

1 MS. CHIEN: No, Your Honor.

2 THE COURT: Thank you. You're free to go. Don't discuss your
3 testimony with anybody outside. Okay?

4 THE WITNESS: Okay.

5 THE COURT: Next witness.

6 MS. LASKOFF: Frank Gotey.

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8 WHEREUPON:

9 FRANCISCO MANUEL GOTEY

10 having been called as a witness in this cause, was duly sworn, examined and testified as
11 follows:

12 THE COURT: Go ahead, Ms. Laskoff.

13 MS. LASKOFF: Thank you, Your Honor.

14 DIRECT EXAMINATION

15 BY MS. LASKOFF:

16 Q Sir, can you state your name for the record?

17 A Francisco Manuel Gotey.

18 Q And, Mr. Gotey, back on October 25th, 2006, around 2:00 in the morning,
19 were you at the Doll House?

20 A Yes, I was.

21 Q Okay. And what time did you get to the Doll House?

22 A About 12:30.

23 Q 12:30?

24 A Um-hum.

25 Q And who was with you?

1 A Anthony Raliano, William Troy and Andre Blanco.

2 Q And at what point did you leave the Doll House?

3 A It's right before closing.

4 Q Okay. And was that about 2 o'clock?

5 A Yes.

6 Q All right. Do you recall who physically left the building, the Doll House,
7 first?

8 A It was Andre Blanco that left.

9 Q Okay. So Andre walked out first. And who did you walk out with?

10 A I walked out by myself. I was the second person to walk out.

11 Q Okay. So first Andre walks out, then you walk out, and then who came
12 out?

13 A Anthony and William.

14 Q And Will?

15 A Um-hum.

16 Q Okay. Now, when you were inside the club that night, were there any tense
17 moments, arguments with anyone, any problems that you were aware of with the group?

18 A No. We were sitting in the VIP. And until I left -- I mean, when I was
19 leaving there was all -- you know, I heard a little commotion going on, but I didn't pay it
20 any mind.

21 Q Okay.

22 A I was just trying to get home.

23 Q Okay. But when you were in there nothing -- no problems?

24 A No. No.

25 Q Okay. What point was there something going on? Can you tell the Judge?

1 A As soon as I was leaving, basically, I was already walking out the door and
2 I heard some kind of commotion in the background, but I really wasn't paying attention
3 too much to it.

4 Q Was it in the club or out of the club?

5 A Inside the club.

6 Q Inside the club. Could you tell who the commotion was between?

7 A It was between John and William.

8 Q Okay. And was it -- was it something that was just verbal, was it physical
9 or could you tell?

10 A No. It was -- it was mostly verbal from what I heard. I mean, I really
11 wasn't paying attention what words were exchanged.

12 Q Okay.

13 A It was -- I know it was verbal.

14 Q Okay. And -- and then what happened at that point?

15 A Basically I went out to the car. William and Anthony were walking towards
16 the car. And the defendant was driving by, and they were exchanging words.

17 Q Okay. So Will and your group were kind of -- everybody was kind of
18 randomly walking out?

19 A Exactly.

20 Q Okay. And is there a point where the defendant gets in his car?

21 A Um-hum.

22 Q Okay. And so is he driving by as you-all are kind of coming out in groups?

23 A Yes.

24 Q All right. And is there anyone else in the car with him as he's driving by?

25 A Yes. There was a female with him.

1 Q Okay. And does anything happen as he is driving by between any of your
2 group and the defendant?

3 A Well, there was kind of an argument between them both.

4 Q Could you tell what that argument was about?

5 A Not really. It was more -- I -- it was more of a confrontation, but I didn't
6 think anything was going to happen, because the guy was in his car, we were walking to
7 our cars. We were -- everybody was ready to leave.

8 Q Okay. Did anybody in your group at that point have a weapon?

9 A No.

10 Q Anybody display a weapon?

11 A No.

12 Q Okay. And so -- let me ask you this. What happened to the defendant and
13 the gentleman -- the gentleman in the car and this girl that drove by?

14 A They parked about four spaces next to ours.

15 Q Okay. And what happened then?

16 A They got out of the car.

17 Q Okay. Both of them, the man and the woman?

18 A Yes.

19 Q All right. And what happened at that point?

20 A Basically they come and -- they were coming towards us. And Andre went
21 towards them. And that's when the defendant punched Andre, and basically that's when
22 the altercation started.

23 Q Okay. So first -- is it fair to say first contact was with Andre?

24 A Yes.

25 Q All right. And then what happened?

1 A Basically I seen Andre take a blow to the face and he spun around. So I ran
2 over and basically -- as soon as I ran over, there was a -- basically we started mixing it up,
3 I guess, whatever you want to call it. And basically the girl jumped on my back and I got
4 stabbed in the face and then the chest twice.

5 Q Okay. Now, the person that stabbed you in the chest and was fighting -- the
6 man that was fighting with your friends as well, do you see him in the courtroom today?

7 A Yes, I do.

8 Q Can you point him out to the Judge and describe him?

9 A It's the gentleman right there with the blue.

10 THE COURT: He's described Mr. Dobbs.

11 MS. LASKOFF: Thank you, Your Honor.

12 BY MS. LASKOFF:

13 Q And let me ask you this. When Andre was approached by the defendant,
14 did you see Andre with a weapon?

15 A No.

16 Q Did you see anybody with a weapon?

17 A No.

18 Q Okay. And you say Andre spun around. What do you mean by that?

19 A He got hit and he literally spun around.

20 Q Okay. Did he fall on the ground?

21 A Yeah.

22 Q Okay. And what happened after that, do you remember? Was there
23 fighting between yourself and the defendant?

24 A Yeah. I believe I take a swing at him and he took a couple of swings, I
25 guess, at me, because I've got the scars.

1 Q Okay. Now, do you know what caused those scars?

2 A Yes. I didn't know at the time, but when I seen William laying on the floor,
3 that's when I realized that all of us were stabbed.

4 Q Okay. And were you bleeding?

5 A Yes. I was bleeding out of my face and my upper collar bone and my chest.

6 Q Okay. Do -- do you have any permanent scars as a result of this?

7 A Yes, I do.

8 Q And can you just -- you don't have to disrobe or anything, point them out to
9 the Court where they are?

10 A Right here, here, and in my face. And I had to have a plastic surgeon stitch
11 up my face, because it went in through my nostril and hit the cartilage in between my
12 nose.

13 Q Okay. Now, did the police have you identify the defendant at one point?

14 A Yes, at the hospital.

15 Q Okay. And did they present you with a photo lineup?

16 A Yes, they did.

17 Q And were you able to pick out John Dobbs, the defendant, sitting here
18 today?

19 A Yes, I was.

20 Q Okay. Did you see Will with a weapon?

21 A Never.

22 Q Okay. Did you see Will and the defendant in a fight?

23 A No. During the commotion I couldn't really make out everything that was
24 going on. I kind of blacked out for a minute once I got stabbed in the face. So I -- I can't
25 really say what happened exactly.

1 Q Okay. Now, did the defendant stay there?

2 A No. He got in his car and left.

3 Q Okay. And then did the police show up soon after?

4 A The valet, I believe, in a black truck chased them.

5 MS. LASKOFF: Okay. Okay. I have nothing further, Your Honor.

6 THE COURT: Okay.

7 Ms. Chien?

8 * * * * *

9 CROSS EXAMINATION

10 BY MS. CHIEN:

11 Q Mr. Gotey, what had you been doing at the Doll House?

12 A We were drinking.

13 Q Drinking.

14 A Having a good time.

15 Q How many -- excuse me?

16 A Having a good time.

17 Q Okay. And how many drinks did you have that night?

18 A We bought like a bottle of -- two champagne in there.

19 Q And how many of -- did you buy any additional drinks other than the --
20 consume the -- well, you and your friends consumed the two bottles of champagne?

21 A Maybe we had like one round of shots, or something like that.

22 Q Okay. And how many glasses of champagne had you had?

23 A About two -- three.

24 Q And you also had a shot of what?

25 A Patronne (Phonetic), I believe.

1 Q When you were inside the club did you -- had you seen my client inside the
2 club as well?

3 A Yes.

4 Q Okay. And did you see any -- any interaction between my client and
5 Mr. Troy?

6 A When I was leaving the club, I heard them speaking.

7 Q Okay. But when you guys had been inside the club...

8 A No.

9 Q Okay. You did not see them interact at all?

10 A Unh-unh. Unh-unh.

11 Q When you were walking outside the club, you walked out ahead of your
12 other two friends; is that correct?

13 A That's correct.

14 Q And did you hear the exact words that Mr. -- that Mr. Troy said to my
15 client?

16 A No, I didn't.

17 Q And...

18 A But I knew it was -- it was -- the words were derogatory -- the words
19 between them.

20 Q Mr. Troy made derogatory remarks?

21 A No. No. It was between both of them.

22 Q Okay.

23 A I know they was derogatory because I heard fuck -- excuse my language. I
24 don't know who said it, but I heard that particular word. So I know it wasn't...

25 Q Um-hum. Okay. And at that point in time, had any fight broken out

1 between Mr. Troy and my client?

2 A No.

3 Q So the -- and where was Andre Blanco at this time?

4 A He was already by the car.

5 Q All right. And he had not been involved in any of the conversation between
6 Mr. Dobbs and Mr. Troy?

7 A No.

8 Q Your other friend, was he also with Mr. Troy at the time when the
9 derogatory comments were made?

10 A Yes.

11 Q Okay. What did you -- and when you walked out of the club, did you see
12 any additional interaction between Mr. Troy and my client?

13 A I heard those words back and forth while he was driving by.

14 Q Okay. So who was speaking those words as...

15 A The girl -- the girl was screaming out, you're a Cracker, basically to
16 William Troy.

17 Q And what was Mr. Troy's response?

18 A I believe it was derogatory also.

19 Q Okay. Do you remember those words? You remember the girl's words.
20 What was Mr. Troy's words?

21 A Yeah. Because it was repeated several times. It wasn't just once.

22 Q Okay. And what was Mr. Troy -- Mr. Troy's words?

23 MS. LASKOFF: Your Honor, I'm going to object to the relevance of this.

24 THE COURT: Well, I'll let you answer it. If you recall, what were they,
25 if you know?

1 THE WITNESS: I don't really know exactly.

2 BY MS. CHIEN:

3 Q Okay. And did you see any motions that Mr. Troy made?

4 A No.

5 Q Okay. And how did the actual -- what was Mr. Blanco doing at the time?

6 A Mr. Blanco was seeing about his car.

7 Q Okay. Was he saying anything?

8 A No.

9 Q And how did -- can you tell me how the fight started?

10 A Basically Mr. Dobbs parked his car next to ours, and got out of his car and
11 with this girl. And basically (Indiscernible Words).

12 Q Okay. And did you -- did Mr. Troy walk towards Mr. Dobbs?

13 A I believe it was Mr. Blanco that walked first -- yeah, they got there first.

14 Q Okay. So -- so Mr. Blanco went up to Mr. Dobbs?

15 A Um-hum.

16 Q Did you see what -- you know, what his first action was?

17 A Mr. Dobbs punched Andre.

18 Q And what did Andre do?

19 A Andre started swinging back.

20 Q Okay. And how -- where did Andre swing at Mr. Dobbs?

21 A I can't tell you exactly, because like I said, when he -- when he got hit, he
22 spun around.

23 Q Okay.

24 A And I -- and I ran over there towards him.

25 Q Okay. And when you ran over, what did you -- what did you do?

1 A I swing and punched.

2 Q And how many swings and punches did you do?

3 A Not many. I think maybe one. Because after I got hit in the face, the girl
4 was attacking me and then Mr. Dobbs hit me in the face with the knife.

5 Q The girl, was she -- was she on your back or was she in your face?

6 A I believe she was on my back.

7 Q Okay. So she was trying to get you off of Mr. Dobbs?

8 A No.

9 Q At that time you...

10 A I wasn't -- I wasn't on top of Mr. Dobbs. I was walking over there. She
11 walked around me, and that's when she jumped on my back. And then Mr. Dobbs -- I -- I
12 remember swinging, but he caught me in the face with the knife, and I dropped to the
13 floor.

14 Q Okay. What was the -- your other friend doing?

15 A Who is that?

16 Q Roliano?

17 A Mr. Roliano, he wasn't doing anything at the time. I don't remember seeing
18 him.

19 Q Okay. Did you see -- do you remember or do you not remember?

20 A I do not remember seeing him doing anything.

21 Q Okay. Did you see him being involved in -- do you remember at any point
22 in time if it was your friends fighting Mr. Dobbs -- all of your friends, all at one time
23 fighting Mr. Dobbs?

24 A No.

25 Q So that never happened?

1 A No.

2 Q Okay. So it was always one on one?

3 A Pretty much.

4 Q When you say pretty much, what do you mean?

5 A It was one.

6 Q Okay. So it was just one on one at any given time?

7 A Yes.

8 Q Have you ever -- Mr. -- how well do you know William Troy?

9 A I knew him for two years.

10 Q And have you ever seen him get into fights before?

11 MS. LASKOFF: Objection; improper impeachment.

12 THE COURT: Sustained.

13 BY MS. CHIEN:

14 Q Did you have any words between yourself and Mr. Dobbs?

15 A No.

16 Q And what about Mr. Roliano?

17 A No, not that I know of.

18 Q And so the only words exchanged had been between Mr. Troy and
19 Mr. Dobbs?

20 A That's correct.

21 MS. CHIEN: I have no other questions.

22 THE COURT: Anything else, Ms. Laskoff?

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24 REDIRECT EXAMINATION

25 BY MS. LASKOFF: