

DEPOSITION PRACTICE DRILL

Q: Officer Sharp, what was your occupation on June 15, 1999?

A: I was a patrolman with the City of Huntington.

Q: Are you still with the police department?

A: No, sir. I have since retired.

Q: Back on June 15, 1999, as part of your official duties, were you called to an accident at Park Avenue and Fifth Street?

A: Yes, sir.

Q: Since this accident occurred several years ago, did you look at your memorandum book before you came to court?

A: Yes.

Q: Is it part of the regulations of the police department that a policeman should keep a notebook of these occurrences?

A: Yes, sir.

Q: And you have looked at your notebook with reference to this accident; is that right?

A: Yes, sir, that's right.

Q: Did that refresh your recollection of what happened then?

A: Yes, sir.

Q: Now, do you recall, when you got to the scene of the accident, seeing the driver of one of the cars?

A: Yes, sir.

Q: Now, Officer Sharp, do you recall whether or not Mr. Berger was conscious when you saw him?

A: Yes, sir, he was.

Q: Did you talk to him?

A: Yes, sir, I did.

Q: Did he talk to you?

A: Yes, sir.

Q: Did you do something with reference to some money that this Mr. Berger had with him?

A: Yes, sir.

Q: Will you tell the Court and the jury what you recall doing with this money, after refreshing your recollection with your memorandum book.

A: At the time of the accident, after he had turned his license and registration over to me, he told me he had a large sum of money and would I take it for safekeeping, which I did. The money amounted to approximately \$958 in cash. The money was contained in three envelopes.

Q: Did he turn this money over to you right at the scene of the accident?

A: Yes.

Q: Did you give him a receipt for the money?

A: Yes.

Q: Did you later turn the money in at your station?

A: Well, at the time that I was turning this money in at the station, his daughter arrived at the station and was asking about the money. At this time I was instructed to go to the hospital with the daughter and get a receipt from her and Mr. Berger for the amount of money that I was turning back to him. I have his signature here in my book, and I have the signature of the daughter also.

Q: Thank you, Officer Sharp. Now, have you also examined your daily report in connection with this accident, which you had signed at the time?

A: Yes, sir.

Q: Does reading this report refresh your recollection as to what you saw at the scene of this accident?

A: Yes, sir.

Q: Will you tell his Honor and the jury what you remember about where Mr. Berger's car was when you arrived at the scene?

A: Yes. I arrived at the scene at approximately 6:30 a.m. that particular morning. I found that there had been an automobile accident at the intersection of Park Avenue and Fifth Street, which would be the westbound lane of Park Avenue. I observed one car directly in the center of the road, and the second car had collided with a third car and had also struck a traffic light pole.

Q: When you saw the car, was that pole knocked over?

A: Yes.

Q: Was Mr. Berger's car up on the curb?

A: Yes, sir.

Q: Was it then in contact with the parked car?

A: Yes, sir.

Q: Did you see debris there which indicated to you the point of impact of the cars?

A: Yes.

Q: Where was that debris?

A: It was in the center of the intersection.