

GABERDIEL and WARREN
Official Court Reporters

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IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN
AND FOR FLAGLER COUNTY, FLORIDA

CASE NO.: 90-01
90-07
90-17

STATE OF FLORIDA

vs.

LOUIS B. GASKINS,

Defendant.

[Signature]
D.C.
90 APR 16 PM 4 43
COURT

DEPOSITION OF JOSEPH RECTOR

March 20, 1990

ORIGINAL

1 IN THE CIRCUIT COURT OF THE
2 SEVENTH JUDICIAL CIRCUIT, IN
AND FOR FLAGLER COUNTY, FLORIDA

3 CASE NO.: 90-01
90-07
4 90-17

5 STATE OF FLORIDA

6 vs.

7 LOUIS B. GASKINS,

8 Defendant.
9 _____/

10 Flagler County Courthouse
11 Room 222
Bunnell, Florida
12 March 20, 1990
2:35 p.m.

13 DEPOSITION OF JOSEPH RECTOR

14 The above-styled cause came on to be heard before
15 me, Carla J. Hopson, Deputy Official Court Reporter of the
16 Seventh Judicial Circuit of Florida, and Notary Public,
17 State of Florida at Large, at the above time and place for
18 the purpose of taking testimony and evidence in said cause.
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APPEARANCES:

STEPHEN M. NELSON, ESQUIRE
Office of the State Attorney

On Behalf of State of Florida

R.M. CASS, JR., ESQUIRE

-and-

DONALD JACOBSON, ESQUIRE
Office of the Public Defender

On Behalf of Defendant

Gabardiell and Warren

OFFICIAL COURT REPORTERS
444 Seabreeze Boulevard, Suite 710
Daytona Beach, Florida 32018

I N D E X

WITNESS:

PAGE:

JOSEPH RECTOR

Direct Examination by Mr. Cass

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Direct Examination by Mr. Jacobson

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Daytona Beach, Florida 32018

1 THEREUPON,

2 JOSEPH RECTOR,

3 the witness, having first been duly sworn to tell the truth,
4 testified as follows:

5 DIRECT EXAMINATION

6 BY MR. CASS:

7 Q Sir, for the record would you state your name,
8 address and occupation, please.

9 A Joe Rector, 1 Ricker Place, ceramic tile setter.

10 Q All right, sir. Who do you -- are you an
11 independent contractor?

12 A Right.

13 Q Okay. I'm sure that you recall an incident that
14 took place about the 20th of December last.

15 A Yes.

16 Q Could you tell us your first impressions of it,
17 please? What was the first recollection you have of the
18 incident, and then kind of take us through the whole thing
19 as you recall it. Would you do that?

20 A I heard some noise and got up to investigate and
21 was shot through the window. I fled my house and my car was
22 struck several more times with bullets, went to the
23 hospital.

24 Q I understand that when you -- when you did get
25 struck the first time it was in the chest; wasn't it, Mr.

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1 Rector?

2 A Yes, sir; right in line with my heart.

3 Q But did it hit the heart?

4 A No. It bounced off of a rib and deflected the --

5 Q Through a lung?

6 A It went through my lung. It hit a rib and changed
7 its direction slightly and just -- enough to just miss my
8 heart.

9 Q I see. Well, I understand that when that happened
10 that you left the house, went out front and hollered
11 something to -- towards your assailant. Did you ever see
12 the assailant?

13 A I didn't leave my house at that point, and I never
14 saw him.

15 Q Okay. What -- what did you do after you were --
16 immediately after you were hit, if you can recall?

17 A I went to the front door. I was on my hands and
18 knees, and I opened the front door slightly and hollered out
19 through the open door.

20 Q Can you remember what that was?

21 A I just hollered that whoever was playing with
22 guns, that they had hit me and they had probably killed me.
23 At that point I thought I was dead. And that's about all I
24 can remember.

25 Q Okay. And I understand -- was it at that time

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1 Mrs. Rector helped you into the car?

2 A I was able to make it to the car on my own.

3 Q What kind of a car was that, Mr. Rector?

4 A A Pontiac Firebird.

5 Q Firebird. Did you have any impressions of
6 anything that was happening while you were attempting to
7 leave? Did you hear any more gunshots or --

8 A I could hear the bullets striking the car. I
9 didn't actually hear the gunshots themselves, but I could
10 hear the bullets striking the car.

11 Q It's my understanding that Mrs. Rector was
12 driving; is that correct?

13 A Right.

14 Q Okay. Do you by any chance know Louis Gaskins?

15 A I don't know him. I've never seen him, I've never
16 talked to him. I know nothing of him.

17 MR. CASS: All right. Jake?

18 BY MR. JACOBSON:

19 Q The Pontiac, is it an automatic shift or
20 gearshift?

21 A Automatic.

22 Q Okay. And was it your wife's car?

23 A Yes.

24 Q So, she was accustomed to it?

25 A Yes.

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1 Q May have saved both your lives.

2 A It's a very fast car. It got us the hell out of
3 there, that's for sure.

4 MR. JACOBSON: I have nothing further, except to
5 say how very sorry we are that you'd have to go through
6 something like this.

7 THE WITNESS: It's a fear I've got for life.

8 MR. CASS: Thank God for that rib.

9 THE WITNESS: Very lucky man.

10 WHEREUPON, reading and signing was waived and the
11 deposition concluded at 2:45 p.m.

1 STATE OF FLORIDA :

2 COUNTY OF VOLUSIA :

3
4 I, CARLA J. HOPSON, Deputy Official Court Reporter
5 of the Seventh Judicial Circuit of Florida, and Notary
6 Public, State of Florida at Large, do HEREBY CERTIFY that I
7 reported the deposition of JOSEPH RECTOR, a witness called
8 in the above cause; that the witness was duly sworn by me;
9 that reading and signing was waived; and that the foregoing
10 pages, numbered from 4 to 7, constitute a true record of the
11 testimony.

12 I FURTHER CERTIFY that I am not an attorney or
13 counsel of any of the parties, nor a relative or employee of
14 any attorney or counsel connected with the action, nor
15 financially interested in the action.

16 WITNESS my hand and official seal in the City of
17 Daytona Beach, County of Volusia, State of Florida, this
18 31st day of March, A.D. 1990.

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22 CARLA J. HOPSON
23 Deputy Official Court Reporter
24 Seventh Judicial Circuit of Florida
25 Notary Public, State of Florida at Large.

MY COMMISSION EXPIRES: 12-11-1993.