

1 off the table of contents. I could not and I don't
2 think the time column is really relevant, but I
3 couldn't delete it on my computer --

4 THE COURT: Oh, that's fine.

5 MR. LAURANS: -- when I made it.

6 DIRECT EXAMINATION by MR. LAURANS:

7 Q Would you please state your name for the record.

8 A Joseph Teasdale.

9 Q And Mr. Teasdale, what is your educational background?

10 A Well, I graduated from Rockhurst College in Kansas City
11 in 1957. I graduated from law school at St. Louis
12 University in 1960. And Rockhurst High School here in
13 Kansas City.

14 Q Can you give us a brief summary of your professional
15 background?

16 A I was a law clerk for Judge Albert A. Ridge of the
17 federal district court here in town. I was for four
18 years an assistant U.S. attorney for Russ Millin, the
19 United States Attorney for the Western District of
20 Missouri. I was then a prosecuting attorney of Jackson
21 County for six years. And thereafter, in 1976, I was
22 elected governor of Missouri.

23 Q And you've also had a substantial trial practice; is
24 that correct?

25 A I've had substantial criminal trial practice, yes.

1 Q And in your professional experience, have you ever been
2 consulted by other attorneys as an expert witness or
3 testified in that capacity?
4 A Yes.
5 Q And do you consider yourself familiar with the areas of
6 professional competency and professional ethics?
7 A I do, yes.
8 Q Mr. Teasdale, have you -- prior to today, you had not
9 met Mr. Middleton, correct?
10 A That is correct.
11 Q Were you called upon by his family to evaluate the
12 record, you know, the exhibits that we've tendered to
13 the Court and provide any opinions about this case?
14 A Yes. I was -- when I say I hadn't met Mr. Middleton, I
15 talked to him on the phone quite a few times about his
16 case. And they sent me the transcripts and other
17 pertinent documents, and I reviewed them at the time,
18 back in 2001. And I did draw some conclusions that the
19 conduct of the prosecutor was certainly suspect; that
20 the counsel for Mr. Middleton was ineffective. He
21 didn't call witnesses, didn't take depositions. I
22 think he was very negligent. A gross violation, in my
23 opinion in reviewing, was that the prosecutor gave a
24 fabricated confession on the part of Mr. Middleton when
25 in fact Mr. Middleton didn't confess.

1 Q You're referring to Mr. McInerney's statement in
2 closing; is that --

3 A That's right. The prosecutor, McInerney.

4 Q Mr. Teasdale, did you compile a letter reflecting your
5 findings?

6 A Yes. I'm referring to it right now, to Bob Beaird, the
7 then prosecuting attorney. And I also in that letter
8 pointed out that in my 41 years as a lawyer that I had
9 not witnessed such a violation of a defendant's
10 constitutional rights. I asked him for an abandonment
11 hearing. We didn't get it.

12 One other thing I mentioned, that this struck
13 me as being very odd, the witnesses, all of the
14 witnesses in Mr. Middleton's trial, were locked out of
15 the courtroom and not allowed to testify. At least
16 that's what Mr. Middleton advised me. The whole thing,
17 to me, smacked of ineptitude.

18 Q And just to clarify, the witnesses were excluded at the
19 29.15 hearing?

20 A Yes.

21 Q Not the actual trial?

22 A I should have said 29.15 hearing.

23 MR. LAURANS: And, Judge, that letter's been
24 marked as an Exhibit 36, and I'd offer that in evidence
25 at this time.

1 THE COURT: Do you have the letter?

2 MR. LAURANS: On -- Judge --

3 THE COURT: You're talking about the exhibits
4 that are -- already been filed with the motion?

5 MR. LAURANS: Right. My list that I gave you
6 to check off corresponds to the book.

7 THE COURT: I'm with you. Okay. Is there
8 any objection to Exhibit 36?

9 MR. KELLY: No, Your Honor.

10 THE COURT: 36 is received.

11 Q (By MR. LAURANS) If this case had been presented to
12 you in your capacity as governor, what action would you
13 have taken?

14 A I've thought about that, and I would clearly have
15 pardoned Mr. Middleton of all wrongdoing.!

16 MR. LAURANS: Thank you. I don't have any
17 further questions.

18 THE COURT: Very well.

19 MR. KELLY: Your Honor, the State doesn't
20 have any questions.

21 THE COURT: Very well. You may step down,
22 sir.

23 (Witness excused.)

24 THE COURT: Is the witness excused?

25 MR. LAURANS: Yes, Your Honor.