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IN THE
SUPREME COURT
STATE OF LOUISIANA

NO. 96-KP-2761
STATE OF LOUISIANA
Versus
JAMES BUNCH

Supplement to the
Application for Writ of Certiorari and Prohibition
to Review the Ruling of
The Honorable Ike Spears, Judge, Section "C"
Criminal District Court for the Parish of Orleans,
Case No. 286-606 "C"

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SUPREME COURT
of LOUISIANA

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CLERK
OF COURT

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1 CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

2 STATE OF LOUISIANA

3 SECTION "C"

4 STATE OF LOUISIANA

5 VS CASE NO: 286-606

6 ~~MRS~~ TAMRS BUNCH R.S. 14:30

7 DIRECT CONTRACT

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13 Transcript of the Hearing
14 held in the above entitled
15 and numbered cause on
16 September 10, 1996, before
17 the Honorable IKE SPEARS,
18 Judge presiding.

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24 APPEARANCES:

25 MATTHEW COMEN, ESQ. Assistant District Attorney

26 MISS LAURIE WHITE Counsel for the Defendant

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31 REPORTED BY:

32 MARY BETH MEYER, CSR

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00'00

1 BY THE COURT:

2 Let's proceed. Call your witness, Miss White.

3 BY MISS WHITE:

4 Miss Rita Moses.

5 RITA MOSES called as a witness, after first

6 being duly sworn by the Clerk, testified as

7 follows:

8 DIRECT EXAMINATION

9 BY MISS WHITE:

10 Q Miss Moses, please state your name and what city you
11 live in?

12 A My name is Rita Ann Moses. I live in New Orleans,
13 Louisiana.

14 Q Miss Moses, are you familiar with the case of James
15 Bunch?

16 A Yes, I am.

17 Q Were you familiar with this case back in 1987?

18 A Yes.

19 Q At that time, do you recall when the incident that
20 involved the person that was shot outside the Swinger's
21 Lounge occurred?

22 A Yes, I do.

23 Q Did you see the shooting in this case?

24 A No, I was inside the bar.

25 Q And who else was inside the bar with you?

26 A Me and my companion, Shelton Crawford. We were sitting
27 down at the bar having drinks. It was late in the evening.

28 Q How late was it?

29 A About 7 or 6:30. Somewhere around in the evening time.
30 I can't direct say the right time though.

31 Q So you're saying early evening, not 6:30 a.m.?

32 A Yes, it was after the hours about-- I'd say after the

1 hours of about 6:30. Around up in there.

2 Q Is that p.m.?

3 A P.M.

4 Q And why do you specifically recall this evening?

5 A Because that was the evening that we always used to go
6 to the bar at night. And they have different drinks
7 occasionally at that night. But I wasn't a drinker too much
8 at that night.

9 Q And was this the night that you recall that Tyrone
10 Whitaker had been shot?

11 A Yes.

12 Q Now, were there other people in the bar with you and
13 your companion that you specifically recall that night?

14 A Yes, they had quite a little few. Not no whole crowd.

15 Q Do you recall Eddie Foley being in the bar that night?

16 A Yes, I do.

17 Q And do you recall Philip Joseph being in the bar that
18 night?

19 A Yes, all of them was in the bar. I would say Eddie
20 Foley, Louis Joiner. I know those two was definitely in the
21 bar that night. And they had Jules. He had left the bar a
22 little while.

23 Q Now, Eddie Foley, Philip Joseph and Louis Joiner, they
24 were inside the bar?

25 A Yes.

26 Q All right, at what time? And when I say "what time,"
27 was there something occurring that you recall that they were
28 in the bar with you?

29 A Shooting pool.

30 Q And why do you recall that they were in the bar at that
31 time?

32 A Because it was just a drinking occasion going on and

1 pool shooting at that time and the most dancing and stuff at
2 that time in the evening that go on.

3 Q Did you see them at the time that the shooting occurred?

4 A Yes.

5 Q Where were they?

6 A In the bar.

7 Q Were they outside of the bar?

8 A In the inside of the bar sitting down at a table.

9 Q Did the shooting occur in the bar?

10 A Yes. No, it happened on the outside, but when the
11 shooting occurred, in the bar everybody ran out the door when
12 Jules come running back in.

13 Q All right, let's talk about that a minute. Who is
14 Jules?

15 A Jules was the bartender at the time.

16 Q All right. And did you see Jules when he came back in
17 the bar?

18 A Yes, I did.

19 Q What did you see him doing?

20 A He ran in with a handgun underneath the bar. He put it
21 under the bar. He ran in behind the bar and put it under the
22 bar.

23 Q What boy?

24 A The bar.

25 Q Oh, the bar. Now, did you tell the police this
26 information?

27 A Well, at the time we all had done ran away from the
28 scene. They told everybody to clear the scene and
29 everything. We was running. We got hysterical from the shot
30 that came through the right side of the door where whoever
31 the victim was laying. We all ran out. We don't know who
32 shot who. All we know, we ran out the door. And when we