

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

MARY WEBB, individually, and in
her capacity as Administratrix of the
Estate of Robert A. Webb,

Plaintiff,

vs.

Civil Action No. 5:09-CV-1253
Honorable Irene C. Berger

RALEIGH COUNTY SHERIFF'S DEPARTMENT;
RALEIGH COUNTY COMMISSION;
SHERIFF DANNY MOORE, individually and in his
official capacity; CHIEF DEPUTY STEVE TANNER,
individually and in his official capacity;
DEPUTY GREG S. KADE, individually and in his
official capacity; and DEPUTY JOHN E. HAJASH,
individually and in his official capacity,

Defendants.

Transcription of CD. Taped conversation between Deputy
John E. Hajash and Chief Deputy Steve Tanner. Transcribed
by Wendy M. Thomas, of Harris Reporting, LLC, on Tuesday,
November 16th, 2010, for Travis A. Griffith, with the law
firm of Olivio & Griffith, located at 813 Quarrier Street,
Charleston, West Virginia.

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APPEARANCES

Chief Deputy Steve Tanner

Deputy John E. Hajash

P R O C E E D I N G S

CHIEF DEPUTY TANNER: What's going on, Buddy?

DEPUTY HAJASH: Oh, same ole, same ole.

CHIEF DEPUTY TANNER: (Inaudible) -- you know, I'm just trying to make sure that things are where they need to be. What is happening with you? I've got two corporate letters of, I have them here on my desk somewhere, I'm not losing my mind. I've got two different sets, one from you for a sick slip and one from Mike at Appalachian Psychiatric for a sick slip. What's going on?

DEPUTY HAJASH: Nothing. I had him do all the tests, medical tests.

CHIEF DEPUTY TANNER: What medical tests?

DEPUTY HAJASH: He did two stress tests, an echocardiogram, blood work in the hospital the night I went up there to the Emergency Room. That was the last night I worked. They did blood work and an echocardiogram, I think. They did that. I didn't tell Dr. Yee what my problem was. I thought maybe I was having heart trouble because the hospital said I had fluid around my heart. I never told him about the shooting, my dreams

and stuff like that that's bothering me. And when he did the test results he said everything come back normal. Except when I told him about that he said, "Well, that's a psychological thing, you need to go see a psychiatrist."

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: And Michael Johnson, is that his name, Mike Johnson?

CHIEF DEPUTY TANNER: Mike Johnson.

DEPUTY HAJASH: He didn't return my calls.

CHIEF DEPUTY TANNER: Okay. So I have one doctor saying that you're unfit for duty psychologically, which is not true at all, but absolutely has destroyed your career, the very thing we're avoiding. I've got another doctor saying you indefinitely have time off for chest pain, and that's not true.

DEPUTY HAJASH: Well, he said he was going to take me off until he seen what they can do further with me.

CHIEF DEPUTY TANNER: Do you have chest problems?

DEPUTY HAJASH: It hurts. I mean, I don't have

a heart condition, but --

CHIEF DEPUTY TANNER: Okay. You don't have fluid on the heart?

DEPUTY HAJASH: No. They have couldn't find nothing.

CHIEF DEPUTY TANNER: You don't have massive coronary?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. That's the first rumors that you've had a coronary, which isn't true, and that you have fluid on your heard, which isn't true. Dr. Yee cannot give you an indefinite sick slip, there's no such thing unless there's a diagnosis of a problem. You can't just say, "I'm not going to come to work." So Dr. Yee is out of line and that is not valid. The next thing is, you applied for Workers' Comp. I would have appreciated it if you had checked in and let me know what you're doing. I thought everything was fine, then I get two doctor slips and find out that you have a heart condition, that you're not fit for duty psychologically, and that you have applied for Workers' Comp. None of that

qualifies for Workers' Comp. Your claim is denied. Do you know what that does to you?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: It eats all your vacation and sick time up, and right now it's not sick time, it's vacation. Do you know you just lost of month of vacation time?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Yeah. It sucks. Which is not fair to you, it's not right, but I'm not going to let that happen. Okay? So that's not happening to you, but that is what the law requires because you're not checking in with anybody. You're calling your own shots and screwing your department, and that was never anyone's intent here. Who are you seeing in the way of a psychiatrist since we have been paying Mike Johnson?

DEPUTY HAJASH: Dr. Yee.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: My doctor seen me the first day that you sent me out there.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: And the next day I told him about my chest hurting. And he only seen me for about five minutes and he said to come back later on or call him after my tests.

CHIEF DEPUTY TANNER: Well, it's extremely common to have stress induced chest problems. That's like extremely common. Even I know that. And I didn't stay at a Holiday Inn Express, but it's a joke, you can laugh. Now, my problem is, you are gone until further notice, you're growing a beard, you're out cutting grass and running around. Meanwhile, you don't have an explanation for being gone, John. I know that you're acting in good faith and I know you don't have a devious bone in your body. I know that. I know you're not trying to get away with anything. And I know that, I honestly do. But Dr. Yee can't give you unlimited time off simply because you want it. If he did, how many people would be working here?

DEPUTY HAJASH: None.

CHIEF DEPUTY TANNER: Exactly. You think I don't have chest pains every day I come to work? Boy, if

I don't have them when I get here I do. I mean, that's just life. If there's an organic problem, a physical problem, you have every right to have sick time and time off until you heal up. Now, if it's not an organic physical problem, you don't have fluid on your lungs or your heart or whatever, then a medical doctor cannot give you an indefinite time off. There's no such thing. So a doctor can't just give you a free pass to never have to work if you don't want to. That's not what sick time is. And a doctor's excuse doesn't cover everything. If you have a legitimate condition, it does.

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: He's not giving you a legitimate condition. "Your chest has pressure on it, okay, don't go back to work." Okay. That don't work. They tested you and you're normal.

DEPUTY HAJASH: Well, his thing was, he was taking me off till the psychiatrist seen me and said whatever he said.

CHIEF DEPUTY TANNER: But a psychiatrist is supposed to do that, not Dr. Yee is supposed to do that.

Dr. Yee can't take you off of work for a mental condition because he's a medical doctor. Do you understand the problem that I'm running into?

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: Dr. Yee has no authority to --

DEPUTY HAJASH: Because he don't practice in that field?

CHIEF DEPUTY TANNER: --take you off work because you have a mental problem if he's not helping you with it. Now, what authority, if he's not helping you with it, does he have to take you off work?

DEPUTY HAJASH: He don't.

CHIEF DEPUTY TANNER: He doesn't. So that one is out. So the next one is this, Dr. Syed work excuse, "John Hajash is under treatment and may be," I'm assuming that's an attempt to spell excused from work indefinitely until stable.

DEPUTY HAJASH: He said he wasn't going to write three to six months, but he said he needs to see how counseling goes.

CHIEF DEPUTY TANNER: Okay. That is a real problem. Three to six months off work for what? Don't you think you have a right to know?

DEPUTY HAJASH: He said he wants me to see from them, because he talked to me for probably about an hour, I would say.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: And he said that he wants me to come back and see a counselor and, like, do tests, whatever kind of tests they do. I don't know. Take like a multiple choice test, I guess, to see how I'm thinking or something.

CHIEF DEPUTY TANNER: You've been off work for a month, our agreement that you and I had was that you were going to go see Mike Johnson and talk to him, that you were going to do that on duty, if you needed to, it just depends on when they set the appointment and that we were going to cover. We would let you -- as I recall, I told you you could wear blue jeans and drive the cruiser and park away from the place and walk over, or you could take your truck and go to it and drive home, and we would cover

the time even if you were gone an hour, two hours, it didn't matter, we were going to take care of it. All that meant you weren't off work, that we were giving you an opportunity to talk and work this out and get some tools to dealing with your stress. Now, some how it went from that to unlimited time off and I don't see what the issue is. And what I'm asking you, you can't tell me what the issue is. So I'm really concerned on what Dr. Syed --

DEPUTY HAJASH: Syed, right.

CHIEF DEPUTY TANNER: Right. What does Dr. Syed say, that you're mainly unstable and not fit for duty?

DEPUTY HAJASH: He said it was PTSD.

CHIEF DEPUTY TANNER: PTSD?

DEPUTY HAJASH: Post Traumatic Stress Disorder.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: He said that's what he thinks it's coming from.

CHIEF DEPUTY TANNER: What do you think?

DEPUTY HAJASH: The night of the 14th my chest was just hurting real, real bad.

CHIEF DEPUTY TANNER: No, that's gone. Okay?

That's a month ago. Right? Since then you're out running around, you're cutting grass, you're doing your chores and activities. How are you doing?

DEPUTY HAJASH: Since I've been off my chest ain't hurt as bad.

CHIEF DEPUTY TANNER: Don't be deceptive with me, young man, and tell me what is going on.

DEPUTY HAJASH: What do you mean what's going on?

CHIEF DEPUTY TANNER: How are you doing? Are you going to come back to work here?

DEPUTY HAJASH: I want to.

CHIEF DEPUTY TANNER: That's not my question. Are you going --

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: -- to come back to work here?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: Okay. What is your intention?

DEPUTY HAJASH: I was wanting something, I was

wanting help for the chest pain.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: So I think it's just worrying about coming and --

CHIEF DEPUTY TANNER: I'm sure it's stress, but you have to deal with that. My problem is, this doesn't seem to have manifested itself until you went to get help. While you didn't have any help in dealing with it you were doing better than when you get help. That's kind of like you have an illness and you go get the medication to make you better, and you turn to crap. That's not how it's supposed to work. It's supposed to make you better. You're supposed to get stronger. You're supposed to have tools to be able to deal with this. Instead, what you're doing is, you're spiraling away. We've lost contact with you, you moved, I don't have a phone number, we don't have any contact, we don't have any history of what's going on. You drop these off, I haven't even seen you in a month, and now it looks like you're taking the summer off. Why aren't you checking in and telling us what is happening, and keep us in the loop?

DEPUTY HAJASH: I don't know till, well, when was it, just a couple days ago, I didn't know until that day, that's when I found out about my test results because our ARH went on strike and it took them forever to get the results back. And I didn't know nothing till then.

CHIEF DEPUTY TANNER: That isn't my question at all. My question is, why aren't you checking and telling us what is going on?

DEPUTY HAJASH: I didn't know what was going on.

CHIEF DEPUTY TANNER: If you don't know, you can check in in that month you've been gone and say, "Hey, I don't know, I'm checking my test results, everything seems to be going okay." Or you could have told me, "I talked to Mike Johnson once, it turned to crap." We've paid him twice now, if you've seen him once --

DEPUTY HAJASH: I went twice, but the second time was only just a couple minutes, though.

CHIEF DEPUTY TANNER: Right. So we paid him twice. You could have come in and told me, "This ain't working out, Chief. I'm going from him to him and here's how it's progressing and what I see going on." What

happened there, what happened to the communication flow that it just completely and instantly stopped?

DEPUTY HAJASH: I don't know.

CHIEF DEPUTY TANNER: Sure you do. You're the only one who does know because you're the only one who cut it off. I could have called you except you changed your cell phone, you changed your home number, you changed your address and you didn't tell anybody.

DEPUTY HAJASH: I just changed my cell phone number Saturday so people could call me.

CHIEF DEPUTY TANNER: Maybe, I just know we got this and tried to call you, I don't have any information on you now. You don't even have an updated file. So what's going on?

DEPUTY HAJASH: What do you mean?

CHIEF DEPUTY TANNER: I mean, what is going on? I don't have an address for you, I don't have a phone number for you, I don't have a contact for you. If there was a major incident, how would I let you know? If I needed you, how would I let you know?

DEPUTY HAJASH: I don't know because I changed

my number.

CHIEF DEPUTY TANNER: I don't either, and that's what I'm asking you.

DEPUTY HAJASH: I don't guess you could.

CHIEF DEPUTY TANNER: That's right. How old are you now?

DEPUTY HAJASH: Twenty-three.

CHIEF DEPUTY TANNER: At 23 years old I don't call your mom to get a hold of you. You're a deputy, you're a man, you're full grown. This as good as life gets, and I still have to call your mommy. John, that's really not good. I expect more from you. You're a (inaudible) deputy. You are an A number one good guy. (Inaudible) -- it will be first rate, but this is really - - I don't know if you appreciate how badly you're tearing down everything we have working for us. And it's an individual effort on your part. You went from Mike Johnson to this guy and didn't tell me, so when I get billed I'm not having a clue what they're talking about. We went from handling this informally when you're at work, you're suddenly off a month and then give us "until

further notice, I ain't working here." You come in with a beard, so you have no intentions of coming back to work immediately.

DEPUTY HAJASH: I just never shaved right before I come to work.

CHIEF DEPUTY TANNER: Right, brother.

DEPUTY HAJASH: I mean, that day, that's when I shaved.

CHIEF DEPUTY TANNER: Yeah, and my point is your state of mind is you ain't coming back to work. That's your state of mind. I don't have an address for you, I don't have a phone number for you, I don't have any way to get in contact with you, you ain't telling me what's going on, you're not stopping by the office, I'm sure, except to pick up your paycheck. You filed for Workers' Comp and didn't even tell anybody. How did you file for Workers' Comp?

DEPUTY HAJASH: I filled the paper out and sent them in.

CHIEF DEPUTY TANNER: Uh-huh. Why didn't you let somebody know what you were doing, or did you feel

that was a private thing?

DEPUTY HAJASH: I felt like everybody's going to hate me if I told them I was going to do that.

CHIEF DEPUTY TANNER: Well, if you thought they were going to hate you, why wouldn't you buck up and tell them rather than let them find out about it when Workers' Comp calls and asked me out the blue and I don't know what they're talking about?

DEPUTY HAJASH: I don't know.

CHIEF DEPUTY TANNER: I'm your employer. You have to let us know what's going on. We're the ones who pay for Workers' Comp, that comes out of the budget here. No one is going to hate you, but I could have saved you the (inaudible.) Your claim is denied because it's not a physical injury. And that's what Workers' Comp pays. We have other avenues to take care of you, but you've got to let us in on what's going on. We're here to support you. What happened to you is not your fault on any level, not on any level. It is a horrible tragic thing that happened to you. It happened (inaudible.) And we take care of our own, we're here to support and help you. We're like

family. But you don't get to (inaudible) your family and then expect us to (inaudible) everything. It doesn't work like that. It is a family. You've got to communicate.

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: Now, I'm really concerned with Syed saying you're unfit for duty. That's a little extreme. The problem with that is, is that then he has to say now that you're fit for duty you can't come back. If you decide, "I feel fine, the stress is off and I'm dealing with his and I want to move on with life," you don't get to come back. Here's your problem, you have 24 vacation days and 36 sick days. We work a 20 day a month cycle. Since this isn't Workers' Comp, and we subtract your vacation and sick days, guess how many days you have left before you won't get a paycheck here?

DEPUTY HAJASH: I don't know.

CHIEF DEPUTY TANNER: The end of this month you don't get paid. You're broke. Then what happens to you? Is he going to give you six months off because you weren't fit for duty and you're not going to get paid? What happens to you, John?

DEPUTY HAJASH: I lose everything.

CHIEF DEPUTY TANNER: You lose everything. So we've got to address that. Now, I'm not going to try to get into your head psychologically because that's not my place. But it is my place to be concerned about you as the chief, but more as your friend. You've become of your age and your life experience, you're one of the people who can be easily manipulated because you just haven't seen enough (inaudible.) It comes with life, it comes with age. It's not against you, but Syed has -- I assume Mike Johnson referred you to Syed, and you just didn't pick Syed out of a phonebook?

DEPUTY HAJASH: I saw Dr. Yee, and he sends people.

CHIEF DEPUTY TANNER: Okay. So you went from Mike Johnson, on Yee's advice, to Syed?

DEPUTY HAJASH: Yeah, Mike Johnson never called me back.

CHIEF DEPUTY TANNER: Well, when you went from Dr. Yee to Dr. Syed, how did you cover that with your insurance?

DEPUTY HAJASH: What do you mean?

CHIEF DEPUTY TANNER: I mean, how does it get paid?

DEPUTY HAJASH: I don't know. I may have to pay it since I did it.

CHIEF DEPUTY TANNER: Okay. Well, we're back to this then. This is what you've done, you've initiated it, you did this on your own accord. So you tell me what your intentions are.

DEPUTY HAJASH: I was wanting -- I want my dreams to go away, is what I want.

CHIEF DEPUTY TANNER: Okay, that's fine.

DEPUTY HAJASH: And Mike Johnson just, he didn't even talk about them really.

CHIEF DEPUTY TANNER: And you gave him a whole one hour lesson, he didn't get to it in time.

DEPUTY HAJASH: Well, the second time -- well, he ain't called me, though, since after the second time.

CHIEF DEPUTY TANNER: I know about that. But if you went from him to another doctor, I don't know that he would have any legal right to call you. If you race cars

and Ford is your sponsorship and you dump your Ford and jump in a Chevy and put a 350 in it, are you going to complain because Ford doesn't call you back? Not if you're in a Chevrolet. Because you're supposed to see Mike Johnson, and Mike Johnson is supposed to help you and walk you through this, and we're supposed to foot the bill. And then you go see Yee, and go from Yee to Syed on your own standard, under another batter of psychiatric services. I'm not sure what Mike Johnson is supposed to do. Mike Johnson has dealt with this stuff before with officer involved shootings and have cleared a number of officers who have gone under this particular problem, which is why I like Mike Johnson, he's got experience. And now he may not have addressed it in what you consider a timely manner. Now what I'm stuck with is this, you've gone a psychiatrist who is a legitimate M.D., who says you are not fit for duty. Now, Mike's not a psychiatrist. Okay?

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: So he's not -- this guy outweighs him. Now, he says you're not fit for duty,

you're not stable. What is your intention?

DEPUTY HAJASH: I don't know, they help me out or whatever, get rid of the dreams. Because when I have dreams, the next day I'm sick, I have to go to the bathroom a whole lot and my chest hurts and I worry a whole lot.

CHIEF DEPUTY TANNER: Yeah. But --

DEPUTY HAJASH: If I don't have dreams, I'm fine.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: I'll talk to somebody to help me get rid of them however --

CHIEF DEPUTY TANNER: That's what you want?

DEPUTY HAJASH: That's what I want.

CHIEF DEPUTY TANNER: I'm asking you what your intentions are. I want world peace and I want to be rich and I want some (inaudible) so I'm not indebted. We have (inaudible) and I know what your long term goal is procured, I know what's eating at you. I'm talking about what you've done or what you're going to do. I'm asking you as the co-employer here, your immediate supervisor and

the chief deputy; what is your intention? If you're gone three to six months to undergo this, I'm replacing you. I'll hold your position, but I ain't waiting. If this says you're unfit for duty because you're mentally unstable, which is what this says, that you want me to go by, then, yeah, I got issues. You're screwing yourself to death. What are you going to do?

DEPUTY HAJASH: I just want help with the dreams. I don't know what to do.

CHIEF DEPUTY TANNER: You don't have a clue what you're going to do, do you?

DEPUTY HAJASH: That's all I want.

CHIEF DEPUTY TANNER: Okay. I don't know how to fix this. You've kind of passed me over in the chain of things, gone into a private sector and got yourself -- you cut your legs out from under you and I'm not sure I can put them back on you. If you go to a psychiatrist who says you're nuts and then you give it to me in writing that he says you're not fit for duty, how do I help you? How do I pay for the bill? How do I keep your benefits in place, how do I keep your job open when it's your doctor

you went to see, without telling me, that says you're not fit?

DEPUTY HAJASH: I don't know.

CHIEF DEPUTY TANNER: I don't either. And it's a serious issue to you than it is to me. When are you due to see Syed again?

DEPUTY HAJASH: I think May 14th was the soonest they can get me in.

CHIEF DEPUTY TANNER: John, help me out here. If you couldn't get the help you needed from Mike Johnson after you met him once, so you go to see him and he can't even get you in till May 14th --

DEPUTY HAJASH: And Mike hadn't called me back in like a month, though.

CHIEF DEPUTY TANNER: Yee ain't helped you either, has he, other than terminating your career?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. So how did he better you? At least Mike Johnson was handling it under the table where we could take care of business out of our pocket and budget, and not tell a soul, and keep

everything running, keep all of your benefits in place. We had life going on as usual, this guy ain't even seeing you and shot you out from under everything. There's a huge difference here. The help is exactly the same, none.

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: But one takes your career away. What about this one? You've got me really concerned here. What has happened in the month you've been gone, are your dreams as frequent?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: I mean, I've had two or three, maybe. That's it.

CHIEF DEPUTY TANNER: Okay. So you've had maybe two or three dreams in a month. You have changed rather dramatically in the last month, have you not, moved out, her moved in?

DEPUTY HAJASH: No, I moved out. I think I'm moved into this house the beginning of February.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: Still working on it.

CHIEF DEPUTY TANNER: Okay. Now, is this girl living with you?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: Is this a recent thing, does it coincide with this?

DEPUTY HAJASH: What do you mean recent, like living together, dating or --

CHIEF DEPUTY TANNER: This girl moved in with you recently?

DEPUTY HAJASH: She moved in when I moved in.

CHIEF DEPUTY TANNER: Okay. I'm wondering when you talk about stress, you have the stress from the shooting, there are life stresses, going into moving out of your mother's home to your own home is a major stress inducement.

DEPUTY HAJASH: I think it helped me.

CHIEF DEPUTY TANNER: It does. But that doesn't -- there's good and bad stress, but stress is the same. There's good and there's bad. Okay? I go fishing, I catch me a 25-inch trout, there's stress while I'm fighting it, but it's a good stress, but it's still

stress. Heart rate still goes up, pressure is still there, whole change, life's different, your body recognizes it and change your eating and your sleeping patterns. It's stress. It's not a bad thing. You look forward to it, but it's still that change. It's still the same stress, it's just not a negative. Now, on top of that she's moved in with you. Another new stress factor. That could also be a very positive stress, but it's still a factor. So you're multiplying your stress. Here's what happens. When everything else in your life is in check and you have a single stress factor, like the shooting, then the shooting is a single stress. So there's no doubt where that stress is coming from. Okay? It's the shooting that has to be, because everything else is like it was before when things were fine. Okay. Now, if there's a shooting and it starts symptoms, but on top of that you move out and you go out on your own and your girlfriend moves in with you, you're adding other stress factors. It's not a single factor anymore. Is it because you're out on your own, is it because you're footing the bills, is it because your girlfriend moved in with you, is

it because you're picking up things with that and you have to adjust your schedule to her schedule, and that's more credibility in your life. Those are also stressers. That's also part of an issue, especially if this one is about to break your back when you add more, now you've got more weight coming down. You're adding stress factors here. That's the only reason I asked. I don't care, it's your place, it's your life and I hope it works great and it's wonderful. I'm just saying those are other stress inducers. I'm wondering if there's other stress. I know for a fact there's other stress inducers. Your shift.

DEPUTY HAJASH: I don't think it's that bad. I'd rather stay on that shift than any of the other ones. The midnight is --

CHIEF DEPUTY TANNER: I have no intentions of moving you.

DEPUTY HAJASH: But, yeah, that shift just didn't -- the 2 to 10, that's what I like.

CHIEF DEPUTY TANNER: Okay. I have no intention --

DEPUTY HAJASH: The hours I had.

CHIEF DEPUTY TANNER: -- of moving you. How did it go at work?

DEPUTY HAJASH: I mean, honestly, Keith was a pain when he first took over, I guess, he was micro managing or whatever you call that.

CHIEF DEPUTY TANNER: How was that for a stressor?

DEPUTY HAJASH: That stressed me out, but he quit.

CHIEF DEPUTY TANNER: He started again. And I'm sure you've heard it, you've asked them about it. These tape records conversations threaten to intimidate people.

DEPUTY HAJASH: I've heard he's always done that. I've heard he chops them up and makes, I don't know, I don't know.

CHIEF DEPUTY TANNER: It's just weird, I'm taking him off the (inaudible.) And Kevin Hawkins is taking over the shift the first of May. (Inaudible.) That's going to be at least a stressor removed. So the stressors I can control, I can fix.

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: What it leaves me with is I want -- the Sheriff has demanded from me today an explanation from you why the change, what your intentions are. I can understand the change. You went to Yee and he told you to see (inaudible.) I'm with that. Now, a man has to decide what is in his best interest, not Dr. Yee's best interest, not Syed's best interest, his best interest. You did that and you decided Mike Johnson wasn't meeting your needs efficiently, quickly enough that you went to Syed. So I respect you're trying to help yourself and better yourself and get better as quickly as you can. I'm with that. Okay?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: But now when Syed says, "Well, take the summer off," you stop, you don't see him till May, the middle of May, which means a month from now. And in that month you're hanging out. But you're doing this to help yourself. How is he helping you? I know how he's screwing me.

DEPUTY HAJASH: He's not helping --

CHIEF DEPUTY TANNER: (Inaudible) off and you

haven't seen a damn soul, but you got two months off. But you haven't gotten any, any help. Nothing. But you got two months off. Well, now that it's not Workers' Comp, the two months cost you all of your vacation and your sick time. So now you're without a paycheck. So when the Sheriff asked me what's your intention, I can't tell him you want the dreams to go away. That's not an answer. That's like saying a screwdriver works better than a hammer. That may be true in some applications, but it doesn't address my question to you; what are you going to do?

DEPUTY HAJASH: I don't know what kind of answer you're looking for. I mean --

CHIEF DEPUTY TANNER: Are you going to wait till May 14th to see him, to see what he suggests and go from there?

DEPUTY HAJASH: Now, I want to work, but I want the dreams to go away. Seems like when I work a whole -- when I work, the dreams are just there every night.

CHIEF DEPUTY TANNER: Sure. You're adding stress because the situation could happen again. So

you're adding stress back on. I guarantee you that will happen. But that was the whole point in going to see Mike Johnson, to learn how to deal with the issue. You haven't dealt with it yet. (Inaudible) that these guys may really baby you, but looking at your vacation and sick time you don't have a lot of baby time left. You haven't dealt with taking a guy's life. You haven't dealt with it, you haven't faced it. You haven't talked about it, you haven't comes to terms with it. Until you do, the dreams aren't going anywhere. That's just Mike. It doesn't matter what you think about him, you deal with it (inaudible) to stay. That's your option. Now, you haven't talked to anyone about it. I asked your fiancé, who is the closest person in this world to you, and she said you just piddle around. If you can sit down and talk about it, the dream will go away. The dream is your mind screaming as loud as it can, telling you get this out of the system, talk about it, get it out in the open and deal with it. That's what it's telling you. That happens to everybody. Now, you're going to have to talk about it. That's what Mike Johnson was leading you into, is talking

to him about it. The fact that he didn't do it at the first meeting just means you're impatient. Maybe that's what he's doing, he -- you're impatient.

DEPUTY HAJASH: He never called me back, though. That's why I thought he just didn't care.

CHIEF DEPUTY TANNER: Do you know how many times I called him to get you in?

DEPUTY HAJASH: How many?

CHIEF DEPUTY TANNER: Six.

DEPUTY HAJASH: But he told me to call him, though.

CHIEF DEPUTY TANNER: Yeah, well, I think he's probably busy. How many times did you call him?

DEPUTY HAJASH: Twice.

CHIEF DEPUTY TANNER: Did you go up there?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. If you don't learn to be persistent in life, you're not going to get anywhere. Have you ever got a message here and found about it called you before and they didn't give you the message to call him?

DEPUTY HAJASH: Oh, yeah.

CHIEF DEPUTY TANNER: Do you believe he's lying or do you believe they forgot to give you the message?

DEPUTY HAJASH: They could have.

CHIEF DEPUTY TANNER: They could have. And if it happens a dozen times, everybody ain't lying, they forgot to give you the message. That your fault?

DEPUTY HAJASH: Right.

CHIEF DEPUTY TANNER: Did you put forth that much slack with Mike Johnson?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: He probably gets 500 messages a day. Here's the thing, you have a legitimate issue, a problem and you need help with it. He's dealing with a lot of people like you having legitimate issues. What's a nut got to do if he's on his medication and no job? He's going to call Mike 50 times.

DEPUTY HAJASH: When you got the time.

CHIEF DEPUTY TANNER: He's got the time to call and call and call and call and call and call and call. Now, if you had a month off and you called him twice,

that's once every two weeks. That don't impress me a whole lot. You haven't even gone by. You need to be more assertive. These are your problems that's killing you. But as long as you're on easy street and the dreams aren't bugging you and you got the summer off to come and go as you choose, and the pay is the same, I understand why you're not at work. But that's getting cut out from under you now. Now it costs you your vacation, it cost you your sick time, and it's about to cost you your paycheck. Now how motivated are you to get a hold of somebody and say, "I ain't waiting till May 14th. I want help and I want it now"?

DEPUTY HAJASH: Highly motivated.

CHIEF DEPUTY TANNER: Yeah. If you had had at least the courtesy of checking in with me and telling me what's going on it could have prevented all of this. Instead of shoving this down my throat, you're not giving me options. And that's what you did. It's disrespectful, it's discourteous and it's plain stupid on your part. You don't give me any lead-way, you don't give me any options. What am I going to go to the -- who am I going to go to,

the Sheriff, and say, "I don't feel like the psychiatrist said he's fine, he's ready to come back to work, and give him his vacation and sick time back?" Sheriff will say, "Yeah, okay, Steve, what did you stay at a Holiday Inn Express, you know more than the psychiatrist?" Please put in writing he's not stable. You did read that, right?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: That you can't come back to work until you're stable. How does a psychiatrist say you're not fit to work till you're stable, how do you interpret that? You took that as currently you're unstable?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: Is that a good thing for you?

DEPUTY HAJASH: No. He didn't explain what you meant by that, but --

CHIEF DEPUTY TANNER: There's one way to interpret it, and if you know another one, that you went to see a psychiatrist who said you can't come to work until you're stable, if there's any other way to accept

that you're unstable tell me what it is. Because a psychiatrist at Appalachian Psychiatric Services, Dr. Syed, says you are unstable and not fit for duty. If there's another way to interpret this, other than you gave me, I'm listening. Was there any other way you could interpret it?

DEPUTY HAJASH: No, sir.

CHIEF DEPUTY TANNER: Was that the very thing you and I talked about avoiding?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: With Mike Johnson. Okay.

DEPUTY HAJASH: Yeah, we didn't shut me down.

CHIEF DEPUTY TANNER: Yeah, exactly. So we didn't have the meeting that you and I are currently having now. John, it's your life, you are 23. I will respect your decision and what you decide to do, and I will not question it. Okay? It's your life, it's your life, it's your time, but you're about to run out of time. Now, when you run out of time and you're still not fit for duty the Sheriff has the right, and almost (inaudible) to terminate you as being unfit. The Sheriff would never do

that. He would support you to the end, but he ain't going to pay you. That doesn't help you, holding the job open indefinitely while you're starving is not a whole lot of help.

DEPUTY HAJASH: Huh-uh.

CHIEF DEPUTY TANNER: Okay. If Syed cannot see you until May 14th, you need to make a decision. You need to make a decision. You need to make a decision what you're going to do. You have a couple of options that I see. I will suggest these to you and let you decide. You can wait till the 14th, talk to him on the 14th and say, "Look, I'm not covered by Workers' Comp and I've almost burned up all my vacation and sick time. July 1 -- June 1, I no longer have a paycheck. So I've got next month off, I've got six weeks off and then I'm out of pay," because I actually went up yesterday and counted your time up. And I'm being generous and not counting some of your other days. And, I mean, if push comes to shove you don't have that much time. But what you have, the most you can have is the end of April and May. Come June 1, you're out of time, which means you don't get paid anymore. It also

means you don't earn any time while you're not getting paid. So you can tell him on the 14th, "You've got to cure me, solve me, get me back by July 1." I can tell you what he's going to tell you, "No. You go back to work when I'm satisfied you can go back to work. The next meeting will be June 13th." That's one of your options. Your other option is, you still have to overcome what you've given me. I can't ignore this. You've turned this in, it's a matter of your personal record now, and I still have to address this. And you have to overcome this, you're not stable. Okay? You might be able to go in and see Dr. Syed and say, "Look, there's a clear misunderstanding. I turned in a work excuse saying I'm not stable, not fit for duty. You need to clarify that, then it would be, you know, that --

DEPUTY HAJASH: I just need --

CHIEF DEPUTY TANNER: -- I need a work excuse to come back to work." I don't know how you're going to get him to phrase it.

DEPUTY HAJASH: I'm going to be under his care, but I can still work, something like that?

CHIEF DEPUTY TANNER: Something like that. It's okay with me. I don't care what he says. But he says you can't come back to work until he says. You turned that in as official.

DEPUTY HAJASH: I mean, you know, (inaudible) word it.

CHIEF DEPUTY TANNER: So you've got to get word from him that says, "This was misphrasing on my on my part and what I meant is he is fit for duty, but because of stress related he needs treatment and I would like to continue his treatment," and we'll set -- and schedule an appointment. That's fine. Or you can go back and see Mike Johnson. I don't much care what you do to get you your help that you need. What I don't want to see happen is you, in the beginning of your life at 23 years old with a fiancé and this new place that you just sat up, you've got now utilities and a house payment and a truck payment and all the things that go with that, and now you're about to lose your job. You don't -- and if there's stressors for --

DEPUTY HAJASH: That's going to add to it.

CHIEF DEPUTY TANNER: Well, you can multiply your sleepless nights by about 10 and then some when you don't have enough nights to deal with all the pressure. So we've got to figure out a way to avoid this kind of stressor. Are you with me?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: Okay. The last thing you need on top of all your other pressures is more pressure. What you don't need to do is pick up your paycheck and find out you don't have no paycheck. So we've got about six weeks to figure it out before your paycheck runs out. I have absolutely no intentions of you taking sick pay. None. I expected you to work and see Mike Johnson and work this out. And if you needed stress days and you needed to take days to catch your breath, that's fine. Absolutely no problem. I've told you we'd work with you any way we could. I didn't mean take the summer off and not tell anybody, and grow a beard and hang out and have a good time. That is not what I meant. I meant for you to be a man, to grow a set, and to deal with your problems. You are going to have to sit down, John, and talk about

this. You have to. It's not going to get better, it's not going to go away, it's not going to fade into the background. It's going to get worse and worse until you sit down and talk about it. Period. Eventually, every one of these guys is going to tell you that. Okay?

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: Until you can honestly deal with this out loud then the dreams aren't going away. And let me tell you something else, and I promise you this, the day you sit down, and I don't care if you talk to me, I don't care if you talk to Syed, I don't care if you talk to Johnson, the day you can sit down and say everything (inaudible) is the day your dreams are going way back. Then the tools they give you to deal with it will work. So you can talk about it. And I don't mean talk about it in a superficial jural tone. I'm talking about details, I'm talking about searing your soul and really talking about it. You want to talk about it, we will talk. You can talk to me, you can talk to a friend, you can talk to a doctor, you can talk to a counselor. It doesn't matter who you talk to. It's the nature of the

talk itself, not who you talk to. And when you talk it takes that whole blame off of you. When you share it with somebody, all of the sudden it's a load that you can bear. Now, we have this philosophy that you're already (inaudible,) it's this testosterone driven macho image. But that's part of the job and it's life and we deal with, and you do what you have to do, and that's just too bad for you. That's absolute crap. It isn't true and you know it, and anybody who really feels that way needs to turn in their badge and become a terrorist somewhere, because that's what you are. The fact is, the key with any circumstances you have no control over, but you still were there. You still had choices.

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: You still made choices. You can always question your choices, you just can't change them. As I see it, from my perspective, you had a choice. You could hope he dropped the gun and it was a bluff or he just (inaudible) trash or it fell out of his hand because he was drunk. You could hope he didn't shoot. You could hope that he shot and missed. There are

a lot of hopes you could have made. But your two options were, shoot or don't shoot. If you have another one, I don't know of it. It comes down to this, you could either shoot or not.

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: You chose to shoot. We'll never know what would have happened if you chose not to shoot. Would he have dropped the gun, surrendered, changed his mind, or would he have killed Greg or you or both? We don't know. But you have to decide what point is your life more valuable than letting a choice decide. I would guess (inaudible.) These are things you're going to have to talk about. You're going to have to talk about when you chose to pull the trigger. You're going to have to talk about whether you shot because Greg did or you shot because you were protecting him. It doesn't matter which one it is. It's okay. It was still the right thing to do. If you followed his lead and he fired and so you fired, that's okay. But you have to know that, you have to know it's okay. But until you say, "It bugs me that I fired after he hit the ground and I think one of those

shots ricocheted," whether it's true or not we don't know if it's true or not. Yeah, it could be either one. It could have bounced up and hit him and it could have been a line of fire. It could have been directly into your line of fire. We don't know exactly where you were, we don't know exactly the angle of the lighting. We know what it looked like when we got there, but that's not the same thing. Until you address -- you have to address these things. You have to go over every piece of that shooting and break it down and talk about what's eating you.

DEPUTY HAJASH: I look back at it now I can watch him, because I remember when I had him drawn down -- I remember I was drawing down on him and I just glanced over and looked at Greg to see what he was doing, and Greg was drawing down on him, too. And that was right before Greg yelled at him. Greg yelled at him, he turned around, and I couldn't see the gun then. It looked like he was holding something.

CHIEF DEPUTY TANNER: Well, that truck actually
(inaudible.)

DEPUTY HAJASH: Well, I'm short, I couldn't see

it. Then when he was raising up I realized what it was. And now that I remember, it's like Greg shot. I didn't look at Greg when he shot, but when he shot I seen him bounce back and it's like it didn't phase him. But like when I shot, that's when he dropped. I guess because Greg hit him up in this area (inaudible) bouncing back a little bit and that was it. I can look back and see that now. Like when mine hit him it's like he got shot with a big sand bag or something and knocked the breath out of him and he fell.

CHIEF DEPUTY TANNER: But do you know what actually happens with the mechanics of shotting?

DEPUTY HAJASH: Huh-uh.

CHIEF DEPUTY TANNER: Okay. You have time distortion, you have tunnel vision. Time actually slows down, and it's a survival mechanic that bodies go through.

DEPUTY HAJASH: Felt like 10 minutes after he shot then I shot.

CHIEF DEPUTY TANNER: Yeah, it does, it seems like it was forever. And what's amazing to me, because I've been in a couple of shootings where I couldn't

believe how clearly my sight picture was and how smooth my trigger pull was. And I was thinking, smooth trigger pull, (inaudible) and I'm just thinking, well, I couldn't put this in a box and be any steadier. I'm not scared, I'm not shaking, everything is working. And when the gun recoils you don't feel it, it's just boom, and you see the round go, but it's not like -- it's like everything is just super slow motion. What you (inaudible.) You know why I know that?

DEPUTY HAJASH: Why's that?

CHIEF DEPUTY TANNER: (Inaudible.)

DEPUTY HAJASH: He just hadn't followed him yet.

CHIEF DEPUTY TANNER: He hadn't followed him.

What it is --

DEPUTY HAJASH: That one second just seemed so long.

CHIEF DEPUTY TANNER: -- is your distorted perception in milliseconds. You're in a survival mode. Okay? You lose your hearing, you lose your smell, but your sight becomes incredible. It's incredible how clear it is. It can be total darkness and you can see what time

it is on your watch. It's your body adjusting to survive. It's giving the necessary instincts that you have, like your sight, the most important thing, everything plugs to your sight. Time becomes distorted and slows down and everything runs in slow motion. But you're acting at normal speed, everything else is in slow motion. It's just perception and it's normal. But what role you gets you the most on shooting, if there was a single thing?

DEPUTY HAJASH: I really don't know. Just, I've just had so many dreams since then, and none of them have him in them. It's just made up stuff in my head.

CHIEF DEPUTY TANNER: Right.

DEPUTY HAJASH: Not even situations I've ever been in or anything.

CHIEF DEPUTY TANNER: But what is it that gets you the most, was it the shooting itself, is it the aftermath of the shooting, is it the feeling of vulnerability; what is it?

DEPUTY HAJASH: It just, I don't know, just wakes me up all the time, scared, feel like I'm having a heart attack. I can't sleep, and I guess that makes me

irritable. Then it's like I'm sick afterwards. Like every time I have a dream it's like I'm real sick and --

CHIEF DEPUTY TANNER: And the problems multiply each other. One causes another one, it's like dominos. Do you think it is from the shooting?

DEPUTY HAJASH: I never had dreams like that till afterwards.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: I had one before --

CHIEF DEPUTY TANNER: So if it's the shooting, then you need to come to terms with shooting. Right? Okay. So what do you think is the best way to come to terms with it?

DEPUTY HAJASH: Talk about it with somebody.

CHIEF DE

DEPUTY HAJASH: I don't know what they'll say to help me, though.

CHIEF DEPUTY TANNER: Well, you need to talk about it. You never talk about it. Why not?

DEPUTY HAJASH: Nobody's ever asked me here about it and I remember we were told not to talk about it.

CHIEF DEPUTY TANNER: That isn't true. That

isn't true, John. Your mother has asked about it, your girlfriend asked you what happened, tell me about it, your mother hasn't said that? Greg Kade hasn't asked you if you wanted to talk it through?

DEPUTY HAJASH: I can't remember.

CHIEF DEPUTY TANNER: A lot of people have. A lot of people. You have (inaudible,) but they're asking.

DEPUTY HAJASH: And nobody didn't want to talk about it because I just didn't want to, and then --

CHIEF DEPUTY TANNER: Well, they --

DEPUTY HAJASH: -- I remember we weren't supposed to say nothing about it.

CHIEF DEPUTY TANNER: That isn't true anymore. That isn't true. Tell me about the shooting.

DEPUTY HAJASH: Where do you want me to start?

CHIEF DEPUTY TANNER: What did you have for breakfast that day? I don't care where you start.

DEPUTY HAJASH: I can't remember nothing that day. I can just remember, I don't know, I think Greg may have called me, when up to the hotel, he was up there (inaudible) sitting right where the front door is,

actually to the left of it. And I think he was in the -- I don't remember what cruiser, he may have been in an older cruiser, I think. We're up there talking and I think I called Bear, he was going somewhere and I told him, I said, "Greg said for you to come up here." And he said, "Well, I have a car wreck to go to," or something like that, "and I'll be up there." I think. If I recall that right. I may be getting things mixed up here. But I remember that, and going up there talking. They give me the call of a guy with a handgun shooting at his own house or something like that. I think that's what I recall him saying. I thought that was kind of weird, I figured it was something stupid and not true.

CHIEF DEPUTY TANNER: What was a (inaudible)?

DEPUTY HAJASH: (Inaudible) everybody was gone and it was quiet, you know, back on looking for something else to do. I told Greg, "I can't let you go do that by yourself." We're standing outside the car when we're talking, you know, with door open.

CHIEF DEPUTY TANNER: Uh-huh.

DEPUTY HAJASH: Well, Greg says, "I better get

my vest on." So he opens up his trunk, puts his vest on over top of his uniform, because he didn't have it on. I may have done mine then, I think. Yeah, I think I put mine on then because I don't think I had it on that night. And I didn't -- I can't remember if I put it on then or at Cabell Heights. I think I did it then just in case we drive into it. Put that on. Don't know why. And this has really made me wonder, why did we leave the hotel instead of going down off of Park Drive, right up to it? Why did we go down the interstate, the long way? I don't know why. I was leading him.

CHIEF DEPUTY TANNER: Interstate --

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: Is that what you did?

DEPUTY HAJASH: I don't know why, but going the back way would have led us to it probably a whole lot quicker.

CHIEF DEPUTY TANNER: Sure.

DEPUTY HAJASH: But I don't know. I was leading and I went that way and Greg followed me. I remember getting off at the clover leaf, right there off the

interstate and going around a real sharp turn. I can remember we were running code, just in case it was a real shooting or something. I remember cars getting out of the way. I can remember me and Greg turning up Old Ecchols and we shut our lights down once we got to the top of the hill so nobody would see us coming or hear us coming.

CHIEF DEPUTY TANNER: Uh-huh. You're talking about Cabell Heights?

DEPUTY HAJASH: No, we was coming up Old Ecchols, once we got to the top of the first little hill right there. That's where we turned our lights off because there was no traffic at 1 o'clock in the morning. We turned our lights off there, we pull up into Cabell Heights, Greg yelled at me and told me to pull over right there. It turn out to be Connie's (phonetic) driveway. I didn't know that then. We parked there. I don't know what I was going to do, where I was going to go, but he said pull on over. So we pulled over there, there was a wide spot right in front of her house. And we just thought the house was just, you know, 50 feet around the corner there. Because I think they said the second right

or first right. Since I didn't know where the first right was and we didn't want to pull right up to it. We got 20 feet away from the car or so and Greg said, "Well, I'm taking the shot gun." I don't know why but I just took a pistol. I'm just not a shot gun person, I've only shot them here.

CHIEF DEPUTY TANNER: Yeah.

DEPUTY HAJASH: And a rifle in a neighborhood probably ain't a good idea, you know, a close neighborhood like that. Plus it's dark, you can't see the sights anyway like that with a rifle. So Greg gets a shot gun and I sit there and wait for him in the middle of the road, he walks back up, we're walking down the road. One car goes by, you know, we waive them by with a flashlight. We get to the spot where you start going down the hill, where it levels off, where you can see his house. You can smell alcohol real bad right there. It wasn't from him, I don't guess, but --

CHIEF DEPUTY TANNER: I don't know, you can smell beer.

DEPUTY HAJASH: It was real far away, but I

said, "I can smell alcohol read bad," like somebody was drinking inside the house we was in front of or something. We got a little bit farther and we could hear the music. That's when we asked (inaudible) to make sure, that way we knew we was going to the right place. It's 1 o'clock in the morning, we figured we was. And we got to the house before his, there was a big pine tree. Right when we got there we seen him walk and then Greg told me, "Watch out. There he is." So we jumped behind a tree. I thought he seen us the way Greg acted. But the guy was walking from his garage, and it was behind his house, you couldn't see it. Apparently it was a truck or something, I don't know, it was only just a little visual of it. The street light was right on top of him so we could see him plain as day. We head to his gate and there was a padlock on the gate or some kind of lock. We couldn't get in. We didn't want to jump the fence for the fact, you know, you jump here, the whole fence rattles all the way around and you wonder who's coming in your hard, and we get shot, nowhere to run because there's no cover in there.

CHIEF DEPUTY TANNER: Right.

DEPUTY HAJASH: So we walk on through there and peep around the house, in between the house and the little hedge row, you could see the truck. Well, because I think about that time the radio cut off and he said, "What the hell?" That's when he come walking, got in the truck. He didn't have nothing in his hands when he walked to the truck. So like, "Well, he's unarmed. Let's go." And, plus, the music if off, he can hear us yell at him. It ain't like he ain't going to hear us and we're going to surprise him and all that and scare him.

CHIEF DEPUTY TANNER: (Inaudible.)

DEPUTY HAJASH: So we hurried up and, like, jogged really, like, I held my keys. I always held onto my keys when I run. But I held my keys, took off, I don't even think I had my pistol out then. I think I drew it out while we was running, just in case.

CHIEF DEPUTY TANNER: Uh-huh.

DEPUTY HAJASH: And when we got around that corner and Greg had a shot gun aimed down, and the guy was just still piddling right here. And Greg walked around this way and Greg was aimed at him, and (inaudible) at

him. And whenever Greg said, "Police," "Sheriff's Department," whatever, he said the Police or something, I think he said Police. Greg thinks he said Sheriff's Department. He identified his self as law enforcement and said, "Let's see your hands." That's when he turned around with a rifle in his hand. Well, we never seen the rifle.

CHIEF DEPUTY TANNER: You didn't see the rifle?

DEPUTY HAJASH: I mean, we never seen him with it. That's why we approached him then.

CHIEF DEPUTY TANNER: Right, right.

DEPUTY HAJASH: Because we thought it was in the garage or something or apparently he left it in the truck. Because when he turned around I could see he had something, and then once he lifted it above the bed, because I was behind the bed part of it, and so we seen what it was. Greg shot and then I shot.

CHIEF DEPUTY TANNER: Uh-huh. (Inaudible) shot?

DEPUTY HAJASH: Chest, I think about right here.

CHIEF DEPUTY TANNER: (Inaudible.)

DEPUTY HAJASH: I could probably see him from

about here up, maybe. I can't recall.

CHIEF DEPUTY TANNER: (Inaudible.)

DEPUTY HAJASH: --- right in the middle of center mass, from what I could see. I shot twice and he hit the ground. When he hit the ground I think he was rolling real fast, you know, like a roll and shoot deal. And I shot one more, but that's when Greg said, "Stop shooting." Right when Greg said that I think his hands flopped over or something. But I seen it -- but I never seen the gun until I walked on around and seen that he had already dropped it. Because I didn't know if he still had it and was going to roll and shoot like the guy did to Burcham and Sneed or -- because that's what I was thinking, he was going to do that and start shooting at our legs or something and pop up and -- I mean, I didn't actually know if he got hit or not or --

CHIEF DEPUTY TANNER: (Inaudible) sure.

DEPUTY HAJASH: At the time I didn't think he got hit, you know, it just never crossed my mind. Or he did get it and it just barely phased him. And then we were up and I looked at him, he (inaudible) and I hurried

up and I went to the garage and checked the garage to make sure nobody else was in there. I remember that's when we told them we need an ambulance sent, and that's when everybody started coming. It seemed like --

CHIEF DEPUTY TANNER: You realized then that you had shot him?

DEPUTY HAJASH: Yeah, when Greg -- because they called me Muffin. Greg said, "Muffin, we just shot that guy." I think that was actually before I checked the garage. Because we're still -- we're still aiming on him.

CHIEF DEPUTY TANNER: Yeah.

DEPUTY HAJASH: Still had him down.

CHIEF DEPUTY TANNER: Still, naturally, that's your focus because you decided (inaudible) he says, "Muffin, I think you shot the guy." And you call for an ambulance, you check the garage, the ambulance is called for. Everybody starts going to the back of the yard.

DEPUTY HAJASH: It seemed like an hour before anybody got there.

CHIEF DEPUTY TANNER: Did his wife come out?

DEPUTY HAJASH: I don't know what her name --

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: Oh, you mean his wife? I thought you meant did she come out that night and talk to me or anything? I think while we were standing there waiting for the ambulance or somebody to get there, she come out. It never crossed my mind it was his house. I just thought it was a neighbor. She said, "What's going on?" And we told her to go back in the house. And she come up with some smart ass comment, you know, "It's my property, I don't have to go in." Me, not knowing who she was, I told her if she didn't listen to us she's going to go to jail for obstructing, for not listening to our orders.

CHIEF DEPUTY TANNER: Okay.

DEPUTY HAJASH: Because I told her it was a crime scene and she didn't need to be out here. Then from where she was she could see under the truck. She could see him plain as day from where she was, probably. But we didn't think about that at the time. And she just looked at him and she said, "Who shot who?" Just as calm, like she didn't care. Just curious. Like a damn paint-ball

game or something, "Who shot who?" Like she had no concern, no care or nothing. And she disappeared, went back inside. Then a neighbor came out in his underwear and told his dog to shut up, right behind us. I remember that. Because I was standing right in the middle of the road.

CHIEF DEPUTY TANNER: Did you see all the glass and all that?

DEPUTY HAJASH: Off his (inaudible.)

CHIEF DEPUTY TANNER: (Inaudible.)

DEPUTY HAJASH: Not until it was pointed out later on. After then I did. I know where mine was because I actually looked for mine, that way nobody would mess with it. Because I actually got the mentality, don't let anybody move it, that way they can see where my stuff is at.

CHIEF DEPUTY TANNER: Uh-huh.

DEPUTY HAJASH: Because I told EMS not to step on it or kick it around.

CHIEF DEPUTY TANNER: Do you now think you did anything wrong?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: If you had anything to do again, other than just not be working that night, would you have done anything differently?

DEPUTY HAJASH: Knowing what I know now?

CHIEF DEPUTY TANNER: No.

DEPUTY HAJASH: Or that night, just doing what we were --

CHIEF DEPUTY TANNER: Would you have done anything differently?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: How about knowing what you know now?

DEPUTY HAJASH: Waited till he didn't have the gun, walking or something, take off running and tackle him, if nothing else. If you knew he had the AK and --

CHIEF DEPUTY TANNER: No, knowing what you know now, how would you have accomplished that?

DEPUTY HAJASH: If you knew where the gun was and knew he was --

CHIEF DEPUTY TANNER: No, knowing what you know

now, where was the gun?

DEPUTY HAJASH: In the truck.

CHIEF DEPUTY TANNER: No, you're assuming it was in the truck because you didn't see it.

DEPUTY HAJASH: He could have had it down to his leg, for that matter.

CHIEF DEPUTY TANNER: It was in the cab and you couldn't have seen it. Did he have the gun with him, was he reloading the gun, did he have it sitting in the truck, did he go back to the truck because the music stopped, it was actually the truck playing the music. So did he go back to (inaudible) and happen to have the rifle with him, or did he go back to play the music and then you identified yourself, pick up the rifle (inaudible) you're guessing at all of this. So even with hindsight, we know he's more than (inaudible.) We know that now, we know he's (inaudible.) We know that now. We know now that he liked to point his gun and intimidate people. We know now he shot the neighborhood up that night. He fired an AK for 30 rounds, we know that now. We know he was (inaudible.)

DEPUTY HAJASH: I mean --

CHIEF DEPUTY TANNER: You said you were going to tackle him now.

DEPUTY HAJASH: Well, if he -- if we knew where the gun was.

CHIEF DEPUTY TANNER: Well, no --

DEPUTY HAJASH: Don't know where the gun was.

CHIEF DE

DEPUTY HAJASH: But we don't know where it was.

CHIEF DEPUTY TANNER: You don't. Would you try to tackle him?

DEPUTY HAJASH: Probably not. I got --

CHIEF DEPUTY TANNER: What would you have done differently?

DEPUTY HAJASH: Wait him out a little bit and see what he was going to do or --

CHIEF DEPUTY TANNER: Would you have waited in cover?

DEPUTY HAJASH: Yeah, just in case.

CHIEF DEPUTY TANNER: There's a huge problem here you're not thinking about.

DEPUTY HAJASH: There's no cover?

CHIEF DEPUTY TANNER: Yes, that's the first problem because it's concealment. Right?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: What would Kade have done? Would you have gone and hidden if Kade didn't?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: If Kade had engaged him would you have not engaged him? Would you have (inaudible) while Kade took him on by himself then?

DEPUTY HAJASH: Huh-uh.

CHIEF DEPUTY TANNER: Knowing what you know now, would you have left Kade?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. So it's not just what you would have done, but what we all would have done. Would it seem reasonable that you could have hidden and waited till you were in a position to see (inaudible.)

DEPUTY HAJASH: The only thing I thought about was going through the bushes or jumping the fence, when the music was playing, and going up to the truck and looking inside, not saying, you know, while he's piddling.

CHIEF DEPUTY TANNER: Sure.

DEPUTY HAJASH: Look in from that window to see what he's touching.

CHIEF DEPUTY TANNER: Yeah.

DEPUTY HAJASH: And if he don't have nothing then hurry up and get behind him and --

CHIEF DEPUTY TANNER: Sure, you could have done that. Of course, the other turn around is, he could have seen you do that, pick up the rifle and shoot you in the face.

DEPUTY HAJASH: Yeah. I never thought about that.

CHIEF DEPUTY TANNER: You're thinking about him reacting a specific way you're patrolling. I mean, you react to it, and if you do that you'll win every time without ever hurting anybody. But that's not real life. Real life is, if I had changed the facts, let's keep the facts where they are. Could I have waited longer, have him further from the truck and then engaged him? Possible. Possibly, though, if you had done that he could have dove into the truck, used it as cover, and hit you

both. Right?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: His truck would have
(inaudible.) Yours wouldn't have.

DEPUTY HAJASH: Huh-uh.

CHIEF DEPUTY TANNER: He had you tactically ---
the only advantage you had is you fired first. That's the
only advantage you had. The shot gun was right toward
that circumstance, but with the assault rifle, even with
your vest on, it wouldn't have mattered if he had shot.

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: You did everything you
could do to survive. And tactically speaking, it was the
right thing to do. How do you feel about the survival of
it, do you feel like you did good?

DEPUTY HAJASH: Yeah, we walked away from it.
That's the important thing.

CHIEF DEPUTY TANNER: You walked away, but is
that doing good or is that merely surviving? Is it an
accomplishment, is it something to strive for?

DEPUTY HAJASH: We just survived, really.

Didn't accomplish nothing.

CHIEF DEPUTY TANNER: Okay. So that's good.

DEPUTY HAJASH: And then killing him. I guess we accomplished something for the neighborhood, but killing somebody ain't an accomplishment.

CHIEF DEPUTY TANNER: What did you accomplish for the neighborhood?

DEPUTY HAJASH: Well, from their point of view, they hated him. He's gone now, but that's not nothing for us to day is an accomplishment.

CHIEF DEPUTY TANNER: It's not an accomplishment. (Inaudible) -- it would have been an accomplishment for the neighborhood, taking his life is gone. Right?

DEPUTY HAJASH: Right.

CHIEF DEPUTY TANNER: What is it an accomplishment of?

DEPUTY HAJASH: We didn't accomplish nothing.

CHIEF DEPUTY TANNER: Yeah, you survived. That is an accomplishment. You survived and he didn't. You dictated the circumstances (inaudible), John. You

protected your partner, and that is an accomplishment.
Okay? And while it's a horrible thing, you did do right,
you protected your partner, you protected your own life
and you protected the community which you took an oath and
promised that you would be willing to lay your life on the
line to protect the innocent. Did you not?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: Did you even mean that you
would protect the innocent with your very life? That if
it came down to it that you would protect those who can't
protect themselves with everything you've got?

DEPUTY HAJASH: There's a possibility.

CHIEF DEPUTY TANNER: You knew it was a
possibility.

DEPUTY HAJASH: I never really thought --

CHIEF DEPUTY TANNER: Now you know it's real.

DEPUTY HAJASH: (Inaudible) get in that
situation.

CHIEF DEPUTY TANNER: That's very true. It's
kind of like a standing joke, it really happens --

DEPUTY HAJASH: You just tell yourself, "Yeah,

that might happen, but I doubt it."

CHIEF DEPUTY TANNER: Yeah. And (inaudible) and didn't pull my gun. You want to be one of those guys. You know there's a spot in your mind that you want (inaudible) because it's such an accomplishment, it's something that most cops won't talk about. Taking a man's life, defending yourself, defending your partner, using lethal force. That's an accomplishment with cops, but I think up here. But when you get there you realize no one is actually way down here and it's hard (inaudible.) And I think that's what's happened to you. I think you saw this as an achievement, but then when you deal with it in reality and someone goes (inaudible) I think you realize this is not an accomplishment. I protected the community like I gave an oath to, I protected my partner and my life, but he forced us to kill him. He forced us by pointing his gun and threatening our very lives. You couldn't wait for him to shoot, you couldn't wait to see if he (inaudible.)

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay? You did everything

textbook right. You really did. Me telling you did it right doesn't make any difference. You have to be able to look in a mirror and accept that you (inaudible.) If you go to your doctor and talk with him, you'll get this off your chest. You've taken probably your first major step just now and, if not, how tough was it to talk about it?

DEPUTY HAJASH: Once I start, it's not.

CHIEF DEPUTY TANNER: It's not at all.

DEPUTY HAJASH: Getting started --

CHIEF DEPUTY TANNER: Here's what we have to do. We have to break down the things you're not talking about. The thought processes you are leaving out. You never addressed that (inaudible.) Huh?

DEPUTY HAJASH: I don't know.

CHIEF DEPUTY TANNER: That's what (inaudible.) That's tough. (Inaudible.) Somehow in my mind, he's an adult, he made his choice, I can live with that.

DEPUTY HAJASH: The little girl is (inaudible.)

CHIEF DEPUTY TANNER: This little girl has had her father taken away from them by me. They don't understand he just tried to kill me and my partner.

DEPUTY HAJASH: And they probably hate us because they know who killed him.

CHIEF DEPUTY TANNER: I don't know if they hate. I don't know if little girls hate like that. Adults do, but I don't know if children hate like that. Children don't understand it. They may call you the bad guy so the children can relate to that, because the bad guy took daddy away. That's not true. What is really sad that you're not talking about is the little girl without a dad. That's tough, that's got to be tough.

DEPUTY HAJASH: Greg said somebody told him that the wife said, because she don't hold no hard feelings against us, because we had to do what we had to do.

CHIEF DEPUTY TANNER: Well, I can tell you a couple of things you don't know. His sister was the bitch, but the wife and the sister (inaudible) they tried to do (inaudible) a couple of them I know who will (inaudible.) You know, this is how they make their money.

DEPUTY HAJASH: Uh-huh.

CHIEF DEPUTY TANNER: (Inaudible.) If he picks up a gun and challenges (inaudible) what do you expect the

cops to do, run away? What if they shot him? Well, yeah, that's why he's dead. Deal with it. This is an attorney who had no morals, who is -- he's a billionaire, he's a millionaire because he sues whether he needs to or not.

DEPUTY HAJASH: Because he --

CHIEF DEPUTY TANNER: (Inaudible.) Even this guy called me and said, "They're not going to sue you. They've got no case." I looked at him and I thought I could (inaudible) if I take you to (inaudible.) The wife actually does understand. And I'm going to tell you something, one of their very best friends, even (inaudible) I don't know him, but one of my real good friends knows him real well. And one of (inaudible) I was shocked by is that, "You guys didn't have to shoot him." Yeah, they could have died, you're right, they could have given up their lives, and then I would have gone up there and killed him. But, you know, I'm glad they killed him so I didn't have to bury my friends. He said, "Well, he was one of the nicest guys in the world." (Inaudible.) I didn't give a damn what he was. He was (inaudible) that night. And this is my friend telling me this crap. I

said, "He wasn't that night." That night he was a psychotic killer. He had an assault rifle, he was shooting up the neighborhood. They caught him with his hands empty. Told him to step away from the truck with his hands up, and he reached in the truck, grabbed his rifle, they told him don't do it and he (inaudible.) Just from, what, 30 feet away, 10 yards. They had to shoot him. When we got the blood alcohol back, this guy's best friend (inaudible) best friend said (inaudible) that was the meanest SOB I ever dealt with in my life when he was drunk. He thought everybody was terrified of him. And he just (inaudible) in a heartbeat that he was drunk.

DEPUTY HAJASH: That's someone that took up for him?

CHIEF DEPUTY TANNER: No, that is the best friend --

DEPUTY HAJASH: That's the other one.

CHIEF DEPUTY TANNER: -- telling my friend. He was challenging --

DEPUTY HAJASH: Oh, that's Webb's best friend saying that?

CHIEF DEPUTY TANNER: What Webb's best friend said, "If the son of a bitch was drunk I guarantee (inaudible.) Well, it's nice to know that after the fact. When his best friend says, "Buddy, you need to back off." He was three times legally drunk (inaudible.)

DEPUTY HAJASH: And had marijuana in his system, didn't he?

CHIEF DEPUTY TANNER: (Inaudible.) But three times legally drunk is still enough to function and walk, but not to think clearly.

DEPUTY HAJASH: No, not to --

CHIEF DEPUTY TANNER: (Inaudible) see somebody pointing a shot gun and rifle or pistol at them (inaudible) he tries to beat them to the draw, you're just dead.

DEPUTY HAJASH: If you're (inaudible) the best thing to do is stick your hands up if (inaudible) on you.

CHIEF DEPUTY TANNER: But with you, you really do -- you really aren't (inaudible) look in a mirror and accept that you're not, John. It's not bad and it's not wrong, you did right. But you have to accept that for

yourself. Now, one of the things that really bothered me about you, and we talked about this and you mostly ignored me, is that you weren't talking and dealing with it, and Greg told me you was crying about it. And you were all stoic, all chest stuck out, oh, I'm fine, it ain't no big deal. You told me, I remember this, "Did he talk about this?" You said, "Nah, that ain't no big deal." "Well, it's not, we need to talk." And you said, "Well, (inaudible) it ain't really no big deal, I mean, it happens." I was like (whistles), "maybe later." Well, now is later. And it's cost a lot. But it's okay to talk about it and it's okay to be upset about it. It's really normal to feel like you want to examine every single thing you did and look what possibilities, regardless of how stupid they are, to have avoided it. But the fact is, you (inaudible) options (inaudible) shoot or don't shoot. (Inaudible) and the guy let choose?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. So you did nothing wrong. The reason Kade is okay, and the reason Kade is (inaudible) is because he broke down that very night in my

office and he sat there and cried about it, and he got it out. He said, "My God, it's unbearable. Do you understand what we did?" He (inaudible) right then. He didn't fester. (Inaudible) is gone.

DEPUTY HAJASH: That's why it doesn't bother him like it does me now.

CHIEF DEPUTY TANNER: Right. You let it fester. You sucked it in. You're like, "I'm qualified to handle it. I don't need to cry, I don't need to worry. It ain't God, it's me. I'm fine." You think about it, God saved you that night. He caused you to be with Greg, he caused you both to put your vests on and take the long way around, and he knows what he was doing.

DEPUTY HAJASH: And park too far down the street.

CHIEF DEPUTY TANNER: Think about it. The fact that you took the long way around, you know what he was doing when you took the long way around?

DEPUTY HAJASH: Probably shooting.

CHIEF DEPUTY TANNER: He was shooting up the neighborhood.

DEPUTY HAJASH: We pull up, he was --

CHIEF DEPUTY TANNER: He was (inaudible) to a shoot out. Simply the cruiser, with that AR, just making Swiss cheese out of your car.

DEPUTY HAJASH: All we could do was lay down in the seat and hope to God he don't aim low.

CHIEF DEPUTY TANNER: That's all you could have done, is backed up and then it's over. (Inaudible) and then he was gone. But then you park away and walk in, so you couldn't have been anymore stealth than walking in wearing black at night. Greg stopped for some reason he, to this day, can't explain, turned around and went back and got his shot gun. Everything that night is about divine intervention and about him dying so that you two could live. And if you (inaudible) than God letting you live, you don't (inaudible.) It doesn't come any higher up. And if you don't believe in miracles you become a (inaudible.) When you stop and see Greg that just happened to be there, you happened to put your vest on, you happened to go the long way, you just happened to park in the wrong spot and having to walk, and having to stop

and go back and get your shot gun. You happened to catch him right after he finished shooting and had the gun sat down. If all those are coincidence, I am (inaudible.) Okay? That was --

DEPUTY HAJASH: It all happened for a reason.

CHIEF DEPUTY TANNER: Okay? But (inaudible) and if it is, that has to mean that you did what God wanted you to do. It really has to be that way, John. There's no other way to explain it than that. But more than that, you did everything textbook right, too. You didn't fail on any level and it isn't your fault on any level. None of it. If it hadn't been you, it would have been Bear, if it hadn't been, I don't know, Burcham, whoever else would have been working.

DEPUTY HAJASH: It was me, him, Burcham and Joe, I think.

CHIEF DEPUTY TANNER: Yeah, I think it was.

DEPUTY HAJASH: (Inaudible) wasn't working.

CHIEF DEPUTY TANNER: I think that's all there was. I know, he was off duty. Think about that for a second.

DEPUTY HAJASH: And if i would have been leaving mom and dad's I would have been right there at it and run right into it.

CHIEF DEPUTY TANNER: You wouldn't have known about it, you would have walked into it. If we can shed one -- one factor in this entire formula that changed the entire formula dramatically, the fact is I truly believe God protected and guided you all. What had to happen, happened. And I believe it had to happen. But you're going to have to come to terms with that. Okay? It is okay. I wouldn't lie to you. I would not call you in here to tell you you did good if I thought you did bad. I think you missed your first two shots (inaudible) I think you went neutral, you hear Greg's shot gun blast, and I think when he hit the ground you hit him with a dead center shot (inaudible.) He couldn't have survived your first shot or Greg's first shot. They were unsurvivable. You (inaudible) happened, and I think it was totally, totally (inaudible.) But until you come to terms with that, it doesn't matter what I think. But it will (inaudible.) If you want to, we can sit down and talk

about it sometime. Just come on anytime you want to come up here. Anytime. If you want to talk to (inaudible), you talk to (inaudible), if you want to talk to him, you talk to Dr. Syed. But you get Syed to change this crap that you're not stable. I would trust you today protecting my life this very moment, without a qualm. You're as stable as any guy I know. Okay? There is not Post Traumatic Stress Syndrome. You have a hard time dealing with it because you never talked about it and let it out. You just talked about it, you (inaudible) tools to deal with it. You can get that from Mike Johnson or from Syed, but you're going to have to do that and you're going to have to get a hold of Syed (inaudible) have him send a work excuse that says you are fit, whether he would like to talk to you (inaudible.) I don't care what he says, but not that you're unfit for duty. I don't want -- I want that removed. I want him to sit and note that this is a misstatement on his part, that you are stable, not that you're unstable. Okay?

DEPUTY HAJASH: Okay.

CHIEF DEPUTY TANNER: Because I don't want that,

I want that to be totally a misunderstanding.

DEPUTY HAJASH: I want to work, but I want help so I'll know what to do.

CHIEF DEPUTY TANNER: You just talk. You just talk to Syed and get this fixed. You need to decide are you going to stay with Syed, are you going to stay off work till you talk to him, are you going to talk to Mike Johnson? You made your choices and now you have to fix them, and you're going to have to decide. It's up to you.

DEPUTY HAJASH: I want to work.

CHIEF DEPUTY TANNER: You fix it. Then you call and you go to Syed and you tell him that.

DEPUTY HAJASH: Well, that's what I'm going to do.

CHIEF DEPUTY TANNER: You tell him, "You've taken me off and showed me mentally unstable and said I have Post Traumatic Stress Syndrome, and you haven't even talked to me yet. Now, you're burning up all my sick and vacation time and I'm going to go with out a paycheck before I get to see you. So you adjust your schedule, you sit down, you talk to me and you clear me to go back to

work so I can keep an income coming in, and then you schedule future appointments as needed. This is a fact of life. I'm not starving and losing my house and my truck because you think I have Post Traumatic Stress because you talked to me once." That's true, isn't it, you talked to him once?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: And he's going to give you the next three to six months off? He must be a freaking miracle worker. It's amazing how quickly he put that together. But, unfortunately, BrickStreet says you've already (inaudible) days notice and they've already (inaudible) down. Well, he can't give you six months off. You can't afford it. You need to give him the facts of life. This is you. He's affecting you and your future, your home, your truck, your girlfriend. Now, apparently he thinks everything is hunky-dorey and we have a (inaudible) and we don't need you. That isn't true. He also thinks you have an unlimited salary and (inaudible) and that isn't true. So give Dr. Syed a fact of life. He needs to see you again and clear you for work. And if you

need future follow-up appointments, then you can schedule them. And we'll do it.

DEPUTY HAJASH: Yes, sir.

CHIEF DEPUTY TANNER: Is it doable?

DEPUTY HAJASH: Yes, sir.

CHIEF DEPUTY TANNER: John, don't sweat the small stuff, but deal with this like a man. And don't you ever turn around again and move and don't tell me where you are. Don't change your phone number and not tell me what your phone number is, and disappear. And then when you're supposed to be going to work and seeing this guy on the side, suddenly decide you're going to see a different doctor and get a three to six month excuse from work and not even give the courtesy of letting me know, drop off (inaudible) and walk away like I'm just supposed to deal with it. It's probably going to cost you your job.

DEPUTY HAJASH: Okay.

CHIEF DEPUTY TANNER: Okay?

DEPUTY HAJASH: Okay.

CHIEF DEPUTY TANNER: You have a responsibility to be a man and own up to this stuff, and not just drop

stuff off and walk away. Right?

DEPUTY HAJASH: Yes.

CHIEF DEPUTY TANNER: Does that seem unfair or unreasonable to you?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. Put my shoes on and walk (inaudible.) Suddenly, I don't know where you moved to, I don't know where you are, I don't have your phone number, I have no way of contacting you, and you go from having chest pains to heart diseases to two doctors' excuses that say you're off indefinitely with no explanation. You can't do that to me. Be reasonable. Come in and tell me what's going on. You need to tell me about your time, you need to (inaudible.) Anything you need we'll do. But don't drop a bombshell like this, turn around and walk off and have no way for me to get a hold of you. That sucks. Now, speaking of that, how do I get a hold of you?

DEPUTY HAJASH: 228 --

CHIEF DEPUTY TANNER: Now, this is your phone?

DEPUTY HAJASH: Yeah.

CHIEF DEPUTY TANNER: Do you have a phone at home?

DEPUTY HAJASH: No.

CHIEF DEPUTY TANNER: Okay. Cell only?

DEPUTY HAJASH: Yeah. 8947. It's new.

CHIEF DEPUTY TANNER: Yeah. Where do you live now?

DEPUTY HAJASH: 1217 (phonetic) Granger Road.

CHIEF DEPUTY TANNER: Where is that?

DEPUTY HAJASH: (Inaudible.) It's off (inaudible.)

CHIEF DEPUTY TANNER: What is that girl's name?

DEPUTY HAJASH: Trish Hill.

CHIEF DEPUTY TANNER: That's someone I can call, and she happens to be there I can say, "Hi, Trish," instead of saying, "Hello, ma'am" and sound like an idiot. Okay. Get a hold of Syed and let me know what's going on. You want a copy of this (inaudible) if it's in your file.

DEPUTY HAJASH: I think I have copies of it.

CHIEF DEPUTY TANNER: If they don't, I've got one.

DEPUTY HAJASH: I think that's (inaudible)

CHIEF DEPUTY TANNER: Well, no, that one's mine.

DEPUTY HAJASH: Okay.

CHIEF DEPUTY TANNER: I'll make you a copy of that, if you want to take it and say, "I have a real problem here. I'm feeling stable, are you saying I'm unstable? Are you telling me I'm not fit for duty and therefore I'm not going to get a paycheck? Let's sit down and talk here. You've talked to me once, how can you show me unfit for duty?" I want to fix this, so (inaudible) I am fit for duty and I am going to work, I do need an income. And if I can help and we need to talk, let's talk. Okay? One of the things I want you to remember as you go through life, when you go to see Dr. Syed, he works for you. He's not the boss. You are. He's there to help you, you're paying for it, that's him (inaudible.) Act that way when you talk to him. I want to know what you see as the problem, I want to know what the treatment plan is, I want to (inaudible) to know that from him. For him to say, "I'll see you this month and then I'm going to schedule you for next month, well, how's it going, I'll

let you know then. Then get rid of him because he ain't doing nothing for you except taking your money. You have the right to (inaudible.)

DEPUTY HAJASH: I'm going to run down there right now.

CHIEF DEPUTY TANNER: Huh?

DEPUTY HAJASH: I'm going to run down there right now.

CHIEF DEPUTY TANNER: Well, be respectful, but be clear. You have to have one interview before (inaudible.)

DEPUTY HAJASH: Chief, I'll be back here shortly.

CHIEF DEPUTY TANNER: I'm going to bring you a copy right now. (Inaudible.) You hear? If you need to see him tomorrow or whatever, that's fine. (Inaudible conversations as they are leaving.)

***** END OF RECORDING *****