87/11 87/11 97/13 97/21 97/21 104/5 104/11 107/11 118/19 118/23 120/2 120/4 120/21 123/20 123/20 123/25 124/11 124/13 126/10</p> <p>Cocaine base [1] 20/1</p> <p>codes [3] 59/15 61/10 97/4</p> <p>coke [3] 104/7 104/24 104/25</p> <p>collectively [1] 4/24</p> <p>Colombian [3] 85/14 85/17 85/25</p> <p>combination [2] 16/6 96/24</p> <p>combinations [1] 97/2</p> <p>come [50] 18/16 20/16 23/13 23/14 23/24 29/11 30/16 35/1 35/23 36/25 40/1 40/24 43/23 44/18 47/6 47/7 47/12 48/1 51/16 53/21 54/21 55/6 55/16 58/5 58/24 60/5 60/9 60/9 60/10 60/10 60/21 62/7 62/14 63/10 65/6 66/16 67/4 68/4 68/25 69/17 71/21 81/9 92/10 94/15 97/3 97/4 105/5 117/15 119/13 127/21</p> <p>comes [3] 53/2 53/4 103/18</p> <p>comfortable [2] 26/9 76/9</p> <p>coming [10] 13/8 27/7 33/16 51/15 61/3 67/13 68/9 69/3 80/22 98/23</p> <p>comment [2] 12/5 12/14</p> <p>commission [1] 51/1</p> <p>commissioner [4] 22/12 22/13 22/14 22/14</p> <p>commit [2] 12/12 31/22</p> <p>committed [1] 20/10</p> <p>committing [4] 31/15 31/16 45/25 89/19</p> <p>company [4] 22/5 22/6 71/15 116/18</p> <p>complaint [1] 14/4</p> <p>complaints [3] 10/24 11/17 12/14</p> <p>completely [2] 6/20 49/9</p> <p>concept [1] 12/9</p> <p>concerned [5] 4/4 17/17 18/2 18/9 124/20</p> <p>concerning [2] 127/5 127/6</p> <p>conclude [1] 6/12</p> <p>concluded [5] 15/20 18/24 46/21 52/18 79/5</p> <p>conclusion [1] 16/12</p> <p>concur [1] 9/7</p> <p>conditions [2] 129/17 129/23</p> <p>conduct [1] 11/3</p> <p>conference [10] 3/7 15/20 16/22 18/24 44/20 46/21 52/6 52/18 78/10 79/5</p> <p>conferred [2] 95/13 110/21</p> <p>confined [1] 31/8</p> <p>confusion [1] 5/14</p>
<p><b>C</b></p> <p>C. [1] 2/4</p> <p>calculation [1] 4/2</p> <p>calculator [1] 67/22</p> <p>call [18] 16/20 18/25 20/1 27/9 29/14 29/16 31/24 35/3 55/3 55/15 56/24 59/12 95/19 95/20 95/22 96/5 121/25 122/1</p> <p>called [11] 32/17 40/18 40/22 48/2 48/3 63/10 64/2 64/25 68/20 75/3 123/2</p> <p>calls [2] 19/2 120/15</p> <p>came [10] 9/1 80/19 87/22 88/14 94/22 104/9 105/7 123/15 123/23 123/24</p> <p>camera [2] 72/21 86/14</p> <p>cameras [3] 60/6 60/13 60/14</p> <p>campaign [2] 114/11 114/15</p> <p>can [55] 6/12 10/17 12/10 12/11 14/10 14/14 15/17 17/12 17/19 18/3 18/8 18/18 21/17 21/20 21/22 22/6 26/2 31/1 32/21 34/5 34/8 34/10 35/7 38/17 38/21 39/14 43/10 47/24 48/2 48/24 54/19 55/9 55/9 55/9 57/17 70/24 71/3 71/23 72/13 72/17 72/20 72/21 75/9 78/11 80/12 81/10 81/10 81/11 81/21 105/25 108/1 109/11 111/8 112/20 129/9</p> <p>can't [13] 4/11 12/25 17/18 18/7 27/5 44/2 48/9 68/13 75/15 103/6 110/9 129/1 130/1</p> <p>cannot [1] 7/7</p> <p>capacity [1] 22/9</p> <p>capsules [1] 27/10</p> <p>car [22] 13/9 24/24 41/3 41/3 41/4 46/14 50/9 54/5 54/9 54/13 54/14 54/16 55/6 59/1 68/24 68/24 92/8 92/18 92/20 93/3 93/5 124/7</p> <p>card [13] 23/8 23/10 26/10 58/13 74/7 74/10 74/16 74/18 78/13 78/15 78/19 80/15 88/16</p>	<p>case 1:17-cr-00106-CB Document 301 Filed 03/01/18 Page 155 of 153</p>	

C	80/20 80/23 131/12 Surtis [5] 122/15 123/17 124/16 127/3 127/14	Danny [19] 40/9 59/1 59/4 65/10 65/22 66/5 66/7 66/17 66/25 74/18 76/1 87/24 95/7 100/6
<p>connect [1] 116/4 connected [1] 113/22 consent [1] 126/9 consequences [2] 8/19 9/25 consider [2] 16/17 80/5 considered [3] 5/12 8/11 10/7 conspiracy [10] 5/11 7/22 10/21 11/3 15/5 45/1 45/16 45/17 45/19 110/17 conspirator [4] 15/5 15/9 15/12 44/19 conspirators [1] 45/8 contact [2] 74/14 102/13 contacted [1] 123/5 contacts [1] 89/18 contained [2] 48/22 62/13 continued [4] 4/17 7/2 7/2 82/10 contracts [1] 58/8 contributions [1] 114/11 control [3] 3/18 3/19 57/17 conversation [15] 12/19 13/12 38/12 43/2 43/5 44/14 44/24 44/24 45/2 45/3 45/11 45/13 46/24 47/2 101/13 conversations [1] 31/5 convicted [2] 78/25 80/6 conviction [2] 78/16 78/23 convictions [3] 78/12 78/17 78/20 cooperate [6] 20/12 107/8 108/12 108/15 112/24 112/25 cooperating [1] 69/9 cooperation [5] 110/1 112/18 112/20 113/6 126/15 cop [3] 14/7 14/16 116/1 cops [3] 23/21 56/6 56/9 corner [3] 24/7 51/25 52/13 correct [367] corrected [1] 110/23 correctly [1] 61/14 corrupt [8] 10/23 12/10 12/16 13/25 14/7 14/16 56/6 56/9 could [29] 3/18 5/12 7/22 12/2 12/2 12/8 12/13 23/25 27/5 27/15 28/3 32/19 37/16 48/18 50/16 66/11 67/19 77/3 97/22 101/11 108/24 111/11 116/17 117/3 117/10 121/20 124/10 128/14 128/14 couldn't [3] 3/18 60/8 94/19 counsel [12] 7/13 7/17 7/23 12/4 16/21 57/16 78/18 95/13 110/21 113/10 113/13 113/14 count [5] 3/22 5/11 75/20 122/6 122/9 countless [1] 74/12 country [1] 111/19 counts [1] 112/13 county [20] 17/7 17/8 42/5 85/9 85/11 85/12 85/13 90/20 90/23 92/24 102/25 102/25 103/4 103/5 103/8 103/9 103/11 114/21 116/1 116/16 county/city [1] 17/8 couple [8] 5/23 55/12 66/18 77/22 77/23 103/17 107/11 128/20 course [4] 3/6 8/22 13/16 55/13 COURT [7] 1/1 1/24 3/18 4/3</p>	<p>courtroom [5] 1/9 16/2 70/22 71/2 130/16 Cousins [1] 8/25 CR [1] 131/3 crack [14] 20/3 27/11 105/4 105/5 105/11 105/13 105/16 105/18 106/6 106/8 106/11 110/18 111/1 111/12 crack cocaine [1] 20/3 cream [1] 31/12 cream-of-the-crop [1] 31/12 credibility [7] 6/16 7/20 12/24 78/12 78/14 78/21 79/2 credit [5] 58/13 78/13 78/15 78/19 80/15 crew [2] 32/18 75/4 crime [3] 10/4 21/10 21/13 crimes [4] 12/12 20/10 22/23 30/9 criminal [9] 1/4 30/14 30/24 31/3 78/2 80/17 89/18 109/10 126/21 crop [1] 31/12 cross [13] 4/18 6/21 7/14 7/18 7/24 8/1 8/4 13/23 14/14 17/8 18/20 71/10 113/17 cross-examination [9] 7/14 7/18 7/24 8/1 8/4 13/23 18/20 71/10 113/17 cross-examine [2] 6/21 14/14 crowbar [3] 61/15 61/15 61/23 CRR [3] 1/23 131/6 131/10 crying [1] 48/14 Crystal [1] 2/11 Crystal Panas [1] 2/11 curative [1] 9/9 customer [2] 26/23 104/1 customer base [1] 26/23 cut [1] 67/9</p>	<p>65/22 66/5 66/7 66/17 66/25 74/18 76/1 87/24 95/7 100/6 100/9 100/12 100/14 100/21 100/22 Danny Hersl [15] 59/1 59/4 65/22 66/5 66/7 74/18 76/1 87/24 95/7 100/6 100/9 100/12 100/14 100/21 100/22 Danny Hersl's [1] 65/10 dark [1] 60/7 date [22] 36/22 38/20 38/21 43/19 46/7 58/15 102/16 117/8 117/8 117/11 117/12 117/14 117/23 118/2 118/3 118/5 119/4 119/13 124/24 128/4 128/12 131/12 dated [4] 24/6 24/6 25/9 61/1 dates [3] 75/11 95/10 119/4 daughter [4] 107/1 107/2 107/4 108/4 day [18] 5/8 16/10 26/13 48/4 50/10 60/23 106/20 117/2 117/24 118/9 118/23 119/1 119/21 120/11 123/12 123/21 127/18 128/10 Daylight [1] 92/10 days [1] 103/17 DD [1] 72/17 deal [4] 9/23 12/18 16/7 119/10 dealer [4] 4/12 43/22 81/22 94/22 dealers [1] 92/6 dealing [2] 27/16 126/24 dealings [1] 119/5 dealt [1] 32/3 death [1] 69/7 debriefing [1] 48/13 debt [1] 130/6 deceitful [1] 81/21 deceive [1] 79/22 deceiving [1] 79/25 December [12] 24/7 98/6 98/10 98/10 102/17 102/18 102/18 102/20 102/24 122/19 125/11 126/6 December 13th [2] 102/20 102/24 December 14th [1] 126/6 December 15th [1] 24/7 December 18th [2] 98/10 102/18 December 19th [2] 98/6 98/10 decide [2] 22/12 27/23 decided [2] 4/17 4/25 decides [1] 20/25 decision [2] 4/19 129/20 decisions [1] 114/24 declare [1] 4/3 deeper [1] 85/4 defendant [8] 2/1 2/3 6/18 6/19 7/9 19/17 95/13 110/21 Defendant Hersl [1] 6/18 Defendant Hersl's [1] 7/9 Defendant Taylor [1] 6/19 Defendants [1] 1/6 defense [13] 2/11 3/21 4/17 4/25 5/15 7/13 7/17 7/23 8/3 8/4 11/24 71/23 72/7 definitely [2] 39/9 59/20 Delaware [6] 23/17 24/13 25/18 25/23 26/1 73/19 Delaware Park [1] 73/19 Delaware Park Casino [1] 24/13</p>
	<p><b>D</b> DA [19] 24/3 25/8 35/24 36/4 36/19 37/24 38/5 38/20 50/1 58/1 61/1 61/17 73/18 73/19 75/1 117/3 117/7 117/8 128/12 DA-11 [1] 25/8 DA-14 [1] 36/4 DA-15 [1] 61/17 DA-3 [2] 73/18 73/19 DA-4 [1] 37/24 DA-5 [1] 36/19 DA-6 [2] 38/5 38/20 DA-9 [4] 117/3 117/7 117/8 128/12 damned [1] 105/23 Dan [11] 74/3 74/5 74/16 75/17 76/3 100/23 101/13 101/15 101/22 101/25 102/8 Dan Hersl [11] 74/3 74/5 74/16 75/17 76/3 100/23 101/13 101/15 101/22 101/25 102/8 DANIEL [15] 1/5 2/1 10/22 10/23 10/25 56/3 56/5 56/8 56/13 56/20 56/21 57/21 65/12 66/23 67/2 Daniel Hersl [12] 2/1 10/22 10/23 10/25 56/3 56/5 56/8 56/13 56/20 56/21 57/21 66/23 Daniel Hersl's [2] 65/12 67/2</p>	



D		
<p>delay [1] 16/6  deleted [1] 86/14  delivered [1] 32/20  Dennis [4] 71/20 72/16 99/13  99/20  Dennis Armstrong [2] 99/13  99/20  department [13] 33/5 33/15  33/18 33/21 33/23 37/2 38/10  43/25 57/2 58/17 58/20 116/7  126/1  depending [1] 114/23  depends [1] 128/4  Derek [1] 1/18  Derek E. Hines [1] 1/18  describe [9] 12/15 12/25 14/2  16/11 22/6 47/24 53/7 56/5  121/16  described [3] 24/20 48/12 95/4  describing [2] 15/8 45/16  desk [3] 37/23 37/25 56/23  Despite [1] 91/25  destroy [1] 61/24  destroyed [1] 80/4  detail [3] 98/23 116/2 116/6  detained [2] 84/11 110/15  Detective [19] 5/10 5/13 7/10  7/23 39/17 40/9 40/9 40/10  40/10 40/10 40/10 40/11 44/9  45/6 45/20 45/22 47/5 52/20  100/24  Detective Danny Hersl [1] 40/9  Detective Gondo [1] 40/10  Detective Jenkins [2] 47/5  100/24  Detective Marcus [1] 40/9  Detective Rayam [1] 40/10  Detective Taylor [9] 5/10 5/13  7/10 7/23 39/17 44/9 45/6 45/20  52/20  Detective Taylor's [1] 45/22  Detective Ward [1] 40/10  determine [1] 22/15  determined [1] 5/17  devices [3] 57/24 58/9 58/10  dictate [1] 128/5  did [212]  didn't [72] 4/13 6/1 9/2 9/2  9/2 11/20 11/22 27/6 27/7 27/11  27/12 31/1 31/16 31/24 32/11  32/13 32/18 47/6 48/16 48/16  54/24 55/1 55/1 55/2 61/23 64/6  65/2 65/19 67/9 70/2 74/2 80/6  81/6 86/17 86/18 86/20 87/8  89/25 89/25 91/19 92/15 92/23  93/13 94/1 94/3 94/3 95/25 96/1  96/4 96/8 97/24 97/25 97/25  98/3 105/22 105/22 106/11  106/14 106/18 106/18 109/7  109/12 109/16 109/16 109/17  112/24 112/24 113/24 120/1  121/23 121/23 124/3  different [11] 7/18 10/3 27/9  29/5 34/10 60/9 60/10 101/24  117/15 127/20 128/16  digest [1] 5/7  dinner [1] 88/16  Diplomate [1] 131/11  direct [4] 17/20 19/13 59/7  117/12</p>	<p>directed [6] 3/19 4/24 51/14  51/14 52/1 52/12  directing [3] 36/4 38/5 51/25  direction [1] 13/18  directions [1] 92/21  directly [3] 6/7 19/8 126/21  disagree [2] 9/22 15/11  disappointed [1] 41/23  disclosed [1] 126/20  disclosures [1] 126/16  discovered [1] 8/22  displaying [1] 53/17  disposal [1] 31/14  distance [1] 54/20  distribute [3] 110/18 110/25  126/5  DISTRICT [2] 1/1 1/1  dive [1] 69/10  DIVISION [1] 1/2  divorce [1] 3/24  do [103] 7/14 8/5 8/12 9/18  11/20 12/11 16/8 20/18 22/4  22/13 23/3 24/1 26/13 29/7  30/16 32/1 32/13 33/6 33/12  34/15 34/16 37/8 38/13 39/20  41/7 47/16 47/17 49/5 55/16  56/10 56/22 58/23 66/15 67/7  70/9 70/10 72/3 72/5 72/6 72/7  72/8 72/13 72/15 73/6 74/7 74/9  75/20 75/25 77/5 79/9 79/10  80/13 80/20 80/24 83/16 84/5  84/6 84/7 85/17 85/23 85/25  86/2 86/2 86/16 86/25 87/15  87/16 91/4 91/9 92/17 94/19  98/8 98/9 99/13 99/13 99/17  99/20 99/21 99/25 100/2 100/20  101/2 101/18 103/23 103/24  105/17 106/17 106/22 109/11  110/13 111/10 111/18 112/15  113/6 113/9 117/23 118/6 119/23  120/7 128/18 128/22 128/23  131/6  document [1] 72/21  documents [1] 126/19  does [22] 10/15 10/16 11/6 11/7  14/8 20/15 21/5 22/12 24/12  39/17 39/23 58/11 64/17 71/19  72/11 72/12 73/9 85/23 102/19  106/11 111/21 113/6  doesn't [6] 15/9 18/9 21/6 86/1  119/9 119/18  doing [27] 4/20 4/21 6/23 6/23  14/21 14/22 14/24 15/3 15/4  18/16 18/17 23/25 31/12 44/1  47/9 47/11 49/17 49/18 84/16  92/13 94/9 104/16 115/2 115/10  115/13 115/16 124/4  dollars [16] 6/3 28/16 29/23  30/3 30/3 33/20 48/19 48/20  53/25 66/18 77/16 77/22 83/22  90/12 93/8 120/22  dollars' [1] 55/12  Dominican [4] 85/15 85/18 85/25  94/22  don't [61] 3/14 4/23 7/23 8/6  12/14 12/20 12/20 13/22 13/24  14/3 15/4 15/5 15/18 17/7 18/6  18/6 22/22 40/11 44/18 44/23  45/15 45/18 47/19 49/15 52/8  52/11 54/21 57/13 67/17 67/22  69/4 76/20 78/20 80/5 80/5 85/9  91/10 95/3 100/3 100/18 100/25</p>	<p>101/1 101/3 101/4 101/6 101/7  101/9 101/11 101/13 105/13  105/16 108/12 109/25 110/5  118/3 118/5 118/5 126/14 127/19  127/19 127/21  DONALD [9] 1/14 10/10 10/10  19/2 19/6 19/10 71/21 72/16  131/4  Donald Carroll Stepp [1] 19/10  DONALD STEPP [6] 1/14 10/10  10/10 19/2 19/6 131/4  done [6] 15/19 49/20 66/3 73/24  96/8 119/24  Donnie [4] 48/1 48/22 55/8  59/14  door [28] 13/24 15/16 29/17  40/19 41/2 41/7 49/8 51/10  51/14 51/16 51/16 51/19 52/3  52/24 52/25 53/3 53/5 53/6  53/21 54/20 55/7 59/15 59/16  61/11 61/11 68/22 68/23 97/4  double [6] 71/16 71/17 71/19  71/21 103/14 122/4  Double D [4] 71/17 71/19 71/21  103/14  Double D Bail Bonds [1] 71/16  double-check [1] 122/4  Douglas [3] 1/23 131/6 131/10  down [22] 6/5 6/11 23/13 23/14  32/23 53/1 53/1 54/22 55/5 55/5  59/2 64/18 69/20 69/21 72/20  76/25 87/8 91/3 96/2 103/18  108/15 122/6  download [2] 74/22 74/22  downstairs [1] 68/23  DR [1] 131/3  drink [1] 88/16  drive [4] 55/16 122/2 122/4  123/3  driven [1] 61/6  driving [4] 55/5 120/25 122/23  123/4  dropped [1] 96/15  drove [5] 49/6 55/5 58/24 58/25  63/15  drug [27] 4/12 13/16 19/20  22/25 43/22 44/7 48/4 48/5 48/6  48/6 76/19 79/16 81/22 82/7  85/4 85/14 85/19 86/7 87/20  92/12 94/22 116/3 125/6 125/9  125/13 125/17 126/24  drug lord [4] 48/4 48/5 48/6  87/20  drug lords [1] 48/6  drug-trafficking [1] 85/14  drugs [52] 11/2 19/25 20/6  23/11 23/16 24/21 25/21 25/25  26/3 26/16 26/19 26/21 27/2  27/3 27/14 27/23 27/24 28/23  29/1 29/21 33/21 55/13 59/17  64/11 64/23 65/3 76/6 76/16  80/12 83/11 88/5 88/7 89/25  96/12 100/9 107/9 107/9 119/10  119/11 124/22 124/25 125/3  125/5 125/9 125/11 125/12  125/14 125/16 125/19 125/22  126/1 126/5  Ds [2] 72/13 72/15  duffel [2] 41/6 121/18  duffel bag [1] 121/18  duffel bags [1] 41/6  during [10] 7/1 26/10 47/2</p>

<p><b>D</b></p> <p>during... [1] 68/20 73/4 83/18</p> <p>88/7 88/11 101/25 118/12</p> <p>duty [3] 44/2 95/1 95/3</p>	<p>estimate [1] 62/7</p> <p>estimation [1] 5/13</p> <p>evaluation [1] 26/13</p> <p>even [16] 4/23 6/22 7/19 12/2</p> <p>18/20 21/4 21/20 27/6 27/7</p> <p>27/11 32/5 68/13 69/5 80/1</p> <p>101/12 106/15</p> <p>evening [6] 8/21 65/6 66/17</p> <p>95/2 96/5 96/6</p> <p>event [5] 8/24 9/1 10/6 11/13</p> <p>118/11</p> <p>events [2] 5/22 83/23</p> <p>eventually [6] 53/2 61/15 63/8</p> <p>65/6 65/24 69/22</p> <p>ever [7] 37/7 51/4 67/11 75/13</p> <p>86/13 99/11 101/15</p> <p>every [3] 26/13 34/3 108/22</p> <p>everybody [1] 130/15</p> <p>everyone [2] 3/3 39/25</p> <p>everything [10] 3/24 14/21</p> <p>14/22 15/11 27/5 32/5 35/13</p> <p>62/21 96/15 97/22</p> <p>evidence [10] 8/10 8/20 9/19</p> <p>10/7 10/7 16/15 16/18 16/18</p> <p>118/6 131/2</p> <p>ex [1] 98/19</p> <p>ex-partner [1] 98/19</p> <p>exact [7] 48/9 69/23 117/14</p> <p>118/2 118/3 122/10 128/4</p> <p>exactly [3] 3/15 54/19 86/6</p> <p>exaggerates [1] 73/14</p> <p>examination [11] 7/14 7/18 7/24</p> <p>8/1 8/4 13/23 18/20 19/13 71/10</p> <p>113/17 129/11</p> <p>examine [2] 6/21 14/14</p> <p>example [2] 25/8 39/14</p> <p>except [3] 4/12 35/13 40/18</p> <p>exception [1] 34/17</p> <p>excerpt [2] 1/13 130/18</p> <p>exchanged [2] 59/2 59/5</p> <p>exclusively [1] 32/3</p> <p>excursion [2] 24/20 24/22</p> <p>excuse [3] 3/14 88/20 129/14</p> <p>excused [2] 130/12 130/13</p> <p>executed [1] 8/22</p> <p>exhibit [15] 24/3 25/8 34/14</p> <p>35/24 37/24 38/5 42/13 50/1</p> <p>58/1 61/1 70/9 70/11 71/24 72/7</p> <p>75/1</p> <p>Exhibit 19A [1] 34/14</p> <p>Exhibit DA-14 [1] 35/24</p> <p>Exhibit DA-7 [1] 58/1</p> <p>Exhibit No. 23 [2] 71/24 72/7</p> <p>exist [1] 18/9</p> <p>exists [1] 18/13</p> <p>exited [1] 64/22</p> <p>exits [1] 53/6</p> <p>expect [3] 7/15 12/24 18/15</p> <p>expecting [2] 69/22 95/22</p> <p>expensive [3] 89/3 90/3 107/16</p> <p>experience [1] 62/8</p> <p>explain [1] 26/2</p> <p>explained [1] 10/23</p> <p>explosion [1] 4/14</p> <p>exposure [1] 32/12</p> <p>extra [1] 66/3</p> <p>extreme [1] 27/20</p>	<p>facing [1] 126/12</p> <p>fact [11] 14/23 6/17 6/25 17/9</p> <p>67/18 95/20 79/11 91/25 97/17</p> <p>101/12 106/10</p> <p>facts [5] 20/16 20/19 110/2</p> <p>110/8 110/8</p> <p>fair [14] 18/4 78/1 79/23 89/9</p> <p>93/12 94/20 97/22 100/17 102/22</p> <p>102/23 107/5 113/7 124/25</p> <p>128/25</p> <p>fairly [2] 7/25 103/15</p> <p>fake [1] 27/17</p> <p>fall [1] 8/25</p> <p>familiar [1] 47/18</p> <p>family [3] 23/5 26/6 28/5</p> <p>far [3] 4/3 7/17 77/19</p> <p>fashion [1] 9/12</p> <p>fast [3] 91/6 96/9 120/25</p> <p>fathom [1] 68/13</p> <p>fault [1] 7/23</p> <p>favorites [1] 117/16</p> <p>FBI [16] 2/8 25/1 25/3 35/15</p> <p>36/2 42/5 42/6 42/6 42/13 68/9</p> <p>69/9 69/10 69/22 69/23 74/19</p> <p>74/21</p> <p>FBI's [1] 69/10</p> <p>FBI-20B [1] 35/15</p> <p>FBI-24 [1] 42/13</p> <p>fear [7] 8/15 8/16 8/16 8/18</p> <p>9/22 9/24 10/3</p> <p>February [7] 1/9 25/9 25/16</p> <p>36/22 38/22 75/10 131/12</p> <p>February 19th [3] 36/22 38/22</p> <p>75/10</p> <p>February 2013 [1] 25/16</p> <p>February 3rd [1] 25/9</p> <p>federal [12] 1/24 19/17 103/18</p> <p>106/11 107/21 108/25 109/6</p> <p>113/2 113/4 126/21 129/21</p> <p>131/12</p> <p>feel [2] 76/9 76/13</p> <p>feeling [1] 64/6</p> <p>feet [1] 48/21</p> <p>felt [5] 8/19 9/23 26/9 28/4</p> <p>28/6</p> <p>fence [7] 60/6 60/16 60/18</p> <p>60/22 61/4 63/8 128/10</p> <p>fiancée [3] 106/24 108/2 115/4</p> <p>fiduciary [2] 22/9 27/22</p> <p>fifteen [1] 93/7</p> <p>fifty [1] 120/22</p> <p>fight [1] 98/24</p> <p>figure [1] 12/2</p> <p>figured [1] 76/10</p> <p>filed [1] 109/5</p> <p>filings [1] 109/1</p> <p>Finally [1] 62/7</p> <p>financial [2] 28/1 130/5</p> <p>find [19] 15/17 15/18 17/18</p> <p>18/7 33/16 62/1 62/14 62/19</p> <p>73/5 79/1 89/25 89/25 90/3</p> <p>94/14 98/3 99/11 104/23 120/1</p> <p>129/3</p> <p>fine [3] 59/23 110/10 110/23</p> <p>finish [4] 34/24 81/15 81/17</p> <p>87/1</p> <p>firm [1] 116/21</p> <p>first [16] 7/12 10/9 16/5 16/20</p> <p>23/12 23/15 36/25 37/7 45/12</p> <p>56/14 56/14 56/16 71/21 89/13</p> <p>102/23 127/16</p> <p>fishing [1] 88/18</p>
<p><b>E</b></p> <p>E. [1] 1/18</p> <p>each [3] 4/18 56/1 81/19</p> <p>Earl [3] 25/12 44/4 70/12</p> <p>earlier [1] 123/1</p> <p>early [2] 96/5 96/6</p> <p>earn [1] 29/21</p> <p>earned [1] 77/16</p> <p>earnings [1] 5/25</p> <p>easy [1] 39/1</p> <p>effect [1] 12/7</p> <p>effects [1] 8/15</p> <p>eight [1] 26/7</p> <p>either [5] 13/25 22/15 92/25</p> <p>118/9 128/9</p> <p>electronic [2] 84/10 129/23</p> <p>element [1] 8/16</p> <p>else [18] 3/25 4/5 12/19 13/12</p> <p>30/25 31/3 39/8 40/11 42/19</p> <p>42/20 45/17 62/19 65/21 106/23</p> <p>106/25 113/1 124/12 125/25</p> <p>embedded [1] 86/7</p> <p>embellish [1] 59/17</p> <p>embellished [1] 59/21</p> <p>embellishes [1] 73/13</p> <p>emotional [1] 4/1</p> <p>emphatic [1] 4/1</p> <p>employee [1] 116/24</p> <p>empty [15] 49/9 49/22 50/19</p> <p>50/23 62/8 62/11 64/8 65/23</p> <p>66/2 66/5 97/12 97/24 121/21</p> <p>121/22 123/12</p> <p>end [9] 8/9 16/10 53/1 61/23</p> <p>66/18 69/19 87/8 120/17 130/18</p> <p>endeavor [2] 61/9 129/1</p> <p>ended [2] 27/19 60/11</p> <p>ends [1] 62/6</p> <p>enforcement [2] 30/8 116/17</p> <p>enjoyed [1] 31/10</p> <p>enormous [1] 35/18</p> <p>enough [3] 89/9 93/12 102/22</p> <p>enter [1] 52/20</p> <p>entered [5] 16/2 52/24 61/16</p> <p>71/2 89/13</p> <p>enterprise [3] 30/14 30/24 31/3</p> <p>entire [7] 31/7 31/11 31/13</p> <p>39/16 39/23 69/4 101/16</p> <p>entitled [3] 58/7 58/8 131/8</p> <p>entrance [1] 60/15</p> <p>episode [4] 4/24 40/13 40/17</p> <p>47/22</p> <p>episodes [3] 4/18 4/20 4/22</p> <p>equation [1] 28/4</p> <p>equipment [13] 32/24 32/25 33/2</p> <p>33/3 33/6 33/12 33/17 34/1 35/2</p> <p>35/4 35/5 35/11 35/11</p> <p>erase [1] 112/21</p> <p>Eric [4] 87/15 87/15 87/19 88/1</p> <p>Eric Clash [4] 87/15 87/15</p> <p>87/19 88/1</p> <p>Erika [1] 2/8</p> <p>Esquire [6] 1/18 1/18 2/2 2/2</p> <p>2/4 2/5</p> <p>essence [1] 3/15</p> <p>essentially [3] 50/15 116/24</p> <p>130/1</p>	<p><b>F</b></p> <p>face [5] 111/8 111/11 112/10</p> <p>112/13 113/1</p> <p>facility [1] 13/18</p>	

<p><b>F</b></p> <p>fishy [1] 116/20</p> <p>five [7] 28/18 52/23 53/4 77/8 77/14 90/5 120/21</p> <p>fix [1] 55/16</p> <p>flags [1] 32/24</p> <p>Floor [1] 1/24</p> <p>flying [1] 55/6</p> <p>focused [2] 5/10 5/18</p> <p>foliage [1] 60/8</p> <p>follow [3] 9/21 21/5 108/21</p> <p>followed [1] 108/19</p> <p>following [5] 12/15 36/9 60/23 102/8 128/9</p> <p>foot [7] 62/3 62/3 95/15 117/19 117/21 118/1 118/7</p> <p>football [1] 83/22</p> <p>for-real [1] 110/4</p> <p>force [8] 30/10 30/11 30/25 31/4 31/10 39/10 39/15 113/23</p> <p>foreclose [1] 130/8</p> <p>foregoing [1] 131/7</p> <p>forgetting [1] 40/11</p> <p>formed [2] 12/24 116/9</p> <p>former [1] 23/3</p> <p>forth [1] 10/2</p> <p>forward [5] 10/22 10/25 11/1 20/16 56/19</p> <p>found [7] 73/4 92/1 92/24 94/12 118/23 126/5 126/9</p> <p>four [3] 28/11 50/11 107/15</p> <p>Francisco [1] 25/16</p> <p>frankly [2] 3/20 4/10</p> <p>fraud [12] 78/13 78/16 79/11 79/14 79/19 79/20 79/21 79/22 80/1 80/3 80/15 80/15</p> <p>frauds [1] 78/19</p> <p>fraudulent [2] 79/2 79/8</p> <p>Freddie [2] 68/20 69/7</p> <p>Freddie Gray [1] 68/20</p> <p>Freddie Gray's [1] 69/7</p> <p>free [1] 31/6</p> <p>free reign [1] 31/6</p> <p>freedom [1] 22/19</p> <p>freedoms [1] 22/10</p> <p>frequently [1] 29/19</p> <p>friend [1] 116/3</p> <p>friends [2] 43/23 82/18</p> <p>front [11] 22/14 30/13 30/14 49/17 52/2 60/11 63/14 63/20 72/3 72/5 122/7</p> <p>fugitive [1] 32/21</p> <p>full [4] 19/9 41/9 113/13 113/14</p> <p>fully [1] 126/19</p> <p>fun [5] 10/14 10/18 10/20 13/5 13/5</p> <p>funds [1] 22/9</p> <p>further [5] 18/21 70/19 113/11 129/6 130/10</p> <p>furtherance [2] 11/3 45/15</p>	<p>gate [1] 97/2</p> <p>gather [1] 13/3</p> <p>gave [25] 17/1 25/1 28/20 29/22 31/6 31/11 31/12 46/18 61/11 66/17 67/18 70/15 74/19 74/21 87/11 88/8 96/11 96/24 100/6 100/9 100/22 100/25 104/11 123/20 123/25</p> <p>gear [7] 34/15 34/17 34/18 46/1 51/2 53/8 63/20</p> <p>general [1] 79/14</p> <p>generated [1] 10/4</p> <p>gentleman [1] 50/22</p> <p>gentlemen [2] 16/5 130/14</p> <p>get [72] 10/17 12/14 14/11 15/21 16/8 17/6 20/3 20/18 20/20 21/4 22/8 22/9 22/10 22/19 28/3 28/16 29/1 29/13 29/16 32/3 32/19 35/4 35/22 38/18 40/19 43/10 48/13 48/15 48/18 48/24 50/15 55/9 55/9 55/13 58/5 59/16 60/8 60/14 61/7 61/9 61/10 61/22 63/7 65/3 68/9 69/21 69/22 76/20 80/10 86/4 91/22 91/23 94/2 95/19 96/5 97/4 97/22 103/20 104/20 107/7 107/7 109/11 109/13 112/17 117/20 120/25 121/1 121/3 121/23 121/23 122/2 122/12</p> <p>gets [4] 23/19 23/19 104/20 108/7</p> <p>getting [12] 33/17 33/24 33/24 41/25 57/17 60/7 60/20 76/6 95/10 119/6 126/1 130/6</p> <p>give [20] 13/15 22/15 22/16 25/3 27/3 30/1 30/2 35/2 39/14 39/24 46/4 48/7 55/15 67/11 69/6 77/19 88/9 100/12 100/21 100/23</p> <p>given [8] 4/10 7/21 13/17 16/23 16/24 27/23 102/5 102/11</p> <p>giving [4] 24/21 27/2 83/11 119/10</p> <p>gloves [3] 91/14 92/1 93/21</p> <p>go [42] 5/1 15/17 17/7 22/14 22/15 23/7 23/9 32/22 32/23 34/25 38/20 46/22 48/10 49/7 50/24 51/25 52/1 54/10 59/25 60/2 60/3 65/9 66/25 67/24 69/2 72/21 74/2 79/2 82/2 85/4 85/24 86/2 88/1 88/18 89/10 89/10 97/24 98/1 112/1 112/22 122/9 130/1</p> <p>God [1] 41/10</p> <p>goes [10] 10/15 12/3 14/2 41/9 53/2 53/3 69/2 78/13 78/21 84/3</p> <p>going [66] 4/18 5/7 5/17 6/13 6/15 10/10 10/10 10/11 10/13 11/16 12/3 13/23 13/25 14/3 15/1 15/12 15/24 16/25 18/7 32/5 33/6 33/12 35/24 41/24 44/19 48/17 50/17 52/22 52/23 54/7 55/9 56/22 57/12 62/22 64/11 67/24 73/17 74/25 77/13 78/25 79/1 80/21 80/24 81/3 96/2 96/2 96/11 105/17 105/20 108/12 108/15 108/15 108/19 108/19 108/25 109/1 109/12 118/13 119/10 120/14 123/19 126/12 126/12 127/1 127/20 128/5 130/8</p> <p>Gondo [1] 40/10</p>	<p>good [30] 3/3 3/8 3/9 18/19 19/15 23/18 26/6 28/5 28/6 28/7 34/23 38/4 73/18 75/17 79/25 80/3 80/5 80/20 80/24 83/17 84/16 105/24 105/25 110/3 110/4 111/3 112/12 113/19 113/20 121/23</p> <p>goods [1] 89/23</p> <p>Google [1] 85/25</p> <p>got [54] 23/9 39/25 41/8 41/10 48/2 48/13 50/11 51/7 52/24 55/11 55/15 56/23 58/22 59/12 60/4 60/5 61/11 62/2 63/8 63/15 64/1 65/7 67/14 69/3 69/4 69/4 78/1 80/6 80/19 80/24 80/25 80/25 81/4 82/4 84/3 86/7 90/17 96/1 97/22 105/15 107/9 107/11 109/14 110/1 111/22 111/25 111/25 124/13 124/19 124/25 125/8 125/12 127/7 128/15</p> <p>government [37] 5/15 5/22 6/17 7/21 8/2 8/5 9/15 12/3 17/19 21/4 21/16 21/20 46/10 73/19 75/1 75/24 77/19 81/2 82/15 83/21 84/13 91/1 91/9 98/5 98/7 98/16 99/2 99/9 100/16 107/8 111/7 112/12 122/18 126/16 126/20 127/1 127/16</p> <p>Government Exhibit DA-4 [1] 75/1</p> <p>Government's [14] 2/10 6/21 18/13 19/6 24/3 25/8 34/14 37/24 38/5 42/12 50/1 57/25 61/1 131/2</p> <p>Government's Exhibit [3] 25/8 37/24 38/5</p> <p>Government's Exhibit DA-3 [1] 24/3</p> <p>Government's Exhibit DA-8 [1] 50/1</p> <p>Government's Exhibit DA-9 [1] 61/1</p> <p>GPS [7] 49/6 57/23 57/24 58/8 58/10 102/4 102/11</p> <p>grain [1] 106/20</p> <p>gram [7] 28/16 28/16 67/8 67/22 76/22 77/3 77/5</p> <p>grams [13] 28/17 55/22 67/6 67/21 76/25 77/9 77/10 77/11 106/6 106/17 110/18 111/1 111/12</p> <p>grams' [1] 105/2</p> <p>grand [1] 5/21</p> <p>grand jury [1] 5/21</p> <p>grappling [1] 36/10</p> <p>grave [1] 87/5</p> <p>gray [2] 24/18 68/20</p> <p>Gray's [1] 69/7</p> <p>great [4] 9/23 47/11 79/21 111/19</p> <p>greater [1] 28/23</p> <p>greed [2] 26/15 106/1</p> <p>green [1] 105/15</p> <p>grew [2] 23/4 23/4</p> <p>grinder [3] 61/13 61/14 61/23</p> <p>gross [3] 5/23 5/24 6/14</p> <p>guess [7] 47/10 87/2 100/14 101/11 106/1 118/12 123/23</p> <p>guesstimate [3] 30/4 62/3 121/11</p> <p>guesstimates [1] 62/10</p> <p>guidelines [2] 111/14 111/15</p>
<p><b>G</b></p> <p>Gallagher [2] 129/21 129/22</p> <p>gamble [1] 28/7</p> <p>gambler [1] 83/19</p> <p>game [2] 74/18 88/16</p> <p>games [7] 23/8 23/10 26/10 74/7 74/10 74/17 83/22</p> <p>garage [7] 29/17 40/19 41/2 41/7 68/22 68/23 88/8</p>		

**G**  
 guilty [6] 19/22 19/23 19/24  
 21/11 21/14 109/21  
 gun [10] 22/25 30/10 30/11  
 30/25 31/4 31/10 37/11 37/15  
 39/10 39/15  
 Gun Trace Task Force [7] 30/10  
 30/11 30/25 31/4 31/10 39/10  
 39/15  
 guns [1] 53/15  
 guy [10] 44/6 48/13 59/13 75/15  
 85/12 85/13 116/2 120/16 120/20  
 122/2  
 guy's [2] 120/21 120/22  
 guys [6] 25/14 38/4 57/8 94/9  
 95/4 115/5  
 guys' [1] 75/16

**H**  
 had [128] 5/6 5/9 5/10 6/4 6/8  
 6/10 6/11 6/25 7/3 8/4 11/15  
 13/12 16/7 16/14 20/7 23/18  
 23/22 23/22 23/23 25/7 27/24  
 28/21 29/12 31/5 32/12 32/19  
 32/20 33/4 37/22 37/22 39/2  
 42/7 43/23 43/24 43/24 45/10  
 49/9 49/15 49/20 50/22 51/25  
 53/5 53/10 53/11 53/11 53/15  
 54/1 54/2 55/3 57/22 58/3 58/9  
 58/19 59/13 59/13 59/13 60/8  
 60/10 60/10 60/12 60/21 61/13  
 61/15 62/7 62/24 63/1 64/11  
 64/12 64/18 64/22 64/25 65/9  
 65/13 65/23 66/1 66/3 66/9  
 69/13 71/20 76/25 77/25 83/11  
 84/25 85/4 85/19 87/6 91/14  
 91/25 93/21 94/4 97/3 100/11  
 100/13 101/12 101/19 102/13  
 103/11 104/13 105/9 105/21  
 106/4 106/6 106/15 108/6 108/9  
 108/9 108/10 108/21 109/5  
 109/16 115/5 115/19 116/9 116/9  
 116/12 116/23 118/13 119/23  
 120/7 121/24 125/3 125/5 125/6  
 125/8 125/12 125/16 125/19  
 125/22  
 hadn't [1] 119/23  
 half [10] 6/3 30/3 48/20 49/19  
 52/8 54/18 104/8 104/11 111/22  
 119/14  
 half-million [2] 30/3 48/20  
 Hamilton [4] 3/13 3/14 6/4  
 16/10  
 Hamilton's [2] 5/9 6/16  
 Hamiltons' [1] 3/21  
 hand [4] 19/5 24/7 37/14 51/15  
 handed [1] 59/2  
 handpick [1] 39/25  
 hanging [1] 113/21  
 happened [27] 41/1 47/24 49/10  
 49/13 51/12 52/21 54/2 54/12  
 54/15 56/8 56/10 57/21 57/23  
 60/2 60/4 60/18 61/5 63/6 64/1  
 64/10 65/5 65/7 84/16 86/6  
 103/17 116/3 123/6  
 happening [1] 10/5  
 happens [2] 13/21 55/3  
 hard [1] 63/7  
 has [14] 4/17 4/20 6/6 7/22  
 10/15 12/6 12/16 14/9 16/23  
 56/6 75/24 88/15 120/16 120/20

have [101] 3/14 4/11 4/21 6/14  
 7/15 7/17 7/22 8/22 8/25 10/4  
 10/16 11/12 11/15 12/1 16/20  
 17/7 17/7 18/19 19/21 20/9  
 20/21 21/5 21/7 22/2 22/20 23/8  
 25/5 25/23 26/19 26/23 28/13  
 29/9 30/1 31/8 31/13 32/21  
 32/22 32/22 37/8 37/9 38/13  
 39/9 41/24 43/6 44/14 46/10  
 52/25 56/11 56/12 58/18 59/15  
 60/16 66/11 67/19 67/22 67/25  
 68/6 71/23 72/11 73/25 74/6  
 74/18 74/20 74/24 75/21 79/22  
 79/22 84/6 84/11 84/20 86/13  
 86/23 87/5 89/3 97/4 97/17  
 101/8 101/13 104/24 106/14  
 108/24 109/7 109/15 110/5  
 110/12 111/12 111/16 111/17  
 111/21 112/13 113/11 117/3  
 117/16 118/6 119/10 121/20  
 127/5 127/6 127/11 128/15  
 128/22  
 haven't [2] 20/22 73/24  
 having [3] 7/25 92/18 128/23  
 he [370]  
 he'd [1] 29/6  
 he'll [2] 10/20 73/14  
 he's [49] 3/23 4/12 10/13 13/3  
 13/8 13/11 13/12 14/17 18/6  
 24/18 30/2 37/22 38/3 41/10  
 42/21 45/3 45/16 47/11 51/24  
 54/8 56/6 68/14 73/6 73/10  
 73/11 78/12 78/13 79/1 81/21  
 81/22 86/20 86/20 87/20 92/5  
 98/22 98/23 99/24 109/20 109/21  
 111/22 111/25 111/25 119/9  
 119/11 120/2 120/16 120/17  
 120/17 121/21  
 head [4] 59/15 60/14 86/23  
 86/24  
 headed [1] 61/12  
 heading [2] 49/7 61/7  
 headquarters [8] 37/1 37/3  
 38/10 38/12 56/21 57/1 57/2  
 58/24  
 heard [4] 4/5 10/5 15/11 99/15  
 hearing [2] 45/12 47/19  
 Hearsay [1] 44/17  
 Heathfield [1] 50/4  
 held [1] 69/18  
 help [4] 18/18 83/1 101/19  
 121/1  
 helped [2] 74/22 83/4  
 Hendrix [3] 50/12 63/13 63/18  
 Henslee [1] 111/4  
 her [4] 16/25 91/10 104/13  
 114/15  
 here [22] 3/23 5/16 23/21 24/17  
 26/15 36/11 37/17 38/21 46/5  
 48/13 50/13 51/15 61/18 63/17  
 67/25 68/13 81/7 94/23 95/10  
 109/19 109/23 118/8  
 hereby [1] 131/6  
 heroin [8] 20/1 20/3 27/10 92/6  
 106/15 106/17 106/18 106/20  
 HERSL [91] 1/5 2/1 3/11 4/22  
 4/24 5/10 6/18 10/11 10/14  
 10/15 10/18 10/20 10/22 10/23  
 10/25 11/15 12/6 12/8 12/16  
 12/25 13/3 13/13 13/15 13/15  
 13/17 13/18 13/19 14/2 17/24  
 40/9 46/12 46/15 46/16 46/18

46/19 56/3 56/5 56/8 56/13  
 56/14 56/15 56/20 56/21 56/24  
 57/6 57/9 57/10 57/21 59/1 59/4  
 63/13 63/17 63/24 65/22 66/5  
 66/7 66/19 66/23 67/11 74/3  
 74/5 74/16 74/18 75/17 76/1  
 76/3 87/13 87/24 88/14 90/17  
 92/25 93/13 93/13 95/7 100/6  
 100/9 100/12 100/14 100/21  
 100/22 100/23 101/13 101/15  
 101/22 101/25 102/5 102/8  
 102/14 109/23 109/25 111/21  
 Hersl's [9] 4/4 7/9 13/8 13/9  
 46/14 65/10 65/12 67/2 90/15  
 hesitate [1] 96/8  
 Hey [1] 82/3  
 Hi [1] 19/16  
 hid [1] 64/4  
 hiding [1] 63/3  
 high [1] 101/7  
 high-speed [1] 101/7  
 him [118] 3/18 3/19 6/5 6/10  
 7/1 7/2 9/25 10/21 12/7 12/8  
 12/10 12/11 12/11 12/13 12/17  
 13/12 13/14 13/16 13/24 14/1  
 14/6 14/11 14/14 15/17 15/18  
 18/8 23/5 23/5 23/14 24/19 28/6  
 28/21 29/15 30/1 30/2 30/6 30/6  
 30/8 31/6 31/6 31/8 31/11 31/13  
 32/3 32/6 32/7 32/7 32/8 32/13  
 32/16 32/18 33/1 33/3 34/24  
 35/1 35/3 35/13 35/17 35/20  
 35/22 37/7 38/3 38/13 39/1  
 39/11 39/20 41/5 43/3 43/23  
 45/5 46/13 47/9 47/20 47/20  
 47/20 47/22 48/3 48/13 49/1  
 49/4 49/9 50/18 50/24 52/2 53/5  
 53/7 53/8 55/13 55/14 55/15  
 55/25 56/17 56/17 56/23 59/19  
 59/21 64/7 64/17 66/17 67/4  
 73/4 86/17 86/21 87/1 87/8 88/5  
 88/8 88/9 89/5 102/3 106/14  
 108/9 114/25 119/7 121/24 122/1  
 123/5 123/23  
 hindsight [1] 26/5  
 Hines [6] 1/18 12/13 46/22  
 71/12 88/22 129/14  
 hiring [1] 116/20  
 his [98] 3/19 3/24 5/20 5/20  
 6/6 6/7 6/11 6/11 6/12 7/1 10/1  
 10/1 10/2 12/24 12/24 13/6  
 14/23 16/12 23/4 23/12 23/12  
 23/23 23/24 26/6 26/6 26/7  
 31/13 32/4 32/14 32/17 33/3  
 33/14 34/24 34/24 37/6 37/11  
 37/11 37/12 37/15 37/22 38/3  
 38/3 39/2 39/10 39/25 40/1 41/2  
 42/21 42/21 42/24 43/3 43/22  
 43/23 44/2 44/6 48/14 48/16  
 52/8 53/8 53/10 53/11 53/11  
 53/19 55/14 56/23 59/2 65/10  
 65/11 68/5 68/25 71/20 72/25  
 76/10 78/13 78/20 78/21 79/2  
 86/23 86/24 87/17 89/10 92/18  
 92/20 94/23 95/4 99/25 100/2  
 100/14 100/14 100/15 115/3  
 115/21 116/9 119/25 120/1  
 120/20 121/20 124/7  
 history [1] 23/22  
 hit [2] 96/2 104/21  
 hold [1] 106/1  
 home [12] 42/1 47/25 65/7 90/20

**H**

home... [8] 91/19 93/18 95/22  
 94/1 126/24 129/18 129/23 130/5  
 home invasions [1] 126/24  
 honest [7] 73/4 73/5 73/7 73/10  
 73/11 86/20 109/13  
 Honor [22] 3/8 5/3 6/9 8/13 9/7  
 9/9 15/22 19/3 31/19 34/9 45/7  
 45/10 52/4 57/14 65/18 70/19  
 71/1 78/7 95/11 129/7 129/9  
 130/10  
 HONORABLE [1] 1/11  
 hook [1] 36/10  
 hope [3] 20/18 20/20 113/6  
 house [77] 4/11 6/2 25/25 40/24  
 45/22 49/9 49/11 49/16 50/15  
 50/20 51/7 51/21 51/23 52/3  
 52/21 53/2 54/21 64/19 64/20  
 64/21 64/21 64/22 65/1 65/3  
 65/6 68/1 69/22 70/13 83/25  
 84/2 84/6 84/11 84/13 85/1 88/7  
 88/14 89/10 89/12 89/13 89/14  
 89/15 89/15 89/20 89/22 89/23  
 90/1 91/11 91/20 92/1 94/5  
 94/12 94/14 98/22 103/21 104/1  
 104/9 104/21 104/23 105/7 106/6  
 106/21 107/9 120/22 121/4  
 122/11 123/9 123/11 123/24  
 124/2 125/3 125/11 125/15 126/6  
 126/9 127/5 127/6 130/3  
 houses [2] 119/6 122/6  
 housing [1] 84/20  
 how [46] 4/25 6/10 6/11 12/5  
 12/24 14/1 14/1 17/6 19/16  
 21/23 22/2 23/3 29/1 29/19  
 29/21 35/20 36/11 45/15 47/9  
 47/18 50/21 53/7 53/8 55/20  
 55/23 56/5 58/5 59/11 61/9  
 61/22 67/20 67/22 68/14 71/21  
 73/2 74/10 75/20 77/21 80/12  
 82/4 82/9 85/23 111/21 112/9  
 121/10 121/16  
 huh [2] 93/11 107/3  
 hundred [11] 28/15 41/11 55/12  
 67/21 76/25 77/5 77/8 77/8 77/9  
 120/21 120/22  
 Hundreds [2] 75/22 75/23  
 hunters [1] 32/23  
 hurried [1] 48/15  
 hurry [2] 48/11 48/12  
 hurt [4] 117/25 118/6 128/2  
 128/11

**I**

I'd [14] 3/16 17/20 29/9 29/9  
 29/11 30/1 34/13 36/19 55/13  
 56/2 59/7 80/3 87/5 121/11  
 I'll [12] 3/11 15/10 16/21 25/8  
 34/9 35/20 57/15 65/17 73/18  
 112/3 123/1 130/15  
 I'm [76] 8/2 9/21 11/13 11/16  
 11/20 11/25 12/3 12/23 15/24  
 17/2 17/17 18/2 18/3 18/9 18/17  
 21/24 24/2 26/15 33/20 35/24  
 36/18 40/4 40/11 41/5 41/10  
 41/10 41/14 42/12 48/13 49/17  
 49/25 53/5 54/19 55/9 55/10  
 57/25 58/12 60/25 61/17 67/24  
 75/11 78/11 78/17 78/18 78/20  
 81/13 83/5 84/9 88/21 88/21  
 91/6 95/10 102/17 106/5 107/4

110/2 110/23 112/5 112/7 112/11  
 117/3 117/10 117/14 117/21  
 117/23 120/2 121/25 123/1  
 126/14 127/21 128/4 128/12  
 128/17 128/17 130/6 130/6  
 I've [12] 5/6 15/11 23/5 30/6  
 30/6 31/5 34/19 47/20 69/4 69/4  
 96/1 111/6  
 IAD [1] 14/4  
 idea [1] 101/8  
 identical [1] 7/15  
 illegal [5] 10/25 13/14 46/6  
 46/9 73/24  
 imagined [1] 27/5  
 immediate [2] 39/10 42/22  
 immediately [2] 12/15 124/23  
 immunity [1] 126/15  
 impact [2] 7/22 7/23  
 import [1] 4/11  
 important [1] 7/20  
 impossible [1] 129/2  
 imprisonment [3] 21/12 21/21  
 111/9  
 incentive [1] 96/11  
 incident [13] 25/24 42/20 87/10  
 87/13 95/16 98/5 101/1 117/24  
 117/25 118/12 120/15 128/1  
 128/10  
 include [2] 39/17 39/23  
 includes [3] 39/20 63/24 126/15  
 including [2] 5/24 114/13  
 income [2] 5/24 6/14  
 incorrect [1] 128/14  
 incorrectly [1] 117/17  
 increased [1] 82/24  
 indemnification [1] 22/17  
 indemnitors [1] 22/17  
 INDEX [1] 131/1  
 indicated [10] 6/10 72/23 73/13  
 74/7 76/6 76/15 77/16 83/21  
 84/2 98/16  
 indicates [1] 11/5  
 indicating [12] 36/11 37/17  
 51/19 53/23 76/1 87/24 88/14  
 95/7 102/1 109/19 109/23 111/5  
 indictment [5] 103/18 127/8  
 127/9 127/10 127/12  
 indictments [3] 68/4 68/6 69/15  
 indirectly [1] 126/21  
 induced [1] 10/21  
 indulgence [5] 122/15 123/17  
 124/16 127/3 127/14  
 industry [1] 114/9  
 inform [1] 123/2  
 information [17] 11/5 69/10  
 87/7 91/1 96/1 100/12 100/16  
 100/19 100/20 100/21 100/22  
 100/23 100/25 108/25 110/5  
 126/19 126/25  
 initial [3] 11/10 61/11 61/11  
 injured [1] 95/15  
 inside [5] 40/1 62/2 62/11 66/5  
 93/4  
 instead [2] 41/16 41/22  
 instruct [1] 15/24  
 instructed [2] 95/19 123/3  
 instructing [1] 16/16  
 instruction [3] 9/6 9/9 9/15  
 instructions [1] 8/15  
 insurance [4] 86/15 87/6 108/10  
 109/15  
 intent [7] 9/17 89/22 91/16

96/20 97/11 110/25 126/5  
 interaction [2] 56/12 116/23  
 interest [2] 108/21 108/24  
 interested [2] 112/9 112/11  
 Internal [2] 10/24 15/14  
 Internal Affairs [2] 10/24  
 15/14  
 interviewed [1] 95/16  
 introduced [1] 82/18  
 invasions [1] 126/24  
 investigate [1] 22/23  
 investigation [5] 100/14 119/2  
 120/7 127/18 128/24  
 invite [2] 7/7 9/2  
 invited [2] 4/10 4/15  
 involved [23] 7/24 39/5 39/8  
 39/9 39/15 42/3 42/20 47/22  
 59/11 76/6 78/6 78/12 78/13  
 78/18 78/22 79/11 79/18 80/1  
 80/14 83/10 88/21 88/23 93/18  
 involvement [2] 40/17 40/18  
 involving [5] 4/21 4/22 47/22  
 59/8 75/21  
 iPhone [1] 117/9  
 is [236]  
 isn't [4] 49/22 80/1 90/21  
 91/14  
 issue [5] 7/6 7/20 10/9 12/9  
 14/17  
 issued [2] 41/3 68/24  
 issues [2] 16/7 77/25  
 it [356]  
 it's [63] 4/24 6/20 9/16 9/19  
 10/5 10/6 12/10 12/11 12/22  
 12/22 14/19 14/22 14/24 15/4  
 15/9 18/11 18/19 24/3 24/6 26/4  
 26/15 30/14 31/18 33/19 36/10  
 36/12 37/11 37/21 41/9 44/19  
 45/20 45/20 46/17 46/18 47/25  
 50/18 50/24 50/24 58/8 60/6  
 61/3 61/19 64/13 67/23 73/18  
 78/12 85/19 91/7 93/6 97/8  
 98/22 110/4 110/4 110/25 111/19  
 112/11 117/3 121/8 121/21  
 121/21 121/22 123/8 129/1  
 item [1] 36/11  
 items [2] 32/16 36/6  
 its [1] 8/19

**J**

J. [1] 1/18  
 jacket [1] 24/18  
 Jackson [3] 92/4 92/14 93/2  
 Jackson's [2] 92/7 93/2  
 jail [2] 80/10 84/8  
 January [2] 98/10 122/21  
 January 3rd [1] 98/10  
 Jencks [2] 18/5 45/21  
 Jenifer [1] 2/5  
 Jenifer Wicks [1] 2/5  
 Jenk [1] 98/22  
 Jenkins [218]  
 Jenkins' [8] 13/18 14/19 37/6  
 75/3 92/20 98/19 125/14 129/1  
 Jensen [2] 2/8 91/8  
 jeopardy [1] 85/1  
 job [2] 26/14 116/17  
 John [1] 2/9  
 John Sieracki [1] 2/9  
 join [2] 5/5 10/21  
 joining [1] 7/10  
 Jr [4] 2/2 19/6 19/10 131/4

**J**

judge [17] 17/11 17/17 20/25  
 21/2 21/5 30/15 32/9 33/25 54/6  
 57/14 59/22 81/2 81/3 81/13  
 110/6 113/9 129/21  
 Judge Gallagher [1] 129/21  
 jumps [1] 55/7  
 jurisdiction [1] 17/10  
 juror [3] 16/24 16/25 17/1  
 jury [18] 1/12 4/2 5/21 8/8  
 8/15 9/6 12/3 15/21 15/25 16/2  
 22/6 70/22 70/25 71/2 84/2  
 85/17 102/23 130/16  
 just [86] 3/10 6/22 8/21 8/24  
 8/25 11/7 11/16 11/25 14/10  
 15/8 15/13 16/11 17/19 20/16  
 22/3 23/24 23/24 26/22 27/4  
 27/4 27/7 28/4 29/9 29/15 30/17  
 30/19 31/10 36/4 36/6 36/14  
 36/14 36/17 37/16 41/11 42/24  
 43/9 43/19 45/4 45/16 46/5 46/8  
 47/19 47/20 48/25 49/17 49/18  
 50/24 51/8 52/7 52/11 52/16  
 55/12 56/16 57/19 62/6 64/4  
 67/5 67/7 68/13 69/3 73/6 73/14  
 79/14 80/25 85/23 85/24 86/17  
 86/24 94/4 94/7 95/9 95/11 97/8  
 98/1 103/25 105/19 105/20  
 105/22 110/2 110/10 112/21  
 117/7 121/21 127/20 127/20  
 129/1  
 justice [1] 109/10  
 justified [1] 11/18

**K**

keen [2] 108/21 108/24  
 keep [2] 35/18 105/20  
 keeping [1] 68/7  
 Kelly [2] 115/4 115/9  
 Kenny [7] 92/4 92/7 92/14 93/2  
 93/2 93/18 94/1  
 kept [1] 124/22  
 Kerrigan [3] 2/10 24/9 37/16  
 key [5] 49/14 51/9 52/3 88/8  
 88/9  
 kid [1] 122/13  
 kidding [1] 41/12  
 kilo [16] 62/8 62/9 62/11 62/16  
 63/4 64/8 65/23 65/23 66/2 66/6  
 66/13 67/5 67/7 77/13 97/13  
 118/23  
 kilogram [5] 28/3 28/11 28/17  
 28/20 62/13  
 kilograms [5] 48/22 55/8 55/18  
 55/24 62/9  
 kilos [16] 53/24 55/20 59/14  
 61/6 64/8 64/9 87/11 107/11  
 118/14 118/19 120/2 120/21  
 123/20 123/20 124/11 126/9  
 kind [12] 26/21 27/2 28/17 33/7  
 41/23 64/6 73/6 80/20 86/15  
 87/4 93/5 94/9  
 kinds [3] 19/25 31/25 68/10  
 knew [42] 13/15 23/23 23/23  
 27/15 27/16 27/20 28/6 29/8  
 29/11 29/12 30/8 30/8 32/5  
 32/19 32/24 39/11 39/15 39/24  
 40/7 40/20 41/24 50/17 53/23  
 56/2 58/9 59/19 59/21 64/12  
 69/17 72/23 72/25 73/22 75/15  
 82/4 82/9 89/18 108/9 109/16

113/24 113/25 114/2 116/15  
 17/25 18/6 18/6 23/3 23/10  
 23/19 23/25 26/4 26/4 26/5  
 26/13 26/14 27/6 27/8 27/11  
 27/14 27/19 27/22 28/2 28/9  
 31/17 32/2 32/20 33/7 33/19  
 40/11 41/11 45/21 47/16 47/20  
 47/20 49/22 50/7 50/9 52/8 53/7  
 53/7 55/1 55/2 57/13 67/8 67/17  
 69/5 75/7 75/13 80/3 87/15  
 92/15 94/3 95/3 99/13 99/13  
 99/20 99/25 100/2 100/21 100/25  
 101/1 101/4 101/7 101/9 101/11  
 101/12 101/19 106/17 106/18  
 106/18 107/20 108/12 109/9  
 109/21 110/3 111/4 111/8 111/25  
 112/8 112/12 115/15 117/23  
 118/3 118/6 119/18 122/17 123/5  
 127/19 127/19 127/21 128/18  
 128/25  
 knowing [8] 26/6 26/6 26/7 28/5  
 28/5 53/7 62/9 119/9  
 knowledge [3] 52/9 94/5 115/20  
 known [6] 23/5 23/20 30/6 30/6  
 32/21 38/16  
 knows [5] 13/19 14/21 14/22  
 46/18 102/23

**L**

ladies [2] 16/5 130/14  
 lady [2] 65/1 65/3  
 Lane [1] 59/9  
 large [14] 48/3 58/9 65/1 68/16  
 68/25 76/21 76/21 89/8 96/12  
 121/15 121/17 121/22 121/24  
 123/12  
 large-quantity [1] 76/21  
 largest [2] 92/5 92/12  
 last [8] 5/7 6/9 12/1 19/9  
 19/10 57/15 57/18 63/20  
 late [3] 29/16 40/18 96/5  
 later [4] 43/2 65/6 70/1 103/17  
 law [5] 98/18 99/7 99/16 100/2  
 116/17  
 law enforcement [1] 116/17  
 law's [1] 99/25  
 lawyer [2] 106/10 111/14  
 lawyers [2] 111/17 112/9  
 lead [3] 12/13 65/17 108/16  
 leading [5] 10/17 13/24 32/9  
 32/9 65/16  
 lean [1] 125/9  
 learn [5] 42/6 42/19 54/1 70/1  
 70/2  
 learned [4] 41/15 41/21 43/3  
 98/17  
 least [7] 3/16 4/1 4/9 122/21  
 124/24 124/24 129/5  
 leave [4] 29/9 29/10 68/10  
 122/3  
 leaving [3] 55/10 56/21 66/19  
 led [2] 13/1 128/24  
 left [25] 24/7 29/12 48/21  
 51/15 51/16 53/1 55/17 57/1  
 57/4 57/5 57/23 58/17 63/16  
 65/1 65/23 66/1 66/3 66/5 70/22  
 75/15 79/7 109/23 123/24 124/13  
 130/16  
 left-hand [1] 24/7  
 legal [1] 84/24  
 length [1] 62/4

Leo [1] 1/18  
 Leo [5] 11/1 11/18  
 less [1] 21/17  
 let [12] 16/5 22/15 34/24 41/17  
 63/17 70/5 70/8 83/10 86/10  
 87/1 95/9 123/5  
 let's [5] 25/1 56/16 56/19 78/4  
 81/19  
 letting [1] 65/3  
 libbing [1] 30/18  
 licensed [1] 26/2  
 lie [1] 79/22  
 lies [1] 81/21  
 life [16] 3/24 10/1 21/12 21/21  
 22/3 78/2 78/3 80/4 81/3 81/6  
 81/22 87/9 101/16 106/20 111/8  
 112/11  
 like [42] 4/11 4/12 7/19 8/24  
 8/25 9/16 12/10 15/22 17/13  
 18/25 24/13 24/18 29/14 34/13  
 35/2 36/19 41/5 41/10 53/6  
 53/21 53/21 56/2 59/7 62/6  
 62/15 64/6 73/6 75/1 76/10 77/5  
 77/23 85/1 86/3 86/5 86/8 87/4  
 94/9 97/2 108/16 109/14 121/18  
 121/20  
 liked [2] 31/7 86/15  
 limit [1] 55/17  
 line [6] 4/7 7/18 85/19 109/18  
 111/7 112/8  
 lines [1] 17/8  
 list [2] 35/18 35/25  
 listen [2] 35/7 40/2  
 lists [2] 34/20 35/1  
 little [9] 5/6 62/15 66/2 82/13  
 82/14 92/13 108/10 109/15 123/1  
 live [4] 18/11 69/20 80/21 85/9  
 lived [1] 22/2  
 lives [2] 106/21 106/21  
 living [2] 22/4 85/10  
 loan [1] 82/18  
 lobbying [1] 114/8  
 local [2] 23/8 103/8  
 location [1] 69/23  
 locations [1] 59/18  
 lock [2] 29/9 88/10  
 locked [2] 22/8 29/12  
 locker [2] 59/13 128/10  
 logo [1] 72/11  
 Lombard [1] 1/24  
 long [3] 22/2 73/2 105/15  
 look [5] 18/18 22/17 26/14 63/1  
 128/6  
 looked [1] 65/8  
 looking [17] 26/5 41/4 41/5  
 41/6 48/23 53/5 53/21 62/20  
 62/22 62/23 69/15 97/23 98/1  
 105/21 108/25 118/14 118/20  
 looks [4] 9/16 24/13 24/18 53/8  
 loose [1] 81/1  
 lord [4] 48/4 48/5 48/6 87/20  
 lords [1] 48/6  
 lose [1] 130/6  
 losses [1] 5/25  
 lot [18] 14/24 15/3 23/8 23/19  
 29/7 29/14 35/3 77/13 79/18  
 80/14 86/4 93/4 106/8 107/18  
 114/20 118/14 125/3 125/14  
 low [1] 94/17  
 low-quality [1] 94/17  
 lower [1] 21/4  
 lunch [3] 29/6 29/7 130/15

**L**  
 Luncheon [1] 130/17  
 lying [3] 79/25 128/22 129/4

**M**  
 ma'am [2] 71/7 81/16  
 machete [2] 36/12 36/13  
 mad [1] 66/1  
 made [18] 4/19 10/21 12/17 13/5  
 13/5 21/7 21/20 27/23 28/23  
 30/19 38/4 63/2 63/8 76/9 76/13  
 124/3 124/11 129/20  
 Magistrate [1] 129/22  
 Magistrate Gallagher [1] 129/22  
 Major [1] 30/9  
 make [12] 3/11 8/16 18/21 29/23  
 34/5 64/21 80/10 97/21 114/24  
 122/5 122/10 126/16  
 makes [1] 21/16  
 making [7] 10/14 10/17 10/20  
 77/8 84/25 114/11 119/11  
 man [8] 4/11 73/7 73/10 73/11  
 106/10 121/3 121/8 122/1  
 mandatory [2] 112/13 112/21  
 many [14] 12/5 25/7 26/10 33/4  
 34/19 34/19 35/1 39/9 53/8 55/2  
 74/10 75/20 104/24 111/21  
 March [3] 50/2 108/6 124/19  
 March 1st [2] 108/6 124/19  
 March 22nd [1] 50/2  
 MARCUS [13] 1/6 2/3 40/9 43/25  
 47/9 52/2 115/25 116/24 120/7  
 120/10 120/12 127/17 128/23  
 Marcus Taylor [10] 2/3 47/9  
 52/2 115/25 116/24 120/7 120/10  
 120/12 127/17 128/23  
 marijuana [12] 27/18 27/20  
 27/21 41/14 41/16 41/17 41/18  
 41/22 41/24 42/14 45/6 47/14  
 Marilyn [2] 114/13 114/15  
 Marilyn Mosby [2] 114/13 114/15  
 mark [1] 28/13  
 marked [6] 24/2 34/13 36/19  
 49/25 57/25 60/25  
 market [1] 84/20  
 Marshall [1] 111/4  
 Marshall Henslee [1] 111/4  
 MARYLAND [4] 1/1 1/10 1/25 22/1  
 mask [2] 91/12 93/21  
 masks [1] 92/1  
 math [4] 28/17 67/5 67/7 77/6  
 mathematical [1] 28/4  
 matter [7] 75/20 97/17 101/12  
 106/10 112/25 113/1 131/8  
 Matthew [1] 2/10  
 Matthew Kerrigan [1] 2/10  
 maximum [2] 21/10 111/8  
 may [14] 3/5 5/3 9/22 10/4  
 11/15 11/19 12/7 16/17 17/18  
 46/4 52/4 78/8 95/11 128/22  
 maybe [9] 5/25 6/1 12/13 49/19  
 62/23 64/4 86/13 106/1 129/3  
 MDA [1] 20/1  
 me [115] 3/14 7/17 8/12 12/23  
 15/18 16/5 17/1 17/9 18/2 18/4  
 23/19 23/24 23/25 24/18 25/12  
 26/7 28/4 29/6 29/13 29/14  
 29/15 29/16 29/16 31/16 32/12  
 32/25 33/20 35/2 35/3 35/18  
 36/21 36/25 37/23 38/3 39/24  
 40/18 40/19 40/19 41/17 42/10

42/21 46/11 48/11 48/11 48/12  
 48/14 48/18 48/21 49/7 50/8/5  
 52/16 54/17 54/21 54/22 55/6  
 55/9 55/10 55/12 55/15 55/16  
 55/21 56/6 59/12 60/5 60/7  
 60/12 61/10 61/11 61/13 61/15  
 63/2 63/17 64/12 64/13 64/18  
 65/17 65/22 65/22 66/1 66/21  
 67/22 67/23 68/9 68/20 68/21  
 68/21 69/13 70/5 70/8 70/15  
 80/4 80/25 83/10 83/14 85/9  
 85/23 86/10 87/20 88/20 93/23  
 94/4 95/9 97/3 97/19 100/13  
 100/22 107/16 109/11 109/17  
 115/18 122/4 122/6 124/6 129/5  
 129/14  
 mean [19] 12/23 13/13 15/9 18/6  
 20/15 27/6 27/9 30/13 39/9  
 44/19 56/10 58/11 64/15 64/16  
 64/17 67/9 86/16 86/25 100/20  
 means [5] 4/24 20/16 58/12  
 113/4 113/5  
 meant [1] 57/11  
 meet [6] 29/6 29/15 56/16 56/17  
 57/6 57/9  
 meeting [1] 10/11  
 member [2] 45/1 45/18  
 members [3] 33/4 42/22 43/25  
 memory [1] 6/9  
 men [2] 33/13 33/14  
 mention [1] 15/13  
 mentioned [3] 86/10 108/4  
 110/14  
 messed [2] 119/2 127/17  
 met [9] 13/3 26/10 47/20 56/14  
 56/17 73/2 122/17 122/18 123/23  
 microphone [3] 19/8 71/25  
 129/14  
 mid [1] 70/20  
 mid-morning [1] 70/20  
 middle [2] 50/13 75/16  
 might [2] 117/16 128/15  
 million [11] 6/3 29/23 30/3  
 30/3 48/19 48/20 48/23 53/25  
 77/16 90/12 130/6  
 millions [1] 33/20  
 mind [4] 12/17 14/23 27/23  
 129/1  
 mind-set [1] 27/23  
 mine [1] 105/6  
 mini [1] 11/17  
 minimum [3] 21/13 112/13 112/21  
 minutes [2] 52/23 53/4  
 mislead [1] 110/24  
 missed [2] 66/9 107/8  
 missing [3] 8/23 17/18 18/3  
 mistake [3] 26/4 76/7 81/7  
 mistrial [6] 3/12 4/3 4/7 5/6  
 8/6 9/8  
 mixed [1] 95/10  
 modified [1] 80/25  
 Molly [2] 20/2 27/11  
 moment [7] 10/24 17/19 24/20  
 43/13 67/25 97/9 120/14  
 money [32] 8/23 13/16 29/21  
 38/4 53/24 55/23 59/18 63/3  
 64/4 64/11 64/24 65/8 66/4  
 66/15 66/16 66/17 66/17 66/24  
 66/25 67/1 67/3 77/13 77/21  
 84/25 89/25 96/12 100/12 100/13  
 118/14 118/23 119/11 120/4  
 money's [1] 64/3

monitoring [2] 84/10 129/24  
 monster [1] 148/2  
 month [9] 6/13  
 months [1] 25/18  
 Monument [1] 58/25  
 Monument Street [1] 58/25  
 Morano [3] 43/23 44/6 94/23  
 more [20] 5/10 5/18 9/23 11/8  
 14/24 15/3 29/24 32/12 77/16  
 93/9 98/3 106/4 107/9 107/17  
 109/4 109/7 110/18 110/25  
 111/12 126/9  
 morning [7] 3/3 3/8 3/9 17/2  
 19/15 29/11 70/20  
 mortgage [3] 6/11 6/12 85/1  
 Mosby [2] 114/13 114/15  
 most [4] 10/23 38/16 56/6 56/9  
 mostly [1] 74/13  
 motion [5] 3/11 4/6 18/21 21/16  
 21/20  
 move [2] 34/9 56/2  
 moved [2] 11/1 128/15  
 moving [6] 10/22 10/25 39/11  
 56/11 56/19 112/4  
 Moyé [1] 16/23  
 Moyé's [1] 16/24  
 Mr [2] 9/13 54/3  
 Mr. [90] 3/11 3/20 4/4 4/8 4/16  
 4/20 4/21 4/21 4/22 5/4 5/5 5/9  
 5/10 6/4 6/16 7/11 9/5 10/11  
 10/14 11/15 11/19 12/4 12/6  
 12/13 12/16 14/2 15/7 15/8  
 15/13 16/10 18/18 19/15 21/23  
 24/4 24/9 30/20 34/4 34/8 35/7  
 37/16 38/24 38/25 39/3 40/2  
 43/25 44/14 45/5 45/25 46/2  
 46/22 50/12 52/14 56/14 56/15  
 56/24 57/19 61/2 61/19 63/13  
 63/13 63/24 66/19 67/13 71/4  
 71/8 71/12 71/12 71/25 72/23  
 73/25 78/24 79/1 79/7 87/13  
 88/22 88/25 89/2 89/14 96/25  
 102/5 102/14 110/2 110/8 111/21  
 116/8 116/9 122/17 129/13  
 129/14 129/16  
 Mr. Hamilton [2] 6/4 16/10  
 Mr. Hamilton's [2] 5/9 6/16  
 Mr. Hendrix [2] 50/12 63/13  
 Mr. Hersl [19] 3/11 4/22 5/10  
 10/11 10/14 11/15 12/6 12/16  
 14/2 56/14 56/15 56/24 63/13  
 63/24 66/19 87/13 102/5 102/14  
 111/21  
 Mr. Hersl's [1] 4/4  
 Mr. Hines [5] 12/13 46/22 71/12  
 88/22 129/14  
 Mr. Jenkins [9] 38/25 39/3  
 67/13 72/23 73/25 88/25 89/2  
 89/14 116/8  
 Mr. Kerrigan [2] 24/9 37/16  
 Mr. Marcus Taylor [1] 43/25  
 Mr. Nieto [5] 4/8 4/16 4/21 5/4  
 9/5  
 Mr. Nieto's [1] 3/20  
 Mr. Purpura [9] 4/20 34/4 71/8  
 71/25 78/24 96/25 110/2 110/8  
 122/17  
 Mr. Purpura's [2] 5/5 7/11  
 Mr. Stepp [23] 11/19 12/4 15/8  
 15/13 19/15 21/23 24/4 30/20  
 34/8 35/7 38/24 40/2 45/25 46/2  
 57/19 61/2 61/19 71/4 71/12

**M**

Mr. Stepp... [4] 129/13 129/16

Mr. Taylor [3] 4/21 15/7 52/14

Mr. Thomas Wilson [1] 116/9

Mr. Wilson [2] 44/14 45/5

Mr. Wise [1] 18/18

Ms. [5] 4/21 8/25 16/23 16/24 113/15

Ms. Cousins [1] 8/25

Ms. Moyé [1] 16/23

Ms. Moyé's [1] 16/24

Ms. Wicks [2] 4/21 113/15

much [19] 29/21 55/20 55/23 62/5 64/11 67/13 67/20 67/23 68/14 77/21 79/20 81/11 84/25 88/7 94/19 108/1 112/10 120/4 120/4

multiple [1] 62/8

my [77] 4/1 5/9 6/13 6/20 7/4 9/5 22/3 26/10 26/11 26/11 26/14 27/12 27/12 27/15 28/14 29/8 29/17 30/4 32/6 33/19 38/24 41/7 41/10 41/23 41/23 48/9 48/10 48/13 49/6 49/20 53/5 54/17 55/7 55/13 55/21 57/7 58/21 60/11 60/14 60/19 60/21 61/3 62/8 63/7 63/15 65/6 65/8 67/22 69/19 69/20 69/22 70/13 71/20 76/23 76/23 78/3 78/24 80/4 80/25 81/3 82/7 87/5 87/9 95/10 98/22 106/20 106/24 107/1 111/6 112/11 113/9 117/15 117/16 117/19 117/19 125/15 128/4

myself [4] 64/5 82/1 86/15 125/16

mystification [1] 6/22

**N**

Nah [1] 86/15

name [13] 19/9 19/9 19/10 35/25 43/22 44/3 44/6 71/15 71/20 71/21 94/23 99/25 100/2

named [1] 44/1

names [6] 27/9 39/24 40/7 47/19 75/13 75/16

narcotics [3] 23/20 30/9 89/8

near [1] 54/21

need [10] 14/15 32/11 40/2 44/21 48/1 48/1 48/12 59/15 68/21 85/17

needed [13] 32/17 32/25 35/4 35/5 36/13 56/22 56/24 57/9 57/23 66/16 66/17 66/25 96/8

needs [5] 9/11 9/11 81/14 96/6 107/4

negotiated [1] 28/1

neighbor [1] 52/25

neighbor's [5] 51/16 51/17 51/19 51/23 52/1

neighbors [1] 52/13

neither [1] 64/8

nervous [4] 41/5 92/13 108/6 108/8

never [28] 13/11 13/12 47/20 51/3 51/5 55/1 59/19 59/19 59/21 69/8 69/8 74/5 74/6 74/18 88/14 88/15 88/17 88/19 90/17 90/18 99/12 100/6 100/8 100/9 100/10 101/12 101/14 106/20

New [3] 25/17 43/22 44/7

New Orleans [1] 85/17

New York [2] 43/22 44/7

newbies [1] 47/10

news [4] 69/17 108/22 109/4 109/7

next [7] 10/9 15/22 51/12 52/21 52/25 53/3 63/6

next-door [1] 52/25

NFL [1] 25/15

nickname [1] 87/17

Nieto [6] 2/4 4/8 4/16 4/21 5/4 9/5

Nieto's [1] 3/20

night [10] 29/16 42/11 56/22 66/16 101/25 103/21 103/22 115/24 118/9 128/9

nightclub [2] 43/6 44/12

nightly [1] 29/20

nine [2] 26/7 28/11

nineteen [1] 93/8

no [78] 1/4 3/18 5/8 15/24 20/22 21/3 21/6 21/9 21/15 22/22 22/24 23/2 32/11 36/14 36/18 40/18 46/17 49/8 50/17 50/24 54/7 55/1 58/12 58/13 58/21 59/2 59/5 60/6 64/9 69/8 70/19 73/8 73/10 74/1 83/3 83/3 83/5 83/12 83/14 87/13 89/4 89/15 90/16 91/10 92/14 93/15 94/5 94/13 95/24 97/8 97/8 99/12 100/23 101/8 102/13 104/13 105/12 105/14 105/16 105/16 105/16 106/13 106/17 106/18 106/18 109/21 110/1 112/25 118/23 121/15 122/4 122/12 122/14 124/7 124/10 124/12 129/6 130/10

no-go [1] 50/24

No. [2] 71/24 72/7

nobody [1] 124/12

nonresponsive [5] 7/8 31/18 34/2 34/21 38/17

normal [3] 8/22 33/22 51/8

normally [4] 3/25 29/5 29/6 29/13

NORTHERN [1] 1/2

not [122] 3/19 3/25 4/24 5/24 6/7 6/18 6/24 7/6 7/9 7/15 8/2 8/10 8/10 8/11 9/3 9/15 10/5 10/6 10/6 10/16 10/19 11/16 11/18 11/20 12/4 12/5 12/10 14/11 15/1 15/13 16/13 16/15 16/17 16/18 17/2 17/4 18/19 21/3 32/4 32/4 33/22 33/22 44/25 49/17 54/24 64/9 64/20 73/10 73/11 73/14 73/18 74/4 74/16 75/11 75/17 75/19 76/1 76/2 76/3 76/18 76/21 76/21 78/3 78/11 78/17 78/20 78/23 78/25 81/19 81/22 82/12 83/10 84/8 84/9 85/24 86/20 86/20 86/24 87/14 87/24 88/16 88/16 88/16 88/18 88/21 88/21 89/4 90/15 93/23 95/7 95/8 99/21 101/9 101/25 102/17 105/11 106/5 107/4 109/20 110/4 110/15 117/10 117/14 117/14 118/2 120/3 120/4 120/10 121/6 123/9 124/5 124/23 126/12 126/12 126/14 126/20 127/1 127/21 128/4 128/17 128/17 129/5

note [4] 16/20 16/24 16/24 17/1

notes [1] 124/8

nothing [12] 8/1 8/5 11/4 11/7 58/13 59/6 64/22 83/16 88/20 92/1 92/24 113/11

notice [1] 81/3

notwithstanding [1] 6/21

now [34] 12/2 15/23 16/20 34/4 35/6 38/12 38/18 42/1 54/8 56/2 56/19 59/7 72/23 73/17 78/1 84/8 85/10 86/10 87/10 92/17 95/16 98/5 100/6 102/16 103/21 106/15 107/7 107/21 110/12 111/22 117/2 120/14 124/18 126/4

number [7] 10/14 11/14 28/14 61/12 76/23 76/23 122/10

**O**

o'clock [1] 130/15

oath [2] 71/4 71/6

objected [1] 4/7

objecting [1] 15/7

objection [31] 4/16 11/14 29/3 30/15 30/15 31/18 32/9 33/8 33/25 34/5 34/6 34/21 36/15 38/17 39/18 39/19 42/23 44/17 44/22 45/9 45/14 52/4 54/6 59/22 65/14 65/14 66/20 67/15 70/3 78/7 110/20

objections [1] 6/22

observe [2] 53/20 121/3

obtain [1] 108/24

obtained [2] 125/16 125/19

obvious [5] 31/17 33/7 33/11 33/19 33/20

obviously [9] 4/6 4/17 5/11 9/7 9/16 46/11 68/8 75/17 97/25

occasions [2] 13/3 55/2

occur [1] 29/19

occurred [1] 45/17

odds [2] 62/6 109/14

off [18] 33/1 44/2 46/11 54/18 58/10 58/11 59/8 62/14 67/9 77/9 77/10 77/11 79/7 88/18 95/1 95/3 119/11 124/2

off-duty [2] 44/2 95/1

offense [1] 92/14

offenses [1] 23/1

office [6] 37/5 37/6 37/7 48/13 58/19 120/20

officer [15] 44/2 46/1 50/10 50/11 51/2 52/24 52/25 53/3 90/20 90/24 92/24 98/25 99/7 121/6 123/9

officers [32] 3/23 10/12 13/4 20/7 23/8 26/9 31/12 32/4 39/5 39/12 50/11 50/15 51/14 51/23 51/25 53/15 54/25 63/11 74/11 75/7 75/21 101/17 101/22 115/25 116/16 116/16 119/17 120/12 124/3 124/5 124/7 124/10

official [3] 1/24 46/1 131/12

Oh [5] 40/9 41/10 49/4 97/16 124/12

okay [78] 5/2 7/12 13/20 15/10 15/15 15/16 15/18 16/1 17/4 17/16 18/22 18/23 28/8 30/22 31/25 39/17 41/20 45/2 45/9 45/24 46/20 49/3 52/16 52/17 64/13 67/10 74/2 79/3 79/4 79/11 81/14 81/18 81/19 83/9



o  
okay... [44] 89/14 89/25 91/7  
96/5 97/6 98/3 98/13 100/19  
102/22 110/10 111/17 115/20  
115/24 116/11 116/14 116/23  
117/5 117/18 117/21 117/22  
118/10 118/17 118/19 119/4  
119/9 119/17 119/21 120/6  
120/14 121/6 121/12 121/20  
121/25 122/8 124/3 124/22  
125/19 125/22 127/12 127/23  
128/1 128/12 128/19 129/10  
old [5] 21/23 50/21 107/23  
116/9 121/10  
older [1] 23/12  
once [7] 11/23 13/3 69/17  
101/16 101/25 122/21 125/8  
one [58] 3/18 5/18 6/9 23/20  
28/14 28/18 37/25 42/10 43/25  
47/10 48/6 49/8 50/12 51/14  
51/25 52/1 52/24 52/25 55/2  
56/6 56/9 56/21 56/24 57/23  
57/24 58/18 58/19 58/21 58/21  
58/23 62/13 72/9 76/1 76/2  
76/23 76/23 78/15 81/7 82/18  
89/15 90/17 92/5 92/12 94/5  
95/11 98/17 103/25 104/8 107/15  
111/22 111/25 111/25 120/6  
120/13 123/11 124/1 125/22  
127/21  
ongoing [1] 8/19  
only [14] 4/20 4/22 6/18 7/9  
13/2 28/21 50/9 81/22 101/15  
102/3 112/16 112/17 123/11  
123/20  
open [4] 13/23 29/17 40/19  
68/22  
opened [4] 23/18 31/10 41/2  
68/23  
opens [1] 55/7  
opinion [1] 26/11  
opportunity [1] 34/3  
oppose [1] 4/6  
order [5] 32/25 33/17 35/3  
35/20 35/21  
ordered [5] 35/11 35/13 35/16  
35/17 35/21  
orders [1] 34/19  
Oreese [13] 47/16 47/18 52/3  
52/21 69/14 69/18 86/10 86/12  
87/10 119/5 119/13 120/15  
120/18  
Oreese Stevens [1] 119/5  
Oreese Stevenson [8] 47/16  
47/18 86/10 86/12 87/10 119/13  
120/15 120/18  
Oreese Stevenson's [4] 52/3  
52/21 69/14 69/18  
Oreese's [1] 51/16  
orient [1] 56/16  
original [7] 37/7 71/20 118/8  
127/8 127/9 127/10 127/12  
originally [3] 26/7 68/4 103/4  
Orleans [1] 25/17  
other [47] 5/18 11/12 16/7 20/6  
20/7 27/24 27/25 30/24 31/7  
32/4 32/4 32/13 33/14 35/3 39/5  
39/12 39/12 44/4 45/12 50/11  
53/3 53/15 54/25 60/13 67/11  
74/15 75/15 81/19 81/25 84/21  
92/14 102/3 102/13 114/17 116/1

116/16 119/4 119/9 124/3 124/5  
124/7 124/10 125/6 125/8 125/13  
125/17 126/1  
other's [1] 4/18  
others [3] 44/9 49/11 101/23  
ounce [2] 104/8 104/11  
ounces [7] 66/2 66/3 66/5 66/9  
67/11 67/20 67/21  
our [9] 3/20 4/16 5/9 6/6 7/6  
9/8 16/6 45/14 58/8  
out [54] 3/10 4/14 9/1 11/22  
12/2 22/10 23/24 27/19 38/4  
40/11 41/6 43/22 49/20 50/11  
50/20 50/24 53/21 58/24 60/9  
61/18 62/14 62/21 63/10 63/14  
65/3 68/4 68/25 69/3 69/17 79/1  
80/19 80/22 80/24 80/25 84/3  
85/13 85/14 86/2 91/23 94/9  
94/15 98/23 99/11 103/15 105/23  
111/8 112/13 113/21 115/5 119/6  
121/24 123/23 129/3 129/17  
outburst [9] 3/12 3/17 6/7 6/24  
7/1 7/4 8/4 8/8 16/11  
outbursts [2] 3/16 3/19  
outside [3] 45/17 93/24 114/17  
over [22] 4/16 7/2 7/15 7/16  
23/7 27/4 30/2 34/19 48/20  
55/15 58/25 62/15 65/2 66/2  
66/16 68/12 81/19 86/23 86/24  
106/6 109/19 115/12  
overall [1] 77/18  
overheard [1] 45/11  
overhears [1] 44/24  
overlap [1] 7/14  
Overruled [3] 29/4 32/10 34/22  
owed [2] 67/3 67/4  
owned [3] 22/5 26/11 99/14

**P**

p.m [1] 130/16  
PACER [1] 109/1  
packaging [2] 104/25 107/13  
page [3] 36/4 36/9 46/8  
Page 3 [1] 36/4  
Page 7 [1] 46/8  
Pages [1] 85/24  
paid [2] 43/24 116/24  
pair [1] 49/15  
Panas [1] 2/11  
paper [1] 58/12  
paperwork [4] 68/1 68/3 127/5  
127/6  
paragraph [1] 46/7  
Paralegal [1] 2/11  
Pardon [7] 31/1 71/5 72/4 72/14  
91/5 100/1 115/18  
Park [5] 23/17 24/13 25/23 26/1  
73/19  
parked [1] 119/14  
parking [2] 60/11 93/4  
parole [2] 21/15 112/14  
part [16] 4/25 5/15 14/19 14/23  
14/25 15/2 16/17 20/12 44/23  
45/13 47/12 57/15 57/18 62/14  
115/8 129/23  
participant [1] 45/13  
participate [1] 59/8  
participated [1] 46/25  
particular [3] 11/21 110/17  
112/16  
parties [1] 98/22  
partner [3] 71/20 98/19 116/9

parts [1] 33/14  
partp [1] 10/11 21/2 101/16  
101/19  
passenger [2] 23/18 55/7  
passing [1] 13/7  
past [1] 78/4  
path [3] 4/17 6/5 7/18  
pay [2] 28/2 28/21  
paying [3] 58/12 67/1 67/3  
payment [1] 6/11  
payments [2] 6/11 6/12  
penalties [2] 111/5 112/10  
penalty [2] 21/10 21/13  
pending [2] 19/17 129/17  
people [17] 22/8 22/17 22/25  
28/15 32/13 32/22 39/9 40/7  
44/4 45/12 69/3 75/13 82/21  
86/5 86/8 92/15 119/9  
people's [2] 22/10 119/6  
people: [1] 52/13  
people: somebody [1] 52/13  
per [2] 3/16 7/4  
perfectly [1] 9/24  
perhaps [7] 9/24 12/2 17/12  
18/16 18/18 77/13 120/3  
period [7] 38/18 43/10 80/7  
83/18 88/8 88/11 102/4  
permission [2] 17/6 17/7  
persistent [1] 4/15  
person [7] 32/2 50/21 62/23  
89/2 121/10 123/8 123/11  
person's [1] 22/12  
personal [1] 10/1  
personally [3] 47/20 125/16  
125/19  
perspective [1] 8/17  
pharmacies [1] 69/4  
pharmacy [1] 69/4  
Phew [6] 27/4 29/2 36/14 55/21  
68/12 74/12  
phone [21] 24/4 25/1 25/3 25/5  
47/25 49/23 54/17 56/24 59/12  
64/7 74/19 74/21 74/23 85/24  
97/3 108/10 117/15 120/15 128/5  
128/15 128/16  
phones [1] 128/5  
photo [11] 24/12 24/17 25/9  
38/21 38/21 50/13 51/15 54/19  
58/15 61/1 63/20  
photograph [23] 24/3 24/15  
25/11 34/14 36/19 36/20 36/24  
37/20 38/2 38/6 38/8 38/9 49/23  
50/1 50/6 50/7 60/23 61/2 61/3  
75/3 75/18 117/9 117/13  
photographs [6] 37/25 61/19  
61/20 74/22 74/25 97/17  
photos [2] 25/5 25/7  
phrase [1] 57/10  
pick [3] 31/11 35/23 85/24  
picked [1] 15/1  
picture [10] 37/21 37/21 73/18  
75/14 76/1 76/2 118/8 128/9  
128/15 128/18  
pictures [8] 75/20 75/24 86/11  
86/14 115/8 115/13 115/17  
115/19  
pier [5] 69/19 69/20 70/17 84/3  
88/20  
pigeonholed [1] 5/16  
pills [3] 68/17 68/19 69/6  
place [4] 26/8 49/22 50/18  
50/24

**P**

places [1] 59/20

Plaintiff [2] 1/3 1/17

plastic [6] 104/23 104/24 104/25 105/4 105/17 106/4

played [1] 74/10

player [1] 74/16

playing [1] 23/7

plea [7] 20/12 21/2 110/12 110/17 112/20 126/4 126/4

plead [1] 19/23

please [13] 3/4 16/4 19/5 19/7 19/8 19/9 38/18 57/19 70/24 71/3 71/23 71/25 72/21

pled [5] 19/21 19/22 21/10 21/13 109/21

plus [2] 30/7 32/20

point [17] 3/19 4/4 9/17 16/13 17/20 17/22 18/19 30/18 49/10 73/24 94/25 95/20 96/15 102/9 103/11 107/20 124/13

pointed [2] 111/8 112/12

pointing [1] 117/8

points [1] 101/24

police [60] 10/12 22/11 22/21 23/8 26/9 33/4 33/15 33/18 33/21 33/22 34/18 35/10 37/1 37/2 37/9 38/10 41/3 43/24 44/2 46/1 46/1 46/3 51/2 51/2 51/4 53/12 54/5 54/9 54/12 54/14 54/16 55/6 57/2 58/17 58/20 59/1 63/19 68/24 74/11 74/15 75/7 75/21 90/20 90/24 92/24 95/1 98/25 99/6 101/17 101/22 104/20 113/23 115/25 116/7 116/16 121/6 123/9 124/18 125/25 128/6

police-issued [2] 41/3 68/24

politicians [1] 114/17

pool [1] 88/18

popped [2] 41/4 68/24

porch [1] 121/5

pose [2] 46/1 51/2

posed [4] 6/4 6/8 6/25 7/4

position [4] 6/6 9/5 9/8 39/2

possession [2] 110/25 126/5

possibility [1] 112/14

possible [2] 63/2 67/14

possibly [2] 4/11 13/23

pounds [12] 41/11 41/12 41/13 41/14 41/17 41/18 41/21 47/12 47/14 94/12 94/15 94/16

powder [3] 77/1 105/5 126/10

powder cocaine [1] 126/10

powers [1] 22/20

prejudicial [3] 7/7 7/9 11/16

preplanning [1] 97/8

prescription [2] 68/17 68/19

presence [1] 123/3

present [6] 2/7 10/12 43/2 45/3 101/17 101/23

presenting [1] 5/19

presently [1] 19/17

President's [1] 112/25

pretty [9] 23/10 68/7 68/8 83/18 84/16 113/21 113/22 120/25 124/19

previous [1] 11/20

price [1] 90/11

prices [2] 28/1 30/1

prince [1] 76/11

printout [2] 35/25 127/8

prison [1] 22/4 38/12 78/3 79/8

prisoner [6] 80/4 80/7 80/22 80/24 113/2 113/4

private [2] 116/8 116/14

pro [2] 111/25 112/3

pro bono [2] 111/25 112/3

probably [7] 29/23 29/23 43/19 62/11 83/8 86/13 127/8

problem [5] 14/25 15/2 55/11 84/20 104/13

proceedings [1] 131/8

proceeds [1] 13/16

produce [1] 49/14

professional [1] 28/15

proffer [1] 122/19

proffered [1] 46/11

profit [2] 28/18 28/23

profited [1] 30/2

prolific [1] 38/16

promise [1] 80/23

promised [1] 80/20

promises [1] 21/7

property [2] 69/20 130/4

propose [1] 8/7

proposed [1] 24/21

prosecuted [1] 20/10

prosecutors [1] 22/11

protect [1] 3/11

protected [1] 76/11

protruding [1] 53/22

provide [4] 36/2 42/6 69/10 116/21

provided [4] 18/5 35/11 61/10 126/25

provides [1] 13/16

providing [3] 44/9 116/2 116/25

provocative [1] 4/9

provoked [2] 8/1 8/3

prying [1] 107/4

public [1] 10/14

publicly [1] 13/5

puffed [1] 121/24

pull [1] 65/2

pulled [11] 41/2 41/3 41/6 46/14 49/17 49/19 49/20 50/8 55/15 59/1 60/7

pulls [1] 68/24

punched [1] 48/9

purchase [1] 58/5

purchased [2] 34/18 83/25

Purpura [10] 4/20 9/13 34/4 71/8 71/25 78/24 96/25 110/2 110/8 122/17

Purpura's [2] 5/5 7/11

Purpura, [1] 2/2

pursuant [1] 122/18

pursuing [1] 4/8

purview [1] 6/20

push [1] 9/2

put [9] 36/14 46/8 49/6 72/20 73/18 80/4 87/6 117/15 121/20

putting [1] 62/24

pylon [2] 69/21 69/23

**Q**

quality [1] 94/17

quantities [1] 68/10

quantity [1] 76/21

quarter [4] 30/3 48/19 53/25 90/12

quarter-of-a-million [2] 30/3

48/19

quarters [1] 62/13 62/16 63/4 66/13 67/4 67/7 97/12 118/23

question [28] 6/7 6/25 7/4 8/10 10/6 16/14 17/3 17/6 17/14 34/3 34/10 34/24 35/6 35/7 38/24 40/3 40/5 45/24 46/2 47/6 47/8 47/9 57/19 63/17 81/14 83/8 105/24 105/25

questioning [4] 4/7 4/8 18/16 18/17

questions [11] 5/19 6/4 6/10 7/15 11/24 70/19 88/22 98/15 129/6 130/3 130/10

quick [3] 10/9 32/17 48/2

quickly [2] 3/5 103/15

quite [3] 3/20 55/22 76/20

quote [1] 65/9

quote/unquote [1] 65/9

quotes [1] 30/17

**R**

racketeering [1] 5/11

Rafter [1] 2/2

raise [2] 19/5 32/24

ran [3] 122/24 123/5 123/15

random [2] 95/20 101/5

rang [2] 7/7 54/17

rather [3] 9/24 33/17 121/15

ratio [1] 28/18

Ravens [1] 25/17

Rayam [1] 40/10

RCR [1] 131/3

RDR [4] 1/23 131/3 131/6 131/10

reach [1] 85/13

reaching [1] 85/14

reaction [2] 41/15 41/21

reading [1] 69/14

ready [2] 70/25 130/6

real [11] 27/16 60/20 63/7 64/2 64/6 64/7 65/22 66/4 110/4 113/2 121/23

realize [2] 48/16 48/16

really [6] 3/18 31/7 48/17 80/20 94/19 105/13

Realtime [1] 131/11

reason [4] 10/18 11/15 57/8 115/8

reasons [1] 28/1

recall [9] 8/8 10/13 16/9 24/14 75/15 91/10 100/18 101/18 118/5

recalls [1] 13/4

receipts [1] 58/13

receive [4] 25/21 27/18 68/17 97/1

received [4] 6/1 20/6 56/24 96/23

recent [1] 37/21

recess [4] 70/21 70/23 130/15 130/17

recognize [3] 34/15 34/16 70/9

recognized [1] 50/9

recollection [1] 7/5

recommendation [1] 21/5

recommends [1] 21/4

record [8] 3/7 3/11 16/22 19/9 44/20 52/6 78/10 131/8

redirect [2] 129/8 129/11

reduced [3] 20/20 80/19 81/4

reference [7] 10/11 11/14 17/23 43/10 46/8 47/14 87/13

references [1] 46/6

**R**

referring [1] 120/17

reflected [3] 9/22 9/23 45/10

regard [1] 10/1

regarding [1] 10/14

regards [1] 6/6

Registered [1] 131/11

reign [1] 31/6

relate [1] 16/25

relationship [2] 10/1 12/10

release [1] 129/20

released [3] 82/4 110/14 129/16

relevance [1] 38/18

relevancy [1] 43/9

relevant [4] 5/12 6/18 11/2 45/21

remember [9] 24/14 44/2 48/9 74/8 79/9 91/4 91/9 98/8 103/23

rented [1] 99/14

repeat [3] 31/1 35/6 96/25

repeated [3] 4/16 7/15 30/20

repeatedly [1] 4/7

rephrase [1] 65/18

replied [1] 47/11

report [8] 11/10 11/11 11/11 11/12 65/25 108/22 108/22 128/6

Reported [1] 1/22

Reporter [4] 1/24 131/11 131/11 131/12

reports [1] 11/5

represented [1] 18/13

reputation [1] 23/23

request [3] 5/6 7/11 12/3

requested [1] 65/8

resell [1] 28/13

respectfully [1] 15/10

response [5] 6/7 6/24 6/25 8/3 11/24

responsive [3] 8/10 10/6 16/14

result [4] 3/23 14/16 78/23 79/18

retained [2] 116/12 116/14

return [3] 20/18 29/25 55/23

reveal [1] 109/17

revenue [1] 5/25

reviewed [1] 127/10

reviewing [1] 127/12

RH [1] 70/9

RH-8A [1] 70/9

rid [4] 32/3 41/25 69/21 122/13

ride [2] 24/24 56/22

riding [1] 23/17

right [164]

right-hand [1] 51/15

rights [1] 7/14

rings [1] 47/25

riots [1] 68/20

risk [3] 26/13 26/14 28/7

risks [1] 114/24

rob [1] 57/12

robbed [2] 9/1 20/7

robberies [8] 8/14 31/15 31/16 31/22 31/24 45/25 51/1 115/2

robbery [4] 8/15 8/25 59/8 59/11

rock [2] 105/4 106/4

roles [1] 5/16

Rolex [1] 107/15

rolled [5] 59/2 60/19 61/3 61/5 84/17

Ronald [1] 3/12

ROOSEVELT [1] 1/6

Route 40 [1] 93/4

route: [1] 68/24

route: pulls [1] 68/24

ruined [1] 3/24

running [1] 116/15

**S**

S-T-E-P-P [1] 19/11

safe [4] 48/19 48/20 48/21 53/25

said [54] 3/23 7/25 8/10 14/9 16/13 16/25 17/2 17/4 24/24 27/22 31/2 31/2 41/7 41/11 43/19 44/6 44/16 44/22 45/7 46/24 47/2 48/5 48/22 49/17 51/9 52/12 52/12 54/8 54/21 55/11 55/25 64/11 64/12 64/17 64/23 64/25 64/25 65/9 66/3 66/16 66/21 74/19 75/4 77/5 80/14 81/2 97/23 97/25 109/14 115/25 116/2 117/11 117/12 119/15

sale [2] 29/21 45/6

sales [2] 82/22 82/24

Sam's [1] 93/4

Sam's Club [1] 93/4

same [13] 7/15 7/19 11/15 15/4 22/20 24/22 36/9 63/19 68/23 111/11 122/9 122/10 122/10

San [1] 25/16

San Francisco [1] 25/16

Santa [1] 53/22

Santa Claus [1] 53/22

sat [1] 52/22

satisfied [1] 17/21

save [1] 46/5

saw [13] 36/6 49/13 51/6 51/9 52/20 53/19 56/20 56/21 86/11 97/20 101/15 102/3 123/11

say [44] 3/16 4/9 7/13 10/20 12/13 13/24 14/3 14/3 14/5 14/6 18/6 28/21 30/2 30/11 30/25 31/4 33/6 33/9 33/11 38/2 38/25 40/22 43/20 53/21 58/11 65/12 69/6 73/14 75/5 78/1 78/4 79/23 80/3 81/10 81/10 94/20 96/1 97/22 100/17 102/8 107/5 109/25 113/7 128/25

saying [11] 8/2 11/25 20/18 23/19 30/24 49/21 52/9 64/7 83/5 117/24 122/12

says [14] 13/3 13/11 13/11 23/24 48/1 48/6 48/12 48/23 49/1 55/8 59/14 68/21 69/3 120/20

scale [2] 60/16 60/18

scales [1] 107/13

scene [3] 51/13 119/18 125/15

scheme [1] 77/18

schemes [1] 78/6

school [1] 23/5

score [7] 65/10 65/10 65/10 65/12 67/2 118/20 121/1

Scores [4] 43/6 43/17 43/20 43/21

scramble [1] 27/10

screen [2] 72/3 72/5

search [4] 8/21 42/4 103/25 104/21

search warrant [2] 8/21 104/21

searched [4] 42/1 97/15 103/21 104/1

searches [1] 126/8

season [1] 25/15

seat [1] 23/18

seated [5] 3/3 16/3 19/7 70/24 71/3

second [14] 13/7 18/3 38/20 46/2 56/19 61/18 90/19 92/18 95/11 98/6 98/15 122/24 123/4 123/15

secondary [1] 116/17

secondly [1] 23/13

seconds [3] 3/16 4/2 102/4

secretly [1] 94/2

section [3] 37/17 128/16 128/16

secure [2] 22/9 22/18

security [13] 43/24 44/10 98/23 116/2 116/6 116/10 116/12 116/14 116/17 116/18 116/20 116/21 116/25

see [35] 12/20 12/20 13/21 16/1 35/7 38/21 45/15 49/10 52/22 53/15 54/19 54/25 63/1 63/12 66/19 66/23 66/25 72/3 72/5 72/7 72/13 72/17 75/9 76/10 80/12 108/6 109/1 109/5 119/17 120/10 121/23 124/3 124/5 124/10 130/15

seeing [1] 53/8

seem [1] 18/19

seemed [1] 7/17

seems [4] 5/14 5/14 17/9 77/23

seen [9] 56/15 63/11 63/13 63/13 63/13 63/20 74/18 120/12 120/13

segregated [1] 31/8

seized [2] 42/7 68/1

seizing [1] 23/21

Selective [1] 30/8

sell [21] 11/2 23/11 23/15 27/14 27/24 28/10 28/15 55/18 55/20 55/22 66/13 70/15 77/3 82/10 82/12 105/9 105/13 105/16 105/22 106/2 123/21

seller [1] 55/21

selling [9] 26/3 26/16 26/21 33/21 76/15 82/15 104/13 124/22 124/25

sense [1] 27/24

sent [7] 23/24 26/7 64/18 64/19 64/21 76/10 119/23

sentence [10] 20/20 20/23 20/25 21/5 21/8 21/17 80/19 80/25 81/4 113/7

sentenced [1] 20/21

sentencing [2] 111/15 129/17

separate [1] 3/16

sergeant [67] 10/13 20/5 23/3 24/16 24/21 25/12 28/3 30/21 31/2 40/23 42/11 44/1 44/3 44/3 47/5 47/6 47/7 47/11 47/19 47/21 47/25 48/7 50/9 50/13 50/14 51/24 52/9 52/20 53/4 59/12 61/10 63/10 63/14 65/7 65/21 66/23 68/5 70/12 73/2 73/5 73/17 75/3 81/7 81/8 83/1 83/16 87/20 87/22 88/1 89/13 92/5 93/23 94/7 95/20 95/22 95/25 96/23 96/24 97/1 101/9 102/5 102/6 105/5 125/14 125/23

<p>S</p> <p>sergeant... [2] 126/2 129/1</p> <p>Sergeant Jenkins [52] 10/13 24/21 28/3 30/21 31/2 42/11 47/5 47/7 47/11 47/19 47/21 47/25 48/7 50/9 50/14 51/24 52/9 52/20 53/4 59/12 61/10 63/10 63/14 65/7 65/21 66/23 68/5 73/2 73/5 73/17 81/7 81/8 83/16 87/20 87/22 88/1 89/13 92/5 93/23 94/7 95/20 95/22 95/25 96/23 96/24 97/1 101/9 102/5 102/6 105/5 125/23 126/2</p> <p>Sergeant Jenkins' [3] 75/3 125/14 129/1</p> <p>Sergeant Thomas Wilson [1] 47/6</p> <p>Sergeant Wayne [4] 25/12 44/3 44/3 70/12</p> <p>Sergeant Wayne Jenkins [5] 20/5 23/3 24/16 40/23 83/1</p> <p>series [1] 61/19</p> <p>served [1] 104/1</p> <p>serves [1] 6/9</p> <p>session [1] 127/19</p> <p>set [5] 27/23 30/1 33/11 48/14 101/19</p> <p>setting [1] 101/19</p> <p>seven [2] 90/10 120/22</p> <p>several [4] 25/5 115/25 122/18 125/22</p> <p>she [8] 9/1 17/2 17/4 21/6 91/8 104/10 104/11 104/20</p> <p>she's [3] 16/25 17/4 21/3</p> <p>shed [5] 29/8 29/9 29/11 88/10 88/10</p> <p>shoot [1] 54/22</p> <p>shop [1] 32/19</p> <p>short [2] 77/23 102/4</p> <p>shortcut [1] 78/11</p> <p>shorten [1] 113/6</p> <p>should [8] 8/11 9/3 9/8 9/14 9/15 11/25 12/5 86/13</p> <p>shouldn't [3] 8/13 10/7 10/16</p> <p>shouting [1] 4/14</p> <p>show [10] 18/1 18/2 18/3 24/12 25/8 34/13 35/20 35/24 36/19 70/8</p> <p>showed [4] 63/21 74/25 86/11 86/11</p> <p>showing [10] 24/2 37/23 42/12 49/25 57/25 60/25 61/17 115/9 117/7 128/12</p> <p>shows [3] 24/13 45/22 58/14</p> <p>sic [3] 64/3 119/5 129/1</p> <p>side [5] 51/15 82/16 97/18 97/18 109/8</p> <p>sides [1] 57/12</p> <p>Sieracki [1] 2/9</p> <p>sign [1] 22/18</p> <p>significant [1] 28/19</p> <p>silver [1] 93/6</p> <p>simple [3] 26/15 28/17 34/3</p> <p>simply [1] 16/18</p> <p>Sinclair [1] 59/9</p> <p>Sinclair Lane [1] 59/9</p> <p>single [1] 108/22</p> <p>sir [20] 21/25 37/18 41/19 71/13 71/15 71/19 74/1 74/17 79/12 80/1 80/8 88/25 89/20 89/23 91/17 100/4 101/2 113/12 113/19 130/11</p>	<p>sit [1] 68/13</p> <p>site [1] 108/25</p> <p>sittin' [1] 109/19</p> <p>sitting [4] 37/20 54/18 54/19 56/23</p> <p>situation [3] 11/21 49/18 60/20</p> <p>six [2] 90/8 90/9</p> <p>ski [1] 91/12</p> <p>skip [1] 32/22</p> <p>skipped [1] 115/5</p> <p>skips [1] 32/22</p> <p>small [6] 24/6 48/19 62/2 62/4 82/16 104/5</p> <p>so [137]</p> <p>sold [4] 28/14 66/11 87/11 106/20</p> <p>solely [6] 32/3 32/7 32/8 32/12 83/14 83/15</p> <p>some [39] 4/14 5/14 6/15 7/22 7/22 9/11 9/12 12/2 17/18 23/21 27/6 34/17 35/15 36/6 38/15 43/23 44/4 49/10 56/22 58/2 59/20 59/20 66/17 67/6 68/1 79/8 84/25 86/14 95/1 95/10 96/1 96/23 98/15 101/19 106/15 107/9 108/9 116/1 130/3</p> <p>somebody [6] 45/17 49/16 49/21 52/13 52/13 57/11</p> <p>somebody's [2] 50/18 50/19</p> <p>somehow [1] 5/16</p> <p>someone [5] 12/17 22/11 50/17 57/11 96/2</p> <p>something [22] 12/7 13/24 15/8 16/25 17/13 18/3 18/7 18/7 18/20 29/12 29/15 40/20 44/3 45/16 59/16 86/23 86/24 96/8 109/25 117/16 119/23 120/7</p> <p>sometime [4] 43/18 96/5 101/16 102/17</p> <p>sometimes [2] 29/6 59/17</p> <p>somewhat [2] 7/14 7/18</p> <p>somewhere [2] 93/7 102/21</p> <p>son [1] 113/1</p> <p>soon [5] 25/23 43/18 43/18 53/6 130/9</p> <p>sorry [9] 36/18 40/4 41/14 81/13 112/5 112/7 120/2 121/25 123/1</p> <p>sort [3] 5/6 15/14 26/2</p> <p>sound [3] 102/18 102/20 105/2</p> <p>sounds [2] 7/19 98/13</p> <p>source [2] 83/13 85/18</p> <p>sources [2] 85/15 125/22</p> <p>speak [2] 7/2 19/8</p> <p>speaking [1] 68/9</p> <p>special [4] 2/8 31/8 91/8 107/4</p> <p>Special Agent Jensen [1] 91/8</p> <p>specialized [3] 32/25 35/2 35/4</p> <p>specific [2] 16/14 44/21</p> <p>specifically [3] 5/17 5/20 38/24</p> <p>speed [2] 55/17 101/7</p> <p>speed limit [1] 55/17</p> <p>spell [1] 19/9</p> <p>spelled [1] 19/11</p> <p>spend [1] 108/1</p> <p>Spit [1] 86/2</p> <p>split [4] 48/24 93/13 93/13 93/16</p> <p>spoke [5] 73/17 98/5 98/6 111/6 112/8</p> <p>sponte [1] 7/4</p>	<p>sporting [1] 83/22</p> <p>spot [1] 146/8</p> <p>spring [2] 40/15 43/14</p> <p>spur [1] 97/8</p> <p>squad [9] 33/3 39/10 42/21 42/21 42/25 43/3 48/16 48/16 68/5</p> <p>stand [4] 8/9 71/19 72/13 72/15</p> <p>standing [3] 24/19 51/17 51/17</p> <p>start [12] 4/13 8/7 9/9 10/25 16/5 17/20 23/7 23/25 25/21 26/3 83/10 123/1</p> <p>started [16] 11/1 16/8 23/18 25/24 25/24 41/4 41/6 41/7 48/10 49/6 49/20 55/5 61/7 62/23 62/25 82/15</p> <p>starting [2] 87/8 124/24</p> <p>state [9] 19/8 23/17 25/19 25/23 26/1 103/1 103/2 103/3 103/11</p> <p>stated [5] 56/6 64/13 69/8 118/16 119/3</p> <p>statement [11] 14/20 15/9 15/12 30/19 75/6 110/3 110/4 110/4 113/8 119/25 120/1</p> <p>statements [3] 7/8 10/21 15/6</p> <p>STATES [9] 1/1 1/3 1/19 6/17 19/2 20/11 20/13 20/24 111/15</p> <p>Statewide [1] 17/11</p> <p>status [1] 130/5</p> <p>statute [1] 111/11</p> <p>steady [1] 35/5</p> <p>steal [6] 38/14 39/1 39/3 73/9 88/5 91/22</p> <p>stealing [3] 38/25 39/6 39/12</p> <p>stenographic [1] 131/7</p> <p>step [2] 22/16 25/2</p> <p>STEPP [41] 1/14 10/10 10/10 10/24 11/19 12/4 12/16 13/2 14/22 15/8 15/13 17/18 17/23 19/2 19/6 19/10 19/15 21/23 24/4 30/20 34/8 35/7 38/24 40/2 45/22 45/25 46/2 46/6 46/11 46/17 57/19 61/2 61/19 71/4 71/12 79/1 79/7 123/3 129/13 129/16 131/4</p> <p>Stepp's [2] 12/17 46/17</p> <p>steps [1] 80/10</p> <p>Steve [1] 44/3</p> <p>Steve-something [1] 44/3</p> <p>Stevens [1] 119/5</p> <p>Stevenson [10] 45/22 47/16 47/18 49/1 86/10 86/12 87/10 119/13 120/15 120/18</p> <p>Stevenson's [5] 51/21 52/3 52/21 69/14 69/18</p> <p>still [9] 5/12 52/24 52/25 63/11 71/4 71/6 82/9 84/17 105/21</p> <p>stole [3] 39/13 93/7 97/12</p> <p>stop [7] 7/1 34/8 42/24 59/23 81/12 101/4 101/5</p> <p>stopped [2] 55/7 104/20</p> <p>storage [40] 11/2 13/18 59/8 59/13 59/25 60/5 60/7 60/15 61/4 61/8 61/9 61/13 62/4 63/1 64/20 67/18 95/9 95/15 96/2 96/16 96/20 97/12 98/16 99/3 99/6 99/14 99/14 100/6 100/24 117/25 118/2 118/3 118/15 118/22 119/22 120/10 127/18 128/7 128/10 128/24</p>
---	--	--

**S**

straight [4] 54/2 54/4 54/8  
54/22  
straps [1] 121/20  
strategic [1] 4/19  
street [10] 1/24 53/2 54/22  
55/5 55/6 58/25 60/12 124/1  
124/1 124/2  
stricken [5] 8/11 8/14 9/3 9/19  
16/16  
Strictly [2] 26/22 28/1  
strike [2] 57/15 57/18  
stuff [23] 15/14 23/8 23/10  
27/6 32/3 32/18 35/4 38/14  
38/25 39/3 39/6 53/8 60/8 62/5  
62/5 69/15 87/5 94/10 105/23  
108/9 115/10 119/6 127/20  
sua [1] 7/4  
sua sponte [1] 7/4  
submitted [1] 42/13  
subsequent [4] 11/11 56/11  
56/12 126/8  
subsequently [1] 62/15  
substantial [5] 29/16 40/20  
48/3 48/3 96/12  
substantially [1] 82/24  
substantive [1] 3/22  
such [2] 7/21 27/7  
sucked [1] 61/7  
sufficient [1] 8/6  
sum [1] 89/8  
Super [3] 25/15 25/17 76/3  
Super Bowl [3] 25/15 25/17 76/3  
supplemented [1] 6/14  
supplier [5] 26/19 27/25 28/10  
44/7 48/15  
suppliers [4] 125/6 125/9  
125/13 125/17  
supply [1] 85/19  
supplying [5] 10/25 17/24 33/13  
33/13 46/12  
supposed [1] 11/23  
sure [35] 3/6 7/12 9/21 17/2  
17/4 31/2 31/20 33/11 34/11  
43/11 50/23 64/21 67/17 75/11  
78/5 78/9 88/21 88/22 95/12  
97/21 102/17 106/5 111/6 111/7  
111/7 117/10 117/14 118/2 122/5  
122/10 124/3 126/14 127/22  
128/4 128/17  
surprise [2] 129/3 129/5  
surveillance [1] 41/3  
Sustained [5] 33/9 65/15 70/6  
99/18 110/7  
sustaining [1] 11/13  
SWORN [1] 19/6  
system [4] 106/11 107/21 109/6  
109/10

**T**

table [2] 24/14 37/20  
tactically [2] 4/25 5/1  
tag [3] 32/18 33/1 128/7  
take [22] 6/5 17/19 18/3 22/9  
46/4 48/23 49/23 60/23 62/17  
63/4 70/20 73/1 88/5 89/23  
90/13 96/2 100/13 101/11 102/20  
112/3 114/24 130/14  
taken [10] 7/18 70/23 75/9  
103/6 103/6 117/9 118/9 128/9  
128/18 130/17

takes [4] 34/3 55/22 86/4 86/4  
talking [4] 33/19 33/20 81/6  
115/8  
talk [7] 14/3 48/8 56/19 81/19  
86/3 101/25 106/14  
talked [6] 13/11 49/20 76/18  
90/19 115/24 119/4  
talking [13] 32/6 40/21 52/25  
53/24 80/22 80/22 91/6 91/9  
98/8 98/25 120/16 120/17 120/21  
target [6] 57/11 57/22 89/5  
94/3 102/8 102/9  
target's [3] 64/19 64/19 64/20  
targeted [3] 89/2 89/7 89/8  
task [8] 30/10 30/11 30/25 31/4  
31/10 39/10 39/15 63/7  
taxes [1] 5/24  
TAYLOR [41] 1/6 2/3 4/21 5/10  
5/13 6/19 7/10 7/23 15/7 39/17  
40/9 43/25 44/9 45/5 45/6 45/20  
47/9 50/11 52/2 52/14 52/20  
64/13 64/14 64/18 64/19 64/21  
64/25 65/2 65/5 109/23 109/25  
115/25 116/24 119/2 119/23  
119/23 120/7 120/10 120/12  
127/17 128/23  
Taylor's [1] 45/22  
team [2] 69/10 94/9  
technical [1] 16/7  
Technician [1] 2/10  
teenage [1] 123/12  
teenager [1] 121/12  
tell [24] 12/15 15/13 15/18  
27/15 29/15 29/16 30/5 31/15  
31/16 33/2 36/13 42/19 54/24  
57/8 65/21 69/12 69/23 85/9  
85/17 85/23 86/2 99/4 111/5  
122/1  
telling [14] 14/11 48/18 48/25  
49/7 59/12 64/12 94/4 114/3  
114/23 115/3 115/4 115/21  
119/22 120/6  
tells [5] 13/16 45/4 66/7 119/1  
120/16  
ten [9] 21/15 21/17 30/7 112/13  
112/17 113/1 113/4 113/5 113/5  
ten-plus [1] 30/7  
tens [1] 83/22  
terms [1] 126/4  
testified [7] 8/25 45/4 52/7  
52/11 56/2 94/25 117/11  
testify [3] 10/10 10/19 18/7  
testifying [1] 16/10  
testimony [13] 1/14 5/9 5/12  
5/20 5/21 6/6 8/7 9/10 16/12  
16/17 17/9 21/17 123/8  
TFO [1] 2/9  
than [13] 5/10 9/24 11/8 21/17  
30/24 32/12 33/17 102/13 107/17  
110/18 110/25 111/12 126/1  
Thank [20] 9/20 10/8 16/19  
17/15 19/12 34/7 41/19 43/15  
71/7 71/9 72/1 72/19 98/14  
113/11 113/12 113/16 117/5  
129/6 129/6 130/11  
that [712]  
that's [75] 4/18 6/2 6/15 8/20  
10/3 10/5 10/19 11/2 11/10  
12/17 13/9 13/13 14/9 14/19  
14/25 15/2 17/13 18/9 22/16  
22/17 24/18 34/4 37/20 38/10  
38/17 42/14 44/9 45/4 45/16

45/17 45/20 46/11 46/13 52/24  
59/23 66/4 66/25 67/22 71/21  
73/6 75/4 77/13 82/1 83/1 86/6  
89/4 97/18 98/6 98/25 99/2 99/9  
99/11 104/16 105/24 106/8 109/3  
110/3 110/10 111/3 112/2 117/8  
117/8 117/11 117/14 117/19  
117/21 117/23 117/24 118/2  
118/19 118/22 119/6 120/3  
122/13 126/25  
theft [1] 78/6  
thefts [4] 78/12 78/18 88/21  
88/23  
their [9] 6/14 7/14 9/17 13/7  
22/18 22/19 53/15 53/18 63/19  
them [22] 22/18 31/24 33/22  
35/17 35/21 35/21 35/22 35/23  
37/22 39/11 48/3 49/13 58/9  
69/12 74/22 86/15 95/4 98/1  
98/8 119/18 122/23 127/23  
then [41] 7/3 8/22 11/1 13/15  
14/10 17/20 18/12 22/14 22/18  
23/7 23/9 23/13 28/13 31/25  
35/22 51/9 52/1 52/14 53/4 54/1  
62/22 64/13 65/18 66/18 74/7  
74/19 77/24 82/18 82/24 84/16  
84/20 85/4 85/13 90/19 103/17  
107/20 115/24 122/9 123/5 125/8  
125/15  
there [105] 5/8 8/8 9/11 9/14  
11/4 11/7 12/19 13/18 15/3  
15/16 16/6 16/11 18/19 22/18  
27/9 29/12 31/5 32/11 35/13  
37/6 39/12 39/24 44/2 44/4 44/4  
44/5 45/23 48/11 48/11 48/15  
48/18 48/20 48/21 49/8 49/8  
49/9 49/16 49/16 49/21 50/6  
50/19 50/23 51/18 52/22 54/23  
58/19 60/2 60/3 60/4 60/6 62/10  
63/2 63/11 63/12 64/3 64/8 64/9  
64/9 64/10 64/11 64/25 65/24  
66/3 67/13 72/7 74/7 74/13  
74/15 75/9 75/17 82/2 82/21  
89/15 90/15 92/25 93/23 94/2  
94/9 95/1 96/12 96/18 100/25  
101/22 102/21 105/19 105/20  
106/19 109/15 112/1 115/24  
116/20 119/14 119/19 120/12  
120/25 121/3 122/1 123/19 124/1  
124/7 124/10 124/12 125/15  
125/25 126/8  
there's [28] 11/10 11/11 11/12  
14/23 17/9 17/10 18/20 31/5  
40/12 45/18 58/12 58/13 58/13  
59/14 59/14 60/13 64/8 64/9  
78/15 90/19 96/11 101/22 115/12  
115/24 120/3 123/11 125/14  
128/6  
thereafter [1] 5/8  
these [23] 3/23 8/14 11/5 15/5  
27/23 29/1 30/17 33/22 35/15  
35/20 36/6 45/7 45/11 50/15  
58/2 58/5 59/18 61/20 69/3 69/6  
79/1 115/2 126/24  
they [76] 5/17 6/2 6/14 6/22  
7/13 8/8 8/22 9/3 9/18 9/21  
13/17 17/2 17/6 17/7 17/19 18/3  
18/15 20/1 21/22 22/13 22/13  
22/16 26/11 32/24 33/6 35/4  
35/5 36/14 39/11 49/14 50/8  
50/8 51/24 52/24 53/17 53/17  
55/1 55/1 55/2 57/12 57/13

<p>T</p> <p>they... [35] 57/16 63/19 63/22</p> <p>64/4 64/18 64/18 64/19 64/20</p> <p>64/22 65/24 65/24 68/8 69/15</p> <p>69/17 74/21 74/25 74/25 75/25</p> <p>80/25 85/19 91/3 92/15 95/3</p> <p>104/20 104/21 104/23 105/15</p> <p>107/11 107/11 109/11 111/11</p> <p>111/16 111/17 116/12 126/9</p> <p>They'd [1] 23/8</p> <p>they'll [1] 22/14</p> <p>they're [6] 4/18 22/13 50/19</p> <p>51/17 51/17 75/7</p> <p>they've [5] 4/19 4/25 5/1 77/20</p> <p>77/22</p> <p>thief [1] 73/7</p> <p>thing [10] 7/19 12/11 13/2 36/9</p> <p>40/12 64/14 81/22 81/25 111/11</p> <p>122/6</p> <p>things [13] 3/25 27/22 31/25</p> <p>32/21 35/15 48/25 62/6 73/14</p> <p>75/21 77/18 84/21 85/1 115/13</p> <p>think [49] 8/6 8/13 8/18 8/20</p> <p>9/3 9/23 10/3 10/17 12/9 13/24</p> <p>14/19 14/22 14/24 14/25 15/2</p> <p>15/4 15/5 15/11 16/8 18/20 20/1</p> <p>27/22 44/6 44/21 44/23 45/18</p> <p>46/17 50/19 52/11 63/2 64/4</p> <p>65/17 66/18 67/4 67/6 73/6</p> <p>75/11 76/7 78/15 86/13 90/8</p> <p>93/9 107/23 109/16 109/17</p> <p>113/24 116/1 117/3 128/19</p> <p>thinking [8] 41/10 53/23 62/23</p> <p>64/3 64/5 109/9 109/10 109/12</p> <p>thinks [1] 9/9</p> <p>third [1] 11/11</p> <p>thirty [4] 28/11 28/11 77/14</p> <p>77/14</p> <p>thirty-five [1] 77/14</p> <p>thirty-four [1] 28/11</p> <p>thirty-nine [1] 28/11</p> <p>this [128] 4/4 5/1 5/14 7/21</p> <p>7/21 7/24 8/4 8/24 9/16 9/17</p> <p>9/25 11/16 11/21 12/1 13/3 13/4</p> <p>13/19 15/4 16/18 17/1 17/2 24/3</p> <p>24/12 24/14 24/21 24/23 24/23</p> <p>25/9 25/18 25/25 27/10 27/10</p> <p>27/11 27/11 29/19 30/18 31/7</p> <p>32/24 33/12 33/22 34/1 34/2</p> <p>34/3 35/2 35/10 35/25 36/2</p> <p>36/11 37/17 37/24 38/2 38/3</p> <p>38/4 38/6 40/17 43/17 44/12</p> <p>44/23 45/11 45/11 45/12 45/15</p> <p>45/21 46/6 47/2 48/1 50/1 50/4</p> <p>51/6 51/19 51/21 51/24 52/7</p> <p>55/3 55/10 57/17 58/15 59/16</p> <p>59/25 60/5 61/2 61/7 64/4 65/16</p> <p>68/25 69/2 70/9 70/11 70/14</p> <p>70/16 75/9 84/3 84/17 90/23</p> <p>91/11 92/1 94/9 95/25 98/5</p> <p>98/16 98/17 98/21 100/4 104/8</p> <p>104/9 109/18 110/12 112/8</p> <p>116/12 117/2 117/7 118/8 118/9</p> <p>119/1 119/4 119/10 119/21</p> <p>120/16 121/1 121/10 122/1</p> <p>122/17 123/12 124/11 127/5</p> <p>127/7 128/18 128/19</p> <p>this: [1] 112/8</p> <p>this: that [1] 112/8</p> <p>THOMAS [13] 1/5 2/2 44/1 46/25</p> <p>47/6 47/8 98/18 98/21 99/7</p>	<p>99/15 99/22 116/1 116/9</p> <p>Thomas N. Paster [1] 2/2</p> <p>Thomas Wilson [7] 44/1 46/25</p> <p>47/8 98/18 98/21 99/22 116/1</p> <p>Thomas Wilson's [2] 99/7 99/15</p> <p>thoroughly [5] 97/15 97/20</p> <p>97/21 97/24 98/1</p> <p>those [27] 6/4 7/8 10/21 11/17</p> <p>14/8 14/10 23/9 26/19 28/23</p> <p>55/18 55/20 55/23 65/23 65/23</p> <p>66/2 68/6 68/19 74/16 75/24</p> <p>76/7 86/7 86/11 86/14 88/22</p> <p>90/17 97/20 101/16</p> <p>though [5] 4/23 28/6 29/7 32/5</p> <p>62/13</p> <p>thought [13] 4/8 12/1 26/14</p> <p>50/23 54/7 60/19 60/21 64/24</p> <p>89/3 99/3 107/17 109/12 113/22</p> <p>thoughts [1] 92/18</p> <p>thousand [13] 28/11 28/16 28/16</p> <p>55/12 66/18 77/9 77/10 77/11</p> <p>77/14 77/22 77/23 93/8 120/22</p> <p>thousands [1] 83/22</p> <p>three [10] 52/23 53/4 62/13</p> <p>62/16 66/13 67/4 67/7 97/12</p> <p>98/8 118/23</p> <p>three-quarters [7] 62/13 62/16</p> <p>66/13 67/4 67/7 97/12 118/23</p> <p>threw [12] 46/11 46/13 46/14</p> <p>46/16 46/18 54/14 54/15 55/12</p> <p>59/3 69/19 69/21 70/16</p> <p>through [33] 35/21 35/21 43/24</p> <p>52/2 53/4 53/5 59/3 59/4 59/16</p> <p>60/8 61/10 61/11 62/22 97/5</p> <p>97/21 97/24 98/1 109/13 111/14</p> <p>112/18 116/6 116/8 116/18</p> <p>117/15 119/22 122/2 122/4</p> <p>122/23 123/3 123/4 123/15</p> <p>127/20 128/19</p> <p>throughout [2] 30/7 33/4</p> <p>throw [1] 105/22</p> <p>thrown [2] 13/9 69/24</p> <p>throws [1] 55/8</p> <p>Thursday [1] 1/9</p> <p>time [61] 5/6 8/19 9/23 10/5</p> <p>12/1 12/1 13/7 24/23 25/12</p> <p>26/12 26/16 36/25 38/18 39/10</p> <p>43/10 45/12 45/24 51/1 56/11</p> <p>56/14 56/14 56/17 56/19 62/25</p> <p>63/15 64/2 68/25 69/19 73/4</p> <p>76/12 79/15 80/7 82/25 83/10</p> <p>83/18 88/8 88/11 89/15 89/20</p> <p>90/19 94/3 98/6 98/15 101/24</p> <p>102/3 102/4 102/6 104/23 108/1</p> <p>113/7 114/5 115/9 118/7 122/12</p> <p>122/24 123/4 123/15 124/7</p> <p>124/11 127/16 128/14</p> <p>times [10] 29/7 29/14 35/3 53/9</p> <p>67/6 98/8 101/15 122/18 128/5</p> <p>128/20</p> <p>timestamped [1] 117/16</p> <p>today [5] 8/7 16/8 21/23 109/19</p> <p>127/24</p> <p>today's [1] 9/10</p> <p>together [3] 115/3 115/4 116/15</p> <p>told [57] 12/8 14/6 38/3 40/19</p> <p>42/17 42/21 42/24 48/11 48/11</p> <p>48/14 48/21 49/1 50/18 50/24</p> <p>54/21 55/13 55/15 55/16 56/8</p> <p>56/12 57/21 60/5 60/12 62/20</p> <p>64/10 64/18 65/5 65/22 66/23</p> <p>68/21 81/2 82/15 84/13 87/20</p>	<p>91/1 91/3 94/22 97/3 99/2 99/3</p> <p>89/8 99/15 100/4 100/11 100/13</p> <p>100/16 106/6 106/10 107/8</p> <p>108/18 118/13 122/6 122/23</p> <p>123/19 127/16 127/17 127/23</p> <p>Tom [1] 111/23</p> <p>TomTom [2] 48/10 49/6</p> <p>tone [1] 4/10</p> <p>too [7] 11/11 38/4 39/12 53/3</p> <p>80/3 80/5 107/15</p> <p>took [20] 26/8 34/19 38/8 38/9</p> <p>42/22 50/1 52/1 55/21 56/23</p> <p>61/13 62/19 62/21 64/4 69/19</p> <p>75/12 77/20 77/22 81/3 87/5</p> <p>117/12</p> <p>token [1] 103/8</p> <p>tools [4] 35/15 35/20 62/5 63/2</p> <p>toolshed [1] 68/11</p> <p>top [6] 23/20 24/10 27/4 48/19</p> <p>53/25 62/14</p> <p>total [4] 5/23 5/24 48/23 90/11</p> <p>towards [3] 16/11 24/17 41/7</p> <p>Tower [1] 47/13</p> <p>Towers [6] 40/13 42/15 42/17</p> <p>42/20 43/13 45/7</p> <p>Trace [7] 30/10 30/11 30/25</p> <p>31/4 31/10 39/10 39/15</p> <p>tracker [11] 12/20 12/21 13/9</p> <p>13/14 46/7 46/9 46/13 46/14</p> <p>46/16 46/17 58/20</p> <p>trackers [5] 11/1 17/24 46/12</p> <p>56/25 58/18</p> <p>tracking [4] 57/24 58/2 58/6</p> <p>93/18</p> <p>tracking devices [1] 57/24</p> <p>trafficker [3] 76/19 76/22</p> <p>76/22</p> <p>traffickers [2] 85/25 92/12</p> <p>trafficking [2] 85/4 85/14</p> <p>tragic [2] 26/4 76/7</p> <p>trail [1] 58/13</p> <p>transcript [2] 3/15 131/7</p> <p>transfer [1] 124/11</p> <p>transpire [1] 52/23</p> <p>trash [4] 65/1 65/1 68/25 69/1</p> <p>traumatic [1] 8/24</p> <p>trial [4] 2/10 8/9 11/17 18/11</p> <p>tried [3] 7/3 60/18 61/14</p> <p>trip [2] 25/19 46/6</p> <p>trouble [1] 41/24</p> <p>truck [8] 48/10 55/8 55/13 57/7</p> <p>60/11 63/9 63/15 64/1</p> <p>true [8] 73/14 81/23 94/21</p> <p>107/25 108/14 108/23 119/20</p> <p>120/9</p> <p>trunk [4] 41/4 54/14 54/16</p> <p>68/25</p> <p>trust [9] 12/8 12/9 12/10 12/11</p> <p>12/11 86/17 86/18 86/21 87/8</p> <p>truth [5] 6/18 20/17 20/19</p> <p>64/12 110/2</p> <p>truthful [4] 21/16 86/20 101/9</p> <p>101/10</p> <p>truthfully [1] 126/20</p> <p>try [4] 6/5 22/18 120/25 122/12</p> <p>trying [5] 48/14 50/19 94/2</p> <p>110/24 117/20</p> <p>Tuesday [1] 42/13</p> <p>turn [2] 37/24 60/13</p> <p>turned [2] 60/14 60/19</p> <p>turning [1] 35/15</p> <p>TV [1] 108/22</p>
--	---	---

**T**  
 twenty [2] 28/18 77/8  
 twenty-five [2] 28/18 77/8  
 twice [3] 11/23 49/16 62/22  
 two [16] 3/16 13/3 18/5 25/18  
 41/6 45/11 49/19 52/8 54/18  
 65/1 68/25 101/15 111/17 112/2  
 113/13 119/14  
 types [1] 58/2

**U**  
 Uh [2] 93/11 107/3  
 Uh-huh [2] 93/11 107/3  
 ultimately [4] 20/25 31/22 42/6  
 55/18  
 umpteen [1] 31/5  
 unarmed [1] 96/18  
 Unbeknownst [1] 106/16  
 unbelievable [1] 39/2  
 under [4] 11/16 71/4 71/6  
 126/16  
 undercover [2] 41/3 68/24  
 understand [2] 28/10 64/15  
 understandable [1] 9/24  
 understanding [1] 78/24  
 understands [1] 57/16  
 understatement [1] 124/21  
 understood [1] 21/19  
 unduly [1] 11/16  
 unfairly [1] 8/2  
 unit [70] 11/2 30/5 30/9 31/7  
 32/5 32/6 32/14 33/14 39/16  
 39/23 40/1 40/8 47/10 59/3 59/8  
 59/25 60/5 60/7 60/11 60/15  
 60/20 61/4 61/8 61/9 61/12  
 61/12 61/13 61/16 61/20 61/22  
 61/24 62/1 62/2 62/2 62/4 62/19  
 62/21 62/22 63/1 64/20 67/18  
 95/9 95/15 96/3 96/16 96/20  
 97/4 97/12 97/15 98/16 98/17  
 98/18 99/3 99/6 99/14 99/14  
 100/6 100/24 102/4 102/11  
 117/25 118/2 118/3 118/15  
 118/22 119/22 120/10 127/18  
 128/7 128/24  
 UNITED [9] 1/1 1/3 1/19 6/17  
 19/2 20/11 20/13 20/24 111/15  
 United States [5] 19/2 20/11  
 20/13 20/24 111/15  
 units [10] 30/6 31/8 32/21  
 39/12 57/24 58/2 58/6 58/14  
 58/21 58/23  
 unlocked [2] 29/9 29/10  
 unmarked [3] 50/8 54/5 59/1  
 unquote [1] 65/9  
 unrequested [1] 7/8  
 unrung [1] 7/7  
 unusual [1] 33/16  
 up [61] 11/17 13/1 15/1 16/21  
 18/16 21/21 22/8 23/4 23/4 25/1  
 27/19 28/13 29/11 29/17 30/16  
 31/11 32/25 35/18 35/23 39/11  
 40/19 40/19 41/2 41/3 44/18  
 45/22 46/5 46/14 48/11 48/12  
 48/14 48/15 50/8 53/2 57/10  
 57/10 57/11 58/24 59/1 60/5  
 60/11 61/7 61/12 61/23 66/18  
 68/7 68/21 71/21 73/18 85/24  
 86/4 86/7 88/3 94/22 95/10  
 101/19 101/19 119/2 124/25  
 127/17 127/21

upon [1] 14/18  
 upset [6] 64/2 64/7 65/23 65/4  
 66/5 66/7  
 us [7] 12/12 46/5 86/2 86/11  
 94/22 98/24 108/18  
 use [9] 14/8 31/6 33/2 45/25  
 51/9 58/8 58/9 75/1 82/12  
 used [6] 12/17 13/25 14/10 33/3  
 65/24 126/20  
 using [4] 61/23 105/11 119/15  
 119/17

**V**  
 vacation [2] 55/9 55/10  
 value [2] 7/8 26/13  
 varied [1] 68/12  
 various [2] 29/5 30/6  
 vehicle [2] 13/8 93/8  
 vehicles [1] 72/9  
 version [1] 5/22  
 versus [1] 27/24  
 very [22] 4/1 10/3 10/9 34/23  
 38/15 62/2 62/4 67/13 73/18  
 75/17 79/25 83/17 94/17 94/21  
 94/21 102/4 108/21 112/9 112/11  
 112/12 128/25 129/9  
 vest [7] 34/18 35/10 37/9 53/10  
 53/12 53/19 53/23  
 vests [2] 53/15 53/18  
**VI** [1] 1/13  
 vicinity [1] 128/8  
 victim [2] 8/17 10/4  
 victims [1] 5/1  
 video [1] 115/17  
 videos [1] 115/19  
 violent [1] 10/4  
**VOLUME** [1] 1/13  
 volunteer [2] 11/23 12/5

**W**  
 W. [1] 2/2  
 wait [2] 22/8 110/10  
 walked [1] 60/13  
 walking [2] 41/7 60/12  
 walls [6] 62/23 62/24 62/25  
 63/3 97/17 119/22  
 want [23] 4/5 8/12 16/8 30/16  
 32/8 32/11 32/13 32/18 39/20  
 54/24 54/24 55/1 69/9 91/19  
 94/1 96/8 105/22 108/1 111/25  
 115/15 119/9 119/18 124/5  
 wanted [12] 24/1 33/2 35/19  
 54/22 57/22 86/23 88/1 91/22  
 91/22 91/22 106/2 122/4  
 Ward [2] 40/10 50/12  
 warrant [3] 8/6 8/21 104/21  
 was [499]  
 wasn't [30] 4/13 4/13 8/21  
 11/23 22/24 23/2 27/12 27/12  
 41/23 41/24 49/18 50/17 52/16  
 58/21 61/14 62/5 62/21 64/7  
 64/10 74/16 80/3 83/12 87/5  
 92/25 100/25 109/12 110/24  
 116/20 120/12 125/25  
 watch [12] 52/22 64/21 69/13  
 69/14 69/16 69/18 69/19 69/21  
 69/24 70/1 70/12 70/16  
 watched [2] 49/14 51/13  
 watches [8] 88/21 88/23 89/3  
 90/3 90/5 90/17 107/15 107/18  
 watching [2] 49/20 52/14  
 water [3] 70/17 84/3 84/4

waterfront [2] 69/20 130/4  
 way [19] 4/4 6/15 8/11 16/17  
 40/20 48/10 54/8 59/16 60/9  
 60/10 60/13 67/8 76/13 76/25  
 86/1 97/3 104/25 112/16 112/17  
 Wayne [48] 20/5 20/7 23/3 23/10  
 23/11 23/15 24/16 25/6 25/12  
 25/22 26/3 28/20 30/25 31/4  
 31/23 32/1 35/12 35/16 36/13  
 37/6 37/12 38/2 38/9 38/13 40/8  
 40/23 42/19 44/3 44/3 48/18  
 64/2 70/12 73/2 75/16 83/1  
 84/17 86/18 87/10 98/22 109/19  
 113/22 114/2 121/1 121/25  
 124/19 125/8 127/17 128/22  
 Wayne Jenk [1] 98/22  
 Wayne Jenkins [31] 20/7 23/11  
 23/15 25/6 25/22 26/3 28/20  
 30/25 31/4 31/23 32/1 35/12  
 35/16 36/13 37/12 38/2 38/9  
 38/13 40/8 42/19 73/2 84/17  
 86/18 87/10 109/19 113/22 114/2  
 124/19 125/8 127/17 128/22  
 Wayne Jenkins' [1] 37/6  
 ways [2] 29/5 123/23  
 we [81] 3/5 4/6 4/7 4/8 6/15  
 7/3 7/6 7/10 8/7 8/13 9/2 9/2  
 9/2 9/3 9/7 9/10 10/17 11/21  
 12/2 12/14 12/23 16/7 16/8  
 16/20 18/5 18/19 22/8 22/16  
 22/16 23/17 23/17 24/14 25/15  
 26/4 28/1 28/9 29/7 32/20 36/6  
 38/18 39/11 43/10 43/20 43/20  
 43/21 43/23 43/24 44/21 48/24  
 52/4 56/21 56/23 57/1 57/23  
 58/9 58/24 64/20 67/5 67/7 67/7  
 71/21 71/23 72/21 75/9 76/18  
 78/8 81/7 81/10 81/10 81/11  
 81/21 84/20 86/11 86/11 97/17  
 108/4 112/1 118/6 127/20 128/6  
 130/14  
 we'd [1] 30/1  
 we'll [6] 15/21 18/1 22/18  
 57/18 70/20 106/14  
 we're [8] 3/21 5/16 45/12 46/5  
 58/7 58/8 96/1 96/2  
 we've [2] 46/8 128/19  
 weapon [2] 46/3 51/4  
 wear [1] 51/2  
 wearing [6] 24/18 51/6 53/12  
 63/18 63/19 91/12  
 Web [1] 108/25  
 Web site [1] 108/25  
 weed [4] 41/12 94/12 94/17  
 94/19  
 week [2] 55/10 55/14  
 weeks [3] 18/5 43/19 43/20  
 weigh [1] 109/14  
 weight [1] 108/16  
 Welcome [1] 16/3  
 well [56] 3/22 7/12 9/18 11/13  
 13/22 14/6 15/10 23/20 26/4  
 28/14 33/19 38/16 42/19 50/8  
 50/21 53/16 54/2 61/6 62/20  
 62/23 63/7 64/17 67/3 68/7  
 72/17 77/23 78/4 80/3 80/6 80/7  
 81/8 83/4 83/19 84/4 84/10 85/7  
 85/24 86/16 88/3 88/23 90/20  
 99/17 100/16 102/25 109/18  
 113/22 117/11 118/13 119/5  
 124/18 125/9 125/20 126/13  
 126/15 127/16 128/22

W		
<p>went [35] 37/15 23/7 23/13 31/7 43/20 43/21 49/15 49/17 52/2 52/2 52/14 54/2 54/4 54/8 54/12 59/3 59/20 61/6 61/20 65/24 66/19 66/23 68/23 69/20 74/2 74/5 76/3 89/14 89/14 96/16 96/18 97/21 107/11 111/14 118/22 were [151] weren't [3] 6/22 84/25 95/22 what [221] what's [20] 9/5 12/13 24/2 34/13 35/13 37/10 37/14 42/12 44/22 45/2 49/25 57/25 60/25 61/17 69/2 70/8 87/17 89/6 109/1 130/5 whatever [5] 10/18 14/3 57/12 119/1 128/6 when [95] 6/10 7/3 8/25 9/1 13/7 13/18 15/19 16/10 22/16 23/15 23/17 25/1 25/21 27/2 28/18 28/20 33/19 33/20 35/22 40/22 41/1 41/15 41/21 42/1 43/17 43/17 45/22 50/8 50/8 51/6 51/6 51/7 51/13 51/24 54/12 56/11 56/20 56/21 58/11 58/17 60/4 60/7 60/10 60/18 60/21 62/2 65/7 67/24 67/25 73/17 74/2 74/21 76/18 79/8 79/11 80/1 80/19 80/24 89/14 89/19 89/22 91/8 91/11 91/19 92/23 93/24 96/18 97/20 98/5 102/4 102/16 102/23 103/7 108/6 113/21 117/11 118/22 119/13 121/3 121/25 121/25 122/23 123/4 123/15 124/11 124/18 124/18 124/18 125/5 125/12 127/7 127/16 128/11 128/15 128/17 whenever [1] 118/8 where [35] 6/15 11/9 14/14 17/20 17/22 17/23 21/25 23/15 25/14 36/24 43/5 51/17 54/17 54/19 55/4 58/25 60/6 62/14 64/20 64/23 68/19 69/23 85/9 88/9 93/2 95/15 97/17 101/16 103/6 117/25 119/11 123/24 124/2 126/9 128/1 whether [5] 10/15 11/17 78/22 78/25 101/4 which [26] 3/21 3/25 4/11 9/16 10/21 11/5 11/19 12/14 13/2 23/20 24/20 26/10 37/5 43/2 48/7 54/19 57/11 73/14 73/19 74/25 79/2 97/3 110/23 112/21 127/19 127/21 while [6] 38/12 46/5 55/21 55/22 80/10 115/2 White [1] 87/18 White Boy [1] 87/18 who [42] 10/9 20/3 20/10 20/23 30/19 38/8 39/5 39/8 39/14 39/20 39/23 40/11 40/22 42/3 42/19 42/20 43/3 44/9 46/13 50/7 63/12 72/13 72/15 82/22 87/15 89/2 89/12 92/15 94/3 94/22 98/21 99/13 99/14 99/20 105/13 106/21 106/21 106/23 106/25 112/25 114/14 129/20 who's [9] 18/16 24/15 25/11</p>	<p>36/19 43/21 50/6 87/19 92/4 109/83 whoa [1] 61/18 whoever [2] 57/12 105/7 whole [3] 22/3 40/12 64/14 wholeheartedly [1] 5/23 wholesale [2] 76/18 76/19 whom [1] 44/22 whose [1] 70/1 why [17] 6/23 15/18 19/23 26/2 27/23 32/8 36/13 41/5 43/8 45/20 58/5 66/25 68/6 89/7 104/24 105/22 120/3 Wicks [3] 2/5 4/21 113/15 wide [1] 62/3 wife [5] 6/2 10/2 115/3 115/15 115/21 will [17] 7/12 8/8 9/21 12/4 13/17 13/23 15/13 16/9 16/11 18/15 20/23 20/24 21/8 22/15 58/9 126/20 130/14 William [1] 2/2 William B. Purpura, Jr [1] 2/2 willing [2] 22/17 114/24 Wilson [16] 44/1 44/14 44/25 44/25 45/5 45/18 46/25 47/6 47/8 98/18 98/18 98/21 99/22 116/1 116/9 116/15 Wilson's [2] 99/7 99/15 wind [1] 11/17 window [3] 59/2 59/3 59/4 winner [1] 26/15 Wise [2] 1/18 18/18 wish [1] 11/19 within [18] 6/20 7/13 32/4 32/5 32/6 33/14 33/14 37/22 39/14 43/19 43/20 48/10 55/10 55/14 58/8 58/19 102/4 128/16 without [3] 7/4 83/1 112/14 witness [22] 5/7 5/20 6/16 7/9 7/21 8/9 10/9 11/21 15/4 15/22 16/9 16/20 17/13 19/1 19/6 34/3 44/23 52/7 57/16 57/17 130/13 131/3 witness's [2] 6/24 6/24 witnesses [2] 5/8 5/17 woke [2] 40/19 68/21 woman [2] 104/3 104/9 won't [2] 9/18 10/19 word [2] 12/16 13/25 words [5] 14/8 14/10 59/2 59/5 76/7 work [5] 13/25 61/23 85/23 86/1 115/22 worked [5] 28/2 40/8 57/13 61/15 98/23 working [9] 38/13 38/15 50/10 61/14 62/5 102/6 114/5 115/4 116/17 world [3] 85/14 86/7 89/19 worried [1] 68/8 worry [1] 87/8 worth [6] 33/21 55/12 67/20 67/23 104/7 105/2 would [84] 3/25 4/3 4/6 5/5 5/12 6/14 7/10 8/7 9/7 9/8 9/10 9/10 11/19 12/18 14/5 14/6 15/7 15/22 18/25 23/7 23/9 23/9 25/12 25/23 27/9 28/2 28/10 28/15 29/7 29/8 29/8 29/10 29/13 29/14 29/16 30/1 30/2 30/3 31/6 31/8 32/2 32/2 35/1</p>	<p>35/2 35/2 35/3 35/17 35/18 35/21 35/22 35/22 35/22 36/21 39/24 43/6 43/19 43/20 48/15 55/16 62/3 62/7 62/10 64/4 75/5 75/5 79/2 89/3 103/16 104/24 105/4 108/21 109/17 109/17 112/17 115/3 115/3 115/20 115/20 121/16 124/21 125/14 128/5 128/7 129/5 wouldn't [6] 11/22 32/24 33/1 88/11 113/1 129/3 wrappers [10] 62/8 62/9 62/10 62/11 64/9 65/23 66/2 66/6 97/20 97/25 writeups [10] 10/15 10/16 11/14 12/5 13/6 14/12 14/13 14/17 14/23 15/14 writing [1] 91/3 wrong [5] 12/23 28/9 99/11 110/5 112/7</p> <p><b>Y</b></p> <p>yeah [9] 11/12 17/25 30/13 38/20 39/21 80/23 80/23 86/25 109/18 years [31] 21/15 21/18 23/6 23/13 23/25 26/5 26/8 27/16 28/5 30/7 68/13 72/24 72/25 73/3 86/4 86/7 104/18 104/18 104/18 105/19 107/23 112/17 113/2 113/4 113/5 115/12 115/12 115/12 115/12 126/25 126/25 Yellow [1] 85/24 yes [65] 17/1 18/15 20/9 21/1 21/19 21/19 21/22 24/8 24/23 24/25 26/24 31/24 31/24 32/17 33/13 36/8 36/23 37/18 38/23 39/4 39/7 40/16 43/4 44/13 55/11 56/14 57/3 58/4 58/19 59/10 59/19 63/23 68/18 71/1 72/18 73/6 73/23 74/15 75/5 75/6 75/8 76/12 76/23 77/18 78/5 79/13 81/5 81/16 82/25 87/2 90/14 92/19 92/19 93/25 100/13 101/24 104/12 106/7 106/16 106/17 111/6 113/14 114/16 125/21 127/25 yesterday [6] 3/12 8/9 10/5 16/9 17/3 70/8 yet [2] 13/22 20/21 York [2] 43/22 44/7 you [867] you'd [2] 80/20 113/1 you'll [1] 18/21 you're [44] 14/3 15/1 20/4 33/19 37/2 38/12 48/23 71/4 71/6 76/21 77/8 77/23 80/1 80/22 83/7 84/8 84/10 84/10 84/11 85/7 85/14 94/1 98/25 102/16 103/14 105/11 107/20 107/23 108/15 109/9 109/10 110/15 112/9 112/25 115/15 117/19 119/14 119/18 120/25 122/12 126/12 126/12 127/1 129/17 you've [11] 15/19 59/23 78/1 78/1 78/6 101/12 102/13 109/9 109/14 110/14 126/25 young [7] 50/22 107/23 121/3 121/8 121/8 122/1 123/12 younger [3] 50/22 79/8 79/12 your [159]</p>



**Y**  
Your Honor [21] 3/8 5/3 6/9  
8/13 9/7 9/9 15/22 19/3 31/19  
45/7 45/10 52/4 57/14 65/18  
70/19 71/1 78/7 95/11 129/7  
129/9 130/10  
yourself [1] 105/11

**Z**  
zoom [4] 24/9 37/16 50/6 61/18  
Zweizig [3] 1/23 131/6 131/10