

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
ABIGAIL WALLACE
on Behalf of the Defendant.

June 20, 1983

FILED
JUL - 7 1983

(M)
FREEMAN R. BOSLEY, JR.
CLERK, CIRCUIT COURT

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

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

2 STATE OF MISSOURI

3 STATE OF MISSOURI,)

4 Plaintiff,)

5 vs.)

6 RODNEY LINCOLN,)

7 Defendant.)

Cause No. 821-2021

Division No. 16

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
24 Room 332
25 St. Louis, Missouri 63101

1 For the Defendant Robert A. Hampe
2 Lisa Parsons
3 Attorneys at Law
4 7 N. Seventh Street
5 St. Louis, Missouri 63101

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

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

13 ABIGAIL WALLACE,

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

16 DIRECT EXAMINATION

17 BY MR. HAMPE:

18 Q Young lady, would you state your name and
19 address, please, for the record?

20 A Abigail Wallace, 2016 Mallinckrodt.

21 Q How old a lady are you?

22 A Twenty-four.

23 Q Are you married or single?

24 A Married.

25 Q And your date of birth?

A September 21st, '58.

Q All we're trying to do here is determine what
happened in this case and what you know and how you know it.
I've just got a few questions to ask you, and then we'll

1 be done.

2 How did you first become aware that your sister,
3 JoAnn, had been hurt, ultimately killed, and the two kids
4 hurt?

5 A I had called over there, and then a guy answered
6 the phone, which I presumed, was the police, and he had
7 told me that, you know, to come over, that there had been
8 a murder, and I went over there.

9 Q What was the occasion for your call there?
10 Why did you call?

11 A We was supposed to have a yard sale, and she
12 was supposed to be over at the house that morning, and
13 she was late getting over there.

14 Q When you arrived, who was there? I'm sure, a
15 lot of people were there, but who did you recognize?

16 A Jerry Woodward and my little brother, Nat
17 Clenney.

18 Q Anyone else that you knew?

19 A No. They was standing out in the alley.

20 Q Were the girls there?

21 A They was gone to the hospital.

22 Q After you arrived on Farrar that day, that
23 morning, when did you next see or when that day did you
24 first see the two children?

25 A I didn't see them that day.

1 Q When did you see them after you first became
2 aware that your sister had been killed?

3 A I don't recall. It was probably about a couple
4 of days when they was in the hospital.

5 Q When you arrived at the hospital to visit the
6 kids, I assume, that that's what happened, right? You
7 went there to see them?

8 A Right. Well, the first time I was turned away,
9 you know, 'cuz they was in pretty bad shape; but the second
10 time I got to see them a few minutes.

11 Q The first time you saw them in the hospital,
12 speaking specifically of [REDACTED], did she identify anyone
13 to you as the person who had done it? Did she use any
14 name?

15 A I don't recall.

16 Q Have you ever heard her use the name Bill as
17 the name of the person who did it?

18 A I don't recall that, either. I can't say, yes
19 or no, to that.

20 Q How long were the kids in the hospital, do
21 you know?

22 A I have no idea of that, either.

23 Q Do you have any idea how many times you might
24 have gone there to visit them?

25 A Estimate, five times. That would be an estimate.

1 Q Prior to your sister's death, how often would
2 you see her, once a week, once a month?

3 A A lot of times, once a day.

4 Q Did she ever talk to you about any worries or
5 concerns she had about her own safety?

6 A I don't know how to answer that.

7 Q Did she ever say she was afraid?

8 A Sir?

9 Q Did she ever say to you that she was afraid of
10 anyone or apprehensive that someone might hurt her?

11 MR. BAUER: I'll object to that and ask that
12 you be a little more specific as to when you are talking
13 to.

14 Q (By Mr. Hampe) Within a year of her death?

15 A We really didn't talk about that, not that I
16 know of. You know, there has been a lot happen since then.
17 Besides Tom, I mean, that's the only one.

18 Q You are talking about Tom Schultz?

19 A Yes.

20 Q S-c-h-u-l-t-z?

21 A Yes.

22 Q Did she tell you she was afraid of him or
23 something?

24 A Arguments.

25 Q Or having some problems with him?

1 A Arguments.

2 Q Did she ever mention anybody else that she was
3 having some hassle or problems with?

4 A I don't recall, I really don't.

5 Q Have you ever known your sister within the year
6 prior to her death to make or keep a diary or a daily record?

7 A The only thing I knew that she had was her Avon
8 book, that's it.

9 Q What do you mean; did she keep a list of people's
10 names or what happened on a certain day, in there?

11 A I don't know. She had what happened, but that
12 was her phone book, you know, her Avon customers and that.

13 Q She was found on Tuesday morning, right?

14 A I don't recall what day of the week it was.
15 I know it was in the morning.

16 Q When is the last time you saw her alive in
17 reference to that Tuesday morning?

18 A The day before that.

19 Q Did you see her, that would have been Monday,
20 did you see her over the weekend on Friday, Saturday, or
21 Sunday?

22 A I know I had talked to her. I had talked to
23 her, but the other, I don't recall. I know I had to see
24 her one of them days.

25 Q Do you know whether she went out or had any

1 visitors Friday night?

2 A Friday night? I don't know. I know that she
3 was supposed to go out with Jerry Woodward Tuesday, I
4 think it was, if that's the day that that happened, if
5 that's the day she was found, that's the day, the evening
6 she was supposed to go out.

7 Q Do you know whether she went out or had any
8 visitors on Saturday night?

9 A I don't know that.

10 Q Do you know whether she went out or had any
11 visitors on Sunday night?

12 A I don't know that.

13 Q Do you know if she went out or had any visitors
14 expected on Monday night?

15 A I don't know that. I just seen her Monday,
16 and Monday evening, 7:30, she called me and asked me if
17 I would baby-sit, and that's, that's the last I talked
18 to her, 7:30 that evening.

19 Q When she asked you to baby-sit, when were you
20 supposed to baby-sit?

21 A The next day, which was the day she was found.
22 I don't know if it was going to be in the morning or after-
23 noon, but she had called me and asked me, and I was pretty
24 busy, and I told her I would give her a call back.

25 Q When was your yard sale scheduled?

1 A The day that it happened, the day she was found.

2 Q She was supposed to be with you on that day?

3 A Uh-huh. Well, I wanted to have one, and I
4 wanted her to help me put it out. She was supposed to be
5 over there that morning before he was supposed to have come
6 and got her, and that's when she didn't show up.

7 So, I don't know when her and Jerry were supposed to
8 go out. I don't know if it was -- I don't know if they
9 was going to go out and I was going to baby-sit, or if I
10 was going to have my yard sale that day.

11 You know, we had decided on that, it was one of
12 them two things. So, I didn't see her that day, that's
13 whenever we found her, whenever they found her.

14 Q So, you don't know what hours of the day or
15 night you were supposed to baby-sit?

16 A No, I don't.

17 Q Do you know a man by the name of Billy Hayes?

18 A No, I don't.

19 Q Do you know a man by the name of Jerry Davis?

20 A Jerry Davis, I seen him around.

21 Q Do you know if JoAnn used to date him?

22 A I don't remember.

23 Q Do you know if Jerry Davis drives a blue pickup
24 truck?

25 A I don't know that.

1 Q Or a white pickup truck?
2 A I don't know what he drives.
3 Q Or a white Volkswagen?
4 A I have no idea what kind of vehicle he has.
5 Q How about Richard Blake, B-l-a-k-e?
6 A I don't know him.
7 Q Do you know an Earl Pope, P-o-p-e?
8 A I don't know him.
9 Q How about Donny Parris?
10 A I know him from the family when she was married
11 to Ray Parris.
12 Q How is Donny related to Ray, do you know?
13 A Brothers.
14 Q Do you know what Donny drives?
15 A I sure don't.
16 Q You know a Dennis Smith?
17 A No, I don't.
18 Q Do you know a white lady named Betty Johnson?
19 A No.
20 Q Do you know June Clark?
21 A I don't know her, but it was JoAnn's friend,
22 and she lives on Salisbury, as far as I know. There is
23 a June lives there, I don't know what her last name is.
24 Q Do you know where on Salisbury she stays?
25 A I don't know her address. It was right straight

1 across from JoAnn's alley door, right straight across.

2 Q Do you know Steve Yancey?

3 A I knew him. I know of him, I guess.

4 Q How?

5 A Well, him and Melinda went to school together.

6 Q Do you know a Georgia Pope?

7 A That's her landlady, that was her landlady.

8 Q Who?

9 A JoAnn's.

10 Q That was Georgia Pope owned the home where
11 JoAnn was staying?

12 A Yes, sir.

13 Q How long was JoAnn living up on Farrar, do
14 you know, prior to her death?

15 A Rough estimate, four years.

16 Q Do you know where Melissa Parris stays today?

17 A I don't know here address.

18 Q Do you know how to find her?

19 A Oh, I know where to find her.

20 Q Where?

21 A Benton Street. I don't know her address, but
22 I know it's Benton.

23 Q Where along Benton, what's the closest cross
24 street or landmark that you can direct us to where Melinda
25 stays?

1 A Northwestern Bank.

2 Q You know a Mark Cathy, C-a-t-h-y?

3 A That's the guy Melinda is with.

4 Q They both stay on Benton near the bank?

5 A As far as I know.

6 Q Do you know an Ellie or an Ellis Fain, F-a-i-n?

7 A I sure don't.

8 Q You know anyone who has a nickname, Tripper?

9 A No, sir.

10 Q Do you know a Bill, or Billy Davis?

11 A No, I don't.

12 Q Do you know a Bill, or Billy Hunter?

13 A No.

14 Q Have you ever heard of Bill, or Billy Hayden,
15 H-a-y-d-e-n?

16 A Never.

17 Q How about Billy Parris, how is he related to
18 Donny or Ray?

19 A I just heard he's kin to him.

20 Q Do any of these people, as far as you know,
21 drive a blue or white pickup truck, or a white Volkswagen?

22 A Not that I know.

23 MR. HAMPE: I have nothing further.

24 MR. BAUER: Let me explain that while you've
25 been answering Mr. Hampe's questions, she's been taking

1 down everything that's been said. Okay? She will type
2 this up later on and you have an opportunity to read it
3 over and make sure that what she took down is accurate
4 as to what you said; or since this is her occupation, we
5 can assume that she'll do it correctly and you don't have
6 to read it over.

7 The choice is up to you, whichever you want.

8 THE WITNESS: It don't matter.

9 MR. BAUER: We'll go ahead and waive signature
10 on that.

11 (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 her 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 she 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.

