

The following is an interview with Byron Case. The interview was conducted on 7/29/99 starting at approximately 1005 hours.

Q. Would you state your name, please?

A. Byron Case.

Q. Your date of birth, Mr. Case?

A. November 23, 1978.

Q. Your current residence?

A. [REDACTED]

Q. And the telephone number there?

A. [REDACTED]

Q. You are aware that our conversation is being tape recorded, is this correct?

A. Yes.

Q. What I need to do is go back to October 1997. I'm going to talk about the murder of Anastasia WitbolsFeugen. Alright? If you would, go back to that time, October 22, when I believe that you did come into contact with Anastasia for the last time?

A. Right.

Q. What did you do that morning? Kinda start out, where were you at, who were you with?

A. Oh, God. Uhm, I honestly don't even remember what I was doing that morning. That afternoon I remember, I think it was fairly early in the afternoon I was with Justin.

Q. Justin Bruton.

A. Over at his condominium, right.

Q. How long had you known Justin?

A. A year. Maybe a little bit more.

- Q. Were you pretty good friends?
- A. Oh, yeah. Absolutely.
- Q. Did you live with him?
- A. Yeah, for a while. We, well after he and Anastasia had met, I moved in and I lived with them for about three months I guess.
- Q. With Anastasia also?
- A. Yeah. Yeah, all three of us.
- Q. Now didn't you at one point in time date Anastasia?
- A. Uh, no. She was a friend of mine from, I think we met in the 8<sup>th</sup> grade. Yeah. We met in the 8<sup>th</sup> grade and we didn't get along initially, but when we went to high school together we got pretty close. So.
- Q. But you never dated her?
- A. No, it was always strictly platonic.
- Q. Then you've never known her intimately or anything?
- A. Hmm-mmm, no.
- Q. But you knew her quite well?
- A. Oh, yeah. I mean, you know, we were really close friends. I mean, you know, we cried on each other's shoulders quite a bit and you know, I mean, it was just you know, we could pretty much share anything.
- Q. And you and Justin?
- A. Pretty much the same way. I mean, I felt like I could tell Justin anything and you know, he could probably tell me anything.
- Q. And I'm sure he did.
- A. Uh, well, pretty much.
- Q. Well tell me something that you've discovered that you didn't know about?
- A. Well, there wasn't anything that I like found out.

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- Q. Something about his life that you found out now. I'm going to assume that he shared just about everything with you.
- A. Uhm, yeah, but I mean it was all, well I mean you're asking for like something that I've found out you know recently, or after . . .
- Q. No, what I'm asking is how much of a personal relationship did you have with him?
- A. Oh, uh.
- Q. Was he your confidant and vice-versa?
- A. Yeah, I mean, pretty much. I mean Justin was, Justin had a tendency to be kind of closed off. So I mean, you know, when I did get something out of him, it was usually after it had been bothering him for a long time, or you know if he just kind of stewed on a certain thought for a long period of time, and then he'd eventually like just come out and tell me. So he wasn't really all that open, but you know, he was very honest at least. And you know that's something that I really respect in him. So you know, I felt because of his honesty, I felt like I could tell him anything and get truthful feedback, you know. Just very real feedback. So.
- Q. I've heard and been told that you and Justin had a little bit more than just a platonic relationship.
- A. I knew that was going to come up.
- Q. Would you, for the record . . .
- A. I heard that rumor and I don't remember who I heard it from, but no. Justin and I were always very, very good friends, and it was never anything beyond that. The fact that we hung out together all the time and I guess some people were thinking that Justin might have been gay at the coffee shop. You know. They probably wondered. You know, I never heard any talk about it. But you know, I would probably have assumed the same thing if I had been an outsider looking in on something like that.
- Q. Are you bi-sexual?
- A. No.
- Q. Heterosexual?
- A. Yeah.
- Q. Did Justin own any firearms?

- A. At one point he did. I don't remember what it was beyond the fact that it was a shotgun. He bought it, I can't remember if he bought it after I, yeah, he bought it after I had moved out. And he, I don't remember exactly when it was, but I think what happened was he decided that he was never actually going to you know be able to use it because, you know, he didn't have any kind of a hunting license or anything like that, I guess. And he ended up, when he went down to see his parents in Tulsa once he took Anastasia with him and they went to, I guess they went to a gun show down there and sold it. So, I don't know if his parents know anything about that or not. Probably not.
- Q. How long after he purchased it did he sell it?
- A. I'd say it was probably like a month, or maybe two. Maybe. I'm not sure about that.
- Q. And the reason why he purchased it?
- A. I don't even remember.
- Q. You were with him when he purchased it weren't you?
- A. No, I wasn't. No, I remember I came over to his house once and he was like, check this out. Justin had this thing with like toys. You know, he had to have something that was, you know, weird or, I don't know. Justin was really eccentric. So I mean, it probably, I mean it struck me as odd that he went out and actually bought a gun, because he was a pretty non-violent person. I mean, I'd never known him to even get upset, not really, really like fuming upset anyway. I mean he'd get like you know, emotionally upset like depressed or you know or whatever, but you know he was never angry. So it just seemed kinda weird that you know he would buy a shotgun or you know a firearm of any kind, but I don't know. I think he'd always had kind of a fascination with weapons of different kinds. I mean, you know, gun aficionados like guns. There are people that collect like medieval swords and things like that, so I think it was him kind of I guess trying to get into something like that, is what I kind of like put it off as. But, you know, I don't know what he bought it for or anything.
- Q. Did he just own the one firearm?
- A. As far as I know, yeah. I think he would have told me about it.
- Q. Do you remember what it looked like?
- A. Just that it was, I think it might have been a Remington. I don't know, but it was black and it was, it held like several shots. It was like a . . .
- Q. Was it short, long?
- A. No, it was pretty long.

- Q. Regular size rifle? Shotgun?
- A. It might have been a little bit smaller than that but, yeah, it was pretty big. It was full size.
- Q. You know the stock portion that you usually would put to your shoulder there to shoot it? Was it full size?
- A. Oh yeah. It was all there. I mean it had the full barrel and the shoulder thing and, yeah.
- Q. Do you know if it was a pump, an automatic or had a bolt action that would eject the shell, or anything at all?
- A. Uhm, it was bolt action is where you do that or . . .
- Q. Bolt action would be like a little lever back here that would have to come up and pull the back and the shell would eject?
- A. Oh, no, it wasn't like that. It was just the pump.
- Q. Did you ever hold it?
- A. Yeah. I mean, you know, I held it and looked at it and everything.
- Q. Did you like do the action?
- A. I did it once, but he told me not to. He said it was bad for it if there weren't any shells in it.
- Q. Where did he keep it?
- A. I think he kept it in his closet in his room. At one point when he first got it, it was just like you know kind of braced up against the entertainment center and he determined that that was a little bit too intimidating. You know, for people coming over to see something like that, so he decided to move it.
- Q. Did he keep it loaded?
- A. No. No. I don't even think he had shells for – well, I don't remember if he actually bought shells with it or not. Yeah, he did. But he didn't load them because he wasn't going to go shoot it off anywhere. He didn't know anywhere that he could go.
- Q. Did you ever own a firearm?
- A. No. Can't.

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- Q. Never?
- A. No.
- Q. Did Justin ever take the shotgun with him anywhere in his car?
- A. No, I know Justin. Justin was like ultra-paranoid about everything. He was always . . .
- Q. Could you be specific?
- A. Well yeah. I mean he was always really concerned that you know he would have something with him at some point that would get him in really big trouble. Like, you know, he wouldn't take the shotgun anywhere because you know he knew that if he got pulled over and they searched his car and they found the shotgun, it would probably be considered a concealed weapon and he'd probably go to jail for it. So he was just really, I don't know if paranoid is the right word, but he was very cautious, you know, about speeding, you know, everything. He was always right at the speed limit when he drove because he was just so freaked out about getting pulled over or something.
- Q. Did he ever talk about committing suicide?
- A. He talked about, when he was younger he had, I think, yeah he had attempted to commit suicide when he was younger. You know, and that was about it. There was never any, I mean he never said that he just wanted to die or anything like that. I assumed that everything was okay with him.
- Q. How about Anastasia? Did you ever hear her talk about suicide?
- A. I think so. But I seem to remember her, just in passing though, I mean it was never anything like she was going to do it. It was just like her way of I guess like getting attention or you know being melodramatic, kind of. You know, they were in an argument and it was something to the effect of well, you know, why don't I just go shoot myself or something.
- Q. She actually made that comment before?
- A. Well, I don't know. I mean I'm just saying that you know, it's like about the same way that she would have said it. But I don't remember if she ever actually said that or not.
- Q. Did you always remain friends with her?
- A. There were a couple of points when we were, well, there were a couple of points when we were living together when I would kind of get annoyed by the fact that her and Justin would fight all the time. And it was mostly because from my perspective, it was mostly because she wasn't really happy with the way that Justin treated her. You know, he wasn't giving her enough attention or you know, or something like that. So I mean it got

a little annoying and you know I would go talk to her and you know try and, I don't know, mediate. So I mean it was never to the point that I disliked her.

Q. Did you guys ever go to cemeteries?

A. Actually, no.

Q. You never did?

A. Alone?

Q. Sure.

A. No.

Q. With anybody else?

A. Yeah, Abraham took me up one time years ago.

Q. Abraham [REDACTED]?

A. Yeah. He took me up years ago to Mt. Washington Cemetery just because he said, oh you know, you've gotta see this place. Cause I had commented that I had never seen it. And he was just commenting on you know how some of the architecture on the mausoleums was really cool. So, I mean, I had been up there before and I think I'd actually been up there twice. Once to take some photos.

Q. Do you still have those photos?

A. Probably not. All my stuff's in boxes.

Q. Is there any one place that you thought to be more interesting than the others?

A. There was a church, I think that would have been on the north, kind of on the north side. It was just this cathedral that looked really cool. And then there was also pretty much everything on, everything right in the middle and towards the northern side of the cemetery was really pretty. And then they had the newer stuff over I guess on the south side. I think my directions are right on that. But so I mean I didn't really have any, I mean like I said, I've only been there a couple of times, so I mean it was not like, it wasn't like there was any one particular thing that was just, you know, awe-inspiring of anything.

Q. Did you ever go there with Justin?

A. Uhm, I don't remember. I don't think so. I really don't think so. No. No, I don't think we ever went there.

- Q. With Anastasia?
- A. Hmm-mmm. No, I know I didn't go with Anastasia.
- Q. So you only went there a couple of times and were both times with Brahm?
- A. Yeah, actually they were. Once was I think was with him and his brother. And the other time was with him and his girlfriend and a couple other people. I think his brother might have been there. I don't really remember.
- Q. So you weren't in to the cemetery thing?
- A. Nah.
- Q. Was Justin?
- A. No. No, Justin just liked, Justin liked to watch his movies at home and go to the coffee shop and that's about it.
- Q. How about Anastasia?
- A. I really don't know. I think she'd probably been to them before. I mean, she lived fairly close. I mean I don't know what her and her friends, she might have gone with Tara, but I'm not sure about that. I mean, I never heard anything about it if she did.
- Q. That would be Tara McDowell?
- A. Right.
- Q. I have a printout of a document that was found in Justin's computer. Would you read that and see if that looks familiar to you at all?
- A. It sounds like Anastasia wrote it.
- Q. Anything in there that . . . ?
- A. That was weird. I had never seen that before.
- Q. Sounds like she's pretty angry doesn't it?
- A. Yeah.
- Q. Sounds like she's pretty angry at you, too.



- A. And I'm trying to think what that, what all that was about. The ride thing, I vaguely remember asking her for a ride at one point when she was borrowing I think her dad's car. But, I don't, I don't remember like where we went or anything like that.
- Q. According to the statistics in the computer on that, the letter was created; or this document was created on October 20, 1997. Keep in mind the last time you saw her was on October 22. This says it was last saved on October 21, 1997. This was taken off of Justin's computer.
- A. Right. I'm trying to think of when she would have, Justin didn't have e-mail or anything. So I'm trying to think of when she would have been at his place to write that.
- Q. I'm going to assume that his computer had the correct date...
- A. I'm pretty sure it did.
- Q. Why would she be still angry at you? Were you having problems with Anastasia?
- A. No, but when she got mad, she got mad at everybody. But, still, I mean, I would have . . . .
- Q. Did this sound like her talking?
- A. I don't know. I mean, I never really read anything like, I never read like any letters or essays or anything like that that she had written, so I'm not really sure if that is her. I mean, I'm sure it is, but you know, I can't, I mean if you were to say well, you know, we think that somebody else was using Justin's computer, then I would have said well I don't know who that might have been, cause I can't recognize whether or not it's like her writing style.
- Q. Well you knew her much better than I did.
- A. Yeah.
- Q. And a lot of people write the same as they talk. And she obviously is angry and . . .
- A. I remember her being, you know, really upset with Justin, obviously, but she never, I mean, she I think we had talked actually, you know, that week. I mean, she was coming to me for advice.
- Q. About?
- A. You know, about what she was, what she should do about the whole situation with them arguing and everything.
- Q. What advice did you give her?

- A. I basically said that, you know, if it's, I mean, that it's their decision. I mean, they need to work this out. And if they can't, then you know, I said, you know, you guys basically need to go your own separate ways if you can't work it out. Because there's no point in, you know, I mean you guys have been working at this for so long there's really no point in trying to change him or trying to change yourself to please him. So...
- Q. I have an insignia here. Does that mean anything to you?
- A. Hmm-mmm.
- Q. Have you ever seen something like that before?
- A. Uhm, yeah, I think, well, hmm-mmm. Was this like something of Justin's or what?
- Q. There was one of those in Anastasia's possession on a piece of paper and one in Justin's?
- A. Oh! I'm not sure, but I think that they were thinking about getting tattoos. And that this was, I don't remember what it meant. It was something, I think, it was either an astrological thing or it was like, I don't remember if it was from the Necradomicon. I don't know.
- Q. Remember it was from what?
- A. The Necradomicon. It was a book that Justin had. It's like a bunch of, I don't know. I read part of it and it was just really stupid. But it's basically like ancient magic, symbols and, I don't know. Just occult crap, basically. But I think that that meant forever, or something like that. I don't really remember.
- Q. Anything to do with death?
- A. I really don't remember. I don't think so.
- Q. Do you remember what the origin of that might be?
- A. Uhm, in what sense?
- Q. Well if I had to go to the library and find a book and try to find the meaning of that symbol.
- A. The historical origin? Okay. Like I said, it's either an astrological thing, or it's from the Necradomicon. It's one of the two. I'm almost positive.
- Q. See I'm in an area now that you obviously know more about it than I do.
- A. Well, like I said, I mean I just picked up the book and kind of breezed through it and it was just a bunch of crap.

- Q. Do you have any tattoos?
- A. No. No, I sure don't.
- Q. But they were talking about tattoos?
- A. Either they were together, or just she was. Cause Justin already had a couple. And I think she was kind of thinking that it was really cool or whatever to get a tattoo. You know, she kind of wanted to do something, I guess. I don't know. Maybe, you know, maybe because she liked it, maybe because she wanted Justin to like it, I'm not sure.
- Q. Did they go to, I guess you refer to them as a tattoo parlor?
- A. I don't think so. I think she was just kind of toying with the design idea. Cause I know that he had gone, she might have gone with him when he got his, he had one on I think each of his shoulders, and he had one of them filled in. Or gone over, or something. Yeah, he had it gone over and he had something added to it. But, you know. I don't know if you know she went with him and then decided it was a good idea or what.
- Q. Another thing that came up in the course of this investigation was the talk of a suicide pact.
- A. Yeah, I heard about that, too. I heard about that.
- Q. Is there any substance to that at all?
- A. No. I heard about that at the funeral. And you know, everybody was like, oh my God, I'm so surprised to see you here, Byron. I was just kind of like, why? Because you know, I was probably, I would think that I was their closest friend, or at least one of her closest friends. You know. And it was, yeah it struck me kind of as off, but they were like, well I heard that the police think that there's some kind of like suicide pact or something like that. That if like, that you guys were all going to kill yourselves together. Like in succession or something like that.
- Q. But you guys never talked about it?
- A. No. No, we never did.
- Q. Justin and Anastasia, did they talk about it?
- A. No. Not so far as I was ever, you know, I never heard anything about it, basically. If they were talking about it, they were talking about it behind my back and I seriously doubt that they would have done something like that.

- Q. Did you and Justin talk about Anastasia being so angry, like she referenced in that letter?
- A. Oh, yeah, I was like the go-between for them. You know, I was the guy that both of them talked to.
- Q. What I'm getting at it sounds like she's angry at you. I mean, she makes it sound like so you and Justin can be together.
- A. Yeah, yeah. I don't know. I mean . . .
- Q. Sounds like maybe jealousy, if we had to put a label on it?
- A. Yeah. I mean I know that she was jealous because you know Justin and I had known each other for longer. You know, I was the one that introduced them. But you know he and I had known each other for longer and he and I got along better, and I mean, you know. So I mean she had told me before, that she was jealous of you know, the type of relationship that he and I had. You know, just how we never got on each other's nerves, you know. We always wanted to do the same things, you know. And it was just kind of like, I don't know. I guess she wanted that in her relationship with him as well. Which makes sense. But, I mean I don't know why, I can't imagine why she'd be angry with me. I mean, like I said, when I read that note it was the first that I would ever have suspected.
- Q. Why would Justin kill himself?
- A. That's something that I've thought about a lot.
- Q. I'm sure you have.
- A. And I've wondered about. And I have never been able to come up with it. I don't know. See, okay. With all the talk about you know people thinking that Justin, that we dropped me off at home, you know, that they had some secret part to something, you know, like the rumors said. But if they had something going on, you know, where they had planned to you know to kill themselves, or kill each other or whatever, then I never heard about it. And that's what I think is weird. And that's why I can't really believe that. Because you know with the type of relationship that we all had, you know, like I think that if we had, either one of them, would have told me anything that was serious that was going on. You know, if they were planning something, I would think that they would, you know, even try to involve me. And you know, they'd at least talk to me about it or mention it or something. And then I would know about that. Even. And so what, I'm rambling. Basically, I don't, I can't justify that there was anything going on between them, because we were so close. And the bottom line is that you know, if they were planning something, I would assume they would have told me. You know. So, I forgot the question.

Q. Why do you think Justin would kill himself?

A. Oh, okay. Anyway, the longer that I thought about it though, the more it was like I almost started to believe some of the rumors myself. Even though I felt like I knew better. So it was like I started kind of working out in my mind, assuming that they didn't tell me about it, you know, and that they had planned like that night to, I mean if the whole thing had been staged or whatever, which I doubt just because of their relationship, but if for whatever reason the whole thing had been staged and you know, they just wanted us, Kelly and I, to go with them so that they'd have witnesses to this or something, I don't know. But you know, if Justin did it, then it would make sense for him to kill himself. But I don't believe he did, so that's why I haven't been able to like justify in my mind what his reasons could have been. So I really have no idea.

Q. Is there any doubt in your own mind that he did commit suicide?

A. I mean all I have you know is the information that you know, was in the papers and posted on Anastasia's memorial website. And you know it seems like the cops pretty much determined that it was a suicide.

Q. Have you heard any rumors that would contradict that?

A. Actually, no. That's the one thing I haven't heard any rumors about.

Q. So you don't have any problem with the conclusion that he committed suicide?

A. Well, I mean I've got a problem with it, but I mean, logically, I believe that he did. But I don't want to believe that he did, I guess. I don't know. I mean, because I can't imagine why.

Q. Don't think he had any reason to die then? Am I understanding you correct?

A. Oh, no. Yeah.

Q. He was not so upset about anyone or anything that he would actually kill himself over it?

A. He . . .

Q. Now I'm asking for your opinion.

A. I don't know. I mean, Justin was, like I said, Justin was kinda weird. I mean, when it came to emotions, he would like kind of wait until the last minute and then you know, he would just be, I mean when he and Anastasia argued, he would always wait until the last minute and then, you know, he would just be quiet. I mean, when he and Anastasia argued he was always quiet and she yelled and yelled and yelled and yelled and yelled, and he'd always speak very calmly and you know try to be rational and you know talk his way through it. So I mean he wasn't, it took a lot to get him hot under the collar. You

know. And I don't know what a lot is. I mean, for him I don't know that that argument that they had would have been enough. You know, because they argued all the time. But then who am I to say? I mean maybe it was just, I couldn't hear what she was saying over the phone to him, you know, before we went to pick her up, so I mean I don't know like, I don't know what was going on exactly, so I mean, I don't, their, I don't have the full story basically.

Q. You heard one side of the conversation though when they were on the phone?

A. Right. Exactly.

Q. What did you get from Justin?

A. She was doing most of the talking. I mean, he would kind of sit there and try to interject and then stop. So I assumed that she was just like her conversation was just kind of like this bulldozer coming through and she just had to let it all out before he was able to say anything. So, I mean, they were arguing about the same old stuff which was you know why didn't he care as much as she wanted him to, basically.

Q. Do you think Anastasia had any reason to kill herself?

A. I think that she could have been, I know when she got upset she tended to get really drastic, you know. I mean she was always very, you know she always had a short fuse and would take things a little too far when she got angry. I mean, she would like throw things occasionally or I mean she was just very hot-blooded I guess. And so when something happened, it would get all kind of blown out of proportion because she was so pissed off about it, basically. So, I guess what I'm saying is that I could believe that, with a situation like that, that it's possible she, you know, would have considered it. Beyond that I can't really say.

Q. Tell me about that day?

A. Hmm.

Q. The last day that you were with Justin and Anastasia.

A. Uhm, I was over at Justin's. I don't remember if I had stayed the night or what, but I was over there and, I don't really remember what happened that afternoon or anything. I remember that at one point, I think he called Anastasia and talked with her for a while.

Q. Do you remember about what time of day? Morning, afternoon?

A. Probably wasn't the morning, it was probably more like you know early afternoon, maybe evening. I know it was still light out, you know, when we, well we went out to Lenexa to pick up Kelly and we, I don't remember if we stopped by the apartment or the condo or not. Uhm, okay. We went to get Kelly and it was really bright out. I remember

that, because we had, we stopped for something to drink at a gas station. And I think it was probably, when we went to go get her, about 4:00 maybe? And then we drove, either we drove back to Justin's condo or we went straight there. No, that's right. Okay. I remember now. We drove to Justin's condo and set around for a while, and then he called either he called Anastasia or she called him and they talked forever. And that was when, you know, when they were arguing, about the relationship. You know, that was when it was just like she did most of the talking. I don't even remember how long they were on the phone, but it was a long time. And I guess they agreed, or he agreed to pick her up earlier in the day and they were just like arguing, and I think he was saying that he wasn't going to be able to make it or something. Eventually she was going to get a ride to the Dairy Queen on 24 Highway and they were I guess we were just planning on either going back to Justin's condo or driving around. And when we like on the way up there I think we decided that you know Kelly and I didn't want to have to be around them while they argued because it was their own private thing and they needed to deal with that without any you know, influence or pressure or anything like that from anybody else. So I think we decided that since it was right across from Mt. Washington Cemetery that we'd go there and Kelly and I would just like go for a walk or something. And you know they could like do whatever and talk. And we drove through and it was really dark and we decided we didn't want to get out cause we were just really paranoid about it.

Q. Let's go back to the Dairy Queen just a moment, okay?

A. Okay.

Q. When you arrived at the Dairy Queen, did you get out of the car?

A. Yeah. Yeah. We, if we went in, we only stepped in the front door. I mean, we weren't there for any length of time.

Q. You were in Justin's car, correct?

A. Uh, yeah.

Q. Did all of you get out of the car at the Dairy Queen?

A. Yes.

Q. And tell me what your movement was.

A. We went in, well I know we went in on the left side, facing the building it was on the left side, the entrance. And she was sitting like right up on the window I guess on the same side of the building. And I don't remember if I was just standing outside the window waving or something, or if I actually came in and then she got up. I think, I think I went in, or I think we all went in and she like had gotten something and she like threw her tray, like emptied her tray and put it up, I think. I don't remember.

Q. Do you remember what she was wearing?

A. I think, if I remember correctly, that she had on jeans and, that's because she usually wore jeans, and I don't remember. I honestly don't remember. It may have been a t-shirt, it may have been a long-sleeved shirt. I'm pretty sure it was gray though. I seem to remember her having like a gray t-shirt-style thing with like a V-neck or something. But, I don't remember.

Q. Coat? Jacket?

A. Uh, I don't even remember if it was cold enough for one. I don't think so, but I might be wrong on that again.

Q. Okay. You probably don't remember what you were wearing?

A. No.

Q. What about Justin?

A. Well, knowing Justin, he had like a uniform kind of that he wore, so it was probably like you know khaki pants and black t-shirt, er white t-shirt and a black like zip-up jacket.

Q. Khaki pants. You say the color khaki?

A. Uh, yeah. Like tan.

Q. What kind of shoes did he wear?

A. He usually wore, they were, I remember they were a brand called Flulog, or something like that. They're . . .

Q. A what?

A. Flulog. I think that's how you pronounce it. They're kind of like a Doc Martin boot, only they're shoes. They've got really thick soles and I know the reason that he liked them was because if you turn the soles over, on the bottom of it it says resists oil, water, alkali, acid, Satan. And then it's got a little picture of an angel on it. So it's, I don't know why. They put 'em on like the bottoms of all their shoes. But he just thought that was really cool, so.

Q. Did he have very many pair of those?

A. I think he had two. I think he had a pair of boots and a pair of shoes. No, that's right. He had two, he bought two pairs of the shoes because one of them was wearing out after like four years or something. I know he bought a new pair exactly the same. And he might have had the boots, too, but he never wore them I don't think.



- Q. After you got out of the car you met Anastasia and then what? Do you remember any words that were said? Any conversation at that point?
- A. No. We may have been just like really quiet. I don't really remember. But we just got back in the car and, matter of fact I think it was really quiet for the first few minutes, because I don't think that they had anything to talk, or they didn't know like where to pick up on the conversation. So I don't think that anything was really said. I know that she was really pissed off and that you know, when I said hello she didn't say hello back. But you know, that's just because she was like, just consumed by her, you know, being angry.
- Q. So you got in the car. What was the seating arrangement?
- A. Anastasia was in front of me. I was in the rear seat and Kelly was sitting on my left behind Justin.
- Q. Anastasia was in the right front, you were in the right rear, Kelly Moffett left rear, Justin driving.
- A. Right.
- Q. Where did you go and be as detailed as you can possibly be.
- A. Oh, boy.
- Q. Pull out of the parking lot and go where?
- A. I think we might have sat in the car for a little bit trying to decide where to go. Or we may have just driven off, I don't remember. But I think we just . . .
- Q. Back on tape approximately 1101 hours. And Byron we were getting ready, you all had gotten back in the car and were having some conversation about where to go?
- A. Yeah, I don't remember exactly how we decided to, you know, what the train of conversation was. I think it was just like a well, you know, Mt. Washington's right here, it's going to be quiet, you know. We might as well go there. So we drove onto the property and drove around for a little bit just trying to find a place, a good place to park the car. And then we decided that, you know, basically it was too dark and you know we didn't want to run into any unsavory people that might be there. So I guess we decided to go back to Justin's condo.
- Q. Did you see anybody in Mt. Washington Cemetery?
- A. Yeah, there was a car that was a ways behind us and that was basically why we thought maybe you know, there were obviously people there and we weren't sure if it was the

grounds keeper or what, you know. But it was after hours for the cemetery anyway so, you know, we didn't want to get in trouble for being there.

- Q. I have a little map of the cemetery and if I'm reading the map correctly, Dairy Queen would be right here, I believe. This being 24 Highway, are you with me?
- A. Which way would be north?
- Q. North would be back up this way.
- A. Okay, and this is 24 Highway here?
- Q. Yeah.
- A. Kansas City over there. Okay, I guess. Okay, I think that this is where we went in at. I'm not sure. Go out. What is this right here? Is this a highway or a river?
- Q. Truman Road.
- A. Oh. Okay.
- Q. This would be a little better. This would be the Dairy Queen over here.
- A. Okay. Oh, okay.
- Q. There's a large house when you first enter off of . . .
- A. Yeah, I'm familiar with this stretch, and then there's like apartments somewhere down here.
- Q. Correct.
- A. Okay.
- Q. I think it's called Brookside. And Truman Rd. down here.
- A. I know we went in this entrance right here. Now which way we went I'm not . . . okay, this is fairly big. Okay. Cause I think we came out the same entrance. We went in and I guess we came through this way, but that doesn't seem quite right, cause I don't know, maybe my perspective is off. But I think we came around like this and is there, I know there was a, there's like a big, I don't know what it is, whether it's a mausoleum or what, but it's huge, and there's steps that run up on either side of it. I don't know if you're familiar with that, but if I'm right, then that's where that is, right there. But I'm not sure. But I know we came down, we ended up, the reason I said that it's either, actually it might be here. Oh, wait! Is this a little, what is this little icon?

- Q. That would be the building that you're referring to. Nelson.
- A. Okay. Okay. Well that's, yeah I think that's it. Okay, that was how we came in. We went like this and around here and we decided, I guess right here to stop the car. We figured they could go sit on the steps or something.
- Q. Where did you stop at?
- A. Like right there.
- Q. Right in front of it?
- A. Yeah, pretty much.
- Q. Who got out?
- A. We weren't out of the car for more than like 30 seconds.
- Q. Who got out?
- A. Uh, I think we all did. Kelly may have stayed in the car for a second, cause she was like, I don't know, I don't know. She may have just stayed in the car. I really don't remember though. I mean it was so brief. But we saw a car coming up this way I think. Or maybe it was like down here. Actually it would have been over here turning the corner, and so we decided we'd just go ahead and leave. So we came out . . .
- Q. Where did Justin go, where did Anastasia go, what did you do when you got out of the car?
- A. We like, we stepped out of the car and looked around and it was like wow, it's really dark. And then we saw the car turning the corner pretty much like as we said that and we said that might be the groundskeeper, you know, it's dark, it's after sundown, and as far as I know, I mean those cemeteries say that like after sundown you have to be out. At least that's what I've seen on you know the hours posted on a couple of them in Kansas. So we decided to go ahead and leave and we got like right back in the car.
- Q. Did you get back in the car in the same seating arrangement as before?
- A. More than likely.
- Q. What do you remember?
- A. Probably that, yeah, I'm pretty sure we got back in the same way. Cause that was generally how we sat. I mean I was usually in the passenger side of the car in the back, if it was all four of us anyway. You know, Kelly and I sat in the back and Anastasia sat in the front.

- Q. And looking at that map, can you tell about the way you went?
- A. Is this another chapel or something?
- Q. Yes, I believe it is.
- A. Okay, then that's the old one. We must have come this way, cause we went by it and then circled around through here and left the same exit.
- Q. And after you got back out on the highway where did you go?
- A. I think we took 24 Highway back.
- Q. To where?
- A. We were going to go to Justin's condominium and they were going to talk there. And Kelly and I were just going to go down like take a walk on the Plaza or something.
- Q. Don't go too far ahead now. Tell me where you went.
- A. We went down 24 and I think we turned, no that's not right actually. Cause we had to be on Truman. We may have, I think we went that way then. I guess. Cause I know we took Truman back in cause that was Justin's preferred route whenever he like picked her up or took her home or anything. Although I seem to remember taking 24 Highway at least part of the way. We may have just, we may have taken 24 Highway down here and then made a left to get back to Truman. Cause I know that, you know, when she told us, Anastasia that is, when she told us to meet her at the Dairy Queen on 24 Highway we were both like, where the hell's 24 Highway? You know, cause I don't know that area at all and Justin sure, I mean he had no idea either. I mean, he knew it just barely better than I did.
- Q. Do you know where Blue Ridge is at?
- A. Blue Ridge Blvd.?
- Q. Yes. Well that area of Blue Ridge.
- A. Yeah, I don't know where it is in that area.
- Q. Well the route that you're describing if you went 24 Highway, the first place that you could turn to get back to Truman would be Blue Ridge.
- A. Okay.

- Q. You'd turn up, go up a little hill, you could probably take a left. If you go up the hill, you'd have to go under an overpass. Blue Ridge goes over 24 Highway.
- A. Okay. Where does that drop you off on Truman though?
- Q. Then you would go back south towards Blue Summit, do you know where Blue Summit is? Dogpatch?
- A. Oh, okay.
- Q. And it would just take you, well here's 24, here's Truman here and this is Blue Ridge. Blue Ridge connects to both of them. And it also runs by another entrance to Lincoln Cemetery where Anastasia's body was found.
- A. Right. Okay. Well I know that we took Truman past, there's a bunch of curves and then there's let's see, going east on Truman, the road curves a little bit after there's like a, I think the end of, yeah, that's right. The Entering Independence sign is on that stretch, and then there's like an overpass like for trains or something and then right after the overpass there's like an adult store and then the road curves and then there's another adult store and then you go down a little bit more and there's some gas stations and then there's 435. So, see that's what I'm not remembering, if we passed, or if we went under that overpass or not. I think we had to. So I guess we must have taken this route, whatever you said this street was.
- Q. Brookside.
- A. Okay. We must have taken that then.
- Q. That runs into Truman.
- A. Yeah. I'm trying to think of where it runs into Truman though. If I can picture it. Cause I mean, I'm horrible with street names. But I know that we passed, there's no way to get down there. So yeah, yeah we took that route. We had to have.
- Q. You seem to recall some apartments down there.
- A. Well I'd been down that way a couple of times when I was like driving around with Abraham. And I remember once when I was, it was not long after I guess, it was probably like a month after Anastasia had died me and a mutual friend of Anastasia's and mine who was in town . . .
- Q. Who was that?
- A. Anna Hunsiker. She was in town and we went down there to try and find like, to try and find Lincoln Cemetery. Cause she wanted to see it.

- Q. Had you been there?
- A. Hmm-mmm. No.
- Q. You didn't go there after Anastasia's body was found?
- A. I didn't really want to. I mean, it just kind of . . .
- Q. Did you though?
- A. No, I didn't.
- Q. Have you ever been there?
- A. Yeah, I mean we found it that night when Anna and I went.
- Q. A month ago? Or, I mean a month after she died?
- A. I think. It might have been a couple of months. All I know is that Tara and I guess a few of her friends or something were curious about it, or she was curious about it, so she got a ride with them and she was telling me that they went to go see it. So she had told me there was like this little area that looked like it was probably for Anastasia where they had like you know, little momentos and things laid out, and like a candle and things like that. So, you know, she was just telling me about it saying that it was really nice and everything. So I mean she had been there and she had told me how to get there. Cause I had no idea where it was and you know, people were saying Lincoln Cemetery. I was like where the hell was that?
- Q. So you get back on Truman Road. What's the conversation?
- A. Well, right after we left right here, the Nelson whatever, right after we left there, she started talking. She was just you know, Anastasia that is, to Justin about you know, their whole relationship deal. And so they were, I was just, well don't know if I was tired or what, but I was just kind of in the back with my eyes shut and just like, just riding basically. And you know I was just listening to the conversation and she you know kept prodding him for answers about you know well why don't you love me, and you know, what's wrong with the relationship. You know, how can we fix it, that sort of thing. And he was just, he was more or less being quiet. I don't really remember him saying anything in particular that was like well, there was nothing, nothing he said as really made an impact basically, so I don't really remember what he was talking about.
- Q. Did he talk to you or Kelly?
- A. No. I mean we were, Kelly and I were like kind of in our own little world in the back of the car. I mean, we weren't, I was doing my best to not pay attention to the conversation, you know I hate being around people when they argue. And so I do remember though

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right after we passed, well we were coming up on the gas stations, down by 435. And I remember you know just kind of looking out the window and we came to a stop at, there's like a stop light right before the bridge, at the overpass for 435. We came to a stop there and the light had just turned red and there was like right before we came to a stop, like as we were braking, I do remember that there was just like this pause, and nobody was saying anything and then just kind of like right out of the blue she, Anastasia just said, so why don't you love me? And Justin said well, I don't know. And she you know, looked at him like she was, you know, it obviously hurt when he said that, cause I mean I could tell she was probably bordering on tears. And she just opened the door and got out, like stepped out of the car and Justin kind of leans over and reached he said you know, get back in the car and she goes no, and then she closed the door and she mumbled something, or well she said something but we couldn't hear her cause of the windows and everything, but you know, I assumed she was going to walk home. And you know, or go to the gas station to make a phone call to get a ride home or something. And Justin's like just kind of slumped back in the chair, or in the seat, and there was like another silence and the light turned green, he waited for a minute, and then he drove away.

Q. And where did you see Anastasia go?

A. Well she was headed, as she got out of the car she was headed west, or east, excuse me.

Q. Did she go around the front of the car, around the back of the car?

A. Along the side of the car. Cause she was in the passenger seat and I was sitting right behind her. So she walked, she got out of the car and walked that way.

Q. Did you look back?

A. No. I mean I looked to the side and then I looked at Justin. And I was like waiting for him to say something.

Q. And what did Justin say?

A. Nothing.

Q. Did it look like he looked in the rearview mirror to see where she was going?

A. I couldn't tell.

Q. Did Kelly look?

A. I don't know. I wasn't paying attention. I was just like looking at Justin like expectantly, you know. Wondering if he was going to you know turn around or what he was going to do. Just kind of waiting for him to do something.

Q. He did nothing but . . .



- A. Well he paused for a minute and I guess he was like trying to think of whether or not he wanted to go back, and then . . .
- Q. Did he say anything?
- A. No. The rest of the ride home none of us said anything really. Cause I didn't know what to say, I mean, you know. It was just kind of an awkward moment.
- Q. Okay, and then where did you go?
- A. We went back to Justin's condo and I guess were were just going to hang out there for a little bit, cause Kelly had some time to kill before she had to be home. So we went there and Justin wasn't saying anything and he was just kind of like sitting in his chair quietly when we got to the condo, and so Kelly and I played Nintendo for a little bit, you know, just like kind of waiting for him to say something. And you know nothing was said. And then every now and again we'd look over at the clock to see if it was time to leave yet. And cause I think Kelly had to be home by 9:00. She had school the next day I'm pretty sure. Regardless, she had to be home by 9:00. And so we left, we just basically just, Justin was still being quiet you know, we were like well we should go. And he just kind of said okay. And we went out to the car and drove Kelly home and Justin wanted to use the phone when we got to her house, so he called Anastasia's place to talk to their dad I guess and asked if you know she had made it home okay, or if you know, if he'd heard from her. And he said no. And I guess he was getting worried about her cause she hadn't been back in a while, or hadn't called or anything. And so we stayed over at Kelly's for a little bit and we, Justin's mood kind of improved, I mean at least he was talking. And . . .
- Q. Did he talk about Anastasia? Was there any talk about Anastasia?
- A. No. Because I mean, it was just, like I said, it was kind of a weird subject and I didn't want, I didn't want to bring it up because you know, I didn't want to like hit a nerve with him and get him all upset. You know, I figured whatever he was upset about just you know, kind of leave it be for a little bit because he was still going to be really sensitive about it.
- Q. How much time had elapsed since she got out of the car?
- A. We probably were at Justin's house for about a half hour or so. And then the ride to Kelly's took about a half an hour I guess. I don't even, probably 20 minutes to get back from Independence or something like that, I don't know. And I think it was probably, I think he called a little bit before 9:30 when he called Anastasia's house. I think.
- Q. So about an hour, hour and a half, two hours?
- A. Probably more like an hour and half to two hours, I guess.

- Q. Do you have any idea how far away her house is from 435 and Truman?
- A. My sense of distance is pretty bad, too. But she lives up by the, actually she lived up by the Truman home, I think. Yeah. She lived like down the street, like two blocks north, I guess. So I'm not sure about the distance between there. Like I said, I'm not really familiar with Independence either.
- Q. Was it dark when you dropped her off or when she got out of the car?
- A. Oh, yeah. I mean, it was dark when we were at the cemetery.
- Q. Okay, so if I'm understanding it correctly, then she got out of the car at 435 and Truman, and an hour and a half or so has elapsed, Justin calls home, she's not there, she lives only a couple miles down the road.
- A. Right.
- Q. And nobody said well, gee, I wonder where she went or where she's at, or what has happened to her?
- A. Well I know that Kelly was worried about her. And I was, once he called and said she's not home yet, we all just kind of sat there.
- Q. Nobody said well, gee, maybe we ought to go look?
- A. No.
- Q. Nothing like that?
- A. Hmm-mmm.
- Q. Like we ought to make a few calls to her friends and see where she's at, if she's called somebody, see if she's somewhere?
- A. Hmm-mmm. No, we just called . . .
- Q. I wonder if she might be dead?
- A. Well, we certainly didn't think that.
- Q. Well you must have been thinking something.
- A. I mean, beyond the fact that you know I was just kind of concerned about her being okay, I mean it wasn't anything specific. I mean it was just like a general sense of well, you know, she's probably just like, I don't know.

- Q. Did she know anybody over there that you know of?
- A. Not that I know of, I don't know.
- Q. Did you guys ever go in the adult bookstores?
- A. Hmm-mmm. No.
- Q. Do you know if Justin did?
- A. I don't think he did.
- Q. Do you know if Anastasia did?
- A. She may have, but I don't think so.
- Q. So after then Justin talks to her father from Kelly's house.
- A. Right.
- Q. Finds out she's not there. No conversation about her, then what did you guys do?
- A. I think we left a few minutes after Justin called. So we drove, we were driving back into mid-town and the original plan was just to go back to Justin's condominium. So far as I assumed. But like on the way there, I don't know, he was, you know, he was still being quiet and wasn't really saying anything. And when I think, well like I said, it was kind of assumed that we were going back to Justin's condo, because that was like the place that we always pretty much ended up. But so I guess I asked where we were going and like once we had kind of gotten into the mid-town area. And he was like, well, I'm just going to drop you off at home, if that's okay, cause I'm really tired. And it was well, it was weird, but I just assumed he probably wanted to be alone, you know. Cause I knew he wasn't tired. I know how his sleeping schedule was. But anyway, so I was just like, okay. You know. So he dropped me off at my mom's apartment, which was where I was living at the time, and you know, we you know exchanged our good-byes and one of us asked the other one what we were planning on doing tomorrow or the next day, and just basically agreed that we were just going to call, you know. Just like play it by ear and make plans in the morning or afternoon or whenever we all got up and you know, kind of got moving. And so Justin just like you know, I closed the door and Justin just drove off. And I went upstairs and I just got on my computer, went online, checked like my mail. And you know stayed up for a little bit longer then went to bed.
- Q. Is that normal for you?
- A. Pretty much.

- Q. About what time was it?
- A. I got home and I remember it was, I checked the clock because you know, I was paranoid, my mom wakes up like at the drop of a hat. And I'm always trying to be really quiet, so I always look at the clock when I get home just so I know that if I did wake her up, you know, what time I woke her up at, just you know, so I know if, I can kind of like say well, it's not too late, you know. So anyway, and it was, pretty sure it was a few minutes after 11:00 when I came home.
- Q. So you and Justin never did talk about Anastasia?
- A. No, never did.
- Q. So you went to bed and when was the next time that you spoke to any other human being?
- A. The next morning at like 9 something I got a phone call I woke up to. And it was Justin on the phone.
- Q. You didn't talk to Kelly later on?
- A. No, I mean, I, no. She was in bed and you know, like I said, I'm pretty sure she had school that day.
- Q. Are you sure of that?
- A. No. I don't even remember what day of the week it was on.
- Q. Wednesday.
- A. It was a Wednesday? Okay, then she probably had school. But no, I didn't even think to call her, I mean, like I said, I was still asleep when Justin called, and that's what woke me up.
- Q. At 9:00 the following morning?
- A. Right. Or well, maybe a little bit after 9:00 I don't know.
- Q. And your conversations was?
- A. Well, he, you know, just normal conversation pretty much. He's like hey, what are you doing? I was like, well I was sleeping. He goes oh, did I wake you up? And I said yeah. And basically I didn't, I was like why are you calling this early? Why are you up? And he was just like oh, I didn't sleep very well last night. And I said well, tell you what, I'm going to go back to bed, cause I was just too tired to like be in any type of conversation still, cause I hadn't like woken up. And I was just like, I'm going to go right back to bed

and you know, can you call me later? And he said yeah, sure, I'll give you a call this afternoon. I was like, okay. So I hung up the phone, went back to sleep. Don't know what time I woke up, but it probably wasn't too much later. Couple hours maybe. And got up, got dressed. Tried to call Justin like when I woke up, cause you know I figured if he wasn't going to call until the afternoon, I might as well just make a phone call right then. He wasn't there, so I just went ahead and I said well, might as well make other plans, cause I was pretty bored. And I ended up just calling my friend Aaron and went over to his house cause I think he needed some help with his computer or something. And so went over there, and tried to call Justin at one point while I was there. Then he still wasn't home. So then it was like a little bit, I think it was a little bit after 4:30 and I got a page from Abraham and so I called him like right back as soon as I got the page and he, you know, he answers the phone and he's like Byron? I said yeah. He goes were you watching the news just now? I said no, I was on the computer, why? And he says well Anastasia's dead. And I was just like quiet because like I didn't know what to think. And I think I said like what do you mean? Or something. And he says Anastasia was shot and I was like just totally quiet. And you know, it was like I said, it was just like really shocking and I didn't have any idea what to say. And you know, he was like yeah, it was just on the news on all the channels. And I was just like freaked out so I said let me let you go, I'm going to call Justin again. And then I'm like, I'll be in touch. So I hung up the phone, called Justin, got his answering machine again. And I think I left, I think I just grabbed my stuff, said goodbye to Aaron and just walked out the door.

Q. Where did Aaron live?

A. He lives in Wyandotte County. Just off of it's like Gibbs Road and well, . . .

Q. What's Aaron's last name?

A. Vermeulon. It's like V-E-R-M-E-U-L-E-N.

Q. And how did you get there?

A. I'm pretty sure I drove. Yeah, I did. I must have.

Q. Drove what?

A. My car.

Q. And what kind of car you got?

A. Well, had. It was a 1990 Pontiac 6000 LE.

Q. Do you remember the license plate you had on that car?

A. Yeah, MORBID.

- Q. But you don't own that anymore?
- A. No. I got rid of that one a long time ago.
- Q. So you leave Aaron's and where do you go? Before you tell me that, did you pretty much see Justin on a daily basis?
- A. More or less.
- Q. And did you not think it unusual that you had not had contact with Justin that day?
- A. Not really. You know, he ran out on errands all the time, you know, so I didn't really think it was a big deal. I just figured you know he was out, like buying things or something.
- Q. He was. He went and bought a shotgun.
- A. That day?
- Q. Yes.
- A. And that was the 23<sup>rd</sup>? Or 22<sup>nd</sup>?
- Q. 23<sup>rd</sup>.
- A. When did they find him?
- Q. Saturday.
- A. So it was the next day or day after?
- Q. 23<sup>rd</sup> was a Thursday.
- A. Okay.
- Q. After you left Aaron's where did you go?
- A. Honestly I don't remember where I went directly after that.
- Q. Let me ask you this. The night before, did you go anywhere else other than take Kelly home?
- A. No. No, I mean we went to Justin's and to Kelly's and . . .
- Q. Didn't make any stops?

- A. No.
- Q. Didn't stop by Tara McDowell's apartment ?
- A. Oh! I'm sorry. Yes, yes we did. We went, actually we went by Tara's apartment because Brahm, Abraham needed some stuff, they had just broken up like not too long before, and Abraham wanted like the stuff that he had left over at her apartment. So we stopped by over at her place and it was pretty brief as I recall. We just picked up the bag and left. And then drove over to Abraham's house and dropped it off. And we stayed and talked with him for a while, but we needed to get Kelly back so we didn't spend a lot of time there.
- Q. Okay, and where did you go first?
- A. We went to Tara's first to pick up the stuff.
- Q. Pick up the stuff. Did she know you were coming?
- A. I don't remember if we had called earlier or not. I know, I mean it was already in a bag, so I don't really remember if, I don't really remember for sure if we had called or not.
- Q. Did you have a conversation with her?
- A. While we were there? If we did it was probably pretty brief. I don't remember.
- Q. Did Justin talk to her?
- A. I'm sure he must have, yeah.
- Q. Did you go inside her apartment?
- A. Mmm-hmm.
- Q. Sit down? Smoke a cigarette?
- A. No. I don't think we did. I wasn't smoking like hardly at all.
- Q. Was anybody else there?
- A. I think she had a couple of friends over. I don't remember who, or she had her friend Cameron over and somebody else that I didn't know. I think. I don't remember for sure if Cameron was there either or not, though. But I'm pretty sure she had somebody over. She usually did. And you know, Brahm was just sitting at the computer when we got to his place.
- Q. Did you have a conversation with Brahm?

- A. Yeah, it was pretty brief. We you know, we mentioned, you know we mentioned Anastasia, you know, the argument that they got in and you know, it was just kind of weird.
- Q. Did you mention the fact that she got out of the car and walked home?
- A. Yeah. Well, that was why we mentioned it. Otherwise it wouldn't have been an issue.
- Q. Had she ever done anything like that before?
- A. Just gotten out of the car? No, well she'd never gotten out of the car like in the middle of an argument or anything like that. But I mean she'd done some like, she had a tendency when she got really upset, to just leave. You know, like when we were staying at Justin's, you know, they'd get in an argument and she'd just like walk. And she'd like walk out the door and walk somewhere.
- Q. So then we'll go back to you were leaving Aaron's house. Where did you go?
- A. I don't remember if we went, or if I went straight home or if I went over to Brahm's, or if I went to Kelly's. I have no idea. I know at some point we . . .
- Q. Did you not think about going to Justin's?
- A. I know we drove by . . .
- Q. I mean you just got a call that Anastasia's dead, she's been murdered . . .
- A. Right. I think what I . . .
- Q. And you haven't had any contact with Justin all day, I mean, it's sounding a little unusual after all the history that you've given me so far.
- A. Well, like I said, I don't really remember for sure if I stopped by over at . . .
- Q. I'd think that situation and that incident and that time of your life would just be burned into your memory forever.
- A. Yeah, I was just running around like a chicken with my head cut off. I had no idea what to think.
- Q. Okay, where did you go, as you remember?
- A. Well I know I think I did stop by at Justin's and his car, I know his car wasn't there because I remember I stopped by at some point. Maybe even twice. I just drove by like his, drove into his parking, he had like a parking garage under his condominium, and I



drove in there and his car wasn't in it's reserved spot. And I remember I drove around to the other side to see if he'd parked on the street on the other side of the building and it wasn't there either, so but I think that was in the evening that I stopped by.

- Q. Do you still have the key to his apartment?
- A. No, I never had a key.
- Q. Not even while you lived there?
- A. Uh, no, actually I didn't.
- Q. Wasn't that a little unusual?
- A. We didn't think so. We were pretty much inseparable, you know and he was always at home.
- Q. You were inseparable. Okay.
- A. Yeah. I mean whenever we left, we all left together pretty much.
- Q. Remember what else you did then?
- A. I remember either, either at some point Kelly got a ride or I picked her up, because we were really worried about what was going on. And I think I went to get her.
- Q. Now this was in the white Pontiac with the license plates MORBID.
- A. Right. I remember we were, well we were at, Kelly and I were at my mom's apartment for a while just talking about everything, and like trying to figure out where he might be. And then I went by his apartment again, or his condo. And I think that was in my mom's car the second time. Yeah, it was.
- Q. So you went to your mom's apartment, and then you borrowed her car?
- A. No, I mean, my mom was driving cause I asked her to drive us by. Cause I was pretty sure I was having car problems at the time.
- Q. What kind of problems?
- A. Well, I was having a lot of problems with that car. There was a head gasket that had been blown. Needed to be machined. Or the heads needed to be machined. It was overheating all the time. Bunch of stuff. There was transmission problems. It was just, you know, a sometimes point A to point B car. But anyway . . .

- Q. You see, what I find difficult to believe at this point is that you've said that you and Justin were inseparable, that you were the best of friends.
- A. Mmm-hmm.
- Q. And here his girlfriend bailed out of the car and then the next day you hear, everybody hears that she's been murdered, Lincoln Cemetery, just probably 150 yards or so away from where she exited the car at 435 and Truman. Justin calls you about 9:00, 9:30 in the morning and probably 30 minutes to an hour later he's over in Kansas buying a shotgun. Two days he's found with his head blown off. All of this is pretty important stuff in a person's life, I would say. You were one of the last one's to see Anastasia, he was the last to one to talk to you of the friends group, naturally had to talk to somebody else about a shotgun, this type of stuff. I find it hard to believe that he didn't share some of this with you.
- A. Some of what?
- Q. At 9:00 in the morning maybe Justin already knew she was dead.
- A. But it wasn't even released like, as far as I know . . .
- Q. Justin, do you think maybe he went out and looked for her?
- A. I can't imagine. I mean, unless it had been pre-planned or something.
- Q. Nobody knows where Anastasia's at. Justin knows that she's not home. Is Justin that insensitive and uncaring an individual that he wouldn't go look for a girl that he's known for how long?
- A. I don't even remember how long they dated.
- Q. That he's been intimate with, that he's obviously had feelings for? See, this is where I get a little bit to the point where I have problems. That Justin wouldn't share something with you. At 9:00 he had to be knowing that he was going to go buy a shotgun and that subsequently he was going to commit suicide. He had to know that when he talked to you and as close and as inseparable as you guys are, I find it hard to believe that he didn't say something.
- A. Well, and that's what I've been trying to like justify for a really long time is you know, if we were so close, then why, if he had anything to do with it, why didn't he tell me.
- Q. Did Justin tell you anything about Anastasia being dead?
- A. No. I mean, there was . . .
- Q. Were you present when Anastasia was killed?

- A. No.
- Q. Do you know if Justin was present when Anastasia was killed?
- A. I don't know.
- Q. You have nothing to fear, okay? You have no reason to not tell me the truth, right?
- A. Yeah.
- Q. I'm not going to jump up and arrest you. Are you being honest and truthful with me, Byron?
- A. Absolutely.
- Q. And Justin didn't give you any indication that he was going to go buy a shotgun and go blow his head off?
- A. No. I mean, if he had I would have, you know, immediately gone over there, you know to stop him.
- Q. There's an individual that says they're positive that they saw your car on Truman Road at approximately 11:45 on October 22, the night that Anastasia was killed?
- A. When?
- Q. October 22<sup>nd</sup>. That's when you picked up Anastasia at the Dairy Queen. She got out of the car at 435 and Truman. And here at 11:45 at night I had an individual that swears he saw your car, license plates MORBID on Truman Road that night.
- A. My car was parked at my mom's place. I mean my mom's right upstairs.
- Q. Well, Truman Road, near where she was killed, is a few miles away from your mom's apartment.
- A. Yeah, it's quite a ways.
- Q. Did you guys go back out and look for Anastasia that night?
- A. Hmm-mmm. No, I stayed home and, like I said, my mom was there. She know that like you know if I come in, she would have heard me leave again. I was there. I mean I was at my mom's house, or her apartment at that time.
- Q. You didn't go out?

- A. No, I . . .
- Q. You didn't go back out?
- A. I didn't even like walk out on the porch or anything.
- Q. MORBID is not a common license plate.
- A. Yeah, I know.
- Q. And with my understanding of license plates, you only get one. There's no more MORBIDs issued in the State of Kansas. There might be a MORBID in Missouri, but I really doubt that there's going to be a white Pontiac with a MORBID license plate, that there's going to be two of them. I mean the odds of that are probably astronomical. Why would this individual tell me that?
- A. I have no idea. No idea.
- Q. Did Justin go back out and look for Anastasia that night?
- A. As far as I know, I only know what he told me. And he said that he was going home to sleep. And that was all, I mean that was the only conversation that we had. And so as far as I know, if I had to take his word for it, I mean, if what he said was true, then he went home to sleep. But, I don't know.
- Q. Were you and Justin as good of friends as what you think you were?
- A. I think that I considered myself his friend more than, well, I don't know. I think that he was just by nature more, he was more kind of introverted and wasn't really good at expressing the way he felt about like certain things or I mean he just wasn't very open with how he felt. But I know that you know, I know that I was his friend and that he considered me a very, very close friend. Just because of you know, conversations we'd have and things like that. So I mean, I, you know, I can't imagine that if he was so upset that he wouldn't have told me about it.
- Q. Well then you would agree with me then when you spoke with him at 9:00 or 9:30 that morning, he knew what he was going to do?
- A. He must have.
- Q. You are a reasonably intelligent young man. I mean what conclusion would you draw? You know, not he must have, yeah he did know that. And you being the last person that I know of that he talked to in his group of his friends, of his associates, that he personally knew, you're the last one. And you and him were, your word, inseparable. Think. What did he tell you?

- A. I'm sure that that's all that he said. I'm 100% positive that all that he said to me was I had trouble sleeping last night. And you know, I told him that I was tired and wanted to go back to sleep. And we agreed to talk later.
- Q. Did Justin give you any indication prior to that phone call that he was going to commit suicide?
- A. No. I mean, I had no idea. I assumed, if anything, that you know, after all of this happened, you know, Kelly and I were kind of doubting ourselves even, and the friendship that we had thinking that maybe he might have done it, and you know if he did, we kind of, we tried to hypothesize, like where he would be, what he would be doing. And . . .
- Q. Why would he kill Anastasia?
- A. Exactly. And that. As far as I know he had no reason to.
- Q. Why would he kill himself?
- A. Again, I mean, I don't have any idea.
- Q. Is there another person involved with this that you are afraid of?
- A. Well, what do you mean?
- Q. That somebody else killed Anastasia and that Justin knew it?
- A. I can't imagine.
- Q. And so his whole suicide is just staged because maybe he was going to talk?
- A. Talk about?
- Q. That he knew who killed her. I'm looking for an answer.
- A. I can't believe that is possible. Because I mean, like I said, we were, I mean just the four of us, were best friends and we never really . . .
- Q. Did you guys ever play with guns? Were you up in that cemetery playing with a gun and something happened?
- A. No. No.
- Q. Seriously now.
- A. Seriously.

- Q. Honestly.
- A. Honestly. I mean, there was, you know, like I said, Justin would have been scared to even have it in his car. I know he was paranoid when he took it down to Tulsa, he was really freaked out that you know, oh God, what if I get pulled over while I'm down there? I better drive really slow.
- Q. But you didn't go with him?
- A. To Tulsa?
- Q. Yeah.
- A. No, I didn't.
- Q. Did you see him put the gun in the car?
- A. No. I talked to him on the phone and in person, I think I talked to him in person the day before he left for Tulsa.
- Q. And he told you he was taking it with him?
- A. I don't remember he was taking it with him, or if he told me when he came back that he had sold it. But it was one of the two.
- Q. I was told that you sold it. Somebody told me that you sold the gun. Is there any truth to that?
- A. No. I mean, I wasn't with him when he bought it and I wasn't with him when he sold it. You know, I saw it at his apartment and that was it.
- Q. Were you with him when he shot it?
- A. Once.
- Q. Where?
- A. It was over in, it was in Wyandotte County. There's like this industrial, there's like a gravel pit or something, and there's like some train tracks, I'm not sure exactly where it is. It's off, I could show you where it was, but I can't describe where it was.
- Q. What city.
- A. Huh?

- 
- Q. City.
- A. Kansas City, Kansas as far as I know. I doubt it's past the city limits.
- Q. Anywhere near DeSoto, Kansas?
- A. DeSoto's way down there, no.
- Q. Have you ever been to DeSoto, Kansas?
- A. I've been through it when I was going to Lawrence.
- Q. Did Justin go out there any?
- A. To Lawrence or DeSoto?
- Q. DeSoto.
- A. I honestly have no idea when I heard . . .
- Q. Well that's where he was found dead.
- A. Right.
- Q. Do you know where he was found dead?
- A. They said it was like an abandoned pallet company?
- Q. You didn't go?
- A. No. I didn't.
- Q. The closest friend that you had you weren't curious as to where he killed himself?
- A. No.
- Q. He took his life?
- A. I wouldn't have been able to handle that.
- Q. Where he ultimately ended your friendship with him?
- A. No, I wouldn't have gone?
- Q. Why?

- A. It would have just been too hard for me to see.
- Q. You went up to Anastasia where she was found.
- A. Yeah. But it was a little bit different with Justin because it was kind of like, well, I don't know. He and I were the ones that were, Justin and I were closer than Anastasia and I were. You know. While, you know, Anastasia and I were really close, you know, and we did talk about a lot of things, I think there were still you know quite a few things that you know, we just wouldn't feel comfortable talking to each other about. So I don't know. I mean, that's the only way that I can describe it is that Justin and I were a lot closer than Anastasia and I were.
- Q. Well, this building where he was found, I believe they had a rave there afterwards, a period of time afterwards. I understood that you went to that.
- A. I haven't been to a rave in years.
- Q. Well it's been years since Justin was killed.
- A. Well, I know. But I mean . . .
- Q. Excuse me, committed suicide.
- A. . . .well the last time I went to a rave was when Justin was still alive and it was with him. I just don't like them.
- Q. Do you know anybody that would have attended this rave over in this building, I believe it was an old military facility if I'm not mistaken. In DeSoto, Kansas.
- A. Uhm, the only people that I . . .
- Q. And I'd think that would be a topic of conversation. We went to a rave over where Justin killed himself.
- A. I never even heard anything like that. I have no idea. But the only people that I know that would have even gone to a rave would have been Kelly with some of her friends, or maybe Tara.
- Q. No, Tara doesn't even, she told me that you guys didn't even come into her apartment that night.
- A. We may have stayed outside the door. If we came in the apartment . . .
- Q. That there was laughter, and that there was obviously happiness between the two of you.
- A. Who?



- Q. You and Justin.
- A. Oh.
- Q. So he wasn't all quiet and somber, anything like that, which you're telling me he was.
- A. Well I just remember him being like that for most of the evening. I mean, I don't even remember what we did over at Tara's. I know we didn't sit down, you know, cause I know we weren't there for long at all. The next day though, when they found her, when they found Anastasia's body, I know that Kelly and I went by there to tell her because we didn't think she'd heard about it, cause she doesn't get the paper and didn't watch t.v. ever. And we were right, she hadn't heard about it. That was, you know, the only time that I can really remember that we actually sat down over at her place, you know, after like everything happened.
- Q. Did you guys have conversation like, yeah we were the last ones that saw her. Yeah, we were over here last night, and while we were standing here she was being killed? Anything like that?
- A. We explained like what, you know, the events up until the point where she got out of the car, you know, and then like you know how the next day I got a call from Brahm, you know, I told her about that. As far as I can remember, that's the best of it. I just remember that she got like really, really distraught and had to go into the other room and kind of compose herself.
- Q. Did you go out and look for Anastasia that night?
- A. No.
- Q. Do you know of anybody that did?
- A. Nobody except her dad.
- Q. What do you know about that? Have you talked to him?
- A. I've talked to him a couple of times. Once at the funeral and I think I ran into him once in person, but I don't really remember.
- Q. Have you heard from anybody that your car was seen near the area of Lincoln Cemetery the night that Anastasia was killed?
- A. Just you. I hadn't heard anything about that.
- Q. And you are telling me now that you were not there?

- A. Absolutely. I was in Justin's car the whole night, and I don't even think I drove my car at all that day.
- Q. Just that following day?
- A. Yeah.
- Q. Well you told me you drove it to Aaron's over in Kansas.
- A. Yeah. Yeah. I was just trying to remember the sequence of events. But, yeah.
- Q. Are you still friends with Aaron?
- A. Yeah. Well, we're more, we've known each other since 4<sup>th</sup> or 5<sup>th</sup> grade.
- Q. Do you know his phone number?
- A. I don't have it on me. It's in my address book in the car.
- Q. And what's his last name?
- A. Vermeulen. V-E-R-M-E-U-L-E-N. He just moved like last week and I haven't talked to him since then. I went by his house and his parents said that he had moved out. But he does have a cell number, I just can't remember it cause I never had to call it. I can give you his parents' line.
- Q. Sure.
- A. 722-2386.
- Q. If you had to, if you had to provide me with a name of who might know what happened, who would that be? Who would Anastasia turn to when she exited that vehicle?
- A. Her dad. I mean, that's the only person that I can think of. You know, I didn't know, I know that she complained about how like her friends weren't, one of her friends lived really far out there, Danielle Fields. And up until shortly before all of that happened, they were pretty good friends and then they had like kind of a falling out. Anastasia was just getting in the way with her or something, I don't remember what it was about. But, you know, she lived just way out in the middle of nowhere as far as I can remember. And there's no way that she would have, well she might have called her, but I doubt that she would have given her circumstances and I don't really know that, I don't really know that she talked to many of her, well I don't know if she talked to many people period, with the exception of her dad and Justin and me. I have no idea who she would, if she called anybody, who she would have talked to.
- Q. Were you present when Anastasia was killed?

- A. No.
- Q. At that time were you dating Kelly Moffett?
- A. Yes.
- Q. Do you know if Justin Bruton killed Anastasia?
- A. No, I don't know.
- Q. Did you kill Anastasia? Did you kill Anastasia?
- A. No.
- Q. There's no way that your car could have been out in that area the night that she was killed, October 22, 1997?
- A. Right. Right.
- Q. There's no way your car could have been there?
- A. There's no way. It was parked at my mom's apartment.
- Q. Would anybody else have had access to that car?
- A. My mom.
- Q. Did you own another car at the time?
- A. No. I didn't buy another car until . . .
- Q. Did you have access to another car at that time?
- A. Hmm-mm.
- Q. What kind of car does your mom drive?
- A. Right now she's got a . . .
- Q. Back then.
- A. Oh God, she was either driving an '84 Toyota Corolla or a 1980 Chevy Impala.
- Q. You had no other vehicles that you used at that time, back in October?

- A. No.
- Q. Know anybody that owns a red Mercur?
- A. Yeah, that's me.
- Q. How long have you owned that car?
- A. Since July I think of last year.
- Q. July of 1998?
- A. Yeah.
- Q. Do you have a license plate on your car?
- A. Yeah.
- Q. What is it?
- A. ATHEIST.
- Q. Who did you buy it from?
- A. Ooh, whatever his name is. I don't remember his name. It was a guy who lived off of like 84<sup>th</sup> & Nall in Kansas. I've got the bill of sale still, I mean.
- Q. But you didn't own that car until when?
- A. Like July of '98. June or July. Cause I just had it up, you know, I'd just had my fill of the other car and I was just you know, there was no way I was going to put the money into that it needed before I could fix it.
- Q. As I've said before, you have no reason to lie to me do you?
- A. No.
- Q. You can even tell me that you were present and you still would not be in any trouble, in any trouble with the law, you understand that don't you?
- A. Yeah.
- Q. Based on the letter from our prosecutor.
- A. Right.

Q. So you could sit there and tell me you were there and you know you wouldn't get in any trouble, right?

A. Right.

Q. So you have no reason to lie, no reason to fear the legal system at this point in time, is this correct?

A. Yeah. That's right.

Q. Were you present when Anastasia was killed?

A. No.

Q. Do you know who killed Anastasia?

A. No.

Q. Are you telling me the truth?

A. Yes.

Q. Okay. We're going to go off tape for just a few minutes. It's 12:05.

Back on tape. It's approximately 12:15. The morning that Justin called you, now that you've had time since you and I have been talking, is there anything at all that you can remember that you have omitted that would have given any indication that he had either found Anastasia, that he had killed Anastasia, that he was about ready to go kill himself?

A. No.

Q. Since the time that Anastasia was killed and now, have you heard of anybody that would have some information that would help us resolve this and get to the truth as to what had actually happened that night?

A. No.

Q. Do you have any personal thoughts on this about what had happened, that might give me a direction to go?

A. What do I think happened, basically?

Q. Yes.

A. Well, I mean, just from like a logical standpoint I guess, or it's the most logical that I can bring myself to conceive of. All I can imagine happening is that when Anastasia got out

of the car, she was you know, headed up Truman Road and I guess she might have run into somebody or something, I don't know. I mean her mom said that you know there were like no signs of sexual assault or anything like that when I talked to her. And I'm assuming that that's true. So, cause initially I thought well it's a bad neighborhood, you know. There's like those adult bookstores and who knows what kind of people go in there, and you know. It's not exactly the best area. So initially I was just thinking, maybe she was raped or something. But after hearing that she wasn't, all I can imagine is that for whatever reason somebody took her there and shot her or shot her somewhere else and dropped her there or something. And that Justin, like the next morning, felt so bad about letting her get out of the car, even before he knew that she was murdered, because he had no way of knowing unless he went out there, and I doubt that he, I really doubt that he did. But I guess it's possible. I don't know. I mean, I guess, I guess it would make sense if he went out there and found her that, I don't know. If he wouldn't, if he didn't say that, if he didn't tell me that night when he left my mom's apartment after dropping me off, if he didn't tell me that he was going to go out looking for her and he did, then I guess you know that there were some things about that whole sequence of events that you know, he wasn't telling me. And that would explain why he didn't mention anything on the phone. You know if he didn't think he could tell me about this or something, I don't know.

Q. Do you know anybody that might know something?

A. No.

Q. Have you told anybody that you were there when she was killed?

A. No.

Q. Have you told anybody that you had a firearm that night or was near one?

A. Hmm-mmm.

Q. As I've said before, you have nothing to fear from the legal system at this point in time. Would you be willing to take a lie detector test to verify what you and I have talked about today?

A. Well, I would say yes, but you know I know that polygraphs aren't . . .

Q. We don't use the polygraph.

A. What do you use?

Q. We use the Computer Voice Stress Analyzer.

A. Oh. I wouldn't have a problem with that.

- Q. Okay. We can't do it today, so could I get with you in the near future at a time that's agreeable that would accommodate both our schedules? Would you get together with me and do that?
- A. Yes, I guess.
- Q. Well not yeah, I guess. I need a little better commitment than that. A little assurance in your voice.
- A. Yeah.
- Q. I mean I don't want to spend a year getting you in here to do that.
- A. That's fine.
- Q. Are you telling me the truth?
- A. Absolutely.
- Q. Then if you're telling me the truth, then you should have nothing to fear from a lie detector.
- A. Right.
- Q. It would just be a means to verify what you're telling me today. Did you kill Anastasia?
- A. No.
- Q. Were you present when Anastasia was killed?
- A. No.
- Q. Was Kelly there when she was killed?
- A. No.
- Q. Do you know for a fact that Justin Bruton killed Anastasia?
- A. No, I don't.
- Q. Do you know who killed Anastasia?
- A. No.
- Q. Is what you're telling me the truth?

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A. Yeah.

Q. We'll conclude this interview at approximately 1223 hours, July 29, 1999.

Sgt. Gary M. Kilgore