

RE: 89-152879

STATEMENT OF JAMES WEAVER

Det. Stafford: Today's date is 12-21-89. The time is approximately 0010 hours. My name is Mark Stafford with the Little Rock Police. With me is Detective Joe Oberle with the Little Rock Police. And also with me is James Weaver, W/M, 08-10-70, of 6320 Butler Road, Apt. 8-D. James, a few minutes ago, I have gave you a Rights Form in front of you and went over your rights with you. Do you unders your rights?

J. Weaver: Yes I do.

Det. Stafford: Okay. And at this time, do you wish to give me a statement concern what we've talked about earlier?

J. Weaver: Yes I am.

Det. Stafford: Okay. We're going to go back to 12-14-89, last Wednesday or Thursday night. Okay. And at that time, were you living at 6212 Young Road?

J. Weaver: Yes I was.

Det. Stafford: Who was living there with you?

J. Weaver: Alan Hubbard and John Rogers.

Det. Stafford: And how long have ya'll lived there?

J. Weaver: About a month.

Det. Stafford: About a month. What kind of agreement did you have with, who paid rent and I mean, what kind of agreement did it start out to be?

J. Weaver: Well, (unint.) our names were on the lease. And are on the lease and everybody was responsible for third of the rent.

Det. Stafford: Okay. And did everybody make the payments as they were suppose to?

J. Weaver: Well, we needed, we had to move and we found this house and we had worked out a deal with the land lord for wanting, you know, certain amount of money. (Unint.) the deposit and the rent to get in. And John didn't have any money.

Det. Stafford: You're talking about John Rogers?

J. Weaver: Yes.

Det. Stafford: Okay.

J. Weaver: And I was, I had to use what I had saved up to pay the bills and stuff and get everything transferred and Alan hadn't paid.

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J. Weaver: (Unint.) parts of the deposit, went to (unint.), which was about a hundred bucks a piece.

Det. Stafford: Okay. Did ya'll have a problem a little bit later down the road with John not paying his rent?

J. Weaver: Yes. John wasn't working, you know, and well, I was hardly either, yes, but temporary which wasn't much. And John wasn't working and Alan, you know, was getting real mad about it. He was, you know, talking about him being a loser, you know, not working and he wouldn't have his part of the rent. And we'd, you know, we'd be in a bind.

Det. Stafford: Did Alan come up with an idea or what to do about John not paying his rent?

J. Weaver: Well, I don't; I think it just gradually got, you know, worse and worse, you know, because he just talked to me about it, you know, beating him up or getting somebody to, you know, beat him up or something.

Det. Stafford: Okay. Alan asked you if you would beat him up or find somebody that would beat up John?

J. Weaver: No he never really asked me, you know, if, you know, if I wanted John, him beating him up. He just talked about it, you know, and stuff.

Det. Stafford: Okay. Go ahead and talk up a little bit if you will.

J. Weaver: Okay.

Det. Stafford: Continue on what happened that night, Wednesday night.

J. Weaver: Well, he had gotten a pipe or something that looked like a pipe and.

Det. Stafford: Where did he get the pipe from?

J. Weaver: He got it from Al Caton's house.

Det. Stafford: Who?

J. Weaver: Al Caton.

Det. Stafford: Al Caton?

J. Weaver: Yes. I believe that was the gentleman that was with us. And, you know, let me see. We got in, it was late. I guess.

Det. Stafford: Did ya'll go to Al Caton's house?

J. Weaver: Yes. We were there earlier.

Det. Stafford: Who went over there?

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J. Weaver: It was just me and Alan.

Det. Stafford: Okay. You and Alan, did he talk a little, I mean, we call him Little Al, did he talk to Al about hurting John?

J. Weaver: No. I don't ever think he mentioned John's name really.

Det. Stafford: Okay.

J. Weaver: Because Al didn't, you know, didn't know who he was.

Det. Stafford: Okay.

J. Weaver: And he just, you know, told Al that he or told Al that, you know, needed something to (unint.)

Det. Stafford: So he got a pipe from Al?

J. Weaver: Yes.

Det. Stafford: And did he get any other items?

J. Weaver: No. No, I don't know if he had anything else with him or not.

Det. Stafford: Okay. Then ya'll went back to Young Road, right?

J. Weaver: Yes.

Det. Stafford: About what time?

J. Weaver: I don't know. It was about eleven or so.

Det. Stafford: Okay. And who was there when you got back to the house?

J. Weaver: John and two of his friends and a girl.

Det. Stafford: Do you know their names?

J. Weaver: No I don't.

Det. Stafford: Okay. Then go ahead and continue on with that.

J. Weaver: Well, we got to the house and everybody was in the living room. They were drinking, you know. And I stood there, you know, and I talked to everybody for a minute. And I told them that I was going to, go ahead and go to bed because they were getting ready to leave and everything. And Alan was talking to me about, you know, we need to get up early and we need to go ahead and go to bed and everything to do the paper route. And we were in bed. And Alan got up, you know, and was talking about it.

Det. Stafford: Talking about what?

J. Weaver: He was talking about killing John.

Det. Stafford: Talking to you?

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J. Weaver: Yes.

Det. Stafford: Okay. Speak up.

J. Weaver: We were, you know, we were just talking about it. And he was asking me, you know, because he was talking about the plan, this plan that he had worked out, you know, about what to do and everything you know.

Det. Stafford: What was the plan?

J. Weaver: Well, it was, it was different every time he talked about it, you know. What he was going to do or how he was going to do it. And, you know, he was going to have to die and stuff, you know, didn't really get into details just.

Det. Stafford: But he was going to kill John?

J. Weaver: Just working it out, out loud or something.

Det. Stafford: He was trying to figure out a way to kill John then?

J. Weaver: You could say that, yes.

Det. Stafford: Go ahead and continue on with that night.

J. Weaver: Well, he was in the living room and he told me, you know, he had come back and he told me to help him, you know, with the body in the car and stuff like that.

Det. Stafford: Now wait a minute. Did there a fight take place in the living room?

J. Weaver: I wasn't watching. I don't know if John, if he woke John up or if John was awake.

Det. Stafford: Well, did you hear anything?

J. Weaver: I, all I heard was Alan hitting him.

Det. Stafford: How do you know Alan was hitting him?

J. Weaver: I could, you could hear him.

Det. Stafford: I mean, how do you know Alan was doing the hitting instead of John doing the hitting?

J. Weaver: Well, John was dead.

Det. Stafford: How do you, I mean, how do you know he was dead? James, just tell the truth.

J. Weaver: I mean, he hit him so many times and I mean, and he had a lead bar.

Det. Stafford: Did you see Alan hit John?

*Hubbard's statement said that Weaver was on the couch with the deceased*

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J. Weaver: I didn't see him John.

Det. Stafford: Okay.

J. Weaver: I heard it and I knew he was dead because, I mean, you just know.

Det. Stafford: How do you know Alan was doing the hitting though?

J. Weaver: Well, he had the pipe.

Det. Stafford: Okay. When Alan came in to you to talk about killing him, he already the pipe with him, then, right?

J. Weaver: He took the pipe and had it in the living room.

Det. Stafford: Okay.

J. Weaver: From where ever he had it.

Det. Stafford: Okay. So, after he hit, you could hear Alan hitting John, what happened then?

J. Weaver: Well, he had taken the body outside and that's when I went, you know.

Det. Stafford: Did you see him actually pick up, pick him up?

J. Weaver: No I didn't see him pick him up from the couch.

Det. Stafford: It happened on the couch?

J. Weaver: Yes.

Det. Stafford: How do you know he was on the couch, did you see John on the couch dead?

J. Weaver: No I didn't see him on the couch.

Det. Stafford: Where did you see him at?

J. Weaver: If you were just there, I mean, you'd know he was on the couch because, I mean, the stain on the, on the.

Det. Stafford: There was blood on the couch?

J. Weaver: Yes.

Det. Stafford: Okay.

J. Weaver: And, I mean, you just know it.

Det. Stafford: Okay. So, Alan took John out of the house, I assume and put him in the car, right?

J. Weaver: And put him in the car.

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Det. Stafford: Did you see John in the car?

J. Weaver: Well, yes I saw his body in the car.

Det. Stafford: Okay. So, after John, Alan had put John in the car, what happened?

J. Weaver: He started talking to me about going out and getting him buried. And I told him that I didn't want to go with him, to go bury him. And he said that I was in trouble. And that I was already in trouble.

Det. Stafford: Okay.

J. Weaver: And, you know, because I didn't do anything about it. And so, I guess, after he said that, I knew that, you know, he'd tell somebody or something and I'd get in trouble. So, I went with him.

Det. Stafford: So, you got in the trouble with Alan?

J. Weaver: I got in the car with him.

Det. Stafford: And John was in the trunk, I assume or the back, hatch back, right?

J. Weaver: yes.

Det. Stafford: Okay.

J. Weaver: And he was driving around and he was looking for a place, you know, to put him.

Det. Stafford: Where did ya'll go driving to?

J. Weaver: Let's see. We went out to, to some place over in Levy. He asked me if I knew how to get out there and I said, you know, I (unint.)

Det. Stafford: Out where?

J. Weaver: Off of Camp Robinson Road somewhere. I don't know the name of it.

Det. Stafford: Okay.

J. Weaver: I don't know. (Unint.) And then we went to Cabot.

Det. Stafford: Went to Cabot. What made you go to Cabot?

J. Weaver: He said he knew a friend that would, you know, tell him of a good place, you know, to take him and that he could carry him.

Det. Stafford: So, you and Alan drove to Cabot. Okay. When you got to Cabot, what happened?

J. Weaver: Well, he was still looking for a place to get rid of him. And, I don't know what made him turn, you know, he just turned on a road and we started going down the road.

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Det. Stafford: A dirt road or gravel or?

J. Weaver: No. This was a paved road.

Det. Stafford: Okay.

J. Weaver: And it was getting, you know, the sun was coming up and kept on (unint.) a place to put him. And I got real nervous about it, you know, because I was afraid somebody would know. And I, you know, I told him you might as well just put him some place and get him out of the car because I wanted him out of the car because I didn't want end up with.

Det. Stafford: Uh-huh.

J. Weaver: Or he could drop me off somewhere and he took me and just turned on a road somewhere, where there was some houses and went up this road where this A P & L service road or something.

Det. Stafford: A P & L service road, is there towers on the road?

J. Weaver: Yes.

Det. Stafford: Okay.

J. Weaver: There's a clearing, a road that leads to a clearing and there is some towers.

Det. Stafford: Okay.

J. Weaver: And he, we got there and he started letting me know that I should get out and help him. And he started yelling at me. And, you know, wanted me to get there and get him out of the car, to drag him over to where, you know, you could bury him. So, I got out and I got him out of the car. And Alan drug him off. Anyway, we could come back later and bury him and I said I didn't want to go. And I, he's been back.

Det. Stafford: So, ya'll didn't bury him as far as you know? Did ya'll have any shovels?

J. Weaver: No. He's been asking people for shovels but no.

Det. Stafford: Who, did you stop in Cabot and talk to anybody?

J. Weaver: No.

Det. Stafford: Alan didn't talk to his friend that supposedly knew a good place to bury him and all you know, the last time you saw John was Alan had drug him off in the woods somewhere off of the road near Cabot, right?

J. Weaver: That's it.

Det. Stafford: Did you go down and see where John was laying?

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J. Weaver: I know where he's, I, you could see where he was.

Det. Stafford: Okay.

Det. Oberle: You mean you could see him out in the woods, he didn't go that far?

Det. Stafford: And as far as you know, he has not been back to remove or move the body, right?

J. Weaver: I don't think he's been back yet.

Det. Stafford: Okay. And do you think you could find that at this time? Could you take us to where ya'll dumped John?

J. Weaver: Yes.

Det. Stafford: Okay. Did you at any time, strike John, anything at all?

J. Weaver: No. I didn't touch John.

Det. Stafford: Okay. At the house, did you wipe up some blood?

J. Weaver: Yes.

Det. Stafford: When did you do that?

J. Weaver: We did that when we got back.

Det. Stafford: You got back, both of you participated, right? Inside or outside or both?

J. Weaver: On the inside.

Det. Stafford: Okay. What did you do with the towels or what did you wipe it up with?

J. Weaver: We just wiped it up with towels.

Det. Stafford: What did you do with the towels?

J. Weaver: I think he threw them away.

Det. Stafford: Do you know where?

J. Weaver: I don't know where he threw them.

Det. Stafford: How about the lead pipe that he had to beat John with, do you know where it is?

J. Weaver: Yes.

Det. Stafford: Where is it?

J. Weaver: It's at Al's house.



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Det. Stafford: Whose house?

J. Weaver: Al's.

Det. Stafford: Al's house. Is there a ball bat involved?

J. Weaver: No.

Det. Stafford: Just a lead pipe?

J. Weaver: All that I know of, that's all that he had.

Det. Stafford: How do you know the lead pipe was back at Al's house?

J. Weaver: Because he took it back.

Det. Stafford: You were with him when he took it back?

J. Weaver: Yes.

Det. Stafford: Did ya'll wash it or anything or clean it up?

J. Weaver: I think he wiped it off.

Det. Stafford: Wiped it off. Okay.

Det. Oberle: What about the couch? Where's the couch that he was on?

J. Weaver: The couch is in the new apartment.

Det. Stafford: It is in the apartment now, right?

J. Weaver: Yes.

Det. Stafford: On 6320 Butler Road?

J. Weaver: Yes.

Det. Oberle: Did ya'll forget to clean it up or anything?

J. Weaver: He cleaned it up. He rented a, a steam cleaner or something.

Det. Stafford: Do you know where?

J. Weaver: Yes.

Det. Stafford: Where is that at?

J. Weaver: Harvest Foods, I think.

Det. Stafford: Harvest Foods. Which one, there on Geyer Springs?

J. Weaver: Yes, the one real close.

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Det. Stafford: Do you know what day that was?

Det. Oberle: Was it the same day or the next day?

J. Weaver: No. It was the next day.

Det. Stafford: And is that the reason ya'll moved out of that house on Young Road to Butler because of what happened there?

J. Weaver: Well, he wanted to move regardless.

Det. Stafford: Okay.

J. Weaver: You know, and that was another reason he killed John. I mean, you know.

Det. Stafford: Is there anything else you want to add, James, or anything we left out or anything you left out?

J. Weaver: Well, what I was telling while ago, I mean, you know, I know, well, I don't know what's going to happen but, you know, I know that we're both in trouble.

Det. Oberle: Let me ask you this. When he was in the living room, you heard this beating noise, right? What were you doing, where were you?

J. Weaver: I was in the hallway.

Det. Oberle: Did you not look out at all? Did you see him standing?

J. Weaver: I didn't want to see it. I didn't want, you know.

Det. Stafford: Did you hear John yelling or screaming or anything?

Det. Oberle: Did you, after he stopped beating, did you see him, did you see him holding the pipe?

J. Weaver: I didn't go in there until after he had John outside.

Det. Oberle: Did he have blood all over him, Alan, did he have blood all over his clothes?

J. Weaver: I don't think so. No, he didn't.

Det. Stafford: Okay. This is Detective Stafford again and we just switched sides. Go back again. We were asking you were standing in the hallway, right?

J. Weaver: Yes.

Det. Stafford: And you, I think Detective Oberle asked you if you ever saw Alan ever strike John with the pipe and you said you did not, right. But you did see him with the pipe?

J. Weaver: I saw him with the pipe.

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Det. Stafford: Okay. And then, like I said, is there anything else you want to add, James, or we left out or failed to ask you or anything else that happened that you want to add that night?

J. Weaver: No, no.

Det. Stafford: Did ya'll take anything from John, any money, watches, rings, jewelry or anything at all?

J. Weaver: I don't think so.

Det. Stafford: Don't think so.

J. Weaver: If he wanted to take his money, he had a (unint.) and he used to pay the rent.

Det. Stafford: Do you know if he took it or not?

J. Weaver: I have, no, I don't think he has. Mike, the other guy that John used to work for, come over and told us about it. And he was going to bring it by.

Det. Stafford: Talking about the check?

J. Weaver: Yes.

Det. Stafford: Okay. But tonight.

J. Weaver: And see Alan but I didn't.

Det. Stafford: Go ahead.

J. Weaver: Well, I told Alan that I didn't, you know, want his money or anything that he had so I don't think he took it because of what I said.

Det. Stafford: Okay. But do you know for a fact if John had a check?

J. Weaver: He had some money coming.

Det. Stafford: I mean, I know you said he had money coming but did Mike bring a check and hand it to John or did, after John was dead, did Mike come and give him money?

J. Weaver: It was after John.

Det. Stafford: Okay.

Det. Oberle: After, after he loaded the body up in his car, did he talk about what he had done, did he discuss it with you, did he laugh about it or say anything about it or?

J. Weaver: He, he kept talking about how it happened, you know, and I told him that I didn't want to hear it.

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Det. Stafford: Has he threatened you?

J. Weaver: He hasn't really threatened me. It's just kind of funny things that he says about he didn't want to get into an argument with me. He didn't want to have to kill me, too. I mean, I don't think he ever really meant anything about, you know.

Det. Oberle: This car ya'll, that John was loaded into, what kind of car is it?

J. Weaver: I think it's a Dodge Colt or something.

Det. Stafford: What color is it?

J. Weaver: It's bronze.

Det. Stafford: Is it the same car that we saw ya'll in tonight and stopped you in?

J. Weaver: Yes that's the same car.

Det. Oberle: Did Alan clean the car up afterwards?

J. Weaver: Yes. He had asked me to do it.

Det. Stafford: Where did you take it?

J. Weaver: I don't think he took it anywhere, just wiped it off or something.

Det. Oberle: You didn't help clean it out?

J. Weaver: No. Because I saw, I saw the blood on the back of the car.

Det. Oberle: Do you; do you remember what John was wearing that night?

J. Weaver: I don't think he had any clothes on.

Det. Stafford: Was his body nude?

J. Weaver: Well, I think he had underwear on.

Det. Stafford: Okay. James, at this time, I don't have any further questions. We're going to conclude this interview. The time is approximately 0031 hours.