

1 STATE OF MICHIGAN

2 IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

3  
4 LABOR DEFENSE COALITION, et al

5 Plaintiffs,

6 vs.

Civil Action No.  
204 539 R

7 ROMAN GRIBBS, et al

8 Defendants.

9  
10 \_\_\_\_\_  
11 Excerpt of Proceedings had before the  
12 Honorable Edward F. Bell, Judge of the Third Judicial Circuit  
13 of Michigan, 1411 City-County Building, Detroit, Michigan, on  
14 the 4th day of May, A.D. 1972.

15 PRINCIPAL  
16 APPEARANCES:

17 PHILO, MAKI, RAVITZ, GLOTTA, ADELMAN  
18 COCKRELL & ROBB

19 on behalf of Plaintiffs

20 JOHN E. CROSS, ESQUIRE  
21 Assistant Corporation Counsel

22  
23  
24 Fay A. Foster  
25 Official Court Reporter



1 A I have a Bachelors of Architecture and a Masters of Urban  
2 planning.

3 Q And from what University would that be?

4 A Both of those are from the University of Michigan.

5 Q And can you tell us what experience you have had in your  
6 field?

7 A I have had four years of drafting-design experience with an  
8 architect in Ann Arbor, and--(Interpose)

9 (BY MR. CROSS - STIPULATION AS TO  
10 QUALIFICATIONS AS EXPERT)

11 MR. SCHWARTZBACH CONTINUING:

12 Q Fine. Thank you very much, Mr. Cross. Witness, I would ask  
13 you if you can identify what has been marked as plaintiff's  
14 proposed exhibit number 6?

15 A Yes, I can.

16 (QUESTIONING OF MR. BUNTING CONTINUED  
17 RE PREPARATION OF MAP)

18 \* \* \*

19 MR. SCHWARTZBACH: Plaintiffs would  
20 call Kenneth Hicks (phonetic).

21 (WITNESS SWORN)  
22 EXAMINATION

23 BY MR. SCHWARTZBACK:

24 Q Witness, would you state your name, please?

25 A Kenneth Hicks.

Q Your age, sir?

A I am 25.



1 Q And which way was that white male walking?

2 A He was walking west on Charlotte.

3 Q Would you tell us, sir, what happened in your own words to  
4 (Indicating Witness) If you would stay there; tell us in  
5 your own words, sir, what happened from that point on?

6 (MR. CROSS REQUESTED WITNESS RESPOND  
7 QUESTIONS; OPPOSED TO NARRATIVE)

8 THE COURT: As much as you can, Mr.

9 Schwartzbach.

10 MR. SCHWARTZBACH:

11 Q Alright, fine. Why don't you take the stand again. We'll  
12 do it the way Mr. Cross prefers.

13 THE COURT: My answer was, as much as  
14 you can.

15 Q MR. SCHWARTZBACH:

16 Q Okay; okay, Your Honor. (Indicating Witness) You were  
17 walking east, you say; came across a white male caucasien;  
18 approximately here (Indicating)?

19 A Yes, sir.

20 Q He was walking west?

21 A Yes, sir.

22 Q What happened, sir?

23 A We asked him if he could --if we could --if he could let  
24 us have a quarter so we could get a drink, sir.

25 Q Did he respond?

A No, sir. He stopped in an alley.



- 1 Q By "alley", are you referring to the alley on the side of  
2 Malcom's Transmission, running south?
- 3 A Yes, sir.
- 4 Q He stopped on the sidewalk right there (Indicating)?
- 5 A Yes, sir.
- 6 Q What happened then, sir?
- 7 A We walked over and asked him could we have a quarter so we  
8 could get a drink, sir.
- 9 Q What happened then, sir?
- 10 A He stood back; pulled a gun, and started firing, sir.
- 11 Q Started firing? What was he firing, a gun?
- 12 A Yes, sir.
- 13 Q What happened then, sir?
- 14 A After that, I felt a pain, and I ran.
- 15 Q Do you know what Mr. Moore or Mr. Finnicks (phonetic) did?
- 16 A No, sir.
- 17 Q Where did you run?
- 18 A I saw a light, and I saw some people, and I ran toward the  
19 light and the people.
- 20 Q Do you know where you ran?
- 21 A Yes, sir. It was toward the store on the corner; grocery  
22 store.
- 23 Q B & L Market, on the northwest corner of Park and Charlotte?
- 24 A Yes, sir.
- 25 Q What happened then, sir?



1 A They waved me away from the store and told me not to come  
2 in there.

3 Q People still shooting at that time?

4 A Yes, sir.

5 Q What did you do then, sir?

6 A I ran as far as I could, and I fell in the doorway of the  
7 next--the next door.

8 Q Were you placed under arrest, sir?

9 A Yes, sir.

10 Q What were you charged with?

11 A I was charged with Assault with intent to Commit Robbery,  
12 Armed.

13 Q Was a preliminary examination held in that case?

14 A Yes, sir.

15 Q Were you bound over for trial?

16 A Yes, sir.

17 Q Mr. Hix, you and Mr. Finnicks and Mr. Moore walked east  
18 on the south side of Charlotte on the evening of July 5th,  
19 1971; did you or either Mr. Finnicks or Mr. Moore have a  
20 weapon in any of your hands?

21 A No, sir.

22 Q As you approached Robert Wren, did any of you have a weapon  
23 in any of your hands?

24 A No, sir.

25 Q As you confronted that white male who was walking in the



other direction, did any of you have a weapon in your hands?

A No, sir.

Q As he backed away from you and started shooting, sir, did any of you have a weapon in your hands?

A No, sir.

Q When he started shooting at you, sir, were you running away, or were you simply standing still?

A I was standing still, sir.

Q Have you seen Horace Finnicks or Howard Moore since that night, sir?

A No, sir.

Q Howard Finnicks or Howard Moore. By the way, Mr. Hix, what happened to your case?

A I don't understand that, sir.

Q What happened to the case against you?

A It was dismissed two days ago, sir.

THE COURT: What were you charged with?

MR. SCHWARTZBACH: Assault with Intent to Rob, Armed; Your Honor.

I have no further questions, Your Honor. Your witness, Mr. Cross.

#### EXAMINATION

BY MR. CROSS:

MR. CROSS: Your Honor, I would again renew a request for an adjournment at this time.