

1 BE IT REMEMBERED AND CERTIFIED, that heretofore on  
2 to-wit: The 10th day of September, 1998, said cause entitled  
3 as hereinabove set forth, came on for hearing before the  
4 Madison County Grand Jury, at the Courthouse, in the City of  
5 Edwardsville, Madison County, Illinois.

6 WHEREUPON the following proceedings were held of  
7 record, to-wit:

8 COURT CONVENED: September 10th, 1998.

9 \*\*\*\*\*

10 (Witness was sworn.)

11 BRADLEY WELLS

12 called as a witness herein, having been duly sworn,  
13 was examined and testified as follows:

14 DIRECT EXAMINATION

15 BY MRS. JENSEN:

16 MRS. JENSEN: Could you state your name, please?

17 THE WITNESS: Bradley D. Wells.

18 Q. And how are you employed?

19 A. I am a detective with the Madison County  
20 Sheriff's Department.

21 Q. And how long have you been employed with them?

22 A. I have been with the sheriff's office for six  
23 years now.

24 Q. Do you have any particular duties with that

1 department at this time?

2 A. Investigation.

3 Q. Directing your attention to June through December  
4 of 1995, were you employed in that capacity with the  
5 sheriff's department at that time?

6 A. Yes, I was.

7 Q. In particular, on or about December the 2nd,  
8 1995, did you have occasion, or your department have occasion  
9 to become involved in the investigation of a body that was  
10 found on Pierce Lane?

11 A. Yes.

12 Q. Could you tell us the circumstances of how that  
13 body was found?

14 A. Our department was contacted after two guys had  
15 found the skeletal remains of a body out on Pierce Lane, near  
16 Stamper Lane, in the Village of Godfrey.

17 Q. What County is that in?

18 A. Madison County.

19 Q. Okay, go ahead.

20 A. The body was located in a wooded area on the west  
21 side of Stamper Lane. In processing that scene, the  
22 coroner's office was called, the skeletal remains were taken  
23 from the scene to the morgue, the Madison County morgue.

24 And while processing that scene, three nine

1 millimeter shell casings, and later projectiles, were  
2 recovered from the location of the body, or on the body.

3 Q. Was a positive identification able to be made on  
4 that body on or about that time?

5 A. No.

6 Q. Was there any identifying objects that were found  
7 on or near the body which led to some belief of who the  
8 person was?

9 A. Yes. We found an Eternity wristwatch on the  
10 bones of the arm of the body. And we later spoke with who  
11 we now know is our victim, we spoke with his mother, shortly  
12 thereafter. And she did indicate that she did buy her son  
13 this particular watch. And also had some removable faces  
14 that she gave us that fit that watch perfectly.

15 Q. And what was her son's name?

16 A. Son's name was Nekemar Pearson.

17 Q. And since that time has the body been  
18 subsequently positively identified?

19 A. Yes.

20 Q. And how was that done?

21 A. We had to do the method, it is called  
22 mitochondrial DNA. We did that through the FBI lab in  
23 Quantico, Virginia.

24 The best way to put that is that body was identified

1 in the same manner that the unknown soldier that was just  
2 recently identified. They used this method to identify war  
3 dead.

4 Q. And was it positively identified to be the body  
5 of Nekemar Pearson?

6 A. Yes.

7 Q. What were the circumstances of Mr. Pearson's  
8 disappearance?

9 A. On June the 24th, 1995, he had gone to Powhatten  
10 Street, which is in the city limits of Alton. He had gone  
11 over to a lady's house by the name of Judy Huff. She was  
12 living in that house at this time.

13 They were having a small barbecue for Nekemar  
14 Pearson's sister, Kendalla Pearson, it was her birthday that  
15 day. And some of her friend's and Nekemar were at Judy  
16 Huff's house for this birthday.

17 Nekemar had gone over there that day, and after, his  
18 sister told me that she left, it was approximately 5:30 that  
19 afternoon, to go to Alton Square Mall. When she came back,  
20 Nekemar was gone. And she never saw him any more.

21 Q. Was he supposed to be home at that particular  
22 time?

23 A. He supposed to have been home, he had a 6:00  
24 curfew, to be home. He was out on pre-trial release,

1 awaiting sentencing on a charge, and he had to be home at  
2 6:00 p.m. According to his mother, he was very diligent  
3 about being home at 6:00 p.m. every night.

4 Q. Was he reported to have been seen by any friend  
5 or relatives after that time, that afternoon on 6-24?

6 A. No.

7 Q. Who lives nextdoor to Judy Huff on Powhatten?

8 A. At that time a black male by the name of James  
9 Evans lived at the house right next door, which would be just  
10 the house next, east to Judy Huff's house.

11 Q. Does he have a nickname?

12 A. His nickname is Raven.

13 Q. As part of your investigation did you receive  
14 information that Nekemar Pearson had been involved in a  
15 possible home invasion involving James Evans?

16 A. Yes.

17 Q. Did Evans report that he had been a victim of  
18 home invasion?

19 A. That's correct. In April of '95, James Evans  
20 reported to the Alton Police Department that he was the  
21 victim of a home invasion, while he lived in that house at  
22 2707 Powhatten Street, in the city limits of Alton.

23 Q. What were the circumstances of that?

24 A. There was two girls that James Evans was friends

1 with. That one of the girls, her name was Michelle Young,  
2 she had a friendship not only with James Evans, but she had a  
3 friendship with Nekemar Pearson, and a friendship with a guy  
4 that uses a couple of different names, Marcus Lacey, Marcus  
5 Holloway. His nickname is Mark Deuce.

6 They had decided to set Raven up. Michelle Young  
7 went to James Evans' house at 2707 Powhatten. Another  
8 female by the name of Kendra Wilson was going to come over to  
9 the house later that evening.

10 Let me back up. She was at the house, she left.  
11 When she left, she went and transported Nekemar Pearson and  
12 Marcus Holloway over to the area where James Evans lives.

13 At that time, Nekemar Pearson and Marcus Holloway had  
14 guns, bandanas. The door on James Evans' house was left  
15 unlocked by Kendra Wilson, they knew the door was unlocked.

16 They went inside the house, and made it look like  
17 they were not only robbing James Evans, but also robbing  
18 Michelle Young. But she was in on it.

19 They taped up James Evans, pistol whipped him, and  
20 took him out of the house into his own Blazer, he had a  
21 Blazer at that time. They were threatening him, according  
22 to the police report.

23 They took him from Powhatten Street, they were  
24 looking for drugs and money. They took him from Powhatten

1 Street to Big Arch Road, which is a short distance away from  
2 Powhatten Street, on Big Arch Road, right behind the Alton  
3 Square Mall.

4 And they dumped James Evans out of the Blazer.  
5 Nekemar Pearson and Marcus Holloway took the Blazer back in  
6 the city limits of Alton. They stole the stereo, an  
7 expensive stereo and expensive set of stereo speakers out of  
8 this Blazer, and they abandoned the Blazer on 7th Street, in  
9 Alton.

10 And at that point James Evans, after he was able to  
11 get loose from being tied up, he went through the channels of  
12 making the police report, and that was reported to the Alton  
13 Police Department.

14 Q. Now, have Kendra Wilson, Michelle Young and  
15 Marcus Holloway given statements about their participation in  
16 this incident?

17 A. Yes, they have.

18 Q. And was there a motive behind Nekemar Pearson  
19 wanting to do this, or was it just robbery?

20 A. I have been told a couple different things.  
21 James Evans was having a relationship with Nekemar Pearson's  
22 girlfriend. Whether Nekemar Pearson had found out about it  
23 and didn't like it, and wanted to get back at James Evans --

24 There was also indication that Nekemar Pearson might

1 have been somewhat jealous of James Evans because of James  
2 Evans' drug connection. And his money that he has obtained  
3 from those drug connections.

4 Q. Now, do you have information that would give you  
5 an indication that James Evans found out who was responsible  
6 for this home invasion?

7 A. Yes. We have been told that James Evans found  
8 out Nekemar Pearson sold those speakers. We have been told  
9 that he sold those speakers to a guy by the name of Greg  
10 Scott, I have not been able to locate him. Apparently Greg  
11 Scott knows another guy by the name of Demetrius Cox,  
12 Demetrius Cox was supposed to have told Raven, or James  
13 Evans, I saw your speakers. I know who bought them, and I  
14 know who sold them to Greg Scott, and it was Nekemar  
15 Pearson.

16 Demetrius Cox will not admit that he has any  
17 knowledge of any of this.

18 I have been told by several people that Demetrius Cox  
19 was the one that went to Raven, and told Raven, Nekemar  
20 Pearson is the one that robbed you and sold your speakers.

21 Q. Basically that information is just street talk?

22 A. That's correct.

23 Q. At this point?

24 A. That's correct.



1 Q. Okay. Have you received information as part of  
2 your investigation that a Cliff Wheeler, Clifton Wheeler and  
3 Eugene Brian Ware were somehow involved in the disappearance  
4 of Nekemar Pearson?

5 A. Yes, I have.

6 Q. Did you have occasion to interview Eugene Brian  
7 Ware about this incident?

8 A. Yes, I did.

9 Q. And when did that take place?

10 A. Interviewed him on, yesterday, September 9th,  
11 1998.

12 Q. Did you obtain a videotape statement from him at  
13 that time?

14 A. Yes, I did.

15 Q. Could you explain to the members of the grand  
16 jury what Mr. Ware indicated had occurred involving the  
17 disappearance of Nekemar Pearson?

18 A. Eugene Brian Ware, he goes by the name of Brian,  
19 met with me yesterday at the Madison County Sheriff's  
20 Department.

21 Brian has told me this. He said that on this  
22 particular day, he was in bed, asleep, at his mother's house,  
23 on Joesting, in Alton, Illinois. He said the phone rang and  
24 somebody in the house, either his mother, father, someone,

1 woke him up, he can't remember who woke him up, told him that  
2 James Evans or Raven, he calls him Raven, was on the phone.

3 He said he went to the phone, and Raven told Brian,  
4 get up, to get up here to my house, and don't drive your  
5 Mustang. Brian Ware had a white, 1995, I believe, Mustang,  
6 and he said everybody in the City of Alton knew that it was  
7 my car, it was a real flashy car. He told me not to drive  
8 that car, and to park at his brother's house. James Evans'  
9 brother lives two doors down from him, his mother lives one  
10 door down from him, to the east.

11 So, Brian didn't question him, what Raven told him.  
12 He just did what he said. So he drove his father's car to  
13 Raven's brother's house, and parked it there.

14 He said he walked up to Raven's house, and he heard  
15 music coming from Judy Huff's house, but he can't remember  
16 whether or not he saw anybody standing outside or in the  
17 house or anything at Judy Huff's house.

18 He said he walked in and noticed, or Brian said he  
19 noticed that Raven was kind of nursing his right hand. Raven  
20 then orders Brian, and that is how Brian puts it, Raven  
21 ordered me to come downstairs. So he said he walked  
22 downstairs, and he said, when I got down there, I saw a black  
23 male laying on the floor, taped up, and with duct tape around  
24 his mouth.

1           He said, Raven told me to guard him, so I did what  
2 Raven told me to do. Raven walked back upstairs, came back  
3 downstairs, and give me a nine millimeter handgun. And he  
4 told me again to guard him. So Raven left.

5           Raven went upstairs, and left the house,  
6 apparently. Brian said he was down in the basement for a  
7 very long period of time. And it was still daylight outside  
8 at this point.

9           He said he was down there for a very long period of  
10 time. The house was quiet. And he says at some point in  
11 time, it sounded like a party was going on upstairs. And he  
12 said right before this, sounded like this party is going on,  
13 that Raven did bring me something to drink and something to  
14 eat.

15           Then the party, sounded like a party going on  
16 upstairs. And he said after about, the party lasted for  
17 about an hour, it got quiet again.

18           And he says, I was there again, down there by myself,  
19 with Nekemar Pearson. Brian does indicate that when Raven  
20 did bring him the gun, after Raven left the house, that  
21 Nekemar Pearson was acting like he was having trouble  
22 breathing. And he said, I didn't realize who it was. At  
23 that point I moved the tape a little bit for his mouth, so he  
24 could breathe a little bit easier.

1           And then he told me who he was, Pooky, Nekemar  
2 Pearson's nickname was Pooky. And he told me that he was  
3 Pooky, and I said, I know Pooky. But at that point he had to  
4 refresh his memory of who he was, because he knew his sister  
5 and his brother.

6           While Brian says he is down there in the basement for  
7 a long period of time, and then he says it was getting late,  
8 and he can't remember all of the details as to how exactly it  
9 went. But he says he remembers Cliff Wheeler, James Evans,  
10 and himself, being in the basement altogether, with Nekemar  
11 Pearson.

12           He says, I won't deny that I carried Nekemar out of  
13 the basement, but I can't remember whether or not I exactly  
14 did it. It was very late and I was getting very tired. He  
15 says, I do remember Nekemar was put into the trunk of a  
16 car. But he says, there again, he is having trouble  
17 remembering the detail right there.

18           Nekemar Pearson was naked when they got to where they  
19 were going. He says, I can't remember when the clothes were  
20 taken off of him, but he was naked whenever we got to where  
21 he was going. Put him in the trunk.

22           James Evans had a nine millimeter or .22 caliber or  
23 .25 caliber handgun. Said James Evans was driving, and  
24 they rode out to the Village of Godfrey. Doesn't know the

1 name of the street, but he describes it as a country road.  
2 Says, we had to turn down a road, and James did a U-turn and  
3 he said when he stopped the car, James was, when he got out  
4 of the car he was on the road. He said, when we got out of  
5 the car, we were on grass on the side of the road.

6 So James Evans got out of the car, opened up the  
7 trunk. Nekemar, he made Nekemar get out of the car. He said  
8 James cut Nekemar loose of the duct tape, and Nekemar was  
9 naked.

10 He says, James ordered all of us to walk a short  
11 distance, very short distance in the woods. And he said  
12 James then started really getting angry at Nekemar, while he  
13 was pointing the gun at him. But he says James was holding  
14 the gun in his left hand, because James had broke his hand on  
15 Nekemar earlier.

16 He says that at that point, he says, I didn't know  
17 that James was going to kill Nekemar. I just figured he was  
18 going to beat him up. But then James started saying, you  
19 have messed with the wrong person, and he says, then I know  
20 it was personal between James Evans and Nekemar.

21 He says after he got violent with him and argued with  
22 him, he says then James shot him twice in the chest. He  
23 said when Nekemar fell to the ground, he said, me and Cliff  
24 started walking back to the car. And then I heard at least

1 four more shots go off.

2 He said James very hurriedly got in the car. He  
3 says, we drove back into the City of Alton, went across the  
4 Clark Bridge, over into Missouri. Turned around, and came  
5 right back over the Clark Bridge. James stopped the car, got  
6 out, and threw the nine millimeter into the Mississippi  
7 River.

8 Says they drove to Powhatten Street, back to James  
9 Evans' house. And James Evans ordered Cliff and Brian Ware  
10 to take all their clothes off, and James told them that he  
11 was going to burn their clothes and that duct tape, and get  
12 rid of it. And Brian says at that point we all just went our  
13 separate ways.

14 He describes it as very early or late, you know,  
15 early morning hours to the 4:00, 5:00 hour.

16 Q. Did you have occasion to speak to Clifton Wheeler  
17 about this incident?

18 A. Yes.

19 Q. And when was that?

20 A. I spoke with him yesterday also.

21 Q. And what did he indicate about this incident  
22 involving Mr. Pearson?

23 A. Cliff Wheeler indicates relatively the same  
24 thing. Cliff Wheeler was actually at a barbecue. He says

1 that he was friend's with Nekemar Pearson, and had known him  
2 for quite some time.

3 He did not, he says, I did not have any knowledge  
4 that James Evans and Nekemar had a problem with one  
5 another.

6 He said Nekemar came over to Judy Huff's house, with  
7 Kendra Wilson. He says they saw me over at James Evans'  
8 house. He said, I rode a scooter over there, of one of my  
9 friend's. He said, Nekemar came over talk to me for a while,  
10 we had gone back over to Judy Huff's house, Nekemar got me a  
11 plate of food.

12 He said then Nekemar's sister, after a while, told  
13 Nekemar that she was going to go to Alton Square Mall, and  
14 when she came back, she would give him a ride home for his  
15 curfew.

16 Cliff said that he told Nekemar that he was going to  
17 go back over to James Evans' house, and when he started to go  
18 over there, Nekemar walked over there with him. He said they  
19 walked into James Evans' house, set on the couch.

20 James Evans came into the room, and grabbed a nine  
21 millimeter handgun, pointed it at Nekemar, and ordered  
22 Nekemar to the floor.

23 Said he then started taping up Nekemar, saying, you  
24 know, this is the same spot where you guys made me lay. And

1 then started taping Nekemar up.

2 Said, we put tape on Nekemar's mouth, and Nekemar  
3 kept taking it off. Saying, I don't know what you are  
4 talking about, I didn't do that. He said Nekemar took that  
5 tape off his mouth one too many times, and Raven hit him,  
6 with what he believed was his right hand.

7 He said after he was successful in taping him up,  
8 that James carried Nekemar over to the basement steps. Cliff  
9 said he opened up the door to the basement, and James Evans  
10 threw Nekemar down the basement steps.

11 Cliff Wheeler says when he came back upstairs,  
12 somebody was knocking on the door. And it was Nekemar  
13 Pearson's sister, Kendalla, who was looking for Nekemar.  
14 She asked Cliff, have you seen Nekemar?

15 He told her, no. He said he walked outside with her,  
16 and they both got on that scooter and rode it over to Nekemar  
17 Pearson's house.

18 Kendalla went inside to look for Nekemar. She came  
19 back outside, and said, well, he is not here. She said, he  
20 said they drove the scooter over to Dooley Drive in Alton,  
21 got his car, and rode back over to James Evans' house.

22 He said that they walked over to Judy Huff's house,  
23 James Evans had even come over there. He said then later,  
24 James Evans, Cliff Wheeler, were back at James Evans' house.



1 And at least three of the girls that were at the barbecue,  
2 Judy Huff, Kim Reams, and Kendallá Pearson, came over to  
3 James Evans' house, and they partied for about an hour.

4 He said while the party was going on, that James  
5 Evans was snapping photographs with a camera, was taking  
6 pictures. He said he, Cliff Wheeler, said he laid down on  
7 the bed for awhile.

8 Said after the girls had left, he had gone back  
9 downstairs, and while, before the party had went on, Cliff  
10 Wheeler said that he had walked downstairs, and that Brian  
11 Ware was now at the house. He said that was the first time  
12 he saw Brian Ware at the house. Then the party went on.

13 After the girls left, Cliff Wheeler says that James  
14 Evans left for approximately five minutes. So he came back,  
15 and he backed the car all the way up into his driveway. And  
16 James Evans has a side door that faces the street on his  
17 house, but it is kind of a side door, if you go into his  
18 driveway you would run into this side door.

19 Cliff said that James Evans backed that car up all  
20 the way up to that door. He says, I have never seen this car  
21 before, it was a newer car, he said, I assumed it might have  
22 been a rental car.

23 Brian Ware also says that he was very close friends  
24 with James Evans, and he has never seen that car before, and

1 describes it as a newer car.

2           Cliff says that they all went downstairs and James  
3 Evans and Brian Ware carried Nekemar up to the area where  
4 this side door is, and they put Nekemar into the trunk of  
5 this car. Cliff Wheeler says that James Evans took a knife,  
6 and cut the clothes off of Nekemar and removed the clothes  
7 off of Nekemar.

8           Cliff Wheeler says they then all get in the car, and  
9 they drive out. And he describes the same area, didn't know  
10 the name of the road, describes it as a country road, gives  
11 directions. He says James Evans did turn the car around.  
12 James Evans ordered them to get out of the car, on the road.  
13 We got out of the car, we was in the grass.

14           James Evans unlocked the trunk, told us to get  
15 Nekemar out of the trunk. He says Cliff and Brian got  
16 Nekemar out of the trunk.

17           He says, we held him while James cut the tape off of  
18 Nekemar. And then we walked a very short distance, into the  
19 woods.

20           He says, James Evans was pointing the gun at Nekemar,  
21 started yelling at him, and then shot him. He says I, I  
22 turned, I started going right toward the car. And he said, I  
23 heard another shot right after that. And me and Brian  
24 started walking toward the car, to get to the car. And then

1 I heard several more gunshots.

2 He says they all get in the car, they drive straight  
3 to Alton, go across the bridge, throw the gun into the  
4 Mississippi River.

5 They go back to James Evans' house, where James makes  
6 them strip, takes all their clothes and shoes, and puts them  
7 in the bag. And he says, we all went our separate ways.

8 Q. Were you able to confirm anything about this  
9 little party that would have been going on upstairs in  
10 Raven's house?

11 A. Yes. At least, I do remember speaking with  
12 Kendalla Pearson. When talking to her about the activities  
13 at that barbecue, she does say, yes, we was over at James  
14 Evans' house for about an hour. James was taking pictures,  
15 or that there was pictures being taken. And Judy Huff also  
16 corroborates that by saying that they were over at James  
17 Evans' house later that evening for about an hour.

18 Q. And the slugs and casings that were found at the  
19 scene where Mr. Pearson's body was discovered, they were nine  
20 millimeter?

21 A. That's correct.

22 Q. Questions?

23 GRAND JUROR: Did this Brian come in on his own, just  
24 out of the blue, or what?

1           A. Yes, I never talked to Brian Ware, and I have  
2 been trying to talk to him for a long time.

3           GRAND JUROR: And he just showed up yesterday?

4           A. Well, he, I don't know exactly yet what got to  
5 Brian, but there was some things, as part of this  
6 investigation that was getting to Brian. And Brian knew one  
7 of our deputies, and made contact with him a couple of  
8 times. And, he was able, we was able to get him to come in  
9 to be interviewed. And that was the first time I had ever  
10 talked to him.

11          GRAND JUROR: Is he being charged with anything?

12          A. Is Brian being charged with anything?

13          GRAND JUROR: Yes?

14          A. Not at this time.

15          GRAND JUROR: Will he be, or is there some deal  
16 made?

17          MRS. JENSEN: That is a decision that, well, there  
18 has been a deal made with him.

19          GRAND JUROR: There has been?

20          MRS. JENSEN: Right. It does not include that he is  
21 not going to be charged with something.

22          GRAND JUROR: And this Cliff, I take it after Brian  
23 talked about it, then you went after Cliff Wheeler? Or why  
24 did he come in?

1           A. I have interviewed Cliff Wheeler before. And  
2 spoke with him, at least two or three other times. After  
3 this information came forth, I spoke with Cliff Wheeler's  
4 attorney, and after his attorney spoke with him, then I was  
5 given permission to speak with Cliff Wheeler again, by Cliff  
6 Wheeler's attorney.

7           MRS. JENSEN: These names, Brian Ware and James Evans  
8 and Clifton Wheeler, they have come up in your investigation  
9 from other sources, is that correct?

10          A. That's correct.

11          Q. Anybody else?

12          GRAND JUROR: I don't know, maybe it is something,  
13 this Michelle Young, is she under Indictment for home  
14 invasion, too, or --

15          A. No. You have got to understand that there was so  
16 many untruthful statements that I was taking in this murder  
17 investigation, the home invasion case was not a Madison  
18 County Sheriff's Department investigation, that was being  
19 investigated by the Alton Police Department.

20                 I was working this case solely into the death of  
21 Nekemar Pearson. At that point I was not working a home  
22 invasion for James Evans. I was investigating James into the  
23 homicidal death of Nekemar Pearson.

24          MRS. JENSEN: These statements that came up by Kendra

1 Wilson and Michelle Young, they arose after Nekemar Pearson's  
2 death?

3 A. That's correct. Alton, the Alton Police  
4 Department actively worked this home invasion, when this  
5 first came out, just to let you know this.

6 The victim in this home invasion, according to the  
7 detective that worked that, was very uncooperative. The  
8 victim is James Evans. So, it wasn't that it just happened  
9 and it went away. They tried, but the victim wouldn't  
10 cooperate.

11 GRAND JUROR: Do any of these people have prior  
12 records on anything? Have they ever been arrested for  
13 anything else?

14 MRS. JENSEN: Arrested --

15 GRAND JUROR: Or have, you know --

16 MRS. JENSEN: Arrests can't be used.

17 GRAND JUROR: Okay, I mean, do they have any other  
18 case, any other things that might lead up to them doing  
19 that?

20 MRS. JENSEN: Have anything to do with this?

21 GRAND JUROR: No, just something kind of like, were  
22 they known to do a house invasion, or burglaries, or  
23 attempted murder or anything? Any of them? Or is that just  
24 out of the blue, they all got together and did this?

1 MRS. JENSEN: Did what, which one are you talking  
2 about?

3 GRAND JUROR: The, all, the two, the --

4 MRS. JENSEN: Well, I really, I don't --

5 GRAND JUROR: You know, the ones that taped him up  
6 and shot him and stuff like this.

7 MRS. JENSEN: I don't know, I don't know that that  
8 can be answered in this case.

9 GRAND JUROR: Was this Pearson not able to make any  
10 noise of any kind while this party or anything, or people, is  
11 he taped hand and feet and --

12 A. Yes, he, according to both Cliff Wheeler and  
13 Brian Ware, Nekemar Pearson's feet were taped together, his  
14 hands were taped together, there was tape on his mouth.  
15 Brian Ware did say at one point Nekemar Pearson heard James  
16 Evans coming down the steps, he started mumbling something  
17 directed towards James Evans. And James Evans come over and  
18 kicked him, to shut him up.

19 GRAND JUROR: He was afraid that Brian was going  
20 shoot him, he had the gun, right?

21 A. I would assume so, yes.

22 GRAND JUROR: Did I hear right, that James Evans was  
23 the only white person involved in this?

24 A. No, these are all black males.

1 GRAND JUROR: All of those, James Evans, too?

2 A. That's correct.

3 GRAND JUROR: Is Cliff Wheeler and Brian Ware, did  
4 they usually hang around, are they usually buddies? Or are  
5 they both kind of, both acquaintances and called over for  
6 this? Do you know?

7 A. Brian said he knew Cliff for, he has known him  
8 now for about five or six years. At that point it would have  
9 possibly been about a three year friendship.

10 James Evans and Brian Ware were very close. Cliff  
11 Wheeler was a little bit younger than them.

12 GRAND JUROR: But Brian was the one that was ordered  
13 to the house by James?

14 A. I'm sorry?

15 GRAND JUROR: Brian Ware was the one that was ordered  
16 to the house, or he said ordered to the house by James?

17 A. That's correct.

18 GRAND JUROR: Nobody at this barbecue, they knew that  
19 this Pearson had went over to James Evans' house, had they  
20 seen him go over there?

21 A. No. At this point you are talking about maybe  
22 5:00, 5:30, 6:00, towards the evening. There wasn't a lot  
23 of people left at the barbecue. People were, what is being  
24 told to me is people were coming and going, but there was



1 never a large amount of people at the barbecue.

2 Judy Huff says that she was inside, the last time she  
3 saw Nekemar was when he was sitting out with Cliff Wheeler.  
4 And then when Kendalla came back and said, where's Nekemar,  
5 she didn't know.

6 So she said the last time she saw Nekemar, he was  
7 just sitting outside with Cliff Wheeler.

8 GRAND JUROR: And he didn't drive, Nekemar?

9 A. No.

10 GRAND JUROR: In the party that they had at the  
11 house, can you say the names of the women again?

12 A. Kim Reams, Kendalla Pearson, and Judy Huff.

13 GRAND JUROR: Does the coroner's report confer with  
14 their statement about being shot in the chest?

15 A. Well, we found these shell casings at the scene,  
16 and we also found projectiles in the skeletal remains of the  
17 body. So, yes, the autopsy report is death by gunshot.

18 GRAND JUROR: So they, do those two that are giving  
19 the statement now, knew where he was shot, they said that he,  
20 the first one said he was shot in the chest, once or twice?

21 A. He said he believes Nekemar was shot in the  
22 chest, twice. He says, I saw him get shot twice, I think it  
23 was in the chest. But he said, it is dark out there, I am  
24 hearing gun shots, I am seeing somebody get shot.

1 GRAND JUROR: So they know quite a bit that did  
2 balance out with your investigation?

3 A. It matched it, to a tee.

4 GRAND JUROR: Did anyone else hear these gunshots?

5 A. It was a remote area out there. The Rolling  
6 Hills golf course is nearby, if you are familiar with this  
7 area. A lot of woods, it is a very remote area. If anybody  
8 heard them, none was reported to us.

9 GRAND JUROR: What time of night was this?

10 A. Nobody can say exactly what time it was, it is  
11 going to be probably the morning hours, still dark outside.  
12 They said it was very dark.

13 MRS. JENSEN: Anything else?

14 Okay, thank you.

15  
16 (Witness excused.)

17 \*\*\*\*\*

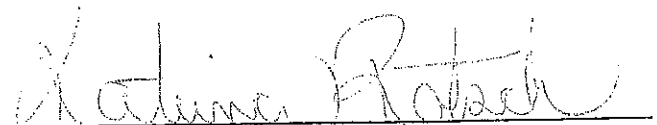
18 (Which was all the evidence offered  
19 and received, and statements made.)  
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IN THE CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

I, Katrina M. Rotsch, C.S.R., Official Court Reporter for said Third Judicial Circuit, Madison County, Illinois, do hereby certify that the foregoing Report of Proceedings was prepared and typed by me from notes taken down in shorthand by me, at the hearing held before the Madison County Grand Jury, at the Courthouse, in the City of Edwardsville, Madison County, Illinois, and that same is all of the testimony offered and received, and statements made.

IN WITNESS WHEREOF, I have hereunto subscribed my name as such Official Reporter this 16th day of September, 1998.



KATRINA ROTSCH, C.S.R.  
Official Court Reporter  
License #084-002763