

STATE OF NORTH CAROLINA  
MONTGOMERY COUNTY

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

STATE OF NORTH CAROLINA )  
 )  
 V. )  
 )  
SCOTT DAVID ALLEN )

AFFIDAVIT OF [REDACTED]

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I, [REDACTED] being duly sworn state the following:

1. My name is [REDACTED] I am a resident of Montgomery County, North Carolina. I am over the age of 21 years and am competent to make this statement.
2. I was a juror in the capital murder trial of Defendant Scott Allen in 2003. I was Juror Number 11. I was on the jury for the guilt phase and the sentencing phase of the trial. I took part in the jury deliberations at each phase. When the jury found Scott Allen guilty of first degree murder after the first part of the trial, I was surprised to find out that we had to stay for a second part of the trial.
3. During jury selection, I was worried about losing my job because I had not had the job for very long. I remember that the judge had me leave the courtroom so that I could use the phone to call my job. I had to tell my supervisor that I would not be able to come to work for a while because of jury duty. I did not have any trouble with my job because of my participation on the jury in this case.
4. After jury selection, the trial was held at the Randolph County courthouse in Asheboro. To get to the trial, I would drive from my home to the courthouse in Troy. After all of the jurors arrived in Troy, deputies from the Montgomery County Sheriff's Office drove us to Asheboro. Most of the jurors traveled in a van driven by Captain Little. However, because I am a smoker and smoking was not allowed on the van, I used to ride in a separate police car with a couple of other jurors who smoked too. There were two different deputies who drove the car for us during the length of the trial. Although the deputies who drove did not smoke, they always allowed me and the other two jurors to smoke on the way to Asheboro.
5. When the jury was allowed to have a break during the trial, I had to go outside if I wanted to smoke. A deputy would always go outside with me and the other jurors who wanted to smoke. One time, the deputy made us stop and wait in the hallway. He told us that other deputies were bringing Scott Allen

into the courthouse and that we could not go outside until Scott Allen was gone. The deputy said that we were not supposed to see Scott Allen when he was being moved by the deputies.

6. During the trial, Scott Allen was in the courtroom every time the jury came into the room. He looked pale, as if he was not allowed to go outside very much. I could see that he had tattoos, particularly on his neck. He sat at the table in between his two lawyers. I know that Scott Allen had some type of shackles or restraints on during the trial, but I do not remember whether I saw them while he was sitting at the table in the courtroom. He seemed to get along okay with his lawyers.
7. I remember that members of Scott Allen's family were in the courtroom every day of the trial. I was able to figure out who they were after they testified in the second part of the trial. I do not remember whether members of the victim's family were there every day or not.
8. I remember that there were deputies in the courtroom during the trial, some from Montgomery County and some from Randolph County (Asheboro). There were deputies who sat in the courtroom in the seats directly behind Scott Allen. I specifically remember Sheriff Jeff Jordan sat in that location whenever he attended the trial. I do not remember Sheriff Jordan being there every day of the trial, but he was there at least a few times. The deputies who drove all of us jurors to Asheboro also stayed in the courtroom during the trial. The Asheboro deputies were there every day because Scott Allen was being held in the jail in Asheboro until the very end of the trial.
9. I remember the testimony of Vanessa Smith during the first part of the trial. She was the girlfriend who testified against Scott Allen. I do not know whether she was telling the truth or not. She was not someone that I would ever want to be friends with because she was on drugs and she abandoned her children to go around with Scott Allen.
10. At the second part of the trial, I knew that Scott Allen wanted to get the death penalty and that he said he did not want to stay in prison for his whole life. The other jurors and I discussed this fact during the deliberations. The issue came up when some of the jurors suggested at first that they were not sure about the death penalty. After we all talked about the case and about the fact that death was what Scott Allen wanted, we were able to reach a unanimous decision. A number of jurors broke down at the end of the trial after the verdict was announced in court.
11. At the end of the trial, the judge talked to the jury and thanked us. He was very nice and polite.

Further affiant sayeth not.

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



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Date

Sworn to and subscribed before me this 3 day of MARCH in the year 2010 in MONTGOMERY County, North Carolina.

Jerry Lee Waller (Seal)  
Notary Public Jerry Lee Waller

My commission expires: 04-10-2014