

1 Q. And, Ms. Irby, do you know the defendant, Donna
2 Hockman?

3 A. Yes, I do.

4 Q. And can you please point to her?

5 A. (Witness points to defendant)

6 COURT: The record can reflect that the
7 witness has identified the defendant.

8 Q. Ma'am, what's your occupation?

9 A. I am a registered nurse.

10 Q. And where are you employed at?

11 A. I'm employed at a local nursing home.

12 Q. Now, ma'am, how do you know Donna Hockman?

13 A. Her daughter and my daughter are best friends.

14 Q. And her daughter being Lexis?

15 A. Yes.

16 Q. Did you have occasion to see then Ms. Hockman
17 from time to time because of that?

18 A. Yes, sir.

19 Q. Did there come a time in 2008 that you saw
20 something unusual on Ms. Hockman?

21 A. Yes, sir.

22 Q. Tell the jury, when was that and describe that
23 incident.

24 A. It was on June the 6th in the year 2008. And Ms.
25 Hockman had come to my house to bring her daughter Lexis

1 to--they were going to have a play date. And while she
2 was there, she came after her son's graduation and she
3 came in the door and she was beautifully dressed, had on
4 this beautiful sundress, and it was no straps, it was
5 just up to the top. And I went over to greet her. She
6 was very happy and very proud that her son had graduated.
7 And I noticed a bruise on her left upper arm.

8 Q. Can you describe that bruise? What did you see?

9 A. It was about five cm's in length and about four
10 cms in width and it had bruising out towards--uneven
11 bruising that it appeared that the bruise had been put
12 there by some kind of force, maybe a hand or something of
13 that nature.

14 Q. Now, ma'am, as part of your training at the
15 nursing home . . .

16 MS. GARST: Objection. Objection. Judge,
17 she is not qualified to testify about the aging of
18 bruises unless she's going to talk about her experience
19 in administering Coumadin and Warfarin, about her
20 knowledge of Ms. Hockman's medications. I don't want any
21 expert testimony because I will not stipulate to this
22 witness's qualifications in that regard, Your Honor.
23 She's a registered nurse.

24 COURT: I don't know the question of course
25 at this point.

1 MR. ALBERTSON: I'm going to just ask her
2 what she would characterize that bruise as.

3 MS. GARST: Objection. The jury can
4 certainly hear what she's already gotten in, that she
5 said it was some sort of force consistent with what she
6 believed to be a hand. She is not a medical expert.
7 We've had many medical experts. Ms. Irby is not
8 qualified.

9 MR. ALBERTSON: Okay, I'll withdraw it.

10 COURT: The question has been withdrawn.

11 Q. So then as Ms. Garst said, consistent with that
12 of a hand, that's correct?

13 A. Yes, sir.

14 Q. What did she tell you about that?

15 A. I did question her about it because I was
16 concerned because I do have knowledge of her prior
17 medical condition and I was concerned. And she told me
18 that she had hit something and she looked away from me
19 when she said that. I didn't really think much of it,
20 but I thought that she wasn't telling me the truth at the
21 time.

22 Q. Ma'am, thank you for answering my questions.
23 Please answer any Ms. Garst may have for you.

24 MS. GARST: Just brief follow up.

25