

1 Q. And at any time I'm not making you stay here you understand?

2 A. Yes.

3 Q. All right, I appreciate your help in this matter. I was uh...I was told to come out
4 here and talk to you about about something, why am I here?

5 A. Um because of the missing the...Casey's missing daughter.

6 Q. Okay what do you know about that or how did you find out about it?

7 A. Um...I originally heard it...uh well we saw the the Police activity the evening
8 before and and didn't really know what was going on and then a friend of my son
9 had called my son to say, hey you know we saw the I saw the Police activity you
10 know at your neighbors house; what was going on and my my son had spent the
11 last couple of days at his friends and he didn't he didn't know anything so his
12 friend uh... I believe his mother had called um...the residence next door and and
13 she had said that the their granddaughter was missing and and they didn't know
14 where she was and...that's we left it at that because we just kind of thought it
15 was hearsay.

16 Q. Okay.

17 A. And then uh...later that evening um a woman that works with my wife had called
18 and said she saw from a commercial and for news channel 9 that they're you
19 know there was a young woman that was looking for her daughter, two year old
20 daughter and then we just kind of put two and two together there and the news
21 crews showed up, that was probably about 08:30 p.m.

22 Q. What when in uh last night?

23 A. Yes. Then once the news showed up then we...

24 Q. You figured it out?

25 A. I figured that it was you know a relative story and...

1 Q. Okay you so you know uh...Casey?
2 A. Yea.
3 Q. Casey Anthony?
4 A. Well generally yea.
5 Q. Or you you know her enough to know she she was your neighbor and she lived
6 there?
7 A. Correct, yea.
8 Q. Do you know how long she lived there?
9 A. Um no but I I believe the parents have been there, I been at that residence for
10 almost three years.
11 Q. Um huh (affirmative)
12 A. And just from hear say from other neighbors I... I think they been there uh
13 fourteen plus years.
14 Q. So they been there definitely longer than you have been?
15 A. Yes.
16 Q. You were telling me about uh Casey coming over one day and borrowing a
17 shovel.
18 A. Correct.
19 Q. Can you tell me about that day and what happened that day?
20 A. Uh...I was out in front of my yard I just cut my grass and I was using a weed
21 blower and blowing off the debris and Casey had approached me and said that
22 she couldn't find the key to their shed and want to know if she if I had a shovel
23 she could borough to dig up a...um...a bamboo root that she's been tripping over
24 ...and I agree I said yea I have a shovel that you can use.
25 Q. Was anybody with Casey when she came over?

1 A. I did not see anyone.

2 Q. Okay um...you were you also telling me uh...about the positioning of her car in
3 the drive way, tell me about...what you saw cause eventually you went back
4 outside right?

5 A. Well...

6 Q. You gave her the shovel...

7 A. I gave her the shovel; I was still outside because I had an exterior gate...

8 Q. And she took the shovel and she walked next door?

9 A. She took the shovel and she went back um I believe she walked back thru the
10 garage cause I I'm pretty sure the garage door was open, at that point her car
11 was backed in.

12 Q. Okay is there something that you seen...like when you seen that car is it
13 normally pulled in straight or is it backed in?

14 A. Normally pulled in straight.

15 Q. Okay.

16 A. Most times is out outside of the garage.

17 Q. Did you...

18 A. Occasionally she did pull in the garage but...

19 Q. Did you noticed if any any other cars were in the driveway?

20 A. There were no other cars.

21 Q. No other cars? All right, she took the shovel, she walked back you think she
22 might had gone thru the house, did you see her...?

23 A. Not thru the house she went thru the garage.

24 Q. I mean thru the garage...did you see her leave in her car at any time?

25

1 A. No cause after I gave her the shovel I... I went into the rear of my yard and I
2 can't remember if I mowed or I think I just blew off my patio and everything.

3 Q. Okay.

4 A. And then uh I put my equipment away and then I just walked back around front to
5 peak to see maybe you know she was...you know coming back I know I
6 wasn't...on a timer on how long she was gonna use it... it didn't matter to me at
7 that point.

8 Q. Right.

9 A. And I could see, I remember the garage still been open and the car was there so
10 I just locked up my shed and... and went in the house.

11 Q. Okay do you do you remember about what day that was, what month, what week
12 uh...?

13 A. I want to say it was the week of June 16th.

14 Q. And why is it that you think is the week of June 16th?

15 A. Uh cause I had just come back from out of town and I was off of work still.

16 Q. Okay.

17 A. Not a hundred percent on that date it may have been the week after because
18 when I generally do my yard work is uh when I when I'm home from work earlier
19 days and...

20 Q. Okay about what time a day was it do you think?

21 A. Around 01:30 in the afternoon.

22 Q. And how long do you think it was she had the shovel?

23 A. I would say forty five minutes to an hour.

24 Q. When you got out of the shower you said you locked things up and went in the
25 shower and you still didn't have your shovel back...

1 A. Correct.

2 Q. You told your son uh... that Casey had the shovel.

3 A. Yes.

4 Q. And then if she came over it was okay if you heard a knock on the door and you
5 saw it was Casey it was okay because she had your shovel...

6 A. Correct.

7 Q. You always tell your son not to open the door for strangers?

8 A. Right.

9 Q. When you got out of the shower did you ask your son about if Casey come by the
10 house?

11 A. I asked my son you know did Casey come back? And he said no nobody knock
12 on the door.

13 Q. Okay.

14 A. So then I just proceeded to watch television then I I'm almost positive it was
15 around 02:30 so...

16 Q. Okay was it a knock on the front door?

17 A. It was a front door and it was about ten minutes after that she knocked on the
18 door.

19 Q. Did do you remember what she looked like uh what was she wearing, was she
20 dirty...?

21 A. No...no...

22 Q. Was she...?

23 A. No she didn't appear to be dirty...but uh shorts and...like a sport top a sport bra
24 type.

25

1 Q. Okay. And as far as the condition of your shovel, was your shovel clean, was it
2 dirty or...?

3 A. Uh I didn't really notice it I mean it didn't appear to be like muddy or...

4 Q. Okay had it been raining that day or was it a...?

5 A. It was a dry day.

6 Q. Dry day? What kind of shovel is it what we been talking about?

7 A. Is uh a (inaudible) like a five foot garden shovel like with uh...

8 Q. Is it...?

9 A. Five or six inch kind of a spade.

10 Q. Okay so is a round blade shovel?

11 A. Yea kind of (Over talking...) that.

12 Q. Wood handle?

13 A. With a wood handle.

14 Q. Okay.

15 A. And I believe is got a...a rubber or maybe a foam grip on the handle, the round
16 handle end.

17 Q. Okay.

18 A. I'm not a hundred percent on that but I I think I think there is.

19 Q. Have you used the shovel since she gave it back to you?

20 A. No because when she returned with the shovel I like I said I had already locked
21 up my shed exterior shed, so I just right by my front doors and exit door near my
22 garage and I just opened the garage door.

23 Q. Um hum (affirmative)

24 A. And just set it right there next to a shelve I have and...

25 Q. Okay.

1 A. Close d it.

2 Q. Do you know if anybody else in you're I don't know who all lives in your
3 household...

4 A. I have uh a wife and three children.

5 Q. How old are your children?

6 A. Uh one is eighteen.

7 Q. Um huh (affirmative)

8 A. One is thirteen...the first two are boys and I have a daughter that's seven.

9 Q. Okay. What's your eighteen year old name?

10 A. Matthew.

11 Q. Matthew. And you're thirteen year old?

12 A. Nicholas.

13 Q. Nicholas. And you're seven year old?

14 A. Carmen.

15 Q. Carmen? Do you think they've use the shovel?

16 A. No.

17 Q. And your wife's name is?

18 A. Debra.

19 Q. Debra. Who is the...when you took your shower that day who was it you were
20 telling that opening the door to? Was...

21 A. My son Nicholas.

22 Q. Was any were there any other children home?

23 A. No.

24 Q. Okay so just you and Nicholas?

25 A. Yea.

1 Q. Um...

2 A. Actually my oldest son he was still well...that could no that could it be my...you

3 know what? Eh... my oldest son stayed in Chicago when we went out there it

4 could...and he returned...he returned at the end of June.

5 Q. Okay.

6 A. I'm not for sure so he may have either been gone or...

7 Q. Okay so you don't know if he was home or he could still be in Chicago?

8 A. I know he wasn't home but...like I said it was in it was in that time frame of June

9 so he would have...he wouldn't have been home.

10 Q. Good. When was the last time you saw little Caylee the little baby?

11 A. Uh...

12 Q. Casey's child.

13 A. Yea...

14 Q. Has been a while?

15 A. Is been a while because...

16 Q. Did you even know she had a a daughter?

17 A. Yea when we had first moved in to the residence she at that time she was

18 pregnant.

19 Q. Okay.

20 A. And then we met them but um... I ran kind of a goofy schedule and...a lot of

21 times I would just I see them in crossing you know they're pulling in or I'm pulling

22 out and...or I'm outside and is just a hey how you doing? And...

23 Q. Good. Understanding that you don't have to just like I told you before you talked

24 to me that you don't have to talk to me, that's what your well within your rights.

25 Uh and understanding that you're well within your right to say that you know you

1 don't want us the Sheriffs Office to have that shovel uh we would like to take the
2 shovel with your consent to do testing on it to see if if maybe there maybe some
3 clues that might help us figure out what happened to to Caylee.

4 A. You're more than welcome to it.

5 Q. Okay um...is there anything that you think is important that I haven't asked you?

6 A. Um...

7 Q. Cause (Over talking...) I forgot things sometimes

8 A. Well I don't...

9 A. Yea I know I don't...I don't believe so.

10 Q. When uh and if you don't know, you don't know and and I don't want you to be
11 honest cause that's the main thing here uh when Casey came over to ask for the
12 shovel...how was her demeanor I mean was she happy was she...?

13 A. Uh no normal.

14 Q. Just normal? Nothing you didn't sense anything out of the normal?

15 A. No, no she's just hey...you know been tripping over this you know just kind of
16 (unintelligible) I need to borrough can I borrough a shovel?

17 Q. Okay what's behind you you're on the same side...if I'm facing her house...?

18 A. Yes.

19 Q. From the street you said you're the house right to the left of her.

20 A. To the left.

21 Q. What is directly behind you guys house?

22 A. There is a um...county owned I believe is kind of use as a like a drainage field.

23 Q. Okay.

24 A. There is a retention pond uh I guess would that be going north of my property?

25 Q. Um I'm terrible with directions.

1 A. Well okay.

2 Q. But right behind your house is there's not another house is there?

3 A. Back behind walls a totally different there is a big open well I'll say a twenty foot

4 wide uh... flat land.

5 Q. Okay.

6 A. And I believed is kind of leveled off because...

7 Q. Are there any trees in? O is just (Over talking...)?

8 A. No, there's a couple of shrubs but the county just comes thru and mows.

9 Q. Do you have (over talking...)

10 A. Just be an access to the...there's a retention pond back there.

11 Q. Do you have a fence surrounding your yard?

12 A. I have a fence around my...

13 Q. Is it a wood fence?

14 A. Wood fence.

15 Q. Six foot wood fence?

16 A. Uh I think is a five foot fence.

17 Q. Five foot wood fence?

18 A. Yea.

19 Q. Okay all right at any time did you see Casey after you gave her the shovel and

20 you saw her walking to the garage, did you see her at any time in the yard with

21 the shovel?

22 A. No.

23 Q. Okay and you...

24 A. They have a...ten foot fence maybe I couldn't see over (Over talking)

25 Q. Oh they got a big fence?

1 A. They have a taller fence so...

2 Q. Okay. All righty I think I might...covered what we need to cover here.

3 A. Okay.

4 Q. Um appreciate you...calling us, I appreciate meet with you.

5 A. Okay.

6 Q. Um...and we'll conclude the interview...at 15:48 hours.

7

8 **THIS TRANSCRIPT HAS BEEN REVIEWED FOR ACCURACY**

9 Signed this _____ day of _____, 2008.

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DETECTIVE APPLING WELLS, OCSO DEPUTY SHERIFF

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1 **TRANSCRIPT OF TAPED INTERVIEW OF BRIAN BURNER**
2 **CONDUCTED BY DETECTIVE APPLING WELLS**
3 **CASE NUMBER 08- 069208**
4

5 Q. All right Mr. uh Brian we were back on tape we were discuss I'm at your home
6 um I appreciate you inviting me in, you allowed us to come in and and take a
7 shovel that you talked about was used.

8 A. Yes.

9 Q. That Casey used on that day. Uh the crime scene tech just left with it, did he take
10 it with your permission?

11 A. Yes he did.

12 Q. Okay did you invite us into your home?

13 A. Yes I did.

14 Q. Did we make you, force you, coerce you or promise you anything in order to have
15 us uh come into the home and take the shovel?

16 A. No.

17 Q. Okay you see I have a tape machine is is is on do I have your permission to tape
18 this conversation?

19 A. Yes.

20 Q. All right. We were discussing a little bit I wanted some clarification on Casey's car
21 or was in the drive way on the day that she got her shovel um...tell me more
22 about how that car was positioned in the drive way.

23 A. Uh backed in kind of cen in the center of the garage.

24 Q. So it was actually all the way into the garage?
25

1 A. Back all the way in I didn't notice of any uh trunk or door been opened I just
2 noticed that it was backed in and that was...

3 Q. Do you recall uh what Casey was wearing when she came over to uh to get the
4 shovel?

5 A. Uh just typical kind of short and...shirt kind of work out nothing fancy or...

6 Q. Would you would you remember if she was wearing something different when
7 she brought the shovel back or you think she was wearing the same thing?

8 A. Uh I don't I don't recall.

9 Q. You don't know? Okay um today's date is July 17th 2008 the time now is 17:07
10 hours. Mr. Burner would you raise your right hand? You swear everything you
11 told me is the truth?

12 A. Yes.

13 Q. Thank you put your hand down and that conclude the interview.
14

15 **THIS TRANSCRIPT HAS BEEN REVIEWED FOR ACCURACY**

16 **Signed this _____ day of _____, 2008.**
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19 **DETECTIVE APPI WELLS, OCSO DEPUTY SHERIFF**
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