

COPY

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

MARY WEBB,
Plaintiff,

VS.

RALEIGH COUNTY
SHERIFF'S DEPARTMENT, et al.
Defendants.

CIVIL ACTION NO.
08-C-406-H

Transcript of Sworn Statement of *AMY SMITH*,
taken before Raymond E. Meyers, Court Reporter and Notary Public
within and for the State aforesaid, at the law offices of Pullin, Fowler,
Flanagan, Brown & Poe, 901 Quarrier Street, Charleston, West Virginia,
on the 23rd day of July, 2009, commencing at 1:04 P.M.

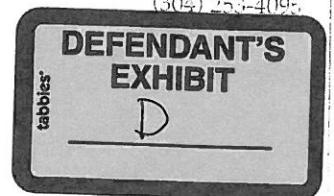
APPEARANCES: CHIP E. WILLIAMS, ESQUIRE
PULLIN, FOWLER, FLANAGAN, BROWN & POE
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Smith - (Williams)

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1 Q And, again, you believed in your gut that
2 it was gunfire that you were hearing?

3 A Yes.

4 Q So, okay, at this point you're up in your
5 home and you're trying to figure out, you hear the music and
6 the gunfire, tell me what happened from that point.

7 A I just basically sat in my house in the
8 dark listening, because I couldn't really see what it was.
9 And it was probably -- it just kept going on and on, I don't
10 know, maybe an hour or two had passed, it was into July 4th
11 by then, that I had made a call to the Sheriff's Department,
12 the Raleigh County Sheriff's Department.

13 Q And when you called, did you call a number
14 or did you call 9-1-1?

15 A I called the number.

16 Q And did you have that number because of
17 your previous problems with Robert Webb?

18 A Yes, it was posted on my refrigerator.

19 Q So you actually had the Sheriff's
20 Department direct number?

21 A Yes.

22 Q And did you call that number -- or tell me
23 why you called that, as opposed to calling 9-1-1, if there
24 was a reason?

KRM

Smith - (Williams)

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1 A There was. I wanted it to be anonymous.

2 Q So you, at that point, had in your mind --
3 you believed if it was 9-1-1, that it would not be
4 anonymous, and if you called the Sheriff's Department
5 directly, that it would be?

6 A Yes, more so. I felt that it would be more
7 so.

8 Q At that point, did you know that the
9 Sheriff's number was tied into the same dispatch that 9-1-1
10 was tied into? I know you know that now, but --

11 A I know that now, but it was after I had
12 said, I think he has a gun, that they put it through to
13 9-1-1, and then I thought, it's over, I'm a dead person.

14 MR. WILLIAMS: Let's go off.

15 (Short Pause in Statement)

16 BY MR. WILLIAMS (resuming):

17 Q Let's go back on the record. Go ahead.

18 A Probably a year and a half before the
19 shooting of Robert Webb happened on July 4, 2006, I had told
20 the Sheriff's Department that I felt like something bad was
21 going to happen. I felt like that he was very volatile and
22 unpredictable, and I really didn't know what he was capable
23 of.

24 So, as soon as the call was put into 9-1-1, I was

KRM