

1 MS. DICKEY: The next witness is Annie May
2 Harris.

3 (WHEREUPON, ANNIE MAY HARRIS, HAVING FIRST BEEN
4 DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH AND
5 NOTHING BUT THE TRUTH, TESTIFIED AS FOLLOWS, TO-WIT:)

6 DIRECT EXAMINATION

7 BY MS. DICKEY:

8 Q. State your name for the record.

9 A. Annie May Harris.

10 Q. Mrs. Harris, you are Heath Stocks's grandmother, also.

11 A. That's right.

12 Q. And you are the mother of Barbara Harris Stocks.

13 A. That's right.

14 Q. Okay. Mrs. Harris, you were asked to prepare a letter
15 about -- you have a health condition, do you not?

16 A. Yes.

17 Q. Is it your heart?

18 A. Yes, I have a heart condition.

19 Q. And in lieu of an extensive explanation, you were asked to
20 prepare a statement.

21 A. Yes, ma'am.

22 Q. And can you read that now?

23 A. Yes.

24 Q. And if you will read that, as far as explaining your
25 feelings about this.

1 A. "Barbara Stocks was my firstborn daughter. She was a
2 large part of our life. She gave me two grandchildren, Heath
3 Stocks and Heather Stocks. She was married to Joe Stocks, and
4 he was a good provider. He was a hardworking man, and they had
5 a nice home. Barbara's life revolved around her children and
6 her family.

7 "I can't tell you how many times she would come and help
8 me tidy up my house. And she also helped with their young --
9 my younger children, Janice and Woody. If they needed
10 anything, she would help them.

11 "And I'd fix lunch for her sometimes at noon, and I looked
12 forward to the fifteen minutes that she had. She had thirty
13 minutes. But by the time she got to my house and got back, we
14 had about ten or fifteen minutes together, and I really looked
15 forward to her coming. And we'd really talk things over.

16 "There was never a day pass that she didn't call to see
17 how we were. She told me every day that she loved me and loved
18 her daddy.

19 "Heather was a wonderful girl. She studied sometimes till
20 midnight. She was valedictorian of her class, and she had won
21 a four year scholarship to Rhodes College, three years in
22 Memphis, and a year in England.

23 "But I had a dream for Heather other than college. I
24 dreamed of seeing her get married and have babies. And, of
25 course, now, I'll never get to see her get married, and I'll

1 never get to hold her babies.

2 "Heather was a wonderful girl, and Heath was a wonderful
3 baby boy. He was our firstborn grandchild on both sides of the
4 family. The day that he was born, both grandmothers cried
5 tears of joy to have a grandson.

6 "The last time that Heath spent a week with us several
7 years ago during the summer, he walked with his shoulders
8 slumped, and he had a worried look on his face. He was twelve
9 years old. And he played and he fished all week. And now that
10 look that he had haunts me. He looked as if the weight of the
11 world was on his shoulders.

12 "And he recently has told us that his scout leader, Jack
13 Walls, III, had violated him since he was a young boy. I
14 remember Heath telling his parents he wanted to quit the
15 scouts, but they wanted Heath to finish up his scouting. And
16 Heath did become an Eagle Scout.

17 "The last time I saw Barbara, she threw her arms around
18 me, and she said, 'Mama, don't ever forget that I love you with
19 all my heart.'

20 "No one can know the feeling of going to see your grandson
21 in prison.

22 "Heath become withdrawn, and he began to show anger.
23 Barbara and Heather said that many times that they were scared
24 of Heath.

25 "I said, 'Barbara, do you think that Heath would ever hurt

1 | you?'

2 | "And she says, 'Mama, I know in my heart that Bubba would
3 | never hurt me physically.' But she was wrong.

4 | "Joe and Barbara and Heather have been dead a year, and I
5 | get so lonely to see my daughter and my granddaughter.

6 | "Barbara told me that she had gone home and found a car at
7 | her house. It had been there before. It belonged to Jack
8 | Walls, III, Heath's scout leader. He had been to her house
9 | before to play checkers or watch a movie, and she was glad that
10 | Heath had someone to talk to. She was not prepared for what
11 | she saw that day. Heath and Jack Walls were in bed together
12 | asleep.

13 | "I asked her what she did, and she said she was so upset
14 | that she backed out of the house and she got into her van and
15 | left. She drove down the road and watched the house until he
16 | left. She was scared of what would happen when Joe found out.
17 | Joe was driving a big truck through the week, and he would be
18 | home on the weekend. She was frightened.

19 | "No one can know the feeling of going to see your grandson
20 | in prison. His life, in a way, is over. Also, the rest of his
21 | life will be behind bars. I wish he had confided in his
22 | family. The horrible secret grew inside of him until he
23 | couldn't handle it, and he exploded. And when it was over, his
24 | family was gone.

25 | "Jack Walls, III, told Heath he was training him to be a

1 hit man."

2 Q. Let me -- excuse me --

3 A. Yes.

4 Q. -- Mrs. Harris. If I could stop you now, and let me ask
5 you a question.

6 A. Okay.

7 Q. Your daughter had told you just before she died that she
8 knew there was a sexual --

9 MR. ALEXANDER: Judge, just for the record, I --
10 you know, I'm tempted to object, but I just wanted
11 you to -- I know this is victim -- we've sat here and
12 listened to hearsay on hearsay on hearsay, and
13 there's no way for us to question these people. It's
14 just a statement that's conveniently made, and I just
15 want to object, you know, for the record, again for
16 the same purpose.

17 THE WITNESS: That's right. They're dead.

18 THE COURT: Ma'am, don't -- Mrs. Harris.

19 MS. DICKEY: Mrs. Harris, just a minute.

20 THE COURT: Mrs. Harris. Mrs. Harris, just
21 direct your remarks to the Court and don't be
22 discussing with anyone on the other side.

23 THE WITNESS: Okay.

24 THE COURT: Mr. Alexander, the Court is not a
25 jury.

1 MR. ALEXANDER: I understand, Your Honor.

2 THE COURT: You're going to have to understand
3 that I am trained in the law, and that I will take
4 what information and the facts that they give me and
5 disseminate that and use --

6 MR. ALEXANDER: I just wanted to --

7 THE COURT: -- what's appropriate and discard
8 that. Part of the reason for a victim impact
9 statement is for healing and therapy, and so I'm
10 going to allow them to do this.

11 MR. ALEXANDER: I just didn't want to look like
12 an idiot sitting here, Judge, and not say anything.

13 THE COURT: You've done your client an excellent
14 job, Mr. Alexander.

15 MR. ALEXANDER: Thank you, Judge.

16 MS. DICKEY: Thank you, Your Honor.

17 THE COURT: Go ahead.

18 Q. (Resumed by Ms. Dickey) Mrs. Harris?

19 A. Yes.

20 Q. Barbara Stocks told you she was aware of a relationship of
21 a sexual nature between Heath Stocks and Jack Walls shortly
22 before she died, did she not?

23 A. Yes.

24 Q. And why didn't you tell the authorities?

25 A. She had told me not to tell it. I guess she was ashamed

1 of it.

2 Q. And after she was dead, why didn't you tell the
3 authorities?

4 A. Nobody ever asked me anything.

5 Q. Were you reluctant to tell the authorities because of a
6 misunderstanding you had about a gag order?

7 A. Well, he said not to talk about it.

8 Q. You thought you couldn't talk about it because of the gag
9 order?

10 A. Yes.

11 MS. DICKEY: That's all I have.

12 CROSS-EXAMINATION

13 BY MR. ALEXANDER:

14 Q. You didn't hear Mrs. Stocks having any problem talking on
15 TV every time about a gag -- with a gag order, did you?

16 A. (No response)

17 MR. ALEXANDER: That's all I have, Your Honor.

18 MS. DICKEY: Your Honor --

19 THE COURT: All right. Just a moment.

20 MS. DICKEY: -- I want to --

21 THE COURT: Just a moment.

22 MS. DICKEY: In a gag order --

23 THE COURT: Just a minute.

24 MS. DICKEY: Yes, sir.

25 THE COURT: A gag order relates to the parties

1 to any lawsuit, the state or defense, the lawyers,
2 law enforcement and other people who have firsthand
3 knowledge. A gag order doesn't -- it's never stopped
4 the press before, and it's certainly not going to
5 stop individuals.

6 So, what Mrs. Harris knew about Mrs. Stocks
7 making statements is really not important here. She
8 did not tell what she knew, and that's just -- that's
9 it.

10 MS. DICKEY: If I may clear this up. Or try to.

11 THE COURT: Go ahead.

12 REDIRECT EXAMINATION

13 BY MS. DICKEY:

14 Q. Mrs. Harris, I'm not referring to a gag order in
15 connection with the rape trial of Jack Walls. I'm referring to
16 a gag order in connection with the murder trial of Heath
17 Stocks. Was there not a gag order in effect?

18 A. Yes.

19 Q. And did you think that you were restricted or unable to
20 tell what you knew about this at that time because of that gag
21 order?

22 A. Yes. I thought there would probably be a hearing, and I
23 would tell it at that time.

24 Q. And there never was.

25 A. No.