

Reproduction of information on Incident Report
(For analysis of false information)

CHEROKEE COUNTY SHERIFF'S OFFICE
INCIDENT REPORT

INCIDENT LOCAL #	ACTIVITY ADDRESS (JURISDICTION) DEPOSITION	OFFICER (S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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I0195919		HSILVEY	09/19/2001, 15:46 09/19/2001, 15:48 09/19/2001, 15:48 09/19/2001, 15:48	PTETTERTON AMGRIFFIN BATTERY AGR. ASLT CT:PTETTERTON
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Caller's Info: WAGNER, JACKLIN PHONE: 770 420-2576

Reported as: AGGRAVATED ASLT FOUND AS: AGGRAVATED ASLT

VICTIM: WAGNER, JACQUELYN License: NONE
(Female) 3000 SANDWEDGE CIRCLE SSN: 367-82-7585
M0119418 KENNESAW GA 30144
Phone: 770 420-2576 Race: WHI DOB: 10/19/1961 Age: 39

OFFENDER WALKER, KERRY License: NONE
(Male) 4590 KNOX BRIDGE HWY
M0119419 CANTON GA 30115 Race: WHI DOB: 02/26/1954 Age: 47

Narrative (s) :

Narr. 1: HAROLD SILVEY Division: None Status: Open (I0195919)
TITLE: AGGRAVATED ASSAULT Entered: HAROLD SILVEY
Reviewed: No officer

MS. WAGNER CAME TO THE ADC TO REPORT THAT SHE HAD BEEN ASSAULTED BY HER BOYFRIEND. SHE STATED SHE WENT TO THE BOYFRIEND, KERRY WALKER'S HOUSE ON SUNDAY 09/19/2001. AFTER SHE WAS THERE FOR SOME TIME WALKER BECAME ENRAGED AND BEGIN TO PUSH AND SHOVE HER AROUND. HE PUSHED HER INTO THE BATHTUB, TORE HER SHIRT AND LOADED A CROSSBOW AND THREATENED HER WITH IT. WHEN SHE CALL 911 HE TOLD HER TO GET UP THAT THEY WERE LEAVING. SHE SAID THAT HE DID NOT FORCE HER TO LEAVE BUT SHE WAS AFRAID OF HIM.

SHE HAS THE SHIRT THAT SHE WAS WEARING AND THE LEFT SLEEVE IS RIPPED. SHE HAS BRUISES ON HER LEFT ARM AND AN ABRASION ON HER RIGHT ARM ABOVE THE ELBOW. HE ALSO SPIT IN HER FACE TWICE. HE TOLD HER THEY WERE LEAVING THE HOUSE BECAUSE HE DID NOT WANT TO BE THERE WHEN THE POLICE SHOWED UP.

Analysis of Report/Interview Case # I0195919

“MS. WAGNER CAME TO THE ADC TO REPORT THAT SHE HAD BEEN ASSAULTED BY HER BOYFRIEND.”

First of all, I did not assault her, nor harm her or touch her in any way with any intent to bring any harm to her. The fact is and the truth is that this woman assaulted me twice and committed other acts of rage and violence towards me. I was brutally assaulted in the Holiday Inn in Cedartown Georgia at approximately 2:00 o'clock in the morning on the 9/16/2001. I was hit extremely hard in the chest and then my left arm, and then with a powerful jab to my right eye. During the course of the night, I was tormented with violent swings on several occasions and I was perpetually harassed, dominated and controlled by this woman. She refused several attempts to get her out of my vehicle. She also violently refused to have someone come give her a ride home. I was assaulted and threatened in my own home by this woman when I again asked her to have someone come get her, as I did not want her back in a vehicle with me. She violently and forcefully shoved her fingers into my already bruised chest as she told me, “No, your—gonna—take—me—where—you—found—me,” jabbing me violently and forcefully in my already severely bruised sternum with every word spoken. She then continued to threaten me and curse me.

The other thing is that I was not her “boyfriend.” This was a two week, off and on, nightmare of an acquaintance, and I had broken up with her several days before we went to do a scheduled skydive. She called me several times attempting to make up with me and finally talked me into taking her by convincing me based on the fact that I had already paid for her jump and video. After several conversations with her and telling her no, I eventually reluctantly agreed that she could go. This was without question the biggest mistake of my life.

“SHE STATED SHE WENT TO THE BOYFRIEND, KERRY WALKER’S HOUSE ON SUNDAY 09/19/2001.”

Here she is obviously trying to deny that she was with me before that day on Sunday in an attempt to cover herself for the violence she had committed against me beforehand. The fact and the truth is that this woman was with me from Friday evening until Sunday afternoon. She even contradicts her on statement in interviews at later dates with two different detectives (Peavy and Massey).

The fact is that this was not 09/19/2001 as this Incident Report indicates. The reality is that Sunday was in fact 09/16/2001. Had this officer gotten the date right on his report it may have dawned on him that this report was being filed several days after this alleged incident. He would have then possibly questioned her motive in filing this report several days after this alleged incident occurred. This alone should have brought about the necessity of a Probable Cause Hearing *before* an arrest was made in order to bring out the witnesses and the facts and the truth of what really happened here. There was no hearing and there was no investigation, and there was no due process of law

before I was arrested for crimes that I did not commit. In fact and in *truth* I was the *victim* here and not the offender.

BEGINNING OF TRANSCRIPT

TRANSCRIBED BY SHIRLEY J. SMITH INTERVIEW BY: PEAVY WITH: JACKIE W.
These are exact replicas of parts of the original transcript and nothing has been changed.

17 P: WORK ON THAT OR NOT. WOULD YOU KINDA LEAN FORWARD A LITTLE
18 BIT
19
20 W: SURE
21
22 P: AND, UGH BASICALLY SPEA-, SPEAK A LITTLE LOUDER THAN YOU
23 NORMALLY WOULD AND JUST TELL ME WHAT HAPPENED, UGH BETWEEN
24 YOU AND MR. WALKER IN CEDARTOWN TO, TO HIS HOUSE ON SUNDAY
25 THIS PAST WEEK.
26

27 W: WELL, (SIGH) UGH, VERY BEGINNING ON SATURDAY WE WENT OUT THE
28 WITH SOME OTHER FRIENDS TO GO AND, UGH SKYDIVE. AND THEY
29 DIDN'T GO UP, YOU KNOW BECAUSE IT COULD TAKE A PLANE UP AND
30 THEN WE'RE GOING TO WAIT AND SEE IF WE CAN GET A FLIGHT OUT IN
31 MORNING. AND, UGH SO THAT WE MIGHT BE ABLE TO GO UP EARLY
32 AND SO WE DECIDED TO STAY THE NIGHT AND EVERY BODY ELSE LEFT.
33 AND, UGH WE GOT A HOTEL ROOM OVER IN, UGH IT WAS IN CEDARTOWN.

(Mr. Walker's comments throughout text)

The reason the planes could not go up was because of the September 11th attacks and all aircraft had been grounded. They hoped to have clearance by the next morning to go up. Ms. Wagner states here that everybody else had already left, but we actually left before everybody else and there was no reason for this statement to be made. The fact is, the Drop Zone had a bunkhouse and some of the people probably stayed in it.

“AFTER SHE WAS THERE FOR SOME TIME WALKER BECAME ENRAGED AND BEGAN TO PUSH AND SHOVE HER AROUND. HE PUSHED HER INTO THE BATHTUB, TORE HER SHIRT...”

The fact and the truth is I never shoved her around and these statements are just more of her many lies. In fact in the interview with Peavy she says nothing about me pushing her or shoving her at all at my home. She also states in the mist of her many confused, strange and contradictory ramblings, that she fell into the bathtub in the Holiday Inn Hotel in Cedartown Georgia, and she makes it clear that this was an accident from her pulling on the door and being behind the door, and me simultaneously pushing on the door, subsequently causing her to fall backwards and into the tub. The fact and the truth of what happened here, in Cedartown and not at my

home as she indicated, was that she was locked in this bathroom for a good twenty minutes or longer and I began to worry about her harming herself, as her mother had told me about her attempting suicide before and her mom had vomited before coming over to her place just a week before because she feared that she had committed suicide. I asked her nicely to open the door and to come out. When she would not open the door after me asking nicely and begging for her to do so, I finally took a coin and unlocked the door and opened it. When I opened the door just enough to get my head inside to look into the bathroom, I saw her sitting on the closed toilet seat smoking a cigarette. I asked her if she was okay, and at that point she jumped up and slammed this heavy door on my head. I then told her that she slammed the door on my head as I opened the door abruptly. She pulled on the door as I pushed on it and she took a couple steps backwards until she got to the edge of the tub and fell back. This is how the accident happened and how she fell into the tub. This was in Cedartown and not at my home as Ms. Wagner led the officer to believe.

Ms. Wagner also states that I tore her shirt and in her next description, we were suddenly driving down the road. The truth and the fact is this occurred while I was stopped to allow the engine to cool down after it had overheated and I was working on getting water in the radiator. She was belittling and harassing me while I was trying to deal with this problem, and I got back in the vehicle and asked her to please stop hassling me, and she just smarted back off to me and kept on and on. I filled up a cup with water many times and put it in the radiator from a fauset some 30 feet away. I finally got it ready to go, and then Jackie starts running her mouth again and I had had enough. I told her to get in the back seat, and, of course, she rudely said "*No!*" I then told her to get out of my Jeep, and she refused. Again I demanded that she get out and at that time she got out and then opened the back door and got into the back seat, with the door standing open (she was not up against the door as she describes in her story). She began to start this crap again about money. Saying over and over and over, "*It's all about Kerry and his money. It's all about Kerry and his f...ing money.*" I bet I heard this over one hundred times. Fed up, I told her again to "*Get out of my Jeep. Now!*" She said, "*No, I'm not getting out!*" I then reached back over my right shoulder and motioned with my arm for her to get out. My hand caught the sleeve of her old biker T-shirt and I then grabbed hold of it. The sleeve tore very easily because the material was very thin on this old shirt. I never touched her arm or her skin and nothing but my hand caught the sleeve of her shirt and I think I was a little shocked when it ripped so I simply grabbed hold of it and I demanded her out of my vehicle. It was obvious that I was not getting her out of my Jeep so I just sat there for a while and then I even apologized for tearing her shirt and I told her that I would buy her another one. I even offered her one of my clean T-shirts, but she stubbornly refused. I then headed out for her home so I could get her out of my life as soon as possible.

pg. 1

34 W: AND, UGH THE TIME TO GO TO SLEEP AND HE SAID HE LIKES THE TV ON
35 AND I LIKE IT OFF. I MEAN HE'S LIKE IT ON, OFF RATHER AND I LIKE IT ON.
36 AND, UHG I LEFT THE TV ON AND HE GOT MAD AND, UGH CAUSE HE SAID
37 HE WANTED IT OFF AND I SAID WELL, YOU KNOW I CAN SLEEP BETTER
38 WITH IT ON. AND, UGH THEN HE, UGH, AF-, AFTER A LITTLE WHILE HE

39 GOT, HE GOT MAD AND HE JUST, HE STARTED, UGH HE SAID THAT HE
40 WANTED IT OFF AND HE STARTED LIKE HIS FACE TURNED ALL RED. HE
41 WAS LIKE YELLING IN MY FACE AND, AND LIKE, HIS NOSE HIT MY NOSE.

The truth and the fact is I never got extremely angry at all. Not throughout this entire ordeal did I ever lose my temper. I just attempted to deal with this woman as best I could and continued to focus on God for help in dealing with her.

I never got in her face and I never touched her nose or hit on the bed or any of these behaviors that she describes in her ramblings. These things simply did not happen and this woman is nuts. These are all false allegations, and rest assured, if you read this with an open mind and question everything, including me, you will easily come to realize the fabrications of these events to be the basis of her entire twisted story.

42 THAT'S HOW CLOSE HE GOT. AND HE'S LIKE HITTING THE BED AND
43 EVERYTHING AND YELLING AT ME ABOUT, YOU KNOW I WANT THE TV
44 OFF. AND SO I GOT UP AND I WENT INTO THE BATHROOM. HE SAYS WHERE
45 ARE YOU GOING? I SAID, I SAID IN THE BATHROOM CAUSE I DIDN'T HAVE
46 ANYWHERE ELSE TO GO. AND, UGH SO UGH HE SAYS WHY ARE YOU

pg. 2

1 GOING IN THERE. AND I SAID I JUST THINK THAT WE NEED A BREAK SO
2 WE CAN JUST CALM DOWN. AND, UGH SO I WAS IN THERE FOR A WHILE
3 AND HE ASKED ME WHAT I WAS DOING. AND, UGH I SAID, YOU KNOW THE
4 FIRST TIME I SAID THAT I WAS GOING TO THE BATHROOM, SECOND TIME
5 HE ASKED ME I SAID GOING TO SMOKE A CIGARETTE AND I NEEDED TIME
6 TO THINK AND I JUST THINK, THINK THAT WE NEED, UGH SOME SPACE.
7 AND, UGH AND HE STARTED, UGH YELLING AT, I'M AKIN YOU IN THE
8 NAME OF JESUS, NOW OPEN THE DOOR, PLEASE, PLEASE, PLEASE, PLEASE.
9 I SAID WE NEED SOME SPACE. THEN HE STARTED SCARING ME BECAUSE,
10 YOU KNOW THE WAY HE WAS ACTING AND THEN UGH HE ASKED ME HOW
11 LONG I WAS GOING TO BE IN THERE. AND I SAID ABOUT, I SAID I DON'T
12 KNOW, ABOUT TWO HOURS. AND HE SAID YOU CAN'T STAY THERE FOR
13 TWO HOURS. THEN HE STARTED GETTING Madder ABOUT THAT AND,
14 UGH THEN, UGH FINALLY, UGH, YEAH FINALLY I OPENED THE DOOR AND
15 HE LIKED PUSHED IN THE DOOR WHILE I WAS BEHIND IT. AND, UGH AND I,
16 I END UP FALLING IN THE TUB. AND HE WAS LIKE RIGHT THERE AND I'S
17 TRYING TO GET OUT OF THE, THE TUB AND HE WAS LIKE, HE WAS LIKE
18 THERE WAS THIS REALLY WEIRD LOOK ON HIS FACE. HIS EYES AND HE'S
19 LIKE SMILING LIKE HE THOUGHT IT WAS FUNNY. YOU KNOW, HE DIDN'T
20 BOTHER, I MEAN AND LIKE DIDN'T BOTHER HELPING ME OUT OR
21 ANYTHING. AND, UGH SO I GOT MAD AND I SAID, YOU KNOW LET ME OUT
22 OF HERE. AND, AND I WENT OUTSIDE THE HOTEL TO GET AWAY FROM HIM.
23 HE FOLLOWED ME ANYWAY. AND, AND (SIGH) THIS WHOLE FIGHT TOOK
24 ABOUT LIKE FIVE HOURS AND STUFF. YOU KNOW, HE WAS LIKE YELLING
25 AT ME, TELLING ME (CLEAR THROAT) DO WE HAVE TO USE THE WORDS
26 THAT HE DID.

It is difficult to even type what this woman says, because she is so unbalanced. Almost nothing she says is based on the truth of what happened and she makes the story up as she goes along. Even when what she says has an inference about the truth in it, she still changes the facts in some way from what actually took place. In other words, she never tells the truth.

What amazes me is the fact that I did not want anything more to do with this woman, and, as I mentioned, I took her on this trip only because she talked me into it and because I had already paid for it. This money could not be refunded and they would not transfer the jump to another person's name or to my name. This is the only reason I reluctantly told her that she could come with us. There were four of us going to do a tandem skydive and we all met that morning in the parking lot of Sports Authority and my two friends went in separate cars.

On top of all her other lies, she mentions over and over again how I wanted to touch her or hug her, and this is the furthest thing from the truth. I did not want anything to do with her physically and I had thwarted her sexual advances just after getting into the hotel room. She even says that I kept attempting to touch her and get her to hug me while I was going back and forth getting water for my overheated engine (In the her second interview with another detective she actually says that I stopped for oil). I was in a state of fear and anxiety just being around this psycho from hell and I still had a severe pounding headache from where she had knock the daylights out of me in the middle of the night.

The fact and truth is I opened this door with a coin at around 2:00 o'clock in the morning, because of my concern for what this woman might do to herself. She also fails to mention the fact that she slammed a heavy door on my head or what happened after her fall into the tub. She got angry all right, after refusing my offer to help her up and her saying "Get out of my way you son of a bitch," as she swung her arm violently to keep me at bay, and then she climbed out of the tub, and stood in front of me. She then punched me extremely hard in my chest with a right jab and then a lighter left hook into my left bicep. I then said, "You biker bitch, you just hit me!" and she said, "Don't you ever call me that again!" as she punched me with a very violent and forceful jab to my right eye. She nearly knocked me out!

Please refer to the detailed events of this nightmare that I have written to find out what *really* happened in this entire story.

pg. 2

27

28 P: YEAH, GO AHEAD AND USE THE WORDS THAT HE USED.

29

30 W: WELL, HE WAS CALLING ME LIKE A, UGHM, HE WAS CALLING ME LIKE

31 A, A, A, CUNT, A BITCH, A BIKER BITCH. AND, AND, UGH I KNEW HE'D GO

32 BACK TO MY BIKER FRIENDS. AND, UGH CAUSE I TOLD HIM THOSE ARE

33 THE PEOPLE THAT HELPED GET ME SOBER AND STUFF. AND, UGH THEY,

34 UGH AND, UGH DURING THIS TIME, UGH WELL, BEFORE I WENT OUTSIDE,
35 HE, UGH HE WENT TO A STORE CAUSE HE HAD A HEADACHE AND, UGH
36 AND HE BOUGHT ME THIS ROSE AND IT WAS A PURPLE ROSE. AND HE

The fact and truth is I went to the store long before this. It was not long after we got to the hotel room and after me shunning her sexual advances that she told me that she had acid indigestion and asked me to go get her some Maalox (I still have the bottle that I bought that night). I did tell her that I did not feel good and that I was tired, but I did not say anything about having a headache, because I did not have a headache until after she hit me. I did buy her a purple rose, because she had told me that this was her favorite color and I saw it and thought it might cheer her up because she was upset that I would not have sex with her and seemed to be so full of anxiety about this doing this skydive. I never called her a “cu*t” and this is a word I have not used to describe any woman in *at least* the last thirteen years of my life.

37 SAID, HE SAID, UGH AND SO WHEN WE WERE OUTSIDE HE WAS YELLING
38 AT ME ABOUT HOW MUCH MONEY HE SPENT, AND ABOUT YOU KNOW
39 SPENDING IT ON, YOU KNOW THE, SCHOOL CAUSE IT TOOK LIKE SIX
40 HOURS SCHOOL. AND, UGH THEN, UGH, HE SPENT LIKE \$2 ON THE
41 ROSE AND HE, AND HE’S, AND HE LOVES ME AND EVERYTHING BECAUSE
42 HE KNEW THAT MY FAVORITE COLOR WAS PURPLE. AND SO HE, UGH YOU
43 KNOW BOUGHT A PURPLE ROSE AND EVERYTHING. AND, YOU KNOW
44 SPENT LIKE TWO (TAPE SKIPPED) SAYING, YOU KNOW WANTED ME TO
45 COME BACK IN THE ROOM BECAUSE HE WAS TIRED. HE WANTED TO GO
46 TO SLEEP AND I SAID, KERRY I’M NOT STOPPING YOU FROM GOING

pg 3

1 UPSTAIRS. AS A MATTER OF FACT, YOU KNOW, UGH, YOU NEED TO GO
2 UNSTAIRS. HE SAID THE HE WOULDN’T, HE’D WORRY ABOUT ME
3 OUTSIDE. AND I’M LIKE “PFFFF”, OKAY. AND, UGH, THEN, UGH (TAPE
4 SKIPPED) STARTED YELLING MORE. I DON’T KNOW WHAT HE SAID CAUSE
5 I WAS LIKE IGNORING HIM. BUT HE WAS (UNCLEAR) TALK ABOUT LIKEM
6 LIKE HE’S, HE, HE’S JUST LIKE JESUS. HE’S SO NON-VIOLENT AND SO, UGH
7 YOU KNOW HE LOVES ANIMALS AND EVERYTHING BECAUSE WE GOT IN A
8 FIGHT EARLIER CAUSE HE, HE FLIPPED CAT, MY CAT, CASSIE AND I GOT
9 MAD ABOUT THAT. AND, UGH, AND I TOLD HIM NOT TO STAND SO CLOSE TO
10 TO ME WHEN HE WAS MAKING THAT STATEMENT CAUSE WHEN LIGHTNING
11 BOLT COMES DOWN AND HIT HIM, I DON’T WANT TO GET HIT. AND, UGH
12 SO HE SAID THAT HE WAS LEAVING AND HE LEFT AND THEN HE, UGH, CAME
13 BACK. AND, UGH I WAS STILL STANDING THERE CAUSE I, I DIDN’T HAVE
14 ANYWHERES ELSE TO GO. AND, THEN, UGH THEN HE, UGH I DON’T (TAPE
15 SKIPPED) YELLING SOME MORE AND CALLING ME ALL THOSE NAMES
16 AGAIN AND, AND TELL-, GETTING MAD CAUSE I WOULDN’T GO UP IN THE
17 HOTEL ROOM. AND, UGH I WAS ACTUALLY SCARED TO GO UP THERE
18 BECAUSE I FIGURED THERE WAS NOWHERE TO RUN, YOU KNOW, AND,
19 UGH THEN HE SPIT IN MY FACE AND, UGH THEN I DIDN’T DO ANYTHING
20 CAUSE I MEAN WHAT (TAPE SKIPPED) I MEAN, WHAT, WHAT IS, WHAT IS
21 IT. WHAT IS, WHAT DO I WANT HIM TO DO. AND I SAID I REALLY WANT
22 YOU JUST TO GO UPSTAIRS AND GO TO SLEEP. AND SO, UGH ACTUALLY I
23 FORGOT TO TELL YOU THAT BUT HE , HE WAS GOING TO TAKE ME HOME.

24 AND, UGH I DIDN'T HAVE ANY SHOES CAUSE THOSE WERE, HE, HE LET ME
25 USE HIS SHOES SO I TOOK THEM OFF AND I GAVE THEM BACK TO HIM.

This is so unbelievable. This woman is nuts, and I'm not being rude by saying this, I'm simply stating a fact. I never complained about money, and anyone that knows me will tell you that this is total nonsense. At that time I had plenty of money, and in fact I have given her a check for \$500.00 a week and a half before this out of the kindness of my heart, just because she told me that she was having financial problems (I have this check). She gave me this check back after being rude to me in another incident, and she told me that she did not want my f***ing money. And she told me not to let the door hit me in the ass when I was leaving. I can also guarantee you, and anyone that knows me well will attest to this as well, I would never say that I was like Jesus. Ms. Wagner was the one that made the false claim to be a so-called "Christian" and she had what was suppose to be a picture of Jesus taped to the dashboard of her car. Personally I believe in God, and because of years of intense study, I don't believe in any religion. This story about her telling me not to stand so close because she did not want to get struck by a bolt of lightning is another one of her continuous fabrications and this was never said, and it also demonstrates her strange state of mind. This story about her fear of a lightning bolt striking me is the perfect example of the strange personality that I was dealing with. I was worried about this woman harming herself in some way or committing suicide, and me getting blamed for it. Remember, she had attempted suicide before and I knew about this.

This woman was never scared of me, and she has not been scared of me in the last three years since this time, and she has proven by the fact that she has been stalking me and has been attempting to bring more harm to me ever since this incident occurred. I have five police reports that are proof to these incidents. Ms. Wagner even filed a "Stalking Temporary Restraining (Protective) Order" or TPO on me, and it was based on nothing but lies. She stated that I had stalked her and that I had a white truck. My truck is red and I never stalked her, and I wanted nothing to do with her. The morning of the TPO Hearing, I refused to sign a "Consent Order" as is suggested in these scenarios and I went before the judge. After listening to the evidence this Stalking TPO was dismissed by the judge for insufficient evidence!

It is bizarre how she claims that I spit in her face on several occasions, yet this never happened, and I have never spit in anyone's face in my life. I also was never going to take her home at this time of the morning and we never left the hotel to go anywhere and I never yelled once during this entire nightmare, and if I had yelled, believe me, I would have woke up half the people in the hotel. Another bizarre story, out of the seemingly constant flow of them, is this story about me having given her my shoes, and then her taking them off and giving them back to me. She had shoes, and I never gave her my shoes.

26 AND, UGH SO, UGH ANYWAY I WAS PUTTING THE SHOES IN THE CAR AND
27 HE SA-, HE SAID COME ON, I'LL TAKE YOU HOME. I WAS LIKE ALLRIGHT
28 AND GOT IN THE CAR AND HE SAID HE WASN'T GOING TO TAKE ME HOME.
29 WE DROVE DOWN THE STREET SOMEWHERE IN, IN CART-, I MEAN IN, IN

30 CEDAR, CEDARTOWN AND, UGH HE'S LIKE YELLING AND EVERYTHING
31 HE SAID THAT, UGH HE WASN'T GOING TO TAKE ME HOME. AND I SAID,
32 SAID WELL, TAKE ME BACK TO THE, TO THE HOTEL ROOM THEN CAUSE I
33 DON'T WANT TO BE A CAP-, CAPTIVE AUD-, AUDIENCE IN THIS PLACE SO
34 YOU CAN JUST GIT THERE AND YELL AT ME AND PH-, AND YOU KNOW
35 LIKE VERBALLY ABUSE ME AND EVERYTHING. AND, UGH SO HE FINALLY
36 DID AND, UGH I ENDED UP, YOU KNOW MORE YELLING AND EVERYTHING
37 AND I ENDED UP WALKING TOWARDS THE FRONT OF THE BUILDING AND
38 EVERYTHING AND HE WENT AWAY. AND HE WENT, HE WENT BACK
39 UPSTAIRS AND, UGH, UGH, OH, HE HAD ALREADY KICK ME OUT OF THE
40 HOTEL ROOM CAUSE HE SAID THAT HE BOUGHT THE ROOM. AND, YOU KNOW
41 FIGHTING THAT THE WAY ME WANTED ME TO THEN, YOU KNOW I HAD TO
42 GET OUT. (TAPE SKIPPED) SAID I COULD COME BACK AND HE STARTED
43 GIVING ME THE CARD BACK, YOU KNOW TO GET INTO THE ROOM. AND I
44 TOLD HIM I DIDN'T WANT IT. AND I STAYED OUTSIDE ALL DAY THEN
45 FINALLY, UGH I MEAN ALL NIGHT AND THEN I, I FINALLY WENT INSIDE
46 AND, UGH ATE WHEN IT WAS, WHEN IT WAS EARLIER IN THE MORNING.

I never kicked her out of this hotel room and she had her own card to enter the room, and I never took it from her. I was not verbally abusive, and in fact, I continued to be overly nice in every attempt to end this nightmare. I was more afraid of her than she was of me. Because of what I had learned about her and because of what I had told her about myself and the fact that she knew that I was working on a pardon from selling a small amount of drugs back in '86, I feared that she might call the police on me in an attempt to cover herself and to bring harm to me, and this fear certainly became a reality.

pg 4

1 AND, UGH (CLEAR THROAT) THEN HE CAME DOWNSTAIRS AND FOUND ME.
2 AND HE WAS, AND HE WAS LIKE, WELL DURING THIS TIME HE WAS
3 SAYING HE, HE DID LEAVE THEN HE CAME BACK AND HE WAS LIKE, IT
4 WAS LIKE, LIKE DR. JEKYL AND MR. HYDE CAUSE HE WAS, HE WAS LIKE
5 UPSET AND EVERYTHING AND SPITTING IN MY FACE AND EVERYTHING.
6 HE LEFT AND WENT UP TO THE HOTEL AND THEN HE CAME BACK DOWN.
7 AND THEN, UGH THEN HE (TAPE SKIPPED) WELL, I FEEL BETTER. AND HE
8 WAS LIKE LAUGHING AND EVERYTHING. HE WAS LIKE, YOU KNOW GIVE
9 ME A HUG AND STUFF, AND I SAID, I SAID DON'T TOUCH, NOW DON'T HUG
10 ME OR ANYTHING LIKE THAT. AND THEN HE STARTED GETTING MAD
11 AGAIN CAUSE I WOULDN'T HUG HIM. AND, UGH
12
13 P: THAT'S FINE. I'M
14

The truth and the fact is when I came downstairs to get a cup of coffee, she was sitting in the lobby on a couch. After fixing my coffee, and as I was stirring my coffee I was walking slowly past her, heading back to the room. She says, "Good morning" and had this big smile plastered on her face.-- A smile that I have figured

out to be a façade to cover for the evil that exist underneath. I reluctantly said “morning” back to her, and then I told showed her my black eye that she had given me. She apologized and then I told her that I was headed back to the room. As I started walking back to the room, she got up and began to walk behind me. She then caught up to me and began walking with me back to the room.

I think it is very eerie for this woman to be talking about Dr. Jekyll and Mr. Hyde, because she is a living example of a split personality.

pg. 4

15 W: UGH (UNCLEAR), WELL ANYWAY, UGH, UGH SO ANYWAY SO, UGH HE
16 YOU KNOW HE GOT MAD ALL OVER AGAIN CAUSE I WOULDN'T LET HIM
17 TOUCH ME OR ANYTHING. AND, UGH SO ANYWAY, UGH WHEN, WHEN HE
18 CAME DOWN IN THE MORNING HE HAD, HE HAD THIS BLACK EYE. AND I
19 MEAN IT WAS BLACK (UNCLEAR) LEFT, I GUESS IT WAS HIS RIGHT
20 EYE. AND, UGH HE WAS LAUGHING SITTING THERE AND HE'S LIKE, HE
21 SAID, SAID OH, I GAVE MYSELF A BLACK EYE. AND, UGH, UGH, (CLEAR
22 THROAT) AND I SAID YEAH AND HE SAID MY CHEST HURTS TOO. YOU
23 KNOW I HIT MYSELF IN THE CHEST AND STUFF LIKE THAT. AND I WAS
24 LIKE YEAH, YOU KNOW AND, AND, UGH, (TAPE SKIPPED) AND UGH, THEN
25 WE WERE LEAVING AND, UGH I DON'T KNOW WHAT, WHAT SET HIM OFF
26 AGAIN BUT HE, BUT, UGH, OH, HE KEPT ON SAYING THAT I WOULDN'T LET
27 HIM GIVE ME A HUG OR ANYTHING. SO, UGH ANYWAY THAT WAS, AND,
28 UGH SO, UGH WE WERE DRIVING HOME AND HE KEPT ON TELLING ME
29 THAT I NEEDED TO START MY DAY OVER BECAUSE HE IS AND DOESN'T
30 UNDERSTAND WHY I'M NOT IN A GOOD MOOD CAUSE HE IS. AND , AND,
31 UGH DIDN'T I LEARN ANYTHING LIKE CAUSE WE WE'RE BOTH IN AA. DIDN'T I
32 LEARN ANYTHING ABOUT STARTING MY DAY OVER (TAPE SKIPPED)
33 OR ANYTHING. AND, AND, UGH AND (TAPE SKIPPED) AND I WAS LOOKING
34 OUT THE WINDOW. I WAS IN THE FRONT SEAT. THEN I WENT ALL THE
35 WAY IN THE BACK AND LAID DOWN. AND THEN, UGH, UGH, THEN I
36 WANTED TO SMOKE A CIGARETTE SO I SAT UP AND I WENT TO THE
37 MIDDLE SEAT OF HIS CAR. AND, UGH AND I, I DON'T KNOW WHAT HE WAS
38 YELLING ABOUT BUT I STARTED LOOKING OUT THE WINDOW AND I, AND I
39 STARTED WHISTLING. I, I DIDN'T EVEN MEAN TO BUT I STARTED, UGH,
40 WHISTLING. HE GOT MAD ABOUT, YOU KNOW THE WHISTLING AND HE
41 WENT ON ABOUT HOW I WOULDN'T LET HIM TOUCH, UGH I WOULDN'T
42 LET HIM TOUCH ME AND STUFF LIKE THAT. AND HE, AND HE TURNED
43 AROUND AND HE, AND HE, UGH (TAPED SKIPPED) GRABBED ME AND I WAS
44 AGAINST THE DOOR AND HE FINALLY GOT MY SHIRT AND HE RIPPED IT.
45 AND THEN, THEN HE PUNCHED ME AND HE, AND HE SPIT IN MY FACE. HE
46 WAS LIKE VEERING OFF INTO THE OTHER LANE. AND, AND UGH AND HE

pg. 5

1 TURNED AROUND AND SAID WE'RE GONNA GET, WE'RE GONNA GET IN A
2 HEAD-ON-COLLISION. YOU'RE GOING TO MAKE US GET IN A HEAD-ON
3 COLLISION. I WAS LIKE, YOU KNOW I'M BACK HERE. I, DON'T SEE HOW
4 THAT CAN HAPPEN, HOW I C-, IT COULD BE MY FAULT.

This psycho nutcase is such a prolific liar and is so pathological that it is impossible to fathom. There is so little truth mixed in with all the lies that there is no truth to be found. I did not spit in her face—I did not hit myself in the chest, I did not punch her or anywhere else she says happened, and nothing she says is completely true in this psychotic story! The only glimpse of the truth to any of this is the fact that she was harassing me from the back seat while I was driving and one time I drove over into the other lane a little and then I stated that she was going to cause me to have a wreck if she did not leave me alone.

Please refer to my detailed story to get you back to reality again.

“...AND LOADED A CROSSBOW AND THREATENED HER WITH IT. WHEN SHE CALL 911 HE TOLD HER TO GET UP THAT THEY WERE LEAVING. SHE SAID THAT HE DID NOT FORCE HER TO LEAVE BUT SHE WAS AFRAID OF HIM. SHE HAS THE SHIRT THAT SHE WAS WEARING AND THE LEFT SLEEVE IS RIPPED. SHE HAS BRUISES ON HER LEFT ARM AND AN ABRASION ON HER RIGHT ARM ABOVE THE ELBOW. HE ALSO SPIT IN HER FACE TWICE. HE TOLD HER THAT THEY WERE LEAVING THE HOUSE BECAUSE HE DID NOT WANT TO BE THERE WHEN THE POLICE SHOWED UP.”

What is amazing is when she is describing this incident about this T-shirt getting torn, that she originally states had happened in my home, it was actually some 40 minutes from my home. This was just another one of her many pathological lies.

The fact and the truth is I never loaded a Crossbow and I never threatened her with it. This fact that this Crossbow was never loaded can be substantiated by an expert witness and my attorney turned witness (Jeff Rusbridge) is also familiar with this and he also saw this thick layer of dust on this Crossbow. The thick layer of dust on the shaft of this Crossbow would have simply been cleaned off by the pressure of the string on the shaft as it was drawn back. An expert witness said that he would testify with mathematical certainty that this Crossbow was never cocked at the time of this incident and if a Crossbow has not been cocked, it would not have been loaded. It stands to reason that if a Crossbow has not been cocked or loaded it is not going to be used to threaten her in the way that she describes in her story.

When the former detective (Peavy) asked her about this old biker T-shirt getting ripped some 40 minutes from my home, Ms. Wagner jumps to this fabricated story of an incident in my home and in my bedroom that was in fact several hours later. The rest of this transcript is so bizarre that anyone with any common sense at all would not believe the rambling statements of this woman enough to arrest a man unless there was some malicious intent and some strange desire to proceed in an attempt to ruin a good man's life.

It is also interesting to note that when she did this report and told them that after she called 911, according to this report, she states that **I told her to get up and that we were leaving**. There is nothing about me jumping on her and holding her down in this initial report, yet that all changed when she was interviewed by the (former detective) Peavy. Then the report indicates that I did not force her to leave. The *fact* is she

demanded and violently forced me to take her home. And the incredible statement that is made next is that “**she was afraid of him.**” This woman was never afraid of me and she controlled and dominated me. That’s what this woman is all about, control and domination. She is a psychopath, pure and simple. There very fact that she has stalked me and harassed me for three years after this incident is proof that she is not afraid of me.

The reason she had this bruise on her left arm and an abrasion on her right arm could be because we took a grueling six hour First Jump Course that is known for giving bruises or possibly and abrasion on the arms, especially on women or people that bruise easily. Plus there is the fact she fell backwards and plopped into a tub. Don’t you think this could have caused a bruise or an abrasion? The other fact is that it had been several days since this incident happened. God only knows what could have happened to this crazy woman from Sunday until Wednesday, the day she decides to file a report.

As I have said already, I never spit in her face at all, and this is nothing more than another one of her many lies.

I did not leave because I thought the police where coming. In fact, had I known that they were coming I would have stayed at my home. This was a half million-dollar home that I personally designed and physically built and that I spent 15 to 20 hours a day, seven days a week, for two years to miraculously build on a lot that everyone said was impossible. This happened to be next to Corps of Engineering property that was one of my father’s and family’s favorite places to come camping, hunting, boating and fishing. My mother and, especially my father were so proud of me. And because of this insanity and the over \$42,000.00 all this *nonsense* has cost me, I have lost my custom dream home and practically everything else I owned. I just don’t think that this is where I should have to be putting my energy as I have for the past four years!

pg 5

5

6 P: WHERE DID HE PUNCH YOU IN THE FACE?

7

8 W: HE PUNCHED HERE. HE SPIT IN MY FACE AGAIN. HE SPIT IN MY FACE
9 TWICE AND, AND ONCE AT THE HOTEL AND THEN ONCE DOWN HERE, I’M
10 NOT SURE IF WE WERE IN CHEROKEE COUNTY AT THAT TIME OR NOT.
11 BUT, UGH

12

13 P: THINK I SAY, GRABBED YOUR SHIRT AND RIPS IT AND THEN, THEN
14 WHAT HAPPENS?

15

16 W: AND THEN, THEN HE PUNCHED ME AND THEN HE WAS YELLING ABOUT
17 ALL THAT AND THEN, UGH THEN HE (TAPED SKIPPED) THEN, UGH SO THAT
18 STARTED, EVERYTHING THAT HE SAID, I SAID YES, KERRY. AND THAT
19 SEEMED TO CALM HIM DOWN. AND THEN, UGH WHEN WE WENT TO HIS
20 PLACE. AND, UGH HE (TAPE SKIPPED) AND I WAS LIKE, YOU KNOW, YOU

21 KNOW I JUST WANTED HIM TO TAKE ME HOME. AND, UGH (TAPE SKIPPED)
22 AND HE WAS COMPLAINING ABOUT, YOU KNOW SPENDING MONEY AND
23 EVERYTHING. AND I TOLD HIM I DIDN'T HAVE ANY MONEY TO PAY HIM
24 BACK OR ANYTHING. AND, AND, UGH, I, I WAS LAYING THERE, YOU KNOW
25 WATHING TV AND, UGH ALL OF A SUDDEN HE CAME, HE CAME INTO HIS
26 ROOM AND HE HAD THIS REALY WEIRD LOOK AND WAS SMILING AND HE
27 GLANCED OVER AT HIS CROSSBOW THAT WAS AGAINST THE, THE WALL.
28 AND I WAS LIKE (SIGH), I WAS THINKING NAW. AND I TURNED AROUND
29 AND I, AND I GLANCED (TAPE SKIPPED) NEXT TO ME THERE WAS LIKE TWO
30 PHONES AND I, AND I LOOKED THE OTHER WAY SO HE WOULDN'T KNOW
31 THAT I NOTICED THE PHONE. AND THEN, UGH THEN (TAPE SKIPPED) HE
32 ALREADY HAD THE CROSSBOW UP AND POINTED AT ME AND HE HAD THE
33 BOW, I MEAN THE ARROW, I MEAN THE LITTLE, UGH GROVE THINGS
34 THERE. AND HE WAS TRY-, LOOKED LIKE HE WAS TRYING TO LIKE (TAPE
35 SKIPPED). AND HE LOOKED UP AND HE, HE WAS LIKE SMILING AND
36 LAUGHING. OH, HE WASN'T LAUGHING, HE WAS JUST SMILING AND THE
37 BOW KINDA FELL OFF AND, UGH, AND THEN HE LOOKED DOWN AT THE
38 BOW. AND THEN I TURNED AROUND AND GRABBED AND I JUST DIALED
39 911 AND THEN HE JUMPED ON ME AND, AND, UGH, AND THE PHONE WENT
40 FLYING. I DON'T KNOW WHERE IT WAS AND, AND HE JUST, JUST LAID ON
41 ME AND, AND STARTED SAYING STUFF LIKE, UGH STUFF LIKE NOW,
42 SWEETIE YOU KNOW I LOVE YOU AND EVERYTHING AND, YOU KNOW ALL
43 THIS STUFF, YOU KNOW SO I GUESS HE THOUGHT THAT, YOU KNOW I
44 DON'T KNOW, I GUESS HE THOUGHT THAT, YOU KNOW WE DON'T KNOW
45 WHERE THE PHONE IS. HE DOESN'T KNOW IF I REALLY DIALED 911 SO IF
46 ANYBODY HEARD THEN HE WOULD BE MR. SWEET AND INNOCENT. AND,

She says that she was “not sure if we were in Cherokee County at that time or not.” I think that pretty much ends any doubt that I could be prosecuted for anything that she claims. My God, where did anything she says really happen if anything she says did really happen. Mr. Peavy is leading her again on line 13 and 14 above.

If I had “punched” this woman as many times as she says I did, she would have been black and blue all over.

Again, I never said anything about money at this time, period. She is the only one that said over and over and over again, “It’s all about Kerry and his f***ing money. It’s all about Kerry, isn’t it.” My God how many times this woman said this over and over!!!!

I was never smiling or laughing, because I was miserable being around this nutcase. Oh, that’s right, she changed her mind about me laughing didn’t she? Oh yeah, and “the bow kinda fell off and, ugh, and then he looked down at the bow.” Come on people, I’m an Archery Champion. I can cock and load this Crossbow a thousand times and neither the Crossbow or the bolt, or anything else, is going to fall off. This woman is a very bad liar, and I just can’t understand how anyone could believe her.

pg. 6

1 UGH SO ANYWAY HE FINALLY FOUND THE PHONE AND THEN HE STARTED,
2 AND HE HUNG IT UP AND HE STARTED, YOU KNOW YELLING MORE AND,
3 UGH I WOULD SAY YEAH, SURE, WHATEVER KERRY, YOU KNOW. AND,
4 UGH (TAPE SKIPPED) AND THEN HE SAID COME ON, LET'S GO, YOU KNOW.
5 AND, AND I WENT WITH HIM BECAUSE I WS SCARED. YOU KNOW, CAUSE
6 I, I'D FOUND THAT IF I AGREE WITH HIM , EVERYTHING IS FINE AS LONG AS
7 IT'S HIS WAY. AND, UGH SO ANYWAY WE WERE DRIVING AND, UGH I SAW
8 A CHEROKEE COUNTY COP GOING TOWARDS, IT LOOKED LIKE IT WAS
9 GOING TOWARDS HIS, HIS HOUSE THEN. AND UGH I WAS TOO SCARED TO
10 WAVE HIM DOWN OR ANYTHING. AND THEN, UGH AND HE (TAPE SKIPPED)
11 ALL THE WAY TO MY HOUSE THEN. AND, UGH I TOLD HIM WHEN HE GOT,
12 YOU KNOW DOWN TO MY SUBDIVSION (UNCLEAR) WHEN WE GOT TO, YOU
13 KNOW LIKE RIGHT HERE. (TAPE SKIPPED) SUBDIVISION ANYWAY THEN,
14 UGH YOU KNOW I TOLD HIM THAT IT WAS OVER. AND HE SAID, YOU
15 KNOW, HE SAID MAYBE, I DON'T KNOW MAYBE WE CAN WORK THIS OUT.
16 AND I SAID NAW, YOU KNOW I DON'T, I DON'T WHAT'S GOING ON IN
17 KERRY'S WORLD BUT IT'S, BUT YOU KNOW MAYBE IN KERRY'S WORLD
18 IT'S NOT OVER BUT YOU KNOW IN REALITY IT'S OVER, IT'S OVER. AND
19 IF YOU SET ONE FOOT ON MY PROPERTY, I'M CALLING 911. CAUSE YOU
20 KNOW DON'T COME NEAR ME AND (TAPE SKIPPED)

Again, on line 5 above, Ms. Wagner states that she went with me because she was scarred. I will say it again. This woman was never scarred of me and she dominated and controlled me throughout this ordeal and I have been in control of her and the State ever since going through this nightmare nearly four years ago!

Virtually all of the statements made above, just like the rest of the story, are untrue. I never said that maybe we can work this out and she never said anything about her calling 911. The statement "Cause you know don't come near me and" was never said.

21

22 P: IN CEDARTOWN, IS IT, UGH YOU PLAYED THE TV TOO LOUDLY ALL
23 NIGHT LONG. AND WHEN HE ASKED YOU TO STOP AND TURN THE TV OFF
24 (UNCLEAR) ALL OVER HIM, IT FLEW ALL OVER HIM AND STRUCK HIM.

Again, I don't think Mr. Peavy makes any since in his statement on lines 22 to 24. He is again being leading, but he doesn't lead very well. What he is attempting to describe here is when we were going back and forth on dealing with the TV being up so loud, and after a couple of hours of asking her to please turn it down, I finally went over to turn it down myself. I kept turning it down and she would turn it back up with the remote, and finally I started turning it off and then she would turn it back on again, and then I mentioned the fact that this room was mine and again I asked her to please turn the volume down. At that point she threw the remote at me and hit me with it, then she jumped onto the other bed.

25
26 W: NO. THERE'S ACTUALLY NO HITTING AT THAT TIME. HE WAS, HE WAS
27 JUST IN MY FACE LITERALLY (UNCLEAR). WE HIT NOSE AND HE WAS LIKE
28 (NOISE) ON THE BED (UNCLEAR) AND HE WAS YELLING AND EVERYTHING
29 SO I GOT UP AND I WENT INTO THE BATHROOM. CAUSE I WAS LIKE I
30 DEFINITELY NEEDED A BREAK. AND HE, HE (TAPE SKIPPED) AND STUFF.
31 AND, AND THEN I GUESS HE REALIZED I WASN'T THERE SO I DON'T KNOW
32 WHAT HE DID. BUT HE FINALLY, HE FINALLY, YOU KNOW ASKED ME
33 WELL, YOU KNOW WHAT I WAS DOING AND, YOU KNOW I TOLD HIM, YOU
34 KNOW.
35
36 P: OKAY, WHEN HE CAME IN THE DOOR AND HE FELL IN THE BATHTUB.
37 WERE YOU, DID YOU STICK BACK AT HIM OR, AT THAT POINT OR.

I would like to point out that she says, starting on line 26 above, "There's actually no hitting at that time." The fact is she had hit me with remote. Again, I never got in her face or touched her nose. In fact I never touched this woman with any intent to harm her. This is all fabrication and nothing more.

The former detective Peavy seems to be as confused as she is and can't seem to get any the facts right. He states here on line 36 above that I fell into the tub. She fell into the tub, not me.

38
39 W: NO, HE SCREAMED CAUSE I HAD A CIGARETTE IN MY HAND CAUSE I, I
40 WAS SMOKING IN THERE AND I SCREAMED AND I, UGH, UGH I GUESS
41 TRIED TO GRAB, YOU KNOW ANYTHING SO I WOULDN'T FALL. AND I WAS
42 SCREAMING AND HE WAS JUST STANDING THERER AND HE WAS LIKE, YOU
43 KNOW, LIKE SMILING AND, LAUGHING AND CAUSE IT WAS FUNNYM,
44 YOU KNOW. IF I KNOCKED SOMEBODY IN, IN THE BATHTUB I'D TURN
45 AROUND AND TRY TO HELP THEM UP. BUT, YOU KNOW ANYWAY HE WAS
46 JUST LAUGHING AND SO I, I LOOKED AROUND CAUSE MY CIGARETTE

Why would I scream just because she had a cigarette in her hand? Again, just more lies. I was not smiling or laughing and I damn sure was not enjoying what was originally supposed to be a pleasant experience, that had turned, literally, into a living horror story. I did offer to help her up and, again, I was not laughing.

pg. 7
1 WENT OUT AND I WAS LOOKING AROUND TO SEE WHERE IT WAS, THE, THE
2 LIGHT OF IT AND, AND THEN, UGH LIKE FOR A SECOND. THEN I, I SAID

3 FORGET IT, YOU KNOW. I SAID GET OUT OF MY WAY. AND, AND HE
4 STEPPED AND I WENT OUT AND THEN WHEN HE REALIZED I WAS GOING
5 OUT THE DOOR, HE SAYS WHERE ARE YOU GOING. AND HE FOLLOWED ME
6 OUT THE HOTEL SCREAMING AND EVERYTHING. YOU KNOW.
7
8 P: DID YOU STRIKE HIM AT ANY POINT AT THE HOTEL?
9
10 NO, EVEN, EVEN AT THAT TIME, NO BECAUSE I, I SAID GET OUT OF THE
11 WAY. AND, AND HE, AND HE STEPPED BACK AND I DIDN'T EVEN TOUCH
12 HIM. I CAME LIKE, I CAME REAL CLOSE TO HIM BUT I, I DIDN'T EVEN
13 TOUCH HIM.

It is interesting to note here that Peavy asked her whether she had hit me at any time during the entire time we were at the hotel. But her answer goes specifically to the time that she beat the crap out of me, and covers herself for that one specific period of time. This is a good indication of how her guilty mind focused on this one specific time frame where she had kicked my ass!!

14
15 P: OKAY, YOU MENTIONED IT BEFORE, HOW DID HE GET THE INJURY ON
16 HIS RIGHT EYE?
17
18 W: HE, ALL NIGHT LONG, HE WAS SAYING THIS IS HOW MUCH YOU'RE
19 HURTING ME AND HE KEPT ON HITTING HIMSELF. I LOVE YOU AND
20 YOU'RE HURTING ME, YOU'RE HURTING ME, YOU'RE HURTING ME. AND,
21 AND HE STARTED HITTING HIS FACE AND HITTING HIS CHEST AND, AND
22 YELLING THAT HE LOVED ME AND, AND STUFF LIKE THAT, YOU KNOW
23 AND HITTING HIMSELF SAYING THAT I'M HURTING HIM. YOU KNOW
24 WAS SAYING THAT I WAS HURTING HIM
25
26 P: YOU SAW HIM DOING THIS?
27 .
28 W: UGH, YEAH. AND HE WAS HITTING HISSELF. AND IN THE MORNING HE
29 SAID, HE SAID AHH, I GAVE MYSELF A BLACK-EYE. I SAID YEP, AND THAT
30 WAS DOWN IN THE, UGH IN THE, UGH LOBBY.

I think it is important to point out that Jackie Wagner never says anything about me hitting myself in describing each and every specific event. She never states or describes even one specific incident or specific time or specific location where I hit myself. When the subject is brought up she immediately and neurotically reverts to saying that I was hitting myself all night long and all night long I kept on hitting myself. On lines 18 to 24 above her descriptions are very strange indeed. She even makes it a point to state specifically that I was hitting my face and that I hit my chest,

just where she knew that she had hit me. I wonder what I would have looked like had I hit my face all night long and my chest all night long as she states in this interview and in a second interview a few months later. In fact in the interview a few months latter with another detective, Mr. Massey, she gets through most of the story, describing all these ramblings of events in her neurotic fashion, but she never mentions or describes anything about me hitting myself, and then, all of sudden, she blurts out “Oh, I almost forgot”, and repeats it again, “Oh, I almost forgot to tell you,” she continues, “All night long he was hitting himself, all night long he, he ugh, he was beating on himself.” The fact is I had three marks on me from where she hit me and nothing more.

31

32 P: OKAY. NOW WHEN YOU GOT BACK HERE IN, UGH TO HIS HOUSE AND
33 YOU WERE IN THE BEDROOM LAYING DOWN. DID YOU FALL ASLEEP FOR
34 A PERIOD OF TIME.

35

36 W: NO

37

38 P: NO?

39 .

40 W: NO, NO, I WAS WATCHING HIM. AND I, I WATCHED HIM AND HE, HE
41 WAS WALKING FROM THE, YOU KNOW I WAS WATCHING HIM. THEN HE
42 LEFT AND I WAS JUST SITTING THERE, LAYING THERE. NO, NOT AT ALL.

43

This is just more false testimony. She slept for around two hours or so, and I went in once to ask her if she wanted something to eat because I was going to get something and I called out to her but she was sleeping. I lay back down and waited for some time before hearing her talking on the phone and then asking her if she was hungry. She told me that she was starving.

44

45 P: BUT YOU DIDN'T MAKE IT ANY

46

47 W: FULLY CLOTHED AND

pg. 8

1

2 P: YOU DIDN'T MAKE AN ATTEMPT TO CALL A FRIEND OR, OR TRY TO FIND
3 SOMEBODY TO COME AND PICK YOU OR ANYTHING AT THAT POINT?

4

5 W: NO.

6

7 P: OKAY. WHEN YOU WERE IN THAT ROOM, WHEN HE CAME BACK IN,
8 HOW LONG HAD YOU BEEN IN THAT ROOM? WITH, I'M TALKING IN
9 REFERENCE TO THE CROSSBOW THING. HOW LONG WERE YOU IN THAT
10 ROOM BEFORE HE CAME BACK IN WITH THE CROSSBOW?

I don't know how incompetent this former detective Peavy is, but it's clear to me that he's not stopping on every floor. He leaves words out and he doesn't ask a complete question and he doesn't pursue the important questions. Why didn't she call someone to come get her if she was so scared? When Peavy asked her if she had called anyone to come get her and she answers, "No", he drops a goes on to new. This guy gets the facts all wrong. I mean, here he's saying that I walked into the room with this Crossbow. The fact of this Crossbow leaning against the wall in my room has been made crystal clear, and nothing has been said to indicate that I "came back in with the Crossbow." There is nothing worse than an incompetent detective that destroys people's lives.

11

12 W: I DON'T KNOW. I WAS THERE (TAPE SKIPPED)

13

14 P: PROBABLY ABOUT A COUPLE OF HOURS?

15

Here this detective is LEADING THE WITNESS. The reason that Ms. Wagner does not know the time frame is because she was sleeping.

16 W: NO, THE WHOLE THING THERE WAS PROBABLY ONLY (CLEAR THROAT)

17 (TAPE SKIPPED). MAYBE IT WAS AN HOUR OR TWO. I DON'T KNOW.

18

19 P: DO YOU KNOW WHAT TIME

20

21 W: NEARLY TWO HOURS.

22

23 P: DO YOU KNOW WHAT TIME YOU GUYS GOT BACK AT HIS HOUSE?

24

25 W: UGH, UH

26

27 P: WAS IT THE MIDDLE OF THE DAY? WAS IT DAYLIGHT? WAS IT?

This question on line 27 is leading the witness.

28

29 W: YEAH, IT DAYLIGHT. IT WAS PROBABLY, PROBABLY LATE
30 AFTERNOON. WELL THE SUN, IT WAS PROBABLY (TAPE SKIPPED)

31

32 P: (CLEAR THROAT). SO IT WAS PROBABLY MID AFTERNOON?

Notice how Ms. Wagner says it is "PROBABLY LATE AFTERNOON" and Mr. Peavy changes it to "MID AFTERNOON." I got news for you--It was around 9:30 in the morning as an eyewitness, Mr. Mayo, who just came home from work moments after we arrived, can verify. This is the witness that Mr. Peavy never interviewed before arresting me.

33

34 W: SOMEWHERE, YEAH THE SUN WASN'T STRAIGHT UP. IT WAS KINDA
35 DOWN A LITTLE BIT.

36

37 P: OKAY, AND WHERE WERE YOU IN HIS HOUSE?

38

39 W: I WAS (TAPE SKIPPED) ON HIS, ON HIS DRIVEWAY FOR WHILE

40

41 P: UGH, HUH

42

43 W: AND I WAS, UGH I WAS HANGING OUT WITH HIS DOG. (TAPE SKIPPED)
44 TOLD ME COME IN, COME IN, COME IN. YOU KNOW, AND I WAS LIKE, YOU
45 KNOW SO I FINALLY DID CAUSE I DIDN'T WANT TO GO THROUGH WITH

pg. 9

1 ALL THAT STUFF AGAIN. AND SO I WENT IN AND, UGH (TAPE SKIPPED)

2 WHILE I WENT.

The fact and the God's truth is that I called to her one time from my second story window, just trying to deal with her so I could try to get some rest, and I said that I was tired and told her that if she wanted to she could come in and take a nap. I remember noticing that she was smiling and laughing as she played with my THREE DOGS, (Tipper, Spikey and Beary) (and not one dog as she describes), so I wanted to leave her alone cause I really did not want to have to deal with her other personality anymore. I had a severe pounding headache and I did not feel like having this nutcase back in a vehicle with me. At this point I was not sure what to do next.

3

4 P: STANDING. DID HE, DID HE CALL YOU INTO THE HOUSE?

5

6 W: YEAH
7
8 P: OKAY
9
10 W: AND HE KEPT ON GOING OUT THE WINDOW AND, YELLING COME IN,
11 COME IN. HE HAD LIKE THIS FAKE TONE OF VOICE LIKE HE DID
12 BEFORE HE WENT OUT, WENT OFF.
13
14 P: SO YOU WENT INTO THE HOUSE? WHAT ROOM DID YOU GO INTO?
15
16 W: UGH, I WENT INTO THE (TAPE SKIPPED) LIVING ROOM
17
18 P: WAS IT IN HIS BEDROOM?
19

The (former) detective Peavy continues in these obvious acts of LEADING this witness. Why doesn't he just ask the question and let her answer it? She says, "I WENT INTO THE **LIVING ROOM**" and Mr. Peavy says, "WAS IT THE **BEDROOM?**" Again, why doesn't he let her answer the question? I can tell you why, it is simply because he is a crooked bastard that is out to get me, that's why.

20 W: THEN THE KITCHEN AND PROBABLY INTO THE BEDROOM.
21

Note that Ms. Wagner says, "**PROBABLY** INTO THE BEDROOM." So she says she went into the "LIVING ROOM" then into the "KITCHEN" and after being directed by Mr. Peavy's question that mentions the "BEDROOM", Ms. Wagner says, "AND **PROBABLY** INTO THE BEDROOM." But, the (former) detective Peavy is not done manipulating her story yet; check out the next few lines and notice how he focuses her attention on the "**BEDROOM.**"

22 P: IN THE BEDROOM? OKAY. NOW WHEN YOU'RE IN THE BEDROOM, HOW
23 LONG WERE YOU IN THE BEDROOM BEFORE HE CAME, WELL DID HE COME
24 IN AND OUT, HOW LONG WERE YOU IN THE BEDROOM, DO YOU THINK?
25 .
26 W: COME IN AND OUT? I DON'T, I DON'T EVEN KNOW HOW LONG (TAPE
27 SKIPPED) HOURS OR SOMETHING.

The witness confirms again that she does not know how long she was there. Again, this is simply because she was sound asleep for around two hours. Her

testimony that she did not sleep and that she was watching me is just another one of her many lies from her obvious and constant state of deception. Her statement of “COME IN COME OUT?” in the form of a question, along with her other conflicting statements of false testimony and false allegations also confirm her demented and unbalanced personality. It is amazing that an intelligent, honest and good human being’s life has been ruined based on the statements of this deranged woman with the help of a dishonest and malicious (former) investigator.

28
29 TWO HOURS, YOU (UNCLEAR) HIS HOUSE?

This is just another leading statement by this former detective.

30
31 W: (UNCLEAR). AN HOUR AND A HALF, I DON’T, I DON’T (UNCLEAR)
32
33 P: OKAY. (TAPE SKIPPED) WALKED INTO THE ROOM AND , AND WHAT
34 HAPPENED?

Notice now on line 33 that Peavy refers to it a just a “ROOM” and not as the “**BEDROOM**” as he had before.

35
36 W: YEAH, HE WAS WALKING AROUND AND STUFF, YOU KNOW. AND, AND I
37 WAS TRYING TO GET HIM TO, WELL I WAS WAITING FOR HIM TO TAKE ME
38 HOME CAUSE I DIDN’T WANT TO GET HIM MAD. AND THEN, UGH THEN HE
39 WALKED IN, HE WALKED IN THEN HE WALKED OUT, THEN, THEN HE
40 WALKED IN FRONT OF THE TV. THEN HE KINDA LIKE LOOKED AT ME AND
41 SO I WAS LIKE (TAPE SKIPPED) LOOKED AT THE CROSSBOW AND TURNED ON
42 LIKE A SMILE AND LIKE HE, WEIRD-LOOKING EYES, YOU KNOW. AND I
43 WAS LIKE NAW, NO HE WOULDN’T.
44
45 P: (TAPE SKIPPED) EVER ASKING HIM ABOUT THE CROSSBOW BEFORE
46 THAT?

pg. 10
1
2 W: BEFORE ASK, WAS IT?
3

4 P: YEAH DID YOU TALK TO HIM ABOUT IT?
5
6 W: UGH, HUH. YEAH. NOT THAT DAY
7
8 P: NOT THAT DAY?
9
10 W: BUT, NO, UGH, UH
11
12 P: OKAY. BUT YOU HAVE ASKED HIM ABOUT IT BEFORE THEN?
13
14 W: YEAH, LIKE I THINK EARLIER THAT WEEK OR SOMETHING AND, OR
15 MAYBE THE WEEK. WE'RE ONLY DATING TWO WEEKS ANYWAY.
16
17 P: YEAH
18
19 W: BUT I
20
21 P: WHAT HE SAID
22
23 W: UGH, UGH YEAH CAUSE WE'RE BOTH LIKE INTO, UGH SOMETHING LIKE
24 AMERICAN INDIAN STUFF AND, AND I SAID SO WHERE DID YOU GET THAT?
25 YOU KNOW, AND, AND THE ARROWS ARE, ARE HANDMADE.
26
27 P: UGH, HUH
28
29 W: YOU KNOW AND THEY'RE OUT OF ARROWHEADS AND I WAS LOOKING
30 AT THEM AND SAID YOU KNOW, THAT'S PRETTY COOL, YOU KNOW. AND
31 HE SAID SOMEBODY MADE THEM FOR HIM, HANDMADE.

Ms. Wagner never seems to have this story straight, but that's not surprising, seeing as how she is Bi-Polar, ADD, and has Linear Personality Disorder---On top of the fact that she is a controlling and a dominating nutcase and a prolific and pathological liar that is making this entire story up as she goes along. She is a sociopath and she feeds off the misfortunes of others.

The fact and truth is, these handmade Indian arrows that Ms. Wagner describes above, are in fact not the arrows that are even shot in this Crossbow. The arrows in a Crossbow are actually called "bolts" and the bolts for this Crossbow are all mounted in a quiver that is connected to the Crossbow. Ms. Wagner has no clue to what she is talking about and her mind is something to behold. These two handmade Indian arrows will not function in this Crossbow and are much longer than the "bolts" that are designed to be shot in it. Why would a Champion in Archery load a handmade Indian arrow that was not designed to be shot at all, much less to be shot in this Crossbow, when, in fact, he had six bolts mounted on the Crossbow with easy access and that were designed to be shot in it. As I just stated, these two handmade Indian arrows, with hand "napped" arrowheads, are not to be shot in any bow period, and are for display purposes only. Yet these arrows that

she is describing are what she claims that I loaded into this Crossbow and pointed at her. This is only another piece of this large puzzle that is proof that she has fabricated this story and that she is a pathological liar.

32

33 P: BUT THIS PAST SUNDAY YOU DIDN'T ASK HIM ABOUT THIS?

34

35 W: NO.

36

37 P: OKAY

38

39 W: NO.

40

41 P: WAS THERE ANY DISCUSSION OR ANYTHING GOING ON AT THE POINT THAT

42 HE HAD THE, THE CROSSBOW OR ANYTHING?

43

44 W: NO.

45

46 P: NOTHING?

pg. 11

1

2 W: NO, I WAS JUST SITTING THERE WATCHING TV.

Outside the fact and the truth that the TV in my bedroom was *never* turned on that day, and despite the fact that she has mentioned it being on several times—Now let me make sure that I've got the rest of this story straight. She has done *nothing* to *provoke me at all* and she is just sitting on my bed watching TV and I come into my bedroom and pick up a 150 lb. Crossbow and cock it and load it an point it at her for **absolutely no reason at all**. Okay, I think I've got it now.

3

4 P: DID YOU SAY ANYTHING THAT WOULD OF, WOULD OF MADE HIM MAD

5 OR PROVOKED HIM TO PICK IT UP FOR ANY REASON?

6

7 W: JUST WHAT I TOLD YOU. I MEAN

8

9 P: WHICH WAS WHAT?

10

11 W: I MEAN JUST LIKE THE STATEMENTS AND HE'S MAD CAUSE HE, HE WAS

12 MAD. HE SAID THAT HE WAS MAD BECAUSE I WOULDN'T LET HIM TOUCH

13 ME. I WOULDN'T EVEN GIVE HIM A HUG OR ANYTHING LIKE THAT. AND I

14 SAID BUT I DON'T WANT (TAPE SKIPPED). AH-RIGHT MAYBE WELL, HE

15 WAS TRYING TO GIVE ME A HUG AND I WAS PUSHING HIM AWAY, AND I
16 DON'T KNOW IF THAT'S CONSIDERED A HIT OR WHATEVER BUT I WAS, I
17 JUST PUSHED HIM AWAY AND I WAS LIKE PUSHING HIS HANDS (END OF
18 CONVERSATION ON TAPE)

I had not wanted any physical contact with this woman for several days. I had rebuked her sexual advances the night before. All of her story is nothing more than la la land or some strange fairy tale. Now the story has gone to her just sitting on the bed and watching TV and doing nothing at all, to her pushing me and pushing my hands away. This is a totally different story beginning to emerge, but, unfortunately, the conversation on the tape ends. And, although this story has nothing to do with the truth, it would have been interesting to see where it would have gone from here. But no matter where it would have gone, I think everybody can clearly see that it would have had nothing to do with the *reality* of what *actually* happened. What I say is *truth* and what she says is fantasy, and *truth* will always overcome fantasy.

Ms. Wagner is the closest thing I can think of in terms of a person being obsessed with pure evil. Some people that have read my story say that they believe she is possessed by the devil or has a demon in her. I may not go that far, but I do believe that her pathological dishonesty and self-centered behavior is the root cause of this woman's unbalanced mental condition. I can think of no human being that is further from a union with this energy behind all creation, which I choose to call God, than this woman that has ruined my life with the help of a crooked cop and our corrupted and incompetent legal system.

