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‘There were lots of stories he told me,’ mother testifies

By [DAVE FOPAY, Staff Writer](#) JG-TC.com | Posted: Wednesday, December 15, 2010 6:00 am

CHARLESTON - Jamie Thomasson often used a vulgarity to describe how he felt about 2-year-old Holden Jones and complained that the boy's mother babied him too much, according to the mother's testimony Tuesday.

Amy Bennett also said Thomasson gave her different accounts of what happened leading up to Holden's death, saying at one point that the boy fell out of bed and hit his head.

"There were lots of stories he told me that day," Bennett said.

Bennett was the first witness to testify at Thomasson's jury trial on charges of first-degree murder and aggravated battery of a child. Thomasson, 32, is accused of injuring the boy on June 20, 2009, to the extent that he died the next day.

Holden's death came about two months after Bennett said she and Thomasson began dating. They met online, and soon he was mostly living with her, Holden and her daughter in her apartment on Union Street in Charleston instead of at his home in Springfield, she said Tuesday.

Bennett said she left Holden in Thomasson's care when she left for an overnight work shift. She said she returned home at one point to get something for work and wanted to check on Holden while she was there. But she said she decided against it when Thomasson said he was asleep and shouldn't be disturbed.

Bennett also admitted that another reason she returned home was to get marijuana from Thomasson, as they both used the drug regularly. Thomasson called her at work the next morning and said Holden wasn't breathing and she returned home again to hear that her son was dead, she said.

State's Attorney Steve Ferguson asked Bennett about how Thomasson treated Holden. She said Thomasson often remarked that he wasn't tough enough and that she favored him over her daughter, who was 10 at the time.

"He wanted my attention over everybody else in my life," she said of Thomasson.

During cross examination by defense attorney Mark Wykoff, Bennett said Holden preferred sleeping with her but Thomasson was able to get him to sleep in a bed alone. Bennett agreed with Wykoff's calling that a "relatively new experience" for Holden, perhaps a reference to Thomasson's claim that the boy fell out of bed.

Wykoff also asked Bennett several questions about the child care Thomasson provided and other chores he did that helped her and her two children.

In his opening statement to the jury Tuesday, Ferguson said trial evidence will show that Thomasson also first told police that Holden hit his head after falling out of bed. However, officers questioned him again after an autopsy revealed "massive brain injuries" and a broken collar bone that indicated child abuse, he said.

During a second interview with police, Thomasson again said Holden fell out of bed, but said the boy also hit his head earlier when Thomasson was playing with boy, tossing him onto an air mattress kept on the floor of the apartment, Ferguson told the jury. It was also during that interview that Thomasson said he shook Holden a few times at one point to try to wake him, he added.

Wykoff didn't saying anything specific about the evidence he expected during his opening comments to the jury. He called the prosecution's version of what happened "a theory only" and said "this isn't going to be a one-sided event."

Witness accounts to police were made in a "much different environment" than a courtroom and during cross examination "you're going to find the evidence of doubt," Wykoff told the jury. He also reminded the jurors that Thomasson isn't required to testify and it can't be held against him if he doesn't, a possible indication that Thomasson won't take the stand during the proceedings.

The trial will continue today and is expected to take all week. Ferguson is on record that he won't seek the death penalty if Thomasson is convicted of the murder charge. However, he could receive a prison sentence above the normal maximum for the charges against him. That's because Ferguson included allegations in the charges that Thomasson's actions were "exceptionally brutal" and indicated "wanton cruelty."

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