

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE DISTRICT OF COLORADO
 3 Criminal Action No. 96-CR-68
 4 UNITED STATES OF AMERICA,
 5 Plaintiff,
 6 vs.
 7 TERRY LYNN NICHOLS,
 8 Defendant.

ff

9
 10 REPORTER'S TRANSCRIPT
 (Trial to Jury: Volume 79)

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 ff

12 Proceedings before the HONORABLE RICHARD P.
 MATSCH,
 13 Judge, United States District Court for the District of
 14 Colorado, commencing at 8:45 a.m., on the 18th day of
 November,
 15 1997, in Courtroom C-204, United States Courthouse,
 Denver,
 16 Colorado.

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23
24
Transcription
Street,
629-9285

Proceeding Recorded by Mechanical Stenography,
Produced via Computer by Paul Zuckerman, 1929 Stout
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1 APPEARANCES
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4 City, Oklahoma, 73102, appearing for the plaintiff.
5 LARRY MACKEY, BETH WILKINSON, GEOFFREY MEARNES,
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6 ORENSTEIN, and AITAN GOELMAN, Special Attorneys to the
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7 Attorney General, 1961 Stout Street, Suite 1200,
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8 Colorado, 80294, appearing for the plaintiff.
9 MICHAEL TIGAR, RONALD WOODS, ADAM THURSCHELL,
REID
10 NEUREITER, and JANE TIGAR, Attorneys at Law, 1120
Lincoln
11 Street, Suite 1308, Denver, Colorado, 80203, appearing
for

12 Defendant Nichols.

13 * * * * *

14 PROCEEDINGS

15 (In open court at 8:45 a.m.)

16 THE COURT: Please be seated.

17 Mr. Tigar.

18 (At the bench:)

19 (Bench Conference 79B1 is not herein transcribed by
court

20 order. It is transcribed as a separate sealed
transcript.)

21

22

23

24

25

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1 (In open court:)

2 (Jury in at 9:49 a.m.)

3 THE COURT: Members of the jury, good morning.
Again,

4 we apologize for the slight delay. We had another one
of these

5 little conferences here to save time.

6 Please resume the stand under your oath, Ms.

Anderson.

7 (Karen Anderson was recalled to the stand.)

8 THE COURT: The jury will recall that we're
hearing
9 testimony from Ms. Anderson on cross-examination.

10 Mr. Tigar, you may continue.

11 MR. TIGAR: At this time we offer Defendant's
D1166,
12 your Honor.

13 THE COURT: All right.

14 MS. WILKINSON: No, objection, your Honor.

15 THE COURT: All right. D1166 was it?

16 MR. TIGAR: Yes, your Honor.

17 THE COURT: Received.

18 CROSS-EXAMINATION CONTINUED

19 BY MR. TIGAR:

20 Q. Ms. Anderson, yesterday you and I were talking
about

21 Government's Exhibit 2103, which I'm placing up on the
display

22 device now. And we read out Ruger Mini-30, 18957425;
do you

23 see that?

24 A. Yes.

25 Q. I'm going to hand you what's been -- well, let me
put it on

1 the display. This is what's been marked or received
now as
2 Government's Exhibit 1166. You can see the letterhead,
3 Department of the Treasury, Bureau of Alcohol, Tobacco,
and
4 Firearms?

5 A. Yes.

6 Q. And have you ever seen a document like this before,
a
7 printout off a firearms trace?

8 A. No.

9 Q. Weren't you shown a printout of a firearms trace on
a
10 document yesterday from the ATF? You remember being
shown that
11 in your direct examination with respect to one of the
firearms,
12 with the red ribbon on it?

13 A. No, I don't.

14 Q. Let me turn to page 3 of this document, the
firearms
15 transaction record, Part 1, over the counter. Have you
seen
16 one of those before?

17 A. Yes.

18 Q. And do you see the transferee's name here?

19 A. Yes, I do.

20 Q. And that would be the person purchasing the

firearm?

21 A. Yes.

22 Q. And that name is "Nichols, Terry L."; is that
correct?

23 A. Yes. Yes.

24 Q. "3616 North Van Dyke Road," correct?

25 A. Yes.

9150

Karen Anderson - Cross

1 Q. And the date on this is "19 November, 1993"; is
that

2 correct?

3 A. Yes.

4 Q. And can you read the serial number of -- can you
read the

5 description of the firearm? What does it say, "rifle"?

6 A. It looks like it says, "Rifle, M-30."

7 Q. Uh-huh. And can you read the serial number?

8 A. Looks like -- I don't know if that's a 185 or a
183.

9 Q. Let's look at the top page here. On page 1 can you
read

10 where it says serial number?

11 A. 18957425.

12 Q. And what is the model of that firearm on this page
1?

13 A. It says, "Mini-30."

14 Q. And what was the manufacturer?

15 A. Ruger.

16 Q. And the caliber, 7.62; correct?

17 A. Correct.

18 Q. And then it says, "11-10-93, weapon purchased" --
excuse

19 me. Go out a little ways here. Does it say, "Weapon
purchased

20 by the following dealer"? Do you see that information?

21 A. Yes.

22 Q. And then it has the federal firearms license
number, and it

23 says Randy's Hunting and Sport in Bad Axe, Michigan; do
you see

24 that?

25 A. Yes.

9151

Karen Anderson - Cross

1 Q. And the date is 11-10-93?

2 A. Correct.

3 Q. And then do you see further down, it says
"11-19-93"?

4 A. Correct.

5 Q. "Weapon purchased by the following individual," do
you see

6 that?

7 A. Yes.

8 Q. And it says, "Terry Lynn Nichols"?

9 A. Yes.

10 Q. Correct?

11 A. Yes.

12 Q. And provides address and so on; correct?

13 A. Correct.

14 Q. Isn't it a fact, Ms. Anderson, that this record in
which

15 you've written -- this record here has the same serial
number

16 as on the record I've just showed you; correct?

17 A. It looks that way.

18 Q. Isn't it a fact that this list that you prepared is
a

19 fraud?

20 A. No, it is not.

21 Q. Now, we were talking at the break yesterday about a
letter

22 that Mr. Miller had received from Mr. McVeigh; do you
recall

23 that?

24 A. Correct.

25 Q. That letter was addressed to Bob Miller?

1 A. I believe so.

2 Q. Well, it's --

3 A. Yes.

4 Q. It's Government's 1746. There's the address. Did
you open
5 the letter?

6 A. Yes.

7 Q. Did you retrieve it from the post office box?

8 A. Yes.

9 Q. Do you and Mr. Moore have an arrangement about who
is going
10 to open mail addressed to the other person?

11 A. When he's not at the ranch, I'm allowed to open his
mail.

12 Q. And he was not at the ranch at this time?

13 A. Correct.

14 Q. He was in Florida?

15 A. Yes.

16 Q. And is that part of your business relationship, or
your
17 personal relationship, or both?

18 A. Both.

19 Q. Now, in this letter, Mr. McVeigh describes an
automobile
20 accident he had; correct?

21 A. Correct.

22 Q. And he talks about having been run off the road;
correct?

think 23 MS. WILKINSON: Objection, your Honor. I
itself. 24 yesterday we talked about the letter speaking for

25 THE COURT: Yes, sustained.

9153

Karen Anderson - Cross

1 BY MR. TIGAR:

on 2 Q. He says, "I'll tell you my story first, then focus
I'm doing 3 yours. I thought I was being too paranoid to think the
yours. 4 government" -- could you follow along here and see if
fast (left) 5 this right -- "was involved with mine -- until I read
a few 6 Approx. 2 weeks ago, I was driving down I-90 in the
mine. 7 lane -- doing about 68 (in a 55). I was passing quite
style 8 cars in the right lane, but there weren't too many in
9 Except, for a dark-colored Diplomat- or Crown-Victoria-
10 car . . ."

there's an 11 Now, from the copy I have, it appears that

12 arrow towards the word "colored" there. You see that?

13 A. Yes.

14 Q. Was that -- was that an arrow?

15 A. If that's what's on the letter, it might be. I
have no
16 idea.
17 Q. You don't remember whether it was there or not;
right?
18 A. You're talking about a letter that came several
years ago,
19 and I'm supposed to remember an arrow?
20 Q. My question was: Do you remember whether the arrow
was
21 there or not.
22 A. No, I do not.
23 Q. Thank you. ". . . Crown Victoria-style car about
20 car
24 lengths behind me. I would glance in the mirror once
in a
25 while, and he was keeping the same gap between us. The
reason

9154

Karen Anderson - Cross

1 that I noticed it was that type of car was because I
thought I
2 better back off the gas a bit, as cop (unmarked) cars
look like
3 that. He didn't get any closer, so I figured he
wouldn't pull
4 me over. This went on for about 10 minutes, and I
began to
5 glance in my rearview less and less, not worrying about

him any

6 more.

7 "Next thing you know, I'm spinning through the
8 median -- slammed in the rear at 68 mph! I didn't know
at the
9 time, but the back of the little Spectrum was so badly
mangled,
10 both rear tires were twisted and seized in metal --
locked up.
11 I ended up in oncoming traffic, W/my driver's door
facing
12 oncoming traffic."

13 MS. WILKINSON: Your Honor --

14 BY MR. TIGAR:

15 Q. And then he goes on; correct?

16 A. Correct.

17 Q. Now, at the bottom of the page marked -- did he
write on
18 both sides of the paper; do you remember that?

19 A. Yes.

20 Q. At the bottom of page 2, he says, "My situation
more easily

21 reflects direct intimidation, but don't be fooled. It
won't
22 deter me"; correct?

23 A. Yes.

24 Q. Now, at the time you read this, did it remind you
of

25 conversations that you had with Mr. McVeigh?

Karen Anderson – Cross

1 A. Not particularly.

2 Q. Did you know what he meant by "it won't deter me"?

3 A. No. My assumption would be it wouldn't deter him
from

4 going on down the road and going wherever he was going.

5 Q. Now, he says, "Now let's examine yours"; correct?

6 A. Correct.

7 Q. Now, at the bottom of this page he says, "ATF had
address?

8 from FFL"; right?

9 A. Yes.

10 Q. Now, had you had any conversation with Mr. McVeigh
about

11 the ATF and the situation that you described for us
yesterday?

12 A. Are you talking about the robbery?

13 Q. I'm talking about the situation you told us about
yesterday

14 in which the guns went missing, yes.

15 A. With ATF, when they came to the gate and asked if
-- on my

16 shotgun, was the only time I've spoken with ATF.

17 Q. Okay. And have you had any correspondence with Mr.
McVeigh

18 about any ATF involvement in that?

19 A. Not to my knowledge.
20 Q. Now, he then says, "You said, 'Cops no help.'"
Were you
21 present at any conversation in which Mr. Moore/Miller
said to
22 Mr. McVeigh -- said, "Cops no help" or words to that
effect?
23 A. In our letter that we first had wrote to McVeigh
about the
24 robbery.
25 Q. And that was a letter written by whom?

9156

Karen Anderson - Cross

1 A. Mr. Moore.
2 Q. Now, then Mr. McVeigh, after he goes on, says, "But
for
3 yours, there must be something to lead us in the right
4 direction. I'll think hard on it, and try to have my
mail sent
5 every week (from AZ)"; right?
6 A. Yes.
7 Q. "So you can update me."
8 A. Yes.
9 Q. Now, the only address you ever had for Mr. McVeigh
was
10 Kingman, Arizona; correct?
11 A. Correct.

12 Q. And in fact, he never mentioned the names of any
friends or

13 associates of his, did he?

14 A. No.

15 Q. When he was at the Tulsa gun show with you, did he
manage

16 to sell some things from his card table?

17 A. Yes.

18 Q. Did he have camouflage pants for sale?

19 A. No.

20 Q. Do you recall him at the Tulsa gun show meeting a
gentleman

21 and speaking to him -- meeting a gentleman, speaking to
him?

22 Did he meet and speak with people there?

23 A. Yes.

24 Q. Did you recall him meeting and speaking to a
gentleman

25 named Andreas Strassmeier?

9157

Karen Anderson - Cross

1 A. No.

2 Q. Do you remember him speaking to a gentleman who had
a

3 German accent?

4 A. No.

5 Q. And continuing on the letter, he says, "Careful and

watch

6 your back"; correct?

7 A. Correct.

8 Q. Had you heard him use that expression before?

9 A. Yes.

10 Q. Now, you told us yesterday about some ammunition
that had

11 come from a man named -- did you say Strommen?

12 A. Yes.

13 Q. Now, when had the ammunition that you were
describing

14 yesterday arrived at yours and Mr. Miller/Moore's home
in

15 Arkansas?

16 A. Sometime in October.

17 Q. Now, had you taken any of that ammunition to the
Shreveport

18 gun show?

19 A. Not from that shipment.

20 Q. Do you remember how long in advance of the
Shreveport gun

21 show you had made your reservation to go there?

22 A. No, I do not.

23 MR. TIGAR: May I approach, your Honor?

24 THE COURT: Yes.

25 BY MR. TIGAR:

Karen Anderson – Cross

1 Q. I'm going to show you what I've marked as
Defendant's
2 Exhibit D46, and I ask you if that is a letter that you
wrote
3 to make a reservation for that gun show.

4 A. Correct.

5 MR. TIGAR: I offer it, your Honor.

6 MS. WILKINSON: Your Honor, may I just take a
look at
7 it?

8 THE COURT: You may, since you have it there.

9 MS. WILKINSON: We have no objection.

10 MR. TIGAR: Would you like to keep that one?

11 MS. WILKINSON: No, I have a copy. I just --

12 MR. TIGAR: Okay.

13 THE COURT: D46 is received.

14 BY MR. TIGAR:

15 Q. Placing this up here, this does not contain any
date on
16 which it is sent; correct?

17 A. No.

18 Q. But it does reserve table -- two tables at
Shreveport, \$70

19 cash, in the name of Karen Anderson; correct?

20 A. Correct.

21 Q. Is that your handwriting?

- 22 A. Yes.
- 23 Q. What does this last line say, "Thanks"?
- 24 A. "Thanks, Helen."
- 25 Q. Helen is the person who runs the show?

9159

Karen Anderson – Cross

- 1 A. Yes.
- 2 Q. Does that refresh your recollection as to when it
was that
- 3 you sent in your reservation for the table?
- 4 A. No, it does not.
- 5 Q. And it says, "\$70 cash." You didn't use a check to
reserve
- 6 that, did you?
- 7 A. Yes, I did.
- 8 Q. Oh. Well, let me ask you: There is -- does
American
- 9 Assault Company have a checking account?
- 10 A. American Assault does not have a checking account.
- 11 Q. You drew it on your personal account?
- 12 A. It's one and the same.
- 13 Q. I see. And does Mr. Moore/Miller have a signature
14 authority over that account as well?
- 15 A. No.
- 16 Q. Does Mr. Moore/Miller write checks for the American

17 Assault's business?

18 A. He has a -- his own personal checking account.

19 Q. Well, I'd like to show you now what I've marked as
20 Defendant's Exhibit D1201. Is that a -- an invoice
from your

21 records received from Mr. Strommen?

22 A. That is a copy of his invoice that he made.

23 Q. And did he make it at your request?

24 A. Yes.

25 MR. TIGAR: I offer it, your Honor. D1201.

9160

Karen Anderson – Cross

Honor. 1 MS. WILKINSON: We have no objection, your

2 THE COURT: D1201 received.

3 BY MR. TIGAR:

4 Q. Placing this up here. This says, "Copy of
invoice." Now,

5 under -- did you ask Mr. Strommen to make a copy of the
6 invoice?

7 A. Yes; because when the boxes were stolen, the
invoice was

8 also in there, and it was stolen.

9 Q. And the invoice says, "Sold to Bob Miller"; is that
10 correct?

11 A. Yes. Yes.

12 Q. Did Mr. Strommen deal with your American Assault
Company in
13 the name "Bob Miller" all the time, or was it just for
this
14 invoice?
15 A. No. To the best of my knowledge, they've always
been
16 addressed Bob Miller.
17 Q. Now, do you regard the -- yourself as a joint owner
of the
18 ammunition with Mr. Miller?
19 A. We're partners.
20 Q. All right. The American Assault Company -- when
did it
21 acquire the name The Candy Store?
22 A. The first time it ever required (sic) it I was in
Tyler,
23 Texas, and there was a gentleman at the table looking
at it,
24 standing there with his hands in his pocket; and he's
looking
25 back and forth at the table, and he's sort of hopping
up and

9161

Karen Anderson - Cross

Candy
1 down. And he said, "Holy, cow, this looks like The
2 Store."

candy 3 Q. And when the gentleman said, "This looks like a
4 store," what was it that you had on display there?
5 A. I had -- my tracers are usually listed with orange
labels,
6 the incendiaries have blue labels, the star bursts have
green
7 packages, so that way, when somebody is picking
something up, I
8 know what they're handling so if they ask me a
question, I
9 don't have to put my glasses on and read what it is.
10 Q. And at that show, did you also have books for sale?
11 A. Yes.
12 Q. Did you have those flamethrower-type rounds?
13 A. Yes.
14 Q. Now, those are things that you put in a shotgun and
you
15 pull the trigger and your flame shoots out how far?
16 A. It can go anywhere from a hundred to 250 yards.
17 Q. So that's from one to two-and-a-half times the
length of a
18 football field; correct?
19 A. Oh, not quite that. I'm sorry. Then, it's
probably just
20 about half the length or three-quarters the length of a
21 football field.
22 Q. A football field we would agree is a hundred yards
long?

23 A. I guess.

24 Q. Okay. And 50 yards about half of that.

25 You mentioned in your direct examination that
you also

9162

Karen Anderson – Cross

1 from time to time sold pornographic tapes; is that
right?

2 A. Yes.

3 Q. Were those on sale at Tyler at the time the
gentleman made

4 that remark?

5 A. No.

6 Q. And during what period of time did American Assault
7 Company, The Candy Store, sell pornographic tapes?

8 A. Let me not say American Assault sold pornographic
tapes.

9 They were mine, and I sold them.

10 Q. You told them at gun shows?

11 A. Not at all gun shows.

12 Q. At some gun shows?

13 A. At some.

14 Q. All right. During what period of time was that?

15 A. I have some still left. Maybe 20.

16 Q. And you said on direct examination that Mr. Moore/
Miller

17 did not do that; correct?

18 A. No, he did not.

19 Q. Are you aware of an incident in which he offered
ten of

20 such tapes to a federal agent in 1988?

21 A. He might have done it for me.

22 Q. Now, in this business that you have, American
Assault

23 Company, Candy Store, do you do most of your business
in cash?

24 A. That and money orders.

25 Q. What percentage of your business is done through
the mail

9163

Karen Anderson - Cross

1 these days -- or in 1994, what percentage of your
business was

2 done through the mails?

3 A. Probably 20.

4 Q. And 80 percent done at gun shows?

5 A. Yes.

6 Q. And what percentage of your business is done in
cash -- was

7 done in cash in 1994?

8 A. You just stated 80 percent.

9 Q. All right. And do you keep copies of the orders
that you

10 receive during the calendar year?

11 A. During the calendar year, yes.

12 Q. And then what did you do with them at the end of
the
13 calendar year?

14 A. They are taken and he adds everything up and does
the
15 income tax part on them, and then I keep them probably
for the
16 two, couple, three months, and then I just destroy
them.

17 Q. Do you remember telling the Federal Bureau of
Investigation
18 on May 19, 1995, that you throw them away at the end of
each
19 year?

20 A. Yes.

21 Q. Are you testifying now that Mr. Miller/Moore keeps
the
22 journal --

23 MS. WILKINSON: Your Honor --

24 BY MR. TIGAR:

25 Q. -- of customers and what they order?

9164

Karen Anderson - Cross

1 MS. WILKINSON: Your Honor, I'm going to
object to

2 calling him Mr. Miller/Moore. We don't call Mr.

Nichols

3 Mr. Nichols/Havens.

4 THE COURT: Objection sustained.

5 MR. TIGAR: All right.

6 BY MR. TIGAR:

7 Q. Mr. Moore -- well, in what name does Mr. Moore
operate the

8 assault business?

9 A. Mr. Miller.

10 Q. At the end of the year -- well, let me ask you
about that.

11 Does -- has he used this name "Bob Miller" for a long
time?

12 A. To the best of my knowledge, yes.

13 Q. Isn't it a fact that many people at gun shows use
different

14 names other than their birth names?

15 A. Yes.

16 Q. And the reason they do that is that they are afraid
of

17 being robbed; correct?

18 A. Correct.

19 Q. And they also may do it because they just enjoy the
20 privacy; correct?

21 A. Possible.

22 Q. I mean, from time to time Mr. -- Mr. Moore will use
the

23 name "Mr. Miller," sometimes even when he's not afraid
that

24 anybody's going to rob him; right?

25 A. I haven't seen him do it that often, no.

9165

Karen Anderson - Cross

1 Q. Okay. But he's done it; correct?

2 A. Correct.

3 Q. And there's nothing wrong with it, is there?

4 A. Not to my knowledge.

"good

5 Q. And there's not even anything wrong with him saying

correct?

6 afternoon" if somebody addresses him as Mr. Anderson;

7 A. I've never heard anybody physically address him

8 Mr. Anderson.

okay,

9 Q. Okay. But if somebody would do that, that would be

10 wouldn't it?

11 A. If you think so, yes.

it's okay

12 Q. Okay. Well, that's the point, that it's okay --

their own;

13 in this business for people to use names other than

14 correct?

15 A. Correct.

company The

16 Q. And when somebody in Tyler, Texas, named your

17 Candy Store, you kind of liked that, didn't you?
18 A. Yes.
19 Q. And so you took that name over and decided to use
it;
20 correct?
21 A. Correct.
22 Q. Now, do you maintain a journal listing customers
and what
23 they order?
24 A. I don't maintain a journal. When they send in a
order, I
25 attach that with the UPS slip.

9166

Karen Anderson – Cross

1 Q. Did you tell the FBI that you maintain a journal
listing
2 customers and what they order?
3 A. I did not maintain a journal. I do not consider a
sheet of
4 paper where they send in their order a journal.
5 Q. My question was: Do you remember telling the FBI
that you
6 maintain a journal?
7 A. I maintain a journal at -- from the gun shows.
8 THE COURT: Please, please, the question.
9 THE WITNESS: I maintain a journal from the
gun shows.

10 THE COURT: No, the question is what you told
the FBI.

11 THE WITNESS: I have no idea. I know what I
maintain.

12 BY MR. TIGAR:

13 Q. So the answer is, no, you don't remember telling
them that?

14 A. Correct.

15 Q. You remember the FBI asking you about whether you
had any

16 records of your transactions with Mr. Colbern?

17 A. Yes.

18 Q. And did you have any such records?

19 A. None.

20 Q. Didn't you tell the FBI that you didn't keep any
records of

21 your transactions with Mr. Colbern?

22 A. It was way past the time that I normally hang on to
them.

23 Q. Now, when did the FBI -- the FBI asked you for your
records

24 in connection with Mr. Colbern on May 11, 1995;
correct?

25 A. Correct.

9167

Karen Anderson - Cross

1 Q. When had your transaction with Mr. Colbern been?

2 A. Part of them, I think the first order was sometime

in '92.

3 Q. And when was the last order?

4 A. I'm just assuming because I'm not sure, but
probably in

5 '93.

6 Q. Wasn't it 1994?

7 A. I really could not tell you.

8 Q. And the reason you couldn't tell me is that you
didn't keep

9 the records; correct?

10 A. Correct.

11 Q. Now, you mentioned yesterday that you like to carry
large

12 quantities of cash; right?

13 A. Correct.

14 Q. Is that cash that is generated from the operations
of the

15 American Assault Company?

16 A. Some. Not all.

17 Q. And do you have other business ventures in which
the cash

18 is generated?

19 A. Mr. Moore does.

20 Q. Now, in your business relationship with Mr. Moore
-- you

21 say that he is responsible for filling out the tax
returns?

22 A. Correct.

23 Q. And you say this business is a partnership. Does

it file a

24 partnership return?

25 A. No.

9168

Karen Anderson – Cross

1 Q. How do you account for what your share of the
business is?

2 A. I don't really. I just know that he takes care of
me.

3 Q. Do you reflect any of the profits from the business
on your

4 tax return?

5 A. No.

6 Q. And when you say he takes care of you, is -- you
have a

7 personal relationship with him; correct?

8 A. Correct.

9 Q. And that -- that is an intimate relationship;
correct?

10 A. Correct.

11 Q. Now, I'd like to place before you what has been
received in

12 evidence as Government's Exhibit 1738 and what has been

13 received in evidence as Government's Exhibit 1739.

14 I'd like Perhaps, let me do it with the machine here.

15 to place 1739 on the machine and then place 1738 in
front of

1738 16 you, if I may. 1738. 1738 that I'm showing you . . .
1738 17 that you have in front of you is the list that you did
on the 18 5th of November; correct?
19 A. Correct.
20 Q. And 1739 that we've put up here is the list that
you did on 21 the 13th of November; correct?
22 A. Correct.
23 Q. And looking down here, we have five Ruger rifles;
correct? 24 A. Correct.
25 Q. All 10/22?

9169

Karen Anderson – Cross

1 A. Correct.
2 Q. Now, those are the fairly routine sorts of rifles
one sees 3 at gun shows; correct?
4 A. Correct.
5 Q. And who owned those rifles on -- in November of
1994? 6 A. I considered them all Mr. Moore's.
7 Q. They did not belong to the Assault Company?
8 A. They're Mr. Moore's.

at 9 Q. Now, there are three Remington Nylons there listed
at gun 10 prices. These, too, are the sorts of things one finds
11 shows; correct?

12 A. Correct.

13 Q. And who did you consider was the owner of those?

one of 14 A. Mr. Moore probably owned two of them. I considered
back door 15 them mine. That was the one I left set (sic) at the
16 to shoot possums with.

17 Q. You have a possum problem out there?

18 A. Extremely.

19 Q. Trash cans, or just everything?

20 A. Just anything they can find to eat.

21 Q. Eggs, too; right?

22 A. No, they don't get my eggs. I beat them to that.

yours? 23 Q. So one -- which one of these did you consider

was mine. 24 A. I couldn't tell you which one. Just one of them

25 I mean I wasn't picky. They all looked about the same.

9170

Karen Anderson - Cross

Brownings 1 Q. Okay. Then we see -- the two Brownings or three

be 2 in a row there. Which one of those did you consider to

3 yours?

4 A. All of those were Mr. Moore's.

5 Q. All right. Now, No. 11 there, the Browning 22L.R.
you'd 6 Takedown, Japan manufacture, on the 5th of November,

7 listed that at \$250 and here at 275. What caused you
to 8 increase the amount?

9 A. Mainly because that's what they were bringing.
Like I

10 said, these guns were not for sale; so as far as what
they were

11 actually bringing, we had no idea until we started
looking

12 around at the shows and checking and asking people.

13 Q. All right. And between the 5th of November and the
13th of

14 November, what shows did you look around?

15 A. Called people.

16 Q. So you made telephone calls?

17 A. I made telephone calls.

18 Q. Now, the next rifle on here, the Mossberg -- whose
was

19 that?

20 A. Mr. Moore's.

21 Q. And the Remington?

22 A. Mr. Moore's.

23 Q. The Stevens?
24 A. Those were all stuff Mr. Moore had down in Ft.
Lauderdale
25 and brought up.

9171

Karen Anderson – Cross

1 Q. The Hopkins?
2 A. Same.
3 Q. The Hopkins. The next Hopkins, 16?
4 A. Same.
5 Q. The M-1 carbine?
6 A. All of these down through there are his.
7 Q. All right. So that would be No. 17 through what?
8 A. All of those all the way down through 20, 21, the
postal
up from
9 meter, carbines. This was all stuff that was brought
10 Ft. Lauderdale. The SKSs were clean, all of these.
11 Q. All of those were his?
12 A. Yes.
13 Q. All right. And he was the named insured on the
insurance
14 policy; correct?
15 A. Correct.
16 Q. Now, for the American Assault Company, the
ammunition that

17 we -- the receipt we saw earlier, that reflected about
\$925
18 worth of ammunition. Did you have insurance for the
American
19 Assault Company products that you were keeping in your
house?
20 A. No.
21 Q. We've already established you did not have gun
safes;
22 correct?
23 A. Correct.
24 Q. Now, if you take a look at No. 28, the Mini-14
stainless --
25 I can't read that. Does that say --

9172

Karen Anderson - Cross

1 A. That's my poor typing.
2 Q. Stainless Choate, should that be?
3 A. No, it's supposed to be a stainless folding stock.
I only
4 have sophomore typing in high school, so --
5 Q. Okay. Now, No. 28 on the list on the 5th, you have
that at
6 \$600. Now you increase it to 725. Do you remember why
you put
7 it up to 725?
8 A. Because the stainlesses were bringing a lot more
money than

9 what we realized.

10 Q. And you were looking that up in the catalogs?

11 A. Yes. And they have what they call a blue book.

12 Q. So that -- is it easy, then, to use blue books and
your
are
13 contacts in the industry to find out exactly what guns
14 worth?

15 A. Correct.

16 Q. So that at any given time with a, what, few hours'
work,
17 you could discover the market value of this collection
of guns;
18 right?

19 A. It would take quite some time. Approximate. It's
just
20 like any item: There is a blue-book price. It's like
a car
21 dealer. They have the car dealer price, and then you
have your
22 street price.

23 Q. Do you remember being interviewed by the FBI on the
28th of
24 April, 1995?

25 A. If that's the first time, yes.

9173

Karen Anderson - Cross

1 Q. Well, do you remember Agents Jessie and

Crutchfield?

2 A. Not a Crutchfield.

3 Q. In Hot Springs, Arkansas?

4 A. I don't remember a Crutchfield, no.

5 Q. Okay. You remember Agent Jessie?

6 A. Yes.

7 Q. Now, do you remember telling them that the robbers
took

8 approximately \$10,000 worth of property?

9 A. No, I do not.

10 Q. I'm going to show you a copy of the report of
interview. I

11 understand it's not your document.

12 That is D811. And ask you to look at page 3
and the

13 part I've highlighted, and I ask you if that refreshes

your

14 recollection that you told the agent on that date that

\$10,000

15 worth of property was taken?

16 A. I don't ever remember saying \$10,000.

17 Q. Now, then, I'm going to place up briefly the second
page of

18 what's been received as Government's 1739; and Item 41,

the

19 Winchester Model 43 pre-64 Cal-22; you see the price

\$1350;

20 right?

21 A. Yeah.

22 Q. And in your initial list, you had put that down as
\$800;

23 correct?

24 A. Yes. Found out what it was worth. Had no idea.

25 Q. All right. Now, when -- again, how did you find
that out?

9174

Karen Anderson - Cross

1 A. By going down to the local gun store down there and
2 borrowing their blue book and looking at it and talking
with

3 him and finding out that these are extremely rare.

4 Q. Did you have a conversation with Mr. Moore about --
when

5 you got home on Sunday night about the homeowner's
insurance?

6 A. No.

7 Q. When's the first conversation you had with Mr.
Moore about

8 the homeowner's insurance?

9 A. The very next day.

10 Q. And did you get out the policy and look at it?

11 A. No. As we went downtown to their office, I
believe.

12 Q. Now, you testified yesterday that Mr. Moore sent

13 Mr. McVeigh a letter in or about April of 1995; do you
remember

14 that?

15 A. April of '95?
16 Q. Yes. Do you remember -- do you remember anything
about
17 Mr. Moore sending Mr. McVeigh a letter in or about
April of
18 1995?
19 A. I remember him sending some type of letter in --
but I
20 don't remember exactly what day it was.
21 Q. By the way, when you were going over the firearms
with the
22 agents of the Federal Bureau of Investigation and the
23 prosecutors, did they show you ATF traces, Alcohol,
Tobacco,
24 and Firearm traces on those firearms?
25 A. No.

9175

Karen Anderson - Cross

1 Q. Did they make you aware of what had turned up with
the
2 Alcohol, Tobacco, and Firearm traces of the firearms?
3 A. No.
4 Q. They didn't discuss that with you at all; is that
right?
5 A. No.
6 Q. Now, did you have a discussion with Mr. Moore after
the

7 middle of January but before the 19th of April about a
plan

8 that Mr. McVeigh had proposed?

9 A. You're going to have to give me more than that.

10 Q. I'm just asking: Do you remember discussing with
Mr. Moore

11 any plan involving Mr. McVeigh during that time period?

12 A. Yes.

13 Q. Do you remember meeting in late 1994 or early 1995
with

14 some Special Forces people who had served in Vietnam
who

15 convinced you of something?

16 A. Yes, I do.

17 Q. Do you remember discussing with Mr. Moore in late
1994 and

18 1995 that you did not believe in taking risks?

19 A. I still don't believe in taking risks.

20 Q. Do you remember telling Mr. Moore that you were
angry at

21 him for taking night-vision photos?

22 A. No, I don't.

23 Q. Do you remember Mr. Moore sending letters to Mr.
McVeigh

24 during the time that you knew Mr. McVeigh?

25 A. Yes.

Karen Anderson – Cross

1 Q. Did you read any of those letters before they were
sent?

2 A. A few.

3 Q. Did you keep copies of them?

4 A. No.

5 Q. Did Mr. Moore write at the bottom of his -- any
letters to

6 Mr. McVeigh, the word "burn"?

7 A. I do that, also.

8 Q. The question is: Did Mr. Moore write at the bottom
of his

9 letters to Mr. McVeigh the word "burn"?

10 A. He may have.

11 Q. Did you ever see Mr. Moore write at the bottom of
letters

12 to Mr. McVeigh the word "burn"?

13 A. Personally see him and watch him write the word,
no.

14 Q. Did you work with Mr. Moore in the -- in writing a
letter

15 to the .50 Caliber magazine?

16 A. Yes.

17 Q. And are you the -- were you and Mr. Moore the joint
authors

18 of this letter?

19 A. Plus Carol.

20 Q. The three of you were?

21 A. Yes.

1647 and 22 Q. Let me show you what I've marked as Defendant's

23 ask you if that's the letter.

24 A. Yes.

D16 -- 25 THE COURT: Mr. Tigar, is it marked 1647 or

9177

Karen Anderson – Cross

1 MR. TIGAR: I'm sorry, your Honor, D1647.

2 THE COURT: Thank you.

3 MR. TIGAR: Excuse me, your Honor. Just for
4 identification, I'm not going to offer it through this
witness.

5 We just want to complete the chain.

6 THE COURT: I understand.

7 BY MR. TIGAR:

Insurance 8 Q. Were you present when Mr. Spivey from the Farmers

in which 9 group made out the form that listed the various items

10 you were claiming losses?

was there 11 A. I wasn't. I never saw him make out the form. I

the 12 when he came out to the house and took pictures and did

13 interview.

14 Q. Have you ever seen the form that he made out?

15 A. I can't remember.

16 Q. Okay. Well, this is D1198. Just ask you if you
remember

17 having seen it.

18 A. No.

19 Q. Tim McVeigh never mentioned the name "Terry Lynn
Nichols"

20 to you, did he?

21 A. No.

22 MR. TIGAR: Thank you. I have no further
questions.

23 THE COURT: Miss Wilkinson, do you have some
redirect?

24 MS. WILKINSON: Yes.

25 MR. TIGAR: I'm sorry, your Honor, one more.

9178

Karen Anderson – Cross

1 THE COURT: All right.

2 MR. TIGAR: I'm sorry.

3 BY MR. TIGAR:

4 Q. Putting on the machine here what's been received as
5 Government's 1740A. What's that?

6 A. That's a topper off of our silver truck.

7 Q. Your pickup truck?

8 A. Yes.

9 Q. Cab-high topper?

10 A. Yes.

11 MR. TIGAR: Thank you, your Honor. Nothing
further.

12 THE COURT: All right. Miss Wilkinson.

13 MS. WILKINSON: Thank you, your Honor.

14 REDIRECT EXAMINATION

15 BY MS. WILKINSON:

16 Q. Good morning again, Miss Anderson.

17 A. Good morning.

18 Q. After you noticed that your property was missing on
19 November 6, 1994, did you take several steps to try and
obtain

20 information about that property?

21 A. Yes, I did.

22 Q. What did you do?

23 A. I called my friend up at Muskogee to start out with
and

24 wanted him because he used to work in the Ft. Smith
area --

25 statements were made around the neighborhood that Ft.
Smith

9179

Karen Anderson - Redirect

1 seemed to be like a dumping-off place for things. So I
met

2 him. We ran all the pawnshops the whole day. I went

to Little

3 Rock, myself. I ran the pawnshops. I made up these
lists.

4 When I went to the gun shows, along with pictures of
jewelry

5 that -- the two pieces of jade and the Tiki doll that I
had

6 left, attached that also with the phone number and to
get a

7 hold of me. Wrote the .50 Caliber Club because I know
they

8 have matches all over the country.

9 Q. Now, tell the jury what the .50 Caliber Club is.

10 A. The .50 Caliber Club is out of St. Louis, and it is
people

11 that have .50 caliber guns that go all around the
country and

12 do target shooting with them.

13 Q. And why did you write to the .50 Caliber Club?

14 A. Because I thought if any of the .50 calibers would
show up

15 and I knew we had a -- definite serial numbers on
those, that

16 was in our heads, the numbers of those, that it might
be

17 possible that somebody would buy them, and they might
show up

18 at a match with one of those and be shooting it.

19 Q. I believe yesterday you told us that the .50
caliber that

20 was recovered in this case had a serial number on it;
is that

21 right?

22 A. Yes.

23 Q. And I want to show you Government's Exhibit 1752.

It's a

24 MS. WILKINSON: Your Honor, we'd offer this.

25 self-authenticating ATF record.

9180

Karen Anderson – Redirect

1 MR. TIGAR: No objection, your Honor.

2 THE COURT: 1752 received.

3 BY MS. WILKINSON:

50

4 Q. Are you aware that Mr. and Mrs. Moore purchased a .

5 caliber?

6 A. Yes.

This is

7 Q. And let me show you Government's Exhibit 1752.

8 page 1; is that right? Can you see that?

9 A. Yes.

10 Q. Let me show you page 2. I'll focus in.

can't

11 A. Don't double it over. It comes through, and then I

12 read it, please.

you see

13 Q. Okay. Sorry about that. How about just that, can

14 that?

15 A. Fine. Fine.

16 Q. Can you see here where it says the disposition?

17 A. Yes.

18 Q. Can you read that, please.

19 A. The disposition of a State Arms Company rifle,
Model M, .50

20 caliber, Serial Number 168, by K&W Trading Post,
Jasper,

21 Arkansas, to Carol Margaret Moore, Royal, Arkansas, on

22 12-27-94.

23 Q. And is that the same .50 caliber that was in your
house

24 prior to November 5, 1994?

25 A. Yes.

9181

Karen Anderson – Redirect

1 It's heavy.

2 Q. This is Government's Exhibit 1822. Do you
recognize that?

3 A. Yes, I do.

4 Q. Do you know where you'd find the serial number on
that?

5 A. Yes. Right up here on top. Very plain to see.
State Arms

6 Gun Company, Wisconsin, U.S.A., Model M, No. 168.

7 Q. Now, before that was removed from your home on
November 5,

8 1994, was it that color?

9 A. No. Solid black.

10 Q. Other than that, is that the same firearm that's
registered

11 in the ATF --

12 A. Yes.

13 Q. -- records to Mrs. Moore?

14 Now, did you report that firearm, the .50
caliber,

15 stolen in your list of weapons that you revised on
11-13-94?

16 A. Yes.

17 Q. Okay. Let me show you that. Now, you made this
list up

18 long before any of the property was recovered in this
case; is

19 that right?

20 A. Yes.

21 Q. Here's the first page. Now, let me show you the
second

22 page. Zoom down here. You see this one that says --
second

23 62, right here?

24 A. Yes.

25 Q. Can you read that for the jury, please.

action,
1 A. Custom .50 caliber, single-shot rifle, State Arms
2 Wisconsin, Serial No. M-168, M-3 military barrel with
3 muzzle brake, McMillan black stock, 3-by-9-by-40 scope.

heard
4 Q. So you reported that serial number before you ever
5 about this property --

6 MR. TIGAR: Object: Leading, your Honor.

7 THE COURT: Sustained, leading.

8 BY MS. WILKINSON:

knew
9 Q. Did you report that serial number before you ever
10 about the recovery of the property in this case?

11 A. Correct.

-- in
12 Q. And was that one of the firearms that was in that
13 your home before November 5?

14 THE COURT: Sustained on leading.

15 BY MS. WILKINSON:

16 Q. Was this in your home before November 5, 1994?

17 A. Yes.

that
18 Q. Now, yesterday you identified for us other property
19 was recovered in Mr. Nichols' house that you said was
20 property; is that right?

21 A. Correct.

1771, 22 Q. I'd like you to take a look at Government's Exhibit
told the 23 Photo No. 2, which is already in evidence. And you
right? 24 jury, I believe, that that was your quilt; is that
25 A. Correct.

9183

Karen Anderson – Redirect

1 Q. Now --
2 MR. TIGAR: Objection, your Honor, misstates
the 3 testimony.
4 BY MS. WILKINSON:
5 Q. I'm sorry, what is your testimony about that quilt?
6 A. My testimony about that quilt is that it's mine.
7 Q. Now, you told us yesterday that some other parts of
the bed 8 sheeting were taken or were missing after November 5;
is that 9 right?
10 A. Yes.
11 Q. Did any -- was anything left behind that matched
that 12 quilt?
13 A. They left one pillowcase. They did not take the
sheets of 14 my bed, and they left the skirting that was around the

bottom

15 part of it that matched it.

16 Q. Let me show you Government's Exhibit 2106.

17 MS. WILKINSON: Mr. Tigar.

18 BY MS. WILKINSON:

19 Q. Do you recognize Government's 2106?

20 A. Yes.

21 Q. What is that?

22 A. That's my pillowcase.

23 Q. Where did you get that from?

24 A. Right off of my pillow.

25 Q. Is that one of the pillowcases that was left
behind?

9184

Karen Anderson – Redirect

1 A. Yes.

2 Q. And could you hold that pattern up -- the
pillowcase and

3 describe to the jury how that matches the quilt.

4 THE COURT: It's not in evidence yet.

5 MS. WILKINSON: I'm sorry, your Honor. I'd
offer

6 2106.

7 MR. TIGAR: No objection.

8 THE COURT: Received.

9 Now you may do it.

10 BY MS. WILKINSON:

11 Q. Miss Anderson, could you hold that up and describe
for the jury how your pillowcase matches that quilt.

12 A. It matches the border that's around the -- the
black border that's around and then the flowers are the same flowers
inside the center part of it.

13 Q. Could you just hold it up for a second, please.

14 MS. WILKINSON: Oh, I need the photo back up.
I'm sorry, your Honor, I thought it was still up on the
screen.

15 BY MS. WILKINSON:

16 Q. Now, now would you describe that again and hold it
up for the jury.

17 A. The black around the edge matches the black part
that's the square, and then this, the flower center that's in the
center, matches the flower that's right next to the black part
of it that goes around.

9185

Karen Anderson – Redirect

1 Q. Miss Anderson, yesterday you also identified to us
some
2 ammunition, and you identified a stamp marking with
LC .308; is
3 that right?

4 A. Yes.

5 Q. You told us that you had a stamp kit --

6 A. Yes.

7 Q. -- that you had made?

8 A. Yes.

9 Q. Let me show you Government's Exhibit 2107 and 2107A
which
10 is inside. Take a look at it.

11 Do you recognize 2107 and 2107A?

12 A. Yes.

13 Q. How do you recognize them?

14 A. I've had this since I was probably five, six years
old.

15 Q. What is 2107?

16 A. 2107 is the original box that the little rubber-
stamp kit
17 came in along with the little ink pad that was also
with it.

18 Q. What is 2107A?

19 A. That's the LC that I use, just like that with the
rubber
20 band around it all the time, to stamp for Lake City.

21 MS. WILKINSON: Your Honor, Government offers
2107 and

22 2107A.

23 MR. TIGAR: No objection, your Honor.

24 THE COURT: They are received.

25 BY MS. WILKINSON:

9186

Karen Anderson – Redirect

1 Q. You can leave that up there and take the stamp out.

2 Government's Now, I'm showing you what's been marked

3 Exhibit 1863D. Do you recognize that?

4 A. Yes.

5 Q. What is that stamp on the front?

6 A. It is an LC.

7 Q. And can you take a look at the stamp in your hand,
8 Government -- what is it -- 2107A?

9 A. Yes.

10 Q. Is that the stamp you used to mark this ammunition?

11 A. One and the same.

12 Q. Can you hold that up for the jury.

13 steps Now, Miss Anderson, you were telling us about

14 recover you look immediately after November 5, 1994, to try and

15 taking your property. Did you tell Mr. Moore that you were

16 those steps?

17 A. Yes.

18 Q. Did he ever try and stop you in any way?

19 A. He just said, "Go for it."

20 Q. And did both of you take any steps to try and
recover

21 additional -- or take additional steps to try and
recover your

22 property?

23 A. We both did a lot of research and notified
everybody that

24 we knew, wrote them by letters. I also wrote several
of the

25 gun-show promoters around that I knew personally and
told them

9187

Karen Anderson - Redirect

1 what had happened and asked if they would keep an eye
out for

2 this stuff. I had a couple of people that I found.
One has

3 became a friend that's ex-Vietnam vet that does long-
range

4 reconnaissance. Had him over to the house and had him
5 traipsing around through the woods with me trying to
find out

6 where they might have come in, also on how to set up
security

7 and how do I go about looking for this stuff.

8 Q. Now, you were asked about -- something about
Special Forces

9 people by Mr. Tigar; do you recall that?

10 A. Yes.

11 Q. Did you discuss a plan with Mr. Moore about -- in
relation

12 to this alleged robbery?

13 A. Yes.

14 Q. What did you discuss?

15 A. Because a phone call of a gentleman that was
pulling

16 robberies off that has now been caught that were
similar to

17 ours and was working the same gun-show circuit that
basically

18 we were attending, and there was rewards put out by
these other

19 gentlemen that had been victimized in both Tulsa and in
Wichita

20 that asked these guys if they would be interested with
us

21 putting a reward, too, if they would be interested in
going

22 after and trying to find these people because they
seemed to be

23 extremely well on putting -- pulling off robberies.
They had

24 pulled off approximately 800 robberies and been
successful at

25 it.

1 Q. Do you know whether -- do you have any personal
knowledge
2 of whether Mr. Moore shared that plan or that offer
with
3 Mr. McVeigh?

4 A. He thought it was an excellent idea.

5 Q. Who did?

6 A. Mr. Moore.

7 Q. And do you know of your personal knowledge whether
he
8 shared that idea with Mr. McVeigh?

9 A. Yes, he did.

10 Q. Did there come a time when you had discussions with
some
11 Special Forces gentlemen that discouraged you from
pursuing
12 that plan?

13 A. Yes, because he could see how it was affecting me
and he
14 said I needed to get on with my life.

15 MR. TIGAR: Excuse me, your Honor, I don't
understand

16 who "he" is.

17 BY MS. WILKINSON:

18 Q. Could you identify who you're talking about?

19 A. Mr. Rick Claytonbaugh and I had quite a few
conversations

all of 20 with him because he visibly saw how upset I was about
my life 21 this and thought that maybe I should just get on with
are not 22 and continue on. He says, "Most of these robbery cases
23 found."

a 24 Q. Now, during cross-examination, you were asked about
Government's 25 letter from Mr. McVeigh -- do you recall that --

9189

Karen Anderson - Redirect

1 Exhibit 1746?
2 A. Yes.
3 Q. I'm going to show you some of the portions you
weren't 4 read, and let's start with -- I believe it's the third
page.
5 This was a letter that -- do you recall when you
received this 6 letter from Mr. McVeigh?
7 A. This was sometime in January.
8 Q. Okay. And if you could read along with me and let
me ask 9 you a question when I'm finished, because I think on
your 10 situation -- can you read that next?

I'm 11 A. I can't. I can't even make out hardly any of this,
12 sorry.
of 13 Q. Okay. Let's go to the next line. "The next couple
some 14 days, you'll probably think of a lot more, but here are
see 15 initial questions and observations." Is that what you
16 there?
17 A. Yes.
sounded 18 Q. The next paragraph says, "When I first read it, it
and 19 like simple robbery -- but as I examined the details
convinced by 20 thought about it -- it was a pro job, and I'm more
it says 21 the minute that it was a government job." Is that what
22 there?
23 A. Yes, it does.
closely 24 Q. And let's go down a little bit. "First it follows
had to 25 on the heels of your Oklahoma problem. Then someone

9190

Karen Anderson - Redirect

through 1 watch you for days to set that up. Then, if they went

2 all of that trouble, why didn't they just kill you?"
My theory

3 wanted -- "My theory -- wanted you alive to scare
others away

4 from patriot cause by telling story." Is that what you
5 understand that says there?

6 A. Yes.

7 Q. Are you -- or were you aware that Mr. Moore wrote a
letter

8 to Mr. McVeigh describing the robbery?

9 A. Yes, I was.

10 Q. Did you understand that that's what Mr. McVeigh was
11 referring to when he said, "It sounds like a simple
robbery."

12 A. Yes.

13 Q. Now did you -- what did you understand him to mean
when he

14 said "scaring others away from the patriot cause"?

15 A. I assumed that from the government affiliated that
16 basically it would make everybody afraid that the
government

17 was going to come in and attack them.

18 Q. Now, is that something that Mr. McVeigh discussed
on

19 occasion, his fear of the government?

20 A. Yes.

21 Q. And his fear of the government attacking the
citizens?

22 A. Yes.

23 Q. And did he consider himself a patriot?

24 A. Yes.

25 Q. Now, when you wrote the letter to the .50 Caliber
Club, did

9191

Karen Anderson – Redirect

1 you suggest who the potential robbers might be? Not by
name,

2 but by group?

3 A. Yes.

4 Q. And did you include in that suggestion a patriot
group?

5 MR. TIGAR: Your Honor, the letter's not in
evidence.

6 THE COURT: The objection is sustained as to
the

7 contents of the letter.

8 BY MS. WILKINSON:

9 Q. Let me show you Defense Exhibit 1647. Do you
recognize

10 that letter?

11 A. Yes, I do.

12 Q. And did you help Mr. or Mrs. Moore write that
letter?

13 A. Yes, I did.

14 MS. WILKINSON: Your Honor, we'd offer Defense
Exhibit

15 1647.

witness 16 MR. TIGAR: If it's understood that the next
17 that I'd intended to complete the chain with will be
here and 18 available, I would consent to it, your Honor.

19 MS. WILKINSON: We stick with our position,
your 20 Honor. Mr. Moore will be here next.

21 THE COURT: All right. I take it that's who
you're 22 referring to.

23 MR. TIGAR: Yes, your Honor. No objection.

24 THE COURT: All right. Then D1647 is
received.

25 BY MS. WILKINSON:

9192

Karen Anderson – Redirect

1 Q. Miss Anderson, do you recall when you wrote to
the .50

2 Caliber Club to notify them of the robbery?

3 A. Not exactly know what date it was, no, I do not.

4 Q. Do you know whether it was between November 5 and
5 January 1 -- November 5 of 1994, and January 1? Was it
within 6 a month or two of the robbery?

7 A. I think so.

8 Q. Let me show you the last page of the letter, page

4.

9 Now, here it says, "PS: Our main concern is
to find
10 the perpetrators so that we can determine whether this
had
11 something to do with law enforcement or a patriot
group"; is
12 that right?

13 A. Yes.

14 Q. Do you see that?

15 A. Yes.

16 Q. "Or a professional, possibly retired SEAL or
Special Forces
17 person, because we do not feel safe on our own property
18 because this happened on our own turf; and having to
carry a
19 sidearm or assault rifle with you to the barn while
either
20 walking or riding is not what we had planned for our
later
21 life"?

22 A. Correct.

23 Q. Is that what you and Mr. and Mrs. Moore wrote after
24 November 5, 1994?

25 A. Correct.

9193

Karen Anderson – Redirect

1 Q. And did you write this letter long before the
Oklahoma City

2 bombing on April 19, 1995?

3 A. Yes.

4 Q. Now, these groups you named, either law
enforcement, a

5 patriot, or retired SEAL, or Special Forces, were these
some of

6 your -- why did you write those groups down?

7 A. Basically because when you go to the gun shows, you
never

8 tell anybody what you have; but if you have all these
different

9 calibers and you say, yes, I've shot .308, or, yes,
I've shot

10 .50 caliber, this is what it does, in a roundabout way,
you've

11 already let out what you have at home, if you've shot
these

12 things, they have to put it into your head.

13 Q. And why did you think a patriot group might be
involved

14 with the robbery?

15 A. Because of having the amount of guns that we had.

16 Q. And you thought about that before you knew the
property was

17 recovered from Mr. Nichols' house?

18 A. A long time.

19 Q. Now, I just want to ask you about one other
document. You

20 were showed Defense Exhibit 1201, which is a receipt

for

21 ammunition, I believe you said. Is that right?

22 A. Yes.

23 Q. And here at the top, does it say "copy of invoice"?

24 A. Yes, it does.

25 Q. And can you read that date right over there?

9194

Karen Anderson - Redirect

1 A. It looks like -- it's 10, and I think it's 04-94.

2 Q. So was that --

3 A. It's either that or 27-94, I'm not --

at the

4 Q. Does that date -- what does that indicate, the date
5 top?

6 A. That's the date that I phoned in the order.

7 Q. So you would have purchased it at that time in '94?

8 A. Yes.

11-7. What

9 Q. And then there's another date on here that says
10 does that date indicate?

invoice that

11 A. That's the date that the second -- the second
12 I phoned in and asked for a copy.

13 Q. Why did you ask for a copy?

going to

14 A. No. 1, for the insurance people; and No. 2, I was

15 have to reorder the same thing all over again.

16 Q. Let me show you a defense exhibit and see if you
can read

17 the date at the top a little bit better, D1201. See if
you can

18 make out that date.

19 A. It looks like 10-4-94.

20 Q. And that would be October 4 of 1994?

21 A. Yes.

22 Q. Approximately a month before November 5, 1994?

23 A. Yes.

24 Q. To the best of your recollection, is that when you

25 purchased this ammunition listed on this receipt?

9195

Karen Anderson - Redirect

1 A. Yes.

2 Q. Miss Anderson, based on your review of the property
that

3 you identified yesterday for the jury and of the
photographs

4 that we've shown to the jury, is there any doubt in
your mind

5 that this property that you've identified, the quilt,
the

6 stamped ammunition, and the other ammunition, is your
property?

7 A. No doubt whatsoever.

8 MS. WILKINSON: I have no other questions,
your Honor.

9 THE COURT: Mr. Tigar.

10 RE-CROSS-EXAMINATION

11 BY MR. TIGAR:

12 Q. Putting up again what's been received now as
Defense . . .

13 1647, you also say -- and what was not read -- "Law
enforcement

14 cooperation at this point has been extremely limited,
so we

15 feel that taxpayers must bind together in the hopes of
helping

16 each other out of these dilemmas"; correct?

17 A. Correct.

18 Q. Was it your opinion at that time that law
enforcement

19 cooperation had been extremely limited?

20 A. Yes.

21 Q. Were you interviewed by Trooper Karchefski?

22 A. No.

23 Q. Were you interviewed by any of the other troopers
that

24 responded out there to the call?

25 A. Little hard to do when you're in Shreveport.

1 Q. Did they come to your house afterwards?

2 A. No.

3 Q. Do you know whether or not Mr. Moore called the
police as

4 soon as possible after this incident?

5 A. I was told that, yes.

6 Q. Did he tell you that he called the police as soon
as

7 possible after this incident?

8 A. Yes.

9 Q. Now, you were shown again the letter from Mr.
McVeigh,

10 which is in evidence as Government's 1746. And Mr.
McVeigh's

11 analysis saying, "First, it follows closely on the
heels of

12 your OK problem." Do you understand that to mean your
Oklahoma

13 problem?

14 A. Yes.

15 Q. And was that an Oklahoma problem with law
enforcement?

16 A. Yes.

17 Q. And in that situation did Mr. Moore feel that he
had been

18 unfairly treated?

19 A. Yes.

20 Q. And was that the incident in which you displayed
\$50,000 in

21 cash?

22 A. Yes.

23 Q. Now, you stated that you went down to Ft. Smith,
Arkansas;

24 correct?

25 A. Correct.

9197

Karen Anderson – Recross

1 Q. And who suggested that you go to Ft. Smith,
Arkansas?

2 A. I did.

3 Q. And did you know that that was close to Elohim
City?

4 A. No.

5 Q. What steps did Mr. Moore suggest that you take?

6 A. Basically the same steps. We had discussed this.

7 Q. And he said, "Go for it"; right?

8 A. He said, "Go for it."

9 Q. Did he say "Go for it" often?

10 A. Not to my knowledge. That's the first time I ever
heard

11 him say it.

12 Q. Really. You've heard other people say it; right?

13 A. Well, I've heard that in the horse business for
years.

14 Q. So in other words, if somebody says, "Go for it,"
it

15 doesn't particularly mean that they're a bad person,
does it?

16 A. No.

17 Q. No. In fact, it can be used in all sorts of
settings;

18 correct?

19 A. Correct.

20 Q. Would you say it's kind of a, what -- a very
overused

21 expression?

22 A. No.

23 Q. Is it an often-used expression?

24 A. I don't take tally of numbers that I hear --

25 Q. I understand. But you've heard it a lot; right?

9198

Karen Anderson – Recross

1 A. I've heard it.

2 Q. And you didn't think there was anything wrong with

3 Mr. Moore saying that?

4 A. No, because he knows I'm there by myself; and if I
want to

5 do it, he believes that I should do it.

6 Q. Now, you said you had a conversation with Mr.
Claytenbaugh

7 A. Yes.

8 Q. Is that someone you met through Mr. Moore?

9 A. No.

10 Q. Is that someone you met through your Assault
business?

11 A. No.

12 Q. And how long have you known Mr. Claytonbaugh?

13 A. Right after the robbery.

14 Q. And is he someone that Mr. Moore contacted?

15 A. No.

16 Q. Someone that you contacted?

17 A. No.

18 Q. How is it that he became involved in the
investigation of

19 this matter?

20 A. By us, we thought maybe somebody might have stayed
around

21 there. We went around to the motels to find out if
they had

22 had anybody that had been around there for a couple,
three

23 days, or if they might know of anybody that was in
Special

24 Forces in the area; and at the motel out in Crystal
Springs,

25 the lady said she knew somebody that had been in
Special

find this 1 Forces, and she's the one that told us where to maybe
2 gentleman.

respect to 3 Q. Now, was -- did you do most of the work with
about 4 sending out the letters and making the telephone calls
5 this investigation?

6 A. Yes.

sent out? 7 Q. Do you have copies of any of the letters that you

8 A. No. I don't make copies of my own letters.

9 Q. But it was principally your responsibility?

wanted 10 A. It wasn't a responsibility. It was an item that I
11 to do because of how upset we were about all of this.

bought at 12 Q. And the bedspread and quilt and so on: Those you
13 K-Mart?

14 A. Yes.

stores? 15 Q. And that's just a regular K-Mart store like other

16 A. A coincidence with all the rest of this?

17 Q. Ma'am, I understand what your position is.

18 A. You bet.

answer 19 Q. Right. And you understand that you're here to
right? 20 questions on direct and cross-examination; is that

21 A. Yes.

you. Do 22 Q. And all I'm permitted to do is to put questions to
23 you understand that?
24 A. Correct.
with you 25 Q. Do you understand that I'm not permitted to argue

9200

Karen Anderson – Recross

1 about inferences that you choose to draw; is that
correct?

2 A. Correct. But too bad.

3 Q. Pardon me?

4 A. Correct, but too bad.

5 THE COURT: Well, don't editorialize about the
6 process. You're a witness in this process, and your
7 responsibility under your oath is to answer the
question.

8 THE WITNESS: I'm answering the questions.

9 THE COURT: Well, you're also volunteering
things that
10 you weren't asked.

11 You may repeat the question, if you wish.

12 MR. TIGAR: Your Honor, may I ask that the
observation
13 be stricken.

14 THE COURT: Well, of course it's stricken.
The jury

15 will disregard it.

16 BY MR. TIGAR:

17 Q. You understand the jury's function in this case is
to
18 resolve the disputed issues of fact; correct?

19 A. Correct.

20 Q. And among those issues of fact is the question that
I asked
21 you when I started cross-examination today --

22 A. Ask again.

23 Q. -- and that is whether or not your list that you
produced
24 to the Government, your handwritten list, is in fact a
fraud.

25 A. It is not a fraud.

9201

Karen Anderson – Recross

1 MR. TIGAR: I have no further questions.

2 REDIRECT EXAMINATION

3 BY MS. WILKINSON:

4 Q. Miss Anderson, you're upset about what happened in
November
5 of 1994; is that right?

6 MR. TIGAR: I object to the leading.

7 THE COURT: Sustained and stricken.

8 BY MS. WILKINSON:

9 Q. Miss Anderson, you heard Mr. Moore say, "Go for
it"; right?

10 A. Right.

11 Q. Did you ever hear him say after that, "As for heat,
none

12 that I know of"?

13 A. Repeat.

14 THE COURT: This is a rhetorical question.
I'm ruling

15 it out.

16 MS. WILKINSON: No further questions, your
Honor.

17 THE COURT: Is the witness to be excused?

18 MS. WILKINSON: Yes, she is.

19 THE COURT: Do you agree?

20 MR. TIGAR: Yes, your Honor.

21 THE COURT: You may step down. You're
excused.

22 Next witness.

23 MR. MACKEY: The United States would call
Roger Moore.

24 THE COURT: All right.

25 THE COURTROOM DEPUTY: Would you raise your
right

9202

1 hand, please.

2 (Roger Moore affirmed.)

3 THE COURTROOM DEPUTY: Would you have a seat,
please.

4 Would you state your full name for the record
and
5 spell your last name.

6 THE WITNESS: Roger Edwin Moore.

7 THE COURTROOM DEPUTY: Spell your last name.

8 THE WITNESS: M double O R-E.

9 THE COURTROOM DEPUTY: Thank you.

10 THE COURT: Miss Wilkinson.

11 MS. WILKINSON: Thank you, your Honor.

12 DIRECT EXAMINATION

13 BY MS. WILKINSON:

14 Q. Mr. Moore, you just told the jury your name. Do
you ever
15 go by any other name?

16 A. "Bob Miller."

17 Q. Do you use any other names other than "Roger Moore"
and

18 "Bob Miller"?

19 A. No.

20 Q. Where do you live right now?

21 A. Part-time in Royal, Arkansas; part-time in Florida.

22 Q. And have you ever been referred to as "Bob from
Arkansas,"

23 or "Arkansas Bob"?

24 A. Yes.

25 Q. Now, why have you used the name "Bob Miller"
instead of

9203

Roger Moore - Direct

1 "Roger Moore"?

2 A. It's common practice for a lot of gun dealers,
which I am

3 not, but people that go to gun shows, to use different
names so

4 that people that are casing the shows cannot locate
their home

5 address.

6 Q. You said you're not a gun dealer. Have you been an
7 ammunition dealer or been in the ammunition business?

8 A. Yes.

9 Q. And have you had guns in your home?

10 A. Yes.

11 Q. Have you collected guns?

12 A. Yes.

13 Q. Now, you told us that you live part-time in
Arkansas and

14 part-time in Florida; is that right?

15 A. Yes, ma'am.

16 Q. How many months a year do you live in Arkansas?

17 A. Seven to eight.

18 Q. And how many months a year do you live in Florida?
19 A. Approximately four.
20 Q. Do you maintain residences in both states?
21 A. In Florida.
22 Q. Now, do you know why you're here today?
23 A. Yes.
24 Q. What happened to you on November 5, 1994?
25 A. I was robbed at gunpoint.

9204

Roger Moore - Direct

1 Q. Any doubt about that?
2 A. Not to me.
3 Q. How old are you, Mr. Moore?
4 A. 62.
5 Q. Where were you born?
6 A. Sioux City, Iowa.
7 Q. Are you married?
8 A. Yes.
9 Q. What's your wife's name?
10 A. Carol.
11 Q. How long have you been married to Mrs. Moore?
12 A. 1955.
13 Q. Now, have you ever served in the military?
14 A. Yes.

15 Q. When did you do that?

16 A. September, '52, September, '59.

17 Q. What branch were you in?

18 A. Air Force.

19 Q. What did you do in the Air Force?

20 A. Armament sergeant.

21 Q. What does that mean? What were your
responsibilities?

22 A. You work on the guns of the various fighters,
whether

23 they're rockets or machine guns.

24 Q. Now, was that the first time you had any exposure
to

25 ammunition or firearms?

9205

Roger Moore – Direct

1 A. No.

2 Q. Tell us about that. Had you had exposure when you
were
3 growing up as a child?

4 A. Yes.

5 Q. What kind of things did you do when you were a kid?

6 A. We lived on the edge of South Dakota; and my aunt
and uncle

7 lived up in South Dakota, and we would go up there and

8 pheasant-hunt, probably when I was eight years old and

up.

9 Q. And did you learn about firearms from your family?

10 A. Yes.

11 Q. Did you ever hunt with your father?

12 A. Yes.

13 Q. Your brother?

14 A. Yes.

15 Q. Did you ever receive any firearms from your father
or your

16 brother?

17 A. Several. The main one being the .22 Hornet
Winchester

18 Model 43.

19 Q. Is that an older-type firearm -- now?

20 A. That was a firearm built from about 1949 to 1957.

21 Q. When did you receive it?

22 A. About 1960.

23 Q. And had you held on to it since 1960?

24 A. Yes.

25 Q. What happened to it on November 5, 1994?

9206

Roger Moore - Direct

1 A. It went with the robbery.

2 Q. And when was the next time you saw that firearm?

3 A. At the FBI headquarters in Washington, D.C.

4 Q. After the bombing in Oklahoma City?

5 A. Yes.

6 Q. Now, after the service, did you -- or at any time
did you
7 obtain a college degree?

8 A. A college degree -- I graduated in 1956 with a
bachelor's
9 degree, in 1964 with a master's degree, from the
University of
10 Tulsa.

11 Q. Did you go straight on to receive your master's, or
did you
12 work between your college and graduate?

13 A. Pardon?

14 Q. I'm sorry. Do you have a problem with your
hearing?

15 A. Yes.

16 Q. What is that from?

17 A. Working too close to the turbines on the jets.

18 Q. I'll try and speak more into the microphone.

19 A. Is there a possibility I could have a cup to go
with that?

20 Q. Sure. If you lean forward, it's right in front of
that
21 water bottle right there.

22 THE COURT: We do have hearing assistance,
too, if

23 that might help.

24 BY MS. WILKINSON:

your 25 Q. Would you like that, Mr. Moore? You can put it in

9207

Roger Moore - Direct

1 ears. It might make it a lot easier to hear.

2 THE COURT: We'll try it, anyway. I don't
know if it

3 works in the position of the witness box. See if that
helps

4 you.

5 THE COURTROOM DEPUTY: That is the volume
adjuster.

6 That's what's picking up.

7 THE WITNESS: How do you put it --

8 THE COURTROOM DEPUTY: Just put it in.

9 THE COURT: I don't know if that will help,
but we'll

10 see.

11 BY MS. WILKINSON:

12 Q. Does that help?

13 A. Uh-huh.

14 Q. Can you hear me a little better?

15 A. Uh-huh.

16 Q. Let me know if you can't hear my questions.

17 I was asking you after you got your college
degree,

start 18 did you go straight on to graduate school, or did you
19 working?
20 A. I started working.
21 Q. What did you do?
a year. 22 A. I worked for the Social Security Administration for
23 Q. Then what did you do?
Finance, came 24 A. Went to California and worked for Household
went to 25 back to Tulsa and started a Volkswagen agency, and then

9208

Roger Moore – Direct

for two 1 Sioux City in 1959 and worked as assistant city manager
2 years.
3 Q. After that, did you return to the Tulsa, Oklahoma
area? 4 A. Yes.
5 Q. What did you do when you returned to Tulsa?
6 A. Went into the graduate program.
7 Q. And what year did you receive your M.B.A.?
8 A. June, 1964.
9 Q. Were you working during that time?
10 A. No.
11 Q. Did you have any hobbies, or did you play the

market, as

12 they say?

13 A. Played the market. I played the commodity market
to pay my

14 way through school.

15 Q. And since that time, have you been involved with
16 commodities and stocks?

17 A. Not commodities; stocks and bonds.

18 Q. Ever since that time?

19 A. Uh-huh.

20 Q. Now, what did you do after you completed your
M.B.A.?

21 A. I went to work for North American Rockwell on the
Apollo

22 program.

23 Q. After that, did you move somewhere else?

24 A. I moved to Florida, Ft. Lauderdale.

25 Q. Did you start a business in Ft. Lauderdale?

9209

Roger Moore - Direct

1 A. Yes.

2 Q. What type of business did you start?

3 A. A boat-building business.

4 Q. And how long did you stay in the boat-building
business?

5 A. Between the five companies, till 1977.

6 Q. You had five different companies?

7 A. Yes.

8 Q. Why was that?

9 A. I found that it was easier to start companies, and
people

10 wanted to buy them once they were started. So I
started three

11 different companies until I got into building the big
boats.

12 Q. Were you financially successful in the boat-
building

13 business?

14 A. Very much so.

15 Q. Were you able to retire at an early age?

16 A. Yes.

17 Q. When did you sell your last boat-building business?

18 A. July 1977.

19 Q. After 1977, what did you do to make a living?

20 A. Stocks and bonds.

21 Q. Did you invest on your own?

22 A. Yes.

23 Q. And did you do anything else to make a living
during that

24 time?

25 A. Not that I remember.

Roger Moore - Direct

Florida
1 Q. Now, at some point, did you -- Did you live in
2 full-time when you were working on these boat-building
3 businesses? In other words, did you live there year
around?

4 A. Oh, on the boat-building?

5 Q. Yes.

6 A. Full-time.

7 Q. Did there come a time when you moved to Arkansas?

8 A. Yes.

9 Q. When was that?

10 A. We bought the property in October of '85, and I
moved up
11 there in the spring of '86.

12 Q. Now, before you moved to Arkansas, did you meet a
woman
13 named Karen Anderson?

14 A. Yes.

15 Q. How did you meet Miss Anderson?

16 A. I met her through my wife, who used to run errands,
picking
17 up underwater gear and various marine fastenings. She
actually
18 met her first.

19 Q. And when you moved to Arkansas, did Miss Anderson
move with
20 you?

21 A. She moved out there first because she wanted to
have a
22 place in the country for her horses.
23 Q. Did you allow her to keep her horses on your
property?
24 A. Certainly.
25 Q. And did she take care of the property for you?

9211

Roger Moore - Direct

1 A. Yes.
2 Q. Was she there in the months that you were in
Florida?
3 A. Yes.
4 Q. Now, let's go -- you said the first time you moved
to
5 Arkansas was in 1986?
6 A. Uh-huh.
7 Q. During that first year, did you stay in Arkansas
the full
8 year, or did you do what you described to the jury;
that is,
9 live in Arkansas part-time and part-time in Florida?
10 A. No, I went back to Florida always at the end of
November or
11 early December.
12 Q. Have you done that every year --
13 A. Every year.

14 Q. -- since you moved to Arkansas?

15 And how long did you live in your first
residence in

16 Arkansas?

17 A. Seven years, maybe.

18 Q. Did you move to a second place?

19 A. We found a better place, about 4 miles away, and we
moved

20 to that, I think in '92.

21 Q. Is that your current residence in Arkansas?

22 A. Yes.

23 Q. What's the address of that residence?

24 A. 6435 Albert Pike Road.

25 Q. And you were living there in November of 1994?

9212

Roger Moore - Direct

1 A. Yes.

2 Q. Could you tell the ladies and gentlemen of the
jury, give

3 them a general description of that property in Royal.
How big

4 is it?

5 A. 10 acres. 330 by 1325. Bordered on the east by
forest,

6 bordered on the north -- south by forest; a neighbor on
the

7 west, a highway on the front.

8 Q. Is there any waterway or creek on your property?
9 A. Coming in through the gate there are 150 feet in --
there's
10 a river that runs through, has a concrete bridge.
11 Q. How far from the road is your property -- is your
home on
12 your property?
13 A. About 700 feet, up on a hill with trees in front.
14 Q. Is it easy to see from the road?
15 A. No.
16 Q. Now, did you tell us how far away -- I don't think
you
17 did -- how far away this property is where you're
living now
18 from your prior Arkansas property?
19 A. Approximately 4 miles.
20 Q. How many buildings do you have on your current
property?
21 A. You want me to list them, or do you want the
number?
22 Q. Start with the number. Or is it easy -- why don't
you just
23 list them. That might be easier for you.
24 A. The house --
25 Q. Uh-huh.

and
stall
1 A. -- carport, a utility-type metal building for wood
2 barrels, a shop, a four-stall barn, and then a three-
3 barn.

carport
4 Q. You said you had a house and a carport. Is your
5 attached to your house?

There's
6 A. Well, the triple carport is attached to the house.
7 another building that's used as a carport, also.

is your
8 Q. Let's talk about your house for a moment. How big
9 house?

10 A. Four bedrooms, two baths.

11 Q. Any basement?

12 A. No.

13 Q. Are there any woods surrounding your home?

14 A. A great deal of trees.

security
15 Q. Now, back in November of 1994, did you have any
16 system in place at your house?

17 A. No.

18 Q. Do you have any neighbors in the area?

19 A. The one to the west.

home?
20 Q. How far away is that neighbor's home from your

property line,
21 A. From the home, probably 300 feet. From the

22 about 25.

23 Q. And are there any other neighbors in the close
vicinity?

24 A. No other neighbors in the immediate vicinity.

25 Q. Let me show you, if you can look on your screen,
what's

9214

Roger Moore – Direct

1 already been moved into evidence as Government's
Exhibit 1743.

2 Do you recognize this aerial photograph?

3 You recognize that, Mr. Moore?

4 A. That's a tough one.

5 Q. Do you recognize this as the general area of your
property?

6 A. Yes.

7 Q. Are you having a hard time figuring out which area
is your

8 property?

9 A. Yes.

10 Q. Okay. Let's move on, then. Can you tell us
generally if

11 behind your property there's any waterways; that is,
behind

12 your house?

13 A. Not on the property.

14 Q. How about off the property?

the 15 A. Back behind the property, about a quarter mile in
runs into 16 woods, is what they call a Little Missouri River that
17 Lake Hamilton.

house, 18 Q. And if you were walking further back, behind your
eventually 19 off your property and you crossed the creek, do you
20 get to another road?

21 A. There's a series of roads back in there.

property; is 22 Q. Now, you've told us you have horses at your
23 that right?

24 A. Right.

25 Q. What other type of animals do you have there?

9215

Roger Moore – Direct

1 A. Ducks, geese, cats, and a few chickens.

animals? 2 Q. Whose responsibility is to take care of those

3 A. Whoever's there.

4 Q. What does that mean?

5 A. We take turns if there's more than one.

6 Q. Do you sometimes take care of the animals?

7 A. Always. Usually always.

8 Q. Does Miss Anderson?

9 A. Yes.

10 Q. Does Mrs. Moore?

11 A. Yes.

12 Q. Now, did there come a time in -- after you moved to
13 Arkansas when you and Miss Anderson started to go to
gun shows?

14 A. Yes.

15 Q. And did anyone take care of your property while you
were

16 out at gun shows, at the beginning?

17 A. At the beginning we had Walt do it. Which I --

18 Q. Who's Walt?

19 A. Walt Powell is a next-door neighbor.

20 Q. And after Mr. Powell did it, did you have anyone
else do

21 it?

22 A. Eventually Karen -- Carol did it.

23 Q. Your wife?

24 A. Yes.

25 Q. Would she come up from Florida --

9216

Roger Moore - Direct

1 A. Yes.

2 Q. -- to watch the property while you went to gun
shows?

3 A. Yes.

4 Q. Now, when you went to gun shows, when you first
started
5 going to gun shows with Miss Anderson, did you sell any
items
6 at those gun shows?

7 A. Yes.

8 Q. What type of items?

9 A. Ammunition, a few gun parts, and survival-type
flares,
10 parachutes, smoke --

11 Q. Is that what we've heard referred to as
pyrotechnics?

12 A. Yes.

13 Q. Did you ever sell any explosives in your business?

14 A. Never.

15 Q. Did you ever have any explosives, high explosives
at your
16 home?

17 A. Never.

18 Q. Now, did you and Miss Anderson and Mrs. Moore
operate a
19 ammunition business?

20 A. Mrs. Moore was not that involved.

21 Q. Was it basically you and Miss Anderson?

22 A. Right.

23 Q. And in your ammunition business, did you sell the
24 ammunition you've described to the jury at gun shows?

25 A. Yes.

9217

Roger Moore - Direct

order 1 Q. Did there come a time when you also had a mail-
2 business?

3 A. Yes.

4 Q. And how did that begin?

United 5 A. Well, you can only cover so many gun shows in the
country. 6 States; and with mail order, you can cover the whole

percentage of 7 Q. And do you recall before April of 1995 what
8 your business was from mail order, approximately?

9 A. 25.

10 Q. And was the rest --

11 A. Direct --

12 Q. -- money you made at gun shows?

13 A. Direct sales at gun shows.

selling 14 Q. Now, when you first started going to gun shows and
15 your ammunition, did you and Miss Anderson go together?

16 A. Yes.

17 Q. Did that continue?

18 A. No.

19 Q. What happened?
20 A. About 1993, I thought we were doing a disservice to
the
21 animals by keeping them locked up for several days.
And I
22 asked her -- I said: "One of us is going to have to
stay home.
23 One of us is going to have to go to the shows. Take
your
24 choice."
25 And she said, "I'll go to the shows."

9218

Roger Moore - Direct

1 I said, "That's just what I hoped. I'll stay
home and
2 take care of the animals."
3 Q. That's just what you hoped. Did you have as much
interest
4 in the gun shows as she did?
5 A. No.
6 Q. Why is that?
7 A. I've seen enough of them that it's boring.
8 Q. When you went to the gun shows with Miss Anderson,
who did
9 the majority of the work?
10 A. She did.
11 Q. Now, you told us when you'd go to these gun shows,

you'd

12 sometimes use the name "Bob Miller"; is that right?

13 A. Always.

14 Q. And did you use that name sometimes when you
purchased

15 ammunition for your business?

16 A. Only if it was somebody that knew us. Other than
that, she

17 purchased the ammunition through her name.

18 Q. Okay. Now, other than using your -- this alias to
purchase

19 ammunition for your business and at gun shows, did you
do the

20 rest of your business -- that is, buying a home and
things like

21 that -- in your true name, Roger Moore?

22 A. Yes.

23 Q. You told us that it's common for people to use an
alias at

24 a gun show; is that right?

25 A. That is right.

9219

Roger Moore - Direct

1 Q. What is your understanding of why it's common?

2 A. It's a safety factor.

3 Q. Now, you told us that you first became interested
in

right? 4 firearms when you were growing up as a child; is that

5 A. Uh-huh.

shows? 6 Q. And did you ever sell guns or firearms at gun

7 A. We may have sold one or two a year.

8 Q. Why was that?

had two 9 A. If you found a dealer that -- or an individual that

you 10 or three guns but they wanted to sell all the guns and

you'd have 11 wanted two of them, you didn't want the other one,

one you 12 to buy the whole package; and eventually you'd sell the

13 didn't want.

there, did 14 Q. But other than selling one or two guns here and

15 you ever sell firearms on a regular basis at gun shows?

16 A. No.

17 Q. Is that why you say you're not a gun dealer?

18 A. Right.

back in 19 Q. Now, you told us that your father gave you a gun

20 the 50's; is that right?

21 A. That's right.

22 Q. Have you collected other guns since that time?

23 A. Yes.

your gun 24 Q. Before November 4 -- November 5, 1994, how big was

25 collection?

9220

Roger Moore – Direct

1 A. Roughly 80 to 90 guns.

Royal,

2 Q. Did you keep all of those firearms in your house in

3 Arkansas?

4 A. Unfortunately.

to

5 Q. What type of guns did you have in your house prior

6 November 5, 1994?

7 A. Would you break that down?

8 Q. Sure. Let's start with long guns.

excused for

9 JUROR: Excuse me, your Honor. May I be

10 one moment?

all of

11 THE COURT: We'll take the recess, then, for

12 us.

13 JUROR: Thank you.

14 THE COURT: You can step down, now, Mr. Moore.

will

15 We're going to take the morning recess, and we

16 take -- and you can step out.

17 THE WITNESS: Thank you.

18 THE COURT: And we're going to take recess,

members of

19 the jury --

20 You can go ahead, Mr. Moore.

21 -- for the usual 20-minute period, during
which again,

22 as usual, follow all of the cautions given of avoiding

23 discussion of the case or anything outside of our
efforts and

24 keeping an open mind.

25 You're excused, 20 minutes.

9221

Roger Moore - Direct

1 (Jury out at 10:18 a.m.)

2 THE COURT: All right, we'll take the recess.

3 (Recess at 10:18 a.m.)

4 (Reconvened at 10:37 a.m.)

5 THE COURT: Be seated, please. The juror is
fine. It

6 was just time for the morning break.

7 (Jury in at 10:38 a.m.)

8 THE COURT: Please resume the stand, Mr.
Moore.

9 Ms. Wilkinson, you may continue.

10 MS. WILKINSON: Thank you, your Honor.

11 BY MS. WILKINSON:

12 Q. Is your headset still working, Mr. Moore?

13 A. Yes.

14 Q. Now, I think before we broke, you were talking
about the

15 types of guns you had in your home that you had
collected prior

16 to November 5, 1994. Do you recall that?

17 A. Yes.

18 Q. And you asked me to break down the question. Is
that

19 right?

20 A. Uh-huh.

21 Q. Can we start with long guns. Did you have long
guns in

22 your collection?

23 A. Approximately 75, 77. 80. I don't know.

24 Q. Can you try and keep your voice up just a little
bit so

25 everyone can hear you.

9222

Roger Moore - Direct

1 Thank you.

2 Did you have any carbines?

3 A. M-1 carbines?

4 Q. Yes.

5 A. Yes.

6 Q. Do you recall how many you had before November 5,

1994?

II, and 7 A. Four or five standard stock M-1 carbines, World War

8 two paratrooper models from World War II.

9 Q. So they were all old guns?

10 A. Original World War II.

11 Q. Have you ever sold any of those carbines?

12 A. No.

13 Q. Have you ever given them away to anyone?

14 A. No.

15 Q. Now, what about any .22's? Did you have any .22's?

16 A. Probably 10 to 15.

17 Q. What type were they?

18 A. Five to six 10/22 Rugers, some with scopes. Three
or four

19 Remington Nylon 66's -- that's the model -- built in
the 60's.

20 Four or five Browning Takedowns. I don't know the
model

21 number.

22 Q. Did you have any assault rifles?

23 A. Yes.

24 Q. What type?

25 A. Well, depends on what you call an assault rifle.

9223

Roger Moore - Direct

tell me. 1 Q. What do you call an assault rifle? Why don't you

assault 2 A. I guess whatever the Assault Rifle Bill calls an
3 rifle.

your 4 Q. Well, what type of assault rifles did you have in
5 home?

wood 6 A. I don't call Mini-14's assault rifles, but they're
7 stocks, brown wood stocks. Two .23 caliber made by
Ruger.

8 Q. Did you have any skeet and trap guns?

9 A. Yes.

10 Q. What type?

11 A. Mossberg, a couple of Ithicas.

12 Q. Is Mossberg a shotgun?

13 A. Yes.

14 Q. And what did you say, an Ithica?

15 A. Ithica.

16 Q. What is that?

17 A. Brand name.

18 Q. And what type of gun is it?

19 A. It was a vent-rib skeet gun.

than the 20 Q. Did you have any shotguns, other shotguns other
21 Mossberg?

22 A. Yes.

23 Q. What type?
24 A. I had two Mossberg pistol-grip 500-C shotguns, 12
gauge
25 shotguns, and I had three Winchester Model 1200
Defender, 12-

9224

Roger Moore - Direct

1 gauge shotguns.
2 Q. Did you have hunting rifles in your collection?
3 A. Yes.
4 Q. What type?
5 A. Mostly Remington .30-06, .308, Interarms Mark 10 .
308,
6 Tenite stock, all scoped.
7 Q. Had you used any of those hunting rifles recently
to go
8 hunting?
9 A. I don't hunt.
10 Q. When was the last time you hunted?
11 A. 1973.
12 Q. So these were -- these were just for your
collection. Is
13 that right?
14 A. Right.
15 Q. Did you have any commemorative guns?
16 A. Just two.

17 Q. What type?
18 A. One was a Winchester gold-plated Lone Star lever
action,
19 and the other was a World War II Grand made by
Springfield that
20 was a collector's item.
21 Q. Do you recall when you purchased those weapons?
22 A. Yes.
23 Q. Did you purchase them together?
24 A. Yes.
25 Q. Tell us about that.

9225

Roger Moore - Direct

1 A. There was a gentleman that had an ad in the paper
for a
2 satellite dish, and that was prior to when we bought
our
3 18-inch dish. He was moving out of town, and we went
over to
4 look at it on the other side of town; and then he said,
"I'm
5 selling this, this and this." And we didn't buy the
satellite
6 dish, but we bought the two guns.
7 Q. Meaning the gold-plated gun?
8 A. Right.
9 Q. And which other?

10 A. And the Grand.

11 Q. And the Grand. Okay. Did you have any Colt
Diamondback

12 weapons?

13 A. Two of them.

14 Q. What are they?

15 A. They're not made now. That's a collector's item.
They're

16 made only in .38, .22 long-rifle caliber, 4-inch
barrel.

17 Q. Did you keep any handguns in your home prior to
November 5,

18 1994?

19 A. About 15.

20 Q. What type?

21 A. I had six brand-new Smith & Wessons that I bought
in 1960.

22 Want the model numbers, or --

23 Q. No. Just a general description is fine.

24 A. Okay.

25 Q. I think you told us you had -- we were talking
about

9226

Roger Moore - Direct

1 assault weapons, and you had some Mini-14's. Is that
right?

2 A. Uh-huh.

3 Q. Did you have any other type of assault weapons?
4 A. I had two SKSs, and I'm not sure whether an AK-47
or not.
5 Q. But you had an AK-47?
6 A. I used to have one. I can't remember whether I had
it or
7 not.
8 Q. Okay. You can't remember whether you had it, or
you can't
9 remember whether it's an assault weapon?
10 A. No, it's assault weapon.
11 Q. Okay. Did you have any AR-15's?
12 A. Four.
13 Q. And you had all four of those prior to November 5,
1994?
14 A. Yes.
15 Q. Did you have any Uzi?
16 A. The Uzi I had was a Hollywood prop gun.
17 Q. What is a Hollywood prop gun?
18 A. That's a very rare gun. It's used to make movies,
and you
19 very seldom see them. You very seldom can get a hold
of them.
20 It's a collector's item.
21 Q. How did you get a hold of one?
22 A. Through the gun shows. Years ago they used to come
through
23 the shows; and when people weren't knowledgeable,
they'd sell

for 24 them to people as regular Uzis. And this guy bought it
tired of 25 \$800, and he sold it to somebody else; and the guy got

9227

Roger Moore - Direct

1 having it, and he sold it to me.
2 Q. How much did you pay for it?
3 A. \$80.
4 Q. Why did you pay 80 if he paid 800?
5 A. Well, it had changed hands once since then; and I
told the 6 guy, "If you ever want to sell it, I'd like to have it
to hang 7 it."
8 Q. So was it your understanding the \$800 was supposed
to be 9 for a real Uzi?
10 A. Real Uzi.
11 Q. When you look at that Uzi, can you tell whether
it's a real 12 Uzi or a Hollywood prop gun?
13 A. Yes.
14 Q. How can you tell that?
15 A. Uzi puts right where the serial number is either
Model A or 16 B.

17 Q. Does the Hollywood prop gun --

18 A. Hollywood prop gun doesn't have that.

19 Q. Is there anything about the barrel?

20 A. It doesn't have any rings, lands, or grooves.

21 Q. That's inside the barrel?

22 A. Rights. It has a restricted barrel so you can't
fire
23 bullets through it.

24 Q. So your Uzi had no model number on it. Is that
right?

25 A. Right.

9228

Roger Moore - Direct

1 Q. And no grooves or markings in the barrel?

2 A. Right.

3 Q. Now, do you recall how many total firearms you had
in your
4 personal collection before November 5, 1994?

5 A. Exactly, no.

6 Q. Do you remember generally?

7 A. 80 to 90.

8 Q. And where did you keep the majority of your
collection
9 prior to November 5, 1994?

10 A. All but about four or five were in my master
bedroom.

11 Q. And where in your master bedroom did you keep these
12 firearms?

13 A. In the two closets.

14 Q. In your bedroom?

15 A. Right. Some under the bed and a few in one of the
drawers

16 of the built-in dresser.

17 Q. Were they in cases?

18 A. 85 percent.

19 Q. So if I walked into your bedroom and looked in your
closet,
20 would I be able to see them?

21 A. Quite easily.

22 Q. Now, you said there were a few that weren't in your
23 bedroom. Were there any in any of the other bedrooms
in your

24 home?

25 A. There was one in Karen's bedroom that was given to
her by

9229

Roger Moore - Direct

1 her folks, a Browning, a brand-new Browning, made in
Belgium.

2 She was smart enough that when we moved over there she
put it

3 under the dresser, which weighed about 300 pounds.

house 4 And there was about three other weapons in the

5 that were loaded.

6 Q. Now, prior to November 5 of 1994, did you have any
7 insurance specifically on your gun collection?

8 A. No.

9 Q. Did you have general insurance, homeowner's
insurance?

10 A. Homeowner's.

11 Q. Prior to November 5, 1994, had you discussed with
your
12 insurance agent the necessity of riders to cover your
gun

13 collection?

14 A. Not that one.

15 Q. Not that one? What do you mean?

16 A. Not that insurance agent.

17 Q. Had you discussed it with prior insurance agents?

18 A. Right.

19 Q. And did you understand that you needed riders if
you -- to

20 cover those guns?

21 A. Yes, I did.

22 MR. TIGAR: Objection, your Honor.

23 THE COURT: What's the objection?

24 MR. TIGAR: Hearsay.

25 THE COURT: Well, he's now answering to his

Roger Moore – Direct

1 understanding.

2 MR. TIGAR: No objection. I withdraw the
objection,

3 your Honor.

4 BY MS. WILKINSON:

5 Q. What did you say your understanding was? Did you
need

6 riders to cover those guns?

7 A. Yes.

8 Q. You chose not to get those riders?

9 A. Yes.

10 Q. Why is that?

11 A. I had a good friend in Florida that was the biggest
State

12 Farm agent in Florida, and we discussed it. I knew him
well

13 enough to go to dinner with him. He had my cars and my
house

14 on homeowner's for over 20 years, and he said, "You can
take a

15 chance and get a rider, but," he said, "that's going to
go all

16 the way to Illinois, Bloomfield, and," he said, "a lot
of

17 secretaries will see this; and if a single secretary
sees it

18 and she happens to have a boyfriend that goes to a bar,

he may

19 mention it and you're going to get robbed. And if you
get

20 robbed, you've got a 50 percent chance of getting
killed."

21 And since I told nobody about the collection,
I

22 figured it's easier to say nothing.

23 Q. Did you also discuss the cost of the riders?

24 A. Yes. It was very expensive.

25 Q. And did you ever calculate whether -- if you had
the riders

9231

Roger Moore - Direct

1 for some time, whether you would ever have paid for the
gun

2 collection by paying the rider?

3 A. Yes, I did.

4 Q. Now, other than collecting guns, did you keep any
other

5 collector's items in your home?

6 A. I kept the jade that I found in Costa Rica in 1974,
a box

7 of gold Tiki dolls that came from Costa Rica in 1974,
and the

8 stones, the semiprecious and precious stones that came
from

9 Saudi Arabia and Ceylon in the 60's.

10 Q. Did you ever collect any coins?
11 A. Yes.
12 Q. Did you have coins in your home prior to November
5, 1994?
13 A. Yes.
14 Q. What type of coins?
15 A. Gold, silver, and silver collector's coins.
16 Q. Now, let's go down the list of the other items that
you
17 said you've collected. I think you mentioned some jade
that
18 you had collected?
19 A. Yes.
20 Q. Did you, yourself, find that jade?
21 A. Yes.
22 Q. Where did you find it?
23 A. Costa Rica.
24 Q. When?
25 A. 1974.

9232

Roger Moore - Direct

1 Q. How did you find it?
2 A. Digging around in the peninsula on the west coast.
3 Q. In 1974, were you allowed to go into Costa Rica and
dig out
4 jade?

5 A. That was the last year.

6 Q. Do you recall how many pieces were in your
collection?

7 A. Approximately 50 or 60.

8 Q. Other than sharing it with your wife or Ms.
Anderson, did

9 you ever give any of that jade away to anyone else?

10 A. Not to my -- not that I recall.

11 Q. You said you had gold Tiki dolls.

12 A. Yes.

13 Q. Do you recall when you got those gold Tiki dolls?

14 A. The same time.

15 Q. 1974?

16 A. Right.

17 Q. Where did you find those?

18 A. Costa Rica.

19 Q. And had you had those Tiki dolls and the jade since
1974?

20 A. Yes.

21 Q. Did you photograph the jade and Tiki dolls that you
had?

22 A. As soon as I got back from the trips. I made two
trips a

23 month apiece. We laid them out on a sheet in the
living room,

24 and I stood on a chair and took a Polaroid picture of
each

25 bunch.

Roger Moore - Direct

when 1 Q. And have you taken additional photographs at times

2 you've moved?

3 A. I don't remember doing that.

4 Q. Okay. You're not sure?

5 A. No.

entered into 6 Q. Okay. Let me show you what's been previously

recognize that 7 evidence as Government's Exhibit 1747. Do you

8 photograph?

9 A. Yes.

10 Q. Tell the jury what that photograph is.

11 A. That's a photograph that I took in '74.

12 Q. What's at the top of that photograph, Mr. Moore?

13 A. The Tiki dolls.

14 Q. What's at the bottom of that photograph?

15 A. The jade.

in 16 Q. Okay. I'm going to show you something that's not

jury. I 17 evidence, 1748, so I don't want you to show it to the

18 just want you to look at it yourself.

do you 19 You see that? Don't say what it is. Just --

20 recognize it?

21 A. Uh-huh.

22 Q. Is that a piece of your property?

23 A. Yes.

24 Q. Can you see that on this photograph?

25 Would it help if you had the original
photograph in

9234

Roger Moore - Direct

1 front of you?

2 A. Yes. The photograph is upside down.

3 Q. I'm showing you 1747, the photograph that's in
evidence.

4 Do you see that?

5 You're turning it upside -- you're turning it
the

6 other way than it's shown on the screen. Is that
right?

7 A. Yes.

8 Q. And can you see Government's Exhibit 1748 in that
9 photograph?

10 A. Uh-huh.

11 Q. Thank you.

12 Mr. Moore, were there any markings on that
jade that

13 you recovered in Costa Rica in 1974?

14 A. That particular piece?
15 Q. Or on any of the jade.
16 A. Back when they were pre-Colombian, what they used
to have
17 the women do was use pumice powder and some kind of
hemp --
18 what they called string saw; and they would put the
pumice
19 powder on a damp piece of hemp and put the loop around
it and
20 string-saw different patterns on the jade.
21 Q. Did your jade that you recovered in Costa Rica have
some of
22 those string-saw patterns on it?
23 A. Yes.
24 Q. You told us that you also collected certain types
of
25 stones. Is that right?

9235

Roger Moore - Direct

1 A. Yes.
2 Q. What type of stones did you have in your home prior
to
3 November 5, 1994?
4 A. Everything but emeralds.
5 Q. Why don't you try and give us a list.
6 A. Cut diamonds, sapphires, opals -- excuse me.

Emeralds from

7 Colombia, not rubies.

8 Q. And where did you get those stones?

9 A. I got them from friends in Saudi Arabia when Beirut
was

10 still a gold market before the war and from Ceylon.

11 Q. Do you recall approximately what year that was, or
years?

12 A. In the 60's.

13 Q. And you had those stones since the 1960's?

14 A. Yes.

15 Q. Now, do you recall how you stored the jade, the
Tiki dolls

16 and the semiprecious stones in your home prior to
November 5,

17 1994?

18 A. The jade and the Tiki dolls were stored in cigar
boxes of

19 that vintage, wrapped in either a paper towel or toilet
paper.

20 Q. Where were the semiprecious or the precious stones
stored?

21 A. Stored right next to them in a box about 10-by-10,
6 inches

22 deep, red.

23 Q. Do you recall the cigar boxes that you stored the
jade and

24 Tiki dolls in? The general description of them.

25 A. Sure.

Roger Moore - Direct

1 Q. Did you store anything else in the boxes with the
jade and

2 Tiki dolls?

3 A. The spare P.O. box -- or safe-deposit-box keys.

4 Q. How many safe-deposit-box keys did you store in
those

5 boxes?

6 A. Two.

7 Q. Let me show you a photograph that's already in
evidence,

8 Government's Exhibit 1776A. Do you see that?

9 A. The ammo cans.

10 Q. Yes. Now, do you see right up there at the top
that red

11 and white box? Can you see that?

12 A. Yes.

13 Q. Do you recognize that box?

14 A. If I could read the name, I could tell you better.

15 Q. Okay. Let me see if I can -- it gets kinds of
blurry when

16 we bring it up, but do you recognize colors of that
box?

17 A. Uh-huh.

18 Q. Did you have a box similar to that?

19 A. I still have three.

20 Q. Did you have one similar to that --

21 A. Yes.

22 Q. -- prior to November 5, 1994?

23 A. Yes.

24 Q. And what was stored in that box?

25 A. There were two. There was jade in one and Tiki
dolls in

9237

Roger Moore - Direct

1 the other.

2 Q. Where were the safe-deposit-box keys?

3 A. In the bottom.

4 Q. Of one of those two red cigar boxes?

5 A. Yes.

6 Q. Okay. I'm going to show you Government's Exhibit
1871 and

7 1873.

8 Why don't you start with 1871. Do you
recognize --

9 take it out of the envelope and see if you recognize
it.

10 A. Pardon?

11 Q. Pull it out of the plastic.

12 A. Pull it out?

13 Q. Please.

14 A. Yes.

15 Q. You're looking at 1871?
16 A. Yes.
17 Q. Are there two items there, a key and an envelope?
18 A. Right.
19 Q. Do you recognize those?
20 A. Yes.
21 Q. How do you recognize that envelope?
22 A. It belongs to First Union at Sebastian, Florida,
and it's
23 the box number that I used to have.
24 Q. What's the box number?
25 A. 347.

9238

Roger Moore – Direct

Florida? 1 Q. When did you have a box in a bank in Sebastian,
2 A. For?
3 Q. When?
4 A. When?
5 Q. Did you have it prior to November 5, 1994?
6 A. Yes.
7 Q. And that is the master key, or the second key?
8 A. That's the second key.
9 Q. How do you know that?

up there, 10 A. We kept the main key in Sebastian, the second key
11 and vice versa with the key from Arkansas.
see the 12 Q. Okay. Pick up the other key, if you could. Do you
13 Government exhibit number on there?
14 A. 1873.
15 Q. Do you recognize 1873?
16 A. Yes.
17 Q. Is there an envelope and a key there?
18 A. Right.
19 Q. How do you recognize the envelope marked 1873?
20 A. I put the red M -- or the M on there in ballpoint.
21 Q. What does that M signify?
22 A. That it's for the master box.
box? 23 Q. So that's the master key for -- that safety-deposit
24 A. Right.
deposit 25 Q. What bank did you have that -- where was your safe-

9239

Roger Moore - Direct

1 box for that key?
2 A. Arkansas Bank and Trust.
3 Q. Which branch?
4 A. Arkansas Bank and Trust, main branch.

5 Q. That is in Hot Springs, Arkansas?

6 A. Yes.

7 Q. Were both of those keys, 1871 and 1873, in your
home prior

8 to November 5, 1994?

9 A. Yes.

10 Q. Did you ever give those keys to Terry Nichols?

11 A. No.

12 Q. Did you ever give those keys to Tim McVeigh?

13 A. No.

14 Q. Mr. Moore, you told us that you collected a variety
of

15 items. Did you ever have any other hobbies?

16 A. A video and cameras.

17 Q. You liked to take pictures?

18 A. Yes.

19 Q. What type of camera equipment did you have?

20 A. I had a complete set of all Minolta-type cameras
with the

21 lenses, telephotos, zooms, etc.

22 Q. Did you keep those in your house?

23 A. Yes.

24 Q. Prior to November 5?

25 A. Yes.

Roger Moore - Direct

1 Q. Where did you keep them?

2 A. In the closet.

3 Q. And did you have any video equipment?

4 A. I had a JVC camera with an extension cord and an
adapter to

5 go into another portable.

6 Q. Was that all in your home prior to November 5,
1994?

7 A. Yes.

8 Q. Was it taken from you on November 5, 1994?

9 A. Yes.

10 Q. Was any part of the video camera left behind?

11 A. None. You mean --

12 Q. Not the camera itself but the deck? Do you recall?

13 A. The portable deck was left behind.

14 Q. Now, prior to November 5, 1994, did you have any
cash in
15 your house?

16 A. Yes.

17 Q. Did you regularly keep cash in your house?

18 A. Yes.

19 Q. Why is that?

20 A. I don't have a credit card. Can't get one.

21 Q. Why can't you get one?

22 A. I've never bought anything on credit, so I have no
history.

23 insurance; and

All three of us have no hospitalization

24 and you

when we go traveling, if something should happen to you

25 the

don't have any money, you're going to wait in line with

9241

Roger Moore - Direct

1 do that.

poor people, I guess. I don't know. I don't want to

2 motor home,

And occasionally when we go someplace, we may buy a

3 might

if we run across one. We may buy a horse trailer. We

4 we keep

buy a horse. There is no telling what we might buy; so

5 cash.

6 traveling?

Q. You keep it in your house as well as when you're

7 A. Yes.

8 your

Q. Now, do you also have gold and silver bullion in

9 before

house, or did you before November 5, or gold and silver

10 November 5, 1994?

11 A. Yes.

12 Q. Why did you keep that in your house?

13 box.

A. Just hadn't got around to taking it down to the

14 Q. Have you ever had any concern about the banking
system?

15 A. Yes.

16 Q. And what was your concern prior to November 5,
1994, about

17 the banking system?

18 A. You're not always sure it's going to be there.
When they

19 had the crash in 1987, I called down and had Carol pull
20 \$100,000 out of the account just to have it at home.

21 Q. So I take you have no problem getting access to
money --

22 A. No.

23 Q. -- is that true?

24 Now, on November 4, 1994, do you recall what
day of

25 the week that was -- the 4th?

9242

Roger Moore - Direct

1 A. Saturday.

2 Q. The 4th, not the 5th.

3 A. I don't know what calendars -- When you're not
employed,

4 you don't keep track of numbers.

5 Q. Do you recall what happened to you on November 5,
1994?

6 A. Yes.

7 Q. Okay. Do you recall the day before, November 4?

8 A. Yes, Friday.

9 Q. Okay. Now, on Friday, November 4 of 1994, did you
have
10 cash in your house?

11 A. Yes.

12 Q. Did you have any cash on a desk in your house?

13 A. On the computer desk.

14 Q. How much money did you have there approximately?

15 A. \$8,700.

16 Q. Why did you have it out on your computer desk?

17 A. She was gone to a show, and that's when I catch up
on stuff
18 I want to do; and I had counted it and put it in ABT
envelopes,

19 sealed them and marked them and initialed them.

20 Q. You said "she." Who is "she"?

21 A. Karen.

22 Q. Ms. Anderson had left prior to November 4, 1994?

23 A. She had left at 5 or 6:00 in the morning on
November 4.

24 Q. Where had she gone?

25 A. Shreveport.

1 Q. Were you there by yourself?

2 A. Yes.

3 Q. On the morning of November 5, 1995 (sic), were you
home

4 that morning?

5 A. Yes.

6 Q. Were you alone?

7 A. Yes.

8 Q. Do you recall what time you woke up?

9 A. 8, 8:30.

10 Q. Do you recall what you did after you woke up?

11 A. I always lay in bed about 15 or 20 minutes because
I hate

12 to get up like that.

13 Q. You're not a morning person.

14 A. No.

15 Q. Why were you getting up at that time?

16 A. Well, go out and feed the animals and let the ducks
and

17 geese out.

18 Q. Is that something you did on a regular basis when

19 Ms. Anderson wasn't there?

20 A. Yes. They get up at sunrise.

21 Q. And you got up around 8:30?

22 A. Uh-huh.

23 Q. What did you do next?

24 A. Walked to the kitchen and got a glass of orange

juice,

25 looked out the window to see what the weather was like.

9244

Roger Moore - Direct

1 Q. At that time, did you have firearms around your
house?

2 A. Yes.

3 Q. What did you do next?

4 A. Decided I'd go out and let them out and then come
back and
5 fix breakfast.

6 Q. You say "let them out." You mean the animals?

7 A. Right. Feed the horses.

8 Q. Do you recall what you were wearing that morning?

9 A. Worn-out blue sweat pants and a Levi-type long-
sleeved
10 shirt.

11 Q. What was the condition of that Levi shirt you were
wearing?

12 A. It -- like I was standing on the road with a sign
saying

13 "I'll work for food."

14 Q. Not as nice as your shirt you're wearing today, I
take it?

15 A. No.

16 Q. And you had that on when you decided to walk out
the door

17 that morning?

18 A. Yes.

19 Q. Now, when you walked out the door to go feed the
animals,

20 did you carry any firearm with you?

21 A. No.

22 Q. Had that been your practice prior to November 5,
1994, to

23 carry a firearm with you when you went out to feed the
animals?

24 A. Never.

25 Q. Why not?

9245

Roger Moore - Direct

1 A. There is nobody out there to shoot at.

2 Q. Mr. Moore, I'm going to show you Government's
Exhibit 1749.

3 Do you recognize this?

4 A. Yes.

5 Q. How do you recognize it?

6 A. It's the rag I was wearing to go to the barn.

7 Q. You say "rag." You mean the shirt?

8 A. Yeah.

9 MS. WILKINSON: Your Honor, we offer 1749.

10 MR. TIGAR: May I examine it, your Honor?

11 THE COURT: Yes. You can come up.

12 MR. TIGAR: No objection, your Honor.

13 THE COURT: 1749 is received.

14 BY MS. WILKINSON:

15 Q. Now, Mr. Moore, showing the jury this shirt, you
see this

16 tape across here?

17 A. Uh-huh.

18 Q. Was that tape on your shirt before you went out?

19 A. No.

20 Q. On November 5, 1994?

21 A. No.

22 Q. Was that placed there afterward?

23 A. Yes.

24 Q. By you?

25 A. No.

9246

Roger Moore - Direct

1 Q. By someone else?

2 A. Yes.

3 Q. Mr. Moore, tell the jury what happened to you when
you

4 walked out the door to go feed the animals.

5 A. I walked past the carport, started towards the barn

6 probably about 12 feet down the driveway at an angle;
and from

the 7 behind me by the garage, I heard a voice say, "Lay on
8 ground."

heard that 9 Q. At that time, could you see that person when you
10 voice?

11 A. When I turned around.

12 Q. But before that, you could not?

13 A. No.

14 Q. So what did you do?

15 A. I turned around and looked.

16 Q. What did you see?

17 A. A horrible picture.

18 Q. Was it a picture?

19 A. In my mind.

20 Q. What did you see?

and a 21 A. A man dressed with cameos (sic), black ski mask,
22 pistol-grip shotgun aimed right at my face.

23 Q. When you turned around and saw that, did you notice
24 anything about the pistol-gripped shotgun?

25 A. It had a garrote wire.

9247

Roger Moore - Direct

1 Q. What is a garrote wire?

2 A. Something that will scare the hell out of you.

3 Q. What is it?

4 A. It's a stainless steel woven wire that attaches to
the
5 front swivel where a sling would be, and it attaches to
the
6 back of the pistol grip; and it has enough of a loop
over it,
7 if they want to put that over your neck and snatch it,
they can
8 cut your windpipe.

9 Q. That was hanging from the barrel of the shotgun?

10 A. Right.

11 Q. When you turned around and looked at this person,
how far
12 away from him were you?

13 A. 15 feet.

14 Q. And do you recall how long it was that you had
turned
15 around and had an opportunity to look at him?

16 A. 5 to 7 seconds.

17 Q. And did that give you enough time to look at this
entire
18 person up and down?

19 A. Yes.

20 Q. Let's start from the feet. What did you notice
about his
21 feet?

22 A. Combat boots, probably Israeli, like the ones I

had. No

23 seams, gray.

24 Q. What about his pants?

25 A. Cameos from probably Vietnam, well-worn.

9248

Roger Moore - Direct

Are 1 Q. When you say "cameos," I think of cameo, the stone.

2 you talking about camouflage color?

3 A. Camouflage. The old-style camouflage.

pants he 4 Q. All right. Could you tell me how many pairs of

5 was wearing?

6 A. Looked like there were two.

7 Q. Why did you think there was two?

8 A. Too bulky.

9 Q. What else did you notice?

under it, 10 A. The shirt was cameo, and it had bunches of stuff

stuffed 11 like he had either had a flak jacket or they had

he 12 something under it to make the person look heavier than

13 actually was.

not? 14 Q. Did you notice whether he was wearing gloves or

15 A. Gloves, yes. Military gloves.

16 Q. And you said he was wearing a ski mask?
17 A. Full ski mask tucked under the collar.
18 Q. What color was the ski mask?
19 A. Black.
20 Q. Did it have any openings?
21 A. Eyes and mouth.
22 Q. Could you tell what color eyes he had?
23 A. No.
24 Q. Could you tell what color skin he had?
25 A. Some sun, not a person that was a Eurasian or
something. I

9249

Roger Moore - Direct

1 would say a gringo.
2 Q. A gringo with a suntan?
3 A. Yes.
4 Q. Could you tell whether he had any facial hair?
5 A. Yes.
6 Q. What type of facial hair did you notice?
7 A. He had a growth. I don't know how much it was, but
I'd say
8 half inch at least down on the bottom. It could have
been
9 more.
10 Q. And could you identify the person by looking at him

in a

11 ski mask?

12 A. The exact person?

13 Q. Yes.

14 A. Not in any way, shape, or form.

15 Q. Could you tell what type of build he had?

16 A. 5 -- you want the description?

17 Q. Yes.

18 A. 5' 10", 5' 11". Could be off an inch because he is

19 standing above me at an angle. 165 to 185.

20 Q. Now, at that time when you turned around and saw
this --

21 was it a man?

22 A. Yes.

23 Q. When you saw this man standing there with a
shotgun, a

24 garrote wire, and a ski mask, what did you do after you
looked

25 at him?

9250

Roger Moore - Direct

1 A. After -- I said, "What?" And he repeated it.

2 Q. What did he repeat to you?

3 A. The same thing.

4 Q. Which was?

5 A. "Lay on the ground."

6 Q. What did you do?

7 A. I laid on the ground.

8 Q. Why did you do that?

9 A. An awful lot of bad stuff can come out of a barrel
of a
10 shotgun.

11 Q. You're familiar with how shotguns work?

12 A. Yes.

13 Q. What happened once you laid on the ground?

14 A. He walked over to me.

15 Q. What did he do?

16 A. He let the barrel of the shotgun rest on the back
of my
17 neck, and he asked me if there was anybody in the
house,
18 anybody else in the house.

19 Q. How did you respond?

20 A. "No."

21 Q. Why did you tell him that?

22 A. When they have you in that position, you tell them
the
23 truth.

24 Q. What happened next?

25 A. He asked me to crawl into the house on my hands and
knees.

Roger Moore - Direct

1 Q. Did you do it?

2 A. Yes.

3 Q. How did you crawl on your hands and knees?

4 A. Just like you'd crawl on your hands and knees.

5 Q. And where was the shotgun?

6 A. On the back of my neck.

7 Q. The entire time you were crawling?

8 A. Yes.

9 Q. And did you make your way back to the door?

10 A. Yes.

11 Q. What happened then?

12 A. I crawled up the steps and into the carpet on the
entryway.

13 Q. Did the robber open the door for you?

14 A. Yes.

15 Q. Did he ask you anything at that point?

16 A. During the crawl, he asked me if I was expecting
anybody.

17 Q. What did you say?

18 A. I said I was expecting people for an early lunch
from Hot

19 Springs.

20 Q. Was that true?

21 A. No.

22 Q. Why did you say that?

23 A. I wanted him out of there as soon as possible.
24 Q. Once you crawled back in through the door, what did
you do?
25 A. He had me go into the edge of the living room and
lay flat.

9252

Roger Moore - Direct

1 Q. On your stomach?
2 A. Yes.
3 Q. What happened next?
4 A. He put a quarter-inch police tie wrap on my hands
behind my
5 back and one on my ankles, taped my eyes with duct
tape, and
6 then threw a jacket that was on the couch over my head.
7 Q. And did you ever try and resist him up to that
point?
8 A. No.
9 Q. Why not?
10 A. You don't have a chance.
11 Q. Now --
12 A. If he had been Special Forces without the gun, he
could
13 have got me anyway.
14 Q. At that time, did you know if he was alone or if
there was
15 anyone else there?

16 A. I didn't.

17 Q. Now, once he tied you up with the police ties and
put the
18 tape on your eyes and put the coat over your head, what
19 happened?

20 A. I heard him go through the house.

21 Q. How could you hear him go through the house?

22 A. I was in the center of the house, and I could hear
him walk
23 around through the office, go in the first bedroom,
open the
24 door, go in the second bedroom, walk down the hallway,
check
25 the bathroom, and then check the master bedroom.

9253

Roger Moore - Direct

1 Q. Could you hear his footsteps?

2 A. Very easily. It's a wood floor.

3 Q. Did you hear any doors?

4 A. Yes.

5 Q. What happened after that?

6 A. He came back in and he asked me, "Where is the
money?"

7 Q. He asked you what?

8 A. "Where is the money?"

9 Q. What did you say?

computer 10 A. I said, "It's right inside the bedroom on the
11 desk."
12 Q. Did he respond to you after that?
13 A. No.
14 Q. Did you hear him do anything?
15 A. He walked into the bedroom.
16 Q. You could hear that?
17 A. Yes.
the 18 Q. Did he say anything to you after you walked into
19 bedroom?
20 A. No.
21 Q. What happened next?
from the 22 A. He made about five to seven trips, carrying stuff
23 bedroom outside.
24 Q. You could hear him walking outside?
25 A. Uh-huh.

9254

Roger Moore - Direct

1 Q. How could --
outside. 2 A. I could hear him walking through the house but not
3 Q. You don't know what he did outside?

4 A. No.

5 Q. At that point. Did he ever ask you about a safe?

6 A. Later on he said, "Where is the safe?"

7 Q. What did you say?

8 A. I said, "The money wouldn't be laying on the desk
if I had
9 a safe."

10 Q. Did he respond?

11 A. No.

12 Q. During the entire robbery, did he say much to you?

13 A. He never answered any of my questions.

14 Q. Now, you said you heard him going in and out of the
house
15 from the -- was it from the master bedroom?

16 A. Yes.

17 Q. And do you recall how long that took?

18 A. An hour and 20 to an hour and 45 minutes.

19 Q. And do you recall how many trips he made back and
forth?

20 A. Probably 20.

21 Q. Did you ever hear any other -- another set of --
they're

22 not footprints, but --

23 A. I never heard anybody else.

24 Q. Now, did there come a time when you asked him a
question?

25 A. Yes.

Roger Moore - Direct

1 Q. What did you ask him?

2 A. First thing I asked is I told him my hands were
becoming

3 paralyzed because of my blood circulation, and I asked
if he

4 would do something about it.

5 And he cut the tie on my hands and he cut the
tie on

6 my ankles, turned me around and pulled me to the couch,
which

7 was a few feet away; and then he duct-taped me on the

8 shoulders, the wrists, the thighs, the ankles, left the
duct

9 tape.

10 Q. Did he leave duct tape around your body?

11 A. Around my body, yes.

12 Q. How were your arms positioned when you were being
duct-

13 taped?

14 A. Right alongside of my body just like this.

15 Q. Did he take the tape and wrap it around your front
to the

16 back?

17 A. Right.

18 Q. Like what we saw on your shirt with a piece of tape
on the

19 back?

20 A. He wrapped it around and around.

21 Q. Now, before he was able to tape you, he cut off the
binds.

22 Is that right?

23 A. Right.

24 Q. Did you try and get free at that point?

25 A. No.

9256

Roger Moore - Direct

1 Q. Why not?

2 A. I don't know where the gun is. He can cut the --
he can

3 cut the tie wraps with one hand and hold the shotgun,
since

4 it's a pistol grip, with the other hand.

5 Q. Were you afraid?

6 A. Certainly. I'm not going to take a shotgun on.

7 Q. Now, you said he kind of dragged you over from one
spot to

8 the other spot?

9 A. I helped with the heels of my feet.

10 Q. Don't take this the wrong way, but you're kind of a
big

11 man; right?

12 A. Now. I weighed 30 pounds less then.

you to 13 Q. And did you assist him at all when he was dragging
14 the other couch?
15 A. Yes.
16 Q. Why did you do that?
17 A. I didn't want to antagonize him.
the duct 18 Q. When he duct-taped your body, did you still have
19 tape over your eyes?
20 A. Yes.
second 21 Q. Where were you looking once you were put into that
22 position?
the back 23 A. If I had my duct tape off, I could see right out
24 door.
25 Q. So were your looking straight ahead?

9257

Roger Moore - Direct

1 A. Right.
2 Q. Did you hear anything at that time?
could 3 A. I listened as close as I could because I figured I
heard any 4 hear the clips or the guns being laid down. I never
5 metal hitting any metal.
6 Q. Did you ever hear any of your animals?

7 A. One of the cats came in early on, the little one,
the
8 Persian, because she's used to getting milk in the
morning; and
9 I heard her whining. And then eventually, I didn't
hear her.

10 Q. Had the cat been outside prior to --

11 A. Yes.

12 Q. -- when you went outside --

13 A. Cat lives outside.

14 Q. What did you believe had happened based on what you
heard?

15 A. I was just hoping they didn't kill her.

16 MR. TIGAR: Objection to what he believes,
your Honor.

17 THE COURT: Sustained.

18 BY MS. WILKINSON:

19 Q. Now, did you say anything else to the robber?

20 A. Yes. During his trips back and forth, the first
question I

21 asked him -- I said, "Are you a Fed?"

22 Q. Did he answer?

23 A. No.

24 Q. Did you ask him anything else?

25 A. When he got near the end of the whole thing, I
said, "Would

Roger Moore – Direct

1 you please leave the Hornet. It was a gift from my
father."

2 Q. That's the .22 Hornet you told us about?

3 A. Yes.

4 Q. Did he respond?

5 A. No.

6 Q. Now, did you hear him do anything else at that
point?

7 A. Near the end, I heard him open the slider on my
custom

8 truck.

9 Q. Is it a truck or van?

10 A. Van.

11 Q. Where was your van parked on November 5?

12 A. Right next to the back door.

13 Q. And did you say anything about that van to the
robber?

14 A. Yes.

15 Q. What did you say?

16 A. I said, "I built it myself as a custom camper van,
and

17 would you please take the LTD on the cement slab."

18 Q. Did he respond?

19 A. No.

20 Q. Now, you said this lasted about an hour and a half
total?

21 A. Uh-huh.

22 Q. Is that right?
23 A. Yes.
24 Q. Did he say anything to you before he left?
25 A. Yes.

9259

Roger Moore - Direct

1 Q. What did he say?
2 A. He come over near me and he said, "There is another
guy
3 waiting out there with a shotgun. Don't move. We're
coming
4 back for the rest of it."
5 As he left the house, he said, "You don't have
to
6 worry about your guns. They're going to the gangs."
7 Q. Did you know what he meant by that?
8 A. Absolutely not.
9 Q. Now, after he said that to you, did you hear
anything?
10 A. I heard him close the slider, go around and open
the
11 driver's door, close it, start the van, and back out.
12 Q. Did you ever hear any indication of a second person
being
13 present?
14 A. No, I did not.

slider 15 Q. Now, once you heard that passenger door -- or the
16 close, did you move right away?
17 A. No.
18 Q. Why not?
19 A. If there had been a person there and you're tied
up, you're
20 dead.
21 Q. So what did you do?
22 A. I waited till I was sure he was down the driveway.
23 Q. Then what did you do?
24 A. Since I was sitting next to the couch and the
bolster arm
25 was right here, I took my head and laid it against
there and

9260

Roger Moore - Direct

off, 1 tried to hook the tape into the couch and pull the tape
2 which I was successful in doing.
3 Q. Pulling off the tape?
4 A. Off -- just off my eyes.
5 Q. Now, you told us that the robber bound you with
duct tape
6 sometime in the middle of the robbery. Is that right?
7 A. Right.
8 Q. Did he bind you all the way from the top all the

way down

9 to the bottom?

10 A. No. Just in -- like here, here, thighs and ankles.

11 Q. For the record, you're saying your chest?

12 A. Chest.

13 Q. Where else? Your stomach or hip area?

14 A. Well, around the arms here, around the arms here.

need to

15 Q. Meaning your wrist -- you're saying "here," and we

16 get it for the record.

17 A. Want me to stand up?

18 Q. Sure.

19 A. Like here.

20 Q. You're pointing to your elbows?

21 A. Well, above my elbow.

22 Q. Above your elbow. Okay.

23 A. The muscle part of your bicep.

24 Q. Okay.

25 A. And here.

9261

Roger Moore - Direct

1 Q. Right above your wrist?

basically.

2 A. Not on my hands, but here. On your wrists,

3 Q. Could your wrists move a little bit?

4 A. Sure, I could move my hands.

5 Q. Where was the next place he placed the tape?

6 A. Here.

7 Q. On your thighs?

8 A. Right. Then my calves.

9 Q. So did you have some room to maneuver?

10 A. Yeah. You could roll around or do what you wanted
to do.

11 It wasn't anything like tie wraps.

12 Q. Did you roll around or maneuver around while he was
there?

13 A. No.

14 Q. Once he left, what did you do?

15 A. Got the eye -- got the tape off my eyes and got a
penknife

16 off the end table that was sitting next to there,
knocked it on

17 the floor, rolled back over, picked it up, and started
cutting

18 the duct tape up.

19 Q. You said you had a penknife. Had that penknife
been out

20 before the robbery?

21 A. The night before, I had used it -- I had opened it
up and

22 used it to tighten the screws in the cheap glasses that
I wear.

23 Q. And how big was that penknife?

24 A. Closed, 2 inches; open, 3 1/4, 3 1/2.

25 Q. Was it open when you retrieved it?

9262

Roger Moore - Direct

1 A. Yes. I had left it open.

2 Q. Now, can you stand up again and show the jury how
you were

3 able to cut yourself free using that penknife?

4 A. Well, I'm sitting down, so I'm bent in half; but
when I got

5 a hold of it, I very carefully -- because you're
pointing it at

6 your stomach and it was sharp, so I just started
cutting the

7 stuff. Once you get it started, then your hands are a
little

8 bit loose, then you can rip the stuff.

9 Q. And were you able to get yourself out of the duct
tape at

10 that point?

11 A. Uh-huh.

12 Q. What did you do next?

13 A. I went and picked up the phone.

14 Q. What did you discover when you picked up the phone?

15 A. The line was dead.

16 Q. What did you do after that?

17 A. Went and picked up one of the other phones.

18 Q. What did you find?
19 A. Dead line.
20 Q. Did you go back into your master bedroom?
21 A. Yeah.
22 Q. What did you see?
23 A. A mess and nothing there.
24 Q. What was taken?
25 A. Just about everything that was in the bedroom.

9263

Roger Moore – Direct

1 Q. Meaning what?
2 A. Guns, the silver that was in the bottom drawer, the
two
3 cigar boxes, the red box, all the guns in the closet
and all
4 the long guns that we had scattered through the house
that were
5 loaded. Every one of those was gone.
6 Q. Was there any bedding that was taken?
7 A. They took the pillowcases off my bed, and they took
the
8 fitted sheet off my bed, and they took the comforter
off
9 Karen's bed and one of her pillowcases.
10 Q. What did you do after you looked through the house?
11 A. I looked for keys.

12 Q. Where do you normally keep your keys?

13 A. On the desk -- As you come in the door, there is a
business

14 desk with a typewriter.

15 Q. Did you go over and look at that desk?

16 A. Yes.

17 Q. Were there any keys there?

18 A. None.

19 Q. What did you do after that?

20 A. I went back over to the retractable or flip chair,
or

21 whatever they call those things, lounge chair that lays
back

22 and has a footrest.

23 Q. Your La-Z-Boy?

24 A. Yeah. That's what I watch TV in.

25 There is a box there that I have for magazines
and

9264

Roger Moore - Direct

1 stuff; and in the box, I kept a .45 stainless steel
automatic.

2 Q. Was that box closed --

3 A. Yes.

4 Q. -- before the robber came in?

5 Was that gun still there after the robbery?

6 A. Yes.

7 Q. What did you do with it?

8 A. Stuck it in my belt.

9 Q. Why?

10 A. I wasn't going outside without a gun.

wearing
11 Q. Now, did you stay in the clothes that you had been
12 when you were taped up?

I could
13 A. No, I took them off and got something decent on so
14 go down the highway.

15 Q. Did you leave those clothes in your home?

16 A. Yes.

17 Q. Did you eventually turn them over to the police?

18 A. Yes.

19 Q. Did you turn them over that day?

20 A. No. I don't think so.

21 Q. Do you know?

22 A. No, I don't.

What did
23 Q. Okay. Now, you put that .45 in your waist belt.
24 you do next?

25 A. I went out to her truck --

1 Q. Who is "her"?

2 A. Karen's truck. She's kind of sloppy on her keys;
and it

3 was out by the barn, and she usually leaves them in the

4 ignition. I figured if I could get a set of wheels,
I'd be

5 better off than walking. The keys were gone.

6 Q. So what did you do?

7 A. I started down the driveway.

8 Q. How far did you get?

9 A. To the bridge.

10 Q. What did you do then?

11 A. I looked back at Walt's house, because I could see
that his

12 truck was gone right from my house. He parks in a
different

13 place, but I could see his wife's car was there, so I
crawled

14 over the fence and went to their home, knocked on the
door.

15 Q. Was Mrs. Powell home?

16 A. Yes.

17 Q. Did you speak with her?

18 A. I told her I had an armed robbery, I needed to use
the

19 phone.

20 Q. Did she let you use the phone?

21 A. Certainly.

22 Q. Who did you call?

23 A. The sheriff's office.
24 Q. Who else did you call?
25 A. Bill Stoneman.

9266

Roger Moore - Direct

1 Q. Anyone else?
2 A. I called Nora Way, who has lived in the town 34
years and
3 knows everybody.
4 Q. And did you ever call the sheriff's office again
that
5 morning?
6 A. Yes. First time, they told me they were working an
7 accident and they'd be a while.
8 Q. And you called them a second time?
9 A. A second time.
10 Q. Why is that?
11 A. I thought my robbery was more important than an
accident,
12 and I thought they must have more cars than they need
to work
13 an accident.
14 Q. Now, was Mr. Powell home when you made these phone
calls?
15 A. No.
16 Q. Did Mrs. Powell ever volunteer to go get Mr.

Powell?

17 A. She said he was at the church helping out with some
kind of
18 modification, construction, this and that, and would I
like him
19 to come home. And I said very much so.

20 Q. Now, when you spoke to the sheriff's office or
21 representative from that office, did you tell them that
you
22 were at your residence or Mr. Powell's residence, if
you
23 recall?

24 A. I didn't tell them the first time. The girl
running the
25 switchboard didn't give me time.

9267

Roger Moore - Direct

1 Q. During the second call to the sheriff's office, did
you

2 tell them that you were at Mr. Powell's house?

3 A. I told them the address of Mr. Powell's house.

4 Q. Now, did Mr. Powell return from the church?

5 A. Yes.

6 Q. Did he come back to the house while you were there?

7 A. I don't think he did.

8 Q. And what did you do -- how long did you wait at

9 Mr. Powell's house before representatives of the

sheriff's

10 office arrived?

11 A. Maybe an hour.

12 Q. And did they come to Mr. Powell's house, or to your house?

13 A. Powell's.

14 Q. What happened when they arrived?

15 A. They started asking questions, and then they got out a form

16 and a clipboard and wanted to write down the name, number, and

17 all the stuff that they go through before they start talking

18 about the robbery.

19 Q. Did you give them some of the details of the robbery?

20 A. Not at that time.

21 Q. When did you do that?

22 A. After about three or four more cars showed up, the guy

23 said, "Let's go over to your house and finish this up"; so we

24 did.

25 Q. And did you allow them to take evidence from your house,

9268

Roger Moore - Direct

1 the binds or the police wraps and your clothing and

other

2 items?

3 A. Uh-huh.

4 Q. You didn't withhold any of those from the police,
did you?

5 A. No. I took my van down the same day for
fingerprint tests.

6 Q. All right. Well, let's talk about your van. Was
your van

7 gone when the sheriff's office arrived?

8 A. Yes.

9 Q. At some point, did you learn they had recovered it?

10 A. Pardon?

11 Q. At some point, did you learn they had found your
van?

12 A. Yes.

13 Q. Did you go see it?

14 A. Yeah. They took me over there.

15 Q. All right. Approximately how far from your home
was the

16 van?

17 A. Miles, or crow flies?

18 Q. Let's start with how the crow flies.

19 A. Quite close.

20 Q. Approximately?

21 A. 2 miles.

22 Q. And if you had to drive on the roads?

23 A. 6.

looking
behind

24 Q. And if you're standing behind your home and you're
25 back over your shoulder to the woods, is it directly

9269

Roger Moore - Direct

1 you?
2 A. Close.
3 Q. In that general direction? And you saw your van
there?
4 A. You mean after they took me over there?
5 Q. Yes, the sheriff's office.
6 A. Yes.
7 Q. And what did you do with your van after you saw it
there?
8 A. They asked me to look inside of it.
9 Q. All right. And did you eventually turn it over to
the
10 police?
11 A. That afternoon, yes.
12 Q. Did you permit them to take fingerprints?
13 A. I told -- they said they wanted to. I left it
overnight.
14 Q. And you didn't object to that, did you?
15 A. No.
16 Q. Now, after you spoke to the police or the sheriff's
office,

17 did you also speak to Mr. Powell, your neighbor?

18 A. Yes.

19 Q. And did you tell him about the robbery?

20 A. Certainly.

21 Q. Did you ask for his assistance?

22 A. Yes, I did.

23 Q. What did you ask him to do?

24 A. I asked him to go home and get a set of wire
strippers and

25 try to do a jury-rig on the phone so I could use it.

9270

Roger Moore - Direct

1 Q. And had you at some point checked outside where
your phone

2 lines were to determine whether they had been cut or
not?

3 A. He went back and found that.

4 Q. Did you see it at some point?

5 A. I walked back with him after he called me.

6 Q. Now, after Mr. Powell fixed your phone, did you
ever

7 attempt to call Ms. Anderson that day?

8 A. Yes.

9 Q. How did you attempt to call her or contact her?

10 A. I called the promoter in Denham Springs, Texas,
because the

11 only number I knew, and asked -- told them I had an
emergency

12 and I needed to call the gun show at Shreveport,
Louisiana.

13 Q. Did you eventually get in touch with Ms. Anderson?

14 A. Yes.

15 Q. Did you ask her to do something for you?

16 A. Yes.

17 Q. What did you ask her to do?

18 A. I said, "In the morning, on Sunday, don't open your
table."

19 Q. Why?

20 A. "Walk around the gun show and try to find a Mini-14
and a

21 riot shotgun."

22 Q. Why did you ask her to do that?

23 A. I don't have anything to protect myself but a .45,
and I'm

24 not a good shot with a .45.

25 Q. Did you contact anyone else that evening?

9271

Roger Moore - Direct

1 A. Yes. I called Mike Klesko, I think his name is.

2 Q. What did you ask him to do?

3 A. I asked him when he closed his bar up to come out
and keep

4 me company for the rest of the night.

5 Q. Why did you do that?

6 A. With very few guns, I didn't want to be home by
myself in
7 the dark.

8 Q. I want to show you some photographs that have been
9 previously entered into evidence. I want to start with
10 Government's Exhibit 1740A. Do you recognize this
photograph?

11 A. Yes.

12 Q. Is that your home?

13 A. Yes.

14 Q. Now, can you show the jury -- take that pen that
you have
15 up there and take it down to the bottom screen and show
the
16 jury where you came out that morning of November 5.

17 A. Does it write? Do they get to see it? I don't see
18 anything.

19 Q. Can you see the little red dot?

20 Drag the pen along the screen. There you go.

21 You were walking that direction?

22 A. Yes.

23 Q. That is a slight decline that you're walking down?

24 A. Yeah. That's about -- from here to where the
robber was
25 standing, it's probably 2 feet.

9272

Roger Moore - Direct

van? 1 Q. All right. To the left of your mark: Is that your

2 A. Yes.

3 Q. Is that the one that was present on November 5?

4 A. Yes.

1740D. Does 5 Q. Now let's go to the next photograph, which is

right 6 that show the door? In fact, if you leave your mark

7 there --

8 A. Uh-huh.

9 Q. That is the door you walked out that morning?

10 A. Right.

11 Q. Let's look at 1740B. What does that show?

three 12 A. Shows the place where the robbers probably stood

13 hours.

side 14 Q. All right. Well, click your pen, could you, on the

15 and get rid of that mark.

16 No, click the side of it.

17 A. Side of what?

the side 18 Q. The side of the pen. There is a little button on

19 of the pen.

20 A. Excuse me.

21 Q. Not on the screen. Do you feel a little button on
the side

22 of your pen? There you go.

23 Put an X where the robber was standing when
you turned

24 around and saw him.

25 Is that right there on the side of your
garage?

9273

Roger Moore – Direct

1 A. Yes.

2 Q. See that satellite dish?

3 A. Yes.

4 Q. Was that there the day of the robbery?

5 A. No.

6 Q. You've added that since the robbery?

7 A. About a year ago.

8 Q. But other than that, is how the garage looked?

9 A. Absolutely.

10 Q. On the day the robber was there?

11 A. Yes.

12 Q. If you looked straight out your door, could you
have seen

13 that man standing there?

14 A. No.

home? 15 Q. Now let's look at 1740E. Is this the back of your

16 A. Yes.

where 17 Q. Can you show the ladies and gentlemen of the jury

18 your telephone wires were hooked up?

19 A. Right here.

20 Q. That metal box?

21 A. Yes.

5, 1994? 22 Q. And those were the wires that were cut on November

23 A. Yes.

Do you 24 Q. How difficult is it to fix those telephone wires?

25 know?

9274

Roger Moore - Direct

1 A. You mean to jury-rig them?

2 Q. Yes.

3 A. Simple.

during the 4 Q. Now, Mr. Moore, were you looking at your watch

5 time of the robbery?

6 A. No. I don't wear a watch.

occurred, 7 Q. So if I ask you about some times of when things

8 can you give us an approximation?

9 A. Yes.

10 Q. You said that you walked out of your house
approximately

11 when?

12 A. 9:15.

13 Q. And the robber stayed approximately how long?

14 A. Hour and a half, hour and 45 minutes.

15 Q. And do you recall how long it was before you got
down to

16 Mr. Powell's house to make those phone calls?

17 A. 20, 25 minutes.

18 Q. Do you recall when it was when you called the
sheriff's

19 office?

20 A. As soon as she opened the door and I looked it up
in the

21 phone book.

22 Q. Can you give us an hour? Was it --

23 A. Oh, you mean the hour?

24 Q. Yeah. Between a certain time.

25 A. Between 11, 11:30 or 12.

9275

Roger Moore - Direct

1 Q. You're not sure of the exact time?

2 A. I didn't look at her clock.

3 By the way, I'd like to make a statement
because the

4 jury is sitting here.

5 Q. Well, you can't make a statement, Mr. Moore.

6 A. Okay.

7 Q. You just have to respond to my questions.

8 After the robbery, did you and Ms. Anderson
make a

9 list of the property you believe was stolen from your
home?

10 A. Yes. That Sunday night.

11 Q. And did you help her make that list?

12 A. Certainly.

13 Q. And did you make another list after that?

14 A. Three or four days later.

15 Q. I'm sorry?

16 A. Three or four days later.

17 Q. Was that the revised list?

18 A. Yes.

19 Q. And why did you make a revised list?

20 A. We thought of a lot of things that we hadn't
figured out

21 the first time.

22 Q. And did you change some of the prices on that
revised list?

23 A. Yes.

24 Q. Why did you do that?

25 A. We looked in the Shotgun News, and I also had a
bluebook of

9276

Roger Moore - Direct

1 gun values; and I think we made some of them a little
high and
2 some of them too low.

3 Q. And were you familiar at the time of the robbery
with the
4 value of your gun -- the exact value of your gun
collection?

5 A. No.

6 Q. You hadn't sold --

7 A. I hadn't been going to gun shows with her for four
years.

8 Q. Now, did you turn in this list which we've already
9 introduced in evidence as Government's Exhibit 1738 and
1739,

10 the original list and the revised list -- did you turn
those in
11 to the police?

12 A. Yes.

13 Q. Did you turn those in to your insurance company?

14 A. They were probably -- one or the other. I don't
know

15 which.

16 Q. At some point were you interviewed by your
insurance

17 company?

18 A. Yes.

19 Q. Was that tape-recorded?

20 A. Yes.

21 Q. And were you asked to tell your same story about
the

22 robbery?

23 A. Yes.

24 Q. And at that time, did you tell the insurance agency
that

25 you didn't call the sheriff's office?

9277

Roger Moore - Direct

1 A. Accidentally.

2 Q. What do you mean "accidentally"?

3 A. Well --

4 THE COURT: Just a moment, please.

5 MR. TIGAR: I object to the hearsay of the
prior

6 statement, your Honor.

7 MS. WILKINSON: Your Honor, I think they've
already

8 alleged a motive to fabricate, and this is prior to
that time.

9 THE COURT: Objection is overruled.

10 BY MS. WILKINSON:

11 Q. Mr. Moore, did you -- were you interviewed by your
12 insurance company?

13 A. Yes.

14 Q. And did you give them the details of the robbery?

15 A. Yes, I did.

16 Q. Did you give them the details that you've just told
the
17 jury?

18 A. Yes.

19 Q. Now, did you say during that interview that you
hadn't
20 called the sheriff's office?

21 A. I might have. The guy got me a little hostile.

22 Q. Did you say at some point that you had not called
the
23 sheriff's office?

24 A. Probably.

25 Q. Why did you say that?

9278

Roger Moore - Direct

1 A. I was upset.

2 Q. Did you call the sheriff's office after the
robbery?

3 A. Yes.

4 Q. And did you tell them that you were at Mr. Powell's
house?

5 A. Yes.

6 Q. Did they arrive at Mr. Powell's house?

7 A. Yes.

8 Q. You're not aware of anyone else who contacted the
sheriff's
9 office on your behalf, are you?

10 A. No, I am not.

11 Q. But did the sheriff's office have any way to get in
touch
12 with you?

13 A. Not unless they called Mr. Powell's house.

14 Q. And when you were there, there was no call to Mr.
Powell's
15 house -- correct -- from -- that you know of?

16 MR. TIGAR: Object to the leading, your Honor.

17 THE COURT: Sustained.

18 BY MS. WILKINSON:

19 Q. Were you aware -- do you have any personal
knowledge of a
20 phone call from the sheriff's office to the Powells'
house,
21 just based on your personal knowledge, Mr. Moore --
from the
22 sheriff to the Powells' house, not the other way
around?

23 A. No, not on my personal knowledge.

24 Q. Okay. Now, after Saturday, when you had the
sheriff's
25 office at your house and you turned over your property
and your

Roger Moore – Direct

Exhibits 1738

1 van, did you turn over these lists, Government's

2 and '39, to the sheriff's office?

3 A. They asked us to make them up.

4 Q. And did you do that?

5 A. Yes.

6 Q. And do you recall when you turned them in to the
sheriff's

7 office?

8 A. We were supposed to go in on Monday, and we called
in and

9 they said they were too busy, bring them Tuesday.

10 Q. Did you do that on Tuesday?

11 A. Yes.

12 Q. Now I'm going to show you Government's Exhibit
1739, which

13 is already in evidence. Would it help you if I gave
you a copy

14 you could read so you don't have to look at the screen?

15 A. You can't read this.

16 Q. Pardon?

17 A. You can't read this.

18 Q. Okay. Here.

19 Now, Mr. Moore, is this the first page of your

revised

Ruger 20 list, Government's Exhibit 1739? Starts with No. 1, a

21 rifle?

22 On the first page, Mr. Moore.

23 A. Yeah, I know.

24 I can't tell, because on the revised list, I
thought I

25 wrote some specific comments in red ink.

9280

Roger Moore - Direct

1 Q. Well, look at the top of the "Stolen Gun List
Revised."

2 A. It says, "revised."

3 Q. Does that refresh your recollection?

4 A. Yes.

5 Q. On the first page, does it say No. 1, Ruger rifle?

6 A. Yes.

7 Q. And listed there 1 through 5, does that show a
number of

8 Ruger rifles?

9 A. Five.

10 Q. Were all those rifles stolen from you on November
5?

11 A. Yes.

12 Q. 1994?

that

13 A. Yes.

14 Q. All right. And it lists then three Remingtons. Is
15 right?

16 A. Yes.

17 Q. Several Brownings?

18 A. Three.

19 Q. A Mossberg. Is that right?

20 A. Yes.

21 Q. A Remington and a Stevens Tip?

22 A. Yes.

23 Q. Two Hopkins?

24 A. Yes.

25 Q. And a series of M-1 carbines. Is that right?

9281

Roger Moore - Direct

1 A. Right.

2 Q. Then we have two SKS Chinese. Is that right?

3 A. Uh-huh.

4 Q. And an AK Chinese?

5 A. Yes.

6 Q. And a series of Mini-14's?

7 A. Yes.

8 Q. And a -- and then three AR-15's?

9 A. Yes.

10 Q. And were all those firearms in your home and stolen
on

11 November 5, 1994?

12 A. Yes.

13 Q. Now, I want to turn to page 2. And again, I take
it that

14 all the items listed here to the best of your
recollection were

15 firearms you had in your house that were stolen on
November 5,

16 1994. Is that right?

17 A. Yes, ma'am.

18 Q. All right. Now, I want to focus in on page 2 on an
item

19 numbered 62. Can you see that on your screen?

20 A. Yes.

21 Q. It's the second No. 62?

22 A. Uh-huh.

23 Q. It says a custom .50 caliber, single-shot rifle,
State Arms

24 action Wisconsin, Serial No. M-168, M-3 military barrel
with

25 custom muzzle brake, McMillan black stock -- is that
stock,

9282

Roger Moore - Direct

1 "STK"?

2 A. Yes.

3 Q. 3-by-9-by-40-millimeter scope. Is that right?

4 A. Right.

5 Q. Did you have that firearm in your house prior to
6 November 5, 1994?

7 A. Yes.

8 Q. Do you recall what you were doing the night before
the
9 robbery?

10 A. Yes.

11 Q. What were you doing?

12 A. I was assembling the second one.

13 Q. The second one what?

14 A. The second -- the second of the .50 calibers.

15 Q. You were working on one of the .50 calibers?

16 A. Yes.

17 Q. Now, that Serial No. 168: That belongs -- that's a
serial
18 number that belongs to you?

19 A. Yes.

20 Q. Did you and Mrs. Moore purchase that weapon?

21 A. Yes.

22 Q. Let me show you what's already been introduced in
evidence,

23 Government's Exhibit 1739. Excuse me. That's not the
right

24 exhibit.

25 Excuse me. I meant Government's Exhibit 1751.

9283

Roger Moore – Direct

Do you 1 Can you look at page 2 of this ATF document.

2 see this portion here that refers to a .50 caliber?

me. 3 That's not the right one. I'm sorry. Excuse

4 MS. WILKINSON: I'm sorry, your Honor. It's
5 Government's Exhibit 1752.

6 BY MS. WILKINSON:

a .50 7 Q. Mr. Moore, does Government's Exhibit 1752 refer to

8 caliber?

9 A. Uh-huh.

10 Q. Who does it say that .50 caliber belonged to?

11 A. Carol Margaret Moore.

12 Q. Did you purchase that firearm?

13 A. She did.

November 5, 14 Q. And was it in your home on November -- prior to

15 1994?

16 A. Yes.

Can you 17 Q. I'm going to show you Government's Exhibit 1822.

18 recognize that?

19 A. Yes.
20 Q. Can you look at the serial number there.
21 Careful of the microphone.
22 A. Sorry.
23 Yes.
24 Q. What is the serial number?
25 A. 168.

9284

Roger Moore – Direct

1 Q. Is that the same serial number that's on the
paperwork for
2 Mrs. Moore?
3 A. Yes.
4 Q. And was this your firearm?
5 A. Yes.
6 Q. Was it this color when you had it on November 5,
1994?
7 A. No.
8 Q. What color was it?
9 A. Black stock, clear black barrel.
10 Q. Now, is there anything unusual about that barrel?
11 A. The muzzle brake.
12 Q. All right. Let's stand it up so you can show the
jury.
13 Can you put that down there?

14 Are you talking about this area at the top?
15 A. Yes.
16 Q. What's unusual about this muzzle brake?
17 A. We designed that on a computer. It's designed to
take a
18 lot of the kick out of the thing because it's a .50
caliber;
19 and I sent the barrel over to a machinist friend of
mine in
20 Ohio and sent the drawings over, and he put it in and
mailed
21 the barrel back.
22 Q. And is it unusual -- is it these little holes here
that are
23 at the top of the barrel?
24 A. Yes.
25 Q. Is that part of it?

9285

Roger Moore - Direct

1 Is there any doubt in your mind that this is
your
2 firearm?
3 A. No.
4 Q. And you reported that as stolen back in November of
1994;
5 is that right?
6 A. Yes.

7 Q. On this list?
8 And this is Government's Exhibit 1752, the
second
9 page. Is this what you just read for the jury from the
ATF
10 document?
11 A. Yes.
12 Q. Showing that the owner of this .50 caliber Serial
No. 168
13 is Carol Moore?
14 A. Right.
15 Q. Now, I want to go to page 3 of Government's Exhibit
1739,
16 your list of stolen materials. You see page 3?
17 A. Yes.
18 Q. And here you list items other than firearms. Is
that
19 right?
20 A. Yes.
21 Q. Okay. Let's start at the top there. Can you tell
the jury
22 what the first item is listed up there? Tapco: What
is that?
23 A. That's a unit that's used to shoot 37 millimeters
that they
24 usually mount on an AR-15 underbarrel.
25 Q. The next item: What is that?

Roger Moore - Direct

1 A. That's just a short scope for quick acquisition for
an AR.

2 Q. The third says it's an M-60 Bipod, new. What is a
Bipod?

3 A. It's a two-piece unit that's used on an M-60 during
4 Vietnam.

5 Q. Now, the fourth item listed there is some camera
equipment?

6 A. Yes.

7 Q. A complete kit you say?

8 A. For me, yes.

9 Q. All of that was stolen on November 5, 1994?

10 A. Yes.

11 Q. The next item is the video camera you've already
told us
12 about. Is that correct?

13 A. Yes.

14 Q. No. 6 shows that red box with the semiprecious
stones.

15 Correct?

16 A. Right.

17 Q. No. 7, you talk about the cigar boxes that you've
described
18 for us; is that right?

19 A. Yes.

20 Q. Let me zoom in on there.

21 Now, the cigar box you have written down here
-- you
22 have 40 to 50 pieces of string-sawn pre-Colombian jade
you
23 obtained in Costa Rica in 1974. Is that right?
24 A. Yes.
25 Q. And you have \$1,000 there with a question mark.
Why did

9287

Roger Moore - Direct

1 you write that?
2 A. I don't really have an idea what it's worth at that
time.
3 Later, I saw an article in the paper and in Vero Beach
that --
4 MR. TIGAR: Object to hearsay, your Honor.
5 THE WITNESS: -- probably multiplied that by
5.
6 THE COURT: Just a moment, please.
7 MR. TIGAR: Object to hearsay, your Honor.
8 BY MS. WILKINSON:
9 Q. Mr. Moore, you just did not know the true value.
Is that
10 correct?
11 A. Right.
12 Q. The next item there highlighted, No. 8, says, "4
military
13 vibration detectors & receivers"?

14 A. Yes.

15 Q. Did you have four of those items, four of the
vibration

16 detectors in your home prior to November 5, 1994?

17 A. Yes.

18 Q. Do you recall where you had obtained them?

19 A. Soldier of Fortune convention, Las Vegas.

20 Q. Is that a gun show?

21 A. They don't sell guns. Basically it's a trade show
for new

22 manufacturers.

23 Q. And had you ever seen those military vibration
detectors

24 for sale at any of your other previous appearances at
gun

25 shows?

9288

Roger Moore - Direct

1 A. Never before or after.

2 Q. What was your understanding of what the purpose was
for

3 those military vibration detectors?

4 A. They sold them in sets of four, and they used them
in the

5 military in sets of four for perimeter defense. They
had four

6 legs. They could stick in the ground. They had a

little short

7 antenna, and each one -- the No. 1 would give one beep
all the

8 way up to No. 4 would give 4 beeps on your receiver,
wherever

9 you were. If you knew exactly where you were, you
could tell

10 who was walking within the distance of that particular

11 vibration detector.

12 Q. Why did you purchase those items?

13 A. I was very concerned with security on the farm.

14 Q. Were you going to use those on your farm?

15 A. Yes.

16 Q. You had not put them in, I take it, before the
robbery.

17 A. No.

18 Q. Now, would you recognize those if you saw them
today?

19 A. Yes.

20 Q. I'm going to start by showing you Government's
Exhibit 1867

21 and 1867A and B. Can you look inside there and take
out 1867A

22 and B.

23 Do you recognize those two?

24 A. Yes.

25 Q. What are they?

Roger Moore - Direct

here for
that high.

1 A. Those are vibration detectors. They have screws
2 legs and an antenna screw here for an antenna about

in your

3 Q. There is two here, 1867A and B. Did you have four
4 home?

5 A. Four.

or look

6 Q. This is 1866 and 1866A and B. Can you open that up
7 inside there and take out 1866A and B.

8 Do you recognize those?

9 A. Yes.

10 Q. What are they?

11 A. Same type of vibration set that goes with these.

12 Q. So those are four total?

13 A. Yes.

14 Q. Do you recognize all of those?

15 A. Uh-huh.

16 Q. You can put them back in.

that he

17 Mr. Moore, did you ever tell Terry Nichols
18 could have these four vibration detectors?

19 A. No.

20 Q. Did you ever tell Tim McVeigh he could have them?

21 A. No.

of
military
containing

22 Q. Now, underneath -- we're still looking at the zoom
23 Government's Exhibit 1739. Underneath the four
24 vibration detectors, you have large unopened UPS box
25 tracer ammunition. Do you see that?

9290

Roger Moore - Direct

1 A. Yes.

2 Q. Did you have a -- UPS boxes of tracer ammunition in
your
3 home prior to the robbery?
4 A. Right next to the back door.
5 Q. Was it stolen?
6 A. Yes.
7 Q. Now, let's go back to the page. And can you see at
the
8 bottom of the page it says, "New bedspread, sheets,
blankets,
9 etc."? You see that at the bottom of page 3?
10 A. Yes.
11 Q. And did you report at that time back in November of
1994
12 that some bed sheets and blankets had been stolen?
13 A. Yes.
14 Q. Now, when you made this report to your insurance

company,

15 Mr. Moore, did you -- was it your understanding that
you would

16 receive reimbursement for all of these items?

17 A. No.

18 Q. Why not?

19 A. They have a limit on everything. Minimal limit.

20 Q. So why did you file for all the items even if you
knew you

21 weren't going to get all your money back?

22 A. They wanted to see exactly what you filed with the
police

23 department.

24 Q. And do you recall the total value of the items that
were

25 stolen from your home?

9291

Roger Moore - Direct

1 A. Roughly 60,000.

2 Q. 60,000? And do you recall how much money you got
from the

3 insurance company as compensation?

4 A. Approximately 5900.

5 Q. \$5900?

6 Now, I want to go back, if I could, for a
moment,

7 about some of the details of the robbery. You told us

that you

8 could see some kind of facial growth --

9 A. Uh-huh.

10 Q. -- on the robber. How could you see that, if he
had a full

11 ski mask?

12 A. Around the mouth on a ski mask, it's a little bit
open.

13 There is probably a half inch of space all the way
around.

14 Q. And that's where you could see the growth?

15 A. Right.

16 MR. TIGAR: Object to leading, your Honor.

17 THE COURT: Well, it's in.

18 MR. TIGAR: I withdraw it.

19 THE COURT: All right.

20 BY MS. WILKINSON:

21 Q. Could you tell whether the robber had a full beard?

22 A. It appeared he had some down here.

23 Q. You're indicating the chin?

24 A. Chin.

25 Q. You couldn't see the -- could you see the other
areas of

9292

Roger Moore - Direct

1 his face?

2 A. No.

3 Q. They were all covered by the ski mask?

4 A. Yes.

5 Q. Okay. Now, did you notice anything about the smell
of the

6 robber?

7 A. Yes.

8 Q. What did you notice?

9 A. Both times when he came near me to put tie wraps
and also

10 to tell me about not to move, he smelled like he had
been in

11 the clothes months.

12 Q. Not a good smell, I take it?

13 A. Bad, like a pig yard.

14 Q. Now, you told the jury that the sheriff's office
came to

15 see you, what, an hour and a half after the robbery, or

16 representatives of the sheriff's office?

17 A. Yes.

18 Q. Do you recall when they recovered your van?

19 A. When Walt's son walked in, during when I was
elaborating to

20 them the robbery and the one guy was writing it down,
he walked

21 in and he said, "I've been here earlier; and before you
drove

22 all your cars in the driveway" -- and it had rained a
great

tracks 23 deal the night before -- he said, "the only set of
24 coming out of your driveway turned towards town."
25 Q. Mr. Moore, do you recall when your van was
recovered?

9293

Roger Moore - Direct

going to 1 A. As soon as one of the young men outside said, "I'm
say 2 get in my car and run some of the side roads," I would
3 within 20 minutes.

on 4 Q. So it was within a couple of hours of the robbery
5 November 5, 1994?

6 A. Probably.

7 Q. It was on that day, wasn't it?

8 A. Oh, yes.

9 Q. And you saw the van that day?

deposition. 10 A. They took me over there after I finished the

father 11 Q. Now, early in your testimony, you told us that your

12 had given you a .22 caliber Hornet. Is that right?

13 A. Right.

14 Q. Would you recognize that gun today?

15 A. Easily.

Exhibit 16 Q. I'm showing you what's been marked Government's
17 1817. Do you recognize that?
18 A. Yes.
19 Q. What is it?
20 A. It's a Winchester Model 43, .22 Hornet with a
custom
21 herder's stock from Waseca, Minnesota, cheek rest,
rosewood,
22 with a white insert -- this used to be white -- and a
rosewood
23 four-piece with a white insert. They had it custom
built for
24 the metal.
25 Q. Who did?

9294

Roger Moore - Direct

1 A. My dad.
2 Q. And was it in that exact condition when you had it?
3 A. No.
4 Q. Was it in better condition?
5 A. Like new.
6 Q. Have you ever agreed to give away your father's
Hornet to
7 anyone?
8 A. No.

Do you 9 Q. I'm going to show you Government's Exhibit 1808.

10 recognize that?

11 A. Yes.

12 Q. How do you recognize it?

the Model 13 A. It's a prop gun from Hollywood. It doesn't have

14 A, Model B on it.

15 Q. What type of prop gun is it?

16 A. A movie-making gun, blank-type.

17 Q. Is it an Uzi?

18 A. Yes.

19 Q. Is that your firearm?

20 A. Yes.

21 Q. Was it stolen from you on November 4, 1994?

22 A. Yes.

would have 23 Q. You told us earlier that if it was a real Uzi it

24 a model number.

below, 25 A. It wouldn't have this much stuff right here. Right

9295

Roger Moore - Direct

would say 1 it would be stamped larger and up higher and then it

2 Model A or Model B.

right? 3 Q. There is no Model A or Model B there; is that

4 A. No.

5 Q. Read for the jury what is written here.

6 A. "KAL-9-millimeter 833119."

7 Q. And what's right above that writing?

8 A. "MP Uzi."

9 Q. Is this your Hollywood prop Uzi?

10 A. Yes.

11 Q. Was it stolen from you on November 4?

12 A. Yes.

13 Q. I'm showing you Government's Exhibit 1800. Do you

14 recognize that?

15 A. Yes.

16 Q. What is it?

17 A. It's a tear-gas gun, 37-millimeter.

18 Q. Did you report that you had a tear-gas gun like

that that

19 was stolen on November 5, 1994?

20 A. Yes.

21 Q. Did you report that in your revised list,

Government's

22 Exhibit 1739?

23 A. I think so.

24 Q. All right. Do you recognize this gun?

25 A. Yeah. It has an unusual feature. Most of these

guns were

Roger Moore - Direct

1 used for prisons, and it probably had a great deal of
wear here
2 and somebody reblued it; and the bluing is a completely
3 different color than the barrel. I had never seen that
before.

4 Q. It was in that condition when you had it in your
home?

5 A. Yes.

6 Q. You didn't give this gun away to anyone, did you?

7 A. No.

8 Q. Now I'm going to show you 1786. Is this your gun?

9 A. Yes.

10 Q. How do you recognize it?

11 A. Mainly by the -- it's a .30-06 Remington 700 --
mainly by

12 the hand-tooled sling.

13 Q. And what is this pattern here on the hand-tooled
sling?

14 A. Flowers and a deer up top.

15 Q. And is there any carving on this firearm?

16 A. No -- well, just checkering. They've stamped that
in at

17 the factory.

18 Q. And did you give this gun to Terry Nichols?

19 A. I gave it to no one.

20 Q. Was it stolen from you on November 5, 1994?

21 A. Yes.

22 MS. WILKINSON: Your Honor, I'm about to start
the
23 final area of questioning. This would probably be --

24 THE COURT: Then I think we'll take the recess
at this
25 point.

9297

1 You may step down now, Mr. Moore.

2 Members of the jury, we'll take our usual noon
recess,
3 during which time, of course, you must continue to
follow the
4 cautions given at all earlier recesses, avoiding
discussion of
5 the case with other jurors and all other persons,
keeping open
6 minds and avoiding anything outside of our evidence
which could
7 in any fashion influence your decision on the issues.

8 You're excused now till 1:32.

9 (Jury out at 12:02 p.m.)

10 MR. TIGAR: May I approach briefly, your
Honor?

11 THE COURT: Yes.

12 (At the bench:)
13 (Bench Conference 79B2 is not herein transcribed by
court
14 order. It is transcribed as a separate sealed
transcript.)

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9301

1 (In open court:)
2 THE COURT: We'll be in recess, 1:32.
3 (Recess at 12:03 p.m.)

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REPORTERS' CERTIFICATE

1
2 We certify that the foregoing is a correct
transcript from
3 the record of proceedings in the above-entitled matter.
Dated 4 at Denver, Colorado, this 18th day of November, 1997.

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Paul Zuckerman

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Kara Spitler

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