

In the Matter of:
MATTHEW GIBSON
VS
LOUISE E. GOLDSTON

JEFF MCPEAKE

February 23, 2022



5010 Dempsey Drive
Cross Lanes WV 25313
304-415-1122

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

MATTHEW GIBSON,

Plaintiff,

-vs- Civil Action No. 5:21-cv-00181

LOUISE E. GOLDSTON, individually,
COUNTY COMMISSION OF RALEIGH
COUNTY, a political subdivision,
JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,
KYLE LUSK, individually,

Defendants.

DEPOSITION OF JEFF McPEAKE

The deposition of Jeff McPeake was
taken on February 23, 2022, at 1:36 p.m.,
at 252 George Street, Beckley, West
Virginia.

ELITE COURT REPORTING, LLC
5010 Dempsey Drive
Cross Lanes, West Virginia 25313
(304) 415-1122

Tara Arthur, CCR

A P P E A R A N C E S

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Also Present: Louise E. Goldston
Matthew Gibson

1 I N D E X

2 WITNESS

3 Jeff McPeake

4 EXAMINATION

5 by Mr. Bryan Page 04

6 EXHIBITS

7 None

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18 Reporter's Certificate: Page 67
19 Errata Sheet/Signature Page: Enclosed

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1 JEFF McPEAKE,
2 called as a witness, first being duly sworn
3 by the Court Reporter/Notary Public,
4 testified as follows, to wit:

5 EXAMINATION

6 BY MR. BRYAN:

7 Q. Hi. I am John Bryan. I will be
8 asking you the questions here. I am the
9 plaintiff's lawyer in this case. I represent
10 Matthew Gibson.

11 Please state your name.

12 A. Jeffrey McPeake.

13 Q. And I will note for the record that
14 you are wearing a law enforcement uniform
15 here today; is that right?

16 A. Yes.

17 Q. Okay. Who is your employer?

18 A. Raleigh County Sheriff's
19 Department.

20 Q. And are you a sheriff's deputy?

21 A. I am.

22 Q. And how long have you been in that
23 job title?

24 A. Just over two years.

1 Q. All right. And as far as the
2 uniform you are wearing here today, that's
3 the Raleigh County Sheriff's Department
4 uniform?

5 A. Yes.

6 Q. We are here about a search that
7 took place on March 4, 2020. Do you recall
8 that day?

9 A. I remember that day, yes.

10 Q. Were you wearing the same type of
11 uniform then?

12 A. Yes.

13 Q. And were you employed by the
14 Raleigh County Sheriff's Department then?

15 A. Yes.

16 Q. And were you wearing the same type
17 of uniform that day?

18 A. Yes.

19 Q. Do you carry a gun?

20 A. Yes.

21 Q. Do you have one on you today?

22 A. Yes.

23 Q. Did you have one on you on March 4,
24 2020?

1 A. Yes.

2 Q. All right. How long had you --
3 well, strike that.

4 Do you work as a bailiff now?

5 A. I do.

6 Q. And did I already ask you how long
7 you have been doing that?

8 A. Yes. Just over two years.

9 Q. Two years. All right.

10 What did you do before that,
11 two years ago?

12 A. I was retired from the Beckley
13 Police Department.

14 Q. Were you working at all?

15 A. Prior to coming here, no. No.
16 Retired for a couple of years.

17 Q. So when did you leave the Beckley
18 Police Department?

19 A. 2017.

20 Q. And how long had you been employed
21 there?

22 A. Twenty years.

23 Q. So had you ever worked as a bailiff
24 before?

1 A. No.

2 Q. So before two years ago, you hadn't
3 worked as a bailiff?

4 A. Correct.

5 Q. So about when was it that you
6 started as a bailiff?

7 A. September of '19.

8 Q. So roughly six months or so before
9 this incident took place, you started as a
10 bailiff?

11 A. Correct.

12 Q. And you have been working in that
13 job position ever since?

14 A. Yes.

15 Q. Who is your -- do you have a
16 supervisor?

17 A. I do. It is Lieutenant Stafford.

18 Q. Okay. So who -- I mean, who is
19 your -- who do you take orders from? Would
20 it be the judge or your -- someone in -- you
21 know, Lieutenant Stafford, or both?

22 A. I don't see Lieutenant Stafford on
23 a regular basis. There may be days where we
24 don't see each other in the courthouse. We

1 work at different levels, different floors.

2 When the judge needs me, she will say, we are
3 ready for a hearing, and I will go out and
4 get the parties and escort them into the room
5 -- to the courtroom.

6 Q. Okay. So, I mean, if you have a
7 policy or procedure question, something like
8 that, do you go to the judge, or do you go to
9 some --

10 A. I would go to Lieutenant Stafford
11 with something like that.

12 Q. Do you still work as a bailiff for
13 Judge Goldston?

14 A. Yes.

15 Q. Have you ever worked as a bailiff
16 for any other judge?

17 A. I do. I have worked for all of the
18 judges that are currently judges in the
19 courthouse now at one time or another as a
20 fill-in if someone is sick or can't be there
21 for some reason or --

22 Q. Both circuit court and family
23 court?

24 A. Correct.

1 Q. But would you say that primarily
2 you are the bailiff for Judge Goldston?

3 A. That's my primary position, yes.

4 Q. Did you prior to becoming a bailiff
5 or even after becoming a bailiff undergo any
6 specific training to be a bailiff, you know,
7 that the other deputies wouldn't necessarily
8 receive?

9 A. Not prior to becoming a bailiff.
10 However, I did go to a class in Charleston on
11 courthouse security for some in-service
12 hours. And as I recall, that was about --
13 about three days of classroom instruction.

14 Q. Do you recall where that -- where
15 that took place?

16 A. The Marriott in Charleston.

17 Q. Was that by the LEPS subcommittee?

18 A. I believe it was, yes, LEPS.

19 Q. Do you recall about when that was?

20 A. I do not.

21 Q. Where --

22 A. It was roughly -- after I -- after
23 I was hired, I needed to get some in-service
24 hours fairly quickly. So I am thinking it

1 was in the winter of '19.

2 Q. So it sounds like it was probably
3 before this incident took place?

4 A. Yes.

5 Q. Was that something that your
6 employer sent you for?

7 A. Yes.

8 Q. Or was that something that you had
9 found in --

10 A. No.

11 Q. Okay. So your employer came to you
12 and said, this is training we are sending you
13 for, you have to do it?

14 A. Sent me and Officer Johnson who
15 worked as a bailiff. We both went down
16 together.

17 Q. Do you recall whether there was any
18 written materials that you received during
19 that?

20 A. There may have been handouts. It
21 was mostly overheads.

22 Q. All right. Do you still have --

23 A. No.

24 Q. -- have that?

1 A. No.

2 Q. During the time that you had been a
3 bailiff for Judge Goldston, had you traveled
4 with her to the home of any other litigant
5 other than my client?

6 A. No.

7 Q. So this was the only time that you
8 went with Judge Goldston to somebody's house?

9 A. Yes.

10 Q. Do you know of any other bailiffs
11 who traveled with Judge Goldston to the home
12 of a litigant?

13 A. Not while I have been working
14 there.

15 Q. Did you know of any other bailiff
16 prior to you working there?

17 A. Going with her -- I had never
18 asked. I had gone with another judge,
19 another family court judge. And I asked the
20 guy that works on my floor, which is Sergeant
21 Lilly, if it is okay if we do this. And he
22 told me affirmative that we could do that.

23 Q. When you say you went with another
24 judge, do you mean to the home of a litigant?

1 A. Yes.

2 Q. Which judge was that?

3 A. Judge Shuck.

4 Q. Okay. So you traveled to the home
5 of a litigant when you were acting as a
6 bailiff for Judge Shuck?

7 A. Correct.

8 Q. How often did you act as a bailiff
9 for Judge Shuck?

10 A. Weekly. We have three family court
11 judges on the floor, and we have two
12 bailiffs. So if Judge Goldston is off, I
13 will bailiff for Judge Shuck.

14 Q. And when you went to talk to
15 Sergeant Lilly, was that after this event had
16 already occurred, or was this before?

17 A. This was before the Judge Goldston
18 visit.

19 Q. Was it after the visit with Judge
20 Shuck that you participated?

21 A. I don't understand your question.

22 Q. All right. You said that you
23 traveled with Judge Shuck to the home of a
24 litigant in a case before Judge Shuck?

1 A. Two cases actually.

2 Q. Two cases. Okay.

3 Well, the first of those two cases,
4 that is the one where you had the
5 conversation with Sergeant Lilly?

6 A. Correct.

7 Q. When you had the conversation with
8 Sergeant Lilly, was that before or after the
9 first Shuck incident took place?

10 A. Before any incident -- anytime I
11 left the courthouse, I said, is it okay if we
12 go? And he goes, yeah, we do that from time
13 to time.

14 Q. Okay. What's Sergeant Lilly's
15 first name?

16 A. Aaron.

17 Q. Is he still with the sheriff's
18 department?

19 A. He is.

20 Q. And so why did you ask Sergeant
21 Lilly?

22 A. He is the only other officer on my
23 floor. He is the only other family court
24 bailiff.

1 Q. Was he higher in rank than you at
2 the time?

3 A. Yes.

4 Q. Was he in the role of a supervisor
5 for you at that time?

6 A. Yes.

7 Q. So if you -- you know, he is the
8 type of person if you did have a question
9 like that, you felt like you could go to him?

10 A. Correct.

11 Q. Did he have the ability to issue
12 you orders that you had to -- you were
13 compelled to follow?

14 A. He does have that ability, yes.

15 Q. But would it be fair to say that he
16 wasn't your direct supervisor at that time?

17 A. He was not the supervisor at the
18 courthouse at that time.

19 Q. Prior to the first time doing this
20 with Judge Shuck, had you heard of these
21 sorts of incidents taking place?

22 A. No.

23 Q. So when the first one was about to
24 happen, I guess you -- it seemed unusual --

1 it must have seemed unusual enough to you to
2 ask Sergeant Lilly?

3 A. Well, the lawyers that were
4 involved seemed to be -- it wasn't unusual
5 for them, it appeared. They said, okay,
6 let's go look and see. And so it appeared to
7 me as if it was something that occurred on a
8 fairly regular basis.

9 Q. Do you recall who those lawyers
10 were?

11 A. I am not sure. I think it was Jim
12 Keenan and Kyle Lusk, I believe. One of
13 those two on the first visit.

14 Q. And do you recall about when that
15 was?

16 A. I don't.

17 Q. But it was prior to the incident we
18 are here about today?

19 A. Yes.

20 Q. What about the second -- the second
21 time, was that also prior to --

22 A. Yes.

23 Q. -- this incident?

24 Do you recall when that was

1 approximately?

2 A. I don't.

3 Q. Do you recall who the lawyers were
4 who were involved in the second one?

5 A. I am thinking Todd Kirby may have
6 been one, but I'm -- I may -- may not be
7 right on that.

8 Q. And did you have any conversations
9 with any supervisors or other deputies about
10 the second Shuck incident?

11 A. No. No.

12 Q. Do you have an independent
13 recollection of this incident that we are
14 here about today before we start talking
15 about it?

16 A. Yes.

17 Q. I mean, do you recall it in your
18 mind? Or are you going to be testifying and
19 answering questions about what you have
20 reviewed?

21 A. I haven't reviewed anything.

22 Actually, it is all --

23 Q. So whatever I ask you about and you
24 answer, this is just your recollection?

1 A. Correct.

2 Q. Okay. Good.

3 When you arrived at Matthew
4 Gibson's house on March 4, 2020, you were
5 driving a marked police cruiser; is that
6 right?

7 A. Yes.

8 Q. And that said, what, Raleigh County
9 Sheriff's Department on it?

10 A. Yes.

11 Q. And was anyone else in the vehicle
12 with you?

13 A. Judge Goldston.

14 Q. Okay. And why did you -- did you
15 know what was happening, or did you know why
16 you were going to Matthew Gibson's house?

17 A. Yes.

18 Q. Had you been in the hearing --

19 A. Yes.

20 Q. -- that took place immediately
21 prior to that?

22 A. I had, yes.

23 Q. So you had heard the conversations
24 that were taking place in the courtroom?

1 A. That's correct.

2 Q. So what is your recollection was
3 the reason that you were traveling with Judge
4 Goldston to Mr. Gibson's home?

5 A. It appeared that there had been a
6 previous hearing that his wife -- ex-wife had
7 been awarded some items that she didn't
8 receive. And he indicated that he did have
9 the items. And it seems that one of the
10 lawyers said, well, let's go get them or -- I
11 may be getting that confused with another
12 case.

13 But it just seemed like -- I knew
14 we were going to the residence to retrieve
15 specific items that were not provided. As I
16 recall, it was a contempt case. And those
17 specific items were what we were going to
18 retrieve or attempt to retrieve.

19 Q. After you arrived on the property
20 with Judge Goldston, Mr. Gibson verbally
21 voiced objections to you and the judge being
22 there on his property, isn't that true?

23 A. He approached the judge and spoke
24 with her, yes.

1 Q. Okay. He asked her to recuse
2 herself because he said she had placed
3 herself in a witness capacity, I believe,
4 right?

5 A. Something along those lines, yes.

6 Q. And then Judge Goldston denied his
7 request saying that it wasn't timely filed?

8 A. Yes.

9 Q. Do you recall Mr. Gibson demanding
10 a search warrant before he allowed anyone in
11 his home?

12 A. Yes.

13 Q. You were aware of the fact that
14 there was no search warrant, right?

15 A. Correct.

16 Q. Okay. So you knew at the time that
17 you did not have a search warrant?

18 A. Correct.

19 Q. You knew that Judge Goldston did
20 not have a search warrant?

21 A. Correct.

22 Q. You knew what a search warrant was,
23 right?

24 A. I do.

1 Q. And how long did you work for the
2 Beckley Police Department?

3 A. Twenty years.

4 Q. During that 20 years, did you ever
5 seek and obtain a search warrant?

6 A. Yes.

7 Q. Did you ever execute a search
8 warrant?

9 A. Yes.

10 Q. Are you able to give me some
11 approximation of how many search warrants you
12 participated -- participated in executing
13 during the time you worked for Beckley?

14 A. Me personally filing the paperwork
15 for the search warrant, I would say roughly
16 20.

17 Q. What about participating in the
18 execution of a search warrant?

19 A. I did many of those -- as my
20 capacity -- I eventually made the deputy
21 chief of police. So I was over the drug
22 units and drug -- the detective bureau. So I
23 would accompany those guys on occasion --

24 Q. So you were --

1 A. -- in a supervisory capacity.

2 Q. So you were supervising other
3 officers who were investigating drug cases?

4 A. Correct.

5 Q. Would you agree with me that in
6 drug cases, it's extremely common to obtain
7 and execute search warrants?

8 A. Yes.

9 Q. So you are familiar -- I mean, you
10 are familiar with what -- you know what a
11 search warrant is?

12 A. Yes.

13 Q. You are familiar with the process
14 of how they can be obtained?

15 A. I am.

16 Q. Right?

17 A. I am.

18 Q. You are familiar with the process
19 of executing search warrants?

20 A. Yes.

21 Q. And to be clear, there was no
22 question in your mind on March 4, 2020, that
23 there was no search warrant which had been
24 issued or even requested to be able to search

1 Mr. Gibson's home?

2 A. Correct.

3 Q. Also on March 4, 2020, you were
4 aware of the fact that Judge Goldston was not
5 a law enforcement officer, right?

6 A. Correct.

7 Q. You were aware at all times that
8 she was in fact a family court judge?

9 A. Correct.

10 Q. You were also aware of the fact on
11 March 4, 2020, that -- you were aware that
12 judges don't search homes, right?

13 A. No. I was not aware of that.

14 Q. Okay. So on March 4, 2020, you
15 were not aware that judges do not search
16 homes?

17 A. That's correct.

18 Q. Okay. At some point did you become
19 aware that judges do not search homes?

20 A. After this case was brought up -- I
21 had no idea if family court judges could go
22 in homes or not. The process of obtaining a
23 search warrant, as far as my history as a
24 police officer goes, is if we need a search

1 warrant, we go to a judge, they issue the
2 search warrant and then we go back to home.
3 So with the judge being with me, I felt as if
4 that base had been covered so to speak.

5 Q. Okay. But you did not request that
6 Judge Goldston issue a search warrant for
7 Mr. Gibson's home, right?

8 A. I did not.

9 Q. I mean, you weren't involved in
10 that process at all? You were just the
11 bailiff?

12 A. Correct.

13 Q. So you accompanied her on that day
14 to Mr. Gibson's home because she told you to?

15 A. Right.

16 Q. During your time at the Beckley
17 Police Department, including supervising
18 other police officers, did you ever
19 experience a judge personally searching any
20 property?

21 A. No. I was always involved with
22 criminal cases, never civil cases.

23 Q. But you were aware of the fact that
24 on March 4, 2020, that the process that you

1 were familiar with -- in your experience as
2 far as obtaining search warrants and
3 executing search warrants -- there was no
4 process like that followed on March 4, 2020?

5 A. No. I had -- like I said, this was
6 a civil case that I had no experience in.

7 Q. Okay. So you were confused or
8 unsure about what the law with family court
9 as opposed to a criminal investigation; is
10 that right?

11 A. Yes. By having the judge with
12 me -- I didn't feel it necessary for me to go
13 to a judge and get a search warrant if I had
14 a judge with me.

15 Q. In your law enforcement career, did
16 you ever in lieu of getting a search warrant
17 just take a judge with you to the property?

18 A. No.

19 Q. Had you ever heard of anyone else
20 doing that?

21 A. No.

22 Q. But it was just your assumption at
23 the time that it might be okay because the
24 judge was with you?

1 A. I felt as if we recessed from the
2 courtroom and re-adjourned at the home.
3 Therefore, I -- I didn't need another judge
4 -- I mean, the judge was there.

5 Q. There was no emergency situation
6 occurring inside Mr. Gibson's home on
7 March 4, 2020, right?

8 A. Correct.

9 Q. So the reason that the judge wanted
10 inside was solely to search for property?

11 MS. TULLY: Objection.

12 Q. If that's your recollection?

13 A. I don't remember us going there to
14 search. I remember us going there to
15 retrieve items that were agreed that were
16 going to be taken from him and given to her.

17 Q. You were going in his house to look
18 for items?

19 A. To obtain what he said he did have
20 and was going to provide her.

21 Q. So you were going inside Mr.
22 Gibson's house to retrieve items, correct?

23 A. Correct.

24 Q. And not to -- not because there was

1 some emergency occurring inside?

2 A. Correct.

3 Q. There was no choking baby inside?

4 A. Correct.

5 Q. There was no 911 caller inside?

6 A. Correct.

7 Q. Now, would it be fair to say -- or
8 would you agree with me that Mr. Gibson did
9 not voluntarily consent to you and the judge
10 entering his house?

11 A. When we got on the property, he did
12 voluntarily object to us going in the house.

13 Q. So he did not consent -- Mr. Gibson
14 did not consent to a search of his house, is
15 what I am asking?

16 A. At first, yes.

17 Q. Okay. He did not consent at any
18 point, did he?

19 A. I think as we went along, he said
20 okay.

21 Q. And he only went along with it
22 after he was threatened with arrest, right?

23 A. I can't answer for him.

24 Q. All right. Do you recall Mr.

1 Gibson being threatened with arrest?

2 A. Yes.

3 Q. And who made that threat?

4 A. The judge.

5 Q. And who would have arrested him if
6 she followed through with that threat?

7 A. I would have.

8 Q. So at the beginning, you were the
9 only law enforcement officer there, right?

10 A. Yes.

11 Q. And you were a sworn law
12 enforcement officer on March 4, 2020?

13 A. Yes.

14 Q. You had handcuffs with you?

15 A. I did.

16 Q. You had a police cruiser?

17 A. Yes.

18 Q. You had a gun?

19 A. Uh-huh.

20 Q. You had a radio?

21 A. Yes.

22 Q. You had arrest powers?

23 A. Yes.

24 Q. And had Judge Goldston instructed

1 you to arrest Mr. Gibson for not letting her
2 inside his house, you would have done so?

3 A. I would have checked with my
4 supervisor before arresting him, yes.

5 Q. Okay. You didn't tell Mr. Gibson
6 that at the time though, did you?

7 A. He and I really didn't talk.

8 Q. Okay. Well, you were present when
9 the judge looked at him and said you will be
10 arrested if you don't let us in your house?

11 A. Yes.

12 Q. And you didn't speak up and say,
13 well --

14 A. No.

15 Q. -- let me check with my supervisor
16 first?

17 A. No, I did not.

18 Q. So would it be fair to say that
19 Mr. Gibson was under the impression that he
20 would be arrested by you if he chose not to
21 allow you in his house?

22 A. Yes. I would say yes.

23 Q. And at some point before you went
24 in the house, didn't you call for a response

1 by other deputies?

2 A. Yes.

3 Q. And how did that occur?

4 A. Well, when we are in the courtroom

5 -- the plaintiff and respondent, their

6 attorneys, the judge and myself are in the

7 courtroom. It is a very small courtroom.

8 And when we were going to go to the home --

9 we were probably the last people to get to

10 the home. I didn't realize there were

11 witnesses involved for both parties. And

12 once we pulled in, I realized how many people

13 were there. And then I became a little

14 nervous about it. I didn't know who was with

15 whom, and who should be there, who shouldn't.

16 And we got out of the car pretty

17 quickly as I recall, and we started walking

18 over toward the gazebo with a swing. And

19 then he talked to the judge about getting a

20 search warrant --

21 Q. Who was "he"?

22 A. The --

23 Q. Mr. Gibson?

24 A. Mr. Gibson.

1 -- about getting a search warrant.

2 And then it became a little what I would call
3 contentious back and forth. And I went ahead
4 and called for a backup officer at that
5 point. And typically I do that as I pull
6 into a restaurant -- or a restaurant -- or a
7 residence. Can you tell it is lunch time?

8 When I pull into a residence -- I
9 should have gone out on the radio and
10 informed EOC that I was at a residence with
11 the judge.

12 Q. Which is not -- hang on. Which is
13 not something that you would do in a hearing
14 at the courthouse?

15 A. Right. Correct.

16 Q. Okay. So at some point you called
17 for other officers. And why? What is the
18 reason that you would want other police
19 officers?

20 A. There were a lot of people there.
21 And it is a smart thing to do, I think, to
22 get other officers there.

23 Q. At that point --

24 A. Anytime you have people disagreeing

1 over certain things, you want -- you know, I
2 want EOC to know I am there. And if there is
3 somebody available, they can send a backup
4 officer.

5 Q. And who is EOC?

6 A. The emergency operations center.

7 Q. So at some point, did additional
8 officers show up?

9 A. Yes.

10 Q. And who was that that showed up?

11 A. Stump and Brian White, I believe.

12 Q. But you didn't call them right when
13 you showed up at the property? You called
14 them well into the interaction, right?

15 A. Correct. I called EOC, and EOC
16 called them. It wasn't like me calling them
17 directly.

18 Q. So you requested additional police
19 officers to be at the scene via EOC?

20 A. Correct.

21 Q. And you did that after Mr. Gibson
22 voiced objections to you and Judge Goldston
23 being on his property?

24 A. Correct.

1 Q. In fact, you did that after you
2 seized Mr. Gibson's cell phone?

3 A. I didn't seize Mr. Gibson's cell
4 phone.

5 Q. All right. Well, let's talk about
6 that. At some point, did you come into
7 possession of Mr. Gibson's cell phone?

8 A. I did.

9 Q. Well, how did Mr. Gibson's cell
10 phone get into your possession?

11 A. He handed it to me, and I stuck it
12 in my shirt pocket.

13 Q. And why did Mr. Gibson hand you
14 Mr. Gibson's cell phone?

15 A. The judge told him that it was
16 against the law to record a court hearing,
17 and we were in the middle of a court hearing.

18 Q. And when this took place, as you
19 say in the middle of a court hearing,
20 physically where were you standing at that
21 time?

22 A. On the gazebo, as I recall.

23 Q. And where was the gazebo located?

24 A. In the front yard of his home.

1 Q. So you were standing in the front
2 yard of Mr. Gibson's home at the time that
3 his cell phone was handed to you?

4 A. Correct.

5 Q. And Mr. Gibson handed you his cell
6 phone because the judge ordered him to,
7 right?

8 A. Correct.

9 Q. And the judge ordered him to
10 because Mr. Gibson had been attempting to
11 record what was happening, right?

12 A. Correct.

13 Q. And he was told by the judge that
14 he could not record what was happening --

15 A. Yes.

16 Q. -- right?

17 And so he had to give over his cell
18 phone to you?

19 A. Yes.

20 Q. He had to stop recording?

21 A. Yes.

22 Q. Even though he was standing on his
23 own property?

24 A. Yes.

1 Q. Now, there were other people there
2 recording as well, correct?

3 A. I wasn't aware of it, no.

4 Q. Do you recall anyone else being
5 told to turn off --

6 A. No.

7 Q. -- recordings?

8 A. No.

9 Q. And at the time that the cell phone
10 was handed to you and you put it in your
11 pocket, again, you were on duty as a law
12 enforcement officer, right?

13 A. Yes.

14 Q. You were on the clock?

15 A. Yes.

16 Q. And you were in uniform?

17 A. Yes.

18 Q. Had you already called for backup
19 at that time?

20 A. I am not sure if I had or not.

21 Q. But it was about that time that you
22 radioed for more officers to arrive?

23 A. Yes.

24 Q. Would you agree with me that Matt

1 Gibson did not consent to giving you his cell
2 phone? I mean, you know what consent is,
3 right? You deal with consent in your career
4 as a police officer?

5 A. Right.

6 Q. You obtain consent before you
7 search someone's car for instance, right?

8 A. Right.

9 Q. So you know what consent is?

10 A. I do.

11 Q. My question to you is, in your
12 opinion, being an eyewitness there, do you
13 think Mr. Gibson consented to handing you his
14 cell phone?

15 A. No.

16 Q. Do you recall how long the search
17 of Mr. Gibson's home lasted?

18 A. I would guess -- no. I don't
19 recall. I would --

20 Q. You were there the entire time?

21 A. Yes.

22 Q. So the entire time that the judge
23 was there, you were there?

24 A. I was.

1 Q. Okay. Do you think it was at least
2 20 minutes long?

3 A. Yes.

4 Q. At some point, you began to record
5 what was happening inside the house, right?

6 A. I think I started to record before
7 we went in -- in the home. But I am not
8 sure.

9 Q. Well, we have a recording that you
10 took of inside the house during the search.

11 A. Okay.

12 Q. Right?

13 A. We should have.

14 Q. I mean, that -- that was a
15 recording that you took?

16 A. Uh-huh.

17 Q. Yes or no?

18 A. Yes.

19 Q. Was that taken on your personal
20 cell phone?

21 A. Yes.

22 Q. Why did you -- why did you start
23 recording inside Mr. Gibson's house?

24 A. For the protection of everyone

1 involved.

2 Q. Now, you had been on two of these
3 before with Judge Shuck, right?

4 A. Yes.

5 Q. During either of the searches with
6 Judge Shuck or whatever -- whatever occurred,
7 did you record what took place in either of
8 those two prior instances?

9 A. Yes.

10 Q. Do you still have those videos?

11 A. No.

12 Q. What did you do with them?

13 A. They were deleted.

14 Q. Were they given to anybody before
15 they were deleted?

16 A. In this incident, I gave it to our
17 case coordinator. And then it was deleted.

18 Q. And in the incident that we are
19 here about today?

20 A. Right.

21 Q. In either of the two Shuck
22 incidents, did you do anything with the
23 videos?

24 A. They were actually photos of guns,

1 firearms that we took when the video just --
2 individual photos.

3 Q. And what did you do with those
4 photos?

5 A. They were deleted.

6 Q. Before being deleted, were they
7 provided to anybody?

8 A. No. That case settled quickly.
9 And I was told we didn't need them.

10 Q. Do you recall whether there were
11 any search warrants involved in those?

12 A. There were not.

13 Q. After this incident, did you ever
14 have any additional conversations with any of
15 your supervisors about whether it was
16 appropriate or within your employer's
17 policies to accompany judges outside of the
18 courthouse?

19 A. Yes.

20 Q. And tell me about that. Who did
21 you have a conversation with?

22 A. The guy I work with, which is
23 Sergeant Lilly.

24 Q. So the same Sergeant Lilly that you

1 talked to --

2 A. Uh-huh.

3 Q. -- before going with Judge Shuck?

4 A. Yes.

5 Q. And when did that take place?

6 A. I think the day that we got back
7 from his home.

8 Q. From whose home?

9 A. Mr. Gibson's home.

10 Q. And did you approach Sergeant
11 Lilly, or did he approach you?

12 A. Yeah. I went to him and told him
13 that we had to call and have a backup officer
14 come -- come to the home. And as I recall,
15 he said he would -- he knew Mr. Gibson or
16 someone at the police department knew Mr.
17 Gibson. I don't remember who it was.

18 Q. Was he already aware of the
19 incident?

20 A. I don't think he was aware of it
21 until I made him aware of it.

22 Q. So did he say anything else?

23 A. No.

24 Q. Did you have any other

1 conversations about whether you would
2 continue to go on these visits or searches
3 with a judge?

4 A. Not as I recall.

5 Q. Were there ever any written
6 policies or procedures with your employer
7 that pertain specifically to bailiff duties?

8 A. Not that I -- not that I recall.

9 MR. ROBINSON: Object to the
10 form. Just -- well, go ahead.

11 Q. Do you recall what -- was there
12 ever any change in policy after the -- after
13 the incident at Mr. Gibson's house, was there
14 ever any change in policy, whether written or
15 unwritten as you understood it, as to whether
16 or not you were allowed to ever again
17 accompany a judge to a litigant's house?

18 A. Not as I recall, no.

19 Q. So you were never told by your
20 employer not to do that again?

21 A. No. My job is the judge's safety.
22 So if she or he goes somewhere or feels the
23 need to go somewhere, I would accompany them
24 for their safety.

1 Q. Okay. I mean, your job is also to
2 protect the safety of any citizen, right?

3 A. Secondly. When I am -- when I
4 am with the judge, she is my primary concern
5 or he, whatever judge is there. As far as
6 what the petitioners or respondents are
7 doing, that's not really why I'm there.

8 Q. Okay. Well, I mean, you are there
9 to protect the petitioners and respondents as
10 well, right?

11 A. If something happened, I would grab
12 the judge and go and let whatever happened
13 happened. So I don't know if that answers
14 your question or not.

15 Q. Well, yeah. It does. I mean, is
16 that -- is that something that you were --
17 that is a policy, or that you are taught to
18 do? Or is that just something you do on your
19 own?

20 A. Well, all law enforcement officers
21 are there to protect the safety of the good
22 guy and the bad guy. I mean, I don't want
23 anything to happen to anybody while I am on a
24 scene.

1 Q. Is there some rule somewhere that
2 says, I mean, your job is to only protect the
3 judge and not protect anyone else?

4 A. No. And that's not what I am
5 saying. I am saying the judge is my primary
6 responsibility.

7 Q. After going inside Mr. Gibson's
8 house, what did you do inside?

9 A. I stood, watched what was happening
10 for the most part.

11 Q. Did you help to look for anything?

12 A. No.

13 Q. Did you ever grab a hold of any
14 item of personal property?

15 A. No.

16 Q. But at some point, you did film
17 inside Mr. Gibson's house?

18 A. Yes. As I recall, the phone
19 battery was -- typically, I don't keep it
20 charged up well. It was low. But I wanted
21 to make sure and get as much recorded -- I
22 don't want someone to say we did this or
23 didn't do this. I wasn't filming Mr. Gibson
24 or Mrs. Gibson or the judge. I was filming

1 overall, as I think it would be appropriate
2 -- any officer with a body camera would have
3 the same footage as what I was filming.

4 Q. And when you say "we," you are
5 talking about you and the judge?

6 A. Yeah. I am not sure what context I
7 said we. I mean, you could refresh my
8 memory.

9 Q. Okay. Well, you had done -- you
10 had done this twice before with Judge Shuck,
11 right?

12 A. Yes.

13 Q. And you said that both of those
14 times you either took video or took pictures?

15 A. Not both of those times. One --
16 one time.

17 Q. All right. Well, one of those
18 times at least you took photographs of some
19 firearms to document what was taken from the
20 residence?

21 A. Correct.

22 Q. And when you went to Matthew
23 Gibson's house, you didn't take photos, but
24 you took video to document what was happening

1 inside his house?

2 A. Correct.

3 Q. And at one point, in fact, you are
4 filming the inside of Mr. Gibson's gun safe?

5 A. Probably.

6 Q. You are filming Mr. Lusk and his
7 client walking around inside Mr. Gibson's
8 house?

9 A. Probably.

10 Q. You are filming items that are
11 being taken by Mr. Gibson's ex-wife pursuant
12 to the instructions of the judge?

13 A. Right. I stayed in the room with
14 the judge until Mr. Gibson approached me and
15 asked me if I would accompany him to look in
16 his gun safe. At that point, I left. I
17 asked the judge if she felt comfortable with
18 me doing that. She told me yes. We went to
19 the gun safe. And he actually opened the
20 safe and showed me in the gun safe.

21 Q. And that was after you had already
22 been filming?

23 A. Correct.

24 Q. And that was after the search was

1 already under way?

2 A. Correct.

3 MS. TULLY: Object to the use of
4 the term "search."

5 But go ahead.

6 MR. BRYAN: I could read the
7 Supreme Court's holding if you want me to.

8 MS. TULLY: And I can still
9 object. Go right ahead.

10 MR. BRYAN: Your objection is
11 noted.

12 Q. The search was under way at the
13 time that Mr. Gibson first mentioned -- or
14 showed you the inside of his gun safe, right?

15 A. Yes.

16 Q. And Mr. Gibson had already been
17 threatened with arrest prior to that, right?

18 A. Yes.

19 Q. His cell phone had already been
20 seized prior to that?

21 A. Yes.

22 Q. You had already called for
23 additional law enforcement officers to show
24 up to back you up prior to that, right?

1 A. Yes.

2 Q. Would it be fair to say that you
3 did more inside Mr. Gibson's house than just
4 ensure the judge's safety, but that you to
5 some extent participated jointly with the
6 judge by documenting what was happening
7 inside?

8 MS. TULLY: Objection.

9 Q. Let me -- strike that. Let me
10 rephrase that question. It was pretty
11 sloppy.

12 Would you agree with me that you
13 did more on March 4, 2020, than merely
14 protect the judge's safety or guard the judge
15 inside Mr. Gibson's house?

16 A. My role there is protecting the
17 judge as I stated. And all of our hearings,
18 all of them, 100 percent of them, are
19 videotaped. I felt as if we were still in a
20 courtroom setting. So I felt that it would
21 be a good idea to video as much as I could.
22 My battery was low. And I would have
23 videotaped start to end.

24 Q. But you weren't -- you weren't just

1 taking surveillance footage, you were
2 documenting --

3 A. I was -- I was documenting what
4 people were saying and what people were
5 taking as much as I could.

6 Q. Okay. But when you are acting as a
7 bailiff in the courtroom, I mean, you're not
8 getting out your cell phone and
9 documenting --

10 A. Did not.

11 Q. -- exhibits or anything like that?

12 A. No. The courtroom facilities do
13 that for me. I don't have -- I am not.

14 Q. And that -- I mean, that, to be
15 fair, doesn't have anything to do with Judge
16 Goldston's safety -- personal safety, does
17 it?

18 MR. ROBINSON: Object to the
19 form.

20 Do you understand the question?

21 A. If you could rephrase it maybe.

22 Q. Your actions in documenting with
23 your personal cell phone the inside of
24 Mr. Gibson's house, that goes beyond just

1 guarding Judge Goldston's personal safety,
2 right?

3 A. I would say yes.

4 Q. I mean, that is more akin to
5 helping Judge Goldston locate and retrieve
6 items of personal property inside Mr.
7 Gibson's house?

8 A. No.

9 MS. TULLY: Objection.

10 A. I would not agree with that, no.

11 Q. You were documenting items of
12 personal property inside Mr. Gibson's house
13 that was being retrieved by other people?

14 A. More of recording what was being
15 said or not said, taken or not taken. Trying
16 to keep an accurate record of what was going
17 on inside the home.

18 Q. When you took photographs with your
19 personal cell phone of firearms during a
20 prior incident with Judge Shuck, that was not
21 done in the interest of Judge Shuck's safety,
22 was it?

23 A. It was not.

24 Q. Taking photographs of somebody's

1 firearms had absolutely nothing to do with
2 ensuring or protecting Judge Shuck's safety?

3 A. Correct.

4 Q. In fact, it was literally
5 documenting what was being taken out of that
6 residence?

7 A. Correct.

8 Q. And that's the same thing that you
9 were doing inside Matthew Gibson's house by
10 recording video, right?

11 MR. ROBINSON: Object to the
12 form.

13 You can answer it.

14 A. I may have recorded a television at
15 one point as I am recording. That doesn't
16 mean that the television was taken. I am not
17 -- I am not documenting -- I am not --
18 everything that I am recording is not being
19 taken. I don't know how else to say that.

20 Q. What did you do with the recording
21 after the search was over? Did you provide
22 it to Judge Goldston?

23 A. I provided it to Debra, which is
24 our case coordinator -- or Donzetta. I can't

1 remember. One of the two that work in our
2 office. I said, there it is, put it in the
3 file, whatever you need to do with it. And
4 then I immediately deleted it from my phone.

5 Q. What are their names?

6 A. Donzetta Roush and Debra Johnson.

7 Q. And they are case coordinators?

8 A. They work in -- one of them is a
9 coordinator, and one is a clerical secretary.

10 Q. For the sheriff's department?

11 A. For the judge -- judge's office.

12 Q. For the family court?

13 A. Uh-huh.

14 Q. So you provided the family court --
15 somebody inside the family court with a copy
16 of the video that you took inside the
17 plaintiff's house?

18 A. Correct.

19 Q. And then you deleted it off your
20 phone?

21 A. Correct.

22 Q. And so you didn't keep a copy of
23 it?

24 A. No. Absolutely not.

1 Q. Did you ever have any conversations
2 with Judge Goldston about the video footage
3 that you took inside Mr. Gibson's house?

4 A. I told her I took video. And she
5 acknowledged that she saw me with my phone.

6 Q. When did that conversation take
7 place?

8 A. Immediately either when we got back
9 in the Jeep or when we got back to the
10 courthouse.

11 Q. Did she say anything else?

12 A. No.

13 Q. Did you ever have any conversations
14 with Judge Goldston about the propriety of
15 you filming inside Mr. Gibson's house?

16 A. Not as I recall.

17 Q. Did she ever say to you not to do
18 that again?

19 A. No. I did get a call from someone
20 at the Supreme Court that said I shouldn't
21 have done that.

22 Q. Did you personally receive that
23 call?

24 A. I did.

1 Q. Do you recall who --

2 A. I do not.

3 Q. -- called you?

4 A. Lieutenant Stafford I think took
5 the call. I remember going to his office and
6 talking with somebody. I don't recall if I
7 called them back or they called me at a
8 certain time. But I remember having the
9 discussion on the phone, and they said to not
10 -- asked why I did it. And I explained why.
11 They said, that's not a good idea.

12 Q. Who told you that?

13 A. Whoever I talked to. I don't
14 remember who it was.

15 Q. Was this a lawyer?

16 A. I don't know.

17 Q. What's Lieutenant Stafford's first
18 name?

19 A. David.

20 Q. And is he a supervisor for you?

21 A. He is.

22 Q. Is he over Sergeant Lilly, I
23 presume?

24 A. He is.

1 Q. So at some point, Lieutenant
2 Stafford called you into his office, and he
3 had somebody from the Supreme Court on the
4 phone?

5 A. No. He told me that someone had
6 called, and I -- like I said, I can't
7 remember if I was supposed to call them back.
8 And that may have been what it was. I went
9 to his office and he had the phone number
10 there and I called them back or something --
11 something of that nature.

12 Q. Did you call -- did you call that
13 person back from inside Lieutenant Stafford's
14 office?

15 A. Yes.

16 Q. With him present?

17 A. No.

18 Q. So he called you into his office,
19 and then he left the room?

20 A. Correct.

21 Q. Did Lieutenant Stafford say
22 anything else to you other than about
23 somebody is on the phone?

24 A. No. He just told me that someone

1 had called from the Supreme Court's office
2 and asked them that I call them back. And I
3 explained to them the entirety of, you know,
4 what we are going on now. And he said I
5 probably shouldn't have recorded it.

6 Q. So somebody from the Supreme Court
7 whose name you don't remember told you while
8 you were sitting in Lieutenant Stafford's
9 office that you probably should not have
10 recorded --

11 A. Right.

12 Q. -- recorded inside Mr. Gibson's
13 house?

14 A. Correct.

15 Q. Did that individual also tell you
16 that you probably should not or that you
17 should not accompany Judge Goldston to
18 anyone's house in the first place?

19 A. No.

20 Q. Did Lieutenant Stafford have any
21 conversations with you about going to the
22 home of a litigant when you are a bailiff?

23 A. No.

24 Q. Did Lieutenant Stafford have any

1 conversations with you about whether or not
2 you should record inside someone's house?

3 A. No.

4 Q. Did you receive any discipline or
5 anything as a result of this incident?

6 A. No.

7 Q. Have you ever been disciplined in
8 your capacity as a law enforcement officer?

9 A. No.

10 Q. Formally or informally?

11 A. Not at the sheriff's office.

12 Q. What about at Beckley?

13 A. I am sure I was for speeding or
14 whatever. I drive fast. That's why I'm a
15 policeman. If you can't beat them, join
16 them.

17 Q. Have you ever had your deposition
18 taken before?

19 A. Not since I have been a policeman
20 that I am aware of.

21 Q. Have you ever been charged with a
22 crime?

23 A. No.

24 Q. When you were inside Mr. Gibson's

1 house, did you ever observe Judge Goldston
2 participating in looking for things?

3 A. No.

4 Q. What did you -- as -- I probably
5 should have asked you this first. What did
6 you observe Judge Goldston doing inside
7 Mr. Gibson's house?

8 A. As I recall, we went in. And it
9 seemed like we go to the left and down the
10 set of stairs, and then to the right into a
11 den with -- DVDs I think were in question.
12 And that was -- I think that was the primary
13 reason for us being there, was to retrieve
14 some DVDs and some photos.

15 Q. When the other deputies arrived,
16 what did they do? Did they go inside the
17 house?

18 A. Yes. They came down and asked if I
19 needed anything. And they dispersed the
20 crowd that was outside --

21 Q. And why?

22 A. -- as far as I know. I stayed
23 downstairs.

24 Q. Well, how do you know that they did

1 that?

2 A. He told me that's -- he went up and
3 made sure.

4 Q. Who is "he"?

5 A. Officer Stump.

6 Q. So Officer Stump told you that he
7 dispersed the crowd outside of Mr. Gibson's
8 house?

9 A. Right.

10 Q. When did he tell you that?

11 A. I am not sure.

12 Q. Do you know who he would be
13 referring to as the crowd?

14 A. No. Like I said, initially I --
15 there were people there. And I am assuming
16 they were from both sides as witnesses or
17 maybe just giving rides to people. I don't
18 know why they were there.

19 Q. You knew --

20 A. But I didn't know there were going
21 to be that many people there when I got
22 there. I thought it was just going to be the
23 few of us.

24 Q. Okay. Well, you knew that Mr.

1 Gibson had people with him on his property
2 when you arrived?

3 A. Yes. There were several people
4 there.

5 Q. And it was your understanding that
6 they were there with his permission?

7 A. I would assume so.

8 Q. I mean, you saw Mr. Gibson's
9 girlfriend with a phone recording -- video
10 recording you and Judge Goldston?

11 A. I don't know if -- I didn't see
12 anybody videotaping.

13 Q. Okay. So it is your understanding
14 that Officer Stump, once he arrived, made
15 everybody leave Mr. Gibson's property?

16 A. Right. He told me he -- he got rid
17 of the crowd, and asked me if I needed
18 anything else. And I told him we seem to be
19 fine -- everybody seemed to be fine.

20 Q. When you had that conversation with
21 Mr. Stump, was that inside Mr. Gibson's
22 house?

23 A. I believe so.

24 Q. Do you recall where inside the

1 house that took place?

2 A. Probably in the den downstairs.

3 Q. Did Mr. Gibson ever invite Officer

4 Stump inside his house?

5 A. No. I think we were already
6 downstairs when Officer Stump came down.

7 Q. So Mr. Gibson wasn't even aware
8 that Stump came in?

9 A. Not that I am aware of, no.

10 Q. Were you in Mr. Gibson's presence
11 pretty much the whole time during that
12 search?

13 A. I think so, yes.

14 Q. I may have asked you. But did you
15 ever physically pick up any item of property
16 inside Mr. Gibson's house?

17 A. Not -- unless somebody asked me to
18 help move something. But I -- I don't think
19 -- I don't remember touching anything, no.

20 Q. Who else -- what other deputies
21 arrived other than Officer Stump?

22 A. I think it was Officer White.

23 Q. And do you recall whether or not he
24 came inside Mr. Gibson's house?

1 A. I believe I did see him downstairs,
2 yes.

3 Q. Did he come in at the same time as
4 Stump?

5 A. I don't know who came first.

6 Q. Did they come in at about the same
7 time?

8 A. They could have. I do remember on
9 the radio they were -- there was some mix-up
10 about the address. And I think -- I don't
11 know if that had anything to do with the
12 order in which they arrived or not.

13 Q. Do you know whether they knew what
14 they -- what kind of scene they were
15 responding to or why?

16 A. No. I got on the radio and said
17 that I am out at whatever -- I don't remember
18 the address -- but whatever road or drive or
19 something with the judge, and I -- if there
20 was an officer available, I needed backup.

21 Q. So you communicated that you were
22 with the judge inside Mr. Gibson's home?

23 A. No. We weren't in the home.

24 Q. So you were still in the front

1 yard --

2 A. Uh-huh.

3 Q. -- at that time?

4 So you communicated that you were
5 with the judge --

6 A. Out at a residence with the judge.
7 And I asked if there was a unit that could
8 come and back me up.

9 Q. And in either of the prior two
10 times that you visited the home with Judge
11 Shuck, was there any other backup that was
12 involved or any other law enforcement
13 officers that arrived at those incidents?

14 A. No.

15 Q. I may have asked you that.

16 Do you have any recollection about
17 what Officer White did inside Mr. Gibson's
18 house?

19 A. As far as I remember, they just
20 came down and talked, made sure everything
21 was okay and left.

22 Q. Do you have any idea how long they
23 were inside the house?

24 A. I don't. It was very brief.

1 Q. Now, you testified that you gave
2 the video taken inside Mr. Gibson's house to
3 some case coordinators --

4 A. Right.

5 Q. -- right?

6 A. Uh-huh.

7 Q. Is it your testimony that you did
8 not directly provide this video to Judge
9 Goldston?

10 A. Yes.

11 Q. So you are positive you didn't
12 directly give this video to Judge Goldston?

13 A. That's correct.

14 Q. So if she got a copy of that video,
15 it wasn't from you?

16 A. Right.

17 Q. Not directly?

18 A. Right.

19 Q. We played the video that you took
20 here a couple times so far before you came
21 in. And you can correct me if I am wrong
22 here. But it is my understanding that on the
23 video, you said -- you said to somebody that
24 you might want to place a limit on the number

1 of items taken because it might be too much
2 to carry. Do you recall -- do you recall
3 that?

4 A. I don't.

5 Q. I believe you were talking to the
6 judge about placing a limit on what physical
7 property could be carried out of there?

8 A. That's possible. I don't recall.

9 Q. Have you watched the video
10 recently?

11 A. Huh-uh.

12 MR. BRYAN: Give me one second to
13 talk to them.

14 (Break in proceedings.)

15 BY MR. BRYAN:

16 Q. Just to clarify -- just so I
17 understand, it is your testimony that your
18 employer has never told you even to this day
19 that you are not to accompany Judge Goldston
20 or any other judge to the home of a litigant
21 ever again as had occurred on March 4, 2020?

22 A. I don't recall being told directly
23 not to. But common sense would tell me right
24 now that -- definitely get the clearance

1 before I did it again.

2 Q. Well, to be fair to you, you did --
3 it is your testimony that you did go to
4 Sergeant Lilly before the first Shuck
5 incident, right?

6 A. Correct.

7 Q. And Sergeant Lilly told you that it
8 was fine for you to go with Judge Shuck to
9 the home of a litigant?

10 A. His response is -- was we do do
11 that from time to time.

12 Q. And if I understand you correctly,
13 at no point after that did any supervisor
14 ever tell you not to do that again?

15 A. Correct.

16 Q. And it is your testimony here today
17 that you are not aware of any written policy
18 changes or anything like that pertaining to
19 going to the home of a litigant with a judge?

20 A. Not that I am aware of, no.

21 Q. Okay. It is just your own common
22 sense that tells you not to do that again?

23 A. Right.

24 Q. So let me ask you this. You know,

1 if a judge asks you to go with her or him
2 again to the home of a litigant, would you do
3 it again?

4 A. I would check with Lieutenant
5 Stafford and say, Judge McGraw or Judge Shuck
6 or Judge Goldston is requesting to go to a
7 home. And if he gave me clearance to do it,
8 I would do it.

9 Q. But as we sit here today, none of
10 your supervisors have proactively come
11 forward to tell you, look, don't do that
12 again?

13 A. No. I may have gone to them and
14 said, I won't do it again.

15 Q. They are aware of the fact that you
16 are still serving as a bailiff?

17 A. Yes.

18 MR. BRYAN: I don't think I have
19 any other questions. Thank you.

20 MR. ROBINSON: I don't have
21 anything.

22 MS. TULLY: I don't have
23 anything.

24 MR. ROBINSON: You can read your

1 deposition to see if there were any mistakes
2 that were made, or you can waive it.

3 THE WITNESS: I waive.

4 (Deposition concluded at 2:45

5 p.m.) * * * * *

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CERTIFICATE

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I, Tara Arthur, Certified Stenotype Reporter and Notary Public, do hereby certify that the foregoing deposition of the above-named witness, was duly taken by me in machine shorthand, and that the same were accurately written out in full and reduced to computer transcription.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action in which this deposition is taken; and furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in the action.

My commission expires April 16, 2022.


Tara Arthur
Certified Court Reporter/Notary Public

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