

Q. All right. Now, when Mr. [redacted] when you decided to arrest Mr. Elbery for disorderly person, did you call the wagon to come and pick him up or was he transported by one of the other police officers ?

A. I believe the wagon came. I made that arrest because he was on the ground, he was fighting and yelling making noise, and he was in a fight, and there were people all over the street, so he was arrested for disorderly person at that point. I knew there could be other charges because of what people were telling me about other injured people, so that's why - -

Q. When did you make the decision regarding the other charges?

A. After talking to everybody, including my sergeant and Tommy King .

Q. Okay. And it was then that --after Mr. Elbery was already under arrest, that the other additional charges were filed, namely the mayhem, the assault and battery and the assault by means of a dangerous weapon, right?

A. Right.

Q. Now, I take it that because the section