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1 A. Uh-huh.

2 Q. Is that a yes?

3 A. Yes.

4 Q. Okay. And do you know how this lady -- see  
5 this name down here, this S-E-capital G-W-E-N Tyler, do  
6 you know how that got on your envelope?

7 A. No.

8 Q. Is she a relative or a friend?

9 A. I don't know her. I don't think I've ever seen  
10 her.

11 Q. Yes, ma'am.

12 A. I don't know.

13 Q. Did -- was she there when you were making --  
14 filling out your choices or anything?

15 A. No. I never seen her.

16 Q. Okay. So she didn't witness or assist you in  
17 marking your ballot in any way?

18 A. (Moving head side to side)

19 THE COURT: Was that a no?

20 THE WITNESS: No.

21 THE COURT: Okay. Thank you. I sometimes  
22 have a hard time hearing you --

23 THE WITNESS: Yes.

24 THE COURT: -- since you're facing away  
25 from me.

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1 Q. (BY MR. WYDE) Did Mr. Baker tell you, by any  
2 chance, who he was trying to help in this past election  
3 or who he recommended?

4 A. No. No.

5 Q. Okay.

6 MR. WYDE: We'll offer 118.

7 MR. RICH: No objection, Your Honor.

8 THE COURT: Admitted.

9 MR. WYDE: No further questions.

10 MR. RICH: No questions, Your Honor.

11 THE COURT: Thank you. You may be finally  
12 excused.

13 THE WITNESS: Thank you.

14 MR. WYDE: Yes, ma'am. Thank you so much  
15 for being here today.

16 THE WITNESS: Thank you, sir.

17 MR. WYDE: It takes longer to get here than  
18 it does to get out of here.

19 MS. WOERTENDYKE: I think she's doing the  
20 Moores next.

21 THE BAILIFF: For Willie and Freeman?

22 MS. WOERTENDYKE: Willie and Freeman, okay?  
23 Are you doing Moore next?

24 MS. SEPULVEDA: Yes. It'll be Barbara.

25 THE COURT: I'm sorry, who's the next one?

1 MR. WYDE: I believe it's the Moores.

2 MR. RICH: Starting with Willie or Freeman?

3 MS. WOERTENDYKE: I'm not sure.

4 MR. WYDE: If it's a male, it'd be Mr.  
5 Moore, and if it's female, it's Mrs.

6 MS. WOERTENDYKE: Willie is female, okay,  
7 that I do know.

8 MS. SEPULVEDA: It's a husband, her mother  
9 and father. She's the one that handled them.

10 THE BAILIFF: Ms. Briscoe, have a seat in  
11 the brown chair right here, ma'am.

12 THE WITNESS: Oh, okay.

13 THE COURT: You may proceed.

14 MR. WYDE: Yes, Your Honor.

15 BARBARA BRISCOE,  
16 having been first duly sworn, testified as follows:

17 DIRECT EXAMINATION

18 BY MR. WYDE:

19 Q. Ms. Moore?

20 A. No, I'm Ms. Briscoe. My father's name is  
21 Freeman and my mom's name is Willie Moore.

22 Q. Oh.

23 A. My mom is bedridden, and my father is very  
24 sick.

25 Q. Yes, ma'am. I understand. Thank you for being

1 here today.

2 A. Okay. You're welcome.

3 Q. Do you usually help them with their paperwork?

4 A. Yes, I do.

5 Q. Does that include their election papers?

6 A. Yes, sir.

7 Q. Yes, ma'am. I bet you recognize this as your  
8 dad's --

9 A. Yes, sir.

10 Q. -- signature?

11 A. Uh-huh.

12 Q. On that -- back of one of these brown  
13 envelopes?

14 A. Yes, sir.

15 Q. And you probably recognize this one as your  
16 mom's signature?

17 A. That's my mom's signature, yes, sir.

18 Q. And when they voted, do you have a routine that  
19 you go through to, you know, read them the choices and  
20 that kind of thing?

21 A. Well, basically, my mom and my dad, because  
22 this year is when they really got ill, so they would go  
23 to the center and vote, but this year, some guy came to  
24 the house and --

25 Q. Okay.

1 A. -- and handed them some stuff.

2 Q. Okay. Were you there when he came?

3 A. Yes, sir.

4 Q. Can you tell me, was that a short man with a  
5 horn in the middle of his head?

6 A. No, sir, it was -- no, sir, I think dad said  
7 for me not to call the name, but --

8 Q. I think it's okay. I mean, we're not here to  
9 try to get anybody in trouble.

10 A. But who are you?

11 Q. Me?

12 A. Are you the D.A. or something?

13 Q. No, ma'am. I'm a private attorney. I  
14 represent this gentleman right here, Judge Sepulveda.

15 A. Oh, okay.

16 Q. And this is another private attorney, Mr. Rich.  
17 He represents the other --

18 MR. RICH: How are you, ma'am?

19 A. Mr. Medrano?

20 Q. Uh-huh.

21 A. Oh, okay. Well, it was just a community guy  
22 that came. He said that he was with the Mattie Nash,  
23 which I think she used to be on the City Council.

24 Q. Right.

25 A. He said he was with her and stuff like that and

1 so --

2 Q. Is that the name of a senior citizen center or  
3 a community center, or he was just with Ms. Nash?

4 A. He was -- he really wasn't because Ms. Nash was  
5 sick because she died a few days later, so --

6 Q. Yes, ma'am.

7 A. -- he -- I think he just overexaggerated.

8 Q. And what was his name, if you know?

9 A. His name -- his last name was Bacon.

10 Q. Baker?

11 A. Bacon.

12 Q. Bacon?

13 A. Uh-huh, like --

14 Q. Is --

15 A. -- Bacon.

16 Q. Yes, ma'am. Was his first name John?

17 A. Now, I don't know his first name.

18 Q. Mark?

19 A. I don't know his first name, sir.

20 Q. Is that --

21 A. No, really, I'm being honest with you, sir.

22 Q. Okay.

23 A. In other words, he came up in the neighborhood  
24 that I was raised in.

25 Q. Right.

1           A. And I'm older than him and his siblings, and so  
2 I know him through playing football with my brothers and  
3 things.

4           Q. Yes, ma'am.

5           A. So I don't know if his name was Kevin Bacon or  
6 whatever, all I know is his last name is Bacon.

7           Q. Yes, ma'am. And may I ask you, when you were  
8 there and Mr. Bacon showed up or this gentleman, what  
9 does he do to help or assist your mom and your dad in  
10 voting?

11          A. Well, he was doing a lot of talking, and I  
12 really didn't want them to be -- participate in that.

13          Q. Yes, ma'am.

14          A. Because he was doing too much talking --

15          Q. Okay.

16          A. -- you know what I'm saying, and so he did the  
17 little ballot thing, and he left with it. I don't know  
18 if he -- you know, he just did too much talking to me,  
19 you know what I'm saying, and I think he probably  
20 changed -- now, this is my opinion -- I think that he  
21 probably changed from Democrat to Republican. Now,  
22 that's what I thought that he was doing, but that's my  
23 mother and father, they wanted to go through with it,  
24 so --

25          Q. Yes, ma'am.

1 A. And this is what -- the result of it.

2 Q. Well, two things. One, the race that we're  
3 here about was -- is a Democratic race, and when your  
4 parents vote or when anybody votes in the primary, they  
5 either have to vote in the Democratic primary or the  
6 Republican primary.

7 A. Right. Absolutely.

8 Q. Okay. So --

9 A. I'm not here to bad-mouth either one.

10 Q. Right.

11 A. I'm just saying, I think that -- my opinion is  
12 that I think that he probably changed it from Democrat  
13 to Republican, you know.

14 Q. Yes, ma'am.

15 A. Because he was doing so much talking.

16 Q. Well, and when you said he was doing a lot of  
17 talking and you said, if you know what I mean, I wasn't  
18 there, so I was hoping you could kind of tell me, what  
19 was the gist of his comments?

20 A. Well, he was just saying, like, you know, if --  
21 he was just calling off different candidates, and he was  
22 saying that he didn't think that this was a good person  
23 or, you know, he didn't think that they should go the  
24 route they were going and stuff like that. But you know  
25 what, my father told me, just come down here and just,

1 you know, say that he is a Democrat, that's what he do,  
2 and just for the last year, he wasn't able to go and --

3 Q. Vote in person?

4 A. -- vote in person, and I'm not here to bash  
5 anybody.

6 Q. Right.

7 A. But I didn't want to deal with him anyway,  
8 so --

9 Q. Would it be accurate -- would it be fair to  
10 suggest that Mr. Baker may --

11 A. Bacon.

12 Q. -- Bacon made recommendations to your  
13 parents --

14 A. Absolutely.

15 Q. -- both your parents as to who they should mark  
16 and who they should --

17 A. That's what I'm saying.

18 Q. And that's when they were filling out the  
19 papers?

20 A. Yes, sir.

21 Q. Okay. I understand. And then after that was  
22 done, what did you or your parents do with the brown  
23 envelopes and all the papers?

24 A. It went with him.

25 Q. And do you remember if that brown envelope was

1 sealed across or --

2 A. No, you know what, I really don't --

3 Q. -- was it open?

4 A. I think, you know, after they just got  
5 through -- after they had signed it -- because yeah,  
6 that's their signatures.

7 Q. Yes, ma'am.

8 A. I got their IDs.

9 Q. Right.

10 A. I think they just handed it to him, and like I  
11 said, my mother is bedridden and it's like, I'm ready  
12 for you to go, so go on and take what you need to take,  
13 and you know, get out.

14 Q. I understand. Saves you a trip to the mailbox?

15 A. Right.

16 Q. Yes, ma'am. Well --

17 A. No, save me a trip from going -- taking them to  
18 the center.

19 (Contestant's Exhibit No. 119 marked.)

20 Q. Is that where they normally vote?

21 A. Yes, sir.

22 Q. Is that a polling place or is that a place --

23 A. Yes, sir.

24 Q. -- where people fill out their papers?

25 A. That's a -- you know during the primaries and

1 stuff like that, it's a polling place.

2 Q. Okay. I understand. Just like a church or a  
3 school?

4 A. Right.

5 Q. Except this is just a rec center?

6 A. It's just -- it's not a rec center, it's where  
7 the senior citizens go to participate in activities  
8 during the day.

9 MR. WYDE: We offer 119 to Mr. Rich.

10 MR. RICH: Your Honor, there are two  
11 affidavits attached to 119.

12 MR. WYDE: Oh.

13 MR. RICH: One that has been identified as  
14 being executed by Mr. Freeman Moore --

15 THE COURT: Just a second.

16 MR. WYDE: We'll withdraw the affidavits.  
17 I apologize. I didn't realize that those got in there.

18 MR. RICH: If those are -- two removed, we  
19 have no objection.

20 THE COURT: Okay. Admitted, less the two  
21 affidavits.

22 MR. WYDE: Yes, sir. No need for those. I  
23 apologize.

24 THE COURT: Any questions, sir?

25 MR. RICH: No, Your Honor.

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1 THE COURT: Thank you, ma'am. We  
2 appreciate --

3 MR. RICH: She's got three children outside  
4 that are waiting for her.

5 THE WITNESS: One, two, and three. Thank  
6 y'all so much.

7 MS. WOERTENDYKE: Thank you.

8 THE REPORTER: Ma'am, can you spell your  
9 last name for me?

10 THE WITNESS: B-R-I-S-C-O-E.

11 THE REPORTER: And what's your first name?

12 THE WITNESS: Barbara.

13 THE REPORTER: Okay. Thank you.

14 MS. SEPULVEDA: Peggy Hebert is number 3.  
15 She's page 10, number 12.

16 THE COURT: And number on Hebert?

17 MS. SEPULVEDA: Page 10, number 12. On the  
18 listing for witnesses, number 3, last page.

19 THE COURT: And on Willie Moore, what  
20 number -- what page and --

21 MS. SEPULVEDA: Page 11, number 2 for  
22 Willie Moore.

23 MR. RICH: I'm sorry, who's coming?

24 THE COURT: And Freeman is number 11 --  
25 page 11, number, what, 3?

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1 MS. SEPULVEDA: 3, sir.

2 THE COURT: Thank you.

3 Good afternoon. Would you state your name,  
4 please.

5 THE WITNESS: Peggy Marie Hebert.

6 THE COURT: Thank you, Ms. Hebert.

7 You may proceed.

8 PEGGY HEBERT,

9 having been first duly sworn, testified as follows:

10 DIRECT EXAMINATION

11 BY MR. WYDE:

12 Q. Hi, Ms. Hebert, how are you?

13 A. I'm doing -- well, I'm here.

14 Q. I understand.

15 A. Okay.

16 Q. We're going to get you out of here in just a  
17 minute.

18 A. Thank you.

19 Q. Let me say, Ms. Hebert, I understand that, you  
20 know, it's very difficult, very taxing for somebody in  
21 your condition to be able to come down here. If we  
22 could have done it any other way --

23 A. I understand.

24 Q. Yes, ma'am. And nobody's here to suggest  
25 you've done anything wrong or improper.

1 A. Okay.

2 Q. So we apologize for that. Please hold that  
3 against me, okay?

4 A. (Moving head up and down)

5 Q. I take it, Ms. Hebert, you voted by absentee or  
6 mail?

7 A. Yes.

8 Q. This past year?

9 A. Yes.

10 Q. You recognize the green envelope like that?

11 A. Yes, I do. I have it right here in my purse.

12 Q. Okay. And do you have any of the original  
13 papers that came in it?

14 A. Yes, I do. Let me set this down. I can't -- I  
15 had cancer surgery, and I have no slobber glands.

16 Q. Yes, ma'am.

17 A. So it's somewhere here. I'm sorry. I can't  
18 remember nothing. Okay. It's right here.

19 Q. Okay. That's the letter from the Secretary of  
20 State?

21 A. Yes.

22 Q. And this is information about your ballot?

23 A. Yes.

24 Q. And I bet you took your ballot out, and I bet  
25 you marked it?

1           A. Yes, I marked it myself. Nobody else did. I  
2 took -- I had my -- I fell here about two or three  
3 months ago, and my son, he took me to Irving and put it  
4 in the post office and mailed it.

5           Q. Okay.

6           A. So nobody had attachment with it.

7           Q. Yes, ma'am.

8           A. But I also took a bat to these two guys that  
9 come out to the house wanting me to fill out papers.

10          Q. Really?

11          A. Yes, really.

12          Q. Would you recognize them, if you saw pictures?

13          A. I probably wouldn't, because I was so mad and I  
14 was so upset.

15          Q. Right.

16          A. And I never open my door to anybody. I was  
17 there by myself and -- but over the time, there were  
18 three -- a man and a woman came to do census. They was  
19 a -- two ladies and then the last was two men and --  
20 well, they were young men, and they came to the house  
21 and I heard the knocking, I got up and went to the door,  
22 and this guy, he told me he wanted me to fill out these  
23 papers -- he would fill them out, all I had to do is  
24 tell him, and I told him, I said, I've already filled  
25 mine out. He says, you can't -- he says, nobody's been

1 here. I says, yeah, they have.

2 And anyway, I told him, I says, I've  
3 already mailed mine. And he says, you're going to fill  
4 this out. He says, you're going to sign this. I said,  
5 no, I'm not signing nothing. I says -- and I had a ball  
6 bat standing there by my door, and I pushed my screen  
7 open, and he started in, and I picked up the ball bat in  
8 my left hand. Right hand I can't do nothing with. I  
9 had a stroke. Anyway, I picked up the left, and I said,  
10 you want this on your head. He said, I want you to do  
11 what I tell you to do. I said, no, this house, I'm the  
12 boss here. And I pushed the door, the screen on open.  
13 He was trying to open it, and it hit him in the face,  
14 and this other guy was standing out in the road. So  
15 then he gives me a cussing, of course I was doing, too,  
16 and he left.

17 Q. You speak --

18 A. That's all I've heard.

19 Q. You speak sailor also?

20 A. Do I speak saver?

21 Q. Sailor.

22 A. Sailor? Yes, sir, I do. I have all my life.

23 Q. I like you.

24 A. Thank you.

25 Q. Ten years older, I'd flirt with you.

1           A. Hey, there ain't nothing wrong with you. I can  
2 be ten years older.

3                   MR. WYDE: I'm sorry, Judge.

4           A. (Looking through photos) This is a young man.  
5 He was probably 22, 23, something like that, and this  
6 was a white man. He's not here.

7           Q. (BY MR. WYDE) Okay. That's all right. And  
8 you say you gave your envelope to your son?

9           A. I gave what?

10          Q. Did you give your envelope, the brown one with  
11 all the papers, after you marked it, you gave it to your  
12 son?

13          A. No, I got -- went with him to the mail and we  
14 mailed it.

15          Q. Okay. You did that?

16          A. Yes, I went with him.

17          Q. Okay.

18          A. I don't get around too much because I fell and  
19 hurt my left leg, which I have a stroke in my right  
20 side. But no, I go -- we went to the store and we went  
21 to the -- had to go to the store, but we went to the  
22 post office first and I mailed it over in Irving, the  
23 new post office they built over there, so --

24          Q. Well, thank you, Ms. Hebert. That's all the  
25 questions I have for you. I very much appreciate you

1 coming in today and telling the Judge about your  
2 feelings.

3 A. Okay.

4 THE COURT: Thank you. Any questions?

5 MR. RICH: No.

6 THE COURT: Thank you very much --

7 MR. RICH: Ms. Hebert, thank you very much.

8 THE WITNESS: You're welcome. If you ever  
9 find that guy, let me know.

10 MR. WYDE: Oh, we'll bring him back by, and  
11 you can introduce that bat to him.

12 THE WITNESS: Okay. But he was white. I  
13 think the other one could have been Hispanic, but I  
14 really don't -- I didn't see him much because he took  
15 off.

16 MS. SEPULVEDA: Thank you.

17 THE WITNESS: Okay. See y'all later.

18 MR. RICH: Thanks.

19 MS. WOERTENDYKE: Frances Rodriguez, it's  
20 page --

21 MR. WYDE: I prefer the wooden bat. I  
22 didn't want to get into a controversy between wood  
23 and --

24 UNIDENTIFIED PERSON: Ma'am.

25 MS. SEPULVEDA: I'm sorry?

1 UNIDENTIFIED PERSON: Why are they doing  
2 this to the old people in West Dallas?

3 THE WITNESS: Because that's who they  
4 bother.

5 MS. SEPULVEDA: Your Honor, it's page 11.

6 THE WITNESS: I've lived in that house  
7 since 1971.

8 THE COURT: Page number?

9 MS. SEPULVEDA: Page 11, number 36, Frances  
10 Rodriguez. Page 11, number 36.

11 THE INTERPRETER: And Ms. Rodriguez speaks  
12 English.

13 THE COURT: Would you state your name,  
14 please, ma'am? Ma'am.

15 THE WITNESS: Oh, I'm sorry.

16 THE COURT: Would you state your name,  
17 please? Would you state your name for the record?

18 THE WITNESS: Oh, Frances Rodriguez.

19 THE COURT: Thank you. You may proceed.

20 MR. WYDE: Yes, sir.

21 FRANCES RODRIGUEZ,  
22 having been first duly sworn, testified as follows:

23 DIRECT EXAMINATION

24 BY MR. WYDE:

25 Q. Hi, Ms. Rodriguez, how are you doing?

1 A. I'm fine. Thank you.

2 Q. Ms. Rodriguez, do you remember requesting some  
3 election papers back in --

4 A. Yes.

5 Q. -- February of this year?

6 A. Yes, I do.

7 Q. Okay. And do you know the precinct that you  
8 generally vote in?

9 A. I go there on Martinez -- Anita Martinez, is  
10 that the -- no, wait a minute, the one that's on Bernal  
11 and --

12 Q. Yes, ma'am.

13 A. Isn't it? I think so.

14 Q. When --

15 A. I'm not sure.

16 Q. Yes, ma'am. When you receive your papers, a  
17 lot of times, somebody will follow up with a phone call  
18 because they -- they're able to get a list of the people  
19 that request these --

20 A. Yes.

21 Q. -- absentee ballots.

22 A. Right.

23 Q. And they'll offer, you know, older folks,  
24 people much older than yourself, but they'll offer to  
25 come by and help you, you know, mark the ballot, or if

1 you've already marked it, they'll offer to take it to  
2 the post office.

3 A. Uh-huh.

4 Q. Did anybody offer to do that for you this past  
5 February or spring?

6 A. Yes. There was a man that came to my door and  
7 wanted to know if I had already filled out my ballot.

8 Q. Yes, ma'am.

9 A. And I said, no, I have been pretty tied up  
10 doing this and that. So he said, well, if you would  
11 like, I can come in and help you. It won't take long.  
12 And, yeah, he did come in.

13 Q. Uh-huh. Did y'all sit down at the living room  
14 or the dining room table and --

15 A. In the front room.

16 Q. Okay.

17 A. I was -- uh-huh.

18 Q. And then what happened after that?

19 A. Well, he went ahead and was -- how should I  
20 say -- of course he was talking about Medrano and this  
21 and that, and I really was going to vote for Sepulveda,  
22 but somehow, changed my mind. Well, Medrano has been --  
23 I'm familiar with some of the things that he's done, so  
24 therefore, I went ahead and he helped me.

25 Q. Okay.

1 A. He did help me.

2 Q. And this person that came by, can you describe  
3 him? Were they --

4 A. I'm sorry, you know, my memory's not too good.

5 Q. Yes, ma'am.

6 A. And no, I cannot describe him. I remember he  
7 was young, kind of medium complected.

8 Q. Yes, ma'am. Would you recognize him if I  
9 showed you just kind of a random stack of papers or  
10 pictures?

11 A. I'm not sure, but I'll look.

12 Q. And if you do, that's fine, and if you don't,  
13 that's fine.

14 A. (Looking through photos) Huh-uh. No, I don't  
15 recognize any of those pictures.

16 Q. Okay. Okay. May I show you what I think is a  
17 copy of your signature down there --

18 A. Yes.

19 Q. Okay. And when you finished your envelope,  
20 I bet that person asked you to sign the back of it; is  
21 that correct?

22 A. I'm not sure.

23 Q. It would have been a brown envelope like this.

24 A. Okay.

25 Q. But do you -- are you saying you're not sure if

1 he asked you to sign it, or are you not sure that that's  
2 your signature? I mean, you tell me.

3 A. I don't know. It looks like my signature.  
4 Yeah, it does look like my signature.

5 Q. When -- what did you do with the papers after  
6 this young man, you know, kind of changed your mind?

7 A. He offered to mail them for me.

8 Q. Yes, ma'am.

9 A. Uh-huh, yes, that's all.

10 Q. And did you let him mail them?

11 A. Yes, he took mine.

12 Q. Right. Do you remember when you gave him the  
13 papers, do you remember if the envelope was open or  
14 closed or had it been sealed?

15 A. I did not notice, you know. I think that I'm  
16 guilty of trusting. Too much trust, you know.

17 Q. Well, that's okay. I mean, if you're going to  
18 be guilty of anything, trusting people is nothing to be  
19 ashamed of.

20 A. Uh-huh.

21 Q. Did he have a clipboard with him or anything  
22 like that where, you know, they would have you sign the  
23 papers on the clipboard, or do you just remember signing  
24 them right there on the table or whatever room you were  
25 in?

1           A. I'm thinking he might have had a clipboard,  
2 uh-huh.

3           Q. Okay. And you don't recall licking the  
4 envelope or him licking it in front of you?

5           A. I don't recall that he did that.

6           Q. May have happened, may not have happened, just  
7 don't remember?

8           A. I don't know.

9           Q. That's okay. That's okay. It's such a brief  
10 moment in time, hard to remember details.

11          A. Yes, and it's -- you know, as I've gotten  
12 older, I forget, certain things I can remember --

13          Q. Yes, ma'am.

14          A. -- and certain things I just can't.

15          Q. Perfectly --

16          A. I guess that happens with age, huh?

17          Q. Yes, it does. May I ask one other question? I  
18 wasn't quite sure -- you mentioned you were going to  
19 vote for Sepulveda --

20          A. Uh-huh.

21          Q. -- and then you said, no, I -- he kind of  
22 changed your mind and voted for Medrano. When the  
23 papers were being marked, was that at the same time the  
24 young man was making suggestions to you?

25          A. Well, he was marking the papers for me.

1 Q. Oh, okay, he marked them for you?

2 A. Uh-huh, I believe that's how that happened.

3 Q. And I get the impression that, you know, you  
4 kind of understand -- you say you were a little bit too  
5 trusting, but you know why you're here. We're just  
6 trying to find out --

7 A. Okay, yeah.

8 Q. -- if everything was done lawfully.

9 A. Okay.

10 Q. All right?

11 A. Yes, sir.

12 Q. And you certainly haven't done anything  
13 improper.

14 A. Well --

15 Q. Okay?

16 A. Good, because I don't mean to do -- a lot of  
17 times, like in my case, I think I'm just too trusting,  
18 and I'm --

19 Q. Yes, ma'am.

20 A. -- just that way.

21 Q. Well, and --

22 (Contestant's Exhibit No. 120 marked.)

23 A. Maybe I should not have. I should have just  
24 waited and did this on my own time and didn't have to  
25 rush about it.

1 THE COURT: Any further questions?

2 MR. WYDE: No.

3 THE COURT: Any questions?

4 MR. RICH: Yes.

5 CROSS-EXAMINATION

6 BY MR. RICH:

7 Q. Ms. Rodriguez --

8 A. Yes.

9 Q. -- how are you?

10 A. I'm fine, thank you.

11 Q. Thank you for voting.

12 A. I don't know that I'm voting anymore.

13 Q. No, no, no, you're -- it's very important that  
14 you do vote.

15 A. I know.

16 Q. It was a gentleman by the name of Dr. Hector  
17 Garcia and a lot of other people that have fought many,  
18 many years so that all of us can vote.

19 A. Yes, sir.

20 Q. The next time, however, when you do vote, vote  
21 by yourself --

22 A. Exactly.

23 Q. -- all right? And you'll be fine.

24 A. I don't need to do this.

25 Q. But it's very, very important that all of us,

1 regardless of our age --

2 A. I don't know why I didn't.

3 Q. Okay. But the next time --

4 A. Yeah.

5 Q. -- please vote, but vote by yourself on your  
6 time.

7 A. Uh-huh.

8 Q. Okay. Thank you.

9 MR. RICH: No further questions.

10 THE WITNESS: May I -- are we finished?

11 MR. WYDE: Well, that's up to this  
12 gentleman here behind you.

13 THE WITNESS: Okay. Yes, sir.

14 THE COURT: Yes. Did you have something  
15 else you want to say?

16 THE WITNESS: Yes, I have a question here.  
17 My husband was not at home, and I also took care of his.  
18 We did his, the gentleman that was helping me.

19 THE COURT: While you were there, I see.

20 THE WITNESS: Yeah. And I signed his  
21 because I always take care of whatever I can --

22 THE COURT: Certainly.

23 THE WITNESS: -- that he -- you know, he  
24 doesn't speak the English or understand it as well as I  
25 do.

1 THE COURT: All right.

2 THE WITNESS: So I take care of that, and I  
3 guess I did wrong, huh?

4 THE COURT: I'd recommend not doing that  
5 again.

6 THE WITNESS: Now I know.

7 THE COURT: Right.

8 THE WITNESS: But I should have known.

9 THE COURT: Well, sometimes it's a learning  
10 process, but thank you for telling us, and you'll know  
11 next time.

12 MR. WYDE: May I ask a question about the  
13 other ballot, the husband's, Your Honor?

14 THE COURT: Is that Frank Rodriguez?

15 MR. WYDE: Yes.

16 MS. SEPULVEDA: Yes, Your Honor.

17 THE COURT: I'm sorry, I need from the  
18 witness.

19 MR. WYDE: The Judge asked if your husband  
20 is Frank Rodriguez.

21 THE WITNESS: Yes, sir. Yes, sir.

22 THE COURT: Okay. And he lives at the same  
23 address as you do?

24 THE WITNESS: Yes, sir.

25 THE COURT: And you signed his envelope?

1 THE WITNESS: Yes, uh-huh.

2 THE COURT: And you filled out -- or the  
3 young man filled out the ballot for him?

4 THE WITNESS: Yes.

5 THE COURT: Okay. Thank you. I don't  
6 think I need anything more. Thank you very much for  
7 coming down.

8 THE WITNESS: Okay. I have another  
9 question.

10 THE COURT: Okay.

11 THE WITNESS: Does he have to come in and  
12 talk to you?

13 THE COURT: You know, I'm hoping not.

14 THE WITNESS: He was not present when I  
15 was --

16 THE COURT: I understand. Thank you.

17 THE WITNESS: Okay.

18 THE COURT: Any objections to  
19 Mr. Rodriguez' signatures being admitted, the  
20 application and the --

21 MS. SEPULVEDA: Thank you, Ms. Rodriguez.

22 THE COURT: Thank you Ms. Rodriguez. You  
23 may step outside. Thank you very much. You're finally  
24 excused.

25 MR. RICH: Thank you.

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1 THE WITNESS: Yes, sir.

2 MS. SEPULVEDA: Alberto Cruz.

3 THE COURT: Just a second. Let's see about  
4 -- any objection to --

5 MR. RICH: No, Your Honor.

6 THE COURT: What number is that?

7 MR. RICH: 120.

8 THE COURT: Thank you. Admitted. And does  
9 either one want to talk to Mr. Frank Rodriguez?

10 MR. WYDE: No, Your Honor.

11 MR. RICH: No, Your Honor.

12 MR. WYDE: For the record --

13 THE COURT: Would you excuse Mr. Frank  
14 Rodriguez also?

15 MR. WYDE: For the record, we attached his  
16 MIB and copy of his --

17 THE COURT: Thank you.

18 MS. SEPULVEDA: Alberto Cruz, page 9,  
19 number 18. Alberto Cruz, page 9, number 18.

20 THE COURT: Number 18?

21 MS. SEPULVEDA: Number 18.

22 THE COURT: Okay.

23 MS. SEPULVEDA: Excuse me, page 9, number  
24 18.

25 THE COURT: And on today's list, where --

1 MS. SEPULVEDA: On the witness list, it  
2 would be number 2. On page 3, number 2 at the very  
3 bottom grouping.

4 THE COURT: Okay. What day was he  
5 scheduled to be here?

6 MS. SEPULVEDA: For today -- for 7/13, Your  
7 Honor.

8 THE COURT: Oh, okay.

9 MR. WYDE: May I?

10 THE COURT: You may, yes.

11 ALBERTO CRUZ,  
12 having been first duly sworn, testified through the duly  
13 sworn interpreter as follows:

14 DIRECT EXAMINATION

15 BY MR. WYDE:

16 Q. Hello, young man. Mr. Cruz, do you live at  
17 2618 Searcy?

18 A. (In English) Yes.

19 Q. I take it you understand some English, but  
20 we're going to ask some questions also in Spanish; is  
21 that okay with you?

22 A. Yes, very well.

23 Q. Mr. Cruz, do you remember getting a green  
24 envelope in the mail --

25 A. Yeah.