

When Eight is Enough

How many “true” stories does it take to execute an innocent man?

The transcribed statements of Justin Sneed.

Transcript summary and commentary written by Mr. Glossip’s Innocence Legal Defense Team.
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*(All commentary and summations in Italics. **Emphasis added in bold.**)*

All statements (not in italics) are quoted from the transcript of Police Interview with Justin Sneed - Jan. 14th, 1997.

In the early morning hours of January 7, 1997, Barry Van Treese was beaten to death in room 102 at the Best Budget Inn in Oklahoma City. The murder weapon was an aluminum baseball bat. During the struggle, the window in room 102 was broken out. John Prittie was staying in room 103, a room that shared a wall with the scene of the murder. At trial, Mr. Prittie testified that he “heard an argument...some muffled arguing or some type of discussion going on.” It was “somewhat” loud. He testified that there was “...more than one person” involved and that there were “...male and female voices that I thought I heard too.”

Mr. Prittie then testified that, after he heard the voices, he heard “objects hitting the ground,” “metallic sounds,” and “possibly glass breaking.” He said he then noticed that things got quiet, only to begin again with “more of the arguing, more of the same.” According to Mr. Prittie, the noise stopped shortly thereafter. (May 14, 2004, pg. 155-158)

On January 14, 1997, Oklahoma City police detectives Bemo and Cook arrested Justin Sneed for the First Degree Murder of Barry Van Treese. They took Mr. Sneed, who was then a 19 year old drug user with an 8th grade education, a criminal history, and an admitted lack of self-esteem and self-confidence, into an interrogation room and read him his rights. Justin agreed to waive them and spoke to the detectives with no legal representation. Before asking Sneed anything about the crime, the detectives made several statements of their own:

BY MR. BEMO: Okay. The thing about it is, Justin, we think--- **we know that this involves more than just you, okay?** We’ve got **witnesses and we’ve got other people** and we most likely have physical evidence. You know what I am saying on this thing. And right now the best thing you can do is to just be straightforward and talk to us about this thing and talk to us about it and **tell us** what really happened and **who all was involved, because I personally don’t think you’re the only one.** **Everybody that we talked to they’re** putting it on you, okay? **They’re** putting the whole thing on you and **they’re going to leave you holding the bag.** In other words, if you just said you don’t want to talk

to us and **you want to talk to an attorney we would march you down to the jail and we would book you in for this charge and you would be facing this thing on your own. And I don't think it's just you.**

(pg. 5)

Throughout the interrogation both of the detectives continually lie to Sneed in this manner by stating that multiple people were blaming Justin for this murder. However, in truth, no one other than Richard Glossip mentioned Sneed's name. After setting this tone for the interrogation, they began their interview with Mr. Sneed...

Story #1 "I don't really know what to say about it"

All statements (not in italics) are quoted from the transcript of Police Interview with Justin Sneed - Jan. 14th, 1997. Page numbers refer to the transcript page number where the quote can be found.

*The detectives questioned Justin about his history, where he was from, and his work done as a roofer. Sneed tells them he did not know Mr. Van Treese (pg.20) he only met him a few times (pg. 20). **He does not even know Richard's last name** (pg. 7). "Rich" is the manager who let him stay at the motel for free in exchange for maintenance work, and buys him meals. Sneed says he and Rich "got along pretty good. I had no problems with him or nothing."(pg. 16).*

Then...

BY MR. BEMO: Well, do you want to --- let's get down to--- to business here. Do you want to tell us what happened out there, how this all got started and run it down to us? (pg 16).

BY MR. SNEED: Huh-uh (pg 16).

BY MR. BEMO: You don't want to tell us about it? (pg 16)

BY MR. SNEED: **I don't really know what to say about it** (pg 16).

BY MR. BEMO: Well, let me tell you--- **there's a lot of people** you know, when something like this happens everybody tries to save themselves (pg 16-17).

BY MR. SNEED: Uh-huh (pg 17).

BY MR. BEMO: And **everybody** wants to make themselves look as good as they can, you know, the--- to the police. Because then all of a sudden, you know, the cat's out of the bag and everybody knows what's going on. Well **they've made you the scapegoat in this**. You know, **everybody is saying you're the one that did this and you did this by yourself and I don't believe that** (pg. 17).

The two experienced detectives now introduce Richard Glossip into the mix, and do so in such a way which infers that they know that he is involved. To this point in the interrogation, Richard's involvement was never suggested by Mr. Sneed.

BY MR. BEMO: You know Rich is under arrest don't you? (pg. 17)

BY MR. SNEED: No. I didn't know that (pg. 17).

BY MR. BEMO: Yeah. He's under arrest, too (pg. 17).

BY MR. SNEED: Okay (pg. 17).

BY MR. BEMO: So **he's the one---he's putting it on you the worst**. **Now I think there's more to this than just yourself** and I would like for you to tell me what--- how this got started and what happened and--- (pg. 17).

This shows clearly how Bemo and Cook tell Justin that the "right" answer is for him to tell them that someone else is involved and, as they've just indicated, it is Richard.

BY MR. SNEED: Well, I think one time before **my brother** went and turned himself in **he said something**, you know about setting it up some way to where like the place looked like it got robbed or something like that. And then--- then he went back and, you know, went and turned himself back into Tarrant County for violating his probation and that you know, I pretty much knew about that (pg. 18).

BY MR. BEMO: Well now, I'm not talking about---now you're talking about maybe setting up a robbery at the motel and then having Rich give a bad description and split the money? (pg. 18)

BY MR. SNEED: **Yeah, I guess, something like that. I really don't know what they---** (pg. 18).

BY MR. BEMO: Well, Rich told us you came to him with the idea (pg. 18).

BY MR. SNEED: No. You see, like **my brother came to him with like that idea.** And then, **after my brother went and turned himself in, Rich had told me that Wes had said something like that to him** (pg. 18).

BY MR. BEMO: Was he trying to proposition you with the idea? (pg. 19)

BY MR. SNEED: I guess (pg. 19).

BY MR. COOK: Well, basically what he is saying, Justin is that Rich told us that you're the one that came to him with the idea (pg. 19).

BY MR. BEMO: He's putting it off on you, Justin. That's what he told us (pg. 19).

Clearly, Justin recounts this story of the fake robbery as coming from his brother, Wes Taylor. However, the detectives have now misstated this story as arising or being carried on by Rich, even after Wes left the motel, and are using it to try to drive a wedge between Mr. Sneed and Mr. Glossip.

BY MR. SNEED: No. I don't understand that (pg. 19).

BY MR. BEMO: And now **Rich is trying to save himself by saying that you're in this by yourself,** that it was all your doing and you're the one that--- **that did the homicide, it was you, that came to him about it;** is that true? (pg. 19)

BY MR. SNEED: (Shakes head)

BY MR. COOK: Okay, why don't you straighten this out then (pg. 19).

BY MR. BEMO: Tell us what happened (pg. 19).

BY MR. SNEED: All I know is that, like I said, he **[Richard] told me that my brother had told him that, you know came up and tried to proposition him** and things like that which, I don't know--- I didn't even know that my brother was going to go you know, because my brother didn't even say nothing to me about it. And then after he (*Wes*) turned himself in Rich had said something to me that Wes had said something like that to him, **but it didn't really go no further than that** (pg. 19-20).

In spite of the prodding by the police, Sneed does not change the story that his brother Wes, not Richard, had the idea to fake the robbery, and that Richard did not go along with it. Once Wes Taylor left OKC, apparently all talk of this fake robbery ended.

Story #2 “I didn’t kill Barry Van Treese”

All statements are quoted from the transcript of Police Interview with Justin Sneed - Jan. 14th, 1997.

BY MR. BEMO: Okay, **are you trying to tell me that you didn’t kill him?** (pg. 20)

BY MR. SNEED: **Yes, sir** (pg. 20).

At this point, the experienced homicide investigators turn up the heat in a very serious way. They overwhelm the young, uneducated, and frightened Mr. Sneed.

BY MR. BEMO: **Well, that ain’t going to a get it. They’re putting it all off on you. That’s what I am trying to tell you** (pg. 21).

BY MR. COOK: You know, Justin, I suppose I’m not so sure if I wasn’t in your shoes I wouldn’t say the same thing you’re saying now (pg. 21).

But we’ve gone through a lot of trouble, we’ve gone to a lot of work investigation. And what you are saying there doesn’t add up with anything else that we have discovered, not only without technical investigation, but also you told **some folks** some other things. Okay? (pg. 21)

BY MR. SNEED: What do you mean? (pg. 21)

BY MR. COOK: Well, **what I mean is according to Rich, you told him...**(pg. 21).

BY MR. BEMO: **That you killed that man the owner of the hotel.** (pg. 21).

BY MR. COOK: If it’s just---if it went bad or you didn’t mean to for it you need to tell us and that’s that and we’ll tell the District Attorney’s office. But you need to get straight with us and tell us what’s going on here (pg. 21-22).

BY MR. BEMO: Its gone way too far. **There’s too many other witnesses** that have come forward that will testify against you (pg. 22).

BY MR. COOK: **You're going to have to get straight with us, you're going to have to get straight with yourself, and mainly you have to get straight with the Almighty** (pg. 22).

BY MR. COOK: I can appreciate the bad situation you're in even to the point where you're feeling desperate...and on this particular situation we have worked on it ever since it's happened and I think we know what happened... I mean if it is a situation where you didn't mean to do this, got carried away, and you're sincere and you're telling the truth, we'll go tell the man that (pg. 23-24).

And Bemo and Cook continue to insist that Justin did not act alone.

BY MR. BEMO: **But we want to know whose--- whose idea it was** (pg. 24).

BY MR. COOK: Is it all you're idea, the whole thing? (pg. 24)

BY MR. SNEED: No, sir (pg. 24).

Story #3 "I just meant to knock him out"

All statements are quotes from the transcript of Police Interview with Justin Sneed - Jan. 14th, 1997.

BY MR. BEMO: You need to tell us about it (pg. 24).

BY MR. SNEED: Okay, Rich told me we could split what money we could get out of Barry. I think that's--- his name was Barry (pg. 25).

BY MR. SNEED: We come and (Rich) woke me up and told me he knew where \$7000 was and so **we went** in the room (pg. 25).

BY MR. SNEED: Barry was there that night, Rich told me to be in my room if anyone called for complaints, especially if the owner is there (pg. 25-26).

BY MR. SNEED: **Rich told me to go in the room (where Barry was) and get the keys, he knew where the money was** (pg. 27).

BY MR. SNEED: **After things got out of control, we moved** the car to the back parking lot (pg. 28).

BY MR. SNEED: He (Barry) was in bed asleep, **I just meant to knock him out** (pg. 28).

BY MR. SNEED: **Barry never said anything**; he just jumped out of bed (p. 29). *(In contrast, see statements by witness John Prittie above)*

BY MR. SNEED: I hit him with a bat I found in the rooms I was cleaning (pg. 30).

BY MR. SNEED: I only hit him 2 or 3 times, **I figured I would just knock him out** (pg. 31).

BY MR. SNEED: Window broke because I hit it with the bat (pg. 32).

BY MR. SNEED: I don't know how the scratch got on my ear (pg. 32).

BY MR. SNEED: Barry got out of bed, danced around, I knocked him to where he was down on the floor, I tapped him a few times when he quit moving and left him alone **thinking he was knocked out** (pg. 32-33).

BY MR. SNEED: **Then I got the keys, they were in his pants pocket** (pg.33).

BY MR. SNEED: Moved the car after we found out he wasn't going to get back up (pg. 34).

BY MR. SNEED: **I thought I knocked him out** (pg. 34).

BY MR. SNEED: **I was looking for the keys that were in Barry's pants on the couch** (pg. 35).

BY MR. SNEED: Rich told me to come back to the office after I got the keys (pg. 35).

BY MR. SNEED: It was like 3am when Rich woke me up and told me he (Barry) was back (pg. 36).

BY MR. SNEED: It was 4:30-5am at the most (pg. 36).

BY MR. SNEED: 4:30-5am I had to ring the buzzer and he (Rich) come up there. We went and got the money out of the car and went back to my room so Rich's girlfriend wouldn't find out and split the money (pg. 36-37).

BY MR. SNEED: We got \$1900 (pg. 37).

BY MR. SNEED: It was less than \$5000 (pg. 37).

BY MR. SNEED: It was right at \$4000, tossed it into 2 piles and didn't really count it (pg. 37).

BY MR. SNEED: We got close to \$2000 a piece (pg. 37).

BY MR. SNEED: I had to ring the bell to get Rich as opposed to knocking on the office door (pg.41).

BY MR. SNEED: He unlocked the door and said he would meet me at my hotel room (pg. 42).

BY MR. SNEED: **I went and got the money, it was under the car seat** (pg.43).

BY MR. SNEED: Rich walked around there with me while I got the money (pg. 44).

BY MR. SNEED: We went back to my room and then we checked on Barry and **then I transported the car** (pg. 44).

BY MR. SNEED: We went back to my room and split the money and then checked on Barry (pg.45).

BY MR. SNEED: We (both of us) peeked in the door to see if he got up or anything (pg. 45).

BY MR. SNEED: I cleaned up the broken glass quickly, put it in the room then we had me go pick up Plexiglas to put over the window (pg.45).

BY MR. COOK: What about Barry? (pg. 46)

BY MR. SNEED: We just kind of let him alone (pg.46).

Story #4 "Rich asked me to kill Barry"

All statements are quotes from the transcript of Police Interview with Justin Sneed - Jan. 14th, 1997.

After stating that "we just kind of let him (Barry) alone" in the room, Sneed very suddenly began a new story line that completely contradicted the one he was about to finish.

BY MR. COOK: Well, did you do anything to Barry? (pg.46).

BY MR. SNEED: **Actually, Rich asked me to kill Barry, that's what he'd done** (pg. 46).

BY MR. COOK: Rich asked you to kill Barry? (pg. 46)

BY MR. SNEED: So he could run the hotel without him being the boss (pg. 46).

BY MR. COOK: And in exchange for doing this? (pg. 46)

BY MR. SNEED: I would get seven grand and (inaudible) (pg. 46).

BY MR. COOK: You get all of it or you just split it? (pg. 46)

BY MR. SNEED: Well, he told me that he would give me all of it, but after it happened he decided he wanted to split it. And then from then on out he said he was going to rent rooms off the books and keep money back and everything and slide me some on the side (pg.46).

BY MR. COOK: I see. Okay. So when you leave the room from splitting the money you go down and check on Barry; is that correct? (pg. 47)

BY MR. SNEED: Yes, we both went in the room and found out that he was completely dead (pg. 47).

BY MR. SNEED: I pulled the sheets and blankets over Barry (pg. 47).

BY MR. SNEED: I covered him up and moved the broken glass in the same visit (pg.48).

BY MR. SNEED: I moved the car to the back parking lot (p.48).

BY MR. SNEED: Rich asked me to move the car to the back parking lot, Rich would get rid of it later and I would follow him and pick him up wherever he dropped it off (pg.49).

BY MR. SNEED: Rich waited in the office while I got rid of the car (pg. 49).

BY MR. SNEED: Rich made frequent trips to the office so his girlfriend (D-Anna) wouldn't think anything of it (pg. 49).

BY MR. SNEED: She (D. Anna) told him she saw Barry's car pull in back when they were in the office at 3am or 2:30 am (pg. 49).

BY MR. SNEED: D-Anna was up in the front desk taking care of customers, then she said she saw Barry's car pull back in and that is when Rich jumped and come running down and woke me up and told me he was back (pg.50).

BY MR. SNEED: **Rich and I both siliconed the Plexiglas** around the other window. Before we did that we taped a shower curtain over the inside of the window where we were (pg. 52).

BY MR. SNEED: **We both taped it up there** (pg. 52).

BY MR. SNEED: I told people who asked me if I had been in a fight that I hit my soap dish while I was taking a shower (pg. 56-57).

BY MR. SNEED: **That's the story me and Rich conjured up** to tell them about my black eye (pg.57).

BY MR. SNEED: When the cops were there looking at the car **around 2-3pm I left on foot**. I didn't expect to see the roofers to still be in town when I crossed the street. They were still there, I went back to work with them (pg.59).

BY MR. SNEED: I had a belt that got broken in the scuffle, the metal clasp; I chucked it in the trash with the baseball bat (pg. 59).

BY MR. SNEED: (*Police found a pocket knife*) Yes it is mine, I found it in a room I had been cleaning before, I usually carry it around (pg. 60).

BY MR. SNEED: We struggled (Barry and I) but it wasn't much of a fight (pg. 61).

BY MR. COOK: **Did you end up stabbing him with the knife?**

BY MR. SNEED: **Huh-uh** (*No*) (pg. 62).

BY MR. SNEED: I recall dropping the knife in the room because I don't have it on me no more (pg. 62).

BY MR. SNEED: We had a little bit of a struggle (pg. 63).

BY MR. COOK: Is there anything else about this deal that you need to tell me about? Have you been--- **have you been truthful with me about it?**

BY MR. SNEED: Yeah, **pretty much** (pg. 64).

BY MR. SNEED: No one else was involved (pg. 65).

BY MR. SNEED: I was going to throw my clothes in the dumpster but Rich said to burn them (pg. 69).

Now the police affirm that this story is what they were looking for all along, and that it will help Mr. Sneed.

BY MR. SNEED: So, is this going to help me out at all telling you all of this? (pg. 72)

BY MR. COOK: Well, we'll just have to wait and see. **This is definitely going to be better for you this way than it would be if you didn't say anything** (pg. 72).

BY MR. SNEED: Well, what's the maximum sentence for murder one? (pg. 72)

BY MR. COOK: Murder one? Well, the maximum sentence is death. (pg. 72)

BY MR. SNEED: I guess I should have suspected that. (pg. 72)

BY MR. BEMO: But there's also two other charges. It could be life without parole or life (pg. 72).

By MR. SNEED: Well, I should look forward to the next 40 years of sitting in a cell? (pg. 73)

BY MR. BEMO: Oh, well I don't know. But **I'm going to tell you this, your old bud, Rich, was planning on letting you hang for this** (pg. 73).

BY MR. SNEED: **I ain't going to hang by myself.** I'm telling you all the truth (pg.73).

After turning off the video camera, Bemo and Cook take Justin Sneed to the apartment that he was staying at with some of the other members of the roofing crew. The conversation about the crime apparently continued, off the record, as Sneed later testifies that that, at this time, he gave them yet another scenario (see story #8 below). However, it is not believed that these two experienced detectives kept any notes about these conversations.

The Plea Agreement

In May 1998, shortly before the first trial, Justin Sneed entered into a plea agreement whereby he stated that he would give “truthful testimony” in exchange for a life sentence without the possibility of release. The “truthful testimony” that this agreement is based upon was the last story (story #4) that he gave to Bemo and Cook. This is the testimony the District Attorney expected at the first and then second trials. However the testimony that was given differed in many significant ways from what Mr. Sneed told Bemo and Cook just 7 days after he murdered Barry Van Treese.

Story #5 “Gossip told me to pick up some trash bags, a hacksaw, and muriatic acid ...”

Transcript from Trial #1, June 8th, 1998 – The Testimony of Justin Sneed.

Q: Did you ever have conversations with [Barry Van Treese] (pg. 87).

- Yes (pg. 87).

Q: On all 4 or 5 times you saw him? (pg. 87)

-Yes (pg. 87).

Q: Did you know what kind of car Mr. Van Treese was driving back in 1997? (pg. 87)

-I did not know what kind of car Barry drove (pg. 87).

-I had a conversation in the room with Richard at 3:30am in my room (pg. 88).

-Richard called me and woke me up and told me Barry was back from Tulsa and he would give me \$7000 to go kill him (pg. 88).

-I had other conversations with Richard Glossip about killing Barry Van Treese, almost every time I met Mr. Van Treese that he came to the motel while I was working there (pg. 89).

-It was Richard Glossip’s idea to kill Barry Van Treese (pg. 89).

-Don’t know why he wanted to kill him, every time he showed up, he (Richard Glossip) wanted me to kill him, 5 or 6 times (pg. 89).

-I was asleep and Richard’s call woke me up (pg. 90).

-Gossip came into my room and kept asking me to hurry up and kill him. [Barry] was going to kick me out of the motel, and if it were him, he would take the baseball bat I had in my room and kill him (Barry) (pg.90).

-I don't know why I would get kicked out of the motel by Barry (pg.91).

-I got up and got a Coke from the Sinclair, came back to my room, and went into room 102 (pg. 91).

-And hour elapsed from the time Gossip asked me to kill Barry and the time I went into 102 (pg. 91).

-D. Anna Wood was asleep in the apartment at the office with Richard Gossip (pg. 91).

-I used a master key to get in the room that I already had (pg. 92).

-I went into room 102 with my baseball bat, when I opened the door it woke up Barry Van Treese and I hit him with the bat. Then he pushed me, I fell back into the chair, broke the window. Then I hit Mr. Van Treese when he was trying to get out of the room, I grabbed the back of his shirt and slung him to the floors and hit him a couple more times (pg. 92).

-I hit him 10-15 times (pg. 92).

-I intended for him to die, because Richard Gossip was telling me to go in there and kill him (pg. 92-93).

-Richard said he would give me \$7000 and rent some rooms off the books and give me other money (pg. 93).

-It took 30 min for Mr. Van Treese to die; I just sat in the room with him the whole time (pg. 93).

-After he died I went to the office and knocked on the side of the wall for Richard because he told me to come get him when it was done (pg. 93).

-I had to ring the buzzer and Richard came to the door (pg. 93).

-Richard went back into his apartment after asking what I did with the weapon. He told me to remove the weapon and he would come down to my room (pg. 93).

-I put the bat in the dumpster (pg. 94).

-I told him Barry was dead and we could go look if he wanted to. I told him the window was broken (pg. 94).

-Glossip went into room 102 with me, we stayed in there for about 20 minutes, we left and got a shower curtain and we taped the shower curtain over the window (pg. 94).

-Glossip just watched me tape the shower curtain (pg. 95).

-We left the room and I moved the car to the bank parking lot. Glossip told me where the money was located, under the front seat, I called him and told him I was back from moving the car (pg. 95-96).

-Richard came back down to my room and the money only ended up being about \$4000 and we split it (pg. 96).

-I split it with him instead of taking it all like promised because **the money was never really on my mind for it. I was just going along with what he (Richard) said** (pg. 96).

-I waited until 8-8:30am to go to Payless and buy Plexiglas to cover the window hole. **While I was going back to Payless, Glossip told me to pick up some trash bags, a hacksaw, and muriatic acid to pour the acid on the body and saw up the rest of the body and put it in the trash bags to move it out of the room** (pg. 97).

-**Richard wanted me to do everything** (pg. 97).

-While I put up the Plexiglas, Glossip siliconed it at 8:30am (pg. 97).

-It was dawn and people were starting to get up, so we planned to move the car to the bank then **Richard knew someone who would get rid of the car the next night and the body** (pg. 97).

-**Glossip went back to take a nap**, woke up around noon and went to Wal-Mart (pg. 98).

-The bank called about identifying Van Treese's car, [*Sneed must have been in his room*] Billye from the front office called and asked if I could identify the car. I said no so I had to watch the front office while she did (pg. 98-99).

-The Police came and asked me to search in each room because I had keys, which I pretended to do avoiding room 102 (pg. 99-100).

-I saw Richard Glossip before I finished checking the top run of the motel. He told me I needed to leave because the police were looking for Mr. Van Treese (pg. 100).

-Rich and I went back to my room, then I went in my room and he went to the office. He called me 15 minutes later and told me to leave again (pg. 100).

-I paid for the Plexiglas out of the \$2000 after we split the money (pg. 101).

-I wouldn't have murdered Van Treese if Richard hadn't told me to (pg. 101).

-I am guilty of murder (pg. 101).

-I will receive a life sentence without parole (pg. 101).

Q: Did you tell the police basically everything you told the jury today? (pg. 101)

-Yes, Ma'am. (pg. 101-102).

Q: Did you answer all of Detective Bemo's questions when he asked you? (pg. 102)

-Yes, Ma'am (pg. 102).

Q: **What did you hope to gain by killing Van Treese?** (pg. 104)

-Nothing really. Richard was saying with Van Treese out of the way he could con the widow into letting him run both motels, and I could manage one (pg. 104).

-I was supposed to get \$7000 (pg. 104).

-I never claimed insanity in this case. My investigator asked me if I would take a competency test as I agreed to it (pg. 106).

Q: Tell the jury what you have to gain from your story (pg. 107).

-I have nothing to gain except for letting the truth be known on what happened to Mr. Van Treese (pg. 107).

-They did take away the death penalty. To this point they did, up until now they hadn't (pg. 107).

-I sat in the chair and watched him take his last breath, it wasn't my intent to help him, it was my intent to kill him (pg. 110).

-I did it because someone told me they would give me \$7000 (pg. 111).

-I ended up doing it because I did not want to leave the motel at the time (pg. 111).

-I did drugs, crank is a methamphetamine that is cooked, days before, but not during the time I killed Barry (pg. 111).

-I snorted it [*meth*] (pg. 112).

-I was in two sets of clothes because Richard knocked on my door and I got up and answered it. He was telling me that he wanted to go over there and kill Mr. Van Treese and he just got back. I threw on pants over my sweatpants and put on another shirt (pg. 112-113).

-Richard came to my room to let me know Van Treese had arrived, D. Anna had seen him drive up (pg. 113).

-After I killed Barry I went back into my room to change my bloody clothes, then I went to Mr. Glossip's apartment and tapped on the wall a little bit to inform him Van Treese was dead (pg. 114).

-I hit the door a couple of times (pg. 114).

-I pounded on the door, went around for 5 minutes and then rang the buzzer (pg. 114).

-He wasn't coming out of his office when I pounded on the wall so I rang the buzzer (pg. 115).

-Glossip and I came up with the story of busting my eye in the soap dish to tell other people the reason I had a black eye (pg. 115).

-When **I moved the car** to the bank parking lot like Richard told me to do, he said call me after I get back to my room and had the money. When I got back to my room call him, I did, he came to my room and we split the money (pg. 115).

-Any time me and Richard talked about it we were by ourselves (pg. 116).

-Around 7-7:30am we started making arrangements for me to get the Plexiglas to silicone to the window. Then I was getting the maid up and everything to get the motel back together ready to re-rent that night (pg. 116).

-I went to Payless and purchased Plexiglas, hacksaw, and trash bags and put them in room 112 which was vacant (pg. 117).

-I held the Plexiglas window while Richard siliconed it (pg. 117).

-I parked the car at 5:30am at the bank (pg. 119).

-When I looked at the car that was being searched by the police Mr. Glossip was telling me I needed to leave and I told him how could I with so many cops around (p. 119).

-I went down to my room and Glossip went to the office and then he came back 15 minutes later trying to run me off again, I took the money inside my jacket and left. I never went back to the motel (pg. 119).

-After me and Glossip taped the shower curtain over the window, he asked me when he was coming out to break the key off in the lock (pg. 120).

-I didn't say anything about this before because I didn't think it was significant (pg. 120).

Q: The police said the entire tumbler was taken out of the door. (pg. 120)

-I tried to break the key off and it came out, then I put it in the laundry room on a shelf. I had it in my hand and put it on a shelf (pg. 120).

Q: What is the significance of not having the tumbler open?(pg. 121)

-So no one could get in it, not even with a master key (pg. 121).

-I didn't know there was money in the trunk. I knew there was money under the front seat, which Glossip informed me of (pg. 122).

Story #6 “Now is the ime to do it, take the hammer and do it now”

Transcript from Trial #2, May 26th, 2004 - Testimony of Justin Sneed.

Q: In January of 1997 was your father an option if you needed a place to live or stay?

-It wasn't an option I thought about or considered looking up (pg. 39).

Q: Was your mother an option? (pg. 40)

- **I could have** but I left there trying to make my life better for me and my two daughters (pg. 40).

-Wes Taylor (my half-brother) was tracked down by his dad and took back to TX to turn himself in for a warrant for his arrest. **His dad offered for me to go with him but I didn't like the dude** (pg. 42).

-I lived with Wes Taylor and friends at rooms rented by the roofing company bosses at the Rockwell Inn and then they moved us to the Best Budget Inn. The company paid for the rooms (pg. 44).

Q: Now, you know his [Richard's] last name now. Did you know his last name at the time you were living there?

-**Yes, ma'am** (pg. 45).

-My brother [Wes Taylor] introduced me to Richard (pg. 46).

-I stopped working at the roofing company before Taylor left, he was hustling on the side, and my brother told me about Glossip. **There was a deal where we could work at the motel and stay there. We jumped on it. I went along for the ride** (pg. 46-47).

-**I made about \$500 a week roofing** (pg. 47).

-**I don't know why I quit work. I got entangled with a little bit of drugs and stuff. I lost sight of my goals and purpose** (pg. 47).

-**I took marijuana and crank** (pg. 47).

-I dropped out of school in the 8th grade (pg. 48).

-I got my wife pregnant and was worried about getting a job and trying to live (pg. 48).

-I didn't have a lot of self-esteem or self-confidence back then (pg. 49).

-There was more than one time I rode with police. In one of those rides they took me to the motel and I showed them things (pg. 53).

Q: Okay. And I may have the wrong time. There was more than one time that you rode with someone transporting you--- (pg. 53)

-Yes (pg. 53).

Q: Around? (pg. 53)

-Yeah (pg. 53).

Q: Okay. On one of those times when they were--- and you're saying you think it was when they took you back to the motel. Because you showed them somethings, right? (pg. 53)

-Yes, ma'am (pg. 53).

Q: Okay. And then they're taking you back to the Oklahoma City jail, you believe you made a statement? (pg. 53)

-Yes, ma'am (pg. 53).

Q: Okay. That it was your job to take him out, his job to clean up the evidence and he didn't do a very good job? (pg. 53)

-Yes, ma'am (pg. 53).

Q: Who--- it was your job to take who out? (pg. 53)

-Barry Van Treese (pg. 53).

Q: And it was whose job to clean up the evidence? (pg. 53)

-Richard Glossip (pg. 53).

Q: And who didn't do a very good job? (pg. 53)

-Richard Glossip (pg. 53).

Q: When you made the statement to officers, had you ever been charged with a crime? (pg. 54)

-I don't know if they fully charged me or not. I know they read me my rights and all that stuff (pg. 54).

Q: When you made this statement, had you talked to an attorney, your attorney about what might be in your best interest? (pg. 54)

-No. I had not (pg. 54).

Q: ...[D]id you tell [the detectives] what had happened and what you did? (pg. 55-56)

- Not at first I didn't and then when I did start opening up a little bit I probably withheld a lot of information from them because, you know, I was young still and just nervous and not really wanting to open up all the way at that point (pg. 56).

Q: What you did tell them, was that the truth? (pg. 56)

-Yes, what I did tell them (pg. 56).

Q; But you didn't tell them everything? (pg. 56)

-No (pg. 56).

Q: So you knew that you weren't going to get the death penalty if you entered into this agreement; is that correct? (pg. 57)

-Yes, ma'am (pg.58).

Q: Mr. Sneed, do you believe that in order to escape the death penalty, there are certain things you have to say today or to escape the death penalty, you have to testify today? (pg. 62)

-To escape the death penalty I have to testify today (pg. 62).

-Shortly after being arrested I asked for a Sudafed, and they gave me Lithium. I don't know why (pg. 64).

Q: You told us you were making \$500 a month working for the roofing? (pg. 65)

-Yes ma'am (pg. 65).

-I was using drugs twice a week, depending on if I ran into somebody willing to share (pg. 65).

-On January 6th and 7th 1997, I did not take any drugs (pg. 66).

-The only compensation I got for working at the hotel was room and board and occasional meal (pg. 68).

-I didn't see any friends or family during that time, other than my stepfather (pg. 70).

-I did personal errands for Mr. Glossip maybe once a day (pg. 72).

Now the story has changed from Sneed's brother's idea about faking a robbery to it being Rich's idea. Exactly in line with the version that Bemo and Cook brought him during their initial interview.

-At first Richard started joking about pulling a robbery off and making it look like it was robbed (pg. 73).

Q: Did he say this was his idea or someone else's? (pg. 74)

-No he didn't say nothing about no idea or something, he just approached me with it (pg. 74).

-He did say that my brother approached him with that and then he was approaching me with it, **but my brother never said anything** (pg. 74).

-I met Barry probably three times before (pg. 76).

-I knew what his car looked like (pg. 77).

-Richard would act nervous when Barry was around (pg. 78).

-The conversations with Richard changed from robbery to doing a hit on him (pg. 78).

-The first time Richard mentioned it to me was in late September (pg. 79).

Mr. Sneed says his brother, Wes Taylor, lived with him until Wes's father came and took him back to Texas. Sneed told Detectives Bemo and Cook in his interview that Wes was still there a couple of weeks before Christmas (pg.8). This conflicts with Sneed's statement that Richard had come to him in September with a plan to kill Barry Van Treese.

Wes Taylor was the one who first approached Richard about faking the robbery, a plan Richard rebuffed. However, Justin is now testifying that, during a time when his brother still lived there and wanted to fake a robbery to get Barry's money, Richard was supposedly talking with Justin about killing Barry with no mention of Wes.

-I didn't pry into the reasons why he was asking me that (pg. 79).

-He talked to me 5-6 times about killing Barry. A week would go by and he would bring it up again (pg. 79).

-His conversations were different on how to do it, when to do it, the amount to do it for, stuff like that (pg. 80).

-He said he wanted me to knock him over the head with a hammer and another point to use a baseball bat (pg.80).

-He told me different amounts that he would pay me. It went from \$3500 to \$5000, to the point where he told me he'd pay me \$10,000 to do it (pg. 80).

Now Mr. Sneed introduces a new story about a time when Barry Van Treese was at the motel with Richard and Sneed in a "boiler room." He claims they were working on fixing a TV for room 114. This occurred on a separate occasion before the murder; Sneed said "I'd say it was probably sometime in November" (pg.81). Richard woke him up at 4am to fix the cable TV for one of the guest rooms. Barry is bent down trying to fix something and Richard and Sneed are walking back and forth between room 114 and the "boiler room," checking to see if the TV is working.

- He's (Mr. Van Treese) adjusting the door and me and Glossip is walking back and forth checking the TV. **And that's when, you know, Glossip is constantly asking me, you know, why don't I do it now, why don't I do it right now, why don't I take that little hammer and knock him over the head with it.** And, you know, at one point me and Barry was standing there and--- because I was helping him if he needed any assistance and **Richard Glossip come around the corner and asked me if I needed gloves.** And, you know, I kind of seen---at that point I kind of seen --- because Mr. Van Treese, he kind of looked at me and he--- kind of the way I read his eyes. I don't know if it was my own paranoia, but I kind of felt like, you know, he got paranoid because at that point he was kind of wrapping everything up, and you know, left the room (pg. 86).

Q: Had you been offered any money at that time? (pg. 86)

-Yes, ma'am (pg. 86).

Q: **How many times, on that time, would you say that Richard Glossip told you "Now is the time to do it, take the hammer and do it now"?** (pg. 87).

-Probably 5 or 6 within that night (pg. 87).

Q: Okay. Mr. Sneed, on that night did you know that killing another person was wrong? (pg. 88)

-Yes, I knew it was wrong (pg. 88).

Q: Were you considering what Richard Glossip was saying to you (about killing Barry Van Treese)? (pg. 88)

-Not really. But the more he came at it with me, you know, it started, you know, giving me more and more attention to his, the way he brought it to me and, you know, **I just kind of got to where I really wasn't seeing no out** (pg. 88.)

-Between that time and that time he probably brought it to me maybe two more times (pg. 88).

Q: Now you told us what you were going to get out of this. I mean, you told us about the money that was being offered. Let's talk a little bit about Richard Glossip and what he might get out of this. Did Richard ever share with you his goals, what he wanted to do there at the motel? (pg. 88-89).

-Yeah. **He told me at one point that with Mr. Van Treese out of the way that he would be able to not only manage the motel on Council but also another one they had, I think it was located in Tulsa, and be able to manage both of those, and you know, pretty much have, I guess, control of them is the way, you know, I got the idea anyway (pg. 89).**

Q: **What did Richard Glossip say about Barry Van Treese's wife?** (pg. 90)

-**He said he knew her real good** when he was talking about operating both motels and that, you know, he thinks **he could, you know, control both of them and everything like that once Barry was out of the way** (pg. 90).

-We talked about it 5 or 6 maybe 7 times before January 6th (pg. 90).

-He said he would reward me with money (pg. 90).

-We only talked about running 2 hotels on 2 different occasions (pg. 90).

-Other than Jan 6-7th, Richard didn't talk to me about using a baseball bat (pg. 91).

-He only mentioned the hammer in the broiler room because it was lying around (pg. 91)

Now Mr. Sneed tells us that, even one day before the murder and after the alleged incident with the hammer, that he didn't consider the idea to be serious. He blew it off and did "not think twice" about the notion of killing Barry Van Treese at Mr. Glossip's behest.

Q: Had you decided prior to Jan 6th 1997, whether you were going to do what Richard Glossip wanted you to do to Barry Van Treese? (pg. 93)

-No I had not, because most of the time when he got to talking about it or we were discussing it, after the discussion was gone I would just blow it off and not think twice about it (pg. 93).

Q: Did you ever say to him, you know "that's a stupid idea" or "killing someone is wrong"? I mean, did you ever try to have that type of discussion with him (pg. 93).

-No. I never said anything like that to him (pg.93).

Q: On the night of January 6th, 1997, did you know that Barry Van Treese was coming to Oklahoma City motel? (pg. 93)

A: No, I did not (pg. 93).

-I had only seen Barry maybe like three times within a couple of months coming over to the motel (pg.94).

Q: Do you remember what type of clothing you were sleeping in? (pg. 94)

-No, just my boxers and a shirt (pg. 94).

Q: How was it that you found out that Barry Van Treese was there? (pg. 94)

-Because Mr. Glossip come banging on my door (pg. 94).

Q: Did he call you first? (pg. 94)

-Well he asked me why I wouldn't answer my phone because he had been trying to call me, but I just never did hear it ring (pg. 94-95).

Previously, Mr. Sneed stated that Mr. Glossip wanted Mr. Van Treese dead because Mr. Glossip wanted to run both motels. Now the testimony shifts to a need to kill Barry over a fear of being fired for not doing what he was told to do. And now it is threats to Justin, not payment, that seem to be the driving force for Justin to commit the murder.

-He told me Mr. Van Treese had just got back to the motel. He was real nervous, real jittery, wanted me to do it right now. **Was talking about how if Mr. Van Treese got up in the morning and walked around the motel how he was, you know, once he saw a couple of the rooms that was supposed to already be remodeled that weren't that he was going to get fired. And then he started threatening me a little bit saying that he was going to throw me out and I was going with him. And then he seen the baseball bat on his way out the door and after telling me to go over there and do it and he said, why don't you just grab the bat and go over there and do it right now** (pg. 95).

Q: Did you have any place to go? (pg. 97)

-**Not at that time. I wasn't thinking of any place that I had to go. I mean, I was thinking I had zero** (pg. 97).

-**He told me he would pay me \$10,000 to do it** (pg. 98).

-**I don't know (where the money would come from for Killing Barry). I really wasn't thinking about it at the time, I just figured he had it or could get it** (pg. 98).

Q: At this point did you know that Barry had large sums of money on him? (pg. 99)

-**No, I did not at that time** (pg. 99).

- [Richard] told me after Barry was gone and Richard had control over the two motels, he would let me manage one (pg. 99).

Q: Had you decided you were going to do it [after Richard left the room]? (pg. 100)

-**Yes** (pg. 100).

Q: You had no other option than to kill another human being? (pg.100)

-**Yeah** (pg. 100).

Q: Okay Mr. Sneed, explain that to us (pg. 100).

-I don't really know. That's just what I felt. I just felt like, you know---I don't know, maybe it was just the person in me or the scare test (pg. 100).

Q: Who was scaring you?

-The way Richard was raising his voice and telling me to do it (pg. 100).

-I also know that I recall thinking that that's not what I really wanted to do (pg.101).

- I grabbed the baseball bat and my keys and walked over to room 102 and entered the room. And then when I opened the door, Mr. Van Treese got up out of bed he was sleeping in and came towards me. At that point I took one swing with the baseball bat. He pushed me back into a chair and when I tripped and fell in the chair the end of the baseball bat hit the window shattering the outside window, and he tried to make it to the door and I got up out of the chair and grabbed him by the back of his shirt, because I think he was sleeping in a nightshirt and I pulled him sideways so he tripped over my feet and his own feet and put him to the ground (pg. 101-102).

At this point, Mr. Sneed contradicts a statement he made to Bemo and Cook in the initial interview; that he did not stab Mr. Van Treese with a knife. He also failed to say anything about this critical point during the first trial.

-And then at one point--- at the point I tried to--- I took the knife out of my pocket and tried to force it through his chest but it didn't go, and that caused him to roll over onto his stomach to wear his back was facing the ceiling and I hit him quite a few more times with the baseball bat (pg. 102).

Q: The knife that you took out, was that your knife? (pg. 104)

-Yes, ma'am (pg. 104).

Q: And where did you get the knife? (pg. 104)

-I think I found it in a room where someone had, you know, already left it behind. I just come across it somewhere at the motel. I can't remember exactly how (pg. 104).

Defense Attorney Silas Lyman moved for a mistrial, stating that he never received information about a knife attack prior to this moment and Justin had always denied using the knife until now. In his first interview with the police, when asked if he stabbed Van Treese with a knife, Justin said “Uh huh. (No).”

*The prosecution admitted that this testimony was new, and very different, information than what Mr. Sneed had previously stated even privately to the prosecution. **Ms. Smothermon stated on the record: “I asked Mr. Sneed about the knife one time and that was last year. He told me that he had the knife open during the attack, that he did not stab Mr. Van Treese with it. I knew all of the wounds to be blunt force trauma and so I didn’t pursue it any further.”***

Q: Did you have any intention or any thought as to whether or not you would use the knife when you attacked Barry Van Treese? (pg. 112)

-Not prior. That just kind of came out at the time, you know, **everything was happening as I pulled it out and used it** (pg. 112).

-Q: Was it your intention when you went into room 102 to kill Barry Van Treese? (pg. 113)

-Yes, ma’am (pg. 113).

Q: Were you injured during the struggle? (pg. 113)

-Somehow my eye got scraped and became black (pg. 113).

-I caught it [my eye] on his [Barry’s] wristwatch or the corner of the TV (pg. 113).

-**I was just wearing blue jeans** (pg. 115).

Q: Did you make a plan about what was supposed to happen after you killed Barry? (pg. 115-116)

-Yes, ma’am (pg. 116).

Q: When did that take place? (pg. 116)

-Before I went over there to room 102 when Mr. Glossip told me when he woke me up, when I was done, come knock on the back side of the office, knock on the wall and wait for him and wait for instructions (pg. 116).

Q: **So you weren't told the big picture, this is everything that is going to happen start to finish?** (pg. 116)

-No ma'am (pg.116).

Q: You trusted this man so much that you were willing to take instructions bit by bit on how to murder someone and what to do afterwards? (pg. 116)

-Yes, ma'am (pg. 116).

-After the attack, I went back to my room and took off the clothes I had on because there was blood on them and went back to beat on the side of the wall and then came around front and rang the buzzer and then he finally came out (pg. 117).

-He didn't die right away, he moved around the room, I hit him 6-7 more times. Just before he left I made sure he wasn't breathing (pg. 117).

-After I hit him a few more times and then looked I could tell he wasn't breathing (pg. 118).

-I sat down in the chair for a few minutes after I hit him a few more times and I could tell he wasn't breathing, that's when I left the room (pg. 118).

-The bat was still in the room when I went back to my room to change my clothes (pg. 119).

-I had to ring the buzzer to get Glossip 3-4 times (pg. 121).

-We went into the lounge and we was sitting there and talked for a minute and I told him it was done, which was killing Mr. Van Treese (pg. 121).

-I grabbed the baseball bat and put it inside the dumpster (pg.122).

Q: At that time did you know what the next plan was (pg. 122).

-No, I did not (pg. 122).

-*[Paraphrasing]Richard asked me if I was sure he was dead, and then he wanted to walk over and make sure so we went back into Room 102 (pg. 123).*

-**Next he said we need to find his car keys to be able to move his car (pg. 124).**

-I found his car keys and wallet, Richard took \$100 out of the wallet, and told me to move the car around to the bank parking lot and the money I was looking for would be under the seat of the car. Once the car was moved, call him at the front desk and he would come get with me again (pg.124).

-He didn't tell me what was going to happen with the car, I was thinking we'd pick it up later and probably use it to transport the body somewhere else (pg. 125).

-I thought the money in the car was the money I had been promised to kill Barry Van Treese (pg. 125).

-I moved the car, and found the money under the seat and went back into the room and called Richard (pg. 127).

-I would not have attacked Barry Van Treese if Richard hadn't told me to (pg.127).

Q: Before all this happened, you were working for your room, you weren't getting any money, you are not getting fed every day, did you like your life? (pg. 128)

-At that time I did (pg. 128).

-He came back to my room, I showed him that I had the money and we counted it and he decided he wanted half (pg. 128).

-Prior to that I thought I would get all of it (pg. 129).

-It seemed like around \$4000, we split it evenly (pg. 129).

Q: Why were you willing to split the money with him? (pg. 129)

-I don't really know I just didn't have an argument against anything at that point (pg. 129).

-At the time \$2000 seemed like a lot of money. It didn't seem like it was worth killing a person over (pg. 129).

-We went back to the room and we did a bit of minor clean up. We went into room 101 next door and took a shower curtain from the room and I duct taped the curtain around the window to where no one could reach their hand in or look in (pg. 130).

-I threw the sheet over Barry (pg. 130).

-I turned the air conditioner on full blast and we left. When we walked out of the room he asked me to go ahead and break the key off in the lock, and when I did the whole tumbler came off (pg. 130).

-He was pretty much just telling me what to do. That's what I was doing, following his orders (pg. 130).

-At that point I was thinking of nothing but trying not to get caught (pg.131).

-I taped up the shower curtain (pg. 132).

-Richard told me to turn up the air conditioner because the body would be in there all day and start to stink up (pg. 132).

Q: Mr. Sneed, does it surprise you that Mr. Glossip's fingerprints aren't on anything in that room? (pg. 133)

-No it does not (pg. 133).

Q: Why doesn't that surprise you? (pg. 133)

-Because now that I look back on it, he seemed to be real careful about not touching anything and having me do everything (pg. 133).

On April 22, 1997, Detective Bemo testified that there were no fingerprints found for Richard Glossip in room 102 or in Barry Van Treese's car. No physical evidence was found, despite the fact that elsewhere in his testimony, Sneed says that both he and Richard handled the shower curtain and the Plexiglas.

-I took the tumbler that fell off and took it back to my room (pg. 135).

-Richard wanted to tell people that two drunks had rented the room and they ended up breaking the window and we ran them off the premise (pg.136).

-I told him I would tell people I slipped and hit the corner of the shower dish to explain my eye. This was my idea (pg. 136).

Q: All right. We'll we've done some clean up in the room and you've split the money. How are we doing time-wise now? (pg. 137)

-It was about 5am when I went over there in the beginning (pg. 137).

-Now it is 6am and people are starting to get up (pg. 138).

Q: So are you getting worried at all what the plan is? You've got a body in room 102 and a car over at the bank. And I guess the murder weapon in the dumpster, but the bloody clothes are still in your room? (pg. 138)

-Yes (pg. 138).

-He told me we would go the rest of the day like any other day and deal with the rest of it at night (pg. 138).

-I went to the hardware store around 7:30-8am. I used Richard's car to get there. This was Richard's idea. He wanted me to pay for it with my half of the money (pg. 139-140).

-Before going to the hardware store I jumped in the shower, and then I went to the office and got the keys to Richard's car and headed to the hardware store (pg. 142).

-I was nervous at the store about the potential of someone finding the body all day long (pg. 143).

-He gave me a list, to buy a sheet of Plexiglas to fit over the window, some trash bags, a hack saw and some muriatic acid (pg. 145).

-I asked him what they [the trash bags, hack saw and muriatic acid] were for and he was talking about hacking up the body with a hacksaw to be able to take it to the dumpster (pg. 145).

Q: And this was his idea? (pg. 145)

-Yes, ma'am (pg. 145).

Q: [D]id you think you were the one that was going to have to do that? (pg. 145)

-Yes, ma'am (pg. 145).

Q: Did you argue with him at the time? (pg. 145)

-No (pg. 145).

-I pretty much figured that he was going to pawn it off on me [to dump muriatic acid on the body] (pg. 146).

-[paraphrasing]Without Richard's direction I would never have bought the Plexiglas and trash bags and hacksaw (pg. 147).

- I put the Plexiglas in room 112 and the trash bags and hacksaw and I drove the car around back (pg. 148).
- Glossip told me to put them in room 112. He was back at the office (pg. 148).
- We grabbed the Plexiglas** and silicone and walked down to room 102 and had it up there and squeezed silicon around the edges (pg. 149).
- I was carrying the Plexiglas (pg. 150).
- I was carrying the silicone (pg. 150).
- We both siliconed the Plexiglas** (pg. 150).
- After putting it up Richard said he was going back to bed** (pg. 151).
- I went back to my room (pg. 152).
- Billye called from the front office, a security guard found Barry's car at the bank (pg. 152).
- The clothes I was wearing when I killed Barry were still in my room (pg. 152).
- Richard was going to go run some errands at Wal-Mart. I called Wal-Mart and tried to page him over the intercom but I didn't know which one to call (pg. 153).
- I watched the front office for Billye then went back to my room (pg. 153).
- I got nervous and took my clothes and keys and the tumbler and hid them under some curtains they had in the back of the laundry room (pg. 154).
- I took my shoes and socks and put them in the canister (pg. 154).
- Then I went back to my room (pg. 156).
- Mr. Everhart [and officer] told me to go room to room, whether anybody was there or not and tell them that---if there was someone in the room, to tell them it was police business and I need to search all the rooms in the motel (pg. 157).

-[paraphrased] Richard Glossip returned and I felt a little bit of relief because he would have a plan and I didn't have a plan (pg. 158).

-Richard saw me walking the top tier and came running up the stairs and was telling me I need to leave right now, no matter what get my stuff and leave. He didn't tell me where I was supposed to go (pg. 159).

-I went back to my room and got my things and sat down and I was smoking back to back cigarettes and then he come back to my room because I hadn't left yet (pg. 159).

-Richard told me I need to leave right now, so I grabbed my skateboard and the money and left (pg. 160).

Q: Mr. Sneed, if Richard Glossip hadn't told you to leave, would you have left? (pg. 160)

-Probably not (p.g160).

-I didn't have a place to go, I didn't know where I was going to go (pg. 161).

In spite of his statement that he did not have a place to go, after leaving the Best Budget Inn, Mr. Sneed immediately found his old working buddies with the roofing crew within walking distance, right where he left them.

-I stayed under a bridge until night fell (pg. 161).

-I went to the Rockwell hotel and someone was using the phone (pg. 162).

-At a convenience store I saw someone I used to work with at the roofing company, I walked over to where they were staying and asked if they needed help. They said yes and I started back to work in the morning (pg. 162).

Q: So midday of January 7th, 1997 your property was: Your Coat, your skateboard, marijuana paraphernalia, a Crown Royal bag, and Barry Van Treese's money? (pg. 163)

-Yea, ma'am (pg. 163).

-[paraphrased] I worked for the roofing company for a week before I was arrested. When I was arrested I had an envelope with numbers on it. That was the amount I got paid 112.50 (pg. 165).

Q: But the envelope purports to have only contained \$97.50. There's \$15 that was kept for what reason? (pg. 165)

-I probably spent it on eating something or some cigarettes (pg. 165).

Q: So you got a cash advance from them? (pg.165)

-Yes, ma'am (pg. 165).

-The morning when Richard came into my room he promised me \$10,000 to do it (pg. 167).

Q: Okay. What's this? (Showing photo exhibits) (pg. 169)

-That's' the shower curtain we taped over the window (pg. 169).

Q: And I mean I know you said "we", did--- (pg. 169).

-I mean as I taped it up (the shower curtain to cover the window in room 102) and he (Mr. Van Treese) was, you know, there, Mr. Glossip, you know, we was communicating on what we were going to do and how we were going to do it (pg. 169).

-I hit his (Barry's) face on the first hit (pg. 172).

-I killed Mr. Van Treese because Richard Glossip said he would pay me to do it (pg. 178).

-I signed an agreement made with the state in order to avoid the death penalty (pg. 183).

-I won't get any benefit from the choice of the words I use today (pg. 185).

Q: Did you tell the officer who was taking you to the police station on January 14th, 1997, about what you'd done and about what Richard Glossip had done? Do you remember that? I had read it to you earlier. It was my job to take him out and his job to clean it up--- (pg. 189).

-I told the officer when he was taking me back to the motel to collect some items (pg. 189).

Q: You told him it was your job to take out Barry Van Treese and Richard Glossip's job to clean it up? (pg. 190)

-Yes, ma'am (pg. 190).

Q: And he didn't do a very good job? (pg. 190)

-Yes, ma'am (pg. 190).

Q: And that was on January 14, 1997? (pg. 190)

-Yes, ma'am (pg. 190).

Q: Then you go talk to the detectives, right? (pg. 190)

-Yes (pg. 190).

Q: And we're still, that same day, January 14th, 1997, right?

-Yes (pg. 190).

Cross-Examination (by Mr. Lyman):

-I was being paid \$500 a week to work for the roofing company (pg. 194).

-During two months I made several thousand dollars (pg. 194).

-I spent the money I made from roofing on crack (methamphetamine) and marijuana (pg. 196).

-I paid for drugs with money I hustled up (pg. 196).

-It (*crack*) made me stay up late, for days at a time (pg.197).

-If I did not cooperate and testify for the District Attorney, my agreement would be void. I wouldn't have my guarantee of life without the possibility of parole. I would be facing the death penalty again (pg. 203).

Q: [I]f you did not testify truthfully or if you violated this agreement in some way, you could face the death penalty? (pg. 204)

-Oh, that's correct (pg. 204).

Q: And that has been ongoing since you've signed this agreement? (pg. 204)

-Yes, to my knowledge (pg. 204).

Q: But when you first spoke with detectives you denied killing Barry Van Treese, didn't you? (pg. 205)

-At the beginning I did (pg. 205).

- (*Sneed identifies the pocketknife*) I carried it in my pocket, not open (pg. 211).

-I have to open it (the knife) to use it (pg. 213).

-After I tried to stab him with the knife, I dropped it and just forgot about it. I picked up the baseball bat and hit him one time (pg. 214).

-I had already hit him with the bat, one time when he first got out of bed (pg. 215).

-The first hit was on the forearms, he had his arms up trying to protect his head. That's when he lunged into me and I landed in the chair and the baseball bat hit the window and he went for the door (pg. 219).

-He went for the door, I grabbed the back of his shirt spun him around; he tripped on my feet and landed face up (pg. 220).

-I dropped the bat and opened the knife (pg. 220).

-I tried to stab him from the front, he rolled over onto his stomach. I grabbed the bat and hit him 7-8 more times (pg. 222).

Cross examination continued the following trial day May 27th, 2004:

Q: Your decision to use the knife, that was yours? (pg. 8)

-Yes (pg. 8).

Q: I think you also testified yesterday a little bit about some options that you had at the time you felt like you had no option or choice? (pg. 8)

-Yes, sir (pg. 8).

-The only time I seen them--- one of the Brassfields, I don't remember which one it was, drove around in the parking lot and he seen me and I seen him [*in December 1996*]. **And I stopped him and asked him what was going on and everything and he told me that if I wanted to come**

back to work for him at any point and I told him at that point I didn't really feel like that's what I wanted (pg. 9).

-This was said before Christmas. I knew what kind of money was involved and I chose not to do that at the time (pg. 9).

-I started working for the Brassfields on the morning of the 8th (*the day after Barry Van Treese was murdered*) (pg.10).

Q: What time do you believe you left the Best Budget Inn? (pg. 10)

-Probably around 11:00am, I know, on the 7th (pg. 10).

Q: And in less than 24 hours [after the murder] you're back to work for the Brassfields (pg. 10).

-Yes (pg. 10).

-I recall denying that I stabbed Mr. Van Treese (p. 15).

-I did not take any drugs, and I did not take anything that was affecting my thinking when I killed Barry Van Treese (pg. 15).

-I received Lithium as a prescription sometime after being arrested (pg. 15).

-The last time I took drugs was before Christmas of 1996 (pg. 15).

-I took drugs the day before Christmas (pg. 16).

-I went to the Sinclair approximately 3:30-4:00am (pg. 17).

-It could not have been 2 or 3:00am in the morning (pg. 18).

Q: Now, when Mr. Glossip is talking to you concerning the killing of Mr. Van Treese, did I understand yesterday that some of those discussions may have happened as early as the last part of 1996? (pg. 33)

-That last part being October, November? (pg. 33)

Q: Yes (pg. 33).

-Yes (pg. 33.)

Q: And you took them initially not seriously, did you? (pg. 33)

-No, not in the first few conversations, no (pg. 33).

Q: And the more conversations the more serious you took them? (pg. 33)

-Yes (pg. 33).

Q: Did you ever tell anybody? (pg. 33)

-No, I did not (pg. 33).

Q: Did you ever think at any time about leaving? (pg. 33)

-No, I did not (pg. 33).

-The time I really got nervous was when the police were showing up (pg. 37).

-I didn't get nervous up to that point in time because I was busy putting the rooms back in order (pg. 37).

-The struggle took about 15 to 20 minutes (pg. 39).

-I waited around in the room another 5-10 minutes waiting for him to die (pg. 39).

-I changed my clothes at 5:30am and started putting items in the popcorn can (pg. 41).

-I only put the clothes in there one time (pg. 41).

-I put my clothes in the can only one time. Other than my shoes, I continued to wear them (pg. 41).

-I left the hotel at noon (pg. 42).

-When the police came around, it was my idea to move the popcorn canister to the laundry room (pg. 42).

-I picked up the broken glass and put them on the chair. I did not put it on the carpet or on anything in the doorway (pg. 43).

-I tossed the glass in the room (pg. 43).

-I picked it [*the broken glass*] up and sat it right in side in the chair is technically what I did (pg.43).

Q: Today you testified that just you taped it up [the window] (pg. 46).

-Yes (pg. 46).

Q: Is that the same thing you told detectives Bemo and Cook then? (pg. 46)

-What I told them was “we”, I meant as in me and him [Mr. Glossip] taped it up. With “we”, I meant as in me and him were both in the room at the time (pg. 46).

Q: Do you recall being asked by Detective Cook whether you or him, or just him, taped up the shower curtain? (pg. 46)

-Yes, I do (pg. 46).

Q: And you answered, “we both taped it up”? (pg. 46)

-Yes, I did (pg. 46).

-I went to put the Plexiglas at 8:30am (pg. 49).

-I did not tell the detectives about the other items on the list. This is the first time I have testified about the muriatic acid (pg.49-50).

-I moved the car to the credit union (pg. 50).

-The Tumbler came out of the door at maybe 6am or a little bit after (pg. 54).

-I don't remember if I went straight to the laundry room with it and put it in there, or if I took it over there after bringing it to my room when I took my clothes over there (pg. 55).

-It is clear in my head this was before noon (pg. 55).

-It was my idea to explain my eye as a situation that happened in the shower with the soap dish (pg. 56).

-I wore sunglasses around Mr. Everhart to hide it [the black eye] (pg. 56).

-I planned to burn my clothes, it was my idea (pg. 57).

-Glossip had not returned when I was pretending to search rooms for Mr. Everhart (pg. 59).

-When I was being interviewed by the police I became aware of the punishment potentially for First Degree murder to be the death penalty (pg. 59).

-I got a cash advance of \$15 from the Brassfields while I had the money from Mr. Van Treese (pg.62).

Q: And it was your decision to leave when the police were around? (pg. 64)

-Yes (pg. 64).

Re-direct exam by Ms. Smothermon :

Q: Okay, so at one point when you said, you know, it was about 4:20, 4:30 and then today around 4 or 4:20 [when you left the motel], I mean, **are you being truthful with us Mr. Sneed?** (pg. 67)

-No, I am not (pg. 67)

Q: Okay, are these times approximate? (pg. 67)

-Yes (pg. 67).

Q: Can we take your word for that? (pg. 67)

-Yes (pg. 66).

Q: Now here's the big mystery, the time mystery. Is that all the other testimony, but you, put the time of his arrival at about 3pm. Okay? In the afternoon. You tell us and you've always told us you left about noon? (pg. 68)

-Yes (pg. 68).

Q: Okay? Well that doesn't really mesh right? (pg. 68)

-Yes (pg. 68).

Q: Because if he didn't get back there by three and you left at noon, if we are looking at the clock, you would have left before him? (pg. 68)

-Yes (pg. 69).

Q: Could it be? (pg. 69)

-Yes (pg. 69).

Detective Bemo testified on April 23rd, 1997 that Richard Glossip did not return from Wal-Mart until 3pm on January 7th, 1997 (pg. 102). If Detective Bemo's testimony is true, Richard Glossip could not have found Sneed checking rooms and told him twice to leave. Richard was not even there. Sneed continues to stick to this lie, despite the prosecution pointing out his timetable inconsistencies.

Q: Even though I have told you about timing you are still going to maintain its noon. That's your answer right? (pg. 74)

-Yes, ma'am (pg. 74).

-I am absolutely sure that before I left the Best Budget Inn I was with Richard Glossip. **He came and found me while I was checking the rooms and told me I needed to leave** (pg.74).

-I am absolutely certain I went back to my room and Glossip contacted me again because I wasn't leaving fast enough (pg.74-75).

-After I stabbed Mr. Van Treese he rolled over on the knife (pg. 77).

-One time before the actual--- on the morning of the 7th, so it would be the last time he brought to my attention about killing him prior to him coming into my room at 3:00 in the morning, and then he was really serious like he was going to get fired and all of that (pg. 93).

Story #7 "There actually was a plan"

*At trial # 2 Sneed revealed that he had a conversation with Bemo and Cook on January 14, 1997. This is not part of the video testimony. The substance of the statement is that **there was a plan** and Sneed knew what the plan was. This is in direct contradiction to Sneed's testimony in the second trial where he says that he did not know the plan and Richard was just telling Sneed what to do at each step.*

Transcript from Trial #2, May 26th, 2004 - Testimony of Justin Sneed.

Q: Okay. **That it was your job to take him out, his job to clean up the evidence and he didn't do a very good job?** (pg. 53)

-Yes, ma'am (pg. 53).

Q: Who--- it was your job to take who out? (pg. 53)

-Barry Van Treese (pg. 53).

Q: And it was whose job to clean up the evidence? (pg. 53)

-Richard Glossip (pg. 53).

Q: And who didn't do a very good job? (pg. 53)

-Richard Glossip (pg. 53).

Story #8 "How high up does this go?"

On August 12, 2015, an investigator working for Richard Glossip's defense team interviewed Roberta Reyes, who is Justin Sneed's mother. This interview was conducted at Ms. Reyes home in Texas. During this interview, the following information was given to the investigator:

Roberta told me (the investigator) that Justin has written her letters from prison. **Just a few days after his arrest, he sent her a letter from the jail.** Roberta said that in that letter, Justin talked about being involved in the murder. Roberta said Justin also said **there were others involved, and wrote, "You won't believe who!"** Roberta said **Justin made it seem like there were really powerful and important people involved in this crime. Roberta wondered, "How high up does this go?"** Roberta said she was really surprised when it turned out Richard Glossip was the only one charged. **Roberta said she still thinks there may have been other people involved in the murder,** and asked me several times if I had learned who those people might be.

Roberta said she had looked for that letter from Justin, and she will keep looking. **Roberta said Justin told the truth in the letters he wrote to her,** and she wants people to see that her son is not a liar. Roberta said she would call me if she finds the letters Justin wrote to her.

Roberta asked me if she could tell me **something that happened to her that wasn't in the police reports.** Roberta said that when Justin was first arrested and being interrogated, the police called her. **Roberta said the police told her that if Justin didn't tell the truth, he was going to get the death penalty. Roberta said the police told her that if Justin didn't tell them who else was involved in the murder, that Justin would get the death penalty.** Roberta said she told the police to tell Justin that his mother wanted him to tell the truth. **The police didn't allow Roberta to speak to Justin that day.** Roberta said Justin told her later that Richard was a good friend of his, and he didn't want to turn Richard into the cops. Roberta said

the cops left Justin with no choice, though, and he had to tell the police about Richard's role in the murder.