

STATE OF NORTH CAROLINA	)	IN THE GENERAL COURT OF JUSTICE
MONTGOMERY COUNTY	)	SUPERIOR COURT DIVISION
	)	Case Nos. 99 CRS 3818, 3820
	)	
STATE OF NORTH CAROLINA	)	
	)	
V.	)	<u>AFFIDAVIT OF DUSTIN MANESS</u>
	)	
SCOTT DAVID ALLEN	)	

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I, Dustin Maness, being duly sworn state the following:

1. My name is Dustin Maness. I am currently incarcerated at Mountain View Correctional Institution in Spruce Pine, North Carolina. I have personal knowledge of the matters set forth herein. I am over 21 years of age and competent to make this statement.
2. I knew both Scott Allen and Chris Gailey. I also knew Scott's one-time girlfriend, Vanessa Smith, through Scott. I was interviewed by the SBI about the shooting death of Chris Gailey and later testified at Scott's trial. Although I tried to tell the truth on both occasions, I feel like I was pushed into saying certain things by the SBI and the prosecutor that were not entirely accurate. I would like to set the record straight.
3. I was interviewed by SBI Agent Reid on October 15, 2003 about the shooting death of Chris Gailey. The entire interview was misconstrued by Reid. Reid presented most of the information and I either agreed with the statements or didn't say anything. I was asked whether I thought Scott could kill someone. I responded by saying that I thought anyone could kill if pushed to it and he had no other choice. I did not say that Scott was any more likely to kill than anyone else. I also did not tell him that Scott claimed to get chemicals from his mother who worked at a hospital. Reid kept putting words in my mouth that I did not say or mean.
4. The same thing happened when I testified at Scott's trial. I tried to testify truthfully, but I felt that the prosecutor was pushing me to say things from Reid's report that I really didn't believe or remember. For example, I do not recall Scott ever making a threat against Chris Gailey. I do not recall Scott saying to Chris that "I'll beat your ass" if Chris called Joyce Allen a bitch. I remember Scott saying on one occasion something much milder, like "don't do that shit again."
5. In the Spring and early Summer of 1999, I was dating and living with Lois Lawson. During that period, Chris Gailey and Joyce Allen, who is Lois' sister and Scott's ex-wife, were also living in that household. Lois and I slept in one bedroom, and Joyce and Chris slept in the other bedroom. Scott Allen and Vanessa Smith also lived there from time to time, sleeping in the living room on a fold-out bed.

6. I frequently observed Vanessa Smith drinking and smoking marijuana. I also know she used cocaine. I do not know whether she was mentally ill, but she acted very "dingy" whenever I saw her.
7. Chris Gailey was a business man when it came to dealing drugs. He bought his drugs from a guy named Greg, a white male in his late twenties or early thirties living in Asheboro, North Carolina. Chris cut his cocaine way down by adding additives to it. At times, he would cut it too thin and anger his customers. He would buy an ounce for \$800 and sell half, cut thin, for \$100 a gram, making a \$1600 profit. Among other things, he would add "iceatol" to the cocaine he was going to sell, which numbs the mouth similar to cocaine and fooled some customers.
8. I recall one customer named Marty got very angry about the "thin" cocaine Chris sold him. He kept calling Chris on his cell phone to complain but Chris would not take the calls. One time Chris handed me the phone and I talked to him. Marty was very angry and said that Chris had sold him "some bad shit" and wanted his money back.
9. Chris Gailey loved guns, including that shotgun. He was also a little trigger-happy. He had a .45 caliber semi-automatic pistol that he really loved, but it jammed all the time. I shot guns with Chris frequently. If Chris was making a drug deal and the buyer had a gun or cash, he would always want the gun. I remember one of his customers named "Stinker" paid for cocaine with a shotgun that had a special grip. Chris also loved night-vision devices. We would sometimes go out in the woods at night with a night vision scope. On several occasions Chris thought he saw someone out in the woods and started shooting and running around.
10. I took a warrant out on Chris in the Spring of 1999 after he pulled a knife on me and pushed me up against a wall. Chris and I were staying at a trailer along with a number of other people. One night, after getting high, I ended up in the bath tub asleep. Chris saw me and turned the shower on. He also took a picture of me in the bathtub. I was angry at Chris about this and we had words. The argument eventually led to Gailey pulling his knife and shoving me up against the wall. My then girlfriend, Lois Lawson, and my mother persuaded me to press charges against Chris. Chris was found dead before the court date. In fact, Chris and I had already made up and I was going to drop the charges anyway.
11. Jamie Fender is Lois Lawson's ex-husband. He is very arrogant and a jerk to a lot of people. Sometime after Chris pulled the knife on me, and a day or two before Chris' body was found, Fender showed up at Robert Johnson's trailer in camouflage clothing carrying an assault rifle and looking for Scott. It was a .30-06, SKS, or a .223. I do not know whether Fender caught up with Scott that day or not.
12. I was interviewed by Scott's lawyer, Pete Oldham, and a private investigator before Scott's trial. I remember that the investigator smelled like scotch.

13. I do not know of any reason why Scott would want to kill Chris. They were good friends. Although Chris was living with Scott's ex-wife, Joyce, at the time, it did not seem to bother Scott at all. He was sleeping with Vanessa Smith at the time, and was living with her in the same house as Chris and Joyce.

Further affiant sayeth not.

The foregoing paragraphs numbered one through 5-29-07 are true to the best of my knowledge.

Dustin J Maness  
Dustin Maness

5-29-07  
Date:

Sworn to and subscribed before me this 29 day of May in the year 2007 in Avery County, North Carolina.

JERRY LEE WATSON JERRY LEE WATSON (Seal)  
Notary Public

My commission expires: 04-10-09

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