

A. I was dressed in like a Navy uniform which I had. It was like -- I believe it was a short-sleeved Navy shirt with Navy bottoms and work shoes.

Q. He said, "Are you a sailor, kid," and you said, "No," and he said, "What are you doing on Delaware Avenue," right?

A. Yes.

Q. Did you answer him?

A. Yes.

Q. What did you say?

A. At the time I was kind of happy because I got a ride after so long. And I was kind of tired. And at the time I made like a -- I kind of laughed a little bit because it was finally time I got a ride.

And I said, "You wouldn't believe that I just came in to do a job in Lancaster with my brother Jackie." I'm not sure if I said Jackie or not but I told him, "I just came in from Lancaster to do a job in Philadelphia with my brother and I fell on some scaffolding at work and they took me to the hospital and I was going to take a bus to the airport and I

didn't have enough money so I decided to walk, and I had been walking since about five o'clock."

Q. All right. Did you tell him anything else?

A. (No response.)

Q. If you remember.

A. I don't remember. I might have. I'm not sure.

Q. All right. What else was said? What happened then? Tell the jury.

A. And then he kind of started -- he was like leaning forward on the steering wheel like, and he was reaching in his back pocket and he -- it took him a little while but he pulled out a wallet and he looked over at me and said, "Do you want to make some money, kid?"

And I said, "No," I just wanted to get to the airport, that my dad would pick me up at the airport.

And then the next thing I know, he was reaching over and he was grabbing me.

Q. Where did he grab you?

A. My thighs.

Q. Tell the jury what happened. Go ahead.

A. He reached over and he grabbed me and I pushed him away and I said, "What the hell are you doing?"

And he just said, "Well, I just want to see what

you're made of, kid." Like he was trying to calm me down and I was pretty upset about it. I was scared. I didn't know what he was going to do to me.

Q. Was the car then moving?

A. Yes, sir, it was.

Q. All right. What happened next?

A. And then he said again to me, he said, "Are you sure you don't want to make some money, kid?"

And I said, "No, I just want to get -- I just want to get to the airport."

And then he reached over and grabbed me again, and I pushed him away and I said, "Just stop the car and let me out of the car. I want to get out of the car."

And he didn't stop the car. I was looking around. I was thinking about jumping out. But I was scared to jump out. I was afraid that I would hurt myself, I was so scared.

The next thing I know, I looked over and he has got this gun in my face.

Q. Where was the gun, Freddie?

A. He was driving like this and he was holding the gun underneath his arm.

Q. You just put your left arm up -- your right arm up in front of you; is that right?

A. Yes.

Q. Where was his right arm?

A. His right arm was driving and his left arm was like this. *as Honor.*

Q. You say he had the gun in his left hand?

MR. DUGAN: Objection. He said right hand. *MR. DUFFY: All right.*

A. *MR.* It was his left hand.

BY MR. DUFFY: *Is that correct, your Honor?*

Q. Well, you are demonstrating. *He was looking at*

MR. DUGAN: By holding up his right hand, he is demonstrating.

A. I'm driving, there is the steering wheel here and there is his gun -- his hand with the gun in it.

BY MR. DUFFY: *That's correct, your Honor?*

Q. And where was the gun pointed? *He was pointing it*

A. Right at me.

Q. What happened then? What did you say, what did he say?

A. I didn't say nothing. I just -- I was so afraid, I was scared to death. The gun looked so big and it looked like -- I was scared he was going to shoot me.

MR. DUGAN: Just a moment.

May I have that exhibit.

May I approach the witness, sir?

MR. DUGAN: I object to handling that
gun, Your Honor.

MR. DUFFY: I didn't want him to
handle the gun, sir.

THE COURT: All right.

BY MR. DUFFY:

Q. Freddie, is that the gun that was pointed at you?

A. I don't know, sir. The other one looked a
lot bigger to me.

Q. You say it looked bigger?

A. Yes, sir.

Q. Where was it pointed?

A. Right at my face.

Q. All right. What did you do then or what did
he do?

A. He then started to pull over to the curb, and
he told me to just shut up, to sit there, don't move.
And I was scared to death. I couldn't move, anyway.
I was so afraid.

MR. DUFFY: That's all right, Mr. Starr.

Thank you.

BY MR. DUFFY:

Q. What did he say to you, Freddie?

A. He told me to shut up, sit there, don't move.

I was afraid he was going to pull that trigger any minute.

Q. All right. What happened next?

A. He pulled over next to the curb.

Q. How close to the curb was he, do you know?

A. I don't really know.

Q. All right. What happened next?

A. And he turned the car off and got out of the car. And when he got out of the car, he said, "Okay, you little bitch, I'll see what you're made of."

Q. What did he do?

A. He went around the other side and it just happened so fast. When he was going around the car, I noticed he stuck the gun in his -- like in his pants.

Q. You are indicating with your right hand?

A. Yes, sir. It was the one closest to the car.

Q. Did he go around the front of the car?

A. Yes, sir.

Q. Then what happened?

A. Then he came over to the window and he started

grabbing me through the window. He was acting all -- he was crazy. He was just saying something -- I don't know what he was saying. He was trying -- he opened

the car door and he grabbed me by my wrist and he yanked me out of the car like I was getting dragged out or something.

Q. How big was this man, Freddie?

A. He was a lot bigger than I was.

Q. Do you know how big?

A. He was around -- he was over six foot.

Q. All right. What happened next? You say he opened the door and pulled you out of the car. What happened?

A. Then he just -- he just grabbed me and he was just squeezing my arms. He was squeezing my arms tight.

Q. Where did he have your arms?

A. Like this (indicating). He was just grabbing me.

Q. You are holding both your biceps. Is that what he was doing?

A. Yes, sir.

Q. All right. Where were you now?

A. We was outside the car.

Q. What happened next?

A. Then he threw me up against the fence.

Q. How far did you travel when he threw you?

A. I don't know, maybe -- he just threw me up against

the fence, he was so strong. He was a lot stronger than I was.

Q. When he was holding your arms, were you trying to hit him?

A. I was trying to but I couldn't hit him. His arms were a lot longer than mine were. I couldn't -- I couldn't hit him.

Q. Then what happened? He threw you up against the fence. What happened?

A. Then I grabbed this post that was laying up against the fence and I was going to protect myself with it. It was the only thing I knew -- that I could do. And then I seen him go for his gun and that's when I just swung the post and hit him in the head. And he fell to his knees and he just -- I thought maybe I knocked him out but he was still breathing. He was all right.

Q. Freddie, why didn't you run when he threw you up against the fence?

A. Because I thought he was -- if he would have got up and he -- he would have shot me in the back

if I started running down the road. There is nowhere I could run.

Q. What did you do after he went down?

A. I think I stood there for a second. I was shocked at what happened.

Q. Did you hit him again?

A. No, sir, I never hit him twice. I only hit him one time.

Q. All right. Then what did you do?

A. Then I stood there and I was thinking what should I do. And I just ran around to his car door and got in the car and I closed the door and I started the car up. And then as I was reaching to close the

other car door, I heard -- I thought he was getting sick. It sounded like he was getting sick and he was groaning.

Q. Did you reach over -- are you talking about the passenger's door?

A. Yes, sir.

Q. Freddie, what was in your mind when he pulled you out of the car? Tell the jury.

A. It was in my mind, why I thought -- I was thinking about -- it just seemed like that was my father who -- he reminded me of my father in a way, my

afterthoughts.

Q. I can't hear you, son.

A. He just reminded me of my father.

Q. Now, when you ran around or when you went around and got into the automobile, what did you do?

A. Closed the passenger -- the -- my door as I got in. I think I started the car up.

A. I'm not sure if I turned the lights on or not. And I closed the other car door and I took off down the road.

Q. When you were closing that door, is that when you heard him making the noises?

A. Yes, sir.

Q. Now, where did you go when you drove?

A. Went down Delaware Avenue until I found some signs saying 95.

Q. Were you familiar with 95 already?

A. Yes, sir, I knew it went past the airport.

Q. What did you do? Tell the jury what you did.

A. I went down Delaware Avenue and I found some signs saying 95, so I started following that, and then I knew -- I seen the airport and then I knew where I was and I knew I could get home from there.

Q. How fast were you driving?

A. I was driving as fast as that car could go. I just wanted to get out of there.

Q. Where did you go next? After you got out by