

Jayson Linebaugh

10TH JUDICIAL DISTRICT COURT
PARISH OF NATCHITOCHEs
STATE OF LOUISIANA

CALVIN W. BRAXTON, SR.

VERSUS

CIVIL NO: 90,284-C

LOUISIANA STATE
TROOPERS ASSOCIATION
AND JAY OLIPHANT

DEPOSITION OF TROOPER JAYSON LINEBAUGH
TAKEN FOR AND ON BEHALF OF THE PLAINTIFF
AT 300 ST. DENIS STREET
NATCHITOCHEs, LOUISIANA
ON THURSDAY, JUNE 27, 2019
BEGINNING AT 12:35 P.M.

REPORTED BY:

ROBIN HOLLOWAY, CERTIFIED COURT REPORTER

Jayson Linebaugh

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ALSO PRESENT:

LT. COLONEL JAY OLIPHANT
CALVIN BRAXTON, SR.
CHRIS WRIGHT
MICHELLE GIRIOR

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I N D E X

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| EXAMI NATI ON: | 5-116 |
| BY MS. CRAFT | 5-108, 111-116 |
| BY MR. FALCON | 108-111 |
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Jayson Linebaugh

1 STIPULATIONS

2 It is hereby stipulated by and between counsel
3 of record for the parties hereto that the oral
4 deposition of JAYSON LINEBAUGH is being taken
5 pursuant to notice and in accordance with the
6 Louisiana Code of Civil Procedure, and for all
7 uses and purposes thereby provided, at the offices
8 of McCoy, Roberts & Begnaud, 300 St. Denis,
9 Natchitoches, Louisiana, on June 27, 2019,
10 commencing at or about 12:35 p.m.;

11 That all formalities in connection with the
12 taking of the deposition are hereby waived with
13 the exception of the swearing of the witness and
14 the reduction of the questions and answers to
15 typewritten form;

16 That all objections, save those as to the form
17 of the question and the responsiveness of the
18 answer, are hereby reserved until such time as
19 this deposition, or any part thereof, may be used
20 or sought to be used in evidence, such objections
21 as might have been made had the testimony been
22 given in open court;

23 That Robin Holloway, CCR, officiated in
24 administering the oath to the above-named witness.
25

Jayson Linebaugh

1 JAYSON LINEBAUGH

2 the witness hereinafore named, after being
3 first duly cautioned and sworn to tell the
4 truth, the whole truth, and nothing but the
5 truth, testified as follows:

6 EXAMINATION

7 BY MS. CRAFT:

8 Q Mr. Linebaugh, my name is Jill Craft, and I
9 represent Calvin Braxton seated to my left in
10 connection with a lawsuit that's pending here
11 in Natchitoches Parish.

12 It's very important that you understand
13 the question I'm asking you, and if you do not
14 at any time, tell me to stop, rephrase it; I'm
15 happy to do so. It's also important nods of
16 the head yes or no cannot be taken down by our
17 reporter so you need to make sure to answer
18 out loud.

19 A Okay.

20 Q My final instruction is rather unique to me
21 insofar as I'm going to ask you to spell
22 names, places, or things; not to test your
23 spelling; it's just a lot easier for our
24 reporter to get those down as we go along; is
25 that fair enough?

Jayson Linebaugh

- 1 A Yes, ma'am.
- 2 Q Would you give me your full name and address,
3 please, sir?
- 4 A Jayson Daniel Linebaugh. 1710 Odom Street,
5 Alexandria, Louisiana.
- 6 Q And is that your business address, sir?
- 7 A Yes, ma'am.
- 8 Q You reside in Natchitoches Parish?
- 9 A Yes, ma'am.
- 10 Q Sir, are you afraid that Mr. Braxton is going
11 to hurt you?
- 12 A At one point, I was. Yes, ma'am.
- 13 Q And how did you think he was going to hurt
14 you?
- 15 A I figured he was trying to intimidate me and
16 do something with me at work and affect my
17 job.
- 18 Q And at what point in time are we speaking
19 about?
- 20 A Oh, whenever he was following me and paying
21 people to follow me.
- 22 Q You saw Mr. Braxton following you?
- 23 A Yes, ma'am. I did.
- 24 Q When?
- 25 A I don't remember the exact date, but it was on

- 1 504 when I had a residence over there. He was
2 driving a black Expedition.
- 3 Q He was following you?
- 4 A Uh-huh (affirmative).
- 5 Q Is that a "Yes"?
- 6 A Yes, ma'am.
- 7 Q Is that a public road?
- 8 A Yes, ma'am.
- 9 Q So what makes you think he was following you?
- 10 A Well, he slowed down right in front of my
11 house and looked over at me and then hit the
12 gas and kept on going towards Lieutenant --
13 Colonel Oliphant's residence.
- 14 Q Oh, you live down the street from Mr.
15 Oliphant?
- 16 A At the time, I did.
- 17 Q Did you live in the subdivision by Mr.
18 Oliphant?
- 19 A No, ma'am. I lived off the highway about
20 three miles up the road.
- 21 Q So I'm a little confused. 504 was a public
22 road?
- 23 A Yes, ma'am.
- 24 Q Is it a thoroughfare that connects other
25 public roads?

Jayson Linebaugh

- 1 A Yes, ma'am.
- 2 Q It's fairly well-traveled?
- 3 A Not a high volume of traffic, but yes, ma'am,
4 people that typically live out there travel
5 that.
- 6 Q Okay. And you and Mr. Oliphant both lived on
7 504 at the time?
- 8 A I used to, yes, ma'am.
- 9 Q Both of y'all lived on 504?
- 10 A Yes, ma'am.
- 11 Q So were you driving, and you saw Mr. Braxton's
12 car?
- 13 A No. I had just pulled into my residence and
14 got out of my vehicle and turned around and
15 looked towards the road and saw Mr. Braxton
16 passing my residence slowing down.
- 17 Q So you pulled into your residence. You did
18 not notice anybody following you; correct?
- 19 A Not while I was driving, no, ma'am.
- 20 Q Understood. And then you got in the driveway
21 -- you were in your unit?
- 22 A No, ma'am.
- 23 Q You were in what car?
- 24 A My personal vehicle.
- 25 Q Which is what?

Jayson Linebaugh

- 1 A It was a silver F150 at the time.
- 2 Q A truck?
- 3 A Yes, ma'am.
- 4 Q Ford truck?
- 5 A Yes, ma'am.
- 6 Q Where did you get it from?
- 7 A I bought that truck at Red River Chevrolet in
8 Shreveport.
- 9 Q So you pull in your driveway; you park your
10 truck; you undo your seatbelt; you get out
11 your car; you walk towards your house, and
12 then you see a black -- what did you say?
13 Expedition drive by?
- 14 A I don't know if that was the sequence of
15 events that you're giving me, but I got out of
16 my vehicle, looked on the road and saw a black
17 Expedition with Mr. Braxton driving it.
- 18 Q Well, I was assuming you had your seatbelt on
19 because I assume that people wear their
20 seatbelt, so I don't know if you did or
21 didn't. My point is, however, that exchange
22 took approximately what, 15-20 seconds, 30
23 seconds?
- 24 A Possibly. I'm not going to -- I'm not going
25 to say a time frame because I don't know.

1 Q Well, as an officer, sir, you're trained to
2 estimate time, aren't you?

3 A Trained to estimate time? I'm not going to
4 comment on that. I don't know where you're
5 trying to go with that.

6 Q Well, sir, when you write reports -- you've
7 written reports where you estimate
8 approximately 15 seconds later this happened,
9 approximately --

10 A No, ma'am.

11 Q -- 30 seconds?

12 A No, ma'am.

13 Q You've never done that?

14 A No. Not to my knowledge I haven't.

15 Q So --

16 A Because I typically have a video to go by;
17 so --

18 Q Do you have any estimation of the amount of
19 time it was --

20 A No, ma'am.

21 Q Let me finish, sir. This is how it works.

22 A Okay.

23 Q I don't want you cutting me off and answering
24 something that you may not really want to be
25 answering.

1 A Yes, ma'am.

2 Q So if you allow me to finish my question,
3 that's helpful for all of us, the court
4 reporter especially.

5 A Okay.

6 Q My question is: You pulled in your driveway;
7 you stopped your car; you got out of your car,
8 and how many steps did you take before you
9 claim that you saw a black Expedition?

10 A I have no idea.

11 Q Do you have any idea where you were in
12 relation to your house when you saw the black
13 Expedition?

14 A In my driveway.

15 Q Okay. And did your driveway -- was it in a
16 garage, or were you up by the house, or --

17 A I was in my driveway. I don't -- didn't have
18 a garage.

19 Q So were you pulled up in front of your house?

20 A I was in the driveway.

21 Q But does the driveway -- when you pulled in
22 the driveway, did you pull up to your house,
23 or where did you go?

24 A My driveway goes to the house.

25 Q Okay.

Jayson Linebaugh

- 1 A I pulled in the driveway.
- 2 Q I understand that, sir.
- 3 A Okay.
- 4 Q But were you pulled up close to the house with
5 the front facing the house? Were you at a
6 circular driveway?
- 7 A My --
- 8 Q Were you pulled in a T spot? A basketball
9 court? I'm asking you from your observations
10 as a trained professional.
- 11 A My vehicle was facing the front of the house.
- 12 Q And how far were you from the front of the
13 house?
- 14 A I don't know.
- 15 Q Is your driveway a straight-in driveway?
- 16 A Yes, ma'am.
- 17 Q A pull-off driveway? A curved driveway? What
18 kind of driveway?
- 19 A It was a straight-in driveway.
- 20 Q And how long of a driveway are we talking
21 about?
- 22 A I don't know.
- 23 Q You don't know how long your driveway was?
- 24 A No, ma'am. I never measured it.
- 25 Q Approximately how many vehicle lengths was

Jayson Linebaugh

- 1 said driveway to your house?
- 2 A I don't know.
- 3 Q No idea?
- 4 A No, ma'am.
- 5 Q You've never received any training about
- 6 estimating distances?
- 7 A Yes, ma'am.
- 8 Q So when you're trained in estimating
- 9 distances, approximately how long was the
- 10 distance from the road to the front of your
- 11 car where you parked it?
- 12 A I have no idea.
- 13 Q You can't even estimate it?
- 14 A No, ma'am.
- 15 Q So you said you saw a black Expedition; is
- 16 that right?
- 17 A Yes, ma'am.
- 18 Q And the first time you saw said black
- 19 Expedition was when you were out of your
- 20 truck?
- 21 A Yes, ma'am.
- 22 Q And then are you telling me you saw Mr. Calvin
- 23 Braxton driving said truck?
- 24 A Yes, ma'am.
- 25 Q Did he wave at you?

Jayson Linebaugh

- 1 A No, ma'am.
- 2 Q Did he say anything to you?
- 3 A No, ma'am.
- 4 Q Do you know where he was going?
- 5 A No, ma'am.
- 6 Q Do you know if he knows folks off of 504?
- 7 A I have no idea.
- 8 Q So why did you think he was following you?
- 9 A Just did.
- 10 Q Why?
- 11 A I just did.
- 12 Q Based on what, sir?
- 13 A Why we're sitting here because I arrested his
- 14 daughter. That's why.
- 15 Q Oh, so you think that he started following you
- 16 because you arrested his daughter?
- 17 A Yes, ma'am.
- 18 Q And why do you think that? Did somebody say
- 19 something to you?
- 20 A Why are we here, because I arrested his
- 21 daughter.
- 22 Q Well, sir, unfortunately, I get to ask the
- 23 questions, and here's the way this works. I
- 24 get it that this is probably making you a
- 25 little nervous.

Jayson Linebaugh

1 A I'm not nervous at all.

2 Q But here's what I'm here to do, is ask you
3 questions --

4 A Okay.

5 Q -- about what it is that you know.

6 A Yes, ma'am.

7 Q I'm not here to get attitude.

8 A I understand that.

9 Q Or talk back. I'm just asking simple
10 questions based on the statements that you're
11 making --

12 A Yes, ma'am.

13 Q -- and the factual basis for the statements
14 that you're making. That's it.

15 A Yes, ma'am.

16 Q So my question was: You said the man was
17 following you. You said because you arrested
18 his daughter. And I want to know why you
19 think that he was following you because you
20 arrested his daughter? What makes you think
21 that?

22 A Because I watched the news.

23 Q What news?

24 A The news that his face was blasted all over,
25 my face was blasted all over. Based off of

Jayson Linebaugh

1 that, yes.

2 Q Watched what on the news?

3 A I don't remember what the segment was called.
4 Something to do with Mr. Braxton using
5 intimidation and his position to get out of
6 tickets and things of that nature.

7 Q Was this one of those Bucky Millett -- that's
8 M-i-l-l-e-t-t, Sound Off Louisiana things, or
9 was it, like, the network folks from around
10 here?

11 A I believe it was Fox News.

12 Q Fox News?

13 A In New Orleans or Baton Rouge or something.

14 Q And were you here in Natchitoches?

15 A Whenever I saw that? I don't remember where I
16 was at when I saw it.

17 Q How about a time frame; when was this news?

18 A I have no idea when it was released.

19 Q What was it about? Was it about the letters
20 that the State Troopers Association sent? Or
21 was it about the lawsuit that Mr. Braxton
22 filed, which --

23 A I think it was --

24 Q -- for the record was May, it looks like 14,
25 2018. What was the news coverage about?

1 A It was about, I believe, the letter that was
2 sent in reference to him wanting me to
3 transfer to New Orleans because I arrested his
4 daughter.

5 Q Which letter? And for the record, I'm going
6 to show you what we've been using as Exhibit
7 Number 1. There's two letters I'm aware of.
8 The first one is July 11, 2016. The second
9 one is June 19, 2017. Which letter?

10 A The one that was on the news.

11 Q Well, was that in 2016 or 2017?

12 A I don't know.

13 Q Well, you tell me, when you said you watched
14 the news and that lead you to believe that my
15 client was following you. Was that in 2016 or
16 2017?

17 A I don't know.

18 Q What other factual basis do you have for
19 concluding that my client was following you
20 other than this watching of the news at some
21 point in time, this exchange where you saw a
22 black Expedition you say being driven by my
23 client on a public road? What else?

24 A I know my ex-father-in-law paid him a visit to
25 try and get -- I guess, "dirt" on me, if

1 Braxton wanted to get me.

2 Q Who said that?

3 A Sheriff Victor Jones.

4 Q He told you that?

5 A Sheriff Victor Jones told me that my ex-
6 father-in-law was going to Calvin to talk to
7 him because he had just gone to the sheriff to
8 talk to him about me -- trying to get me
9 moved.

10 Q When was that?

11 A I don't know.

12 Q That was during your divorce?

13 A Yes, ma'am.

14 Q So when was your divorce?

15 A 2017.

16 Q Okay. So was it around 2017 when you claim
17 that Victor Jones said your father-in-law went
18 to talk to him and then he was going to go
19 talk to Calvin?

20 A I'm not going to -- I'm not going to nail down
21 a time frame or an exact date because I'm
22 unsure when the divorce was finalized, and
23 then the custody issue was ongoing so it was
24 somewhere between --

25 Q (Cell phone ringing) I'm so sorry.

1 A -- filing for divorce and my custody issues.

2 Q So when did you file for divorce?

3 A I don't think that's any of your business.

4 Q Sir, it's a public record. When did you file
5 for divorce?

6 A Well, I'm sure you can look that up. I'm not
7 answering anything about my personal life.

8 Q Sir, you need to answer the question because
9 I'm trying to figure out this time frame about
10 these allegations you're making about my
11 client.

12 A It was in the year -- I'm not making any
13 allegations. It was in the year of 2016 is
14 when I filed, but if you need any other
15 information relating to my personal life, my
16 divorce, my children, or my current wife, you
17 can do your public records on that. I'm not
18 answering any questions involving my family.

19 Q I'm not asking you about your family, sir.

20 A You just asked me about my divorce, and I'm
21 not commenting on my divorce.

22 Q Sir, with all due respect, we can do this one
23 way, or we can do this another way. I'm here
24 asking you questions that I am entitled by law
25 to do so. You are here pursuant to a

1 subpoena. Again, I'm not here to get
2 attitude; I'm simply asking for facts. You
3 made a statement about it being around the
4 time that you had filed for the divorce and
5 then the custody battle. I'm trying to figure
6 out what time frame you had this conversation
7 -- let me finish -- with the sheriff who said
8 your father-in-law was going to go talk to Mr.
9 Braxton. That's all I'm asking.

10 A Ex-father-in-law.

11 Q So I asked you when it was you filed for
12 divorce not because I'm prying; I simply want
13 to get a temporal element, a time frame we're
14 speaking about.

15 A Okay.

16 Q So when you filed -- you said you filed for
17 divorce in 2016. Was that early 2016, spring,
18 summer, or fall?

19 A July.

20 Q Thank you. So sometime after July of 2016,
21 you had this conversation with Sheriff Jones;
22 is that correct?

23 A Yes, ma'am.

24 Q And in that conversation you say Sheriff Jones
25 told you that your now ex-father-in-law had

1 come to talk to him trying to do what to you?

2 A I assume trying to get me moved out of the
3 parish.

4 Q What did the sheriff tell you?

5 A I just told you.

6 Q That your ex-father-in-law wanted you moved
7 out of the parish?

8 A Yes.

9 Q And what did Sheriff Jones say he responded to
10 your ex-father-in-law?

11 A He told me that he told him that he was not
12 getting involved in any of that, and that I
13 was an excellent trooper and had no issues
14 with me.

15 Q And so, then you said in this conversation
16 that Sheriff Jones also told you that your ex-
17 father-in-law said he was going to go visit
18 Calvin Braxton?

19 A That's correct.

20 Q Did he say what he was going to go visit
21 Calvin Braxton for?

22 A Said he was going to visit with Calvin
23 Braxton.

24 Q Do you know whether or not your ex-father-in-
25 law did?

Jayson Linebaugh

- 1 A I'm assuming he did.
- 2 Q Assuming it based on what?
- 3 A Just -- I'm just assuming he did.
- 4 Q Is your assumption based on any fact? Like
5 somebody told you something?
- 6 A Did I -- I did not see him go talk to Calvin.
7 I have not spoken to my ex-father-in-law about
8 talking to Calvin. So if you're asking me if
9 I visually saw him do it, no. I do not know
10 that.
- 11 Q No, sir. I'm not asking visually. I'm just
12 trying to find out what is the basis for your
13 assumption.
- 14 A Because of where I'm sitting today, ma'am.
- 15 Q I don't understand that, sir. What is the
16 basis for your assumption?
- 17 A He went and talked to the sheriff. He said he
18 was going to talk to Calvin. Why would he not
19 -- and why would he not follow through and go
20 talk to Calvin. So, I'm assuming that he went
21 and talked to Calvin.
- 22 Q When was the last time you talked to Mr.
23 Oliphant?
- 24 A I talked to him this morning.
- 25 Q About what?

Jayson Linebaugh

1 A He told me I could wear Class C's today and
2 confirming my time to be here at 11 o'clock,
3 so I could be --

4 Q Class C is your uniform?

5 A Yeah. So I could be comfortable. I'd already
6 left the -- my house and went to the troop.

7 Q Is Mr. Oliphant in your chain of command?

8 A Yeah. He's the Lieutenant Colonel of the
9 state police.

10 Q So did you call him about what uniform you
11 could wear?

12 A No, ma'am.

13 Q He called you?

14 A Yes, ma'am.

15 Q And he told you specifically to wear your
16 full-dress Class C uniform.

17 A That is not what I just said. I just said
18 that he told me I was free to wear a Class C
19 if I would like and confirming that I needed
20 to be here by 11 o'clock.

21 Q As opposed to what? The clothes you were
22 going to wear?

23 A This uniform I'm wearing.

24 MR. FALCON: This is not a Class C.

25 THE WITNESS: This is not a Class C --

1 MS. CRAFT: Okay.

2 THE WITNESS: -- it's a Class A
3 uniform. A Class C uniform is what
4 they're wearing.

5 MS. CRAFT: They're wearing the T-
6 shirt thing, and you chose to wear the
7 full thing; right?

8 THE WITNESS: Yes.

9 MR. OXENHANDLER: I have a Class D.

10 MS. CRAFT: Well, and I understand
11 guys, and look, this is not funny; I'm
12 just trying to ask this gentleman
13 questions.

14 MR. OXENHANDLER: I'm just trying to
15 lighten it up.

16 MS. CRAFT: And y'all know -- I mean,
17 that's it.

18 MR. FALCON: I'm just trying to -- I
19 made the comment; it's just to move along
20 here. I understood. I thought you
21 probably assumed this was a Class B or a
22 C, whatever, and I knew it was a Class A.
23 So I was just trying to move it along.

24 MS. CRAFT: Mr. Falcon, I get it, but
25 again, I'm just trying to ask this

1 gentleman questions. I'm not asking for
2 his attitude or his talking back or
3 anything else because if it continues,
4 I'll terminate it, and we'll go ask the
5 judge to read the transcript and listen to
6 the tape. That's all I'm asking, simple
7 questions.

8 BY MS. CRAFT:

9 Q So you talked to Mr. Oliphant this morning,
10 and he told you you were free to wear a Class
11 C if you wanted, and what else?

12 A And making sure I'm here before -- by 11
13 o'clock.

14 Q Okay. What time did he call you?

15 A I have no idea.

16 Q And --

17 A It was on my way to the troop, so it would
18 have been 7:00, maybe. I don't know an exact
19 time.

20 Q Seven A.M.?

21 A Yes, ma'am.

22 Q And he told you to be here early?

23 A He told me to be here for 11 o'clock. That's
24 what time I was told to be here, initially.

25 Q You were subpoenaed to be here for 1:00.

Jayson Linebaugh

1 A I was told to be here at 11 o'clock today.

2 Q Okay. Now, sir, what other conversations have
3 you had with Mr. Oliphant, and let's talk
4 about in the last week?

5 A I think it may have been Monday or Tuesday
6 morning he congratulated me on the load of
7 dope I had just hit on I-10.

8 Q What else did you discuss?

9 A I believe that was it.

10 Q Any others?

11 A No, ma'am.

12 Q You didn't talk to him yesterday?

13 A What's today? Thursday? I don't believe I
14 talked to him yesterday, no. I talked to him
15 -- was it -- I talked to him one other time
16 this week, and that was in reference to my
17 load of dope I got.

18 Q Did you talk to either Mr. Falcon or Mr.
19 Oxenhandler about any of the testimony that
20 was elicited this week?

21 A Not any testimony, no. I was told to come in
22 here and tell the truth, be straightforward,
23 nothing to hide.

24 Q Did Mr. Oliphant tell you anything about the
25 testimony that he heard?

Jayson Linebaugh

1 A No, ma'am.

2 MR. OXENHANDLER: Just for the record,
3 it was according to your notes, it was 11
4 o'clock.

5 MS. CRAFT: Oh, was it 11:00; I
6 thought it was 1:00.

7 MR. OXENHANDLER: No. Miller was at
8 1:00.

9 MS. CRAFT: Oh, how come we did them
10 -- oh.

11 MR. OXENHANDLER: Because I seen --

12 MS. CRAFT: We did them backwards.

13 Oh, this is off.

14 (Off the record)

15 A I'm not trying to be difficult. I do
16 apologize if I am being difficult, but I'm
17 just going to tell you, I'm not going to sit
18 here and let you turn questions around and
19 make me say something that you want me to say.
20 I'm going to tell you exactly what I know,
21 exactly what I don't know. I'm not trying to
22 be difficult with you. I'm not trying to give
23 you an attitude so I apologize if I came
24 across that way. That's not my intention, but
25 I'm not going to sit here and be asked the

1 same question 55 times to -- I'm not going to
2 change my answer. I have nothing to hide. I
3 have done nothing wrong, and that's that.

4 BY MS. CRAFT:

5 Q Mr. Linebaugh, just so you know, I'm not here
6 to trick you. I'm here to get information,
7 and I don't think anybody suggested that you
8 did anything wrong, just so you know. I see
9 you laughing. Why do you find that funny?

10 A It's just comical to me, ma'am.

11 Q Why?

12 A It just is.

13 Q Why?

14 A I'm ready to move on.

15 Q I'm asking you a question. Why?

16 A I don't have to answer that question. It does
17 not pertain to the case.

18 Q Yes, you do. You most certainly do.

19 A I think this is ridiculous to be honest with
20 you. That's why I was laughing.

21 Q What's ridiculous?

22 A This entire thing.

23 Q What entire thing?

24 A What we're doing. The whole thing. All of
25 it. Mr. Braxton. The entire thing is

Jayson Linebaugh

1 ridi cul ous. His daughter got arrested for a
2 DWI ; she was wrong. I did my job. That was
3 that. His ego has him spreading this out
4 three, four years; this is ridi cul ous. It's
5 ridi cul ous.

6 Q Do you know --

7 A So that's why I was laughi ng.

8 Q Do you know what this --

9 A So I answered your questi on.

10 Q Do you know what this lawsui t's even about?

11 A I don't really care, to be honest wi th you.

12 Q Do you know that this lawsui t is about
13 publicati ons and statements made that Mr.
14 Braxton contends defamed him? Did you know
15 that's what this sui t is about?

16 A I assumed because he's such an honest man.
17 Yeah.

18 Q Are you being facetious wi th me, si r?

19 A Yes, ma'am. I am.

20 Q Okay. Again, I'm going to tell you for the
21 thi rd time, please lose the atti tude, offi cer,
22 or --

23 A Trooper. There's a di fference.

24 Q Or, si r, what we will do is recess this
25 deposi ti on, and we'll go talk to the judge

Jayson Linebaugh

1 about your behavior.

2 A Yes, ma'am.

3 MR. OXENHANDLER: Can we take a short
4 break. I think we need -- let's take Mr.
5 Linebaugh -- I'd like to take Mr.
6 Linebaugh and speak with him for a second.
7 Can I do that?

8 MS. CRAFT: And that's on the record.
9 We're taking a break so you guys can talk?

10 MR. OXENHANDLER: Yes.

11 MS. CRAFT: And hopefully, counsel for
12 the state police can talk to him?

13 MR. OXENHANDLER: Yes.

14 MS. CRAFT: And we can lose the
15 attitude, and we can conduct the
16 deposition so we're not here for ten
17 hours.

18 THE WITNESS: Anyone want to talk to
19 her about her attitude?

20 MS. CRAFT: That was on the record?
21 Thank you.

22 (Off the record)

23 COURT REPORTER: I'm back on the
24 record.

25 MS. CRAFT: Okay. Good. Okay. We

1 are back on the record.

2 BY MS. CRAFT:

3 Q Sir, I was asking you questions as it related
4 to the DWI arrest. To your knowledge did
5 anybody ever suggest to you that you did
6 anything other than your job that night?

7 A When you say "anybody"?

8 Q I mean anybody.

9 A I felt like I did something wrong. Yes,
10 ma'am.

11 Q Why did you feel like you did something wrong?

12 A Based off of everything that happened after
13 the fact. The aftermath.

14 Q Like what?

15 A Threatening to transfer me. Wanting me moved.
16 Just in general. I was a brand new rookie
17 trooper, and I made a stop, arrested somebody,
18 and I had no idea who she was. Didn't care,
19 to be honest with you. I did my job.

20 However, I was afraid of being in the position
21 I was in, a brand new trooper, that that
22 arrest, if someone pushed the issue, could
23 affect me negatively and could hurt my job.
24 So, yeah, I was -- I was afraid that I had
25 done something wrong.

Jayson Linebaugh

1 Q And that's because Mr. Oliphant talked to you
2 about it?

3 A Yeah. He -- I'd -- Mr. -- Colonel Oliphant
4 had originally called me and told me that
5 Calvin had been calling, and this, that, and
6 the other.

7 Q What's "this, that, and the other"?

8 A About wanting me moved and all of that.

9 Q You never talked to Calvin Braxton directly
10 about the arrest, did you?

11 A I never even met Calvin Braxton.

12 Q Well, you have since?

13 A Since, I have, yes, ma'am.

14 Q In fact, you walked up and introduced yourself
15 to him at Walmart; is that correct?

16 A No, ma'am. It was at Zippy B's.

17 Q I'm sorry?

18 A It was at Zippy B's.

19 Q At Zippy B's?

20 A Yes, ma'am.

21 MS. CRAFT: (Phone beeps.) I don't
22 know why this thing is not off.

23 BY MS. CRAFT:

24 Q And when was that?

25 A I don't know.

Jayson Linebaugh

- 1 Q What year was that?
- 2 A '17 or '18. I don't know exactly.
- 3 Q And do you go to Zippy B's frequently?
- 4 A Yeah. I mean, not all the time, but yes,
5 ma'am, I swing in there. That's where I do my
6 custody exchange with my kids.
- 7 Q Well, how many times have you seen Mr. Braxton
8 in there?
- 9 A Twice, I think.
- 10 Q And did you speak to him on both occasions?
- 11 A No, ma'am. Just one.
- 12 Q And tell me about that.
- 13 A I walked up and introduced myself to him.
- 14 Q And said what?
- 15 A "How are you doing? I'm Jayson Linebaugh."
- 16 Q And what did he say?
- 17 A I don't remember.
- 18 Q Did he shake your hand?
- 19 A Yes, ma'am.
- 20 Q Was it a pleasant exchange?
- 21 A Yeah. I mean, he shook my hand, and he looked
22 down at the ground. But, yeah, I mean, I
23 guess.
- 24 Q Were you scared of him then?
- 25 A I think -- no. At that point, no, ma'am, I

Jayson Linebaugh

1 wasn't. I wasn't afraid of him at that point.

2 Q You weren't afraid --

3 A And I don't think I'm afraid of Calvin. I'm
4 not going to say I am afraid of Calvin. I am
5 afraid of what -- at the time, I was afraid of
6 what Calvin could possibly do to my career. I
7 didn't know. I thought that he could get me
8 in trouble, especially with everything that he
9 was trying to do.

10 Q The "everything he was trying to do" is the
11 part I want to focus on. That's information
12 you heard from Mr. Oliphant; is that correct?

13 A Yes, ma'am.

14 Q And anybody else?

15 A I don't recall. I mean, I've talked to
16 thousands of people -- hundreds of people,
17 and --

18 Q About Calvin?

19 A Yeah. People who confronted me about Calvin,
20 yes.

21 Q What did they confront you with?

22 A "I heard Calvin's moving you. I heard you're
23 getting ready to get kicked out of
24 Natchitoches." Different deputies with the
25 sheriff's office.

Jayson Linebaugh

- 1 Q Which ones?
- 2 A I don't know. I don't remember their names.
- 3 Q You don't remember a single deputy who's told
4 you that?
- 5 A Uh-uh (negative).
- 6 Q Is that a "No"?
- 7 A No, ma'am. I'm sorry. I didn't mean to
8 respond that way.
- 9 Q And when was the last time somebody confronted
10 you and said, "I've heard Calvin's moving
11 you"?
- 12 A I don't recall.
- 13 Q What year?
- 14 A I don't recall.
- 15 Q Has it been in the year 2019?
- 16 A No, ma'am. Not 2019.
- 17 Q 2018?
- 18 A I don't recall. I've had a very long couple
19 years, ma'am.
- 20 Q Okay. Now, with respect to the arrest --
- 21 A Yes, ma'am.
- 22 Q -- of Calvin's daughter--
- 23 A Yes, ma'am.
- 24 Q -- did you have any conversations with Mr.
25 Miller?

Jayson Linebaugh

1 A About arresting his daughter?

2 Q Yes.

3 A The only time I talked to Thurman was -- I was
4 working a head-on collision on Highway 1
5 around Derry, and Thurman was -- I think he
6 was heading to the troop, and he stopped to
7 assist me and had inquired something about how
8 many tickets I'd been writing and -- and that
9 was pretty much the gist of it. I don't
10 really recall any other conversations with
11 Thurman. I mean, I don't see Thurman very
12 much. I mean, when he was walking out, that's
13 the first time I've seen him; I don't know the
14 last time I saw him.

15 Q Did Mr. Miller tell you that Calvin had told
16 him that you had done your job?

17 A I don't recall that. I don't know.

18 Q Did Mr. Oliphant ever tell you that, that he
19 told -- Calvin told Mr. Oliphant you had done
20 your job?

21 A I've never been -- I don't recall that.

22 Q Mr. Braxton's daughter, is it your
23 understanding she went through the pre-trial
24 diversion process?

25 A I didn't follow the case. I didn't get

1 subpoenaed to court.

2 Q So you have no idea?

3 A I have no idea what happened with it.

4 Q Sir, was there an incident recently where
5 you've received some discipline?

6 A No, ma'am.

7 Q Have you been counseled at all?

8 A No, ma'am.

9 Q Was there an incident involving your former
10 mother-in-law?

11 A There was an incident involving my former --
12 my ex-wife, yes, ma'am.

13 Q And were you counseled or disciplined in any
14 fashion relating to that?

15 A No, ma'am.

16 Q Do you have any explanation as to why at least
17 one of the officers we talked to yesterday
18 said you were?

19 A I have no idea why. I've never been
20 disciplined or counseled.

21 Q Were you ever talked to about some interaction
22 with your ex-wife or ex-mother-in-law?

23 A I let my supervisors know an altercation that
24 had taken place where my ex-wife jumped on me
25 at my son's soccer game, and my ex-mother-in-

1 law had gotten in my face, and I told her to
2 get away from me. I don't remember the exact
3 verbiage or what the exact conversation was.
4 And I notified my supervisor; don't remember
5 who it was at the exact moment because my
6 supervisors have changed, and they just told
7 me, "Just keep your cool, you know, avoid any
8 situations with them, or whatever because
9 they're going to try and do what they can to
10 affect the custody."

11 Q Did anyone --

12 A But I've never been disciplined, no, ma'am.

13 Q Did you use profanity with your mother-in-law?

14 A Yes, ma'am. I did.

15 Q And did you get talked to about your use of
16 profanity with you mother-in-law?

17 A I don't -- I mean, I'm the one that went to my
18 supervisors, and they told me to keep my cool
19 and just remove myself from the situation.

20 Q Have you been asked to go visit with or talk
21 to any troopers in Baton Rouge regarding your
22 temperament?

23 A No, ma'am.

24 Q Now, with respect to your discussions with Mr.
25 Oliphant, and if there's other troopers you

Jayson Linebaugh

1 talked to or folks about Calvin, I'd like to
2 know. Were you ever told that Calvin had in
3 anyway threatened you other than the two
4 things you mentioned which was that, according
5 to you, Calvin wanted you moved and that you
6 were being threatened to be transferred?

7 A Yeah. I believe, "Something needed to be done
8 to me because I'm out of control," or
9 something like that.

10 Q Who told you that?

11 A That was in the news.

12 Q What news?

13 A The news we had talked about earlier -- the
14 letter in the news. Something about me being
15 out of control, and I needed to go get my mind
16 right.

17 Q The LSTA letter?

18 A Whatever letter was in the news. I -- I saw
19 that and read that.

20 Q So before the letter was in the news, you had
21 no idea that Calvin had allegedly said you
22 were out of control?

23 A I don't remember when I found out about him
24 saying I was out of control. I was told prior
25 to the news release that he was wanting me

1 moved.

2 Q Okay.

3 A And that I needed to go to New Orleans for
4 however many days or transfer out of
5 Natchitoches Parish, and I need to learn
6 discretion or something like that. I don't
7 know.

8 Q Who told you you needed to learn discretion?

9 A That's what was said, his whole complaint on
10 me.

11 Q Okay. Who told you that?

12 A I'm not going to say who told me that because
13 I don't know exactly who told me that because
14 like I said, this has been -- when did that
15 arrest happen? Can I ask that?

16 Q No, sir.

17 A Okay. It's been so long that, I mean, I know
18 the Colonel had told me something about him
19 wanting me moved, and this, that, and the
20 other along with that, and then hearing stuff
21 from other troopers, from deputies, from the
22 news. I don't know exactly when I heard
23 certain things, when I was told certain
24 things. I don't know. I'm not going to sit
25 here and speculate that.

- 1 Q "The Colonel " you were referring to is Mr.
2 Oliphant?
- 3 A Colonel Oliphant.
- 4 Q I asked you about whether or not you had run
5 into my client at a Walmart.
- 6 A I saw him at a Walmart.
- 7 Q Did you talk to him?
- 8 A I believe he was walking by; I just -- I think
9 I may have said, "Hi," and that was it and
10 kept walking.
- 11 Q Do you remember when that was?
- 12 A I don't -- I do not.
- 13 Q Was that this year or last year?
- 14 A I don't remember.
- 15 Q Was that a pleasant, innocuous exchange?
- 16 A It was a very uncomfortable exchange.
- 17 Q Why?
- 18 A He looked straight down at the ground and
19 scurried on out of there as quick as he could.
- 20 Q So it was uncomfortable for Calvin?
- 21 A It was uncomfortable for me, also, but I
22 wasn't going to let him see me. I don't want
23 him to think I'm intimidated by him because
24 I'm not. So it's just uncomfortable in
25 general.

1 Q You wanted to send a message to him?

2 A No. I don't need to send a message to
3 anybody, ma'am.

4 Q So who said hello to each other? You both to
5 each other?

6 A I don't recall.

7 Q Is it possible he said, "Hi" to you first?

8 A I don't think he said it first. No, ma'am.

9 Q Anything else you recall about this
10 interaction?

11 A No, ma'am. It was just passing in the aisle
12 at Walmart.

13 Q Zippy B's, you said you've seen him there once
14 and you walked up to him and introduced
15 yourself?

16 A Yes, ma'am.

17 Q Why?

18 A Just because.

19 Q Because why?

20 A I never met him before. Heard a lot about
21 him. I wanted to meet him. It wasn't
22 anything to intimidate or anything like that.
23 I just never met the man before in my life.
24 He is the source of a lot of my issues that
25 I've had and caused a lot of problems for me

Jayson Linebaugh

1 in my personal life, and I just wanted to meet
2 the man. And so, I went up and introduced
3 myself to him.

4 Q Did you know beforehand he would be there?

5 A No, ma'am.

6 Q And so, how is Calvin Braxton the source of a
7 lot of issues in your life?

8 A Not anymore. But everything going on with my
9 ex-wife, my ex-in-laws. Him -- my ex-father-
10 in-law going to the sheriff and allegedly
11 going to Calvin Braxton, it's just a lot of
12 problems. Everything in the news. The last
13 thing I wanted was my face put on the news for
14 doing my job. I mean, that's -- that takes a
15 toll on somebody. It takes a -- it took a
16 toll on me. I had a lot of stuff going on in
17 my personal life, and then my face is blasted
18 all over the news because I arrested his
19 daughter. So, yeah, he's been a lot -- he's
20 been the root of a lot of -- a few sleepless
21 nights.

22 Q Okay. Is it your contention that Calvin
23 Braxton had something to do with your face
24 being put on the news?

25 A No. I'm not saying that, but him pushing the

- 1 issue of trying -- allegedly pushing the issue
2 of me trying -- trying to get me moved. All
3 this other stuff that -- I mean, yeah. I
4 mean, if he would have just dropped it and not
5 had any -- his daughter got arrested. It is
6 what it is. She was treated fairly just like
7 anybody else, and I did my job. And instead
8 of being egotistical and trying to punish
9 someone for doing their job and just let it go
10 and let it go through the process, we wouldn't
11 be sitting here today. So, yeah, I do believe
12 my face being blasted on the news is a direct
13 result of Calvin Braxton. Yes, ma'am. I do.
- 14 Q Let me ask you something, sir. Are you aware
15 of anything that Calvin Braxton said about you
16 to Mr. Oliphant after December 14, 2015?
- 17 A No, ma'am.
- 18 Q So when you say the statement about Calvin
19 Braxton quote, "pushing it," is that based on
20 any statements he made up until December 14,
21 2015?
- 22 A I don't know any time frames, and I have not
23 talked to Calvin Braxton, so I have no
24 information from Calvin Braxton.
- 25 Q Okay. How about Mr. Oliphant because you know

1 I took his deposition yesterday.

2 A Uh-huh (affirmative).

3 Q And I asked him specifically about Calvin
4 making statements to him about you. And he
5 identified for us the last date being December
6 14, 2015.

7 A Okay.

8 Q Did Mr. Oliphant tell you that?

9 A I have -- I don't recall.

10 Q The DWI arrest if I represent to you was
11 December 5, 2015, that would have been nine
12 days later, December 14, 2015. Are you aware
13 of anything that my client allegedly said in
14 terms of trying to push a transfer of you
15 after December 14, 2015?

16 A I have no idea.

17 Q The business about your face being on the
18 news, you understood that was because a letter
19 had been written; is that correct?

20 A Yes, ma'am.

21 Q And for the record, I'm showing you a letter
22 which we've introduced as part of Exhibit
23 Number 1; it's dated July 11, 2016.

24 A Okay.

25 Q That's a letter written by the Louisiana State

1 Troopers Association. Have you ever seen that
2 letter before?

3 A On the news. I've never sat here and looked
4 at it. I never had anything in my hands. No,
5 ma'am.

6 Q Did anybody ever show it to you before it was
7 sent to the governor and others?

8 A Not to my knowledge. I don't recall.

9 Q There was a report prepared by Mr. Oliphant,
10 June 2nd, I believe, 2016. It's right behind
11 that letter. Do you see that?

12 A Yes, ma'am.

13 Q Had you ever seen that before?

14 A I've seen it on the news. I don't recall any
15 other times.

16 Q Did you know that that report became a public
17 record when Mr. Oliphant filed it.

18 A Okay.

19 Q Did you know that?

20 A No. I assumed it. I mean, most stuff in our
21 line of business is public record. Yes,
22 ma'am.

23 Q Did you know that there was discussion that
24 Mr. Oliphant would prepare such a report so
25 that it would, in fact, become public record,

1 and then the LSTA could get it through a
2 public records request?

3 A No, ma'am.

4 Q Do you know why Mr. Oliphant wrote that report
5 in June of 2016?

6 A I have no idea.

7 Q Did you review any documents before this
8 deposition?

9 A No, ma'am. I did not.

10 Q Did you know, sir, that when LSTA sent the
11 letter -- I think it's July, maybe, the first
12 one, the 2016 letter, that by sending it to
13 the governor and to the State Police
14 Commission members and others, that it too
15 became a public record?

16 A I didn't -- I mean, I have no knowledge of any
17 of these so I don't know what you want me to
18 say.

19 Q I'm just asking a question.

20 A I have no knowledge of any of this, so, I
21 mean, obviously things in our line of work,
22 like I said earlier, is public record.

23 Q So did you talk to anybody affiliated with the
24 LSTA about, "Why did y'all put my name in
25 this? Why are y'all using me to get rid of

Jayson Linebaugh

1 Calvin Braxton?" Anything like that?

2 A No, ma'am. I'll be honest with you, I -- no,
3 ma'am.

4 Q You'll be honest with me what?

5 A I don't -- see, I don't take it as their
6 trying to -- anyone was trying to get rid of
7 Calvin Braxton.

8 Q You don't?

9 A No.

10 Q Nobody ever talked to you about that?

11 A No one -- no. No one told me they're using me
12 to get to Calvin Braxton. Now, why would they
13 be trying to get to Calvin Braxton?

14 Q Let me show you a document, sir, that we've
15 already attached as Exhibit Number 14. And
16 I'll represent to you these are supposedly a
17 document typed by Mr. Oliphant. The entry
18 date he represents is June 6, 2016 which is
19 the same date as the report in front of you at
20 line 1164 of it. And I want to refer your
21 attention to line 1278. Do you see line 1278?

22 A Yes, ma'am.

23 Q What did Mr. Oliphant write?

24 A "The information above is supposed to be used
25 in order to facilitate Calvin Braxton's

1 removal from the LSP Commission." Yes, ma'am.
2 Absolutely. Okay. I don't want to mess that
3 up.

4 Q That's not mine.

5 A Okay. Absolutely. After all of this was
6 taken place, after this had happened, and the
7 information that was given that I was told by
8 Colonel Oliphant that if I ever got in a bind
9 at work, I'd have to go in front of this man,
10 and I arrested his daughter. And he's already
11 allegedly made threats and indicated that.
12 So, yeah, absolutely he needed to be removed
13 from the commission.

14 Q So did you know that the preparation of the
15 report in your hands was to facilitate the
16 removal of Calvin Braxton?

17 A I have no idea why reports were done. I don't
18 know. I'm not going to comment on that. I
19 don't know, ma'am. You've already asked me
20 that question. I don't know.

21 Q Okay. Did you know, for example, that there
22 were discussions -- well, there was at least
23 one discussion by Mr. Young the then executive
24 director of the Louisiana State Troopers
25 Association with Mr. Oliphant, requesting that

1 he document --

2 A No, ma'am.

3 Q -- interactions?

4 A No, ma'am.

5 Q Did you know there was a discussion with
6 Colonel Reeves about Mr. Oliphant preparing a
7 report so it would, in fact, become public
8 record?

9 A No, ma'am.

10 Q Do you know who Lieutenant Colonel Murphy Paul
11 is?

12 A I believe I've met him one time.

13 Q Met him where?

14 A I think he came and spoke to our academy
15 class.

16 Q Do you know whether or not Murphy Paul ever
17 spoke to Mr. Oliphant?

18 A I have no idea.

19 Q Do you know who Charlie Dupuy is? D-u-p-u-y.

20 A I've seen him speak and heard him speak at our
21 academy. I never personally shook his hand
22 and met him. No, ma'am.

23 Q Do you know anything about Mr. Dupuy calling
24 Mr. Oliphant on or about July 13, 2016?

25 A No, ma'am.

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1 Q Did anyone give you a heads up that the LSTA
2 was going to issue the first letter that it
3 did in 2016? "Hey, man, it's coming; it's
4 probably going to be on TV." Nothing?

5 A No, ma'am.

6 Q What about the second letter in 2017?

7 A No, ma'am.

8 Q Let me finish.

9 A Oh, I'm sorry.

10 Q Did anybody give you a heads up, "Hey, man,
11 we've sent a second letter about Calvin that's
12 including the first letter and Mr. Oliphant's
13 report. Heads up, it's going to be on TV."

14 A No, ma'am.

15 Q Would you have expected the folks at State
16 Police to give you a heads up, "Look, this is
17 coming; it's going to be on TV. You need to
18 prepare your family."

19 A I'll be honest with you, ma'am. I -- whenever
20 I realized that I wasn't in trouble for doing
21 my job, I pretty much don't care. I didn't
22 care about what Calvin thought. I didn't care
23 about any of that. Yeah. I feel that -- I
24 know where you're going with this, that you're
25 trying to turn it around to where it's the

Jayson Linebaugh

1 state police's fault that this hit the news
2 based off of my statement earlier. I
3 understand what you're trying to do there.
4 However, I'm going to disagree with you.
5 Q Here's what we're going to do, sir. I'm going
6 to take a break right now.
7 A Okay.
8 Q I'm going to go grab my lunch, and I'm going
9 to ask the attorneys in this room to, once
10 again, talk to you about, "Where I'm going, I
11 get where you're going," and those kind of
12 comments. I'm simply asking questions.
13 A I thought I answered it.
14 Q So we're going to take a short break.
15 A Okay.
16 Q And I'm not, again, going to have the
17 attitude.
18 (Off the record.)
19 BY MS. CRAFT:
20 Q Mr. Linebaugh, while we were off the record,
21 you've had an opportunity to review Exhibit
22 Number 1; is that correct?
23 A Yes, ma'am. Well -- yes, ma'am.
24 Q I was asking you about the television
25 coverage. And I believe my question was: Did

Jayson Linebaugh

1 you expect somebody to give you a heads up
2 that the information contained in the LSTA
3 letter might be in the media?

4 A No, ma'am. I didn't expect that.

5 Q Okay. And then my other question was: Did
6 anybody give you a heads up?

7 A No, ma'am.

8 Q Do you, in any way, believe that Calvin
9 Braxton had anything to do with the LSTA
10 letter being put in the media?

11 A Yes. I do.

12 Q How's that?

13 A Like I stated earlier, I arrested his
14 daughter. If he would have just let it go, it
15 would have run its course, and that would
16 have been that. We wouldn't be sitting here
17 today. So I believe his initial action led to
18 where we're at today.

19 Q And with the arrest of the daughter, I just
20 want to try to understand the issue. Is it
21 the fact that you arrested his daughter as
22 opposed to letting her go? Or what was the
23 issue that you understand?

24 A That's a question you're going to have to ask
25 him.

1 Q Well, I --

2 A From what I understand and, you know, reading
3 this during the break, I mean, it's obvious
4 that I should have let her go because he's
5 Calvin Braxton, and that's his daughter. And
6 I shouldn't -- I mean, apparently -- and I
7 guess, in his eyes, I'm assuming, again an
8 assumption, that I shouldn't have arrested her
9 because it's his daughter.

10 Q Let me ask you a question. Did you give a
11 ticket to Ms. Peggy, Calvin's wife?

12 A I believe so, yes, ma'am.

13 Q When was that?

14 A I don't know.

15 Q Was that before or after the DWI?

16 A I don't know.

17 Q Did you receive a call from Mr. Oliphant about
18 that ticket?

19 A I believe I did.

20 Q And tell me about that conversation with Mr.
21 Oliphant.

22 A I don't remember the conversation.

23 Q What did he ask you to do?

24 A I just remember -- I think I wrote her a
25 speeding ticket and asked if I could help her

1 out with it.

2 Q Mr. Oliphant asked you that?

3 A I believe so, yes, ma'am.

4 Q And did you?

5 A I don't recall. I really don't remember.

6 Q Do you recall changing the ticket to reflect a
7 non-moving violation?

8 A I don't -- I don't recall.

9 Q Okay. Do you have some sort of practice in
10 terms of issuing tickets that you don't issue
11 tickets to other law enforcement officers?

12 A No.

13 Q Have you ever heard of anyone in Troop E that
14 does that as a practice?

15 A That what?

16 Q Doesn't issue tickets to other law enforcement
17 agents -- officers?

18 A I'm sorry. I didn't mean to cut you off.

19 Q That's all right.

20 A I believe as a whole in a community that most
21 police officers tend to avoid writing other
22 police officers at all cost. I personally
23 have written police officers before and
24 firefighters. I mean, I can't tell you what
25 other people do. I can tell you what I do.

Jayson Linebaugh

1 Q And why is that?

2 A Why is what?

3 Q That you avoid writing other officers tickets?

4 A I told you --

5 MR. FALCON: He didn't -- he didn't
6 say he did. He said it's the practice
7 in --

8 MS. CRAFT: Oh, okay.

9 MR. FALCON: He said he has written
10 police officers and firefighters.

11 MS. CRAFT: I heard that.

12 BY MS. CRAFT:

13 Q So do you know why other officers avoid it?

14 A I can't tell you why other officers do what
15 they do.

16 Q Did you talk to anyone about some rumor
17 regarding Calvin Braxton and a woman by the
18 name of Lydia?

19 A No, ma'am.

20 Q Did you ever hear anybody talk about or
21 speculate that Calvin was somehow involved in
22 some sort of foul play or murder or --

23 A I had heard that, yes, ma'am.

24 Q What did you hear?

25 A What you just said, that he had gotten away

1 with murder or the disappearance of somebody.

2 Q Who told you that my client --

3 A I --

4 Q Let me finish. -- had gotten away with murder
5 or the disappearance of somebody?

6 A I don't recall.

7 Q Did you talk to Mr. Oliphant about that?

8 A No, ma'am.

9 Q What about Mike Wilson? Did you ever talk to
10 him?

11 A No, ma'am. Not about that.

12 Q Did you ever talk to him about anything
13 relating to Calvin Braxton?

14 A I never talked to him about -- no, ma'am. I
15 believe Mike had come up to me and told me,
16 "Good job," for doing my job. That was it.

17 Q When was that?

18 A I don't recall.

19 Q What about Craig Brown? Did you talk to him,
20 and this is a two-way street. I can say, have
21 a discussion. I just want to know if you
22 passed words with these people relating to
23 Calvin Braxton -- and that person is Craig
24 Brown.

25 A I have no idea who Craig Brown is.

Jayson Linebaugh

1 Q Do you know who a Carey Carruth is?

2 A Yes, ma'am. She, I believe, she was friends
3 with my ex-wife. I know her mother because
4 her brother was one of the APD officers that
5 was killed in 2003, and her mother does a
6 luncheon for all law enforcement. And I met
7 Carey by going to her mother's house with --
8 you know, when they do the law enforcement
9 luncheon. And I believe she started -- she
10 started being a PI or something and was
11 hanging out with my ex-wife.

12 Q Was she following you?

13 A I believe at one time she possibly was.

14 Q Was she following you at the request of your
15 ex-wife or at the request of Calvin Braxton?

16 A I have no idea.

17 Q Is it against the law, by the way, for someone
18 to hire a private investigator to follow
19 people around?

20 A No, ma'am.

21 Q Did you ever have a discussion with Mr.
22 Oliphant about Carey Carruth -- I think, or
23 Carey Carruth Hamblin, whatever the full name
24 is, about her somehow being involved with
25 either following Mr. Oliphant or --

Jayson Linebaugh

- 1 A Yeah. I believe I had -- may have initiated
2 that. I don't recall exactly what the context
3 of the conversation was, but I remember that I
4 had gotten some type of information that Carey
5 had started being a PI or got her PI license
6 or something, and that she was possibly the
7 one following us or could be one following me
8 or following him because she actually lived
9 right in between where we lived.
- 10 Q On, did you say, 305? Or your street?
- 11 A 504.
- 12 Q 504?
- 13 A Yes, ma'am.
- 14 Q And so, you told Mr. Oliphant that you thought
15 perhaps Carey Carruth was following him on --
- 16 A I don't remember the exact context of the
17 conversation, but I do remember having a
18 conversation with the colonel about -- that
19 she was a licensed PI and -- but I don't
20 remember the context of the conversation.
- 21 Q Did you ever personally witness anyone
22 following Mr. Oliphant?
- 23 A I remember -- I never seen one follow Mr.
24 Oliphant. I'm sorry, Colonel Oliphant. I do
25 remember seeing a vehicle parked on the road

1 right next to his house one day that was out
2 of place. And I do recall one day I was in my
3 driveway washing my truck, and a vehicle that
4 I'd never seen in that area before drove by at
5 about 15-20 miles an hour, and there was
6 someone in the backseat taking a picture of me
7 while I was washing my truck. And I believe I
8 contacted the colonel and let him know that
9 vehicle had just passed my house, and there
10 was someone in the backseat taking a picture
11 of me, and they were actually driving towards
12 his house. Whether or not they were going to
13 follow him, I have no idea.

14 Q What kind of vehicle?

15 A It was, like, a white-colored older -- some
16 white-colored station wagon-type vehicle.

17 Q Was this during the period that you and your
18 wife were going through a divorce?

19 A I think the divorce was final.

20 Q Okay.

21 A It was after my -- after I filed for divorce,
22 yes, ma'am.

23 Q So was it -- and, again, I don't -- your
24 personal life is not important to me, but I
25 just want to get a time frame. Was it at a

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1 period of time where there was some issue
2 between you and your wife about custody?

3 A Yes, ma'am.

4 Q So did you think the vehicle that drove by at
5 15-to-20 miles an hour, you said, taking
6 pictures of you, was it any way related to
7 Calvin Braxton, or was it related to your ex-
8 wife?

9 A I have no idea. I -- in my opinion they were
10 both going hand-in-hand because I believed
11 that my ex-father-in-law had contacted Calvin.

12 Q And did what?

13 A I don't know. I talked about that earlier
14 with the sheriff. What the sheriff had told
15 me that he was going to talk to Calvin.

16 Q Do you know that your ex-father-in-law did, in
17 fact, go talk to Calvin?

18 A I told you earlier, I assume that.

19 Q And did you know that your ex-father-in-law
20 offered information to Calvin, and Calvin
21 said, "No"?

22 A No.

23 Q So beyond your suspicion, what makes you think
24 that Calvin and your ex-wife were somehow
25 working hand-in-hand to follow you?

Jayson Linebaugh

- 1 A I can't sit there and answer that; I don't
2 know. I mean, I don't know if the man said
3 "No" to that, or if he said "Yes" to that.
4 Who knows. I guess no one knows. He's the
5 only one that knows that and my ex-father-in-
6 law.
- 7 Q Any other instances where you personally
8 witnessed -- and my question was with respect
9 to Mr. Oliphant, you said, the white truck.
10 You said it was taking pictures of you. Any
11 other instances?
- 12 A Not that I recall.
- 13 Q Sorry. White station wagon.
- 14 A Yes, ma'am. Not that I recall.
- 15 Q And you said there was one day where you were
16 driving down 504 and you saw a vehicle parked
17 close to Calvin's house.
- 18 A No, ma'am.
- 19 MR. FALCON: Oliphant's house.
- 20 BY MS. CRAFT:
- 21 Q I'm sorry. Oliphant's house.
- 22 A Yes, ma'am.
- 23 Q Where in relation to Mr. Oliphant's house?
- 24 A The colonel's house is, kind of, in a curve,
25 and there is a -- a road, I think that -- I

1 don't know the name of that road. There's a
2 little road that goes back into the
3 subdivision back in there, and there was a car
4 parked right there at the -- not at the stop
5 sign, backed off of the stop sign, kind of, on
6 the shoulder, like, leaning towards the ditch
7 a little bit, and it was just -- it was just
8 sitting there. And -- I'm sorry, excuse me.
9 There was someone sitting in the driver's
10 seat, and the vehicle was in park. And as I
11 came by -- I was in my state police vehicle,
12 as I came by, they immediately put in drive,
13 came to the stop sign, and then pulled out and
14 went the opposite way I was going.

15 Q What kind of vehicle?

16 A It was a smaller white car.

17 Q A small white car?

18 A Yes, ma'am.

19 Q Did you take down the license plate?

20 A I don't think I -- no, ma'am. Because I think
21 they went the opposite way I did. I don't
22 recall.

23 Q And the white-colored station wagon, did you
24 take down the license plate?

25 A No, ma'am. I didn't -- no, ma'am. I was

- 1 washing my truck, and I didn't have an
2 opportunity to get a license plate off of it.
- 3 Q So the other instance where somebody parked,
4 they were parked on 504?
- 5 A No, ma'am. It was just that -- that side
6 road, that road that comes off of 504, yes,
7 ma'am. They weren't on --
- 8 Q The one that --
- 9 A -- 504, but that road --
- 10 Q -- the one that enters the subdivision?
- 11 A Yes, ma'am. I don't remember the name of it.
- 12 Q Mr. Oliphant's house is not located off the
13 road that enters the subdivision; his house is
14 located off of 504?
- 15 A Off of 504. But I believe you could possibly
16 see his house from there, I'm not sure.
- 17 Q Okay. And when was this?
- 18 A I don't recall.
- 19 Q What year?
- 20 A I don't recall.
- 21 Q Did you tell Mr. Oliphant that?
- 22 A Yes, ma'am.
- 23 Q And what did he say?
- 24 A I don't recall.
- 25 Q So if I'm -- let's see if I have my bearings

1 straight. The entrance to the subdivision,
2 the vehicle was parked on 504?

3 A No, ma'am.

4 Q Was parked in the subdivision?

5 A On that road coming out of the subdivision.

6 Q Understand. And was it facing 504? Or was it
7 facing Mr. Oliphant's house? Or where was it
8 facing?

9 A It was facing 504, so the driver's side of the
10 vehicle would be facing the colonel's house.

11 Q And there's a stop sign; right -- on the
12 street that comes out of the subdivision to
13 504; is that correct?

14 A Yes, ma'am.

15 Q And you're saying the vehicle was stopped,
16 kind of, sort of, on the ditch side facing the
17 stop sign?

18 A Yes, ma'am.

19 Q So then you pulled into the subdivision; is
20 that right?

21 A No, ma'am.

22 Q You just drove by on 504?

23 A Yes, ma'am.

24 Q And when you drove by on 504, you said the
25 vehicle was then placed in drive, came up to

- 1 the stop sign.
- 2 A And drove off.
- 3 Q And you continued towards your house?
- 4 A Yes, ma'am.
- 5 Q And the vehicle then made, what, a left
- 6 towards --
- 7 A I believe so, going towards LA-6.
- 8 Q Towards Mr. Oliphant's house?
- 9 A Yeah. Passed in front of it.
- 10 Q Okay.
- 11 A Sorry. I'm doing hand gestures. I know you
- 12 can't record that.
- 13 Q That's okay. Who was in the car?
- 14 A Pardon me?
- 15 Q Who was in the car?
- 16 A One occupant -- driver.
- 17 Q Male? Female?
- 18 A I don't recall.
- 19 Q Black? White?
- 20 A I think it was a black male or black female.
- 21 I don't know exactly.
- 22 Q Did you and Mr. Oliphant ever discuss his
- 23 being scared of Mr. Braxton?
- 24 A No, ma'am. I don't believe so.
- 25 Q Did Mr. Oliphant ever tell you he was scared

Jayson Linebaugh

1 of Mr. Braxton?

2 A I don't believe -- I don't recall. I don't
3 recall. I don't know.

4 Q Did he ever tell you that he thought Mr.
5 Braxton was involved somehow in some sort of
6 murder?

7 MR. FALCON: Asked and answered.

8 A I already answered that.

9 BY MS. CRAFT:

10 Q Well, here's what I'm asking. I'm going to
11 show you Exhibit Number 20, and it's an
12 incident report that was prepared by Mr.
13 Oliphant on March 2, 2008. Here's an extra
14 copy.

15 A Okay.

16 Q Have you ever seen this document before?

17 A No, ma'am.

18 Q Did Mr. Oliphant talk to you about an occasion
19 where he claims to have seen a vehicle
20 registered to Erin Friedman and Gregory
21 Friedman near his house?

22 A Yes, ma'am. I do -- yes. I vaguely remember
23 a conversation about that. Yes, ma'am.

24 Q Tell me about that, please.

25 A I don't remember. I remember something about

1 a vehicle or something with Freemans or
2 Friedman -- I don't know the name; not from
3 here. But that was by his house or following
4 him or something to that nature. I do
5 remember that. I do remember that name coming
6 out.

7 Q Do your ex-in-laws live on Plantation Point?

8 A Yes, ma'am.

9 Q They live on that street?

10 A Yes, ma'am.

11 Q Do they live down the street from the
12 Friedmans, or do you even know?

13 A I don't even know.

14 Q Did Mr. Oliphant ever tell you that he
15 believes your in-laws live down the street
16 from Gregory and Erin Friedman?

17 A No, ma'am.

18 Q Do you know anything about any Friedman
19 connection to Calvin Braxton?

20 A I don't -- I don't know where I heard it from,
21 who I heard it from, that maybe his father was
22 a Friedman, or something like that. I don't
23 know.

24 Q And you don't know anything about the Friedman
25 family?

1 A No, ma'am.

2 Q Did Mr. Oliphant ever tell you that a Samuel
3 James Friedman, a.k.a. Sam James, was a
4 business partner of Calvin Braxton as
5 reflected on the second page of the incident
6 report at the very top?

7 A Where are we at? Does it start on the first
8 page?

9 Q Second page, very top. Top line.

10 A I mean, does that sentence start -- is it
11 starting right here. I want to read it in its
12 entirety.

13 Q Sure, go ahead.

14 A Okay. Oh, I'm sorry. What was your question,
15 ma'am?

16 Q Did he ever talk to you -- Mr. Oliphant, about
17 Samuel James Friedman, a.k.a. Sam James, as
18 reflected on Page 2 of this March 2, 2018
19 incident report, having some sort of business
20 relationship with Mr. Braxton?

21 A No, ma'am. Not that I recall. No.

22 Q Did you know anything about Mr. Oliphant
23 requesting that a threat assessment be
24 conducted on Calvin Braxton, Gregory Friedman,
25 and Erin Friedman?

- 1 A I don't -- I remember hearing something about
2 that, but I didn't -- I heard of something
3 about a threat assessment. Don't know where I
4 heard it from, and I don't remember the names.
5 I remember a threat assessment and Calvin
6 Braxton. That's it. And I don't know where I
7 heard it from or who I heard it from. And I
8 don't know when it was. I'm sorry.
- 9 Q I know you're on the SWAT team because you
10 have your SWAT button.
- 11 A Yes, ma'am.
- 12 Q And other folks we deposed told me about that.
13 When did you get on the SWAT team?
- 14 A I've been on it a little over two years.
- 15 Q So, 2016?
- 16 A Yeah. Yes, ma'am. I believe so.
- 17 Q When in 2016?
- 18 A I believe our -- I'm not a hundred percent
19 sure it was 2016. I think I just hit my two-
20 year mark in May. It was going to be in May.
- 21 Q So May of 2017?
- 22 A Yeah. That would have been right.
- 23 Q And you receive additional pay for being part
24 of the SWAT team, do you not?
- 25 A No, ma'am. I wish I did.

1 Q Is it a prestigious honor?

2 A Yeah. Not everyone can be a SWAT operator.

3 Yes, ma'am.

4 Q And so, would you consider that even though
5 you don't get extra money to be somewhat of a
6 promotional thing for you?

7 A No. It's not given to you.

8 Q You have to earn it?

9 A Yes, ma'am. You have to earn it.

10 Q And you have to go through an interview board;
11 is that right?

12 A Yes, ma'am.

13 Q Have you received any promotions since
14 December 5, 2015?

15 A No, ma'am. I'm still a trooper.

16 Q Are you due for any promotions yet?

17 A I'm eligible in November. I just took the
18 sergeant's test for the first time.

19 Q So you're still a regular trooper, not a
20 master trooper?

21 A No. I'm just a regular old trooper -- or
22 young trooper.

23 Q And is that because you haven't reached your
24 five years yet?

25 A Yes, ma'am. I get my -- my anniversary date

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1 is November 30th.

2 Q Okay.

3 A So at your five-year date, you're eligible for
4 a promotion.

5 Q And so, have you lost any pay since arresting
6 Brandi Braxton?

7 A No, ma'am.

8 Q Has there been any opportunity you've applied
9 for or sought within the state police that you
10 have not received since December 5, 2015?

11 A No, ma'am.

12 Q Has anyone affiliated with the Louisiana State
13 Police told you that they thought any less of
14 you because you arrested Brandi Braxton?

15 A No. No one has told me that.

16 Q Do you believe anyone with State Police thinks
17 any less of you because you arrested Brandi
18 Braxton?

19 A I don't think they think any less of me. No,
20 ma'am.

21 Q Now, in this document which is in front of
22 you, on the second page, Mr. Oliphant writes,
23 "To somewhat confirm someone is watching
24 my/every move has caused great concern for my
25 safety and the safety of my family." Did Mr.

1 Oliphant ever tell you that he confirmed
2 somebody was watching him?

3 A I don't recall.

4 Q Did he express to you -- I know you told me he
5 didn't tell you he was scared of Mr. Braxton;
6 did he ever express to you that he was
7 concerned for his safety and the safety of his
8 family because something Mr. Braxton might do
9 to him?

10 A I believe -- I don't -- like I said, this has
11 been a long process. I -- I remember that I
12 had said something to the colonel about I was
13 worried. And I don't remember him ever saying
14 he was worried about his safety, but, I mean,
15 obviously, if you're being followed in this
16 day and age in law enforcement, you obviously
17 have concerns for your safety.

18 Q When did you tell him you were worried?

19 A I don't remember.

20 Q Was it in December of 2015 when Mr. Oliphant
21 first talked to you?

22 A I was concerned about my job at that point.

23 Yes, ma'am.

24 Q Okay.

25 A I was worried that I was going to get in

1 trouble.

2 Q But Mr. Oliphant reassured you, you were not
3 in trouble; correct?

4 A Yes, ma'am.

5 Q And he did so, if I'm not mistaken, in terms
6 of reassuring you on or about December 9,
7 2015.

8 MR. FALCON: I think she's looking at
9 something else.

10 THE WITNESS: Oh, okay.

11 BY MS. CRAFT:

12 Q You can look at the report.

13 A Well, I mean, I think it's somewhere in the
14 report he did tell me that I was not going to
15 be in trouble. I didn't do anything wrong.
16 So I was trying to confirm the date that you
17 had with the one of the dates that's on here.

18 Q On Exhibit 14, I believe.

19 A Okay.

20 Q And it looks like it's reflected at line 910,
21 dated December 9, 2015.

22 A You said, 910, ma'am?

23 Q Yeah. Line 910.

24 A Okay. What was the question, again?

25 Q Did you have a discussion with Mr. Oliphant,

1 on or about December 9, 2015, as reflected in
2 this document Exhibit 14?

3 A Yes. I had a -- I had a conversation. I
4 don't know the exact dates, but if that's the
5 date that's on there, I'm going to say yes.

6 Q Did Mr. Oliphant ask you if you knew who
7 Calvin Braxton was?

8 A I don't know if those exact words, but -- I
9 don't remember the exact context of the
10 conversation, but I do remember it was
11 something about me not knowing him. And I
12 remember I made the comment -- it was
13 something about me not knowing him. I made
14 the comment that even if I would have known
15 who he was, it didn't matter.

16 Q Did you tell Mr. Oliphant that you had heard
17 Calvin's name somewhere?

18 A Yes, ma'am. I heard his name before. I
19 thought he owned a gas station.

20 Q Did you ever go to the dealership that Calvin
21 owned?

22 A No, ma'am. I went to it a few months ago.

23 Q For what?

24 A To buy a truck because I thought he had sold
25 it because it was Jimmy Granger Ford, and I

1 walked in and saw the usuals in there, so I
2 turned around and walked out.

3 Q What usuals?

4 A His family, friends, Ricky Jones, his son. So
5 I just wasn't even going to do business there.

6 Q How do you know who his son is?

7 A I've met his son before a long time ago.

8 Q When?

9 A And they look just alike. I don't know when.
10 Somewhere in the past 16 years.

11 Q Under what circumstances did you meet his son?

12 A I think on the river, on a boat.

13 Q You hung out with his son?

14 A No. I never hung out with him. I met him
15 once. Or someone said that was Calvin Junior
16 or something like that.

17 Q All right. So you walked in the car
18 dealership?

19 A Yes, ma'am.

20 Q You saw Calvin?

21 A I saw Calvin Junior, Ricky Jones, and a couple
22 other people, and I turned around and walked
23 out and said I wasn't going to do business
24 there.

25 Q Who were the other people?

1 A I don't know their names.

2 Q So when is it -- and you're free to look at
3 whatever exhibits you want, 1 or 14 or
4 whatever, that you contend that Mr. Linebaugh
5 told you nothing was going to happen to you?

6 MR. OXENHANDLER: You mean, Mr.
7 Oliphant.

8 BY MS. CRAFT:

9 Q I'm sorry. Mr. Oliphant.

10 A When did he tell me that? I -- if the report
11 says -- whatever the report says, the date on
12 there. I don't -- I don't know the date
13 without referring to this, so -- if the
14 conversation was documented here on December
15 the 9th, then I'm going to say December the
16 9th, but I don't remember a date.

17 Q The reason I'm asking the question, sir, is
18 I'm trying to figure out -- you said you were
19 worried about your job, but after you talked
20 to Mr. Oliphant and he assured you that you
21 did your job and you had nothing to worry
22 about, from that point forward you were no
23 longer worried about your job. Do I have that
24 right?

25 A Yes.

1 Q Okay. So that's all I'm trying to do is --

2 A Okay.

3 Q -- establish what date that was. That's all
4 I'm trying to do.

5 A And, like I said, I'm not trying to be
6 difficult, ma'am. I don't recall the date,
7 but once the colonel told me that I didn't do
8 anything wrong and I wasn't going to be
9 disciplined, I was -- as far as my job was
10 concerned, I was fine.

11 Q And I know that you have had after that point,
12 subsequent discussions with Mr. Oliphant.
13 After that point when Mr. Oliphant said you
14 did your job; everything is fine, did you ever
15 raise with him, again, any concern that you
16 may have had about it affecting your job? The
17 fact that you arrested Brandi Braxton?

18 A Not my job.

19 Q You told him what? That you were afraid
20 Calvin was going to do what?

21 A I was afraid he was following me.

22 Q Earlier when we started your deposition, I
23 asked about the threats. And the threats I
24 wrote down, I want to make sure I'm right.

25 "It was threatening to transfer me, wanted me

1 moved, and afraid that the arrest could affect
2 me negatively."

3 A Uh-huh (affirmative).

4 Q So am I correct that once Mr. Oliphant told
5 you this -- your job's fine; there's nothing
6 to do, am I correct that that cleared those
7 three concerned threats that you had?

8 A About my job?

9 Q Yes.

10 A Yes.

11 Q So then you told me that you had ensuing
12 discussions with Mr. Oliphant, that you were
13 worried Mr. Braxton was following?

14 A Yes, ma'am.

15 Q Any idea of when that was?

16 A No, ma'am.

17 Q Did you fill out an incident report?

18 A No, ma'am. I don't believe -- no, ma'am. I
19 didn't.

20 Q Did you make any notes?

21 A No, ma'am.

22 Q Do you know if Mr. Oliphant made any notes?

23 A I have no idea. I did have notes for my
24 ex-wife, the issues that was going on with
25 that for custody purposes, but no notes in

1 reference to Calvin.

2 Q So other than the one time that you say you
3 saw Calvin drive by your house in the black
4 SUV or vehicle, did you ever see Calvin around
5 you? And of course we talked about Zippy B's
6 when you went in and had coffee.

7 A Uh-huh (affirmative).

8 Q And you walked into his dealership. Any other
9 times?

10 A I didn't --

11 Q And Walmart.

12 A I didn't walk into his dealership and see him.

13 Q Okay. You walked into the dealership.

14 A And I saw his son.

15 Q Oh, he wasn't even there. Calvin Senior
16 wasn't there?

17 A No. That's why I said -- the only reason I
18 went there because I thought it was under new
19 ownership and I was looking to buy a new
20 vehicle, so I went there because I saw a truck
21 there I liked. And I decided not to do
22 business because I thought that it was sold,
23 and apparently it wasn't; it just had a
24 different name on the front.

25 Q Have you seen, laid eyes on, or had any

1 interaction with Calvin Braxton other than the
2 ones you've identified which is Walmart, Zippy
3 B's, and is that it -- and driving by your
4 house?

5 A Driving by my house.

6 Q Three times?

7 A I don't recall.

8 Q Have you ever seen anybody other than -- you
9 said the photographs with the white station
10 wagon that you perceived to be someone
11 following you?

12 A Yes.

13 Q Tell me about that.

14 A My in-laws.

15 Q Okay.

16 A My ex-wife. Carey Hamblin.

17 Q You feel that has something to do with Calvin?

18 A Yes.

19 Q You think Calvin put your ex-wife up to
20 following you?

21 A No.

22 Q Then what do you think his involvement is in
23 following you?

24 A He met with my ex-father-in-law, and I feel
25 that they were probably working together to

1 try and get me moved because if I got moved,
2 they caught me slipping up, doing something I
3 wasn't supposed to do, that could get me
4 moved, and he would be happy. And then I
5 could get moved, and therefore if I'm in a
6 different parish, I couldn't get custody of my
7 kids. So I think it was a win-win for both
8 sides of it. So that's why I think they were
9 working together.

10 Q Did you share that belief with anyone at the
11 state police?

12 A I don't recall.

13 Q On Exhibit Number 20 which is the incident
14 report of March 2, 2018 --

15 A Which one is it?

16 Q Sorry. It's the little one. It's right
17 there.

18 A Oh, this one right here?

19 Q Yes.

20 A Okay.

21 Q Did you ever take into consideration this
22 rumor about Calvin Braxton in terms of you
23 being afraid that you were going to get
24 transferred and that then your ex-wife would
25 get custody of your child?

Jayson Linebaugh

1 A What was the first part of your question?

2 Q Let me ask it a better way.

3 You said you were worried and that you
4 believed Calvin was following you. Am I
5 correct?

6 A Uh-huh (affirmative).

7 Q Yes?

8 A Yes, ma'am. I'm sorry.

9 Q And so, what was concerning to you about
10 Calvin following you as you believed?

11 A Okay. I wasn't concerned that he was going to
12 catch me doing anything wrong because I take
13 pride in what I do, and I take pride in my
14 integrity with the state police. So as far as
15 him catching me doing something wrong, they're
16 not going to.

17 The simple fact of knowing that you're
18 being followed, whether or not it's to hurt
19 you work-related or to take your children from
20 you, it's very stressful. And it's not a very
21 fun situation to be in. Okay. Does that
22 answer your question at all?

23 Q I'm just asking the questions, sir?

24 A So, yeah, it's just not a good situation to be
25 in. And I do believe he had direct

1 involvement in all of it, yes, ma'am.

2 Q In the following of you in the custody case?

3 A Yes, ma'am. Because I believe if they could
4 have found me -- find me doing something to
5 get me penalized at work somehow and try to
6 get me moved and try to get me transferred, it
7 would -- he would be happy, and I wouldn't get
8 custody of my kids.

9 Q "He" meaning Calvin Braxton?

10 A Calvin Braxton, yes, would be happy, and it
11 would prevent me from having custody of my
12 children. So, yes, I do believe they're
13 working hand-in-hand. And you even said that
14 my ex-father-in-law went and talked to him.

15 Q And -- okay.

16 A So my assumptions are correct on that.

17 Q Your assumptions that my client was having you
18 followed?

19 A My assumption earlier today whenever you said,
20 "why do I think that my ex-father-in-law went
21 and talked to him."

22 I said, "I'm assuming." And you confirmed
23 my assumption. My father-in-law -- ex-father-
24 in-law did go and talk to him in fact.

25 Q And what? Do you think they formed some sort

1 of plan to get you?

2 A Absolutely. Yes, ma'am.

3 Q You think that my client is out to get you?

4 A Yes, ma'am. I do.

5 Q Your interactions with my client have been, as
6 you've described, professional, although you
7 said it was uncomfortable at the Walmart. My
8 client has never said anything to you that you
9 considered to be a threat; correct?

10 A Not to me, no.

11 Q And the only information that you've relayed
12 to me, that you've identified for this record,
13 came from Mr. Oliphant; correct -- about
14 Calvin supposedly threatening you; right?

15 A Yes.

16 Q But you told me the threat was alleviated once
17 Mr. Oliphant said, "Your job's fine," and then
18 we move over into the custody arena?

19 A Uh-huh (affirmative).

20 Q Is that right?

21 A Yes, ma'am. That's right.

22 Q Did you ever feel like Calvin Braxton was
23 going to have you hurt, physically?

24 A I don't know what he's capable of.

25 Q Well, tell me why you think that.

1 A Just do.

2 Q Has Calvin Braxton ever been involved, to your
3 knowledge, in some sort of physical
4 altercation with people? Pulled a gun on his
5 daughter's boyfriend? Anything like that that
6 would give you some belief that he was
7 physically capable of hurting you?

8 A I don't know Calvin Braxton.

9 Q Well, have you ever heard anything like that?

10 A I heard the rumors we talked about earlier
11 that he was involved in a disappearance, a
12 homicide, or whatever it was. And we already
13 discussed that, so I don't know. I don't know
14 what the man's capable of.

15 Q Did you know that at the request of Mr.
16 Oliphant, the state police contacted the
17 detective who did the original investigation
18 25 years ago in the suicide of Lydia Rachal,
19 who confirmed it was, in fact, a suicide?

20 A No.

21 Q Did Mr. Oliphant ever tell you, "Look, I asked
22 that it be checked into, and it's been
23 cleared. It was just a suicide."

24 A Okay. That still doesn't mean I'm not worried
25 about what he's going to try to have done to

1 me.

2 Q Besides your contention that you think my
3 client is going to try to get you transferred
4 so you would lose custody of your child, what
5 are you referring to? You think he's going
6 to, like, hit you? I mean, what?

7 A I don't know what he's capable of.

8 Q I asked you about the thing called a "personal
9 threat assessment." Can you tell me for SWAT
10 purposes what that term means?

11 A That's above my paygrade.

12 Q You don't know what that means?

13 A I do what I'm told.

14 Q Excuse me?

15 A I do what I'm told on the SWAT team. I don't
16 do threat assessments. I don't -- I've never
17 done one. I'm not involved in that. I know
18 they do a threat assessment. If someone rates
19 high enough, they utilize the SWAT team.
20 That's all I know about it.

21 Q You don't know anything about, in general
22 terms, what a threat assessment is?

23 A I just told you.

24 Q Nothing?

25 A No, ma'am.

1 Q But you do know that when you perform a threat
2 assessment on somebody that the end result is
3 to do determine whether or not to use force
4 against that person; right? Depending on
5 where they fall in the spectrum in a personal
6 threat assessment?

7 A Okay. Well, what do you mean when you're
8 talking about using force? What are you
9 talking about there?

10 Q Well, you said they use the SWAT team on them.

11 A That's not a use of force.

12 Q Oh, okay.

13 A It's whether or not you're going to go knock
14 on the door as a plain-clothes detective.
15 They do a threat assessment; if it's high
16 enough on the threat level, they're going to
17 utilize a SWAT team. If it's someone who's
18 violent or has a history or mental
19 disabilities or whatever it may be. So I'm
20 not saying use force. I never said use force
21 on somebody.

22 Q Did Mr. Oliphant tell you that as a result of
23 his request to do a personal threat assessment
24 on my client, that State Police concluded he
25 was not a threat?

Jayson Linebaugh

1 A No, ma'am.

2 Q Would that have given you some peace of mind?

3 A No, ma'am.

4 Q No peace of mind?

5 A No, ma'am. Not at all.

6 Q Do you believe Gregory Friedman is a threat to
7 you?

8 A I don't know who that is.

9 Q Do you believe Erin Friedan is a threat to
10 you?

11 A If they're involved with Calvin Braxton, yes,
12 ma'am.

13 Q Do you believe Sam Friedman is a threat to
14 you?

15 A I don't know who that is, but if he's involved
16 with Calvin Braxton, yes, ma'am.

17 Q Do you believe that Thurman Miller is a threat
18 to you?

19 A It depends. I mean, I like Thurman. He's a
20 trooper. I hope that -- I hope that whatever
21 his connection with Calvin is, is not as tight
22 as the way we are with the troop. So I don't
23 know how tight him and Calvin are, so I don't
24 know.

25 Q Do you know they have coffee together

Jayson Linebaugh

1 regularly?

2 A No. Then you answered my question then.

3 Q Meaning what? He's a threat to you, too?

4 A I don't know. Possibly.

5 Q What about the sheriff, Sheriff Jones, that's
6 Calvin's brother-in-law? Do you think he's a
7 threat to you?

8 A Not at all. Not one bit, no, ma'am.

9 Q Why not?

10 A Because I've sat down with the sheriff in his
11 office.

12 Q And?

13 A And specifically had conversations about
14 Calvin.

15 Q Tell me about those.

16 A Just pretty much that he was trying to get --
17 the Calvin was trying get Brian, who I
18 arrested for DWI, trying to get him to come
19 along with the complaint and try to get me
20 moved. And the sheriff told him he didn't
21 want to be involved with -- that told Brian
22 that he didn't want to be involved with
23 anything Calvin was doing. So do I think that
24 -- am I threatened by the sheriff? No, ma'am.
25 I'm not threatened by the sheriff.

Jayson Linebaugh

1 Q Brian is who?

2 A The sheriff's son.

3 Q Brian Jones?

4 A Yes, ma'am.

5 Q And you arrested Brian Jones for DWI?

6 A Yes, ma'am.

7 Q And the sheriff told you that Calvin was
8 trying to get Brian Jones to file a complaint
9 against you, too?

10 A Yes, ma'am.

11 Q When did you arrest Brian Jones for DWI?

12 A I don't recall.

13 Q What year?

14 A I don't recall.

15 Q Was it 2015? 2014?

16 A I don't recall. I've arrested a lot of
17 drunks. I've wrote a lot of tickets. I've
18 arrested a lot of people. They all run
19 together sometimes. So I don't know. I don't
20 know the date. I don't know the time. Don't
21 know.

22 Q When you gave Peggy Braxton a ticket, did you
23 recognize her last name?

24 A When you say "recognize," I mean, there's --
25 because I saw Braxton on her driver's license?

1 At that point in time, I had no idea who
2 Calvin Braxton was. I thought he owned a gas
3 station.

4 Q Well, you said you heard the name in the
5 community?

6 A Yeah. There's Braxtons everywhere.

7 Q Did you take any statements from anybody about
8 this fear and threats that you have?

9 A Did I take any statements from anybody?

10 Q Yeah.

11 A No, ma'am.

12 Q Are you aware of anybody taking any statements
13 regarding this fear or threats that you feel
14 that you have?

15 A No, ma'am.

16 Q And have you reported up your chain of command
17 that you still possess a fear that Calvin
18 Braxton is going to harm you?

19 A I think it's known because it's Calvin
20 Braxton.

21 MS. CRAFT: I'm going to object;
22 nonresponsive.

23 BY MS. CRAFT:

24 Q Have you reported it up the chain of command?

25 A No, ma'am.

Jayson Linebaugh

1 Q Now, you made a statement that you believe
2 it's known because it's Calvin Braxton. What
3 does that mean?

4 A It's Calvin Braxton. He's got a lot of money,
5 and people do a lot of stuff for money. So do
6 I think he personally would come after me?
7 No. I think he would probably send somebody.

8 Q You think he would pay somebody to come
9 physically harm you?

10 A Yes, ma'am. I do.

11 Q Have you reported that up the chain of
12 command?

13 A No, ma'am.

14 Q Is there anything in your knowledge or history
15 or awareness of Calvin Braxton that for one
16 second that makes you think that Calvin
17 Braxton would pay money to somebody to come
18 hurt you in 2019?

19 A What's your original -- what's the initial
20 part of the question?

21 Q Is there anything that you're aware of that
22 Calvin Braxton has done?

23 A Not that he -- well --

24 Q That you know even?

25 A Not that he's done, but we're sitting here

1 right now because of his ego -- because he was
2 mad because I arrested his daughter. So do I
3 think that over a four-year period of him
4 pushing the issue, whatever it may be, because
5 he got his feelings hurt because I didn't know
6 who he was, and I didn't care that his
7 daughter was drunk and I arrested her, and I
8 didn't care that his wife was speeding and I
9 wrote her a ticket, do I think that he would
10 eventually try to do something? Yeah.
11 Absolutely. Based on the fact that he didn't
12 just let it go. If he just would have put his
13 ego aside from the initial arrest, we wouldn't
14 be sitting here today. He'd probably still be
15 sitting on the commission right now if he just
16 would have kept his mouth shut. And instead
17 of, "Well, I'm so-and-so. We're above this,"
18 or "You can't arrest my daughter," or "He
19 should have known who I was." Yeah.
20 Absolutely, I think he's a threat.
21 Absolutely. So I think his pride's hurt right
22 now.

23 Q Mr. Linebaugh, did you see the Facebook
24 posting that Mr. Oliphant did?

25 A No, ma'am. I don't have Facebook.

1 Q Did you hear about it?

2 A I heard about it.

3 Q From whom?

4 A Everybody. I don't know who I talked to about
5 it.

6 Q Would it be fair to say that the contents of
7 Mr. Oliphant's Facebook posting, which I
8 believe was April 3, 2018, was fairly well
9 known in the community at large?

10 A I don't -- I don't know. I can't testify what
11 the community knows.

12 Q Well, who were you referring to when people
13 heard about it when you made that statement?

14 A My wife heard about. She talked to me about
15 it.

16 Q She talked to you about Mr. Oliphant's
17 Facebook posting?

18 A Yeah. She said something about it -- he
19 posted something on Facebook.

20 Q How about any other troopers? Did they talk
21 to you about --

22 A I don't recall. I'm sorry. I didn't mean to
23 cut you off. I'm sorry.

24 Q It's okay. And the Facebook posting you
25 understood was Mr. Oliphant expressing

Jayson Linebaugh

1 statements relating to Calvin Braxton?

2 A I don't -- I don't know. I don't know if his
3 name was in there or not. I have no idea.

4 Q You understood the Facebook posting was about
5 Calvin Braxton?

6 A Ma'am, I didn't read the Facebook posting.

7 Q So when you made the statement about people
8 knowing about the Facebook posting, you're
9 referring strictly to your wife?

10 A Well, I'm sure other -- other people too. I
11 mean, I heard people talking about it. I
12 don't know who was talking about it. I don't
13 know what part of the community. I don't know
14 if it was law enforcement. I don't remember.

15 Q Okay. That was going to be my next question.
16 You heard what people talking about it?

17 A I just told you.

18 Q Like in the coffee shop, at the troop -- help
19 me out here.

20 A Just in general.

21 Q In general. And when you heard these people
22 talking about it, you understood they were
23 talking about it relative to Mr. Braxton?

24 A His name never came up.

25 Q So what were they saying?

1 A I don't recall. I heard people just saying
2 J.D. had wrote a Facebook post. I said,
3 "Okay," and that was it. I don't -- I tried
4 to eliminate Calvin Braxton taking over my
5 life which is pretty hard right now.

6 Q Sir, were you aware of any discussions or
7 conversations where it was requested that if
8 you ever happened to appear before the State
9 Police Commission that Calvin would recuse
10 himself?

11 A No.

12 Q Did anybody ever tell you that that deal was
13 offered and Calvin said, "Of course, I'll
14 recuse myself"?

15 A No.

16 Q Would that have made you feel better?

17 A No.

18 Q Why not?

19 A His ego.

20 Q What do you know about my client's ego?

21 A Obviously, it's pretty big. That's why we're
22 sitting here today because as I said earlier,
23 if he just would have kept his mouth shut the
24 day after the DWI, we wouldn't be sitting here
25 today. You know that. Everybody in here

1 knows that. He knows that. So do I think
2 he's a threat? Yes. Because I checked his
3 ego unintentionally. So, yes. He's a threat.

4 Q You understand that this lawsuit derives,
5 essentially, from a timeliness perspective
6 from the second publication by LSTA in 2017?

7 A I have no idea about that, and -- I mean, I'm
8 not trying to be rude, but I don't care. I
9 don't -- I have nothing to do with that.

10 Q When you say you "checked his ego," can you
11 tell me is there anything in the lawsuit that
12 Calvin filed which you reviewed that says
13 anything about you doing the arrest wrong?

14 A You asked me if I consider him a threat, and I
15 explained to you why I consider him a threat.
16 I'm not stating anything in the lawsuit. I
17 don't know what the lawsuit says. I don't
18 care what the lawsuit says. You asked me if I
19 considered him a threat, and my answer to you
20 is, yes, I consider him a threat.

21 Q Sir, I am not in any way attempting to elicit
22 this attitude. I know that you read the
23 lawsuit --

24 A I'm not trying to give an attitude. I'm
25 sorry.

1 MR. FALCON: He's answering your
2 questions.

3 MS. CRAFT: He's not answering my
4 questions.

5 THE WITNESS: I'm not trying to give
6 you attitude. I'm sorry.

7 MR. FALCON: He is answering your
8 questions.

9 MS. CRAFT: The reason I'm asking --

10 MR. FALCON: You want to break -- you
11 want to interpose into this record that he
12 has an attitude. You asked us to speak to
13 him; we spoke to him. He hasn't evidenced
14 any attitude.

15 MS. CRAFT: He must --

16 MR. FALCON: But you want to put that
17 on the record to reflect that he does.
18 That's your opinion.

19 MS. CRAFT: Mr. Falcon, he does,
20 number one. Number two, I'm going to ask
21 the court reporter to maintain the
22 recording. And all I'm asking is the
23 question frankly because when I walked
24 back in after the second time I asked
25 y'all to talk to the witness about his

1 attitude, he was reading the lawsuit.
2 Something that I confirmed with him.
3 That's all I'm asking. If there's
4 anything in the lawsuit that he just read
5 an hour-and-a-half ago about him or the
6 arrest.

7 MR. OXENHANDLER: He wasn't reading
8 the lawsuit; he was reading the report.

9 THE WITNESS: I was reading the
10 report.

11 MR. FALCON: He was reading the
12 report. The June 2nd, 2016 report.

13 MS. CRAFT: Sorry, it was attached to
14 Exhibit Number 1.

15 MR. FALCON: Right. He was reading
16 the report, not the lawsuit.

17 THE WITNESS: I was reading the
18 report.

19 BY MS. CRAFT:

20 Q So you've never read the lawsuit?

21 A No, ma'am.

22 Q Now, with respect to Calvin --

23 MR. FALCON: There's a question of who
24 has an attitude. You're trying to impose
25 attitude into this. He's trying to read,

1 because he's never seen these documents
2 before.

3 MS. CRAFT: Mr. Falcon, when I walked
4 in, he had Exhibit Number 1 which is the
5 lawsuit and all the attachments in front
6 of him. It's a natural question, and
7 there's no attitude.

8 MR. OXENHANDLER: But you know it
9 seems to me that you just -- you're
10 claiming he has an attitude when he gave
11 you an answer you don't like. It's the
12 same thing when I was opposing your
13 client. He gave me answers that I didn't
14 like; I didn't say he had an attitude.

15 MS. CRAFT: Sir, I am not doing
16 anything other than asking questions,
17 frankly, that he's not being responsive
18 to, that's all.

19 MR. OXENHANDLER: Not giving you the
20 answer you like is not being
21 nonresponsive.

22 MS. CRAFT: That's not the issue. I'm
23 asking him about the statement he's making
24 about the ego and my client won't let the
25 arrest go. And it's a natural question

1 whether or not he knows if there's
2 anything in that lawsuit that in any way
3 says he did anything wrong with the
4 arrest. I asked the question because when
5 I walked in he had Exhibit Number 1 --

6 MR. OXENHANDLER: You thought he was
7 reading the lawsuit.

8 MS. CRAFT: Exactly.

9 MR. OXENHANDLER: Okay. But he
10 wasn't.

11 MS. CRAFT: Well, I hear that. You
12 guys have said that, and now he's said
13 that. That's why I asked the question.

14 MR. OXENHANDLER: Got you.

15 MS. CRAFT: I don't know what's in his
16 head. I didn't know what he looked at
17 when I was out of the room.

18 MR. OXENHANDLER: I got you.

19 MS. CRAFT: It's a simple question.

20 MR. OXENHANDLER: Got you.

21 BY MS. CRAFT:

22 Q With respect to Calvin Braxton, when was the
23 last time you heard anybody make a claim that
24 Calvin Braxton was following them?

25 A I have no idea.

Jayson Linebaugh

- 1 Q Did Mr. Wright ever talk to you about Calvin
2 following you, Mr. Oliphant, or anybody else?
3 A I don't recall.
4 Q Mr. Wright is the LSTA representative?
5 A Yes, ma'am.
6 Q Have you ever served as a delegate with the
7 LSTA?
8 A I believe one time I helped with a golf
9 tournament.
10 Q That was here?
11 A In Alec.
12 Q Okay. Have you ever served as a delegate and
13 gone to a convention?
14 A I've gone to a convention on my own time, so,
15 no.
16 Q Which was which convention?
17 A I don't remember. Three conventions ago; two
18 conventions -- I don't remember.
19 Q Was it the convention held in Lafayette?
20 A I don't recall. It may have been. Yes,
21 ma'am. Yes, ma'am. It was. Yeah.
22 Q And why did you go to that convention?
23 A Because I had never been to a convention
24 before, and I wanted to go to a convention.
25 Q Did you have any conversations with David

Jayson Linebaugh

1 Young?

2 A David Young? I don't recall.

3 Q The executive director of LSTA?

4 A I don't recall.

5 Q Or Jay O'Quinn?

6 A I don't recall. I think I only met Jay in
7 passing.

8 Q Recently?

9 A No, ma'am. It was, I think, at that
10 convention, actually.

11 Q Did you talk at all to Mr. Oliphant at the
12 Lafayette convention?

13 A I don't recall.

14 Q Did Mr. Oliphant ever talk to you about an
15 awards ceremony at the state police
16 headquarters and a conversation he had with
17 Lieutenant Rodney Hyatt, H-y-a-t-t?

18 A No, ma'am.

19 Q Did Mr. Oliphant ever tell you that he had
20 spoken to Major Reeves and Lieutenant Colonel
21 Staton, S-t-a-t-o-n?

22 A I don't recall.

23 Q About you, specifically?

24 A I don't recall.

25 Q I asked you about public record's request, and

Jayson Linebaugh

1 my question is very pointed. Did Mr. Oliphant
2 ever tell you that Lieutenant Colonel Staton
3 had suggested to him that he submit an
4 incident report regarding Calvin Braxton
5 through the chain of command, and that if LSTA
6 wanted to get a copy, they could by a public
7 record's request?

8 A I don't recall that conversation.

9 Q Did you ever talk to Mike Edmonson relating to
10 Calvin Braxton or the arrest of his daughter?

11 A No, ma'am.

12 Q How about Major -- Mr. Reeves?

13 A I don't recall. No, ma'am. I don't believe
14 so.

15 Q Have you told me everything you recall about
16 any interactions you've had with Calvin
17 Braxton ever?

18 A Yes, ma'am.

19 Q And other than the DWI arrest with Brandi,
20 have you had any interactions with her?

21 A No, ma'am.

22 Q And other than seeing Calvin Junior on a boat
23 somewhere at some point in time, have you told
24 me about all the interactions you've had with
25 him?

Jayson Linebaugh

1 A Yes, ma'am.

2 Q And Peggy Braxton, other than you giving her a
3 ticket, have you told me about all
4 interactions you've had with her?

5 A Yeah. No other interactions.

6 Q By the way, the ticket to Peggy Braxton, you
7 said it was speeding?

8 A I believe so. I don't recall exactly what I
9 stopped her for.

10 Q Just so I'm clear on the record, it's your
11 testimony you never changed that ticket?

12 A I never said I didn't. I said I don't recall
13 what I did with it. I don't know. I may have
14 reduced it; I don't remember. I've written a
15 lot of tickets. I don't remember exactly.

16 MS. CRAFT: If we can take a short
17 break. Let me talk to my client.

18 (Off the record.)

19 BY MS. CRAFT:

20 Q Sir, I was asking you about the time frame as
21 to when you first laid eyes on Calvin Braxton.
22 And I believe that you told me it was sometime
23 after you filed for divorce in July of 2016.

24 A Okay. You're going to have to be more
25 specific.

1 Q Did you know what Calvin Braxton looked like
2 before July of 2016 when you filed for
3 divorce?

4 A Yes, ma'am.

5 Q How did you know what he looked like?

6 A Because he was pointed out to me at a State
7 Police graduation.

8 Q Pointed out to you by whom?

9 A Colonel Oliphant.

10 Q Okay. And what did Mr. Oliphant say?

11 A He just said, "You don't know who Calvin is;
12 that's Calvin over there."

13 Q Do you remember when that was?

14 A I don't recall. It was a few years ago.

15 Q Was it in 2016?

16 A I don't recall.

17 Q Was it before you filed for divorce?

18 A I don't recall.

19 Q The reason that I'm asking is I'm trying to
20 figure out the time frame that you claim you
21 saw Calvin Braxton driving a black Expedition
22 in front of your house. Do you have any
23 better recollection of when that occurred
24 according to you?

25 A I don't recall. I know it had to have been

Jayson Linebaugh

1 before because I recognized Calvin Braxton
2 when he passed by my house.

3 Q So it would have had to be after Mr.
4 Oliphant pointed out Mr. Braxton to you at the
5 awards ceremony or something?

6 A It was a graduation.

7 Q The graduation; am I right?

8 A Yes. A graduation, not an awards ceremony.

9 Q That was a graduation here?

10 A No. It was in Baton Rouge.

11 Q It wasn't your graduation?

12 A No, ma'am.

13 Q Do you remember whose graduation it was?

14 A It was a cadet class graduation. A State
15 Police graduation.

16 Q Was there someone in the class that you wanted
17 to see or --

18 A Yeah. I'm a duty officer in the academy, so I
19 was -- I normally go back when they graduate.

20 Q All right. That's all I have.

21 MR. OXENHANDLER: I don't have any
22 questions.

23 EXAMINATION BY MR. FALCON:

24 Q Mr. Linebaugh, in your training with the
25 police force that you work for initially and

1 then with the state police, were you -- was
2 part of your training to become aware of your
3 circumstances and take notice of vehicles or
4 suspicious vehicles in places where they
5 didn't -- you didn't normally expect to see a
6 vehicle?

7 A Absolutely.

8 Q And that's part of your regular training as a
9 police officer, isn't it?

10 A Yeah. Part of regular, and I've also been to
11 specialized training for that as well.

12 Q Now, you mentioned that you were worried --
13 you mentioned something about you were worried
14 about Calvin based on safety issues in this
15 day and age. What were you talking about?
16 Could you expand upon that for me?

17 A I mean, cops are getting killed every day.
18 They're getting ambushed. People sitting in
19 the bushes waiting on them. You know,
20 everyday cops are getting shot. One got shot
21 yesterday. I'm not necessarily saying that
22 Calvin would be the one to come over there and
23 do it, but there's no doubt in my mind that he
24 would probably pay someone to do it.

25 Q During the course of these events since you

1 arrested Calvin's daughter, were you aware of
2 Calvin making any statements, or did anybody
3 advise you of Calvin making any statements
4 that commission members -- State Police
5 Commission members should be untouchable
6 insofar as the state police were concerned?

7 A Yes, sir.

8 Q Do you recall when you heard that statement?

9 A I don't -- I don't recall when I heard that.
10 No, sir.

11 Q Does the word "untouchable" sort of stick with
12 you?

13 A Yes, sir. It does.

14 Q When Calvin was still on the commission while
15 you were working as a trooper, after hearing
16 what you heard about Calvin, were you
17 concerned that if you had to go before the
18 commission whether or not you'd be treated
19 fairly and impartially?

20 A Absolutely.

21 Q Was that something that stuck with you and
22 even sticks with you through today?

23 A Absolutely. Yes, sir.

24 Q For at least as long as Calvin was on the
25 commission?

Jayson Linebaugh

1 A Yes, sir.

2 Q Thank you, sir.

3 RE-EXAMINATION BY MS. CRAFT:

4 Q Following up on that, sir. You said that you
5 were concerned that you wouldn't be treated
6 fairly and impartially by the commission even
7 today; is that correct?

8 A No. When Calvin was on it.

9 Q Okay. So then did you do anything about that?
10 Did you ask anyone to take any action?

11 A No, ma'am.

12 Q Did you contact your union representative and
13 ask him, "Hey, I need you to do something
14 about this"?

15 A I was a brand new trooper; I did not know what
16 avenues to follow.

17 Q Well, you did have conversations with Mr.
18 Wright about this situation; right?

19 A He told me that I didn't do anything wrong.

20 Q And you said that you received specialized
21 training regarding suspicious vehicles?

22 A Yes, ma'am.

23 Q And what was the name of that training?

24 A Advanced Undercover Operations; it's a two-
25 week school.

1 Q And that's in --

2 A I went to Meridian, Mississippi so I worked
3 undercover at the city police.

4 Q In that specialized training and certainly in
5 your general training, you are trained, are
6 you not, that when you see a suspicious
7 vehicle you are supposed to notate details
8 about that vehicle; is that correct?

9 A What policy are you --

10 Q I'm not talking about policy; I'm talking
11 about your training, sir.

12 A Okay.

13 Q In your training and especially in your
14 specialized training, you are trained that
15 when you notate or you see a suspicious
16 vehicle, you are to make notes about it?

17 A No, ma'am.

18 Q You're not trained to document it?

19 A You can document it, yes. But if I'm pulling
20 surveillance on a residence and I see a
21 vehicle that's not fitting in there, am I
22 going to sit there and write that down? No,
23 not necessarily; it depends on the
24 circumstances.

25 Q Well, in this circumstance you claim that you

1 saw suspicious vehicles that you believe were
2 surveilling you and/or your now colonel.

3 A Uh-huh (affirmative).

4 Q You made no notes of it.

5 A No, ma'am.

6 Q And that's despite your training; right?

7 A I just answered you.

8 Q That's despite your training; is that correct?

9 A Despite my training -- there's nothing saying
10 that I have to do that.

11 Q But you're trained that you should do that?

12 A You can do that.

13 Q And you said -- you were asked a question by
14 Mr. Falcon about the word "untouchable." Who
15 told you that?

16 A I don't recall. I remember being in the news,
17 I believe it's -- I've heard it multiple
18 times.

19 Q But you did hear this allegation that my
20 client said something about untouchable as a
21 result of the LSTA letter? That's the news
22 you're referring to?

23 A As a result of this entire thing, yes, I heard
24 it. I don't know exactly where I heard it. I
25 don't know -- I don't know. I can't answer

1 that question. I've heard it throughout this
2 whole process.

3 Q Did you heard it from Mr. Oliphant?

4 A I don't recall.

5 Q But you certainly heard it on the news?

6 A I heard it in general.

7 Q And it's your sworn testimony that you believe
8 that Calvin Braxton would probably pay
9 somebody to harm you?

10 A Absolutely. There's no doubt in my mind that
11 he would probably try to do that.

12 Q Based on the things that Mr. Oliphant told
13 you?

14 A No, ma'am. Based on Calvin's actions.

15 Q Okay. That being the ego and the lawsuit?

16 A I've already explained it, ma'am.

17 Q Well, sir, that's --

18 A Am I -- am I in fear that he is going to try
19 and have something done to me? Absolutely, I
20 am. Absolutely. From the day I filed divorce
21 from my ex-wife to the day I fought for the
22 custody of my kids, do I think he's out to get
23 me? Absolutely, I do. And do I think that
24 he's going to stop until he gets what he
25 wants? No. I don't think he's going to stop.

1 That's why we're sitting here today because he
2 didn't get something he wanted and he got his
3 hands slapped, that's why we're sitting here
4 today. So I think if he's going to have an
5 opportunity to try and get me, he's going to
6 try and get it. Absolutely.

7 Q Sir, in this room, Mr. Braxton doesn't have a
8 gun, you do.

9 A Did I tell -- I did not say that. I did not
10 say that. Do not put words in my mouth. I
11 did not say that. I specifically told you
12 earlier, I think he would pay someone to do
13 it. Absolutely. I absolutely do; there's no
14 doubt in my mind.

15 Q So then are you aware of any investigation by
16 any law enforcement agency into your
17 allegations that my client is following you
18 and that you think he is going to have
19 somebody physically harm you?

20 A I haven't gotten any information on that yet.

21 Q What do you mean "yet"?

22 A No. As of now, no.

23 Q Have you filed any kind of complaints?

24 A No.

25 Q Have you asked anyone in your chain of command

1 to look into what you're claiming to be my
2 client following you and that he poses a
3 physical threat to you?

4 A No, ma'am.

5 Q That's all I have.

6 COURT REPORTER: You have the right to
7 read and sign your deposition, or you
8 don't have to. I'm sure these men will
9 give you a copy, but it's up to you what
10 you want to do. Which do you prefer?

11 THE WITNESS: Let me ask them.

12 (DEPOSITION CONCLUDED AT 2:46 P.M.)

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Jayson Linebaugh

1 C E R T I F I C A T E

2 This certification is valid only for a
3 transcript accompanied by my original signature
4 and original required seal on this page.

5 I, ROBIN HOLLOWAY, Certified Court
6 Reporter, in and for the State of Louisiana, as
7 the officer before whom, JAYSON LINEBAUGH, after
8 having been duly sworn by me upon authority of
9 R.S. 37:2554, did testify as hereinbefore set
10 forth in the foregoing 117 pages; that this
11 testimony was reported by me in the stenomask
12 reporting method, was prepared and transcribed by
13 me or under my personal direction and supervision,
14 and is a true and correct transcript to the best
15 of my ability and understanding; that the
16 transcript has been prepared in compliance with
17 transcript format guidelines required by statute
18 or by rules of the board; and that I am informed
19 about the complete arrangement, financial or
20 otherwise, with the person or entity making
21 arrangements for deposition services; that I have
22 acted in compliance with the prohibition on
23 contractual relationships, as defined by Louisiana
24 Code of Civil Procedure Article 1434 and in rules
25 and advisory opinions of the board; that I have no

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Jayson Linebaugh

1 actual knowledge of any prohibited employment or
2 contractual relationship, direct or indirect,
3 between a court reporting firm and any party
4 litigant in this matter nor is there any such
5 relationship between myself and a party litigant
6 in this matter. I am not related to counsel or to
7 the parties herein, nor am I otherwise interested
8 in the outcome of this matter.

9 IN WITNESS WHEREOF, I have hereunto
10 affixed my signature at Shreveport, Louisiana,
11 this the 6th day of July, 2019.

12
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14 _____
15 Robi n Hol l oway, CCR #23037
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