

1 A. WE WERE OUT LOOKING ONE SUNDAY AND WE FOUND IT.

2 Q. WHO IS "WE"?

3 A. MY SISTER, SOME FRIENDS AND DAVID AND I.

4 Q. AND WHEN YOU SAW THE HOUSE, DID YOU IMMEDIATELY LIKE THE
5 HOUSE?

6 A. YES, I DID.

7 Q. DID YOU UNDERTAKE TO PURCHASE THE HOUSE?

8 A. DID I WHAT?

9 Q. DID YOU UNDERTAKE TO PURCHASE THE HOUSE?

10 A. YES, I DID.

11 Q. CAN YOU TELL US WHETHER OR NOT YOU GOT IN TOUCH WITH A
12 REAL ESTATE AGENT?

13 A. YES, I DID.

14 Q. WOULD YOU TELL US WHO IT WAS YOU GOT IN TOUCH WITH?

15 A. FIRST I WAS DEALING WITH GEORGE HIGH AND THEN HE
16 INTRODUCED ME TO HIS WIFE, VIRGINIA HIGH.

17 Q. WAS THIS THE FIRST TIME YOU HAD MET VIRGINIA HIGH?

18 A. YES.

19 Q. HAD YOU DEALT WITH GEORGE HIGH BEFORE THIS TIME?

20 A. ONLY HE HAD TAKEN ME OUT TO LOOK AT OTHER HOUSES.

21 Q. HAD YOU BEEN INVOLVED AT ALL IN A DEAL INVOLVING A LOAN
22 ASSUMPTION WITH MR. HIGH?

23 A. NO.

24 Q. NOW, WHEN YOU CONTACTED -- YOU SAID GEORGE HIGH. DO YOU
25 SEE GEORGE HIGH IN THE COURTROOM?

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1 A. YES, I DO.

2 Q. WOULD YOU IDENTIFY HIM FOR THE RECORD?

3 A. THERE IS HE OVER THERE (INDICATING).

4 Q. WHAT IS HE WEARING?

5 A. A DARK SUIT WITH A BURGUNDY TIE.

6 Q. IS THE SUIT A TWO-PIECE OR A THREE-PIECE?

7 A. THREE.

8 MR. MOYE: YOUR HONOR, MAY THE RECORD REFLECT THE
9 WITNESS HAS IDENTIFIED THE DEFENDANT, GEORGE HIGH?

10 THE COURT: ALL RIGHT.

11 BY MR. MOYE:

12 Q. MRS. GRAZETTE, WHEN YOU CONTACTED MR. GEORGE HIGH, WHAT
13 DID YOU TELL HIM ABOUT THIS HOUSE?

14 A. I DIDN'T CONTACT HIM ABOUT THE HOUSE. HE HAD TAKEN ME TO
15 SEE SEVERAL OTHERS HOUSES. WHEN I GOT READY TO PURCHASE THIS
16 HOUSE, I WAS DEALING WITH HIS WIFE AT THAT TIME.

17 Q. HIS WIFE IS WHO?

18 A. VIRGINIA HIGH.

19 Q. DO YOU SEE HER IN THE COURTROOM?

20 A. YES, I DO.

21 Q. WOULD YOU IDENTIFY HER FOR THE RECORD?

22 A. SHE HAS ON A GOLD COAT WITH A BROWN BLOUSE.

23 THE WITNESS: YOUR HONOR, MAY THE RECORD REFLECT THE
24 WITNESS HAS IDENTIFIED THE DEFENDANT, VIRGINIA HIGH?

25 THE COURT: ALL RIGHT.

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1 BY MR. MOYE:

2 Q. TELL US ABOUT YOUR DEALINGS WITH VIRGINIA HIGH IN
3 CONNECTION WITH THIS PARTICULAR HOUSE, 5648 HUNTER'S CHASE.

4 A. SHE TOLD ME HOW MUCH I NEEDED TO PURCHASE THAT HOUSE. I
5 TOLD HER HOW MUCH I WANTED TO PUT DOWN ON THE HOUSE. (I HAD
6 \$50,000. SHE SAID MAYBE I NEED A HUNDRED IN ORDER FOR THE
7 DEALER, BECAUSE MY CREDIT -- I DIDN'T HAVE ENOUGH -- MY JOB
8 WASN'T ENOUGH FOR THE BANK TO GIVE ME THE LOAN.

9 Q. DID YOU HAVE ANY MONEY SET ASIDE TO BUY THE HOUSE WITH?

10 A. YES, I DID.

11 Q. HOW MUCH DID YOU HAVE SET ASIDE?

12 A. I HAD ABOUT \$44,000 OF MY OWN.

13 Q. CAN YOU TELL US WHERE THAT MONEY HAD COME FROM?

14 A. SOME OF IT FROM MY HUSBAND AND SOME OF IT WAS MINE.

15 Q. AND WAS ANY OF THAT IN RELATION TO THE DEATH OF YOUR
16 BROTHER?

17 A. YES, IT WAS. WELL, NOT THAT PART OF IT. THE OTHER
18 \$50,000 I CAME UP WITH, 12,000 WAS FROM THE DEATH OF MY
19 BROTHER, AND THE OTHER I BORROWED FROM FAMILY AND FRIENDS.

20 Q. NOW, THE OTHER, DID YOU BORROW SOME FROM YOUR SON DAVID?

21 A. NO, I DIDN'T BORROW ANYTHING FROM HIM. AFTER I PURCHASED
22 THE HOUSE HE GAVE ME \$40,000 TO HELP ME BUY FURNITURE FOR THE
23 HOUSE.

24 Q. NOW, THE MONEY THAT YOU USED TO BUY THIS HOUSE, WHERE DID
25 YOU HAVE THAT MONEY SAVED?

1 A. MOST OF IT WAS IN MY HOUSE.

2 Q. WAS IT IN CASH?

3 A. YES.

4 Q. WHERE DID YOU HAVE IT IN YOUR HOUSE?

5 A. UNDER THE MATTRESS IN MY BEDROOM.

6 Q. NOW, MRS. GRAZETTE, WHEN YOU TOLD MRS. HIGH YOU HAD THESE
7 FINANCIAL PROBLEMS, DID YOU AND SHE DISCUSS A WAY TO DEAL WITH
8 THOSE FINANCIAL PROBLEMS?

9 A. SHE JUST SAID THE BUILDER WOULD PUT THE HOUSE IN HIS NAME
10 FOR ME FOR A YEAR, AND IF I KEPT THE PAYMENTS UP FOR A YEAR
11 THEY WOULD TURN IT OVER INTO MY NAME.

12 Q. AND HOW MUCH WERE YOU GOING TO HAVE TO COME UP WITH IN
13 ORDER TO GET THE BUILDER TO DO THIS?

14 A. \$100,000.

15 Q. NOW, MRS. GRAZETTE, DO YOU REMEMBER GOING TO THE CLOSING
16 ON THIS HOUSE?

17 A. YES, I DO.

18 Q. WHERE WAS THE CLOSING HELD?

19 A. IT WAS AT DECATUR FEDERAL ON CLAIRMONT ROAD?

20 Q. DOWNTOWN DECATUR?

21 A. UH-HUH.

22 Q. WHEN YOU WENT TO THE CLOSING WHO WAS WITH YOU?

23 A. VIRGINIA HIGH.

24 Q. MRS. HIGH OVER HERE?

25 A. UH-HUH.

1 Q. AND WHEN YOU WENT TO CLOSING DID YOU TAKE MONEY WITH YOU?

2 A. NO, I DIDN'T.

3 Q. WHO HAD MONEY?

4 A. NO ONE. I HAD GIVEN HER MY PART OF THE MONEY IN CASHIER'S
5 CHECKS.

6 Q. HOW MUCH HAD YOU GIVEN TO MRS. HIGH IN CASHIER'S CHECKS?

7 A. \$100,000, AND \$5,000 CASHIER'S CHECKS.

8 Q. YOU GAVE HER \$100,000 IN WHAT FORM?

9 A. CASHIER'S CHECKS.

10 Q. HOW MANY CASHIER'S CHECKS, DO YOU REMEMBER?

11 A. TWENTY.

12 Q. WHY TWENTY CASHIER'S CHECKS?

13 A. SHE TOLD ME TO GET THEM IN \$5,000.

14 Q. BUT WHY CASHIER'S CHECKS?

15 A. THAT'S THE WAY SHE TOLD ME TO GET IT. SHE TOLD ME TO GET
16 THEM IN CASHIER'S CHECKS.

17 Q. DID SHE TELL YOU WHY TO GET THEM IN CASHIER'S CHECKS?

18 A. YEAH, BECAUSE SHE SAID SHE DIDN'T WANT THE MONEY TO GO
19 THROUGH HER ACCOUNT IN CASH, SO WE WERE TO GET THEM IN
20 CASHIER'S CHECKS.

21 Q. DID SHE TELL YOU WHY SHE DIDN'T WANT IT TO GO THROUGH HER
22 ACCOUNT IN CASHIER'S CHECKS?

23 A. SHE SAID MAYBE THE IRS OR SOMEBODY WOULD ASK QUESTIONS
24 ABOUT IT. SO I GOT IT IN CASHIER'S CHECKS.

25 Q. NOW, HOW DID YOU GO ABOUT GETTING TWENTY CASHIER'S CHECKS?

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- 1 A. I GAVE THE MONEY TO MY BOYFRIEND, MY NIECES AND NEPHEWS,
2 AND THEY GOT IT FOR ME WHILE I WAS AT WORK.
- 3 Q. DID YOU TELL THEM HOW TO GET IT?
- 4 A. I TOLD THEM TO GO TO THE BANK AND GET THEM IN \$5,000
5 CASHIER'S CHECKS.
- 6 Q. LET ME SHOW YOU GOVERNMENT EXHIBIT 181-B, AS IN BOY, AND
7 ASK YOU, MA'AM, IF YOU RECOGNIZE THOSE DOCUMENTS?
- 8 A. YES, I DO.
- 9 Q. WHAT ARE THOSE?
- 10 A. THESE ARE CASHIER'S CHECKS THEY PURCHASED FOR ME.
- 11 Q. NOW, THERE ARE 16 OF THEM THERE. IF YOU WOULD, COUNT
12 THEM, PLEASE MA'AM.
- 13 A. YES.
- 14 Q. IS THAT CORRECT?
- 15 A. YEAH.
- 16 Q. BUT YOU HAD -- YOU GAVE MRS. HIGH \$100,000?
- 17 A. RIGHT.
- 18 Q. LET ME SHOW YOU GOVERNMENT EXHIBIT 181-A, AND ASK YOU IF
19 YOU RECOGNIZE THOSE TWO DOCUMENTS?
- 20 A. YES.
- 21 Q. WHAT ARE THOSE DOCUMENTS?
- 22 A. THIS IS A PIECE OF PAPER SHE WROTE ON AND TOLD ME HOW TO
23 GET THEM.
- 24 Q. NOW, THAT IS A COPY OF THE PIECE OF PAPER, IS IT NOT?
- 25 A. RIGHT.

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1 Q. THE ORIGINAL, WHO WROTE UPON THAT?

2 A. SHE DID.

3 Q. MRS. HIGH DID?

4 A. UH-HUH.

5 Q. WHAT IS THE SIGNIFICANCE OF THE DOCUMENT?

6 A. IT WAS JUST TO TELL ME HOW TO GET THE MONEY, HOW TO
7 PURCHASE IT.

8 MR. MOYE: YOUR HONOR, FOR THE PURPOSE OF GOING INTO
9 THE CONTENTS, (TENDER GOVERNMENT'S 181-A.

10 THE COURT: ANY OBJECTION?

11 MR. ROSEN: NO OBJECTION.

12 THE COURT: LET IT IN.

13 BY MR. MOYE:

14 Q. NOW, MRS. GRAZETTE, THE DOCUMENT AT THE TOP SAYS \$8,000 TO
15 HIGH'S REALTY. WHO WROTE THAT ON THE ORIGINAL OF THE DOCUMENT?

16 A. SHE DID.

17 Q. AND WHAT WAS THE \$8,000 ABOUT?

18 A. I DON'T KNOW. IT WAS \$8,000, I THINK IT WAS TO BE MADE
19 OUT TO ME, SOMETHING. I DON'T REMEMBER.

20 Q. MRS. GRAZETTE, CAN YOU SPEAK UP, PLEASE, MA'AM.

21 A. YES.

22 Q. THE \$8,000, WHO WAS SUPPOSED TO COME UP WITH THE \$8,000?

23 A. I WAS.

24 Q. AND WHAT WERE YOU SUPPOSED TO DO WITH THAT \$8,000 ONCE YOU
25 GOT IT?

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- 1 A. BRING IT TO THE CLOSING.
- 2 Q. DID YOU TAKE THE \$8,000 TO THE CLOSING?
- 3 A. YES, I DID.
- 4 Q. IN WHAT FORM DID YOU TAKE IT?
- 5 A. CASHIER'S CHECK.
- 6 Q. HOW MANY CASHIER'S CHECKS?
- 7 A. ONE.
- 8 Q. THE NEXT LINE ON GOVERNMENT'S 181-A SAYS \$103,000 IN
- 9 CASHIER'S CHECKS MADE PAYABLE TO YOURSELF. WHO WROTE THAT ON
- 10 THE DOCUMENT?
- 11 A. SHE DID.
- 12 Q. AND WHAT WAS THAT ABOUT?
- 13 A. THAT'S THE MONEY I WAS SUPPOSED TO GIVE, MAKE THE MONEY
- 14 ORDERS TO HER, CASHIER'S CHECKS TO GIVE TO HER SO SHE COULD PUT
- 15 IT IN HER ACCOUNT.
- 16 Q. WHY \$103,000, I THOUGHT YOU SAID IT WAS \$100,000?
- 17 A. IT WAS SUPPOSED TO HAVE BEEN A HUNDRED.
- 18 Q. THE CASHIER'S CHECKS THAT YOU IDENTIFIED THE STUBS OF AS
- 19 GOVERNMENT'S 181-B, DO THOSE REPRESENT PART OF THE MONEY THAT
- 20 YOU PROVIDED TO MRS. HIGH?
- 21 A. UH-HUH. YES.
- 22 Q. NOW, AT CLOSING WAS THERE A -- WAS THE CONTRACTOR THERE?
- 23 A. YES.
- 24 Q. DO YOU REMEMBER HIS NAME?
- 25 A. JOE WILLIAMS.

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1 Q. AND DID YOU DEAL WITH MR. WILLIAMS AT CLOSING?

2 A. WELL, HE WAS THERE. I JUST SPOKE TO HIM.

3 Q. DID YOU SEE WHETHER OR NOT MR. WILLIAMS GOT ANY OF THE
4 MONEY?

5 A. WELL, THE ATTORNEY SAID HE WAS GOING TO CUT EVERYBODY A
6 CHECK, AND HE LEFT OUT OF THE ROOM AND CAME BACK.

7 Q. DID YOU SEE MRS. HIGH PROVIDE MONEY OR ANY MONETARY
8 INSTRUMENT TO THE ATTORNEY?

9 A. SHE GAVE HIM A CHECK.

10 Q. DID YOU SEE THE CHECK?

11 A. NO, I DIDN'T.

12 Q. DO YOU KNOW, MRS. GRAZETTE, WHAT THE CHECK WAS DRAWN ON,
13 WHAT ACCOUNT IT WAS DRAWN ON?

14 A. NO, I DON'T.

15 Q. AT THE CLOSING WERE THERE DEEDS TRADED BACK AND FORTH?

16 A. THEY GAVE ME A DEED.

17 Q. LET ME SHOW YOU GOVERNMENT EXHIBIT 107, A CERTIFIED COPY
18 OF THE TITLE DOCUMENTS RELATED TO THIS PROPERTY, AND ASK YOU TO
19 LOOK AT THOSE DOCUMENTS AND TELL US WHETHER YOUR SIGNATURE
20 APPEARS UPON SOME OF THE DOCUMENTS?

21 A. YES, BACK HERE ON THE BACK.

22 Q. AND THE DOCUMENT ON THE BACK, IS THAT THE SECURITY DEED
23 BEGINNING ON THE FIRST PAGE AND RUNNING ALL THE WAY TO THE
24 BACK?

25 A. YES.

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1 Q. NOW, DID YOU ASSUME A LOAN IN CONNECTION OR DID YOU GET A
2 LOAN IN CONNECTION WITH THE PURCHASE OF THIS HOUSE?

3 A. THE LOAN WAS MADE THROUGH THE BANK.

4 Q. AND DID YOU HAVE TO MAKE PAYMENTS ON THE LOAN?

5 A. UH-HUH.

6 Q. THE PAYMENTS WERE HOW MUCH?

7 A. \$4,000 -- \$4,467 DOLLARS A MONTH.

8 Q. MRS. GRAZETTE, WHERE DID YOU WORK AT THE TIME?

9 A. AT BRIARCLIFF HAVEN NURSING HOME.

10 Q. CAN YOU TELL US HOW MUCH YOU WERE MAKING AT THE TIME?

11 A. \$28,000 A YEAR.

12 Q. DID YOU RECEIVE ANY HELP IN PAYING THE MORTGAGE?

13 A. YES, I DID.

14 Q. WHO HELPED YOU PAY THE MORTGAGE?

15 A. MY MOTHER AND MY FAMILY. AND THE MONEY DAVID GAVE ME FOR
16 THE FURNITURE, I SAVED SOME OF IT OVER TO TIED ME OVER TO HELP
17 PAY THE PAYMENT.

18 Q. SOME OF THE MONEY DAVID GAVE YOU WENT TO PAY THE MORTGAGE?

19 A. YES.

20 Q. MRS. GRAZETTE, DO YOU RECALL A TIME -- LET ME SHOW YOU ONE
21 MORE THING. I SHOW YOU GOVERNMENT EXHIBIT 110-A, AND ASK YOU
22 TO LOOK DOWN AT THE BOTTOM DOES. YOUR SIGNATURE APPEAR ON THAT
23 DOCUMENT?

24 A. YES, IT DOES.

25 MR. MOVE: YOUR HONOR, I WOULD TENDER GOVERNMENT'S

1 107, THE CERTIFIED DEED DOCUMENTS.

2 THE COURT: ANY OBJECTION?

3 MR. ROSEN: NO OBJECTION.

4 MR. ABBOTT: NO OBJECTION.

5 MR. MORRISON: NO OBJECTION.

6 THE COURT: LET IT IN.

7 MR. MOYE: I WOULD TENDER GOVERNMENT'S 181-B.

8 THE COURT: ANY OBJECTION?

9 MR. ROSEN: NO OBJECTION.

10 THE COURT: ANYONE ELSE OBJECT?

11 LET IT IN. THEY ARE IN.

12 BY MR. MOYE:

13 Q. MRS. GRAZETTE, DID THERE COME A TIME AFTER YOU PURCHASED
14 THE HOUSE ON HUNTER'S CHASE THAT YOU RECEIVED A TELEPHONE CALL
15 FROM MRS. HIGH?

16 A. YES.

17 Q. TELL US ABOUT THAT. WHAT DID MRS. HIGH TELL YOU?

18 A. SHE JUST TOLD ME THAT THE IRS HAD GOT IN TOUCH WITH HER,
19 AND ANY DOCUMENTS I HAD, I NEEDED TO TEAR THEM UP.

20 Q. WHAT DOCUMENTS DID YOU UNDERSTAND HER TO BE REFERRING TO?

21 A. I THOUGHT SHE MEANT THE RECEIPTS FROM THOSE CASHIER'S
22 CHECKS AND THINGS I HAD.

23 Q. YOU DIDN'T TEAR THEM UP, DID YOU?

24 A. I THOUGHT I TORE UP SOME OF THEM. I TORE UP AS MANY AS I
25 COULD FIND.

1 Q. YOU DIDN'T TEAR UP 16 OF THEM, DID YOU?

2 A. I GUESS I DIDN'T.

3 Q. YOU DIDN'T TEAR --

4 A. HUH-UH.

5 Q. -- THESE UP, DID YOU?

6 A. NO.

7 Q. DO YOU REMEMBER APPEARING BEFORE THE GRAND JURY?

8 A. YES, I DO.

9 Q. DO YOU RECALL YOU WERE SUBPOENAED TO THE GRAND JURY?

10 A. RIGHT.

11 Q. AND YOU WERE ASKED TO BRING TO THE GRAND JURY CERTAIN
12 DOCUMENTS, WEREN'T YOU?

13 A. YES.

14 Q. AND THESE CHECKS OR CHECK STUBS WERE INCLUDED AMONG THE
15 DOCUMENTS YOU WERE ASKED TO BRING, WEREN'T THEY?

16 A. YES.

17 Q. AND IN THE GRAND JURY I ASKED YOU ABOUT THE CHECKS, DIDN'T
18 I?

19 A. YES.

20 Q. AND WHAT DID YOU TELL THE LADIES AND GENTLEMEN OF THE
21 GRAND JURY?

22 A. I TOLD THEM I HAVE TORE THEM UP.

23 Q. AND THAT WAS NOT TRUE, WAS IT?

24 A. NO.

25 MR. MOYE: MAY I HAVE JUST A MOMENT, YOUR HONOR?

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1 THE COURT: ALL RIGHT.

2 BY MR. MOYE:

3 Q. MRS. GRAZETTE, THE PAYMENTS ON THE NOTE ON THE HOUSE, HOW
4 DID YOU PAY THOSE?

5 A. WHAT DO YOU MEAN HOW DID I PAY THEM?

6 Q. WELL, DID YOU PAY THE BANK DIRECTLY OR DID YOU PAY THROUGH
7 SOMEONE?

8 A. I GAVE IT TO VIRGINIA AND SHE PAID THEM.

9 Q. WHEN YOU GAVE THE MONEY TO PAY THE MONTHLY NOTES TO MRS.
10 HIGH, IN WHAT FORM DID YOU GIVE IT TO HER?

11 A. CASH.

12 Q. DO YOU REMEMBER HOW MANY MONTHLY PAYMENTS YOU MADE?

13 A. NO, I DON'T.

14 Q. ARE YOU ANY LONGER MAKING THE MONTHLY PAYMENTS?

15 A. NO, I'M NOT.

16 Q. WHY NOT?

17 A. THE HOUSE WAS SEIZED.

18 Q. HAS THE HOUSE BEEN FORFEITED TO THE UNITED STATES?

19 A. YES, IT HAS.

20 Q. WHEN YOU GAVE MRS. HIGH THE MONEY IN CASH, DID YOU GIVE
21 HER MONEY EACH MONTH OR DID YOU GIVE HER A LUMP SUM?

22 A. I GAVE HER MONEY EACH MONTH, HOWEVER I HAD IT.

23 MR. MOYE: THANK YOU, YOUR HONOR. I HAVE NO FURTHER
24 QUESTIONS.

25 THE COURT: MR. MORRISON?