

1 BY MR. SERMOS: Yes, Your Honor. We would ask
2 that she be held on standby status, if you will.

3 BY THE COURT: You will still be under subpoena
4 but you may leave the courtroom.

5 (Witness steps down.)

6 BY THE COURT: Who does the State call as your
7 next witness?

8 BY MR. HARPER: Call Ms. Shelley Smith, Your
9 Honor.

10 BY THE COURT: Shelley Smith.

11 SHELLEY SMITH,
12 having been duly and legally sworn, answered
13 questions on her oath as follows, to-wit:

14 BY THE COURT: Excuse me. Mr. Harper. You may
15 proceed.

16 BY MR. HARPER: May I proceed?

17 BY THE COURT: Yes, sir.

18 DIRECT EXAMINATION

19 BY MR. HARPER:

20 Q. Would you state your name, please, ma'am.

21 A. Shelley Ann Smith.

22 Q. And, Ms. Smith, where do you live?

23 A. Tara Apartments.

24 Q. That's here in Natchez?

25 A. Yes, sir.

26 Q. And where are you employed, Ms. Smith?

27 A. Natchez Community Hospital.

28 Q. And in what capacity are you employed there?

29 A. I am a phlebotomist in the laboratory.

1 Q. How long have you worked at Community Hospital?

2 A. A little over a year.

3 Q. And I'd like to direct your attention, Ms. Smith

4 -- well, let me ask you this before that. What

5 training and education do you have that qualifies you to

6 be a phlebotomist?

7 A. Well, I'm a nationally certified phlebotomist,

8 and I have an associate's in pre-nursing.

9 Q. And I'll ask you if you were working in that

10 capacity at Community Hospital in February, specifically

11 on February the 21st of this year, 2002?

12 A. Yes, sir.

13 Q. And were you, in fact, working on that evening?

14 A. Yes, sir.

15 Q. Would you tell us whether or not you had

16 occasion to be involved in the treatment of the minor

17 child, Chloe Madison Britt, on that particular evening?

18 A. Yes, sir.

19 Q. Why don't you just tell us, if you would, how

20 you came to be involved in that treatment.

21 A. Another lab tech and I were going to the

22 emergency room to return a lab report when Rebecca came

23 running into the emergency room with her child and stated

24 to me that her child was not breathing.

25 Q. Let me stop you just a second. You said

26 Rebecca. Who are you referring to?

27 A. The child's mother, Rebecca Britt.

28 Q. Did you know her prior to that?

29 A. No, sir.

1 Q. You subsequently learned who it was?

2 A. Yes, sir.

3 Q. So the lady came in with the baby?

4 A. Yes, sir.

5 Q. After she told you that, what did you say?

6 A. She gave me the baby, and I said okay. I
7 looked at her real quick and noticed that she wasn't
8 breathing. That she was blue. Had a small bruise on her
9 lip. I turned to the other worker I was working with and
10 told her to open the ER doors because there's a code to
11 get into the ER and gave a quick rescue breath, ran into
12 the emergency room, informed our staff that we had a code
13 300, and Dr. Patterson and I and an EMT went into the
14 trauma room. I gave a quick breath. The EMT said, "I
15 don't think it's getting in." Air properly getting in.
16 So Dr. Patterson took over and told me to go find out the
17 child's name, how old the child was. So I left and went
18 and talked with Ms. Britt and the defendant.

19 Q. And when the lady came in with the baby, did
20 anyone come in with her at that time?

21 A. No, sir.

22 Q. When you went back out to talk with her, who, if
23 anyone, was with her?

24 A. The defendant was sitting in the triage room.

25 Q. Did you know him prior to that date?

26 A. No.

27 Q. Did you see the person that was with her present
28 in the courtroom today?

29 A. Yes, sir.

1 Q. Would you point him out and describe what he's
2 wearing for me, please, ma'am.

3 A. He's got on -- looks like a navy suit.

4 BY MR. HARPER: Your Honor, we would ask that
5 the record reflect that the witness has identified
6 the defendant, Jeffrey Havard.

7 BY THE COURT: Let the record so reflect.

8 BY MR. HARPER:

9 Q. All right. So you went back out to talk to Ms.
10 Britt and saw the two of them?

11 A. Yes, sir.

12 Q. Tell us what happened when you got out there.

13 A. I asked her -- I asked both of them actually
14 how old the child was and what was her name, and they told
15 me that her name was Chloe and that she was around six
16 months old, and this was really hectic because I was
17 running back and forth between the emergency room
18 procedures and talk with them. I got that information.
19 Went back out, ran back to the emergency room to the
20 trauma room, told the doctors the baby's name and how old
21 she was, and they then instructed me to go back and ask --
22 find out what happened, what could have caused this, was
23 she taking anything. So I went back to the triage room
24 where Ms. Britt and the defendant were and asked them, and
25 Becky said she had went to the store and came back to
26 check on Chloe, and she wasn't breathing, and she came
27 straight to the emergency room. And the defendant then
28 said that -- well, while Becky was gone they had given her
29 -- he had given her medicine and while she was gone that

1 she had spit up and that he had changed her and put her to
2 bed.

3 Q. Okay. Did he make -- what, if anything, did he
4 say to you about any injuries the child may have received
5 while she was gone to the store?

6 A. He did not say. The only thing he said was he
7 gave her her ear medicine in a smushed up banana, and that
8 she had spit up. So he cleaned her up and changed her and
9 put her to bed.

10 Q. What, if anything else, did either one of them
11 say at that point in time?

12 A. He asked for a cigarette.

13 Q. He asked you for a cigarette?

14 A. Uh-hum.

15 Q. In the hospital?

16 A. Yes, sir.

17 Q. And what, if anything, did you do at that point?

18 A. I gave him a cigarette, and then I went back
19 and told the emergency room physician that she had been
20 taking some medicine for an ear infection. They gave it
21 to her in a banana, and that's all at that point. That's
22 all we knew at that point.

23 Q. What, if anything, did you do at that point?

24 A. I stood by until they were ready to draw blood,
25 and I drew the chemistry panel and CBC and took it --

26 Q. What did you do after you drew those?

27 A. I took it back to the lab and waited for the
28 results and took them back. I had to get all the
29 information for our computer system. So I was back and

1 Forth between the emergency room desk and the lab getting
2 information for our computers.

3 Q. You were in and out of the room, but you
4 weren't in there extended periods of time to observe
5 treatment or anything like that?

6 A. To an extent, yes. I was there when she let
7 out. I was in the room when the baby bled out. An
8 aneurysm, so to say, when you bleed, it just fills your
9 face and it just looked like a vacuum -- they had turned
10 an air hose on and just blew her face up is what it looked
11 like.

12 Q. Just tell us if you can recall what, if anything
13 else, other than what you've already told us about what
14 you observed about the baby after she had gotten into the
15 hospital.

16 A. When we got her into the trauma room, when we
17 opened her mouth, we did -- when you're trained in CPR,
18 you always do a tongue sweep to make sure there's nothing
19 blocking the airway because we didn't know if she was
20 choking or what. When we opened her mouth to do a tongue
21 sweep, we noticed bruising along the top of the gum line
22 here and bad on the -- right here on your gum --

23 Q. Right.

24 A. -- with that little tendon that connects your
25 lip to the top of the jaw.

26 Q. I believe they call that your frenulum. Would
27 that be right?

28 A. I think so.

29 Q. Okay.

1 A. I think so. But I noticed that was really
2 bruised, and it was kind of oozing blood. It was real
3 red. I noticed bruising around her lips and a little
4 bruising on her forehead. Somewhere on her forehead.

5 Q. Did you observe anything about the child in your
6 observations of her?

7 A. Not at that point. That was -- at that point
8 is when I left to go find out the age, how old she was,
9 date of birth or statistical information for our systems.

10 Q. At any point after that, did you have an
11 opportunity to observe the child and notice any other --
12 anything else?

13 A. When we -- when I went back and I was talking
14 with Dr. Patterson, I noticed that she was -- you know --
15 and still blue and her stats were going down again right
16 before she bled out, but other than that, I didn't notice
17 anything else. I wasn't there for a lot of it.

18 Q. Did you have occasion to talk with the defendant
19 any more after that one conversation that you described
20 for us?

21 A. It was kind of back and forth. It was just --
22 he just said that she had went to the store, and he
23 changed her. She spit up and he changed her and put her
24 to bed while she was gone. While the mother was gone, and
25 he didn't understand what was going on.

26 Q. You went out there more than one time?

27 A. Yes, sir. It was bits and pieces at a time we
28 were getting -- running back into --

29 Q. Did he ever ask you for any more cigarettes?

Age and/or date of birth were not contained on the printout of the blood test results. This is why the "normal values" listed on the printout of the blood test results were the values that are normal for an adult, not a child or infant.

1 A. No. About that time is when the police
2 officers showed up.

3 Q. Okay.

4 BY MR. HARPER: The Court indulge me just a
5 moment, Your Honor. We'll tender this witness at
6 this time.

7 BY THE COURT: Cross-examination.

8 CROSS-EXAMINATION

9 BY MR. SERMOS:

10 Q. Yes. A phlebotomist. In common parlance,
11 what's the main job a phlebotomist does?

12 A. To draw blood.

13 Q. And to be a phlebotomist, do you need to have a
14 LPN or RN or anything like that?

15 A. No. A phlebotomist is its own training in
16 itself.

17 Q. You said that Mr. Havard asked for a cigarette?

18 A. Yes, sir.

19 Q. It's certainly not uncommon for somebody in an
20 emergency room area to ask for a cigarette or want to
21 smoke one, is it?

22 A. No, sir. It's not.

23 Q. Or to be nervous either, is it?

24 A. No, sir. It's not.

25 BY MR. SERMOS: No further questions, Your
26 Honor.

27 BY THE COURT: Any redirect?

28 BY MR. HARPER: None, Your Honor. All right.

29 You may step down. Will this witness be excused by

1 both sides?

2 BY MR. SERMOS: Yes, Your Honor.

3 BY THE COURT: You'll be released under your
4 subpoena. You may go.

5 BY MR. HARPER: Yes, sir. We would excuse her
6 too, Your Honor.

7 (Witness steps down.)

8 BY THE COURT: Who does the State call as your
9 next witness?

10 BY MR. HARPER: We would call Ms. Angel Godbold,
11 Your Honor.

12 BY THE COURT: Angel Godbold.

13 BY MR. HARPER: May I proceed, Your Honor?

14 BY THE COURT: Yes, sir.

15 DIRECT EXAMINATION

16 BY MR. HARPER:

17 Q. Would you state your name, please, ma'am.

18 A. Angela Godbold.

19 Q. And, Ms. Godbold, where do you live?

20 A. I live in the Mark Apartments on Lower Woodville
21 Road.

22 Q. And what is your employment, Ms. Godbold?

23 A. I'm a registered nurse in the emergency
24 department at Natchez Community Hospital and at Natchez
25 Regional Medical Center.

26 Q. How long have you been working as an emergency
27 room nurse?

28 A. Since 1994.

29 Q. And how long have you been working at Community