

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 DOLLY PONDS</u>
)	
SCOTT DAVID ALLEN)	

I, Dolly Ponds, being duly sworn state the following:

1. My name is Dolly Ponds. I did several stays in the Montgomery Co Jail during the period of Vanessa Smith's incarceration there. The longest stretch of time I served with Vanessa was a period of about 120 days. I was a recovering crack addict at that time.
2. Vanessa would talk to me about things if asked. When Vanessa talked, she showed no remorse; she would laugh while talking about crimes she was involved in. She told me a little bit about the murder case for which she was in jail. Among other things, she told me the following:

She, her boyfriend and another guy went out to get high. They ran out of money. She and her boyfriend asked the other guy for money. The guy pulled out his wallet and gave them a \$20 bill. Vanessa then went out and got some more crack. Later, they asked the guy for more money. The guy refused. She and her boyfriend still wanted more money. At some point, all three went out to the woods in a truck. As they got out of the truck, her boyfriend hit the guy in the head or shot him in the head. Her boyfriend then kicked the guy. The boyfriend took the guy's wallet. The boyfriend got back in the truck and told Vanessa that he "had killed the son-of-a-bitch." Vanessa said "let's go, let's go." Vanessa and her boyfriend then went to get some more crack. After that, they went to check on the guy. They threw rocks at the guy. The guy didn't move. They then left the woods.
3. Vanessa never showed any remorse for these crimes. Vanessa would say, "the mother-fucker should have gave us the money, wouldn't got killed if he had, we needed the money to get high."
4. Vanessa acted like she had it in for her former boyfriend; she called him "a worthless piece of shit."
5. I have reviewed the surveillance photos from ATM locations attached to this affidavit, and cannot identify any of the individuals shown in the photographs.
6. Vanessa was eventually released from the Montgomery County jail after reporting that she

had had sex with trustees and a guard. It all started when I discovered that I could remove the rubber stopper in the bathroom floor. In doing so, I could see downstairs. I was able to make contact with two male inmates who were trustees. The inmates were guys named Mitch and William. Downstairs the hole had two side bars around it. I told Vanessa of the opening in the floor.

7. Our contact with the trustees continued for some time. Eventually, contact got to the point that William would boost Mitch up to the hole, Mitch would stick his penis through the hole, and Vanessa would perform oral sex. This became a daily thing. The trustees would make contact with us by knocking on the stairwell door that led to the upstairs female cells. Upon hearing the knocking, we would check the hole in the floor. Every time Vanessa would perform oral sex, she would have a dark ring around her mouth from the opening of the hole in the floor.

8. In exchange for the oral sex, we received marijuana and cigarettes through the hole in the floor.

9. Jailer Scottie Stanbeck (or Stanback) learned of the hole in the floor. We heard the trustees' signal – knocking on the stairwell door – went to the hole and were told that Scottie wanted us to meet him at the bottom of the stairwell. Scottie wanted oral sex. I refused to meet Scottie because my boyfriend, Tim McCaskill, was also in the jail and I didn't want him to know what was going on. The trustees told us that Scottie had weed, money or anything we wanted. Vanessa said, "I'll do it, I'll do it." She added, "I've been locked up for two years I need some."

10. The female jailer on duty was sent to the store and the video camera recording the stairwell door was turned off. Vanessa went down to the stairwell and met Scottie.

11. Scottie and Vanessa got together three or four times like this. Scottie gave Vanessa a bag of marijuana one time. Vanessa and I smoked the bag of marijuana, which came to about fourteen or fifteen joints.

12. Then Scottie tried to get me to have regular sex with him. Scottie called me to come to the stairwell door. I said no. Scottie kept calling for me. I went down to the door. I was wearing cut off jogging pants. Scottie reached out and grabbed me by the shorts, stuck his hand inside of my shorts, and then stuck his finger inside of me. I pushed Scottie off of me and told him I wasn't doing nothing. Scottie told me to go get Vanessa.

13. The last time Scottie and Vanessa got together I heard Vanessa calling for me to bring her a towel. I got a towel and went to the stairwell. Vanessa was bent over the stair steps and Scottie was behind her. When Scottie pulled out of Vanessa he spilled all over the stairwell wall. Scottie was sweating, like he was on cocaine or something. Vanessa told me to throw her the towel. Vanessa then wiped the stairwell wall with the towel.

14. The next afternoon, the trustees were allowed to go up to the female cells. I got with

Mitch and Vanessa got with William for sex.

15. Three or four days after this, I woke up in the morning and Vanessa was gone. The jail staff wouldn't tell me anything about where Vanessa had gone. A few hours later, Vanessa came back to the cell with about 12 deputies and detectives. Vanessa and the officers went into her cell and took the towel that Vanessa had used to wipe the wall, and a pair of her panties. The items were in a plastic bag. The officers left with the items.

16. When the deputies and detectives left, Vanessa said to me, "I got my free ticket out of here, I got everything Scottie put on the wall." Vanessa knew what she was going to do all the time - she set Scottie up.

17. Vanessa is a real nasty person. Vanessa liked to masturbate all the time. Vanessa would intentionally pass gas at the table while the other girls ate. One day, an inmate named Jamie had enough of Vanessa doing that and knocked her off of the stool.

18. Vanessa also performed sex with another girl in the cell in front of a number of other people. One night Vanessa and I had to give up our cell because of some juveniles coming in. This resulted in about seven female prisoners being in one room on the floor. Once everybody had settled down for the night, Vanessa Smith got naked. Vanessa started massaging her own breasts and told me to come on and get naked. I wouldn't do it. An inmate named Brandy told Vanessa to come to her, she would do her. Vanessa told me to watch while Brandy performed oral sex and Vanessa continued to touch herself. Three or four other women were in the cell throughout all of this.

19. I have never been interviewed before by anyone concerning Scott Allen's case and/or the death of Chris Gailey.

Further affiant sayeth not.

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


Dolly Ponds

5/27/07

Date:

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


Notary Public

(Seal)



My commission expires: 04-10-2009