

EX 5
EX 2:

STATE OF NORTH CAROLINA)
MONTGOMERY COUNTY)

STATE OF NORTH CAROLINA)

vs.)

SCOTT DAVID ALLEN)

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
Case Nos. 99 CRS 3818, 3820

AFFIDAVIT OF TANZY LANIER

I Tanzy Sunshine Lanier, being duly sworn, do hereby state the following:

1. My name is Tanzy Sunshine Lanier. I am a resident of Lexington, North Carolina. I am 25 years old, and I am competent to give this statement.
2. In July 1999, Danny Lanier (who was my husband) and I were living with Robbie Johnson. Robbie was renting a two bedroom trailer located at Whipoorwill Cove near Badin Lake. My 15 year old brother, Shannon Diehl, was living there too. Chris Gailey had been staying at the trailer off and on for a couple of months. Chris would get gone for a day or two and then show back up. One day, Chris came back with Vanessa Smith and Scott Allen. This was about 2-3 weeks before Chris was killed. We were told that Scott was Byron Johnson. I did not know his name was actually Scott Allen until everything happened. Vanessa was strange; she always wore black. She had a tattoo of God hanging from a rope and one of Hitler on her shoulder blades. When you talked to Vanessa, she seemed normal though.
3. There were always a lot of people in and out of the trailer at Whipoorwill Cove when we lived there. That is just the way it was. Danny and I did not ask or care about who was going and coming because the trailer did not belong to us. Everyone at the trailer drank, got drunk, and partied every night. We were young then. It was what we did. Everybody loved Chris. He was the party-supplier. Chris was into drugs and guns. He carried around a knapsack that he kept drugs in – cocaine. I didn't ask questions, but I knew what Chris was into. Chris also had all kinds of guns. The week before Chris got killed, we all took pictures of us holding Chris's guns and doing stupid poses with them. The cops took those pictures and kept them when everything happened.
4. I remember that Chris and Dustin Maness got into it once with each other. Dustin had passed out in the bathtub. We all took pictures of Dustin and, then, Chris turned the water on. Dustin was really mad. Chris and Dustin argued and, then, Chris told Dustin to leave. Dustin left out of the trailer, walking. I remember that Dustin took out a charge on Chris. It was all really stupid. It was just us partying and being stupid. It was a crazy house.

5. Danny and I did not testify at the trial. We had a meeting with detectives and someone from the District Attorney's Office as to what happened. We even received subpoenas to testify. I remember that Danny and I went to court a couple of times. We sat with the Gailey family and heard Vanessa's testimony. This was when there was no jury present in the courtroom. Vanessa got up and told a bunch of lies. I told the Gailey family's attorney that Vanessa was lying.
6. During the testimony that I heard, Vanessa lied about coming back to the trailer, stealing the truck, and being scared for her life. If I had been called to testify at the trial, I would have testified to what really happened that night at the trailer. At the time when Vanessa claimed that Chris was shot, Vanessa was actually at the trailer. I remember because I was working at CVS at that time. I got off work at 9:00 p.m. and went home. To get to work and back, I used the only truck that Danny and I had. It was about a 20 minute ride from CVS to home. On that night, I was home by 9:30 p.m. When I got home, people were there as usual, including Chris, Vanessa and Scott.
7. Sometime after I got home from work, Chris, Scott and Vanessa left in the truck that belonged to Danny and me. They said they were going to take some guns and/or drugs somewhere. It did not seem like it was long before Vanessa returned to the trailer. Vanessa came back in about 1 to 2 hours. At that time, I remember that everyone else was asleep or passed out from partying. I saw Robbie Johnson on the floor passed out. I remember he was sweating. Danny had already gone to bed. Shannon had left for that night. I do not remember seeing anyone get up when Vanessa came in. I was washing dishes at the time and complaining about it. I was always the clean up person. Vanessa acted fine when she came in. She helped me wash dishes, and we talked for about 2 hours. Vanessa said, "the certain guy they went to meet wasn't there, Chris and Scott sent me home, they would have a ride later." I didn't think anything about it because Chris was always doing something like that. Vanessa and I went to bed about 12:30 or 1:00 a.m.
8. The next morning, Vanessa was gone. Chris's truck was gone. We partied all weekend as usual. I did not think anything of Chris not being there; Chris was always gone for a few days and then back again. Chris had said something the day before about using our truck to take Scott and Vanessa back to Charlotte. Scott and Vanessa were from Charlotte is what Chris had told us. When I did not see them over the weekend, I figured Chris had taken Scott and Vanessa back to Charlotte.
9. We found out that Chris was dead on Monday. We called Chris's family. We had pictures of Chris's truck and of Chris, Scott and Vanessa. We tried to get the police to run the pictures on TV to help them find Vanessa, Scott and/or the truck.
10. We really went through something during that time after Chris's body was found. The police raided our trailer a bunch of times. They also tapped our telephone line and would park by our trailer and just sit watching us. The police came to the trailer

and searched; they even poured the ketchup and mustard out of the bottles. They eventually locked up Robbie, Danny and Shannon. The day they were arrested, I came home and I was scared because I didn't know where any of them were.

11. The police kept coming to the trailer. The police told us we were under investigation to be arrested as accessories. Each one of us were taken down for interrogation. During the interrogation, they showed me pictures of Chris's body, his duffle bag/knapsack, and his gun that had back-fired. The questioning technique they used was very rude. It made me feel that I just didn't want to be in that room. They asked me about how I knew Scott. They asked why we didn't call the day Chris went missing. They also told the Gailey family early on that we all had something to do with Chris's death.

Further affiant sayeth not.

The foregoing paragraphs numbered one through eleven are true to the best of my knowledge.

Tanzy S. Lanier
Tanzy Sunshine Lanier

5-27-07
Date

Sworn to and subscribed before me this 27 day of May in the year 2007 in DAVIDSON
County, North Carolina.

JERRY LEE WALTER - JERRY LEE WALTER (Seal)
Notary Public

My commission expires: 04-10-09