

TRIAL RECORD

Daniel Jefferson v. Meredith Hughes Bloomington County, State of East Carolina

[The jury has been selected, and attorneys have presented their opening statements. After a short recess, the Court is back in session.]

CLERK: All rise.

JUDGE: You may be seated. Counselor, you may call your first witness.

PLAINTIFF'S ATTORNEY: Thank you, Your Honor. We will first call the Plaintiff, Mr. Daniel Jefferson.

CLERK: Please approach the witness, stand, and raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

JEFFERSON: I do.

CLERK: Thank you. Please be seated, state your name, and spell your last name for the record.

JEFFERSON: Daniel Jefferson, J-E-F-F-E-R-S-O-N.

PL. ATTY.: Thank you, Mr. Jefferson.

What is your profession?

JEFFERSON: I am a police officer, and I train K9 dogs.

PL. ATTY.: How long have you been with the force?

JEFFERSON: About ten years.

PL. ATTY.: And training the dogs, that's part of your job with the police department?

JEFFERSON: It's related, but the training is in addition to my regular duties.

PL. ATTY.: How long have you been training K9s?

JEFFERSON: Oh, about fifteen years.

PL. ATTY.: Would you please describe your training facility for the jury?

JEFFERSON: We have about an acre—fenced—where there are different training areas: agility courses, a shed we use as a simulated house, and a firing range. There are some trainings set up in the barn if the weather's bad. We have another five acres with trails and such that lead down to a river, and they like to really get their energy out by running along the trails.

PL. ATTY: What breed of dogs do you train?

JEFFERSON: German Shepherds.

PL. ATTY: How many dogs do you have?

JEFFERSON: At any one time, I have three to five dogs that I'm training. They arrive at three-months-old and stay until they are about one-year-old. I also have one retired K9.

PL. ATTY: What sort of training is involved in preparing German Shepherds for K9 service?

JEFFERSON: We train them to obey basic commands such as sit, lie, stay, and come. We also do specific trainings depending on their assignment, such as sniffing out drugs, produce, or bombs, or how to chase and apprehend suspects. Some are air patrol, some are trained for SWAT teams, and some are border patrol.

PL. ATTY.: Where do they spend their days?

JEFFERSON: We have a very scheduled day. They spend the morning training until thirteen-hundred hours. The next hour they have off and they are allowed to just relax and play. From fourteen- to seventeen-hundred hours, they nap. At seventeen-hundred hours they eat, and then they relax until they go down for the night at nineteen-hundred hours.

PL. ATTY.: Where do the dogs sleep?

JEFFERSON: They are all inside.

PL. ATTY.: Would you consider them your pets?

JEFFERSON: Not the puppies in training, but the retired dogs are my pets. They deserve a relaxing home-life after all of their hard work.

PL. ATTY.: In June of 2006, how many dogs did you have?

JEFFERSON: I had three puppies in training, and Buddy, a retired dog.

PL. ATTY: How long did you have Buddy?

JEFFERSON: He was actually one of the dogs I trained. He served five years, and he came back two years ago.

PL. ATTY: Do you recognize these pictures?

JEFFERSON: Yes, I do.

PL. ATTY: Did you take these pictures?

JEFFERSON: Yes, I did.

PL. ATTY: Please describe what these pictures are of.

JEFFERSON: These are pictures of Buddy. The first is of Buddy and me. He was trained for air patrol, so we have them spend a lot of training time on helicopters so they are used to it. The second one is of Buddy in training.

PL. ATTY: Plaintiff would like to enter these pictures as Exhibits 1 and 2.

JUDGE: Any objections?

DEFENDANT'S ATTORNEY: No, your honor.

JUDGE: They are entered, please hand them to the clerk.

PL. ATTY: Do you know the Defendant, Meredith Hughes?

JEFFERSON: Yes, I do.

PL. ATTY: How do you know her?

JEFFERSON: She is my next door neighbor.

PL. ATTY: How long have you lived next door to each other?

JEFFERSON: About eight years.

PL. ATTY: Are you friendly neighbors? Borrow sugar, that type of thing?

JEFFERSON: Not really. We wave if we see each other, but we aren't close or anything.

PL. ATTY: Have you had any conflicts?

JEFFERSON: Not really any major ones, until last summer.

PL. ATTY: Can you please tell us what happened last summer?

JEFFERSON: Well, in June, I was out playing with the dogs along the trail. Meredith came up with her Boxer, Lulu, and kind of spooked Buddy. They have played together before, but for some reason, Buddy just didn't like seeing her.

PL. ATTY: What happened?

JEFFERSON: They got in a little scuffle.

PL. ATTY: Were either of them hurt?

JEFFERSON: Lulu had a little bite mark, on her front leg. But, really Buddy got the worst of it.

PL. ATTY: What happened?

JEFFERSON: Well, Meredith really freaked out and threw a rock at Buddy. He got a pretty good cut.

PL. ATTY: Did either of you seek veterinary care?

JEFFERSON: Actually Meredith is a vet. We all walked back to her house and she bandaged both of them up. I wasn't too happy that she hit Buddy. I mean, all she had to do was call him off. I yelled "release" as she was winding up, and I'm sure he stopped because of his command rather than being hit. He's trained to release only on command.

PL. ATTY: Did she apologize?

JEFFERSON: Yea, she felt bad. She said she overreacted.

PL. ATTY: You said Buddy is trained to release on command. Is he also trained to only attack on command?

JEFFERSON: Yes, but he can still get spooked. And, it really was both of them going at each other—you can't really say it was just Buddy.

PL. ATTY: Was that the end of it?

JEFFERSON: No.

PL. ATTY: What happened next?

JEFFERSON: About two weeks later, on July 2, Buddy and Lulu went at it again. Lulu and Meredith were over on my trails again. I guess Buddy saw them and ran over.

PL. ATTY: Were you with him?

JEFFERSON: No, my dogs were out on their own. I saw Meredith walking over through my kitchen window, but I didn't think much of it. I was just cleaning up with the door open.

PL. ATTY: So you didn't actually see what happened initially?

JEFFERSON: No.

PL. ATTY: Did you hear anything?

JEFFERSON: At first, I heard a bunch of yelling and barking. I went out back and saw all of them, nearly back at Meredith's house.

PL. ATTY: What time was this?

JEFFERSON: It was just a few minutes before fourteen-hundred hours. I remember thinking about going to get the dogs to bring them in when this all started.

PL. ATTY: Then what did you do?

JEFFERSON: I ran over to Meredith's house. I arrived just in time to see some guy come out of the house and hand her a shotgun.

PL. ATTY: Did you see Lulu as you approached Dr. Hughes's house that day?

JEFFERSON: No.

PL. ATTY: Was Buddy attacking or about to attack Dr. Hughes?

JEFFERSON: No, he was barking, but he was a few feet away from them.

PL. ATTY: What happened next?

JEFFERSON: I called for Buddy, and he started running toward me, but she didn't care. She just fired away.

PL. ATTY: How many times did she fire?

JEFFERSON: Just once, but that's all it took. She hit him in the side and just blew out his insides.

PL. ATTY: What happened next?

JEFFERSON: I just ran up to Buddy. He didn't die instantly. I laid his head on my lap and talked with him until he died. I saw Meredith walking back to her house with the shotgun over her shoulder.

PL. ATTY: Did you say anything to her?

JEFFERSON: Oh yes. I was yelling, telling her I couldn't believe she shot my dog. I'm sure I was swearing and a little irate.

PL. ATTY: Did she say anything in return?

JEFFERSON: She just said she didn't have a choice and pretty much just walked inside.

PL. ATTY: Did she ever apologize?

JEFFERSON: No.

PL. ATTY: Have you talked again since that day?

JEFFERSON: No.

PL. ATTY: How have you been affected?

JEFFERSON: I'm devastated.

PL. ATTY: Do you miss him?

JEFFERSON: Yes, terribly. I have a hard time sleeping. He slept in my room with me, at the foot of my bed. I had nightmares every night for months.

PL. ATTY: What type of nightmares?

JEFFERSON: I just keep seeing Buddy get shot, over and over again.

PL. ATTY: Do you still have them?

JEFFERSON: Not every night anymore, but at least once per week.

PL. ATTY: Has losing Buddy affected other aspects of your life?

JEFFERSON: I'm a pretty independent person. I think people look at me as kind of a tough guy, and it's been hard for me to really interact with people who just don't understand.

PL. ATTY: Anything else?

JEFFERSON: It's affected my business. It's been hard not having a leader dog for the puppies. And, my heart just hasn't been in it.

PL. ATTY: Have you lost business profits because of what happened?

JEFFERSON: Yes, I just haven't been able to let the three young ones go, and I haven't taken any other new dogs. I essentially haven't been working for over a year.

PL. ATTY: How much have you lost over the last year?

JEFFERSON: \$20,000.

PL. ATTY: Although none of this money is going to bring Buddy back, how much are you asking for the value of Buddy?

JEFFERSON: This is the hardest. I wish it didn't have to come to money, but I can't imagine Meredith not having to pay anything for what she did. As a K9, he has over \$10,000 worth of training invested in him. And, he had special value to me as my companion--he's just not replaceable. I'm asking for \$25,000.

PL. ATTY: How much are you asking for in emotional distress damages?

JEFFERSON: It's hard to put a value on how much this has affected me, but I'm asking for \$100,000.

PL. ATTY.: Thank you, I have no further questions.

JUDGE: Counselor, your witness.

D. ATTY: Thank you, Your Honor.

Mr. Jefferson, on the day of the incident, your dog was not in your fence, was he?

JEFFERSON: No, but he was in my yard.

D. ATTY: But, he left your yard, attacking Dr. Hughes and her dog?

JEFFERSON: It started on my property. Meredith and Lulu were on my property.

D. ATTY: Did Dr. Hughes have your permission?

JEFFERSON: Well, it's not like she asked that day.

D. ATTY: But, it was common for them to come over to the trails, correct?

JEFFERSON: Yes.

D. ATTY: And, you have always let them, correct?

JEFFERSON: Yes.

D. ATTY: Okay. So, Buddy was not in the fence?

JEFFERSON: Right.

D. ATTY: And, you were inside?

JEFFERSON: Yes, with the door open, and I could see them. They are always good.

D. ATTY: Well, not always.

PL. ATTY: Objection.

D. ATTY: Withdrawn. Mr. Jefferson, other dogs you have trained have been shot, isn't that right?

JEFFERSON: Yes.

D. ATTY: Wouldn't you say that your line of work prepares you for losing a dog?

JEFFERSON: Having Buddy shot for no reason, right in front of me, is completely different than K9s dying in the line of duty. Buddy had served his time, and he died needlessly. It just didn't have to happen.

D. ATTY: Buddy was one of the dogs you've trained, right?

JEFFERSON: That's right.

D. ATTY: You said he was trained for air patrol?

JEFFERSON: That's right.

D. ATTY: Was he trained to help search for and apprehend suspects?

JEFFERSON: Yes.

D. ATTY: So, he was trained to attack, is that right?

JEFFERSON: Not necessarily attack. He was trained to take down suspects and pin them until officers arrive.

D. ATTY: Was he trained to attack other dogs?

JEFFERSON: No, not at all.

D. ATTY: You are asking for \$100,000--a significant amount--for emotional distress damages. Have you sought any counseling?

JEFFERSON: No.

D. ATTY: You haven't talked with any professionals?

JEFFERSON: No.

D. ATTY: You have also asked for \$25,000 in economic damages. But, isn't it true that no amount of money is going to bring Buddy back?

JEFFERSON: That's true, but unfortunately, money is all I can ask for.

D. ATTY: I have no further questions.

JUDGE: Redirect?

PL. ATTY.: No, I have no questions, Your Honor.

JUDGE: Thank you, Mr. Jefferson. You may step down.

You may call your next witness.

PL. ATTY.: Thank you. The State calls Detective Michael Blue.

CLERK: Please approach the witness stand and raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

BLUE: I do.

CLERK: Thank you. You may be seated. Please state your name, and spell your last name for the record.

BLUE: Michael Blue, B-L-U-E.

PL. ATTY.: Detective Blue, how long have you been a police officer?

BLUE: Five years.

PL. ATTY.: Where do you work?

BLUE: With the Bloomington County Sheriff's Department.

PL. ATTY.: Have you always been with this department?

BLUE: I worked for a three years with city police, and have been with the Bloomington Sheriff's working as a detective for the last two.

PL. ATTY.: Do you work with Mr. Jefferson?

BLUE: Yes, I do.

PL. ATTY.: Were you on duty on July 2, 2006?

BLUE: Yes, I was.

PL. ATTY.: Did you receive a call that day to respond to a shooting at Dr. Hughes's residence?

BLUE: Yes, I did. I responded to a 9-1-1 dispatch.

PL. ATTY.: What time did the dispatch go out?

BLUE: At 14:17.

PL. ATTY.: Would that be the same as 2:17 p.m.?

BLUE: Yes.

PL. ATTY.: What did you see when you arrived?

BLUE: I saw Buddy lying in Dr. Hughes's yard and signs of a struggle near her home.

PL. ATTY.: Was Buddy dead when you arrived?

BLUE: Yes. He received a fatal shot to his midsection.

PL. ATTY.: Are you familiar with Buddy?

BLUE: I know him, we all know the K9s. However, I am not a handler, so I have never had an opportunity to work with him.

PL. ATTY.: Did you take the statements of Mr. Jefferson and Dr. Hughes that day?

BLUE: I did.

PL. ATTY: Did Dr. Hughes say anything about Buddy attacking her?

BLUE: She said that Buddy knocked her over when she was trying to separate the dogs. She certainly said she was scared, and was in imminent fear of being injured since she was right in there trying to help her dog. But, in response to my questions, she was very clear that Buddy did not attack her.

PL. ATTY: From the angle of the gunshot wound and placement of the body, were you able to determine whether Buddy was running toward or away from the Hughes's residence?

BLUE: He was running away, toward Officer Jefferson's house.

PL. ATTY: Thank you, no further questions.

JUDGE: Your witness, Counselor.

D. ATTY: Thank you.

Detective Blue, in your professional opinion based on years of detective work, how would you describe Dr. Hughes's emotional state?

PL. ATTY: Objection, Your Honor.

JUDGE: I'm going to allow it.

D. ATTY: Thank you. You may answer the question.

BLUE: I would say she was pretty upset.

D. ATTY: And, why would you say that?

BLUE: She was shaking a bit, talking quickly and in short sentences. It was obvious.

D. ATTY: Dr. Hughes told you that Buddy followed them all the way home, and was attacking her dog, Lulu. Is that correct?

BLUE: Yes.

D. ATTY: Didn't she also tell you she tried to pull the dogs apart, and to tell Buddy to release?

BLUE: Yes.

D. ATTY: And, Detective Blue, didn't Dr. Hughes tell you that she felt she had no other choice but to shoot Buddy in order to save Lulu?

BLUE: Yes, she did.

D. ATTY: Thank you, Detective Blue, I have no further questions.

JUDGE Redirect?

PL. ATTY: No, Your Honor.

JUDGE: Detective Blue, you may step down, and you are dismissed.
You may call your next witness.

PL. ATTY.: Plaintiff rests, Your Honor.

JUDGE: Counselor, you may call your first witness.

D. ATTY: Thank you, we call Dr. Meredith Hughes.

CLERK: Please approach the witness stand and raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

HUGHES: I do.

CLERK: Thank you, please be seated, state your name, and spell your last name for the record.

HUGHES: Meredith Hughes, H-U-G-H-E-S.

D. ATTY: What is your profession?

HUGHES: I am a veterinarian.

D. ATTY: Dr. Hughes, where do you live?

HUGHES: 6622 High St. in Bloomington County.

D. ATTY: How long have you lived there?

HUGHES: Almost two years.

D. ATTY: And, Mr. Jefferson is one of your neighbors?

HUGHES: That is right.

D. ATTY: Do you live with anyone?

HUGHES: My fiancé, Bob Jones, our dog Lulu, and our cat Seamus.

D. ATTY: What kind of dog is Lulu?

HUGHES: She's a boxer.

D. ATTY: How long have you had her?

HUGHES: I adopted her five years ago. She's about six or seven. She was a rescue, so I'm not sure of her exact history before she came to me.

D. ATTY: Can you please tell us what happened on July 2, 2006?

HUGHES: Well, I came home for a late lunch that day. I was taking Lulu for a walk before I went back to work.

D. ATTY: What time was this?

HUGHES: About 1:30.

D. ATTY: Please continue.

HUGHES: We had walked along the river and were headed back home when one of Dan's dogs came running after us. He pinned Lulu and latched onto her neck.

D. ATTY: What did you do?

HUGHES: I started pulling on his collar, trying to get him to let go. I started yelling "release," because Buddy and Lulu were in a fight a few weeks before and that's what Dan said to do.

D. ATTY: Did he listen?

HUGHES: Well, he eventually let go, but he didn't calm down.

D. ATTY: What happened next?

HUGHES: Lulu and I ran back to our house and Buddy followed. I was screaming and yelling, but Dan didn't come out or do anything about it.

D. ATTY: Was Buddy attacking you?

HUGHES: He was grabbing at my arm and he knocked me down.

D. ATTY: How did you feel?

HUGHES: I was terrified. I was really scared for me and my dog. I kept screaming and hitting Buddy.

I was able to get up and keep running with Lulu, kind of dragging her along since her front leg was really injured. Bob, my fiancé came out of the house and I told him to call 9-1-1 and to bring me my shotgun.

D. ATTY: Did he go get your shotgun?

HUGHES: Yes, he did. He handed it to me, and I shot Buddy.

D. ATTY: Was Lulu hurt by Buddy?

HUGHES: She was. She had multiple bite wounds to her neck, and needed reconstructive surgery to her front right leg.

D. ATTY: Who was the treating veterinarian?

HUGHES: I was. She was treated at my hospital.

D. ATTY: Has she recovered?

HUGHES: Her leg's wound has healed, but he's still in rehabilitation.

D. ATTY: Going back to July 2, did you see Mr. Jefferson or have any conversations with him?

HUGHES: Eventually. I saw him sitting over Buddy. He was yelling at me and swearing. He never asked me if I was okay or what happened.

D. ATTY: What did you say?

HUGHES: Just that I didn't have a choice.

Of course, I didn't want this to happen. I work with animals every day, trying to save them. I was devastated that this all happened, but I had to protect myself and Lulu.

D. ATTY: Did he say anything in return?

HUGHES: He kept yelling, saying how horrible I was, so I figured it was best to just go inside.

D. ATTY: Is that what happened next?

HUGHES: Yes, I just went inside and waited for the police to arrive. When Officer Blue came, I told him what happened and showed him Lulu. He said that he had to ask Dan some questions and do some further investigation. That was really the end of it.

D. ATTY: I have no more questions.

JUDGE: Counselor, your witness.

PL. ATTY.: Dr. Hughes, you were on Mr. Jefferson's property when Buddy first approached you, is that correct?

HUGHES: Yes.

PL. ATTY: Was Lulu on a leash?

HUGHES: No.

PL. ATTY: You said that Buddy was grabbing at your arm and knocked you down?

HUGHES: Yes.

PL. ATTY: Did you need to seek medical attention?

HUGHES: No.

PL. ATTY: Did you tell this to Detective Blue?

HUGHES: I think so, but I don't remember exactly.

PL. ATTY: Why didn't you just go inside?

HUGHES: I was scared for Lulu.

PL. ATTY: But, Lulu wasn't really injured very badly, isn't that right?

HUGHES: She was hurt.

PL. ATTY: But, didn't you already testify that you were able to treat Lulu at your home?

HUGHES: That's right.

PL. ATTY: Did you see Mr. Jefferson when you asked Mr. Jones to get your shotgun?

HUGHES: I really don't remember. I was just so scared and focused on getting Buddy to leave.

PL. ATTY: Buddy wasn't still on top of Lulu or attacking her when you shot him, was he?

HUGHES: He was still right there.

PL. ATTY: He was running back toward Mr. Jefferson, away from your house, when you shot him, wasn't he?

HUGHES: I don't remember. I just took the gun from Bob and shot.

PL. ATTY.: Thank you, I have no further questions.

JUDGE: Redirect?

D. ATTY: I have a few questions.

Dr. Hughes, if you were not a veterinarian, would Lulu have needed professional care?

HUGHES: She didn't need any sutures or anything, but I did give her antibiotics.

D. ATTY: Were you scared for your own safety?

HUGHES: I was.

D. ATTY: Thank you, no further questions.

JUDGE: Dr. Hughes, you may step down.

Counsel, you may call your next witness.

D. ATTY: The Defendant rests.

JUDGE: Thank you, everyone. We will adjourn for the day and will continue with closing arguments in the morning.