

IN THE MISSOURI COURT OF APPEALS  
EASTERN DISTRICT

STATE OF MISSOURI, )  
 )  
 Plaintiff-Respondent, )  
 ) Appeal Number  
 vs. )  
 ) 72675  
 ANTONIO BEAVER, )  
 )  
 Defendant-Appellant. )

IN THE CIRCUIT COURT OF MISSOURI  
ST. LOUIS CITY, 22ND JUDICIAL CIRCUIT  
Honorable John J. Riley, Judge

STATE OF MISSOURI, )  
 )  
 Plaintiff, )  
 ) Cause Number  
 vs. )  
 ) 961-2972  
 ANTONIO BEAVER, )  
 )  
 Defendant. )

RECORD ON APPEAL  
TRANSCRIPT

TRIAL

**COPY**

VOLUME 2 OF 3

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I N D E X

Page

WEDNESDAY, APRIL 23, 1997

VOLUME 1

TRIAL:

Voir Dire Examination by State . . . . .	V1- 9
Voir Dire Examination by Defendant . . . . .	V1-152

THURSDAY, APRIL 24, 1997

VOLUME 2

Jury Sworn, Instructions 300.06, 302.01, and 302.02 Read . . . . .	V2- 6
State's Opening Statement . . . . .	V2- 6
Defendant Opening Statement . . . . .	V2- 11

STATE'S EVIDENCE

██████████ ██████████

Direct Examination . . . . .	V2- 13
Cross-Examination . . . . .	V2- 34
Redirect Examination . . . . .	V2- 40
Recross-Examination . . . . .	V2- 42

Bobbie Miller

Direct Examination . . . . .	V2- 43
Cross-Examination . . . . .	V2- 49
Redirect Examination . . . . .	V2- 51

Detective Dennis Skaggs

Direct Examination . . . . .	V2- 52
Cross-Examination . . . . .	V2- 56
Redirect Examination . . . . .	V2- 67

CAROL HOPPE, CCR #427, CSR, CVR  
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 St. Louis City, Missouri

INDEX  
(Continued)

Recross-Examination . . . . .	V2- 71
Further Redirect Examination . . . . .	V2- 72
Further Recross-Examination . . . . .	V2- 74
State Rests . . . . .	V2- 75
Defendant's Motion for Judgment of Acquittal at the Close of the State's Case . . . . .	V2- 76

**DEFENSE'S EVIDENCE**

Officer Louis Hill

Direct Examination . . . . .	V2- 77
Cross-Examination . . . . .	V2- 81
Redirect Examination . . . . .	V2- 82

Janet Majors

Direct Examination . . . . .	V2- 83
Cross-Examination . . . . .	V2- 88
Redirect Examination . . . . .	V2- 91

Defense Rests . . . . .	V2- 92
Defendant's Motion for Judgment of Acquittal at the Close of the Entire Case . . . . .	V2- 93
Priors Proven . . . . .	V2- 94
Instruction Conference . . . . .	V2-100
Instructions 3 through 8 Read to the Jury . . . . .	V2-107
State's Opening Argument . . . . .	V2-107
Defendant's Closing Argument . . . . .	V2-117
State's Closing Argument . . . . .	V2-127
Deputies Sworn . . . . .	V2-133

CAROL HOPPE, CCR #427, CSR, CVR  
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St. Louis City, Missouri

INDEX  
(Continued)

FRIDAY, APRIL 25, 1997

Verdict . . . . .	V2-141
Jury polled . . . . .	V2-141
Reporter's Certificate . . . . .	V2-142

FRIDAY, JUNE 6, 1997

VOLUME 3

Sentencing . . . . .	V3- 6
Reporter's Certificate . . . . .	V3- 35

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22nd Judicial Circuit  
St. Louis City, Missouri

V2-4

INDEX OF EXHIBITS

Exhibit No.	Description	Identified	Received in Evidence
<b>STATE'S</b>			
1	Diagram	V2-22	V2-75
2	Composite	V2-24, 48	V2-75
3A	Car Photo	V2-25	V2-75
3B	Car Photo	V2-25	V2-75
3C	Car Photo	V2-25	V2-75
3D	Car Photo	V2-25	V2-75
3E	Car Photo	V2-25	V2-75
4A	Lineup Photo	V2-32, 56	V2-75
4B	Lineup Photo	V2-32, 56	V2-75
4C	Lineup Photo	V2-32, 56	V2-75
4D	Lineup Photo	V2-32, 56	V2-75
5	MDC Reports	V2-98	V2-98

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St. Louis City, Missouri

1 several prints.

2 Q All right. So if a person is driving the car  
3 and they touch the glass, that's a good surface for you  
4 to get a print; right?

5 A Oh, yes, glass, chrome, anything like that.

6 MS. TURLINGTON: I have nothing further.

7 MS. DARST: Nothing further.

8 THE COURT: May this witness be excused?

9 MS. TURLINGTON: Yes, Your Honor.

10 THE COURT: Officer, thank you sir, you  
11 may be excused.

12 [Witness left the witness stand.]

13 THE COURT: Call your next witness,  
14 please.

15 MS. TURLINGTON: Your Honor, the Defense  
16 calls Janet Majors.

17 **JANET MAJORS,**

18 having been first duly sworn by the Deputy Clerk,  
19 testified on behalf of the Defendant as follows:

20 THE COURT: Please inquire.

21 MS. TURLINGTON: Thank you, Your Honor.

22 **DIRECT EXAMINATION**

23 BY MS. TURLINGTON:

24 Q Could you state your name, please?

25 A Janet Majors.

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St. Louis City, Missouri

V2-83

BEA-000513

1           Q     And, Ms. Majors, how are you currently  
2 employed?

3           A     I am employed with the St. Louis Police  
4 Department as a latent print examiner.

5           Q     Okay. Could you just explain what a latent  
6 print examiner is?

7           A     I examine and compare and identify latent  
8 fingerprints from crimes of the scene. And a latent  
9 fingerprint is made up of the moistures and perspirations  
10 of the fingers that is secreted from the pores and also  
11 from oils from the skin where you would like touch your  
12 face or your hair and it would pick up the oils from the  
13 skin and be coated on the fingers.

14          Q     Ms. Majors, could you tell me what kind of  
15 education that you have in order to be called a latent  
16 print examiner?

17          A     Yes, ma'am. I have over 34 years' experience  
18 in fingerprints. I had — I worked as a trainee as a  
19 fingerprint technician for one year and an additional 23  
20 years as a fingerprint technician. That is comparing  
21 rolled ink fingerprints. I had one year on-the-job  
22 training as a latent print examiner and have worked for  
23 an additional eight and a half years as a latent print  
24 examiner. I've also been trained by the FBI in both  
25 basic and advanced latent fingerprint work. And I've

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St. Louis City, Missouri

V2-84

BEA-000514

1 also been trained in palm print identification.

2 Q Ms. Majors, how many prints do you think you've  
3 examined over the years?

4 A Hundreds and hundreds of thousands. A very  
5 conservative estimate would be 50,000 prints that I have  
6 identified.

7 Q Ms. Majors, is there any kind of licensing that  
8 you have to have to be a latent print examiner?

9 A No, ma'am. We are certified by the court  
10 whenever we testify, and I have testified in both  
11 juvenile, federal, and state court.

12 Q And when you testified, were you certified as  
13 an expert?

14 A Yes, ma'am, I was.

15 Q In the field of fingerprint examination?

16 A Fingerprint examination, comparison, and  
17 identification.

18 Q Okay.

19 MS. TURLINGTON: Judge, at this time I  
20 would ask that the Court recognize Ms. Majors as an  
21 expert in the field of fingerprint examination and  
22 comparison.

23 MS. DARST: No objection.

24 THE COURT: That will be done. The Court  
25 will so find that she is an expert in that field.

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St. Louis City, Missouri

V2-85

BEA-000515



1 MS. TURLINGTON: I'm sorry?

2 THE COURT: I'm sorry. The Court will so  
3 find that she is an expert in the identification,  
4 examination, and comparison of latent fingerprints.

5 MS. TURLINGTON: Thank you, Judge.

6 Q Ms. Majors, did you have occasion in August of  
7 1996 to examine some fingerprints that came from a car  
8 that was owned by a Ms. [REDACTED] [REDACTED]?

9 A Yes, ma'am, I did.

10 Q And did you compare those fingerprints that  
11 were taken from that car to the fingerprints of Mr.  
12 Antonio Beaver?

13 A Yes, ma'am, I did.

14 Q What was the result of your comparison?

15 A They were not identified as Antonio Beaver's.

16 Q In addition, do you have any — you have a  
17 computer system that can help you identify fingerprints:  
18 correct?

19 A Yes, ma'am.

20 Q What is the name of that computer system?

21 A It's a — any fingerprint computer is called an  
22 AFIS computer. It stands for Automated Fingerprint  
23 Identification System. And basically what you do is you  
24 enter a latent fingerprint, the computer scans the print  
25 like a Xerox machine, and then puts the image of the

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V2-86

BEA-000516

1 fingerprint on the screen. You tell the computer the  
2 different minutia or points that we use for comparison,  
3 and then ask the fingerprint machine — the computer to  
4 search; and then the computer kicks back a candidate  
5 list. The computer does not make an identification. The  
6 latent examiner themselves make the identification. And  
7 they kick back the candidate list of — with the same  
8 possible minutia, and we view each print to see if it's a  
9 possible identification.

10 Q Did the computer in this case or you, based on  
11 what the computer came up with, ever make a match in this  
12 case?

13 A No, ma'am. We only had one latent — I'm  
14 sorry, two latent fingerprints that were identifiable.  
15 The rest were palm prints. And I was not able to  
16 identify any of the fingerprints, and the palm prints are  
17 not in the computer. The palm prints are not able to be  
18 put into an AFIS computer.

19 Q So the bottom line is, we know that those  
20 fingerprints are not Antonio Beaver's but we don't know  
21 whose they are.

22 A Yes, ma'am, that's true.

23 Q Now, Ms. Majors, some surfaces are very good  
24 for getting a fingerprint off of; correct?

25 A Yes, ma'am.

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St. Louis City, Missouri

V2-87

BEA-000517

1 Q What kind of surfaces would those be?

2 A Anything kind of painted, varnished, metal, a  
3 painted or very hard and smooth metal, painted or  
4 varnished wood. You need a very smooth moisture-bearing  
5 surface. Any rough surface, any kind of material would  
6 not be suitable for latent fingerprints.

7 Q Okay. So glass is an excellent surface.

8 A Glass would be an excellent surface.

9 Q Okay. Such as mirrors or windows.

10 A Yes.

11 Q All right.

12 MS. TURLINGTON: I have no further  
13 questions of this witness.

14 THE COURT: Cross-examination?

15 **CROSS-EXAMINATION**

16 BY MS. DARST:

17 Q Ms. Majors, I understand you said that only two  
18 of the lifts were identifiable.

19 A No, ma'am. Two of the lifts were fingerprints.  
20 The other -- I had two prints that were of no value. The  
21 rest of the lifts were palm prints.

22 Q And were any of the palm prints compared to the  
23 defendant?

24 A Yes, ma'am, they were.

25 Q And they were not his?

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St. Louis City, Missouri

V2-88

BEA-000518

1           A     They were not identified.

2           Q     And were any of the palm prints or the  
3 fingerprints compared to the victim, the owner of the  
4 car?

5           A     No, ma'am. I did not have access to the  
6 victim's fingerprints.

7           Q     What about her family?

8           A     No family.

9           Q     Or the people that towed her car?

10          A     I did not have access to anyone else's prints.

11          Q     Or any of the investigating officers?

12          A     I have no investigating officers.

13          Q     And would there be any value or reason to  
14 compare these prints to those people?

15          A     If I had access to their fingerprints, I would  
16 normally compare their prints trying to eliminate or  
17 identifying any latent fingerprints that I have.

18          Q     But since it is Ms. [REDACTED]'s car, her  
19 fingerprints being on it is of no value.

20          A     Well, it would be an identification but no  
21 value as far as a suspect.

22          Q     The same thing with her family and the  
23 investigating officers, everything like that?

24          A     That is true.

25          Q     Okay. And is it unusual for no prints to be

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St. Louis City, Missouri

V2-89

BEA-000519

1 recovered even though a person has touched an item?

2 A No, it is not unusual at all.

3 Q Could a person touch a suitable surface, glass,  
4 any of those things, and still not leave a print?

5 A Yes, ma'am. You can touch an object in such a  
6 way as not to leave a print. The object has to be a very  
7 smooth surface. Some people do not sweat. I personally  
8 have very dry hands, and it would be hard for me to leave  
9 an identifiable latent fingerprint. You can touch an  
10 object — some people have very oily skin and their  
11 fingers could touch an object and slip. And that would  
12 render the latent fingerprint as of no value.

13 You can touch an object, lift up your hand,  
14 turn around and pick it up again, and what you're doing  
15 is putting a latent print over the top of another latent  
16 print which would render all of those latents of no  
17 value. You would not be able to identify any of them.

18 Q Are there many weather or atmospheric  
19 conditions, do those impact the ability of a print to be  
20 recovered?

21 A Of course. Anytime if you've got a rainy  
22 condition and the object is wet, it's going to be very  
23 hard: you're going to have to dry it out to see. It's  
24 going to be almost impossible to get a latent fingerprint  
25 off of an object that's wet. Anything that sets out in

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St. Louis City, Missouri

V2-90

BEA-000520

1 the hot or in an extremely heated room would dry out the  
2 perspiration. the moisture in the latent fingerprint and  
3 it's going to be very hard to get an identifiable latent  
4 fingerprint.

5 Q And all of these conditions are why individuals  
6 who touch a suitable surface and still no print be  
7 recovered.

8 A That is one of the reasons, yes, ma'am.

9 Q Well, I mean all of those reasons.

10 A Yes.

11 Q Weather, obliteration, moisture, lack of oils  
12 in the hands --

13 A Right, yes, ma'am.

14 MS. DARST: I have nothing further.

15 MS. TURLINGTON: Just a couple of  
16 questions, Your Honor.

17 **REDIRECT EXAMINATION**

18 BY MS. TURLINGTON:

19 Q You said it is not unusual for a person not to  
20 leave fingerprints. On the other hand, it is not unusual  
21 for a person to leave a fingerprint when they touch a  
22 suitable surface; correct?

23 A It could work both ways. Yes, ma'am.

24 Q And, Ms. Majors, I believe you said heat could  
25 affect fingerprints.

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St. Louis City, Missouri

1 A I'm sorry? Heat?

2 Q Heat --- how hot --- a hot environment can affect  
3 the fingerprints.

4 A Oh, yes, ma'am. It could evaporate or if it's  
5 hot your hand's not going to touch that object very long.  
6 And the heat would have a tendency to evaporate the  
7 moisture in the fingerprint.

8 Q All right.

9 MS. TURLINGTON: I have nothing further.

10 MS. DARST: Nothing further.

11 THE COURT: May this witness be excused?

12 MS. TURLINGTON: Yes, Your Honor.

13 MS. DARST: Yes, Your Honor.

14 THE COURT: Thank you, ma'am. You may be  
15 excused.

16 [Witness left the witness stand.]

17 THE COURT: Call your next witness,  
18 please.

19 MS. TURLINGTON: Your Honor, at this time  
20 the Defense will rest.

21 THE COURT: Well, we're going to go to  
22 lunch early today. And the lawyers and I have some  
23 --- is there anything further that we ---

24 MS. TURLINGTON: Yes.

25 THE COURT: We'll be right with you.

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V2-92

BEA-000522