

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
CASE NO. 12-016625CF10A

STATE OF FLORIDA,

-vs-

BOYD CORBIN,

Defendant.

_____ /

VIDEOTAPED DEPOSITION OF PAULA TYER

May 5, 2014

2:07 p.m. - 3:33 p.m.

Bailey & Associates Reporting, Inc.
116 Southeast Sixth Court
Fort Lauderdale, Florida 33301

Reported By:
PATRICIA BAILEY-ENTIN, FPR
Notary Public, State of Florida
BAILEY & ASSOCIATES REPORTING, INC.
Fort Lauderdale, Florida
Phone - 954.358.9090

1 APPEARANCES:

2 On behalf of the State:
3 MONIQUE PILLINGER, Esquire
4 ASSISTANT STATE ATTORNEY
5 201 Southeast Sixth Street
6 Fort Lauderdale, Florida 33301
7 954.831.7000

8 On behalf of the Defendant:
9 SEAN CONWAY, Esquire
10 DANIEL CALLAHAN, Esquire
11 Conway Callahan, PLLC
12 233 North Federal Highway
13 Suite 59
14 Dania Beach, Florida 33004

15
16
17
18
19
20
21
22
23
24
25
Also Present: Boyd Corbin
Juan Gallinal
Kim Harrell

Michael Barga, Videographer

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WITNESS:

PAGE:

PAULA TYER

DIRECT EXAMINATION BY MR. CONWAY:	5
DIRECT EXAMINATION BY MR. CALLAHAN:	23
CROSS-EXAMINATION BY MS. PILLINGER:	35
REDIRECT EXAMINATION BY MR. CALLAHAN:	64
REDIRECT EXAMINATION BY MR. CONWAY:	68

- - -

N O E X H I B I T S M A R K E D

- - -

1 The following Videotaped Deposition taken
2 before PATRICIA BAILEY-ENTIN, Florida Professional
3 Reporter and Notary Public in and for the State of
4 Florida at Large, in the above cause.

5 - - -

6
7 VIDEOGRAPHER: We're on the record.

8 Here begins the deposition of Paula Tyer in the
9 matter of State versus Corbin, case number
10 12-016625-CF10A.

11 Today's date is May 5th, 2014. The time on the
12 video monitor is 2:07 p.m. The individual operator
13 today is Michael Arbarga from Action Video.

14 This video deposition is taking place at 116
15 Southeast 6th Court, Fort Lauderdale, Florida 33301.

16 Will counsel voice identify and state whom you
17 represent.

18 MR. CALLAHAN: Daniel Callahan representing
19 Boyd Corbin.

20 MR. CONWAY: Sean Conway representing Boyd
21 Corbin.

22 MS. PILLINGER: Monique Pillinger representing
23 the State of Florida.

24 THE VIDEOGRAPHER: Will the court reporter
25 swear in the witness.

1 Thereupon,

2 PAULA TYER,

3 having been first duly sworn or affirmed, was
4 examined and testified as follows:

5 THE WITNESS: I do.

6 DIRECT EXAMINATION

7 BY MR. CONWAY:

8 Q. For the record, ma'am, will you please state
9 your name and spell your last name.

10 A. Paula Tyer, T-Y-E-R.

11 Q. Ms. Tyer, my name is Sean Conway. I represent
12 Boyd Corbin in this matter. And what we're doing here
13 today is asking a few questions about what happened a
14 while back.

15 Do you remember the incident that you're here
16 for?

17 A. Yes.

18 Q. Okay, and you can remember it clear as day?
19 You don't have any problems recollecting what you saw
20 and what you observed that night?

21 A. No problem remembering.

22 Q. First, I just want to ask you, is Boyd Corbin
23 somebody that you knew prior to that night?

24 A. No.

25 Q. Okay. Had you ever seen him before that night?

1 A. No.

2 Q. Okay. What is it that first -- well, let me
3 ask you this: This is more of an introduction.

4 This is going to be for use at a trial. I
5 understand you're going to be leaving town as of, I
6 think, the 12th?

7 A. Correct.

8 Q. Okay, and where are you going to?

9 A. We're going to be traveling for a long time.

10 Q. Okay.

11 A. And I have sold my home so I will not be back
12 to this area of Florida.

13 Q. Okay. As far as you know, do you have a
14 location to where you're going to be going to and making
15 up in a permanent residence where you can be contacted
16 in the future at this time?

17 A. No.

18 Q. Now, I just want to bring your attention,
19 again, back. What is it that first drew your attention
20 to the fact that there was a case here in Broward County
21 charging Boyd Corbin with an offense?

22 How did you first learn about that?

23 A. I saw the Florida gay paper.

24 Q. Okay. A local newspaper here around the Wilton
25 Manors area?

1 A. It's not a -- the newspaper per se. It's South
2 Florida Gay News or some sort -- it's a combination,
3 kind of a magazine paper.

4 Q. All right. And you looked in there and you saw
5 a story about what had happened?

6 A. Correct.

7 Q. All right. And what did you do upon reading
8 that story?

9 A. I contacted an associate of mine who was the
10 commissioner in Wilton Manors.

11 Q. Sure.

12 A. Her name is Julie Carson.

13 Q. Okay. And what is it that made you feel that
14 you needed to contact someone in the government about
15 what happened?

16 What is it in that story that you felt made you
17 want to do that?

18 Did you think it was an accurate story is my
19 question?

20 A. No, it was not accurate.

21 Q. Okay. And what was wrong with the story? What
22 parts were wrong in your opinion?

23 A. I'll put it this way, what parts were right?

24 Q. Okay. So you took it upon yourself then to go
25 where? Down to the commissioner, Mrs. Carson?

1 A. I contacted her via E-mail and she felt that
2 she wanted the detective to talk with me. And she set
3 up an interview.

4 Q. All right. And did that interview occur?

5 A. Yes.

6 Q. And who was that with? Do you remember the
7 name of the officer that you interviewed with?

8 A. No.

9 Q. Okay. How many times did you interview with
10 law enforcement officers prior to today about this
11 incident?

12 A. Once.

13 Q. All right. And that was down there at the --
14 let me -- was it at the Wilton Manors Police Department?

15 A. Correct.

16 Q. Who was present during that interview with the
17 officer?

18 A. Just the detective and myself.

19 Q. Okay. Now, I may have -- after I ask you a
20 series of question, it may happen that my co-counsel,
21 Mr. Callahan may have some follow-up questions about
22 details on things that I didn't cover.

23 So just moving on with what I was going to ask
24 you though, when you were there giving that statement
25 with the officer, do you know if he was -- if he or she

1 was recording it?

2 A. Yes, he was.

3 Q. And how do you know that?

4 A. He informed me and I saw the recorder.

5 Q. Okay. And getting to what happened, what did
6 you see, observe, that night that you were there at this
7 party that prompted you to want to come down to the
8 department? What do you remember seeing happen?

9 A. That's a very vague question. Could you be a
10 little more specific?

11 Q. Well, okay. Well, let me ask you this: What
12 you have read about in the newspaper was, I guess, a
13 party had happened somewhere and you were in attendance
14 at that party?

15 A. No, sir, it was not a party. It was a contest.

16 Q. A contest.

17 A. A Halloween costume contest.

18 Q. Okay. It was outdoors in the parking lot area?

19 A. Correct.

20 Q. All right. And you attended that.

21 And what to your observation would you say you
22 saw happen that was not right? What did you see happen?

23 A. Okay. At this point you just want me to go
24 into the long narrative?

25 Q. Yes, ma'am.

1 MS. PILLINGER: I'm going to object to the
2 narrative nature of the question.

3 BY MR. CONWAY:

4 Q. Okay. Do you remember being there at this
5 costume contest?

6 A. Yes.

7 Q. Okay. And do you remember Boyd Corbin being
8 there?

9 A. I did. At the time I didn't know who he was.

10 Q. Right, but that's what prompted -- the incident
11 that prompted you to want to go down to Ms. Carson and
12 the police department, that's the incident I'm talking
13 to you about.

14 A. Yes.

15 Q. Okay, that incident.

16 A. His interaction between Dame Edna, I think is
17 Michael Waters or Walters.

18 Q. Did you see an interaction between this
19 Mr. Waters and who later became known to you as
20 Mr. Corbin?

21 A. Yes.

22 Q. Okay, that's what I want to ask you about, that
23 encounter. What did you see happen in that encounter?

24 A. I was standing. There was a stage. The stage
25 was approximately shoulder height.

1 Q. Okay.

2 A. The contestants were walking up onto the stage
3 and lining up. There were two commentators. One I did
4 not know. The other was -- may I refer to him as Dame
5 Edna or?

6 Q. Yes.

7 A. Dame Edna was also one of the commentators. I
8 was on the right-hand side of the far right-hand side of
9 the stage, right next to the stage.

10 The area was roped off in front of me so that
11 the people from the parking lot could not get around the
12 rope. But there was -- in front of the Alibi there's a
13 concrete overhang, so there were people standing around
14 this concrete overhang but not necessarily right up next
15 to the stage.

16 The stage was approximately 20 foot deep. On
17 the backside of the stage were big speakers.

18 Q. So you had a very good view of where -- from
19 where you're standing?

20 A. There was no one in front of me.

21 Q. Okay.

22 A. Dame Edna was on -- standing more toward the
23 right-hand side of the stage. And she kept looking down
24 at the people that were standing kind of under this
25 overhang.

1 Q. Were you a contestant in the --

2 A. No.

3 Q. -- contest? Okay.

4 A. I saw Mr. Corbin wearing a white costume. In
5 his right hand he had a torch, in his left hand he had a
6 wooden cross.

7 Q. Could you see whether Dame Edna was trying to
8 get the attention of this person in the white costume,
9 make comments or say things?

10 A. Dame Edna walked -- approached the side of the
11 stage and she hollered at Mr. Corbin and said put that
12 torch out.

13 Q. Okay.

14 A. And I don't believe -- now, this is speculative
15 but the -- due to the loud noise and music and
16 conversation, I could barely hear him and I was further
17 from the speakers than Mr. Corbin would have been.

18 So I didn't even see Mr. Corbin look up and
19 acknowledge that he had spoken to him.

20 Q. And what happened after he had made that
21 comment to the crowd?

22 A. He took a few more steps closer and he made the
23 same comment again, said put that torch out.

24 Q. So now Dame Edna is near you, I guess near the
25 edge of the stage?

1 A. He's getting closer.

2 Q. Okay. About how far away would you say Dame
3 Edna was from the person in the costume?

4 A. At this -- well, at this point about five feet.

5 Q. All right.

6 A. Then Dame Edna stepped even closer to the edge
7 and reached out with his hand when -- and he yelled,
8 put -- I told you to put that damn torch out.

9 Q. Was he --

10 A. And he got ahold of the torch between
11 underneath the flame and above Mr. Corbin's right hand
12 and pulled the torch toward him and the stage, which
13 pulled -- almost pulled Mr. Corbin off his feet.

14 Dame Edna then bent down and tried to -- well,
15 he didn't quite bend down yet. He had a full arm
16 extension and he tried to blow the torch out.

17 Q. While Mr. Corbin was still holding it?

18 A. Holding it, yes.

19 And it flickered. And then he realized he's
20 going to have to blow harder than that. So he tried to
21 blow again.

22 Q. Right.

23 A. Still didn't go out but it flickered a little
24 more. The third try he pulled the torch toward himself
25 and bent forward like this to get closer because

1 standing on a stage that's approximately five-foot tall,
2 he has to bend down.

3 So he's bending down and each time, he's trying
4 to blow the torch out, which it almost went out. It
5 still had a little flicker.

6 And Mr. Corbin dropped the cross out of his
7 left hand, he reached up and he snatched Dame Edna's wig
8 off.

9 Q. Okay.

10 A. Dame Edna let go of the torch and took --

11 MS. PILLINGER: I'm going to object to the
12 narrative nature of this.

13 Q. Okay. Let me ask you this: Then what happened
14 next?

15 A. Thank you.

16 Q. You're welcome.

17 A. Dame Edna reached up, felt his bald head,
18 realized that the wig was off his head. And there
19 was --

20 Q. What did Dame Edna do next?

21 A. I could tell Dame Edna was very mad.

22 Q. How could you tell that?

23 MS. PILLINGER: I object as to speculation.

24 BY MR. CONWAY:

25 Q. Okay. Let me ask, how could you tell that Mr.

1 Edna -- that Dame Edna was mad?

2 A. The expressions on his face were those --

3 Q. Okay.

4 A. -- of anger.

5 Q. All right.

6 A. He started yelling at Mr. Corbin.

7 Q. What was he yelling at Mr. Corbin?

8 MS. PILLINGER: I'll object to hearsay.

9 MR. CONWAY: This is a depo. You can go ahead.

10 BY MR. CONWAY:

11 Q. What was the -- what was the -- what was he
12 yelling at Mr. Corbin?

13 A. Cursing him.

14 Q. Do you remember what he said?

15 A. No.

16 Q. Okay.

17 A. Just cursing, but the music was still playing.

18 Q. At this point in time with the wig off, was
19 this Dame Edna individual still on the stage?

20 A. Yes.

21 Q. Okay, and what was Mr. Corbin doing?

22 A. Backing up.

23 Q. And where was the torch?

24 A. Still in his right hand.

25 Q. All right. At any time --

1 A. The wig was in his left hand.

2 Q. Okay, in Mr. Corbin's left hand?

3 A. Yes.

4 Q. What happened next?

5 A. Dame Edna sat his buttocks down on the edge of
6 the stage, took both his hands and pushed off to the
7 ground, to the parking lot.

8 Q. Did he land on his feet?

9 A. Yes.

10 Q. Okay, and what happened next?

11 A. He approached Mr. Corbin and was yelling at him
12 and saying do you know -- well, Mr. Corbin. I'm sorry,
13 let me digress just a bit.

14 Mr. Corbin, when Dame Edna started approaching
15 him dropped the wig on the ground.

16 Q. Okay.

17 A. Dame Edna said do you know how much that.

18 MS. PILLINGER: I'll object to hearsay.

19 A. -- damn wig cost. Do you know how much that
20 damn wig cost.

21 BY MR. CONWAY:

22 Q. Did Mr. Corbin respond to that?

23 A. Not that I could hear.

24 Q. Okay, what happened next?

25 A. Dame Edna continued to approach toward him and

1 started throwing punches at him.

2 Q. At Mr. --

3 A. Corbin.

4 Q. -- Dame Edna was throwing punches --

5 A. Yes.

6 Q. -- at Mr. Corbin, okay.

7 A. Mr. Corbin tried to defend himself and he was
8 throwing punches back.

9 Q. Do you know if any of the punches from either
10 individual landed? Could you tell that they made
11 connections or not?

12 A. I -- I couldn't tell.

13 Q. Okay.

14 A. At this point Dame Edna's back was towards me.

15 Q. All right.

16 A. Dame Edna then pushed Mr. Corbin to the ground
17 and/or fell on him. I can't tell what happened.

18 Q. But either way Mr. --

19 A. Corbin was on the bottom. Dame Edna was on the
20 top.

21 Q. All right.

22 A. After a few minutes of wrestling around, not
23 even a few minutes, a few seconds --

24 Q. Okay.

25 A. -- Dame Edna got up off Mr. Corbin, which

1 allowed Mr. Corbin to stand up.

2 Q. Did they both stand up without any assistance
3 from anybody else?

4 A. That's correct.

5 Q. Okay. What happened next?

6 A. Dame Edna drew back his left leg and he still
7 had both his high heels on, and he tried to kick
8 Mr. Corbin and he missed.

9 Q. Okay.

10 A. And when he missed, all his weight was on his
11 right leg and he fell. And when he fell, I heard a loud
12 pop.

13 I don't know if he was injured, if one of the
14 high heels broke. I don't know.

15 Q. Could you tell if Mr. Dame Edna had been
16 drinking or having any drinks in his or her hand at the
17 time?

18 A. I did not see any drinks.

19 Q. What about when he was up on the stage
20 performing?

21 A. I did not see any drinks.

22 Q. Okay.

23 A. At that point --

24 MS. PILLINGER: I'll object. There is no
25 question pending.

1 BY MR. CONWAY:

2 Q. Okay. At that point in time you said you saw a
3 kick and he fell down.

4 Did he make contact with Mr. Corbin when he
5 tried to kick Mr. Corbin?

6 A. He missed. That's what caused him to fall --

7 Q. Fell down?

8 A. Because the leg went too high and then he had
9 all his weight on that other high heel shoe and he just
10 toppled.

11 Q. All right. During that kick, as the kick was
12 going on, could you if Mr. Corbin was -- was trying to
13 attack Dame Edna?

14 A. Mr. Corbin was backing up. He was now ten feet
15 further back under a concrete overhang where there were
16 other people.

17 The next thing I saw, two security men approach
18 Dame Edna.

19 Q. Were they dressed in something --

20 A. Black.

21 Q. -- that would show they were security?

22 A. Black. Black T-shirts that said "security".

23 Q. Okay.

24 A. And at that point I wondered if there had been
25 a problem on stage, why didn't Dame Edna just say

1 security and call them over?

2 Q. That would have been a normal thing to do.

3 A. That's what I would have done.

4 Q. Why did these two security individuals do?

5 A. He was -- Dame Edna was ranting and raving and
6 cussing and hollering and he told them to go get his
7 wig.

8 And they didn't even know, I don't think, what
9 he was talking about because they were looking all
10 around and couldn't even see that wig laying on the
11 parking lot.

12 And instead, one of the security men stepped a
13 few feet back where he had tried to kick Mr. Corbin and
14 picked up both his high heel shoes.

15 So the security man is carrying the high heel
16 shoes. And then they both put their arm around Dame
17 Edna and they walked into the crowd, and that's all I
18 know.

19 Q. And that was the end of it.

20 Do you know whether these individuals, did they
21 have to remove Dame Edna from Boyd Corbin or when they
22 got there, was the --

23 A. He was on the ground.

24 Q. Mr. Corbin was?

25 A. Complaining of his hip or back.

1 Q. Wait, who was on the ground? Let me ask you
2 that.

3 A. Dame Edna.

4 Q. Dame Edna was on the ground?

5 A. After he tried to kick Mr. Corbin.

6 Q. Okay.

7 A. He stayed on the ground.

8 Q. When the security guards got there, was Dame
9 Edna already on the ground?

10 A. He was still on the ground.

11 Q. Okay. Did they have to -- in your opinion did,
12 it appear that they were trying to control?

13 MS. PILLINGER: I'm going to object to
14 speculation.

15 BY MR. CONWAY:

16 Q. Let me ask you this: What did you see the
17 security guards doing to Mr. Edna as he or she was on
18 the ground trying to get up?

19 A. Helping him to stand.

20 Q. Okay. So they got Dame Edna back to his feet?

21 A. Correct.

22 Q. All right, and what happened next?

23 A. They walked him -- they got the high heel shoes
24 and walked him off. And then the crowd closed up behind
25 them and I don't know where they went or what happened.

1 Q. Did you see any police activity that night
2 within, say, 30 minutes after that?

3 Was anybody being questioned or interviewed,
4 any of the party goers or the contest attendees?

5 A. At that point my friend had already -- the
6 contest, she already started coming off the stage so
7 then I went and met my friend.

8 Q. Okay.

9 A. I did not see any interviews or police.

10 Q. Did you see Mr. Corbin later that night at all?

11 A. No.

12 Q. You didn't speak with him that night?

13 A. No.

14 Q. And didn't speak with him at any time
15 between -- let me ask you this: Did you speak with him
16 at any time from then up until when you met with the law
17 enforcement officer and gave your statement?

18 A. No.

19 Q. What is the main reason for you wanting to come
20 down and talk to Ms. Carson and talk to the police after
21 you saw that story in the paper?

22 A. I'm a retired police officer and federal
23 officer and I believe in doing what's right and that's
24 not right.

25 What he said was not correct and it's not fair

1 to Mr. Corbin.

2 Q. All right.

3 A. And someone needs to step forward and tell the
4 truth.

5 MR. CONWAY: I appreciate your candidness.

6 Let me ask Mr. Callahan if he has any questions
7 for you.

8 In fact, I'll defer to Mr. Callahan at this
9 point.

10 DIRECT EXAMINATION

11 BY MR. CALLAHAN:

12 Q. Did you ever see Mr. Corbin thrust the tiki
13 torch towards Mr. Walters, also known as Dame Edna?

14 A. Absolutely not. Dame Edna is the one that
15 reached down and pulled the torch towards his ownself.

16 Q. In regards to Dame Edna falling down on the
17 ground, did Mr. Corbin do anything to allow that to
18 happen physically, or did he have any -- Mr. Walters,
19 you indicated that he fell to the ground because he
20 tried to kick Mr. Corbin?

21 A. Yes.

22 Q. And you indicated he was still in his high
23 heels at that point?

24 A. Correct.

25 Q. Okay. Can you describe the outfit, in addition

1 to the high heels, that Dame Edna had on? He had a wig
2 on as well?

3 A. No, the wig was on the ground at that point.
4 He still had a dress on and high heels and a bald head.

5 Q. And as far as him falling down on the ground,
6 did Mr. Corbin have anything to do with that?

7 A. Absolutely not.

8 Q. When you first went to the Wilton Manors Police
9 Department, who did you meet with?

10 A. I don't recall the detective's name. I'm sure
11 that's public record.

12 Q. Did you meet with that one detective or did you
13 have to speak with anyone in particular?

14 A. I'm sorry?

15 Q. How many people did you speak with before you
16 actually gave the statement?

17 A. Well, I spoke to the receptionist to tell her I
18 was there.

19 Q. Did anyone else, other than the receptionist
20 and this detective, talk to you?

21 A. No.

22 Q. Did you ever speak with the chief of police?

23 A. No.

24 Q. And in regards to your previous -- your
25 experience as a law enforcement officer, where have you

1 worked before?

2 A. I started out, I was an investigator during the
3 Vietnam War with the Navy, U.S. Navy.

4 Q. So you were in the armed forces?

5 A. Yes.

6 MR. CALLAHAN: Thank you for your service.

7 THE WITNESS: Your welcome.

8 BY MR. CALLAHAN:

9 Q. And with regards to your investigation in the
10 Navy, did you ever investigate battery charges as an
11 officer?

12 A. No.

13 Q. What were your duties as far as an investigator
14 in the Navy?

15 A. I was at a nuclear base, and basically worked
16 in background, security checks, personnel.

17 Q. And subsequent to that, did you go on to
18 another agency for employment?

19 A. Yes. I worked with the National Parks Service
20 as a law enforcement officer at various national parks
21 throughout the nation.

22 Q. Did you ever have an opportunity in your law
23 enforcement career to do any type of detective work?

24 A. In the entire law enforcement career?

25 Q. Yes.

1 A. Yes.

2 Q. Okay, and was that -- what agency was that
3 with?

4 A. I've also worked -- I was a police officer, a
5 California police officer and also worked with the
6 California Department of Corrections.

7 Q. As a police officer with California, what
8 agency was it? Was it with the highway patrol?

9 A. No, it was with East Bay Regional Park.

10 Q. Did you ever investigate any type of battery
11 incidents?

12 A. I don't recall. More than likely, yes.

13 Q. Okay. How many witnesses were in a position in
14 your direct vicinity that observed this incident between
15 Mr. Walters and Mr. Corbin?

16 A. I can tell you how many people were there in
17 the perimeter of the circle but I don't know how many
18 observed or what they observed.

19 Q. Well, then how many were in the perimeter?

20 A. I would say there was approximately 20 to 30
21 people.

22 Q. Did you ever observe anybody filming the
23 costume party?

24 A. No.

25 Q. Are you familiar with the owner of George's

1 Alibi or do you know who he is?

2 A. No.

3 Q. Did you know the names of the security officers
4 that came to the area to deal with Mr. Walters --

5 A. No.

6 Q. -- a/k/a Dame Edna?

7 In regards to the loud pop that you heard, I
8 know that you said that you heard a pop. I know it was
9 a loud.

10 When you say "a loud pop", what did that remind
11 you of? What did you think happen?

12 MS. PILLINGER: I'll object as to speculation.

13 BY MR. CALLAHAN:

14 Q. You can answer the question.

15 A. I actually thought he may have broken a heel
16 off one of his shoes, is what -- where my mind went, but
17 I could not say that that's what happened.

18 He could have fallen on a plastic water bottle
19 that popped. I don't know.

20 Q. Did you ever see Mr. Walters a/k/a Dame Edna
21 afraid while he was on the stage?

22 MS. PILLINGER: I'm going to object as to
23 speculation.

24 BY MR. CALLAHAN:

25 Q. Did you ever observe Mr. Walters a/k/a Dame

1 Edna to be in any fear of any contact while he was on
2 stage?

3 MS. PILLINGER: I'm going to object as to
4 speculation.

5 A. No.

6 BY MR. CALLAHAN:

7 Q. When you indicated that Boyd started to walk
8 backwards, what was Mr. Walters doing at that point as
9 Boyd was walking backwards?

10 A. When he tried to kick him? He tried to kick
11 him. He was moving backwards to avoid being kicked.

12 Q. Did you ever meet with the commander of the
13 police department before giving your statement to a
14 detective by any chance?

15 A. No.

16 Q. Okay.

17 A. May I elaborate just a bit? I was sitting in
18 the lobby. I mean, I can't recall if someone walked out
19 and said hi, are you Ms. Tyer or why are you here. I
20 mean, it could have been something like that.

21 But when I went into the room with the
22 detective, it was just the detective and myself.

23 Q. Were you ever contacted by the office of the
24 State Attorney in regards to this case?

25 A. I received a subpoena in the mail a few weeks

1 ago and I called them to tell them -- explain my
2 situation. That was the only time.

3 Q. When you gave your initial statement to
4 detective -- the detective who took your statement
5 ultimately, did you notice any reaction from that
6 detective?

7 A. Yes.

8 Q. What was his reaction?

9 A. His -- well, it's more than a reaction. It was
10 words that he told me. He said that --

11 MS. PILLINGER: I'm going to object as to
12 hearsay.

13 A. They didn't believe that the case -- that there
14 was even a case there. And that they were thankful that
15 I came forward and they didn't see why anyone would
16 pursue it from that point on.

17 BY MR. CALLAHAN:

18 Q. Did the officer or that same detective tell you
19 what the charges were that Mr. Corbin was facing?

20 A. No. I still don't know.

21 Q. In regards to the news article, did the
22 detective question you about how you came to find out
23 about the incident?

24 A. Yes.

25 Q. Or actually how you came to find out about

1 Mr. Corbin even being arrested?

2 A. Yes.

3 Q. And did he ask you questions about that?

4 A. Not too much.

5 Q. In regards to him telling you what he was going
6 to do with your statement, what did he tell you he was
7 going to do with your statement?

8 MS. PILLINGER: I'm going to object to hearsay.

9 A. I remember him telling me he was going to turn
10 that statement over to -- I don't know if the right term
11 is the DA or attorney general.

12 Whoever -- he told me -- I'm remembering bits
13 more -- that Dame Edna was insistent on pursuing it.

14 He had been first to the police department and
15 they had kind of tried to discourage him from pursuing
16 it but then he came back. And so he said it looks like
17 they had to investigate.

18 MS. PILLINGER: I'm going to object as to
19 hearsay.

20 A. And that he was going to take my statement and
21 turn it over to, let me just use the word, the
22 prosecutor, whoever that was going to be.

23 And that he felt that that should be the end of
24 it.

25 MS. PILLINGER: I'm going to object as to

1 hearsay.

2 BY MR. CALLAHAN:

3 Q. I understand your reasoning for leaving South
4 Florida is you want to enjoy your life and you have a
5 medical condition?

6 A. Correct.

7 Q. And I really don't mean to delve into it but if
8 you could explain your medical situation, if there's a
9 problem with that?

10 Just from the standpoint of we need to
11 understand if you're going to be able to be served or
12 not. And one of the issues with this deposition is your
13 potentially your health as well.

14 Do you feel comfortable talking about that?

15 A. Yes.

16 Q. Okay. If you could please tell us what it is
17 that you're facing?

18 A. Started out with the first injury in the line
19 of duty saving another officer's life back in 1985. I
20 had injury to my spinal cord, to the vertebrae.

21 And there has been two subsequent injuries.
22 And I've had -- this is my third spinal surgery. I now
23 have pedicle screws, a rod. I have a complete fusion of
24 one part of my spine. I may have to have a fusion of
25 another portion.

1 I'm in a rehab situation at this time. And I
2 don't know what I will be like a year from now or two
3 years from now.

4 Q. Is that the reason why you don't plan on having
5 a stable address in a short-term period?

6 A. That's one of the reasons.

7 The other reason is that I sold some property
8 in California and I have carried the note myself. And I
9 have -- it is supposed to be paid off to me and I want
10 to wait until that is paid off until I purchase another
11 home.

12 So I have a bit of time until that's paid back
13 to me. And I want to travel until those funds come in
14 and then I will purchase another house.

15 Q. And could you explain to us how you're going to
16 be traveling around the country?

17 A. I have a fifth wheel trailer.

18 Q. In addition to going to the police department,
19 did you attempt to contact anyone else?

20 A. Yes.

21 Q. And who did you contact?

22 A. I've contacted the attorney that -- his name
23 was in that magazine.

24 If you need the name of the magazine, I have it
25 in my vehicle. I can get it and show it to you.

1 Q. Oh, you kept the magazine?

2 A. Oh, yes.

3 Q. Okay. Well, I think we'll figure that out
4 later.

5 But in regards to that attorney, did you talk
6 to him?

7 A. I called his office. I cannot recall if I
8 spoke directly to him or an assistant, a paralegal. And
9 I told them I was a witness and would like to give my
10 testimony and they just didn't even seem interested.

11 Q. Was there anyone, other than the police
12 department and also Mr. Corbin's attorney at that time
13 of the article, anyone else you spoke to about this
14 incident, in regards to someone who you felt would help
15 do justice for Mr. Corbin?

16 A. Julie Carson, the Commissioner of Wilton
17 Manors.

18 Q. When did you have an opportunity to speak with
19 her?

20 A. After I read the article, after I tried to call
21 Mr. Corbin's attorney.

22 Q. And when you spoke to Ms. Carson, how did you
23 initiate that communication?

24 A. Via E-mail.

25 Q. And how did she respond to your E-mail?

1 A. She was very concerned. She wanted the truth
2 to come out. She wanted me to give the statement and
3 that is why she set up the appointment with a detective.

4 Q. Okay. Are you aware whether or not Ms. Carson
5 communicated with the Wilton Manors Police Department?

6 A. Yes.

7 Q. And what is your knowledge of that
8 communication between those two entities, Ms. Carson and
9 the Wilton Manors Police Department?

10 A. When the detective called me, he told me that
11 Ms. Carson had told him to contact me. I did not
12 contact him. He contacted me and called me on my
13 personal cell phone.

14 Q. So prior to actually going to Wilton Manors
15 Police Department you had arranged for this appointment
16 to go and speak to the detective?

17 A. Yes.

18 Q. Did you know who the person was -- did anyone
19 contact you from the Wilton Manors Police Department? I
20 think you said the detective did.

21 A. The detective did.

22 MR. CALLAHAN: Okay. Do you have any other
23 questions?

24 MR. CONWAY: No, I have no other questions.

25 MR. CALLAHAN: Thank you very much, ma'am.

CROSS-EXAMINATION

1
2 BY MS. PILLINGER:

3 Q. Ms. Tyer, you said that you were going to be
4 traveling, and you're going to be in a camper or what is
5 it?

6 A. A fifth wheel trailer.

7 Q. Fifth wheel trailer, okay.

8 During that time that you are going to be
9 traveling, how do you plan on receiving any mail?

10 A. We have a mail forwarding service.

11 Q. Okay. What is -- how does that work?

12 A. I will be giving that address for the mail
13 forwarding service to different companies that I need to
14 give it to, and the mail will go there. And then from
15 there, I can have access.

16 Q. Okay. So you can check the mail through that
17 company?

18 A. Correct.

19 Q. Okay. So for argument sake, if something
20 important was sent to you via that company, you would be
21 able to receive it?

22 A. Oh, that would depend. I may not check the
23 mail but once a month or once every two months.

24 Q. Okay, but you will have access to mail on a
25 monthly basis?

1 A. Well, that would depend on how often I decide
2 to check it.

3 Q. Okay.

4 A. I may not check it that often because I really
5 do everything via E-mail and not mail.

6 Q. Okay. So you would be able to access E-mail
7 regularly?

8 A. That would be easier except I will be in Canada
9 and I will not have E-mail access unless I go to some
10 sort of Internet cafe.

11 Q. Okay. When do you plan on going to Canada?

12 A. We'll be heading up that direction the 1st of
13 June.

14 Q. And how long do you plan on staying there?

15 A. Probably until September.

16 Q. Okay, and then what's after that?

17 A. Alaska.

18 Q. And then?

19 A. Baja, Mexico.

20 Q. Okay. I want to bring your attention back to
21 the incident, okay.

22 You were there to watch the contest, correct?

23 A. Correct.

24 Q. And you said you weren't competing in it so
25 were you watching someone specific or just there to

1 watch?

2 A. I was just there to watch and I was watching
3 some specific people.

4 Q. Okay, and who were those people?

5 A. I don't know their last names. They were just
6 a group of associates.

7 Q. When you say "associates", do you mean that you
8 work with these people?

9 A. No. I'm sorry, I must have used the wrong
10 word.

11 People I have met in -- that live in the area
12 or visit to the area. I don't know their last names.

13 Q. Okay, so are they like acquaintances to you?

14 A. Yes.

15 Q. You've met them on prior occasions?

16 A. Yes.

17 Q. Okay. And you knew that they were competing
18 that night?

19 A. Yes.

20 Q. Was there anyone else that was competing in
21 this contest that you were specifically watching?

22 Like was a really good friend of yours or
23 something like that competing in this contest?

24 A. Yes.

25 Q. And who would that be?

1 A. That's my care provider.

2 Q. And is that the person to the right of you
3 right now?

4 A. Correct.

5 Q. And do you live with her?

6 A. Correct.

7 Q. Where -- you stated earlier that you were --
8 your location was to the right of the stage, correct?

9 A. Correct.

10 Q. Okay. Did you stay there the entire night?

11 A. We were -- I stayed there about 45 minutes.

12 Q. Okay. During that 45 minutes, you stayed in
13 that exact location and did not move?

14 A. Correct.

15 Q. Within that 45 minute time frame, is that when
16 the altercation between the Defendant and Mr. Walters
17 happened?

18 A. Yes.

19 Q. Okay. How far away from the stage would you
20 say you were?

21 A. Three inches.

22 Q. And --

23 A. I was touching it. As a matter of fact, at one
24 point I had my elbows -- there were steps there. I was
25 between the steps and the stage.

1 Q. Okay, so you were able to touch it?

2 A. My left side was touching the steps. My chest
3 was touching the stage.

4 Q. Okay. And you said that there was a rope at
5 some point blocking certain -- blocking certain people
6 off?

7 A. Correct.

8 Q. Where was the rope in reference to you?

9 A. To my right side.

10 Q. Okay, so what was that rope blocking? What was
11 there to prevent --

12 A. It was keeping all the people -- just like
13 here's the stage. The rope goes from here to the wall.
14 It kept all these people from entering this area that
15 ran down to the right-hand side of the stage.

16 Q. Okay. So that was -- were all the viewers
17 behind the rope?

18 A. Yes.

19 Q. Okay.

20 A. Except for the ones that were on the other side
21 under the concrete awning in front of the Alibi.

22 Q. Okay. Why were some able to be in front of the
23 rope and some able --

24 MR. CONWAY: Objection, calls for speculation.

25 BY MS. PILLINGER:

1 Q. -- to have to be behind the rope, if you know?

2 A. They appeared to be people who had come out of
3 the Alibi so they were already over there. The rope
4 intended all the people who were in the front with the
5 intention of watching the contest, held them back.

6 Q. Gotcha. Okay, so when you say the Alibi,
7 that's the bar's name, correct?

8 A. Yes.

9 Q. So the rope was dividing the patrons of this
10 bar versus the people that were there for the contest?

11 A. No. I felt like it was probably dividing the
12 people who were there from the contest with the
13 right-hand side of the stage.

14 I think the people that came out of the Alibi,
15 that was just -- that wasn't really part of what was
16 going on.

17 Q. Okay. Why was this, the right part of the
18 stage so -- such a big deal, where there was ropes
19 involved and everything? What was so prevalent about
20 this, the right side of the stage?

21 A. I don't know.

22 Q. Okay, but you were there. You were on the
23 right side of the stage?

24 A. Yeah, but I don't know why they set it up that
25 way.

1 Q. Okay. All right. That's fair.

2 A. I think it was probably on the left side of the
3 stage too. I think -- actually I do have an answer for
4 that, now that you brought that up.

5 Q. Okay.

6 A. The steps there were. The contestants had to
7 have room so that they could get between the people and
8 the rope to walk up the steps.

9 Q. Okay.

10 A. That's probably why they had the rope there but
11 I'm speculating.

12 Q. Okay, and you were right there. Like you could
13 see the people walk up the stairs?

14 A. Well, they were actually behind me.

15 Q. Okay. So your back was to them?

16 A. My left side and my back.

17 Q. Okay. And the incident that took place, the
18 altercation between the Defendant and Mr. Walters,
19 happened in front of you?

20 A. Correct.

21 Q. Okay. How many people, if you remember, would
22 you say was around you? Like -- let me ask you this:
23 Were you -- I see that you're in a wheelchair today.

24 Were you in that wheelchair that day?

25 A. I may have taken the wheelchair with me. I

1 don't recall because I couldn't walk very far. But if I
2 did, the wheelchair, I would have had to have left it
3 back behind me. And then I approached the stage and was
4 standing there with my cane next to the stage.

5 Q. Okay, so you were standing?

6 A. I was standing.

7 Q. Okay. How many people were around you?

8 MR. CONWAY: Objection, asked and answered.

9 She said there were 20 people in the perimeter.

10 BY MS. PILLINGER:

11 Q. You can answer the question.

12 A. I would say 20 to 30 people counting the ones
13 behind me, counting the ones that were under the
14 concrete awning.

15 Q. Okay. So it's safe to say that it was a
16 crowded area where you were?

17 A. Very crowded back behind me, no one in front of
18 me.

19 Q. Okay, except the Defendant and Mr. Walters?

20 A. The Defendant and other men standing under the
21 concrete overhang.

22 Q. Okay. So there were people in front of you?

23 A. But there was a distance of about 20 feet, 25
24 feet between me and -- about the distance from where I
25 am now and that wall. The stage was here.

1 Q. Okay.

2 MR. CALLAHAN: Just for the record if you could
3 indicate how many feet that would be.

4 A. I said about 25 feet.

5 BY MS. PILLINGER:

6 Q. Okay. So let's use the room for a second,
7 okay? For the record where the prosecutor and the court
8 reporter is sitting would be where the stage is?

9 A. From where I was standing?

10 Q. No, I'm asking where the stage was in relation
11 to this setup of this room, so we can try and get --

12 A. About the edge of this, about the edge of the
13 table.

14 Q. Okay, so the stage would be right where I am?

15 A. Yes.

16 Q. Okay. And where you are is where you were?

17 A. Yes.

18 Q. Okay.

19 A. And the steps were here going back.

20 Q. Okay. And you indicated that the Defendant and
21 Mr. Walters was about to this wall, 25 feet from where
22 you are right now?

23 A. That was when they were fighting.

24 Q. Okay, right. That's what I want to know. And
25 that's correct?

1 A. When it first started, it was closer than that.
2 When -- it was a little closer than that. I would say
3 about 10 to maybe 15 feet. I'm going to say 15 feet.

4 Q. Okay. So you were watching from across the
5 way?

6 A. I was watching from approximately 15 feet away
7 from the first altercation.

8 Q. Okay. And when you say first altercation, are
9 you indicating there was a second altercation?

10 A. The first altercation was when Dame Edna
11 started throwing punches at Mr. Corbin.

12 The second altercation in my mind is when Dame
13 Edna tried to kick Mr. Corbin.

14 Q. Okay. Now, you're about 10 to 15 feet away.
15 When you first -- what brought your -- let me ask you
16 this: Did the first thing that brings your attention to
17 this incident was the whole tiki torch and the -- and
18 the flame?

19 A. No.

20 Q. Okay, what was the first thing that brought
21 your attention?

22 A. The first thing that really brought my
23 attention was the fact that Dame Edna was not
24 commentating like he should be, like I had expected.
25 And instead of him paying attention to what was going

1 on, on the stage, he kept getting closer to the
2 right-hand side and kept looking.

3 Q. Okay.

4 A. Looking at something. And when I was watching,
5 I say I wonder what he's looking at. Then I'm watching
6 to see what he's watching and that is when I saw
7 Mr. Corbin.

8 Q. Okay. Mr. Corbin was holding a torch, correct?

9 A. Yes.

10 Q. A lighted torch?

11 A. Yes.

12 Q. Okay, a torch that could cause a fire?

13 MR. CONWAY: Objection, calls for speculation.

14 BY MS. PILLINGER:

15 Q. You can answer the question.

16 A. I didn't think so. It was under a concrete --
17 you know, a torch is not going to set concrete on fire.

18 Q. Okay, but the torch was lit?

19 A. Yes.

20 Q. Okay. And if it -- okay. Let me ask you this:
21 You stated that Mr. Walters looked like he was not
22 paying attention to the contest?

23 A. Correct.

24 Q. He was paying attention to Mr. Corbin?

25 A. He was paying attention to something.

1 Q. Okay. Did you believe it to be Mr. Corbin?

2 A. I didn't know. Everybody -- so many people
3 were in weird costumes.

4 Q. Okay.

5 A. I didn't know which person or what costume or
6 what he was looking at.

7 Q. But you heard from 10 feet away Mr. Corbin say
8 to blow out the torch?

9 A. No, I heard Dame Edna say that, not Mr. Corbin.

10 Q. I mean, Mr. Walters. I apologize.

11 A. Uh-huh.

12 Q. You heard him say that?

13 A. I heard him say it three times.

14 Q. Okay. And Mr. -- if you remember, was
15 Mr. Walters wearing a wig?

16 A. Yes.

17 Q. If that -- let me ask you this: You indicated
18 that you don't know whether Mr. Corbin heard him say to
19 blow out the torch?

20 A. I do not know if he heard it. Mr. Corbin was
21 much closer to the big speaker than I was.

22 Q. Okay. Would you agree with me if I said that
23 had that torch gotten close to Mr. Walters, that he
24 could have potentially caught on fire?

25 MR. CONWAY: Objection, irrelevant. This is a

1 criminal trial, not a fire standard administrative
2 proceeding so I object to you asking questions about
3 fire safety --

4 BY MS. PILLINGER:

5 Q. You can answer.

6 MR. CONWAY: -- of this witness.

7 A. I'm not real sure what you're asking. It
8 sounds like you're asking me to speculate on something,
9 and I don't know what you're trying to -- I don't know
10 how to answer your question.

11 BY MS. PILLINGER:

12 Q. Is it possible that he could have caught on
13 fire had that torch gotten near Mr. Walters?

14 MR. CONWAY: Objection.

15 BY MS. PILLINGER:

16 Q. You can answer.

17 A. I would say no because Dame Edna was on a stage
18 that was at least five-foot tall. Mr. Corbin is
19 standing on the ground.

20 Q. Okay, but the torch was in his right hand. And
21 that torch was how big, would you say?

22 A. I think it was a tiki torch.

23 Q. Okay.

24 A. They're pretty standard.

25 Q. Okay. So what would you say, approximately?

1 A. Four inches circumference.

2 Q. Okay, and what about height?

3 A. Well, I know the little canisters that go in
4 tiki torches are about five inches tall and about three
5 inches around.

6 Q. Okay, so -- but he was holding it in his right
7 hand?

8 A. Correct.

9 Q. So he could have lifted it higher or lifted it
10 lower?

11 A. Well, sure he could have done that.

12 Q. Okay. Once Mr. Walters attempted to blow out
13 the torch, did you see whether Mr. Corbin made any
14 indication that he saw Mr. Walters trying to blow it
15 out?

16 A. I don't know if he did or not. I'm trying to
17 run it back through my mind.

18 I think Mr. Corbin was talking to the other men
19 under the concrete overhang. I don't know if he saw
20 that because Dame Edna was -- is still on the stage.

21 I don't know that he -- and it was so high up.
22 I don't know that he saw him try to blow the torch out.

23 Q. But you don't know?

24 A. I don't know.

25 Q. Okay. When Mr. Walters was attempting to blow

1 the torch out, was Mr. Corbin looking at him?

2 A. I don't think Mr. Corbin became even aware of
3 what was going on until Dame Edna bent out, reached his
4 right hand out as far as he could and grabbed the torch
5 that was in Mr. Corbin's hand.

6 And then I think is really the first time he
7 became aware that something was going on. I think, but
8 now I don't know.

9 Q. I understand you don't know, okay.

10 And once he became aware, he still didn't
11 attempt to blow out the torch, correct?

12 A. Who?

13 Q. The Defendant.

14 A. Did Mr. Corbin ever attempt to blow his own
15 torch out?

16 MR. CONWAY: Please rephrase the question.

17 It's a vague question. Can you rephrase it?

18 She doesn't understand who asked who to do
19 what.

20 A. Yeah I don't know.

21 BY MS. PILLINGER:

22 Q. When Mr. Corbin realized what was going on with
23 Mr. Walters, that he was attempting to blow out the
24 torch, did he then try to blow out the torch himself?

25 A. No.

1 Q. Okay, he left it lit?

2 A. He reached up and pulled Dame Edna's wig off.

3 Q. Okay. So he touched Mr. Walter's hair?

4 A. Yes, wig.

5 Q. Okay. And did -- and the wig came off?

6 A. Yes.

7 Q. Okay. Where was the torch when Mr. Corbin took
8 the wig off?

9 A. It was still in his right hand because Dame
10 Edna had let go of it.

11 Q. Okay. So did Mr. Corbin use his left hand to
12 take the wig off?

13 A. Yes.

14 Q. And he dropped the cross at this point?

15 A. Correct.

16 Q. When you were watching this entire thing, were
17 contestants still going on stage and competing?

18 A. Yes.

19 Q. Was your caretaker one of those contestants?

20 A. No.

21 Q. Was that because she had already gone on before
22 this incident took place?

23 A. She had already gone on, and there was a large
24 group of people on the stage and she was still, I
25 believe, one of those still on the stage.

1 Unless they had already dismissed the ones that
2 they were not going to put in the finals, I'm not sure.

3 Q. Okay. Were you not watching the competition
4 anymore?

5 A. No.

6 Q. At all?

7 A. Not at all.

8 Q. Did anyone get into your vantage point while
9 you were watching?

10 Because, again, you said you were about 10 to
11 15 feet away. So did anybody walk in front of this
12 altercation or in front of you to where you can not see
13 exactly what was happening?

14 A. Absolutely not.

15 Q. Okay. So everyone stood where they originally
16 were through this entire altercation?

17 A. As far as I know.

18 Q. Okay. How long was the altercation taking
19 place, approximately?

20 A. Less than three minutes.

21 Q. Okay. Once the wig was off of Mr. Walters,
22 what did he do, Mr. Walters do?

23 A. He put his hands, both hands, on the edge of
24 the stage, lowered his buttocks down and then pushed
25 himself off to the parking lot.

1 Q. Off the stage?

2 A. Off the stage.

3 Q. And then stood --

4 A. And stood.

5 Q. -- in the parking lot? Okay.

6 Was the torch still in Mr. Corbin's hand at
7 this point?

8 A. Yes.

9 Q. Okay. So now both the Defendant and
10 Mr. Walters are standing in the parking lot?

11 A. Yes.

12 Q. Okay. And Mr. Corbin has the torch in his
13 hand?

14 A. Yes, but it's at some fine point between the
15 time, the third time that Dame Edna blew on it, I
16 believe it went out.

17 Because that third blow I barely saw a little
18 flicker, and then I don't remember seeing the flame
19 anymore.

20 Q. Okay.

21 A. So he still had the torch in his hand but I
22 don't believe it was burning.

23 Q. Okay. And where was the cross at this point?
24 Was it now on the ground?

25 A. The cross was still on the ground.

1 Q. Okay. Was anyone with the Defendant?

2 A. I wouldn't know.

3 Q. When I say with him, I mean, was anyone near
4 the two of them -- while this --

5 A. Yes.

6 Q. -- argument was going on?

7 A. There were other men standing under the
8 concrete overhang.

9 Q. Okay. Did anyone else get involved?

10 A. No.

11 Q. At any point in the night, if you know, did you
12 hear anybody discuss or talk about or yell or any
13 indication that there was this torch with fire lit?

14 A. No.

15 Q. Where Mr. Corbin was standing, how many people
16 would you say were near him?

17 A. I would say approximately eight, eight to
18 ten --

19 Q. Near him?

20 A. -- under the concrete overhang.

21 Q. Okay, and that's where he was standing?

22 A. If I may explain, this concrete overhang next
23 to the bar, the Alibi, there are other businesses like
24 a -- it's like a small strip mall.

25 The concrete overhang connects the other

1 businesses so you have people that are going back and
2 forth under that overhang between those businesses.

3 Q. Okay.

4 A. So at that given point when the altercation
5 occurred, however many people that were in that little
6 area right there was not real crowded.

7 They were just going kind of back and forth
8 between the businesses and there weren't that many.

9 THE VIDEOGRAPHER: Five minutes.

10 BY MS. PILLINGER:

11 Q. Okay. You said that this stage was about
12 five-feet tall, correct?

13 A. Correct.

14 Q. Were you able to tell at all if that torch was
15 near any of the other people that were standing by the
16 Defendant?

17 A. What do you consider "near"? How many feet?

18 Q. Near -- when I say "near", I mean an indication
19 that an observer watching would think that's getting
20 close to somebody.

21 MR. CONWAY: Objection, vague.

22 A. I don't have an answer for that.

23 BY MS. PILLINGER:

24 Q. So you don't know?

25 A. I'm not real sure I even understand --

1 Q. Okay.

2 A. -- what you're asking.

3 Q. Then let me ask it again.

4 At any point while you were watching, even
5 before this altercation took place -- let me ask you
6 this: Did you notice the torch before this altercation
7 even took place?

8 A. I think I probably did but it didn't register
9 in my mind that it was an issue --

10 Q. Okay.

11 A. -- anymore than a ten-foot tall giraffe
12 costume. I mean, it was -- so many people were wearing
13 such outlandish costumes that I'm sure I noticed but I
14 was looking at everything around me.

15 Q. Okay. At any point though when you noticed
16 there was a flammable torch, I mean, at any point did
17 you think to yourself it's dangerous?

18 A. No.

19 MR. CONWAY: Objection, irrelevant.

20 A. If he had been standing in an area under a try
21 or where there was flammables, I might have but he was
22 standing near a concrete overhang that was probably 15,
23 20 feet off the ground and a torch that he's holding
24 that is approximately his height.

25 BY MS. PILLINGER:

1 Q. How far was the torch from Mr. Walters?

2 A. When Mr. Walters grabbed it and pulled it
3 towards him or before?

4 Q. When Mr. Walters was on the stage and
5 Mr. Corbin was standing off the stage on the ground, how
6 far was the torch?

7 A. I'd say approximately five feet.

8 Q. Okay. But Mr. Walters was able to reach out
9 and grab it without moving?

10 A. No, he had to walk all the way to the edge of
11 the stage and then bend forward and extent his arm out.

12 Q. Okay. Once they are -- now the wig is off and
13 Mr. Walters and Mr. Corbin are now both on the ground,
14 correct?

15 A. Yes.

16 MR. CONWAY: Objection. Asked and answered
17 three times.

18 BY MS. PILLINGER:

19 Q. Okay. And when they're on the ground, now your
20 testimony is that Mr. Walters tried to kick Mr. Corbin?

21 A. Mr. Walters stood up. Mr. Corbin was on the
22 bottom. After he stood up, he backed up a few feet and
23 Mr. Corbin was trying to stand up.

24 And he had the long flowing costume on, much
25 like a woman with a long dress on, and it appeared to me

1 he was struggling to even stand up because the fabric
2 was caught up around his legs.

3 So while he's trying to stand up, Mr. Walters
4 backed up, looked at him, took his left leg and tried to
5 kick him and he missed.

6 Q. Okay.

7 THE VIDEOGRAPHER: Tape ending.

8 Going off the record. The time is 3:06 p.m.

9 (Off the record.)

10 THE VIDEOGRAPHER: Okay, we're back on the
11 record. The time is 3:08 p.m.

12 BY MS. PILLINGER:

13 Q. At any point did you notice Mr. Corbin walking
14 toward the stage to look at the costumes?

15 A. No.

16 May I explain why?

17 Q. Why what?

18 A. That he did not walk to the stage to look at
19 the costumes.

20 Q. Okay.

21 A. Because that was the area they were keeping
22 clear.

23 Q. Okay.

24 A. He was back very close to where the speakers
25 were at the back of the stage. In order to see the

1 people in front of the stage, he would have had to come
2 all the way around the rope, all the way around me and
3 get into the crowd of people. So he couldn't see who
4 was on the stage.

5 Q. Okay. Did he ever move from that spot where
6 you first saw him?

7 A. No.

8 Q. Okay. Do -- you remember giving a statement to
9 the detective though, correct?

10 A. Yes.

11 Q. Okay. And you went over the events that
12 happened from this incident?

13 A. Yes.

14 Q. Okay. Do you recall ever giving a different
15 statement?

16 A. No.

17 Q. Okay.

18 THE VIDEOGRAPHER: I'm sorry. I'm getting --
19 you're twisting your cable.

20 BY MS. PILLINGER:

21 Q. Okay. You stated to the detective that "as the
22 people were talking, they were kind of milling around
23 there and got further up, wherever it was.

24 They would announce somebody on the stage or a
25 new costume would go up, they'd kind of look around to

1 see what it was. And so that's when Corbin would step
2 back to get a little better look at the costumes.
3 That's when Dame Edna or should I say Walters "-- do
4 you remember giving a different statement than what you
5 just said?

6 A. No.

7 Q. Okay, but when you gave a statement to the
8 detective, you said that he was -- that Mr. Corbin was
9 moving --

10 MR. CONWAY: I would object at this point. I
11 would argue that it's improper impeachment.

12 If you can give the witness an opportunity to
13 look at the statement if you're trying to impeach
14 her with a statement that she's previously given.

15 MS. PILLINGER: Do you want to look at your
16 statement to see?

17 THE WITNESS: No.

18 BY MS. PILLINGER:

19 Q. You said that Mr. Corbin moved to get a look at
20 the -- to get a better look at the costumes. That's
21 what you stated in your statement?

22 A. Mr. Corbin stayed within a six-foot radius of
23 where I initially saw him standing. Now, maybe he did
24 shift his body and he tried to look but he never moved
25 into the area. He stayed back at the -- where the

1 speakers were.

2 Maybe he attempted to look around the speakers
3 and that's what I saw but I don't believe that he could
4 have seen the contestants from that vantage point.
5 Maybe he tried to.

6 Q. You stated earlier that the Commissioner of
7 Wilton Manors was an associate of yours. What did you
8 mean by that?

9 A. We both are from Nashville, Tennessee.

10 Q. Okay, are you friends?

11 A. More acquaintances than friends. I've never
12 done anything socially with her.

13 Q. Okay. And that's the first person you
14 contacted when you read the magazine, right?

15 A. Correct.

16 Q. Okay. And she wasn't there that night, right?

17 A. I don't know.

18 Q. Did she give you any indication that she was?

19 A. I never asked her.

20 Q. But when you explained to her the events that
21 you were talking about, did she say oh, yeah, I know, I
22 was there?

23 A. No, she didn't.

24 Q. Okay. Do you regularly get that magazine?

25 A. I never get it.

1 Q. How did you get it this time?

2 A. I went to Bona Italian food to get dinner and
3 it was on the magazine rack. And I sit there while
4 waiting for a carry-out dish and saw the article.

5 Q. Okay.

6 MR. CALLAHAN: Just for the record, I think we
7 went off to change the disc, for the record this is
8 just the magazine that you were referring to
9 earlier?

10 THE WITNESS: Yes.

11 MR. CALLAHAN: Okay.

12 BY MS. PILLINGER:

13 Q. Is it on the cover?

14 A. No.

15 Q. So --

16 A. Well, hold on.

17 Not that I see.

18 MS. PILLINGER: Okay. So can I see the
19 magazine?

20 MR. CONWAY: Instead of going page-by-page, she
21 may have that green thing there for a reason.

22 MS. PILLINGER: I know.

23 BY MS. PILLINGER:

24 Q. Okay. So for the record I'm looking at the
25 magazine. It is the South Florida Gay News dot com.

1 It's like a newspaper. Looks like the article is on
2 page 20 and it's about nine pages in.

3 So while you were waiting for your dinner, you
4 read all these pages or you just kind of flipped through
5 and you saw it?

6 A. I'm sure I flipped through and didn't read it
7 word-for-word.

8 Q. Okay, you were just flipping through --

9 A. Yes.

10 Q. -- when you saw it? Okay.

11 And when you came to this page, and page 20
12 says "Halloween Beat Down", did you notice -- did you
13 recognize the man that was in the picture?

14 A. I recognized Dame Edna.

15 Q. Did you --

16 A. And I recognized the costume. I didn't
17 recognize Mr. Corbin.

18 Q. You don't -- when you saw this picture, you
19 didn't remember the same guy that you saw --

20 MR. CONWAY: She asked and answered already.

21 She doesn't -- objection withdrawn. Go ahead.

22 A. I didn't recognize him because in order to
23 recognize somebody, you have to know him previously.
24 Therefore, I did not know him previously.

25 BY MS. PILLINGER:

1 Q. But did you recognize him from the night that
2 the incident happened?

3 A. I recognized the picture with him with the
4 costume and the cross.

5 Q. Okay, so that's what I'm asking. Did you
6 recognize the costume?

7 A. The face -- yes. The face looked familiar but
8 I didn't see the big picture, that close-up. I saw him
9 from approximately 10 to 15 feet away.

10 Q. Okay. So the only way that you recognized him
11 was based on the costume that he was wearing?

12 A. No, not the only reason. If it had been a
13 black man, I would have said that's not the man I saw.

14 Q. Okay. So the fact that he was a white male in
15 the same costume?

16 A. And had the -- doesn't he have a little beard?
17 I remember the beard and the little mustache.

18 Q. Okay. And did you read the whole article?

19 A. Yes.

20 Q. Okay. Underneath his picture it says that he
21 was arrested for assault with a deadly weapon and you
22 stated on direct examination you still don't know what
23 he was arrested for or why he was even being prosecuted?

24 A. Well, I believe you asked me did I know what he
25 had been charged with.

1 Being a previous police officer, quite often
2 charges end up a lot different than initial accusations.

3 Q. Okay.

4 A. So I do not know, even to this day, what he is
5 charged with.

6 Q. But you knew what he was arrested for?

7 A. I knew what the picture said.

8 Q. Okay. You never saw Mr. Walters fall off the
9 stage, right?

10 A. He did not fall.

11 Q. Do you go to that George's Alibi often?

12 A. Never.

13 Q. It was the first time you were there?

14 A. Yes.

15 Q. Okay. Where -- where do you currently reside,
16 like what city?

17 A. Fort Lauderdale.

18 MS. PILLINGER: Okay, I have nothing further.

19 MR. CALLAHAN: Just real quickly, I apologize.

20 REDIRECT EXAMINATION

21 BY MR. CALLAHAN:

22 Q. From where you were sitting observing the
23 incident to where you parked your vehicle or whoever --
24 how did you get to the point where you were at the
25 stage? How about that?

1 I know that the venue was outside, correct?

2 A. Correct.

3 Q. And to get there, how did you actually access
4 that area?

5 A. Well, like I said I can't recall now if I had
6 my electric wheelchair with me. I know I had my -- I'm
7 pretty sure we came in my electric car.

8 And then whether I had the electric wheelchair
9 or not, I just can't recall that.

10 Q. How far did you have to go to get from your car
11 to the stage?

12 A. Well, we were lucky. We got a pretty good spot
13 over there. I would say about -- about the length of a
14 football field.

15 Q. And during that walk or -- actually, sorry, you
16 were in your wheelchair. During that transport you were
17 looking at a lot of other people in costumes, I'm
18 assuming?

19 A. Correct.

20 Q. And how many other, just take a guess -- I
21 don't want you to guess, but would you be able to
22 estimate the crowd size of the event?

23 A. It was the entire drive. Wilton Drive was
24 filed with people. So I couldn't estimate how many
25 people were on the drive and in all the restaurants and

1 in all the clubs.

2 Q. And did you see anyone in the immediate
3 vicinity having problems with Mr. Corbin's torch other
4 than Mr. Walters, a/k/a Dame Edna?

5 A. No.

6 Q. And as far as the contestants that were going
7 on stage for the costume, would you be able to describe
8 where they entered the stage?

9 A. They entered the stage right next to me on my
10 left-hand side on those steps.

11 Q. From where did they come to go to that area,
12 the contestants?

13 A. Behind me.

14 Q. So did you know where they were gathered prior
15 to walking up the steps to go on stage?

16 A. They were just all milling around in a crowd of
17 people until they were called. And they worked their
18 way up to where those steps were, and went up on the
19 stage.

20 And then after they were through, they went off
21 the left-hand side of the stage. There were more steps.
22 And the stage, length of the stage, I'm going to say,
23 was maybe 50 feet wide.

24 Q. Okay. I know you indicated earlier, and I'll
25 conclude with this, is that Detective Pilewski

1 specifically told you that they didn't think that this
2 was going to be --

3 MS. PILLINGER: I'm going to object to hearsay.

4 BY MR. CALLAHAN:

5 Q. Well, what exactly did he tell you in regards
6 to the case, or whether there would be a case?

7 A. He left me with the definite belief that it
8 would not be pursued by the prosecutor.

9 Q. And subsequent to that encounter with Detective
10 Pilewski, when was the next time you were contacted by
11 anyone involving this case?

12 A. I received a phone call probably from yourself,
13 his current attorney. I remember him telling me he was
14 his current attorney and then after that, I got the
15 subpoena in the mail.

16 Q. And did you discuss anything about the facts of
17 the case with that current attorney over the phone?

18 A. No.

19 Q. Did the attorney -- what did the attorney tell
20 you over the phone?

21 MS. PILLINGER: I'm going to object to hearsay
22 and relevance.

23 BY MR. CALLAHAN:

24 Q. Just to be on the safe side. What did the
25 attorney tell you what would happen with your

1 involvement in the case?

2 Or just to be on the safe side, what did the
3 attorney tell you they wanted you to do?

4 MS. PILLINGER: Objection to hearsay and
5 relevance.

6 A. I think the attorney was -- didn't exactly know
7 what was going to happen because of my plans to leave
8 the area. And said that they -- if they needed -- "if",
9 that's right, if they needed me, they would be back
10 in -- someone would be back in touch.

11 MR. CALLAHAN: Okay.

12 MR. CONWAY: Do you have any more questions,
13 Mr. Callahan?

14 MR. CALLAHAN: No.

15 REDIRECT EXAMINATION

16 BY MR. CONWAY:

17 Q. Ma'am, Mr. Conway, one final question.

18 I know the government prosecutor was asking you
19 a series of questions about your E-mail access and your
20 mail access.

21 But when you're out, when you leave the county
22 later this month, are you going to have an ability to
23 stand somewhere and be personally served with papers
24 anywhere, which is required for criminal cases?

25 Do you know anywhere you might be where you

1 could stand and wait and accept personal service of
2 hand-to-hand delivery?

3 A. No. I have no reservations. I have no
4 definite itinerary and that's exactly what I wanted at
5 this point in my life.

6 MR. CONWAY: I can appreciate that.

7 Thank you again for your time.

8 Do you have any more questions?

9 MS. PILLINGER: No.

10 THE VIDEOGRAPHER: Read or waive?

11 MR. CALLAHAN: Pursuant to Florida statutes and
12 rules of civil procedure, you have the right to
13 review the transcript that's been videotaped and
14 also transcribed by the court reporter for any
15 inaccuracies that the transcript may reflect.

16 You can waive the reading of that, if you would
17 like.

18 THE WITNESS: I would like to do that.

19 THE VIDEOGRAPHER: We're going off the record.
20 The time is 3:24 p.m.

21 - - -

22

23

24

25

1 THE STATE OF FLORIDA)
2 COUNTY OF BROWARD)

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I, the undersigned authority, certify that
PAULA TYER personally appeared before me on the 5th
of May, 2014 and was duly sworn.

WITNESS my hand and official seal this
8th day of May, 2014.

PATRICIA BAILEY-ENTIN,
Court Reporter
Notary Public - State of Florida

Commission No. FF 018903
Expires: July 28, 2017

C E R T I F I C A T E

The State Of Florida)
County Of Broward.)

I, PATRICIA BAILEY-ENTIN, Florida Professional Reporter and Notary Public in and for the State of Florida at large, do hereby certify that I was authorized to and did stenographically report the Videotaped Deposition of PAULA TYER; that a review of the transcript was not requested; and that the foregoing pages, numbered from 1 to 71, inclusive, are a true and correct transcription of my stenographic notes of said Videotaped Deposition.

I further certify that said Videotaped Deposition was taken at the time and place hereinabove set forth and that the taking of said Videotaped Deposition was commenced and completed as hereinabove set out.

I further certify that I am not an attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

DATED this 8th day of May, 2014.

PATRICIA BAILEY-ENTIN,
Court Reporter