

EX 8

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

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

AFFIDAVIT OF WESLEY HOPKINS, JR.

I, Wesley Young Hopkins, Jr., being duly sworn state the following:

1. My name is Wesley Hopkins, Jr.. I live in Denton, which is near the Montgomery County line. I have personal knowledge of the matters set forth herein. I am over 21 years of age and competent to make this statement.
2. On the afternoon of July 11, 1999, I rode my All Terrain Vehicle (ATV) into the Uwharrie Forest to show the girl I was dating, Julie Garner, the cabin that my father, Wesley Hopkins, Sr., built near the Montgomery County/Randolph County line. It was sometime between noon and 4:00 p.m. As we approached the cabin, I saw a body three or four feet off the path, approximately twenty or thirty yards downhill from the cabin and behind a large tree. The body was that of a white male, stripped to the waist, with his feet pointing downhill away from the cabin, the same direction as the downhill path. His head was approximately three feet downhill from the tree, which would have blocked a view of the body from the cabin.
3. The body was very pale, except for some bruising on the chest. I did not see any blood on the ground or on the body, which I thought was very strange. I saw a holster some distance away from the body, an open jack knife, and some spent shotgun shells roughly thirty or forty feet up the hill towards the cabin.
4. Julie and I did not touch anything at the crime scene. After looking around to make sure there wasn't another body, I rode the ATV up the path and past the body to check on the cabin to make sure no one had broken in and sat there for a little while. Then Julie and I rode the ATV down a different path to where Lieutenant Barry Bunting lives to report what we had found. I then accompanied Lieutenant Bunting to the crime scene and showed him the body.
5. I was not interviewed by Scott Allen's attorneys or anyone from the defense prior to trial. When I testified, I answered all of the questions asked by the prosecutor to the best of my recollection. I did not say that Julie was with me when I discovered the body because I was not asked.

6. During the trial of Scott Allen, I remember seeing some crime scene photos up on a screen in the courtroom. I recall telling Scott's father that the photographs of the crime scene were incorrect, because they showed the body lying in the opposite direction than it really was, with the feet uphill not downhill, and approximately twenty or twenty-five feet away from where I actually found the body.

Further affiant sayeth not.

The foregoing paragraphs numbered one through 6 are true to the best of my knowledge.

Wesley Hopkins, Jr.
Wesley Hopkins, Jr.

6/17/07
Date:

Sworn to and subscribed before me this 17 day of June, 2007
in Jensen County, North Carolina.

Carlton Neal Flowers
Notary Public

My commission expires: 02-13-2012

