

1 has described them. It's just -- Patricia -- I'll tell  
2 you one thing, if you don't mind, before I go down.  
3 About a week before Patricia was murdered, I called the  
4 house and I disguised my voice picking with Patricia. I  
5 picked at her a lot of times, and she picked up who I  
6 was. Oh, hello, Daddy. And I said, how did you know who  
7 I was. And I'll never forget with the most solemn voice  
8 of somebody that was very down and depressed, she said  
9 you're the only one who ever calls here. And during her  
10 trial she had so many friends to come and say that they  
11 were her friends, but from what she told me, nobody never  
12 called her. But it just broke my heart. And we loved  
13 Patricia just like we love Ted. She was a very good  
14 girl. They were good for each other.

15 MR. CRUMPLER: I have no further questions,  
16 Your Honor.

17 THE COURT: All right, thank you, sir.  
18 (Witness stood aside.)

19 MR. ZIMMERMAN: If Your Honor please, it's  
20 our client's desire to testify. At the break we took  
21 earlier on, uh, Mr. Crumpler and I advised him that if he  
22 took the stand, he'd be subject to cross-examination. He  
23 said he understood that. That is cross-examination by  
24 the solicitor for the State, and place himself and his  
25 character in evidence as to certain matters of things.

1 He desires to testify at this time. I'd like the Court  
2 to make inquiry.

3 THE COURT: All right, have the defendant  
4 stand and be sworn, please.

5 THEODORE MEAD KIMBLE, being first duly sworn, answered  
6 questions propounded by THE COURT as follows:

7 THE COURT: Mr. Kimble, you've heard your  
8 attorney, Mr. Zimmerman, advise the Court that he has  
9 conferred with you regarding your decision to testify in  
10 this case. You've heard that, sir?

11 MR. KIMBLE: I have, sir.

12 THE COURT: And he's advised the Court that  
13 you have determined despite his advice to you that you  
14 will testify in this proceeding; is that also correct?

15 MR. KIMBLE: Yes, sir.

16 THE COURT: Your attorney has advised you  
17 that if you do take the stand to testify, you will be  
18 subject to cross-examination regarding the circumstances  
19 of this proceeding, regarding the circumstances of the  
20 charges against you, and regarding other matters which  
21 the Court may deem relevant. Do you understand that you  
22 are subject to cross-examination by the District Attorney  
23 on those matters?

24 MR. KIMBLE: Yes, sir.

25 THE COURT: You do have the right to testify

1 in this proceeding, even though it is against your  
2 attorneys' wishes. Is that in fact what your  
3 determination in this case is?

4 MR. KIMBLE: I'm ready to take the stand,  
5 sir.

6 THE COURT: All right. Do you have any  
7 questions you'd like to address to the Court regarding  
8 your decision to testify at this proceeding?

9 MR. KIMBLE: Not at this time, sir.

10 THE COURT: All right, thank you. Let the  
11 record show the Court finds as a fact and concludes as a  
12 matter of law that the defendant's decision to testify in  
13 his own behalf at this sentencing proceeding is a  
14 decision that the defendant has made freely, voluntarily  
15 and intelligently, and it is ordered that his testimony  
16 may be presented.

17 All right, sir, come around, please.

18 **THEODORE MEAD KIMBLE, being first duly sworn, testified**  
19 **as follows during DIRECT EXAMINATION by MR. BUTCH**

20 **ZIMMERMAN:**

21 Q. Just one little preliminary matter, Mr. Kimble. I  
22 believe when we were back there talking about your  
23 testifying, we didn't give you any opinion as to what our  
24 opinion was about whether or not you should or shouldn't  
25 testify; is that correct?

1 A. Yes, sir.

2 Q. Just told you what you'd be subject to is cross-  
3 examination; is that correct?

4 A. Yes, sir.

5 Q. And it's your decision now after talking with  
6 Judge McHugh that you wish to testify; is that right?

7 A. Yes, sir.

8 Q. All right. What is your name, sir?

9 A. Theodore M. Kimble.

10 Q. And how old are you?

11 A. I'm 29 years old.

12 Q. And where are you presently residing?

13 A. Caledonia Correctional Institute.

14 Q. All right. Is that in the eastern part of the  
15 state?

16 A. Yes, sir.

17 Q. Have you been continually in custody since your  
18 arrest back sometime ago?

19 A. 4/1/97, yes, sir.

20 Q. April the 1st of '97?

21 A. Yes, sir.

22 Q. All right. Now, tell me a little bit about your  
23 background. Where did you go to school?

24 A. I graduated from Southeast Senior High, Guilford  
25 County. Scholar athlete. Honorable mention for all

1 conference. I took work release from which I worked at  
2 the same job for 13 years since 9th grade in high school.

3 Q. What kind of athletics did you play?

4 A. Football.

5 Q. All right. What position?

6 A. Full back.

7 Q. All right. Did you engage in any other pursuits,  
8 scholarly or sports-wise or otherwise while you were in  
9 high school?

10 A. No, sir. I pursued a occupational career in, uh,  
11 at Lyles Building Material.

12 Q. All right. Did you have that job when you got out  
13 of high school?

14 A. Yes, sir. I was always under the impression that  
15 some day if I stuck with the company that I would have  
16 the option of purchasing it.

17 Q. Was that because you and Mr. Lyles got along, or  
18 he thought a lot of you, or what?

19 A. Yes, sir. We had a good relationship. Father and  
20 son type relationship. I greatly admired the man. And  
21 I'm deeply offended---

22 Q. I'm sorry?

23 A. I'm deeply offended at the accusations that I  
24 would ever harm that man.

25 (Defendant crying.)

1 Q. And what was Pat, your wife, what was her  
2 relationship with Mr. Lyles?

3 A. Uh, we were -- they were good friends. Gary had a  
4 high opinion of her, more so than any of the other girls  
5 that I had dated, and saw the qualities that I eventually  
6 saw in her myself.

7 Q. All right. How did you meet Pat?

8 A. I first met Patricia Kimble, Patricia Blakley, at  
9 a house warming party when she first moved to Pleasant  
10 Garden. I was dating her cousin, Janet Blakley. And we  
11 had went to the party briefly. I recall her dog had just  
12 been killed, and I helped Rubin bury it in the backyard.  
13 Uh, but that's how we first met. And then---

14 Q. Did you hit it off?

15 A. No. We were as different as night and day. She  
16 thought I was -- she thought I was spoiled rotten, or so  
17 to say. And we were just two different people. We later  
18 met each other at South Elm Street Baptist Church where  
19 we grew together.

20 Q. All right. And did there come a time when you  
21 felt like you were in love with Pat Blakley?

22 A. Yes, sir. I, uh, I dated Patricia off and on. I  
23 also lived with Patricia for a brief period of time, and  
24 it was very unapproved of by my parents, and I received a  
25 scalding for that.

1 Q. What, living together in sin so to speak?

2 A. Yes, sir. Living together as in  
3 boyfriend/girlfriend. Not only that, I was -- we were  
4 friends, and then we were more. It developed into more  
5 than friends because when I had first moved in with her,  
6 I was dating other people.

7 Q. But at some point in time you fell in love with  
8 her and got married?

9 A. Yes, sir.

10 Q. What kind of relationship did you have while you  
11 were married? That is with your wife and with your  
12 mother and father?

13 A. Had a wonderful relationship. I loved my wife.  
14 And I'm not guilty of this.

15 Q. What kind of relationship did you and she, after  
16 you were married, have with your mother and dad?

17 A. Wonderful. We spent a lot of time together. We  
18 did things together. We went out to eat all the time.  
19 My dad would come by my office. We correlated. They ate  
20 at my house. We ate at their house. I mean---

21 Q. Was there anything about your marriage after you  
22 got married there in the early years or whenever that  
23 was, uh, that estranged either one or both of you from  
24 each other?

25 A. No, sir. We never had a conflict. And that's one

1 thing the D.A. cannot provide is anyone to come up here  
2 to say that I ever abused my wife or there was a problem.

3 Q. Now, getting up close to the time when your wife  
4 died, let me ask you this. There's been evidence  
5 introduced through the statement of the solicitor for the  
6 State concerning some insurance. Do you want to explain  
7 that, please?

8 A. I would love to. I haven't figured out what  
9 insurance the D.A. is talking about yet.

10 Q. Well, tell me about the \$200,000 policy.

11 A. I signed an application, not an insurance policy.  
12 There has never been a \$200,000 insurance policy. I  
13 signed an application. I was told by Bill Jarrell that  
14 there was no insurance policy issued prior to the medical  
15 examination. It was made clear to me that he would  
16 personally deliver the policy. Until I had it in my  
17 hand, there was no insurance.

18 Q. Did you ever ask for that money, the \$200,000?

19 A. I called -- a few days, several days, maybe three  
20 days after her death, I called the insurance agent to  
21 report it because we were just leaving the the funeral  
22 home. And I called him and let him know what was going  
23 on. He said he'd already heard about it in the  
24 newspaper. This is Bill Jarrell I'm referring to. When  
25 I made mention of the policy, I was referring to the



1 reimbursement for payment made, and he automatically goes  
2 on the offensive as though I'm implying to pursue a claim  
3 against the insurance.

4 Q. So, you were asking for your money back as to what  
5 you paid on the premium?

6 A. Yes, sir. I was -- let me finish what -- I want  
7 to make this very clear. I got back into my vehicle with  
8 my mother and father. We had just left the funeral home.  
9 And I told them of the circumstance, and told them that I  
10 had reported it. And my mother knew very well that I had  
11 signed my wife's name. I had made it clear to her, and  
12 she had even warned me that should something ever happen  
13 that it would be wise for her to have her sign her own  
14 application. I told Bill Jarrell, I called that man and  
15 told him I signed it. He had made a mistake. He left  
16 that policy with me to take home and have my wife sign  
17 it. I'm sorry, application. Bill Jarrell lied under  
18 oath, and said he did not. This rumor or these  
19 allegations that he was out at the car is a bunch of  
20 hogwash.

21 Q. Did your wife ever refuse to sign this in your  
22 presence or the presence of Mr. Jarrell, this  
23 application?

24 A. No, sir. She was never present. At the  
25 presentation when he was giving me, trying to push

1 insurance on me, she came in and brought my lunch, set it  
2 down in front of us. He had to move his papers over on  
3 the desk so she could sit my lunch down. She said she  
4 didn't have time to discuss it right now, she had to get  
5 back to work, and she left. Bill Jarrell left the  
6 application with me to take home and have her sign. I  
7 forgot to get her to sign it and I signed it. And I  
8 never denied it and never made any scheme of it. You  
9 know, the D.A. would implicate that I was trying to hide  
10 it. I was very aware---

11 Q. Let me ask you this. There was some indication  
12 that she was afraid for her life because of this  
13 application of the \$200,000 policy, and then later that  
14 she was all right with everything. Would you explain  
15 that, sir?

16 A. Yes, sir. On the spur of the moment when she  
17 found out, she overreacted. The insurance agent had made  
18 it clear to me that he would have to call her and verify  
19 some medical questions. So, I already knew that she  
20 would know, and I had planned to discuss it with her. I  
21 had nothing to hide. But I failed to talk it over with  
22 her and explain everything to her before he called. When  
23 he called and she realized that she had been left out,  
24 she became concerned and it scared her. So, she made --  
25 just like rumors, the feathers flew, and the accusations

1 were all over the church and everywhere else when  
2 something happened to her.

3 Q. Did there come a time that you and she talked it  
4 over and everything was smoothed out?

5 A. Yes. Yes. That week I got the financial  
6 statements. I was showing her how much we owed and  
7 everything. And we discussed it. Even Susan  
8 Kirkpatrick, our banker, had suggested possibly seeking  
9 insurance elsewhere when we bought our jeep earlier that  
10 year. Uh, we -- uh, I in turn was pursuing it. I showed  
11 it to her and showed her the bills and everything. She  
12 agreed to it. She even told Rubin Blakley what he  
13 required (sic) a few weeks later. She had just dismissed  
14 it. He comes to her and asked her, hey, you know, what  
15 about this insurance. And she says, oh, everything is  
16 fine.

17 Q. And how much beyond or before the date of her  
18 death was that?

19 A. Oh, this was a month that I signed the application  
20 prior to her death.

21 Q. And when was it y'all got together and everything  
22 was all right?

23 A. Like the following week.

24 Q. All right.

25 A. I mean, see, that was the application. She had to

1 go get the medical. All right, if I wanted to hide it  
2 from my wife, she could have up to \$100,000 and not have  
3 to have a medical exam. I had no intentions of hiding  
4 anything from my wife. I couldn't -- she had two \$25,000  
5 policies. I could have taken out another \$49,000 and not  
6 told her a word and she would have never known. But that  
7 was not my intentions. It was made clear to me that  
8 she'd have to have a medical exam on that type of  
9 insurance in order for a policy to ever be issued. Okay?  
10 I had nothing to hide from her.

11 Q. Did she try to make arrangements to have a blood  
12 test, or a medical exam?

13 A. She agreed to go with me to have the blood test.  
14 Uh, Mr. Pan--- Mr. Jarrell gave me an infor--- a phone  
15 number of a nursing---

16 Q. Keep your voice up.

17 A. Bill Jarrell gave me the phone number of a nursing  
18 clinic on Meadowview, which I was to call and set up  
19 appointment. Mr. Panosh has apparently made a few  
20 mistakes in his allegations of my other job. I had  
21 worked there nearly a month, sir. I -- working this  
22 second job, I made prior arrangements on the three days  
23 during the time of her death that week, I was to be late  
24 for work for three days, due to my father which was  
25 helping me. I was in training on second shift to go---

1 Q. Ted, forget that a minute. Tell me about the  
2 blood test.

3 A. I'm sorry.

4 Q. Did you try to make arrangements to have the blood  
5 test?

6 A. I tried to make arrangements. We were supposed to  
7 go the week before her death, before she was killed, to  
8 have the blood work and she agreed to it. Needless to  
9 say, with me working it conflicted with my time being  
10 able to make the appointment. So, I called and canceled  
11 it, the appointment, and it was rescheduled for the  
12 following week. I didn't have the phone number, and I  
13 had to call Bill Jarrell to get the phone number to the  
14 clinic and then call the clinic to reschedule.

15 Q. Did -- was the blood test or the medical test ever  
16 completed?

17 A. No, sir. It was not. She was---

18 Q. All right. But had you and Pat come to an  
19 agreement that you would go ahead with it, with the  
20 insurance application?

21 A. Yes, sir.

22 Q. All right. Now, in this while you were working  
23 for Lyles at some point in time the evidence indicates  
24 and you've testified and I think the Court understands  
25 that at some point in time Mr. Lyles sold you that

1 business; is that right?

2 A. Yes, sir.

3 Q. And you were in the, what is it, the lumber  
4 business or the home improvement business or---

5 A. Surplus and salvage in the building supply.

6 Q. And it was building supplies, was it?

7 A. Yes, sir.

8 Q. Now, did at some point in time you fall on hard  
9 times and feel like you had to have another job?

10 A. Uh, no, sir. Not at -- not at that point. Not  
11 that I ever recall. The purpose of the second job was,  
12 first of all, to pay off my boat. The second was for job  
13 security purposes. My lease was running out on the  
14 property on which it was on. I was possibly going to  
15 have to relocate the business, and I wanted to make sure  
16 that I had some kind of income during that transaction.

17 Q. All right. And did you in fact take another job?

18 A. Yes, sir. I took a job at---

19 Q. Was that at Precision?

20 A. Precision Fabrics Group.

21 Q. And how long had you worked at Precision, Ted,  
22 when on the -- up to the time that your wife was killed?

23 A. Nearly a month.

24 Q. All right. Now, during that period of time when  
25 you worked at Lyles and when you were part owner of

1 Lyles, did you know these two people, Mr. Pardee and Mr.  
2 Nichols?

3 A. Very well, sir.

4 Q. And, uh, did you ever have any conversation with  
5 Mr. Nichols or Mr. Pardee concerning anything about your  
6 wife or manner in which she was killed or whatever?

7 A. Never. The only conversation, and it was limited,  
8 was with Patrick Pardee, and it was about the crooked  
9 dealings of the D.A.

10 Q. Did Mr. Nichols or Mr. Pardee ever give you any  
11 indication that they would not testify to these facts  
12 that you had told them, that you'd had your wife killed  
13 or words to that effect?

14 A. I've never heard any of the comments they've made.  
15 I do know that Patrick Pardee, three days before signing  
16 a statement against me, told Melanie Oxendine that he had  
17 no idea of any of the facts surrounding my case. That  
18 the D.A. and detectives were pressuring him to lie  
19 against me.

20 Q. All right.

21 A. Three days later he signs a statement against me  
22 and supposedly knows everything there is about my case.  
23 And this is under oath. Melanie Oxendine testified to  
24 it.

25 Q. Now, tell me about what happened on the 9th day of

1       October, the date your wife died. Can you tell me what  
2       time you -- how long you were at work?

3       A.       I need to finish what I was saying.

4       Q.       Excuse me. Go ahead.

5       A.       Rob Nichols told James Ogburn and a fellow inmate  
6       from Lyles Building Material, which I believe you have a  
7       statement written by those two employees of Lyles. They  
8       ran into each other at the gas station across the street,  
9       and he verified to them that he had been being coached by  
10      the D.A. That he was no longer going to testify against  
11      me, quote unquote, "lie" against me, as the D.A. had been  
12      pressuring him to do.

13     Q.       All right. Anything else about either one of  
14     them?

15     A.       Uh, I would like to mention that Rob Nichols has a  
16     very serious drug problem. Alcohol abuse problem.  
17     Abuses his wife and his child. Uh, the B&E's, he would  
18     take his little girl out on the job sites and have his  
19     little girl stick her arm through the key hole to reach  
20     up and unlock the dead bolt. I mean this is the witness  
21     with the halo around his head the D.A. portrays him as.

22     Q.       Now, along those lines about the breaking and  
23     enterings and the thievery or taking of property, were  
24     you engaged in some of that also with them?

25     A.       Yes, sir. I'm ashamed to admit it. Under the



1 circumstances, I had been buying the building supplies.  
2 For the entire business career, we have bought building  
3 supplies left over off construction jobs. Roofers,  
4 framers, what have you, from contractors. Rob Nichols  
5 claimed that he was getting some surplus off of  
6 construction jobs and selling them to me. I warned him  
7 and made it clear to him, and I started off legitimately  
8 writing him checks and telling him this better not be  
9 stolen. If it is, I will prosecute. Needless to say,  
10 after a couple of months went by, the amounts got larger  
11 and larger. He claimed to need some help one afternoon:  
12 This is on 1/2/97, Mr. Panosh, make note.

13 Q. Don't make any comments. Go on with your---

14 A. I'm sorry. My point being is that's the day it  
15 started. Rob Nichols asked that I help him load up some  
16 materials. He needed some assistance. The contractor  
17 wasn't going to be at the site. Patrick Pardee comes  
18 driving in at my place of business, wanted to know what I  
19 was up to that afternoon. I said, well, I'm going to go  
20 help Rob here get some materials before I'll be free.  
21 Would like to go? Sure. We pile in the truck, and we  
22 drive over to Brassfield. We back up to a construction  
23 site, and here we're in the middle of \$500,000 houses,  
24 and Rob says right here's the lumber we're supposed to  
25 get, and we load it up. And unfortunately I became

1 addicted as to the fact it was so easy. It was wrong.

2 Q. All right. And did you plead guilty to those  
3 things?

4 A. Yes, sir. I pled -- I pled guilty to ones I  
5 wasn't even sure I did. Certain ones the D.A. tried to  
6 charge me for while I was in jail.

7 Q. And you received an active prison sentence for  
8 that?

9 A. Yes, sir.

10 Q. All right. Now, let me get you up to the date  
11 that your wife died. What time did you go to work that  
12 day at Lyles?

13 A. Eight o'clock, as I do every day.

14 Q. All right. And did you stay at Lyles all day?

15 A. Yes, sir.

16 Q. And did you see Pardee or Nichols there during  
17 that day, if you recall?

18 A. Rob Nichols didn't work for me at that time.

19 Q. All right. Did you have any conversation with  
20 anybody outside on the parking lot or the lot at Lyles  
21 that day before you went to Precision?

22 A. No, sir.

23 Q. That you recall?

24 A. Not that I recall.

25 Q. Did you have any conversation with your brother,

1 Ronnie?

2 A. Yes. I'm sorry. Ronnie Kimble was -- let me tell  
3 the facts of that day.

4 Q. All right, go ahead.

5 A. That morning my mother came by. My father was at  
6 a conference at Liberty University, a preacher's  
7 conference. My mother wanted me to dog-sit our  
8 Pomeranian. She came by my house approximately 6:30. I  
9 left a key underneath the flower pot on the front porch.  
10 She opened the door and let the dog in, and locked the  
11 door behind her.

12 At approximately 7:15 my younger brother came by  
13 my house. He was to borrow my box truck for the day to  
14 pick up some underpinning to underpin his modular home.  
15 He left behind me at around approximately 7:30. We pull  
16 out and we go to Lyles Building Material. I open at 8:00  
17 sharp, as I do every day. Well, six days a week. Ronnie  
18 comes in behind me, and he piddles around. He's wait --  
19 killing time for Atlantic Mobile Home Supply to open so  
20 he can get his underpinning.

21 Around 10:00, 10:30 he goes and gets it. He shows  
22 back up with it hanging out the back of the truck at  
23 Lyles Building Material. And this is around 12:00. I  
24 recall my mother being there. She showed up at 11:30 to  
25 come eat lunch, and brought me something to eat. That's

1 right, she brought me something to eat, because Patricia  
2 later at 1:00 showed up with something else to eat.

3 Q. Your wife brought you something else to eat that  
4 day?

5 A. Yes. And my mom shows---

6 Q. The day she died?

7 A. Yes. It was still in the refrigerator. I  
8 remember what it was. It was a salad and french fries  
9 and a frosty from Wendy's.

10 Q. All right. But my mom brought me Taco Bell. I  
11 ate, and Ronnie showed up, like I said around 12:00,  
12 12:15. Mom was fixing to leave. Uh, Ronnie is going to  
13 head to the house and uh---

14 Q. Which house?

15 A. His house. To unload the underpinning, and he  
16 said he's going to return my truck to my house and pick  
17 his car up. And that being around 12:00, unload the  
18 truck at his house, drive to my house, it probably put  
19 him picking my truck up -- or dropping my truck off  
20 around 1:00, picking his car up and going home.

21 Q. Did he come back to Lyles?

22 A. Yes, sir. He did that afternoon. Uh, I'm sorry.  
23 My mom left. My wife shows up. She sees I've already  
24 eaten and fusses at me for not calling her and telling  
25 her that, hey, you've already got something to eat.

1 She's running late as usual. She's dropping my lunch  
2 off. Here it is around 1:00. She's saying she going to  
3 go home and cut the grass. I told her to be careful  
4 because we have a steep bank in our front yard, and the  
5 lawn mower is Hustler 970, swivels in the middle. It's  
6 easy to flip over if you're not careful, and I feared for  
7 her safety.

8 She left, went back to work. I wait on customers,  
9 do my usual thing. My linoleum salesman came in. Jack  
10 Lamb with Peerless. He's retired now. He was there  
11 around 3:00, and he left about right at 3:30. I remember  
12 because at 3:25 I noticed the time and called my wife and  
13 told her how much I loved her.

14 Q. Did she answer the phone?

15 A. Yes.

16 Q. And she was at your home then? Y'all talked?

17 A. No, she was at her work at Cinnamon Ridge.

18 Q. All right.

19 A. And Nancy was still there, you know, was watching  
20 the office, and she was going to take off. She was  
21 supposed to go home and cut the grass. We had a weekend  
22 retreat planned and paid for, a vacation scheduled the  
23 following month.

24 Q. You and your wife?

25 A. Yes, sir.

1 Q. All right.

2 A. We had weekend plans, so she was going to cut the  
3 grass. Needless to say, I talked to her at 3:30. Uh,  
4 about 3:45 my brother shows up. He needs some power  
5 tools to work on the underpinning at his house. Okay,  
6 Ronnie is at my place of business. Billy Smith is there.  
7 Comes in around 4:30, and he could testify to being there  
8 at 4:30. James Ogburn is standing there. Billy says he  
9 doesn't remember Ronnie, but James Ogburn is standing  
10 right there in front of Billy Smith and in front of  
11 Ronnie Kimble and myself.

12 Q. And what are y'all discussing?

13 A. Well, James spoke to Ronnie about his car being  
14 for sale. Ronnie is pushing me to get him some power  
15 tools to put up his underpinning with. And Billy is  
16 giving me a door, or dropping off a door and looking for  
17 34-inch door I didn't have. Uh---

18 Q. So, how long would you say your brother stayed  
19 there at the house?

20 A. He was there till---

21 Q. ---at Lyles.

22 A. All right, I put him off. I said look, I had  
23 Steve, a mentally retarded employee. I say retarded,  
24 he's very slow educationally. And I asked Ronnie to help  
25 him set up a jig and table saw to cut some dog house

1 parts. Ronnie takes off with him, and I get busy with  
2 the customers and waiting on Billy. I get freed up, it's  
3 nearly 4:20, 4:30. I get my brother his power tools, and  
4 he takes off.

5 Q. So, he stays around until about 4:20?

6 A. Yeah. No, 4:30.

7 Q. Four thirty. All right.

8 A. I mean I know because I was looking at my watch  
9 because at 4:30 every day I start trying to get things  
10 together so that I'm ready for those last minute  
11 customers and able to get out of there by 5:30.

12 Q. Did you ever see him any more after that time that  
13 day?

14 A. No, sir. No, sir, I did not.

15 Q. All right. How long then did you stay at Lyles  
16 before you left to go to Precision?

17 A. Uh, I got away about 5:30, 5:35. I had a last  
18 minute customer, and I was trying to rush and get him  
19 out. I stopped by Mrs. Winners and bought a chicken  
20 sandwich. I told the detectives, but they wouldn't  
21 pursue verifying any of these things. I went and saw my  
22 mom about quarter till, and dropped the dog off at Mrs.  
23 Winners on High Point Road. I went down Meadowview,  
24 stopped at the gas station, Conoco Gas Station, on the  
25 corner of Meadowview and South Elm Eugene, got a

1 Gatorade, pack of chewing gum. I went to PFG. At 6:00 I  
2 was knocking on the door, and somebody let me in.

3 Q. Did you have any conversations with Ronnie Kimble  
4 or your wife from 4:30 on until the time when you got to  
5 Precision?

6 A. No, sir.

7 Q. Did you make any phone calls to anybody during  
8 that period of time?

9 A. No, sir.

10 Q. All right, how long were you at Precision before  
11 you found out something was wrong or heard something?

12 A. Patricia was to page me when she got through  
13 cutting the grass to let---

14 Q. When she got through cutting?

15 A. When she got through cutting grass, she was to  
16 page me sevens or something to let me know that she was  
17 through cutting grass and she was okay. You know, I was  
18 very protective over Patricia, and she had had knee  
19 surgery a couple of different times. I spent the night  
20 in the hospital with her trying to take care of her and  
21 make sure she was okay. But she was supposed to page me  
22 and let me know.

23 Q. At Precision?

24 A. At Precision on my pager. I never received a  
25 page, and I became concerned. And I started calling



1 home, but the answering machine didn't answer. So, it  
2 raised some suspicion, you know, why is this answering  
3 machine not answering.

4 Q. So, what did you do?

5 A. Well, I paged her with sevens.

6 Q. Well, at some point in time did you leave to go?

7 A. I left when I got word. I got a page from Christy  
8 Blakley's mother to come home, your house is on fire.

9 Q. Did you tell the authorities at Precision and then  
10 go home?

11 A. I told, uh, guy by the nickname Rooster. I can't  
12 remember his true name. That someone just paged me and  
13 said your house is on fire, and I've got to go.

14 Q. And did you go?

15 A. I tore down the road 90 mph to get home.

16 Q. What did you find when you got there?

17 A. Hysteria. Fire trucks everywhere. Lights  
18 flashing. People crying. Alan Fields coming up to me,  
19 hugging me, saying we're sorry, Ted, we're sorry. You  
20 know, we did what we could do. You know, there's a body  
21 in the house, and all these accusations flying  
22 everywhere, you know, there's a body.

23 Q. What was your first thought when you got on the  
24 scene?

25 A. Oh, it freaked -- scared me to death. I was

1 shaking, hysterical, upset, crying.

2 Q. Who were you thinking about?

3 A. My wife. I said where is Patricia. And all I got  
4 was there's a body in the house, and there's her car  
5 sitting in the driveway. It was just mass hysteria.  
6 People going everywhere. You know, running everywhere.  
7 I come up, uh, Richard Blakley is there. The mother  
8 shows up shortly after, and she starts crying out. Oh,  
9 it was horrible. It was like a nightmare. I could see  
10 through the knocked out windows in the house, uh, you  
11 know, lights through the house, people down in a hole in  
12 the house. Somebody said that a fireman fell in a hole  
13 on a body or something. It was horrible.

14 Q. And did they finally recover the body of your  
15 wife?

16 A. Yes, sir.

17 Q. Did you view that body?

18 A. Uh, no, sir. I did not. I've seen pictures since  
19 then.

20 Q. All right. And I take it how long after the body  
21 was recovered was the funeral?

22 A. Uh, like a week and a half.

23 Q. All right. Can you describe what grieving period  
24 you went through at that point in time for the Court?

25 A. I didn't have much of one. I didn't have much of

1 a chance. The detectives immediately started hounding me  
2 and harassing me. Every day they were at my place of  
3 business saying that I wasn't cooperative. They were  
4 telling -- making accusations to people. I never had a  
5 chance. I was getting rumors left and right. Did you  
6 hear what the, you know, this detective said or this  
7 detective said.

8 Q. Was that in reference to the insurance policies  
9 and things of that nature?

10 A. All the above.

11 Q. All right.

12 A. I mean it's like they never took a word I said. I  
13 told them of possible suspects. You know, I read in the  
14 discovery they waited over a year to follow some of those  
15 leads. People that put a -- here I put a -- I had a  
16 custom built cabinet built the week before my house  
17 burned installed in my house. I had carpenters in there  
18 putting a cabinet in for my wife. Now, this is a cabinet  
19 I ordered for her birthday, \$486.00, put in my house.  
20 Carpenters I don't even know, and they never even  
21 questioned those men. They could have easily saw how  
22 secluded my house is and set me up. (Pause) To rob me.  
23 I mean---

24 Q. Now, after your wife, uh, the funeral, was your  
25 wife cremated?

1 A. Uh, yes, sir.

2 Q. And did you have her ashes?

3 A. Uh, yes, sir.

4 Q. And what did you do with the ashes of Patricia  
5 Blakley Kimble?

6 A. I spread them, sir.

7 Q. And where did you spread them and why?

8 A. It was our agreement between us -- I waited for  
9 some time afterwards. That should something ever happen  
10 to the other, that we would spread our ashes in the  
11 mountains in a certain place.

12 Q. Can you tell us where you did it?

13 A. Uh, no, sir.

14 Q. Can you tell us what it was near?

15 A. Black Mountain.

16 Q. I'm sorry?

17 A. Black Mountain.

18 Q. All right. Is that some place you and she had  
19 gone together before?

20 A. Yes, sir. Several times. It's on the way to  
21 Gatlinburg. We used to go to Gatlinburg all the time  
22 together. We used to go to Florida. We traveled a lot.  
23 We spent an enormous amount of time together. You know,  
24 she had wanted time share. I just agreed and we bought a  
25 time share up in Colonial Williamsburg back in the summer

1 on our vacation. They let us stay there. That's about  
2 the only we could afford the deposit, but we, uh, we got  
3 a home equity loan and bought a time share, mainly  
4 because that's what she wanted. She loved to travel. We  
5 both loved to travel. You know, the summer before she  
6 died, we spent like nine or ten weeks in a row at the  
7 lake.

8 Q. Wait just one minute.

9 (Pause.)

10 Q. This pistol that was identified at State's 57 or  
11 60, whatever it was, the record will so indicate, this  
12 .45 caliber pistol, was that your pistol?

13 A. Yes, sir. It is. Uh, I kept it around mostly for  
14 protection. And, uh, I had showed Patricia how to use  
15 it. She was somewhat scared of guns. I had tried to  
16 convince her to let me get her a gun for self protection.

17 Q. But the pistol was in the home on the day in  
18 question, that is October the 9th?

19 A. Yes, sir.

20 Q. Of '95?

21 A. Yes, sir.

22 Q. Now, let me ask you this, Mr. Kimble. Did you  
23 have anything to do with the death of your wife?

24 A. No, sir. I did not.

25 Q. Was that pistol kept in the house at all times?

1 A. It was either kept in the house or in my vehicle.  
2 I generally kept my shotgun underneath the bed loaded, or  
3 either my handgun near the back of the house. We had  
4 been robbed -- I say we; she had been robbed twice prior  
5 and both times walked into the house as far as my  
6 knowledge. I know the second time she did. She called  
7 me from the kitchen phone. I was up in Pleasant Garden  
8 working. I said where are you at. She said I'm in the  
9 house. I said has it ever occurred to you that somebody  
10 else might still be in the house.

11 Q. All right.

12 A. And, but---

13 Q. Let me ask you this. Indication was made that  
14 Linda Dudley, if that's her name, and Rose Lyles had  
15 indicated that your wife was scared to death of you and  
16 was in fear of her life because of this insurance  
17 policies or one thing and another. Can you tell us how  
18 you know about that? Do you have an explanation for  
19 that?

20 A. Uh, I do know that Rose Lyles takes an enormous  
21 amount of pain killers, medication. She has bad back  
22 problems.

23 Q. You don't know of any reason why she'd say that?

24 A. Uh, she says that's what Patricia told her. Far  
25 as a their feelings toward me, I must say that Ms. Dudley

1 is a biased opinion. She has never liked me, and told me  
2 to my face.

3 Q. And it's your contention that Mr. Pardee and Mr.  
4 Nichols, who are under indictment for something; is that  
5 correct?

6 A. Yes, sir. They face charges on the B&E's. And  
7 they have both signed plea agreements with the D.A. Per  
8 se cut deals for their testimony to lie against me.

9 Q. All right. So, you're saying, telling us that  
10 there is some sentence consideration on the part of the  
11 State in return for their testimony?

12 A. Shoot yeah. That's the only reason he could get  
13 them to testify against me, was to give them a plea  
14 agreement. Just like the William Stewart guy got out of  
15 prison early.

16 Q. All right. Now that's where I'm headed right now.  
17 Let me ask you this. As to this William Stewart, how  
18 long did you know William Stewart at Southern  
19 Correctional?

20 A. Possibly a month. A month or so.

21 Q. During this month period, did Mr. -- did you  
22 approach Mr. Stewart about having anybody killed?

23 A. No, sir. I did not. He approached me.

24 Q. And what was his -- can you tell us how he brought  
25 it up to or broached the subject to you about killing

1 these witnesses, if any?

2 A. We -- I met -- I met Stewart in a round about way.  
3 I never really came up and started talking to him. We  
4 were sitting around watching t.v. and he was telling  
5 everyone about working at a funeral home and what happens  
6 to the body when they do the autopsy and different  
7 procedures. And he was talking about people who die and  
8 don't die per se, and how they stage some -- I mean he  
9 was telling me about the crooked dealings of his funeral  
10 home associates, and law enforcement might want to check  
11 those out.

12 Q. Just tell me about the so-called plot to kill  
13 witnesses. Whose idea was that?

14 A. It was his idea. He saw how distressed I was.  
15 Had read about me in the newspaper, was somewhat familiar  
16 with my case in a round about way, as many inmates are  
17 down at the prison. I mean they get the newspaper down  
18 there every day, the Greensboro newspaper.

19 Q. Well, what did he want out of you? Mr. Stewart.

20 A. Oh, he was trying to get money out of me. And I  
21 told -- the inmates think I've got money. I'm on lock-up  
22 and I got one inmate sending me a letter asking to borrow  
23 \$15,000. People think I'm rich or something. If it  
24 wasn't for my mother and father, I wouldn't have the  
25 money to buy a snack if they didn't put a few dollars in



1 my account each week.

2 Q. Did he name the amount of money that he wanted you  
3 to give him?

4 A. No. That was no -- he wanted me to send his girl  
5 \$5,000. I told him he had to be crazy. I said I'm not  
6 -- I don't wish harm upon these people. I went to church  
7 with these people, grown up with these people. You know,  
8 I have no hard feelings toward these people. You know, I  
9 -- they're going on what they're told by the D.A.

10 Even---

11 Q. How about these plans to escape from custody up  
12 here at the Guilford County Courthouse or Southern  
13 Correctional?

14 A. I never---

15 Q. Whose idea was that?

16 A. That was William Stewart's idea. Crashing a gate,  
17 I told him he had to be crazy. I said ain't no way I'm  
18 ever going to get my head blowed off trying to ride out  
19 of here on a truck.

20 Q. Who drew these maps?

21 A. I drew the diagrams. William Stewart finally  
22 convinced me as to the fact if I should ever be found  
23 guilty facing the death penalty that he could acquire the  
24 keys to walk around here and just open the door and I  
25 could walk out. Many of the times in a regular court

1 session, they could just -- you're just back there in the  
2 holding cell. Those Xes on that paper, I had nothing to  
3 do with assassinating or killing people, coming in here  
4 with guns blazing. That's the craziest thing I've ever  
5 heard.

6 Q. Did you ever at any time ask William Stewart to  
7 kill any witnesses in this case?

8 A. No, sir.

9 Q. The Lyles, or any of these Dudleys, or any of  
10 these other people?

11 A. No, sir. Ain't no way. The D.A. claims to have a  
12 letter me asking for help to kill people. I'd like that  
13 letter read to the general public. That's a bunch of  
14 garbage. You know it. He knows it, and I know it.  
15 There is no such letter.

16 Q. Well, the Court has seen it supposedly. I think  
17 it was offered into evidence, and that's all the people  
18 that need to see it at this point in time. My question  
19 to you is, and I'll ask it again, did at any time you  
20 ever solicit William Stewart to kill anybody?

21 A. No, sir.

22 Q. And you understand today from the testimony of  
23 Special Agent Bowman of the North Carolina State Bureau  
24 of Investigation that at least the SBI and the  
25 Solicitor's office did in fact make some kind of attempt,

1 and did succeed, in getting his sentence reduced in  
2 return for this so-called information; is that correct?

3 A. Yes, sir. He couldn't get it out of me; so, he  
4 got it out of them.

5 Q. And you know this Ms. Dudley?

6 A. Yes, sir. Go to church with her. She's -- she at  
7 one time was best friends I would say with my wife. But  
8 in the last several years of our acquaintance she wasn't  
9 very close to my wife. She may say she was, but I can't  
10 say that they've ever eaten at my house other than a  
11 family get together or we at theirs.

12 Q. Well, Ms. Dudley is a nice person, isn't she?

13 A. Yes, sir. My opinion.

14 Q. All right. And Mr. and Mrs. Lyles are nice folks,  
15 are they not?

16 A. Super.

17 Q. Would you ever encourage anybody to do any harm to  
18 any of those people?

19 A. No, sir. I would not.

20 Q. Do you know where -- can you tell us where he got  
21 these names from?

22 A. Yes. From my locker. He stole the information  
23 after he ripped me off.

24 Q. Did he ever indicate to you that he wanted to go  
25 to your mama and daddy and get money too?

1. A. Yes, sir.

2 Q. I'm talking about Mr. Stewart.

3 A. What it amounted to is William had agreed to -- to  
4 watch Rob Nichols in the event of him breaking the law.  
5 Rob Nichols is a habitual liar and drug addict. All it  
6 would take is -- the D.A. knows all this. The guy is out  
7 buying drugs, ripping off construction sites, the  
8 tailgate on the man's truck is stolen. It's painted  
9 black underneath the green where he stole it slap off of  
10 another parked truck. The guy is an habitual thief.  
11 He's got four or five DWIs, and he's still out there  
12 driving. They keep hauling him in and giving him free  
13 get out jail cards for his testimony to lie against me.  
14 I mean they look -- you talk about looking the other way,  
15 this guy has got a rap sheet a mile long.

16 Q. Well, that's not the question. The question is  
17 did you ever tell him you had your wife killed or  
18 anything---

19 A. No, sir. I did not.

20 Q. ---to do with it?

21 A. All I wanted was as far as the few -- I was going  
22 to pay him a few dollars to take some pictures of Rob  
23 Nichols out on construction sites, or something of that  
24 nature, a few other people that are breaking the law.  
25 But I only showed him the diagram of the courthouse. I

1 never gave him that paper. He went in my locker and  
2 stole it. When he couldn't get any money out of me, he  
3 went to the D.A.

4 Q. Well, you mistook my question. My question is did  
5 you ever tell Rob Nichols or Pardee---

6 A. No, sir.

7 Q. ---anything about having anything to do with the  
8 death of Pat Kimble?

9 A. No, sir. I've never discussed it with them.

10 Q. All right.

11 A. I mean they've told other people I didn't.

12 MR. ZIMMERMAN: Cross-examine if you would.

13 COURT REPORTER: Judge, I need a break.

14 THE COURT: Excuse me. You need a change or  
15 you need a break?

16 COURT REPORTER: I just need to step out a  
17 minute.

18 THE COURT: Okay. Take a 15 minute recess.

19 (A recess was taken.)

20 THE COURT: All right, Counsel, you may  
21 cross-examine.

22 MR. PANOSH: Thank you.

23 **CROSS EXAMINATION by MR. RICHARD PANOSH:**

24 Q. Sir, you've indicated that you didn't file any  
25 claims on that \$200,000 policy?

1 A. I didn't say that.

2 Q. You did file the claims on it?

3 A. I didn't say that either.

4 Q. All right. Let me ask you. After your wife was  
5 dead, did you attempt to collect a \$200,000 policy that  
6 you put her name on?

7 A. Uh, finishing the statement that I gave earlier to  
8 Mr. Zimmerman, after reporting the initial claim on the  
9 two \$25,000 policies for the benefit of the funeral home,  
10 uh, upon getting back in the vehicle, I had just inquired  
11 of my refund on the policy. And getting back in the  
12 vehicle I told my parents of the situation. And my  
13 father stated well I might want to inquire or question if  
14 I had any grounds for on that policy.

15 We went straight from that gas station down to  
16 Steve Bowden's. I asked him about the policy, and he  
17 said well just leave it with me, I'll check into it. I  
18 left it with him. And the reason I was wanting to check  
19 in, I wanted to make sure was because the body had to be  
20 examined by the insurance company, and if there was any  
21 stipulation or any loophole whereas the insurance company  
22 might need to see the body, I need to know if they needed  
23 to or anything like that on any of it before having the  
24 funeral home okaying the cremation.

25 Q. My question to you, sir, is did you file demand on

1 that insurance policy?

2 A. He -- he sent in some kind of request for payment.

3 So, I assume that would be a yes.

4 Q. You hired an attorney---

5 A. I did not hire anybody. I asked him if I had  
6 grounds. He said he would check into it.

7 Q. So, he filed a demand on his own?

8 A. Yes, sir.

9 Q. Without your knowledge?

10 A. No, sir. He said he would -- well, I didn't know.  
11 He said he would check into it. He sent in a letter.

12 You will note that there is no contract or otherwise  
13 signed between he and I or any kind of agreement. He  
14 checked on it and told me that they denied payment, and  
15 said that he could take it into litigation. And I said  
16 that is not necessary. I'm not interested.

17 Q. So, when Mr. Jarrell said you tried to claim the  
18 policy, that wasn't accurate?

19 A. No, sir.

20 Q. And when Mr. Hendrix said you tried to claim the  
21 policy, that wasn't accurate?

22 A. On the \$200,000? Maybe the 25's, but not the 200.

23 Q. And if Mr. Bowden filed a demand for payment on  
24 that policy, he did that on his own?

25 A. Yes, sir.

1 Q. And you also called Mr. Sasnoff (spelled  
2 phonetically) in New York. That was your wife's  
3 employer, and tried to get that life insurance that she  
4 had through her work; isn't that true?

5 A. Uh, I don't recall calling him or Cinnamon Ridge.  
6 But I called inquiring of it, yes.

7 Q. You tried to get the money from the \$50,000 life  
8 insurance that your wife had through her work. And you  
9 found out only when you called Mr. Sasnoff that your  
10 wife's mother was the beneficiary; isn't that right?

11 A. Yes, sir.

12 Q. And that really upset you?

13 A. No, sir. It did not.

14 Q. So, when he testified to that, that wasn't  
15 accurate?

16 A. No, sir. I mean that man's in New York. How does  
17 he know how I feel 200, you know, 500 miles away.

18 Q. You said that you had this lease on your property,  
19 the property that Lyles was on, it was about to expire?

20 A. Uh, I think I had another year or so.

21 Q. It was good through 1997; isn't that right?

22 A. I cannot recall. I've renewed that lease so many  
23 times.

24 Q. Well, Mr. Routh was the agent you renewed it  
25 through; right?



1 A. Yes, sir.

2 Q. And if he said it was good through 1997, that  
3 would probably be accurate?

4 A. Most likely. That would give me -- since it was  
5 in March as a renewal date, that would give me about 12,  
6 15 months.

7 Q. And, in fact, you tried to buy that property?

8 A. Uh, I questioned as far as selling it, yes.

9 Q. And the purchase price was \$180,000?

10 A. Yes.

11 Q. So, that's what you needed the \$200,000 for, isn't  
12 it, sir?

13 A. Uh, no, sir. My father had, uh, told me to  
14 inquire and that he would help me, if possible.

15 Q. Your father had already put up his house to  
16 purchase the Lyles Building Supply, the business; isn't  
17 that right?

18 A. Part of which, yes.

19 Q. And you said that you were just kind of along for  
20 the ride in this stealing with you and Mr. Pardee---

21 A. I didn't say that, sir. You're saying that.

22 Q. Well, you said it was so easy.

23 A. It was. I mean here Rob Nichols, who is a drug  
24 addict out ripping people off for months and whom you've  
25 cut a deal to let go to lie against me is out ripping

1 people off bringing the stuff, selling it to me, and gets  
2 me to helping him, you know---

3 Q. Got you to help him?

4 A. He got me to help him.

5 Q. In fact, you're the one that purchased the two-way  
6 radios, didn't you?

7 A. The walkie talkies?

8 Q. Yes.

9 A. Yes.

10 Q. And the scanner to listen for the police?

11 A. I had a scanner prior to that. My dad's got one  
12 too. Does that make him a criminal?

13 Q. And went out and rented a U-Haul, I mean a lift  
14 and a trailer to go to---

15 A. I own the trailer, sir. I owned the trailer  
16 before Rob Nichols broke in my lot and stole it and took  
17 it to the beach and sold it, and you refused to do  
18 anything about it.

19 Q. You rented a lift, didn't you, to go to---

20 A. Yes, I did. To go to Home Depot to load up  
21 lumber.

22 Q. Lumber by the lift full?

23 A. Exactly. Rob Nichols used to work there and rip  
24 them off all the time. And he instigated it. He knew  
25 the managers. He knew their schedule. He knew

1 everything about the place.

2 Q. And you say that Mr. Stewart broke into your  
3 locker and took these names?

4 A. Yes, sir. That, my money, radio, stamps.

5 MR. PANOSH: May I approach?

6 THE COURT: Yes, sir.

7 MR. PANOSH: May I have the exhibits?

8 (Documents handed to Mr. Panosh.)

9 Q. Showing you now what's been marked as TK-2, do you  
10 want to take a look at that, sir?

11 A. Yes, sir.

12 Q. That's your handwriting, isn't it, sir?

13 A. Yes, sir.

14 Q. And you listed the names and the addresses of--may  
15 I have it?

16 A. Yes, sir.

17 Q. The names and the addresses of the witnesses?

18 A. Yes, sir.

19 Q. You put down Mitch Whidden's address in Arcadia,  
20 Florida. He was a Baptist preacher, and how to find him;  
21 isn't that right?

22 A. That was the information I had on it. But if  
23 you'll note, I drew the maps prior to writing that  
24 information on there. I copied that information over  
25 from a smaller piece of paper and had saved that.

1 Q. My question to you, sir, is you put down his name  
2 and how to find him, and a description of him, 28 years  
3 old?

4 A. Personal.

5 Q. And what was the purpose of writing that down if  
6 it wasn't to inform someone how to find and kill him?

7 A. That was for my future reference.

8 (Laughter in the audience.)

9 THE COURT: All right, Sheriff.

10 THE BAILIFF: Remain quiet.

11 THE COURT: Ladies and gentlemen, if there's  
12 any audible response, the courtroom will be cleared. I  
13 want it quiet.

14 Q. You wrote down Gary and Rose Lyles. You put down  
15 their ages. You put down their home address. You put  
16 down their telephone number. And you put down directions  
17 how to get to their house.

18 A. Would you please point out their age for me?

19 Q. Right here. Sixty-two. And Rose is fifty-nine.

20 A. Let me see that. I've got their address. I paid  
21 the man \$486 every month for the building supply company.

22 Q. My question to you is you wrote this down; is that  
23 correct, sir?

24 A. Yes, sir.

25 Q. And the purpose of writing it down was what, sir?

1 A. For my personal information.

2 Q. It wasn't to describe how to get to their house  
3 and kill them?

4 A. Not for William Stewart, or anyone else.

5 Q. You wrote down Kara and David Dudley's address?

6 A. Yes. It's on the church directory.

7 Q. And you gave her a description of a dirty blonde  
8 hair, 5'8", 180 pounds, her address, her telephone  
9 number, and then you wrote down the directions of how to  
10 get there. Wendover to Shoney's, turn left, follow that  
11 around past Lowe's, come to the second or third housing  
12 development entrance, turn left, first street on the  
13 left, three or four houses down on the left. And that  
14 was for your personal reference, sir?

15 A. I can't remember if that's her address or my youth  
16 minister's. He lives on the same street.

17 (Laughter in the courtroom.)

18 THE COURT: (To the Bailiff) Mark, come  
19 here. Post yourself back there, any person that you can  
20 hear, out of the courtroom.

21 Proceed.

22 Q. Same thing with Linda and Kevin Cherry. You wrote  
23 down their address, their telephone number, and that was  
24 for your personal reference?

25 A. Yes. I got the information. I mean---

1 Q. Patrick Roy Pardee, you wrote down his address,  
2 his telephone number, and the directions again, follow  
3 Randleman Road straight out of town---

4 A. I'm sorry, I wrote most of this information for my  
5 detective to seek these people out to question them. I  
6 mean it would make common sense for him.

7 Q. So, your detective has got a copy of this?

8 A. Uh, no, he does not.

9 Q. Does it have a diagram of the courthouse on it?

10 A. Uh, no, sir.

11 Q. Tell us again what those Xes are there for on that  
12 diagram?

13 A. Those show the holding cells, sir. Not people to  
14 assassinate.

15 Q. Holding cells are over here; isn't that right?

16 A. See the -- see, it says holding cell on it.

17 Q. Over here, what is that? That's the middle of the  
18 courtroom. That's where the D.A. stands. That's where  
19 the bailiffs are; isn't that right, sir?

20 A. No, sir. You're saying that, not me. Are you  
21 asking me or are you telling me?

22 Q. I'm asking you, sir?

23 A. Then I'm telling you that's where I would sit.  
24 You think I'm going to get somebody to assassinate me?

25 MR. ZIMMERMAN: Let me object. Don't argue

1 with him. Answer his questions, sir, please.

2 MR. KIMBLE: He's putting words in my mouth.

3 If he'd ask a plain question---

4 MR. ZIMMERMAN: Just answer the question,  
5 then you may explain.

6 Q. You indicated that without your permission Mr.  
7 Stewart called your girlfriend and upset her; is that  
8 right?

9 A. Yes, sir.

10 Q. That was Melanie Oxendine?

11 A. Yes, sir.

12 Q. Isn't this in fact a letter to Mr. Stewart with  
13 her name and address and her telephone number in it?

14 A. Yes, sir.

15 Q. And isn't that your handwriting?

16 A. Yes, sir.

17 Q. And you gave him that so that he could contact her  
18 to get money; isn't that right?

19 A. At a earlier date, yes, sir.

20 Q. And you signed it "Harley Bryson"? Who's Harley  
21 Bryson?

22 A. In prison everybody has a nickname they go by.  
23 And in my particular situation, you've made it nearly  
24 impossible for me to get by in prison without everybody  
25 wanting to cut a deal with you to lie against me. So, a

1 lot of times I tell people my name is Harley to escape  
2 persecution.

3 Q. Three weeks after your wife was killed you started  
4 dating; isn't that right?

5 A. Uh, no, sir. Would you specify or clarify dating?

6 Q. When Linda McLeod testified that she started  
7 dating you three weeks after the death of your wife and  
8 there was a personal relationship, there was a sexual  
9 relationship, that was not accurate?

10 A. I wouldn't say so, sir.

11 Q. Was it or was it not accurate?

12 A. No. All parts?

13 Q. Why did Ms. McLeod have a reason to lie, sir?

14 MR. ZIMMERMAN: Objection.

15 THE COURT: Overruled.

16 A. Ms. McLeod was a stalker. She was pursuing me  
17 constantly. We were -- she, I, Patrick Pardee and Rhonda  
18 Stanfield were all activity -- put on a activity  
19 directors over the singles group. She was trying to get  
20 to me, using me through that group to correspond with me  
21 trying to plan activities for the group.

22 Q. She was a stalker?

23 A. I finally had to tell her to quit coming to my  
24 office. The law enforcement department was getting  
25 complaints or getting calls saying Ted Kimble must be



1 over the death of his wife since this girl is always at  
2 his office. I had to actually ask her to quit coming to  
3 my office.

4 Q. Reason you stopped seeing her is because you  
5 started seeing Rhonda Stanfield; isn't that right?

6 A. I wouldn't say I ever dated the girl. We went out  
7 one time. And if you call that a dating relationship, I  
8 suppose so.

9 Q. When the police came to your place of business on  
10 April the 1st and you were arrested and searched, they  
11 found books in there about how to make bombs and booby  
12 traps?

13 A. Yes, sir.

14 Q. What did you need that for, sir?

15 A. Reading literature. They didn't take all the how  
16 to build a house, or how to wire a house, or anything  
17 else, or how the human anatomy works.

18 Q. They found---

19 A. I had cases of books, sir.

20 Q. They founds books about how to beat a polygraph.  
21 What did you need that for, sir?

22 A. Personal reading. I couldn't understand how  
23 certain people were telling me they worked and some  
24 people said they didn't work. And if you can buy a book  
25 on how to beat it, then how can you say they're reliable.

1 Q. They found books on how to disappear and how to  
2 make new identification for yourself. What did you need  
3 that for, sir?

4 A. Personal education. Personal benefit. That's  
5 what you buy them for. It plainly says on the books.  
6 Not only that, I might add that these books were  
7 purchased six or eight months after the death of my wife,  
8 not to imply that I would purchase them prior.

9 Q. That's when you purchased the books on how to be a  
10 sniper?

11 A. All that was purchased afterwards.

12 Q. Two books on being a sniper, and a video, *The*  
13 *Ultimate Sniper*?

14 A. Yes.

15 Q. Bought the same time you purchased that sniper  
16 rifle?

17 A. Uh, no, sir. I ordered that sniper rifle two or  
18 three months before the death of my wife, and I used it  
19 deer hunting.

20 Q. You used that deer hunting?

21 A. Yes, sir. I've been deer hunting with customers  
22 of mine at Lyles.

23 Q. But it is a sniper rifle?

24 A. It's a hunting rifle, sir. It may be classified  
25 as whatever you want to call it. It is a -- classified

1 as a Super Windmag 300.

2 Q. How much did you pay for that, sir?

3 A. Thirty-two hundred dollars.

4 Q. So, when the literature in there says \$5,500,  
5 that's not accurate?

6 A. With the accessories, the scope, the tripod, total  
7 I think it was like \$5,300.

8 Q. Now, when you put the scope and the tripod on it,  
9 then it was close to \$5,500?

10 A. The case and everything else. No, it was like  
11 \$5,300.

12 Q. You didn't purchase that to use on law enforcement  
13 when they started closing in on you?

14 A. Hardly. I ordered it before the death of my wife.  
15 I don't see how you can gather that. I put a deposit,  
16 couple thousand dollar deposit on that months before the  
17 death of my wife.

18 Q. And you had two volumes on silencers. What did  
19 you need a silencer for, deer hunting?

20 A. (Laughs.) No, sir.

21 Q. There was a silencer seized from your business,  
22 wasn't there?

23 A. Yes, sir. I pled guilty to it, of course.

24 Q. You remember standing before Judge McHugh and  
25 executing the transcript of plea in this case?

1 A. I'm sorry, say that again.

2 Q. Do you remember the transcript of plea where you  
3 pled guilty and received a plea bargain?

4 A. Yes, sir.

5 Q. And you remember discussing that with your lawyers  
6 prior to doing it?

7 A. Five minutes worth, yes, sir.

8 Q. Five minutes worth?

9 A. Few minutes worth, yeah. I mean it was only that  
10 day that they really discussed it with you.

11 Q. Did you understand everything that was in there?

12 A. No, I did not.

13 Q. Did you understand the part where you said you  
14 agreed to return the ashes as part of the plea bargain,  
15 return Patricia's ashes to her family?

16 A. I was told I didn't have to return what I did not  
17 have, sir.

18 Q. Excuse me?

19 A. I was told I did not have to return what I did not  
20 have.

21 Q. You mean you told your lawyers that you didn't  
22 have those ashes?

23 A. Sir?

24 Q. Are you saying you told your lawyers that you  
25 didn't have those ashes?

1 A. Correct.

2 Q. Which lawyers did you tell?

3 A. Those lawyers.

4 Q. And when did you tell them that?

5 A. Whew. Recently.

6 Q. Yes. Going back to the day that you entered into  
7 that negotiated plea, did you read the part where it said  
8 you will return the ashes?

9 A. Uh, yes, sir.

10 Q. Did you understand it?

11 A. Yes, sir.

12 Q. Did you then tell your lawyers that you didn't  
13 have those ashes?

14 A. I can't recall if I told them at that particular  
15 moment or not. I said what about those, and they said --  
16 I told them I didn't have them.

17 Q. You told them that your mother had them?

18 A. No.

19 Q. You didn't say that?

20 A. No, sir.

21 Q. You told them they had been spread?

22 A. Yes, sir. I said I had the urn. But I'm not  
23 liable to return the urn.

24 Q. So, the lawyers came in here and executed that  
25 transcript of plea and put their names on it, they were

1 deceiving the Court, saying that those ashes were to be  
2 returned; is that what you're saying?

3 A. They didn't know I didn't have them at that time.

4 Q. You knew you didn't have them?

5 A. Yes, sir.

6 Q. You were deceiving the Court?

7 A. No, sir.

8 Q. Just like you've been deceiving the Court all day;  
9 isn't that right, sir?

10 A. No, sir.

11 MR. PANOSH: No further questions.

12 THE COURT: Redirect.

13 **REDIRECT EXAMINATION by MR. BUTCH ZIMMERMAN:**

14 Q. Let me ask you this, Mr. Kimble. With the letter  
15 with the witnesses' names on there that Mr. Panosh, the  
16 solicitor, showed you, what was the reason for making  
17 that list up?

18 A. In the event to help my detective to find the  
19 witnesses to question them.

20 Q. For what reason?

21 A. To hopefully clear myself.

22 Q. I'm sorry?

23 A. To clear myself hopefully. I mean I had the  
24 information on a smaller piece of paper, and I had copied  
25 it over on that larger piece of paper with the map I'd

1 drawn previously, and stored it in my personal property.

2 Q. Did you draw that list of witnesses for the  
3 purpose of harming any of them?

4 A. No, sir. Not at all. I mean, shoot, Gary Lyles  
5 has been like a father to me for 15 years.

6 Q. All right. Are you a member of any fraternal  
7 organizations?

8 A. Yes, sir. I'm a masonic mason.

9 Q. All right. Are you a mason in good standing, or  
10 were you up until the time you were arrested?

11 A. Very much so, sir.

12 MR. ZIMMERMAN: All right, nothing further.

13 **RE-CROSS EXAMINATION by MR. RICHARD PANOSH:**

14 Q. Sir, when you put together that list, when was  
15 that?

16 A. Months ago.

17 Q. Where were you?

18 A. Southern -- well, take that back. That list  
19 copied over from a list I've had for months

20 Q. When you wrote on the piece of paper that's in  
21 court today, where were you?

22 A. Southern Correctional.

23 Q. What month and year was that?

24 A. It had to be between September and December.

25 Q. After your brother's trial?

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