

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NOS. 23-CR-60173-KMW-1
23-CR-60173-KMW-2

UNITED STATES OF AMERICA, Miami, Florida
Plaintiff, October 18, 2024
vs. 2:29 PM - 2:48 PM
CAROLYN DENISE WADE and
TRACY D. WADE,
Defendant. Pages 1 to 18

TRANSCRIPT OF TRIAL (TESTIMONY OF TRACY WADE)
HELD BEFORE THE HONORABLE DONALD L. GRAHAM
UNITED STATES DISTRICT JUDGE

FOR THE GOVERNMENT:

DAVID A. SNIDER, AUSA
ADAM LOVE, AUSA
United States Attorney's Office

ON BEHALF OF THE DEFENDANTS:

JOHNNY L MCCRAY, JR., ESQ.
Law Office of Johnny L. McCray, Jr, P.A.
and
DARYL E. WILCOX, ESQ.

ALSO PRESENT: Carolyn Wade
Hendrith V.A. Smith, paralegal

LANCE W. STEINBEISSER, FCRR, RPR, FPR-C
Official Court Reporter
United States District Court
400 North Miami Avenue
Miami, Florida 33128
305.523.5633

Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription.

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1 (Call to the Order of the Court.)

2 * * * * *

3 THE COURT: All right. Let's move forward.

4 Call your next witness.

5 MR. MCCRAY: Judge, I call Mr. Tracy Wade.

6 THE COURT: Please come forward.

7 (Defense witness, TRACY WADE, duly sworn.)

8 THE COURTROOM DEPUTY: Please have a seat. Please
9 state your name and spell it for the record.

10 THE WITNESS: My name is Tracy Wade, T-R-A-C-Y, last
11 name Wade, W-A-D-E.

12 DIRECT EXAMINATION

13 BY MR. MCCRAY:

14 Q. Mr. Wade, what is your marital status?

15 A. I'm married.

16 Q. And to whom are you married?

17 A. Carolyn Wade.

18 Q. And how old are you, sir?

19 A. 51.

20 Q. And do you and Ms. Wade have children?

21 A. Yes, we do. One in common.

22 Q. Approximately how long have you and Ms. Wade been married?

23 A. About nine years.

24 Q. And so that would have been around 2015?

25 A. Yes, sir.

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1 Q. And you say you all have one child. How old is he or she?

2 A. Taylor is 11 years old.

3 Q. And without giving us your address, in what city and
4 county do you live?

5 A. We live in Coral Springs, Florida. It's in the county of
6 Broward.

7 Q. How long have you lived there?

8 A. Now, recently, about now two years.

9 Q. Okay. Where were you born?

10 A. Miami, Florida.

11 Q. Okay. Mr. Wade, please tell the members of the jury your
12 educational background.

13 A. I graduated from Miami Carol City Senior High. I then
14 also attended Miami Dade College School of Mortuary Science,
15 Philbrick School of Mortuary Science, which is located in
16 Miami Dade College.

17 Q. Okay.

18 A. I have an associate's degree.

19 Q. Okay. In what? Mortuary science?

20 A. Yes.

21 Q. Okay. What year did you finish mortuary science school?

22 A. About --

23 Q. Roughly.

24 A. About 2005. About 2005.

25 Q. And after you finished mortuary science school, did you

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1 pursue working in that area?

2 A. Yes, I did.

3 Q. Tell us where you worked and what you did.

4 A. I worked for numerous funeral homes before I became
5 licensed doing multiple things at the funeral home, starting
6 from the bottom, and, once I became licensed, served as
7 funeral director, slash, embalmer at a couple of funeral
8 homes.

9 Q. Which homes?

10 A. Bernard Poitier -- that funeral home is no longer in
11 existence. Grace Funeral Home in Miami, I was a funeral
12 director there. Grace Funeral Home in Broward County, Oakland
13 Park, was a funeral director there. James C. Boyd Funeral
14 Home, I was a funeral director there.

15 Q. That's in Florida; right?

16 A. That's in Fort Lauderdale, Florida. I also was an
17 embalmer at Levitt-Weinstein Funeral Home, which is currently
18 in North Miami.

19 Q. And at some point in time did you ever decide to start
20 your own business in the funeral home business?

21 A. Yes, sir.

22 Q. Tell us what year you started.

23 A. I believe I started Wade Funeral Home 2009, 2010.

24 Q. Wade Funeral Home, where is that located?

25 A. It's located in Hallandale, Florida.

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1 Q. Have you ever owned more than one funeral home at the same
2 time?

3 A. Yes, I have.

4 Q. Can you tell us where the other one was?

5 A. We owned a second location that was in Cutler Bay,
6 Florida.

7 Q. Do you still own that?

8 A. No. I recently closed that one.

9 Q. Okay. Now, how long have you been -- I don't know if I
10 asked you this. How long have you been at the other Wade --
11 the one in Hallandale?

12 A. Since 2010.

13 Q. Now, I'm going to come back to the funeral business in a
14 few minutes, but careerwise have you worked in any other
15 capacity?

16 A. I worked for the Broward County Sheriff's Office for just
17 under 25 years.

18 Q. Can you please tell us in what capacity you worked?

19 A. I was assigned to detention -- to the department of
20 detention; however, I was a duly certified deputy. So I
21 was at times at -- I worked in the detention section as far as
22 working in the jails at times. However, when you're duly
23 certified, you're able to work in the capacity of law
24 enforcement.

25 Q. Okay. Does that mean you worked on the road sometimes?

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1 A. Well, you didn't per se work on the road; however, we
2 worked in the capacity where we had to make arrests.

3 Q. Okay. And where did you attend -- did you attend an
4 academy?

5 A. I attended corrections academy at --

6 Q. Where is that?

7 A. At Miami-Dade -- well, at the time it was Miami-Dade
8 School of Criminal Justice.

9 Q. Okay. What year was that, sir?

10 A. 1993.

11 Q. Okay. And did you become duly certified while you were
12 there, starting in '93?

13 A. No. I started with the sheriff's office in 1997, and I
14 think in 1998 I went to lacrosse academy at Miami Dade
15 Community College School of Justice -- I'm sorry -- at Broward
16 College School of Justice.

17 Q. Okay. So where did you first work -- you started working
18 as a corrections person?

19 A. Yes, sir.

20 Q. Tell us where you first worked -- your first job in that
21 area.

22 A. My first place of employment as a corrections officer was
23 at South Florida Reception Center, which is the Florida
24 Department of Corrections.

25 Q. Where is South Florida Reception located?

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1 A. It's in Miami, Florida.

2 Q. How long did you work there?

3 A. Approximately about three and a half years.

4 Q. Okay. And did there come a time when you left there after
5 three and a half years?

6 A. Yes. In 1997, I became employed by the Broward County
7 Sheriff's Office.

8 Q. In what capacity?

9 A. As a detention deputy.

10 Q. Okay. Now, how long did you actually work as a detention
11 deputy before you became cross-certified?

12 A. About a year and a half.

13 Q. Okay. All right.

14 Now, did there come a time when you left the
15 sheriff's office?

16 A. Yes. When I retired in, I think, about 2021. Somewhere
17 up in there I retired.

18 Q. And how long -- did you remain retired?

19 A. No, I did not remain retired.

20 Q. Did you start working in a law enforcement capacity -- a
21 type of capacity elsewhere?

22 A. Yes. I became employed by the Town of Pembroke Park
23 Police Department.

24 Q. Okay. And is there a neighboring city to Pembroke Park?

25 A. Yes. Pembroke Park -- the Town of Pembroke Park lays

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1 between the City of Hallandale and the City of Miramar.

2 Q. Okay. And what were your duties there?

3 A. I was a police officer.

4 Q. Okay. Did you ever work on S.W.A.T.?

5 A. Not there, no.

6 Q. Anywhere else?

7 A. When I was employed by the sheriff's office, I was part of
8 the emergency response team where we did training with field
9 force and S.W.A.T., but I was never on the S.W.A.T. team, but
10 I did training with them.

11 Q. Okay. Now, did you ever work in the K-9 unit?

12 A. At South Florida Reception Center, I was one of the
13 officers that helped initiate that program.

14 Q. Okay. And while you were employed with the Broward
15 Sheriff's Office -- well, let me just rephrase that.

16 You said that you have a degree in mortuary science.
17 Can you tell us how you started in that background?

18 A. As I said earlier, I started in that background just
19 initially -- I had purchased some funeral vehicles, and I
20 would sublease them out to funeral homes. As the years passed
21 and I began to understand the business and began to have a
22 passion for the business, I decided to put myself through
23 school.

24 Q. Okay. And how did you put yourself through school?

25 A. As I was working with the sheriff's office on midnights, I

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1 went to school in the daytime.

2 Q. Now, you started Wade Funeral Home. What year did you
3 start that?

4 A. 2010.

5 Q. And today, do you still have that business?

6 A. Yes, I do.

7 Q. And you only have one funeral home, you said, at this
8 time?

9 A. As of last year, yes.

10 Q. How long did you have the Cutler Bay?

11 A. Approximately about four years.

12 Q. Tell us the duties of a funeral director.

13 A. As a funeral director, you are tasked with the
14 responsibilities of dealing with individuals in their lowest
15 point in their lives. You are tasked with making
16 arrangements, coordinating services as far as funeral
17 services, church services, viewings, sometimes repasses.
18 Anything related to a funeral home, sometimes you're tasked
19 with that.

20 Q. And do you sometimes have to engage workers --

21 A. Yes --

22 Q. -- with your company?

23 A. Yes, sir.

24 Q. Okay. Now, does Wade Funeral Home sometimes work with
25 other funeral homes?

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1 A. All the time.

2 Q. Can you explain that?

3 A. Well, I'm also -- I am also an embalmer. So I'm a funeral
4 director, slash, embalmer. As far as the funeral home itself
5 goes, sometimes other funeral homes may want to rent our venue
6 for funerals or viewings. They may want to use our vehicles.
7 Sometimes they even want to use the staff that are employed by
8 the funeral home.

9 As an embalmer, every funeral home doesn't have a
10 morgue. Every funeral home doesn't have a licensed embalmer,
11 so that is subcontracted out to funeral directors that do
12 embalming.

13 Q. So sometimes you're saying you provide services to other
14 funeral homes?

15 A. Yes, sir.

16 Q. Are there times when other funeral homes provide services
17 to you?

18 A. Yes, sir.

19 Q. Can you please tell us about that?

20 A. With the exception of embalming, probably renting vehicles
21 that I don't have at my disposal for multiple services that we
22 may have during the day or even if I need additional staff,
23 things of that nature.

24 Q. Okay. Now, are you familiar with the Rivero Funeral Home?

25 A. Yes, I am.

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1 Q. Do you know who the owner of Rivero Funeral Home is?

2 A. Now I do.

3 Q. Okay. What do you mean now you do?

4 A. I initially thought Eduardo Rivero was the owner of the
5 funeral home.

6 Q. And who's the owner now?

7 A. Haydee Rivero.

8 Q. Who is she?

9 A. His wife.

10 Q. Okay. For the members of the jury, would you please
11 describe the relationship between you and Mr. Rivero.

12 A. That relationship started off from a professional
13 standpoint where he -- when he opened his first location --
14 because he never owned a place. He rented a place initially,
15 and that was in Hollywood, Florida.

16 We did numerous professional -- as far as when it
17 comes to shipping remains. I've even seen families -- I've
18 done multiple embalmings and caskets and dressings from him.
19 And because we did so many professional -- or partook in so
20 many professional ventures, I thought he was cool, and it
21 turned into a friendship, somewhat type brotherhood in a
22 sense.

23 Q. Okay. Now, what year did he start his business locally?

24 A. I can't tell you that exact year.

25 Q. Okay. But did he have a business in the same city where

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1 you were located?

2 A. I don't know if that would be -- because as far as the
3 City of Hallandale goes, I'm the only funeral home in
4 Hallandale. I think that would be Hollywood. The first one
5 was off 441, adjacent to Miramar, and then he moved to
6 Hollywood for the second location.

7 Q. Did you ever provide embalming services for him?

8 A. Yes, sir.

9 Q. Has he ever provided embalming services for you?

10 A. No, sir.

11 Q. Have you ever gotten vehicles from him?

12 A. Yes, sir.

13 Q. What about vice versa?

14 A. Yes, sir.

15 THE COURT: Counsel, I'm going to stop you there and
16 excuse the jury until Monday morning at 9:30 AM. I'm going to
17 ask Ms. McCray in the box to remain while I excuse the other
18 jurors. Please remember not to discuss the case in any way.
19 Have a great and safe weekend.

20 (Jury exited at 2:44 PM.)

21 THE COURT: You may be seated.

22 Ms. McCray, I understand that you approached our
23 courtroom deputy today with an issue. Could you explain what
24 the issue is, please?

25 JUROR MCCRAY: I'm going on a cruise on Monday.

1 THE COURT: You can step down, Mr. Wade.

2 JUROR MCCRAY: I'll be going on a cruise on Monday,
3 so the latest I can leave here is about 12:00 PM.

4 THE COURT: The latest you can leave here is --

5 JUROR MCCRAY: 12:00 PM.

6 THE COURT: 12:00 PM?

7 JUROR MCCRAY: Yes.

8 MR. WILCOX: On what day, Judge?

9 THE COURT: 12:00 PM.

10 Did you tell us about this during voir dire? I
11 really don't recall.

12 JUROR MCCRAY: The day that we was all being picked?
13 No because I thought it was going to end this week.

14 THE COURT: Well, I did say we expected it to last
15 ten days, but a little on one side or the other.

16 What time does the ship depart?

17 JUROR MCCRAY: 2:00.

18 THE COURT: It departs at 2:00 or boarding is at
19 2:00? When is boarding?

20 JUROR MCCRAY: It departs by 2:30. My boarding time
21 is 1:30.

22 THE COURT: All right. And was your plan if you were
23 able to attend to go to your residence to the cruise ship or
24 from directly there from here?

25 JUROR MCCRAY: I can't leave my car here. If I was

1 able, I would go directly from here. If I could leave my car
2 here, I can go directly there and have someone pick me up, but
3 I was going to go to my residence.

4 THE COURT: And if you didn't leave your car here,
5 what was the plan? To go home and then go to the --

6 JUROR MCCRAY: No. I can get picked up to go to the
7 port.

8 THE COURT: You're being picked up at your home?

9 JUROR MCCRAY: No. I was going to drive my car to
10 about Northwest 50th Street, to my grandma's house, and then
11 she was going to drop me off.

12 THE COURT: All right. I understand.

13 Can I have counsel come sidebar for a moment,
14 quickly, please? I'm running behind.

15 (The following proceedings were held sidebar:)

16 MR. WILCOX: We're inclined to excuse her.

17 THE COURT: Do you agree to excuse her?

18 MR. SNIDER: Yeah, I'm not taking a position. I'm
19 not taking a position. I don't want to -- you make the
20 ruling. I don't want to -- I have no objection. I defer to
21 you.

22 (The following proceedings were held in open court:)

23 THE COURT: All right. Ms. McCray, we plan to finish
24 on Monday, but you are the fifteenth juror, which is an
25 alternate juror, so we are going to go ahead and excuse you at

1 this time.

2 JUROR MCCRAY: Thank you.

3 THE COURT: Thank you very much for your service.

4 Have a good day.

5 JUROR MCCRAY: Thank you.

6 THE COURT: All right. We are in recess until Monday
7 morning, and you have the draft of the instructions. We'll
8 take some time on Monday to go over those items.

9 (Proceedings concluded at 2:48 PM.)

10

CERTIFICATE OF REPORTER

11

12 I certify that the foregoing is a correct
13 transcription of the record of proceedings in the
above-entitled matter prepared from my stenotype notes.

14

15 DATE: 16th of January, 2025

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/s/Lance W. Steinbeisser
Lance W. Steinbeisser,
FCRR, RPR, FPR-C
Official Court Reporter
United States District Court
Southern District of Florida
Miami, Florida

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