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MIDDLESEX, SS. COMMONWEALTH OF MASSACHUSETTS  
DISTRICT COURT DEPARTMENT  
OF THE TRIAL COURT

\* \* \* \* \*  
MIDDLESEX DISTRICT ATTORNEY \*  
v. \* Docket No. 1853IN000001  
ALAN GREENOUGH \*  
\* \* \* \* \*

INQUEST HEARING DAY 4  
BEFORE THE HONORABLE STACEY J. FORTES

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Woburn, Massachusetts  
Courtroom 2  
May 14, 2019

Quaverly H. Rothenberg, Q & A Transcripts  
Approved Court Transcriber

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1 [Case Called at 9:14:04 a.m.]

2 THE COURT: So, could I just get kind of a sense of  
3 scheduling order today and who we're going to hear from. And then  
4 I can do a sequestration order for those folks.

5 MS. LYNCH: Yes, Your Honor. I have available today or  
6 notified for today Devin McDonald, Amy Thorn, I have Joe Talal  
7 Chaghouri, Orlando Ortiz, Michael Randall. But I also have to  
8 hall Chemist Beth Saucier because she is unavailable on the next  
9 dates.

10 THE COURT: Okay. All right. So, are any of those  
11 individuals outside in the hall?

12 MS. LYNCH: Devin McDonald, who's the next witness, is.

13 THE COURT: Okay. So, yep. And is Mr. McDonald the -- Madam  
14 Court Officer, is he the only witness that was out in the hall?  
15 They're all out -- If they're all in the hall, I just want to give  
16 a sequestration order.

17 MS. LYNCH: They're not.

18 THE COURT OFFICER: I don't believe they are.

19 THE COURT: They aren't, okay. Then we can just call Mr.  
20 McDonald.

21 [DEVIN McDONALD, Sworn.]

22 DIRECT EXAMINATION OF WITNESS, DEVIN McDONALD

23 BY MS. LYNCH:

24 Q Good morning, sir. If you would, would you please state your  
25 name and spell your first and last name for the record.

1 A My name is Devin McDonald, D-E-V-I-N M-c-D-O-N-A-L-D.

2 Q And what city or town do you presently reside in?

3 A Lawrence, Massachusetts.

4 Q And how long have you lived in Lawrence?

5 A About a year.

6 Q Prior to that time, where were you living?

7 A I was living in Reading, on 1462 Main Street.

8 Q And who were you living with at that address?

9 A Alan Greenough.

10 Q How long did you live at that address?

11 A About a year.

12 Q And so, that was a year prior to -- Well, let me ask you  
13 this: when did you move into 1462?

14 A Sometime in 2017.

15 Q Okay. And what is your date of birth?

16 A 2/23/75.

17 Q And back in February of 2018, were you employed?

18 A Sometimes, yeah. I was self-employed.

19 Q And were you working at that time, doing some work with some  
20 kitchen equipment?

21 A Yes.

22 Q And who were you working for in that capacity?

23 A Jonathan Jackal [phonetic], Jackal Services.

24 Q Now, directing your attention back to the timeframe of  
25 February of 2018, other than you and Mr. Greenough, was anyone

1 else living in the apartment with you?

2 A When I first moved in there, it was just me and him. Just  
3 around Christmastime my girlfriend-at-the-time had moved in, right  
4 around December.

5 Q And so that was December of 2017?

6 A Yeah.

7 Q And your girlfriend's name?

8 A Kim Bellino.

9 Q Now, do you know prior to your moving in that year how long  
10 Mr. Greenough had lived at that address?

11 A Oh, years, years.

12 Q Now, can you describe to the Court the apartment that you and  
13 Ms. Bellino and Mr. Greenough shared?

14 A It was a -- it was a -- had two floors, had a kitchen when  
15 you walked in, a living room off to the side, two bedrooms  
16 upstairs, and a bathroom.

17 Q And in terms of the ways of entering and exiting the  
18 apartment, how many entrance/exits were there?

19 A Two.

20 Q And where were they located?

21 A One was in the front hall. You had to walk onto, like, a  
22 little porch. And then there was a hall that separated two  
23 apartments. And ours was on the left. And then there was another  
24 entrance that entered through the garage and shop that's attached  
25 to the house.

1 Q And were those doors -- Did you have a key for either of  
2 those doors?

3 A I had a key for one of the doors.

4 Q Which door was that?

5 A The front door, what we considered the front door.

6 Q And that was the door from the interior hallway?

7 A Yes.

8 Q The door between the garage and the apartment, was that  
9 locked or unlocked?

10 A That was -- 90 percent of the time -- locked.

11 Q Okay.

12 A 99 percent of the time, locked.

13 Q To your knowledge, did anyone have a key for that door?

14 A Not that I know of.

15 Q Now, in order to get out that door from inside the apartment,  
16 is there a locking mechanism that has to be undone to --

17 A Yes.

18 Q -- go in?

19 And in terms of getting into the building, is there an  
20 exterior door that leads to the hallway?

21 A Yes.

22 Q Is there a key or did you have a key for that door?

23 A No.

24 Q Was that door generally locked or unlocked?

25 A No, it was never locked.

1 Q And what about the interior door into your apartment?

2 A That was always locked.

3 Q And did you have a key for that?

4 A Yes. Oh, except for the deadbolt on top. Yeah.

5 Q Okay.

6 A There was -- There was two locks on that door. There was one  
7 on the doorknob and then there was a deadbolt over it.

8 Q And was the deadbolt used frequently?

9 A No. No, I didn't have a key for it.

10 Q Now, can you tell us how you knew Alan Greenough?

11 A I went to school with him. Was friends with him since I was  
12 12 years old. Went to junior high together.

13 Q And was he the same age as you?

14 A A couple of months older.

15 Q And during that time, what was your relationship with Mr.  
16 Greenough?

17 A We were best friends.

18 Q And what were the circumstances under which you moved in with  
19 Mr. Greenough?

20 A I wanted to -- Well, he needed a -- he wanted a roommate and  
21 he wanted me -- and I needed a -- a better place to live than  
22 where I was living. And since we were good friends, we thought it  
23 would be a good idea, move in.

24 Q And in terms of the arrangement of you living there, did you  
25 and Ms. Bellino pay rent?



- 1 A Yeah.
- 2 Q And what were the arrangements for paying rent?
- 3 A We paid every month by cash or money order.
- 4 Q And how much money did you pay?
- 5 A I think it was 750 or \$800 at that time.
- 6 Q And did Ms. Bellino pay?
- 7 A Yep.
- 8 Q Do you know how much she paid?
- 9 A We split it.
- 10 Q Okay. And what about Mr. Greenough? Did he pay?
- 11 A Yeah. I'm not sure what his rent was.
- 12 Q Okay. Now, when Ms. Bellino moved into the apartment, did  
13 you make any observations concerning Mr. Greenough's relationship  
14 with her?
- 15 A Most of the time -- They had gotten along most of the time.  
16 But every so often they were like oil and water, like me and Green  
17 -- Alan were sometimes.
- 18 Q And when you say "like oil and water," can you just generally  
19 describe what you mean by that?
- 20 A Every so often we'd butt heads.
- 21 Q And is that in the physical sense or --
- 22 A No, no.
- 23 Q -- the --
- 24 A No.
- 25 Q And what would the arguments be about?

1 THE COURT: Can I ask a question, just to back out -- back up  
2 a bit. You said Ms. Bellino moved in around Christmastime.

3 THE WITNESS: Mm-hmm.

4 THE COURT: How did she come to move in? Did you have a  
5 discussion with Mr. Greenough about her moving in?

6 THE WITNESS: Mr. Greenough was not around. He was -- He was  
7 away for -- for about a month. And I had talked to the landlord,  
8 Joe, about it. And he didn't see that that was going to be an  
9 issue at the time that -- that she moved in.

10 THE COURT: So, was there a lease? Were you on the lease?

11 THE WITNESS: No, it wasn't -- It was like a tenant at will.

12 THE COURT: Okay. Thank you.

13 BY MS. LYNCH:

14 Q And in terms of you saying that Mr. Greenough was away, was  
15 there a period of time when he was in a rehabilitation hospital?

16 A Yes.

17 Q And it was during that timeframe that Ms. Bellino --

18 A Yeah.

19 Q -- moved in?

20 A Yes.

21 Q Prior to the -- her moving in, was she ever a guest over  
22 there --

23 A Yeah.

24 Q -- when Mr. Greenough was --

25 A Absolutely.

1 Q -- living there?

2 A Yep.

3 Q Now, when Kim moved in, were there any changes in your  
4 relationship with Mr. Greenough?

5 A I think it got a little strained, a little more strained,  
6 yeah.

7 Q And can you explain that?

8 A I -- I think we start -- we kind of argued a little bit more  
9 than normal, you know.

10 Q And was that because two is company and three is a crowd, or  
11 was there --

12 A Possibly.

13 Q -- a change in your time that you spent with him?

14 A Well, yeah, I think it was -- I think it was more a -- a "two  
15 is company, three is a crowd" type of an idea.

16 Q Now, in terms of your work schedule back in February of 2018,  
17 did you have a regular schedule?

18 A Not really. I was on call a lot with my boss. He's a 24/7  
19 service company.

20 Q And what kind of machinery or equipment do you service?

21 A Restaurant/bakery equipment: mixers, fryolators, ovens,  
22 grills.

23 Q And did you work on that Friday, February 2nd of 2018?

24 A I think so. I'm trying to remember. I think I -- I'm pretty  
25 sure I did, yes.

1 Q Okay. And at some point that day did you return to the  
2 apartment at 1462 Main Street?

3 A Yes.

4 Q When you arrived there, was there anyone at the house?

5 A Just Kim, at that time.

6 Q And what did you do when you got home?

7 A Proceeded to drink.

8 Q And what were you drinking?

9 A Vodka.

10 Q Was -- Do you know where Mr. Greenough was at that time?

11 A He was at a wake.

12 Q And Mr. Greenough been at the apartment at the time that you  
13 got home? Or had he already left for the wake?

14 A He was already gone when I got back.

15 Q Now, how much vodka did you have to drink?

16 A All night? Probably about a liter.

17 Q Well, I'm asking you in terms of the sequence. You get home  
18 from work at about what time?

19 A Oh, I don't know. I got back around f -- maybe four in the  
20 afternoon, five in the afternoon.

21 Q Okay. And you say that when you arrived at that time, Mr.  
22 Greenough was not at the house.

23 A Not that I remember, nope.

24 Q You then began to drink --

25 A Yep.

1 Q -- vodka?

2 A Yep.

3 Q Did you and Ms. Bellino go out to the store at all?

4 A Probably, yeah.

5 Q Okay. Do you have a memory of going to CVS?

6 A Not offhand, I do not.

7 Q At some point after you had arrived home from work that day  
8 and were at the apartment, did you see Mr. Greenough?

9 A Later on, yeah. Yes, I saw him.

10 Q And what were the circumstances?

11 A He came back to the apartment upset.

12 Q And can you describe how you first became aware that Mr.  
13 Greenough was at the apartment?

14 A At the time, he started -- I heard a lot of banging  
15 downstairs. There -- At that time, he had proceeded to be  
16 smashing a kitchen table -- chairs apart, actually, for a kitchen  
17 table.

18 Q And can you describe this kitchen table?

19 A It was a black lacquered kitchen table I had gotten that I  
20 had found and put back together. It had four chairs and a leaf  
21 that came out on it.

22 Q And so, you're upstairs where?

23 A In my bedroom.

24 Q And from your bedroom, what do you hear?

25 A I heard a lot of smashing, things breaking.

1 Q As a result of that, what if anything did you do?

2 A I yelled down to him. What -- I asked Al what he -- what the  
3 heck he was doing. I saw that the table was being smashed apart,  
4 told him to stop.

5 Q Now, was there any conversation prior to that time, about the  
6 door or any of the doors into the apartment?

7 A He came into the -- He came in -- I think he was mad 'cause  
8 he couldn't get through the door. That was the initial, when he  
9 came back. And he was -- he was screaming that he -- that the --  
10 like, he was banging stuff because he -- the front door, he  
11 couldn't get it open. By the time I got down there, he'd just  
12 gotten it open. The doorknob was a little tweaky. And he -- he  
13 acted like he's going to walk out of the house.

14 Q And was that door locked that --

15 A Nope.

16 Q -- he couldn't get in?

17 A No, it was just a bad doorknob.

18 Q And at that point did you see him open the door, or did you  
19 open the door for him?

20 A I was almost at the door when it finally got opened.

21 Q Okay. And what happened when he entered the apartment?

22 A He was angry. He was angry. Just -- He was just angry --

23 Q And what did --

24 A -- at that point.

25 Q -- you do?

1 A I ended up going back upstairs 'cause I --

2 Q Now, when you say he was --

3 A -- didn't want to be a part of it.

4 Q -- angry, what was he doing that led you to that?

5 A He was complaining about being locked out of the house and,  
6 you know, swearing. "Why -- Why was I shut out of the house? I  
7 shouldn't --" You know, like, he was --

8 Q And had he been locked out of the house?

9 A No, it wasn't. It was just a -- the doorknob was a little  
10 tweaky and sometimes it wouldn't open all the time. You have to  
11 kind of jiggle it and --

12 Q What if anything did you observe about Mr. Greenough's  
13 physical appearance and demeanor as it related to the issue of his  
14 sobriety?

15 A Oh, I knew he had a buzz on.

16 Q When you say he had a buzz on, what do you mean?

17 A I could tell he had a couple of drinks in him.

18 Q And how did that manifest itself?

19 A I don't know. What -- What do you mean?

20 Q Well, when you say he had a couple drinks in him, how did you  
21 come to that opinion?

22 A Because I -- I was best friends with him; I knew when he had  
23 a few drinks. I could tell.

24 Q And did his behavior change?

25 A Well, he was hostile at that point. He was -- He was hostile

1 | when he came through the door.

2 | Q     So, at that point you go upstairs?

3 | A     Yep.

4 | Q     And where is Kim at this time?

5 | A     She was upstairs.

6 | Q     So, once you go upstairs, what happens at that point?

7 | A     Well, that was when I heard the smashing downstairs of the --  
8 | the kitchen chairs    And it proceeded to escalate a little bit  
9 | more than that.    Then he smashed the table, told him to stop or I  
10 | was going to end up calling the cops.    He came up, --

11 | Q     Now, when you were telling him --

12 | A     -- charged up the steps.

13 | Q     -- that you were going to call the cops, were you upstairs  
14 | and he --

15 | A     Yep.

16 | Q     -- downstairs?

17 | A     Yep.    And he was downstairs in the kitchen.

18 | Q     And was he saying anything about why he was smashing the  
19 | furniture?

20 | A     He didn't want the table, he never wanted it in the  
21 | apartment, things like that.    Just --

22 | Q     Did he continue to reference the door at all, being locked?

23 | A     I can't remember.

24 | Q     Now, as he was doing this, did he say anything directed to  
25 | you about why you were smashing your own table?



1 A He was -- He was on the phone I think talking to his brother  
2 at that point, saying that I was down there smashing the table and  
3 laughing about it.

4 Q Okay.

5 A Like, "I'm going to get you in trouble. Ah-ha-ha."

6 Q Now, as this was going on, can you tell us what if anything  
7 you did at that point?

8 A At that point, I t -- I just told him to stop it before I had  
9 -- or I was going to end up calling the cops e -- eventually, or  
10 someone was going to call the cops, 'cause of all the smashing and  
11 breaking of things.

12 Q And what was his response to that?

13 A He just laughed. He -- He's like, "You're going to be out of  
14 here." He didn't care, at that point.

15 Q At some point as this was going on, was there -- was this a  
16 continuous commotion downstairs or --

17 A Yeah, for about --

18 Q -- were there --

19 A -- 15 minutes, yeah.

20 Q And during that time, did you ever go downstairs or try to  
21 retrieve --

22 A I got to the -- I went downstairs just before the table got  
23 smashed. There was a -- a sculpture that I ended up grabbing off  
24 of it when -- After he had smashed the chairs, I -- I took a look.  
25 It was, like, unbelievable. There was a sculpture on the table

1 and I took it off the table, brought that back upstairs, and --  
2 and within a couple minutes the table was in pieces, the actual  
3 table itself.

4 Q And at some point what -- Did Mr. Greenough ever come  
5 upstairs in the apartment?

6 A Absolutely.

7 Q Can you describe in the sequence of things what happened that  
8 led him to come upstairs?

9 A After I told him if he didn't stop I would call the cops and  
10 he was just kind of chuckling and pretending like I was smashing  
11 the table myself whilst he was on the phone, I do believe with his  
12 brother, and had I threatened to call the cops, he ended up  
13 charging upstairs, kind of pushed me, tried to assault -- like,  
14 kind of pushed me around and bullied me a little.

15 Kim ended up getting kind of in the way. And --

16 Q Can I ask you to just describe -- When you say he came in, --

17 A He bull-rushed me.

18 Q And so, what contact was there between you and Mr. --

19 A He started trying to wrestle me, okay?

20 Q And were you standing or seated or --

21 A I was standing originally. And then he kind of left and went  
22 back downstairs for a minute.

23 Q So, can you just describe -- He comes rushing up the stairs,  
24 you're in your room, --

25 A Mm-hmm.

1 Q -- he bull-rushes you?

2 A Yeah.

3 Q That's your description?

4 A Yep.

5 Q As a result of that, do you go anywhere or fall anywhere?

6 A I kind of stumbled back a little. We -- We wrestled for a  
7 second. Kim kind of got in the middle, got us apart. He went  
8 back downstairs for a m -- another minute.

9 Q Did you see whether Mr. Greenough had any physical contact  
10 with Kim?

11 A That's what I -- I -- A minute later, -- 'cause I told him  
12 that was it, he crossed the line. And he charged back upstairs.  
13 And Kim was in the hall in between my room and the hall and the  
14 stairs. And he kind of charged in, pushed her out of the way, and  
15 I was sitting on my bed and he dove on me and started choking me,  
16 literally, with both hands, at that point.

17 Q And so, can you just indicate to us where he had his hands?

18 A Right around my throat. Both of them.

19 Q Okay. And so, were you -- your back to --

20 A He pinned me down. I was pinned down, absolutely.

21 Q What happened next?

22 A Kim started screaming some stuff.

23 Eventually, another f -- I heard a female's voice tell him --  
24 say, "Alan, we got to go." And I don't know who it was, but I  
25 could hear it from downstairs. And then he got up and he took

1 off, he left the property.

2 Q Now, at that point when he -- when you heard him say, "Let's  
3 go," or someone say, "Let's go," to Mr. Greenough, do you recall  
4 how long this event had been going on up to that point?

5 A All told, maybe 15 minutes.

6 Q During that timeframe when this was all going on, were you  
7 having communication with anyone?

8 A I can't remember.

9 Q Did you have a cell phone?

10 A Yep.

11 Q And what was your cell phone number?

12 A 978-717-4646.

13 Q Okay. And during that time, did Mr. Greenough have a cell  
14 phone?

15 A Yep, absolutely.

16 Q And I'm just going to show you what has previously been  
17 admitted as an exhibit, which for the record is Exhibit 1. I'm  
18 just going to show you these records. Was your phone a Samsung  
19 Galaxy?

20 A Yep.

21 Q And you indicated the phone number.

22 A Mm-hmm.

23 Q In terms of these records, did you have a phone number for  
24 Alan Greenough?

25 A Yep.

1 Q In terms of Mr. Greenough's phone, were you familiar with or  
2 did you have a way that you referenced him in your call directory?

3 A I think I had him in as "Greenough."

4 Q I'm just going to draw your attention to this, Exhibit 1, and  
5 the number 781-350-0943, phone, Al G., Obama.

6 A Okay. That was his secondary phone.

7 Q Okay. And was that a method by which you communicated with  
8 Mr. Greenough in this timeframe?

9 A That must've been, year.

10 Q Okay. Now, with regard to the phone, did you have a phone  
11 number in your director for Anthony Perrotti?

12 A Yep.

13 Q And would that be this number: 978-806-1308.

14 A I -- I'm assuming so, yeah. I don't know --

15 Q Okay. But you --

16 A -- the number.

17 Q You named it in your directory --

18 A Yep. Nope.

19 Q -- "Anthony Perrotti."

20 A Perrotti, yep.

21 Q Perrotti, sorry. And what about the "Joe the landlord"? Who  
22 was that? Or "Landlord Joe"?

23 A Yep, that's the landlord, Joe. Yep. I don't know his number  
24 offhand.

25 Q Okay. And -- But it was in your directory --

1 A Yep.

2 Q -- under that name.

3 A Mm-hmm.

4 Q So if the reference showed up in the download of your phone,  
5 "Landlord Joe," that's who you were referring to.

6 A Yep.

7 Q Perrotti, Anthony, is --

8 A Mm-hmm.

9 Q -- Mr. Greenough's brother?

10 A Yep.

11 Q And Al G., Obama, phone was --

12 A That's Alan, yeah.

13 Q -- Mr. Greenough. Okay.

14 I'm going to ask you some questions regarding the phone  
15 entries for your phone. And just as a start, at some point on the  
16 night of February 2nd -- 3rd of 2018, did the police --

17 A Which day? What day?

18 Q February 3rd.

19 A Okay.

20 Q That Saturday.

21 A Okay, yep.

22 Q Did you provide a written consent for the police to download  
23 your cell phone?

24 A Yep.

25 Q And does this appear to be the --

1 A Mm-hmm.

2 Q -- consent form that --

3 A Yep.

4 Q -- you signed?

5 MS. LYNCH: I'd ask that this be admitted as the next  
6 exhibit.

7 [Extraction Consent Form Marked as Exhibit No. 71]

8 BY MS. LYNCH:

9 Q Now I'm going to ask you a series of questions. When Mr.  
10 Greenough left the apartment that night with the unidentified  
11 woman, did you recognize that woman's voice?

12 A No, no. I wasn't sure who it was.

13 Q Did you see them actually leave?

14 A Nope.

15 Q Do you know whether they actually left?

16 A Yeah.

17 Q And how did you know that?

18 A Because after I heard the door shut, I went downstairs. And  
19 the apartment was empty at that point.

20 Q Now, as this was going on, did you or Ms. Bellino call  
21 anyone?

22 A I think the police were on their way over at that point.

23 Q Okay. And had you called the police?

24 A Yep.

25 Q And in terms of the call to the police, when in relation to

1 | Mr. Greenough leaving was it that that call was placed?

2 | A | I would assume immediately, at that point.

3 | Q | And --

4 | A | I think it was actually done just before he left.

5 | Q | Okay. And so, the call was placed just before --

6 | A | I think.

7 | Q | -- he left?

8 | A | I'm pretty sure it was done just before he left. And --

9 | Q | Okay.

10 | A | -- then he left.

11 | Q | And at some point after that call was placed, did police

12 | officers arrive at your --

13 | A | Yep.

14 | Q | -- residence?

15 | A | Yep.

16 | Q | Can you tell us what happened when the police arrived? Where

17 | were you situated?

18 | A | I think I was sitting on the steps in the kitchen.

19 | Q | Okay. And what happened next?

20 | A | The police came in, asked me what happened, so I proceeded to

21 | tell them, you know, the table got destroyed, the -- you know,

22 | pushed me, pushed my girlfriend, ended up choking me. Made a

23 | report.

24 | Q | And on that particular occasions, did the police take any

25 | photographs of you or the apartment? Do you know?



1 A I think they did. I really can't remember. I -- I'm not a  
2 hundred percent positive. At this point, I was under the  
3 influence of alcohol, so I can't be a hundred percent sure.

4 MS. LYNCH: If I might just have one moment, Your Honor.

5 THE COURT: Mm-hmm.

6 BY MS. LYNCH:

7 Q I'm showing you what has previously been admitted as Exhibit  
8 43, 44, --

9 A Mm-hmm.

10 Q -- and 45. Do you recognize where these photographs were  
11 taken?

12 A Yeah, they were taken in the kitchen.

13 Q And are these fair and accurate representations of your  
14 condition after the incident?

15 A I guess so, yeah.

16 Q And are there any cuts, bruises, or contusions that are  
17 related to the incident that are shown in these photos?

18 A Yeah, I can see the handprints here and here. [Indicating.]

19 Q Okay. So, I'm just going to put 44 on the monitor. And  
20 directing your attention to this area where I'm pointing, is that  
21 the area that you pointed out --

22 A Yeah.

23 Q -- where the marks were?

24 A Mm-hmm.

25 Q Did you have any injury to your lip that you recall?

1 A I might've.

2 Q Okay. I'm just going to show you Exhibit 43. Do you  
3 recognize specifically this area here?

4 A Oh, yeah, yeah. Okay. I obviously had an injury on my lip,  
5 too. I don't really remember.

6 Q And so, for purposes of the record, I'm pointing to this area  
7 at the top of my hand. Is that the area?

8 A Yeah.

9 Q Thank you. And showing you Exhibit 46 and 47, do you  
10 recognize what's shown in these photographs?

11 A Yeah, what was left of the kitchen table.

12 Q And is that a fair and accurate representation of the  
13 condition when the police were there that night?

14 A Yep.

15 Q Now, during the time that the police were there, were you and  
16 Ms. Bellino interviewed separately?

17 A Yeah.

18 Q Where were you interviewed?

19 A The police station. Oh, you're talking on the -- the second?

20 Q Second, yes.

21 A Right in the kitchen.

22 Q And was Ms. Bellino interviewed somewhere else?

23 A I think she might've been talking to them in the living room.

24 Q And can you tell us, in terms of the police response, when  
25 the police were at the house, did you yourself receive any calls

1 or texts from Mr. Greenough or anyone else that you know of?

2 A Not that I can remember, no.

3 Q When the police left, did you and Ms. Bellino remain at the  
4 apartment?

5 A Yep.

6 Q And when the police left, did they give you any instructions  
7 or requests?

8 A That if he returned, to let them know.

9 Q And at that point, did you remain in the apartment until  
10 approximately 5:00 a.m. when you went to work?

11 A Yep.

12 Q In that timeframe from when the police were at your house to  
13 the time that you left for work, did you hear from or see Mr.  
14 Greenough?

15 A Nope.

16 Q Now, during the course of that evening, -- I'm going to  
17 direct your attention to the exhibit before you, the records of  
18 your phone. If you would kindly go to page 198.

19 A Okay.

20 Q And I'm going to direct your attention to an entry on that  
21 page at 2379.

22 MS. LYNCH: And with the Court's permission, I've made a copy  
23 of those pages of the exhibit. And I would like to put them on  
24 the presenter

25 THE COURT: Yes.

1 BY MS. LYNCH:

2 Q Now, directing your attention to the entry that I'm pointing  
3 to here, which for the record is 2379, do you see that in front of  
4 you?

5 A Yep.

6 Q Does that appear to be an outgoing call at 12:49:28 p.m. on  
7 February 2nd, indicating "Hi, Joe. I will have \$600 this  
8 afternoon"?

9 A Yep.

10 Q Did you pay Mr. Chaghouri that afternoon?

11 A Yeah.

12 Q How much money did you pay him that afternoon?

13 A I'm pretty sure I paid him the \$600.

14 Q Now, directing your attention to the entries specifically  
15 identified here as 2390, do you see that entry?

16 A Yep.

17 Q And that entry appears to be an outgoing SMS on February 2nd  
18 at 6:27:38 p.m. to Landlord Joe. That's Mr. Chaghouri?

19 A Yep.

20 Q How -- So, "Just destroyed the table in the kitchen, and  
21 chairs. Threatened us both because he says it's his home." Did  
22 you send that text to Mr. Chaghouri?

23 A Yep.

24 Q And what were you referencing at that time?

25 A Alan destroying the table.

1 Q Directing your attention to the next outgoing text message,  
2 2390 at 6:30:09 p.m. to Anthony Perrotti, --

3 A Yep.

4 Q "Anthony, he is" -- something -- "through his teeth. He just  
5 came home, destroyed my kitchen table and chairs as soon as he  
6 came in. WTF." Did you send that text to Mr. Perrotti?

7 A Yes, I did.

8 Q Directing your attention next to the entry February 2nd at  
9 6:30:34 p.m., Entry 2392, to Anthony Perrotti: "We wanted to call  
10 the cops but called you first." Did you send that text?

11 A Yep.

12 Q At the time that you sent the texts, had these events already  
13 begun to unfold?

14 A Yes.

15 Q And your reason for contacting both Joe the landlord and Mr.  
16 Perrotti was what?

17 A To try to maybe get them to get Alan to calm down so it  
18 wouldn't escalate any further at that point.

19 Q Now, directing your attention to the following page, I  
20 believe it's page 199, Entry 2393, does that appear to be an  
21 outgoing text message at 6:31:40 --

22 A Yep.

23 Q -- to Joe the landlord? "He is wasted on something." What  
24 were you referring to there?

25 A I knew he was under the influence. I didn't know of what.

1 Q The next entry at 6:32:39 p.m., to Anthony Perrotti: "Bro, he  
2 just came from Ronnie's wake and started smashing everything."

3 Did you send that message to Anthony Perrotti?

4 A Yes, I did.

5 Q Now, Ronnie is who?

6 A He was a friend of ours from school that ended up passing  
7 away.

8 Q And his wake was that afternoon?

9 A That -- Yep.

10 Q Now, directing your attention to the next entry, 2395, does  
11 that appear to be an incoming text message from landlord Joe  
12 Chaghouri?

13 A Yep.

14 Q And in that did he tell you, "Lay low. It makes no sense to  
15 talk to him when he is like that. Just avoid confrontation for  
16 now until his brother will talk to him tomorrow"? Did you receive  
17 that message?

18 A Yep.

19 Q Directing your attention next to the time 6:37:04, did you  
20 send the next text to Joe the landlord: "Okay. He just came back  
21 from his bud's service and started smashing stuff and trying to  
22 fight us"?

23 A Yep.

24 Q Did you send that?

25 A Yep.

1 Q And at 6:37:53 p.m. did you receive a response from Joe the  
2 landlord: "Dude, that's pretty bad"?

3 A Yeah. A -- Apparently. I'm -- I'm looking at this. I don't  
4 really remember these texts. But they're in front of me, they're  
5 on my phone, obviously. So, --

6 Q So, at --

7 A Do I remember it? No.

8 Q At 6:38:08 -- 06, rather -- did you send a text to landlord  
9 Joe, "I don't want to fight, because he is in a bad place. That's  
10 why I'm texting you," and the next response or text to Mr.  
11 Chaghouri at 6:38:45, "He is just in a bad place"?

12 A Mm-hmm.

13 Q And with regard to the next entry, does it appear that at  
14 6:39:48 landlord Joe responded to you, "I hear you. His brother  
15 should be checking him shortly"?

16 Next entry, 6:41:16 p.m., to Anthony Perrotti: "Ant, sorry.  
17 Al is in a bad way. He drank a lot with Al B. this afternoon I  
18 saw it when I came back at two." Does that appear to be a text  
19 sent from your phone?

20 A Yep.

21 Q Who was Al B.?

22 A He was a mutual friend of ours.

23 Q What's his last name?

24 A Couldn't tell you.

25 Q And so, when you arrived home that afternoon, Al B. was at

1 the house?

2 A Yeah, yeah. That's -- I vaguely remember. Yeah, they were --  
3 they were both sitting in the -- the downstairs, drinking, --

4 Q So, is your --

5 A -- when I got --

6 Q -- present memory refreshed, having reviewed these phone  
7 records, that you had come home and Mr. Greenough was at the  
8 house?

9 A Yeah, a tiny bit. Yeah, yeah.

10 Q Now, directing your attention to the time 6:41:16 p.m. on the  
11 2nd, did you according to those records text Anthony Perrotti:  
12 "Ant, sorry, Al is in a bad way." Sorry, the next entry being  
13 again to Mr. Greenough at 6:41:42 p.m. and "Paid Joe." What was  
14 that referring to?

15 A Paid my rent.

16 Q That you paid Joe; --

17 A Yeah, yeah.

18 Q -- is that correct?

19 A Yeah.

20 Q Directing your attention to the next, at 6:42:10 p.m.,  
21 another text to Mr. Perrotti: "He is acting like a nut." Is that  
22 a text on your phone to Mr. Perrotti?

23 A I guess so.

24 Q Directing your attention to 6:42:44 p.m., did you then text  
25 landlord Joe, "Okay, he's a little bit drunk and on something."



1 A Yep.

2 Q The next entry, at 6:48:12, again to Anthony Perrotti: "Dude,  
3 your bro just pushed Kim. All fuck up."

4 Now, in terms of the timing of the events that you described,  
5 had the physical contact between Mr. Greenough and Kim up in your  
6 room occurred before that text was sent?

7 A No, just h -- It had just happened.

8 Q Okay.

9 A It was happening. It was all going on at that time.

10 Q Okay. So this was the timeframe that that --

11 A Yep.

12 Q -- was actually --

13 A This was, yes.

14 Q Okay. Now, the next entry at 6:48:45 to Anthony Perrotti:  
15 "Tell him to stay away or we are calling the cops." At that  
16 point, had you heard back from Mr. Perrotti at all?

17 A I can't remember.

18 Q According to the --

19 THE COURT: Can I just ask, is it fair to say you don't  
20 remember sending any of these texts?

21 THE WITNESS: Not really. In --

22 THE COURT: Independent of this?

23 THE WITNESS: Yeah, in all honesty, no I don't. I don't  
24 really r --

25 THE COURT: Because you were under the influence of alcohol.

1 THE WITNESS: Yes.

2 THE COURT: Okay.

3 BY MS. LYNCH:

4 Q In terms of the next text, does it appear on this that you  
5 next wrote to Mr. Perrotti at 6:48:51 p.m. the word "Now"?

6 Again, followed at 6:50:02, "He destroyed a \$300 table and  
7 chairs and almost kicked in the very front door because it  
8 wouldn't open right away."

9 Does it appear that the next entry to Mr. Perrotti at 6:50:33  
10 p.m. is "Please tell him to chill because we are minding our own  
11 shit"?

12 Does it appear that you next sent a text to Mr. Perrotti at  
13 6:51:12, "I understand his buddy died, but he is trying to start  
14 fights all around"?

15 Next text, 6:52:28, to Mr. Perrotti: "He comes in the room  
16 again, I am calling the cops."

17 6:52:48 p.m. to Anthony Perrotti: "He is just looking for a  
18 fight."

19 During this time, why were you contacting Mr. Perrotti?

20 A So he could maybe calm his brother down.

21 Q Directing your --

22 A 'Cause I didn't want to have to get the police involved.  
23 Just that was the whole thing.

24 Q Directing your attention to the next entry, to Joe the  
25 landlord at 6:54:04 p.m.: "Sorry, Joe."

1           And following that, at 6:54:32 p.m., another text to landlord  
2 Joe: "I just don't want to get him arrested for shit. He is just  
3 trying to fight everyone because his buddy died. And I understand  
4 about losing it."

5           And the next entry on your record is 7:30:29 p.m., was a  
6 phone call to 9-1-1. Did you place that call to 9-1-1 from your  
7 phone?

8 A       I guess so. I must've. I --

9           MS. LYNCH: And --

10 A       -- don't really remember.

11           MS. LYNCH: -- with the Court's permission I would ask if we  
12 can play initially the Essex Communications Center --

13           THE COURT: Sure.

14           MS. LYNCH: -- recording.

15                           [Audio Playing at 9:51:48 a.m.]

16 BY MS. LYNCH:

17 Q       Now, did you recognize the voice on that 9-1-1 call?

18 A       Yep.

19 Q       And who was that?

20 A       It was my voice.

21           MS. LYNCH: And, Your Honor, with the Court's permission if  
22 we can play the 9-1-1 call received by the Reading Police.

23           THE COURT: Yes.

24                           [Audio Playing at 9:53:25 a.m.]

25 BY MS. LYNCH:

1 Q And did you recognize the speaker on that --

2 A Yep.

3 Q -- recorded call?

4 A Yep.

5 MS. LYNCH: And, Your Honor, for the record, the Essex  
6 Regional call was at 7:30:29 p.m. and the transfer to Reading was  
7 at 7:31:37 p.m.

8 BY MS. LYNCH:

9 Q Now, after the police arrived and took the photos of your  
10 injuries and the apartment, you and Ms. Bellino stayed at the  
11 apartment; is that right?

12 A Yep.

13 Q Did you continue to try to contact people after the police  
14 left?

15 A Probably, possibly. I don't remember.

16 Q Now, during the time that the police were at the house, you  
17 were -- were you checking your phone at all?

18 A I don't remember.

19 Q Okay. I'm going to direct your attention to Entry 2416, the  
20 call log.

21 A 2416.

22 Q Outgoing call is at 7:35:52. That appears to be after the  
23 conclusion of the 9-1-1 call; do you see that?

24 A Yep.

25 Q And it indicates that there was an outgoing call to Anthony

1 Perrotti for 00:00 seconds.

2 A Okay.

3 Q Do you see that on the record?

4 A I see that.

5 Q And directing your attention to 7:43:14 p.m., did you receive  
6 a text from Anthony Perrotti's phone: "Dude, the both of you need  
7 to grow the fuck up. I just got out of the hospital from surgery.  
8 I don't need this shit. Stay the fuck away from each other. If  
9 anything is damaged in the house, there's going to be issues. I  
10 have said the same to Al"?

11 Now, if the police were at your house, were you aware that  
12 that came in when it came in?

13 A I don't remember.

14 Q And does it appear that at -- according to this record that  
15 Entry 2418 -- that at 7.56:54 p.m. there was an incoming call from  
16 Al G., Obama phone, for 00:00?

17 A It -- I guess so, yeah.

18 Q Does that record say that?

19 A It says that, yeah.

20 Q Okay. And directing your attention to the timeframe -- Entry  
21 2419 at 7:58:19 from Al's phone: "You both need to leave my house  
22 before you completely destroy it."

23 And then the next entry, at 6:58:49, from Al. G, Obama: "I  
24 had enough of your destruction." Is that the entry?

25 A Yep.

1 Q Had you destroyed anything up to that point?

2 A No, not at that point.

3 Q Directing your attention to Entry 2421, an incoming message  
4 at 8:01:38 p.m. from Mr. Greenough's phone: "Enough is enough. I  
5 will be back to my house tomorrow. So clean up your mess and for  
6 God's sake stop the fighting. It's not fair to me or Joe or Deevo  
7 [phonetic] or Dris [phonetic]. We've had enough. Gave you a  
8 chance and all you did was not pay your rent and destroy Joe's  
9 place. Unacceptable."

10 Who is Deevo and Dris?

11 A They are the neighbors on the other side.

12 Q So they live at 1462, the apartment on the right?

13 A Yep.

14 Q Directing your attention to the following page, 200, the next  
15 entry, 2422, does that appear to be an incoming message at  
16 8:04:16 p.m. from Greenough's phone? "I come home from my friend's  
17 wake, and as usual you have once again destroyed Joe's place that  
18 he was nice enough to let you stay in. And just like -- just shut  
19 [sic] all over in -- his kindness. Shame on you, Devin."

20 And according to those records, you did not respond to those  
21 texts; is that correct?

22 A Nope.

23 Q And the next entry, at 2423 at 8:05:30, you texted Mr.  
24 Perrotti according to that record, "I am sorry. Your brother  
25 assaulted us both, wasted. He came out of nowhere and freaked

1 out. I am sorry."

2 And does that appear at 8:06:16 you received an incoming text  
3 from Al Greenough's phone: "So bad tonight that I had to leave my  
4 own house. I thought you were my friend. Wow. How stupid for me  
5 to just let it continue, thinking it would get better."

6 And you di not respond to that, according to the record; is  
7 that correct, that you texted next --

8 A Nope.

9 Q -- Mr. Perrotti?

10 A I guess not, yep.

11 Q And at Entry 2425 you wrote to Mr. Perrotti, "We were --  
12 We're minding our own shit. He used to like the table and use it  
13 for cribbage."

14 A Mm-hmm.

15 Q And you next wrote an outgoing text at 8:10:15 to him: "He  
16 trashed it right after he left Ronnie's service and started to  
17 fight and talk smack. I went to my room, which he says is his and  
18 talks shit about my father. So I said, 'I took care of my father,  
19 so fuck off.' He couldn't do what I did for my dad. Then he  
20 tried to fight. Sorry."

21 Now, the references to your dad: had you recently lost your  
22 father?

23 A Yep.

24 Q And was that something that affected you deeply?

25 A Absolutely. My --

1 Q And --

2 A -- father suffered a massive stroke.

3 Q And what were the things that Mr. Greenough was saying to you  
4 about your dad?

5 A Just that he was -- that my father would be ashamed of me and  
6 that I didn't do anything for my family and I -- just that I was a  
7 loser.

8 And I took care of my father for seven years at home whilst --

9 Q And --

10 A -- he was paralyzed.

11 Q And how did that make you feel, when he was speaking about  
12 your father and the way --

13 A I was devastated.

14 Q Now, in terms of the next sequence of text messages, did you  
15 then text Al Greenough's phone at 8:12:16 p.m., Entry 2427, to  
16 wit, "You fucking destroyed a table and chairs that you have no  
17 problem using. Then you talk shit about my father when I would  
18 wipe his ass and feed him -- feed/give after a stroke. Could you  
19 do that for your dad?"

20 And the next entry, again to Mr. Greenough's phone: "Don't  
21 ever mention my father to me. You couldn't do what I did."

22 And did you receive a response at 8:22:59 p.m. from Mr.  
23 Greenough's phone: "You two are losers who I don't want in my  
24 life. You want to live like a bum, just do it somewhere else.  
25 You two are a disease that I don't want in my life, always behind



1 on your rent 'cause you're smoking crack you get from Kevin  
2 Merrill. Crack is whack. And that thing you call a girl is no  
3 help to you. You need to get the duck [sic] out of my place and  
4 be a crackhead somewhere else. Joe is done with both of your  
5 drama."

6 And did you respond to that e-mail at -- that text at  
7 8:25:06, to Mr. Greenough, "Dude, you really fucked up. Sorry  
8 Ronnie died but you went way overboard." According to the record,  
9 does that say that?

10 A Yep, yep.

11 Q And that you again wrote -- you wrote to Mr. Greenough's cell  
12 at 8:25:18, "Thanks a lot, bro"?

13 A Mm-hmm.

14 Q And did you receive a response at 8:25:40 from Mr.  
15 Greenough's phone: "Your father is very disappointed and disgusted  
16 with you. You have no self-respect or respect for your father or  
17 your mother. Shame on you"?

18 A Yep.

19 Q Was your sensitivity concerning your father something that  
20 was known to Mr. Greenough?

21 A Absolutely.

22 Q Did you next write Mr. Greenough's cell phone, or text at  
23 8:27:47, "I was taking care of my shit a lot and always helped  
24 you. So, please, bro. You came at me because you're upset about  
25 your life and other situations. Sorry," and that you next

1 responded to Mr. Greenough's phone at 8:27:56, "This is fucking  
2 sad"?

3 Receiving a response at 8:28:32, "No respect for your mom,  
4 dad, or anyone you two come in contact with. Fucking sad."

5 And did you respond, according to the record, at 8:27:18 p.m.  
6 to Mr. Greenough's cell phone, "Yep. Okay, kid. Look in the  
7 mirror before you speak," followed by another text at 8:29:29 to  
8 Mr. Greenough, "So stop"?

9 And then receive a text at 8:31:06 p.m. from Mr. Greenough's  
10 cell phone: "You two need to clean up the mess and get the duck  
11 [sic] out. One way or the other, you both will be leaving, trust  
12 me. Already talked to Joe, so time to go."

13 And then you responded at 8:31:41, "Enjoy your insanity." At  
14 8:32:17 p.m. you wrote, "You are the only one who needs to get a  
15 grip and maybe a job."

16 And did you receive a response, according to the record, from  
17 Mr. Greenough's cell at 8:34:56 p.m.: "You just worry about paying  
18 your bills. Mine are paid. And stop smoking crack. Kim told me  
19 you were smoking crack. She told Joe, me, and Mike was there. So  
20 ask them," followed by another text at 6:35:43 from Mr. Greenough,  
21 "Yes, she is throwing you under the bus, bro"?

22 And did you respond, according to the record, at 8:37:20 p.m.  
23 for Mr. Greenough's phone, "Keep dreaming and stop shooting dope  
24 and taking pills, kid"?

25 At that time, were -- what were you referencing in that text

1 message? Did you know Mr. Greenough to be using again?

2 A I wasn't a hundred percent positive, but I had suspicions.

3 Q And what's what you were referencing there?

4 A Yep.

5 Q Now, did you then write to Mr. Greenough's cell phone or text  
6 at 6:38 p.m., "You are trying and failing"?

7 To which he responded at 8:38, "Look in the mirror. LMFAO."

8 Now, the next text, according to your record, was at 9:02:48  
9 p.m. to Honey Baby Noogilese [phonetic]?

10 A Nagyilese [phonetic].

11 Q Nagyilese.

12 A It was my wife, soon to be ex-wife.

13 Q Okay. And what was the circumstances of your reaching out to  
14 her that night?

15 A 'Cause I needed to junk my truck and get out of there.

16 Q And when you say "junk your truck and get out of there," did  
17 that mean move away?

18 A Yep.

19 Q Now, during the course of the remainder of that evening, did  
20 you see or hear from Mr. Greenough again?

21 A Not that I remember.

22 Q Okay. Now, on that particular evening after the police left,  
23 did you at some point go to sleep for the evening?

24 A I don't remember.

25 Q Okay.

1 A I -- I'm sure I must've passed out, at one point.

2 Q Now, direct your attention to the early morning hours of  
3 February 3rd, specifically between 4:30 and 5:00, do you recall  
4 something happening at that time?

5 A I think I went to work. I got up, went to work.

6 Q Now, as you went outside, how were you going to get to work?

7 A My boss picked me up in the -- in the morning because I had --  
8 my tire was slashed on my -- on the Caravan outside. I had a flat  
9 tire.

10 Q And had you used that Caravan the prior day?

11 A Yeah.

12 Q And the tire was okay?

13 A Yep.

14 Q Now, during the course of that day, did you have to contact  
15 your brother Anthony -- Strike that. Mr. Greenough -- Strike  
16 that. In order to get to work that morning, did you have to place  
17 a call to your boss?

18 A Yes.

19 Q And directing your attention to the record, specifically the  
20 timeframe beginning at 5:12:01 a.m., which is on page 201, --

21 A Mm-hmm.

22 Q -- Entry 2460, would that -- would Jackie be --

23 A Jackal. That's --

24 Q Jackal?

25 A That's Jackal, not Jackie. Jackal.

1 Q And that is who?

2 A That's the guy I work for.

3 Q Okay. And that was your communication with him regarding  
4 needing a ride to work?

5 A Yeah.

6 Q Now, other than the text messages, do you recall whether you  
7 spoke on the phone to either Joe or Anthony Perrotti after Mr.  
8 Greenough left but before you went to work?

9 A Not that I know of.

10 Q Okay. I'm going to direct your attention to that Saturday.  
11 Did you get picked up by Mr. Jackal?

12 A Yes, I did.

13 Q And do you recall whether you worked that day?

14 A Yes, I did.

15 Q And in -- Do you recall at what point it was that you  
16 returned to the apartment that day?

17 A I don't know, maybe eleven, twelve.

18 Q And when you arrived back at the apartment that day, was  
19 there anyone at the apartment?

20 A Just Kim.

21 Q Did you see or speak to Joe or Anthony Perrotti when you  
22 arrived back from work that morning?

23 A No, not on -- not initially, no. I didn't see anyone.

24 Q Now, having gotten up for work at -- in the early morning  
25 hours, once you arrived home what if anything did you do?

1 A I was trying -- laying down, trying to take a nap, actually,  
2 'cause I was exhausted.

3 Q And were you sleeping upstairs?

4 A I was laying down upstairs, yeah, watching a movie.

5 Q And at some point after you arrived at home, did something  
6 happen that attracted your attention?

7 A I can't really remember.

8 Q Well, do you remember whether you next saw or heard Anthony  
9 Perrotti or Alan Greenough in the apartment?

10 A Yeah, I heard them downstairs.

11 Q Can you describe what you heard?

12 A Alan was angry. I guess Kim had been downstairs, walked out  
13 of his room or something. Well, where he -- He was saying "his  
14 room" 'cause she was listening to the stereo that was down there.  
15 And he started yelling and getting angry again. He came through  
16 the door. That's about all's I can really remember.

17 Q And so you were awakened by the sounds of yelling?

18 A Yep, pretty much. I wasn't asleep; I was just laying down,  
19 trying to -- you know, just relaxing. Just -- I wasn't actually  
20 asleep.

21 Q Now, as a result of hearing this, what else did you hear or  
22 do?

23 A It's -- I started to get up. Alan was yelling. He came up  
24 the steps yelling at me. We almost got into a fight. He tried to  
25 -- He -- We wrestled around in the hall again.

1           And Anthony was like, "Devin, just get -- just -- you guys  
2 leave. He's not going to calm down."

3           That's about all's I remember, and then trying to leave.

4 Q       Now, at that point had you at any point mentioned that the  
5 police were looking for Mr. Greenough?

6 A       I think I told him that, yep.

7 Q       Do you recall what you told him?

8 A       Nope, I don't.

9 Q       Is your present memory exhausted as to what you told him --

10 A       Yeah.

11 Q       -- concerning this?

12 A       Yeah, it is. All's I remember is trying to get out of the  
13 house at that point.

14 Q       I'm going to direct your attention to a transcript of a  
15 recorded interview you gave on February 3rd of 2018. Do you  
16 recall giving an interview to Trooper James Connolly and Detective  
17 Michelle Halloran at the Reading police station?

18 A       Oh, Christ, what was that, at midnight? Eleven o'clock  
19 maybe?

20 Q       Well, I'm just asking you if you remember.

21 A       Yeah, I -- I know. Not really. I've s --

22 Q       You don't remember being interviewed?

23 A       Vague -- I vaguely remember talking to them at the Reading  
24 police station. It was, like, very late at night. It was kind of  
25 a blur.

1 Q I'm going to direct your attention in reference to my last  
2 question --

3 A Mm-hmm.

4 Q -- as to whether or not you mentioned the police looking for  
5 Mr. Greenough. Page 13, I'm going to ask you to read starting at  
6 line 19 to page -- to line 24.

7 A Excuse me, what page? What line?

8 Q 19 to 24 on page 13.

9 A "She's sitting on the steps like this."

10 Q You have to read it to yourself, sir.

11 A Oh. [Reviewing document.] Okay.

12 Q Now, reviewing that, do you recall that as you were awakened  
13 to the commotion that you saw Kim sitting on the steps --

14 A Yep.

15 Q -- and you said, "What the fuck? You know, like, dude cut  
16 the crap. I said the cops are already looking for you now from  
17 last night. And he comes charging up there and he tried to fight  
18 me in the hallway"?

19 A Mm-hmm.

20 Q "He started grappling with me, tried to swing on me. I got  
21 bruises over here -- fucking brui -- some bruises over here from  
22 him, you know, grabbing me.

23 "And I said, 'That's it, I'm out.'

24 "Anthony said, 'Can you guys leave?'

25 "I said, 'Yeah, I'm out of here for now.' I said, 'We should



1 have got out of here soon [sic]. The cops are looking for him.'

2 "'Oh, what do you mean, dude?'

3 "'They want him for last night, dude.' And so we left. I'm  
4 like, 'Well, I'm out of here for now. No problem, Anthony. We'll  
5 -- We'll leave. But I'm calling the cops.'"

6 So, is your present memory now refreshed that at the point  
7 when Mr. Greenough and Mr. Perrotti came into the house -- that  
8 you informed him that the police were looking for him and that you  
9 were going to call the police?

10 A Yep.

11 Q What physical contact did Mr. Greenough have with you when he  
12 returned to the apartment that day?

13 A He -- He grabbed -- He grabbed me, tried wrestling with me,  
14 tried swinging on me a couple of times.

15 Q Did he make any contact?

16 A Maybe a little. I don't know. It was kind of a blur.

17 Q Did you have any cuts or bruises or injuries from that?

18 A I had a couple of -- a couple of, you know, marks from  
19 wrestling around, absolutely. Maybe a couple of scratches. Not a  
20 hundred percent sure.

21 Q Okay.

22 MS. LYNCH: If I might just have one moment.

23 BY MS. LYNCH:

24 Q Now, during the time that you were in the immediate presence  
25 or vicinity of Mr. Greenough when he was grappling with you, did

1 | you make any observations about Alan's physical appearance and  
2 | condition on the question of his sobriety as he grabbed you?

3 | A     Still looked like he was under the influence.

4 | Q     Did you smell anything?

5 | A     I could smell alcohol on him.

6 | Q     And did you notice anything about his eyes?

7 | A     Not that I can remember.

8 | Q     So is your present memory exhausted about that?

9 | A     Yep.

10 |       MS. LYNCH:  If I might just have one moment, Your Honor.

11 |       THE COURT:  Sure.

12 | BY MS. LYNCH:

13 | Q     Now, during that time, as I'm looking for this, did you make  
14 | any observations concerning a stereo speaker?

15 | A     Not that I can remember.

16 | Q     Whose stereo -- Who had a stereo speaker at the apartment?

17 | A     There was a couple of different speakers there.  There was a  
18 | full stereo downstairs and then there was -- I had a couple of  
19 | Bluetooth wireless speakers in the house.

20 | Q     And do you know if any of them were damaged that day?

21 | A     I can't remember.

22 |       MS. LYNCH:  If I might just have one moment, Your Honor.

23 |       THE COURT:  Mm-hmm.

24 | BY MS. LYNCH:

25 | Q     Directing your attention, sir, to a transcript of your

1 | recorded interview from February 3rd, page 20. Did you, during  
2 | the course of that interview, at page 20, line 18, say, "Oh, yeah.  
3 | Oh, yeah. I could tell when he was trying to fight with me and  
4 | wrestle me. I could smell the -- the booze just pouring off of  
5 | him. And he -- His eyes were just -- I think he was doing some  
6 | serious drugs, because his eyes were tiny little specks, I mean."

7 | And then you were asked if he was prescribed any medication.

8 | "They've got him on a bunch of different medications. I don't  
9 | know what the hell he's taking. I don't know. I mean, he -- he  
10 | almost died from an overdose not that long ago. He went away from  
11 | a couple of months."

12 | Is your --

13 | A Okay.

14 | Q -- present memory refreshed as to whether or not on February  
15 | 3rd you noticed anything about Mr. Greenough's eyes that informed  
16 | your opinion on his sobriety or lack thereof?

17 | A Well, I can hon -- Honestly, I can't -- I can't testify that  
18 | to -- to say that, because I can't remember that. You're showing  
19 | me that, but I can't remember that. I do remember smelling the  
20 | alcohol on him. I couldn't tell you about his eyes.

21 | Q Is there any reason why you would lie about that to the  
22 | police on the night that this event happened?

23 | A No. There's no way I'd just -- I -- Right at this time?

24 | Q Right.

25 | A I was -- I was under the influence.

1 Q Right.

2 A I was under the influence of alcohol at that time, at that --

3 Q But you were --

4 A The night bef --

5 Q -- able to respond to that question when you were asked, on  
6 the day that you made those observations, what you saw.

7 A I guess, yeah.

8 Q Now, --

9 A I -- I mean --

10 THE COURT: So, just to be clear: so, you were under the  
11 influence of alcohol on the night of the --

12 THE WITNESS: The 2nd, yes. Absolutely.

13 THE COURT: Both nights.

14 THE WITNESS: Yes, and the 3rd.

15 THE COURT: So, the night of the interview with the police.

16 THE WITNESS: Oh, yes. By that time, by the time I went down  
17 to the police station and talked to the -- the Reading Police,  
18 yes, I was under the influence of alcohol at that time.

19 THE COURT: Okay.

20 THE WITNESS: Absolutely. I was sitting in my car for a  
21 couple of hours outside of the house, drinking.

22 THE COURT: Okay.

23 BY MS. LYNCH:

24 Q What were you drinking in the car?

25 A I was drinking vodka. I was stuck in the car. The police

1 | trapped me there and they wouldn't let me leave the property.

2 | Q Did you ever tell the police or anyone that you were drinking  
3 | vodka in the car that afternoon you were talking to the police?

4 | A They didn't ask me.

5 | THE COURT: When you say the police trapped you in the car,  
6 | what do you mean by that?

7 | A They -- When they showed up in -- on the 2nd, they blocked me  
8 | in, they would not move, they said this'll be -- "Oh, don't worry.  
9 | We'll be out of here in a minute."

10 | I asked if I could leave.

11 | They asked me to come back, to bring them keys. I -- to get  
12 | into the apartment, 'cause they thought Alan was gone.

13 | I -- I showed up there to give them the keys so they could  
14 | get into the house. That was all.

15 | They ended up blocking me in and keeping me there for the --  
16 | the whole day.

17 | THE COURT: And so, the --

18 | THE WITNESS: I wasn't allowed --

19 | THE COURT: So how long --

20 | THE WITNESS: -- to leave.

21 | THE COURT: -- were you there?

22 | THE WITNESS: Oh, I don't know, from, like, noon to probably  
23 | ten o'clock at night.

24 | THE COURT: And from noon to ten o'clock at night, you were  
25 | in the truck?

1 THE WITNESS: Yep. I was stuck in my Caravan. They wouldn't  
2 let me out.

3 THE COURT: And you were drinking vodka.

4 THE WITNESS: Mm-hmm, at that point, yep.

5 THE COURT: From noon to ten?

6 THE WITNESS: Yeah, oh, you -- you know, a couple hours.

7 THE COURT: How much vodka?

8 THE WITNESS: Let me see. I think I had at least two pints.

9 THE COURT: Okay.

10 THE WITNESS: I pretty much always had a pint in my car.

11 THE COURT: Okay. And so, had you been drinking prior --  
12 When you were upstairs in your bedroom and you said that you were  
13 resting after work, --

14 THE WITNESS: Mm-hmm.

15 THE COURT: -- were you drinking then?

16 THE WITNESS: Not at that point, no.

17 THE COURT: Okay. So, --

18 THE WITNESS: No, after I left the property I ended up drink  
19 -- starting to drink.

20 THE COURT: Okay. When -- Did you leave the property -- Is  
21 that when you left the property with Ms. Bellino --

22 THE WITNESS: Yes.

23 THE COURT: -- and went to the Lobster Claw?

24 THE WITNESS: We ended up going towards my mother's house to  
25 -- to stay there, you know, just to --

1 THE COURT: Yeah.

2 THE WITNESS: -- to kill time. And then the police called  
3 and said they wanted to get into the house and they wanted us to  
4 meet them at the Lobster Claw.

5 THE COURT: Were you drinking with Ms. Bellino at that time?

6 THE WITNESS: She was not drinking. I was.

7 THE COURT: You were drinking.

8 Okay. Other than drinking, were you taking any substances?

9 THE WITNESS: Smoke marijuana.

10 THE COURT: You smoke marijuana --

11 THE WITNESS: Yep.

12 THE COURT: -- as well.

13 THE WITNESS: Yeah.

14 THE COURT: Okay. And were you smoking marijuana in the  
15 truck while you were drinking, while you were trapped-in by the  
16 police?

17 THE WITNESS: No, I don't -- I didn't have any pot on me at  
18 that time.

19 THE COURT: Okay.

20 THE WITNESS: Just I was having some drinks.

21 THE COURT: Okay. But you were under the influence of  
22 alcohol --

23 THE WITNESS: Yep.

24 THE COURT: -- and marijuana when you were interviewed by the  
25 police.

1 THE WITNESS: Yep.

2 THE COURT: Okay.

3 BY MS. LYNCH:

4 Q And your interview was recorded, correct? You were informed  
5 that your interview was video- and audio-recorded?

6 A I'm sure, yep.

7 Q Now, what did you and Ms. Bellino do at that time, when you  
8 were asked to leave?

9 A What? When I was asked to leave the property? We --

10 Q Yeah.

11 A I went out to a -- went out to leave my -- in my car. And I  
12 had to change the tire out. So Anthony came over and tried to  
13 help me change out the tire. And -- And I took off as soon as it  
14 was changed.

15 Q Now I'm going to with the Court's permission show you a video  
16 clip.

17 MS. LYNCH: And specifically, for the record, it is a clip  
18 timestamped 15:43:10, Camera C2, which is 3:10:20 p.m.

19 [Video Playing at 10:23:53 a.m.]

20 BY MS. LYNCH:

21 Q I'm going to ask you to look in the upper left-hand corner of  
22 the video. And do you see a vehicle backing out in the area in  
23 front of the apartments?

24 A Yeah, I think so. Really can't make it out.

25 Q Well, we can go back if you would -- with the Court's



1 permission.

2 [Pause]

3 MS. LYNCH: Do you have that?

4 THE WITNESS: Okay.

5 MS. LYNCH: I'm asking you to go back to 3:43:10.

6 [Video Playing at 10:25:06 a.m.]

7 BY MS. LYNCH:

8 Q Now, do you see that vehicle backing out now?

9 A Yep, yep.

10 Q And do you recognize what that is?

11 A It was the Caravan.

12 Q So that would've corresponded to the time that you and Ms.  
13 Bellino were leaving --

14 A Yep.

15 Q -- at that time?

16 Now, as you left, who was driving the van?

17 A When we f -- initially left, I was.

18 Q And as you were driving the van that day, did you have your  
19 cell phone with you?

20 A Yep.

21 Q And I'm going to draw your attention to the records for your  
22 phone for February 3rd. Okay. I'm going to direct your attention  
23 to page 202 of your records. If you could turn there, the entry  
24 at 2455. Do you see the entry --

25 A 2455, mm-hmm.

1 Q -- 2485 [sic] on page 202? Does that appear to be an  
2 outgoing call at 3:12:56 p.m. to a number, "Mom," for 10 minutes  
3 and 25 seconds?

4 A Yep.

5 Q And what was that?

6 A I was talking to my mother.

7 Q And what were you talking to your mother about?

8 A Just telling her the situation.

9 Q And were you asking her advice?

10 A Yeah, kind of.

11 Q Now, after you spoke to your mother for 10 minutes and 25  
12 seconds, that would make it somewhere around 3:23 p.m., is that  
13 fair to say, if you add 10 minutes to --

14 A Sure.

15 Q -- 3:12:55?

16 According to your records, does it appear that you received  
17 an incoming phone call from Mr. Greenough's phone for 29 seconds  
18 at 3:31 p.m.?

19 A Yeah.

20 Q Do you remember whether he called you or you took a call from  
21 him at that time?

22 A I don't remember.

23 Q Okay. Now, directing your attention immediately following  
24 that, at 3:32:19 p.m. did you place a call to Anthony Perrotti at  
25 -- for 22 seconds?

1 A Apparently.

2 Q Do you recall whether you had a conversation from -- with  
3 him?

4 A I don't think I did. Not that I know -- Not that I remember.

5 Q Okay. At 3:26:29 p.m., does it appear that you received an  
6 incoming call from Mr. Greenough's phone for 0 seconds?

7 A Yep, it looks that way.

8 Q And then at 3:38:40 p.m. you received a text from Mr.  
9 Greenough's phone: "I have someone coming to adopt the cat. You  
10 have an hour. Not my cat, not my problem."

11 Did you have a cat?

12 A Yes.

13 Q And did Mr. Greenough have a problem with that cat?

14 A Usually not.

15 Q When he sent this text to you, did you respond at  
16 3:39:37 p.m., "No you are not"?

17 A I guess so, yeah.

18 Q Now, directing your attention to 3:39:56, immediately after  
19 that, did you text Mr. Perrotti, "I have someone coming to adopt  
20 the cat. You have an hour. Not my cat, not my problem"? So, did  
21 you forward --

22 A Yes, that's --

23 Q -- that text?

24 A Yes, I forwarded that.

25 Q Did you next receive a text message from Mr. Greenough at

1 3:40:18 p.m.: "You better get her or she's going to an adoption"?

2 A Yep.

3 Q Followed by a 3:43:33 from Mr. Greenough's phone: "They are  
4 coming to take her today, so figure it out."

5 Now, they had just asked you to leave the apartment; --

6 A Yep.

7 Q -- is that right?

8 A Yep.

9 Q And now he was telling you to come back and get the cat?

10 A Yep. Or he was getting rid of it. Yep.

11 Q As a result of that, after that did you receive another text  
12 from Mr. Greenough's cell phone at 3:40:18 p.m.: "You better get  
13 her or she's going to an adoption"?

14 A Yeah

15 Q Another text, immediately following that, at 3:43:33, "They  
16 are coming to take her today, so figure it out."

17 A Yep.

18 Q And you responded instead to Mr. Perrotti at 3:43:31, to --  
19 "Your brother is trying to get rid of my cat."

20 And then followed by a text to Mr. Greenough at 3:44:43 p.m.:  
21 "Nobody is touching my cat. It isn't yours. And that is illegal,  
22 to do so."

23 Does that appear to be --

24 A Apparently. Yep, apparently.

25 Q At 3:54:21 p.m., it appears to be a call to your mother's

1 | phone number for 0 seconds.

2 | A     Yep.

3 | Q     Followed by -- 3:54:54, another call from your mother for 33  
4 | seconds?

5 | A     Yep.

6 | Q     Now, during this timeframe had Kim placed any calls while you  
7 | were present in the car driving and having these text  
8 | communications with --

9 | A     I can't remember.

10 |        MS. LYNCH: With the Court's permission, I would ask to play  
11 | the video [sic] tape, Track 1, 3:44:24 p.m.

12 |                               [Audio Playing at 10:31:38 a.m.]

13 | BY MS. LYNCH:

14 | Q     Did you recognize the 9-1-1 caller?

15 | A     Yeah.

16 | Q     And who was that?

17 | A     Kim Bellino.

18 | Q     And were you present when she was having that conversation  
19 | with the dispatcher?

20 | A     Yes. We were in the car.

21 | Q     And the reference is to Harold Parker State Park; is that  
22 | right?

23 | A     State Forest.

24 | Q     State Forest.

25 | A     Yep

1 Q And were you stationary at that location?

2 A We were fairly stationary. We were just kind of -- kind of  
3 driving around trying to figure out where to -- what to do, you  
4 know, at that point.

5 Q Now, after the call with the police ended, what happened  
6 next?

7 A Shortly after, they called us and asked us to meet them at  
8 the Lobster Claw with keys to get into the apartment.

9 MS. LYNCH: And with the Court's permission if I could play  
10 Track 6 of the Reading Police tape, February 3rd.

11 THE COURT: Yes.

12 [Audio Playing at 10:36:25 a.m.]

13 BY MS. LYNCH:

14 Q As a result of that, did you go to the Lobster Claw or head  
15 to the Lobster Claw?

16 A We were heading towards the Lobster Claw.

17 Q And directing your attention to the following tape, Track 12  
18 at 3:55:07 p.m., I'm going to play this and ask you to listen to  
19 it.

20 [Audio Playing at 10:38:07 a.m.]

21 BY MS. LYNCH:

22 Q As a result of that call, did you do something?

23 A I think I drove to the house.

24 Q And as you were driving to the house, I'm going to direct  
25 your attention to your records, Entry 2498. Does it appear that

1 at 3:55:27 as that call was --

2 A What number? What line?

3 Q 2498.

4 A 2498, okay.

5 Q Does it appear immediately after the 33-second call from your  
6 mother there was a text from Mr. Greenough's phone: "You're a  
7 bitch and a liar"?

8 A Yep. I guess so.

9 Q And does it appear that next, at 3:59:02, there appeared to  
10 be an incoming call for 0 seconds from Mr. Greenough's cell phone?

11 A Apparently, yeah.

12 THE WITNESS: Excuse me; I have to use the bathroom.

13 THE COURT: Sure. Why don't we take a recess.

14 THE WITNESS: Thank you. I --

15 THE COURT: Mm-hmm.

16 THE WITNESS: Unfortunately, I have [Indiscernible at  
17 10:40:20 a.m. - speaking away from microphone].

18 THE COURT: That's okay.

19 THE WITNESS: So I drink a lot of fluids.

20 THE COURT: That's all right. We'll take a recess.

21 THE WITNESS: Yeah.

22 THE COURT: All right.

23 [Court in Recess at 10:40:25 a.m.]

24 [Back on Record at 10:48:17 a.m.]

25 MS. LYNCH: Thank you.

1 THE COURT: No, thank you.

2 MS. LYNCH: If I might proceed, Your Honor.

3 THE COURT: Yeah.

4 BY MS. LYNCH:

5 Q After Ms. Bellino spoke to the dispatcher, you headed back to  
6 the -- directly to the apartment at 1462 Main Street?

7 A Yes.

8 Q About how long did it take you to get there, if you recall?

9 A Maybe 10 minutes.

10 MS. LYNCH: With the Court's permission I'm going to ask to  
11 play Video Camera Angle C2, timestamped 1635:07, real-time  
12 4:02:17.

13 [Video Playing at 10:49:22 a.m.]

14 BY MS. LYNCH:

15 Q And I'm going to ask you to look at the vehicle pulling in.

16 A Yeah.

17 Q Do you see that?

18 A That was my Caravan, yep.

19 Q So that would've been you arriving back at 4:07:17 p.m. at  
20 the apartment that afternoon?

21 A Yep.

22 Q When you arrived there, what happened after you pulled into  
23 the apartment?

24 A A couple of officers came over and asked me if I had my keys  
25 to get into the apartment. And I gave them to them. And they



1 | said they -- that the front -- front door was locked. And nobody  
2 | has a key for that. You -- The only way you could lock it is from  
3 | the inside.

4 | Q At some point did you learn that someone had opened the  
5 | hallway door for the police?

6 | A Yes. The neighbor ended up -- the police -- one of the  
7 | neighbors in the window had called up to him and had him open up  
8 | the outside door to the hall.

9 | Q So, that would've been Deevo or Dris?

10 | A I think it was Dris.

11 | Q Okay. And then what happened once the officers were able to  
12 | get in that front door?

13 | A They got into the front door and then tried to open the --  
14 | the door to our apartment. And I think the deadbolt was locked on  
15 | it so they couldn't get into the apartment, even though they had  
16 | my key for the doorknob.

17 | Q Okay. So was the deadbolt the type that could only be locked  
18 | from inside?

19 | A Or if you had a key, yeah, --

20 | Q Okay.

21 | A -- you could lock it.

22 | Q Did you ever have a key to the outside deadbolt?

23 | A Nope.

24 | Q Do you know if Mr. Greenough did?

25 | A I don't think anyone did.

1 Q Now, at that point, when the police told you that that door  
2 was locked, what if anything did you say to them about whether or  
3 not anyone was inside?

4 A I said he had to have been in there. He has to be in there  
5 because you can't lock it unless you're -- from the inside,  
6 because no one has a key for it.

7 Q Now, at that point were you still seated in your vehicle?

8 A Might've been standing out at my car at that point. I can't  
9 really remember.

10 Q Okay. And what did you do for the remainder of time at the  
11 apartment?

12 A At -- At -- After that I -- I got told to sit in my vehicle  
13 and wait here by the police. And then it was -- the next thing I  
14 remember, there was more cops pulled in. I couldn't leave. They  
15 told me -- They -- I got blocked in. I asked them if I can -- you  
16 know, "Can you move your car so I can go?"

17 And they said, "It shouldn't take long. This shouldn't take  
18 long. Don't worry. Just sit here."

19 Q Okay.

20 A "Just sit tight," that was basically what they told me to do.

21 Q Now I'm going to direct your attention to the Cellebrite  
22 records, specifically page 202. And I'm going to direct your  
23 attention to the timeframe 4:24:03, to your mother, for 23 minutes  
24 and 18 seconds. And that would be Entry 2500.

25 A Okay.

1 Q Do you recall calling your mother and speaking with her for  
2 over 20 minutes?

3 A Yeah.

4 Q And during the course of that conversation, did anything  
5 happen outside that attracted your attention?

6 A Just the whole situation with the -- the police trying to get  
7 Alan to come out of the house.

8 Q Now, did you ever see Mr. Greenough once you came back that  
9 second time or once you came back?

10 A I saw him at a couple -- at the window, like once or twice,  
11 yelling out the window. That was -- But I could barely --

12 Q Could you hear what he was saying?

13 A Not really. I was still in my car, so --

14 Q Now, as you were sitted -- seated in your car after speaking  
15 to your mother or while speaking to your mother, did something  
16 happen that attracted your attention?

17 A I remember the fire department showed up twice to supposedly  
18 break in the door. They got permission from the landlord to do  
19 it. And the -- because he was talking out the window, they sent  
20 the fire department away twice, like said, "You don't -- You don't  
21 need to break in the door. We -- We're talking to him."

22 And then eventually there was about a dozen cops standing  
23 around the front door. And eventually I saw one go around the side  
24 of the building. And then he started running back around to the  
25 front. And then all the other cops started running to the far side

1 of the garage. And that was about as far as I saw. That's -- That  
2 was what I remember as attracting my attention.

3 Q And after remaining in your vehicle for a period of time at  
4 that location, were you asked by the police to go somewhere to be  
5 interviewed?

6 A Yeah, later on, at the Reading police they -- they took us  
7 there. They didn't even let us take our car -- my car down. They  
8 --

9 Q Okay.

10 A They drove us to the police department.

11 Q And at the time you and Ms. Bellino were each separately  
12 interviewed?

13 A Yes.

14 Q And that interview was recorded with your permission?

15 A Yep. Must've been.

16 Q And at that time you were asked by the police whether you  
17 would give permission to download your phone. And I believe you  
18 testified that you gave them --

19 A Yep.

20 Q -- that written --

21 A Yep.

22 Q And I'm going to also show you -- Now, you told the police  
23 about the flat tire on your car?

24 A Yep.

25 Q And at that point did the police ask you for permission to

1 view the vehicle and the tire?

2 A They -- They might've. I --

3 Q Okay. I'm going to show you --

4 A I can't remember.

5 Q -- this document. Do you recognize this document to be --

6 A Search my Dodge Cara -- Okay.

7 Q -- a voluntary consent form for your --

8 A Sure.

9 Q -- Dodge Caravan --

10 A Sure.

11 Q -- with your signature --

12 A Yep.

13 Q -- dated 9:58 p.m. on the --

14 A Yep.

15 Q -- 3rd? Correct?

16 A Okay. Yep

17 Q And did you give them permission to do that?

18 A I must've, yep.

19 MS. LYNCH: I'm going to ask that this be marked as the next  
20 exhibit.

21 [Vehicle Search Consent Form Marked as Exhibit No. 72]

22 THE COURT: So, Mr. McDonald, based on your earlier  
23 testimony, at the time that you signed that you were under the  
24 influence of alcohol.

25 THE WITNESS: Yeah. I was an alcoholic, so I was always

1 under the influence of alcohol.

2 THE COURT: Okay, okay.

3 THE WITNESS: When I wasn't under the influence of alcohol, I  
4 was shaking. So --

5 BY MS. LYNCH:

6 Q I'm drawing your attention to this next form. At some point  
7 were you asked to give the police consent to go into the apartment  
8 at 1462 Main Street to photograph the premises and search for  
9 evidence?

10 A Yeah, I must've.

11 Q And directing your attention to this document, voluntary  
12 consent, premises 1462 Main Street, Apartment 1, Reading, signed  
13 Devin McDonald, --

14 A Yep.

15 Q -- 2/3, 9:29 p.m., is that --

16 A Yep.

17 Q -- a form signed by you?

18 A Yep. That's my signature.

19 THE COURT: Do you remember the police going over that form  
20 with you, sir?

21 A Vaguely. I -- I -- I was -- The whole -- That whole -- is a  
22 blur. I was just -- The way everything happened, it was just -- I  
23 was kind of more in awe with everything that had gone on.

24 THE COURT: Okay. Well, but just so the record's clear,  
25 you're indicating that you were under the influence of alcohol

1 | when they went over that with you and when you signed it, as well;

2 | --

3 | THE WITNESS: Yep.

4 | THE COURT: -- is that right?

5 | THE WITNESS: Yep.

6 | THE COURT. All right.

7 | BY MS. LYNCH:

8 | Q And you say as a functioning --

9 | A I was a functioning -- well, somewhat functioning alcoholic,  
10 | yep.

11 | Q So --

12 | A You can say that.

13 | Q -- you would work, you would --

14 | A Yep.

15 | Q You were able to work?

16 | A Yep.

17 | Q And that afternoon you drove to the house after leaving it?

18 | A Yep.

19 | Q And you were able to provide the police with a reported  
20 | statement that was transcribed to be 45 pages long?

21 | A I guess.

22 | Q And in terms of the portions that you've read today, did they  
23 | fairly and accurately represent your words?

24 | A As far as I can re -- recollect, yes.

25 | Q And so, despite any alcohol you had, were you aware of why

1 | you were at the police station and what you were being asked  
2 | about?

3 | A     Absolutely.

4 | Q     At the time that you were at the police station, did you do  
5 | your best to answer their questions accurately and truthfully?

6 | A     Yep, to the best of my ability.

7 | Q     Now, after the events on the evening of the 3rd, -- Well,  
8 | strike that. The area on the first floor that you referred to as  
9 | the living room, --

10 | A     Yeah.

11 | Q     -- was that presently being used as a living room?

12 | A     Nope. He turned it into his bedroom.

13 | Q     And about how long prior -- how --

14 | A     Oh, maybe a couple weeks. Maybe a month.

15 | Q     And so were you allowed access to that room at all?

16 | A     Yeah. It -- It wasn't like, "You're not allowed in here," or  
17 | -- You know, we'd listen to the radio. We'd sit. There was a  
18 | couch in there we'd sit on, you know, still use.

19 | Q     And what about Kim? Was she allowed to socialize in there,  
20 | as well?

21 | A     Yeah, we were.

22 | Q     And --

23 | A     Just depending on the -- on -- on the day, though.

24 | Q     Showing you what has previously been admitted as Exhibit 52.  
25 | Do you recognize what is shown in this exhibit?



1 A Yep, the red loveseat couch, coffee table, end table. Yeah.  
2 Fan. Mm-hmm.

3 Q Now, do you recognize any of the items on here as belonging  
4 to you?

5 A I think the little blue and white striped speaker there.

6 Q Where is that?

7 A Oh, the top left-hand corner, more by the bag.

8 Q [Indicating.]

9 A No, no, no. It's right about there. Yeah, that -- See the --  
10 Right next to it. That right there with the red dot in the middle  
11 and the blue and white stripes. That was a -- a -- a shower  
12 speaker.

13 THE COURT: It might be easier if -- I don't mind if he steps  
14 down and --

15 MS. LYNCH: Okay.

16 THE COURT: -- approaches so that we can see what items you  
17 recognize as yours.

18 THE WITNESS: Sure. I can -- I can barely even see these  
19 items --

20 THE COURT: Yeah.

21 THE WITNESS: -- here. If it's okay.

22 THE COURT: Yeah, sure.

23 BY MS. LYNCH:

24 A Okay. This is the speaker I'm talking about, right here.

25 [Indicating ] That's something I recognize as mine, absolutely

1 mine. Nothing else really on the table, no.

2 Q Okay. Thank you.

3 A Okay.

4 Q And I'm going to show you Exhibit 18.

5 A Okay.

6 Q And I'm going to direct your attention specifically to the  
7 mantle and the item behind the motorcycle. Do you see that?

8 A Yep.

9 Q Do you recognize that?

10 A Yes, I do.

11 Q And what do you recognize that to be?

12 A A hatchet.

13 Q And do you know why it was displayed on the fireplace like  
14 that?

15 A Because it was antique-ish. It was old.

16 Q So, it was just decorative?

17 A Yep.

18 Q But it's fair to say it had a handle and an ax blade.

19 A Yep. It's a hatchet.

20 Q Or a hatchet.

21 A Yep.

22 Q Now, in terms of the broken table, when you left on the  
23 afternoon of February 3rd after being asked to do so, --

24 A Mm-hmm.

25 Q -- where were the broken pieces of the table and the --

1 A Still in the kitchen.

2 Q Now, just going back to the prior night, February 2nd, were  
3 you given any rights under the Abuse Prevention Statute, 209A?

4 A I can't really remember. I mean, --

5 Q All right. I'm going to --

6 A Yeah.

7 Q Directing your attention to --

8 A Okay.

9 Q -- Exhibit 53, --

10 A Okay.

11 Q -- entitled Abuse Victims Rights Under Mass. General Laws  
12 Chapter 209A, signature --

13 A Mm-hmm.

14 Q -- Savio, --

15 A Okay.

16 Q -- 2/2/18: do you recognize the signature under --

17 A Yep.

18 Q -- "Victim's signature"?

19 A That's my signature.

20 Q Now, with regard to your present relationship, do you have a  
21 present relationship with Kimberly?

22 A We talk occasionally.

23 Q But you are no longer involved in a --

24 A No. We're not a --

25 Q -- relationship with her?

1 A -- couple. We're friends; that's all now. No.

2 Q Okay. And in terms of your present condition, have you had a  
3 period of sobriety leading up to today?

4 A Yeah. Right now I have -- I have almost four months  
5 sobriety. Three months was forced, but I needed it.

6 Q Okay. And that was in connection with your serving a House  
7 of Correction sentence?

8 A Yeah. It was Middleton, yes. I ended up just doing three  
9 months in Middleton.

10 Q Okay. And what was that for? What offense?

11 A It was for August 8th. I crashed my car, left the scene of  
12 an accident, OUI, destruction of property.

13 Q And that was in 2018?

14 A Yep, August 8th.

15 Q And in terms of -- Strike that.

16 MS. LYNCH: If I might just have one moment.

17 THE COURT: Sure.

18 MS. LYNCH: Thank you. I have no further questions.

19 THE COURT: Thank you. I -- I'm -- actually have some  
20 questions for --

21 THE WITNESS: Absolutely.

22 CROSS EXAMINATION OF WITNESS, DEVIN McDONALD

23 BY THE COURT:

24 Q So, Mr. McDonald, you said that you and Mr. Greenough were  
25 friends since you were 12 years old.

1 A Yes.

2 Q Best friends.

3 A Best friends.

4 Q And did you describe your relationship like or would you  
5 describe your relationship like brothers?

6 A Yeah.

7 Q Okay.

8 A I consider him like my brother.

9 Q All right. Did you have a continuous relationship from the  
10 time that you were 12 until you were roommates, until his death?

11 A Yeah.

12 Q Okay. And can you describe the nature of that relationship  
13 when you were able to -- Meaning, did you spend holidays together?  
14 Did you --

15 A Did -- We did everything together.

16 Q Other than the incident on February 2nd and February 3rd, had  
17 you had occasion to get into verbal arguments?

18 A Yeah, yeah.

19 Q Okay. And how often?

20 A Every so often. Most of them, we were both drinking heavily.

21 Q Did you initiate some of these arguments?

22 A Occasionally.

23 Q Did these arguments lead to physical altercations between the  
24 two of you?

25 A Every once in a while.

1 Q And did you initiate some of those?

2 A Probably, over the last 30 years we were friends, yeah.

3 Q And Ms. Lynch asked you about the nature of the relationship  
4 changing when Ms. Bellino moved in.

5 A Mm-hmm.

6 Q And I think she characterized that as being as in a "three's  
7 a crowd" type of situation.

8 A I guess so, yeah.

9 Q Okay.

10 A I think that would be a safe assump --

11 Q All right. Prior to Ms. Bellino moving in, have you had  
12 occasions to have had arguments, verbal and physical arguments?

13 A Yeah.

14 Q Okay.

15 A Yeah.

16 Q All right. And tell me again how you came to move in with  
17 Mr. Greenough.

18 A It was -- He was my best friend. He w -- He wanted a  
19 roommate. He was looking for a -- a -- a decent roommate. We  
20 were best friends. He knew I was in a pretty bad place where I  
21 was staying in.

22 Q Mm-hmm.

23 A He approached me and asked me if I wanted to move in with  
24 him. And I -- I was all for it. You know, I thought it was --  
25 You know, we were best buddies. I thought it'd be a good idea.

1 Q Okay.

2 A So did he.

3 Q Prior to the February 2nd and 3rd incident when you -- had  
4 you had occasion to call the police to the address before because  
5 of an argument or physical altercation that you'd gotten into?

6 A No.

7 Q Okay.

8 A No.

9 Q Was there a time where you were locked out and called the  
10 police?

11 A No.

12 Q Okay. So, again, prior to February 2nd and 3rd, you don't  
13 recall ever having to call the police about any incident with Mr.  
14 Greenough?

15 A No.

16 Q Okay. Had the police come to the residence for anything else  
17 while you were present?

18 A Yeah.

19 Q And what was that?

20 A Oh, god, he had a seizure. It's -- It was kind of a long  
21 story. He had a seizure, went to the hospital, I think it was  
22 Winchester or, no, Melrose Wakefield in Winchester.

23 Q Mm-hmm.

24 A And I guess he got irate whilst he was there. They -- They  
25 ended up calling security, threw him out of the hospital, and ended

1 up calling the police. The police ended up putting him in -- ended  
2 up taking him, Winchester Police. And I guess he was a little,  
3 supposedly, combative with them. And they smashed his head off the  
4 truck of their car before they put him in and shattered his orbital  
5 cavity.

6 He was in the Winchester Police Department. A mutual friend  
7 of ours ended up going to get him because I -- I was too  
8 intoxicated to drive, brought him back to the house, where he  
9 proceed to fall o -- start falling over because of his injuries.  
10 So, we called 9-1-1 to have an ambulance come to get him, because  
11 neither -- neither me or the other guy, Jim, could drive.

12 When the ambulance showed up, the police showed up with an  
13 ambulance. And as soon as he saw the cops pull in, he -- he ended  
14 up freaking out And it took me about an hour to get him to calm  
15 down and into an ambulance, because he was afraid the police were  
16 going to -- going to hurt him.

17 Q Were you with him when he went --

18 A I was with him.

19 Q But were you with him when you said the police slammed his  
20 head against a --

21 A I was not with him when that happened.

22 Q Okay. You were with him when they came to the house to take  
23 --

24 A Came back to the house. And I saw his -- his eye and --

25 Q What -- So, describe that. What happened?



1 A His eye was almost completely swollen shut on the side of his  
2 face. And he kept telling me that -- He told me that, you know, --  
3 that the police ended up smashing his head, just put him in the,  
4 you know, -- put him in a holding cell because he was a drunk and  
5 disorderly type of a thing.

6 And then when he came back to the house, he was telling me  
7 how he -- how unsteady he felt and how dizzy and -- and weak. And  
8 me and the kid that brought him back -- 'cause we -- we -- When he  
9 came back with Alan, the kid sat down and had a couple of drinks  
10 with me. And we couldn't drive him to the hospital. So we called  
11 an ambulance for him, to come get him.

12 And he was walking outside to go to the ambulance, and as  
13 soon as a cop pulled in, he f -- he -- he just panicked and ran  
14 back into the house 'cause he was afraid of the police. That --  
15 That was -- And it took about an hour to get him -- to get the  
16 police to back off and get away enough so that the E -- EMTs could  
17 check on him and then get him into the ambulance.

18 Q And you were there for all of that.

19 A I was there for all that. That was -- That -- Some of that  
20 was on camera, I believe.

21 Q What camera?

22 A On the garage cameras at the -- the gas station.

23 It -- We almost had -- I almost had Alan into the ambulance,  
24 and then one of the cops started walking towards him be -- as he  
25 got close to the ambulance. And then he ran. He ran around the

1 ambulance, around the gas pumps, around -- in between a couple of  
2 the cops, and got back in the house and shut the door and locked  
3 everyone out.

4 Q How do you know that's on camera?

5 A Well, it's on the -- the -- the cameras that you guys just  
6 showed me. That -- That was the section where that happened. And  
7 that was --

8 Q Did you see --

9 A -- that.

10 Q -- that captured yourself? Or you --

11 A Oh, I -- I'm assuming it's on -- it's got to be on camera. I  
12 think -- I -- I thought that -- I thought his brother had told me  
13 that they looked at -- at it on camera, like a couple days later,  
14 and kind of laughed, telling me it was almost funny the way he  
15 zipped around and in between everyone --

16 Q Okay.

17 A -- and got -- got away. I --

18 Q And around when was that? How --

19 A I would say maybe -- God, I'd say early December, maybe.

20 Q When?

21 A Maybe early December.

22 Q December of 2018?

23 A It was either that or it was -- I can't remember. It was --  
24 might've been in October.

25 Q Okay.

1 A I -- I can't really remember the exact timeframe.

2 Q Okay. All right. And so, Mr. Greenough told you about this

3 A Yeah.

4 Q And as friends, you'd have conversations about things; --

5 A Yeah.

6 Q -- is that correct?

7 A Absolutely.

8 Q Okay. All right. And I know Ms. Lynch asked you a question  
9 about him knowing what a conversation about your father --

10 A Mm-hmm.

11 Q -- would be to you. Did you have conversations or was he  
12 present ever when you were caring for your father?

13 A Yeah, yeah.

14 Q Okay.

15 A Yeah, he s -- Yeah.

16 Q All right.

17 A He saw that. He -- He knew -- He knew what I was going  
18 through --

19 Q Okay.

20 A -- and what I had to deal with.

21 Q All right. So you'd have conversations about that, --

22 A Absolutely.

23 Q -- as well. And were any of those conversations

24 conversations where he was supportive --

25 A Yeah.

1 Q -- to you?

2 A Yeah, usually very.

3 Q Okay. All right. So, on February 2nd, are you sure you saw

4 Al B. at the house at some point?

5 A Yeah. And that -- Yes, that afternoon, yes.

6 Q Okay.

7 A Yeah, I --

8 Q And -- Go ahead.

9 A I do remember -- I do remember that.

10 Q Okay. And that was before going to work or when you came

11 back --

12 A I had --

13 Q -- home?

14 A -- come back, 'cause I usually was gone earl -- I'd usually  
15 leave at, like, five in the morning and be done by, like, two.

16 Q Okay.

17 A You know.

18 Q And I think you just testified you thought you came home

19 around four o'clock or --

20 A Yeah, I couldn't remember until I saw the text messages.

21 Q Yeah.

22 A And then I realized it was earlier --

23 Q Okay.

24 A -- in the afternoon that I had come home.

25 Q And you got home and you immediately started drinking vodka.

1 A Yeah, yep.

2 Q Okay. And you'd said that you'd keep about, what, one or two  
3 liters in your car?

4 A I'd usually have at least a pint in my car.

5 Q A pint.

6 A Yep.

7 Q Okay.

8 A At all times.

9 Q All right. And so, were you drinking vodka that you had  
10 stored in the car, or did you start drinking some vodka in the  
11 house?

12 A At first, might've been drinking vodka in the house.

13 Q Okay.

14 A I -- I probably had a bottle in the house, too.

15 Q All right. And so, at some point you're drinking and then  
16 you hear the commotion downstairs.

17 A Yep, yeah.

18 Q Yeah. All right. And can you just describe that again to  
19 me, what you heard.

20 A I heard a -- Now I'm looking back, I remember the banging on  
21 the door. It almost sounded like -- like someone was trying to  
22 kick it in. By the time I got down to the door, he'd finally  
23 gotten the doorknob open, started yelling about being locked out  
24 of the house. That -- That was the initial when he came home that  
25 night.

1 Q And had that ever happened before, where he couldn't get in  
2 and there was --

3 A No, he had never tried to kick the door in because --

4 Q Okay.

5 A -- he couldn't get in. It was, you know, a doorknob that was  
6 a little -- you had to kind of tweak it, turn it a couple times.

7 Q All right.

8 A You know, and sometimes it would get a little sticky.

9 Q And did you -- You'd have trouble getting in at --

10 A Yeah, I've had trouble.

11 Q Okay.

12 A Yeah.

13 Q All right.

14 A Absolutely.

15 Q Okay. All right. And then what happened?

16 A Then I ended up going upstairs and he was just kind of really  
17 angry, started f -- I can't even remember what exactly he freaked  
18 out about at that moment. But he smashed one of the cars.

19 And I -- I was like, "What the hell are you doing? That's my  
20 table, you know, those are my chairs."

21 And he's like, "Oh, yeah?" Smashed another one.

22 Q Okay.

23 A And then it proceeded.

24 Q And you -- How much had you had to drink by then?

25 A Sh -- Oh, at least a pint.

1 Q Okay. But you remember all of that?

2 A I do remember standing at the top of the steps, watching him  
3 smash the first chair.

4 Q Okay.

5 A Yeah.

6 Q All right.

7 A Saw him smashing the first chair because I -- I do remember  
8 getting up to see, like, "What was that?" you know 'cause I heard  
9 something smash.

10 Q So, you saw him smash the first chair.

11 A Yep.

12 Q Okay. And then what happened?

13 A I ended up walking out of the r -- I -- I ended up going back  
14 into my room, to say I w --

15 Q Upstairs?

16 A Yeah. I was upstairs. I had never gotten down the stairs at  
17 that point. I was still at the top of the steps when I saw him  
18 smashing the chair.

19 Q And you could see that from the top of the steps?

20 A Absolutely, straight down --

21 Q Okay. All right.

22 A -- into the kitchen.

23 Q Okay. Go ahead.

24 A And then I -- I -- I -- I think I was yelling down to him to  
25 cut it out, this is stupid, you know, --

1 Q You think. Do you remember that?

2 A I can't really remember.

3 Q And was --

4 A What e --

5 Q -- that because of the alcohol or what?

6 A Just the -- the way everything happened.

7 Q Okay.

8 A The way it happened so fast. The way he came in so angry and

9 the table was smashed. And the next thing I know, me and him, he

10 -- he's in my face, pushing me, and then trying to --

11 Q So, first you said the chair was smashed.

12 A Well, it was the -- the chair. The whole t -- dining room

13 table.

14 Q Okay.

15 A First it was a chair.

16 Q Yeah.

17 A Then it was another chair.

18 Q But you saw him smash the chair.

19 A I saw him smash the one chair.

20 Q And then what --

21 A And --

22 Q -- did you see next? What did you see next?

23 A After that, I didn't see much 'cause I walked into my room.

24 Q Okay.

25 A I was just telling him to cut it out.



1 Q All right.

2 A That was all.

3 Q So do you know --

4 A That was it.

5 Q -- how the rest got smashed or how --

6 A No, I didn't -- No, I didn't watch him smash it. Nope. I  
7 just know that it got -- I heard it getting smashed apart.

8 Q You heard it.

9 A Absolutely.

10 Q But you don't know how it happened.

11 A No, it could've --

12 Q You didn't see it yourself.

13 A Nope. He could've taken a sledgehammer to it or he could've  
14 thrown it across the room. I have no idea.

15 Q Okay. Was anyone else downstairs other than him?

16 A Not that I knew of, no.

17 Q Okay. All right. So, what's the next thing you actually  
18 observed?

19 A Him up in my room, pushing Kim out of the way and attacking  
20 me.

21 Q So, when you went back upstairs, when you heard the smashing,  
22 --

23 A Mm-hmm.

24 Q -- were you continuing to drink at that point or not?

25 A Yeah.

1 Q Yeah, okay. So is there liquor upstairs in your room?

2 A Always.

3 Q Okay.

4 A At that time, always.

5 Q So you're drinking upstairs and you hear what you think is  
6 smashing downstairs.

7 A Yep.

8 Q He comes upstairs.

9 A Mm-hmm.

10 Q And you said -- Does Kim come between the two of you at that  
11 point?

12 A Yeah, at some point.

13 Q Okay.

14 A Yeah.

15 Q Okay. So, is he coming towards you and Kim's in the middle?

16 A She'd gotten in between us and got him to kind of leave the  
17 room.

18 Q Yep.

19 A And this is what I vaguely remember. And we were yelling back  
20 and forth. She was just outside my room, in the hall, like just in  
21 my door -- where my door would be, okay? And he ended up -- We --  
22 We yelled something back and forth. And then he came rushing in,  
23 pushed her right out of the way, and then dove on me --

24 Q Okay.

25 A -- and started -- literally dove on me and started choking

1 me.

2 Q Okay.

3 A That was the extent of that.

4 Q Okay. And had you had that kind of physical altercation  
5 before?

6 A Yeah, a couple times.

7 Q Couple times.

8 A Yeah.

9 Q Before Kim?

10 A Yeah, yeah.

11 Q Okay.

12 A Yeah.

13 Q All right. And sometimes initiated by you?

14 A Yep.

15 Q Okay.

16 A We'd push each other around sometimes.

17 Q And I think you described it a couple of times as  
18 "wrestling."

19 A Oh, yeah, yeah.

20 Q Okay.

21 A Just trying to not to punch him, because he's my friend. And  
22 that more grappling each other, pushing each other around, you  
23 know.

24 Q All right. And the photos I think Ms. Lynch showed you from  
25 that incident, --

1 A Mm-hmm.

2 Q -- you said you don't recall the injury.

3 A Not on my lip or -- Yeah, I don't really recall. You know, I  
4 -- I just -- I remember -- I remember him jumping on me and  
5 putting his hands on my throat. I don't remember him hitting me  
6 in the -- the face or --

7 Q All right.

8 A -- or elbowing me or --

9 Q All right.

10 A I don't really remember. I know we were wrestling around at  
11 that point.

12 Q Okay.

13 A So, I was more just trying to get him off me.

14 Q Okay. This friend, this mutual friend that -- the wake, what  
15 was his name again?

16 A Ronnie.

17 Q Ronnie. You didn't go to the wake.

18 A No, I did not go --

19 Q Okay.

20 A -- to the wake.

21 Q Were you close to Ronnie as well?

22 A We were -- We were friends. I wasn't --

23 Q Okay.

24 A -- as Alan and him, no.

25 Q All right, all right. At this point there was some -- Some

1 of the cell phone information indicated that -- from Mr.  
2 Greenough, that Ms. Bellino had indicated that you were also using  
3 crack at that point.

4 A Yeah. I don't even know where that ever came from.

5 Q Okay.

6 A But --

7 Q So, were you -- At any point were you using crack cocaine?

8 A A year -- Maybe over a year ago, but not --

9 Q Over --

10 A Not at that time.

11 Q Over a year ago?

12 A About a year ago.

13 Q So, --

14 A Well, it was --

15 Q Around when?

16 A -- before. Oh, Christ, maybe the end of last summer. Not --

17 Not the summer that just passed. Yeah, last summer.

18 Q Last summer. Okay.

19 A The last summer, yeah.

20 Q So, the summer prior to --

21 A Yeah.

22 Q -- Mr. Greenough's death.

23 A Yeah.

24 Q Okay. And you testified also that Mr. Greenough at some  
25 point had been in rehab. Had you been in rehab, as well?

1 A Nope.

2 Q Okay. During the period that you lived together, would  
3 sometimes you fall behind on the rent?

4 A Yeah, a little.

5 Q And were you behind in the rent at this time? Do you recall?

6 A I think I was -- I owed him that month at that time, yeah.

7 Q You'd owed who? Alan?

8 A I had -- No, not Alan. The landlord.

9 Q The landlord.

10 A Yeah.

11 Q Okay. And so, you'd owed him that month's rent.

12 A Yeah. And I think I had squared up with him in the text that  
13 had showed, you know, --

14 Q Okay.

15 A It was within a couple of days.

16 Q All right. And did the landlord notify you you were behind  
17 on the rent?

18 A Yeah.

19 Q Okay. Did Mr. Greenough say anything to you about being  
20 behind on the rent?

21 A Yeah. He got into my business all the time.

22 Q Okay. When you say "got into your business all the time,"  
23 what do you mean? What kind of business?

24 A Well, he kind of inserted himself into -- between, you know,  
25 something that had nothing to do with him. You know?

1 Q So, could -- But it could be -- Was it the rent? Was it  
2 whether you were drinking too much? Was it -- What kind of  
3 business did he --

4 A Well, he was getting involved with the rent, you know. Like  
5 with the landlord, between me and the landlord, which had nothing  
6 to do with him.

7 Q But he was a roommate.

8 A Yeah.

9 Q So if you fell behind in the rent, then that would affect his  
10 ability to continue to live there if there was rent owed, or he'd  
11 have to --

12 A No, it never would've affected him if he had a roommate or  
13 not.

14 Q Why?

15 A He would've still had a roof over his head.

16 Q And why is that?

17 A Because that was where -- Because his brother and Joe, they  
18 would -- they would rent to him whether he was by himself or not.  
19 And he just would only have to pay his half there. You know?

20 Q So, he didn't really then need a roommate.

21 A Not really.

22 Q Okay. So he let you stay with him as a roommate because you  
23 were friends.

24 A Kind of, yeah. Yeah, I guess. I mean, he was -- He couldn't  
25 afford to do it all on his own. Joe was kind of -- told him, "You

1 need to get a -- get someone in there," so that way he could, you  
2 know, fill the whole rent because Alan couldn't swing the whole  
3 place. But, I mean, he would always have a roof over his head  
4 there.

5 Q All right. So, when the police came on February 2nd --

6 A Mm-hmm.

7 Q -- after the incident after the wake, by the time the police  
8 -- Well, how -- Did you call 9-1-1? Or did you call just the  
9 regular police line?

10 A I can't remember.

11 Q Okay. And how soon do you think the police arrived after the  
12 call?

13 A I don't know, five minutes?

14 Q Okay. And by the time they arrived, you were under the  
15 influence of alcohol.

16 A Yep.

17 Q Okay. And were you able to describe to them what happened?

18 A Yeah.

19 Q Okay.

20 A As far as I -- Yeah.

21 Q As far as you could remember?

22 A Yep, yep.

23 Q I just want to show you what Ms. Lynch had put on, Exhibit  
24 No. 18. This hatchet you described as antique?

25 A Yep. Yep.



1 Q Did you --

2 A It was old.

3 Q Did -- Was it always -- Old. Was it always on the fireplace  
4 mantle?

5 A Yes.

6 Q Did you ever see it move from that area?

7 A No.

8 Q Okay.

9 A No. There was also a couple of, like, antique saws that  
10 were, like, a wood carve -- you know, wood-cutting saws that were  
11 on that mantle at some points, too. I -- It was -- They were  
12 antique. They were, like, --

13 Q All right.

14 A -- probably from the 1900s.

15 Q All right. Did Mr. Greenough ever use this ax?

16 A No. It was just --

17 Q Okay.

18 A -- ornamental.

19 Q All right. And Exhibit No. -- I think it's 52. You  
20 described that speaker --

21 A Yep.

22 Q -- being yours?

23 A Yep. That was the only thing on that table I see as mine.

24 Q Do you recognize this at all?

25 A Yeah, it's a lock.

1 Q Okay. Was it yours?

2 A Nope.

3 Q Was it Mr. Greenough's, that you know of?

4 A Yep.

5 Q It was?

6 A Yes.

7 Q And do you know what he used it for?

8 A He found that lock either cleaning out a car that was being  
9 junked or he found it on one of his bike rides. And he just -- He  
10 ended up having it. I think he used it to actually lock up his  
11 bike a couple of times.

12 Q Is that a bike back there?

13 A Yep.

14 Q Is -- Whose bike --

15 A A mountain bike.

16 Q -- is that?

17 A That's his mountain bike.

18 Q Okay. And so, you said he'd used that a couple times to lock  
19 his --

20 A Yeah, occasi --

21 Q -- bike up?

22 A Yep. But it was a lock that he had found. I -- I know that  
23 he had f -- I can't remember where he said he found it. But he --  
24 It was a lock that he had ended up finding.

25 Q Okay. These look like prescription pill bottles.

1 A Yep.

2 Q Do you know whose those are?

3 A Those are his.

4 Q Okay. All right. So, -- Now, on February 3rd you indicated  
5 that you and Ms. Bellino, after the incident with the speaker --  
6 Actually, can you describe what happened with the speaker, again?

7 A I don't remember what happened with the speaker itself. I --  
8 I don't -- I didn't witness that, 'cause I was up -- I was still  
9 upstairs.

10 Q Mm-hmm.

11 A By the time I came around -- By the time I came out of my  
12 room and around the corner, Kim was just sitting on the stairs and  
13 Alan was in -- point, like, -- She was sitting on the stairs and  
14 he was in her face, yelling at her.

15 Q Okay.

16 A And she was, like, crying. Like, -- Like, shaken --

17 Q Okay.

18 A -- and crying.

19 Q So, you indicated that Mr. Greenough had moved his bedroom  
20 into the living room.

21 A Yep.

22 Q Where had his bedroom been before?

23 A At the top of the stairs in a small -- in -- in one of the  
24 bedrooms upstairs.

25 Q Okay. And describe where that would be in location to your

1 room and Ms. Bellino's.

2 A There's literally about 10 feet down the hall.

3 Q Okay. And do you know why he decided to move his bedroom to  
4 the living room?

5 A He had -- Just bigger. It was a bigger area, more area,  
6 'cause the other bedroom was really small.

7 Q Okay. And you said at times, you know, he didn't -- because  
8 it's the living room, --

9 A Mm-hmm.

10 Q -- everybody would be in there at times. Were there times,  
11 'cause it was also being used as a bedroom, where he didn't want  
12 anybody in there?

13 A Yeah.

14 Q Okay. And would he make that known?

15 A Yeah.

16 Q Okay. So, you were upstairs, you said, I think, watching a  
17 movie, --

18 A Mm-hmm.

19 Q -- relaxing.

20 A Yeah.

21 Q And you heard something downstairs.

22 A Mm-hmm.

23 Q What did you hear?

24 A Raised voices, at that point.

25 Q Whose raised voices?

1 A Alan's raised voice.

2 Q Okay. "Voices," you said.

3 A Well, yeah. And I think Kim -- I could hear Kim, too.

4 Q Okay. And so, what did you do?

5 A That's when I got up and started to go down the hall. And I  
6 got to the top of the steps. And --

7 This is on the Saturday, you're talking, --

8 Q Yep.

9 A -- right?

10 Q Mm-hmm.

11 A And Kim was s -- like, sitting on the bottom of the step.  
12 And Alan was, like, screaming in her face. And she --

13 Q Mm-hmm.

14 A -- was just like -- she was, like, crying and shaking, you  
15 know.

16 Q Okay.

17 A I can't remember what I said to him. But then, next thing I  
18 remember, we were wrestling. He was upstairs and we were  
19 wrestling in the hall.

20 Q Okay. Wrestling in the hall.

21 A Yep.

22 Q Okay. So, let me just go back to -- 'cause I think Ms Lynch  
23 also asked you about the nature of his relationship with Ms.  
24 Bellino. And I think you said sometimes it would change?

25 A Yep.

1 Q Okay. So, prior to this, --

2 A Mm-hmm.

3 Q -- what had the relationship been?

4 A It was so-so. I mean, sometimes they'd get along. They --

5 They -- They would get along really good. And --

6 Q Mm-hmm.

7 A -- other times they -- they were like -- they didn't -- they

8 couldn't stand each other.

9 Q And do you know what would lead to the incidents where

10 there'd be conflict?

11 A Could be anything.

12 Q Okay. All right. So, you said you see her, she's crying and

13 shaking.

14 A Mm-hmm. Right.

15 Q And what's Alan doing?

16 A He was yelling at her.

17 Q Yelling. Just yelling at her.

18 A Yep.

19 Q Okay.

20 A And I think Anthony was standing right next to Alan, at that

21 point.

22 Q Okay. So Anthony was there, too.

23 A Yep.

24 Q Okay. And then you two started wrestling.

25 A Yeah. He came charging up the steps.

1 Q Charged up the steps.

2 A Yep.

3 Q Was he saying anything when he charged up the steps?

4 A I'm sure. I can't remember what.

5 Q You can't remember.

6 A Yeah.

7 Q Okay. And then you start wrestling.

8 A Yep.

9 Q Okay. So, his hands are on you, your hands are on him.

10 A Yep.

11 Q Okay. And are you on the floor?

12 A Eventually, yeah.

13 Q Okay.

14 A Yeah. It was -- Eventually he ended up getting me knocked

15 down and had me pinned to the floor for a minute.

16 Q Okay. And did Anthony come upstairs?

17 A I think he started to come up the stairs to kind of break us

18 up. And -- And then Alan got up and Anthony was just like, "Get

19 out of the house. Just you guys got to go." Or like --

20 Q To you and Ms. Bellino?

21 A Yep.

22 Q Okay. And you --

23 A 'Cause he wasn't calm -- 'Cause he was -- he wasn't calming

24 down.

25 Q Okay.

1 A So --

2 Q And so, -- But you don't know what led to this.

3 A Not completely, no.

4 Q Well, not completely? Do you know --

5 A No. No, I --

6 Q Do you know anything that happened? Why was he upset? Do

7 you know?

8 A I don't know.

9 Q Okay. He wasn't saying anything to you?

10 A No. I mean, he was just screaming, you know?

11 Q Screaming what?

12 A He was just telling me to fuck off and stuff like that, you

13 know?

14 Q All right. Did you subsequently learn from Ms. Bellino what

15 he was upset about? Do you recall?

16 A I can't remember.

17 Q Okay. And so, you and Ms. Bellino then left.

18 A Yeah.

19 Q Okay. In the truck?

20 A Yeah. I couldn't leave right away, though. I had to change

21 out my tire 'cause it had been slashed.

22 Q Okay. And do you know who slashed it?

23 A I'm not sure. But I just -- No.

24 Q Did you see anybody slash it?

25 A Nope.



1 Q Okay. So, you -- That took some time. How long did that  
2 take?

3 A Maybe, oh, five minutes tops.

4 Q Okay.

5 A Anthony ended up coming over with an electric impact gun to  
6 help me out.

7 Q To help you.

8 A Yeah, help me --

9 Q Where --

10 A -- get it done quicker.

11 Q Do you know where Mr. Greenough was, at that time?

12 A He was in the house. And as we were changing the tire, he  
13 kind of came in and out of the house a couple times, --

14 Q Okay.

15 A -- screaming.

16 Q Screaming.

17 A Tell -- Telling me to -- You know, "Get the fuck out of here"  
18 type of deal. And --

19 Q Okay. All right. So, you got in the truck with Ms. Bellino.  
20 Is that when you headed to the park?

21 A Yeah. I was going towards my mother's house but she didn't  
22 answer. So I think I -- That's why we were kind of driving  
23 around. And that's why --

24 Q Okay.

25 A -- I think I ended up at Harold Parker.

1 Q Okay.

2 A We just --

3 Q All right. So you called your mom first.

4 A Yeah.

5 Q Okay. And I noticed from the cell phone calls you called  
6 your mom a few times during these incidents.

7 A Yep.

8 Q And why was that?

9 A 'Cause she's all's I got. She -- She's the only one I have  
10 in my --

11 Q Okay.

12 A -- you know, left.

13 Q And she knew Mr. Greenough.

14 A Oh, yeah.

15 Q Okay.

16 A Yeah.

17 Q And she knew about some of the --

18 A Yeah.

19 Q -- issues between the two --

20 A Mm-hmm.

21 Q -- of you?

22 Okay. And so, she didn't answer.

23 A Not right off the bat, no.

24 Q Okay.

25 A That's why I called a couple of times. As you can see, one

1 was like 3 seconds, 6 seconds.

2 Q Okay. All right.

3 A I --

4 Q So you called your mom before the police or after?

5 A After.

6 Q After. Okay. And did you remember whether you called the  
7 police this time or Ms. Bellino called?

8 A I -- I don't remember.

9 Q You don't remember.

10 A Nope.

11 Q Were you drinking when you got in the car?

12 A Mm-hmm.

13 Q Okay. So you're drinking in the car on the way to the park.

14 A Yep.

15 Q Was Ms. Bellino drinking?

16 A Nope.

17 Q Okay.

18 A I eventually had her drive for a bit.

19 Q All right. And this is when you said you were also drinking  
20 and had marijuana.

21 A Mm-hmm.

22 Q Okay. Do you remember how much marijuana you had?

23 A Not much.

24 Q Okay.

25 A Maybe a gram or two, tops.

1 Q And do you remember how much you'd had to drink at that  
2 point?

3 A I don't know. Maybe about 10 to 12 shots.

4 Q Okay. So, you went to the park.

5 A Mm-hmm.

6 Q And how long were you at the park before you heard from the  
7 police?

8 A I don't know. Maybe 10 minutes, 15 minutes

9 Q And is that when they asked you to go to the -- towards the --

10 A Lobster Claw.

11 Q -- Lobster Claw?

12 A Mm-hmm.

13 Q Okay. And at some point you end up back at the house 'cause  
14 -- for the keys; is that right?

15 A Yep.

16 Q And about how long after this point were you at the park and  
17 -- You're headed towards the Lobster Claw and then are redirected  
18 to the house, right?

19 A Mm-hmm.

20 Q Okay. About how much time had transpired? Do you remember?

21 A Fifteen, twenty minutes, maybe. Maybe half-hour.

22 Q Okay. And when you spoke to the police when you got there,  
23 you're still under the influence of --

24 A Mm-hmm.

25 Q -- alcohol and marijuana; is that right?

1 A Mm-hmm.

2 Q Okay. And when you say that they blocked you in your truck,

3 --

4 A Yeah.

5 Q -- was Ms. Bellino in the truck at the time, --

6 A Mm-hmm.

7 Q -- too?

8 A Yep.

9 Q Okay. And that was from -- I think you testified from, what,  
10 2:00 to 10:00?

11 A Something like that. I mean, it was -- it was a long time. I  
12 -- I was stuck in my truck for a long, long time, standing out --  
13 Rip -- Roping the whole place off as a crime scene. And I couldn't  
14 go anywhere. They just kept -- They just said -- They wouldn't  
15 even let me step out of my truck.

16 Q So, at some point when the fire department was coming back  
17 and forth, you said Mr. Greenough coming to the window.

18 A Yeah, I -- I think he was at -- I think it was at -- at the --  
19 I could see him at the bathroom window.

20 Q But you couldn't hear anything he was saying.

21 A No.

22 Q Could you hear anything the police were saying?

23 A They were just telling him to come out, at that point, that  
24 they weren't going away.

25 Q That -- They said they -- they're not --

1 A I think, yeah, pr -- pretty much, I think I -- That was the  
2 one thing I remember them saying: "Come on, Al. We're not going  
3 away."

4 Q You said -- Was it the Reading Police that had responded  
5 after the incident in Winchester, or was it --

6 A It was the Reading Police that --

7 Q Reading Police.

8 A -- showed up to the house, yes, when we --

9 Q Okay.

10 A When we called an ambulance to come get him, yes, it --

11 Q Okay. All right.

12 A -- it was the Reading Police that had pulled up.

13 Q Did you recognize any of the officers who responded then at  
14 the scene on the 3rd?

15 A I think so.

16 Q Okay.

17 A Yes.

18 Q Do you remember any names or --

19 A I don't remember. I remember one of the -- It was a female  
20 officer with blond hair. She was kind of young. There was a  
21 taller, skinnier guy with glasses. He was young, too. I think he  
22 had reddish hair, maybe.

23 Q And you already said you don't recall the officers going  
24 through -- I think you said the consent form -- the consent to  
25 search your phone form exhibit, and to go inside the residence.

1 So, Exhibit -- Well, let me ask you one-by-one: do you remember  
2 them going through this form with you, Exhibit No. 71?

3 A To go through my phone?

4 Q Yeah.

5 A Yes, I remember them doing that in the police station.

6 Q You remember them talking to you about --

7 A Talk --

8 Q -- that?

9 A Yes.

10 Q And you remember signing the form?

11 A Yeah

12 Q Okay.

13 A Basically, it was going in one ear and out the other, though,  
14 at that point. I was just -- I just let them do what they need to  
15 do, at that point.

16 Q Okay. And is that similar to the searching your vehicle and

17 --

18 A Yep.

19 Q -- searching the residence?

20 A Yep.

21 Q Okay. What did the police tell you about -- Did they tell you  
22 what they were going to do on February 2nd after the wake when Mr.  
23 Greenough wasn't at the residence?

24 A They had said that they were only going to grab him for a  
25 simple assault.

1 Q They were going to grab him for a simple --

2 A They wanted to --

3 Q -- assault.

4 A -- grab him for a simple assault, yeah. That's why they took  
5 the pictures. They -- They were like, "Well, you got marks on  
6 you." They were kind of regular. I remember that.

7 Q And did you know where he was at that point?

8 A [No audible response.]

9 Q No.

10 A I just knew he had left with someone.

11 Q Okay.

12 A With -- And I knew it was a female that he had left with,  
13 'cause I heard a female's voice call him out. That was -- That  
14 was as far as I could --

15 Q And that's what --

16 A -- tell you on that.

17 Q -- you told the police.

18 A Yep.

19 Q Okay. And on February 3rd. --

20 A Mm-hmm.

21 Q -- when you called them, what did you tell them about his  
22 whereabouts?

23 A I didn't call them. I didn't call them on the 3rd.

24 Q Oh, Ms. Bellino called.

25 A Yep.



1 Q What -- Do you know what Ms. Bellino told them about --

2 A I think --

3 Q -- his whereabouts?

4 A -- she just told them that he had returned to the house and  
5 that -- had -- had come in in a rage, you know, again, like the  
6 night before.

7 Q Okay.

8 A I think at that time I was texting back and forth with my  
9 mother when she was on the phone with the police, or I might've  
10 been talking to my mother at that time. I couldn't tell you.  
11 Going back to about --

12 Q Have you -- You said you're still in contact with Ms.  
13 Bellino. Have you talked to Ms. Bellino about Mr. Greenough's  
14 death and the incidents leading to his death, since it happened?

15 A Well, yeah, a little. I mean, yeah, we -- we -- we talked  
16 for, you know, -- We were together for about two months after this  
17 whole incident --

18 Q Okay.

19 A -- happened. And --

20 Q Did you talk about what you remembered, what she remembered?

21 A A little, yeah. I mean, we ran through it in our -- our --  
22 you know, ran through that day 'cause it --

23 Q Talked about it --

24 A -- was a tragedy.

25 Q -- together?

1 A Yeah. It was a tragedy. It's a freaking tragedy.

2 Q And did she say, "I remember this. And do you remember  
3 that?"

4 A I can't remember.

5 Q Okay. Did you talk about it with anyone else?

6 A Yeah, I talked to -- When it happened, yeah, I talked to --  
7 with a few people --

8 Q Okay.

9 A -- about what had happened.

10 Q Did you talk about it with the police since you were  
11 interviewed?

12 A Since I was interviewed?

13 Q Yeah.

14 A No. Nope.

15 Q Okay. Thank you.

16 THE COURT: I can't think of anything else I have right now,  
17 but some of the attorneys may have questions for you. Okay?

18 CROSS EXAMINATION OF WITNESS, DEVIN McDONALD

19 BY MR. PASCIUCCO:

20 Q Good morning, sir.

21 A Good morning.

22 Q My name's Peter Pasciucco. I represent Officer Erik  
23 Drauschke. I just have a few questions for you today.

24 A Certainly.

25 Q Now, do you have any recollection of an incident in October

1 of 2017 where Mr. Greenough locked you out of the apartment at  
2 1462 Main Street?

3 A Can't remember.

4 Q Okay. So, do you have -- You have no recollection of him  
5 locking you out of the apartment and your mother having to come  
6 pick you up?

7 A I don't remember it, no.

8 Q Okay.

9 A I don't.

10 Q Could that possibly have occurred but your --

11 A Yeah.

12 Q -- memory's affected due to the --

13 A That could've possibly have occurred.

14 Q And --

15 A Absolutely. Yeah.

16 Q Have you ever owned a motorcycle?

17 A Yep.

18 Q Has the tires to the motorcycle ever been slashed?

19 A Yep.

20 Q When did that occur?

21 A Can't remember exactly. But it was over the summer.

22 Q Okay. And you spoke with detectives on the night of Mr.  
23 Greenough's death; is that correct?

24 A Yep.

25 Q And you indicated to those detectives that Mr. Greenough

1 | slashed those tires; is that correct?

2 | A     Yep.

3 | Q     Why did you believe that Mr. Greenough slashed the tires?

4 | A     Because there was another person that was with him.  They --  
5 | They warned me.  They were the one that told me to check my tires,  
6 | because they saw him do it  And they didn't want me to get killed  
7 | driving down the street.

8 | Q     And who was "they"?

9 | A     Kevin Merrill.

10 | Q     And who's Kevin Merrill?

11 | A     He was a friend of ours.  He was with Alan that night.  He w  
12 | --

13 | Q     And --

14 | A     He wa -- He witnessed him slash the tires and told me the  
15 | next morning so I didn't -- so I wouldn't drive the motorcycle and  
16 | have one of them blow out on me.

17 | Q     Do you know how the tires were slashed?

18 | A     With a razer knife.

19 | Q     Okay.  And Kevin Merrill told you that --

20 | A     Yep.

21 | Q     -- Mr. Greenough was the one that slashed the tires with the  
22 | razer knife?

23 | A     Yep.

24 | Q     Okay.  Do you know any individual named James Burke?

25 | A     Yep.

1 Q Who's Mr. Burke?

2 A He -- We call him -- I call him Jim-Bo. But I know -- That's  
3 -- He's just a friend, a kind of a friend. More of an  
4 acquaintance.

5 Q Is he an acquaintance of yours?

6 A A little, yeah. I know who he is.

7 Q Was he an acquaintance of Mr. Greenough's?

8 A Yep.

9 Q And did you know Mr. Burke to be a drug dealer?

10 A No.

11 Q Did you know Mr. Burke to use --

12 A Drugs? Yep.

13 Q -- drugs?

14 A Yes.

15 Q Did you know Mr. Burke to provide Alan Greenough with drugs?

16 A Not that I -- Not -- I -- I -- Not that I know of. Like, you  
17 know, I wasn't, like, -- Not that I can say he sold him drugs. I  
18 mean, I don't know. I know the two partied together, though.

19 Q Okay. When you say "partied together," what did --

20 A They'd do drugs together.

21 Q And how do you know that?

22 A Because they were hanging out and they were high.

23 Q What drugs would they do together?

24 A Pills.

25 Q Do you know what type of pills?

1 A Nope.

2 THE COURT: And around when was this?

3 THE WITNESS: Oh, god, I don't know, over the last couple  
4 years?

5 THE COURT: Over the last couple of --

6 THE WITNESS: Yeah, I'll -- They -- They hung out and did  
7 drugs together for a long time.

8 THE COURT: Did you hang out with them?

9 THE WITNESS: Yep.

10 THE COURT: Yeah? And you --

11 THE WITNESS: Oh, I --

12 THE COURT: -- did drugs --

13 THE WITNESS: Yeah.

14 THE COURT: -- with them, as well?

15 THE WITNESS: Yep.

16 BY MR. PASCIUCCO:

17 Q And what type of drugs would the three of you do?

18 A I'd occasionally take some pills. They -- They took pills.  
19 I don't know if they did heroin together. I don't touch heroin.  
20 I know that we all did cocaine together, and occasionally Xanaxes.  
21 You know, take some Xanax, have a couple of drinks. That's about  
22 all's I, you know, --

23 Q You ever heard the term "speed ball"?

24 A Yeah, I've heard the term "speed ball."

25 Q What's a speed ball?

1 A It's a combination of heroin and cocaine.

2 Q Did you know Mr. Greenough to do speed balls?

3 A Nope. As far as I knew, he was doing one or the other. I  
4 don't know if he mixed them together.

5 Q Okay. You never had a discussion with Mr. Burke about Mr.  
6 Greenough liking to do speed balls?

7 A Not that I can remember.

8 Q Do you know an individual named Curt Roth [phonetic]?

9 A Yep.

10 Q Who's Curt Roth?

11 A Someone we went to school with.

12 Q Do you know Curt Roth to be a drug dealer?

13 A Nope. I know him to be a drug addict.

14 Q Did you ever do drugs with Curt Roth?

15 A No, 'cause he was into heroin. I don't do heroin.

16 Q Did you know Mr. Greenough to ever hang out with Curt Roth?

17 A Yep.

18 Q Do you know if they ever did heroin together?

19 A Yep.

20 Q I believe that with respect to the text messages that we  
21 observed earlier --

22 A Mm-hmm.

23 Q -- today, you referenced -- in your phone you referenced Mr.  
24 Greenough as "Al G., Obama."

25 A Yep.

1 Q Can you just tell us a little bit about --

2 A "Al G." Is for Alan Greenough. And "Obama" was because it  
3 was the Obama cell phone that he had, that -- that he was using at  
4 that time because his normal cell phone had died and he had got an  
5 Obama phone. So, I just to s -- to separate the two numbers, one  
6 was Al G., the other one was Al G., Obama.

7 Q And what's an Obama phone?

8 A The -- The -- The phones you could get through the  
9 government, through the -- from when President Obama was in. They  
10 were giving our cell phones. He had applied for one and got one.

11 Q Now, in -- You said around Christmas time Mr. Greenough had  
12 gone to rehab; is that correct?

13 A Yeah. It was before Christmas, but yeah.

14 Q Was that due to the seizure?

15 A No.

16 Q Now, the seizure and the rehab are unrelated?

17 A Yeah, that was unrelated.

18 Q When do you believe the seizure occurred or recall the  
19 seizure occurring?

20 A He had a couple over the -- over the couple years. He -- He  
21 had a few. So, I mean, the -- the one where you're talking he was  
22 -- when we called the ambulance and then he was run -- kind of  
23 took us an hour to get him into the ambulance, it was I'd say in  
24 October, I want to say.

25 THE COURT: Did he have seizures prior to the incident with



1 the Winchester Police?

2 THE WITNESS: Yes, he had had seizures. Yes. Yeah.

3 BY MR. PASCIUCCO:

4 Q Do you know why he was at the hospital in Winchester?

5 A I think he had gone there because he thought he had a  
6 seizure. He -- He was missing time. Like, he blanked out.

7 Q Okay. All right. So, directing your attention -- and I know  
8 you've gone over this, so I'm going to be -- try to be quick with  
9 it, but on February 2nd of 2018 Mr. Greenough comes home from the  
10 wake.

11 A Mm-hmm.

12 Q You hear something -- You hear noise downstairs.

13 A Yep.

14 Q At some point you're standing on the stairs or on the top of  
15 the stairs and you --

16 A At the top of the stairs.

17 Q -- see him smashing a chair.

18 A Yep.

19 Q How was he smashing the chair?

20 A Smashed it right up against the floor, just grabbed it and  
21 "kapoosh" hit it a couple times until it was in pieces, literally.

22 Q And that's a table and chairs that you had purchased?

23 A Yep. Well, that I had gotten. It was a -- I -- I ended up  
24 getting it from a friend of mine.

25 Q Okay.

1 A So --

2 Q And you saw him smash the chair but you didn't see him smash  
3 the rest of the chairs or the table.

4 A No. After -- After the first one was smashed, I ended up  
5 going down there. And the -- the other three chairs and the table  
6 were still intact. I grabbed a sculpture that someone had made  
7 that was important to me. I grabbed it off the table 'cause it  
8 was in a -- in the center of the table, like a centerpiece. And I  
9 took that upstairs to my room so it would be protected --

10 Q Okay.

11 A -- and then proceeded to hear the rest of the table get  
12 smashed.

13 Q And was --

14 A But I didn't see it.

15 Q Was this normal behavior for Mr. Greenough?

16 A No.

17 Q Okay. So this incident with the table and chairs, it was  
18 alarming; fair to say?

19 A Absolutely.

20 Q Okay. At what point did Mr. Greenough come upstairs? Had he  
21 completed smashing the table and chairs when he came up the  
22 stairs?

23 A Yeah, I think so. Yeah, I think it had been -- that had been  
24 completely destroyed by that point.

25 Q Okay. And would you agree that he charged at you or he came

1 towards you?

2 A Yeah. After I had yelled. Yeah. We were yelling back and  
3 forth. He was downstairs, I was upstairs. I was telling him, you  
4 know, he's going too far, "Cut it out," blah blah blah blah. Next  
5 thing I know, he's running upstairs and trying to wrestle and  
6 fight.

7 Q Okay. So he initiated the physical encounter with you.

8 A Yep.

9 Q Okay. And you would label him, at least with respect to that  
10 incident, as the aggressor.

11 A Yes.

12 THE COURT: So, you said it alarmed you. But you texted his  
13 brother --

14 THE WITNESS: Yep.

15 THE COURT: -- and the landlord --

16 THE WITNESS: Yep.

17 THE COURT: -- and you weren't alarmed enough to call 9-1-1  
18 right away.

19 THE WITNESS: Because he was my friend and I didn't want to  
20 see him get in any kind of legal trouble. I knew he was just  
21 having a bad day and was -- was not in his right frame of mind,  
22 due to maybe substances and the situation that he had gone  
23 through. So, yeah, I -- I wanted to kind of quell the situation  
24 without involving the police.

25 BY MR. PASCIUCCO:

1 Q And I think you labeled it earlier as "rage"; is that fair to  
2 say?

3 A Yeah, I guess so. Yep.

4 Q Now, on February 3rd you encountered Mr. Greenough in the  
5 apartment around three o'clock or so; is that --

6 A Yeah.

7 Q -- accurate?

8 A Something like that. Yep.

9 Q Okay. And with respect to that incident, did he initiate the  
10 physical contact with you?

11 A Yeah.

12 Q Okay. And with respect to that incident, would you also  
13 label him as the aggressor?

14 A I'd have to, yeah.

15 Q Now, you indicated that the tires to your Caravan were  
16 slashed?

17 A One tire was slashed.

18 Q And was -- This was -- Was this on Friday the 2nd or Saturday  
19 the 3rd?

20 A It must've happened Friday the 2nd because Saturday the 3rd  
21 when I went to get up early and go to -- go to meet my boss, the  
22 tire was flat. And it w -- And it had been fine the night before.  
23 Like, say, seven o'clock that night, I knew it was okay because I  
24 had taken it to the liquor store and back.

25 Q And where did you park it with the -- It was -- Was it a

1 minivan?

2 A Yeah, it was a Caravan, yep.

3 Q Okay. Where was that parked?

4 A It was parked in the parking lot, in the s -- spot that you  
5 guys saw me pull in and out of. It was in between a couple of  
6 cars on the side lot, --

7 Q Okay.

8 A -- in the dark.

9 Q And do you know if anyone who worked at the gas station, or  
10 the owner, or any of those individuals had slashed the tires?

11 A No, not -- not that I know of, no.

12 Q Okay. And you said that you didn't see anyone slash it. But  
13 --

14 A Nope.

15 Q -- what were your suspicions?

16 A I suspected it was Alan?

17 Q And why is that?

18 A 'Cause I knew he had slashed the tires on my motorcycle. So  
19 that almost sounded like something he'd do. And it -- And it was  
20 done with a razer knife, like the one -- like the tires on my  
21 motorcycle. So I was at that time putting two and two together.  
22 It wasn't a far shot.

23 MR. PASCIUCCO: That's all I have. Thank you, sir.

24 MR. KOUFMAN: If I may, Judge. Thank you.

25 THE COURT: Sure.

## 1 CROSS EXAMINATION OF WITNESS, DEVIN McDONALD

2 BY MR. KOUFMAN:

3 Q Mr. McDonald, my name is Victor Koufman and I represent the  
4 Greenough family.

5 A Okay.

6 Q I just have a couple of quick questions. Specifically, on  
7 Friday, February 2nd, --

8 A Mm-hmm.

9 Q This is the day of the wake.

10 A Yep.

11 Q When the police arrived at your apartment, where were you?

12 A I was sitting at the bottom of the steps in the kitchen area.

13 Q Okay. And the police started asking you questions; is that  
14 correct?

15 A Yep.

16 Q And is it also correct that one of the first questions they  
17 asked you is whether or not Alan had any weapons?

18 A Yep.

19 Q And it was three officers there at that time?

20 A Yeah. At least two that I can remember, yeah.

21 Q And isn't it --

22 A I -- I -- Maybe three.

23 Q -- true that you said that you told the officers that Al had  
24 no weapons whatsoever?

25 A Yep.

1 Q And you made that very clear to them; isn't that correct?

2 A Yep. I made that clear to them on the 3rd, too, when they  
3 asked me.

4 Q Okay. And when was that on the 3rd?

5 A When they were talking about entering in the house with the  
6 fire department at that time because no one could get in the very  
7 front door 'cause no one had a key for that door.

8 Q So what specifically did you say to them on the 3rd?

9 A They asked me if there was any guns or weapons in the house.

10 Q And what exactly did you say?

11 A I told them, "Absolutely not."

12 Q In no uncertain terms?

13 A On no uncertain terms.

14 Q Now, on Friday, February 2nd, when you were speaking with the  
15 police, --

16 A Mm-hmm

17 Q -- did you tell the police that you didn't want to bring  
18 criminal charges against Alan?

19 A Initially, yes, I did.

20 Q And then on Saturday, -- I'm jumping ahead because --

21 A Mm-hmm.

22 Q -- I know you've been over all this.

23 A That's fine.

24 Q On Saturday when Alan -- when you saw Alan, he came home, the  
25 -- Ms. Lynch asked you questions about Alan's sobriety, if you

1 recall; --

2 A Mm-hmm. Yep.

3 Q -- is that right?

4 A Yep, yes.

5 Q And isn't it true that you -- And you said that you detected

6 an odor?

7 A Yeah, I could smell alcohol, yep.

8 Q And is it also true that you couldn't tell whether that was

9 from that day or the night before?

10 A It could've been from the night before, yep. Very well could

11 have been.

12 Q Now, you and Devin then went for a drive; is that correct?

13 THE COURT: He is Devin.

14 A Huh?

15 MR KOUFMAN: I'm sorry.

16 THE COURT: He's Devin.

17 MR. KOUFMAN: I'm sorry.

18 BY MR. KOUFMAN:

19 Q You went for a drive with Kim at that point, is that right?

20 A On the Saturday.

21 Q Yeah, the Saturday.

22 A Yes, yes. To -- To --

23 Q And --

24 A -- deescalate things, we left.

25 Q Right. And when you left and then when you returned 'cause



1 the police called you, you arrived back at the apartment; is that  
2 correct?

3 A Yes.

4 Q And when you arrived back at the apartment, that's when you  
5 had the conversation with the police again, right?

6 A Mm-hmm.

7 Q And one of the first things that you had just testified to,  
8 it was about weapons again.

9 A Yep.

10 Q And again you told the police in uncertain terms [sic] that --

11 A Absolutely.

12 Q -- Alan had no weapon; is that correct?

13 A Absolutely.

14 Q Okay. Now, at that point the police asked you for a key; is  
15 that correct?

16 A Yep.

17 Q And what they asked you for was a key for the front --  
18 because the front exterior door was locked; --

19 A Yep.

20 Q -- is that correct? But at some point they got through that  
21 door; --

22 A Mm-hmm.

23 Q -- is that correct?

24 A That is correct.

25 Q Okay. And then -- But you only had a key to the front door;

1 is that correct?

2 A Yeah, only the doorknob.

3 Q Only the --

4 A I don't think --

5 Q -- doorknob.

6 A And there was a deadbolt and a doorknob lock on that, on our  
7 door.

8 Q Right.

9 A And --

10 Q The front interior door.

11 A Yes, the front interior door, yes.

12 Q Now, at that point, you saw the police try to open that  
13 interior door; is that correct?

14 A Yeah.

15 Q Okay. And when they tried to open that door, they couldn't  
16 get in there; is that correct?

17 A Correct.

18 Q Okay. And so, as a result of that, you assumed that Alan had  
19 deadlocked the door from the inside.

20 A Yeah. They came back and returned my keys, saying that they  
21 couldn't get in the front door 'cause it was locked. And it's --  
22 I -- They said the doorknob -- You know, they -- they unlocked the  
23 doorknob but they couldn't get in. The deadbolt was locked. And  
24 that's --

25 Q And at that --

1 A -- when I -- That's when I was like, "He must be in the house  
2 then, because you can't lock it --"

3 Q Now, at that point, didn't the police ask you if there were  
4 any other doors to that apartment?

5 A Yes.

6 Q And at that point you told them there were two windows in the  
7 back of the first floor; is that correct?

8 A I told them there was two windows in the back and then there  
9 was also a side door that goes into the shop.

10 Q So you told them about that side door that went into the  
11 shop.

12 A Yep.

13 Q Okay. Did the police ask you or in any way did they inquire  
14 as to how to get into that side door in the shop?

15 A No.

16 Q And to be clear: this is the door between the office and the  
17 interior of the apartment; is that correct?

18 A Absolutely.

19 Q So at that point the officers knew that there was that side  
20 door; is that correct?

21 A Yep.

22 Q Now, at some point you ended up seeing Anthony again, is that  
23 correct, on that Saturday?

24 A Yeah.

25 Q It was toward the end of the events; is that correct?

1 A Yeah.

2 Q And what did you see?

3 A Oh, oh, you're talking at the very end of that?

4 Q Yes.

5 A Well, I was -- I was forced to sit in my car. I saw the  
6 police go running, all run to the other side. And all of a sudden  
7 I just saw Anthony scream, "They shot my brother," and fall to the  
8 ground --

9 Q And where --

10 A -- with his hands on his head.

11 Q And where was he when he --

12 A He was by the gas pumps, in the -- in the garage.

13 Q And have you had any contact with him since?

14 A Very minimal.

15 Q Thank you.

16 MS. LYNCH: I might have a few questions.

17 THE COURT: Sure.

18 REDIRECT EXAMINATION OF WITNESS, DEVIN McDONALD

19 BY MS. LYNCH:

20 Q Did you ever tell anyone prior to today in this courtroom  
21 that you told the police that there was another door into the  
22 apartment?

23 A Yeah. I told them that there was three -- there was a bunch  
24 of ways in.

25 Q Who did you tell?

1 A One of the Reading Police.

2 Q And it's your testimony that you told them that and they  
3 didn't go to that door?

4 A I don't know if they went and -- towards that door or not. I  
5 was stuck in my car.

6 Q You never said that in your statement to the police on the  
7 night of February 3rd, did you?

8 A I don't remember. I --

9 Q Who did you tell about that?

10 A About what?

11 Q About that other door?

12 A I -- An officer.

13 Q And you're claiming you told the police --

14 A I -- I'm --

15 Q -- now.

16 A -- assuming I told an officer. The -- There was a few ways  
17 into the house.

18 Q You're assuming?

19 A I'm assuming it was an officer that I told. I can't remember  
20 100 percent.

21 Q Do you have a memory of telling a police officer that there  
22 was another door and another way they could get into that --

23 A I know for a fact I told them that there was two back windows  
24 to that apartment.

25 Q Two back windows.

1 A I definitely told them that; I know that for a fact.

2 Q But you don't recall --

3 A I cannot --

4 Q -- definitively --

5 A -- remember 1,000 percent if I told them about the side door.

6 But I think I did 'cause they asked me about entrances into the  
7 place.

8 Q But you're not sure.

9 A I'm not 1,000 percent.

10 Q Now, you described this friend, Mr. Burke, that Mr. Greenough  
11 had. Is --

12 A Mm-hmm.

13 Q -- Mr. Burke the person who picked up Mr. Greenough at the  
14 Winchester police station --

15 A Yep.

16 Q -- after he had been PC'd from the hospital?

17 A Yep.

18 Q And you indicate that Mr. Greenough told you that he was  
19 assaulted by the police?

20 A Yep.

21 Q Do you have any facts from the Winchester Police as to the  
22 circumstances of Mr. Greenough being apprehended and taken into  
23 protective custody?

24 A No, I don't have any police reports or anything like that. I  
25 never --

1 Q Did Mr. --

2 A -- saw the police.

3 Q Did Mr. Greenough call you and ask you to come pick him up?

4 A Yes, he did. And I told him I couldn't pick him up 'cause I  
5 was too drunk.

6 Q Were you with Mr. Burke when that call came in?

7 A Nope. I was with Kim Bellino at that time when that call  
8 came in.

9 Q So --

10 A No, actually --

11 Q -- when was --

12 A Wait. I might've been by myself at that time when that call  
13 came in.

14 Q Okay.

15 A I just couldn't drive at that point. I was --

16 Q Okay.

17 A -- very intoxicated.

18 Q And at some point you knew that Mr. Burke was the one who  
19 picked him up; is that right?

20 A Yeah, he called me on his way back with Jim.

21 Q And --

22 A Yep.

23 Q And Mr. Burke came back and was there at the apartment when  
24 you say that Mr. Greenough was running around --

25 A Yeah, after we called an ambulance, yeah.

1 Q Okay.

2 A Yep.

3 Q Now, do you recall an incident in which your mother -- Do you  
4 ever recall a circumstance of your mother having to come to the  
5 house at about one o'clock in the morning because Mr. Greenough  
6 wouldn't let you in?

7 A Possibly. Yeah. I -- I don't really recall. I was probably  
8 intoxicated.

9 Q And were there occasions when Mr. Greenough overdosed at the  
10 house and an ambulance had to come?

11 A Yes, there was an incident. I wasn't there for that. His  
12 brother was.

13 Q Okay. And that was the call that precipitated his going into  
14 an inpatient program?

15 A That is right.

16 Q And it was after that that he was released sometime in  
17 December, before Christmas, and was at the apartment?

18 A Yep.

19 Q Did Mr. Greenough in the months of December/January up to the  
20 time of his death -- Did he have employment?

21 A He worked at the garage.

22 Q And was that the only source of income, to your knowledge?

23 A Yep.

24 Q Now, the individual that was at the house on the afternoon of  
25 February 2nd, was that an individual that was known to be a user



1 or supplier of drugs to Mr. Greenough?

2 A No. You're talking about Albie, right?

3 Q Yes.

4 A Yes, no. It was just someone he drank -- that -- that we  
5 drank with, just --

6 Q And did Mr. -- Did Albie work at the liquor store?

7 A Yep. He worked at a couple of liquor stores.

8 Q Okay.

9 A Started off at Eastgate. Worked at One Stop Liquor and then  
10 moved to another one.

11 MS. LYNCH: If I might just have one moment.

12 THE COURT: Sure.

13 MS. LYNCH: Thank you. I have no further questions.

14 THE COURT: Thank you.

15 Thank you, Mr. McDonald.

16 THE WITNESS: I'm all set?

17 THE COURT: You're all done.

18 THE WITNESS: Thank you very much.

19 THE COURT: Thank you.

20 THE WITNESS: Have a good afternoon.

21 [Witness steps down]

22 MS. LYNCH: The next witness will be Amy Thorn.

23 [AMY THORN, Sworn.]

24 THE COURT: Good afternoon, ma'am.

25 THE WITNESS: Good afternoon.

## 1 DIRECT EXAMINATION OF WITNESS, AMY THORN

2 BY MS. LYNCH:

3 Q Good afternoon. If you would, would you please state your  
4 name and spell your last name for the record?

5 A Amy Thorn, T-H-O-R-N.

6 Q And what is your date of birth?

7 A 11/4/77.

8 Q And what is your current address?

9 A 8 Westchester Drive, North Reading, Mass.

10 Q How long have you been living at that address?

11 A Over five/six years.

12 Q And who do you live with at that address?

13 A My parents and my daughter.

14 Q And how old is your daughter, presently?

15 A She just turned four.

16 Q Now, directing your attention back to the timeframe of  
17 February 2018, did you know a person named Alan Greenough?

18 A Yes.

19 Q How did you know Mr. Greenough?

20 A I've known him for a long time. I was one of -- I've been  
21 friends with him since high school.

22 Q And what high school was that?

23 A North Reading High.

24 Q Now, at some point did he have a relationship with a  
25 boyfriend of yours?

1 A Did he have --

2 Q A friendship with your boyfriend, ex-boyfriend.

3 A Oh, yeah.

4 Q And who was your ex-boyfriend?

5 A Jimmy Brown?

6 Q Jimmy Brown?

7 A Is that who you're talking about?

8 Q Yes, I'm asking --

9 A Yeah.

10 Q And is Jimmy Brown related to a Reading police officer?

11 A Kevin, yeah.

12 Q Now, in terms of the timeframe when you first met Mr.

13 Greenough, you were in high school at that time?

14 A Yeah. He's two years older than I am.

15 Q Okay. So, --

16 A Yeah.

17 Q -- when you were in high school, he was a year or two --

18 A Yeah.

19 Q -- ahead of you in school?

20 A Yeah. Sophomore/senior. Whatever, you know.

21 Q And so you had been friends up until that point for over 20  
22 years?

23 A Yeah.

24 Q Now, in the timeframe before Mr. Greenough's death in  
25 February of 2018, how frequently did you see or speak to him?

1 A At least -- Almost -- Practically once a day. I'd either  
2 stop by after work or before I had to pick Abby up.

3 Q And Abby is your little girl?

4 A Abby, yes. It was more of, you know, just stop by, see how  
5 he's doing, say hi, --

6 Q And --

7 A -- give him a hug, then -- then, you know, go on with our  
8 days

9 Q And other than being a friendship, did you have any other  
10 relationship with Mr. Greenough?

11 A No.

12 Q Now, back in that timeframe, were you familiar with the phone  
13 number 978-303-9120?

14 A That's my number.

15 Q That's your cell phone number?

16 A Yeah.

17 Q And the phone number at your house in North Reading -- Are  
18 you familiar with the number 978-664-5558?

19 A That's my house number.

20 Q And were these numbers that Mr. Greenough had for you and  
21 would reach you on?

22 A Yes.

23 Q Now, in terms of the timeframe, February 2nd of 2018 at 5:00  
24 p.m., do you recall what you were doing at that time?

25 A February 2nd?

1 Q Yes, that Friday.

2 A At 5:00 p.m.?

3 Q Yes.

4 A Yeah, I was about to go pick him up to bring him to a wake of  
5 a friend of ours.

6 Q And who was that friend?

7 A Ronnie Vautour.

8 Q And where was the wake?

9 A Middleton.

10 Q Now, in order to --

11 A Middleton?

12 Q -- go to --

13 A Yes.

14 Q -- the wake, how did you and Mr. Greenough go there?

15 A I picked him up in my car.

16 Q And what kind of a car did you have at the time?

17 A A CR -- A Honda CRX.

18 Q And a Honda --

19 A Remember --

20 Q -- CRX, is that a sedan or a SUV or a van?

21 A Yeah, I guess it's a SUV.

22 Q Okay.

23 A Not really.

24 Q And what color --

25 A It's not a car, but it's not a truck.

1 Q And what color is it?

2 A It's black.

3 Q Now, do you recall what time it was that you picked Mr.  
4 Greenough up?

5 A Exactly? No. But I worked until four and got -- went home,  
6 got dressed, called him, and went and picked him up. So, roughly  
7 5:30.

8 Q Okay.

9 A Six? I think the wake -- the wake was probably five to nine  
10 or six to nine.

11 Q And when you arrived at the location to pick up Mr.  
12 Greenough, did you go inside the house at all?

13 A Yes.

14 Q And who was there when you got there, if you know?

15 A Alan.

16 Q Was it just Mr. Greenough?

17 A I think. I don't remember. I think Curt Roth was there.  
18 But I think it was just me and Alan.

19 Q And who was --

20 A I know --

21 Q -- Curt Roth?

22 A He was just a friend. We went to his wedding together years  
23 ago, so --

24 Q When you say "we," you're talking about Mr. Greenough?

25 A Alan and I, yeah. That was a fun time.

1 Q Now, did you stay for any period of time? Or did you just go  
2 in and get him?

3 A No, it was -- He was already dressed, so I didn't have to  
4 wait for him. So we pretty much just got in the car and drove to  
5 Middleton.

6 Q Now, when you arrived at the house, what observations if any  
7 did you make of Mr. Greenough's sobriety as it related to alcohol  
8 or drugs?

9 A He was fine. He looked good in his suit.

10 Q Now, how long a period of time were you and Mr. Greenough at  
11 the wake?

12 A Not long. It was very crowded. Maybe an hour. We didn't --  
13 We didn't want to stick around after we went through the  
14 procession, I guess you would say.

15 Q And so, where did you and Mr. Greenough go after that?

16 A I dropped him off at his house. I went home to -- My parents  
17 were watching Abby and they had to go down to my sister's to watch  
18 my other nieces.

19 Q And was there a specific time that you needed to get --

20 A I needed to be there by s -- eight o'clock, I think. Seven-  
21 thirty. Eight o'clock.

22 Q Now, when you drove in in your SUV to drop Mr. Greenough off,  
23 did you just drop him off and then leave?

24 A Yes.

25 Q I'm going to direct your attention to a videotape.

1 MS. LYNCH: And with the Court's permission if I could play  
2 Video Camera 2, timestamp 1641:47, real-time 6:08:57 p.m.

3 THE WITNESS: Oh, I guess my times were off.

4 [Video Playing at 12:03:27 p.m.]

5 BY MS. LYNCH:

6 Q Do you see the vehicle pulling in?

7 A Sure.

8 Q And the area where that vehicle is stopped, where is it in  
9 relation to those premises?

10 A His door. But does it show my license plate?

11 Q I'm just going to ask you to continue --

12 A Oh.

13 Q -- watching.

14 A Okay.

15 [Video Playing at 12:04:19 p.m.]

16 BY MS. LYNCH:

17 Q I'm going to direct your attention to the timeframe "45" as  
18 it comes up in the next 15 seconds. And you see that vehicle?

19 A Yeah.

20 Q Do you recognize it?

21 A It -- Yeah. It looks just like my car.

22 Q And would that have been the time when you were headed  
23 towards North Reading to pick up your daughter?

24 A Yep. It could be, yeah.

25 Q Now, what did you do after dropping Mr. Greenough off?



1 A I went home, got changed 'cause I was, you know, in wake  
2 attire. And my parents left and I put Abby in the car and I went  
3 back and got Alan.

4 Q Now, had you made plans previously with Mr. Greenough to --

5 A Yeah.

6 Q -- pick him up?

7 A Yep.

8 Q When had you made those plans?

9 A Either before we went to the wake or when we were taking. He  
10 -- I mentioned that he could come and stay at my house 'cause my  
11 parents weren't going to be there 'cause they were going down to  
12 Holliston. And I knew that he had problems with his roommates.  
13 And so I -- whenever I could, I offered Alan to stay at my house,  
14 kind of diffuse situations.

15 Q Okay. And in terms of this particular evening, those  
16 arrangements had been made --

17 A Mm-hmm.

18 Q -- either while you were at the wake or --

19 A Yeah.

20 Q -- when you were coming back.

21 A Before. Yeah.

22 Q But it was before you left that you knew you were coming  
23 back.

24 A Yeah.

25 Q Now, --

1 A I knew he was going to stay there.

2 Q Now, was there a reason that you were -- you didn't go  
3 directly to your house with Mr. Greenough?

4 A Yeah, because it's more of a respect out of my parents. My  
5 parents didn't mind him there but it's just easier. We're 40  
6 years old, you know. It's just easier to have my parents leave  
7 and then he can come over. It's just --

8 Q Now, --

9 A -- more of old school s -- style.

10 Q -- as you were going home, --

11 A Yep.

12 Q I'm going to show you the exhibit that's before you, which is  
13 Exhibit 1. It's Cellebrite download. I'm going to draw your  
14 attention to this front section, Mr. Greenough's cell phone. It's  
15 the second tab. So, I'm going to just draw your attention -- The  
16 page numbers are here. [Indicating.]

17 A Mm-hmm.

18 Q And then there are basically --

19 A Yep, I get it.

20 Q So, I'll direct you to the page number and ask you about an  
21 entry.

22 MS. LYNCH: And for the record, Your Honor, I have a  
23 photocopy of the document. I might.

24 BY MS. LYNCH:

25 Q Directing your attention to page 189, and that would be Entry

1 1968, --

2 A Yep.

3 Q Okay. And that is --

4 A Talked to him for a minute and five seconds.

5 Q So, it appears in this transaction [sic] that at 7:10 p.m.

6 that you called Mr. Greenough?

7 A Probably to tell him I'm on my way.

8 Q But that was 00; is that right?

9 A What was 00?

10 Q The amount of time appears to be 00?

11 A You said 1968, Call Log --

12 Q 1965.

13 A -- 17 --

14 Q See 1965?

15 A Okay.

16 Q Do you see the phone number --

17 A Oh, I called from my --

18 Q -- 0 seconds?

19 A -- my house, yep.

20 Q So that's 0 seconds; is that right?

21 A Yep. And he didn't answer. Well, --

22 Q The following entry, 7:12, from that same number, --

23 A Mm-hmm.

24 Q -- also no answer?

25 A Yeah, apparently.

1 Q And then there was a call from Mr. Greenough's, call at 7:16,  
2 to you, for a minute and five seconds.

3 A Yep.

4 Q Were you driving in your car at that point, since it was your  
5 cell phone?

6 A It's possible.

7 Q And you know from the tape that you just viewed that it was  
8 at real-time -- Strike that. I'm going to ask you: after you  
9 spoke to him, did you continue on to pick Mr. Greenough up at his  
10 house?

11 A Yes.

12 Q Now, when you picked him up at the house, did you have your  
13 little girl with you?

14 A Yep.

15 Q Given that, what if anything did you do when you got there?

16 A I pulled right up to the car, I beeped, and then --

17 Q What car did you pull up to? Did you --

18 A No, my car --

19 Q -- pull up in a car?

20 A No, my car pulled up.

21 Q Okay. In front of the --

22 A The door, you know.

23 Q And --

24 A And I beeped. And then I believe I ran out into the -- I ran  
25 up to the house. She was already locked in; I locked my car, ran

1 up, and told him to get in the car.

2 Q Now, when you got there, how far into the residence did you  
3 get?

4 A Just into the kitchen.

5 Q When you got into the kitchen, did you observe anything about  
6 its condition?

7 A Yeah, he was heated.

8 Q Was --

9 A And the table was smashed.

10 Q Was that different than it appeared when you arrived there  
11 earlier that afternoon?

12 A Much.

13 Q What did you observe about Mr. Greenough?

14 A He was very upset.

15 Q And how did he express that?

16 A Screaming, yelling.

17 Q And what was he screaming and yelling about?

18 A How much he hated Devin's girlfriend.

19 Q And did you ever describe him as "totally pissed off"

20 A Yes.

21 Q Did you also describe him at that time as "irate"?

22 A I could, yeah. He was pissed, yeah. He hated that girl.

23 Q And was that different from the way that he had appeared to  
24 you when you dropped him off?

25 A Absolutely. He was always calm with me.

1 Q Now, when you and --

2 A Especially with -- I had my daughter with me.

3 Q When you were with Mr. Greenough and drove from the wake --  
4 from the house to the wake and the wake to the house, did you and  
5 Mr. Greenough have anything to drink?

6 A No.

7 Q Did you notice anything about his sobriety at that time?

8 A He was fine. I mean, we were sad; we were going to our  
9 friend's funeral -- I mean, wake. But, no.

10 Q Did you make any observations as to whether he was under the  
11 influence of any drugs or alcohol or medication?

12 A No.

13 Q Now, when you arrived at the house, other than seeing the  
14 furniture broken and Mr. Greenough totally pissed off, did you  
15 observe anything else, see or hear anything else?

16 A There was a lot of commotion going on, but --

17 Q What was the commotion?

18 A I -- I couldn't even remember to tell you exactly. But I do  
19 remember just saying, "Alan, get in the car." And he left.

20 Q Now, at any point as you left, did you hear any mention of  
21 police being called?

22 A No. No.

23 Q Did you have any conversation with Mr. Greenough either at  
24 the house or as you got into the car about what had happened?

25 A No, not really. I can't -- Honestly, I can't remember that

1 much. I remember him telling me the next morning that he was the  
2 one that smashed the table. And he said he was sorry, 'cause he  
3 was afraid I was going to be mad at him.

4 Q So, on the morning of February 3rd, Mr. Greenough told you  
5 that it was he who smashed the table?

6 A Yep.

7 Q Do you remember him telling you something differently the  
8 night before?

9 A I think he said Devin smashed the table. But again, I can't  
10 -- I just can't remember everything that happened that night.

11 Q Okay. Well, I'm going to show you an item. I'm going to ask  
12 you to read it to yourself. And I'm going to ask you some  
13 questions after you read it to yourself. Directing your attention  
14 to page 6, starting at line 4 and then --

15 A [Reviewing document.] Yep.

16 Q Now, having reviewed that, do you recall what Mr. Greenough  
17 initially told you about the smashed furniture that Friday night?

18 A Well, what I just read was about Saturday. But do I recall  
19 on Friday? No, I -- Like I said, I -- He could've said that Devin  
20 smashed it or she smashed it. Obviously, there was another fight  
21 involving his girlfriend.

22 Q Okay.

23 A And -- And just distinctly remember him saying on Saturday  
24 morning that he apologized because he knew I was going to get mad  
25 at him.

1 Q And get mad at him why?

2 A Because I always yelled at him when he was acting irate. You  
3 know, I always try to calm him down and tell him to knock it off  
4 or whatever.

5 Q Did you know him over the course of years to have issues with  
6 --

7 A Alan had a light --

8 Q -- anger?

9 A -- a -- a short fuse. He just had a short fuse. And he  
10 didn't like when people were disrespected. He didn't like it when  
11 he was being disrespected. He would stand up for anybody and  
12 everybody. He was a good guy. He just --

13 Q But he had a --

14 A -- hated that girl.

15 Q -- temper.

16 So, is it your testimony that he hated Kim Bellino?

17 A Yeah. I'd say that was pretty obvious.

18 Q And it's your testimony --

19 A Everything always got --

20 Q -- that --

21 A -- turned around on him. Everything. I mean, she would act  
22 totally out of control. And then they would --

23 Q Did you witness this?

24 A No. I would --

25 Q So you --



1 A I wouldn't go over there when she was there.

2 Q So you were relying on his description, --

3 A Yeah.

4 Q -- just like you relied on his description that he said they

5 did the damage on Friday night and --

6 A Because I believe --

7 Q -- then he said --

8 A -- him, 'cause I trusted him.

9 Q And he told you on Saturday morning that he had lied, that he

10 did it.

11 A Right, that he fessed up to it because afraid I was going to

12 get mad at him. That's what he said.

13 Q And did he -- He used words to the effect of "My bad"?

14 A Probably.

15 Q Well, do you recall telling the police that that's what he

16 said to you?

17 A I guess, yeah, if I said it, I said it.

18 Q Now, as you were driving back to -- Did you go directly from

19 Mr. Greenough's house to your parents' home in North Reading?

20 A Yes.

21 Q About how far a distance, time-wise, was that?

22 A Four/five miles, maybe.

23 Q So how long did it take you to get there?

24 A Six minutes, seven minutes? I don't know.

25 Q Now, directing your attention to --

1 MS. LYNCH: With the Court's permission, if we could play  
2 Video C2 with a timestamp of 2002:37, real-time 7:29:47 p.m.

3 [Video Playing at 12:17:00 p.m.]

4 BY MS. LYNCH:

5 Q Now, if one is looking into the -- to the gas station in this  
6 -- from this angle, the traffic going from right to left, is that  
7 going towards North Reading or away from it?

8 A From right to left is --

9 Q Yeah.

10 A -- going north --

11 Q So that's where --

12 A -- into North Reading.

13 Q -- you're coming from?

14 A Yep.

15 Q Would be -- Do you see this vehicle pulling in now?

16 A Yep.

17 Q And this would be at 7:29:47 p.m. Would that approximate the  
18 time when you pulled in and picked up Mr. Greenough?

19 A Yep.

20 [Video Playing at 12:18:30 p.m.]

21 BY MS. LYNCH:

22 Q Now, would that have been -- The flash going in front of the  
23 headlights, would that have been you getting back in the car? Did  
24 you go around the front?

25 A Yeah, it could -- Yeah, could be. I most likely went around

1 the front of the car.

2 Q Now, do you know what you were doing as you were out there  
3 for that period of time?

4 A When I went to the house?

5 Q Yes.

6 A Trying to get Alan to get into the car. We just talked  
7 about.

8 Q And what -- Do you know what was holding him up?

9 A I have no idea. He was probably getting his bag. He always  
10 had a backpack with him, so -- I didn't watch any fighting or  
11 anything. I just walked him, told him to get in the car, and we  
12 left. That is basically what happened. I mean, that is what  
13 happened; I don't have to say "basically."

14 Q And was --

15 A He was probably saying hi to Abby. I mean, he's in my car,  
16 driving away, yeah.

17 Q And does that appear to be your vehicle?

18 A Yeah.

19 Q And that would be when you were leaving with Mr. Greenough at  
20 that time?

21 A Yep.

22 Q And so, if a call was placed from 9-1-1 at 7:30:29 p.m., you  
23 had no knowledge of that at that time?

24 A No.

25 Q Did Mr. Greenough ever mention anything to you about the

1 police being called or being concerned about the police being  
2 called?

3 A I -- Honestly, I can't say if I remember him telling me,  
4 because it's been a year and I know that the cops were there.

5 Q Okay. So, once you picked Mr. Greenough -- you went directly  
6 to the house in North Reading?

7 A Yes.

8 Q And did you and Mr. Greenough remain there for the rest of  
9 the evening?

10 A Yes.

11 Q Did you observe Mr. Greenough using his phone, making phone  
12 calls or texting people?

13 A I'm sure it happened, yeah.

14 Q Did you -- Were you present when Mr. Greenough's brother  
15 called him at any point that evening?

16 A No. He told me Anthony had called. But I was -- I mean, I  
17 have a -- At that time, I had a three-year-old, so --

18 Q Do you remember whether --

19 A -- my attention really wasn't on Alan sitting in my living  
20 room on the phone.

21 Q Do you remember telling police that Anthony Perrotti told Mr.  
22 Greenough over the phone that the police had been called?

23 A Do I remember? No, I don't remember.

24 Q Is your present memory exhausted as to whether --

25 A Well, it's hard to decipher whether or not I remember him

1 saying that or just because I know it happened.

2 Q Okay. But if you told the police on that particular evening  
3 of -- morning of February 4th --

4 A Mm-hmm.

5 Q -- that that was --

6 A That was true? Then that was true, 'cause my testimony would  
7 know more than what I can remember right now, because that was  
8 done the day after.

9 Q Just directing your attention to the transcript of your prior  
10 statement to the police on February 4th, page 15, starting at line  
11 14 down to line 21. Just read that to yourself, please.

12 A [Reviewing document.] Okay.

13 Q And having reviewed that document, is your present memory  
14 refreshed that he was on the phone with Anthony at that time and  
15 that Anthony said that the cops had been called?

16 A Mm-hmm.

17 Q Yes?

18 A Yeah.

19 Q Okay. Now, during the course of the evening, were you aware  
20 of any of the communications that Mr. Greenough was having with  
21 Devin during the course of that evening?

22 A None.

23 Q So you were not aware of a series of text messages that took  
24 place according to Mr. Greenough's phone?

25 A No.

1 Q On --

2 A I don't know what the context was about.

3 Q Okay. During the time when you were at the house, what did  
4 you and Mr. Greenough do while you were at the house, other than  
5 him texting or being on the phone?

6 A Not much. I think we -- him and I probably had a -- a drink.  
7 And then Abby was in bed by 9:30. And I go downstairs and stay  
8 with her at that time. So, I went downstairs with Abby and he  
9 stayed upstairs and slept on the couch in the living room, watched  
10 TV.

11 Q So from 9:30 until the following morning, you were downstairs  
12 with your daughter?

13 A Yes.

14 Q And Mr. Greenough was upstairs; is that right?

15 A Yes.

16 Q Now, in terms of the following morning, -- Well, let me ask  
17 you this. When you and Mr. Greenough left, did you see any police  
18 cars coming to the house --

19 A I didn't.

20 Q -- that February 2nd day?

21 A No.

22 Q Did you hear anyone upstairs or in the house mention the  
23 police?

24 A No.

25 Q Now, once you went to sleep, when did you next wake up?

1 A In the morning.

2 Q And do you remember about what time it was?

3 A No. She usually wakes up between 7:00-7:30. So we're  
4 usually up pretty early.

5 Q And on this particular date, --

6 A Probably --

7 Q -- you got up, what was Mr. Greenough doing?

8 A He was still sleeping.

9 Q And at some point did he wake up?

10 A Yeah. Abby and I made breakfast. And he got up and he  
11 cleaned the living room for me. And then he cleaned the kitchen  
12 for me.

13 Q Do you remember what time he slept until?

14 A No. I remember him saying he didn't feel good, like he was  
15 getting a cold or something.

16 Q And what was your response to that?

17 A Most likely probably "Suck it up" or something like that.

18 Q Okay. Did you make any reference to the fact that "If you're  
19 getting sick, I can't have you around my daughter"?

20 A Probably.

21 Q Despite that, did you -- did -- when he woke up, did you have  
22 breakfast?

23 A Yep. And we --

24 Q And --

25 A -- cleaned up.

1 Q And then what did you do?

2 A We cleaned up and then we -- we went to Harold Parker for a  
3 couple hours.

4 Q And is that a state forest?

5 A Yes.

6 Q And did you go on a hike or a walk?

7 A We went on a walk, sat by the water.

8 Q And who all went on the walk?

9 A Abby and Alan and I.

10 Q And about how long were you at the park that day?

11 A About an hour-and-a-half maybe. Maybe two hours. I'm not  
12 sure.

13 Q And what if anything happened after you had been outdoors for  
14 that period of time?

15 A What had happened after?

16 Q Yeah, what did you do next?

17 A We went to McDonald's.

18 Q And did you stay at McDonald's and have lunch?

19 A Yeah, we did. He got her to eat an entire cheeseburger,  
20 which is awesome.

21 Q And then what did you do?

22 A I dropped him off.

23 Q Now, from the time that Mr. Greenough arrived at your house  
24 on the night and the time -- of February 2nd and the time that you  
25 went to bed, do you remember what if anything he had to drink?



1 A We had one drink, like a nip. But we weren't drinking. That  
2 was --

3 Q When you say "a nip," --

4 A Oh.

5 Q -- are those those small --

6 A Little bottles, yeah.

7 Q -- bottles?

8 A Yep.

9 Q And it was a nip of what type of alcohol?

10 A Vodka, probably.

11 Q And do you have a specific memory of the quantity each of you  
12 drank?

13 A No, not -- not much.

14 Q Were they straight nips or did you use a mixer?

15 A I -- I would say straight nips. I --

16 Q Now, --

17 A More like a --

18 Q And that was all that you --

19 A -- a little nightcap to go to bed.

20 Q And that was all that Mr. Greenough had in your presence --

21 A Yeah.

22 Q -- before you went downstairs for the evening?

23 A Yeah.

24 Q From the time that Mr. Greenough woke up at 10:00 a m. or  
25 thereabouts until the time that you dropped him off at his

1 apartment, did you or -- and/or Mr. Greenough have anything to  
2 drink during that time?

3 A I think we each had one more nip that day. That was it.

4 Q Do you recall telling the police on February 4th that you had  
5 two nips and he had two nips?

6 A I guess so.

7 Q Well, do you have a memory of that?

8 A I remember telling them that we're 40 years old and that we  
9 had a couple drinks. That -- That would say yes.

10 Q Okay.

11 A I do remember saying that.

12 Q And with regard to Mr. Greenough's sobriety, did you know him  
13 to drink hard liquor straight up?

14 A Yeah. But he wasn't inebriated. He wasn't --

15 Q Okay.

16 A -- drunk at all.

17 Q When you dropped him off, did you make any observations  
18 concerning his sobriety?

19 A Not concerning his sobriety. Concerning his wellbeing. He  
20 did not want to go home. He did not want to be there. He told me  
21 he didn't want to be there. He hated --

22 Q And --

23 A -- her.

24 Q -- at some point you dropped him off. Do you recall what  
25 time that was, approximately?

1 A I think I dropped him off around 2:30. But I keep trying to  
2 r -- go back and my times are all off.

3 Q Okay. Well, let me ask --

4 A I think it was 2:30 'cause she usually goes down between 2:30  
5 and 3:00. So, I was -- I had to drop him off to bring Abby home --

6 Q Okay.

7 A -- to take a nap.

8 Q Well, I'm going to see if this video clip will refresh your  
9 recollection.

10 A Yep.

11 MS. LYNCH: With the Court's permission, if I could play  
12 Video Camera 2 timestamped 1524:39, which is real-time 2:51:49  
13 p m.

14 BY MS. LYNCH:

15 Q And if you would look at the screen.

16 A So it was, yeah, around three. Right?

17 Q 24:39. And I would ask you to look at the area at the front  
18 of the apartment.

19 [Video Playing at 12:29:47 p.m.]

20 BY MS. LYNCH:

21 A Yeah.

22 Q See the vehicle pulling in?

23 A No.

24 MS. LYNCH: If you could just pause and back up for a moment

25 BY MS. LYNCH:

1 Q You --

2 A I always pull in the same spot, so I'm assuming --

3 Q Let's just see if --

4 [Video Playing at 12:30:08 p.m.]

5 BY MS. LYNCH:

6 Q So, do you see the vehicle pulling in?

7 A Oh, yeah. Yep.

8 Q And was that the direction --

9 A Yeah, it was a bright and sunny --

10 Q -- you came in from?

11 A -- day that day, wasn't it?

12 Q Excuse me?

13 A It -- I was just saying it was a bright and sunny day that  
14 day.

15 Yep, that -- Yeah, that would be.

16 Q And so that would be a real-time approximately 2:51:49 p.m.?

17 A Okay.

18 Q And then directing your attention to timestamp 1524:40 --  
19 1525:48, which is real-time 2:52:58.

20 [Video Playing at 12:30:46 p.m.]

21 BY MS. LYNCH:

22 Q Now, do you see a person approaching the area of your car  
23 from the gas pumps?

24 A Yep.

25 Q Do you know who that is?

1 A Anthony.

2 Q And that's Mr. Perrotti, Alan's brother?

3 A Yep. Yeah, he --

4 Q Were you in the car at that time?

5 A Yeah. He greeted him at the door.

6 Q Okay. So was Alan out of your car at that point or --

7 A Getting out of the car, you know, getting his backpack that  
8 was in the back seat, saying goodbye to Al -- Abby.

9 Q And then directing your attention to the timestamp 1526:08 --  
10 strike that.

11 MS LYNCH: If you'd just continue this.

12 [Video Playing at 12:31:56 p.m.]

13 BY MS. LYNCH:

14 Q Do you see the vehicle leaving?

15 A Yeah.

16 Q And was that you and Abby leaving?

17 A Yep.

18 Q At that time, where did you and Abby go at that point?

19 A We went home.

20 Q Now, after dropping him off, did you go directly home?

21 A Yes.

22 Q And on that afternoon, after you dropped him off, did you  
23 receive any phone calls or communications from Mr. Greenough?

24 A Yes.

25 Q And can you describe for us what the nature of that contact

1 was?

2 A He was pissed. He said he came home and he found that girl  
3 going through his room and scurrying out of it like a rat. I'll  
4 never forget that.

5 Q Okay. Let me just direct your attention to page 191. And on  
6 page 191 I draw your attention to Call 2019. And I apologize;  
7 this is a highlighted copy that is for purposes of --

8 A Yeah, he called my cell phone.

9 Q So, this was at 3:02:02. Mr. Greenough called your cell  
10 phone for 28 seconds. Do you recall whether you actually received  
11 that phone call?

12 A No, I don't.

13 Q Okay. And then does it appear, going down to the next pink  
14 entry, which is 2222, --

15 A Right.

16 Q -- 20-19-44, did you receive a phone call at your home?

17 A Yep, 'cause I -- Yeah. That's when I talked to him.

18 Q So you called him once you got home.

19 A Yeah.

20 Q And that was for 10 minutes and 55 seconds?

21 A Yep.

22 Q Do you remember what that conversation was?

23 A Yeah, it was about Devin's ex -- Devin's girlfriend.

24 Q And what was the conversation, if you can tell again?

25 A Same conversation we had all over -- all the time: how he

1 found her going through his room and he -- when he walked in she  
2 was scurrying up the stairs, and how much he hates her and how  
3 much he wants her gone and how much he wants her out of his house.

4 And I told him not to do anything stupid.

5 Q And why did you ask -- tell -- ask him that or tell him that?

6 A 'Cause he was mad. He was so mad and Alan just -- Sometimes  
7 he didn't know how to calm down all the time. He would say things  
8 that he didn't mean or do things he didn't mean.

9 Q And when you said, "Don't do anything stupid," what did he  
10 say to you in response?

11 A "Don't worry. I might just -- might get arrested."

12 Q Is that all that you recall him saying at this time?

13 A We hung up after that.

14 Q Excuse me?

15 A We hung up after that.

16 Q When he said, "I might just get arrested," --

17 A I mean, he was probably going to beat Devin up.

18 Q How did he say -- What was the terms that he used or -- How --  
19 What was his demeanor or manner in which he --

20 A He was joking. It was j -- It was a joke. He was like, "Ah,  
21 don't worry, Amy. Anything happens, I just might get arrested."  
22 You know, it was just Alan just being Alan.

23 Q And did you ever describe that he was pissed off?

24 A He was always pissed off when he was at that house. He hated  
25 that girl. He hated her. He wanted her out of the house. And

1 Devin did nothing to help the situation. I tried. I --

2 Q Now, were you aware that -- Did Mr. Greenough tell you that  
3 Devin and the girlfriend had left the apartment?

4 A Did he tell me that?

5 Q Yes.

6 A No.

7 Q But his last words to you were that he just might get  
8 arrested.

9 A Yep.

10 Q Now, that call coming in at 3:19:44 for 10 minutes and 55  
11 seconds ended at approximately 3:30:39 p.m., if you add the time  
12 up; is that fair to say?

13 A Yep.

14 Q And when was it that you first learned that something  
15 happened to Alan that afternoon, after you dropped him off?

16 A My ex-boyfriend called me around nine.

17 Q And that was Jim Brown?

18 A Yep.

19 Q And at that point did you notify the police or have any  
20 contact with the police that evening?

21 A No.

22 Q During this timeframe, did Alan Greenough work?

23 A No, I don't think at that time. He had a seizure at the gas  
24 station he worked at, and so he stopped working after that.

25 Q And was that the gas station where he lived, or a different --



1 A No, a --

2 Q -- gas station?

3 A -- different gas station, down the street.

4 Q Do you know if he paid rent at that location?

5 A No, he didn't pay rent. But he helped out in other ways. I  
6 think there was a -- an --

7 Q Now, --

8 A -- understanding.

9 Q Now, you've known Mr. Greenough -- you knew Mr. Greenough  
10 since high school. Did you also know Mr. McDonald?

11 A Yes. Not as well as I know Alan. But yeah, they all  
12 graduated together. I catered Devin's wedding.

13 Q And what was the relationship like between Alan and Devin,  
14 through the years?

15 A Seemed fine. He wanted to help Devin out when he needed a  
16 place to live. Alan was willing to help him out, let him stay  
17 there. And -- And then he got a girlfriend.

18 Q And do you know when Alan moved to that apartment and what  
19 the circumstances were?

20 A I can't remember. He had been there for a couple years.

21 Q Now, --

22 A More than a couple years, I guess.

23 Q Were you familiar with the timeframe in 2017 when Devin's  
24 father --

25 A Died?

1 Q -- died?

2 A When he died?

3 Q Yes.

4 A Yeah.

5 Q And what observations did you make concerning Devin's  
6 reaction to that event?

7 A He went off the rails. He went into major depression,  
8 drinking.

9 Q Did you observe him to be --

10 A Wasn't an --

11 Q -- emotional and distraught?

12 A Yeah, his dad died.

13 Q And it was around this time that he met Ms. Bellino?

14 A Yep.

15 Q How did Alan and Ms. Bellino get along, based on your  
16 observations of them?

17 A Not at all. They didn't at all. They did not get along at  
18 all.

19 MS. LYNCH: If I might just have one moment.

20 THE COURT: Sure.

21 MS. LYNCH: Thank you.

22 THE COURT: Mr. Pasciucco?

23 MR. PASCIUCCO: A few questions.

24 CROSS EXAMINATION OF WITNESS, AMY THORN

25 BY MR. PASCIUCCO:

1 Q Good afternoon, Ms. Thorn.

2 A Good morning.

3 Q My name's Peter Pasciucco. I represent Officer Erik  
4 Drauschke.

5 A Yeah.

6 Q Now, you indicated that on February 2nd when you went over to  
7 Mr. Greenough's apartment you believed that Curt Roth was there?

8 A I think so, yeah. He w -- 2nd was the Friday, right?

9 Q Correct.

10 A Yeah

11 Q Right. And do you know why Mr. Roth was there?

12 A Other than they're friends.

13 Q Okay. Do you know Mr. Roth to be a drug user?

14 A No. But I haven't seen him in years.

15 Q Prior to that Friday, you hadn't seen Mr. Roth in years?

16 A No.

17 Q Okay. Do you know an individual named Al B.?

18 A Al -- Albie, yeah.

19 Q And who is that?

20 A Is that h -- Is that his first name? He's -- He's a guy that  
21 I met at Alan's. I'd only met him a couple times before Alan had  
22 died. Yeah. I --

23 Q How about Jim Burke or James Burke?

24 A No.

25 Q Now, when you picked up Mr. Greenough and went to the wake, --

1 A Mm-hmm.

2 Q -- what was his demeanor like?

3 A Well, I mean, we were going to a wake for one of our good  
4 friends. So we weren't happy. But he wasn't --

5 Q Was he upset or irate, as you described him --

6 A No.

7 Q -- later in the evening?

8 A No.

9 Q Okay. You indicated during Ms. Lynch's testimony or  
10 questioning that Alan didn't know how to calm down.

11 A Right.

12 Q Can you just elaborate on that a little bit?

13 A Well, he just had his short fuse. So, you know, it's not  
14 like you could say, "Calm down," and he'd calm down. You know, it  
15 took him a while to calm down or, you know, take a walk. You  
16 know, I don't know how to explain it.

17 Q Okay. So could he go from calm to irate rather quickly?

18 A If the reason arose to him, yeah.

19 Q Now, did you know Kim Bellino prior to her moving into the  
20 apartment?

21 A No. I've only met her once.

22 Q And when did you meet her?

23 A I met her at the house one time. And I did not ever want to  
24 go back when she was there.

25 Q Okay. And you -- During your interview with detectives on

1 February 4th, 2018, you indicated that Alan referred to Ms.  
2 Bellino as a psychotic bitch?

3 A Yeah.

4 Q Was that his -- sort of his nickname for her?

5 A Yeah.

6 Q Did you have a romantic relationship with Mr. Greenough?

7 A No.

8 Q Did you ever have a romantic relationship with Mr. Greenough?

9 A No.

10 Q Okay. Did you want to have a romantic relationship with Mr.  
11 Greenough?

12 A No.

13 Q Would you be surprised to hear that Mr. Greenough had a  
14 romantic relationship with Kim Bellino?

15 A Would I be surprised? Yes.

16 Q That's not something you've heard?

17 A No.

18 Q Okay. So, when you picked Mr. Greenough up on Friday,  
19 February 2nd, you did go inside the apartment and you saw the  
20 table and chairs that were smashed?

21 A After -- After the wake.

22 Q After the wake.

23 A After the wake.

24 Q Okay. So, when you went over to pick him up --

25 A Everything was fine.

1 Q -- before the wake --

2 A Everything was fine. Everything was calm. They weren't in  
3 the house, I'm assuming, because he was always nice and calm when  
4 nobody was home.

5 Q Okay. And did you later -- I think you had indicated that  
6 Mr. Greenough first told you that Devin had smashed the table and  
7 chairs --

8 A Mm-hmm.

9 Q -- and then the next morning he apologized to you --

10 A Mm-hmm.

11 Q -- and said that it was him.

12 A Mm-hmm.

13 Q That's correct?

14 A Yeah, that is correct.

15 Q Did he tell you how he smashed the table and chairs?

16 A No. He -- He didn't elaborate. He just said, "I smashed the  
17 table and chairs."

18 Q Okay. Did you know -- Did he indicate whether he used any  
19 type of hammer or --

20 A No. I just ram -- I just remember it was a brand new table.  
21 I think that his mom brought him -- And I -- No. I mean, whenever  
22 he said he smashed the table, I just assumed he's, like, smashing  
23 the table. But I have no idea, honestly.

24 Q Okay. And at this -- During this timeframe, your child was  
25 three years old?

- 1 A Yeah. Well, her birthday is May 7th. So, yeah.
- 2 Q Okay. And is it -- Mr. Brown is --
- 3 A Was she two? Yeah. Three. She just turned four, so, yeah.
- 4 Q And Mr. Brown is your daughter's father?
- 5 A No.
- 6 Q Okay. Mr. Brown is an ex-boyfriend, though?
- 7 A Yeah.
- 8 Q Now, were you in contact with Mr. Greenough when he was in a  
9 rehab facility for substance abuse?
- 10 A He had called me a couple times, yeah.
- 11 Q Did you ever go visit him at that?
- 12 A Nope.
- 13 Q Do you know what substances he was at the facility for or  
14 what substances he was abusing that led him to --
- 15 A Well, Alan was a heroin addict for 20 years and then got  
16 himself sober on his own, for about 15 years. And then he had a  
17 slipup.
- 18 Q So he was a heroin addict for 20 years, was sober for 15?
- 19 A Well, yeah, what -- whatever the math is
- 20 Q All right. So did he --
- 21 A He --
- 22 Q -- use heroin in high school?
- 23 A Probably.
- 24 Q Okay.
- 25 A Well, in his -- in -- From his 20s to maybe -- Okay, yeah, my

1 -- my math isn't working very well. From -- For, like, 10 years,  
2 15 years, he was a heroin a -- heroin addict.

3 Q And then he had a --

4 A Then he got himself sober.

5 Q -- period of sobriety?

6 A He was totally sober.

7 Q Okay. And when --

8 A He did that on his own.

9 Q And when did he relapse? Or what's your understanding of his  
10 relapse?

11 A Six months before, maybe eight months before, whenever he got  
12 brought to the hospital.

13 Q Okay. So --

14 A He O -- He OD'd. He -- He overdosed.

15 Q And he overdosed on heroin?

16 A I believe so. I wasn't there. I --

17 Q Did you ever see him either ingest or --

18 A No.

19 Q -- shoot heroin?

20 A No. But I do know that he was sober. He was not using when  
21 that o -- when he died.

22 Q And how do you know that?

23 A 'Cause he told me.

24 Q Okay. Have you seen toxicology reports?

25 A No.



1 Q Now, the -- during the day on Saturday, February 3rd, 2018,  
2 you went for a hike with Alan and your daughter; is that correct?

3 A Yeah.

4 Q What was his demeanor like during the hike?

5 A We were somewhat happy. We were talking about Ronnie a lot.  
6 He's the person that -- That was his -- The day of his funeral.  
7 And, you know, we'd just gone to a wake for a friend that was a  
8 good friend of ours. So, other than being a little sad, he was --  
9 he was in a good mood. He was playing with Abby, he was carrying  
10 her around. He was, you know, -- He wasn't upset or anything,  
11 like mad or anything. He was --

12 Q Was it while you were at or while you were on the hike that  
13 you had the two nips of Smirnoff?

14 A Yeah.

15 Q Okay. And then at some point you drove Alan home?

16 A We went to --

17 Q Back --

18 A -- McDonald's first and then I drove him home.

19 Q Okay. And I believe you indicated that the last thing you  
20 said to him was "Don't do anything stupid"?

21 A Yeah, because that girl pissed him off so bad.

22 Q Was that when you dropped him off, while he was still in the  
23 car, or was that later --

24 A No, when he called me and we had that 10-minute conversation.

25 Q And during that 10-minute conversation, he joked about being

1 arrested or getting arrested?

2 A That was the last -- That was the end of the p -- the  
3 conversation. He more or less just bitched at me for eight  
4 minutes about how much he hated that girl and how much he wanted  
5 her out of the house and how much she's just destroying his life  
6 and how he wanted her gone.

7 And -- And I just said, "Well, don't do anything stupid, Al."

8 And he said, "Ah, don't worry about it Amy. I just might get  
9 arrested." It was in a joking manner.

10 Q And during that same conversation he mentioned something  
11 about beating -- maybe beating Devin up?

12 A Prob -- Yeah, because he blamed Devin for that girl. I mean,  
13 she was the reason of all of this aggravation and disruption in  
14 his life. And Devin just wouldn't leave. He wouldn't move out  
15 with her. He wouldn't -- It just sucked.

16 Q So, the 8-minute conversation or 10-minute conversation that  
17 you had with Mr. Greenough after you dropped him off on Saturday  
18 the 3rd, --

19 A Yep.

20 Q -- 2018 -- February 3rd, 2018, I think you termed it as him  
21 bitching for eight minutes; is that correct?

22 A Pretty much.

23 Q Okay. And was his attitude and his demeanor -- was it  
24 different than you had experienced with him during the day?

25 A Yeah.

1 Q So it was clear that he was mad?

2 A Yeah.

3 Q Okay.

4 MR. PASCIUCCO: Thank you. Nothing further.

5 THE COURT: Thank you. Mr. Koufman, if you'd like.

6 MR. KOUFMAN: Thank you.

7 CROSS EXAMINATION OF WITNESS, AMY THORN

8 BY MR. KOUFMAN:

9 Q Ms. Thorn, my name is Victor Koufman.

10 A Hi.

11 Q I'm the attorney for the family. And I just have a few  
12 questions for you. I'll be brief.

13 A Sure.

14 Q Now, you talked about Alan's character.

15 A Yep.

16 Q And is it fair to say that he was a humble person?

17 A Yes.

18 Q In what way was he humble?

19 A He didn't want anything from anybody. He just -- He was just  
20 a really nice, good kid. He wanted to help people. He -- He  
21 didn't need a lot. He didn't want a lot.

22 Q Okay. And would it be fair to say that he wasn't a dangerous  
23 person?

24 A No.

25 MS. LYNCH: Objection.

1 THE COURT: Objection sustained.

2 BY MR. KOUFMAN:

3 Q Is it fair to say that you've never known him to have a  
4 weapon?

5 A No.

6 Q He never --

7 A Well, it's fair to say that, yes.

8 Q Okay. Have you ever known him to -- Have you ever seen a  
9 weapon in his possession?

10 A Never.

11 Q And has he -- did you ever see him engage in any kind of  
12 violence?

13 A No.

14 Q I couldn't hear you.

15 A No.

16 Q Okay. And was he generally a peaceful person?

17 A Yes.

18 MS. LYNCH: I'm going to object.

19 THE COURT: Objection sustained.

20 BY MR. KOUFMAN:

21 Q Now, did you actually talk to Alan about his distrust for the  
22 police?

23 A Yes.

24 Q And what would Alan say to you?

25 A He doesn't trust them.

1 Q Did he explain to you why?

2 A 'Cause he said that when he was in the hospital in Winchester  
3 he got beat up by a cop, basically. The cop slammed him against  
4 the car door. And he really did have a -- fractured a occipitable  
5 [phonetic] bone. And he --

6 MS. LYNCH: I'm going to move to strike, Your Honor, on the  
7 basis of knowledge.

8 THE COURT: That -- I'm going to let that stand. This is an  
9 inquest proceeding, so I'm going to allow this.

10 MR. KOUFMAN: I'll move on, Judge, if I may.

11 THE COURT: Mm-hmm.

12 BY MR. KOUFMAN:

13 Q Did you ever know him -- Did you ever witness him having a  
14 seizure?

15 A Did -- I've never witnessed him having a seizure, no. But I  
16 know that he did have seizures.

17 Q But you never witnessed one yourself?

18 A No. But I saw the big gash in the back of his head when he  
19 went back with the gas station and when he told me he had a  
20 seizure.

21 Q Okay. Now, on Friday, February 2nd, when you went to pick up  
22 Alan at the apartment for the wake, you went and did you actually  
23 go into the apartment at that time?

24 A When I picked him up to go to the wake? Yeah.

25 Q Okay. And then he walked out with you --

1 A Mm-hmm.

2 Q -- into your car; is that correct?

3 A Yeah.

4 Q And you were with him the entire way?

5 A Yeah.

6 Q And he got immediately into your car.

7 A Yeah.

8 Q And then his demeanor at that point was fine; is that  
9 correct?

10 A Yes.

11 Q And is it also true that he was sober at that time?

12 A Yes.

13 Q He was able to walk?

14 A Yes.

15 Q Okay. And so, then you went to the wake, correct? And when  
16 you went to the wake, you were there for a couple of hours; is  
17 that correct?

18 A Yeah.

19 Q Then you returned at around 8:00 p.m. and you dropped him  
20 off; is that correct?

21 A Yeah.

22 MS. LYNCH: Objection.

23 A Or whatever time it was that I dropped him off.

24 MS. LYNCH: I'm going to object. That's --

25 THE COURT: Objection --

1 MS. LYNCH: -- facts not in evidence.

2 THE COURT: Yeah. Objection sustained.

3 BY MR. KOUFMAN:

4 Q And then a couple of hours later, approximately, at some  
5 point you dropped him off; --

6 A Yes.

7 Q -- is that correct?

8 Okay. And when you dropped him off, you went home to collect  
9 your daughter; is that correct?

10 A Yeah.

11 Q And then your intent --

12 A To change and get Abby. Yeah.

13 Q And your intent was to come back and pick him up, --

14 A Yeah.

15 Q -- correct?

16 Okay. Now, at 8:30 when you returned or -- Excuse me.

17 A When --

18 Q When you returned to pick up --

19 A Yeah.

20 Q -- Alan at the apartment, at that point was -- You said Alan  
21 was upset; is that correct?

22 A Yeah.

23 Q Okay. Did you notice -- You went into the apartment at that  
24 time for about a minute; is that correct?

25 A Yeah. Not a lot -- lot of time. I mean, I was there right

1 at the doorway.

2 Q And it would be long enough to gather Alan; is that correct?

3 A Yes.

4 Q And you were there long enough to walk out of the apartment  
5 with Alan; is that correct?

6 A Yeah.

7 Q And then you also went into the car with Alan; is that  
8 correct?

9 A Yeah.

10 Q And Alan went directly with you into the car; is that  
11 correct?

12 A Yeah.

13 Q Now, on that night you went to your parents'; is that right?

14 A Yes.

15 Q And that was in North Reading, --

16 A Yes.

17 Q -- right? And you were in the car with him for six or seven  
18 minutes?

19 A Yeah. I --

20 Q Okay.

21 A -- lived over there. I mean, --

22 Q Okay. And during --

23 A It can't be that far.

24 Q -- that six or seven minutes, did he appear sober to you?

25 A Yes.



1 Q And then you get to your parents' house; is that correct?

2 A Yes.

3 Q And you hang out for a period of time?

4 A Yeah.

5 Q And to the best of your knowledge, you guys were in bed by  
6 10:30?

7 A Yeah.

8 Q And then you wake up the next morning; is that correct?

9 A Yes.

10 Q And when you woke up the next morning, you said that he  
11 helped clean the house?

12 A Yeah. He --

13 Q And he helped --

14 A -- always did.

15 Q I think he took out the trash.

16 A He always did.

17 Q And these are things that he always did?

18 A Always did.

19 Q Okay.

20 A Play with Abby, --

21 Q Okay. And then you went to the Harold Park [sic].

22 A Harold Parker, yeah.

23 Q And you went for a hike; --

24 A Yeah.

25 Q -- is that correct? And during that period of time -- Oh,

1 then you went to McDonald's; is that correct?

2 A Yep.

3 Q And during that period of time, how many nips did you see him  
4 actually drink?

5 A The two.

6 Q Two.

7 A Yeah.

8 Q So you had two and he had two?

9 A Right.

10 Q And how many nips did you buy together with him?

11 A I bought four.

12 Q So you bought the nips.

13 A Yeah.

14 Q And so -- And you split them between the two of you.

15 A Yeah.

16 Q Now, when you dropped Alan off at the apartment, right, --

17 A Yeah.

18 Q -- you said that he was in a great mood; is that right?

19 A Yeah.

20 Q Okay. And so, at that point he wasn't under the influence.

21 A No.

22 Q Okay. And then when you dropped him off, you said you knew  
23 that he didn't want to go back to the apartment; is that correct?

24 A He told me he didn't want to.

25 Q And --

1 A He said, "I don't want to go into my apartment."

2 Q Okay. And you started to explain the reasons he didn't want  
3 to go into the apartment. It was -- had to do with Kim; is that  
4 correct?

5 A Right.

6 Q What exactly did he tell you about Kim that led you to that  
7 conclusion?

8 A In a nutshell, just -- He -- He just hated her breathing. I  
9 mean, he did not like her.

10 Q What did he say to you about her?

11 A Well, that day, he said, "I don't want to go home." And that  
12 -- that was it. It was just "I don't want to go in the  
13 apartment."

14 Q Did he ever explain to you the reasons he did not like Kim  
15 Bellino?

16 A Because she trashes his apartment, she never picks up after  
17 herself, she goes into his room and looks through his stuff, she  
18 causes problems between her and Devin. I mean, really, she was  
19 just -- she would trash the apartment and never pick up after  
20 herself. That was one of the main reasons.

21 MR. KOUFMAN: Thank you, Judge.

22 THE COURT: Thank you.

23 So, Ms. Thorn, I just have some questions for you, as well.

24 THE WITNESS: Okay.

25 CROSS EXAMINATION OF WITNESS, AMY THORN

1 BY THE COURT:

2 Q You indicated that you met Ms. Bellino once.

3 A Yeah.

4 Q And then you testified, I think, that you did not want to be  
5 in her present again.

6 A Yeah.

7 Q And why was that?

8 A I didn't like her.

9 Q Nothing --

10 A You know, I get a --

11 Q -- happened?

12 A -- get a bad vibe.

13 Q Nothing happened during --

14 A No, you just --

15 Q -- your meeting, though? Okay.

16 A You get a bad vibe off of people. Like --

17 Q And then --

18 A You know.

19 Q -- Mr. Koufman, I think, asked you, "Did you tell the police  
20 that Mr. Greenough called her a psycho bitch?"

21 A Yeah.

22 Q So, your full statement to the police -- I want to ask you  
23 about that --

24 A Okay.

25 Q -- was: "He has trouble with his roommate's girlfriend."

1 A Right.

2 Q Then the trooper asked you, "Okay. What kind of trouble?"

3 And you said, "Just totally piss him off completely. --

4 A Right.

5 Q "-- They'd smash the apartment up, --

6 A Yeah.

7 Q "-- wreck the apartment --

8 A Yeah.

9 Q "-- all the time. --

10 A Right.

11 Q "-- He tried to get them to be kicked out numerously.

12 Everything always turned around on him and made it look like he

13 was the bad guy, because Alan has a temper. --

14 A Right.

15 Q "-- And Alan had a temper. --

16 A Right.

17 Q "-- And he found her going through his stuff. He called me

18 at three o'clock yesterday, after I dropped him off. He was so

19 mad that he was just like, 'That crazy psycho bitch is -- I

20 catch'd her going --' coming out of his room when he came home."

21 When you told police, "They'd smashed the apartment up," what

22 did you mean by that? "They"?

23 A Yeah. I -- I didn't even realize I'd said, "They." I really

24 meant her because she's the only one that would wreck the kitchen

25 and wreck everything. Devin wasn't around there just smashing

1 stuff up, because Devin didn't do that. But she would -- she  
2 would just, you know, make dinner and just crap everywhere and  
3 never pick it up. And Alan liked to be clean -- cleanly, you  
4 know. He liked to have things in somewhat order.

5 Q But you only know that because that's what Alan told you.

6 A And because I've seen it. I saw -- I've seen the kitchen  
7 totally a mess. He got to the point where he wouldn't touch the  
8 stuff that she had -- you know, that she wouldn't pick up.

9 Q But you saw that when she wasn't at the house.

10 A Right.

11 Q Okay. And then Alan would tell you --

12 A Right.

13 Q -- she did that.

14 A Right.

15 Q You didn't see that yourself.

16 A Right.

17 Q Okay.

18 A Exactly.

19 Q All right. And --

20 A 'Cause I believed him.

21 Q And --

22 A Well, I do believe him.

23 Q Sure. And what was your relationship like with Mr. McDonald?

24 A F -- Friendly.

25 Q Friendly. Okay. But how would you describe your friendship

1 with Mr. Greenough?

2 A Really good friends.

3 Q A best friend?

4 A Yeah. We definitely got a lot closer after I had Abby. He  
5 would come over and he really helped me out with her when she was  
6 a baby.

7 Q So, I think you testified initially when Ms. Lynch asked you  
8 that after the day of the wake that you had a plan for him to come  
9 back and stay at your house --

10 A Yeah.

11 Q -- already, --

12 A Yeah.

13 Q -- before the wake.

14 A Yeah.

15 Q And I'm just confused based on some of the testimony that you  
16 gave the state police in your interview. And maybe it's the  
17 sequence of things.

18 A Okay.

19 Q You said, "I -- We went to the wake and came back."

20 A Yeah.

21 Q And the trooper said, "5:00 to 6:30."

22 "So I went home and I got my daughter "

23 A Right.

24 Q "Okay."

25 "My father had left to go to see my niece in Boston."

1 "All right."

2 And then you say, "It's a long story. So, I picked Abby up  
3 and he called me: 'I need to get out of the house now.' And I  
4 went to pick him up."

5 So, did he call you?

6 A Yeah, okay. So, when I dropped him off after the Wake, --

7 Q Yeah.

8 A -- we knew that he was going to come back.

9 Q Already.

10 A Right.

11 Q Right.

12 A But I needed to go back and get Abby.

13 Q Yeah.

14 A And he was going to change.

15 Q Mm-hmm.

16 A I was going to change. And I would come back and get him.

17 Q Mm-hmm.

18 A And I said, "I'll come back as soon as my dad leaves."

19 Q Mm-hmm.

20 A And he had called me and said, "I need to get out of the  
21 house now," like "Come get me now."

22 Q And did you know why there was this "now," this urgency for --

23 A I just assumed --

24 Q Did he say?

25 A No. I just assumed it was --



1 Q Okay.

2 A -- it -- it had to do with her, because it always had to do  
3 with her.

4 Q And you said -- Again, I know this is -- you've answered  
5 this, but I just want to be clear -- that he was fine when you  
6 picked him up for the wake.

7 A Yep.

8 Q You went in the house then.

9 A Yep.

10 Q And he was there with --

11 A Curt.

12 Q -- Curt. And was Ms. Bellino there at the time?

13 A No.

14 Q Okay.

15 A He was alw -- He -- The house -- You'd walk into the house  
16 and it was, like, calm energy when they weren't there.

17 Q Mm-hmm.

18 A It was just -- It -- It was just him. And it was just nice  
19 and calm.

20 Q Okay.

21 A And then, anytime that they were there, it was just -- it was  
22 horrible.

23 Q And he didn't appear to you to be under the influence of  
24 anything then?

25 A No.

1 Q Had you seen Mr. Greenough when he was under the influence of  
2 drugs before, during your relationship, the years?

3 A For years, yeah.

4 Q Yeah, okay. So you know what he looked like --

5 A Looks like, yeah. I --

6 Q -- based on --

7 A I get what you're s --

8 Q -- your observations --

9 A Yeah.

10 Q -- of him when he's under the influence --

11 A Exactly, yes.

12 Q -- of something. Okay.

13 A I get what you're saying.

14 Q And you saw the table --

15 A Yeah.

16 Q -- smashed when you came back.

17 A In the corner, yeah.

18 Q Okay. And he initially told you that Devin did it.

19 A Yeah.

20 Q What did he say specifically about that?

21 A "Devin smashed the table."

22 Q Okay. All right. And then, was it the next morning --

23 A Yeah.

24 Q Were you asking him something about the table?

25 A No.

1 Q No. So he said --

2 A He brought it upon himself. He was cleaning up and he was  
3 like, "So, I got to tell you something."

4 I'm like, "What?"

5 He's like, "I smashed the table."

6 I'm like, "What?"

7 He's like, "I know. I didn't want you to get mad at me."

8 You know, I was more like -- you know, like the motherly  
9 yell-at-him type thing, you know.

10 Q And then there was another -- I just want to be clear about  
11 another statement that you've been asked about, 'cause it's a  
12 little different than in the transcript, based on what counsel  
13 have asked you.

14 A Okay.

15 Q Your last comment to him when you said, "Alan, don't do  
16 anything stupid," --

17 A Right.

18 Q What did you say he said to you then?

19 A "Don't worry, Amy. I just might get arrested."

20 Q Okay. All right. So, you -- And you told the state police he  
21 said, "No, Amy, I won't. I might just get arrested." That's --

22 A Oh. It kind of --

23 Q You remember --

24 A -- translated a little weirdly.

25 Q Okay. I just wanted to be clear about that.

1 Do you know why -- Did Mr. Greenough tell you -- His bedroom  
2 was not always in the living room.

3 A No.

4 Q Do you know why he moved his bedroom?

5 A Yeah.

6 Q Why?

7 A Because they were so loud. They would leave the TV blaring  
8 at night. He would play his guitar all the time, blaring at wrong  
9 hours of the night, I guess you would say. He wouldn't -- He just  
10 wouldn't be able to sleep. So he went downstairs. He -- Yeah.  
11 That's -- The noise factor, I believe.

12 Q Did you see him -- I think you've now testified to some  
13 incident with the Winchester Police. Did you see him after he was  
14 in the hospital?

15 A Yeah.

16 Q And what observations did you make of him then?

17 A He looked like he got beat up.

18 Q And when you say that, what do you mean by that?

19 A His eye. He had a gouge. He had a gou -- His -- His face  
20 was all black and blue. He was going through major headaches a  
21 lot after that.

22 Q And he had seizures that you know of.

23 A Yeah.

24 Q And he had seizures prior to that incident.

25 A Yeah.

1 Q Had he had seizures as long as you'd known him in school?

2 A But not a lot. I -- I knew that he was susceptible to them.  
3 But he didn't -- He didn't have them when we were growing up, that  
4 I knew of. He didn't have them, you know, throughout or 20s and  
5 30s that I knew of. And then it just started to come on more,  
6 lately.

7 Q I also think I saw in the call log that on February 3rd --  
8 that you had spoken to Mr. Greenough for about 10 minutes on the  
9 phone?

10 A Yeah. That was after I dropped him off and --

11 Q That was after you dropped him --

12 A -- Abby was sleeping --

13 Q Okay.

14 A -- at my house. That's when he told me that Kim was going  
15 through his room.

16 Q Okay.

17 Ms. Lynch, did you have questions?

18 MS. LYNCH: No. [Indiscernible at 1:04:11 p.m. -  
19 simultaneous speech].

20 THE COURT: Okay. All right. Thank you very much.

21 THE WITNESS: Thank you.

22 THE COURT: Thank you.

23 [Witness steps down]

24 THE COURT: Okay. So, it's lunchtime. We'll take the lunch  
25 recess and then come back at two with the next witness.

1 A Good afternoon.

2 Q If you would please speak up in a loud voice. State your  
3 name, full name, and spell your first and last name for the  
4 record.

5 A Okay. My first name is Talal Joseph Chaghouri,  
6 C-H-A-G-H-O-U-R-I.

7 Q And are you known by a certain name or nickname?

8 A Yes. I go by my middle name, Joseph/Joe.

9 Q And what city or town do you live in, sir?

10 A I live in Beverly, Mass.

11 Q And what is your date of birth?

12 A 6/11/64.

13 Q What is your occupation?

14 A I own East Coast Gas in Reading.

15 Q And is that located at 1462 Main Street in Reading?

16 A Yes, ma'am, 1462.

17 Q How long have -- Now, do you own this business with someone?

18 A Yes, me and my brother. We're both partners in there.

19 Q And how long have you and your brother owned East Coast  
20 Service Station?

21 A Since March 5th of 2005.

22 Q Now, directing your attention to Friday, February 2nd of  
23 2018, did you have occasion to be at the East Coast Service  
24 Station that day?

25 A Yes, I was.

1 Q And do you remember what your hours were that particular day?

2 A Yes. I came in -- I came in a little bit in the early  
3 morning or early afternoon, and I left around five, maybe.

4 Q Was anyone working at the station during the evening hours,  
5 from 6:00 to 9:00 p.m.?

6 A Yes, Mike Randall. He is the gas-pumper. He was working  
7 that shift from --

8 Q And was -- So, was he the only employee on duty for that  
9 nightshift?

10 A Yes, he was. Well, the mechanic crew leaves at 6:00, --

11 Q Okay.

12 A -- between 5:30 and 6:00. So, there's 3-4 employees that  
13 leave at that time, and then he's left alone, the gas attendant.

14 Q And the person that was working that night was who?

15 A Was Mike Randall, Friday night.

16 Q Now, in addition to the business premises located at 1462,  
17 are there any residential units on the property?

18 A Yes. There's two units/apartments that sits on the property  
19 connected to the gas station.

20 Q And were they occupied as of February 2nd of 2018?

21 A Yes, they were both occupied.

22 Q And as one is looking at the building, are they -- are each --  
23 is Apartment 1 on one floor and Apartment 2 on another floor, or  
24 are they both two floors?

25 A They're both two floors.

1 Q Okay. As one is looking at the building, whose apartment was  
2 -- who were the occupants of the apartment to the right -- left?

3 A Left, if you're looking at the main entrance?

4 Q Yes.

5 A The left is -- was Alan Greenough and Devin.

6 Q And was Mr. McDonald's girlfriend, Kim Bellino, also living  
7 there?

8 A She -- Yeah, she came at the later stage, maybe in the last  
9 3-4 months of -- of Mis -- Devin being there.

10 Q And with regard to the other apartment, who lived in the  
11 other apartment?

12 A Both employees that lived there. One of them's name is  
13 Devell Range, and the other is Dris Cuther [phonetic].

14 Q And did those -- either of those tenants or both work for you  
15 at the gas station?

16 A Yes. Devell Range had worked. And Dris worked also but he  
17 had a heart attack during that period, about a year before, and he  
18 has not been able to work.

19 Q But he remained a --

20 A He re --

21 Q -- resident --

22 A Yes -- Yes, ma'am, he --

23 Q -- at that --

24 A -- remained there.

25 Q -- location?



1 A Yes.

2 Q Now, of Mr. Greenough, Mr. McDonald, and Ms. Bellino, did any  
3 of them work for you?

4 A Yes. Alan helped. He -- Mr. Greenough worked part-time  
5 basis. He was not really on a fulltime. He would help a little  
6 bit to pitch up for his rent money, about fif -- fifteen hours a  
7 week that we agreed that he could help us out, in return/exchange  
8 of his rent.

9 Q And in what ways did Mr. Greenough help you out in the  
10 timeframe up to his death?

11 A He would -- He would come in early if for example the manager  
12 was not there or if I wasn't there. He would come and greet the  
13 customers, he would take their phone numbers. And vice versa, at  
14 the end of the day, he might do that when we all left. He would  
15 come into the office. You know, the gas attendant will call him  
16 and he'll come and help out. Or he'll do landscape around the gas  
17 station, as far as cleaning, painting, fixing pumps if we have to,  
18 moving snow off the roof in the wintertime.

19 Q Did he have any responsibilities with regard to any pets at  
20 the station?

21 A Pets? No.

22 Q What about the turtle?

23 A The turt -- Yes, the turtle, he was -- he was in charge of  
24 taking care of the tank, absolutely. I forgot about that.

25 Q Okay.

1 A Absolutely.

2 Q Now, did there ever come a point where Mr. Greenough's hours  
3 and customer service were limited?

4 A Yes. They were limited because dur -- you know, during the  
5 day when we were all there, we wouldn't really need him, you know,  
6 unless, like, we're missing or we're going somewhere and -- They  
7 were limited, yes.

8 Q Did you ever tell police investigators in this case that he  
9 couldn't really deal with customers because he complained too much  
10 and got upset?

11 A Well, he -- Yes, he had a short -- he had a short temper.  
12 You know, he -- he had some issues that would prevent him from  
13 working long shifts. Medically, one of them, his -- he had -- he  
14 would have seizures. He had that actually a couple of times on  
15 the premises. It's a pretty scary sight. Also, he had ankle  
16 pain. He would not -- He could not stand long time on his feet.  
17 And also, you know, Mr. Greenough, he had a bad -- you know, bad  
18 run with some bad stuff. And once in a while he could not be  
19 working.

20 Q When you say "a bad run with some bad stuff," --

21 A Like, you know, drinking and, you know, pills and s -- other  
22 stuff that I really was not aware of the -- to the extent. But he  
23 would be, like, not able to work on a given days if he's in bad  
24 mood or if he drank, you know, a few beers and he's upset. He --  
25 You know, he would show it. It -- It -- It would show on him.

1 Q Have you seen, over the course of time that you knew Mr.  
2 Greenough, him under the influence of alcohol and drugs?

3 A I have seen him. I have seen him, you know, acting, you  
4 know, -- I don't know what kind of drugs really, because I haven't  
5 seen him taking them. But I know he would smell like alcohol  
6 sometimes.

7 Q And was his demeanor different when he was under the  
8 influence of drugs or alcohol?

9 A He -- Yes. He was -- He was a very kind soul when he was  
10 sober, absolutely. And when he would drink, sometimes he will get  
11 agitated, sometime he'd become rude, sometime he'd --

12 THE COURT: Sir, --

13 A -- become nicer.

14 THE COURT: Sir, let me just ask you -- 'cause I just want to  
15 be clear about the question that the District Attorney just asked  
16 you about "Had you seen him, was he different, under the influence  
17 of drugs or alcohol?" -- now, did you testify that you hadn't seen  
18 him under the influence of drugs, just alcohol?

19 THE WITNESS: I -- I have --

20 THE COURT: Or --

21 THE WITNESS: -- testified to -- I have not seen him take  
22 drugs.

23 THE COURT: Okay.

24 THE WITNESS: Yes. I have -- I have testified to that,  
25 ma'am.

1 BY MS. LYNCH:

2 Q But were you informed that he was under the influence --

3 A Yes.

4 Q -- of drugs?

5 A Yes, I was informed he had episode and he was taking once --  
6 couple of times to rehab centers. Yes, I was aware of that.

7 Q Now, how did Mr. Greenough come to live in that apartment?

8 A Mr. Greenough when I -- when I went to my mom's funeral to  
9 Lebanon about four or five years ago, I believe in December of  
10 2014, I was called before my vacation's over. And Anthony had  
11 called me and telling me that his brother needs a place to move in  
12 and -- if he can move in there.

13 So I said, "Yes, no problem. Put him there." And supposed  
14 to be temporarily, you know, until he find a job and look for a  
15 better place for himself.

16 Q Now, did you ever describe that initially you were against it  
17 because you knew that Alan was not stable?

18 A Yes. I was against it because I knew he could not maintain,  
19 you know, paying rent for long-term, because of his situation.

20 Q And did you ever describe that he could go crazy and destroy  
21 things?

22 A Well, I've seen him -- I've seen him, you know, like, yelling  
23 and screaming. But I really didn't see him destroy things in  
24 front of me. But I heard through his roommate that he would break  
25 legs, table, and walls and punch walls and stuff. But I really

1 did not see him myself.

2 Q But you told the police that you knew him to destroy things  
3 or --

4 A Yes, well, according to -- Yes, according to Devin's  
5 testimony.

6 Q All right.

7 A Absolutely.

8 Q But given his relationship to Anthony, your worker, what did  
9 you say to that arrangement?

10 A What do you mean? Like, as far as living in the -- in --

11 Q Yes, what were the --

12 A I -- I said it's okay.

13 Q Did he have to pay you cash? Or was it always in --

14 A He --

15 Q -- kind, to --

16 A In the beginning, it was cash because he had a job. And he  
17 would pay, like, let me see, 125 per week.

18 Q And did you know where he worked at that time?

19 A I did -- I did know about a guy that used to pressure wash,  
20 his friend. His name: Andy. I don't know his last name. I know  
21 he would call him on given mornings. Plus, there's another guy  
22 that -- named Jack Garran [phonetic]. He would also -- He had the  
23 landscape company. He would pick him up at sometimes 6:30/7:00 in  
24 the morning to work with this crew.

25 Q And that was the timeframe when he would be able to pay you

1 cash?

2 A Yes, he was -- At that time, he had a job and he was not  
3 injured. He was working fine.

4 Q Now, on that Friday, February 2nd, while you were at the gas  
5 station, did you see or speak to Devin McDonald while you were at  
6 work, leading up to going home in the evening?

7 A Yes, ma'am. He did -- He texted me before. He said, "I was  
8 going to come up and pay you the rent money."

9 I said, "No problem."

10 He came in, in the early afternoon, early afternoon or --  
11 Yes, I think so. And then he gave me some cash for -- toward the  
12 rent money.

13 Q And do you recall him coming by at one point and giving you  
14 initially \$300?

15 A Yes. He gave me part of the rent. And then he followed with  
16 the other part, if I remember correctly.

17 Q Okay. So he came back --

18 A Twice.

19 Q -- later that afternoon --

20 A Yes.

21 Q -- and gave you more money.

22 A That's correct. He did.

23 Q Now, did you accept any money from Kim Bellino for rent for  
24 that unit?

25 A I've never really dealt with Kim as far as rent money until

1 one time when Devin was way behind and she came with him. But  
2 Devin gave me the cash, what I assumed was coming from Kim, some  
3 kind of settlement, insurance settlement or something.

4 Q Okay. Now, while you were at the station that day, did you  
5 see or speak to Alan Greenough that Friday, February 2nd?

6 A Let me recall. No, I did not see him. I did not see him at  
7 work that day.

8 Q Now, when you were at the station -- Or when you left the  
9 station, what if anything did you do? Where did you go?

10 A I went home. I went --

11 Q Back to Beverly?

12 A -- home early. Yes, to Beverly, Mass., yeah.

13 Q And do you remember approximately how long it took you to get  
14 from the station to your home?

15 A About 35 minutes.

16 Q And when you arrived at home, at some point was your  
17 attention attracted back to the gas station by some communications  
18 that you received --

19 A From Devin McDonald.

20 Q -- from Devin McDonald?

21 A Yes, ma'am. He did send me a text as soon as I reached home,  
22 maybe around five-forty, six o'clock, or maybe six-twenty.

23 Q Okay.

24 A And, you know, he -- he texted me and he said, "We have this  
25 situation going on," blah blah blah.

1 Q Okay. I'm going to show you a -- the phone record for Devin  
2 McDonald's phone --

3 A Mm-hmm.

4 Q -- and then just point out to you that in another section of  
5 this point is a download from Mr. Greenough's cell phone.

6 A Okay.

7 Q Okay?

8 A Okay.

9 Q I'm going to direct you to certain pages of that --

10 A Okay.

11 Q -- record. Directing your attention to the section for Devin  
12 McDonald's phone --

13 A Okay.

14 Q -- I'm going to direct you to page 198, Entry 198 [sic].

15 A Okay.

16 Q At 6:37:38 p.m., did you receive a text: "So, just destroyed  
17 the table and the kitchen and threatened us both because he says  
18 it's his home"?

19 A I -- I am on that page but I don't see that text. I'm sorry;  
20 just --

21 Q Oh, I'm sorry.

22 A No worries.

23 Q The page is 198.

24 A Yep, it's right here.

25 Q And in this column on the far side. [Indicating.]



1 A Oh, this is the number you meant?

2 Q Yes.

3 A Okay. And which number was it? Which --

4 Q 2390.

5 A Yeah, right here. Okay.

6 Q And that is the text from Devin that -- about the "destroyed  
7 the table in the kitchen and threatened us both --

8 A Yes.

9 Q -- because he said it's his home."

10 A Yes, he did say that, yeah.

11 Q Now, 12 -- 13 seconds before you received that -- Strike  
12 that. So that was your first indication --

13 A Of problems.

14 Q -- on that day that there was a problem; is that correct?

15 A Yes, ma'am.

16 Q Now, in the course of that day did you receive other texts  
17 from Mr. McDonald?

18 A Besides that time?

19 Q Yes.

20 A In the evening?

21 Q I'm going to direct your attention to page 199, --

22 A Okay.

23 Q -- Entry 2393, --

24 A Okay.

25 Q -- at 6:31:40.

1 A "He is wasted on something."

2 Q Okay. And that's a text you received from Devin?

3 A Yes, yes.

4 Q Does it appear that at 6:35:33, which would be page 199, --

5 A Mm-hmm.

6 Q -- Entry 2395, --

7 A Okay.

8 Q -- that you texted Devin, "Lay low. It makes no sense to  
9 talk to him when he is like that. Just avoid confrontation for  
10 now until his brother will talk to him tomorrow"?

11 A Correct.

12 Q Had you had any communication with Mr. Greenough or with Mr.  
13 Perrotti between the first text and this text with Mr. McDonald?

14 A No, not yet. Not yet. But Alan would call me shortly after  
15 that.

16 Q Okay. Directing your attention to the next entry at page  
17 199, Entry 2396.

18 A Mm-hmm.

19 Q At 6:37:04 p.m. Mr. McDonald texted you, "Okay, he just came  
20 back from his bud's service and started smashing stuff and trying  
21 to fight us."

22 A Mm-hmm.

23 Q Is that a text that you received that night?

24 A That's correct.

25 Q Directing your attention next to the entry at 2397, 6:37:53,

1 you again texted Mr. McDonald: "Dude, that's pretty bad"?

2 A Yes, I did.

3 Q At 6:38:06 did Mr. McDonald text you again, Entry 2398 on  
4 that page, 199?

5 A Yes.

6 Q "I don't want to fight, because he is in a bad place. That's  
7 why I am texting you," is that what that text said?

8 A Yes, it did.

9 Q 6:38:45 p.m., Entry 2399 on that page, Mr. McDonald again  
10 texted you: "He's just in a bad place."

11 And you responded at 6:39:48 to Mr. McDonald, "I hear you.  
12 His brother should be checking on him shortly."

13 Had you had any communication with Mr. Perrotti as a result  
14 of these initial communications with Mr. McDonald?

15 A Yes, ma'am, I did.

16 Q And how was that?

17 A Either through a text or I called him; I cannot remember.  
18 But I did explain.

19 He says he was aware of it and he's on his way.

20 Q Okay. So, Mr. Perrotti told you he was on the way to the  
21 station to take care of that.

22 A I -- I believe so.

23 Q Okay. Now, directing your attention to the records for Alan  
24 Greenough --

25 A Okay.

1 Q -- which were --

2 A The second one?

3 Q Yes, the second one. I'm going to draw your attention to  
4 page 189.

5 A Okay.

6 Q There you go, page 189.

7 A Mm-hmm.

8 Q Entry 1961: does it appear that you received a call from Alan  
9 Greenough's cell phone for 2 minutes and 4 seconds?

10 A Yes, ma'am.

11 Q Was that your first communication with Mr. Greenough --

12 A It was.

13 Q -- that evening?

14 A Yes, ma'am.

15 Q Do you remember what he told you during that conversation of  
16 2 minutes and 4 seconds?

17 A Yes, I do remember.

18 Q And what was that?

19 A He said, "Joe, we got to do something before it is really g --  
20 going to get out of hand here. Those people are really ruthless.  
21 They're -- They're doing -- drinking all night long. They're  
22 breaking/destroying the house. And if we don't take care of this  
23 issue, it's going to be bad problem."

24 Q And that's what Mr. Greenough told you at that time?

25 A He did, yes. He w --

1 Q What did you tell him at that point?

2 A I told him, "I promise you I'm going to deal with this issue  
3 and I'm going to separate. I'm going to get rid of this lady that  
4 was causing all this commotions." And I did promise him. I said,  
5 "Just calm down. I know you lost a friend. And, you know, I want  
6 you to be relaxed," and blah blah blah. That kind of  
7 conversation.

8 Q So he began -- he called you after Mr. McDonald had send you  
9 a series of texts about a problem at the house.

10 A Yes, yes.

11 Q And I'm going to ask you to go back to Mr. McDonald's records  
12 at page 199.

13 A Yep.

14 Q Entry 2404.

15 A Okay. 199 -- 98 -- Okay. Which entry was it? Twenty-four?

16 Q Excuse me; let me just get my -- Okay, 2404.

17 A 2404, right here, yeah.

18 Q And does that appear to be --

19 A "He's a little bit drunk."

20 Q -- at 6:42:44 Mr. McDonald texting, "Okay, he's a little bit  
21 drunk and on something"?

22 A Yes, yes.

23 Q Does it next appear that you received another text at page  
24 199, 2413, which was at 6:53:04, where Mr. McDonald texts, "Sorry,  
25 Joe"?

1 A Yeah.

2 Q And that is followed by another text from him at  
3 6:54:32 p.m., Entry 2414: "I just don't want him to get arrested  
4 for shit. He is just trying to fight everyone because his buddy  
5 died. And I understand about losing him." Is that a text you  
6 received from him?

7 A I did receive that, yeah.

8 Q Now, at this time you remained at home throughout the course  
9 of the evening; is that right?

10 A That's correct.

11 Q And in addition to speaking to Mr. McDonald and Mr. Greenough  
12 in that phone call, did you have any other communication with him  
13 in the course of that evening?

14 A No, not with neither one. But I talked to Anthony or texted  
15 him about the issue. That was the only thing.

16 Q And did Anthony indicate to you that he was going to go to  
17 the house or he had changed his mind?

18 A Yes. He indicated to me that he's going to deal with the  
19 issue.

20 Q Now, did you at any point hear from Mike Randall, who was  
21 working at the station that night concerning events that were  
22 going on at the station?

23 A Yeah, yeah.

24 Q And what did you learn from Mr. Randall at that time?

25 A I did -- I did call him and I did ask him about what's going

1 on: "What's the commotion about?"

2 And he says to me that before Alan arrived to the apartment,  
3 there was some loud screaming and banging in the apartment. So,  
4 by him telling me this, I kind of --

5 Q I just asked what you learned.

6 A Yeah, yeah.

7 THE COURT: Did -- Sorry.

8 THE WITNESS: Yes, ma'am.

9 THE COURT: You said before Alan arrived?

10 THE WITNESS: Before Alan had arrived, Randall reported to me  
11 that there was a lot of fighting in the apartment between Devin  
12 and his girlfriend, 'cause they were the only two people left  
13 then.

14 BY MS. LYNCH:

15 Q And did Mr. Randall indicate to you that the police had been  
16 there?

17 A Not at that time. I was still take -- asking him after Devin  
18 had texted me and after Al talked to me. But the police showed up  
19 a little bit later.

20 Q Okay. But what I'm asking you is: when -- given that you  
21 were in Beverly, --

22 A Yeah.

23 Q -- when did you first learn that the police had shown up at  
24 the --

25 A Next day, Saturday.

1 Q So you didn't hear from anyone that night?

2 A No. No one has reported to me after that.

3 Q Mr. Randall, your attendant, did not notify you of this?

4 A Did not. I don't remember that he did tell me that. I  
5 remember Saturday when I came to work I was told that the police  
6 showed up Friday, looking for Al.

7 Q Now, during the course of this incident, did you -- were you  
8 asked by the police whether you would consent to the police  
9 examining the surveillance system in your gas station for purposes  
10 of isolating timeframes on February 2nd and February 3rd?

11 A Yes, ma'am. They did ask me while I was in the police  
12 station. They said, "Can we -- Can we escort you to find the --  
13 the Hummer truck key?" And when I got there, I was asked if we  
14 can do this and do that.

15 I said, "Yes, no problem. You have my -- my --"

16 Q And you gave a written consent for that?

17 A I don't believe I signed anything.

18 Q Okay. But you did consent and --

19 A I did consent, absolutely.

20 Q -- had no issue with that?

21 A Abs -- Absolutely, I did.

22 Q Now, were you aware that during the evening of February 2nd  
23 when Mr. McDonald was texting you about what was going on at the  
24 house that video at the gas station showed Mr. Greenough in the  
25 office of the gas station?



1 A Yes, I seen that video.

2 Q Okay.

3 A Yeah.

4 MS. LYNCH: And with the Court's permission's I would ask  
5 that the videotape -- I just have to find that -- timestamped C --  
6 timestamped 1905:42, real-time 6:32:52, Video C1 --

7 [Video Playing at 3:18:14 p.m.]

8 MS. LYNCH: If we could just go back a little bit. Okay.  
9 Just if you could start now, which is 1903:45 on the timestamp.

10 [Video Playing at 3:18:29 p.m.]

11 BY MS. LYNCH:

12 Q Do you recognize what this shows?

13 A Yes.

14 Q And what is that?

15 A That's the main office where we -- where we take the -- you  
16 know, where we meet the customers. We -- We write their slips and  
17 we give them the bills. We take their keys.

18 Q Now, do you see the man that walked in from the door which is  
19 at the top of the --

20 A Yes, that's Al.

21 Q -- image?

22 A Yeah.

23 Q That's Mr. Greenough?

24 A That's Alan, Mr. Greenough, yeah.

25 Q And if you would just continue with the video.

1 [Video Playing at 3:18:58 p.m.]

2 BY MS. LYNCH:

3 Q And do you know who that woman is?

4 A I do. She's very familiar. She's a customer that was  
5 dropping off her car that evening.

6 Q And the man that just came in?

7 A That's Mike Randall pumping gas. And he goes in  
8 periodically, in and out.

9 Q Did Mr. Randall ever inform you that Mr. Greenough was  
10 working behind the counter?

11 A Yes, Mr. Randall is the one that called Mr. Greenough to come  
12 and assist. And that's the kind of work I was explaining to you  
13 he would do when we're not there. He would assist the customers  
14 where the gas attendant could not do.

15 Q And how would he call him?

16 A He would knock on his door, because he's outside right there.  
17 He'd just knock on the window or on the door on the inside, or he  
18 can call him by phone sometimes.

19 Q And at some point were you shown video that showed Mr.  
20 Greenough walking out of the building, across the gas pumps, and  
21 then come back to the office?

22 A In continuation to this event?

23 Q Yes.

24 A Okay.

25 Q I'll just continue showing this.

1 A Okay.

2 [Video Playing at 3:20:19 p.m.]

3 BY MS. LYNCH:

4 Q And does that appear to be he -- Mr. Greenough going outside  
5 at 1905:45 on the timestamp?

6 A Yeah, yeah.

7 MS. LYNCH: Now I would ask with the Court's permission if we  
8 can play C2, timestamp 1905:44, 6:32:54 p.m.

9 [Video Playing at 3:21:05 p.m.]

10 BY MS. LYNCH:

11 Q Now, does this appear to be that woman leaving the office?

12 A Yes, ma'am. That's the lady that dropped her keys off.

13 Q And who is that coming out of the gas station next?

14 A That's Mr. Greenough. He's -- He's going to the car where  
15 the lady left the car off, making sure it's locked. And there's a  
16 procedure we follow after. You know, make sure it's locked and  
17 the note is there and all the information he needs to relay to us  
18 next morning.

19 Q Okay. And 1906:01 he is out of camera sight from that angle;  
20 is that right?

21 A Yes, ma'am.

22 Q And directing your attention to Camera 1, timestamp 1906,  
23 real-time 6:33:10.

24 MS. LYNCH: If you would play that clip.

25 [Video Playing at 3:21:58 p.m.]

1 BY MS. LYNCH:

2 Q And does that appear to be --

3 A Yes, ma'am.

4 Q -- Mr. Greenough coming in the office, behind the counter?

5 A Yeah, yeah. After the lady left already.

6 [Video Playing at 3:22:22 p.m.]

7 BY MS. LYNCH:

8 Q Now, that room that Mr. Greenough is entering, what is that  
9 room?

10 A That's the waiting room for the customers. There is a TV  
11 there. And the turtle tank is there. And then there's another  
12 door that -- he can go through his apartment from there.

13 Q Okay. And is that door generally locked or unlocked?

14 A It's usual locked. We don't like to open it while the  
15 customer's sitting there. But once in a while they will break  
16 that rule and they will use it.

17 Q And where is the lock for that door?

18 A It's on the inside.

19 Q Of the apartment or --

20 A Of the --

21 Q -- the office?

22 A Of the -- Of the apartment. He's got a deadlock on the  
23 inside. And we have a key on the outside.

24 Q And where was that key kept?

25 A The key is kept in the keychain with all the apartment front

1 doors and the back doors. They were in the drawer that we located  
2 later on.

3 Q Okay. And who had access to that drawer with those keys?

4 A I had access, me and Anthony, to those keys.

5 Q Now, directing your attention to the following day, Saturday,  
6 February 3rd, were you at the East Coast Service Station at all  
7 that day?

8 A Yes. I came in late. I came in around 1:00, 1:40, or 1:20.  
9 Around that time.

10 Q And when you arrived, who was working that day?

11 A Mike Randall was pumping gas, also again. He starts his  
12 shift Saturday at one o'clock.

13 Q Were there any mechanics working?

14 A Yes. The mechanic crew, they were still left on the premises  
15 until, like, 3:00 or 2:45. Two of them left and then, you know,  
16 all of us got caught there.

17 Q And so, the mechanics -- Marcos, Carlos, Orlando, and Arduar  
18 [phonetic] -- were they working that day?

19 A Yes. Carlos and Marcos, they were both there that day.

20 Q And did they leave at some point prior to three o'clock or at  
21 three o'clock?

22 A Yes. Carlos left but Marco Ortiz stayed behind a little bit.

23 Q And was Anthony Perrotti there when you arrived?

24 A Yes. As soon as I pulled into the property from the right  
25 side where the -- where the apartments are, I see Anthony talking

1 to Al outside -- no, talking to Devin and his girlfriend outside.  
2 And then he came towards my car window and he said, "There's a  
3 problem again. I'm going to send Al out so we don't have a  
4 problem."

5 Q You're going to -- He was going to --

6 A I'm --

7 Q -- send Al?

8 A Al. "I'm going to send him out so we don't have a problem."

9 I said, "Make sure he goes to your mom or somewhere so we  
10 don't -- you know, we don't have a problem again and the police  
11 come and show up."

12 Q So, at that point were you aware that the police were looking  
13 for Mr. Greenough?

14 A I was aware that the police showed up the night before. But  
15 I don't recall if I was -- if I learned it there at that window or  
16 when I went back inside the office.

17 Q So, initially Mr. Perrotti told you that they were going to  
18 have Al leave, not Devin and --

19 A Yes, --

20 Q -- Kim.

21 A -- because Al -- Devin and his girlfriend were complaining to  
22 Anthony about something Al did. And I don't know what it was.  
23 And he told -- I told him, "Send him to your mom. We'll be better  
24 off."

25 He says to me, "I'm going to -- He's going to leave. Don't

1 worry."

2 Q But Mr. Greenough did not leave; is that correct?

3 A He did not leave. I guess the other -- the couple of people  
4 ended up leaving, Devin and his girlfriend.

5 Q Now, when you arrived that day did you see Devell or Devell  
6 and Dris at all?

7 A No. Neither one of them. We didn't see neither one of them  
8 that day.

9 Q Now, did you see Devin and Kim up until the time that you saw  
10 Anthony that day?

11 A No. They were -- I saw them all at the same second. As soon  
12 as I arrived, they were in the corner talking to each other.

13 And then I pulled out, I waited there a little bit to see  
14 what's going on.

15 Anthony walks to my window. He says, "We have another  
16 problem," blah, blah, blah.

17 I said, "Let's -- You know, let's cure it quick."

18 Q And did you see Alan Greenough at that point?

19 A No, I did not see him. He was inside.

20 Q Now, as you were in the gas station, at some point did you  
21 become aware that Devin and Kim left?

22 A No. Not -- I was not really aware of anything until the  
23 police cruiser start showing up.

24 Q Okay.

25 A You know, I was busy inside.

1 Q Okay. So, directing your attention to the time about 3:52:35  
2 p.m.

3 MS. LYNCH: With the Court's permission, if I could present  
4 the witness with Video C2 at timestamp 1625:25, real-time 3:52:35.

5 [Video Playing at 3:27:11 p.m.]

6 BY MS. LYNCH:

7 Q Now, did you see a person walk out of the office?

8 A Not --

9 MS. LYNCH: Can we just go back --

10 A I was watching --

11 MS. LYNCH: -- for a moment.

12 A -- the cars; I'm sorry.

13 MS. LYNCH: Okay. If we could just go back for a few  
14 minutes.

15 [Video Playing at 3:27:35 p.m.]

16 BY MS. LYNCH:

17 Q And I'm going to draw your attention to the area up here.

18 A Okay.

19 Q Now, do you see that person who walked out of the office in  
20 blue?

21 A I -- Yeah, I see somebody walking. He walks like Al but I'm  
22 not sure who it is.

23 Q Okay. Well, I'll ask you to continue to look at it.

24 [Video Playing at 3:28:10 p.m.]

25 BY MS. LYNCH:



1 Q Do you recognize who that is now?

2 A No, I cannot.

3 Q Okay.

4 A I can't see the face; I'm sorry.

5 MS. LYNCH: Now with the Court's permission if we could just  
6 move to the other camera angle. And if we could pick up at  
7 1625:42.

8 [Video Playing at 3:28:39 p.m.]

9 BY MS. LYNCH:

10 Q And who's walking in now?

11 A That's Anthony, Anthony Perrotti. And I'm following him.

12 Q Having viewed this angle, do you recognize yourself as the  
13 person who had come out and approached down near the apartment?

14 A Yes, that looks like me with the blue sweatshirt, yep.

15 Q Now, at that point can you describe for us what next  
16 happened? Did you remain in the office?

17 A What -- What time is it now? After two, is it, already?

18 Q Yes. Directing --

19 A Okay.

20 Q -- your attention to real-time 3:52:52, which was when you  
21 walked back in the office there.

22 A So, the cruiser is already out there at that time, right?

23 Q So your memory is the cruisers were there at that point?

24 A Yeah, if it's 3:52. I think they start coming around 1:45,  
25 2:15, maybe. Th --

1 Q Are you sure of that?

2 A Kind of because I --

3 Q Okay.

4 A We t -- We talked around 1:45, me and Anthony. And then I  
5 come maybe and half-an-hour later the first cruiser showed up,  
6 maybe.

7 Q Okay. Well, I'm going to show you something and see if this  
8 refreshes your recollection as to the time --

9 A Okay.

10 Q -- that the police officers arrived.

11 MS. LYNCH: If we could turn to Camera C2, timestamp 1623:50,  
12 real-time 3:51 p.m.

13 [Video Playing at 3:30:35 p.m.]

14 BY MS. LYNCH:

15 Q All right. If you would look at -- You see a police vehicle  
16 pulling in at 16:23:52, which in --

17 A Yeah.

18 Q -- real-time is 3:51?

19 A Yeah, I see that. But there was -- You know, there was more  
20 than a cruiser that came in.

21 Q Okay. So, -- But --

22 A Is -- Is that the first?

23 Q -- with regard to that tape, --

24 A Okay.

25 Q -- does it appear to be the first? Does this appear to be

1 another cruiser coming in, 2409? Do you see that vehicle?

2 A I s -- Yeah, I see that. But I see also something parked  
3 there on the left. I cannot really point -- point if it is a  
4 cruiser or some other car --

5 Q Okay.

6 A -- that was there before.

7 Q Does this appear to be a third cruiser?

8 A It is a third cruiser that I see moving, yes. But the --

9 Q Right.

10 A The one that was parked on the left, I don't know if it was a  
11 cruiser or not.

12 Q Okay. Do you know whether that was Mr. Perrotti's SUV?

13 A I really -- I cannot see. I'm -- I'm --

14 Q Okay.

15 A I'm almost blind.

16 Q But at least at this point you see three --

17 A Yes, I see --

18 Q -- cruisers.

19 A -- the cars. I see the cruisers coming in.

20 Q Now, when you see the cruisers coming in, you're in the  
21 office; is that right?

22 A Yes, ma'am.

23 Q And directing your attention to Camera Angle C2, timestamp  
24 1625:25, which is real-time 3:52:35. I'm going to ask you to look  
25 at the area, specifically someone -- people coming out of the

1 office.

2 A Okay.

3 [Video Playing at 3:32:20 p.m.]

4 BY MS. LYNCH:

5 Q See that person coming out of the office?

6 A Yeah, that's me.

7 Q Okay. And what are you doing at that point?

8 A I'm assisting the officer looking for keys. They were asking  
9 me if I have the front keys for the -- for the door. And I told  
10 them, "I don't have the key but we can find it."

11 Q Were you able to find the key for that door?

12 A Yes, we did. Anthony found them later on, yes

13 Q Well, --

14 A But he had the -- he had that locked.

15 Q When you say Anthony found them later on, --

16 A I --

17 Q -- he found them --

18 A Yeah.

19 Q -- after the events in question, correct?

20 A No. No, he -- he had access to the keys right -- But they  
21 couldn't open it because it was deadbolted from the inside.

22 Q Okay. So you're talking about the front door key.

23 A Yes, ma'am.

24 Q Did the police officers ask you if there were any other doors  
25 into the building?

1 A Yes, they did.

2 Q And did you tell them that there were not?

3 A I told them there's one inside the office that goes from the  
4 office to the --

5 Q And when exactly did you tell them that?

6 A When they asked me, when they were trying to see access of  
7 the -- you know, "How many doors do you have here? How many --"  
8 You know, they first came on the premises. And then they start  
9 doing this work, asking questions: "What -- You know, what can we  
10 do here? What can we do there?"

11 Q Initially, you and Mr. Perrotti did not tell the police about  
12 that interior door in the office; isn't that right?

13 A No, of course not. They were -- They were in the office  
14 already. They seen it. The officers been many times to the -- to  
15 that gas station, ma'am. They know.

16 Q Mr. Chaghouri, --

17 A Yeah.

18 Q -- I'm asking you: --

19 A Mm-hmm.

20 Q -- at some point after the police were there for a period of  
21 time, wasn't it at that point when it -- the police had been there  
22 for about 45 minutes or more, that you told Mr. Perrotti that you  
23 needed to tell the police about that interior door?

24 A No. No, ma'am. The -- The door was completely -- They saw  
25 it right from the first second they came. What you are mentioning

1 is finding the door open. Yes, we did find out 45 minutes later  
2 that the door was open, by sheer luck, you know. But that was not  
3 reporting to the police there was no door. No, they -- we  
4 reported two doors to the police when they first showed up. And  
5 they went inside the officer. And you can see a big, tall guy  
6 standing at the door for a long duration in the beginning.

7 Q That was right after Mr. Greenough had escaped from the  
8 apartment.

9 A No. If you watch the full tape, you're going to see officers  
10 --

11 Q Well, I'd be --

12 A -- in the office.

13 Q -- happy to, Mr. Chaghouri. And see if this refreshes your  
14 recollection.

15 A Okay.

16 MS. LYNCH: I'd ask the Court to begin -- Let me just have  
17 one moment.

18 THE COURT: So, while they're looking for that, Mr.  
19 Chaghouri, you said the police had responded there numerous times.

20 THE WITNESS: Oh, yeah, many times.

21 THE COURT: And so, about how many --

22 THE WITNESS: Many times.

23 THE COURT: -- times had they responded there?

24 THE WITNESS: Over the last 15 times that I've been there, I  
25 can tell you at least over 10 times.

1 THE COURT: Over 10 times. And they've --

2 THE WITNESS: I'm --

3 THE COURT: -- been in the office?

4 THE WITNESS: Oh, yeah. They've been in the office, they've  
5 been with the alarms, like false alarm on the garage side.

6 THE COURT: Okay. And the door is visible?

7 THE WITNESS: It's always there.

8 THE COURT: Okay.

9 THE WITNESS: It's always there.

10 THE COURT: And just to be clear, 'cause I know Ms. Lynch is  
11 getting the video up: what was the conversation about the door?

12 THE WITNESS: The -- Yes. The conversation was that after --  
13 after Alan came out with that stick, with the tall -- with the  
14 table leg, a few minutes after that I -- Anthony comes into the  
15 office. I report to him. I say, "Alan just came in from that  
16 door."

17 THE COURT: Mm-hmm.

18 THE WITNESS: So, Anthony, b -- at this moment, he goes and  
19 he must've found out that the door's still open. So, few minutes  
20 later he says to me, "You believe that the door's unlocked?" He  
21 said, "I got to go in."

22 I said, "Okay."

23 So he goes in quietly. We don't tell anybody. He comes out.  
24 He says to me, "Al's not inside." So, he s -- he s -- he had --  
25 he tells me, "I'm going to head to the police, let them know."

1 I said, "Don't. Wait --

2 MS. LYNCH: Okay.

3 THE WITNESS: -- a little bit."

4 MS. LYNCH: Sorry.

5 THE WITNESS: Yeah.

6 BY MS. LYNCH:

7 Q I'm going to ask you -- You indicate that at some point while  
8 you were in the office while the police were there, --

9 A Yes.

10 Q -- Mr. Greenough came into the office; is that right?

11 A When the poli -- Yes, yes.

12 Q So, the police are outside --

13 A Yes, ma'am.

14 Q -- and he comes inside.

15 A He comes in from the inner door, yeah.

16 Q Okay. I direct your attention to Camera C1, timestamp  
17 1644:32, real-time 4:11:42.

18 [Video Playing at 3:36:44 p.m.]

19 BY MS. LYNCH:

20 Q You see that person that came in from that upper door?

21 A Yes.

22 Q Who is that?

23 A That's Alan.

24 Q And what is he holding in his hands?

25 A That table leg that I was telling you about.



1 Q And what was he saying to you as he was holding the table leg  
2 in that manner?

3 A He -- He was upset. He wanted to know if I called the police  
4 or "Who called the police on me, Joe?" he says.

5 Q What specifically did he say to you? Do you recall?

6 A Well, I was counting my money. And all of a sudden I look  
7 up, I see Al with a stick in his hand. I was startled for a  
8 second.

9 And -- And then I -- from that window in that room, I see two  
10 police officers standing and looking at the house. So, they could  
11 see him. All they had to do --

12 Q Didn't you -- Excuse me.

13 A Yes.

14 Q Did you tell the police it was Anthony that you saw outside,  
15 not the police?

16 A Anthony? What do you mean? Sorry.

17 Q That when you looked in that window from --

18 A I seen two police officers, ma'am, standing right there. And  
19 I was afraid they're going to see him with a stick. So I said,  
20 "Al, put the stick down right now before they kill you."

21 So he puts the stick down, he comes to the counter close to  
22 me, and he really relates to me that he's afraid and he wants to  
23 watch the Super Bowl and blah, blah, blah. And then he goes right  
24 back inside.

25 And then Anthony comes out after that, ma'am. Anthony was

1 not there when his brother came out.

2 Q Do you remember the specific words that Mr. Greenough used  
3 when you went and spoke to the police that night, that you told  
4 them?

5 A When I told the police?

6 Q "A big piece of wood. And he came out from the side door. --

7 A Yes, that's --

8 Q "-- And he's waving at me. --

9 A That's right. He was waving, right.

10 Q "-- Like, you could probably see it on the surveillance  
11 later. --

12 A That's right.

13 Q "-- He says, 'What are you doing to me, Joe? Why are you  
14 calling all the fucking cops on me?' --

15 A Okay.

16 Q "-- I said, 'I didn't call nobody at you.' --

17 A Yeah.

18 Q "-- And I said, 'What's wrong with you?' --

19 A Mm-hmm.

20 Q "-- I said, 'Don't you see all the police outside?' --

21 A Yeah.

22 Q "-- I said, 'Get rid of the fucking stick before they shoot  
23 you. --

24 A That's right.

25 Q "'-- This is a weapon.' --

1 A That's right.

2 Q "-- So he goes inside of his apartment, and then I haven't  
3 seen him after that until he escaped."

4 A That's correct. That's what I said.

5 Q And when he came in with that chair leg --

6 A Yeah.

7 Q -- and the manner in which he spoke to you, what was his tone  
8 of voice?

9 A He was angry, of course. He was screaming. And he said,  
10 "Joe, what the fuck? Who called the cops on me?" Yeah, he was  
11 angry. I mean, you could -- You -- You know, I mean, I'm not  
12 going to hide the fact you could see the stick in the -- in, you  
13 know, -- in his hand.

14 But when I told him, "Lower the stick, Al," he comes -- You  
15 could see right at the counter. He lowers it.

16 And, you know, because the police are -- I could see them  
17 from where I was. I could see from the window of that waiting  
18 room, ma'am. I could see two officers standing like this. So  
19 they could've seen him if they turned 30 degrees to the left.  
20 That's all they had to do.

21 And then I'm in the crossfire there. So of course I had to  
22 tell him, "Lower the thing and go back inside."

23 Q Did you previously tell the police that it was Anthony that  
24 you saw look in through that window?

25 A No, ma'am. They must've misunderstood that. I would never

1 say that.

2 Q Well, you were --

3 A Anthony --

4 Q -- recorded, weren't you?

5 A Yeah, I am. Yes. Let me hear it.

6 Q With regard to your prior testimony, page 20, where you said,  
7 "'Why did you do this to me? Why did you call the cops on me? I  
8 just want to watch the Super Bowl,'" --

9 A Yeah.

10 Q -- you said, "They had a little angle from the waiting room  
11 window," referring to the officers outside.

12 A Yes, ma'am.

13 Q And you said that Anthony was outside and saw him, too.

14 A No, no. Anthony did not see him. He was shocked when I told  
15 him, "Your brother came in with a stick." He did not see him,  
16 ma'am. Nowhere I would s -- say that. You -- You follow?

17 Q All right. I'm going to go back to the sequence.

18 MS. LYNCH: May I just have one moment, Your Honor.

19 THE COURT. Mm-hmm.

20 BY MS. LYNCH:

21 Q Do you recall saying that Anthony came in about five minutes  
22 later and he said to you, "The door is open"?

23 A Correct.

24 Q You said, "Great. Bring the officers. Let them go in."

25 A Okay.

1 Q And he said, "Dude, I don't want to do that right now because  
2 I'm afraid. You know, he doesn't want to come out. Just me. Let  
3 me wait it out. Let's see what we can do."

4 A Okay.

5 Q "And I guess he was looking for his brother. When he went  
6 inside, he didn't find him."

7 A That's right. He went inside, came out, and he told me he's  
8 not there.

9 Q No police officers had come into the office up to that point;  
10 is that right?

11 A In the beginning, when they first arrived on the premises,  
12 they came into the front door. And, you know, they said how many  
13 keys we have, how many doors we have, and --

14 Q Okay

15 MS. LYNCH: I would like to ask the Court's permission to  
16 either take notice that there is no such officer in the office in  
17 the timeframe leading up to this point, or I would ask that the  
18 tape be played. It would be a matter of 45 minutes or more.

19 THE COURT: We can play the tape.

20 MS. LYNCH: Okay.

21 THE COURT: Mm-hmm.

22 BY MS. LYNCH:

23 Q So, -- Yeah. So, directing your attention to the timeframe  
24 when the first officer arrived, directing your attention to the  
25 time 3 --

1 THE COURT: So, you're talking, Ms. Lynch, -- Just to be  
2 clear: the witness is saying, if I understand correctly, there are  
3 --

4 Are there officers in that waiting room area?

5 THE WITNESS: W --

6 THE COURT: Or where are the officers?

7 THE WITNESS: No, they did not stay, ma'am. And -- But the --  
8 when they first initially came on the premises, they came out  
9 looking for the owner and the manager.

10 THE COURT: Mm-hmm.

11 THE WITNESS: And I opened the door and I either -- I cannot  
12 really remember if I met them at the front door outside or they  
13 walked inside. But they were hovering around that video. You  
14 should be able to see --

15 THE COURT: They were hovering where?

16 THE WITNESS: Where --

17 THE COURT: If you -- Could you step down and --

18 THE WITNESS: Yeah. Where that door is.

19 THE COURT: -- just point to where they're hovering.

20 THE WITNESS: See that right door?

21 THE COURT: Where the --

22 THE WITNESS: That's the --

23 THE COURT: Where the --

24 THE WITNESS: Yeah.

25 THE COURT: Right there? Mm-hmm.

1 THE WITNESS: Yeah. This is the main entrance, right here,  
2 from outside. [Indicating.] There's one door here --

3 THE COURT: Yep.

4 THE WITNESS: -- and another door next to it.

5 THE COURT: Mm-hmm.

6 THE WITNESS: So, when these officers were looking for Mr.  
7 Greenough, --

8 THE COURT: Yes.

9 THE WITNESS: -- the communicating with the owner. And the  
10 owner happened to be inside. So, now I cannot recall if I went  
11 outside to meet them or -- But I do -- We did talk with the  
12 officers about all the exits and the entrances.

13 THE COURT: You talked --

14 THE WITNESS: That's the first thing.

15 THE COURT: -- to them about --

16 THE WITNESS: Absolutely.

17 THE COURT: -- all the exits and --

18 THE WITNESS: They asked me for the keys, myself. They said,  
19 --

20 THE COURT: Okay.

21 THE WITNESS: -- "Do you have this key?"

22 I said, "I don't have it right here, but we can find them."

23 THE COURT: And what did you specifically say about all the  
24 entrances and exits?

25 THE WITNESS: I said, "I don't have the keys right now. But

1 I know we got them somewhere in the drawer. All the keys, we  
2 should have access to."

3 THE COURT: Okay.

4 THE WITNESS: And then, by then Anthony had found the keys  
5 and he must've attempted to open and he found it locked from the  
6 inside.

7 THE COURT: Okay. But did you describe the doors to the  
8 officers? Did you tell them --

9 THE WITNESS: Yes, ma'am. I told the officer there's two  
10 doors in the building, absolutely. They know that there's a door  
11 here and door on the other side.

12 MS. LYNCH: With the Court's permission, I would ask that the  
13 tape be run showing the first officer arriving. Well, just for  
14 the record that the -- on -- Tape C2 shows the first Reading  
15 police officer pulling into the lot on the exterior camera at  
16 3:51 p.m. real-time, 1623:50. And I would ask that the tape be  
17 run from that point, 6:51:00 p.m. [sic] when the first officer  
18 arrived.

19 THE WITNESS: Excuse me; I got a question. When those  
20 cruisers were showing up, all three after each other, --

21 THE COURT: Mm-hmm.

22 THE WITNESS: -- that was not the initial arrival. The first  
23 cruiser came alone when they first came.

24 THE COURT: The -- So, the first cruiser came alone.

25 THE WITNESS: The first cruiser came alone. And then those



1 three -- When -- When they anticipated the problem and they made  
2 the call, then more cruiser came.

3 THE COURT: Okay.

4 THE WITNESS: So, this, what she's telling you to watch, from  
5 this moment on-after, it's not the whole thing. You have to watch  
6 from the arrival of the first officer.

7 MS. LYNCH: That is the -- For the purposes of the record,  
8 it's been testified to, it's been played in court. The first  
9 officer to arrive was Officer Michael Lee. His arrival is  
10 depicted at 3:51:00 p.m. And the officers were first dispatched  
11 to that location at 3:47 p.m.

12 And if you'd play that view inside.

13 [Video Playing at 3:45:25 p.m.]

14 BY MS. LYNCH:

15 Q Who is this man at the -- the two men that are in the station  
16 now with you?

17 A Anthony was with me behind the counter. And this guy, I  
18 don't know if he's a customer or if he's a -- Carlos, maybe? I  
19 can't re -- can't see him clearly from here.

20 Q Not a police officer, correct?

21 A No. I don't know. He doesn't look like -- No, no, that's an  
22 employee. His name was Amber. That's right. That's right.

23 MS. LYNCH: And that's at 1627:44 on the timestamp, for the  
24 record.

25 [Video Playing at 3:50:05 p.m.]

1 THE WITNESS: So, basically, we're watching this right now  
2 where the police cruiser is already outside?

3 THE COURT: Mm-hmm.

4 THE WITNESS: Okay. Can I ask a question? Why don't we  
5 watch the outside camera when the cruiser first arrived on the  
6 side? 'Cause we've already talked to them. They've already asked  
7 me about the doors already. That -- They -- They did that the  
8 first instant they arrived there.

9 THE COURT: I see.

10 THE WITNESS: It's too late for that now.

11 THE COURT: Okay.

12 THE WITNESS: They're not going to come in now.

13 BY MS. LYNCH:

14 Q The question is --

15 A Yes.

16 Q -- whether the police ever went into the apartment -- into  
17 the office. And you had testified that they had already been in  
18 the office.

19 A I do recall, ma'am, telling them that information: that we  
20 have two doors. And they seen the door. But I cannot t --  
21 remember if they stayed at the door or they went inside.

22 Q Well, that's why I'm asking you. You're in the office. They  
23 are not there talking to you, correct?

24 A But that's before. That's way before. They did this as soon  
25 as they came to the site. The first --

1 Q Sir, --

2 A -- thing, they came --

3 Q Sir, I've asked you a question from the timestamp when the  
4 first police cruiser pulled into your lot.

5 A Mm-hmm.

6 Q We are watching it now. Up until this point, 1628:57 on the  
7 timestamp, not a single police officer has come into that station.

8 A Well, that's not -- Listen, that's not my job. They should  
9 know. I told them there's two doors. If they chose not to go  
10 inside, that's not my -- I cannot force someone to do their job  
11 right, ma'am. But they know that we had two doors for that  
12 apartment. The first initial arrival on the site, they asked me  
13 how many doors, how many windows, who's got --

14 MS. LYNCH: Your Honor, --

15 A -- the keys --

16 MS. LYNCH: -- I would ask that the witness be instructed to  
17 answer a question that is asked.

18 THE COURT: But I'm -- This is a proceeding where the Court's  
19 trying to get to the truth. So, he's testifying to something and  
20 I'm trying to figure out, again, what his testimony is in response  
21 to your questions.

22 So, you're talking about the first cruiser --

23 THE WITNESS: The first.

24 THE COURT: -- that came.

25 THE WITNESS: Yes, ma'am, the first are -- the first police

1 officer that came that could not get a answer from Alan to open  
2 the door for him.

3 THE COURT: Okay.

4 THE WITNESS: That's when the information was asked.

5 THE COURT: Which is not depicted, you're saying, --

6 THE WITNESS: No, not here. The --

7 THE COURT: -- in this video. This is -- It's earlier.

8 THE WITNESS: Exactly.

9 THE COURT: Okay.

10 THE WITNESS: They've been here 40 minutes --

11 THE COURT: All right. Okay.

12 THE WITNESS: -- outside the apartment now.

13 THE COURT: All right, all right.

14 THE WITNESS: Of --

15 THE COURT: Go ahead, Ms. --

16 THE WITNESS: -- course they're not going to come --

17 THE COURT: Go ahead, --

18 THE WITNESS: -- inside.

19 THE COURT: -- Ms. Lynch.

20 MS. LYNCH: All right.

21 BY MS. LYNCH:

22 Q I'm just going to go back to one thing where you said, "The  
23 officers were at the other side, they were at the main door, they  
24 were not -- they probably did not have a clue that wal -- Al  
25 walked in for that 10 seconds, waving that stick, --

1 A Of course.

2 Q -- and then went back in there."

3 A Of course they had no clue. They were looking. I seen them,  
4 how they were looking straight. And Al was here on the left side.

5 Q Well, didn't you just say, Mr. Chaghouri, that the police  
6 officers likely saw him in there?

7 A Likely? If they saw him in there, you think they're going to  
8 leave him in there? No, I didn't --

9 Q Exactly.

10 A -- mean in that way.

11 Q That's my point.

12 A No, I didn't say that, --

13 Q The officers --

14 A -- ma'am. I said --

15 Q -- did not --

16 A -- I was afraid of them seeing him. I did not say they saw  
17 him. I was the one that dispersed him and made him go back to the  
18 apartment, made him --

19 Q Can I ask you --

20 A -- put the stick down --

21 Q -- a question: has Mr. Perrotti questioned you or talked to  
22 you about the testimony during the course of this hearing?

23 A What's that?

24 Q Has Mr. Perrotti or his attorneys spoken to you concerning  
25 the events of February 3rd?

1 A Of their testimony? Never. I d --

2 Q Of what --

3 A No.

4 Q -- happened.

5 A No, never, never, never. He told me I cannot discuss  
6 anything. When he came from the first meeting in court, Anthony,  
7 he came to me, to the shop.

8 I said, "How did it go?"

9 He said, "I cannot tell you. I'm under an order from the  
10 judge. I cannot open my mouth."

11 Q Prior to the hearing starting, did you talk to him after  
12 doing witness preparation with me?

13 A When you told me, "Do not discuss that with no one"?

14 Q Yes.

15 A N -- No, ma'am. No, ma'am.

16 MS. LYNCH: Now, with the Court's permission if I for the  
17 record may state that the first time officers come in is the  
18 timeframe after Mr. Perrotti had gone into that office twice.  
19 Specifically, the first officers, for the record -- I could play  
20 the whole thing but for the record I would indicate that  
21 referencing the exhibit timeline --

22 THE COURT: Could you play it -- the -- it for the Court, --

23 MS. LYNCH: Sure.

24 THE COURT: -- Ms. Lynch? Yeah, just 'cause there's -- just  
25 based on the testimony that I just heard.

1 MS. LYNCH: Okay. I would ask that the interior camera, C1,  
2 timestamp -- Okay, Camera C2, timestamp 1704:44, specifically  
3 4:31:54.

4 [Video Playing at 3:55:47 p.m.]

5 BY MS. LYNCH:

6 Q Now, at this point, what do you see walking towards the  
7 camera, the front door?

8 A A bunch of officers.

9 Q Okay. And that was the first time a group of officers  
10 entered the office; is that right?

11 A I don't know what was there before, ma'am. I -- I -- That's  
12 all I saw -- saw right now, yes. But --

13 Q And directing your attention, --

14 A Mm-hmm.

15 Q -- please, to Camera C1, --

16 A Mm-hmm.

17 Q -- timestamp 1704:54, real-time 4:32:04.

18 [Video Playing at 3:56:42 p.m.]

19 BY MS. LYNCH:

20 Q Who is that coming in the door?

21 A That's Anthony.

22 Q And is that a police officer?

23 A Th -- Yes. That's --

24 Q Followed by another police officer?

25 A Yes. That's at the last step, when he informed them that his

1 brother was not in the apartment any longer. That's when they all  
2 came in.

3 Q And there's a fourth officer?

4 A Yep. He doesn't stay there long, I guess, this guy.

5 Q And a fifth officer.

6 A Yeah.

7 Q That was the first time that afternoon that a police officer  
8 had entered that office area.

9 A I really would be very surprised to -- to believe this  
10 because I know I did talk to them. I could've met them, maybe, at  
11 the door and I walked to the apartment with them. But I -- We had  
12 conversation about the doors. I don't know if they did not look  
13 at it. That's not my problem. But I did tell them there's two  
14 doors.

15 Q Mr. Chaghouri, when you were interviewed by me in  
16 anticipation of this hearing, --

17 A Mm-hmm.

18 Q -- you told me in the presence of police officers present for  
19 purposes of noting your statements that the first time the  
20 officers entered that office was when -- was already after Anthony  
21 realized that they were not in that -- that his brother was not in  
22 the apartment.

23 A How could I conclude that this is the first or the second? I  
24 -- I'm not going to remember from year-and-a-half how many times  
25 they walked in. But I can guarantee you when they first arrived



1 on the premises the protocol of the police department is to talk  
2 to the owner who's in charge and ask him about who's got the keys,  
3 how many doors here -- And I did co -- co -- cooperate with them  
4 and told them everything.

5 Q And you --

6 A Same way.

7 Q -- identified that tape of you walking out and approaching  
8 the officers --

9 A Mm-hmm.

10 Q -- at approximately 3:51 p.m. --

11 A Okay.

12 Q -- real-time.

13 A So that -- Okay, if that's --

14 Q Did you see that this afternoon when I played that tape for  
15 you of the cruiser arriving?

16 A I seen the three cruisers arriving after each other. But  
17 when they first came last time, I did not see three. I see -- I  
18 saw first car come alone. Three minutes later, the cruisers start  
19 coming.

20 Q But you would agree that your videotape would show the cars  
21 coming and going from your gas station that afternoon.

22 A Absolutely, it's got to catch it. I mean, you could --

23 Q Okay.

24 A You could do something. Maybe, you know, enhance the system.

25 But I will guarantee you that there was -- the first cruiser came

1 solo. You check the police record.

2 Q Correct. One showed up, followed by another, followed by --

3 A Yes.

4 Q -- another.

5 A But when you say "followed" -- You showed me a video of three  
6 cars after each other within 2-3 seconds. That's not what  
7 happened. That was a good 5 minutes' time before the first  
8 cruiser arrived on the side and Alan Greenough not opening the  
9 door for them, and then the rest of the cruisers start arriving.

10 Q Assume hypothetically that the video surveillance system from  
11 your gas station shows the first police cruiser to arrive at  
12 3:51 p.m. that afternoon. You saw 3:51, correct?

13 A Yes, I did.

14 Q And there was a police cruiser in that.

15 A Mm-hmm.

16 Q You would be wrong if that was the first police cruiser shown  
17 on your video system arriving at the gas station that afternoon.

18 A If it's -- If it's a series of three cars, yes, I would be  
19 wrong because I seen one car alone.

20 Q Okay.

21 A I'll never forget that.

22 Q And with regard to that afternoon, can you describe, after  
23 Mr. Greenough came into that office holding that stick, what was  
24 your state of mind?

25 A I was scared.

1 Q And what made you scared?

2 A Two things: that big object that first he had in his hand is  
3 going like this --

4 Q And you're demonstrating with it raised over his head?

5 A Yes. When he first came out, it was like this in the  
6 beginning. Camera did not get it maybe 100 percent. But I was  
7 also afraid of being in the crossfire when the police officer is  
8 standing like this and he's on the left angle of them.

9 Q You didn't tell the police that you were afraid of them  
10 shooting you. You said you were afraid --

11 A You kidding me?

12 Q -- of him.

13 A I -- I can't say nothing like this. Of course I'm not going  
14 to tell them that after they killed a guy in front of me. You  
15 think I'm going to tell them I'm not afraid of them? Of course  
16 I'm afraid of them. I was afraid, yes.

17 Q Mr. Chaghouri, that night, you indicated to the police that  
18 you were afraid of Alan because he was not in his right mind.

19 A Yes, I did say that.

20 Q And he was not in his right mind, because he was under the  
21 influence of alcohol or drugs.

22 A Yeah. I mean, whatever you found in his body, really, I  
23 don't know what he was on. But he was agitated, for sure. When  
24 he came with that stick, he was -- he was upset.

25 Q And you told him to go back in the apartment.

1 A I did. I f -- I said first, "Put the stick down." And then  
2 once he pulled it down, then I said, "Go back."

3 Q And the first time the officers came in after that episode  
4 was as was demonstrated in this video clip sometime.  
5 Approximately --

6 A Yes.

7 Q -- 4:32. Strike that. 4:32:38.

8 Now, can you describe for us, in the timeframe after he came  
9 in and before the police officers came into that apartment, did  
10 you go outside at all?

11 A Yes, periodically I would go outside and come back in.

12 Q And during that time, what observations if any did you make  
13 concerning what was going on and whether you saw Mr. Greenough?

14 A I mean, everything was normal. The cruisers were still  
15 outside. The officers were waiting outside for him. You know,  
16 nothing -- nothing different, because they did not know he came in  
17 inside. They had no clue that he walked in.

18 Q Okay. So, you agree and accept now that the police had no  
19 idea that Alan Greenough had come in the --

20 A They have not -- Yes. They did not see him open the door and  
21 come and communicate with me. They did not see him.

22 Q And so, that's different than you just said about 25 minutes  
23 ago.

24 A Why? What's different? They did not see him come talk to  
25 me. It's not -- does not mean they were not aware of a door

1 | connecting the office and the apartment.

2 | Q I'm just --

3 | A That's two different things.

4 | Q -- asking you whether you had previously testified that the  
5 | officers were outside and saw Mr. Greenough in the office with you  
6 | with the stick.

7 | A No, they did not. I said I was afraid of them turning --

8 | Q So, your testimony --

9 | A -- their head --

10 | Q Now, during this time, clearly you became aware that that  
11 | door was a means that Mr. Greenough used to avoid being seen by  
12 | the police at that time.

13 | A Say -- Repeat the question.

14 | Q He came into the office to see you, not the police, --

15 | A Yes.

16 | Q -- correct?

17 | A Yes, to see me, yes.

18 | Q He didn't go outside and surrender himself to the police.

19 | A No, he did not.

20 | Q He went back into the apartment. When did you first become  
21 | aware that the door to the apartment was unlocked?

22 | A When Anthony walked in and I told him that Alan just came out  
23 | with the leg in his hand, leg of the table. And then Anthony goes  
24 | and he says to me, "Oh, the d -- he left the door open."

25 | Q And when he said, "Oh, he left the door open," what happened

1 at that point?

2 A We discussed that we should report it to the police but we  
3 should give Alan a couple of minutes so he does not -- they d --  
4 they don't see him running and then shoot him on the property. I  
5 wanted him to get away from there, as far as I could.

6 Q So you wanted him to escape from the apartment before the  
7 police knew that door was open.

8 A No, no. I wanted him -- Once I realized that he's already  
9 out of the apartment, it makes no sense to tell the police right  
10 at the instance that we found out, and then have a shootout on my  
11 property. I was avoiding doing this, ma'am. I was not --

12 Q Okay.

13 A -- trying to deceive the police or anything. The guy did not  
14 even do anything. They were -- just came to talk to him. So, you  
15 know, --

16 Q All right. Let me --

17 A -- I was not, like, cheltoning [phonetic] --

18 Q Let me just go back for --

19 A Yeah.

20 Q -- a minute, here.

21 A Okay.

22 Q You were in the office and Mr. Greenough comes in wielding  
23 the stick at you, causing you to have concern.

24 A Yes.

25 Q He then goes into the office and at some point Anthony comes

1 in and you discuss with him that he came in with the stick.

2 A He goes back into the apartment, you meant.

3 Q Yes.

4 A Okay.

5 Q Well, he had to go into the office fir -- the waiting room.

6 A The waiting room, okay.

7 Q He goes into the apartment.

8 A Yes, ma'am.

9 Q At some point after that, Anthony goes to the door from the  
10 waiting room into the apartment and says it's unlocked.

11 A That's correct.

12 Q You do not tell the police at that time that the door is  
13 unlocked.

14 A No, I do not tell them. I -- I waited, like, two minutes.  
15 And then Anthony went and told them.

16 Q So you believe that that was two minutes.

17 A Yes, yes, about two. It could be even less. It's not more  
18 than two.

19 Q Well, could it be as much as several minutes, two visits into  
20 the apartment by Mr. Perrotti prior to the police being notified?

21 A We -- When we watched over at your office, I did see Anthony  
22 two times go beyond that point where we cannot see after that. I  
23 did -- I did see that. And there was five minutes' discrepancy  
24 from each other. But I really do not know when Anthony went  
25 toward that direction if he went to the bathroom or if he was

1 talking to him through the door or if he opened the door and went  
2 inside. I have a certain angle, blind angle from that; I cannot  
3 see beyond that.

4 Q You agree that there was a period of time when both you and  
5 Mr. Perrotti knew that that door was unlocked; --

6 A Yes, ma'am, very short period, absolutely.

7 Q -- that Mr. Greenough had used that door to come in, holding  
8 a stick, and assault you; -- You have to answer yes or no.

9 A Yeah. Well, he did not assault me. But, yes, I did see him.

10 Q Well, you were fearful.

11 A I was in fear for my life, yes. But, you know, for --

12 Q And --

13 A -- a couple of seconds --

14 Q Okay.

15 A -- only.

16 Q And you would agree that you waited a period of time between  
17 -- Well, let me ask you this: you agree that you were shown a  
18 video that depicted Mr. Greenough coming into the office holding a  
19 stick. You were shown that video here in court, and you recognize  
20 that? It was that afternoon.

21 A Yeah.

22 Q Let me show you this series of photographs. Do you recognize  
23 this to be a photograph of the video screen from the timeframe of  
24 Mr. Greenough coming into the office holding that stick?

25 A Is he in the photo here, or --



1 Q Just directing your attention to --

2 A To the door?

3 Q -- this portion. [Indicating.]

4 A Okay.

5 Q This portion. [Indicating.]

6 A Yeah, he's here on there, 4:36. Is that the right time,

7 4.36?

8 Q 44:41, does that appear to be him with the stick?

9 A Yes, that's him, yeah.

10 Q Does this appear to be him with the stick, at 42?

11 A Mm-hmm, mm-hmm.

12 Q Does this appear to be him going into that office, at 46?

13 A That's right.

14 Q And these appear to be photographs taken from that very  
15 screen?

16 A Yes, ma'am.

17 MS. LYNCH: Your Honor, I would ask that these be marked as  
18 the next exhibit. And if I could just staple them

19 THE COURT: Sure.

20 THE CLERK: I have a stapler right here.

21 MS. LYNCH: Okay.

22 THE CLERK: Thank you.

23 [Surveillance Footage Images Marked as Exhibit No. 80]

24 BY MS. LYNCH:

25 Q And it wasn't until the timestamped video 1704:44, which was

1 real-time 4:31:54, that Anthony Perrotti led a group of police  
2 officers into the gas station office.

3 MS. LYNCH: And I'd ask, with permission, to play that clip.

4 THE COURT: Yeah.

5 [Video Playing at 4:09:57 p.m.]

6 BY MS. LYNCH:

7 Q And that appears to be the timeframe when the police first  
8 come in, 1704:56; is that correct?

9 A Whatever you say, ma'am. I really cannot remember the time.  
10 But I'm going --

11 Q I'm asking you --

12 A -- with what I --

13 Q -- to look --

14 A Yeah.

15 Q -- at your timestamp.

16 A Yeah, I'm going with whatever I see in front of me on the  
17 timestamp.

18 Q Okay. So, if the timestamp of the officers going in the  
19 office is 1704 and the timestamp on the photos of Mr. Greenough in  
20 the office with the wooden stick -- that would be 20 minutes  
21 between the time that you were aware that Mr. Greenough had used  
22 that door and the time that the police were notified of that.

23 A Me, yes, me. But not Perrotti, because Perrotti was outside.  
24 And he did not walk in until a period of time. So, that 20  
25 minutes that you're talking about, it's divided into two

1 integrals: the integral that I knew the information alone, for a  
2 good 10 minutes of it; the second phase of it, when he walks in  
3 and I report it to him.

4 'Cause I was doing a lot of work at the time and I did not  
5 report to him that Al came in until he walked into the office, I  
6 never left the office, if you see the video. And when he walked  
7 back in there, that 20 minutes that you're talking about was not  
8 all, you know, like you think. It's -- By the time he found out  
9 when the door was -- you know, that Al came in, maybe he had 7  
10 minutes, 7-6 minutes or 5 minutes.

11 Q And the purpose was to give Mr. Greenough an opportunity to  
12 get out of there.

13 A Yes, absolutely. That was my intention. And I did not want  
14 him to -- you know, to get shot on my property, 'cause I seen --

15 Q I'm not asking about him getting shot on your property. I'm  
16 asking you about whether or not it was your hope that he would not  
17 be apprehended or arrested on your property.

18 A Exactly, that was my hope. That was my hope, yes.

19 Q And directing your attention to the videotape in the  
20 timeframe when -- specifically 4:19:46, Video Camera 2,  
21 timestamped 1652:36. I'd ask you to look at that tape.

22 A Okay.

23 [Video Playing at 4:12:32 p.m.]

24 BY MS. LYNCH:

25 Q Now, as we're getting to that clip, prior to telling Mr.

1 Perrotti, you told Mr. Randall about Mr. Greenough coming and  
2 holding the table leg at you.

3 A I asked him. I said, "Did you see Al?"

4 He said, "Yeah, I saw him."

5 Q Okay. And that was at 4.12:43, shortly after this happened;  
6 is that right?

7 A I don't know what time, really, I told him, ma'am. But I do  
8 remember after Al left, because Mike -- he walked in right at the  
9 time when Alan went back to the apartment.

10 Q Okay.

11 A And he did see him. He did see his back.

12 Q So you and Mr. Randall were both aware that he had been in  
13 the office and had gone back into the apartment.

14 A Absolutely.

15 Q You did not yourself speak to the police and tell them that,  
16 --

17 A No.

18 Q -- at that time.

19 A No, I did not.

20 MS. LYNCH: And if you would continue with that tape,  
21 1652:31.

22 [Video Playing at 4.14:04 p.m.]

23 BY MS. LYNCH:

24 Q You see this person approaching as the firetruck is pulling  
25 in and going into the office or towards the office?

1 A That looks like Anthony on the phone. That's the way he  
2 walks; I know that. And that's Mikey going back to the office.

3 [Video Playing at 4:14:29 p.m.]

4 MS. LYNCH: Your Honor, if I may just sit down.

5 THE COURT: Of course you can.

6 [Video Playing at 4:14:54 p.m.]

7 BY MS. LYNCH:

8 Q Now, at that time can you see Mr. Perrotti in that video?

9 A Yeah, he's -- he was pacing, walking on the phone, back and  
10 forth. But I don't know if he went this way or went back to the --  
11 to the left; I'm not sure.

12 Q And that area that he's --

13 A He's still there. Yeah, he's still --

14 Q -- walking on now --

15 A -- there, he's still there.

16 Q That area that appears to be a different consistency, --

17 A Yeah.

18 Q -- was that ice?

19 A It looks like ice, yeah. It was pretty cold back then, yeah,  
20 February 3rd.

21 Q Now, at that time does it appear that Anthony goes somewhere,  
22 1644:41?

23 A He has not yet -- He has not learned yet from me the  
24 information, obviously.

25 Q Okay. Now I'm going to ask you --

1 A Yeah.

2 Q -- to look at Camera 1, timestamp 1654:14, real-time 4:21:24.

3 [Video Playing at 4:16:01 p.m.]

4 BY MS. LYNCH:

5 Q Who was entering at 54:16, on the phone?

6 A Yeah, but we -- we haven't --

7 Q Who is that?

8 A That's Anthony. But I have not talked to him yet, as you  
9 see. He walked away. He was on the phone. So I have not yet  
10 informed him. So it's going to go f -- another 4-5 minutes  
11 outside.

12 Q What is that conversation there, where you're pointing to  
13 that room?

14 A I really cannot remember.

15 Q Would it be -- Is it possible that you were pointing to say  
16 he just came out of that room?

17 A I mean, it's possible.

18 Q All right.

19 MS. LYNCH: Can you go --

20 A It's possible, but --

21 MS. LYNCH: -- back, please, just a few seconds.

22 [Video Playing at 4:16:56 p.m.]

23 BY MS. LYNCH:

24 Q And that is the waiting room that Mr. Perrotti just entered?

25 A Yes. But as you see, he did not go far. He did not even

1 reach the door yet.

2 Q I'm not --

3 A [Indiscernible at 4:17:45 p.m. - simultaneous speech].

4 Q -- asking for your editorial comments.

5 A No, but I'm -- I'm trying to prove your "20 minutes" point,  
6 that it's not really accurate. That's all.

7 MS. LYNCH: Your Honor, I would ask that the witness just be  
8 instructed to answer the questions that are asked of him.

9 THE COURT: Mr. Chaghouri, if you'd just --

10 THE WITNESS: I'm sorry. I'm sorry, --

11 THE COURT: -- answer the questions.

12 THE WITNESS: -- ma'am.

13 THE COURT: Thank you.

14 [Video Playing at 4:18:02 p.m.]

15 THE COURT: Who was that coming out?

16 THE WITNESS: Marco Ortiz, --

17 THE COURT: Oh.

18 THE WITNESS: -- the mechanic.

19 [Video Playing at 4:18:25 p.m.]

20 THE COURT: And who is that you're talking to?

21 THE WITNESS: That's Macro Ortiz.

22 THE COURT: Oh, Marco.

23 THE WITNESS: Yeah.

24 THE COURT: But who went outside earlier?

25 THE WITNESS: Was -- Wasn't it him, you think? No? Looked

1 like him.

2 THE COURT: No. Somebody went out the door, the front door  
3 there, before.

4 THE WITNESS: Could -- Either Mike Randall or Anthony.

5 THE COURT: Okay.

6 THE WITNESS: It's got to be one of the two, unless it's a  
7 customer.

8 [Video Playing at 4:19:03 p.m.]

9 BY MS. LYNCH:

10 Q And is that you and Marco entering --

11 A Yes.

12 Q -- at the timestamp 1658:55?

13 A Yes, ma'am.

14 [Video Playing at 4:22:01 p.m.]

15 BY MS. LYNCH:

16 Q And who is this coming in at 1659:11?

17 A That's Mike, Mike Randall.

18 Q Do you know what you're saying to him at that time?

19 A Maybe we're discussing the case, you know, of --

20 Q What was that gesture?

21 A Yes, probably I'm telling him about the stick, about the  
22 stick Al had in his hand, the table. Maybe.

23 Q And what is that exchange between you and Mr. Randall?

24 A He's asking me for change for a customer. He's breaking  
25 probably 100 bill.



1 Q Okay.

2 A But he is -- He knows also that Alan walked in. We -- We --  
3 Both of us, we -- You know, we talked about that, I think.

4 Q Before this.

5 A Yes.

6 [Video Playing at 4:22:58 p.m.]

7 BY MS. LYNCH:

8 Q Now, the area where Marco walked, what does that lead to, to  
9 the right as you're looking at the camera?

10 A It's the garage door.

11 Q Who came in at that point?

12 A That's Anthony.

13 Q And that's at 1700:44?

14 A Yes.

15 Q He enters the waiting room?

16 A Yes, he does, yeah.

17 [Video Playing at 4:23:53 p.m.]

18 BY MS. LYNCH:

19 Q This individual that is coming in at 01:30, --

20 A With the hat.

21 Q -- who -- Yes, who is that?

22 A That's a good question. That might be Cosar [phonetic].

23 Q So, Mr. Perrotti has come out at --

24 A Yes.

25 Q -- approximately 01:36?

1 A Yes.

2 Q And what is the conversation that's going on at this point?

3 A Now he's going to learn, probably, that the door's unlocked.

4 Q So, in that 44 seconds when he went into that room or  
5 thereabouts?

6 A Probably. I'm -- I'm guessing, 'cause he does that twice.  
7 So I'm not sure if he knows now or later on, but one time he find  
8 out, another time he goes in the apartment.

9 [Video Playing at 4:25:10 p.m.]

10 BY MS. LYNCH:

11 A So, now he just found out the door is unlocked. He did not  
12 go th -- inside yet.

13 Q How do you know? You did not look.

14 A Because it's fast. You know, it could not be that because  
15 it's going to take him, like, minute/minute-and-a-half before he  
16 goes upstairs and come back here.

17 Q But it's fair to say he knew the door was unlocked at that  
18 point.

19 A Yes, it's fair to say that, yes.

20 Q Now, at this time it's the --

21 A It's --

22 Q -- four of you in the office?

23 A Yes. But he's telling me, probably, the door's unlocked now.

24 Q Well, not "probably." What do you recall?

25 A Kidding me? I -- So many events happening so fast that

1 night.

2 Q So, what are you doing as you're demonstrating, talking to  
3 Mr. Perrotti, at that point?

4 A I either was telling him what Alan did when he walked into  
5 the office -- That's probably the only thing that I could tell  
6 him, because as you see I've never left that room.

7 Q I'm going to ask you to note the timestamp, 03:37.

8 [Video Playing at 4:26:43 p.m.]

9 BY MS. LYNCH:

10 Q Why is everyone outside at this point? Do you know?

11 A Not really.

12 Q And this is Mr. Perrotti coming in?

13 A Yes.

14 Q And he goes in, and that time is at 1703:47 on the timestamp?

15 A Uh-huh. Okay. That's when he goes inside, probably, most  
16 likely. Yeah.

17 Q Well, you know. You weren't in there, were you?

18 A Well, no. But I'm explaining you the events. I tell him the  
19 -- Al came, he goes, he tells me the door's unlocked; the third  
20 attempt, he goes in. It's a series of event [sic] that I never  
21 forget.

22 Q Now, was there any agreement for you -- the three of you to  
23 wait outside while he went inside?

24 A No, no. Marco and Mike Randall never were involved in --

25 Q And that was --

1 A -- that conver --

2 Q -- Mr. Perrotti that left at 04: --

3 A Mm-hmm.

4 Q -- 28?

5 A Yes, ma'am. He realized probably Alan's not in the apartment  
6 right now, at this point.

7 Q And at --

8 A He -- He brings the police --

9 Q -- 4:51 --

10 A -- right away. Yeah.

11 Q -- is this when the police are brought in?

12 A So, you see, ma'am, why I was fighting over that 20 minutes?  
13 Because it's really not accurate.

14 Q Sir, it's fair to say that there was a period of time --

15 A Fair, yes, it is.

16 Q -- from 4:11 when you knew that he had made access into the  
17 office that you did not tell the police officers that.

18 A I did not tell the officers, that's right. But the period  
19 was --

20 Q And --

21 A -- about 3-4 minutes, ma'am.

22 Q And the period of time when Mr. Perrotti went in that office  
23 initially for -- I believe it was a period -- if I might just have  
24 one moment -- when Mr. Perrotti went into the waiting room at  
25 1701:54 and then came out on the phone, that he had been in that

1 room where that door was located; is that right?

2 A Yes. He was in there. I saw him go in there.

3 Q And that Mr. Perrotti was in the office waiting room area  
4 where that door is How far would you approximate the door into  
5 the waiting room and the door into the apartment are?

6 A From that -- From that point where you -- that guy's standing  
7 to the apartment door?

8 Q Yep.

9 A It's about 14 feet.

10 Q Okay. And so, that would clearly be traversed by a grown man  
11 Mr. Perrotti's size in one or two seconds, he could make it to  
12 that door.

13 A Yeah, easy. Two/three seconds, yeah.

14 Q And the door is unlocked and it gets opened. And you can see  
15 right into the apartment; is that right?

16 A That's correct.

17 Q And then it would take, similarly, one or two seconds to come  
18 out.

19 A To come out of where?

20 Q From the door to --

21 A From the door, yes, absolutely. But he went inside the  
22 apartment, went upstairs. That's the difference in time.

23 Q My point is asking you --

24 A Mm-hmm.

25 Q -- that there was time for him to go into the apartment on

1 both occasions, correct?

2 A He -- Yeah, he did. I mean, you can see the first time,  
3 ma'am, he ope -- he find out the door is unlocked, he comes back  
4 to me, he tells me the door unlocked, he goes outside again, then  
5 he comes back again, he goes in a few seconds when he disappears  
6 for like half a minute. This is when he comes out and then he  
7 leads the police officers back in.

8 Q Now, let me ask you this: did you make a disclosure to me and  
9 the police officers when preparation was done for this hearing  
10 back in March of this year --

11 A Okay.

12 Q Do you recall that?

13 A Made the disclosure of what -- what nature, ma'am?

14 Q Well, when you told the police that you told Anthony to wait  
15 a period of time --

16 A Yeah.

17 Q -- so that his brother could get away.

18 A Yes, ma'am. Well, I -- I said it in the police station.  
19 It's right there. You read it in your thing from that night.

20 Q That you -- That it was your idea to let Mr. Greenough get a  
21 head-start?

22 A I -- I don't recall whose idea it was, really, what I said  
23 that night. But I was more determined than Anthony not to tell  
24 the police, I can tell you that much, only because as an owner of  
25 the property I did not want any more commotion or I could

1 visualize what could happen.

2 Q So neither of you wanted the police to be notified as soon as  
3 you became aware that that door was opened.

4 A I can talk on my behalf, ma'am. I don't --

5 Anthony did not agree with me, actually. When I was trying  
6 to convince him to give slack to these g -- you know, to the -- to  
7 his brother a little more, he was hesitant. And he did not agree  
8 with me. But I am not sure, you know, how many minutes or how  
9 many seconds it took him to report to the police. But from what  
10 I've seen right now on the video, it was very fair, like 30  
11 seconds from the time he goes inside and he find Al not there and  
12 then goes to the police.

13 Q Did you have a key to that door?

14 A Yeah. We had keys to both doors, ma'am. Yes, we did.

15 Q Did you use that key to unlock that door and --

16 A No, it was --

17 Q -- go in?

18 A -- locked from the inside. The first attempt, yes, we did  
19 when the police officers came on the side. We attempted to open  
20 that door and the other door. But neither one would open.

21 Q If the videotape does not show a single officer in that angle  
22 --

23 A Mm-hmm.

24 Q -- coming in until the point when Anthony led the group of  
25 officers in, would that change your testimony?

1 A Not necessarily because I could've communicate with the  
2 officers when I walked out of the door and I off -- I walked with  
3 them to the hallway where Alan lived and the apart -- other  
4 apartment. And there was conversation from there all the way back  
5 when I came to the office.

6 Q So it's your testimony that you told the police that there  
7 was another door into that apartment, --

8 A Yes.

9 Q -- that you had a key for that door, --

10 A They did ask me, yes.

11 Q -- and they just didn't care?

12 A No, they cared. They asked me for both keys. And I said,  
13 "We got 'em." And then Anthony found the keys and they found out  
14 it was locked from the inside.

15 Q That was the door in the front.

16 A And the one in the back, too, had the deadbolt on it, as  
17 well.

18 Q And Mr. Chaghouri, --

19 A Yes, ma'am.

20 Q -- from looking at that videotape, you never saw an officer  
21 enter that office on February 3rd until that point when Mr.  
22 Perrotti led everyone in there.

23 A From the time you showed me of 3:51 --

24 Q Yes.

25 A -- until then, yes, I did not see. But I am claiming that



1 the -- this event started way before this time, because I do  
2 recall one cruiser came solo. I did not see three cruisers coming  
3 after each other like that. I really do. I can remember that  
4 much. The first officer cruiser came alone. And then about 3-4  
5 minutes later they start arriving.

6 MS. LYNCH: Your Honor, would this be a good time to break?

7 THE COURT: Yes, it would.

8 MS. LYNCH: I don't think I'll finish with --

9 THE COURT: No.

10 MS. LYNCH: -- Mr. Chaghouri today.

11 THE COURT: We're not going to finish today.

12 So, I just have -- So, the -- I just want to ask one question  
13 before we break. So, you said -- So, is it the officer -- was it  
14 one officer who arrived in the first cruiser? Just one officer?  
15 Or was it two officers?

16 THE WITNESS: I did not really see, ma'am; I was inside.

17 THE COURT: Okay.

18 THE WITNESS: But then, you know, I walked outside as soon as  
19 I found out the police here and they're knocking on the door. And  
20 then we all came out and --

21 THE COURT: So what set of officers did -- are you testifying  
22 now that you had a conversation with?

23 THE WITNESS: Two guys.

24 THE COURT: Two

25 THE WITNESS: Two guys. They ask me if I have keys.

1 I said, "Yes, I do have keys but I don't know where they are  
2 right now. But we can locate them for you."

3 THE COURT: Two male officers.

4 THE WITNESS: Two male officers, yes.

5 THE COURT: And those are the two male officers that you  
6 testify to now that you told about the doors.

7 THE WITNESS: Yes, they did ask me. They said, "How many  
8 entranceway?" That was the first question they said: "Do you have  
9 keys?" Blah, blah, blah. I said, "Yes, we do have --

10 THE COURT: But was that --

11 THE WITNESS: -- key --"

12 THE COURT: -- the first set of officers in the first  
13 cruiser, or was that when all the officers --

14 THE WITNESS: No, it was --

15 THE COURT: -- were together?

16 THE WITNESS: -- the first. It was the first.

17 THE COURT: Okay. All right. So, we're going to break. So,  
18 Mr. Chaghouri, you're going to need to come back next week, sir, --

19 THE WITNESS: My pleasure.

20 THE COURT: -- to finish your --

21 THE WITNESS: My pleasure, ma'am

22 THE COURT. -- testimony. Thank you.

23 [Witness steps down]

24 THE CLERK: So, this matter is continued to May 22nd, 2019,  
25 for continuation of the hearing. Thank you.

1 THE COURT: Thank you all.

2 [Court in Recess at 4:35:14 p.m.]

3 [Back on Record at 4:35:26 p.m.]

4 THE CLERK: I -- Can we continue?

5 THE COURT: Yep.

6 MR. KOUFMAN: I'd just like an opportunity to review this  
7 tape. I wasn't able to see it in the Clerk's Office. Was it  
8 there, or --

9 MS. LYNCH: Yes.

10 MR. KOUFMAN: Is it --

11 MS. LYNCH: It's on the thumb drive.

12 THE CLERK: Yep. Mm-hmm.

13 MR. KOUFMAN: Okay. Thank --

14 THE COURT: Okay.

15 MR. KOUFMAN: Thank you.

16 THE CLERK: Thank you.

17 THE COURT: All right. Thank you.

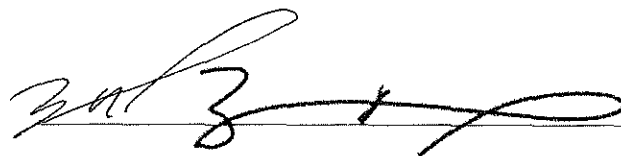
18 [Adjourned at 4:35:39 p.m.]

## C E R T I F I C A T I O N

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October 23, 2019

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CASE NAME: MIDDLESEX DISTRICT ATTORNEY v. ALAN GREENOUGH

DOCKET NUMBER: 1853IN000001

RECORDING DATE: May 14, 2019      TRANSCRIPT VOLUME: 5 OF 10

TYPE:  FTR    JAVS      QUALITY:    EXCELLENT    GOOD    FAIR    POOR

**ISSUES:**

**Time stamp(s) of indiscernible word(s):**

background noise

enter time; enter time, enter time,

low audio

enter time; enter time, enter time,

low audio at sidebar

enter time, enter time, enter time,

simultaneous speech

**1:04:11 p.m. 4:17:45 p.m.** enter time,

speaking away from mic.

**10:40:20 a.m.** enter time, enter time,

other: specify issue

enter time; enter time, enter time

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