

Former Attorney Javier Bailey Testimony from Post-Conviction

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1 would of had some value.

2 Q. In addition to Ms. Lane's testimony  
3 corroborating Mr. Braswell's version of the events in  
4 front of the jury, it would of also corroborated to Dr.  
5 Schwartz Mr. Braswell's version of the events, wouldn't  
6 it?

7 A. Dr. Schwartz believed Vern Braswell.

8 Q. But it would of offered, it would of offered  
9 a third person prospective?

10 A. Yeah.

11 Q. And it would of corroborated what he was  
12 saying?

13 A. Could have, yes.

14 Q. Okay.

15 A. I don't --

16 Q. And the other witnesses who were familiar --

17 MR. YOUNG: I think he was about to  
18 talk.

19 A. Yeah, I don't think that -- I cannot  
20 remember one single witness that I talked to or witness  
21 or person who heard (indiscernible) that did not believe  
22 that Vern Braswell and Sheila Braswell engaged in that  
23 kind of sexual activity.

24 Q. (BY MS. FUCHS) You say that you -- that  
25 everybody --

1 A. I'm saying that everybody I talked to  
2 throughout the case when we started asking about -- see,  
3 this case didn't start out with us talking about  
4 asphyxiation, not me. Now later I found out that Mr.  
5 Braswell had allegedly spoken with Mr. Wright, Glenn  
6 Wright, about that but it didn't start out like that  
7 with me. When I came onto the case it was a different  
8 case. But once we were going down that road and I began  
9 to talk to people about that, you know, everybody seemed  
10 to agree, it was a general consensus that their marriage  
11 relationship sexually, you know, it was on another  
12 level, if you will.

13 Q. But you didn't call any of those people to  
14 testify to corroborate the kinky lifestyle that Mr.  
15 Braswell testified about?

16 A. There were some other reasons other than --  
17 there would of been only one or two that I might have  
18 started going down that road with. But there were some  
19 other reasons why I did not want to open that door.

20 Q. But specifically if you had been aware of  
21 Ms. Lane, you would have called her to testify to  
22 corroborate?

23 A. Probably, yes.

24 Q. Okay. Now going, shifting back to where we  
25 were on the experts issue. You were talking about