

1 STATE OF OHIO,)
2) SS:
3 COUNTY OF LORAIN.)

4 IN THE COURT OF COMMON PLEAS
5 LORAIN COUNTY, OHIO

6 STATE OF OHIO,)
7)
8 Plaintiff,)

9 vs.)

10 DANIEL SMITH,)

11 Defendant.)

12 GRAND JURY PROCEEDINGS

13 Transcript of the testimony of:

14 TAMMY GREEN

15 before the Lorain County Grand Jury on Tuesday, March 7,
16 1995.

17 APPEARANCES:

18 On behalf of the Plaintiff:

19 GREGORY A. WHITE, LORAIN COUNTY

20 PROSECUTOR

21 BY: Jonathan E. Rosenbaum, Chief Asst. County
22 Prosecutor.

23 EXHIBIT
24 23
25

1 TAMMY GREEN 2

2 HAVING BEEN FIRST DULY SWORN,
3 WAS EXAMINED AND TESTIFIED AS FOLLOWS:

4 DIRECT EXAMINATION OF TAMMY GREEN

5 BY MR. ROSENBAUM:

6 Q Will you state your name, please?

7 A Tammy Green.

8 Q Do you also go by the name last name of Castro?

9 A I did.

10 Q How is that, or why is that?

11 A I was married. I'm divorced now.

12 Q And your address is 3606 West 49th Street, Cleveland, Ohio.

13 A Yes.

14 Q What is your date of birth?

15 A 5-25-71.

16 Q Have you been subpoenaed to testify before the Grand Jury?

17 A Yes.

18 Q Do you have a lawyer here with you?

19 A Yes.

20 Q Will you state his name for the record, please?

21 A Gary Eisner.

22 Q Have you been granted immunity and ordered to testify
23 before the Grand Jury?

24 A Yes.

25 Q Are you going the answer our questions?

1 A Yes.

2 Q Do you know a man by the name of Dan Smith?

3 A Yes.

4 Q Will you tell everyone how you know him, please?

5 A He's my boyfriend.

6 Q Where is Dan Smith right now?

7 A In the County Jail.

8 Q And how long have you been dating him?

9 A Two and a half years.

10 Q Do you know who Raymond Smith is?

11 A Yeah; his father.

12 Q And who is Mike Smith?

13 A His brother.

14 Q Do you know Stanley Jalowiec?

15 A Yes.

16 Q How do you know Stanley?

17 A A friend of Danny's.

18 Q Did you know a person by the name of Ron Lally?

19 A Yes.

20 Q How do you know him, or how did you know him?

21 A He was just a friend of Danny's.

22 Q Do you have any information that pertains to how Ronald
23 Lally died?

24 A No.

25 Q You have no knowledge of it whatsoever?

4

1 A No.

2 Q You never heard Danny Smith discussing --

3 A No.

4 Q -- Ron Lally?

5 A No.

6 Q Were you aware that Ron Lally was going to testify against

7 Dan Smith in a drug deal?

8 A Yes.

9 Q Were you present with Dan Smith on the evening that Ron

10 Lally was killed?

11 A Yes.

12 Q Will you describe what happened that evening and what time

13 you first came in contact with Dan Smith?

14 A Well, I woke up with Danny. I lived with him. And that

15 night we went out to Power Slam out here in Elyria, and then we

16 went to Razzles, then we went back to Power Slam. It was me,

17 him, and his father. Then we went out to breakfast. Then I

18 dropped his dad off in Wilkes Villa, and then we went home.

19 Q What time did all this take place?

20 A We got home about 3:30.

21 Q You at no time saw Ron Lally that night?

22 A No.

23 Q Do you know if Dan Smith was with Ron Lally that night?

24 A No.

25 Q Do you know if Raymond Smith was?

1 A Well, Raymond Smith was with us until, like, 3 o'clock in
2 the morning that night.

3 Q And do you have any knowledge where Raymond Smith went
4 after that?

5 A I just left him in Wilkes Villa.

6 Q Do you know if Danny Smith got a copy of the tape recording
7 of the drug buy when Ron Lally bought crack from Danny Smith?

8 A Yes.

9 Q Did you ever hear that tape?

10 A Yes.

11 Q So Danny Smith knew that Ron Lally set him up in a drug
12 buy?

13 A He had an idea it was him because on the tape Ron said his
14 name.

15 Q So he knew?

16 A Yeah.

17 Q And he never discussed making any threats against Ron as a
18 result of him buying drugs from him?

19 A No.

20 Q Now, you are aware of no plans made by Dan Smith or anyone
21 else to injure or kill someone as a result of that drug buy?

22 A No.

23 Q You never overheard any conversation in front of any other
24 women where Danny discussed hiring people to do in Ron Lally?

25 A No.

1 Q Do you understand that even though you have immunity for
2 your involvement in the killing, that to lie today is a crime?

3 A I'm not lying.

4 Q You understand, though?

5 A Yes.

6 Q Did Dan Smith go to his jury trial on the day it was
7 scheduled on January 19 of 1994?

8 A I don't remember. I don't know if he did or not.

9 Q Do you live with the guy?

10 A We did then. We broke up. We was always off and on.

11 Q Were you off or on January 19th of 1994?

12 A We could have been off because I don't remember him ever
13 going.

14 Q Now, on the 18th, the night that you were out, and the
15 early morning of the 19th, did you see Sharon Hopkins?

16 A I don't even know who that was.

17 Q She was not in the car with Ray, Mike, and you?

18 A I don't remember seeing her.

19 Q Was there a female that you didn't know in the car?

20 A Not that night, no.

21 Q At what time did you drop off Mike Smith and Ray Smith, or
22 were they dropped off?

23 A Mike wasn't with me. Raymond Smith was.

24 Q Mike was not in the car?

25 A No.

7

1 Q Who was in the car with you?

2 A Just me, Danny, and his dad, Raymond.

3 Q Was there another car following along or going with you

4 different places?

5 A No.

6 Q Do you know a woman by the name of "Queen Bee"?

7 A Yes.

8 Q What is her real name?

9 A Corrine something.

10 Q Fikes?

11 A I don't know. They always called her Queen Bee.

12 Q Did you see her car on that night?

13 A No.

14 Q Did you ever go out South Middle Avenue that evening and

15 leave the city limits, or come close to it?

16 A I'm not good around Elyria. I just take him places. He

17 just tells me where to go. I'm not real good, so I don't know

18 where it's at. We were downtown Elyria that night.

19 Q And you never saw Queen Bee's green Chrysler LeBaron

20 convertible?

21 A No.

22 Q And you never went outside of the city limits or just

23 outside of town to drop anybody off or saw that car or saw a

24 barn that evening?

25 A No, no.

1 Q Have you ever been in this Queen Bee's car on other
2 occasions?

3 A Yes.

4 Q Why does Danny Smith borrow that car?

5 A I guess because it's a convertible. I don't know.

6 Q Does Danny Smith sell crack cocaine?

7 A He did.

8 Q What stopped him?

9 A I guess getting in trouble. I don't know. I'm just
10 telling you I broke up with him for awhile.

11 Q You are back with him now?

12 A We talk a little bit.

13 Q Does he work?

14 A No, he can't work. He's in jail.

15 Q Did he work before that?

16 A No.

17 Q How did he support himself?

18 A I worked.

19 Q You supported both of you?

20 A Well, I took care of myself. He did his own thing.

21 Q And what was his own thing?

22 A I don't know. I was always at work. I work nights.

23 Q You don't know he sold crack cocaine?

24 A He didn't do it around me.

25 Q He never discussed it with you?

1 A No.

2 Q What did Danny Smith give Queen Bee for the use of her car
3 that night?

4 A He didn't have her car that night. He was with me.

5 Q And you never saw it?

6 A No.

7 Q Did Raymond Smith have that car that night?

8 A I do not know.

9 Q Did Stanley Jalowiec have that car that night?

10 A I seen Stanley Jalowiec in Power Slam for about ten
11 minutes. I do not know what he was driving.

12 Q Did Mike Smith ever have that car that day?

13 A I don't know.

14 Q Did you ever hear Raymond Smith talk about the death of Ron
15 Lally?

16 A No.

17 Q Did you ever hear Stanley Jalowiec talk about the death of
18 Ron Lally?

19 A No.

20 Q Do you know who drove Ron Lally to Cleveland on the night
21 that he died?

22 A No.

23 Q Do you know what car that he went in or he was in?

24 A No.

25 Q Do you know who killed Ron Lally?

1 A No.

2 Q You've never heard it discussed?

3 A No.

4 Q Even though Raymond Smith has come to the Elyria Police
5 Department and offered to give information on it, you don't
6 know?

7 A No.

8 Q Even though Danny Smith has discussed it with Detective
9 Leiby, you don't know anything about it?

10 A No. I don't want to get involved. I told him, "I don't
11 want to know nothing. I don't want to hear nothing."

12 Q So you had to know that it happened?

13 A No. I know he went downtown. I told him I didn't want to
14 know.

15 Q You knew he went where?

16 A Downtown to see a Leiby. I gave him a ride. But I did not
17 go to talk to him.

18 Q So, it is your testimony that you remain willfully ignorant
19 of his crack dealings and his homicide dealings?

20 A Yes..

21 Q Never had the curiosity to ask?

22 A No.

23 Q And never felt the responsibility that maybe you shouldn't
24 be with a guy that you can't afford to know what he's doing?

25 A I just didn't want to know.

1 Q And it didn't bother you what he did, as long as you didn't 11
2 know?

3 A As long as he didn't do it around me.

4 Q Do you know who owned the gun that was used in this
5 homicide?

6 A No.

7 Q Do you know if Danny Smith ordered the death of Ron Lally
8 or caused it to happen?

9 A No.

10 Q Do you know anything about the death of Ron Lally that I
11 have not asked you?

12 A No.

13 Q You never ever once heard this discussed?

14 A No.

15 Q And you are saying under oath that you did not see that
16 green Chrysler LeBaron that belonged to Queen Bee that night?

17 A No.

18 MR. ROSENBAUM: (Addressing Grand Jurors)

19 Does anybody have any questions?

20 GRAND JUROR: I do. At the time in 1994,
21 did you live in Elyria?

22 A Yes.

23 Q Whereabouts?

24 A On West Ridge by Midway Mall. By the mall.

25 Q And how long have you lived in Elyria?

1 A Two years, off and on.

2 Q Do you know where -- You obviously know where Wilkes Villa
3 is?

4 A Not exactly. He just told me how to get there. If I went
5 today, I could not find it.

6 Q Did you ever go shopping at Value City?

7 A A couple times.

8 Q Do you know where it is?

9 A I don't know how to get there.

10 Q Do you know where Stoney's Bowling Alley is?

11 A No.

12 GRAND JUROR:

I don't have any questions.

13 Continuing by Mr. Rosenbaum:

14 Q Where did you grow up at?

15 A Cleveland.

16 Q What is the address?

17 A 3606 West 49th.

18 Q Whose house is that?

19 A My mother's.

20 Q Who paid for the apartment off West Ridge?

21 A His mom paid for one, at first.

22 Q Whose mom?

23 A Danny's.

24 Q How do you know that?

25 A Because she went with us, and she got it for us.

- 1 Q She paid the monthly rent?
- 2 A No. She just started to pay the first month for us.
- 3 Q Who paid after that?
- 4 A Me and Danny.
- 5 Q How much was it?
- 6 A I believe, maybe, 350. I can't remember exactly.
- 7 Q What was the address?
- 8 A One was 1446.
- 9 Q Is there an apartment number?
- 10 A I don't remember. We lived on the top floor.
- 11 Q What is the other one?
- 12 A I don't know. One was on David Drive, and the other one
- 13 was by the Mall. They were both by the Mall.
- 14 Q How much was your rent for the second apartment?
- 15 A 325; 300-something.
- 16 Q And who paid for that?
- 17 A Me and Danny.
- 18 Q What do you do for a living?
- 19 A I'm a dancer.
- 20 Q Where?
- 21 A On West 25th, in Cleveland.
- 22 Q How much money do you make a month doing that?
- 23 A About \$1,100, \$1,200.
- 24 Q And you have no idea where Danny got his money to pay for
- 25 his share of the rent?

1 A I really stayed away from Danny's business. I work nights. 14
2 I work from 5 o'clock to 2 o'clock in the morning, plus I have
3 kids in Cleveland. So I went there by, like, 2 o'clock.
4 Didn't get home until 3 o'clock in the morning, Monday through
5 Saturday.

6 Q Will you wait one moment?

7 A Yeah.

8

* * *

9

(Thereupon, Mr. Rosenbaum leaves the
Grand Jury room briefly.

10

11

* * *

12

CONTINUING BY MR. ROSENBAUM:

13

Q Let me ask you a couple things, Ma'am.

14

Before you went home, I take it you went with Danny Smith
15 back --

16

A Yes.

17

Q What time was that on this evening?

18

A When we went home?

19

Q Yeah.

20

A About 3:30 in the morning.

21

Q Who was with you prior to that?

22

A Just me and Danny.

23

Q No one else was in the car with you prior to that?

24

A No.

25

Q You didn't drop anybody off at any time from the car

1 anywhere?

15

2 A No.

3 Q So it was just you and Danny alone that whole night?

4 A No. We was with his father.

5 Q And how about Mike?

6 A His brother was not with me.

7 Q What time did you drop Ray Smith off and where?

8 A About 3 o'clock at Wilkes Villa.

9 MR. ROSENBAUM:

(Addressing Grand

10 Jurors) Anybody else?

11

* * *

12

(Thereupon, no questions were asked

13

by the Grand Jurors.)

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15

MR. ROSENBAUM:

Thank you. That is all.

16

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17

(THEREUPON, THIS MATTER WAS CONCLUDED.)

18

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24

25

C E R T I F I C A T E

The State of Ohio,)
County of Lorain.) SS:

I, Angela S. Riley, Registered Professional Reporter and
Notary Public in and for the State of Ohio, do hereby certify
that the foregoing is a true, correct and complete transcript
of the testimony of Tammy Green before the Lorain County Grand
Jury on the date mentioned, taken by me from my stenographic
notes, transcribed with the aid of Computed-Aided
Transcription, and that said transcript has been compared with
my stenographic notes.

Angela S. Riley
Registered Professional
Reporter
Notary Public for the
State of Ohio
My commission expires:
10-16-97