

FILED
COMMONWEALTH

2007 JUL -6 PM 4:01

V I R G I N I A

IN THE CIRCUIT COURT OF FAIRFAX COUNTY
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

COPY

- - - - - - - - - - -x
:
COMMONWEALTH OF VIRGINIA, :
:
-vs- :
:
MATTHEW MARSHALL DOWDY, :
:
Defendant. :
:
- - - - - - - - - - -x

CRIMINAL DOCKET NO.
FE-2005-0001895

Circuit Courtroom 5G
Fairfax County Courthouse
Fairfax, Virginia

Tuesday, January 9, 2007

The above-entitled matter came on to be heard before THE HONORABLE STANLEY P. KLEIN, JUDGE, in and for the Circuit Court of Fairfax County, in the Courthouse, Fairfax, Virginia, beginning at 9:31 o'clock a.m.

APPEARANCES:

On Behalf of the Commonwealth:

ROBERT F. HORAN, JR., ESQUIRE
Commonwealth's Attorney

On Behalf of the Defendant:

DANIEL T. LOPEZ, ESQUIRE
JONATHAN P. SHELDON, ESQUIRE

* * * * *

C O N T E N T S

| WITNESS | DIRECT | CROSS | REDIRECT | RECROSS | VOIR DIRE |
|------------------------|--------|-------|----------|---------|-----------|
| DET. RICHARD NETHERTON | 12 | 117 | 179 | -- | 66 |
| LT. DARREN DAY | 196 | -- | -- | -- | -- |
| DET. ROBERT BOND | 199 | -- | -- | -- | -- |
| BRIAN SHANNON | 203 | 234 | -- | -- | -- |

* * * * *

E X H I B I T S

FOR IDENTIFICATION IN EVIDENCE

| | | |
|--------------------------------|----|-----|
| COMMONWEALTH'S EXHIBIT NO. 10 | -- | 191 |
| COMMONWEALTH'S EXHIBIT NO. 10A | -- | 191 |
| COMMONWEALTH'S EXHIBIT NO. 11 | -- | 17 |
| COMMONWEALTH'S EXHIBIT NO. 12 | -- | 18 |
| COMMONWEALTH'S EXHIBIT NO. 13 | -- | 25 |
| COMMONWEALTH'S EXHIBIT NO. 14 | -- | 30 |
| COMMONWEALTH'S EXHIBIT NO. 15 | -- | 30 |
| COMMONWEALTH'S EXHIBIT NO. 16 | -- | 34 |
| COMMONWEALTH'S EXHIBIT NO. 17 | -- | 35 |
| COMMONWEALTH'S EXHIBIT NO. 18 | -- | 41 |
| COMMONWEALTH'S EXHIBIT NO. 19 | -- | 42 |
| COMMONWEALTH'S EXHIBIT NO. 20 | -- | 70 |
| COMMONWEALTH'S EXHIBIT NO. 21 | -- | 70 |
| COMMONWEALTH'S EXHIBIT NO. 22 | -- | 75 |
| COMMONWEALTH'S EXHIBIT NO. 23 | -- | 75 |
| COMMONWEALTH'S EXHIBIT NO. 24 | -- | 79 |

1 Mr. Horan?

2 Whereupon,

3 DETECTIVE ROBERT BOND

4 a witness, was called for examination by counsel on
5 behalf of the Commonwealth, and after having been duly
6 sworn by the Clerk of the Court, was examined and
7 testified, as follows:

8 DIRECT EXAMINATION

9 BY MR. HORAN:

10 Q State your full name, please, and your
11 occupation.

12 A Detective Robert Bond, Fairfax County Police
13 Department, currently assigned to the homicide squad.

14 Q Did there come a time when you became involved
15 in the investigation into the death of Jaime Coate?

16 A I did.

17 Q And when and where did you first become
18 involved?

19 A September 27th, 2005 I became involved because
20 I was notified at approximately 10:00 o'clock in the
21 morning that a body had been recovered on Lee Highway near
22 Graham Road and I was dispatched to that particular
23 location.

1 Q Do you know the Defendant, Matthew Dowdy?

2 A I do.

3 Q Directing your attention to the 24th day of
4 October in the year 2005, did you have occasion to see him
5 on that day?

6 A I did.

7 (The Court Security Officer handed a document
8 to the witness, for his examination.)

9 BY MR. HORAN:

10 Q I want to show you this document that's marked
11 Commonwealth's Exhibit Number 40 for identification and
12 ask, have you ever seen that before?

13 A Yes, I have.

14 Q When, where did you see that?

15 A I saw this on October 24th, 2005 at the Adult
16 Detention Center. I served a -- or executed a search
17 warrant for Mr. Dowdy's DNA using this particular buccal
18 swab to collect that DNA evidence.

19 Q Tell us what a buccal swab is.

20 A It's basically two pieces of cotton on a
21 stick, on a Q-tip. It's placed inside the -- basically
22 between the cheek and gum of the mouth to collect saliva
23 and then it's placed inside the container which is sealed

1 and then placed inside of this evidence envelope. I then
2 placed my initials, my badge number, the date and the time
3 on the evidence indicating that I secured it.

4 Q Would you show His Honor and the jury where
5 all that is?

6 A It's all on this piece of evidence tape here
7 (indicating), the red evidence tape.

8 Q That's your badge number on there?

9 A That's my badge number and my initials and
10 then it's dated and the time that I collected it.

11 Q And what did you do after you collected it?

12 A I turned it over to Detective Netherton, who
13 is the crime scene detective.

14 MR. HORAN: Your Honor, I would offer that
15 into evidence, Commonwealth's Exhibit Number 40.

16 THE COURT: Any objection?

17 MR. LOPEZ: No objection.

18 THE COURT: Commonwealth's 40 is received in
19 evidence.

20 MR. HORAN: I have no further questions at
21 this time. I will recall this witness later.

22 THE COURT: Okay.

23 Mr. Lopez, any cross examination based upon

1 this testimony?

2 MR. LOPEZ: Your Honor, with the Court's
3 permission and Mr. Horan's acquiescence I would wait for
4 my questions for when he recalls Detective Bond.

5 THE COURT: Any objection to that, Mr. Horan?

6 MR. HORAN: No, Your Honor.

7 THE COURT: That sounds reasonable to me.

8 Mr. Bond, you may be recalled as a witness in
9 this case. As a result, don't discuss your testimony or
10 anything else about the case with anyone except for these
11 three attorneys. If you would step back outside at this
12 time, please, sir.

13 (Witness stood aside.)

14 THE COURT: Mr. Horan?

15 MR. HORAN: Brian Shannon.

16 THE COURT: Okay.

17 (Whereupon, the witness was sworn by the Clerk
18 of the Court.)

19 THE COURT: All right. Good afternoon, Mr.
20 Shannon.

21 THE WITNESS: Hello.

22 THE COURT: Please -- sounds like you are not
23 that soft spoken, but do speak into the microphone so

* * * * *

CERTIFICATE OF REPORTER

I, LISE M. WARMUTH, a Certified Verbatim Reporter, do hereby certify that I took the stenographic notes of the foregoing proceedings which I thereafter reduced to typewriting; that the foregoing is a true record of said proceedings; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were held; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.



LISE M. WARMUTH
Certified Verbatim Reporter