

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA**

CASE NO: 07-0824

FEBRUARY 22, 2007

DIRECT EXAMINATION OF TROY HOLLIER BY MS. BARTH:

Q Mr. Hollier, where do you reside?

A Houston, Texas.

Q Where are you currently employed?

A Currently employed as a police officer.

Q How long have you been a police officer, sir?

A Twelve years.

Q What was your employment prior to becoming a police officer?

A Twelve years. Let me think. I worked at a marketing company. I worked in construction.

Q Did you at some point in your career act as a bodyguard?

A Yes, but it was through the Houston Police Department.

Q Did you know Anna Nicole Smith?

A Yes, I knew her well.

Q How did you come to know Anna Nicole Smith?

A I was employed by her whenever she was going through the probate court systems in Texas.

Q That was for her case with her former husband?

A Yes, ma'am, it was.

Q And who employed you?

A Anna Nicole Smith.

Q Tell me the first time that you met Anna Nicole Smith.

THE COURT: Time and place, year.

A Time and place, it was December, late – I don't remember the day, actually, or the date, but it was late December of 2000.

THE COURT: 2000?

A Yes.

Q And you were working for her at that time?

A Yes, ma'am, I was.

Q Tell me about the time that you spent with Anna Nicole Smith in the year 2000. And if you could take us through a time line of your relationship, please.

A 2000, we did everyday basically security for her for the courts and at her –where she was residing at the time. After the court case was over, I actually, not working for her, she asked me to drive her back to actually L.A. to Houston. They accumulated so many items.

At that time, me, her and her assistant drove in a rented car. Howard and Daniel drove in a van with all the items that they accumulated and drove across from Texas and to L.A.

Q How long did that trip take?

A Three days.

Q And did you caravan with the other car with Mr. Stern and Daniel?

A We did.

THE COURT: Did you drive?

MR. HOLLIER: Yes, sir, I did.

THE COURT: Are you a road officer? Are you on the road.

MR. HOLLIER: Yes, sir.

THE COURT: You carry a weapon?

MR. HOLLIER: Yes.

MS. BARTH: After that trip from Texas to California, tell me when the next time you saw Anna Nicole was?

THE COURT: Before you do that, tell me, you meet her in December of 2002, what is your impression of her?

MR. HOLLIER: The first time I met her, it was great. She was very open and caring and very nice to everybody that worked for her. It seemed that everybody liked her quite a bit.

THE COURT: What was her state of mind in terms of health and stability?

MR. HOLLIER: I mean, she was in a stressful situation being in that court battle, but whenever I saw her after the court, she was just a really normal everyday loving person. I mean, she was very nice to me all the time.

THE COURT: Any mood swings?

MR. HOLLIER: I never saw any. Besides, you know, the stress that came out in court.

MS. BARTH: How about her relationship with Daniel, did you have an opportunity to observe that over the years in your friendship with Anna?

A Very fortunate to, yes, ma'am.

Q Can you describe in your own words what you think that Anna's relationship with Daniel was?

A Amazing. I mean, there's no question about that. I've heard her tell me several times, actually to him, Daniel, you're my rock and I truly believed that. He was, I mean, almost the world to her literally.

Q Would you consider yourself a friend of Anna Nicole?

A Yes, ma'am.

Q How often did you see her over these years from the time you met her until she died?

A From the first time I met her, about the first few years I saw her a significant amount. Considering the distance we live, we talked quite a bit. In the past couple of years, I haven't seen her a whole lot, but I saw her one or two times a year for the past couple of years.

Q Did Anna ever have any conversations with you about how she felt about Texas.

A Unfortunately, me being from Texas.

Q What did she tell you about Texas?

A I know that she grew up there. People that grow up there and are born there, understand, they got a little place, but after this court case, it was nothing but bad.

THE COURT: When was the last date you had contact with Anna Nicole Smith, what was the last date, do you think?

MR. HOLLIER: After I talked to her briefly – very briefly after Daniel’s funeral that I attended.

THE COURT: You were in the Bahamas?

MR. HOLLIER: Yes, sir, I was.

MS. BARTH: Did you see her in person the last time – the last contact you had with her, was that in person.

A No, I talked to her very briefly after that.

Q Tell me about the last time you saw Anna in person.

A The last time I saw her in person was the day after Daniel’s funeral right before I left the Bahamas.

Q Can you tell me more about what happened that particular day?

A Yes, I can. I can’t remember who came and got me. We were in the Bahamas in the house and somebody said that Anna wants to get out of the house and go swimming, which I was all for, anything to try to liven her spirits at that point, and me, her and the bodyguard got in the swimming pool. She was floating on a raft and we were literally just talking. I was, actually, standing up beside the raft holding her hand. I can’t remember what we were talking about, but she just stopped the conversation, looked at me and said, Troy, if anything should happen to me, I need to be with Daniel.

And right after that, I didn’t want to talk about Daniel, I started talking about her tattoos, and from then on she left the subject and we talked about tattoos for a while.

Q How would you describe Anna’s emotional state after Daniel died?

A She was a distraught mother. It was bad. She was very hurt. I mean, she was incredibly emotional. I mean, who wouldn’t be.

Q Was Anna incoherent?

A No.

Q Did she know what day it was?

A I didn’t ask her. I know she knew it was the day after Daniel’s funeral. I don’t know if she – I didn’t ask her the date or the time or anything. We didn’t discuss anything like that.

Q Were you there when they put Daniel’s casket into the ground?

A I wasn’t there when the casket went into the ground, but I was in the tent where the casket rests. I was there whenever she asked for the casket to be opened.

Q And then what happened, the scene was a difficult one. Could you explain what happened?

A Yes. She asked for the casket to be opened.

THE COURT: You were physically present?

MR. HOLLIER: Yes, there was only a few of us there.

THE COURT: You were within ear shot of her?

MR. HOLLIER: Yes. She asked for the casket to be opened. We all, of course, had to respect her wishes. I don't know who opened the casket, but after that, it just – whenever she saw Daniel when they opened the casket, it was bad. She started screaming. I don't remember a lot of the exact words, but I know that she literally jumped into the casket, her body on top of Daniel, and tried to hug him and pull him up and then started screaming basically pumpkin, pumpkin. She was on top of the casket hanging by the straps and we're talking about six foot of concrete, so it was not a safe situation. On top of that, watching her, it was bad.

THE COURT: Who was holding Dannielynn during that period?

MR. HOLLIER: She was inside at the residence at the Bahamas.

THE COURT: She never participated in that event?

MR. HOLLIER: Oh, I'm sorry, sir, yes, she was.

THE COURT: She was at that event?

MR. HOLLIER: I believe so.

THE COURT: So we had a baby, a few months old at a funeral?

MR. HOLLIER: I think she was held by one of the caretakers and I don't know their names. She actually – from what I remember, she was there and she was brought immediately out of the tent and got back into the limo where she was with the caretaker.

THE COURT: So she was within ear shot and eye shot of this?

MR. HOLLIER: No, sir, they immediately brought her out and sat in the limo until we left.

THE COURT: Where was she during the ceremony?

MR. HOLLIER: Inside the limo. I never remember seeing her again, but I do remember her being there. I'm sorry.

THE COURT: She was there in the limousine or she was taken outside the limousine?

MR. HOLLIER: No, sire, it was hot. She got back in the limo, I'm sure. It was very, very hot.

MS. BARTH: Just a couple of more questions. Did you have an impression about Anna's relationship with Mr. Stern?

A They were tight. They cared for each other. I've known that for a while. My impression was that they were incredible friends. I mean, incredible and Daniel, the three of them were inseparable.

Q If you had to say who wore the pants in that family unit, who would that be?

A Anna.

Q Tell name why you say that.

A Because I've seen some of the things that Howard said that got her pretty mad at him and she has sent him away. And on top of that, I just – if Howard asked her about something, anything, and she didn't want to do it, she wasn't doing it.

THE COURT: What role did Howard play?

MR. HOLLIER: Besides being just a great friend to her, he was obviously an attorney. He did a lot of the legal issue stuff. I never got involved in any of their legal issues or anything besides the Texas stuff and just being there as her security guy.

MS. BARTH: I have nothing further for this witness.

THE COURT: I do. What condition was she in after the death of Danny?

MR. HOLLIER: The condition was – what I saw – I hate to say typical because she was not a typical person.

THE COURT: How about medication, was she on medication?

MR. HOLLIER: I've never seen her take any kind of medication.

THE COURT: You never saw her under the influence of too many prescription drugs?

MR. HOLLIER: Sir, I've never seen her take any kind of medication. I never asked her if she took medication. I never asked Howard if she took any medication. I've seen her drink.

THE COURT: Did she act at any time that you saw her like a person that's under the influence of drugs or alcohol?

MR. HOLLIER: Alcohol, yes, sir, I've drank with her before.

THE COURT: Strike the word alcohol. Did she ever seem to be a person that seemed to be under the influence of drugs?

MR. HOLLIER: I've seen people under the influence to be under the influence of crack and I've never really seen the influence of antidepressants or --

THE COURT: How many road arrests have you made as an officer?

MR. HOLLIER: Felonies, I can't even tell you. A lot.

THE COURT: And you've had an opportunity to see people that are under the influence of drugs or alcohol?

MR. HOLLIER: Yes, sir.

THE COURT: And their actions are a little bit different than someone who is not under the influence of alcohol or drugs?

MR. HOLLIER: Their actions are.

THE COURT: I'm going to let Texas take that. You should lean in on this.

MR. PIRTLE: That's exactly what I was going to do. Thank you, Your Honor. I thought you were going to do it for me so I was reading notes.

THE COURT: I didn't want to start –

CROSS EXAMINATION OF TROY HOLLIER BY MR. PIRTLE:

Q Sir, you claim to be a friend – by the way, how you doing? I'm from Houston, Texas also. You claim to be a friend of Anna Nicole Smith?

A Yes.

Q But during the last few years of her life, you freely admit you didn't see her much in person?

A No, sir, I did not.

Q And you talked to her sometimes on the phone?

A Yes, sir, sometimes.

Q So will you admit that you weren't a close personal friend in terms of being around her all the time?

A Unfortunately, like I said, the last couple of years, I didn't get to be around her, job situations and her traveling, so, no, I was not.

Q The Court is going to have to assess how close your relationship was and one of the things the Court has heard is some testimony about drug use. I don't care to go deep into that, but let me say, you weren't around at the times when she was using drugs?

A I've never seen her use any kind of drugs. I've never even seen her take prescription medication.

Q Did you know that there was prescription medications in that house in the Bahamas?

A I didn't know that. I mean, I bet everybody in here probably has prescription medications. You can assume that.

Q I'm not talking about those type of prescription medication. I'm talking about the bad kind and I would think as a police officer, you would know that?

A No, I never seen anything.

Q You didn't take it upon yourself when you were down there to look and see how many narcotics and those kind of things were in that house?

A No.

MR. RALE: Assumes facts.

Q I'm not going to go through this whole list, but how long did you stay down in the house?

A I think it was only three days.

Q You were in the house for three days?

THE COURT: And she was not under the influence of drugs – medicated drugs during those three days?

MR. HOLLIER: I didn't notice any.

Q How many times did you see her during those three days?

A Everyday, all three days.

Q All day or parts of the days?

A The first day I saw her very shortly. I was with Howard most of that day.

THE COURT: You're all right. We're going to lose him. Your side has even said that she was abusing drugs so how do I –

MS. BARTH: Here is the question. I just wanted to --

THE COURT: Help me. I'm going to allow you to argue. Argue to me. Why should I believe any of this?

MS. BARTH: Because he knew her and because --

THE COURT: He knew her?

MS. BARTH: Please, Your Honor.

THE COURT: Help me.

MS. BARTH: If you would let me finish.

THE COURT: I will.

MS. BARTH: What I'm trying to say is that that day, her intent – I offered this man --

THE COURT: Go slow. I threw you a bomb. Go slow and answer this.

MS. BARTH: One, that she loved Daniel.

THE COURT: No. No. You want me to believe this man, this officer?

MS. BARTH: Yes, I do.

THE COURT: And I didn't know him from a hunk of coal when he first took the stand. But he's telling me he never saw her under the influence of medication, medicated drugs.

MS. BARTH: I'm not offering for proof of whether or not she wasn't on drugs.

THE COURT: Oh, please. You're done, Houston, you can have a seat.

MR. PIRTLE: I'm done?

THE COURT: Yes.

MS. BARTH: I'm talking about her mental state on the day of the funeral.

THE COURT: You always want to just have it for a little spot. It doesn't work that way. It just doesn't work that way in this lifetime. Thanks for coming. Next witness.

MR. PIRTLE: How about lunch?

THE COURT: No, we're going to keep rolling. I hope the next witness is stronger than this one.

MR. RALE: Any argument?

THE COURT: You could have let him go back to Houston earlier. You're not going to argue with the Court. Have a seat. You got to bring me witnesses that are going to help me here.

MS. BARTH: Your Honor, I'm attempting to but what I have to show it's just the day that Daniel died.

THE COURT: He's telling me he's there all the time.

MS. BARTH: He didn't say that. He did not say that.

THE COURT: When he was there, he didn't see anything. It just doesn't add up to me. It doesn't add up.