25 up the vehicle from the impound lot?
A I think it was before. I'm not exactly

2 sure.
3 MR. MINOR: Thank you.
4 THE COURT: Mr. MacNeill, any
5 recross-examination?
6 MR. MacNEILL: No, Your Honor.
7 THE COURT: All right. May this witness be
8 excused?
9 MR. MINOR: Yes, Your Honor. Thank you.
10 THE COURT: Ms. Harden, thank you very much
11 for your testimony. You may step down and be excused.Q Officer, would you state your
full name for
12 THE WITNESS: Thank you.
13 (Witness excused.)
14 THE COURT: Is the State prepared to call
15 its next witness?
16

MR. MINOR: Yes, Your Honor. David Gerity,

17
Officer Gerity.

DAVID GERITY,

18 19

called as a witness at the instance of the State, being 20

first duly sworn, was examined and testified as

21
follows:

22

DIRECT EXAMINATION

23
BY MR. MINOR

24

25
the record?

A Officer David Gerity. Q And will you spell your first and last

A First name is D-a-v-i-d. Last name,

Q And, now, on May 27th, 2020, what area wereA Highway 58, Charlie North,

Shallowford

Q Okay. And, now, in the evening hours, did

 A I did.

1

Q All right. Can you tell the jury why you

2

3
name?

A I responded on a single call of a single

4

5
G-e-r-i-t-y.

6

Q Okay. And when you received that call,
7
you responsible for patrolling? 8

A I drove through the area, didn't observe
9
Road, Gunbarrel, Bonny Oaks. It's Sector 3, as we10

would call it.

11

12
you respond to the area of Teakwood? Q Okay. Do you recall speaking with anyone

13

14

15
responded to Teakwood?

16

17
gunshot -- of a person hearing a single gunshot and a18

woman scream.

19

20
what did you do?

21

22
any property damage, wasn't flagged down, no vehicle23

speeding. So I basically just checked the area of24

Arbor Place Lane and Teakwood. 25

A I did not.
Q Okay. And so there was nothing necessarily
A Correct.
Q Okay. And is that sort of the normal
A Correct. Well, with that little
Q Okay. So just the initial shots fired,

Gerity - Direct A Correct. There was no specific location,

on the scene?

Q Okay. And so I guess ordinarily you look outside of the ordinary, other than the call?

A Correct.

Q All right. And you weren't able to locate procedure for calls like that?

A Correct.

information, that's correct.

person screams once, and you drive around the area, but there's really not much to it?

no area, no vehicle, no house information, nothing, other than just a single gunshot and a woman scream.

for someone in some sort of distress?

anybody that seemed to need your help?

MR. MINOR: Okay. Nothing further, Your Honor.

THE COURT: Thank you.

25
Cross-examination, Mr. MacNeill.
Q Officer Gerity, my name is David MacNeill.
A That's correct.
Q 2020?
A That's correct.
59 Gerity - Cross Q Okay. Tell me about that neighborhood over

1
MR. MacNEILL: Yes, Your Honor.

2
CROSS-EXAMINATION

3
BY MR. MacNEILL

4

5
I represent the accused.

6
Now, what date was that, Officer Gerity?

7
Was that 5/27 that you responded to that call, if you 8

remember?

9

A Residential.
10

Q Okay. The residence in question, 4088
11

12

A Not to my knowledge that I can remember.
13
there -- Teakwood. I've been out there a couple of14

times.

15
MR. MOYLE: I'm going to object. Counsel

16

is testifying. It's not a question. 17

THE COURT: All right. Well, I'll sustain

18
the objection. Go right ahead, Mr. MacNeill.

19
Q (By Mr. MacNeill) Would you mind

20
describing that neighborhood for the jury, if you will, 21

sir?

22

23

24
Teakwood, is that situated in an odd way?

25
Q Is it sort of on a corner? A It is possible.

Q Okay. When you drove by that day, did you
A Not that I can remember. Q Did you see any gathering of any kind?

A Not that I can remember. Q And did you -- did you speak to anybody

A Not that I can remember. Q So it's your testimony today that you saw

60 Gerity - Cross A That's correct.

1

Q Had you seen eight to ten people outside,
2

3

A Yes.
4
see eight to ten people outside of 4088 Teakwood?

Q Without question? That's protocol?
5

A Yes, I would have rolled my window down and
6

7

Q Thank you, Officer.
8

9
over there?

10

11

12
nothing out of the ordinary that day? 13

14

15
let's just say, would you have stopped and inquired?16

17

18

19
asked, "Hey, did anyone hear any shots fired."

20

21
One second. Let me consult with my client.

22
MR. MacNEILL: Thank you, Officer, for your

23
time.

24
Pass the witness, Your Honor.

25

THE COURT: Thank you.

Any redirect?

2

MR. MINOR: Nothing further, Your Honor.

3