

# EXHIBIT I

## Transcript of statement of Kelvin Howard

Butch Johnson ("BJ"); Kelvin Howard ("KH")

BJ: Okay today's date is November 24<sup>th</sup>, its Saturday, current time, 2012, current time is 10:22 am. My name is Butch Johnson. I am a capital investigator with the Missouri state public defender's office based out of Columbia, Missouri. For our records, sir, will you please give me your name and address.

KH: Kelvin Howard, uhh, 309 Branum Street, Sikeston, Missouri.

BJ: And, we've talked quite a bit before we started these tapes and, uh, did I in any way promise you anything for your testimony today, or your statement today?

KH: No sir.

BJ: Did I threaten you in any way?

KH: No sir.

BJ: Okay. So this is of your free will, that you're doing this

KH: Yes sir.

BJ: This statement. Back some time ago, approximately a week and a half, maybe two weeks ago, you reached out to the Robinson family, here in Sikeston.

KH: Yes I did.

BJ: Um, why did you reach out to them?

KH: Well this, uh, situation here that we're dealing with, uh, been on my conscious for a long time and I seen them, and I said, well, talk to someone (unintelligible) so I can get this off my mind and maybe try to help this set the truth straight. Uh, David is a good person. Romanze is a good person to me. But I think that things need to be coming out now for the crime that David is locked up for he did not do.

BJ: You're talking about the, uh, the murder of Sheila Box in 2000? Right?

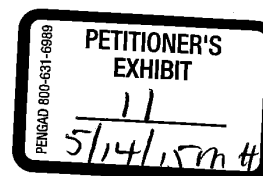
KH: Yes sir.

BJ: Okay. And I know this is a tender subject for you, Kelvin, and, but I'm going to ask you anyway. Your wife just recently passed away.

KH: Yes she did.

BJ: Uh. What was her full name?

KH: Dorothy Mae Mosby Howard.



BJ: She goes by the street name of Toy?

KH: Yes sir.

BJ: That's T-O-Y?

KH: Yes sir.

BJ: Is it alright if I call her Toy?

KH: Uh, its okay.

BJ: Okay. Uh, Toy had some children by a previous marriage, is that correct?

KH: Yes sir.

BJ: And what children, uh, what was their names?

KH: Uh, Romanze Mosby, Louis Mosby, and Laportia ... Laportia Mosby.

BJ: Okay. About what time - what year ... you spent some time in the department of corrections

KH: Yes, I have. I have.

BJ: Okay. What was that charge for?

KH: Uh, at the time I can't remember. It was, uh, probation or something I was on. Had a little time left, about four months or six months' time to do and during that (unintelligible) I ended up being with Romanze and I were a correctional center.

BJ: So you both were housed at Algoa in Jeff City, then.

KH: Yes sir.

BJ: And about when would this been?

KH: Oh, this is what 12, I say, 2009, 10, somewhere up in there. Uh, two years now. Ago.

BJ: Okay, and you were just there for a few months, with Romanze?

KH: Yes, I was.

BJ: When you, uh, when you left for Algoa, were you aware that Romanze was there?

KH: Yes sir.

BJ: And I take it you looked him up there.

- KH: Uh, well, I didn't have to look him up. He was aware I was coming down, and uh, and he was already there, uh, from that day on, that point on, we spent a lot of time together each and every day talking about a lot of stuff.
- BJ: Did the subject of the white gal being shot and killed down here in Sikeston back in 2000 ever come up between the two of you?
- KH: Yes it did. Yes it did, uh ...
- BJ: Could you relate to me what -- how it came about, and what all might have been said? And I realize its been a long time but the best that you can remember.
- KH: Well, of course, I can remember, uh, we was walking the yard, and uh, David Robinson was supposed to be coming back for a trial or something, and he'd seen it in a newspaper. And then, right then, the discussion came out heavy, uh Romanze was trippin about it, or singing about it, however you want to word it. And I said, well, and he said, what I gonna do? I said, well you tell me the truth. What's goin on? He said David was free, David did not do this crime. I said what you mean? I said all these years you sit back and let him be in prison for something he ain't done, and he said, well man, what should I do? I said, did you do it? And we got up and walked the track, and he just looked at me in my face, and said yes. I said, well why, man? Why would you sit back all these years and let him do this time? And, uh, he changed the subject. He said, I'd like for us to take a picture, and I'm gonna call my mom. And I say, okay, I understand this. But what are you gonna do? I say you be comin home soon too. He said, man if I tell the truth I'll never be around no more. Cuz they will get me like ... I said I understand that. And so, that's what took me so long to uh ... My wife was a beautiful woman, and nice person and suffered a lot. And me and her discussed this. And she told me to remain silent. There had been several people coming to us about this situation. And she would not want me to speak today about this. But I think its the right thing to do, uh, at this time. It will ease my conscious and maybe Romanze will be able to rest in peace now.
- BJ: Romanze committed suicide in June of 2009. When uh, when was the last time you saw Romanze in respect to the day that he killed himself.
- KH: We was together all that day, like I said, and he wanted to take pictures of me and him. And we walked and took seven, I guess, seven before it was just dark and they lock up. And we stood there and hugged each other. And he said, man, please take care of my momma. And I said, hold on, what you, what you talkin about? And he said, just please take care of my momma. And right then, there was nothing I could do. And I kinda figured something was gonna go wrong, and that's when he took his life.
- BJ: So the next morning you found out he was gone ...
- KH: Oh, about one or two o'clock in the morning they uh, come and woke me up.
- BJ: I see ... yes. That is horrible. I mean, the fact that you were his step dad.
- KH: Yes sir.

BJ: Gotcha. My, that had to be hard.

KH: Yes it is. I was very devastated and hurt by it. Because something I feel could have been better, or something could have come out of that better, and just ... and then after that then I lost my wife also.

BJ: Its been a long hard road for you.

KH: Yes sir.

BJ: And I really, I'm very sorry about Toy, and I told you that on the phone and I'm going to tell you it again. She was a great gal, a beautiful lady and I met her just once. So ...

KH: And, uh, I want to make one more statement.

BJ: Okay.

KH: What I'm doin right now, its not out of pity or hurt, because my hurt is so strong right now I wouldn't do it. But I think, as I say, that its time for things to be set right. Maybe happens someone today didn't do the crime because I have been there before myself. And, um, if it would happen, that's fine. And I will feel better, and I know they will too at this time.

BJ: So, as long as, as long as Toy was alive, you just didn't feel you could come forward, I guess.

KH: Yes sir, that's one thing that she didn't want me to do while she was pregnant because her other son, which is my step-son, and I love them both, and uh, she would not want me to set the truth free, which, he knew the truth too. But, you can't blame a momma, uh, in a situation like this.

BJ: When did Toy actually know that Romanze had done this crime.

KH: From day one.

BJ: From day one?

KH: Yes.

BJ: Okay.

KH: When it first took place, yeah.

BJ: I know that he made a phone call there just before he, just before he uh killed himself, and I assume that was to Toy.

KH: Well that's what, uh, I was told that's what he did and that's what he did said he was gonna do. Talk to her.

BJ: Okay. You weren't there when he talked to her.

KH: Not on the phone. He just told me and told her and to take care of his mom, and I got (unintelligible) doing the statement. But he promised me, I mean he asked me if I would promise him would I take care of his momma. And, like I said, I didn't ... back then I knew something wasn't goin' ... something wasn't right. And he said that statement, and she brought that back up to me. Said, why would he say take care of your mom? And he already knew, they knew how I feel about her. But he still make the statement to me, like something was going to happen and that what happened, you know, committed suicide. He couldn't take it no more. But he figured that was the best thing to do, than life in prison for a crime, that he knew he committed and stated to me, like I say several times that he did it. And if my wife was here, I'd try to talk to her several times about this and uh, she would not, but remaining silent.

BJ: Alright, I don't think I've got any other questions for you Kelvin. I appreciate your time and I know this is not easy for you.

KH: Yes sir. Right now, uh, I thought I would be cryin, but, you know ... um, I just hope, um, this come to an end now. I feel for David, you know, and I hope he can be set free, if possible.

BJ: Well, in a community like this, in Sikeston, everybody knows everybody and I'm sure that you all grew up with David and his brothers ...mom ...

KH: I did, yep ... Yes I did.

BJ: And I mean, it really makes it tough when you are that close, when you've got two families ... one is ...

KH: Yeah.

BJ: Both sons are gone now, you know, so ...

KH: I know. Its real ... its real hard, like I say. I struggle each and every day with the thoughts and stuff with my mind now. But, I think I know, that at this time I'm doing the right thing. Hopefully, like I say. If something good come out of it, praise the Lord.

BJ: Yeah.

KH: Ya know. If it don't, least my mind and conscious be eased now, ya know.

BJ: There ya go.

KH: Like I say, when I first came home, uh, several of, I guess David's lawyers, might have been you, I don't remember. Uh, came ... come to me several times about this situation and couple times my wife was pregnant, and uh they would say that she had me remain silent. So now I hope everything come out okay.

BJ: Okay.

KH: And thank you.

BJ: Thank you.

KH: I'm sorry. I was going to change my mind, but I think this is the right thing to do now.

BJ: I appreciate it and I know David does, and Jeannette, so, thank you very much for your time.

KH: If I can be of any more help just notify me at a number, or somebody to contact me.

BJ: Yep. I will do that, thank you.

KH: Yes.

\*\*End of Audio File\*\*