

Geneva County Reaper



Vol. 105, No. 30

Geneva County's Oldest and Largest Newspaper Since 1899

2 Sections, 26 Pages 50 Cents

Wednesday, August 3, 2005

Murder Trial Underway

Trial Delayed Until August 3 Due to Expert Witness for the Defense

By Stephen Crews and Johnna Ingalls
Geneva Newspapers

Editor's Note - This is a very lengthy article that at times could be considered very graphic in nature. There are a couple of instances also that explicit language is used by witnesses in the case. This is the first installment on the case of *The State of Alabama versus Steven Lomax Preachers*.

It's taken just over two years of going through the court system process and just over two days of jury selections, but the murder trial of Steven Lomax Preachers got underway with opening arguments last Wednesday, July 27 in front of Judge Kenneth Quattlebaum. An eight woman and six man jury is now preparing to come back to the Geneva County Courthouse today for the start of the second week of the trial.

After hearing the state present its case on Wednesday and Thursday, the defense went to work Thursday afternoon and Friday before having to call a recess until Wednesday, the first day available for an expert witness for the defense's case. The break from action on Monday and Tuesday was due to the delay for this witness according to sources close to the case as well as the fact that Judge Quattlebaum had some cases in Dale County on those same two days.

Over two years ago, western Geneva County was astir due to the death of a 21 month-old child. The child, Angel Marie Whitley, was the daughter of Glen and Gale Whitley of Enterprise, Alabama. On June 5, 2003, the child was at the home of Steven Lomax Preachers of Samson when she suffered traumatic injuries from an alleged fall. Preachers was the mother's boyfriend.

After the child's death on June 10, 2003, Preachers was charged with first degree murder. Over the past week, horrific details and testimonies have been given as to the nature and cause of the child's death.

Prosecution's Angle:

District Attorney Kirke Adams, Chief Assistant D.A. Bill Fillmore, and Assistant D.A. Steven Smith represent the state of Alabama in this case. The prosecution is trying to prove through forensic evidence and testimonies that Steven Preachers acted alone in performing the abominable acts that caused Angel's death. Geneva County Sheriff Greg Ward and Alabama Bureau of Investigation officers Tommy Merritt and J.R. Ward obtained a signed confession from Preachers on June 11, 2003.

Defense's Angle:

Defense attorneys David Robinson of Enterprise and Charles Blakeney of Geneva are assisted by Amanda Mock on Steven Preachers' behalf. The defense is trying to discredit the confession

obtained by the sheriff and ABI investigators. Evidence and testimonies they presented to date indicate that the child's mother, Gale Whitley, is the guilty party rather than Preachers.

Opening Statements: Prosecution

On June 5, 2003, Gale Whitley made the trip from Enterprise to Samson to see the defendant, Steven Preachers. She carried her 21-month-old daughter Angel with her. Whitley made a trip to the Dollar General store in Samson and left Angel in the care of Preachers. She came back to the residence, and then left again to go to McDonalds to get something for Preachers, Angel, and Preachers' son Chase to eat.

During her 45 minute absence, Angel began crying loudly. Preachers became extremely agitated and took Angel into the bedroom. He threw her onto the bed and screamed at her to stop crying. When the child wouldn't, Preachers picked her up by her legs and raised her into the air. Her head hit the ceiling fan that was turned on high. Angel began screaming in pain. Preachers tossed her onto the bed, then picked her up again. He slammed her head into the dresser in the room.

After realizing what he had done, Preachers called Whitley and told her Angel was injured. When the mother arrived at the home, he told her that she had fallen from a set of steps 10 to 12 inches high. After being examined at Wiregrass Medical Center in Geneva, Angel was promptly transferred to Southeast Alabama Medical Center in Dothan. Doctors and nurses at both hospitals suspected foul play, so Geneva County DHR officer Leslie Henderson was called in to check out the situation. After a one night stay in Dothan, Angel was sent to UAB Children's Hospital where she later died from severe head trauma on June 10, 2003.

Preachers voluntarily came to the Geneva County Sheriff's Department to make his statement. He had previously made statements to DHR officers and other officials with numerous variations of his story; Angel had fallen off the steps, fallen off the dryer, and fallen on the sidewalk. He was interviewed by Sheriff Greg Ward and Alabama Bureau of Investigation officers Tommy Merritt and J.R. Ward. He told them a completely different story. After a five-hour interview, Preachers finally made a confession. During the confession, Preachers became extremely emotional and vocal as he related the events of June 5.

After Preachers signed his confession, Sheriff Ward asked DHR investigator Henderson to sit with Preachers while arrangements were made. While in the waiting room of the office with Preachers, he made various comments to Ms. Henderson. "You don't want to know what I did to that little girl," Preachers told her. "They should kill me for what I did."

Opening Statements: Defense

On the morning of June 5, Ms. Whitley went to Samson to see Preachers. She brought her 21 month old

daughter Angel along. When Whitley and Angel arrived at the residence, the child appeared extremely clumsy, taking a few steps and then falling each time. Throughout the course of the day Whitley left the residence twice, for about 45 minutes each time. Preachers was sitting on the back porch when Angel fell off a set of steps and hit her head.

Preachers called Whitley and informed her of the situation. She came to the residence, picked Angel up, and left to meet the ambulance. Preachers called Whitley repeatedly to find out how Angel was. After reviewing the events of the day, Preachers thought that Angel was acting strangely. She had been excessively clumsy and fussy.

When Preachers went to make his statement to the Sheriff, he did not know that Angel has passed away. He knew only that Whitley had been in trouble with DHR before and if they considered the incident to be neglect or child endangerment, they would take her children away.

The defense then proposed that, in the early morning hours of June 5, Gale Whitley had actually injured Angel. The night before she had wrapped up all of her "knickknacks" and stored them away. She also cleaned and rearranged Angel's room as if preparing for something. Mr. Blakeney then pointed at Gale Whitley and said, "The killer is sitting right there."

Whitley and Preachers both told "flimsy stories" according to the defense. There was no investigation into these. Preachers was also trying to protect Whitley by telling everyone that she was not involved in any way.

Day One Testimony

Dr. Stephen Boudreau - State Medical Examiner

Dr. Boudreau was the medical examiner who performed the autopsy on 21-month-old Angel Marie Whitley. After thorough examination, Dr. Boudreau found various markings indicative of massive trauma. There were numerous fractures along the suture lines in the rear of the child's skull. These had been inflicted by a direct blow to the head by a flat object. There were also several vertebrae in the neck that had been fractured. Bruises on Angel's inner thighs resembled fingerprints. Dr. Boudreau listed Angel's cause of death as blunt force trauma to the head caused by a single blow to the back of her head. The case was listed as a homicide.

Leslie Henderson - Geneva County DHR Child Abuse and Neglect Officer

Ms. Henderson was the DHR official who had been assigned to investigate Angel Marie Whitley's case. She reported to the emergency room of Wiregrass Medical Center on June 5, 2003. At the ER, she learned that the 21 month old child had fallen from a 12 inch step at the residence of Tony and Debra Smith, where Preachers was living. Doctors and nurses at the ER discussed the injuries with Henderson and told her that they sus-



Steven Lamar Preachers, center, is seen here talking with family and friends before the beginning of court proceedings on Thursday morning, July 28 in the Geneva County Courthouse. (Staff photo by Stephen Crews)

pected abuse was a factor in the incident.

Ms. Henderson had a chance to interview the family. Ms. Whitley seemed extremely detached and unemotional. She told Ms. Henderson that she and Preachers were "more than friends" and had been for some time. Angel had been staying with Preachers while Whitley went to the store and then to get something to eat. While she was on her way back, Preachers called her and told her Angel had fallen and was not responding. She picked her up and rushed her to Samson where an ambulance met them.

In her interview with Mr. Preachers on June 5, he recounted the events of the day to her. He said that he had not seen Angel fall off the steps leading to the back porch, but had picked her up and sat in the swing with her until her mother arrived. In another interview on June 6, Preachers changed his story and said that he had seen Angel fall, hit her head on a chair near the doorway, and then the right side of her body went into convulsions.

After his confession on June 11, Ms. Henderson sat in the waiting room of the Sheriff's Department with Preachers. She says that all of her suspicions of Ms. Whitley's involvement in the crime ceased after Preachers gave and signed his confession.

Janet Chapman - Dale County DHR Officer

Ms. Chapman was an investigator with Dale County DHR. She was involved with the case because Angel and her parents resided in Dale County at the time of the incident. When she arrived at Southeast Alabama Medical Center, Ms. Chapman described Angel as very pale with a fixed, absent-minded stare. She was on a ventilator and was having convulsions on the right side of her body.

When Chapman interviewed Gale Whitley, she seemed very detached and distant. Whitley gave Ms. Chapman the same story about leaving Angel with Preachers and then her falling off the porch steps.

In her interview with Preachers, he told Ms. Chapman that he had an

intimate relationship with Gale Whitley. He also told her that he was "using Whitley for money and sex."

Gale Whitley - Mother of Child

In Gale Whitley's testimony, she admitted to having an affair with Mr. Preachers that was "on and off" since 2000. She began seeing him again in March of 2003. Whitley said she and Preachers saw each other at least twice a week on her lunch break or at other times. Prior to a paternity test in March of 2002, Gale Whitley believed Steven Preachers to be Angel's father. The results of the test disproved this and confirmed Glen Whitley was the biological father.

On June 5, 2003, Whitley and Angel traveled to Samson to see Preachers. Over the course of the day, Angel was injured by what Preachers claimed was a fall from the steps. Whitley had left Angel in Preachers' care on a prior occasion. When she saw Angel lying on the couch in the residence, Whitley panicked and screamed, "She's dead!" This upset Chase, Preachers' son. Whitley put Angel in the car and headed toward the BP Station in Samson where an ambulance from Wiregrass Medical Center picked her up. Preachers called Whitley repeatedly on her way to the hospital saying that Whitley "needed to talk to Chase to calm him down." Preachers told her she had scared the young boy by "ranting that Angel was dead."

At Wiregrass Medical Center, Whitley told doctors what had happened. She told DHR investigators that she had been at "a friend's house," and that was where Angel had fallen. She did this because Glen Whitley, her husband and Angel's father, did not know about the affair Gale and Preachers were having. She also told two or more witnesses that she had been present when Angel had taken her fall.

Upon Angel's transfer to Southeast Alabama Medical Center, Whitley said her emotions were running high. What she said may have appeared to other people as being "noncha-

lant" and "distant" was actually her way of dealing with the fear and worry she was experiencing. Angel was taken to UAB Children's Hospital on June 7. Doctors told Whitley that there was pressure building inside Angel's brain due to a blood clot; they operated immediately. After the surgery, the child became unresponsive and was entirely dependent on respirators. On June 9, Sheriff Greg Ward and ABI investigator J.R. Ward told Whitley their suspicions that Angel's injuries did not resemble an accident.

The defense questioned Whitley about the night of June 4. She testified that she had cleaned Angel's room and boxed up some of her more delicate "what-nots." In response to the defense's allegation that she had injured Angel or had some part in the incident, Whitley responded, "I would never hurt my child."

Day Two Testimony Evidence Against Preachers Laid Out during Day Two

The evidence showing that Steven L. Preachers killed Angel Marie Whitley was presented by the state during the second day of court proceedings before an audience of mostly family and friends. Jurors heard how Preachers admitted to killing Whitley.

Tommy Merritt - ABI Investigator

The first witness of the day was Tommy Merritt, an investigator with the Alabama Bureau of Investigation. Merritt testified that he spoke with Preachers for most of the afternoon on June 9 and eventually took part in a confession that Preachers made.

Merritt testified that his conversation with Preachers began at approximately 1:40 p.m. with a reading of rights and that he also did an evaluation with Preachers to determine his education level and health condition. After evaluating that Preachers has an above average education and no health problems, the questioning into the death of Angel Whitley began in a small office in the Sheriff's Department.

Merritt said that a passive conversation took place

and that normal tones were used and there were no loud comments at any time on the part of law enforcement officials. The conversation lasted until 3:05 p.m. when Preachers was given an opportunity to take a break. Following the break, another conversation took place and lasted until 3:45 p.m. when another break was issued.

Following this break, Merritt and Preachers were joined by ABI Investigator JR Ward. According to Merritt's testimony, the tone of the conversation never changed and that Ward did most of the questioning from this point forward.

During this part of the questioning, Preachers told the investigators that he was left with Angel two different times on June 5. Angel was crying both times. During the second time he was left with Angel, Preachers told the investigators that Angel fell coming through the doorway. Preachers said that he picked her up and placed her on the freezer where she fell again.

After giving this information, Preachers was given a break at approximately 5:50 p.m. During this break, Preachers was approached by Sheriff Greg Ward. According to Merritt, Ward spoke with Preachers for approximately 15-20 minutes alone before coming out and giving Preachers another break.

It was at this time that Sheriff Ward, Investigator Ward and Merritt all moved with Preachers to the main conference area in the Sheriff's Department where the interview continued. This was the final answer given from state questioning before the defense had an opportunity to ask Merritt questions.

Most of the questions that Merritt was asked by the defense dealt with the procedures and methods used during the questioning. Merritt testified that no other suspects were talked with, that Preachers would have been allowed to leave if he had asked to do so, that no promises were made to Preachers, that notes used to prepare for the trial were his own and those made by JR Ward and that the investigation is over as far as he knows.

The defense also questioned Merritt about whether or not the conversations were recorded. Merritt said that there never was a discussion about taping the conversations with Preachers.

Greg Ward - Sheriff of Geneva County

Sheriff Greg Ward was the second person to testify on day two. Ward began his testimony by telling that he first questioned Preachers on the Friday or Saturday after the incident. Preachers stated that Gale went to the Dollar General in Samson and then to McDonalds. He went on to say that Angel was crying and came out of the house, tripped and fell. Preachers told Ward at this time that Angel had hit her head on a chair.

From there Preachers said that he took the child to the couch where he put a rag on her head and called Gale. Gale arrived and took the child from the home to Samson where she met an ambulance after calling 911. Preachers said that he called Gale because he thought she was going the wrong direction to Geneva.

Ward indicated that he got a call after the incident from JR Ward with the Alabama Bureau of Investigation. Ward volunteered his services and the Sheriff accepted them. The two went to Birmingham where they talked to nurses, to the mother and the father. During their conversation with the mother, she told the two of her relationship with Preachers and gave the same basic story that Steven

had given.

Following their questioning, they learned later that Angel had died and her body was taken to Montgomery to the Forensic Science office for an autopsy to be conducted. Sheriff Ward said that he was present for the autopsy which revealed that this was definitely a homicide.

The next time Sheriff Ward said that he had an opportunity to talk with Preachers was on Wednesday, June 11. According to Sheriff Ward, Investigators Merritt and Ward had already been questioning Preachers when the Sheriff came to them asking to relay a message to Preachers from his family. Ward then went in to talk with Preachers where he relayed a message from the family telling him that "they loved him and wanted him to do the right thing" or "to do what is right."

It was at this time that Preachers started to cry according to the Sheriff. Ward said that Preachers said "I'm afraid I'm going to hell." He went on to tell the Sheriff that he had been saved two weeks earlier and now this had happened. From there the Sheriff said that he told Preachers what he believed based on his faith. The Sheriff told him that under God's law, you have sinned just like everyone else and that the sin can always be forgiven if you simply ask for it. Under man's law, you have to deal with the consequences of your actions.

Sheriff Ward indicated that Preachers asked if he were to tell the truth would he then get to go home. The Sheriff stated that he told Preachers that there would then be a first appearance hearing at some point followed by a bond hearing which wouldn't guarantee that he could go home. The Sheriff went on to say that Preachers said "that girl" was left at his house crying and that he had asked Gale not to leave the child but she did. The Sheriff said that from there Preachers said that he placed the girl on the bed but she kept trying to get up.

The Sheriff stated in testimony that he reminded Preachers that he had just come from an autopsy of Angel and that the pathologist would be able to tell them what happened if Preachers didn't. The conversation then moved back to the confession made by Preachers.

According to Ward, Preachers said "that girl" was placed on the bed but she wouldn't stay put. He then took her by the legs and slung her in the air where her head hit a ceiling fan that was going "wide open". He then slung her back on the bed where she once again tried to get up. Preachers again picked her up and slammed her head on the dresser twice before slinging her back on the bed. Preachers went on to tell Ward that he collapsed in the hallway after he had realized what he had done. Sheriff Ward went on to say that Preachers said that the child was flinching and gasping for air.

Ward said that after the confession he explained to Preachers that he needed to share this information with the investigators and he agreed to do so. Ward said that a break was given before all three officials sat down with Preachers who told them again just what he had done. Preachers went on to demonstrate how he had grabbed Angel by using Investigator Ward as a model. According to the Sheriff, Preachers used a great deal of force when demonstrating his actions.

The Sheriff said that the autopsy clearly matched the confession and that Preachers was unaware of what the autopsy stated as the cause of death. Ward went on to tell the jurors that Preachers

was then arrested and the Sheriff explained to his family what he had done. The Sheriff also said that Preachers never mentioned that the mother had been involved.

In cross examination by the defense, the Sheriff was questioned about additional emotions after knowing the circumstances of the autopsy. The Sheriff indicated that there were no additional emotions in his opinion. Additional questioning focused on the amount of time the Sheriff spent with Preachers alone, whether or not promises were made by the Sheriff, why the family just didn't relay the message to Preachers themselves, the amount of time spent questioning the mother and father and why law enforcement made the decision not to record the confession. The Sheriff responded by saying that taping the confession wasn't something that the officials had discussed and as far as he is concerned the investigation is over. The Sheriff once again followed up by saying that he went to relay a message to Preachers and had no intentions of getting a confession at the time.

Tommy Merritt - ABI Investigator - Second Testimony

•After breaking for lunch, the state followed up their questioning with Sheriff Ward by questioning Merritt once again. Merritt stated during the second testimony that there is no directed method of using recorders or not using recorders. Merritt went on to say that the ABI investigators don't have to use it but they can. Merritt went on to show some negatives of using a recorder such as battery failure, a tape break or the possibility of being accused of altering a tape.

Following the questioning on the methods of recording interviews, Merritt picked up where he was stopped in questioning before Sheriff Ward took the stand. Merritt said that the Sheriff came out from his private discussion with Preachers and said that he was ready to tell the truth. Merritt said that they then brought Preachers out of a small office to the conference table where JR took the lead and wrote down what Preachers said happened.

Preachers told the three investigators that the baby was crying and that he slung her into the air and her head hit the ceiling fan that was on full speed. Merritt said that he then told them that he slung the baby into the dresser twice and threw her back on the bed. Preachers then said that he went to his knees when he realized what he had done.

Merritt testified that the actions by Preachers was very intense and that he repeated the confession several times. Merritt went on to say that he had never dealt with a case that had such emotion. He also said that Preachers demonstrated his actions of grabbing the child on Investigator Ward.

Finishing up his testimony, Merritt said that there was no prompting of Preachers and that it was mainly a narrative confession. He also said that he was surprised at the manner in which Preachers grabbed Investigator Ward and said that it appeared he was reliving the situation.

Leslie Henderson - Geneva County DHR Child Abuse and Neglect Officer - Second Testimony

•Leslie Henderson with DHR testified for the second time that she was sitting at a conference table in the Sheriff's office when the investigators and Mr. Preachers moved to the conference table. Henderson was moved to the waiting area in the Sheriff's Department where she heard Preachers say that Angel hit the fan and that he slammed her head on the

dresser when she got up after hitting the fan.

Henderson went on to say that Preachers seemed to be in a period of rage in the way he was acting just like he was reliving the situation. Henderson was then asked to sit with Preachers while the Sheriff made arrangements to have Preachers put in jail and heard Preachers make some of his strongest statements yet.

During a discussion with Henderson, Preachers stated, "You must think what I did was awful," and "You don't know what all I did to that little girl." Henderson stated that Preachers also asked if he hurt himself could it possibly get him put into a mental institution.

Henderson said that Preachers was visibly upset at first but eventually calmed down. He also went on to tell Henderson that he had not told her the truth when he originally answered questions for her.

JR Ward - ABI Investigator

•ABI Investigator JR Ward was the final witness for the state's case. Ward opened his testimony by explaining that he offered his services to the Sheriff on June 9. He then made plans with Sheriff Ward to go to the children's hospital in Birmingham to interview several people including the mother and father of Angel Whitley. After coming back from Birmingham, Ward had the opportunity to talk with Steven Preachers on July 10 at the Sheriff's Department.

During his interview with Preachers, he was given three different stories as to what happened. The first story was that Angel fell in the doorway and was unconscious. The second story was that he was washing clothes, Angel fell and bumped her head. Preachers then puts the child on the freezer and she once again fell. The final story is that she just fell off the freezer. During each story, Preachers was very upset according to Ward.

At approximately 5:45 p.m., Sheriff Ward asked for permission to talk with Preachers. The Sheriff talked with Preachers for about 15-20 minutes when he informs the investigators that Preachers has confessed to the crime. Ward says that after giving Preachers a water break the questioning began again and it was at this time he and Investigator Merritt first heard Preachers's confess to the crime.

According to Ward's report, Angel and Gale came to the house and he did not know that Angel was coming. Gale went to the Dollar General and came back. Preachers wanted her to take Angel but she said no. She comes back and Preachers asks her to go get food and again asks her to take Angel. Gale doesn't take Angel but does go get food in Geneva for the couple and the two children.

An emotional Ward then laid out the events that followed Gale leaving to go to Geneva for food. Ward says that Preachers says that he can't get Angel to stop crying and he gets very angry. Ward says that Preachers continues to say that he can't get her to stop crying and has gotten very angry in the discussion. According to Ward, Preachers says that he grabs her legs and Ward demonstrates that he violently lifts the child into the air and her head hits the fan going full speed. Preachers then slings the child back on the bed and yells at her over and over to "shut up." He then picks her back up off the bed and slams her head against the dresser twice saying "shut up {expletive}."

Ward says that from there they got Preachers to go through the confession several times and that he wrote the statement out for Preachers after Preachers tried to write it out himself but did not follow the order that he stated it had hap-

pened. Also, Preachers demonstrated how hard he grabbed Angel by grabbing Investigator Ward. Ward indicated that it was so strong that it moves him in his seat. Preachers later signs the confession and was arrested after this.

Investigator Ward said that two of the five fan blades did not have dust on them in areas that were likely him by the head of Angel. He went on to say that the dresser was dust free as well.

During the defense questioning, Ward was questioned about not having a taped confession. Ward responded by saying that they had a recorded confession in the way of a signed statement. In addition to this, Ward said that he was suspicious of Gale early on and even looked into child neglect charges after the admission of guilt by Preachers. The District Attorney at the time, David Emery, chose not to file the charges.

In addition to this, Ward said that Preachers never fussed at Angel Whitley, but rather yelled at her. He also said that no forensic check was done at the home of Preachers and that he didn't list the dust reports in the bedroom because it was something he wouldn't forget. When asked once again about not having a recorded version of the confession, Ward stated that he wished now that he did have a copy of the confession so that everyone could see just how Preachers acted during this time. Ward once again stated that they kept an open mind on Gale Whitley being the murderer until Preachers confessed.

Defense Begins Laying Ground Work that Whitley, Not Preachers, is the Murderer

After resting by mid afternoon Thursday, July 28, the defense took to presenting their case that Gale Whitley, the mother of Angel Marie Whitley, not Steven Preachers is the murderer in this case.

Gale Whitley - Mother of Angel Marie Whitley

The first witness for the defense was Gale Whitley, mother of Angel Marie Whitley. Whitley was asked about conversations she had with numerous subjects including Vince Dooley of Slocumb who at the time worked for Sorrells-Patterson Funeral Home.

Lucinda Armstrong - Birmingham Children's Hospital

Armstrong, who is a children's social worker and family support member was called upon to do an assessment of Angel Whitley and her family. Armstrong stated that the mother told her that the child had fallen off a step and hit her head. Armstrong went on to say that she was aware of Preachers' confession but that there were several inconsistencies of how the act had happened.

Vince Dooley - Former Patterson-Sorrells Funeral Home Employee

Dooley was questioned about an incident where Gale Whitley told him that her daughter had fallen out of the grocery buggy at Wal-Mart. Dooley stated that Whitley told his wife one story and him another story. One story involved Angel falling out of a buggy at the Geneva WalMart while the other story involved Angel falling out of a buggy in the Enterprise WalMart. Both times she received bruises to the head according to Whitley.

Dooley also stated that he heard Gale Whitley looking into Angel's casket asking her to forgive her because she had let her die.

Gary Jackson - Friend of Glen Whitley

Gary Jackson, a friend of Glen Whitley testified that he talked to Gale on the

phone while she was in Birmingham with Angel. Jackson stated that Gale said, "I didn't know she was behind me," and that he didn't know what she meant by the statement but that she said it. "I just assumed it was about the accident," said Jackson.

Janet Chapman - Dale County DHR

Janet Chapman testified for the second time in the trial, this time stating that Gale gave inconsistent statements to the Dale County DHR about the accident. Chapman also testified that Gale stated she had gone to Samson to purchase Mane and Tail shampoo.

Michael Hughes - Geneva Rescue Squad

Hughes testified that he is a paramedic with the Geneva Rescue Squad and that he had helped on the rescue run. Hughes went on to say that there was bruising around the temple region and on the extremities.

Day Two Testimony Steven Preachers - Defendant

The defense opened day three with the testimony of the defendant, Steven Lomax Preachers. Preachers has been a resident of Samson all of his life and graduated from Samson High School. Previously employed by Geneva Electric, Preachers stated that he was fired for excessive absenteeism. In addition to his troubles in the workplace, Preachers admitted that he pleaded guilty in the past five years of a controlled substance charge in Houston County.

Preachers told the courtroom that he met Gale Whitley first as friends in 2001 and that it became an intimate relationship at a later date. At some point during the relationship Gale became pregnant according to Preachers. A DNA test was given and it was learned that Preachers was not the father but that Glen Whitley was. "I never thought it was my child," stated Preachers.

Two weeks before the crime took place in the home of Preachers, he attended church services at Ino Baptist Church and was saved. It was at this time he realized his relationship with Whitley was wrong and started trying to end it.

On June 5 Preachers received a call from Whitley stating that she wanted to come for a visit. Preachers testified that he told her it wasn't a good idea because his son Chase was there and his ex-wife didn't want Gale around their son. Gale continued to ask to come in order to work things out and Preachers told her yes. Preachers stated that he felt he was in the process of changing but didn't know for sure what to do.

Upon arriving at Preachers' home, Gale realized that he was sick and was willing to go to Dollar General to get him some medicine. Preachers stated that Gale had stated she needed to go get a few other things anyway so it wouldn't be a problem. Upon leaving for the store, Preachers stated that Angel started crying. Upon returning to the residence, Preachers said that he asked Gale to go get them all something to eat. She agreed to do so and had to call and get directions because she claimed she wasn't sure on how to get Geneva. Right before returning to the residence, Preachers says that Whitley called him and said that she was almost there. Preachers went on to say that Angel did not get hurt while he had her and that he didn't call Gale while she was gone on the two trips.

After arriving back at the residence, Preachers said that he had some pants that he made the mistake of washing with some towels and had called an aunt to see what he could do to get the lent off of them. Preachers said that Gale said she

was a country girl and that if he had some duct tape she could fix the problem. He said that it was at this time that Gale went from the kitchen to the laundry room with Angel and closed the door. While in the laundry room, Preachers stated that he was getting the meal ready and heard a bump...bump...bump...bump and then "what sounded like a child sliding down a slide with the slide making a squeaking noise."

Going to the laundry room, Preachers stated that he found the door locked. He knocked on the door and Gale opened it but there was no Angel but the dryer was running. Preachers said that he opened the dryer door where he found Angel. He stated then that he grabbed her by the legs and pulled her out. Preachers said that he then questioned Gale as to what was going on and she said she was "doing what I should have done a long time ago."

Preachers said that it was Gale who didn't want to call 911 but wanted to go ahead and eat lunch and that he forced her to make the call and take the child to the hospital. He went on to say that Gale made him promise not to tell the truth and to tell them that Angel fell. Preachers continued by saying that he called Gale after she left the house to make sure she was headed in the right direction.

Admitting that he had changed his story several times, Preachers said that the only person he told the truth to was his former attorney David Harrison who at the time was handling the drug case for him in Houston County. Preachers said that Harrison came to see him at the jail and that he told him the entire story of what really happened.

Preachers said that Investigator Merritt was very calm during the discussions at the Sheriff's Department but that JR Ward was very agitated and angry. He went on to claim that Investigator Ward slammed his hands on the desk and said that it didn't happen that way when I gave him one of his first stories. Preachers also said that law enforcement would not allow him to use the phone and that Sheriff Ward sent his aunt home.

When discussing his conversation with Sheriff Ward, Preachers said that he wouldn't have admitted to anything if he had known that the baby had died. "I wouldn't have ever given a statement," said Preachers. Preachers also stated to the court that he used info given by law enforcement to fabricate his own story. "I just gave them what they wanted so that I could go home."

Cross Examination by the State

Preachers admitted that he quite possibly could have put the bruises on Angel's legs when he pulled her out of the dryer.

Early in the cross examination, Assistant DA Steven Smith stated to Preachers, "I am not sure we can count all the lies you have told, have you tried to count them yourself?" The questioning continued by the state with Preachers finally saying that he knew he was confessing to a crime but not one as severe as murder. Preachers went on to say that he thought he was being charged with neglect or abuse and that he was willing to do that to cover for Gale.

Smith responded back by asking Preachers if he was willing to cover on possible child abuse charges for Gale despite wanting the relation-

ship to end. Preachers said that he was and admitted that the relationship between himself and Gale was just about sex and money.

Preachers added that he didn't want the state to know at the time he had a relationship with Whitley and that he previously had not told the state that she was placed in a dryer.

Glen Whitley - Father of Angel Whitley

Glen Whitley, the father of Angel Whitley testified that Gale and Angel did not go to bed with him the night before the crime took place. He stated that Gale was folding baby clothes in Angel's room and the furniture was in its normal place although Gale moves it around a lot.

Whitley told the court that he got up to go to work at approximately 5:30 a.m. and that Gale was in bed and Angel was with her. When Whitley went to touch the baby, Gale responded "she's tired...she's real tired." He also stated that it appeared that Gale was wide awake.

After arriving at work, Mr. Whitley stated that he received a call later in the day that he needed to go to the hospital and that the message was from Gale. "I didn't know what hospital she was referring to at the time," said Whitley.

Calling home he was able to reach one of his sons who informed him of which hospital he needed to go to. Upon arriving at the hospital he stated that Gale threw her hands in the air and said "she's mine, she's mine too." Whitley said that his wife had a confused look on her face and that she looked like someone who might be scared of something.

It was at this point that Whitley asked his wife, "What have you done now?"

He proceeded to tell the court that his marriage to Gale has been rough and that he "was just used to her doing things." He then stated that he asked her why she was in Geneva.

When questioned about her emotions, Mr. Whitley stated that he didn't see any emotion out of her and that she didn't come close to showing any. Whitley said that he was finally told by Gale that she had been visiting a lady friend from Wal-Mart who had a seven-year-old that Angel enjoyed playing with. He went on to say that Gale said that Angel had fallen from some steps.

A question was presented by the defense as to what time Gale left Wiregrass Medical Center and arrived at Southeast Alabama Medical Center but Mr. Whitley said that he was not sure because they left going out different doors from the hospital and arrived at the same time, but he had stopped to talk with someone that delayed him about five minutes. He went on to say that he was not sure if Gale had traveled Highway 52 from Geneva to Dothan before.

Mr. Whitley testified that there was very little communication between himself and Gale at the Dothan hospital or on the drive to Birmingham. He did recall that upon arriving at the house before heading to Birmingham, Angel's room had been rearranged. The dresser had been put on a different wall and that Gale had purchased a new car seat for Angel. Whitley also said that this was the last time he had been back to the home and has since moved.

The trip to Birmingham was an interesting one for Mr. Whitley. He stated that Gale told him that she and Angel were mad at him because several of Angel's fig-

urines were broken.

Mr. Whitley says that the grave marker for Angel has been desecrated with the words "Daddy's Little Girl" being chiseled out by someone. He also said that other items left at the grave site have been taken and some were even thrown back into his front yard.

Another time of discord for Whitley and his ex-wife occurred before the injury and death of Angel, there was a day when Gale told him that Angel wasn't his. A heated debate occurred when Gale took a .22 Daisy Rifle and cocked and fired the trigger over and over again with the gun unloaded. Gale finally told her husband, "I will kill that God {Expletive} youngn' before I let you have her."

Mr. Whitely went on to say that Gale had "a tendency to cuss everyone" and that he had been married to her for 13 years. Whitley also said he had nothing to lose to her by getting a divorce.

During the cross examination by the state, Whitley admitted that he stayed with Gale even after the gun incident and dropped a divorce petition as well. He also admitted that he continued to live with her, and that Angel never had any signs of bruises that might have occurred due to Gale.

Whitley also went on to testify that Gale always handled the purchasing of items such as car seats when she felt they were needed. She also had a tendency to stay up all hours of the night when she was off because she was on the night shift at work.

In addition to these statements, Whitley said that Gale has never been one to cry a whole lot or show much emotion. He also stated that most of the comments Gale made are just normal for her.

Whitley added that he had a dispute with Gale over the location of Angel's burial and her grave marker.

Steven Whitley - Brother of Angel Whitley

Steven Whitley, the brother of Angel Whitley and the son of Glen and Gale Whitley testified that his mother did quite a bit of yelling the night before Angel Marie Whitley died; Angel was crying during the incident. He also stated that his mom vacuumed and cleaned Angel's room that night.

During cross examination, Whitley stated that he noticed furniture moved including the bed.. He went on to say that it's not unusual for his mom to stay up late at night, and that he and his brother have been left at home more than once by Gale.

Danny Jernigan - Eng - ram Memorials

Danny Jernigan testified that Gale Whitley "got ugly with him" about a statement that had been placed on the grave stone of Angel Marie Whitley. Gale asked that the statement "Daddy's Little Girl" be removed and replaced with "A Mother's Daughter." Jernigan testified that Whitley said that she was "fixing to sue the {Expletive} out of them," if it wasn't changed. Jernigan finished up by saying that he "could tell real quick that he didn't want to deal with this woman."

Jernigan was the last witness before Judge Quattlebaum issued a recess until Wednesday. At that time the defense will resume their case with closing arguments possibly coming on Thursday and the jury being handed their responsibility by Friday. More details of the trial will be in next week's paper.