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Transcript of proceedings in the case of The State of North Carolina v. Ronnie Lee Kimble, File No. 97 CrS 39580, heard June 5, 1997, at the June 2, 1997 Regular Criminal Session, in the General Court of Justice, Superior Court Division, Greensboro, North Carolina, before the Honorable Peter M. McHugh, Judge Presiding; the same having been requested by Mr. John B. Hatfield, Attorney at Law.

(Excerpts - Testimony of Jim Church, Mr. Panosh's closing argument.)

TOTAL

\$ 73.50



Marsha M. Garlick, RPR
Official Superior Court Reporter
Eighteenth Judicial District
Greensboro, North Carolina

1 A We found a .22-caliber semiautomatic pistol. With the
2 pistol, we found a homemade silencer.

3 Q And did you also -- did you find any other weapons?

4 A We found a scoped rifle. I think it was a .22-caliber.

5 Q Did you find any books that pertained to weapons and
6 bombs?

7 A Yes, sir.

8 Q What did you find?

9 A We found three volumes on how to make silencers for
10 weapons, how to beat lie detector tests, how to make
11 homemade explosives, how to -- poor man's C-4, booby traps,
12 videotapes on "The Ultimate Sniper," videotapes on how to
13 make and detonate C-4 explosives.

14 Q And in the course of your investigation, were you able
15 to determine whether or not this defendant, Mr. Ronnie
16 Kimble, had access to that business?

17 MR. HATFIELD: Objection.

18 THE COURT: Overruled.

19 A Yes, Ronnie Kimble had access to Lyles Building
20 Material. He frequented the place when he came home.

21 Q And in the course of your investigation, were you able
22 to determine whether or not he was at that location on the
23 death of -- on the date of the death of Patricia Kimble?

24 A Yes, he was there.

25 Q And he was there with who? Let me ask you this. Was

1 he there with his brother?

2 A Yes, he was.

3 Q Now, in the course of this investigation, have there
4 been certain threats made against law-enforcement officers?

5 MR. HATFIELD: Objection, unless he says who did
6 these.

7 THE COURT: Objection overruled.

8 A Yes, there have been.

9 Q And what were the nature of the threats?

10 A Naturally, the threats was -- the threat was against my
11 life.

12 Q And how many sources have you received that information
13 from?

14 A I've received that information from two sources.

15 Q In the course of your investigation, have you
16 determined that there was also in the possession of the
17 codefendant, Theodore Kimble, and maintained at the
18 business, a sniper rifle?

19 A I did not find the sniper rifle.

20 Q Have you received information that there was one kept
21 there?

22 A He --

23 MR. HATFIELD: Objection.

24 THE COURT: Objection overruled.

25 A Yes, sir. From more than one source.

1 Q And I believe this rifle is described as a 300 Win.
2 Mag. --

3 MR. HATFIELD: Objection. He didn't find one.

4 THE COURT: The objection is overruled.

5 Q -- 300 Win. Mag.; is that correct?

6 A Yes. That's what the rifle was described at. It was
7 described at costing \$5,000.

8 MR. HATFIELD: Objection and move to strike. He
9 didn't find the weapon.

10 THE COURT: Objection is overruled for the
11 purposes of this hearing.

12 Q Now, in the course of the investigation, have you
13 determined what the relationship is between the defendant
14 and the codefendant, Theodore Kimble, besides the fact that
15 they're brothers?

16 A The relationship? They were brothers. He helped him
17 out on weekends.

18 Q Which was the older?

19 A Ted Kimble, his brother, was the oldest.

20 Q In the course of your investigation, have certain key
21 witnesses expressed a fear to you of the -- of this
22 defendant, Ronnie Kimble?

23 MR. HATFIELD: Objection.

24 THE COURT: The objection is overruled.

25 A Yes.

1 Q How many?

2 A There has been three State's witnesses that has
3 expressed a fear of harm coming to them.

4 Q And --

5 MR. HATFIELD: That's not responsive to the
6 question. Move to strike.

7 THE COURT: Motion to strike is denied.

8 Q And did one of these witnesses retain an attorney to
9 contact your office?

10 A Yes, he did.

11 Q And what were the concerns of the attorney in
12 contacting your office, before the identity of the witness
13 was revealed?

14 MR. HATFIELD: Your Honor, I would ask that this
15 Court admonish and bring a halt to this type of propaganda,
16 that this goes way beyond the ordinary practices in our
17 court. He's allowed to testify about a gun he didn't find.
18 Now he's allowed to testify about his opinion about these
19 threats. He doesn't even answer the question accurately. I
20 would ask the Court not to let this kind of propaganda be
21 put forward.

22 THE COURT: The objection is overruled.

23 A Would you ask the question again.

24 Q What were the concerns of the attorney that contacted
25 you for the witness?

1 MR. HATFIELD: Why doesn't he put the attorney on
2 the witness stand, Your Honor? He's asking him to tell the
3 mental processes of the witness who he hasn't identified.
4 He's not even quoting him.

5 THE COURT: The objection is overruled.

6 A The attorney called me at my office and expressed that
7 his client was in fear of his life.

8 Q And who did he indicate he was in fear of?

9 A The defendant, Ronnie Kimble.

10 Q And prior to revealing the name of that witness to you,
11 did the attorney seek and obtain certain assurances from you
12 that the witness name would --

13 MR. HATFIELD: Objection.

14 Q -- not be revealed?

15 THE COURT: The objection is sustained.

16 Q What, if anything, did the attorney ask you to do?

17 MR. HATFIELD: Objection.

18 THE COURT: Overruled.

19 A The attorney asked me that he -- he wanted some
20 assurances from me and from your office, of protection for
21 this witness, before this witness would come forward.

22 MR. PANOSH: Your Honor, we are not prepared to
23 put the names in the record, and we would ask not to be
24 required to. However, we are prepared to do an in-camera,
25 if Your Honor wants that information to place under seal, if

1 it's necessary for your determination.

2 THE COURT: All right. Thank you.

3 Is there anything else from this witness?

4 MR. PANOSH: No, Your Honor.

5 THE COURT: Mr. Hatfield?

6 MR. HATFIELD: Your Honor, we have a Fifth
7 Amendment right of confrontation. This biased and totally
8 involved detective should not be permitted to come forward
9 and state these kinds of things that are just calculated to
10 inflame. He should have to back this up. He raised the
11 subject. He was answering the State's questions. He should
12 now have to answer my question, who is he talking about, at
13 the very least, identify the attorney, and state with
14 sufficient basis what he's talking about. Otherwise, this
15 is nothing but propaganda. I cannot believe that a law-
16 enforcement officer with over 20 years of experience would
17 even have the nerve to take the witness stand and speak like
18 this. So I would ask the Court to grant our Fifth Amendment
19 right of confrontation, to ask him who he's talking about.

20 THE COURT: Counsel, I'll remind you that the
21 issue of pretrial release is the issue before the Court, and
22 that is a discretionary determination of the Court, and that
23 the Rules of Evidence are not strictly applied in such a
24 determination. I will, upon your motion, conduct an in-
25 camera examination of this officer, if you wish. Otherwise,

1 his testimony will not be propounded before this proceeding.

2 Do you want to move the Court for an in-camera examination?

3 MR. HATFIELD: Do I get to be present?

4 THE COURT: No, sir. I will examine the witness.

5 MR. HATFIELD: I'd like to ask some questions and
6 then see how it goes.

7 THE COURT: Well, you can ask some questions.

8 CROSS-EXAMINATION by MR. HATFIELD:

9 Q You have been the investigator in this case ever since
10 the beginning, haven't you?

11 A Yes, I have.

12 Q And you very early on approached Ronnie Kimble, in
13 order to determine what, if anything, he knew about the
14 death of Patricia Kimble; isn't that right?

15 A No, it's not right.

16 Q Isn't it a fact that you asked Marine investigators to
17 go to Ronnie Kimble and find out if he was in Greensboro on
18 the day that Patricia had died?

19 A Yes, sir, that's true.

20 Q And didn't you ask them to, to whatever extent it was
21 possible, find out as much as they could about what his
22 activities have been in Greensboro?

23 A Yes, I asked them to conduct interviews for me.

24 Q And they turned over a full report of their discussions
25 with him to you, didn't they?

1 A Yes, they did.

2 Q And he answered every question that they asked him,
3 didn't he?

4 A So far as I know. I wasn't there.

5 Q And he gave a full and complete statement of what his
6 activities were on the day the death occurred, didn't he?

7 A Yes, sir, to the best of my knowledge, he did.

8 Q And based on that, you went and saw him yourself,
9 didn't you?

10 A Yes, I went and talked to Ronnie Kimble.

11 Q And you had the transcript of the interview in your
12 hand, when you were talking to him, didn't you?

13 A Yes, I did.

14 Q And you spent a couple of hours with him, didn't you?

15 A Yes, I did.

16 Q And he answered many, many questions that you asked
17 him, didn't he?

18 A Yes, sir, he did.

19 Q And the fact is, he has been fully cooperative with you
20 and the other officers in your office, right through to the
21 time he was arrested, hasn't he?

22 A No, sir.

23 Q Well, he hasn't confessed to the crime you wanted him
24 to confess to, has he?

25 A No, sir.

1 Q But other than that, he's always talked to you, hasn't
2 he?

3 A No, sir.

4 Q And furthermore, you've talked to his father-in-law at
5 length, haven't you?

6 A Yes, I have.

7 Q You've talked to his wife?

8 A Yes, I have.

9 Q And you've talked to his mother and father, haven't
10 you?

11 A No, I haven't.

12 Q Now --

13 A I have talked to them, not a formal interview.

14 Q You have not personally ever seen Ronnie Kimble at
15 Lyles Building Supply, have you?

16 A No, I have not.

17 Q And when you went out there and searched Lyles Building
18 Supply, you did not obtain any employment records or
19 anything like that in your search, did you?

20 A No, I did not.

21 Q And so, you have within your possession not a shred of
22 evidence that he was employed at Lyles at any time, do you?

23 A Well, I never did say he was employed.

24 Q You never saw him there, you saw no payroll records,
25 indicating that he worked there on a regular basis, did you?

1 A No, I sure didn't.

2 Q Now, when you found these guns at Lyles, you saw no
3 indication that they belonged to Ronnie Kimble, did you?

4 A No, I didn't.

5 Q And in fact, when you found these guns, it was a
6 significant period of time after Patricia had died, wasn't
7 it?

8 A Yes, sir.

9 Q And it might well be that those guns had arrived on the
10 scene long after she had died; isn't that right?

11 A That's true. I have --

12 Q Simply do --

13 A -- no idea when they got there.

14 Q Simply do not know, do you?

15 A No, I don't.

16 Q Now, these manuals and books and videos that explained
17 how to do things, there's no indication that Ronnie Kimble
18 used those or read them or viewed them, is there?

19 A Well, he had the opportunity to.

20 Q Well, you had the opportunity to, too, didn't you?

21 A Yes.

22 Q How many people worked at Lyles Building?

23 A In what period of time?

24 Q Well, during any period of time. What's their regular
25 complement of employees?

1 A The only people that I know worked there was the two
2 employees.

3 Q Patrick Pardee?

4 A I don't think Patrick worked there. I think he
5 frequented the place, like the defendant here did.

6 Q So, Patrick didn't work there, he was just around from
7 time to time?

8 A That's what my investigation shows, yes.

9 Q Do you know whether the -- any of those weapons and
10 other paraphernalia that you described a minute ago belonged
11 to Patrick Pardee?

12 A I know they did not belong to Patrick Pardee.

13 Q Now, you have been working with Patrick Pardee, in view
14 of using him as a witness in this case, haven't you?

15 MR. PANOSH: We object, please.

16 THE COURT: The objection is sustained.

17 Q You have talked to Patrick Pardee about whether or not
18 he has knowledge of the causes of the death of Patricia,
19 haven't you?

20 A Yes.

21 Q Now --

22 (Mr. Hatfield conferred with the defendant.)

23 Q So, you don't know when these videos and how-to books
24 and things were brought to Lyles, do you? You don't know
25 when they came there?

1 A No, sir, I don't know the date they arrived.

2 Q And you don't really know who they belong to, do you?

3 A Yes, sir, I think I know who they belong to.

4 Q You've formed an opinion of who they belong to, but do
5 you have actual knowledge of who they belong to?

6 A Yes, sir.

7 Q Has the owner of those admitted to you that he was the
8 owner?

9 MR. PANOSH: Objection, please.

10 MR. HATFIELD: Well, he's answered every other
11 question about it.

12 THE COURT: The objection is overruled.

13 Q Has the owner acknowledged that he was the owner?

14 A No, he has not.

15 Q Now, the individuals that -- you said that there were
16 three individuals that had expressed to you their fear that
17 they might be intimidated by somebody in connection with
18 this case; is that right?

19 A No, it was not intimidated. They feared of their
20 personal bodily harm.

21 Q And these were three individual people who expressed
22 this to you; is that correct?

23 A That's true.

24 Q Now, do any of the three of these people live in the
25 southern part of Guilford County?

1 MR. PANOSH: Objection, please.

2 THE COURT: The objection is sustained.

3 Q Do the -- I'm trying to find out, not where they live
4 or what their identity is, but whether or not they are in
5 proximity to Ronnie Kimble. They don't live in Julian, do
6 they?

7 MR. PANOSH: Objection, please.

8 THE COURT: The objection is sustained.

9 Q Now, pursuant to both the Marine investigation that you
10 requested and your own investigation, you've never
11 determined that Ronnie Kimble owns a gun, have you?

12 A Yes, I have.

13 Q Did you find a gun at his premises?

14 A I've never been to Ronnie Kimble's premises.

15 Q And you -- he did not have a gun at his quarters at
16 Camp Lejeune, did he?

17 A I have no idea. I didn't inventory what he had.

18 Q Does Ronnie Kimble --

19 A The Marine Corps did that inventory.

20 Q Beg your pardon?

21 A The Marine Corps did that inventory.

22 Q Does Ronnie Kimble have a criminal record?

23 A No.

24 Q You've heard witnesses today describe Ronnie Kimble's
25 strong work ethic and habit of working hard. Is that true,

1 based on your observation and investigation?

2 A Yes, it is.

3 Q And you've heard witnesses today describe his close
4 association with his church and with the members of his
5 church. Is that true, based on your investigation?

6 A Based on what I've heard, it's true.

7 Q And you've also heard that Ronnie Kimble and his wife
8 have a good and loving relationship. Is that true, based on
9 your investigation?

10 A Yes, it is.

11 Q And you know Ronnie Kimble's in-laws, the Stumps, to be
12 very decent people, don't you?

13 A Yes, they are.

14 Q And you have talked to -- have you talked to the
15 Stumps?

16 A Yes, I have.

17 Q And would it be fair to say that they've been
18 cooperative with you?

19 A Yes, they have, very cooperative.

20 Q Have you had a chance to talk to Mr. and Mrs. Kimble?

21 A I've asked Mr. Kimble for an interview, and he refused.

22 Q Do you have any reason to believe that Ronnie Kimble is
23 not a loving son to his parents --

24 MR. PANOSH: Objection.

25 Q -- based on your observations and investigation?

1 THE COURT: Overruled. He can answer.

2 A Ask the question again. I didn't --

3 Q Do you know, based on your observations and
4 investigation, whether Ronnie Kimble is a loving son to his
5 parents, Mr. and Mrs. Kimble?

6 A I suppose so. I don't have any reason to know why he
7 wouldn't be a loving son.

8 Q Now, other than your suspicions about the cause of the
9 death of Patricia, you do not know of a single instance of
10 violent behavior by Ronnie, do you?

11 A Yes, I do.

12 Q The attorney who contacted you on behalf of the
13 witness, did this attorney make known to you who the
14 individual was that he was representing?

15 A Not at the beginning, no.

16 Q After you talked to the attorney, did you ascertain who
17 the individual was that he was representing?

18 A After I gave him the information that he wanted and
19 talked with the District Attorney's Office, yes.

20 Q So eventually, you learned who the individual was that
21 he was representing?

22 A Yes, I did.

23 Q At the time you learned that he was -- who the
24 individual was that he was representing, did you realize
25 that that individual was in fact a material witness in your

1 case?

2 MR. PANOSH: Objection, please.

3 THE COURT: The objection is sustained.

4 Q After you learned who the individual was, did you talk
5 to the individual yourself?

6 A Yes, I did.

7 Q So, you're not -- for your knowledge of this
8 individual, you're not relying upon the representations of
9 his lawyer, is that correct, once you made acquaintanceship
10 with the individual?

11 A It was in the presence with his attorney.

12 Q But you were able to ascertain firsthand what that
13 person knew, if they knew anything?

14 A Yes, I was.

15 Q And after you ascertained what that person knew, did
16 you determine that that person was a material witness in
17 this case?

18 MR. PANOSH: Objection, please.

19 THE COURT: The objection is sustained.

20 MR. HATFIELD: Well, Your Honor, obviously, if he
21 can't say --

22 MR. PANOSH: We'll withdraw the objection.

23 Q Did you? Is the individual a material witness in this
24 case?

25 A Yes, he is.

1 Q So, all of your material witnesses are afraid; is that
2 right?

3 MR. PANOSH: Objection, please.

4 THE COURT: Sustained.

5 Q Now, the three individuals that you first described,
6 they all have pending criminal charges against them, don't
7 they?

8 MR. PANOSH: Object, please.

9 THE COURT: Sustained.

10 MR. HATFIELD: Your Honor, he's bargaining with
11 these people, and he ought to have to admit it, even if he
12 doesn't have to identify them. They're probably more afraid
13 of him than they are Ronnie Kimble, and I just want to
14 establish that.

15 THE COURT: The objection is sustained, counsel.

16 Q You have instituted charges against Patrick Pardee,
17 haven't you?

18 A I personally don't know.

19 Q Well, your office has, haven't they?

20 MR. PANOSH: We'll stipulate it has been done.

21 MR. HATFIELD: Your Honor, I'm not asking Mr.
22 Panosh the questions; I'm asking the witness the questions.

23 THE COURT: Proceed.

24 MR. HATFIELD: I'm sorry?

25 THE COURT: Proceed.

1 Q Has your office brought criminal charges against
2 Patrick Pardee?

3 A I think so. If they -- if not, they're going to.

4 Q And have you personally talked with Patrick Pardee?

5 A Yes, I have.

6 MR. HATFIELD: That's all I have. Thank you.

7 MR. PANOSH: No further. Thank you.

8 (The witness left the witness stand.)

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10 MR. PANOSH: Your Honor, of course, knows that
11 this is discretionary. The defendant is not entitled to
12 bond. We ask you to take in consideration, first, the
13 nature of the offense. This was a contract killing, a
14 contract killing against someone who was in his own family.
15 And you take in consideration the weapons that are found and
16 the books about killing and using bombs and using sniper
17 rifles and making silencers. And you take in consideration
18 that these two young men, Theodore Kimble and Ronnie Kimble,
19 grew up together, that Theodore was the older, that the
20 defendant frequented his business, the defendant was at the
21 business the day Patricia was killed. And it clearly shows
22 these two people are acting together.

23 And when you consider that, Your Honor, when you
24 consider the fact that the evidence is that he killed a
25 member of his own family for money, it is clear that these

1 witnesses are in severe jeopardy, that he has to stay in
2 custody to protect these witnesses. I have never, in any
3 other case that I've been associated with, had an attorney
4 contact me in advance of disclosing the witness's name, and
5 express a fear for his witness and obtain an express
6 understanding and agreement from our office, that the
7 witness's name not be disclosed, before we get that
8 information.

9 We urge you to meet with Detective Church, to take
10 that information under seal, to consider it, and deny bond.

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13 END OF REQUESTED PROCEEDINGS
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1 NORTH CAROLINA
2 GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 97 CrS 39580

3

4 STATE OF NORTH CAROLINA)

5 v.)

6 RONNIE LEE KIMBLE)

C E R T I F I C A T E

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8 I, Marsha M. Garlick, Official Superior Court Reporter,
9 Eighteenth Judicial District, do hereby certify that the
10 foregoing 21 pages constitute the complete and accurate
11 transcript of my stenograph notes of the proceedings in this
12 matter on June 5, 1997, at the June 2, 1997 Regular
13 Criminal Session of Superior Court, Guilford County, North
14 Carolina, and were transcribed by me personally.

15 This the 16th day of June, 1997.

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Marsha M. Garlick, RPR
Official Superior Court Reporter

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24 Transcript Ordered: June 9, 1997

25 Transcript Delivered: June 17, 1997