Witness: Eric Sherar

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Called by: Defense

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Examinations: Direct – Pat Harris

Day 1 of 1 for this witness

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Direct Examination by Pat Harris

HARRIS: Good morning, Eric.

SHERAR: Good morning.

HARRIS: The short version of the story is that you were friends with Scott and Laci for a couple years at one point; is that right?

SHERAR: That's correct.

HARRIS: Then let's do a little bit of background, talk about, where do you live now?

SHERAR: Atascadero.

HARRIS: What part of California is that?

SHERAR: It's San Luis Obispo County. I live up over the grade. Used to live in San Luis Obispo.

HARRIS: What do you do for a living?

SHERAR: Ornamental iron contractor.

HARRIS: How was it that you came to meet Scott and Laci?

SHERAR: Scotty and Laci moved in next to us at the Mail Pouch Farm. That's where we met. Became friends just right away.

HARRIS: I want to talk, I want you to give the jury sort of a picture of where it is that you are talking about that you were living, because this was a rather unique living arrangement?

SHERAR: Very close. It's,

HARRIS: It was a ranch?

SHERAR: It was a ranch. I took care of some horses out there. There was three houses that were ranch houses, and a couple of bunkhouses, I guess you would say. The bunkhouse that Scotty and Laci lived in was maybe twice as much as the judge and I, that big a space, maybe, I don't know. What would that be? 400.

HARRIS: About four hundred square feet?

SHERAR: Four hundred square feet, something like that. Very, very small.

HARRIS: This is kind of like a rustic cabin type, almost, situation?

SHERAR: Oh, yeah. Yeah, it was. Very beautiful though too. Had this real huge oak tree that was over the top of the house, and had a creek running through it from a stock pond up above, running right underneath the house. Very neat place.

HARRIS: Was it one room, sort of one room?

SHERAR: One room, one bath. You couldn't fit more than like four people in there at the most.

HARRIS: Where did you live in connection to that?

SHERAR: I lived in, probably, oh, as far as maybe a hundred fifty feet away, other side the driveway, in a house that was maybe 800 square feet instead of 400. It was twice as big.

HARRIS: So you were in very close proximity, obviously, to their the house?

SHERAR: Oh, yeah. Yeah.

HARRIS: In fact, I think you told me there weren't a whole lot of secrets between the two of you?

SHERAR: No. I kind of equated, equate it to like living in a couple of trailers, almost. Not that bad. But you could you could hear people talking.

HARRIS: How long did Scott and Laci live there?

SHERAR: Year and half, two years.

HARRIS: And were you there the entire time they lived there?

SHERAR: Yeah.

HARRIS: During the time they lived there, did you become, did you, you were married at the time?

SHERAR: I got married. I'm not sure if I was married right before then or right, well, no. Yeah, they came to our wedding. That's right. Yeah. Scotty and Laci came to the our wedding. So we were married during that time.

HARRIS: What's yours wife's name?

SHERAR: Carol.

HARRIS: You developed the a relationship during this time?

SHERAR: Scotty and I?

HARRIS: Yeah.

SHERAR: Yeah. Yeah. Scotty and I Carol and Laci, all of us.

HARRIS: Became a friendship?

SHERAR: Very much.

HARRIS: Kind of things, what kind of things would you do together?

SHERAR: We would have Scotty and Laci over for dinner. They would have us for dinner lots of times. Their house is so small that maybe Laci would cook and/or Scotty would barbecue, and we would bring it over to our house and eat. Played cards together. Played hearts. We, Scotty and I went fishing together, fly fishing. I taught him how to fly fish and built him a fly rod.

HARRIS: So you spent a good deal of time with him?

SHERAR: Yeah.

HARRIS: Feel like you got to know them, who they were, what they were like?

SHERAR: Yes, I do.

HARRIS: You got to see their relationship? Over a two-year period, you got to see a great deal about their relationship, I assume?

SHERAR: Yeah, yeah. Oh, yeah, yeah.

HARRIS: What were they like together?

SHERAR: I'd say, you know, I live, like I said, about a hundred fifty feet away from them. I never heard any kind of arguments. They were like an average couple. They, I don't ever remember any real bad arguments, you know. There was like little small stuff that basic people would have, you know. Do this for me, or do that. You know. But nothing, I don't ever remember anything really big.

HARRIS: They a fun-loving couple, seemed to have a lot of fun?

SHERAR: Oh, yeah, yeah. Without a doubt.

HARRIS: Fun to be around?

SHERAR: Very much so.

HARRIS: Good sense of humor?

SHERAR: Yeah.

HARRIS: The character trait you saw in Scott, you mentioned first and foremost, was sort of patience. Is that a fair assessment, that he was very patient, very steady?

SHERAR: Very steady. One time, one time, Scotty and Laci have a dog named Macki, McKenzie. And McKenzie, and I had a Queensland Heeler, female. And she was, she was, she was a dog that liked to fight, I guess you would say. And one time she got ahold of McKenzie, and McKenzie, Scotty and I were, I remember, were trying to get them apart. And, you know, Laci was, she was getting pretty upset about it. You know , you know, in the heat of everything, she started punching my dog. And I could see things escalating. And Scotty kind of mellowed everything out. We got the dogs apart. And I thought it was a time, you know, that I could see myself looking at both of them going, this could get, you know, this could really turn out ugly. But it didn't. It didn't. Mellowed things out.

HARRIS: You also mentioned there was some point a story about you sold him a boat; is that right?

SHERAR: I sold him a boat a twelve-foot aluminum boat with a nine and a half, nine horsepower engine on it.

HARRIS: Did you know what he was going to use the boat for?

SHERAR: I assume be duck hunting and fishing.

HARRIS: Where would he do that?

SHERAR: Well, the closest place was Morro Bay to do some duck hunting. I know he had been out there a few times doing that.

HARRIS: Did there become an issue about the boat, about the sale of the boat between the two of you?

SHERAR: Scotty, I don't know what exactly was whether the motor I sold him with the boat was, had been overheated, and burned the head, or something. But I think it was hard starting. And Scotty found out about that. And, you know, he kind of said, "Hey, Eric, did you sell me something that's not good?" And I felt bad, you know, because I honestly hadn't done that. But I didn't know. But after, you know, after talking to him about it, then you could see it kind of rolled off. And he questioned me about it. And then I thought he thought, you know, Eric, not quite sure if you did me wrong or not, but I'm going to forget it.

HARRIS: Is that kind of his personality? Is that kind of what you observed?

SHERAR: Yeah. Yeah. Another time when, on the same boat, it was that kind of a bad thing to, I guess, to sell the boat to him, because then I borrowed the boat, and I took it out into the salt water. And I thought Scotty had already taken it out into salt water. And I forgot to clean out the motor. Well, salt water makes everything rust real quick. And that was another thing, you know, I thought he could, if it was changed around, I would have been pretty dang upset. And, you know, he was upset, again mellow about it.

HARRIS: Was he also generous with you as a person?

SHERAR: Yeah. Yeah.

HARRIS: In what ways?

SHERAR: Clothing. He would give me a lot of clothing. Probably three or four sweatshirts. My wife, you know, he gave, my wife his Ping, this Ping ball cap that she liked. One of the things, I told you that I was taking care of the horses out there. Well, one day I was gone doing something, but I had forgotten, and ran out of hay. I told my wife to do the, to feed the horses. Well, she had no way to, she had no way to get the hay. But my, Scotty, you know, said, "Hey, Carol, I'll be glad to come down to the feed store with you and get the hay, and help you feed the horses." You know. After working and stuff, you know, I could there is times I would feel like, you know, that's Eric's problem, not mine.

HARRIS: Seem to be the hard working to you? You had a chance to see him a lot. Did he work a lot of hours?

SHERAR: Was he hard working, is that the question?

HARRIS: Yes.

SHERAR: Yeah. Yeah. He would go to school, and then I would see him either go over to the crating business, or at the same time he had an intern, and he did that too. So at one time he was doing all sorts of things. Internship, going to school, and work the crating business.

HARRIS: Did you notice while you were around him, that he had a special relationship with his father; is that right?

SHERAR: Yeah. Yeah. That's one of the things I think that really impressed me about Scotty. I have a real good relationship with my pop. And I noticed right away that Scotty and Lee were really tight. They did a lot of things together.

HARRIS: What kind of things would you see? You actually told me a story about the track.

SHERAR: About the what?

HARRIS: About the race track. Would you relate that story?

SHERAR: Yeah. One of the things that, you know, Scotty said was, I was in his shop, and we were talking, and I said, how long have you been, been, have you been doing this? He goes, I have been doing the crating stuff since I was like this, man. I said what do you mean like this? He goes, my pop would bring me to work with him when he could. And he goes one of the greatest times I remember was, we come to work. And we lived next to a racetrack, horse track. And my pop would take me to the horse track. He would say, don't tell your mom. This is between you and I. To me it was kind of a bonding thing, you know, that this is something that I could see myself doing with my pop. I liked that.

HARRIS: Did you have a chance to see Scott and Lee sort of interact together, two of them together?

SHERAR: Scotty and Laci?

HARRIS: Scott and Lee.

SHERAR: Scott and Lee? Yeah.

HARRIS: How do you think, you know we're here today. I wanted to ask you, how do you think executing Scott would affect Lee?

SHERAR: It would kill him.

HARRIS: How would you feel? How would it make you feel?

SHERAR: I think it would be tragic. It would, I can't see that. That would be a real, that would be the worst.

HARRIS: Thank you. That's all I have.