

1 A. After my brother -- yes. I mean as far as writing
2 it over, yes. But I had it way before his trial.

3 Q. And all those witnesses had testified, and their
4 names and addresses were in the record, and in fact your
5 private investigator had already talked to them; isn't
6 that right, sir?

7 A. I believe I gave most of the information to my
8 attorneys and where to find them.

9 MR. PANOSH: No further.

10 MR. ZIMMERMAN: Nothing further, Your Honor.

11 THE COURT: Come down, please.

12 (Witness stood aside.)

13 THE COURT: Will there be any further
14 evidence for the defendant on the issue of judgment?

15 MR. ZIMMERMAN: On the issue of what, Your
16 Honor?

17 THE COURT: Judgment.

18 MR. ZIMMERMAN: Yes, sir. If Your Honor
19 pleases, just keeping in mind what Your Honor has
20 indicated back in the corridor a little bit ago about
21 continuing either today or going tomorrow, I want to
22 bring it to the Court's attention whatever the Court
23 wishes, and I want to let you know that we had subpoenaed
24 a Mrs. Yvonne Johnson of One Step Further, 621 Eugene
25 Court, Suite 101, here in Greensboro. She has done a

1 presentence diagnostic study on this, uh, a report on
2 Theodore Mead Kimble. She sounded like she was at
3 death's door when I got her on the telephone. I
4 apologize. That's at least one of those rings on here.
5 Uh, she can't get out of bed. She's sick. She couldn't
6 get the report here today, but she said she could get it
7 here tomorrow.

8 THE COURT: Has the report been prepared at
9 this time, Mr. Zimmerman?

10 MR. ZIMMERMAN: That is my information. I
11 have not seen same.

12 THE COURT: Let me have you do this. If
13 you'll make arrangements to have that report picked up,
14 collected and have it delivered to the Chambers upstairs
15 first thing tomorrow morning, I will take the opportunity
16 to review it before the session convenes, and that will
17 save whatever amount of time it would take otherwise to
18 review it.

19 MR. ZIMMERMAN: All right.

20 THE COURT: Just have it please delivered to
21 the Judge's Chambers tomorrow morning as soon as
22 possible, as early as possible.

23 Mr. Panosh -- would that be the balance of
24 your evidence, Mr. Zimmerman?

25 MR. ZIMMERMAN: That would be the balance.

1 THE COURT: I understood, Mr. Panosh, you
2 intend to offer victim impact evidence for the State on
3 the issue of judgment?

4 MR. PANOSH: Yes, Your Honor. Under the
5 statute, they would like to address the Court. I have
6 some of them in writing, and I could provide each, and
7 give the defense these. But they would like to read them
8 into the record and speak to Your Honor.

9 THE COURT: All right. We'll recess for the
10 evening at this time then. We'll reconvene at 9:30 in
11 the morning. And I will ask you again, Counsel, to
12 deliver the sentence report to the Chambers prior to that
13 time.

14 (A recess was taken at 5:53 p.m.)

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16 (Court reconvened on March 5, 1999 at 9:35 a.m.)

17 (All parties present.)

18 THE COURT: Mr. Zimmerman, with regard to the
19 presentence report you discussed last evening, is that
20 available?

21 MR. ZIMMERMAN: If Your Honor please, I've
22 been calling ever since 8:00, and I don't believe One
23 Step opens till 9:00. Mrs. Johnson is still ill, but she
24 -- my secretary said that she was going to go over to One
25 Step and then have it brought over here. Perhaps we

1 could go ahead and hear the victim statements, it will
2 probably be here.

3 Anybody here from One Step? Yvonne Johnson?

4 THE COURT: Mr. Panosh, are you ready to
5 proceed with your evidence at this stage?

6 MR. PANOSH: Yes, sir.

7 THE COURT: All right, you may proceed.

8 MR. PANOSH: Your Honor, the victim's family
9 wants to address the Court. First is Patricia Kimble's
10 father.

11 Go ahead and give your name and then say what
12 you want to say.

13 MRS. BLAKLEY: My name is Sheila Blakley.
14 I'm Patricia Blakley Kimble's mother.

15 THE COURT: Ma'am, can I ask you to speak up,
16 please. I'm having some difficulty hearing you.

17 MRS. BLAKLEY: All right. I am Sheila
18 Blakley Kimble's mother. On October the 9th at 9:35 I
19 had a phone call, and that was my daughter-in-law's
20 parents. Let me rephrase that. They were knocking at
21 the door, and I got up and that's when my nightmare
22 began. That was the worstest (sic) thing I've ever been
23 in in my life. Through the grace of God and faith and
24 strength He's given me, that's why I can stand here
25 today. And through our lives, our lives have changed