

2000.11.11 7:15
sutton & shiflett Virginia

Statement of: Josh Flemister (JF)

Re: Isaac Dawkins homicide

1 Officer: Capt. Tommy Shiflett (TS)/Assistant Chief Bill Shiflett (BS)/Sgt. Stanley Sutton (SS)

2 TS: This is the statement of Josh Flemister, taken in Dellville, Virginia approximately
3 fifteen after seven in reference to the shooting death of Isaac Dawkins. Present Sgt. Stanley
4 Sutton, Assistant Chief Bill Shiflett, and myself Tommy Shiflett.

5 SS: Today's date.

6 TS: Today's date is,

7 SS: The 11th of November.

8 TS: 11, November, 00. You're name is Josh Flemister?

JF: Yes.

10 TS: You'll have to talk up, Josh.

11 JF: Yes.

12 TS: And how old are you, Josh?

13 JF: Yes.

14 TS: And where do you live?

15 JF: With my grandmother.

16 TS: And that's on what road?

17 JF: Freeman Ferry.

18 TS: Ok. Isaac Dawkins, (Inaudible), you familiar with what I'm talkin' about.

19 JF: Yeah.

TS: Was killed about a year ago.

21 JF: Yeah.

22 TS: And was you present when Isaac Dawkins was killed?

23 JF: Yeah.

24 TS: And who all was present with you?

25 JF: Joey and Mark.

26 TS: And what were you drivin' at the time?

27 JF: White truck.

28 TS: Who's truck was that?

29 JF: Joey's.

30 TS: And who was drivin'?

JF: Joey.

32 TS: And where were you sitting in that truck?

33 JF: In the middle.

34 TS: And who was sitting to your right in that truck?

35 JF: Mark.

36 TS: Mark Free.

37 JF: Yeah.

38 TS: And Joey was drivin'. And where ya'll goin'?

39 JF: Just ridin' around.

40 TS: Was Isaac Dawkins part of the conversation while ya'll were ridin' around?

41 JF: Yeah.

TS: Had Joey talked about he's gonna get Isaac Dawkins, or,

43 JF: He (Inaudible) said he was gon (Inaudible) kick his ass, (Inaudible),

44 TS: And that's alright with you just (Inaudible),

45 JF: (Inaudible) I mean, straight up fight (Inaudible),

46 TS: Yeah, straight up fight's alright with you.

47 JF: Yeah.

48 TS: Then (Inaudible),

49 JF: (Inaudible) no,

50 TS: (Inaudible),

51 JF: No weapons.

52 TS: (Inaudible) ok. About where were you when you first saw Isaac, uh, Isaac
Dawkins?

54 JF: Right there at that store, that new store.

55 TS: That's across from junior, Floyd Junior College, or close to it.

56 JF: (Inaudible), right, the one right through the red light beside the motel.

57 TS: Ok. And when you saw, when uh, was you sittin' at the store?

58 JF: Unh, uh.

59 TS: Where were you?

60 JF: Ridin'.

61 TS: Ridin', which way were you goin'?

62 JF: Comin', goin' towards the house.

63 TS: Comin' back toward Rome.

JF: Yeah.

65 TS: And when, when, when you saw Isaac Dawkins, (Inaudible), uh, how do you
66 know it was Isaac Dawkins? Or how did Joey know?

67 JF: His truck.

68 TS: And what did Joey say?

69 JF: That's Isaac Dawkins.

70 TS: And then what did he do?

71 JF: Went crazy, and started shootin'.

72 TS: And, in what way?

73 JF: Started shootin'.

74 TS: Did he chase him a ways?

JF: Yeah.

76 TS: How far did he chase him?

77 JF: A mile, mile and a half, half a mile.

78 TS: How many times did he shoot at him?

79 JF: Twice.

80 TS: And in all this time, was you tellin' him to stop or askin' him what he was doin'?

81 JF: (Inaudible) I mean, I was freakin' out. I mean, I didn't know what was goin' on.

82 TS: And what did Free say?

83 JF: (Inaudible) he was just, he didn't say much. He was doin' the same thing.

84 TS: Do you know where the red light, just comin' from (Inaudible) Floyd College,
85 toward town, the first red light you come to?

JF: Right there at that store?

87 TS: Yeah. Was uh, you chasin' him then?

88 JF: No, it was right after the store, or right before the store. I guess it would be

89 before the red light.

90 TS: I'm talkin' 'bout this (Inaudible),

91 JF: It wadn't like, it wadn't really chasin', it was, was gettin' behind him.

92 TS: Ok. (Inaudible) not chasin' him, but stayin' on him.

93 JF: Yeah.

94 TS: And there's two red lights, one at Floyd Junior, where that new store is,

95 JF: Yeah.

96 TS: And then you come on toward town, there's another'n at Walker Mountain Road,
are you familiar with that? It goes down toward the Lock and Dam.

98 JF: Yeah, right there in front the mobile home park.

99 TS: Yeah. Yeah.

100 JF: Yeah.

101 TS: Ok. Then, was the light green when you went under that?

102 JF: Yes.

103 TS: Was there, was there another car around that anybody had to go around?

104 JF: Mnm, mmm.

105 TS: And where did, where was Joey, now we're past the red light at the mobile home

106 place. Where did Joey first start shootin' at this guy?

107 JF: Right there at it. It was like right in, right, not far past it. And everybody just

went crazy.

109 TS: Did you see any damage bein' done when he shot?

110 JF: Unh, uh. I saw the truck go off the road.

111 TS: Did you ever see a windshield (Inaudible), a back window break.

112 JF: Mnm, mmm.

113 TS: Now think hard, cause I believe you did. You may not remember it, but I believe
114 you did.

115 JF: (Inaudible) my eyes really, I was lookin' at Joey and I's lookin' at Mark, I mean, I
116 really wadn't focused on what was happenin'.

117 TS: Ok. After, after you got on down the road, the shots were fired, and how many
118 shots did you say was fired?

JF: Two, from (Inaudible).

120 TS: (Inaudible) and where did, when Joey got the gun, where did it come from? Did
121 you see where he was carryin' it?

122 JF: Under the seat.

123 TS: He reached under the seat and got it? Did anybody else reach under the seat and
124 get it?

125 JF: Mnm, mmm.

126 TS: Ok. And you got on down the road, the shots were fired, and what did Isaac
127 Dawkins truck do?

128 JF: (Inaudible) it went straight for like a minute, not even a minute, but then it just
129 started curvin' off to the right.

2

TS: And which way did it go from there?

131 JF: Into the woods.

132 TS: Did it go across the median?

133 JF: No.

134 TS: (Inaudible).

135 JF: (Inaudible) it's on the right side of the road.

136 TS: It's what?

137 JF: (Inaudible) on the right side of the road.

138 TS: Where did you see it go?

139 JF: To the right into the woods.

140 TS: You didn't see it cross back over and go to the left?

JF: Mnm, mmm.

142 TS: Ok.

143 JF: I wadn't payin' no attention.

144 TS: Alright, when it went to the right in the woods, what did you do then?

145 JF: Sped up.

146 TS: (Inaudible).

147 JF: Took off.

148 TS: Did anybody stop to see if he's hurt,

149 JF: No.

150 TS: Or anything?

151 JF: Not in this truck.

TS: Not in that truck? In Joey's white truck. So from there, you said not in that truck.

153 Did you stop and see where the truck (Inaudible) the second time?

154 JF: Second time,

155 TS: Did you, did you come back with him?

156 JF: No. I went home.

157 TS: When you went home, what did Joey say to you when you got home?

158 JF: Nothin', I mean, just said that we were (Inaudible) at first that we were in Atlanta

159 at a club and then second that we were on our, that he was on his way back from Cedartown.

160 TS: And he told you those two (Inaudible) alibis on the way to your house?

161 JF: Yeah.

162 TS: Instead of the next day like you tried to tell me?

JF: Yeah.

164 TS: So ya'll, he did discuss his alibi.

165 JF: I mean, he came up with two different ones.

166 TS: On the way to the house.

167 JF: Yeah, about the time we hit the neighborhood.

168 TS: Alright. Then when did he decide for you to tell Samantha Dawkins,

169 JF: 'Bout two months later.

170 TS: That was two months later so he (Inaudible),

171 JF: (Inaudible) I mean, I don't know for sure. It was a month, month and a half, to

172 two months.

173 TS: (Inaudible) start talkin' with her again. How did,

JF: (Inaudible).

175 TS: (Inaudible) ok. How did Joey know that Isaac was goin' to Floyd Junior College
176 now?

177 JF: There was only four or five people that know. I mean, through talk, I guess,
178 through, only people I know that knew, which is like I told you, Samantha, Chad, Brianne, Joey,
179 and there's one more.

180 TS: Who was that?

181 JF: and Mark.

182 TS: Mark. Everything so far, you've told me is the truth now, Josh.

183 JF: Yeah.

184 TS: Cause this is what you live with.

JF: Yes.

186 TS: When you got back home and got outta the truck, did you hear any more from
187 Joey that night?

188 JF: Mnm, mmm.

189 TS: Did you hear any more the next day?

190 JF: (Inaudible) either the next day or day after.

191 TS: And then what happened then?

192 JF: (Inaudible) Daniel he called me and told me to (Inaudible) I told him I was on the
193 phone with Daniel and he told me to call him on three-way.

194 TS: And what was the conversation there?

195 JF: Just tellin' (Inaudible) I mean, with Daniel on the phone he started sayin' that Isaac

had had a wreck last night, actin' like that was the first time that you know, anybody knew about
197 it.

198 TS: But he already knew that shots had been fired at him?

199 JF: (Inaudible).

200 TS: You swear that what you're tellin' me, you were in that truck that night, sittin' in
201 the middle.

202 JF: Yeah.

203 TS: Not at either side of the windows.

204 JF: Mnm, mmm.

205 TS: Did you ever fire a gun at Isaac Dawkins?

206 JF: No.

TS: Did Joey Watkins fire a gun at Isaac (Inaudible), Isaac Dawkins?

208 JF: (Inaudible) yeah.

209 TS: You saw it?

210 JF: Yeah, I saw the gun.

211 TS: And you saw the wreck and you heard the shooting. And Mark Free has sat in jail
212 and told several different people that he was there. Was Mark Free there?

213 JF: Yes.

214 TS: And what was his part in it?

215 JF: Mmm, really I don't know because I didn't know anything was really gonna
216 happen. I didn't really think Joey would find him. I mean, I didn't know all that was gonna
217 happen.

TS: I know. I know. It's the truth?

219 JF: Yes.

220 TS: And before you denied to me that you were in with Joey Watkins when that
221 shooting took place, but now the truth is that you were with him, right?

222 BS: Speak up.

223 JF: Yes.

224 TS: And your name is Joshua Brian.

225 JF: Brian.

226 TS: Who calls you Brian outta that bunch?

227 JF: Nobody. (Inaudible) everybody calls me Josh.

228 TS: Ok.

JF: Or Joshua.

230 TS: After the, after that day, the white truck Joey was in, what happened to that truck?

231 JF: I have no idea.

232 TS: Do you ever see him drivin' it again?

233 JF: Nope.

234 TS: Was there any damage to that truck?

235 JF: No.

236 TS: Did ya'll ever hit the car (Inaudible),

237 JF: No.

238 TS: Or truck of Isaac?

239 JF: No.

TS: (Inaudible), why did you tell these two girls about your involvement in it?

241 JF: Drunk.

242 TS: But did you tell them the truth?

243 JF: Yeah.

244 TS: Has Joey ever contacted you again to see how things were goin'?

245 JF: Nope.

246 TS: Have you ever talked with Joey since?

247 JF: Nope.

248 TS: Even when the police started comin' around?

249 JF: Yeah, cause he came down to my house hidin'.

250 TS: And what did he say?

JF: He said that the police were comin' to talk to him, that he didn't wanna be at

252 home. And then his dad called down, told him to get his ass home cause he was gonna talk to

253 'em.

254 TS: Did he ever tell you what to do or say if they came to you?

255 JF: Just same thing, that we were on our way back from Cedartown.

256 TS: That day he ran to your house to hide, did he tell you anything that day?

257 JF: No. Just told me that, cause there were people, there's always people at my

258 house. He just kept sayin' that he couldn't, he couldn't talk about it because the cops were on

259 their way to talk to him about it. And that he didn't wanna be at home so he came down there.

260 Then his father called down there.

261 TS: So you have known since day one that Joey killed Isaac Dawkins.

262 JF: Yeah.

263 TS: Did Joey Watkins kill Isaac Dawkins?

264 JF: Yes.

265 TS: Did you want to see Isaac Dawkins killed?

266 JF: Hell no.

267 TS: Was you there when Isaac Dawkins was killed?

268 JF: Yes.

269 TS: End of statement Josh Flemister, approximately 7:25pm.

270 {TAPE OFF}

271 {TAPE ON}

272 TS: The second statement with Josh Flemister taken (Inaudible) in Virginia (Inaudible)
Economy Inn Mote, approximately twenty-five minutes 'til eight. Josh, we, after we talked with
274 you (Inaudible), started discussin' some other things that I may've left off this tape. Uh, you said
275 with you was Mark Free.

276 JF: (Inaudible).

277 TS: And you said Mark was (Inaudible) other window?

278 JF: (Inaudible).

279 TS: You were in the middle.

280 JF: (Inaudible).

281 TS: Did you fire a gun from the middle of that car?

282 JF: (Inaudible).

283 TS: Did Mark Free have a gun?

284 JF: (Inaudible).

285 TS: And what kinda gun was it?

286 JF: Nine millimeter.

287 TS: How do you know it was a nine?

288 JF: (Inaudible).

289 TS: (Inaudible) assume it was a nine.

290 JF: (Inaudible).

291 TS: Describe it (Inaudible).

292 JF: (Inaudible).

293 TS: Yeah. Describe that gun for me.

294 JF: (Inaudible) black (Inaudible).

TS: Uh, did it have a cylinder (Inaudible),

296 JF: (Inaudible).

297 TS: (Inaudible) if you saw one like it, would you know what it was?

298 JF: (Inaudible).

299 TS: (Inaudible) similar to it?

300 JF: (Inaudible).

301 TS: Ok. I'm gon show you this (Inaudible). This is a nine millimeter, but it's a

302 different, it's not the black one. Was it built about like that gun?

303 JF: Kinda like the glock.

304 TS: Yeah.

305 JF: (Inaudible).

TS: (Inaudible) you know a glock when you see one.

307 JF: (Inaudible).

308 TS: (Inaudible) been a glock he had?

309 JF: (Inaudible), I've never been into guns.

310 TS: But it was built like this one, but not with a cylinder (Inaudible) is that correct?

311 JF: (Inaudible).

312 TS: (Inaudible) black (Inaudible).

313 JF: (Inaudible).

314 TS: But you said glock, do you know why you said glock?

315 JF: (Inaudible).

316 TS: Ok. Had you ever seen this gun before?

JF: No.

318 TS: When Mark Free was firin' this nine millimeter or this gun that you're not sure

319 what it was, but think it was a nine, was he hangin' out the window?

320 JF: (Inaudible).

321 TS: And was he shootin' toward the truck?

322 JF: (Inaudible), I just heard the shots.

323 TS: But you know Mark Free did fire some shots.

324 JF: Yeah.

325 TS: Ok. And when you went by (Inaudible) did you ever get, look at my hand, was

326 Isaac Dawkins ever (Inaudible) bank side and you on the outside of him comin' down that road?

327 JF: Yeah.

TS: Is that when Mark was doin' the shooting?

329 JF: (Inaudible).

330 TS: (Inaudible).

331 JF: (Inaudible).

332 TS: Alright. So when, so when Isaac Dawkins, you said the car started goin' to the
333 right, is that when ya'll sped up and went on by?

334 JF: Yeah.

335 TS: Did you look back?

336 JF: No.

337 TS: And how fast you think Joey was drivin' (Inaudible)? (Inaudible) speedin' or,
338 JF: (Inaudible).

TS: Slow?

340 JF: (Inaudible).

341 TS: Ok. Now, later on, later on we received a call that you was in possession, or had
342 taped a tape or uh, Paul admitting to this murder and this came through Joey's attorney from
343 Joey, did you ever tape Paul?

344 JF: No.

345 TS: Did they tell you they had said that you had taped him?

346 JF: No.

347 TS: And to your knowledge was there ever a tape or Paul admitting to you he killed
348 Isaac Dawkins?

349 JF: No.

TS: Why would your friends do that to you, Josh?

351 JF: (Inaudible).

352 TS: When they took you home, you said you went back down the four lane, turned
353 right toward Atlanta?

354 JF: (Inaudible), goin' towards Cartersville (Inaudible).

355 TS: Yeah, ok. And then when you got down the connector, you made a left past
356 (Inaudible) soccer fields, is that what you said?

357 JF: (Inaudible) right (Inaudible),

358 TS: Back toward where your grandmother lives.

359 JF: (Inaudible).

360 TS: Your grandmother lives back behind the soccer fields.
JF: (Inaudible).

362 TS: Ok. Is that where they let you out or did they take you on home?

363 JF: (Inaudible).

364 TS: So they went all the way around (Inaudible) go down the Kingston Road and went
365 all the way around that way.

366 JF: (Inaudible).

367 TS: (Inaudible). Why did they do that?

368 JF: (Inaudible).

369 TS: Stay on the back roads?

370 JF: (Inaudible).

371 TS: Did Joey ever tell you that he'd come back, went back by that scene that night?

372 JF: (Inaudible).
373 TS: So, Paul (Inaudible), Paul Allen, there was never a tape made by you, of Paul Allen
374 JF: (Inaudible).
375 TS: (Inaudible) Paul Allen (Inaudible).
376 JF: (Inaudible).
377 TS: (Inaudible). Alright. That day, tell me how the three of you got together
378 {INCOMPLETE - INAUDIBLE}

379 Tape received from Assistant Chief Bill Shiflett 11/13/2000

380 Typed 11/13/2000 aeb

Joey came to your house? Grandmother's house across the street?
Go downstairs and meet him?
And when you left there, where did you go?
When you left joey's where did you go?
Where was Mark Free?
When Mark got in the car, did Mark know that you were going to look for Isaac? Did anybody mention it? Nobody ever mentioned it?
Did you --- going to Joey's [other] girlfriend, down in Cedartown? Is that where you thought you were going?

When you first saw Isaac, what was he doing?
what -- how did he?
Did you yourself ever lay hand on either one of those guns?
All right. Does anybody else have knowledge of this shooting? [-- Mark Free --]Anybody else you know of?
--
Where did you first saw Isaac's truck?
Right before you...
Did you pull off the road?
You were going towards Cedartown?
Towards Cedartown or -
So it was possibly --
The store there -
That's probably where you guys saw Isaac.
You didn't know why you were --
Did he tell you that? At the store?

Both his headlights working?
It was dark by then.
How did you -- wasn't any light?

--
Let me stop the tape at 15 minutes before 8.

Statement of: Josh Flemister (JF)

Re: Isaac Dawkins homicide

1 Officer: Capt. Tommy Shiflett (TS)/Assistant Chief Bill Shiflett (BS)/Sgt. Stanley Sutton (SS)

2 TS: Testing, 1, 2, 3, 4, 5. 1, 2, 3, 4, 5, Test. Josh, we had a technical problem with
3 the first, second part of the first tape and I just wanna quickly go over what was said in that just
4 to back up in case the dictaphone can't pick it up. We talked about uh, how you got together that
5 day. Uh, Joey came to your house and picked you up. Is that correct?

6 JF: Yeah.

7 TS: And what was he drivin'?

8 JF: White truck.

TS: And then from there ya'll went where?

10 JF: To pick up Mark.

11 TS: And where did you pick him up?

12 JF: Swan Lake.

13 TS: And from there, where did you go?

14 JF: Just ridin' around.

15 TS: And where did you end up?

16 JF: By Floyd College.

17 TS: And was (Inaudible), you have to talk up, was you stopped at any time by Floyd
18 College?

19 JF: At the store beside the Hardee's.

TS: Across from Floyd, (Inaudible),
21 JF: Diagonal.
22 TS: Ok. Is this where Joey first saw Isaac?
23 JF: Umm, I guess, yeah.
24 TS: (Inaudible) well, all you know is he got in the truck and turned around,
25 JF: Yeah.
26 TS: And went back toward Rome.
27 JF: (Inaudible).
28 TS: Then you realized you's behind Isaac.
29 JF: (Inaudible).
30 TS: And where did you say Joey started shooting?
JF: Little bit past that store.
32 TS: Ok. And Mark Free also had a gun and I showed you my gun which is a nine
33 millimeter and you said it's similar to that, right?
34 JF: Yeah.
35 TS: And did you say anything about a glock?
36 JF: Yeah. I mean,
37 TS: The gun looks,
38 JF: I know the glock's a little bit bigger'n that, I think.
39 TS: But it looks similar to that.
40 JF: Yeah.
41 TS: Ok. And we talked about the, after the shooting Joey sped up and how you went

home. How did you do that?

43 JF: Back roads, (Inaudible), connector to the soccer fields, soccer fields, or, we turned

44 beside the soccer fields and took back roads all the way around.

45 TS: And Joey let you out.

46 JF: At the house.

47 TS: Did he tell you what to (Inaudible), what his, what to say after that?

48 JF: Yeah, as we were pullin' in the neighborhood.

49 TS: What did he say?

50 JF: To say at first that we were on our way back from Atlanta comin' from a club then

51 second that we were on our way back from Cedartown.

52 TS: And he told you and Mark both this?

JF: Yeah. (Inaudible),

54 TS: Ok. And then (Inaudible) let you out at your house.

55 JF: Yes.

56 TS: And when did ya'll get together that day, about what time?

57 JF: Mmm, around dinner time.

58 TS: (Inaudible).

59 JF: Little before, well, dinner time to me is like 4:30, five.

60 TS: 4:30 or five o'clock.

61 JF: (Inaudible) my grandmother's.

62 TS: (Inaudible) some people call that supper.

63 JF: Yeah.

TS: Ok. (Inaudible), uh, what else was it I needed to go through on the other tape?

65 TS: (Inaudible) on uh, one of the two tapes, we did decide you were definitely in the
66 truck sitting in the middle. Mark Free was on the right (Inaudible) passenger side, Joey was
67 drivin', you're in Joey's white truck, Joey fired a couple a times with what you thought was a
68 twenty-two and Mark Free fired how many times?

69 JF: Couple a times.

70 TS: Couple a times with what you described maybe as a nine millimeter, is that
71 correct?

72 JF: Yeah. (Inaudible),

73 TS: Do you know,

74 JF: (Inaudible).

TS: What became of either of these guns?

76 JF: No.

77 TS: Did you ever touch or see (Inaudible) these guns after that?

78 SS: Tell me again who was drivin' this truck.

79 JF: Joey.

80 SS: Joey who?

81 JF: Watkins.

82 SS: And who was in the middle?

83 JF: Me.

84 SS: What's your name?

85 JF: Josh.

SS: Last name?

87 JF: Flemister.

88 SS: Who was on the passenger side?

89 JF: Mark Free.

90 SS: How long have you known Mark Free?

91 JF: A year.

92 SS: A year?

93 JF: About a year.

94 TS: (Inaudible).

95 SS: Did, did you ever see Isaac lose control of his vehicle?

96 JF: When it started mergin' off the road.

SS: And then what did ya'll do from there?

98 JF: Rode by 'em, sped by 'em.

99 SS: And kept, what stopped or kept goin'?

100 JF: (Inaudible) kept goin'.

101 TS: (Inaudible).

102 SS: Is this the truth?

103 JF: Yes.

104 SS: You're not lyin'?

105 JF: No.

106 SS: You're not makin' any of this up?

107 JF: No.

109 SS: This, (Inaudible) put your hands on the Bible and swear under oath that this is the truth?

110 JF: Yeah.

111 TS: And you're not doin' this under any kind of duress.

112 JF: No.

113 TS: We've been kind and cordial to you, is that correct?

114 JF: Yes.

115 TS: Ok. Has myself or anybody else in this room at any time ever threatened you in
116 any way, bodily harm or anything?

117 JF: No.

118 TS: (Inaudible) you wouldn't stand for it anyway would you?

9 JF: No.

120 TS: (Inaudible). End of statement, Josh Flemister, approximately eight o'clock.

121 Tape received from Assistant Chief Bill Shiflett 11/13/2000

122 Typed 11/3/2000 aeb