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To court file.
JMC

1 IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
2 IN AND FOR ALACHUA COUNTY, FLORIDA

3 STATE OF FLORIDA,
4 Plaintiff,

5 v. CASE NO. 01-2023-CF-000402-A

6 DALLVION JARRELL PARKER,
7 Defendant.
8 _____/

9 DEPOSITION OF: TIMMIE ROWE, JR.

10 DATE: DECEMBER 12, 2024

11 PLACE: 209 Southwest Second Street
12 Gainesville, Florida

13 APPEARANCES

14 On Behalf of the State:

15 GLENN BRYAN
16 Assistant State Attorney
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18 On Behalf of the Defendant:

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FILED IN OPEN COURT

[Signature] 24 2025
D.C.

TOSHIA WHITEHURST

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Further

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>	<u>Redirect</u>
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TIMMIE ROWE, JR.

By MR. KINSELL	3		66		74
By MR. BRYAN		50		74	

E-X-H-I-B-I-T-S

(No exhibits offered.)

1 COURT REPORTER: All right. It is 10:35 A.M. on
2 December 12th, 2024. This is a deposition being taken in
3 State versus Dallvion Jarrell Parker. That's Case Number
4 01-2023-CF-402-A. Would the attorneys state their
5 appearances for the record, please?

6 MR. KINSELL: Miles Kinsell, on behalf of
7 Dallvion Parker.

8 MR. BRYAN: Glenn Bryan for the state covering
9 for ASA Nagel.

10 COURT REPORTER: And, sir, please raise your
11 right hand.

12 Do you swear or affirm the testimony you're
13 about to give will be the whole truth?

14 THE WITNESS: Yes.

15 COURT REPORTER: Please state your full name for
16 record.

17 THE WITNESS: Timmi Rowe, Jr.

18 COURT REPORTER: And how do you spell your first
19 name?

20 THE WITNESS: It's T-I-M-M-I-E.

21 COURT REPORTER: Thank you.

22 DIRECT EXAMINATION

23 BY MR. KINSELL:

24 Q. Good morning, Mr. Rowe. My name is Miles
25 Kinsell. I'm an attorney. I represent an individual

1 named Dallvion Parker.

2 A. Right.

3 Q. Mr. Parker has been charged with a crime by the
4 State of Florida -- several crimes, actually.

5 A. Yeah.

6 Q. And your name has been provided to me as someone
7 who may have information about this matter so we're here
8 today to take your deposition.

9 A. Right.

10 Q. Have you ever had your deposition taken before?

11 A. Yeah.

12 Q. Okay. So you understand what's going to happen.
13 I'm going to ask you questions.

14 A. Right.

15 Q. If you know the answer, you can let me know. If
16 you don't know the answer, you can tell me you don't know
17 or ask me to rephrase the question. I'm certainly not
18 trying to trick you or confuse you in any way.

19 A. I know.

20 Q. So if I ask you something that you don't
21 understand or that you need more clarification on, please
22 just let me know.

23 A. All right.

24 Q. Everything we say here is being recorded. So
25 why normally, we would be talking, and you'd probably

1 shake your head or nod, we just have to answer everything
2 out loud so the recorder can pick it up.

3 A. Right.

4 Q. Obviously, there's a representative from the
5 state attorney's office here, Mr. Bryan. Do you have any
6 questions for me before we start?

7 A. No.

8 Q. Okay. Your name is Timothy Rowe, Jr. Is that
9 correct?

10 A. No. No, my name is Timmie.

11 Q. Timmie Rowe, Jr.?

12 A. Yeah.

13 Q. Okay. What's your date of birth?

14 A. It's 02/26/1994.

15 Q. Okay. As I indicated earlier, we're here today
16 to take your deposition in the case involving Dallvion
17 Parker. Do you know Mr. Parker?

18 A. Uh-huh.

19 Q. That's a, yes?

20 A. Yes, sir.

21 Q. Okay. And when did you first meet Mr. Parker?

22 A. Well, me personally, I met him in middle school.

23 Q. Okay.

24 A. Yeah.

25 Q. Here in Gainesville, Florida?

1 A. Yeah.

2 Q. And what middle school was that?

3 A. Kanapaha.

4 Q. Kanapaha Middle School?

5 A. Yeah.

6 Q. Were you and Mr. Parker in the same grade or

7 close?

8 A. Yeah. I mean, it was the same grade.

9 Q. Okay. Were you friends with Mr. Parker back in

10 middle school?

11 A. I ain't going to say friends, but like we knew

12 each other.

13 Q. Okay. And then elaborate on that for me if you

14 could, you know, you say you knew each other.

15 A. I meant as far as I was in the same grade with

16 each other, like, you know, I'm saying we played on the

17 court, on the field with each other and stuff like that.

18 Q. Okay. So you knew --

19 A. Socialize in a way, yeah.

20 Q. Okay. And did that relate -- well, did you

21 continue in school together?

22 A. No.

23 Q. What happened that --

24 A. I mean, we went to high school. He went one

25 high school and I went to a different high school.

1 Q. Okay. Where did you go to high school?

2 A. Buchholz.

3 Q. Okay. Me too. Go Bobcats. And he went to a
4 different school --

5 A. Right.

6 Q. -- so you kind of -- you knew who he was in
7 middle school, but you guys didn't continue --

8 A. Yeah.

9 Q. -- to hang out or anything?

10 A. Correct.

11 Q. Okay. After high school -- did you graduate
12 from high school?

13 A. I got my GED. I think we went off topic,
14 though, about why I'm really here. Instead of trying to
15 go in, like back details of history and all that, I think
16 we should just go straight to the facts to the point where
17 I'm here. You feel what I'm saying?

18 Q. Yeah, I understand what you're saying.

19 A. Yeah.

20 Q. I just got to ask the questions.

21 A. Yeah, I understand that but my I got kid and
22 stuff outside. So honestly to God, this has really
23 nothing to do with me. Because really I was -- I had
24 nothing to do with that. You feel what I'm saying? My
25 situation with him, me and him was totally different from

1 his case, what he got going on. You understand what I'm
2 saying? If I'm saying I wasn't there when his case
3 happened, when the (indiscernible) happened or whatever, I
4 wasn't there. None of that. You feel me? What me and
5 him had going on was separate from that. You feel what
6 I'm saying?

7 Q. Yeah, I understand what you're saying.

8 A. So I have nothing to do with what that rest in
9 peace or what happened. I feel bad for him in the
10 situation, how everything played out, but that has nothing
11 to do with me. You know what I'm saying?

12 Q. I understand. My --

13 A. Hold on. Hold on. Let me say something --
14 finish. From me knowing him growing up, yeah, we
15 separated but when I ran back into him, like later on in
16 life as an adulthood, he was known for working a lot of
17 mechanic stuff. You understand what I'm saying? He
18 wasn't known for being in the streets or no crazy stuff,
19 no bad stuff, none of that. You feel what I'm saying?

20 Q. Yeah.

21 A. So honest to God, I got nothing bad to say about
22 him.

23 Q. And I'm not --

24 A. I'm just clarifying.

25 Q. I understand what you're saying.

1 A. I'm saying -- hold on, let me finish. My
2 statement what I'm saying that it is basically this what
3 I'm saying, I have nothing to do with that situation.
4 None of that right there. But on that saying whatever me
5 and him had going on is separate from that. You feel what
6 I'm saying? I wasn't there. So how that (indiscernible)
7 scene played out, I wasn't there. So I can't tell you
8 what happened because I'm not a neighbor that stayed next
9 door. Yes, I knew everything would happen. Like, yeah,
10 as far as, like, who was there and stuff like that. You
11 feel what I'm saying? But it has nothing to do with me.

12 Q. Unfortunately, given the situation, I have to
13 interview all of the witnesses that are given to me by the
14 state.

15 A. Okay.

16 Q. Your name's been given to me by the state.

17 A. And I'm giving you my statement right now.

18 Q. There is no statement that you can give me.

19 A. Well, I'm --

20 Q. The purpose of a deposition is for me to ask
21 questions and for you to answer them.

22 A. Okay.

23 Q. And I'll go as quickly as I can --

24 A. Thanks.

25 Q. -- because I understand that you have things to

1 do --

2 A. Yeah.

3 Q. -- but I also have a job to do.

4 A. I understand. The man ain't a bad guy. You
5 feel what I'm saying? So I'm sticking with that strongly.

6 Q. I understand. I just got to ask you some
7 clarified questions.

8 A. Okay.

9 Q. Okay?

10 A. Okay. But we ain't got to go back history
11 because --

12 Q. Well, it's important for me to establish how you
13 know Mr. Parker because you've indicated --

14 A. Yeah, I know him from middle school. You know,
15 I'm saying? He played football. He played for the
16 Coyotes in middle school. You feel what I'm saying? And
17 played basketball growing up, like from 6, half of 6, all
18 of 7, half of 8. You feel me?

19 Q. Right.

20 A. Then I went to different school. I went to
21 Buchholz. I believe he went to JHS at the high school. I
22 ain't seen him no more until I ran into him at her house
23 at that time. You feel me?

24 Q. Yeah.

25 A. And that was crazy because when she told me --

1 he told me who he was, I thought about it. I'm like, I
2 went to school with you, then I really, like I brought it
3 back to his memory and all that stuff. You feel what I'm
4 saying? But right then and there, he was going to work on
5 my truck then. You feel what I'm saying? So I have
6 nothing bad to say about him.

7 Q. So my understanding based on what you're telling
8 me is that you knew Mr. Parker all the way back in middle
9 school.

10 A. Right.

11 Q. You guys were involved in sports together, but -
12 -

13 A. Right.

14 Q. So you knew who he was --

15 A. Right.

16 Q. -- but you weren't great friends.

17 A. Right.

18 Q. He went to a different high school. After
19 middle school, you really didn't hang out with him much,
20 but you would see him in sports and you knew who he was,
21 correct?

22 A. Correct.

23 Q. Okay. So back in February of 2023, or let's
24 just say when was the last -- when was after, let's say,
25 high school. When did you run into him again for the

1 first time?

2 A. When all this happened.

3 Q. Okay.

4 A. Yeah.

5 Q. So you're saying late 2022?

6 A. I just went to prison too, so I ain't really,
7 really been thinking about that too so I mean, I have my
8 other things going on too, so --

9 Q. When were you released from prison?

10 A. Last year.

11 Q. Okay. In -- do you remember when?

12 A. Released December 18.

13 Q. December 18th, 2023?

14 A. Yeah.

15 Q. Okay. When did you go into prison?

16 A. Beginning of '23.

17 Q. Okay. Was it before February?

18 A. Like, April.

19 Q. Okay. So you were in from April of 2023 until -

20 -

21 A. February. Yeah, February 8th.

22 Q. Okay. Well, do you remember speaking with law
23 enforcement in early February?

24 A. Yeah.

25 Q. I do see on February 8th of 2023 that you were

1 arrested?

2 A. Yeah.

3 Q. And did you speak to sheriff's deputy before
4 that though, regarding this?

5 A. Huh-uh.

6 Q. The Gainesville Police Department?

7 A. Huh-uh.

8 Q. The reports from the officers indicate that you
9 contacted -- well, let me stop. Do you know Brittany
10 Avery Hoisington?

11 A. Yeah.

12 Q. Okay. You knew Brittany for how long?

13 A. So, boom, I met her. It's '24. I'm sorry,
14 2018.

15 Q. 2018.

16 A. 2017, 2018, but I started hanging around her
17 really around like end of '22, beginning of '23. No, no,
18 I'm tripping. The beginning -- all right. This happened
19 around like January, so I started coming her around like
20 November (indiscernible).

21 Q. Are you thinking it's November of 2022?

22 A. The end of November '22.

23 Q. Okay.

24 A. I've been knowing her '20 -- but I've been
25 knowing since '18, but I came around her around like I

1 want to say end of '22, beginning '23.

2 Q. Okay. Describe your relationship with Ms.
3 Hoisington.

4 A. Who? With Brittany?

5 Q. Brittany.

6 A. I mean, that's my -- that was my cousin's
7 girlfriend.

8 Q. Okay.

9 A. Yeah, that's how I know her.

10 Q. So it was your cousin's girlfriend. Who's your
11 cousin?

12 A. I ain't saying his name. I ain't speaking his
13 name.

14 Q. You can't tell me who he is?

15 A. Yeah, I ain't, yeah. He ain't, yeah.

16 Q. Okay. So you and Brittany were friends?

17 A. Yeah.

18 Q. Okay.

19 A. Yeah, mutual friends with each other and stuff
20 like that.

21 Q. Did you have an intimate relationship with her
22 on occasions.

23 A. Huh-uh.

24 Q. Okay.

25 A. No.

1 Q. You would just hang out with her?

2 A. Yeah.

3 Q. Where did you guys hang out mainly?

4 A. It's crazy cause we was at her house when I
5 first -- when I just ran back into him. I was at her
6 house.

7 Q. So you say you were at Brittany's house and you,
8 when you ran back into him. Who are you speaking of? Mr.
9 Parker?

10 A. Yeah.

11 Q. All right. How --

12 A. Hold on. Let me say, let me rephrase it. When
13 I said I ran into him, cause I was there, and he came over
14 there. You feel me?

15 Q. Uh-huh.

16 A. And that's when I'm like, I know you, yeah.

17 Q. So you're saying, correct me if I'm wrong, you
18 were at Brittany Avery Hoisington's house sometime in 2022
19 or 2023?

20 A. When did she pass?

21 Q. She passed in February of 2023.

22 A. So the end of '22, beginning '23. Yeah.

23 Q. And you're telling me that when you were there
24 you ran into Mr. Parker?

25 A. He came over there.

- 1 Q. Okay.
- 2 A. I was there already, and he came over there.
- 3 Q. And describe that meeting.
- 4 A. Nothing. Nothing.
- 5 Q. Did you guys talk?
- 6 A. No. No.
- 7 Q. Okay. How did you know it was Mr. Parker?
- 8 A. Because when she said his name. You feel me?
- 9 Q. All right. What name did she say?
- 10 A. She said his name and she told him who he was.
- 11 Q. Can you remember what she said?
- 12 A. His name, Dallvion Parker, whatever.
- 13 Q. Dallvion Parker?
- 14 A. Yeah.
- 15 Q. And did you and Mr. Parker talk?
- 16 A. No, I had left.
- 17 Q. Did you leave before he got there or --
- 18 A. No, I left when he got there.
- 19 Q. Okay. And did he recognize you or --
- 20 A. Huh-uh.
- 21 Q. So there's no words exchanged between you and
- 22 Mr. Parker?
- 23 A. No. Me and my cousin had left.
- 24 Q. Okay. When you say she told you his name, is
- 25 that at the time that he was there?

- 1 A. I mean, she said his name.
- 2 Q. Okay.
- 3 A. Yeah.
- 4 Q. And -- but you didn't introduce yourself?
- 5 A. Huh-uh. I asked my cousin who that was. My
- 6 cousin told me who he was, but she said his name and I
- 7 asked my cousin who it was. You feel me?
- 8 Q. And you're saying your cousin was there as well?
- 9 A. Yeah.
- 10 Q. And who's your cousin?
- 11 A. I ain't -- putting him in this. He ain't got
- 12 , nothing to do with this.
- 13 Q. So you're telling me that you were there with
- 14 Brittany and her boyfriend who's your cousin?
- 15 A. No. She used to go with my cousin. All right.
- 16 Dallvion and Brittany was together, but I guess they were
- 17 going through something. I ain't know all that. You feel
- 18 me? But my cousin used to go with her. That's how I end
- 19 up going over there.
- 20 Q. Okay.
- 21 A. Yeah. Then when he came over and she said who
- 22 he was, my cousin told me who he was. Like she said the
- 23 first name and my cousin said the first and last name.
- 24 Q. Okay. But you're not going to tell me who your
- 25 cousin -- what your cousin's name is?

1 A. No.

2 Q. Is that the only time that you saw Dallvion
3 Parker and -- with Brittany in connection with Brittany
4 Avery Hoisington?

5 A. Yeah.

6 Q. And you don't remember exactly when that was?

7 A. I didn't know it was (indiscernible). That's
8 what I'm saying. When I found out they was together, it
9 was as long as I've been knowing her, I didn't know they
10 was together.

11 Q. Okay. So she never mentioned Dallvion Parker to
12 you?

13 A. Right.

14 Q. And you've known her since 2018?

15 A. Yeah.

16 Q. Are you guys close?

17 A. I mean, I ain't going to say close, but I still
18 -- while I'm (indiscernible), yeah.

19 Q. Okay.

20 A. You know. Yeah.

21 Q. And one time when you were over there at her
22 house, he showed up and you think at some kind of late
23 November 2022?

24 A. Okay. Boom, there go there. All right.

25 Q. You think that's right?

1 A. Okay. Yeah. And -- yeah, you said in '22,
2 yeah.

3 Q. And was there anything unusual about the
4 meeting?

5 A. No.

6 Q. Well, the police reports that I have indicate
7 that you spoke to law enforcement regarding this incident.
8 Do you remember that?

9 A. No.

10 Q. You don't remember that at all?

11 A. Huh-uh.

12 Q. The reports indicate that you contacted
13 Brittany's landlord, a woman named Michelle Hazen.

14 A. Oh, no. This what happened. So I woke up. I
15 woke up first off, I was like, I heard about it.

16 Q. Heard about what?

17 A. I heard about what happened, but I ain't know,
18 like, who it was and none of that. So I ended up calling,
19 calling Brittany phone, and I ain't get nobody, anybody
20 else's. So I didn't know. Just riding over there one day
21 just after it happened, whatever. And I seen. I didn't
22 know the landlord. I thought it was the neighbor or
23 whatever, but, you know, I seen a lady outside and she the
24 one who told me what happened and stuff.

25 Q. Okay.

1 A. Yeah.

2 Q. So I'm trying to make sure I understand what's
3 going on. You're telling me that at some point you heard
4 --

5 A. Right.

6 Q. -- that Brittany had been killed?

7 A. Yeah.

8 Q. And you texted her --

9 A. I called her.

10 Q. -- or called her?

11 A. Yeah.

12 Q. There was no answer, so you drove to her house?

13 A. Right.

14 Q. And you saw a woman outside of her house that
15 you thought was a neighbor. Is that correct?

16 A. Right.

17 Q. And she told you --

18 A. I mean, but she was in the yard, like, I don't
19 know. It's crazy how they park, how they, like, house,
20 like, how it's parking spots. But yeah, she was like in
21 the -- like the front yard and stuff, like.

22 Q. Okay. And she --

23 A. She told me what happened.

24 Q. All right. And what did you tell her?

25 A. I mean, I knew who Brittany was and stuff like

1 that.

2 Q. Did you mention Dallvion Parker to her?

3 A. No. She had asked me about her boyfriend, and I
4 was like, yeah, that's the last person I knew that was her
5 boyfriend.

6 Q. Okay. Had you seen any videos posted by
7 Gainesville Police Department on social media at that
8 point?

9 A. Yeah.

10 Q. And did you recognize any individuals that you
11 saw in the video?

12 A. Huh-uh.

13 Q. No?

14 A. Huh-uh.

15 Q. So you watched the videotapes, and you didn't
16 recognize anybody?

17 A. Huh-uh.

18 Q. And it's your testimony that you told the woman
19 you saw at Brittany's house that all you knew was that you
20 thought her last boyfriend was Dallvion Parker?

21 A. That was her last boyfriend.

22 Q. And how do you know that was her last boyfriend?

23 A. I mean, that was the last person I knew she was
24 going with.

25 Q. And she told you that?

1 A. I mean, they were going through it by
2 relationship stuff, so, yeah, I'm going to say yeah.

3 Q. When was the last time you spoke to Brittany?

4 A. Shit. I don't know.

5 Q. How long before she passed?

6 A. Like, a couple days.

7 Q. Just a couple days?

8 A. Yeah.

9 Q. Did she mention that she was with Mr. Parker?

10 A. Huh-uh.

11 Q. Did she -- you and her ever talk about her
12 boyfriends?

13 A. Huh-uh.

14 Q. So you watched the GPD social media video and
15 didn't recognize anyone from that video. Is that right?

16 A. Right.

17 Q. On February 6, when you were arrested, did you
18 meet with detectives?

19 A. Yeah.

20 Q. And did they show you a lineup?

21 A. Yeah.

22 Q. And were you able to identify anyone?

23 A. Huh-uh.

24 Q. You weren't?

25 A. Huh-uh.

1 Q. The police indicate that you --

2 A. I don't know.

3 Q. -- possibly identified Mr. Parker?

4 A. I don't know. I've been in prison. I've been
5 through a lot, so I don't really remember all that.

6 Q. Okay. Well, it's important for me because
7 obviously I represent Mr. Parker.

8 A. I know. I know.

9 Q. The police have said that you picked him out of
10 a lineup and said that he was the person you saw in the
11 video that they have that they think may have been the
12 shooter.

13 A. No.

14 MR. BRYAN: No, you didn't or no, you don't
15 remember?

16 THE WITNESS: I didn't. I don't recall that.

17 MR. BRYAN: So it would have been recorded --

18 THE WITNESS: Right, it would have.

19 MR. BRYAN: -- so are you saying that you didn't
20 identify him?

21 THE WITNESS: Yeah, I don't recall. I don't
22 remember.

23 MR. KINSELL: Okay.

24 MR. BRYAN: Not that you didn't identify him --

25 THE WITNESS: I don't know.

1 MR. BRYAN: -- you just don't have an
2 independent recollection?

3 THE WITNESS: Correct. I don't remember.

4 BY MR. KINSELL:

5 Q. Okay. So if this incident was recorded, I mean,
6 you're saying you could have identified Mr. Parker, you
7 just don't remember doing it?

8 A. Right.

9 Q. Okay. You think that'd be something that you
10 would remember though if you did? I mean, pretty big
11 thing.

12 A. Yes, say it'd matter, so, yeah. I don't -- I
13 don't know. I had a lot of stuff going on at that time,
14 so I don't remember all that.

15 Q. Okay. The police also indicate that you said
16 that Mr. Parker was a jealous person. You told me today
17 that you only met him the one time and you left right when
18 he got there.

19 A. Right.

20 Q. Who told you that he was jealous?

21 A. That's what I don't understand. I don't --
22 yeah, I can't go. I don't remember that.

23 Q. You don't remember telling the police --

24 A. Yeah.

25 Q. -- that he was a jealous person?

1 A. Not from me. Yeah, I can't really say that.

2 Q. Because you just told me you didn't really ever
3 see him other than the one time?

4 A. Yeah, that's what I'm trying to understand.

5 Q. The police also wrote in the report that you
6 told them that you saw Mr. Parker retrieve a firearm from
7 Ms. Avery Hoisington's house?

8 A. No. No, it's not what I said. I told him he
9 put a box down and he reached up there and I didn't say he
10 came down with nothing.

11 MR. BRYAN: Mr. Means, (sic) you understand that
12 the statement you gave was recorded?

13 THE WITNESS: Right.

14 MR. BRYAN: And so today you are giving an
15 inconsistent statement with prior sworn testimony that you
16 gave that was recorded at the state attorney's office.
17 You are committing a felony because you are providing
18 inconsistent testimony. You understand that?

19 THE WITNESS: If I don't remember?

20 MR. BRYAN: No, that's not what you said. You
21 didn't say you didn't remember. Mr. Kinsell said the
22 police report indicates that you saw --

23 THE WITNESS: I said he was jealous?

24 MR. BRYAN: -- him putting down a gun and now
25 you're saying you saw him putting down a box. That is

1 materially incomplete.

2 THE WITNESS: I said he (indiscernible) Hold on.
3 He put down a case of beer and he reached up top. I
4 didn't say he pulled out a gun. I didn't say that.
5 Because it was dark in the house when we was in the house.

6 MR. BRYAN: I'm just telling you it's recorded,
7 and if you're saying something different today, then
8 you're going to end up catching a felony.

9 BY MR. KINSELL:

10 Q. I can't give you any advice on that. I like to
11 tell you I have to ask questions.

12 A. I understand, but, I mean, I just got out of
13 prison, too, so I went through a lot but I'm trying to
14 tell you, like, I don't remember if I said he grabbed a
15 gun.

16 MR. BRYAN: Did you have any reason to lie to
17 the police when you spoke to them on February the 22nd?

18 THE WITNESS: For what? I mean, Brittany --
19 that was my home girl.

20 MR. BRYAN: Right. I'm asking you; you gave a
21 recorded statement.

22 THE WITNESS: Correct. I'm listening. I
23 understand that.

24 MR. BRYAN: And did you lie during that recorded
25 statement?

1 THE WITNESS: About nothing.

2 MR. BRYAN: About nothing.

3 THE WITNESS: About nothing.

4 MR. BRYAN: So everything that would be on that
5 recording is accurate?

6 THE WITNESS: Facts, 100 percent facts.

7 MR. BRYAN: And when Mr. Kinsell is --

8 THE WITNESS: I met --

9 MR. BRYAN: -- I guess, asking you questions
10 about that statement today, your testimony is different.

11 THE WITNESS: I met him. I ran into him twice.

12 I don't know. First time, me and my cousin was over
13 there. Then I ran into him again at her house again. And
14 we drunk some beers or whatever.

15 So the jealous part, I can't really say that
16 because -- speak on that because that's their
17 relationship. One thing about it, I've been with my girl
18 11 years. Everybody go through things. So you can't
19 speak on people's relationships. Understand what I'm
20 saying? Okay. Boom. Now, to jump back to the other
21 part, what you just said about --

22 MR. KINSELL: Let me just stop real quick. All
23 right? Because I don't want to get off on a tangent here.

24 THE WITNESS: No, no, I'm going back. I'm going
25 back.

1 MR. KINSELL: I just want to clarify something
2 real quick, Mr. Rowe.

3 THE WITNESS: Man, listen.

4 MR. KINSELL: All right?

5 THE WITNESS: He's saying I could be charged
6 with a felon for something -- something that has -- let me
7 finish. That the -- the main -- main situation or
8 whatever whatever has nothing to do with me. You feel
9 what I'm saying? Like I said, what you're talking about
10 is that's when me and him had going on. You understand
11 what I'm saying? That's not the main scene scenario
12 situation or whatever.

13 MR. BRYAN: I don't think you understand what's
14 relevant and not relevant.

15 MR. KINSELL: That's --

16 MR. BRYAN: I understand what you think you
17 believe is relevant. But what we as the attorneys, we
18 understand the law.

19 THE WITNESS: Right.

20 MR. BRYAN: We understand what can be admissible
21 in court. And so, I get that you have a perception of,
22 well, that has nothing to do with me, or that has just me
23 and him. That has nothing to do with her. But Mr.
24 Kinsell has the opportunity to go into a wide range of
25 things when he's taking this deposition.

1 THE WITNESS: Okay.

2 MR. BRYAN: And what we're telling you, or what
3 I'm telling you is, is that what you have said here today
4 is not the same as the statement you gave on February 22nd
5 of 2023. And the problem with that is you were placed
6 under oath, and you swore to tell the truth in that
7 statement.

8 Today you were sworn to tell the truth, and your
9 testimony is materially different. For example, in that
10 statement on February 22nd, 2023, you said, I was in a
11 relationship. You were in a relationship with Brittany.

12 THE WITNESS: No.

13 MR. BRYAN: Rowe had known Avery Hoisington for
14 years, and they engaged in an intimate relationship. He
15 provided further details about his last interactions with
16 Avery Hoisington and Parker at the end of 2022.

17 THE WITNESS: Okay. Boom. End of '22. Okay.

18 MR. BRYAN: So you were in an intimate
19 relationship?

20 THE WITNESS: I wasn't in an intimate
21 relationship with her.

22 MR. KINSELL: Mr. Rowe, let me -- let me stop
23 and just tell you. Sometimes, I mean, you've been in a
24 relationship with your girl, you said, for 11 years.
25 Okay? So sometimes people don't want to say things,

1 right, because they might, in fact, have repercussions.

2 MR. BRYAN: Sit down. Sit down.

3 MR. KINSELL: Unfortunately -- unfortunately,
4 Mr. Rowe, in this particular case since we're dealing with
5 literally --

6 THE WITNESS: All right.

7 MR. KINSELL: -- life and death issues -

8 THE WITNESS: All right. Come on. Come one.

9 MR. KINSELL: -- we have to answer everything
10 truthfully.

11 MR. BRYAN: I'm not trying to -- I'm not trying
12 to jam you up, man.

13 MR. KINSELL: This is not for public
14 dissemination either.

15 THE WITNESS: All right. Okay.

16 MR. KINSELL: This is a closed room.

17 THE WITNESS: Okay. All right. Okay. Okay.

18 MR. KINSELL: I just want to make sure I
19 understand --

20 THE WITNESS: All right. All right.

21 MR. KINSELL: -- what the truth is.

22 THE WITNESS: Okay. So boom. Okay. Boom. I
23 just messed with her, right? The -- I got to jog my
24 memory because like I said, I've been to prison and been
25 through a lot, so. All right. Hold on. Hold on.

1 BY MR. KINSELL:

2 Q. What were you arrested for on February 6th,
3 2023?

4 A. My VOP didn't kick in -- I had, like -- I don't
5 know. I had, like, three charges. I don't know. I want
6 to say failure to appear, a domestic. I believe, yeah, a
7 domestic. I don't think my VOP kicked in right there, no.

8 Q. Well, what I'm indicating to you is -- what I'm
9 asking you is on February 8th of 2023, the police indicate
10 they met with you at the jail, you had been arrested --

11 A. Okay. Yeah.

12 Q. -- and they asked you questions about this
13 particular incident. That's when apparently, according to
14 police, you seem to know all about this incident and that
15 Mr. Parker was a jealous lover --

16 A. Okay.

17 Q. -- and that he had a firearm and --

18 A. So boom. So this is how --

19 Q. -- that. Is any of that correct?

20 A. Hold on. Let me tell you. So the first time
21 when me and my cousin or whatever, right, when he came in
22 there, he came in and she was in the bathroom whatever.
23 And he came.

24 Q. Who came?

25 A. That's when Dallvion came in. Cause we was all

1 going out that night or whatever. So he came in there,
2 and he had, like -- he had some beer and shit or whatever.
3 So he's like, well, I came to buy you something to drink
4 or whatever, whatever. Boom. He put the box down. Same
5 fridge, counter, put beer on the counter. He reached up
6 here, grabbed his gun, and he left, and he came back in.
7 When he came back in, that's when we left. Boom. Hold
8 on. After that, I want to say probably like a week later,
9 I'm over there. I'm over there by myself. Me and her, we
10 smoking whatever. We talking. He came in there. He came
11 in with some beers or whatever. We sat at the table by
12 the door, and he was like -- we weren't really talking,
13 but we was like, I was breaking down how I know him. You
14 feel what I'm saying? Understand what I'm saying? Like,
15 asking these questions. You know what I'm saying?

16 Q. Uh-huh.

17 A. Okay. Boom.

18 Q. You're describing catching up on with --

19 A. Yeah. Like --

20 Q. -- Dallvion about how you guys have known each
21 other since middle school, right?

22 A. Right. Right. Right. So that was the second
23 time. Third time, I can't go on, like, the days. Like, I
24 don't remember all that. But the third time, it was like,
25 I'm sitting in the car. I'm sitting in the truck. I'm in

1 the truck. She's sitting right here talking to me. And
2 she told me, like, how she wanted to talk to me, how she
3 wanted to do this and that with me, she wanted to be with
4 me and all this. Mind you, I got a chick too. I got my
5 girl. So he -- me not knowing. He right here hear
6 everything, like behind her. Because it's dark, like
7 under her shed highest part, hear everything. You feel
8 me?

9 Q. You're -- I think what you're telling me is that
10 at one point --

11 A. He was --

12 Q. -- you and Brittany were in a truck?

13 A. Yeah, I was in driver's seat. She was in
14 passenger seat talking to me.

15 Q. And she was telling you how she wanted to be
16 with you and --

17 A. Yeah, and I'm telling her I can't be with her
18 because I got a girl and stuff. And he standing right
19 here behind her. Me and her, not knowing that he's
20 standing right behind. He hear all that.

21 Q. How did you know or find out that he was there?

22 A. Cause she turned around. She turned around and
23 seen him. She like, oh, shit, man, shit. That's when we
24 like, oh, fuck. That's fucked up -- say it.

25 Q. Okay. So Mr. Parker, what you're indicating --

1 A. Say it.

2 Q. -- was standing there listening to her --

3 A. The whole thing.

4 Q. -- talk about how she wanted to be with you?

5 A. Yeah. And I'm telling I can't be with her

6 because I got a girl and all this and that.

7 Q. Did he --

8 A. (Indiscernible) at that moment.

9 Q. -- did he react in any way that was --

10 A. No.

11 Q. -- violent or angry?

12 A. Stayed there.

13 Q. Did he leave?

14 A. Just walked outside.

15 Q. Okay.

16 A. It was --

17 Q. When was this?

18 A. When she died? In February. This like,

19 probably like June. No, like January, I'm saying.

20 Q. Okay.

21 A. After New Year's. I'm saying something like

22 that. I can't really remember all that. I think --

23 Q. Would you say it was a month before she passed

24 away?

25 A. Yeah.

1 Q. Okay.

2 A. Yeah.

3 Q. So you're telling me that a month before she
4 passed away, Brittany passed away, that you were in a
5 vehicle?

6 A. I was in her truck.

7 Q. You were in her truck?

8 A. Yeah.

9 Q. You were in the driver's seat. She's in the
10 passenger seat?

11 A. Right. We were parked.

12 Q. And you're parked, the engines off?

13 A. Yeah.

14 Q. She -- is the windows down?

15 A. I mean, no. Cause we was going to get out the
16 car. We was going to get out, but I'm still in the truck.
17 She's out the truck talking inside the truck.

18 Q. Okay.

19 A. We ain't know he was standing behind her.
20 That's what I'm trying to tell you.

21 Q. So he heard her professing her desire to be with
22 you?

23 A. Yeah. And I can't be with her.

24 Q. And you're saying no?

25 A. Yes, sir.

1 Q. And then did you get out of the truck?

2 A. No, I'm in the truck still.

3 Q. Well, after he -- realized he was there, what
4 happened?

5 A. That was the time he dropped me off, yeah, I
6 left.

7 Q. You drove away?

8 A. No, she dropped me off, but, yeah, I drove away.
9 Like, yeah, she dropped me off though.

10 Q. I'm saying -- what I'm asking you is, was there
11 any reaction --

12 A. When he --

13 Q. -- from Mr. Parker at all after he heard these
14 things?

15 A. No. He walked off, said whatever, whatever.
16 She was trying to talk to him, and he kept walking off.
17 So she came back, and I got in the passenger seat, and she
18 got in the driver's seat, and she dropped me off.

19 Q. Okay. So after hearing her profess how much she
20 wanted to be with you --

21 A. Yeah.

22 Q. -- and you saying that you couldn't --

23 A. Right.

24 Q. -- he was not angry or violent in any way?

25 A. No.

1 Q. He didn't produce any firearms or anything?

2 A. No. That's what I'm trying --

3 Q. Did he yell or scream?

4 A. No. That's what I'm trying to tell you. When
5 they sit with -- they -- that's what happened with me.
6 You feel me? Now, the situation when he was accused of
7 killing her and doing reports and all that, I wasn't there
8 for all that. You know what I'm saying?

9 Q. Right.

10 A. I wasn't there for it so I can't speak on that.
11 You know what I'm saying?

12 Q. I understand.

13 A. Yeah. So I can only tell you about my little in
14 it.

15 Q. I understand what you're saying --

16 A. Right.

17 Q. -- Mr. Rowe --

18 A. Yeah.

19 Q. -- but from my perspective, okay, I'm trying to
20 establish the state attorney -- the state and the police,
21 right?

22 A. Yeah, I understand.

23 Q. Hold on.

24 A. No. No.

25 Q. Let me finish, please.

1 A. No. Cause now --

2 Q. The state and the police have said in their
3 reports --

4 A. Right.

5 Q. -- that you are a primary witness for them --

6 A. I wasn't --

7 Q. -- because you identified Mr. Parker as the
8 person who most likely killed Brittany.

9 A. Check them out. They showed me a picture of him
10 in a lineup as her boyfriend. Yeah, I know him. You feel
11 what I'm saying?

12 Q. Okay.

13 A. But all that time, I -- he killed them there. I
14 can't say all that because I wasn't there for all that.
15 You feel what I'm saying? I can't speak on that. Y'all
16 showed me a photo lineup of people I don't know with a
17 person I do know enough. You know what I'm saying?

18 Q. Okay.

19 A. Okay. Yeah, I know that's her boyfriend. Okay.
20 Boom. I ain't necessarily say, oh, yeah, he did that.
21 You feel what I'm saying? I can't say. I wasn't there
22 when he -- if that happened.

23 Q. You've known Mr. Parker since you were in middle
24 school, do you believe he's the individual you saw on the
25 tape from GPD?

1 A. I don't know.

2 Q. You don't know?

3 A. I don't know.

4 Q. Okay.

5 A. But I wasn't there for all that shooting part.

6 I wasn't there for all that. Clarify that. I wasn't

7 there for all that.

8 Q. Did Brittany ever talk about anyone that she was

9 concerned about with you? Any relationships --

10 A. Only thing --

11 Q. -- men, women?

12 A. -- he kicked the door in.

13 Q. Huh?

14 A. He kicked the door in?

15 Q. Who?

16 A. Dallvion.

17 Q. Dallvion kicked the door in?

18 A. Yeah.

19 Q. When did he do that?

20 A. It was like -- I'd say the third time I went

21 over there. That's when I seen the door was kicked in.

22 Q. And you asked Brittany about that?

23 A. Yeah.

24 Q. What did she tell you?

25 A. She told me he kicked the door in.

1 Q. Was that before or after you guys were in the
2 truck together?

3 A. This was before I was in truck.

4 Q. Okay.

5 A. Yeah.

6 Q. And what did she say about his kicking the door
7 in?

8 A. They had just got into it. (indiscernible) I
9 do. It's like, no, y'all, like, you know, you got to
10 stand a lot. But she got, like a lock on the bottom,
11 like, you know what I'm saying? Yeah. So her door was
12 kicked or whatever.

13 Q. Okay. And she told you that Dallvion Parker did
14 that?

15 A. Yeah.

16 Q. Was she upset about that?

17 A. I mean, I guess so. Yeah. Who wouldn't?

18 Q. And you don't remember when that was?

19 A. No.

20 Q. But it was before you guys were in the truck
21 together --

22 A. Yeah.

23 Q. -- and Dallvion overheard her talking about how
24 she wanted to be with you?

25 A. Yeah, I say, I guess they was going through this

1 stuff.

2 Q. How many times -- well, have you ever seen
3 Dallvion Parker with a firearm?

4 A. Not clearly since that night -- the first night.

5 Q. Okay. When you say that first night, is it
6 you're describing him picking up a firearm at Brittany's
7 house?

8 A. I couldn't really see it clear. I said, like
9 I'm saying, it was dark, but he went up there and grabbed
10 it. And when he came back down, he left. He came back; I
11 left. You see what I'm saying?

12 Q. Okay.

13 A. So I can't see him -- say I clearly visually saw
14 him with a gun in his hand.

15 Q. So what you're telling me today is you can't
16 ever say --

17 A. I said I assume. I assume he got a gun. I'm
18 saying that.

19 Q. Okay. Based on what you saw, you thought it
20 might be a gun?

21 A. The situation how it was -- how the situation
22 played out. She -- ex-boyfriend, his cousin over here
23 doing whatever, and he coming here. She just told him
24 they was having a girl's night out. You feel what I'm
25 saying? So she basically lied to him. And I got to say

1 they was going through it or whatever. I didn't know they
2 was together.

3 Q. Did she describe him as her boyfriend?

4 A. After everything found out at that situation,
5 yeah, that's when she told us or whatever. I didn't know.
6 I mean, damn. She was fine as (indiscernible). I didn't
7 know.

8 Q. Anything that you tell the police when you were
9 in jail and they interviewed you, were you hoping that if
10 you provided information on this open case, that they
11 would -- did they indicate they would help you in your
12 current charges?

13 A. In a sort of, kind of, but. Yeah. Yeah.

14 Q. The police told you if you could give them
15 information on --

16 A. Not -- hold on. It wasn't the police. It
17 wasn't the police. It was a -- I'm trying to think who
18 was talking to -- who my attorney was.

19 Q. Did you have a public defender or attorney?

20 A. Yeah. Public defender.

21 Q. And they set up the meeting with the police?

22 A. Right. I can't really -- well, yeah.

23 Q. Are you saying that your attorney told you that
24 if you could help --

25 A. She said -- let me say this. She said she can't

1 promise me anything. That's what she said. But she might
2 -- it might be -- know what I'm saying?

3 Q. Who mentioned the name Dallvion Parker first,
4 you or the police?

5 A. What you mean?

6 Q. Well --

7 A. I did.

8 Q. Okay. So you brought them up, but they already
9 had a lineup there with them. Is that right?

10 A. What you mean?

11 Q. You told me the police showed you a photo lineup
12 with a bunch of people you didn't know --

13 A. Oh, a bunch of people.

14 Q. -- and someone you did know.

15 A. Yeah.

16 Q. And the person in that lineup was that Dallvion
17 Parker?

18 A. Yeah.

19 Q. Okay. Did they do that the first time that you
20 spoke with them?

21 A. Listen, that was the only time I spoke with
22 them.

23 Q. All right. So you only spoke once?

24 A. One time. Yeah.

25 Q. You guys are talking. Your lawyer has told you

1 that if you help the police that they might help you in
2 your --

3 A. Right.

4 Q. -- criminal case. Is that correct?

5 A. Right.

6 Q. The police --

7 A. But she can't promise me nothing.

8 Q. She can't promise you anything. I get that.

9 But the police -- and the only time that you spoke to them
10 --

11 A. And when they came in -- one time, when they
12 came in, they showed me the lineup. You got me showing me
13 a bunch of people I don't know. There's the one person I
14 do know that I know that was her boyfriend. They was
15 going through it.

16 Q. Right.

17 A. Okay.

18 Q. So you said that's her boyfriend, Dallvion
19 Parker?

20 A. Yeah. That's the only person I know in here.
21 Yeah.

22 Q. Okay.

23 A. Okay.

24 Q. So that leads me to believe that they knew the
25 name Dallvion Parker before they came to see you because

1 they already had a lineup with his picture in it, right?

2 A. Okay. That sounds right to me. Yeah.

3 Q. Okay. So what I'm asking you is you knew when
4 they showed you the lineup --

5 A. Who Dallvion Parker --

6 Q. -- that they suspected Dallvion Parker. Is that
7 correct?

8 A. I mean, if you come to somebody with a bunch of
9 pictures who you don't know, you know one person. That
10 sounds right to me.

11 Q. Okay. Now, is it possible, right, I'm asking
12 you this question, that since you knew helping the police
13 might help you, that you told them things about Dallvion -
14 -

15 A. Okay. Yeah. Right.

16 Q. -- right, in an effort to basically help you
17 help yourself?

18 A. Right.

19 Q. Is that correct?

20 A. Right.

21 Q. Okay. So maybe you said some things about
22 Dallvion that the police wanted to hear. Is that what
23 you're telling me?

24 A. Right.

25 Q. Okay. Do you have any factual knowledge that

1 Dallvion Parker committed these crimes?

2 A. I wasn't there for that.

3 Q. Anyone tell you that he did it?

4 A. I wasn't there for that.

5 Q. Okay.

6 A. That's what I'm telling you, I wasn't there for
7 that.

8 Q. Did your lawyer -- after the meeting with the
9 police --

10 A. No. I still went to prison.

11 Q. I know you still went to prison. You told me,
12 but --

13 A. Yeah.

14 Q. Is it --

15 A. I still got the same thing they were going to
16 give me from the front.

17 Q. So they didn't help you at all?

18 A. Ain't nothing. Nothing.

19 Q. Okay. Your lawyer didn't say that that helped
20 or anything.

21 A. Nothing helped. Ain't nothing.

22 Q. Okay. In addition to -- did you know the other
23 individuals that were in the house the night that Brittany
24 was killed?

25 A. (No verbal response.)

- 1 Q. Do you know Frank Legrand?
- 2 A. Huh-uh.
- 3 Q. You don't know him?
- 4 A. Huh-uh.
- 5 Q. What about Charmy Owens?
- 6 A. Say it again.
- 7 Q. Charmy Owens?
- 8 A. Tray?
- 9 Q. Uh-huh.
- 10 A. Yeah.
- 11 Q. How do you know him?
- 12 A. I know he was like, that's -- I know he was
- 13 super young. He the one that got shot on the porch,
- 14 right?
- 15 Q. That's Trayvon Sheppard.
- 16 A. Yeah.
- 17 Q. You know Trayvon Shepherd?
- 18 A. Yeah.
- 19 Q. How did you know him?
- 20 A. From the neighborhood.
- 21 Q. And you know Charmy Owens?
- 22 A. Huh-uh.
- 23 Q. You don't know Mr. Owens?
- 24 A. Huh-uh. I don't know them.
- 25 Q. Okay. And when you say you know Trayvon from

1 when he was young, just --

2 A. Like, young, like, 12, stuff like that, like 10.

3 Q. Just in the -- from the neighborhoods?

4 A. Yeah.

5 Q. Were you friends at all or do you have any
6 relationship, like --

7 A. No. I just knew him from around the
8 neighborhood.

9 Q. Okay. You know of any -- well, let me just
10 say this. Brittany have any enemies that you know of?

11 A. Huh-uh.

12 Q. I mean, obviously, she had a relationship with
13 you. You think she had a relationship with Mr. Parker?
14 Do you know of any other individuals that she was having a
15 relationship with during that period of time?

16 A. Huh-uh.

17 Q. That's a, no?

18 A. I don't. That's a, no.

19 Q. Do you know if Brittany was involved in
20 narcotics?

21 A. I don't know.

22 Q. Well, I mean, did you ever do drugs with her?

23 A. I mean, we smoked weed, but she had a card.

24 Q. She had a marijuana card?

25 A. Yeah.

1 Q. Okay. Any other drugs that you guys that she
2 was involved in that you knew about?

3 A. No. No.

4 Q. Cocaine, meth, heroin, anything like that?

5 A. No.

6 Q. Did you know if she bought or sold drugs?

7 A. No.

8 Q. Do you know anyone who buys or sells drugs?

9 A. No.

10 Q. Did you ever know her to carry a firearm or a
11 weapon of any kind?

12 A. No.

13 Q. What about Mr. Sheppard?

14 A. Who?

15 Q. Trayvon Sheppard?

16 A. No, I don't know who that is.

17 Q. Well, I mean, you said you knew him from the
18 neighborhood.

19 A. Oh, Tray, yeah. See, I didn't know his last
20 name.

21 Q. Did you ever know him to carry a firearm --

22 A. No.

23 Q. -- or engage in sale of narcotics?

24 A. No.

25 MR. KINSELL: I don't have any questions -- more

1 questions for you today, Mr. Rowe, but I appreciate you
2 coming in.

3 MR. BRYAN: All right, Mr. Rowe.

4 CROSS-EXAMINATION

5 BY MR. BRYAN:

6 Q. So Mr. Kinsell was asking you about the photo
7 lineup that you were shown.

8 A. Yeah.

9 Q. Now, you were shown a group of six photos. Is
10 that right?

11 A. I don't even remember.

12 Q. Well, let me talk to you. Let me ask you about
13 that because according to the police report, it says that
14 you were shown the photo lineup and that you positively
15 identified Mr. Parker --

16 A. Yeah.

17 Q. -- as the person that you had seen in the video
18 that GPD had posted to social media?

19 A. Okay.

20 Q. So you picked them out and said, yeah, that's
21 the person I saw on the video. Is that accurate?

22 A. Yeah.

23 Q. Okay. So you did say that?

24 A. Yeah.

25 Q. And you went on to say you recognized Mr.

1 Parker's walk in the video and his distinctive shoes
2 because you had seen him wearing those same shoes --

3 A. Well, some black --

4 Q. -- during a few recent incidents?

5 A. Some black and white, I want to say, some black
6 and white DCs or something like that.

7 Q. Okay. So you recognized the shoes?

8 A. Right.

9 Q. And you had seen him wearing those shoes --

10 A. Right.

11 Q. -- while at Brittany's house?

12 A. Right.

13 Q. Okay. All of that's true?

14 A. Yeah.

15 Q. Okay. You went on to say as you were talking
16 with the detectives about how you recognize the shoes and
17 how you recognized Mr. Parker --

18 A. Right.

19 Q. -- that you had seen Mr. Parker recently while
20 you were at Brittany's house driving around in circles
21 around her house?

22 A. That's that -- hold on. Talking about -- no,
23 that was the first time. When I left, like, he came in, I
24 had left out. Yeah. I had to -- when I came out, I sat
25 and watched him. When he came out, that's when I seen him

1 arrive, yeah.

2 Q. Okay. So on one of the occasions when you were
3 at Brittany's house and you're describing it as the first
4 time?

5 A. Yeah.

6 Q. You saw him driving as -- as you exited, he is
7 doing loops around --

8 A. Right.

9 Q. -- her house?

10 A. Right.

11 Q. And you went on to say that he appeared to be
12 angry?

13 A. Right.

14 Q. Is that true?

15 A. Right.

16 Q. Okay. Now, I know you said you described this
17 as the first time?

18 A. Right.

19 Q. Do you have any idea when this first time was in
20 relation to when Brittany was killed?

21 A. Like I said, it was like the end of November.

22 Q. Okay.

23 A. Yeah. In November. And, yeah, in
24 (indiscernible).

25 Q. And would that have been the same date or the

1 same time that you saw Mr. Parker retrieve what looked
2 like a firearm to you from Brittany's kitchen?

3 A. That was the same night.

4 Q. Same night?

5 A. Same night.

6 Q. Okay. So same night, he comes in, he grabs what
7 looks like a firearm view --

8 A. Yeah. (indiscernible)

9 Q. -- driving circles around the house?

10 A. Hold on. He leave out, he come back in, we
11 leave out. But instead of leaving right then and there,
12 we sat there and watched him leave. And that's when we
13 seen him do the loop. So we didn't leave right then and
14 there so he see what we left in. See what I'm saying?

15 Q. How many times did you think that you saw him
16 driving around?

17 A. I'm going to say twice.

18 Q. Okay. And you told the police that he appeared
19 angry. What about him -- what about the way that he
20 looked made him look angry?

21 A. Because he was like, excuse my language. Excuse
22 my language. He was like -- like I said, she told him
23 that she was having a girl's night out. And when he came
24 in, he like, oh, bitch, I bought you something to drink.
25 Because like I said, he bought a case of beer. Like bitch

1 I bought something to drink and all this. And he talking
2 about girls night out and shit. That's when he put the
3 beer up. He reached up there, grabbed the shit. When he
4 walked out and came back, that's when we left. You feel
5 me? But instead of leaving right there and now, we
6 watched him leave. That's when we seen him through the
7 loop.

8 Q. You mentioned that he was talking about a girl's
9 night out. How --

10 A. She -- what she told him she was having a girl's
11 night out.

12 Q. Okay. And so -- but she wasn't --

13 A. No.

14 Q. -- at the girl's night out --

15 A. No.

16 Q. -- she was hanging out with you and your cousin?

17 A. Right.

18 Q. And so, did Mr. Parker appear angry about that
19 because he had been lied to?

20 A. Yeah.

21 Q. Okay. And he appeared angry because he was
22 saying things like calling her a bitch?

23 A. Right.

24 Q. Telling her she had lied?

25 A. Right.

1 Q. Okay. And then he grabs what appears to be a
2 firearm and he's driving around the house?

3 A. We outside. Right. Yeah. Yeah.

4 Q. Okay. So that was at the time that you did the
5 photo lineup. A couple -- two weeks later, you were
6 interviewed at the state attorney's office. I was asking
7 you about that earlier. Do you remember that where you
8 came into the state attorney's office and you were placed
9 under oath?

10 A. When?

11 Q. It would have been February the 22nd?

12 A. No, I don't remember that. I don't remember
13 that whatsoever.

14 Q. Well, let me see if I can refresh your memory.
15 No, I'm sorry. It wasn't at the state attorney's office -
16 -

17 A. Okay.

18 Q. -- it was at the jail.

19 A. I only met him one time.

20 Q. According to this, you met with an assistant
21 state attorney from my office?

22 A. No, I didn't. I didn't.

23 Q. It's on body camera. So I'm asking --

24 A. I only met with him one time when they came and
25 said it was -- the detectives came and seen me.

1 Q. All right. And during this interview, I'm going
2 to talk to you about it and see if it brings --

3 A. All right. You might jog me.

4 Q. Okay. So they come out, they place you under
5 oath. It's recorded. Says that you agreed or that you
6 said again that you recognize Mr. Parker in the
7 surveillance video that had been posted by GPD on social
8 media because you had told him that during the photo
9 lineup. And you said that again. You said you knew of
10 Parker since middle school, which is what you've told us
11 here today.

12 But that -- and then you went on to say that you
13 had known Ms. Avery Hoisington for years, that the two of
14 you had engaged in an intimate relationship. And then you
15 talked about the last time that you had seen Ms. Avery
16 Hoisington and Mr. Parker together. Every time Mr. Parker
17 appeared to show up at Brittany's house unannounced, and
18 he would catch the two of you together.

19 A. Right.

20 Q. You went on to say that even though Mr. Parker
21 and Brittany had broken up, that Mr. Parker had a key to
22 Brittany's house --

23 A. Right.

24 Q. -- and he would let himself in?

25 A. Right.

1 Q. Is all of that true?

2 A. Right.

3 Q. Okay. So did -- he would show up at her house
4 when you were there and let himself in? Catch y'all.

5 A. Let me rephrase this. How her door is, she has
6 a regular lock, but she has a lock on, like, the bottom of
7 the door where you can, like, turn it and lock it so it
8 goes like this and lock. That's what I'm saying.

9 Q. Okay.

10 A. So that's why I guess the door got -- ended up
11 getting kicked in.

12 Q. All right. So he wouldn't have had a key to
13 that, because you can't --

14 A. Not on the inside.

15 Q. -- that's not a key --

16 A. That's the inside.

17 Q. Right. But he had a key to the doorknob?

18 A. To the main lock.

19 Q. All right.

20 A. Right.

21 Q. And were there times when you were over at
22 Brittany's house where he would just show up and let
23 himself in?

24 A. The first time, a long time.

25 Q. Okay. After that first time where he appeared

1 (indiscernible)--

2 A. Hold on. First time he opened the door. The
3 second time he knocked or whatever, she was like, oh, she
4 want to talk or whatever, and all that. Talk to that man
5 or whatever. They came in, she opened door. The third
6 time, this one we was in the truck, and she was outside
7 the truck. It was only three times.

8 Q. All right. So first time he came in --

9 A. Unannounced.

10 Q. -- unannounced?

11 A. Right.

12 Q. Second time he knocks?

13 A. Yeah.

14 Q. Third time was the door or the truck?

15 A. No. Third time was the truck.

16 Q. Tell me when in that time frame --

17 A. When he kicked the door in?

18 Q. -- when he kicked the door.

19 A. The door that was kicked in after the second
20 time.

21 Q. Okay. So after the time when he knocks.

22 A. I can't say when he kicked it in -- the specific
23 time --

24 Q. Right.

25 A. -- but after that day or whatever that day was

1 the door straight that day I was over there.

2 Q. Uh-huh.

3 A. You feel me? I came back like a week later
4 whatever, whatever. That's when I found out the door was
5 kicked in. I can't say --

6 Q. And Brittany told you that he had kicked the
7 door?

8 A. Yeah, I can't say he kicked it in that day. The
9 day before, I can't point out. I just say from out of the
10 second day till I came over the third time, the door had
11 been kicked in since then.

12 Q. And Brittany said Mr. Parker kicked the door?

13 A. Right.

14 Q. So then you went on to talk again about the
15 first time. In the first encounter where Mr. Parker
16 caught Brittany and you together, you said that Parker was
17 doubling back after leaving and he was driving a black
18 car?

19 A. Right.

20 Q. Okay. All that's accurate?

21 A. Right.

22 Q. And then you described the second encounter,
23 which was in the same week. This is you talking, the
24 second encounter, which was in the same room. You and
25 Parker spoke to each other --

1 A. Yeah.

2 Q. -- and you introduced yourself?

3 A. Correct.

4 Q. All right. You said Parker was clearly angry

5 because you could see the veins standing out in his

6 forehead?

7 A. Right.

8 Q. Is that true?

9 A. Right.

10 Q. So this would have been the second encounter

11 that you --

12 A. The second time.

13 Q. -- described where Mr. Parker --

14 A. Well, he knocked on the door and she came -- he

15 came in.

16 Q. So what was he angry about during that second

17 encounter?

18 A. I can't really -- I can't really say.

19 Q. Okay. Was he mad about the fact that you and

20 Brittany were there together?

21 A. Strong possibility, most likely.

22 Q. Was there --

23 A. But --

24 Q. -- what kinds of things was he saying? You

25 know, he's got his veins standing out on his neck.

1 A. No. No. What -- no, he wasn't saying nothing.
2 Like I said, they had a relationship. They was going
3 through it or whatever. And I was like, you need to talk
4 to that man. So that when he came in and I said, we sat
5 there, we drunk beers and we talked and stuff.

6 Q. Well, what did y'all talk about?

7 A. That's when I tried to get him to work on my
8 car.

9 Q. So he catches you with his lady or somebody that
10 he thinks is his lady?

11 A. It's not with her like that.

12 Q. Well, he thought it was?

13 A. Yeah.

14 Q. It wasn't --

15 A. Yeah, it wasn't like that.

16 Q. -- she didn't think of it that way --

17 A. Yeah.

18 Q. -- but instead of like, you know, you and him --

19 A. Instead of us getting into an -- it wasn't even
20 that serious. It really wasn't.

21 Q. But you talked to him about your vehicle?

22 A. Yeah. Like, it wasn't like we went straight to
23 the vehicle. We actually, like, it's like an hour, almost
24 hour-and-a-half conversation.

25 Q. At what point during that encounter, this second

1 encounter where he shows up and knocks on the door, at
2 what point is he angry where you see the veins standing
3 out on his head?

4 A. When we first started talking.

5 Q. Okay.

6 A. Yeah.

7 Q. And things kind of de-escalated.

8 A. De-escalated. Yeah.

9 Q. All right. And then you go on to describe the
10 third encounter, and I'm assuming that's at the truck?

11 A. And that's when we was at the truck.

12 Q. All right. And you say that Mr. Parker
13 overheard a conversation between you and Brittany that was
14 sexual in nature?

15 A. Yeah.

16 Q. What were y'all talking about?

17 A. How she wanted me to do her.

18 Q. Okay.

19 A. I couldn't do it because, I mean, I got a girl.

20 Q. Right.

21 A. I mean, I've been with. Yeah.

22 Q. And you said that Brittany did not want Parker
23 there during these incidents and she told him to leave?

24 A. Yeah.

25 Q. Is that accurate?

1 A. Yeah.

2 Q. And how did he react to that?

3 A. Shit, sad, walked off sad looking hurt.

4 Q. In your statement to the police, you told them
5 that when Brittany told him to leave that Parker told
6 Brittany that he was going to fuck her up?

7 A. No. I don't remember that. I don't remember
8 that.

9 Q. Did he make any type of statement to her before
10 he walked off?

11 A. No. No, I don't remember that.

12 Q. You went on to say that Brittany tried to talk
13 to him and calm him down, but --

14 A. That was the third time.

15 Q. -- he kept calling her a bitch and he was
16 clearly upset?

17 A. Yeah. Yeah. That's when he was walking off.

18 Q. Okay. So --

19 A. But he never said he was going to fuck her up.

20 Q. You don't remember him saying he was going to
21 fuck her up --

22 A. No.

23 Q. -- but he was calling her a bitch --

24 A. No.

25 Q. -- and he was clearly upset?

1 A. And the whole -- yeah, hurt, upset ain't even
2 the word.

3 Q. The detective then asked you if you knew Parker
4 to carry a gun, and you said that during the first
5 encounter. So this is the night --

6 A. Yeah.

7 Q. -- that Brittany was supposed to be out on our
8 girl's night. That Parker retrieved a semiautomatic
9 handgun that was somewhere between a 9 and a 40 from a
10 shelf in Brittany's kitchen. He then left right after
11 that.

12 A. Yeah.

13 Q. That's true?

14 A. Right.

15 Q. Okay. So today you've said it could have been a
16 gun. You described it as something between a 9 and a 40.
17 Did you see a gun that night?

18 A. I can't really say. I mean, I saw the pistol
19 I'm going to say that.

20 Q. You saw what?

21 A. It was a pistol. It could have been. You know
22 what I'm saying? It was a handgun.

23 Q. So you're sure it was a handgun?

24 A. Yeah.

25 Q. You're not sure what caliber it was?

1 MR. KINSELL: Describe it.

2 THE WITNESS: It's like you slide, like a
3 sliding slide limp. You feel me? Yeah.

4 MR. KINSELL: Slide a foot and limp.

5 THE WITNESS: Yeah. A slimp.

6 MR. KINSELL: Okay.

7 THE WITNESS: You never heard before?

8 MR. KINSELL: It's a new one for me. I never
9 heard of a slimp.

10 THE WITNESS: You never heard that before?

11 MR. BRYAN: I'm not. But, hey, you learn
12 something new every day. All right.

13 MR. BRYAN: I don't have anything else you might
14 want to follow up on.

15 MR. KINSELL: Yeah, I got a few follow ups.

16 REDIRECT EXAMINATION

17 BY MR. KINSELL:

18 Q. That, you know, obviously, Mr. Rowe, we're here
19 -- you've told me that you can't say you saw a gun.

20 A. Right.

21 Q. You tell Mr. Bryan that you definitely saw a
22 pistol. I'm trying to figure out --

23 A. I mean --

24 Q. -- did -- let me ask --

25 A. Go ahead.

1 Q. -- real specifically, did you ever see Dallvion
2 Parker in possession of a firearm?

3 A. I can't really say. I don't really remember. I
4 mean, I can't really say it. I'm assuming.

5 Q. You assumed --

6 A. I'm assuming.

7 Q. -- it was a firearm --

8 A. I'm assuming.

9 Q. -- but you can't be sure?

10 A. I'm assuming.

11 Q. Okay. Three separate occasions, you are -- I'm
12 using your words, caught --

13 A. Yeah.

14 Q. -- with Brittany?

15 A. Yeah.

16 Q. Okay.

17 A. Yeah.

18 Q. You're caught with Brittany --

19 A. Right.

20 Q. -- you guys are definitely engaged in intimate
21 either acts or conversations.

22 A. Okay.

23 Q. You believe that Mr. Parker believes that
24 Brittany is his lady.

25 A. Right.

1 Q. Right?

2 A. Right.

3 Q. Everything I've said is correct so far?

4 A. Right. Keep going.

5 Q. At any time, did Mr. Parker react violently

6 towards you?

7 A. No. No.

8 Q. Did he yell at you?

9 A. No.

10 Q. Was he angry or aggressive in any way?

11 A. Not towards -- and in no types of fashion

12 towards me?

13 Q. None?

14 A. None.

15 Q. Instead, you guys carry on a conversation the

16 second time --

17 A. Right.

18 Q. -- to the point where you feel so comfortable,

19 you ask him to work on your car?

20 A. Correct.

21 Q. And he agrees to do that?

22 A. No.

23 Q. He doesn't agree to you?

24 A. No. No.

25 Q. Okay. But you weren't intimidated by him or

1 scared in any way that he was going to be violent or
2 anything?

3 A. None whatsoever.

4 Q. None. No way whatsoever?

5 A. None whatsoever.

6 Q. Did Brittany ever describe him being a violent -
7 - other than the door, did he ever --

8 A. Huh-uh.

9 Q. -- touch her or hit her in any way?

10 A. I can't speak on that. I don't know.

11 Q. Did she ever say that?

12 A. No.

13 Q. Do you believe that your relationship with
14 Brittany was one such that had he been violent with her in
15 any way, she would have told you?

16 A. Say it again.

17 Q. Do you think that if Mr. Parker had been violent
18 --

19 A. Yeah.

20 Q. -- with Brittany in any way that she would have
21 told you that?

22 A. Yeah.

23 Q. You do?

24 A. Yeah.

25 Q. And she never said anything about that, right?

1 A. Huh-uh.

2 Q. In fact, she described him as someone who wasn't
3 violent. Is that right?

4 A. Right.

5 Q. You talked about how he had a reputation, Mr.
6 Parker as someone who was a mechanic --

7 A. Right.

8 Q. -- and worked on cars. Is that right?

9 A. Right.

10 Q. Not a reputation for someone being in the
11 street?

12 A. Right.

13 Q. What do you mean by that?

14 A. By being in the streets? By being in the
15 streets?

16 Q. Yeah.

17 A. Like a gangster, somebody that's like, doing
18 criminal activities and stuff like that.

19 Q. Okay.

20 A. Yeah.

21 Q. And there are many people that are in the street
22 around, right?

23 A. Right.

24 Q. Did Brittany associate with a lot of people that
25 were in the street?

1 A. No, I can't say that.

2 Q. You can't say that?

3 A. No. I'm saying --

4 Q. You never knew her to --

5 A. -- no. I'm saying no.

6 Q. Okay.

7 A. Yeah.

8 Q. I think it's important for me to establish, at
9 no point did you ever feel threatened by Mr. Parker?

10 A. No.

11 Q. Did you think that he was going to react
12 violently in any way?

13 A. All this just happened unexpectedly.

14 Q. Right.

15 A. Like literally, like, that situation, how it
16 happened, like I said, I didn't talk to her for a couple
17 days. Then I'm hearing about it on Facebook. I'm seeing
18 it on Facebook and stuff like that. I'm just hearing
19 about it. So I call her, she don't answer. I pop up, and
20 that's when. First I see it on the news. But it didn't -
21 - I didn't never see, like, it was actually her. You feel
22 what I'm saying? I just heard about two homicides of
23 attempted murder and stuff like that.

24 Q. When you saw it on the news, the social media
25 post about the man walking, did you recognize Dallvion

1 Parker at that time?

2 A. It was a clue. I'm going to say that. It was a
3 note. You feel me? Until I, like, put everything
4 together and all that, yeah.

5 Q. Okay. You got to explain that to me.

6 A. Okay. Boom.

7 Q. Because you see a video -- let me -- stop. You
8 see a video?

9 A. Yeah.

10 Q. That's -- that Gainesville Police Department
11 puts out. You don't know who the victims of the crime are
12 --

13 A. Right.

14 Q. -- but they're looking for this particular
15 person?

16 A. Yeah. Then I go back --

17 Q. And when you watch that, do you recognize --

18 A. -- then I go back --

19 Q. -- Dallvion Parker?

20 A. Then when I seen that, I go back and look at the
21 video, yes.

22 Q. Okay. So when you first saw the video, you
23 don't recognize anybody?

24 A. Right. Until I find out what happened.

25 Q. And then you hear it was Brittany?

1 A. Then I go, okay, boom. Then I go look back.

2 And I go, you know, I go dig around on Facebook. Yeah.

3 Q. Okay. And do you still believe that looking at
4 that video now that it was Mr. Parker on the video?

5 A. Walking shoes, yeah. Yeah.

6 Q. And you think it's because of the shoes and the
7 -- and the slimp?

8 A. Slimp. Yeah. Yeah.

9 Q. When did you see Mr. Parker wearing the shoes?

10 A. I would say the second time. The second time he
11 came over there.

12 Q. When you guys were talking about the car?

13 A. Yeah.

14 Q. And how long were you with him?

15 A. Hour-and-a-half, almost. Yeah.

16 Q. And you remember those shoes?

17 A. Yeah.

18 Q. Were you guys doing drugs at the time --
19 smoking?

20 A. No. We was just drinking.

21 Q. Okay. You think you were intoxicated?

22 A. No, because I really only drink beer. I drunk
23 the beer that kind of like, really kind of like mellow the
24 situation by asking for a beer and we drunk beers
25 together, so, yeah.

1 Q. Okay.

2 MR. KINSELL: I don't have any other questions
3 for you, Mr. Rowe. I appreciate you coming in today and
4 having you --

5 MR. BRYAN: Just real quick. I just want one
6 other thing.

7 RECROSS EXAMINATION

8 BY MR. BRYAN:

9 Q. What would happen if Mr. Parker stepped to you?

10 A. If he came to me?

11 Q. Yeah. Like could -- could -- would you ball him
12 up?

13 A. I mean --

14 Q. I mean, real talk.

15 A. I mean, I'm going to tell you. Is this still
16 on?

17 Q. Yeah.

18 A. Oh, I ain't going to say nothing, no.

19 Q. Do you think Mr. Parker could best you hand-to-
20 hand?

21 A. No.

22 Q. Okay.

23 A. No.

24 Q. That was the only follow-up I had.

25 FURTHER DIRECT EXAMINATION

1 BY MR. KINSELL:

2 Q. Why do you believe that?

3 A. Hey, I mean, I ain't going to speak on it.

4 That's all I'm going to say.

5 Q. Did you carry a firearm back then?

6 A. Huh-uh. No.

7 Q. You're talking about an individual, right?

8 A. Yeah. I know-what I'm talking about.

9 Q. And you're saying to me that you see -- you're
10 saying you might have seen this person with a gun --

11 A. Okay.

12 Q. -- but you weren't afraid of him at all?

13 A. No, I'm not.

14 Q. That's because he was not aggressive towards
15 you?

16 A. Right. And he's asking me if you do -- I think.
17 No, listen.

18 MR. BRYAN: Right. I'm not talking about
19 whether or not he was aggressive with you. I'm saying
20 like --

21 THE WITNESS: I'm talking about --

22 MR. BRYAN: -- if you looked at me and said, all
23 right, we're going to step out in the street and square
24 off. You would probably look at me and say like, I don't
25 think he can take me. That's what I'm asking you about

1 Mr. Parker. Like, do you think --

2 THE WITNESS: Yeah.

3 MR. BRYAN: -- that Mr. Parker could take you?

4 THE WITNESS: Hell, no. No.

5 MR. BRYAN: So you were not concerned --

6 THE WITNESS: Really not.

7 MR. BRYAN: -- even if he had gotten angry with
8 you or shown some aggression to you, you wouldn't have
9 been concerned about it because you didn't think that he
10 could beat you?

11 THE WITNESS: Right. I mean, at the time I
12 wasn't even thinking like that.

13 MR. BRYAN: Understood.

14 THE WITNESS: Yeah. I wasn't even thinking
15 like. Yeah.

16 BY MR. KINSELL:

17 Q. You didn't have to make the --

18 A. Cause common sense --

19 Q. -- you didn't have to make the calculation?

20 A. Yeah, because common sense, if that's -- that's
21 a win/lose situation. If a person got a gun and you
22 don't, that's a win/lose situation, right? So the best
23 thing to do is don't try to make it bigger than what it
24 is. You feel what I'm saying?

25 Q. Who had the gun, you or him?

1 A. No, I'm just saying if -- I didn't have no gun.

2 Q. Did you think he had a gun?

3 A. Apparently, yeah. But what I'm saying is a
4 separate situation, like, I don't think nothing. I don't
5 think about stuff like that. Didn't think it --

6 MR. KINSELL: Do you have any more questions?

7 MR. BRYAN: No, sir.

8 MR. KINSELL: I don't have any more questions
9 for you either, Mr. Rowe. You've had your deposition
10 taken today. At some point, this will be transcribed.
11 You have the opportunity to read the transcription. You
12 can't make any changes to it. But you could say I said
13 limp, not slimp, right? And she wrote down slim. Or you
14 can trust that the court reporter is going to write down
15 everything that we said correctly, and you can waive your
16 right to read the deposition. All you need to do is say
17 read or waive.

18 THE WITNESS: Okay. I mean, I don't care.
19 Waive it. Read it. I don't care.

20 MR. KINSELL: Well, it's up to you. If you want
21 to read it, you got to give an email address.

22 THE WITNESS: Yeah, I'm good. You can waive it.
23 I don't care.

24 MR. KINSELL: Just waive.

25 THE WITNESS: Yeah. I don't care.

1 MR. KINSELL: All right. That's a waive. Thank
2 you for coming in today.

3 (The deposition was concluded.)
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STATE OF INDIANA)
COUNTY OF GIBSON)

I, Kelly A. Hobson, do hereby certify that the deposition of TIMMIE ROWE, JR., taken on DECEMBER 12, 2024, in the case of State of Florida versus DALLVION JARRELL PARKER pending in the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida, Case No. 01-2023-CF-000402-A was transcribed by me and that the foregoing is true and accurate.

DATED FEBRUARY 3, 2025.

Kelly A. Hobson

Kelly A. Hobson
Florida Digital Reporting
209 SW 2nd Street
Gainesville, Florida 32601
352-336-0963

1 A. Yeah.

2 Q. And then you talk about Mr. Parker breaking her
3 door.

4 A. Right.

5 Q. You weren't there for that?

6 A. I wasn't there for that.

7 Q. Okay. What -- when you initially did the lineup
8 and then at this interview at the jail, you described
9 something distinctive about Mr. Parker's walk. What was
10 distinctive about his walk; do you remember?

11 A. Tall, slimp walk.

12 Q. A what?

13 A. Like a slimp walk?

14 Q. What is that?

15 A. Like a -- like a -- like a -- like a slide limp.

16 Q. Okay. But that was some -- you had seen him
17 walking like that and you thought that that was distinct?

18 A. Right.

19 Q. All right.

20 MR. KINSELL: You saying limp?

21 THE WITNESS: A slimp.

22 MR. KINSELL: What's a slimp?

23 THE WITNESS: It's like a slide limp.

24 MR. KINSELL: Slight limp or a slide limp?

25 THE WITNESS: A slide limp.