

1 A. I DID NOT INTERVIEW HIM.

2 MR. AXAM: THANK YOU VERY MUCH. HAVE A SAFE TRIP  
3 BACK.

4 THE COURT: ANYBODY ELSE HAVE ANY MORE QUESTIONS?

5 REDIRECT EXAMINATION

6 BY MR. MOYE:

7 Q. MS. MCGILL, DO YOU KNOW ROBERT WARD?

8 A. NO, I DON'T.

9 MR. MOYE: THANK YOU, MA'AM.

10 THE COURT: ALL RIGHT. YOU CAN STEP DOWN, MS.  
11 MCGILL.

12 (WHEREUPON, THE WITNESS WITHDREW FROM THE  
13 WITNESS STAND.)

14 THE COURT: WHO DO YOU CALL NEXT?

15 MR. MOYE: CALL SPECIAL AGENT TERRY SOSEBEE.

16 TERRY SOSEBEE,

17 BEING FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

18 THE CLERK: BE SEATED, PLEASE AND STATE YOUR NAME FOR  
19 THE RECORD.

20 THE WITNESS: MY NAME IS TERRY SOSEBEE.

21 DIRECT EXAMINATION

22 BY MR. MOYE:

23 Q. HOW ARE YOU EMPLOYED, SIR?

24 A. I'M A SPECIAL AGENT WITH THE GEORGIA BUREAU OF  
25 INVESTIGATION.

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1 Q. HOW LONG HAVE YOU BEEN WITH GBI?

2 A. APPROXIMATELY TEN YEARS.

3 Q. DO YOU HAVE A PARTICULAR JOB AT GBI?

4 A. YES, SIR. I'M CURRENTLY ASSIGNED, HAVE BEEN ASSIGNED AS A  
5 FINANCIAL INVESTIGATOR FOR THE GEORGIA BUREAU OF INVESTIGATION.

6 Q. AND DO YOU HAVE A NEW ASSIGNMENT?

7 A. YES, SIR. I HAVE BEEN DETACHED THE LAST TEN MONTHS TO A  
8 TIMBER THEFT TASK FORCE AND I'M ABOUT TO BE DETACHED TO A DRUG  
9 TASK FORCE IN GAINESVILLE ON FRIDAY.

10 Q. NOW, MR. SOSEBEE, LET ME DIRECT YOUR ATTENTION TO JULY  
11 27TH OF LAST YEAR, AND ASK YOU, SIR, IF ON THAT DAY YOU HAD  
12 OCCASION TO TRAVEL TO A HOUSE ON THOMPSON MILL ROAD IN DEKALB  
13 COUNTY?

14 A. YES, SIR, I DID.

15 Q. YOUR PURPOSE IN GOING THERE ON THAT DAY WAS WHAT?

16 A. TO ASSIST THE INTERNAL REVENUE SERVICE IN AN INVESTIGATION  
17 OF MONEY LAUNDERING.

18 Q. WERE YOU THERE WITH MR. SALINSKI?

19 A. YES, SIR, I WAS.

20 Q. WHAT PART OF THE HOUSE, MR. SOSEBEE, DID YOU HAVE OCCASION  
21 TO SEARCH?

22 A. I WAS LOCATED OR ASSIGNED TO SEARCH A DEN LIKE AREA. IT  
23 WAS ON THE FIRST FLOOR OF THE RESIDENCE IN THE BACK SIDE OF THE  
24 HOUSE.

25 Q. CAN YOU TELL US A LITTLE ABOUT THE DEN? WHAT WAS IN IT?

1 Q. VARIOUS PIECES OF FURNITURE. IT WAS ADJACENT TO  
2 APPARENTLY A DINING AREA. THE DEN ITSELF CONTAINED NORMAL  
3 THINGS LIKE A COUCH, SEVERAL CHAIRS, A DESK, A TELEVISION AND  
4 NUMEROUS ITEMS, VIDEO TAPES AND AUDIO TAPES. I THINK THERE WAS  
5 A STEREO SYSTEM IN THE ROOM ALSO.

6 Q. CAN YOU TELL US, MR. SOSEBEE, WHAT TIME OF DAY OR NIGHT  
7 THIS WAS THAT YOU WERE THERE?

8 A. THIS WAS EARLY IN THE MORNING. I THINK WE APPROACHED THE  
9 HOUSE FAIRLY EARLY, BETWEEN 6:00 AND 7:00 IN THE MORNING.

10 Q. WAS THERE ANYONE HOME?

11 A. YES, SIR. THERE WERE SEVERAL INDIVIDUALS THERE, THE  
12 PEOPLE THAT WERE POINTED OUT TO ME AS THE OCCUPANTS OF THE  
13 RESIDENCE.

14 Q. DO YOU SEE ANY OF THOSE PEOPLE HERE TODAY?

15 A. YES, SIR.

16 Q. WHO DO YOU SEE?

17 A. THE GENTLEMAN ON THE FAR SIDE OF THE COURTROOM IN THE  
18 WHITE SHIRT WITH THE DARK BLUE TIE. HE IS THE PERSON I  
19 RECOGNIZE.

20 Q. DO YOU RECOGNIZE ANYONE ELSE?

21 A. TO TELL YOU TRUTH, IT'S BEEN A LITTLE WHILE. IT SEEMS  
22 LIKE I RECOGNIZE THE LADY IN THE BACK TABLE WITH THE LIGHT  
23 GREEN SHIRT ON.

24 Q. MR. SOSEBEE, WHEN YOU WERE IN THE DEN LIKE AREA THAT YOU  
25 HAVE DESCRIBED, WAS ANYONE IN THE ROOM WITH YOU?

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1 A. AT VARIOUS TIMES THERE WERE SEVERAL PEOPLE, AGENTS GOING  
2 TO AND FROM, THROUGH THE HOUSE.

3 Q. WERE THERE ANY NON-AGENT PERSONNEL PRESENT WITHIN?

4 A. WITHIN THE IMMEDIATE AREA A LADY THAT WAS IDENTIFIED TO ME  
5 AS VIRGINIA HIGH, THE LADY THAT LIVED IN THE RESIDENCE, I  
6 BELIEVE HAD BEEN ASKED BY THE INTERNAL REVENUE AGENTS TO SIT IN  
7 THE DINING AREA OF THE HOME, WHICH, LIKE I SAID, WAS  
8 IMMEDIATELY ADJACENT TO THE DEN.

9 Q. IN THE DEN DID YOU HAVE OCCASION TO COME ACROSS A  
10 BRIEFCASE?

11 A. YES, SIR.

12 Q. I SHOW YOU GOVERNMENT EXHIBIT 191, AND ASK YOU, SIR, IF  
13 YOU RECOGNIZE THE BRIEFCASE?

14 A. YES, SIR, I BELIEVE I RECOGNIZE THIS.

15 Q. HOW IS IT YOU RECOGNIZE THE BRIEFCASE?

16 A. THIS WAS A BRIEFCASE LOCATED IN THE DEN OF THE RESIDENCE  
17 AT THE TIME THE SEARCH WARRANT WAS EXECUTED.

18 Q. DURING THE COURSE OF THE TIME THAT YOU ARE EXECUTING THE  
19 SEARCH WARRANT AND ONCE YOU FOUND THAT BRIEFCASE, WHAT DID YOU  
20 DO?

21 A. ALONG WITH OTHER ITEMS IN THE RESIDENCE, I SEARCHED THIS  
22 BRIEFCASE FOR ITS CONTENTS TO REVIEW WHAT MAY BE CONTAINED  
23 INSIDE OF IT.

24 Q. ONCE YOU COMPLETED THAT SEARCH, DID YOU TURN THE BRIEFCASE  
25 OVER TO SOMEONE?

1 A. YES, TO AGENT SALINSKI. I MADE HIM AWARE OF ITS EXISTENCE  
2 AND IT WAS COLLECTED BY THE IRS AS EVIDENCE.

3 Q. DID YOU LEAVE IT WHERE IT WAS ONCE YOU FOUND IT?

4 A. IT WAS NOTED. I ADVISED AGENT SALINSKI WHERE IT WAS NOTED  
5 AND IT WAS LEFT THERE UNTIL EVERYTHING WAS COLLECTED AS AN  
6 ORGANIZED EFFORT BY THE AGENTS.

7 Q. AT ANY POINT WAS AN EFFORT MADE TO DETERMINE WHOSE  
8 BRIEFCASE IT WAS?

9 A. ACTUALLY WHEN I FIRST PICKED UP THE BRIEFCASE, AS I SAID,  
10 MRS. HIGH OR THE PERSON IDENTIFIED AS VIRGINIA HIGH WAS IN THE  
11 IMMEDIATE AREA AND SHE ADVISED ME THIS WAS HER HUSBAND'S  
12 BRIEFCASE.

13 Q. AT THAT POINT WHEN YOU OPENED THE BRIEFCASE, DID YOU FIND  
14 ANYTHING INSIDE?

15 A. YES, SIR. THERE WERE MISCELLANEOUS DOCUMENTS CONTAINED  
16 WITHIN THE BRIEFCASE AND A SMALL 25 CALIBER HANDGUN.

17 Q. I SHOW YOU GOVERNMENT EXHIBIT NUMBER 4, AND ASK YOU IF YOU  
18 RECOGNIZE THIS ITEM?

19 A. YES, SIR, I DO.

20 Q. HOW IS IT YOU RECOGNIZE GOVERNMENT'S 4?

21 A. I RECOGNIZE THE WEAPON ON SIGHT PLUS THE HOLSTER. BOTH  
22 ITEMS WERE CONTAINED WITHIN THE BRIEFCASE. ALSO, THE IRS WAS  
23 USING AN EVIDENCE COLLECTION PROGRAM THAT GENERATED LABELS THAT  
24 DESCRIBED THE VARIOUS ITEMS BEING SEIZED AS EVIDENCE, AND IF I  
25 REMEMBER CORRECTLY, I AFFIXED THIS LABEL UNTO THE WEAPON.

1 Q. MR. SOSEBEE, INSIDE THE BRIEFCASE DID YOU FIND ANYTHING  
2 OTHER THAN THE GUN?

3 A. YES, SIR. CONTAINED INSIDE THE BRIEFCASE THERE WERE  
4 SEVERAL ITEMS INCLUDING VARIOUS BUSINESS CARDS AND LIKE THIS  
5 ITEM ON MASTERCARD THAT HAS VIRGINIA HIGH'S NAME ON IT. THERE  
6 WERE SEVERAL BANKING CARDS AND RELATED PLASTIC, FINANCIAL CARDS  
7 THAT HAD THE NAME GEORGE HIGH ON THEM.

8 Q. IN THE POCKET OF THE BRIEFCASE DID YOU FIND A DATE BOOK?

9 A. YES, SIR, SEVERAL DIFFERENT TYPES OF DATES OR ADDRESS  
10 BOOKS LOCATED THROUGHOUT THE CONTAINER.

11 Q. I SHOW YOU GOVERNMENT EXHIBIT 191-A AND ASK YOU, SIR, IF  
12 THAT BOOK WAS FOUND IN THE BRIEFCASE?

13 A. YES, SIR, IT WAS.

14 Q. THANK YOU, MR. SOSEBEE.

15 MR. MOYE: I WOULD TENDER, YOUR HONOR, GOVERNMENT'S  
16 191 AND CONTENTS INCLUDING 191-A.

17 THE COURT: ANYBODY HAVE ANY OBJECTION?

18 MR. MORRISON: NO OBJECTION.

19 MR. MOYE: I WOULD ALSO TENDER --

20 MR. ABBOTT: MAY I SEE 191-A?

21 THE COURT: ANY OBJECTION TO NUMBER 4?

22 MR. MORRISON: NONE.

23 MR. ABBOTT: NO OBJECTION TO 191-A.

24 THE COURT: HOW ABOUT 191?

25 MR. ABBOTT: NO OBJECTION.

1 THE COURT: ALL RIGHT. LET THEM IN.

2 MR. MOYE: THANK YOU, MR. SOSEBEE. I HAVE NO FURTHER  
3 QUESTIONS OF MR. SOSEBEE ON DIRECT EXAMINATION, YOUR HONOR.

4 THE COURT: MR. MORRISON?

5 MR. MORRISON: NO QUESTIONS.

6 THE COURT: MR. ABBOTT?

7 MR. ABBOTT: VERY BRIEFLY.

8 CROSS-EXAMINATION

9 BY MR. ABBOTT:

10 Q. I BELIEVE YOU SAID THAT MRS. HIGH WAS ASKED TO SIT IN THE  
11 DINING ROOM DURING THE COURSE OF THE SEARCH?

12 A. YES, SIR.

13 Q. AND SHE DID SO?

14 A. YES, SIR.

15 Q. AND SHE VOLUNTEERED TO BE HELPFUL WITH THEM BECAUSE THIS  
16 WAS HER HUSBAND'S BRIEFCASE; IS THAT CORRECT?

17 A. YES, SIR.

18 Q. SO SHE COOPERATED DURING THE COURSE OF THE SEARCH, DID SHE  
19 NOT?

20 A. YES, SIR.

21 MR. ABBOTT: THOSE ARE ALL MY QUESTIONS.

22 THE COURT: DOES ANYONE ELSE WANT TO ASK MR. SOSEBEE  
23 SOMETHING?

24 MR. ROSEN: NO, SIR.

25 THE COURT: ALL RIGHT, MR. SOSEBEE, YOU CAN STAND

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1 DOWN.

2 THE WITNESS: AM I RELEASED?

3 THE COURT: YOU ARE RELEASED.

4 (WHEREUPON, THE WITNESS WITHDREW FROM THE  
5 WITNESS STAND.)

6 THE COURT: DID YOU TELL THAT OTHER WITNESS, MCGILL,  
7 SHE WAS FREE TO GO?

8 MR. MOYE: I ASSUME THAT SHE WAS.

9 THE COURT: I WOULD NOT MAKE ANY ASSUMPTIONS. HAVE  
10 SOMEBODY CHECK.

11 WHO DO YOU CALL NEXT?

12 MR. MOYE: CALL MARTY SPIEGELMAN.

13 THE COURT: HOW LONG ARE YOU GOING TO BE?

14 MR. MOYE: TEN OR FIFTEEN MINUTES.

15 THE COURT: WE HAVE TWENTY MINUTES TO SPARE.

16 MR. MOYE: WHILE MR. SPIEGELMAN IS COMING IN, I WOULD  
17 TENDER GOVERNMENT'S 31, A CERTIFIED COPY OF A GEORGIA DRIVER'S  
18 LICENSE.

19 MR. MORRISON: NO OBJECTION.

20 THE COURT: LET IT IN.

21 MARTY SPIEGELMAN,

22 BEING FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

23 THE CLERK: BE SEATED, PLEASE, AND STATE YOUR NAME  
24 FOR THE RECORD.

25 THE WITNESS: MARTY SPIEGELMAN.