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THIS IS THE STATEMENT OF VANESSA SMITH

VANESSA ANNE SMITH
WHITE/FEMALE
DOB: 01-20-72

ON AUGUST 11, 1999 INMATE VANESSA SMITH WAS TAKEN OUT OF THE MONTGOMERY COUNTY JAIL BY LT CHRIS POOLE AND WAS READ HER MIRANDA RIGHTS. SMITH SIGNED A WAIVER OF HER RIGHTS AND SMITH TOOK LT. CHRIS POOLE AND CAPT. TERRY BLUE AND POINTED OUT WHERE BENNY AND SHERRY ALLEN LIVED ON COGGIN MINE ROAD IN MONTGOMERY COUNTY. (THIS WAS 470 COGGINS MINE ROAD IN MONTGOMERY COUNTY. SMITH THEN SHOWED POOLE AND BLUE WHERE A CABIN WAS LOCATED OFF OF METHODIST CHURCH ROAD WHICH IS DIRT AND OFF OF COGGINS MINE ROAD NEAR THE ALLEN RESIDENCE. SMITH, POOLE, AND BLUE WALKED UP TO THE CABIN AND SMITH POINTED THE CABIN OUT AND SHOWED BLUE AND POOLE A WINDOW ON THE CABIN THAT SCOTT ALLEN WOULD GO IN AND BREAK AND ENTER THE CABIN AND THEN SCOTT ALLEN WOULD COME LET HER IN THE BACK DOOR OF THE CABIN. SMITH THEN TOOK POOLE AND BLUE TO AN AREA WHERE SHE FELT LIKE SCOTT ALLEN HAD PUT THE MURDER WEAPON. SMITH DESCRIBED THE WEAPON AS A SAWED OFF SHOT GUN, AND SHE THOUGHT THE ENTIRE GUN WAS BLACK IN COLOR. SMITH ALSO SHOWED BLUE AND POOLE WHERE ON JULY 9, 1999 THAT THEY PARKED CHRIS GAILEY (1998) GMC SIERRA TRUCK ON METHODIST CHURCH ROAD. TIME BEGAN IN CAR WAS 1:18 P.M AND TIME OUT OF CAR WAS 3:20 P.M.

POOLE TOOK VANESSA SMITH TO HIS OFFICE AT THE MONTGOMERY COUNTY SHERIFFS OFFICE AND INTERVIEWED HER. THE FOLLOWING IS THE INTERVIEW AND TIME START WAS 3:30 P.M.

SMITH STATED THAT SHE MET SCOTT ALLEN AT AN MILL IN NORWOOD BACK SOMETIME IN THE YEAR OF (1991).

SMITH STATED THAT SHE AND SCOTT WOULD SEE EACH OTHER AT A TATTOO SHOP IN ALBEMARLE NORTH CAROLINA AND GREG FRITTS WAS THE OWNER OF THE SHOP AND GREG IS FROM MONTGOMERY COUNTY AND HIS ~~DAD~~ WAS A NORTH CAROLINA STATE HIGHWAY PATROL AT ONE TIME.

SMITH STATED THAT SHE AND SCOTT WERE ONLY FRIENDS AND THAT SHE AND SCOTT WERE INVOLVED IN SOME CHURCH BREAKING AND ENTERINGS AND THAT THEY WERE ARRESTED FOR THEM.

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SMITH STATED THAT WHEN SCOTT WOULD GO TO PRISON OR JAIL THAT SHE WOULD WRITE HIM LETTERS AND THAT HE WOULD WRITE HER BACK.

SMITH STATED THAT THIS LAST TIME SCOTT ALLEN WAS IN PRISON IN TROY NORTH CAROLINA THAT HE WAS OUT OF WORK RELEASE AT A MILL IN TROY NAMED CAPELS AND THAT HE WORKED NIGHT SHIFT.

SMITH STATED THAT SCOTT ALLEN WOULD CALL HER A LOT FROM PRISON AND CAPELS AND HE WOULD CALL HER COLLECTED AND THAT SHE WAS LIVING 1460 HILL TOP STREET IN ALBEMARLE NORTH CAROLINA.

SMITH STATED THAT SCOTT CALLED HER AND TOLD HER THAT HE WAS WORKING AT CAPEL MILLS ON WORK RELEASE IN TROY AND THAT HE WANTED HER TO COME UP AND SEE HIM AND TO BRING HIM FOOD.

SMITH STATED THAT SHE WOULD ALSO GO SEE HIM A LOT ON VISITORS DAY AT THE PRISON ON SUNDAYS.

SMITH STATED THAT SHE WOULD GO TO CAPEL MILLS AND SHE WOULD SIT OUT IN HER CAR IN THE PARKING LOT AND THAT SHE DROVE A 1989 FIREBIRD BLACK IN COLOR AND THE WINDOWS WERE TINTED.

SMITH STATED THAT WHEN SHE FIRST STARTED GOING TO THE MILL THAT SHE WOULD TAKE HIM FOOD AND THAT THEY WOULD SIT IN HER CAR AND TALK WHILE HE WAS ON BREAK.

SMITH STATED THAT THEN SCOTT ALLEN WANTED HER TO BRING HIM COCAINE (POWDER) AND THAT AT DIFFERENT TIMES THAT SHE WOULD TAKE HIM COCAINE AND GIVE IT TO HIM WHILE HE WAS WORKING AT CAPEL MILLS.

SMITH STATED THAT SOON HER AND SCOTT AND WERE GETTING TO BE CLOSER THAN FRINEDS AND ON ONE OF THE TIMES SHE WAS AT CAPELS IN HER CAR THAT SHE AND SCOTT ALLEN STARTED KISSING AND THE NEXT TIME SHE CAME TO THE MILL THAT WHILE IN HER CAR THAT SHE AND SCOTT PERFORMED ORAL SEX ON EACH OTHER.

SMITH STATED THAT THE NEXT TIME SHE WENT TO SEE SCOTT AT THE MILL THAT THEY HAD SEXUAL INTERCOURSE IN HER CAR AND THAT THIS HAPPENED A FEW TIMES.

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SMITH STATED THAT SCOTT TOLD HER THAT HE LOVED HER AND THAT SHE WAS IN LOVE WITH SCOTT ALLEN.

SMITH STATED THAT SHE LATER GOT ON COCAINE REALLY BAD TO THE POINT THAT SHE HAD TO GIVE UP HER CHILD TO HIS FATHER WHO IS LARRY SMITH AND THAT SHE COULD NOT EVEN DRIVE SO SHE QUIT GOING TO THE MILL TO SEE SCOTT ALLEN AND THAT SHE WOULD NOT HAVE ANY CONTACT WITH SCOTT ALLEN FOR ABOUT A MONTH.

SMITH STATED SOMETIME IN MAY OF (1998) HER FRIEND OF HERS NAMED JENNIFER HILL WHO LIVES IN STANLY COUNTY SEEN HER AND TOLD HER THAT SHE HAD BEEN GOING TO SEE SCOTT ALLEN AT THE MILL AND THAT SCOTT TOLD HER TO TELL HER THAT IT WOULD BE A BIG MISTAKE NOT TO COME TO THE MILL AND SEE HIM AND IF SHE DID NOT THAT HE WAS GOING TO LEAVE THE MILL AND SIT OUT IN THE WOODS AND GET HER.

SMITH STATED THAT SHE WOULD NOT GO AND SEE SCOTT ALLEN BECAUSE SHE WAS UNABLE TO GO AND SEE SCOTT BECAUSE THAT THE ONLY THING SHE CARED FOR AT THE TIME WAS DRUGS.

SMITH STATED THAT SHE THINKS THIS HILL GIRL WAS HAVING SEXUAL INTERCOURSE WITH SCOTT ALLEN AT CAPEL MILLS ALSO.

SMITH STATED THAT SHE WAS SO MUCH IN LOVE WITH SCOTT ALLEN THAT IF SHE SEEN SCOTT ALLEN SHE WOULD KEEP SEEING HIM.

SMITH STATED THAT THEN ONE DAY THAT JENNIFER HILL CAME TO SEE HER AND TOLD HER THAT SCOTT ALLEN WAS OUT OF PRISON AND THAT SCOTT WANTED TO SEE HER.

SMITH STATED THAT HILL TOOK HER TO MEET HIM AT THE WAL MART PARKING LOT IN ALBEMARLE AND THAT HE WAS HANGING OUT IN THE PARKING LOT AND THAT HE GOT IN THE CAR WITH THEM AND SHE LOOKED AT HIM AND WAS IT BECAUSE SHE FELL IN LOVE WITH HIM AT FIRST GLANCE.

SMITH STATED THAT SHE AND SCOTT STARTED KISSING AND THAT SHE ASKED HIM WHEN HE GOT OUT AND SCOTT TOLD HER THAT HE GOT A LETTER TELLING HIM AND HE DID NOT MAKE PAROLE AND THAT HE KNEW SHE WOULD NOT MAKE IT ANOTHER YEAR BECAUSE SHE WAS USING COCAINE SO BAD SO I WALKED AWAY FROM WORK RELEASE.

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SMITH STATED THAT HILL TOOK HER AND SCOTT TO A MOTEL IN LAKE NORMAN UP HIGHWAY 77 AND JENNIFER GOT THE ROOM IN HER NAME AND ALL THREE OF THEM STAY THERE ABOUT TWO NIGHTS AND SHE AND SCOTT ALLEN BECAME SEXUAL INVOLVED.

SMITH STATED THAT SHE DOES NOT KNOW WHO PICKED SCOTT ALLEN UP FROM WORK RELEASE BUT SHE THINKS JENNIFER HILL DID AND JENNIFER DROVE A DARK COLOR EAGLE TALON SPORTS CAR.

SMITH STATED THAT SHE GOT A LARGE AMOUNT OF MONEY DUE TO THE FACT THAT HER FATHER WAS IN A CAR WRECK AND KILLED AND THAT SHE HAD PLENTY OF MONEY.

SMITH STATED THAT SHE AND SCOTT WOULD STAY FROM HOTEL TO HOTEL IN DIFFERENT PLACES IN NORTH CAROLINA.

SMITH STATED THAT BEFORE THEY LEFT NORTH CAROLINA THEY WERE STAYING AT A MOTEL IN GREENSBORO NEAR SOUTH SIDE JOHNNYS CLUB ON HOLDEN ROAD EXIT NEAR GREENSBORO THAT ONE NIGHT BENNY ALLEN AND ~~SCOTT~~ ALLEN CAME TO SEE SCOTT AND MET THEM AT THE MOTEL AND THEY WERE DRIVING SHERRY'S BIG WHITE CAR AND SHERRY AND BENNY TOOK SCOTT OUT TO EAT BECAUSE SCOTT WANTED TO SPEND SOMETIME WITH HIS DAD AND MOM AND THIS WAS THE FIRST TIME HE SEEN THEM SINCE HE ESCAPED PRISON.

SMITH STATED THAT WHEN SCOTT GOT BACK THAT SCOTT SHOWED HER (2) DICKIES ONE WAS GRAY AND THE OTHER BLACK AND TOLD HER HIS MOTHER GAVE THEM TO HIM SO HE COULD WEAR THEM TO HIDE HIS TATTOOS.

SMITH STATED THAT JENNIFER WAS ALWAYS SHE AND SCOTT ALLENS RIDE AND THAT BOTH SHE AND JENNIFER KNEW SCOTT ALLEN HAD ESCAPED FROM THE DEPARTMENT OF CORRECTIONS.

SMITH STATED THAT JENNIFER AND HER WAS IN ALBEMARLE ONE DAY AND THAT SOME BODY FROM DEPARTMENT OF CORRECTIONS WAS FOLLOWING THEM AND THAT THEY PUULED OVER AND TWO MEN FROM DEPARTMENT OF CORRECTIONS TALKED TO SHE AND JENNIFER AND ASKED THEM ABOUT SCOTT ALLEN BUT THEY TOLD THEM THAT THEY HAD NOT SEEN SCOTT ALLEN BUT SCOTT ALLEN WAS IN A MOTEL.

SMITH STATED THAT SHE GOT (2) CHECKS FOR \$25,000.00 AND THAT THEY WERE FROM A BANK IN CHICAGO AND THAT SHE COULD NOT GET THEM CASHED IN NORTH CAROLINA SO SHE AND SCOTT ALLEN

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TOOK A PLANE FROM GREENSBORO AIRPORT TO CHICAGO AND THAT ONE OF THE TICKETS WAS IN JENNIFER HILL'S NAME AND THE OTHER IN HER NAME AND SCOTT ALLEN USED THE JENNIFER HILL PLANE TICKET.

SMITH STATED SHE AND SCOTT GOT TO CHICAGO AND SHE AND SCOTT TOOK ONE OF THE CHECKS AND PUT THEM IN AN ACCOUNT AT TCF BANK IN HER NAME AND THAT THEY WERE GETTING LOW ON MONEY.

SMITH STATED THAT SCOTT ALLEN CALLED HIS MOTHER BY PHONE AND ASKED HIS MOTHER WHO IS SHERRY ALLEN TO SEND THEM SOME MONEY UNTIL HER CHECK CLEARED AND SHERRY ALLEN SENT \$1000.00 THROUGH WESTERN UNION TO VANESSA SMITH.

SMITH STATED THAT THE CHECKS CLEARED AT THE BANK AND SHE WENT AND GOT ALL OF THE MONEY OUT OF THE BANK WHICH WAS \$25,000.00 AND SHE WOULD ALWAYS LET SCOTT HOLD ALL OF THE MONEY.

SMITH STATED THAT SHERRY ALLEN KNEW THAT SCOTT AND HER WAS IN CHICAGO AND THAT SHE WAS TALKING ON THE PHONE TO SHERRY ALLEN AND SHERRY TOLD HER WHY DID SHE OPEN THAT ACCOUNT THAT SHE COULD HAVE SENT HER THE CHECK AND SHE WOULD HAVE SENT HER THE CASH.

SMITH STATED THAT SHE AND SCOTT ALLEN TOOK THE TRAIN OUT FROM CHICAGO TO WASHINGTON STATE TO A FRIEND OF HERS NAMED BYRON JOHNSON.

SMITH STATED THAT SHE KNEW BYRON JOHNSON FROM A FEW YEARS BACK WHEN SHE MET HIM AT A PARTY IN ALBEMARLE AND THAT JOHNSON HAD A TWIN BROTHER NAMED ERIC JOHNSON AND BOTH OF THEM BOUGHT MOTORCYCLES AND RODE THEM BACK TO WASHINGTON.

SMITH STATED THAT SHE GETS UP WITH BYRON JOHNSON AND THAT SHE AND SCOTT TOLD JOHNSON THAT SCOTT WAS IN TROUBLE AND NEEDED AN I.D.

SMITH STATED THAT BYRON JOHNSON GAVE SCOTT ALLEN HIS BIRTH CERTIFICATE AND SOME INSURANCE PAPERS AND SCOTT ALLEN WENT AND GOT A WASHINGTON STATE DRIVERS LICENSE WITH THE NAME BYRON JAMES JOHNSON WITH SCOTT ALLEN'S PICTURE ON THE WASHINGTON STATE DRIVERS LICENSE AND SHE GAVE BYRON JOHNSON \$500.00 IN CASH FOR LETTING SCOTT ALLEN USE THE ABOVE DESCRIBED ITEMS.

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SMITH STATED THAT THEY WERE STAYING IN MOTELS AND THAT SHE WAS MISSING HER SON REALLY BAD WHO IS ROBERT SO SHE FLEW BACK TO NORTH CAROLINA AND TALK TO LARRY SMITH WHO IS ROBERTS FATHER AND HER HUSBAND.

SMITH STATED THAT LARRY SMITH USE TO BE BEST FRIENDS WITH SCOTT ALLEN BECAUSE THEY USE TO GO TO THE SAME SCHOOL AND THAT LARRY USE TO DATE LOIS WHO IS THE SISTER OF JOYCE ALLEN WHO IS SCOTT ALLEN'S X-WIFE.

SMITH STATED BY THIS TIME THAT SHE HAD GOT A CHECK FOR \$1000.00 AND FEDEX THE CHECK TO SHERRY ALLEN AND IT WAS SENT TO HER HOUSE.

SMITH STATED THAT SHE TALKED LARRY TO COMING OUT TO THE STATE OF WASHINGTON AND TOLD HIM ABOUT SCOTT ALLEN SO LARRY AGREED TO DO THIS AND SHE ROBERT AND LARRY FLEW BACK TO THE STATE OF WASHINGTON AND LARRY AND ROBERT WAS GOING TO LIVE WITH SCOTT AND HER.

SMITH STATED THAT WHILE IN WASHINGTON SCOTT ALLEN CALLED HIS MOTHER AND TOLD HER WHERE HE WAS AT AND THAT HE HAD AN I.D. WITH THE NAME OF BYRON JOHNSON.

SMITH STATED THAT THEY WERE LOW ON MONEY SO SHE CALLED EDWARD JONES WHO IS HER MONEY MANGER OUT OF ALBEMARLE AND HER MANGER WAS FRANK SPARGER.

SMITH STATED THAT SHE CALLED FRANK TOLD HIM THAT SHE WANTED TO CLOSE OUT HER ACCOUNT AND SHE GAVE FRANK A FRIENDS ADDRESS IN ALBEMARLE AND THE FRIEND WAS SPIDER WHO IS JEFF BRANTLEY.

SMITH STATED THAT FRANK SENT \$23,000 IN (3) DIFFERENT CHECKS TO SPIDERS AND SHE CALLED SPIDER AND TOLD HIM SHE WAS GETTING SOME MAIL AND SHE GAVE HIM SHERRY ALLEN'S ADDRESS ON COGGINS MINE ROAD IN TROY AND FOR SPIDER TO MAIL THE MAIL TO SHERRY ALLEN.

SMITH STATED THAT SHE CALLED SHERRY ALLEN AND TOLD HER ABOUT THE CHECKS COMING TO HER AND SHERRY TOLD HER THAT WAS OKAY AND WHEN SHE GOT THE CHECKS THAT SHE WOULD MAIL HER THE CASH TO WASHINGTON STATE AND THAT SHERRY ALLEN KNEW THAT SCOTT WAS WITH HER BECAUSE SCOTT HAD TALK TO SHERRY ALLEN WHO IS HIS MOTHER NUMEROUS TIMES.

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SMITH STATED ALSO TOLD HER THAT WESTERN UNION WAS GETTING TO BE HIGH COST SO SHERRY ALLEN GOT THE CHECKS AND SHERRY ALLEN SENT THEM \$12000.00 IN CASH BY FEDERAL EXPRESS TO A PLACE CALLED MAIL BOXES AND THE MONEY WAS IN BYRON JOHNSON'S NAME AND SHERRY ALLEN KNEW THIS WAS REALLY HER SON SCOTT ALLEN.

SMITH STATED THAT WHEN THEY GOT BACK TO WASHINGTON THAT ALL GOT AN APARTMENT TOGETHER AND THAT SHE BOUGHT A JEEP AND IT WAS A (1998) AND THAT THEY LOOKED AT SOME OTHER PLACES TO LIVE IN WASHINGTON BUT DID NOT LIKE THEM SO LARRY, ROBERT, SCOTT AND HER DROVE DOWN TO SAN DIEGO CAL, AND THEY ALL GOT AN APARTMENT IN HER AND BYRON JOHNSONS NAME AND THE ADDRESS WAS CALLED POTOMAC STREET IN PARIDISE HILLS OUTSIDE OF SAN DIEGO AND THE APARTMENTS WERE CALLED HOLLY HILLS VILLAGE AND THE APARTMENT NUMBER WAS (9) AND THE PHONE, POWER, CABLE AND WATER WAS PUT IN THE NAME OF BYRON JOHNSON AND THERE PHONE NUMBER WAS 619-472-8147.

SMITH STATED THAT THEY RENTED THE APARTMENT IN ADVANCE FOR (6) MONTHES AND THEY PAID IN CASH.

SMITH STATED THAT SCOTT ALLEN CALLED HIS MOTHER SHERRY ALLEN AND GAVE HER HIS PHONE NUMBER AND TOLD HER WHERE HE WAS LIVING AND SHERRY ALLEN SENT THE REST OF THE MONEY TO BYRON JOHNSON FROM THE CHECKS THAT WAS SENT TO HER HOUSE.

SMITH STATED THAT SHE GOT REALLY BAD ON DRUGS AGAIN SO SHE SENT ROBERT AND LARRY BACK TO NORTH CAROLINA AND GAVE THEM \$5000.00 AND SHE SOLD THE JEEP SO SHE COULD GIVE LARRY AND ROBERT THE MONEY.

SMITH STATED THAT AFTER LARRY AND ROBERT LEFT SHE AND SCOTT ALLEN WAS LIVING IN THE APARTMENT SO SHE LEFT ALONE FOR A FEW DAYS.

SMITH STATED THAT WHEN SHE RETURNED HOME THAT EVERYTHING IN HER HOUSE WAS GONE AND THAT SHE GOT MAD AND SHE CALLED SHERRY ALLEN AT 910-572-4999 AND TOLD HER THAT SCOTT ALLEN HAS LEFT AND TOOK ALL OF HER STUFF AND IF SHE DID NOT GET HER STUFF BACK SHE WAS GOING TO TELL ON SCOTT AND SHERRY TOLD HER HONEY I HAVE NOT SEEN SCOTT BUT IF I DO I WILL TELL HIM TO CALL YOU.

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SMITH STATED THAT TWO DAYS LATER SCOTT ALLEN CALLED HER AND TOLD HER THAT HE WAS IN NORTH CAROLINA AND THAT HE MOVED BACK BECAUSE HE THOUGHT THAT SHE HAD MOVED BACK TO NORTH CAROLINA AND THAT HE LOVED HER.

SMITH STATED THAT SCOTT TOLD HER HE RENTED A U-HAUL TRUCK OR RIDER TRUCK AND TOOK ALL OF THERE STUFF.

SMITH STATED THAT SCOTT WANTED HER TO COME TO NORTH CAROLINA AND MEET HIM AT THE AIRPORT IN GREENSBORO SO SHE FLEW TO NORTH CAROLINA AND SCOTT ALLEN MET HER THERE AND THEY LEFT THE AIR PORT AND WENT TO A MOTEL SIX AND STAYED THERE A FEW NIGHTS AND THEN THEY WENT TO A DIFFERENT MOTEL NEAR FOUR SEASONS AND STAYED THERE AND THE ROOM WAS IN THE NAME OF BYRON JOHNSON.

SMITH STATED THAT THEY WERE WERE RUNNING OUT OF MONEY SO THEY DID NOT HAVE ANY WHERE TO STAY TOGETHER AND THIS WAS IN OCTOBER OF (1998) SO SCOTT WENT AND STAYED WITH SOMEONE AND SHE WENT TO ALBEMARLE AND STAYED WITH A FRIEND AND THE NEXT DAY SHE WENT AND STAYED IN CHARLOTTE WITH FRIENDS.

SMITH STATED THAT SHE STAYED THERE A FEW MONTHES AND SHE AND SCOTT WOULD TALK TO EACH OTHER A LOT.

SMITH STATED THAT SCOTT ALLEN MOVED BACK TO SAN DIEGO AND TOLD HER THAT HIS MOTHER SHERRY ALLEN GAVE HIM THE MONEY TO GET A BUS TICKET BACK THERE.

SMITH STATED THAT SHE WANTED MORE MONEY AND SHE WAS TALKING TO SCOTT ALLEN ON THE PHONE AND SCOTT TOLD HER THAT HIS MOM HAD LICENSE TO SEEL HOUSES AND FOR HER TO CALL SHERRY ALLEN BECAUSE SHE MIGHT BUY THE HOUSE.

SMITH STATED THAT SHE CALLED SHERRY ALLEN AT 910-572-4999 AND TOLD SHERRY THAT SCOTT ALLEN TOLD HER SHE MIGHT BUT HER HOUSE AND SHERRY TOLD HER YEA SHE MIGHT AND HOW MUCH DID SHE WANT FOR IT AND THAT SHE NEEDED TO SEE THE HOUSE.

SMITH STATED THAT THE HOUSE WAS AT 1460 HILL TOP STREET IN ALBEMARLE AND THAT SHE WOULD TAKE \$20,000.00.

SMITH STATED THAT SHERRY ALLEN CALLED HER BACK A FEW DAYS LATER AND TOLD HER THAT SHE WENT AND LOOKED AT THE HOUSE

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AND THAT IT NEEDED A LOT OF WORK BUT SHE WOULD BUY IT FOR \$20,000.00.

SMITH STATED THAT BY THIS TIME SHE OWED SHERRY ALLEN \$500.00 WHERE SHE HAD SHERRY TO GIVE TO SCOTT ALLEN AND SHE TOLD SHERRY THAT SHE WOULD ONLY NEED TO PAY HER \$19,500.00 FOR THE HOUSE AND SHERRY ALLEN TOLD HER THAT SHE WOULD HAVE TO SIGN THE HOUSE OVER TO HER AND THAT SHE WOULD GIVE HER \$10,000.00 DOWN AND AFTER SHE GOT THE HOUSE FIX UP AND SOLD IT THAT SHE WOULD GIVE HER THE BALANCE AND BOTH AGREED.

SMITH STATED THAT BY THIS TIME SCOTT ALLEN HAD GONE TO DENVER CO, BECAUSE OF A CONCERT HE WANTED TO SEE AND HIS FRIEND GREG FRITTS WAS LETTING HIM STAY WITH HIM AND THAT GREG HAD MOVED OUT THERE FROM NORTH CAROLINA.

SMITH STATED THAT SCOTT LEFT DENVER AND CAME BACK TO MONTGOMERY COUNTY AND THIS WAS AROUND A FEW DAYS BEFORE SHE SIGNED THE HOUSE OVER TO SHERRY ALLEN AND THE YEAR WAS (1999).

SMITH STATED THAT SHE CAUGHT A RIDE FROM CHARLOTTE TO BENNY AND SHERRY ALLEN'S HOUSE IN MONTGOMERY COUNTY BECAUSE SCOTT HAD CALLED HER ON THE PHONE AND TOLD HER THAT HE WAS STAYING AT HIS MOTHERS AND FATHERS AND FOR HER TO MEET HIM THERE.

SMITH STATED THAT SHE MET SCOTT IN THE BARN WHICH WAS BEHIND BENNY ALLEN'S HOUSE AND SHE AND SCOTT WERE TALKING AND BENNY ALLEN DORVE UP FROM WORK AND HE WALKED OUT TO THE BARN AND HE WAS TALKING TO HER AND SCOTT ALLEN.

SMITH STATED THAT HE WORKS AT ASHEBORO PRISON ON FIRST SHIFT.

SMITH STATED THAT BENNY ALLEN WAS PICKING AROUND WITH HER AND SCOTT AND BENNY TOLD THEM THAT THEY COULD STAY IN THE BARN FOR THE NIGHT BECAUSE THE NEXT DAY THEY SHE WAS GOING TO SIGN THE HOUSE OVER TO SHERRY ALLEN.

SMITH STATED THAT SCOTT DID NOT WANT TO STAY IN THE BARN DUE TO THE FACT THERE WAS NO BED TO HAVE SEX IN.

SMITH STATED THAT SCOTT TOOK HER TO THE CABIN OFF OF COGGIN MINE ROAD NEAR BENNY ALLENS HOUSE AND THIS IS THE SAME CABIN

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SMITH SHOWED LT CHRIS POOLE OF THE MONTGOMERY COUNTY SHERIFFS OFFICE TODAY.

SMITH STATED BENNY ALLEN TOOK HER AND SCOTT TO THE END OF THE DRIVE OF THE CABIN AND BENNY WAS DRIVING A BLUE COLOR TRUCK AND IT WAS LARGE.

SMITH STATED THE NEXT DAY SHE WALKED TO HIGHWAY 109 AND LARRY SMITH AND HIS MOTHER PICKED HER UP AND THEY WENT TO ALBEMARLE AND MET SHERRY ALLEN AND DAVID BEAVERS OFFICE AND DAVID IS A LAWYER NEAR THE COURT HOUSE IN STANLY COUNTY AND SHE AND LARRY SIGNED OVER THE PAPERS AND SHERRY ALLEN GAVE HER \$500.00 IN CASH BECAUSE SHE TOLD SHERRY SHE DID NOT WANT ALL OF THE MONEY AT ONE TIME IN CASE SHE GOT CAUGHT.

SMITH STATED SHE MEANT GOT CAUGHT DUE TO THE FACT THE POLICE WERE ASKING QUESTIONS BECAUSE THEY THOUGHT SHE WAS WITH SCOTT ALLEN AND SHERRY ALLEN KNEW THIS AND DID NOT WANT HER SON SCOTT ALLEN TO GET CAUGHT.

SMITH STATED THAT SHE GOT LARRY'S MOTHER TO TAKE HER SALISBURY TO GET A MOTEL AND SHE TOLD SHERRY ALLEN SHE WOULD CALL WHEN SHE GOT TO SALISBURY AND GOT A MOTEL SO SHERRY ALLEN COULD BRING SCOTT ALLEN.

SMITH STATED SHE GOT TO SALISBURY AND GOT A MOTEL AND THAT SHE CALLED SHERRY ALLEN AT 910-572-4999 AND TOLD SHERRY WHERE SHE WAS AT AND SHERRY TOLD HER THAT SHE WOULD BRING SCOTT ALLEN UP THERE AND THE REST OF THE MONEY.

SMITH STATED THAT SCOTT ALLEN KNOCKED ON THE DOOR OF THE MOTEL AND THAT SHE WENT OUT TO THE CAR AND SHERRY ALLEN WAS OUT IN THE CAR AND SHERRY HANDED HER \$4500.00 IN CASH AND THAT SHE HELPED SCOTT CARRY HIS BAGS IN AND THAT SCOTT HAD HIS BAGS IN THE TRUNK OF HIS MOTHERS CAR AND THAT CAR WAS A WHITE FAMILY CAR.

SMITH STATED THAT SHERRY HUGGED SCOTT AND TOLD HIM THAT SHE LOVED HIM AND THAT SHERRY TOLD HER SHE WOULD GET THE HOUSE FIX UP AS SOON AS SHE COULD AND GET THEM THE MONEY AND THAT SHERRY ALLEN KNEW THAT SHE AND SCOTT ALLEN WERE GOING BACK TO SAN DICEO.

SMITH STATED THAT SHE AND SCOTT ALLEN GOT ON A TRAIN FROM SALISBURY NORTH CAROLINA AND WENT BACK TO SAN DIEGO DUE TO

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THE FACT THEY STILL HAD THE APARTMENT OUT THERE AND IT WAS ALREADY PAID FOR IN ADVANCE.

SMITH STATED WHEN THEY GOT THERE SHE AND SCOTT ALLEN CALLED SHERRY ALLEN AND TOLD HER THAT THEY GOT THERE OKAY AND SHERRY TOLD THEM THAT WHEN SHE GOT OTHER MONEY SHE WOULD ON THE HOUSE SHE WOULD SENT IT TO HER.

SMITH STATED THAT SCOTT ALLEN WOULD CALL SHERRY ALLEN A LOT BECAUSE HE LOVES HIS MOTHER AND THAT HIS LITTLE GIRL NAMED JORDAN WAS THERE EVERYOTHER WEEKEND AND HE WOULD TALK TO SHERRY ALLEN, BENNY ALLEN AND HIS GIRL JORDAN.

SMITH STATED THAT SHERRY ALLEN WOULD CALL AND TALK WITH THEM AND THAT SHE HAS CALLED SHERRY ALLEN AND TALKED WITH HER AND BENNY ALLEN.

SMITH STATED THAT BACK IN DECEMBER WHEN SCOTT ALLEN WAS STAYING IN SAN DIEGO ALONE THAT SHERRY ALLEN SHIPPED HIM A STEREO AND A PLAY STATION THAT HE HAD BROUGHT BACK WHEN HE CAME BACK THE OTHER TIME AND ALL OF THE PROPERTY THAT SCOTT ALLEN BROUGHT BACK ON THE U-HAUL WAS IN A BUILDING OUT BEHIND SHERRY AND BENNY'S HOUSE AND THE KEY TO THE BUILDING IS HANGING UP ABOVE A BEAM ON THE FRONT OF THE BUILDING FOR THE LOCK.

SMITH STATED THAT SHE HAD TALKED WITH SCOTT AND HE TOLD HER HIS MOTHER SENT THE ABOVE DESCRIBED ITEMS TO HIM BY UPS BECAUSE HE DID NOT HAVE ANYTHING TO DO.

SMITH STATED SHE AND SCOTT WERE BACK IN SAN DIEGO IN JANUARY OF 1999 AND SHERRY ALLEN SENT \$4500.00 THROUGH FEDEX IN CASH AND THAT SHE WRAPPED IT UP LIKE A CHRISTMAS PRESENT AND SENT IT TO THE NAME OF BYRON JOHNSON BUT THE MONEY WAS FOR THE REST OF THE HOUSE.

SMITH STATED ABOUT THE END OF JANUARY OF 1999 THAT SHE AND SCOTT ALLEN WANTED TO GO TO DENVER SO THEY PACKED THE VCR, CLOTHES, CD'S, VIDEOS, AND SOME OTHER STUFF AND SHIPPED THE ITEMS TO SHERRY ALLEN.

SMITH STATED THAT SHERRY TOLD THEM THAT SHE WOULD PUT THE ITEMS OUT IT THE BUILDING.

SMITH STATED THAT SHE AND SCOTT TOOK THE TRAIN TO DENVER CO, AND GREG FRITTS PICKED THEM UP AND THEY STAYED AT GREG

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FRITTS HOUSE AND GREG HAD A BIG HOUSE AND THEY GAVE GREG MONEY FOR RENT AND THAT GREGS WORK NUMBER 303-755-2800.

SMITH STATED THAT THEY MET A GIRL NAMED KELLY RACOBS AND GREG AND KELLY WOULD HAVE ESX TOGETHER BUT GREG DID NOT CARE FOR KELLY.

SMITH STATED THAT SHE GOT ON COCANIE AGAIN AND GREG LIKES TO USE COCAINE AND SHE GAVE GREG SOME MONEY AND TOLD GREG TO GET HER SOME COCAINE BECAUSE SHE AND SCOTT GOT IN A FIGHT BECAUSE SCOTT HAD CHOKED HER AND RAPED HER SO SHE WENT AND USED THE COCANIE IN A MOTEL ROOM AND LATER RETURNED TO GREG'S AND SCOTT ALLEN TOLD HER THAT HE WOULD NEVER FILL THE SAME ABOUT HER SO SHE DECIDED SHE WAS COMING BACK TO NORTH CAROLINA BECAUSE SHE MISSED HER SON ROBERT.

SMITH STATED THAT SHE GOT A TRAIN FROM DENVER TO HIGH POINT NORTH CAROLINA AND THIS WAS AROUND THE END OF FEBURAY OF 1999.

SMITH STATED THAT HER MOTHER IN LAW PICKED HER UP AT THE TRAIN STATION AND SHE WAS GOING TO STAY WITH HER TO SHERRY ALLEN GOT HER THE REST OF THE MONEY THAT WAS DUE TO HER.

SMITH STATED THAT SHE TALKED TO LARRY SMITH AND TALKED LARRY INTO LETTING YOU TAKE ROBERT TO DENVER FOR (6) MONTHES AND THEN LARRY WOULD KEEP ROBERT FOR (6) MONTHES AND SHE MISSED SCOTT ALLEN VERY BAD BECAUSE SHE LOVED HIM.

SMITH STATED THAT SHE WOULD CALL SCOTT AT GREGS AT 303-816-2298 AND SCOTT WANTED HER TO COME BACK OUT BUT SHE STARTED SUSPECT THAT SCOTT ALLEN WAS SEEING SOMEONE ELSE OUT THERE AND SHE KNEW IT WAS KELLY RACOBS.

SMITH STATED THAT KELLY LIVES ON 1401 SOUTH EMERSON STREET AND HER PHONE NUMBER IS 303-722-5809.

SMITH STATED THAT SCOTT ALLEN DECIDED TO MOVE BACK TO MONTGOMERY COUNTY WHEN HIS MOTHER GOT HER THE REST OF THE MONEY ON THE HOUSE AND THIS WAS AROUND APRIL OF 1999.

SMITH STATED THAT SHE WENT OUT TO THE CABIN IN THE WOODS OF COGGINS MINE ROAD AND SCOTT ALLEN HAD CHRIS GAILEY TO BRING HIM OUT TO THE CABIN.

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SMITH STATED THAT SHERRY AND BENNY KNEW KENNY WOULD NOT STAND FOR SCOTT BEING AT THE HOUSE.

SMITH STATED THAT SCOTT ALLEN HATED KENNY ALLEN AND JAMIE FENDER MORE THEN ANYONE ON THIS EARTH.

SMITH A LOT OF TIMES BENNY ALLEN WOULD TAKE HER AND SCOTT TO THE END OF THE DRIVE AT THE CABIN AND A LOT OF DAYS SHE KNEW BENNY WOULD COME THUR ABOUT 3:30 P.M. FROM WORK AND SHE WOULD WALK OUT TO COGGINS MINE ROAD AND STOP BENNY AND HAVE BENNY TO TAKE HER TO THE STORE.

SMITH STATED THAT ONE DAY WHILE AT THE CABIN THAT SCOTT WAS NOT FILLING GOOD AND BENNY AND SHERRY ALLEN WALKED UP TO THE CABIN AND BROUGHT THEM SOME FOOD AND MEDICATION AND THEY STAYED AWHILE AND TALKED AND THEN BENNY AND SHERRY LEFT.

SMITH STATED THAT SHERRY WOULD LEAVE FOOD PACK FOOD IN A BAG AND LEAVE THE FOOD IN THE HOUSE AND THEY WOULD GO AND PICK IT UP.

SMITH STATED THAT SHERRY ALLEN WOULD REALLY TAKE CARE OF SCOTT ALLEN.

SMITH STATED THAT SHERRY ALLEN HAS WIRED MONEY TO SCOTT ALLEN THUR WESTERN UNION TO THE NAME OF BYRON JOHNSON BUT SHERRY ALLEN KNEW BYRON JOHNSON WAS SCOTT ALLEN.

SMITH STATED THAT SOMETIME IN MAY OF 1999 THAT SHE GOT THE REST OF THE MONEY FROM SHERRY AND SCOTT CAME CLEAN AND TOLD HER ABOUT HIM AND KELLY AND KELLY HAD GAVE HIM A CELL PHONE BUT SHE DOES NOT KNOW THE NUMBER.

SMITH STATED THAT SCOTT TOLD HER THAT HE NEEDED TO GO BACK TO DENVER TO GET THE REST OF HIS ITEMS SO SHE GAVE HIM \$1500.00 TO GO BACK ON AND THAT SCOTT OWED GREG FRITTS \$1000.00.

SMITH STATED THAT THEY WERE GOING TO SHOLLOTTE TO SPIDERS AND THEY WENT TO JOYCE ALLEN'S AND SHERRY HAD SENT \$50.00 FOR BUS TICKETS TO SHOLLOTTE AND THEY CAUGHT THE BUS TO SHOLLOTTE TO SPIDERS HOUSE AND FROM WINSTON SALEM SCOTT TOOK GREY HOUND BUS TO DENVER AND SHE STAYED AT SPIDERS AND SHE GOT HER SON ROBERT AND STAYED AT SPIDERS AT LITTLE SHOLLOTTE RIVER DRIVE.

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SMITH STATED THAT SCOTT TOLD HER HE WOULD BE BACK IN TWO WEEKS AND SCOTT WAS STAYING AT KELLY'S HOUSE AND THAT SHE WOULD CALL KELLY AT WORK AND HOME AND GAVE HER HELL BECAUSE SCOTT WAS HER MAN AND KELLY'S WORK PHONE NUMBER IS 1-800-886-1733.

SMITH STATED THAT SOMETIME IN JUNE OF 1999 SCOTT ALLEN CAME BACK TO MONTGOMERY BY BUS AND SHE WAS IN A DRUG TREATMENT CENTER AND SHE BROKE OUT AND MET SCOTT AT JOYCE ALLENS AND THEY STAYED AT JOYCES A FEW NIGHTS AND THEN THEY WENT BACK OUT THE CABIN.

SMITH STATED THAT THEY WERE STAYING OUT AT THE CABIN AND CHRIS GAILEY HAD STOPPED SEEING JOYCE AND CHRIS GAILEY WOULD COME OUT TO THE CABIN AND CHECK ON THEM AND CHRIS AND SCOTT WOULD DO COCANIE.

SMITH STATED SHE CALLED HER FRIEND LILLY EFIRD ON OLD MILL ROAD IN RED CROSS NORTH CAROLINA OUTSIDE OF ALBEMARLE AND THAT THEY STAYED WITH LILLY FOR ABOUT (1) WEEK.

SMITH STATED THAT SHE TOLD LILLY HOW TO GET TO THE CABIN AND LILLY CAME DOWN AND PICKED HER AND SCOTT UP AND LILLY HELPED SCOTT CARRY A BAG TO THE CAR FROM THE CABIN.

SMITH STATED THAT LILLY STARTED GETTING MAD BECAUSE LILLY WAS GETTING MAD BECAUSE SHE AND EFIRD HAD BEEN SEXUAL INVOLVED.

SMITH STATED THAT SCOTT GOT CHRIS GAILEY TO COME AND PICK HIM UP AND SCOTT WENT TO CHRIS'S PLACE ON THE LAKE AND WHIP-O-WILL COVE ROAD AND WAS STAYING THERE.

SMITH STATED THAT THE SAME DAY WHEN SCOTT LEFT SHE WENT TO CHARLOTTE AND SHE GOT A JOB AND MADE SOME MONEY FOR (2) DAYS AND AFTER TWO DAYS SHE CALLED SCOTT AT THE LAKE HOUSE AND SCOTT GOT CHRIS TO BRING HIM TO CHAROLOTTTE AND THEY ALL (3) WENT TO A MOTEL IN CHARLOTTE AND CHRIS AND SCOTT WAS DOING COCAINE.

SMITH STATED THEY STAYED AT THE MOTEL AND CHRIS GAVE HER SOME COCAINE AND SHE FLIP REALLY BAD SO THEY LEFT AND WENT TO 231 WHIP-O-WILL COVE ROAD IN MONTGOMERY COUNTY BECAUSE THAT IS WHERE SCOTT AND CHRIS WERE STAYING WITH SOME MORE PEOPLE.

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SMITH STATED THEY STAYED THERE TWO NIGHTS AND THEN CHRIS TOOK THEM BACK TO THE CABIN AND SHE AND SCOTT STAYED THERE TWO NIGHTS AND WHILE STAYING AT THE CABIN THAT THEY WOULD GO OVER TO SHERRY AND BENNY ALLENS THE FIRST DAY AND WHILE THEY WERE THERE SHERRY AND BENNY CAME HOME AND THEY WERE ALL TALKING AND SHERRY AND BENNY HAD A MAN NAMED ROB WHO WAS A FRIEND OF KENNY ALLEN'S AND ROB WAS WHITE MALE. AROUND 27 YEARS OLD AND SHERRY AND BENNY TOLD ROB TO BE REAL CAREFUL AND NOT SAY ANYTHING ABOUT SEEING SCOTT ALLEN AT THERE HOUSE TO KENNY ALLEN AND NOT TO SAY VANESSA'S NAME AROUND KENNY.

SMITH STATED THAT ROB WAS STAYING WITH BENNY AND SHERRY FOR ABOUT ONE MONTH AND BENNY WOULD BITCH ABOUT IT BECAUSE ROB WAS EATING UP ALL OF THE FOOD AND NOT PAYING ONE DIME.

SMITH STATED THAT NIGHT BENNY ALLEN GAVE HER AND SCOTT A RIDE BACK TO THE CABIN AND BENNY DROVE A LIGHT BROWN COLOR TRUCK AND THERE WAS SOME DOG BOXES ON THE BACK.

SMITH STATED THAT THE NEXT DAY SHE WALKED OVER TO BENNY AND SHERRY ALLENS AT NIGHT AND SHERRY AND BENNY WAS AT HOME AND LET YOU IN AND SHERRY ASKED HER I THOUGHT YOU AND SCOTT WAS GOING TO GET A RIDE AND SHE TOLD SHERRY NO THAT CHRIS DID NOT SHOW BACK UP SO SHE USED THE PHONE AND PAGED CHRIS GAILEY BUT CHRIS NEVER CALLED BACK.

SMITH STATED THAT SHERRY MADE ^{Two} ~~two~~ BAGS OF FOOD FOR HER AND SCOTT AND THERE WAS CUPS, FOOD, DRINKS, VITAMIN, AND A BIG BAG OF ICE AND BENNY HELP HER CARRY TO BENNY'S TRUCK AND BENNY TOOK HER TO THE END OF THE DRIVE OF THE CABIN AND DROP HER OFF AND FOR HER TO TELL SCOTT HE LOVED HIM.

SMITH STATED THAT THE NEXT DAY CHRIS STILL HAD NOT SHOWED UP SCOTT HAD HER TO GO TO THE LAKE HOUSE SO SHE WALKED THE ENTIRE WAY TO 231 WHIP-O-WILL COVE ROAD AND KNOCKED ON THE DOOR AND ROBBIE OPEN THE DOOR AND SHE TOLD ROBBIE THAT SCOTT WAS AT THE CABIN AND COULD THEY GO AND PICK SCOTT AND AND LET THEM STAY THERE UNTIL CHRIS GIALEY PICKED THEM UP AND ROBBIE TOLD THEM YES AND DANNY LANIER AND HER WENT AND PICKED UP SCOTT AT THE CABIN.

SMITH STATED THAT THEY WERE STAYING AT THE LAKE HOUSE FOR ABOUT TWO WEEKS AND CHRIS GAILEY WAS ALSO THER AND SCOTT WOULD CALL HIS MOTHER A FEW TIMES AND THEN ON JULY 9, 1999

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THAT SCOTT ALLEN TOLD HER AND CHRIS THAT HE HAD SOME GUNS NEAR A CABIN AND THAT HE HAD STOLE THE GUNS AND THAT IT WOULD TAKE ALL THREE OF THEM TO CARRY THE GUNS AND THAT FOR THE PAST (3) DAYS SCOTT HAD TOLD HER AND CHRIS THIS AND THAT HE TOLD THEM IT WAS A BIG WALK AND CHRIS DID NOT WANT TO GO.

SMITH STATED AFTER A WEEK ON JULY ,9 1999 SHE, CHRIS GAILEY AND SCOTT ALLEN DECIDED TO GO GET THE GUNS BECAUSE SHE COULD GET RID OF THE GUNS AND SHE AND SCOTT WOULD HAVE SOME MONEY AND THEY COULD GO AWAY.

SMITH STATED THAT SCOTT AND CHRIS WAS WEARING ARMY PANTS AND DARK COLOR SHIRTS AND SHE WAS WEARING BLUE JEANS AND A T-SHIRT.

SMITH STATED THAT CHRIS DORVE HIS 1998 GMC SIRREA TRUCK AND SHE AND SCOTT RODE WITH HIM AND SCOTT SHOWED CHRIS WHERE TO PARK AND IT WAS ACROSS FROM THE DRIVE OF THE CABIN ON METHODIST CHURCH ROAD THEY WERE STAYING AT SOMETIMES.

SMITH STATED ALL OF THEM GOT OUT OF THE TRUCK AND CHRIS HAD A 45 PISTOL STUCK IN THE FRONT OF HIS PANTS AND HE WAS CARRYING A BIG BLACK BAG AND THEY WERE GOING TO USE THE BAG TO CARRY THE GUNS IN AND CHRIS GAILEY WAS WALKING IN FRONT AND SCOTT WAS WALKING BEHIND CHRIS AND SCOTT HAD A BLACK COLOR SHOTGUN THAT BELONGED TO ROBBIE JOHNSON AND SHE WAS WALKING BEHIND SCOTT ALLEN.

SMITH STATED IT WAS A VERY LONG WALK AND CHRIS HAD THE ONLY FLASH LIGHT AND SCOTT AND CHRIS WOULD STOP ON THE WAY WALKING TO THE PLACE WHERE THE GUNS WERE AND WOULD DO COCAINE AND SHE WOULD HAVE TO HOLD THE FLASH LIGHT FOR THEM AND FINALLY THEY CAME UP ON A CABIN SHE HAD NEVER HAD BEEN TO BEFORE AND CHRIS AND SCOTT STOPPED AT A WELL NEAR THE CABIN AND THEY DREW WATER FROM THE WELL.

SMITH STATED THAT THEY WALKED BY THE CABIN AND WAS GOING DOWN A HILL JUST PAST THE CABIN AND SCOTT TURNED AROUND AND PUSHED HER BACK AND SCOTT SHOT CHRIS GAILEY WITH THE SAWED OFF SHOT GUN IN THE BACK AND HE WAS ONLY ABOUT (2) FEET AWAY FROM CHRIS WAS CARRYING THE FLASH LIGHT.

SMITH STATED THAT SHE HIT THE GROUND AND COVERED HER HEAD UP AND SCOTT KEPT FIRING THE GUN A FEW TIMES.

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SMITH STATED THAT SHE LOOKED OVER AND CHRIS GAILEY WAS LAYING ON HIS STOMACH AND THAT HE WAS MOANING AND MAKING SOUNDS LIKE HE WAS IN DEEP PAIN AND SCOTT GRABBED HER BY HER SHIRT AND TOLD HER TO COME ON LETS GO AND THEY WENT UP TO THE CABIN AND SHE WAS SITTING DOWN AT THE CABIN ON THE PORCH AND YOU WERE REALLY SCARED AND COULD NOT BELIEVED WHAT HAPPENED AND SHE THOUGHT SCOTT WAS GOING TO KILL HER AS WELL.

SMITH STATED THAT SCOTT TOLD HER THAT HE DID NOT LIKE HIM CALLING HER A STUPID BITCH AND SHE ASKED SCOTT IS HE DEAD BECAUSE THEY HEARD CHRIS MOANING IN PAIN AND ONE TIME SHE HEARD HIM YELL OUCH.

SMITH STATED THAT THE MOANING WENT ON FOR HOURS AND THE SHOOTING TOOK PLACE SOMETIME BETWEEN 10:00 P.M. AND 11:00 P.M. AND SCOTT WOULD CRAWL ON HIS BELLY DOWN TO CHRIS AND HE WAS THROWING ROCKS AT HIM TO SEE IF HE WAS DEAD BECAUSE HE WAS AFRAID THAT CHRIS MIGHT STILL BE ALIVE AND COME UP AND SHOOT HIM.

SMITH STATED SHE AND SCOTT SIT UP AT THE CABIN AND FOR A FEW HOURS AND ABOUT DAY BREAK SHE AND SCOTT STARTED WALKING BACK TO THE TRUCK AND SHE WAS WALKING BEHIND SCOTT BECAUSE SHE FELT LIKE SCOTT MIGHT SHOOT HER AND HER AND SCOTT WALKED UP FROM THE CABIN TO A CLEARING AND SHE AND SCOTT SIT THERE A FEW MINUTES AND THEY SMOKED A MARIJUANA JOINT THERE AND SCOTT TOLD HER THAT HE WAS GOING BACK TO WHERE CHRIS WAS AT AND FOR HER TO COME UP THERE IN (5) MINUTES SO SCOTT WALKED BACK TOWARD THE CABIN AND A FEW MINUTES LATER SHE WALKED BACK TO THE CABIN AND SCOTT WAS SITTING ON THE STEPS OF THE CABIN AND TOLD HER TO COME THERE AND SIT DOWN AND HE WALKED OVER WITH THE SHOTGUN AND GOT SOME ROCKS ON THE PATH AND HE CRAWLED OVER NEAR CHRIS GAILEY AND WAS THROWING ROCKS AT HIM AND SHE WAS CRYING AND HE WOULD TELL HER TO BE QUIET.

SMITH STATED SHE WOULD NOT LOOK OVER AT CHRIS AND SHE DID NOT KNOW WHAT SCOTT WAS DOING AND THE REASON SHE THINKS SCOTT WAITED SO LONG WAS SCOTT WAS WANTING TO ROB CHRIS BUT CHRIS HAD A GUN AND SCOTT WANTED TO MAKE SURE CHRIS WAS DEAD.

SMITH STATED FINALLY THEY LEFT AND WHILE WALKING BACK TO THE TRUCK SCOTT WOULD SAY I DON'T KNOW WHY CHRIS TURNED ON ME THAT WAY.

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SMITH STATED THAT SCOTT TOLD HER IF ANYONE ASK WHAT HAPPEN FOR HER TO TELL THEY WERE WALKING AND THAT SOMEBODY JUMPED OUT OF THE WOODS AND WERE SHOOTING AT THEM AND THAT CHRIS WAS SHOOTING AT THEM SO HE (SCOTT) HAD TO SHOOT BACK AND KILL CHRIS DUE TO THE FACT CHRIS WAS SHOOTING AT HIM.

SMITH STATED THAT SCOTT ALSO WHILE WALKING BACK TOLD HER TO TELL ANYONE WHO ASKED THAT DUSTIN FROM SILVER VALLEY WHO HAS A BROTHER IN A WHEEL CHAIR HAD TOOK A WARRANT OUR ON CHRIS FOR ASSAULT AND DID NOT LIKE CHRIS GAILEY AND TO SAY THAT HE HAD A REASON TO DO AWAY WITH CHRIS AND THAT ALSO JAINE FENDER HAD A REASON TO DO AWAY WITH CHRIS BUT SCOTT KNEW THAT SAME DAY CHRIS WAS SHOT THAT SCOTT HAD HEARD THAT JAMIE HAD BEEN TRYING TO BUY A GUN AND BULLETS BECAUSE HE WANTED TO GET BACK AT SCOTT DUE TO THE FACT SCOTT HAD STOLE SOME CD'S FROM HIM AND HE FOUND OUT ABOUT IT AND LOIS CALLED SCOTT ALLEN AT THE LAKE HOUSE AND TOLD SCOTT THAT JAMIE WAS OFFERING AN REWARD FOR INFORMATION OF SCOTT WHERE HE WAS AT AND THAT SCOTT HATED JAMIE FENDER AND FENDER HATED SCOTT.

SMITH STATED THAT CHRIS NEVER HAD HIS GUN OUT OR POINTED TOWARD SCOTT OR HER THAT SCOTT KILLED AND MURDERED CHRIS GAILEY IN COLD BLOOD AND HE NEVER THOUGHT TWICE ABOUT IT AND ACTED AS IF IT WAS NO BIG DEAL TO HIM.

SMITH STATED THAT ON THE WAY BACK SCOTT HAD HER TO SIT AT A GATE IN THE WOODS AND HE TOLD HER HE HAD TO GET RID OF THE GUN SO SCOTT WENT INTO THE WOODS FOR ABOUT (15) MINUTES AND WHEN HE RETURNED HE DID NOT HAVE THE SAWED OFF SHOT GUN.

SMITH STATED THAT SHE AND SCOTT WALKED BACK TO THE TRUCK AND SCOTT DROVE CHRIS'S TRUCK CLOSE TO THE LAKE HOUSE ON WHIP-O-WILL COVE ROAD AND HE GOT OUT OF THE TRUCK AND TOLD HER WHERE CHRIS'S WALLET WAS AT AND FOR HER TO TAKE IT AND FOR HER TO GET THEIR PERSONAL BELONGINGS AND COME BACK AND PICK HIM UP AND SHE BETTER BE BACK IN TWENTY MINUTES.

SMITH STATED THAT SHE WENT TO WHIP-O-WILL COVE ROAD AND WENT INSIDE AND GOT CHRIS GAILEY'S WALLET IN ROBBIE'S TOP DRESSER DRAWER AND SHE GOT HER AND SCOTT'S PERSONAL BELONGINGS AND CHRIS'S BACK BACK BECAUSE SCOTT TOLD HER TO.

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SMITH STATED THAT SHE DROVE THE TRUCK DOWN THE ROAD AND SCOTT CAME OUT OF THE WOODS AND HE GOT BEHIND THE DRIVERS SEAT OF THE TRUCK AND THEY DROVE CHRIS GAILEY'S 1998 GMC TRUCK TO SHOLLOTTE TO SPIDERS HOUSE.

SMITH STATED THAT SCOTT FOUND THE PIN NUMBER TO CHRIS GAILEY'S ATM CARD IN CHRIS'S WALLET AND HAD HER TO USE THE CARD AT TWO DIFFERENT GAS STATIONS IN SHOLLOTTE TO BUY FOOD AND GAS AND CIGARETTES.

SMITH STATED THAT SHE DID NOT WANT TO DO THIS BUT SHE WAS AFRAID THAT SCOTT WAS GOING TO KILL HER IF SHE DID NOT.

SMITH STATED THAT THEY STAYED AT SPIDERS AND THAT SCOTT ALLEN WANTED SOME COCAINE BUT NO ONE WOULD SELL IT TO THEM BECAUSE HE WANTED POWDER BECAUSE THAT IS THE ONLY WAY HE USE IT AND THAT SCOTT HAD HER TO USE CHRIS'S ATM CARD AND DRAW OUT ABOUT \$300.00 IN SHOLLOTTE AT A BANK AND THAT THEY WENT BACK TO ALBEMARLE BECAUSE SHE KNEW THEY COULD GET SCOTT SOME COCAINE THERE SHE AND SCOTT WAS BUYING COCAINE IN ALBEMARLE AND SCOTT WOULD USE IT AS FAST AS THEY COULD BUY IT AND THEN SCOTT WANTED HER TO USE THE CARD HARRIS TENDER STORE AND SHE GOT \$40.00 OUT OF THERE AND WENT AND BOUGHT MORE POWDER AND SCOTT USED IT AND SCOTT HAD HER TO GO TO THE FIRST UNION BANK BUT COULD NOT GET MONEY OUT ANYMORE.

SMITH STATED THAT SCOTT WANTED HER TO BUY SOMETHING TO TRADE FOR COCAINE SO SHE WENT TO FOOD LION AND THEY WOULD NOT LET HER USE THE CARD SO SHE LEFT AND YOU SHE WENT TO LILLY EFIRDS AND SCOTT ALLEN LEFT IN CHRIS'S TRUCK.

SMITH STATED THAT SHE STAYED WITH EFIRD AND SHE TOLD LILLY WANT HAD HAPPENED AND WHILE STAYING AT EFIRDS SHE CALLED KELLY'S IN DENVER BECAUSE SHE THOUGHT THAT WAS WERE SCOTT MIGHT BE THERE AND SHE TALK TO SCOTT DURING THE WEEK AND SCOTT TOLD HER THAT HE WAS GOING TO TRY TO FIND SOMEWHERE AND FOR HER TO STAY AT EFIRDS AND WHEN HE FOUND SOMEWHERE HE WOULD SEND FOR HER.

SMITH STATED THAT SCOTT TOLD HER HE TOOK A BUS TO DENVER AND WHILE ON THE BUS THE BUS GOT STOPPED AND DEA WROTE HIM A TICKET FOR A COCAINE GRINDER THAT WAS IN CHRIS'S STUFF AND THEY WROTE HIM A TICKET FOR IT IN THE BYRON JOHNSON NAME.

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SMITH STATED ON JULY 15, 1999 EFIRD DORVE HER TO SPIDERS AND SPIDER TOLD YOU THAT THE LAW HAD BEEN RIDING BY THERE AND THAT SPIDER TOLD YOU THAT SCOTT TOLD HIM THAT HE SHOT CHRIS GAILEY IN SELF-DEFENSE.

SMITH STATED THAT SCOTT ALLEN WAS LYING AND THAT NIGHT YOU AND EFIRD HAD SEXUAL INTERCOURSE AND EFIRD TOLD HER TO TAKE HER CAR AND LEAVE AND GAVE HER \$150.00 SO SHE TOOK EFIRDS CAR AND LEFT AND WAS HEADING TOWARD DENVER TO SEE SCOTT ALLEN AND THE CAR BROKE DOWN ON HIGHWAY 40 IN NORTH CAROLINA NEAR HENDERSONVILLE AND SHE WALKED TO A TRUCK STOP AND SHE GOT TWO TRUCKERS TO GIVE HER A RIDE TO DENVER.

SMITH STATED THAT THE ONLY REASON SHE WANTED TO GO TO DENVER TO SEE SCOTT ALLEN WAS BECAUSE SHE THOUGH SHE WAS PREGEANT WITH HIS BABY AND HE SHE WANTED HIM TO TAKE CARE OF HER.

SMITH STATED WHILE ON THE WAY TO DENVER SHE CALLED SHERRY AND BENNY ALLEN AT 910-572-4999 TO SEE IF SCOTT WAY STILL AT DENVER AND SHE WAS CALLING FROM MICHIGAN AND BENNY ALLEN WAS AT HOME AND SHE TALKED WITH BENNY AND SHE ASKED BENNY WHAT WAS GOING ON AND BENNY TOLD HER YOU TELL ME AND SHE TOLD BENNY WHAT SCOTT WANTED HER TO TELL IF ANYONE ASKED AND BENNY TOLD HER THAT SCOTT ALLEN HAD CALLED THE OTHER DAY AND HE HAD TALKED TO SCOTT AND FOR HIM TO TELL SCOTT SHE WAS HEADED OUT THERE MEANING DENVER.

SMITH STATED THAT SHE ALSO CALLED JOYCE ALLEN AND BOTH CALLS WERE ON A PHONE CARD AND THAT JOYCE HAD JUST BOUGHT A PHONE CARD THAT HAD 200 MINUTES ON IT AND GAVE HER THE NUMBER TO THE CARD SO SHE COULD USE IT AND THAT JOYCE ALLEN TOLD HER THAT BENNY ALLEN HAD TOLD HER THAT THE PHONES ARE BEING BUGGED OR TAPPED AND FOR THEM TO LIMIT THE TIME YOU TALK FOR 90 SECONDS SO THAT WAS THE AMOUNT OF TIME IT TOOK FOR A TRACE TO TAKE PLACE.

SMITH STATED THAT THE POLICE HAD CALLED HER AND THAT JOYCE SOUNDED REALLY FUNNY.

SMITH STATED THAT ON THE WAY THERE SHE WOULD CALL KELLY AND CUSS HER OUT AND BEFORE SHE GOT TO DENVER SCOTT AND HER TALKED ON THE PHONE AND SCOTT TOLD HER TO MEET HIM AT KELLY'S HOUSE AT 1401 SOUTH EMERSON STREET IN DENVER SO SHE MET SCOTT THERE AND SHE AND SCOTT WENT WALKING AND SCOTT TRIED TO GET HER TO GO DOWN AN ALLEY AND SHE FELT LIKE SCOTT

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WAS GOING TO KILL HER SO SHE RAN AND HITCHED HIKE BACK TO NORTH CAROLINA TO CHARLOTTE TO HER FRIENDS AND ON JULY 9, 1999 SHE FOUND OUT SHE WAS PREGNANT WITH SCOTT'S BABY AND SHE CALLED JOYCE AND TOLD JOYCE AND WHILE SHE WAS TALKING TO JOYCE SCOTT BEEPED IN AND JOYCE TOLD HER THAT SCOTT WAS ON THE OTHER LINE SO SHE GAVE JOYCE THE PAY PHONE NUMBER TO SCOTT AND SCOTT CALLED HER BACK AND WANTED TO KNOW WHERE SHE WAS AT AND THAT HE WAS GOING TO COME BACK TO NORTH CAROLINA TO SEE HER AND TURNED HIS SELF IN AND THAT HIS MOTHER AND FATHER DID NOT WANT HIM TO BECAUSE OF THE MURDER WARRANTS THAT HAD BEEN ISSUED AND THAT HE WOULD CALL THIS SAME NUMBER BACK AT 2:00 P.M. THE NEXT DAY.

SMITH STATED THE NEXT DAY SHE STARTED THINKING ABOUT IF SHE WAS EVER GOING TO HAVE A NORMAL LIFE HOW COULD SHE PULL IT OFF AND SHE THOUGHT SHE COULD TELL SCOTT SHE HAD SOME MONEY SO HE COULD MEET HER SOMEWHERE SO SHE COULD GET HIM CAUGHT.

SMITH STATED THAT SHE CALLED KELLY AND TOLD KELLY TO HAVE SCOTT TO CALL HER AT THIS PAY PHONE AND ABOUT (5) MINUTES LATER KELLY CALLED BACK AND TOLD HER SCOTT CALLED HER AND THAT SCOTT WANTED HER TO CALL HIM AT KELLY'S HOUSE AT 6:00 P.M. THERE TIME AND THIS WAS ON JULY 9, 1999.

SMITH STATED THAT SHE WAITED AND CALLED SCOTT AT KELLY'S AND SCOTT WAS THERE AND SHE SPOKE WITH SCOTT AND SCOTT TOLD HER THAT HE NEEDED TO TALK WITH HER THAT HE WAS ON HIS WAY BACK HERE TO TURN HIS SELF IN AND THAT HE WAS COMING IN TO KNOXVILLE TN, AND THAT HIS MOM HAD MAILED HIM CHECK IN REGULAR MONEY TO 1401 SOUTH EMERSON STREET SO HE COULD CAUGHT THE BUS AND THAT HE WAS GOING TO CALL JOYCE AND TELL HER WHEN IT WOULD BE THERE AND FOR HER TO GET THE INFORMATION FROM JOYCE ALLEN.

SMITH STATED THAT SHE KNEW SCOTT ALLEN WAS COMING BACK TO KILL HER SO SHE TURNED HER SELF INTO THE CHARLOTTE POLICE.

SMITH STATED THAT SHERRY AND BENNY ALLEN HAS ALWAYS CONTACTED SCOTT ALLEN SINCE HE ESCAPED AND KNEW WHERE HE WAS AT SINCE SCOTT ALLEN ESCAPED PRISON.

SMITH STATED THAT SCOTT WOULD SEE HIS LITTLE GIRL JORDAN AND BENNY AND SHERRY ALLEN'S HOUSE NUMEROUS TIMES AND THAT SHERRY AND BENNY ALLEN HAD AIDED SCOTT ALLEN WHILE HE

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SMITH STATED THAT SCOTT ALLEN HAD TOLD HER IN THE PAST YEAR WHILE STAYING IN THE CABIN THAT THERE WAS A SMALL SHED WHERE NEAR BARRY BUNTINGS RESIDENCE AND THAT HE COULD SEE THE HOUSE FROM THIS LOCATION AND WOULD'NT IT BE FUNNY TO WATCH BARRY BUNTING LEAVE AND GO BREAK IN HIS HOUSE AND STEAL ITEMS.

SMITH STATED THAT SHE DOES NOT KNOW IF SCOTT BROKE IN BARRY BUNTINGS RESIDENCE OR NOT AND THAT SHE HAS NOT SEEN SCOTT ALLEN WITH ANY NASCAR ITEMS BUT THAT IS NOT TO SAY HE DID NOT BREAK IN BARRY BUNTINGS HOUSE.

SMITH STATED THAT SHE IS WILLING TO TAKE A POLYGRAPH TEST TO ALL OF THE ABOVE STATEMENTS SHE MADE AGAINST SHERRY ALLEN, BENNY ALLEN AND SCOTT ALLEN.

SMITH STATED THAT SHE IS SORRY TO CHRIS GAILEY'S FAMILY THAT SHE WISH SHE WOULD HAD BEEN STRONGER AND TOOK OFF RUNNING TO GET CHRIS HELP BECAUSE CHRIS GAILEY DIED GREAT PAIN AND IT TOOK HOURS FOR HIM TO DIE AND HE DID NOT DESERVE WHAT HAPPED TO HIM.

THIS IS A TRUE STATEMENT TO THE BEST OF MY KNOWLEDGE AND I HAVE READ THE ABOVE STATEMENT AND THIS STATEMENT IS A TRUE STATEMENT GIVEN BY ME AND THAT I FULLY UNDERSTOOD MY MIRANDA RIGHTS AND WAS WILLING TO GIVE LAW ENFORCEMENT THIS STATEMENT.

SIGNED X Vanessa W Smith DATE 8-11-99

THIS STATEMENT WAS TYPED AND WITNESS BY LT CHRIS POOLE OF THE MONTGOMERY COUNTY SHERIFFS OFFICE.

SIGNED LT. CHRIS POOLE DATE 08-11-99

PLACE: MONTGOMERY CO SHERIFFS OFFICE IN POOLE'S OFFICE
DATE: JULY 11, 1999
TIME END: 8:25 P.M.