

ORIGINAL

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI

STATE OF MISSOURI,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cause No. 821-2021
	)	
RODNEY LINCOLN,	)	Division No. 16
	)	
Defendant,	)	

Deposition of Witness  
NATHANIEL CLENNEY  
on Behalf of the Defendant,

June 20, 1983

**FILED**  
JUL -7 1983

*(s)*  
FREEMAN R. BOSLEY, JR.  
CLERK, CIRCUIT COURT

Reported by Georganne L. Baker  
Certified Shorthand Reporter  
and Registered Professional Reporter  
of

**Baker Reporting**

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314/532-5407

1 IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS

2 STATE OF MISSOURI

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 )  
 4 Plaintiff, )  
 )  
 5 vs. ) Cause No. 821-2021  
 )  
 6 RODNEY LINCOLN, ) Division No. 16  
 )  
 7 Defendant. )

8 DEPOSITION OF WITNESS produced, sworn and examined  
 9 on the 20th day of June, 1983, between the hours of eight  
 10 o'clock in the forenoon and six o'clock in the afternoon  
 11 of that day, at the offices of the Circuit Attorney of  
 12 the City of St. Louis, 1320 Market Street, in the City  
 13 of St. Louis, State of Missouri, before Georganne L. Baker,  
 14 a Registered Professional Reporter and Notary Public within  
 15 and for the State of Missouri, in a certain cause now  
 16 pending in the Circuit Court of the City of St. Louis,  
 17 State of Missouri, wherein State of Missouri is Plaintiff  
 18 and Rodney Lincoln is Defendant; taken on behalf of the  
 19 Defendant.

20 A P P E A R A N C E S

21 For the Plaintiff . . . . . Joseph L. Bauer, Jr.  
 22 Assistant Circuit Attorney  
 23 1320 Market Street  
 Room 332  
 St. Louis, Missouri 63101

PENGAD CO., BAYONNE, N.J. 07002 FORM 740

1 For the Defendant . . . . . Robert A. Hampe  
Lisa Parsons  
2 Attorneys at Law  
7 N. Seventh Street  
3 St. Louis, Missouri 63101

4 S t i p u l a t i o n:

5 Before the taking of the within deposition, the  
parties, by their counsel, stipulate that same is being  
6 taken pursuant to notice; counsel further stipulate that  
same may be taken by stenotypy and thereafter typed, and  
7 regularly filed in the case, subject to objections as to  
competency, relevancy, and materiality.

8  
9 NATHANIEL CLENNEY,

10 of lawful age, being produced, sworn and examined on behalf  
11 of the Defendant, deposeth and saith:

12 DIRECT EXAMINATION

13 BY MR. HAMPE:

14 Q Sir, would you state your name and address,  
15 please, for the Court and the record?

16 A 1720 Saddlespur.

17 Q And your name?

18 A Nathaniel Clenney.

19 Q How old are you?

20 A I'm twenty years old.

21 Q And your date of birth?

22 A 4-9-63.

23 Q You are related, were related in some way to  
24 JoAnn Tate?

25 A She's my sister.

1 Q I know this is hard for you; we're going to  
2 try to not take very long, and all we want to do is find  
3 out what you know about this and how you know it.

4 Nobody in this room is going to be smart to you;  
5 we're just going to try to find out what you know and  
6 how you know it. Okay?

7 A Okay.

8 Q The last time that you saw your sister alive  
9 was when?

10 A Friday, I think. Okay. It's been a long time  
11 ago.

12 Q You assisted in discovering her. You were with  
13 another person when her body was discovered on Tuesday  
14 morning, right?

15 A Yes.

16 Q This is the Friday before?

17 A I do believe it is.

18 Q Where did you see her then on that Friday?

19 A When I pitched the door open.

20 Q No, on that Friday.

21 A I think, was Jerry, yeah, was Jerry in the Buick,  
22 and I think they came out to the house. It's been a long  
23 time ago, so.

24 Q What time of the day or night was that?

25 A It was probably around 8:00 that night.

1 Q 8:00 o'clock p.m.?

2 A Yeah.

3 Q Were you very close with your sister?

4 A Not really.

5 Q Normally, how often during the day or a week,  
6 or a month, would you see her?

7 A Maybe about three or four times a month.

8 Q Did she ever sit down and really chat with  
9 you about anything that she was concerned about?

10 A No, she didn't.

11 Q Did she ever indicate to you that she had  
12 received threatening phone calls or was afraid of anyone?

13 A Yes, she did.

14 Q Did she mention a name?

15 A She didn't mention names, she just mentioned  
16 that she was afraid of her ex-boyfriend.

17 Q But she didn't put a name with it?

18 A She just said, you know, Tom, and we tried to  
19 throw him out.

20 Q Do you know anyone by the name of Billy Hayes,  
21 H-a-y-e-s?

22 A I heard him mentioned, but I don't know him.

23 Q Did your sister mention him to you?

24 A No, she didn't.

25 Q Did you ever visit her when she was living over

1 on 14th Street?

2 A You mean, where she lived at?

3 Q Where she used to live.

4 A On Farrar?

5 Q No. Before she moved to Farrar.

6 A Yeah, I visited her up there, if we're talking  
7 about the same house.

8 Q This is on 14th Street, and it was a two-family  
9 flat.

10 A Yeah, it was upstairs.

11 Q Do you remember who her neighbors were upstairs?

12 A I sure don't.

13 Q Do you know a man by the name of Jerry Davis,  
14 D-a-v-i-s?

15 A No, I don't.

16 Q How about a Dennis Smith, do you know him?

17 A No, sir, I don't.

18 Q Do you know a man by the name of Donald P. Parris,  
19 P-a-r-r-i-s?

20 A I think it's Raymond's brother, but I seen him,  
21 if it's the one I'm thinking about.

22 Q Do you know this Donald Parris very well?

23 A No.

24 Q Other than just maybe know who he was if you  
25 saw him?

1           A        If I saw him, I might know if it was the same  
2   guy I'm thinking about.

3           Q        Well, do you know Raymond Parris?

4           A        Just that he married my sister, and that he  
5   wasn't, from my opinion, wasn't, you know, no good for  
6   nothing.

7           Q        Is that Melinda --

8           A        Melinda, that's her oldest daughter, that's  
9   by Raymond.

10          Q        Melinda is Raymond Parris' daughter?

11          A        Daughter, yeah.

12          Q        That means that Melinda is your niece?

13          A        Niece, yeah.

14          Q        Do you know where she lives, Melinda?

15          A        I sure don't. She lives up there -- I'm trying  
16   to think. I don't know the street, I know it's in not a  
17   very good neighborhood.

18          Q        Do you know a man by the name of Mark Cathy,  
19   C-a-t-h-y?

20          A        No, sir, I don't.

21          Q        Do you know a man by the name of Richard Blake,  
22   B-l-a-k-e?

23          A        No.

24          Q        Do you know a woman, a white woman named Betty  
25   Johnson?

1 A No, I don't.

2 Q Do you know Steve Yancey?

3 A No, I don't.

4 Q Y-a-n-c-e-y?

5 A I might have heard of it, but I don't know him.

6 Q How about a Bill Davis?

7 A Bill Davis?

8 Q Yes.

9 A No, I don't know him. I heard of the name,  
10 but I don't know him.

11 Q Bill Hunter?

12 A I don't know him.

13 Q Bill Hayden, H-a-y-d-e-n?

14 A No.

15 Q No?

16 A I might have heard of the name, but I don't  
17 know him.

18 Q Well, you indicated with Davis and with this  
19 Hayden that you heard of the name. Did you hear of the  
20 name in relation to your sister?

21 A No. I think I heard my sister might have  
22 talked about him or something.

23 Q Did you ever hear her mention the name to you  
24 of Bill Davis?

25 A Bill Davis?



1 Q Yes.

2 A Yeah, I heard her mention it.

3 Q Did she mention the name Bill Hunter to you?

4 A Yeah. Are we talking about my sister or my --

5 Q Your sister.

6 A My live sister?

7 Q I'm talking about JoAnn Tate.

8 A No, she never said nothing to me about them

9 guys.

10 Q JoAnn Tate didn't mention anything to you about

11 Bill Hayden?

12 A Nothing at all.

13 Q Did your live sister mention anything to you

14 about Bill Hayden?

15 A No, not Bill Hayden.

16 Q How about, did you ever hear either of them

17 say anything to you about a man named Billy Parris?

18 A Not JoAnn, but I heard Abi, you know, talking

19 about it, you know, talking about --

20 Q Did either JoAnn or anybody else in your family

21 say that they, themselves, or JoAnn, was afraid of any one

22 of these people that I named?

23 A No. The only thing that Abi was afraid of,

24 that the guy that did that to JoAnn, you know, might get

25 her, you know.

1 Q Does she figure that, does Abi figure that she  
2 knows the man since JoAnn knew him?

3 A You mean --

4 MR. BAUER: I'll object, that calls for specu-  
5 lation or conclusion on the part of the witness.

6 Q (By Mr. Hampe) Did your sister, Abi, say that  
7 she was afraid of any one of these people, Davis, or Hunter,  
8 or Hayden, or Parris, or anybody?

9 A Not that I can recall, no.

10 Q You know anybody in life who drives a blue  
11 pickup truck?

12 A I thought I remember, I thought I remembered  
13 one one time, if it's a blue, or it was a different orange  
14 colored one or something.

15 Q With whom does your recollection link this  
16 pickup truck with relative to this case?

17 A No one, I just seen there was a truck over at  
18 my sister's house, my one that's been deceased, and they  
19 were working on her car for her. This was a long time ago.

20 Q Have you ever seen any photographs, line-up  
21 or mug-shot photographs of anyone in any way related to  
22 this case and there have been twenty, thirty, forty photo-  
23 graphs shown back and forth, have you ever seen any?

24 A No, I didn't. When I went down to the Homicide  
25 there, they had some pictures there. I just looked at them,

1 you know.

2 Q Did anybody in there ring a bell as somebody  
3 that you knew?

4 A No.

5 Q No? Do you know anybody that drives a white,  
6 out of this list I just read, who drives a white Volkswagen?

7 A No, sir, I don't.

8 Q Or a white '76, '77, or '78 Dodge pickup truck?

9 A No, sir.

10 Q Now comes the hard part. I need to ask you  
11 about what happened when you discovered your sister and  
12 you discovered the two kids that Tuesday morning. Okay?

13 A Well, the best I can remember is when, you  
14 mean, at the scene when I opened the door?

15 Q At the house on Farrar.

16 A Okay. When the door, I knocked on it, no one  
17 answered, and it seemed like it was open and I pushed it  
18 open. I seen my sister laying there towards the kitchen,  
19 her face was down. I didn't touch her or touch anything  
20 that I know of.

21 I walked, I think I walked right into her, and I  
22 touched her on her hip, but my hand, I felt she was cold  
23 and I called the police; and then, I turned around and  
24 came back and I hollered out to [REDACTED]. I says, who,  
25 you know, did this? Who did this, you know, and they

1 mentioned the name Bill or something like that.

2 Q Did she say to you then that Bill did it?

3 A Yes, she said Bill did it because I hollered  
4 at her to tell me. I hollered, I said, who did this?  
5 So, I think, so, I think I walked back. I seemed kind of  
6 puzzled because it was a long time ago, and it was kind  
7 of confusing.

8 Q I'm sure that it isn't an easy thing in life  
9 to talk about.

10 A It's hard to live with, too. So, I called  
11 my mom and told her to come over and pick her up. But one  
12 part, I think, after I called the police, I walked back  
13 out, or I walked in or something, and I looked.

14 I said -- [REDACTED] rose up out of bed, she was covered  
15 in blood, but I didn't know they were hurt because they  
16 were both in bed with the covers on them. I thought maybe  
17 [REDACTED] a got blood on her from her mother or something.

18 The police came, so, I went outside, and mother stayed  
19 in there, and that was it.

20 Q On any of the occasions that you were in the  
21 house that morning, your smallest niece, [REDACTED], did you  
22 see [REDACTED] move?

23 A No, she was like laying there, you know.

24 Q In the bed?

25 A In the bed.

1 Q Did you get close enough to her to ask her?

2 A No, I didn't. I just, I kind of like walked  
3 over to her, and I didn't touch her or nothing, just looked  
4 at her.

5 Q Could you tell at that point whether she was  
6 alive or not?

7 A I could. I could tell she was alive, I think  
8 her eyes were open a little bit.

9 Q Did she make any sound or anything as far as  
10 you can remember?

11 A Not that I can remember. I think [REDACTED] spoke  
12 for her or something, I don't remember what it was.

13 Q Do you remember anything else that [REDACTED]  
14 might have told you that morning in the midst of all of  
15 that upset?

16 A Not that I can recall, no.

17 Q How long had it been prior to that morning,  
18 how long had it been before that morning that you were  
19 in there the last time?

20 A I don't follow you.

21 Q How long had you been there, how long?

22 A After I found the body?

23 Q No. How long before the day you found the  
24 body, how many days prior to that had you been there before,  
25 the last time you were there before you discovered the body?

1           A        I think it had been a while, because I remember  
2 the last time I was over at her house she was in bed sick  
3 with a cold.

4           Q        She, being JoAnn?

5           A        Yeah, that would be JoAnn. And me and my wife,  
6 was then my fiancée, we was over there, and we took [REDACTED]  
7 and we kept her for the weekend. That was the last time.  
8 We brought her back, and maybe that was two, three weeks,  
9 I don't remember, just because it's been so long ago.

10          Q        When you first walked in the door, and I know  
11 there is a shock, the shock of discovering when you see  
12 all the blood and your sister, and the kids and all that,  
13 but what strikes you as being different in that house when  
14 you went in that Tuesday morning from the last time you  
15 were there which was when you dropped [REDACTED] off?

16          A        What do you mean, different in the house?

17          Q        How was it different inside?

18          A        I don't follow you.

19          Q        Well, had the furniture been rearranged, or  
20 was your sister normally a very neat housekeeper, or not  
21 a very neat housekeeper, or how was that house different  
22 other than all of the violence?

23          A        Other than that, I didn't pay too much attention.  
24 What I did notice that her bedspread was turned down and it  
25 was wadded up, and there was a knife on the bed and blood

1 all over the place, you know. I just didn't pay no attention.

2 Q [REDACTED] said something to you right after you  
3 had called the police that Bill did it, or you asked who  
4 did it, she said Bill, something like that?

5 A I think it was after I called the police.

6 Q At any point in time, whether you were visiting  
7 her at the hospital or anywhere, on the scene or later,  
8 or over this last weekend if you saw her, what has she  
9 said to you in the meantime about who did it?

10 A About after it happened?

11 Q Yes.

12 A Nothing at all that I can remember. Okay.  
13 There is so much things that have been going through my  
14 mind, if somebody said something to me, I might have forgotten.  
15 But I don't remember her mentioning anything. I just left  
16 it alone, I left her mind alone, let her think and let the  
17 police handle it.

18 Q Did you visit her in the hospital, by the way?

19 A Yeah, I was there a couple of times.

20 Q On any of your visits --

21 MR. BAUER: Excuse me. You are still talking  
22 about [REDACTED]?

23 MR. HAMPE: Yes.

24 Q (By Mr. Hampe) On any of your visits to the  
25 hospital, did [REDACTED] say anything to you about the crime,

1       itself, or who did it?

2               A       Not that I can remember, no.

3               Q       Did she ever talk to you about all the photo-  
4       graphs that the police were showing her, anything like  
5       that?

6               A       Not to me, no.

7               Q       Do you know what a mug-shot photograph looks  
8       like?

9               A       A mug-shot is a picture of someone when they,  
10       you know, they are taken in or arrested.

11              Q       Yes. One is, there are two pictures side-by-side  
12       on the same piece of paper. One of them is looking right  
13       at you, and one is looking either to your right or your  
14       left straight on, and then the profile?

15              A       Yeah.

16              Q       At any time you went to the hospital, did you  
17       see any of those kinds of photographs laying around in the  
18       room?

19              A       No, sir, I haven't.

20              Q       Thank you.

21                   MR. HAMPE: I have nothing further.

22                   MR. BAUER: No, I don't have any questions.

23       I can tell you that this young lady has been taking down  
24       every word that has been said, and she's going to type it up  
25       into something that most people can read, and you'll have



1 an opportunity, if you want, to read it over and make sure  
2 it's accurate; or because she does this for a living, we  
3 can assume that she'll do it correctly and you won't have  
4 to read it over.

5 It's up to you.

6 THE WITNESS: I don't need to read it over.

7 MR. BAUER: Okay, then, we'll waive signature.

8 (WITNESS EXCUSED)

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S t i p u l a t i o n :

1  
2 It is stipulated and agreed by all parties hereto,  
3 through their respective counsel, and by the witness in  
4 his own behalf, that submission of this deposition to the  
5 witness for examination and reading, and that the signing  
6 of the deposition by the witness, all as provided in Rule  
7 57.03, Missouri Rules of Civil Procedure, are hereby ex-  
8 pressly waived, and that the deposition may be filed with  
9 the court and be used as fully as though signed; provided,  
10 however, that without limitation as to the scope and effect  
11 of the waiver herein made, at any time before use of the  
12 deposition at trial, the witness may, by appearing before  
13 the officer having taken said deposition, as authorized  
14 under Rule 57.03 to take depositions in this state, make  
15 any changes in same he desires, in the manner, and with  
16 the effect as set out in Rule 57.03 (f); and that prompt  
17 notice be given to all parties of any changes so made.  
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PENGAD CO., BAYONNE, N.J. 07002 FORM 740

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NOTARIAL CERTIFICATE

STATE OF MISSOURI     )  
                                  ) SS.  
COUNTY OF ST. LOUIS   )

I, GEORGANNE L. BAKER, a Certified Shorthand Reporter and Registered Professional Reporter and Notary Public, in and for the State of Missouri, do hereby certify that pursuant to notice and pursuant to the foregoing stipulation at the offices of the Circuit Attorney of the City of St. Louis, 1320 Market Street, in the City of St. Louis, State of Missouri,

NATHANIEL CLENNEY

came before me, was by me duly sworn to testify the whole truth of his knowledge of the matters in controversy aforesaid, was examined and his examination then written in stenotypy by me and afterwards typed, under my supervision, signature of the witness being expressly waived by consent of counsel and the witness, as hereinbefore set out, on the day and in that behalf aforesaid, and said deposition is herewith returned;

I further certify that I am not counsel, attorney, or relative of either party, or clerk or stenographer of either party, or of the attorney of either party, or otherwise interested in the event of this suit.

GIVEN under my hand and notarial seal at my office in the County of St. Louis, State of Missouri, on this 28 day of June, 1983.

My Commission expires: January 23, 1985.

Taxed for Robert A. Hampe,  
7 N. Seventh - \$19.20.

Georganne L. Baker  
NOTARY PUBLIC in and for the  
State of Missouri.