Pima County Sheriff's Department

Detail Incident Report for 090603023

Nature: SHOOTING
Location: San Xavier Beat 1 Tucson AZ 85714

Offense Codes: 0412
Received By: Lesinski,Cather **How Received:** 911 **Agency:** PCSD
Responding Officers: SantaMaria,Fran Gutierrez,Artur Bronson,Aaron Gallo,Adrian Bustamante,Mark Molina,Esau Korza,JayM Summey,John M Janes,Christoph Nice,Randall Lindenau,Erin Ahern,Gerald R Hill,BenjaminP Parish,Terry Lynn,Robert Croft,WarrenL Gieron,EarlK Nickell,JacobW Nicholas,Angela Bernstein,Brett Wolf,Richard Gardner,KevinS Anderson,Donald Powell,RyanW
Responsible Officers: SantaMaria,Fran **Disposition:** Detective-Adult arrest 06/23/09
When Reported: 01:56:49 06/03/09 **Occurred Between:** 01:55:55 06/03/09 and 01:56:06 06/03/09

NOTICE:

PRIVATE OR CONFIDENTIAL INFORMATION, SUCH AS DATE OF BIRTH, SOCIAL SECURITY NUMBER AND HOME ADDRESS, HAS BEEN REDACTED PURSUANT TO ARIZONA LAW.

NARRATIVE:

RESTRICTED ACCESS--NO PUBLIC DISSEMINATION
ONGOING INVESTIGATION
9)EDITED RELEASE AUTHORIZED FROM RAT/1331 FOR CONCILIATION COURT 01/31/13 RMU#7491
8) RELEASE AUTHORIZATION DENIED FOR "BILL MARVIN INTERVIEW" CD FROM RAT FOR
LORNA SOROKO, 01/11/10, RMU#2374.

7) RELEASE AUTH REQUESTED FROM HOMICIDE FOR
HARALSON/MILLER/PITT/FELDMAN &
MCANALLY ON EVIDENCE DIAGRAMS JS 6381 10/20/09

6) EDITED RELEASE AUTHORIZED FROM RAT#1142 FOR
HARALSON/MILLER/PITT/FELDMAN &
MCANALLY ONLY, 08/24/09, RMU#2374.

5) EDITED RELEASE AUTHORIZED FROM RAT#1142 FOR PRS ONLY, 08/06/09, RMU#2374.

4) EDITED RELEASE AUTHORIZED FROM RAT#1142 FOR PATRICK GRIFFITH ONLY, 08/06/09,
RMU#2374.

3)EDITED RELEASE AUTHORIZED BY RAT #1142 FOR LORNA SOROKO (STATEMENT V LINAREZ & GPS) ONLY, 7/09/09 RMU #3782
2)EDITED RELEASE AUTHORIZED BY RAT #1142 FOR LORNA SOROKO ONLY, 6/29/09 RMU #3782
1)EDITED 911 BY RAT #1142 FOR LORNA SOROKO ONLY, 7/09/09 RMU #3782

Initial Case Dictated by F. Santa Maria #5690 in Supp. 1

Assigned To: Powell,RyanW **Detail:** ROB **Date Assigned:** 06/04/09
Status: DAA **Status Date:** 06/23/09 **Due Date:** **/**/**

Case History:

Powell,RyanW	ROB	06/04/09	ACA	06/04/09	**/**/**

Radiolog:

Unit: 484 **Enroute:** **Arrived:** 01:59:35 06/03/09
Completed:

Unit: 521 **Enroute:** **Arrived:**
Completed: 12:41:46 06/03/09

Unit: 604 **Enroute:** 01:56:59 06/03/09 **Arrived:**
Completed:

ARRESTEE:

Name: KOSATSCHENKO, JOSHUA W.

VICTIM:

Name: TARANGO, DANIEL R.

INVESTIGATIVE LEAD:

Name: LINAREZ, VINCENT

Name: MALDONADO, ROSA L.

Name: COUCH, TEDDY S.

Name: KANGAS, NICHOLAS E.

Name: TARANGO, ANGEL JR.

REPORTEE:

Name: CANEZ, JENNY

WITNESS:

Name: MARVIN, WILLIAM C.

Name: LOPEZ, VICTOR A. JR.

Name: GAMA, ALEJANDRO O.

ARRESTEE:

Name: KOSATSCHENKO, JOSHUA W.

ARREST:

Arrest Date: 02:01:00 06/03/09
Type: Probable Cause Arrest
Disp: Booked (Adult)
Age Status: A

Agency: Pima County Sheriff's Dept.
Arresting Officer: Powell,RyanW
Location: **********

OFFENSE: MURDER

Time/Date: 02:01:00 06/03/09

Statute: MURDER 1ST DEGREE
Class: Class 2 felony
Location: **********

Type: Arizona Law Violation
Court: JUSTICE COURT #1
Law: Arizona Revised Statutes

ARREST:

Arrest Date: 15:52:00 06/03/09
Type: Probable Cause Arrest
Disp: Booked (Adult)
Age Status: A

Agency: Pima County Sheriff's Dept.
Arresting Officer: Lynn,Robert
Location: **********

OFFENSE: AG ASSAULT W/FIREARM

Time/Date: 15:52:00 06/03/09

Statute: AGGRAVATED ASSAULT
Class: Class 3 felony
Location: **********

Type: Arizona Law Violation
Court: JUSTICE COURT #1
Law: Arizona Revised Statutes

OFFENSE: WEAPONS VIOLATION

Time/Date: 15:52:00 06/03/09

Statute: POSS WPN BY PROHIB PERSON
Class: Class 4 felony
Location: **********

Type: Arizona Law Violation
Court: JUSTICE COURT #1
Law: Arizona Revised Statutes

PROPERTY INFORMATION:

Item Type: DIMS **Property Number:** 405266
Item/Brand: **Model:**
Serial Number: **Color:** /
Characteristics:
Quantity: 1 **Meas:** **Total Value:** 0
Owner ID:

Item Type: DIMS **Property Number:** 405737
Item/Brand: **Model:**
Serial Number: **Color:** /
Characteristics:
Quantity: 1 **Meas:** **Total Value:** 0
Owner ID:

EVIDENCE INFORMATION:

Item Number: PL1 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: FOOD PACKAGE **Model:** **Color:**
Description: BEEF BEAN & CHEESE BURRITO

Item Number: PL2 **Item Type:** EVI
Serial Number: **Item:** MISC ITEMS
Brand: WRAPPING **Model:** **Color:**
Description: HOT POCKET WRAPPING

Item Number: PL3 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: FOOD BAG **Model:** **Color:**
Description: HOT DOG BAG

Item Number: PL4 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: FOOD BAG **Model:** **Color:**
Description: CHEETOS BAG

Item Number: PL5 **Item Type:** EVI
Serial Number: **Item:** INVOICE
Brand: **Model:** **Color:**
Description: INVOICE

Item Number: PL6 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: CIG. BUTT **Model:** **Color:**
Description: CIG. BUTT

Item Number: PL7 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: CIG. BUTT #2 **Model:** **Color:**
Description: CIG. BUTT #2

Item Number: PL8 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: MENU **Model:** **Color:**

Description: MENU

Item Number: PL9 **Item Type:** EVI
Serial Number: **Item:** MISC ITEMS
Brand: WRAPPING **Model:** **Color:**
Description: RED HOT BURRITO WRAPPING

Item Number: PL10 **Item Type:** EVI
Serial Number: **Item:** MISC ITEMS
Brand: WRAPPING **Model:** **Color:**
Description: GREEN CHILI BURRITO WRAPPING

Item Number: PL11 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: PACKAGE **Model:** **Color:**
Description: EMPTY GAUZE PACKAGE

Item Number: PL12 **Item Type:** EVI
Serial Number: **Item:** CASING
Brand: **Model:** **Color:**
Description: .45 SHELL CASING

Item Number: PL13 **Item Type:** EVI
Serial Number: **Item:** CASING
Brand: **Model:** **Color:**
Description: .45 SHELL CASING #2

Item Number: PL14 **Item Type:** EVI
Serial Number: **Item:** CASING
Brand: .45 CAL #3 **Model:** **Color:**
Description: 45 SHELL CASING #3

Item Number: PL15 **Item Type:** EVI
Serial Number: **Item:** GLASS
Brand: PIECE, WINDOW **Model:** **Color:**
Description: PIECE OF WINDOW GLASS

Item Number: PL19 **Item Type:** EVI
Serial Number: **Item:** MISC

Brand: GAUZE W/BLOOD **Model:** **Color:**
Description: GAUZE W/BLOOD

Item Number: PL20 **Item Type:** EVI
Serial Number: **Item:** KEY
Brand: ON A LANYARD **Model:** **Color:**
Description: KEYS ON A LANYARD

Item Number: PLA **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: GAUZE PAD **Model:** **Color:**
Description: GAUZE PAD

Item Number: PLB **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: GAUZE ROLL **Model:** **Color:**
Description: GAUZE ROLL

Item Number: PLC **Item Type:** EVI
Serial Number: **Item:** CUP
Brand: AM/PM **Model:** **Color:**
Description: AM/PM CUP

Item Number: PLE **Item Type:** EVI
Serial Number: **Item:** CUP
Brand: AM/PM **Model:** **Color:**
Description: AM/PM CUP

Item Number: PLG **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: BULLET FRAGMENT **Model:** PASSENGER SEAT **Color:**
Description: BULLET FRAG FROM PASS SEAT

Item Number: CK15 **Item Type:** EVI
Serial Number: **Item:** KNIFE
Brand: CARSON DESIGN **Model:** **Color:**
Description: CARSON DESIGN M16-145F

Item Number: CK16 **Item Type:** EVI

Serial Number:
Brand: GULLS
Description: GULLS VEST
Item: VEST
Model:
Color:

Item Number: CK17
Serial Number:
Brand:
Description: FLYING CROSS UNIFORM SHIRT
Item Type: EVI
Item: SHIRT
Model:
Color:

Item Number: CK18
Serial Number:
Brand: BLACK DUTY
Description: BLACK DUTY
Item Type: EVI
Item: MISC
Model:
Color:

Item Number: CK19
Serial Number:
Brand:
Description: BLACK HOLSTER
Item Type: EVI
Item: HOLSTER
Model:
Color: BLK

Item Number: CK20
Serial Number:
Brand: HANDCUFF
Description: BLACK HANDCUFF CASE
Item Type: EVI
Item: CASE
Model:
Color: BLK

Item Number: CK21
Serial Number:
Brand: BATON
Description: BLACK BATON
Item Type: EVI
Item: MISC
Model:
Color: BLK

Item Number: CK22
Serial Number:
Brand: MAGAZINE
Description: MAGAZINE POUCH
Item Type: EVI
Item: POUCH
Model:
Color:

Item Number: CK23
Serial Number:
Brand: FLASHLIGHT HDR
Description: FLASHLIGHT HOLDER
Item Type: EVI
Item: MISC
Model:
Color:

Item Number: CK24 **Item Type:** EVI
Serial Number: **Item:** CELLULAR PHONE
Brand: **Model:** **Color:** BLK
Description: BLACK CELL PHONE

Item Number: CK25 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: BELT KEEPER **Model:** **Color:** BLK
Description: BELT KEEPER BLACK

Item Number: CK26 **Item Type:** EVI
Serial Number: **Item:** HANDCUFFS
Brand: **Model:** **Color:** BLK
Description: HANDCUFFS, 1 SILVER, 1 BLACK

Item Number: CK27 **Item Type:** EVI
Serial Number: **Item:** FLASHLIGHT
Brand: **Model:** **Color:**
Description: STREAMLIGHT STINGER FLASHLIGHT

Item Number: CK28 **Item Type:** EVI
Serial Number: **Item:** DRIVERS LICENSE
Brand: DANIEL TARANGO **Model:** **Color:**
Description: DRIVERS LICENSE FOR DANIEL

Item Number: CK29 **Item Type:** EVI
Serial Number: **Item:** WALLET
Brand: LEATHER **Model:** **Color:** BRO
Description: BROWN LEATHER WALLET W/CARDS

Item Number: CK30 **Item Type:** EVI
Serial Number: **Item:** KEY
Brand: HANDCUFF **Model:** **Color:** BLK
Description: BLACK HANDCUFF KEY

Item Number: CK31 **Item Type:** EVI
Serial Number: **Item:** BOOT
Brand: WORK-BATTS **Model:** 1 PAIR **Color:**
Description: BATTS WORK BOOTS, 1 PAIR

Item Number: CK32 **Item Type:** EVI
Serial Number: **Item:** PANTS
Brand: UTILITY **Model:** FECHHEIMER **Color:**
Description: FECHHEIMER UTILITY BELT

Item Number: CK33 **Item Type:** EVI
Serial Number: **Item:** BELT
Brand: LEATHER **Model:** **Color:** BLK
Description: BLACK LEATHER BELT

Item Number: CK34 **Item Type:** EVI
Serial Number: **Item:** T SHIRT
Brand: **Model:** **Color:** BLK
Description: BLACK T-SHIRT

Item Number: CK35 **Item Type:** EVI
Serial Number: **Item:** SOCK
Brand: **Model:** **Color:** BLK
Description: BLACK SOCKS

Item Number: UMC1 **Item Type:** EVI
Serial Number: **Item:** SHORTS
Brand: W/BLOOD **Model:** **Color:**
Description: SPIDERMAN BOXER SHORTS

Item Number: UMC2 **Item Type:** EVI
Serial Number: **Item:** SHORTS
Brand: W/BLOOD **Model:** **Color:** BLK
Description: BLACK DICKIES SHORTS W/BLOOD

Item Number: UMC3 **Item Type:** EVI
Serial Number: **Item:** CELLULAR PHONE
Brand: NOKIA **Model:** **Color:** BLK
Description: BLACK NOKIA CELL PHONE

Item Number: UMC4 **Item Type:** EVI
Serial Number: **Item:** CARD
Brand: AHCCCS **Model:** **Color:**

Description: AHCCCS CARD

Item Number: UMC5 **Item Type:** EVI
Serial Number: **Item:** CURRENCY US
Brand: MONEY **Model:** **Color:**
Description: 3-$1 BILL=TOTAL $3.00

Item Number: UMC6 **Item Type:** EVI
Serial Number: **Item:** CURRENCY US
Brand: MONEY **Model:** **Color:**
Description: 2-NICKELS=TOTAL $.10

Item Number: CK1 **Item Type:** EVI
Serial Number: **Item:** BULLET
Brand: .45 CALL **Model:** **Color:**
Description: .45 CAL BULLETS

Item Number: CK2 **Item Type:** EVI
Serial Number: **Item:** MAGAZINE WEAP
Brand: .45 CAL **Model:** **Color:** BLK
Description: BLACK .45 CAL MAGAZINE

Item Number: CK3 **Item Type:** EVI
Serial Number: 38318553 **Item:** HANDGUN
Brand: DESERT EAGLE **Model:** .45 CAL **Color:**
Description: DESERT EAGLE .45 CAL

Item Number: CK4 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: BADGE **Model:** **Color:**
Description: VALLEY PROTECTIVE SERVICE

Item Number: CK5 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: BATON **Model:** **Color:**
Description: EXPANDABLE BATON

Item Number: CK6 **Item Type:** EVI
Serial Number: **Item:** MAGAZINE WEAP

Brand: FROM DUTY BELT **Model:** **Color:**
Description: MAGAZINE FROM DUTY BELT

Item Number: CK7 **Item Type:** EVI
Serial Number: **Item:** BULLET
Brand: **Model:** **Color:**
Description: BULLETS FROM DUTY BELT

Item Number: CK8 **Item Type:** EVI
Serial Number: **Item:** CELLULAR PHONE
Brand: NEXTEL **Model:** **Color:** BLK
Description: NEXTEL CELL PHONE, BLACK

Item Number: CK9 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: DIGITAL RECORDR **Model:** RCA **Color:**
Description: DIGITAL RECORDER RCA

Item Number: CK10 **Item Type:** EVI
Serial Number: **Item:** KEY
Brand: ON KEY RING **Model:** **Color:**
Description: KEYS ON KEY RING

Item Number: CK11 **Item Type:** EVI
Serial Number: **Item:** KEY
Brand: ON KEY CHAIN **Model:** **Color:**
Description: KEY ON KEYCHAIN

Item Number: CK12 **Item Type:** EVI
Serial Number: **Item:** ID CARD
Brand: SEC GUARD **Model:** **Color:**
Description: SECURITY GUARD ARMED ID

Item Number: CK13 **Item Type:** EVI
Serial Number: **Item:** CELLULAR PHONE
Brand: ALLTEL **Model:** **Color:** BLK
Description: ALLTEL BLACK CELL PHONE

Item Number: CK14 **Item Type:** EVI

Serial Number: **Item:** MISC
Brand: OC SPRAY **Model:** **Color:**
Description: OC SPRAY

Item Number: **Item Type:** EVI
Serial Number: **Item:**
Brand: **Model:** **Color:**
Description: AEV8812-AZ;#137350;'87 FORD

Item Number: KG1 **Item Type:** EVI
Serial Number: **Item:** COMPACT DISK
Brand: **Model:** **Color:**
Description: 1 CD DIAGRAM SCENE

Item Number: TF1 **Item Type:** EVI
Serial Number: **Item:** CASING
Brand: TEST FIRE EXPEL **Model:** **Color:**
Description: TEST FIRE EXPELED CASINGS

Item Number: TF1 **Item Type:** EVI
Serial Number: **Item:** CASING
Brand: TEST FIRE EXPEL **Model:** **Color:**
Description: TEST FIRE EXPELED CASINGS

Item Number: RSO1 **Item Type:** EVI
Serial Number: **Item:** CASING
Brand: SPENT CASINGS **Model:** **Color:**
Description: TWO SPENT CASINGS (.45)

Item Number: LFW **Item Type:** EVI
Serial Number: **Item:** WINDOW
Brand: LEFT FRONT **Model:** **Color:**
Description: LEFT FRONT WINDOW FROM LTD

Item Number: VBS **Item Type:** EVI
Serial Number: **Item:** SHIRT
Brand: **Model:** **Color:**
Description: VICTIM BLOODY SHIRT

Item Number: RP1 **Item Type:** EVI
Serial Number: **Item:** COMPACT DISK
Brand: PICTURES **Model:** **Color:**
Description: PICTURES ON CD

Item Number: RP2 **Item Type:** EVI
Serial Number: **Item:** COMPACT DISK
Brand: INTERVIEW & DOC **Model:** **Color:**
Description: INTERVIEWS & DOCS ON CD

Item Number: RP3 **Item Type:** EVI
Serial Number: **Item:** COMPACT DISK
Brand: SCENE DRAWING **Model:** **Color:**
Description: SCENE DRAWING ON CD

Item Number: RP4 **Item Type:** EVI
Serial Number: **Item:** VIDEO TAPE
Brand: CIRCLE K **Model:** **Color:**
Description: CIRCLE K VIDEO

Item Number: RP5 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: #CK9 DOWNLOAD **Model:** **Color:**
Description: #CK9 DOWNLOAD

Item Number: RP6 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: MEDICAL RECORDS **Model:** **Color:**
Description: MEDICAL RECORDS

Item Number: RP7 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: WARRANT **Model:** **Color:**
Description: WARRANT

Item Number: RP8 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: SCENE RECON RPT **Model:** **Color:**
Description: SCENE RECONSTRUCTION REPORT

Item Number: RP9 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: COLL DYNAN RPT **Model:** **Color:**
Description: COLLISION DYNAMICS REPORT

Item Number: RP10 **Item Type:** EVI
Serial Number: **Item:** MISC
Brand: CONTRACT **Model:** CIRCLE K **Color:**
Description: VPS/CIRCLE K CONTRACT

Item Number: RP11 **Item Type:** EVI
Serial Number: **Item:** MAP
Brand: MISC INTERVIEW **Model:** **Color:**
Description: MISC INTERVIEW MAPS

Item Number: FP1 **Item Type:** SFK
Serial Number: **Item:** FISHING ROD
Brand: **Model:** **Color:**
Description: FISHING RODS.

Item Number: FP2 **Item Type:** SFK
Serial Number: **Item:** IPOD
Brand: **Model:** **Color:**
Description: I-POD

Item Number: SK1 **Item Type:** SFK
Serial Number: **Item:** SPEAKER
Brand: **Model:** **Color:**
Description: SPEAKER BOX 1

Item Number: SK2 **Item Type:** SFK
Serial Number: **Item:** SPEAKER
Brand: **Model:** **Color:**
Description: SPEAKER BOX 2

Item Number: SK3 **Item Type:** SFK
Serial Number: **Item:** AMPLIFIER
Brand: **Model:** **Color:**

Description: AMPLIFIER

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 1)

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06:02:47 06/03/2009 - Bernstein,Brett
090603023

Narrative: On 6-3-09 at approx. 0330, I was called by SGT. Copfer and told to respond to Ajo and Country Club to map a shooting scene.

I called Dep. Gardner while enroute and he asked me to pick up the GPS from the main station. Therefore, I went to the main station, picked up the GPS, then went to the scene.

At the scene, Dep. Gardner and I mapped the perimeter of the Circle K, three vehicles and several pieces of evidence pre-marked by detectives.

I left the GPS with Dep. Gardner, NFI.

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 1)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 2)

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Supplement Dictated by J. M. Korza #1393 on 06/03/09 at 0255 hrs.
Total Dictation Time = 20:18 mins.
Total Narrative Dictation Time = 18:51 mins.

Supplement to Case #090603023 resulted with Deputy J. M. Korza #1393 providing emergency medical care to a shooting victim.

On Wednesday, 06/03/09, at approximately 0156 hours, I was at Ajo and Kino when I heard a toned-out call over the radio. The dispatcher stated there was a shooting that had occurred at the Circle K at Country Club and Ajo. I was very close to the incident and I, therefore, responded using my emergency equipment.

As I was approaching the Circle K headed eastbound on Ajo approaching Country Club, I saw there was an older model four door passenger car near the gas pumps and the car was backed into a tree. I observed two men standing outside of the vehicle on the driver's side. The front end of the vehicle was facing southeast and the rear of the vehicle was facing northwest. There was no one else standing near the gas pumps or anywhere else in the parking lot that I could see.

I approached the Circle K from the north side entrance just east of Country Club. As I pulled into the parking lot, I saw that one of the men standing outside the vehicle was armed and wearing a security uniform. From this vantage point, I also saw there was a third male subject who was seated at the rear left wheel. It appeared as though he was in handcuffs. The other male I had originally seen was standing and talking on a cell phone. I would later find out that individual, who was wearing civilian clothes, was an undercover security officer for the same security company to which the uniformed security officer belonged.

I parked my patrol vehicle on the north side of the gas pumps facing the driver's side of the subject's vehicle. As I got out of my vehicle, I saw Sergeant M. A. Bustamante #1049 go towards the scene from the right side of my vehicle. As I approached, I addressed the male subject who was in plainclothes and talking on a cell phone. I told him to come over to me and he did not immediately comply. I gave him several more commands for him to come over to where I was at and he ultimately did so. As he came over, I told him to get off the phone several times and he did not comply. I took his left arm at that point and placed it behind his back. I grabbed his right arm, placed it behind his back as well and then placed him into handcuffs.

I performed a Terry search and he told me that he had a knife in his left front pocket. I removed the knife and placed it on the ground along with his cell phone and a wallet that had been in his left rear pocket. I was still unaware at this point of what had happened or who the victims and suspects were. I did see Sergeant Bustamante make contact with the uniformed security guard while I was detaining the undercover security guard.

After I had placed the individual in handcuffs, I saw there was a fourth male subject inside the vehicle in the driver's seat. He appeared to be wounded as there was a large amount of blood on his white shirt. I saw Deputy A. R. Gutierrez #730 speaking with that individual.

I asked another deputy who had arrived to take custody of the individual I had detained. I did that so that I could provide medical attention to the individual injured inside the vehicle. Once the deputy took custody of the plainclothes security guard, I went back to my vehicle and got my medical kit. I then made contact with the individual who was in the driver's seat of the vehicle.

My initial observation of the driver was that he was a young male between 18-20 years of age who had a fair amount of blood on his shirt. He was pale,

diaphoretic and slumped over the steering wheel of the vehicle. When I made contact with the subject, he was alert, oriented and placed times and events and he did have a clear airway. I did not notice any injuries to his face, neck or skull that would impair his airway. I assessed his breathing and found that he was breathing rapidly at approximately 22-24 breaths per minute and that his breaths were a little shallow but unlabored.

When I checked his circulation, I found that his pulse was diminished in his radial arteries and that his capillary refill was approximately three to four seconds in both hands. I did note that there was bleeding in his upper left arm and chest area; however, he was wearing a white T-shirt that did not immediately allow me to identify the exact nature of his wounds.

I cut the seatbelt away from the subject as I was unable to unclasp it from its locked position. I removed the subject's shirt by pulling it over his head and then over his left arm. During this time I was talking with him and he told me that he had been shot at close range with a handgun. He stated he could not feel his left arm and it was numb and he could not move it.

After removing his shirt, I found that he had several bullet wounds in his left arm, left upper flank and left chest area. I was not able to determine exactly how many bullet wounds he had as some of them were possibly the result of a single shot going with an entry and exit wound for that shot. However, it did appear as though he received at least three individual gunshot wounds.

I noticed that there were two wounds on his left arm that appeared to be a through and through shot. There was a wound on his back on the left side just below the shoulder, another wound along his left mid-axillary line and another wound at approximately his left clavicle. This wound appeared to be an exit wound, possibly from one of the other rounds that had entered in the left flank area.

All the wounds were actively bleeding; however, the wounds in his left arm were bleeding more severely than the ones in his chest. I also did not note any gurgling or bubbling or sucking sounds coming from the wounds in his chest, therefore, I attended to the wounds on his arm first.

I took a roll of gauze bandage from my medical kit and applied a pressure dressing to his left arm by rolling the gauze around the arm several times. The dressing did control the hemorrhaging coming from his arm.

As I was wrapping the injury, I was attempting to establish a neurological baseline for his left arm since he stated he could not feel it and that it was

numb. I began by tapping his arm and he told me that he could not feel what I was doing. I began touching the back of his head and moving my fingers down to his spine and asked him to say the word, yes every time he felt me touch him. As I moved my hand down his back, he was able to feel me touching the entire length of his spine. When I began touching his left arm, he told me that he could not feel it; however, he did acknowledge that I was touching his arm, although he was not watching me do it which would indicate that he did, in fact, have sensation. He also told me that he could not move his arm and yet, when I asked him to grip my fingers, he had equal and bilateral strength in both of his hands. I did not notice any diminishing strength in his left hand compared to his right. He was also able to move his left arm when I instructed him to do so even though he told me that he could not move it.

Although, he stated he could not feel moving his arm, my initial examination of that extremity appeared to show that neurological and motor functions were still intact as far as my examination was able to reveal.

I asked one of the deputies to obtain another roll of gauze from my medical bag and as I was waiting for that gauze, I looked for other wounds in the torso and lower extremities. I did not find any further injuries on the patient. I also examined his abdomen and found that it was soft and non-tender to touch and that his rib cage was intact and did expand equally and bilaterally with each breath. There was no crepitus noted in any of the ribs or his left arm during the examination.

As I began to apply pressure dressing to the wounds in the front and rear portions of the left side of his chest, Rural Metro ambulance arrived at the location.

When the Rural Metro paramedic came up to me, I identified myself and told him that I was also a certified paramedic and gave a patient's summary to him so I could transfer care. I advised the paramedic that pulses were diminished and both upper extremities and capillary refill was at three to four seconds. The subject's current pulse was approximately 100 beats per minute and strong at the carotid artery. I detailed the bullet wounds to the best of my ability and let the paramedic know that I had, yet, to listen to lung sounds because I did not have a stethoscope with me. I also had not obtained a blood pressure or placed an IV at that time.

The paramedics extricated the subject by placing him on a spine board and then moved him to a gurney and into the ambulance. I assisted with the transfer and went in the ambulance. I further assisted by placing an IV of normal saline solution with a 16 gage catheter into the subject's right AC. I secured the IV

line in place and made sure that it was flowing properly and there were no problems with my IV line during my contact with the individual.

Once all of the patient care information was turned over to the paramedics who were taking over his care, I exited the ambulance and went back over to Sergeant Bustamante.

At this point in the investigation, I had not obtained any information about the incident. I had not interviewed anybody, the only information I had was from the subject who had been shot and that he had told me that he had been shot. He did not identify the shooter to me and did not tell me the circumstances which led to the incident itself.

At the conclusion of my involvement with this investigation, I had not obtained any information directly related to the incidents that had occurred prior to and during the shooting with the exception of detaining the first individual that I came into contact with. My primary focus during this incident was the emergency care of the individual who had been shot.

After Sergeant Parish arrived at the incident location, I briefed him on my involvement and asked him if he needed me to stay at the scene any longer. He stated he did not need anything else from me. I, therefore, departed.

During the emergency care, I removed the shooting victim's shirt and it had been placed in the backseat by me and was still in the backseat at the time I left the incident location.

No other items of evidentiary value were touched by me or moved by me during this incident. I did notice that there was a bullet on the passenger's seat of the vehicle and the bullet was slightly deformed. I am unsure if this bullet had passed through the patient or if it had just come to a rest there after moving through the vehicle.

This concludes my involvement with the investigation.

NFI Transcribed by #4250 at Wed Jun 03 10:37:30 MST 2009

Reviewed by J. M. Korza #1393 and corrected by #5371 on Sun Jun 07 18:34:56 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 2)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 3)

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Supplement Dictated by M. A. Bustamante #1049 on 06/03/09 at 0557 hrs.
Total Dictation Time = 9:27 mins.

On 06/03/09, at approximately 0156 hours, deputies received an alert tone of a shooting that had occurred at ********** given to us that a security company was calling in the information to us. I, along with other deputies, arrived to the location. I was coming from the area of Benson Highway and Alvernon. While en route, I heard that Deputy J. M. Korza #1393 was on scene. Deputy A. R. Gutierrez #730 and I arrived on scene.

I observed a brown car that appeared to have backed into a tree and collided with it as if the vehicle had backed up. As I exited my vehicle, I observed there was a male subject with a black T-shirt that was talking on the phone and Deputy Korza was attempting to make contact with this subject. Deputy Gutierrez came to the front of the brown vehicle where he advised there was a subject who was shot in the driver's side. To the driver's side rear side of the vehicle, I observed a male subject in a red shirt that was handcuffed and sitting on the ground. I also observed a subject that was standing by the gas pumps on the west side of the pumps. The subject was wearing a security uniform belonging to Valley Protection based on the patch. The subject had a gun belt with a gun who was a fully armed security officer.

Deputy Korza told the subject who was on the telephone to get off the phone. The subject was refusing to do so. I directed the subject by yelling in a loud manner to turn the phone off as the police were here and investigating a shooting. Deputy Korza eventually handcuffed the subject and detained him. I asked the security guard who had shot the subject and he stated "I did". The subject had certain stripes on his shirt sleeved shirt. I took possession of his firearm which was holstered. The subject lifted up his arm, at which time, I unholstered the handgun and placed it in front of my police car. The handgun was a Desert Eagle brand 45 caliber handgun.

The subject identified himself to me with an Arizona driver's license and with a Valley Protection Security Identification card as Joshua Wade Kosatschenko, I asked him basically if he could tell me really quickly what had happened. Mr. Kosatschenko stated he was not suppose to speak with police or anybody else until he speaks with his supervisor and his employer. I asked Mr. Kosatschenko if that is what he really wanted to do since we were investigating a shooting and he stated yes. I told him to sit in the back of my police car until the detectives arrived. I directed him to take off his duty belt as the duty belt

did have an expandable baton and a chemical spray, possibly that of oleoresin capsicum or mace. The items were placed in the trunk of the car.

I had no further conversation with Mr. Kosatschenko at that time.

Deputy Korza retrieved his medical bag from the vehicle and attempted to provide first aid to the subject that was sitting in the car later identified as Danny Tarango.

I observed that the driver's side window of the brown vehicle had been shot out and there appeared to be three bullet holes in the glass. The license plate of this car was #AEV8812.

As the subject was extracted, Rural Metro had arrived on scene to tend to the victim, Mr. Tarango. He was transported to University Medical Center (UMC) by Paramedic #865 and Engine #71.

I notified Sergeant T. B. Parish II #1142 of the Robbery/Assault Unit advising him of the facts and circumstances we had. He stated he was en route with a team of detectives to follow up with the investigation.

I notified my supervisor and district commander, Lieutenant W. J. Belin Jr. #701 advising him of the facts and circumstances as well.

I was advised a short time later that there were additional subjects in the vehicle. There was a total of four subjects in this vehicle when they had arrived at the Circle K and during the altercation, two had fled.

Based on the preliminary investigation, three subjects had walked into the Circle K in an attempt to steal some food as they had exited the store without paying. Security officers who were in the back came out to confront and detain the subjects. During this attempt to detain the suspects, the subject in the black shirt who was working as a security officer was attempting to apprehend the subject in the red shirt that we observed handcuffed upon our arrival. The plain clothes security officer somehow fell as the vehicle was backing out and Mr. Kosatschenko had discharged his firearm at the driver of the vehicle, Mr. Tarango.

Mr. Kosatschenko sat in the back of my police car until Sergeant Parrish and his Robbery/Assault Team came. They were briefed of the situation. The subject in the red shirt was also in the back of a police car as well as the plain clothes security officer.

Robbery/Assault Unit interviewed all three subjects and eventually arrested Mr.

Kosatchenko.

Immediately after arrival to the scene of the shooting, Survey One and other officers started searching the area once it was determined two other subjects were outstanding. The video at the Circle K showed the three subjects enter and leave. The driver, Mr. Tarango, did not enter based on the descriptions that I observed and the physical descriptions of the clothing worn.

I stood by at the scene due to the fact that Mr. Kosatchenko was in the back of my car and the scene was being worked.

Once Mr. Kosatchenko was interviewed by the detectives, he was taken out of my car. He was then arrested and placed into another car where his items were taken and given to the Robbery/Assault detectives.

This concludes my involvement.

NFI Transcribed by #4250 at Wed Jun 03 07:07:07 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 3)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 4)

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Supplement Dictated by A. Gallo #4449 on 06/03/09 at 0643 hrs.
Total Dictation Time = 1:34 mins.

On 06/03/09, at approximately 0155 hours, I responded to ********** Club, the Circle K reference a shooting.

Upon arrival, I was advised there were subjects still outstanding. I went around the area within the vicinity to assist in finding individuals but I was unable to make any contact with anybody. I did not see anything suspicious or criminal activity noted in the area.

I cleared the scene without making contact with anybody.

This concludes my involvement.

NFI Transcribed by #4250 at Wed Jun 03 08:37:37 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 4)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 5)

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Initial Case Dictated by F. Santa Maria #5690 on 06/03/09 at 0758 hrs.
Total Dictation Time = 12:53 mins.
Total Narrative Dictation Time = 11:25 mins.

On 06/03/09 at approximately 0156 hours, I was dispatched to
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[redacted]at the Circle K in reference to a shooting. Communications advised that they were getting information from the dispatch service that works with the security service at the Circle K. They were advising of someone being shot.

Upon my arrival along with other deputies, I observed a Hispanic male in a beige four door Crown Victoria. He was sitting in the driver's seat. He had injuries, which I knew from my training and experience appeared to be gunshot wounds. The vehicle had apparently hit a tree in the parking lot at the Circle K.

Deputy A. R. Gutierrez #730 made contact with the driver who became known to be a Daniel Rodriguez Tarango. I was then advised by one of the deputies on scene to take a person who became known to me as a Nicholas Kangas and place him in my patrol vehicle. Mr. Kangas already had handcuffs on him. While I was searching him for weapons, I noticed that he had a security badge. Mr. Kangas works as security for the Circle K.

I asked him what had happened. He stated that three subjects came into the Circle K. His superior officer advised him that they indeed had taken some items. He stated, "Green light." I asked him what green light meant. He stated it meant that he saw someone taking something from the Circle K. He stated, at that point he ran outside and was focusing on an individual that was getting into the back driver's side of a beige colored Crown Victoria, which was on the west side of the Circle K facing east.

He advised as he was coming outside, he noticed the door was open and he attempted to apprehend the subject. He grabbed and a struggle ensued. At that point he advised he felt the vehicle moving backwards. He was hit by the door and that caused him to fall down on the ground. He stated that he pulled his feet inside so the vehicle would not run them over, and he stated, "I got out of the way." He advised that he heard two shots. At this point, he was unsure of where his partner was standing. When he regained some stability and some focus on where he was at, he advised he heard the vehicle strike and hit the

car (ph) and he began to run along with his partner towards the vehicle.

At that point, his supervisor, who became known to me as a Joshua Wade Kosatschenko, told him to place handcuffs on the subject that was in the backseat, which he did. He then advised that shortly after, we had arrived.

Meds arrived and also detectives. After their investigation, I was advised to place Mr. Kosatschenko in custody. He was charged for ARS 13-1105, Attempted Murder. He was booked into the Pima County Adult Detention Center with no further incident. His clothes were taken and I gave them to Detective J. Ten-Elshof #5702 back at the scene.

This concludes my involvement.

NFI Transcribed by #5110 at Wed Jun 03 09:52:06 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 5)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 6)

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10:05:24 06/03/2009 - Bronson,Aaron
Case:090603023

On 06/03/09, at approximately 0155 hours, I responded to ********** Club, at the Circle K reference a shooting. I was instructed to search the surrounding area for four Hispanic males that had fled the scene of foot. I checked the area surrounding the Circle K, but did not make contact with anyone matching the descriptions given. I cleared the scene. NFI

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 6)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 7)

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Supplement Dictated by E. K. Gieron #1255 on 06/03/09 at 1213 hrs.
Total Dictation Time = 6:59 mins.

On 06/03/09 at approximately 0230 hours, I received a call from my supervisor, Sergeant T. B. Parish II #1142. He advised me I needed to respond to University Medical Center (UMC) in reference a male subject with a gunshot

wound.

At 0310 hours, I arrived at UMC and responded to the emergency room. I was advised the subject in question who had several gunshot wounds was a subject by the name of Daniel Rodriguez Tarango. I made contact at the hospital with Deputy E. S. Molina #6320 and he informed me of the subject's name. He was in CT Scan with the subject who, again, was identified as Daniel Tarango.

The subject's clothing was secured along with his ACHCCCS medical card with the name Daniel Tarango on it. Deputy Molina advised me of the subject's birth date.

After the subject was in CT Scan, he was taken straight to the operating room. During this time, Deputy Molina stayed with the subject and I went and secured the subject's clothing in the rear of my patrol vehicle. The only items of clothing that were at the hospital were a pair of boxer shorts with Spiderman on them and a black pair of Dickies shorts.

I made contact with Sergeant Parish and informed him of the status of the subject. I was advised by medical staff that he was in critical condition at this time.

I stood by while the subject was in the operating room. I was informed by the registered nurse in the recovery area, by the name of Christy, that the subject was going to be moved to an Intensive Care Unit at Five West and, at this time, no bullets were removed from the subject and his wounds had just been cleaned and he was intubated.

Deputy Molina, prior to the scene, checked the FORCE record on the subject, Daniel Rodriguez Tarango, to see if he had any address or any associated vehicles due to the fact, at this time, there was no notification that I was aware of for next of kin.

It should also be noted that the subject's trauma name as given was Vance.

I stood by until the subject was clear of the operating room and transported up to the fifth floor and placed in ICU. He was put in Room #5518. The subject, Mr. Tarango, was never conscious for me to speak to. I was able to advise the staff in the ICU to contact the Sheriff's Department or me if there was any change in the subject's condition or if the subject came to.

I also advised them that if they did operate and remove any type of bullets or fragmentation from the subject, to contact the Sheriff's Department who would need that as Evidence.

After clearing the location, I responded to the incident location at Country Club and Ajo which was the Circle K.

Upon arrival, I assisted Detective W. L. Croft #1488 and Detective J. Ten-Elshof #5702 in collecting evidence from the scene. I also assisted in turning that evidence in at the Pima County Sheriff's Department (PCSD) Evidence Unit. I also turned in the items collected from the hospital belonging to Daniel Tarango. Inside the pants pocket of his black Dickies was three dollars in one dollar bills and two nickels adding up to ten cents for a total of $3.10 in his pocket. There was also a cell phone in his pocket. Those items were placed into Evidence along with the clothing which had blood on it. The subject did not have a shirt when he came to UMC nor did he have socks or shoes that they had in their possession.

After placing the items into Evidence, I cleared the location.

This concludes my involvement in this incident at this time.

NFI Transcribed by #6698 Wed Jun 03 13:05:18 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 7)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 8)

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Supplement Dictated by R. W. Powell #1405 on 06/03/09 at 1531 hrs.
Total Dictation Time = 12:15 mins.
Total Narrative Dictation Time = 9:46 mins.

On 06/03/09, at approximately 0230 hours, I was called out to
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Upon arrival I was briefed by Sergeant T. B. Parish II #1142 and deputies on scene that there was a shoplifting incident that occurred at approximately 0200 hours that resulted in the security guard, Joshua Kosatschenko, firing his firearm, shooting one of the shoplifters.

Deputies had three individuals in custody ready to be interviewed. The first subject I spoke to was Victor Antonio Lopez (DOB ********** I conducted the interview with Victor in my car in the parking lot of the Circle K.

Victor described the incident as he and his friend Daniel and two other subjects, who he said he did not know the names of, came to the Circle K to do a "food run." He said after they left with the food, one security guard grabbed hold of him in a bear hug and he tried to jump inside the car. He said once the car started moving he heard a couple of gun shots. He was then pulled out of the car and he noticed that Daniel was shot. He also made statements that Daniel yelled saying he had been shot. Victor did not see who shot the gun but heard the reports.

Please refer to my taped statement for further details of Victor's interview.

The second interview was with Nicholas Evan Kangas. He was a security guard employed by Valley Protective Services. He also gave a taped statement in my vehicle in the Circle K parking lot.

Nicholas described the incident as he and his partner, Joshua Kosatscheko, were in the back storage room watching the videos when they noticed three subjects came into the store. They watched them and noticed they were leaving, then gave chase. He said that once he got outside he grabbed one of the suspects in kind of a bear hug right next to the car. He then started wrestling with the shoplifting suspect.

Nicholas said that he got hit by the door as the car went in reverse and he fell to the ground. He heard two gunshots and as he was getting up he noticed that the car wrecked into the tree. Nicholas also advised that he felt that he had been drug for about ten feet by the car door. He also made statements saying that there had come a point in his apprehension where he felt it was more important to let the shoplifting suspects go and get free of the car for his own safety.

The third person we interviewed was Joshua. The interview took place in my vehicle in the Circle K parking lot at Ajo and Country Club. Joshua was also an employee for Valley Protective Services. He advised he was an armed guard with that company.

Joshua made the statement that he wanted to cooperate with all investigation but was not going to make any statements without a lawyer present. He invoked his rights.

I was able to get a copy of the Circle K video from Detective W. L. Croft #1488. I reviewed the video and was able to print a photograph of Victor and the two other shoplifting suspects who came into the room. I took the photograph to our shooting victim's mother, Denise Tarango, to do a victim

notification and also see if she could recognize any of the witnesses in the picture.

Denise was unable to. She advised that her older son, Angel Tarango, hung out with some people and may be able to identify him.

We transported Denise to the University Medical Center (UMC) where we met up with Angel. He looked at the Circle K surveillance video and noted that one of the three witnesses who came into the store was Alejandro. He was able to provide a phone number for Alejandro. He also confirmed that one of the witnesses was Victor Lopez. He did not know who the third suspect.

I was able to get in touch with Alejandro via telephone with the number that Angel provided me. I spoke with him briefly and he agreed to meet with me for an interview.

Shortly after that interview, Alejandro's attorney, Isabel Coprowicz, advised that he was going to invoke his rights and not make any statements. She also identified him as Alejandro Gama (DOB **********

We received an anonymous type from a bystander calling in, named William Marvin (DOB ********** He stated he was at the gas station and had witnessed the scene.

I called William and he made statements that he saw the three shoplifters run out of the store and the two security guards give chase. He also advised that there was a short scuffle in the parking lot, and he said at that time he got in his vehicle and drove away. He said through his rear view mirror he was able to see one of the security guards fire his weapon and saw sparks coming off the vehicle.

I met with William at the scene at approximately 1400 hours. He walked me through where he was parked and where he was standing. His statement was on tape. Please refer to it for further details.

NFI Transcribed by #6741 Wed Jun 03 16:50:33 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 8)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 9)

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Supplement Dictated by R. Nice #5525 on 06/03/09 at 1537 hrs.
Total Dictation Time = 2:51 mins.

On 06/03/09, at roughly 0155 hours, I was assigned to the Pima County Sheriff's Department (PCSD) Driving Under the Influence (DUI) Enforcement Unit as part of the Special Operations Section. I was turning in evidence at the Sheriff's Department Property and Evidence, when I heard Dispatch announce that there had been a shooting at the Circle K on the corner of Ajo and Country Club.

I proceeded to the Circle K in the department undercover aggressive driving vehicle.

Upon my arrival, Sergeant M. A. Bustamante #1049, as well as Deputy A. R. Gutierrez #730 and Deputy J. M. Korza #1393 were already on scene.

I entered the parking lot from the southwest side.

Upon my arrival, there was a Tucson Police Department (TPD) officer who pointed to a location nearby, where there were two burritos wrapped in paper on the very south end of the store. I placed a cone by them to mark them as evidence.

At Sergeant Bustamante's request, I positioned the RAGE car to block the northwest entrance to the store and used crime scene tape to establish a crime scene, marking the outer perimeter of the parking lot.

I then stood by as scene security.

A short time later, a female arrived who identified herself as the manager of the Circle K. At Sergeant Bustamente's request, I permitted her to enter the crime scene area and walked her to the back of the Circle K, so that Deputy Gutierrez and I were able to view the store security cameras to obtain suspect information from the larceny that had occurred.

I then continued to stand by as scene security until a short time later, when Sergeant Bustamante informed me that it was no longer required that I remain on scene.

I then cleared the scene.

This concludes my involvement.

NFI Transcribed by #6700 on Wed Jun 03 16:32:52 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 9)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 10)

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Supplement typed by Angela Nicholas, 3362 <Wed Jun 03 21:28:36 MST 2009>
090603023

On 6-3-09, I responded to the Circle K at Country Club and Ajo reference a shooting. General photos were taken of the interior and exterior areas of the store and of the parking lot. Photos were taken of several items of evidence that was collected. Photos were also taken of a beige Ford car bearing AZ license number AEV8812. Latent processing was performed on the exterior surfaces of the driver's door. Latent processing was performed on two food coolers. Latents were found and lifted. nfi

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 10)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 11)

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Supplement Dictated by A. R. Gutierrez #730 on 06/03/09 at 2254 hrs.
Total Dictation Time = 13:39 mins.
Total Narrative Dictation Time = 13:00 mins.

On 06/03/09, at approximately 0156 hours, I responded to a report of a shooting that occurred at the Circle K located at ********** initial information was second hand, coming from a security guard company. The reportee indicated that a security guard shot a subject. Numerous other units were also en route to the location. As I was en route we were receiving updates. The security guard apparently shot a shoplifter and that one person had been shot in the shoulder. The vehicle involved was an older model Crown Victoria.

I arrived on scene with another unit. We were the first units on scene. I came northbound on Country Club Road. As I approached the Circle K I pulled into the driveway on the east side and observed a tan, older model Crown Victoria that appeared to have struck a large tree on the west side of the property, just to the west of the gas pumps. I pulled and positioned my vehicle in front of the Crown Victoria.

As I exited my vehicle I noticed a uniformed security guard, armed, standing approximately 30 feet to the east of the Crown Victoria. As I got up I could see that there was a male subject slumped in the front seat of the car. The subject appeared to be the driver and slumped over to the right. As I circled around the front of the car I noticed another male subject wearing a red shirt, Hispanic, wearing Levi type shorts, sitting on the ground just outside of the rear, driver's side door. The subject was handcuffed.

I asked the security guard who was standing there what had occurred. He immediately told me that he could not talk to me until he spoke with his supervisor. By this time Sergeant M. A. Bustamante #1049 had also arrived and he approached the same security guard. He got the same response. Sergeant Bustamante then took the weapon from this subject.

I directed my attention towards the subject who was slumped inside the passenger compartment of the vehicle. This subject was wearing a white t-shirt and had blood on his t-shirt. I could see that he had two defects, which appeared to be gunshot wounds, one in the upper left arm and one in the left, chest area. The subject was conscious, talking, and pleading for help. I asked the subject to tell me what had occurred. The subject stated only that he was with other subjects in the vehicle and they had told him to pull into the Circle K. He then continued pleading for help. I asked him to identify himself to me. The subject identified himself as Daniel Tarango (DOB **********

As I was speaking with the individual, he continued to talk to me, pleading for help. Deputy J. M. Korza #1393 arrived on scene and asked me to move over to the side so he could tend to the subject medically. I had also, by this time, asked the paramedics who were responding to expedite their response.

As Deputy Korza tended to the subject I directed my attention to the subject who was handcuffed, sitting on the ground. This subject was identified as Victor Lopez (DOB ********** I asked Mr. Lopez to tell me what had occurred. He stated that he could not believe that the driver had been shot for just stealing some chips and soda. I asked him to tell me if there had been any other people in the vehicle. He stated that there were two other subjects who had been with them, but they had taken off running. I asked him to tell me the identity of these individuals. He gave me no further information, stating that he did not know who they were and began expressing concern for his friend who had been shot. I continued trying to get information from him regarding the subjects who had run, but he gave no further information.

Upon the arrival of additional deputies the scene was secured and blocked off.

I stood by with Deputy Korza and assisted him, handing him gauze so he could attempt to stop the bleeding on the subject who was injured. Rural Metro Fire Department personnel finally arrived on scene and took over. The subject who had been shot was eventually transported to the University Medical Center (UMC).

I again made contact with Mr. Lopez and conducted a pat search on him and then placed him in the rear seat of my patrol vehicle. Mr. Lopez was in possession of a cell phone, a pack of cigarettes and a lighter. I placed these items on the hood of my car and seated Mr. Lopez in my vehicle. I then looked further around the scene, where the vehicle was located. I observed two spent firearm casings, which were laying to the north, or rear, of the Crown Victoria. Another casing was located to the south, or front, of the vehicle. I also noted that the bullets appeared to have traveled through the driver's side window and there appeared to be three holes in the window.

I eventually went into the Circle K and made contact with the clerk, identified as Teddy Couch. I asked him to tell me what he had seen. He stated that three individuals had come into the store. He was only able to describe them as being Hispanic males, possibly with buzz cut haircuts. He said he could not remember what they were wearing, things happened so quickly. He stated that these individuals apparently stole some food and as they exited the security guards, who were in the back room, came running out after the individuals. I requested that Mr. Couch contact the manager of the store so that they could respond and we could observe the video of what had occurred inside the store, as we still had two individuals, of which we knew, from the vehicle who were outstanding, or had run from the vehicle.

The manager of the store eventually responded to the location and she ran the video from the security cameras. The incident occurred, according to the clock of the video tape, at approximately 0153 hours. Three individuals were observed walking into the store. One of the individuals was Mr. Lopez, wearing a red shirt and blue jean shorts. Another individual was a Hispanic male, who appeared to be late teens or early twenties, approximately 5'9" tall, wearing a black ball cap with a large white T on the front of it, a black t-shirt with no sleeves, and grey, baggie shorts that were long, past the knees. The third individual was another Hispanic male, approximately 5'6", also late teens-early twenties. This individual was wearing a grey t-shirt and blue jean pants.

As the subjects entered the store they are seen milling around the store. The subject in the black t-shirt had gone up to the counter and made some type of exchange with the clerk. Eventually the three individuals were seen leaving the store carrying food items. As they exited the store a security in uniform and another security that was with him, apparently in plain clothes, were seen

running out the door after the subjects who had just left. Mr. Couch was seen just standing at the doorway. From his position he was unable to see what had occurred. It appeared that there was a black screen on the window in the west side of the store.

Further information provided to me by Mr. Lopez was that there were four individuals in the car, the driver, himself, and two additional passengers. He could not give me any further information as to the identity of those two other individuals. He stated that when they pulled up to the store the driver parked on the west side of the store.

I eventually went back to my patrol vehicle, where Mr. Lopez had been secured. I stood by on the scene until Robbery/Assault Team detectives arrived and conducted their investigation. At the conclusion of interviews and some of their investigation I was advised by Sergeant T. B. Parish II #1142, of the Robbery/Assault Team, to allow Mr. Lopez to depart the scene.

I removed Mr. Lopez from my vehicle. He had been unhandcuffed previously and I returned his property to him, including the cell phone, the pack of cigarettes, and the lighter, and advised him that he could leave. Mr. Lopez departed, walking westbound on Ajo from Country Club.

I advised some of the detectives on scene that I had handcuffs belonging to the undercover security guard, who was the subject who had apparently handcuffed Mr. Lopez. These were eventually returned to the security guard. I also had the identification for the shooting victim, which was given to detectives.

This concludes my involvement at this time.

NFI Transcribed by #5774 on Thu Jun 04 00:47:37 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 11)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 12)

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Supplement Dictated by W. L. Croft #1488 on 06/04/09 at 0559 hrs.
Total Dictation Time = 10:26 mins.
Total Narrative Dictation Time = 6:29 mins.

On 06/03/09, at approximately 0230 hours, I was contacted by the Robbery/Assault Team supervisor, Sergeant T. B. Parish II #1142, who stated I

would be responding to **********
for an assault call.

As I responded to that area, Sergeant Parish was there along with other detectives. Sergeant Parish directed me to take care of the scene management and process the scene as Deputy R. W. Powell #1405 and Deputy R. M. Lynn #1457 were already interviewing witnesses at that location.

With the ID technician, we walked the scene and took photographs of areas that provided evidentiary value to this case.

After we took photographs, I numbered all the items that were considered to be evidentiary value. There was approximately 24 items collected in the parking lot as well as some of the items that were initially shoplifted from the Circle K. They were three hot pockets, hot dogs, hot dog bags, Cheetos bag and two more burritos. There was also approximately three spent shell casings taken from the parking lot, pieces of the window that had been shot during this incident. There was also items taken off Joshua Kosatschenko. Items that were collected from him were 45 caliber bullets, a Desert Eagle 45 caliber handgun bearing Serial #38318553 as well as a duty belt and magazines from the duty belt, a Nextel cell phone, a digital recorder and keys, a security guard ID, OC spray, a baton, a knife, a gold ballistic vest, a uniformed shirt, a black duty belt, a black holster, a flashlight and a black cell phone case, flash belt keepers and two more sets of handcuffs (one black and one silver), a screen light flashlight, two handcuff keys, black work boots and black utility pants.

All the items collected were placed into Property and Evidence by me and Detective E. K. Gieron #1255.

Later on in the day, I was advised by Sergeant Parish that I needed to respond to the Pima County Adult Detention Center to add charges to Mr. Kosatschenko. He advised I needed to add the charge of Aggravated Assault and Possession of Weapon by a Prohibited Possessor.

At approximately 1552 hours, I completed that task at the Pima County Adult Detention Center where I added the charges. The felony interim was turned in at the Pima County Adult Detention Center.

This concludes my involvement.

NFI Transcribed by #4250 at Thu Jun 04 06:46:05 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 12)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 13)

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Supplement Dictated by R. M. Lynn #1457 on 06/03/09 at 1201 hrs.
Total Dictation Time = 7:48 mins.

On 06/03/09, at approximately 0215 hours, I was contacted by Sergeant T. B. Parish II #1142, the supervisor for the Robbery/Assault Team, and was asked to respond to a shooting that occurred at ********** K at Ajo and Country Club.

I arrived on scene and was given a brief summary of what had occurred. I was informed that Detective R. W. Powell #1405 and I would be conducting interviews on all subjects involved. I made contact with one of the individuals by the name of Victor, who was wearing a red Polo shirt. Detective Powell and I conducted interviews. For specific information pertaining to the interview, please see Detective Powell's supplement.

I made contact with a security guard, Nicholas Kangas, who was interviewed by Detective Powell and I. For the summary, please see Detective Powell's supplement. After the interview, we then made contact with Joshua Kosatschenko.

Joshua was escorted to Detective Powell's vehicle. Deputy Powell and I sat in the vehicle with Joshua where Deputy Powell read him his Miranda Rights. Joshua stated he understood. At that time biographical information was obtained and we began a conversation as far as where he worked, what he did at his work and if he had any previous employment history. Detective Powell then asked about the incident, specifically. Joshua stated, he did not want to make any comments until he had legal representation with him.

Based on the information that we had, I informed Detective F. Santa Maria #5690 and Deputy E. S. Molina #6320, who were on scene, to go to Detective Powell's vehicle and place Joshua in handcuffs. As they were placing Joshua into handcuffs, I informed him that he was under arrest for Aggravated Assault and Attempted Murder. At that time I filled out the necessary paperwork and Joshua was transported to the Pima County Adult Detention Center for the aforementioned charges.

I stood by and assisted with evidence. I was informed by Sergeant Parish that I needed to locate the victim's, Daniel Tarango, mother, who I believed was Ms.

Diane Tarango. We had an address near 34th Street, where Detective Powell and I responded to in an attempt to locate Ms. Tarango, however, we were unable to do so. We were given a phone number to contact Ms. Tarango. We then contacted Ms. Tarango, who stated she was at work at that time. Ms. Tarango is an assistant living or home care provider. We responded to an address at
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incident and what had occurred with her son, Daniel. I stood by and asked if Victim Witness could meet us at the hospital, where Ms. Tarango's son, Daniel Tarango, was. Detective Powell and I stood by as Ms. Tarango contacted family members and found somebody to take over her position for her care giving job.

Ms. Tarango, Detective Powell and I responded to University Medical Center (UMC), where we escorted her to the room where her son was. At which time Detective Powell had photographs that were taken from the Circle K's security system, in which the two individuals who had ran from the scene were visible.

NOTE: Ms. Tarango did not know the two individuals we were looking for; however, Daniel's brother, Angel Tarango, stated he knew one of the individuals to be Alejandro and provided a phone number for that individual. For specifics relating to Alejandro, please see Detective Powell's supplement.

NOTE: Just prior to leaving the Circle K, I made contact with the clerk, who was identified as Teddy Couch (DOB ********** who works from 2200 hours to 0600 hours.

I conducted an interview with Mr. Couch. The interview was placed into Property and Evidence at approximately 1400 hours, on 06/03/09. Mr. Couch stated he had observed the three individuals, who he could not describe, enter the Circle K. He stated they had grabbed chips, burritos, Hot Pockets, and soda and ran out the door. He stated he had seen Joshua before, but not Nicholas. He stated that the two security guards then ran outside. He stated that a short time they ran outside, he heard tires screeching, and then heard what he thought to be two loud gunshots. Mr. Couch then looked out the front, towards the side, and noticed that Joshua or one of the individuals appeared to be calling 911. He then asked if he needed to call 911. They stated he did not. Mr. Couch then went back into the Circle K. He stated he did not see any of the incident occur, he only heard it.

This concludes my involvement.

NFI Transcribed by #6574 Thu Jun 04 08:55:51 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 13)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 14)

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Supplement Dictated by B. P. Hill #1127 on 06/05/09 at 0400 hrs.
Total Dictation Time = 4:23 mins.

On 06/03/09 at approximately 0200 hours, I noted there was a shooting call working at the Circle K located at ********** some of the call being dispatched and read the call text on my Mobile Data Computer (MDC). At the time I was in training status in the Foothills District. I contacted the San Xavier District supervisor, Sergeant M. A. Bustamante #1049, and asked him if he would like to have a canine respond to search for the two outstanding subjects. Sergeant Bustamante advised he would like me to respond to the scene.

Deputy G. R. Ahern #1005 of the Canine Unit and I arrived on scene at approximately 0233 hours. Once there I met with Sergeant Bustamante and other deputies at the scene. We were advised of a shooting where two male subject ran from a vehicle involved in the shooting. The time I was on scene, it was unknown the exact status of the subjects, whether they were just witnesses or actually had some involvement in the incident. It was believed they were suspects in a shoplifting incident at the Circle K. The last information I had was the male subjects ran south from the Circle K into the alley which runs east and west. There were items of food laying at the entrance of the alley which lead me to believe that was correct information. Most of the alley was paved, but there were dirt portions to it.

Deputy Ahern and I began a search of the alley. We were able to detect at least one set of footprints of someone running eastbound through the alley from the Circle K. Once the alley met with Randolph Street, it appeared the footprints crossed Randolph and began running in a southeast direction. I returned to my vehicle and obtained my canine partner Randy. Deputy Ahern and I began to conduct an on lead search of the wash area which runs around the perimeter of the Tanque Verde Swap Meet located at ********** well as the businesses on Randolph south of President. We were unable to locate anyone during the search. The footprints found were never positively identified as being of one of the subjects who fled on foot. However, they were the only running footprints found in the area.

After finding no one on the search I returned to the scene. I briefed Sergeant Bustamante and Sergeant T. B. Parish II #1142 of the Robbery/Assault Unit of my

findings. I left the scene at approximately 0351 hours. This concludes my involvement.

NFI Transcribed by #6648 Fri Jun 05 10:01:54 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 14)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 15)

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Supplement typed by Detective B.W. Judd #1296 Fri Jun 05 15:10:58 MST 2009
Case #090603023

As part of the ongoing investigation in this case, I checked the .45 caliber handgun marked item# CK3, and the magazine marked CK2, out of evidence to check the directionality of the ejected casings. Detective W. Croft #1488 fired the weapon, and I filmed the results using my department issued field camera. The casings ejected from the right side of the weapon, and went almost straight, to the right side, from the shooter. The distances varied from approximately 14 feet to approximately 21 feet. One casing went slightly forward, the rest were almost straight out or slightly back of the shooter. A total of five rounds were fired. The items were resealed and returned to evidence. NFI

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 15)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 16)

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Supplement Dictated by E. S. Molina #6320 on 06/05/09 at 0007 hrs.
Total Dictation Time = 2:28 mins.

On 06/03/09, at approximately 0156 hours, I responded to the Circle K at **********

Upon my arrival Sergeant M. A. Bustamante #1049 and Deputy A. R. Gutierrez #730 were already on scene. I was instructed by Sergeant Bustamante to secure the perimeter.

I placed yellow crime scene tape around the Circle K parking lot, sealing the scene. I stood by as scene security to ensure that no one entered the parking lot.

Once the victim, later identified to me as Daniel Tarango, loaded onto the ambulance, I was instructed by Sergeant Bustamante to follow the ambulance and stand by with the victim. I followed the ambulance to University Medical Center (UMC), where the victim was assessed and worked on by doctors.

I was later relieved by Detective E. K. Gieron #1255, after I briefed him on the situation thus far. I then cleared the area and returned to the location of incident. I remained standing by until detectives finished their investigation.

This concludes my involvement with this case.

NFI Transcribed by #5774 on Fri Jun 05 19:20:29 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 16)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 17)

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Supplement Dictated by J. Villanueva #5947 on 06/05/09 at 2024 hrs.
Total Dictation Time = 5:10 mins.

On 06/05/09 while conducting patrol duties in the San Xavier District, I overheard via the radio that several units from the Foothills District as well as the Rincon District were involved in a possible threats in reference to an individual who was involved in the shooting at ********** were on scene attempting to coordinate with Tucson Police to conduct a traffic stop. As units were continuing to follow the vehicle, several statements were made as far as the individual who was later identified as Vincent Linares (ph) may possibly be involved in threats being made of "suicide by cop."

At this time, I overheard Foothills District radio frequency; Deputy A. Silva #5944 had conducted a traffic stop on a white four door sedan on Granada south of Broadway or possibly Mr. Linares was in that vehicle and could possibly be holding his mom at her own will.

As I arrived on scene, I blocked southbound traffic on Granada south of Broadway. Three persons who were in the vehicle were placed in custody. I removed one of the females from the rear of one of the deputy's patrol vehicles. We identified her as Rosa Linda Maldonado (DOB ********** As Ms. Maldonado was in the rear of my patrol vehicle, she was in double locked

handcuffs to the rear. At this time, I advised Ms. Maldonado she was currently being detained and at this time was read her Miranda Rights. She was read her Miranda Rights verbally from the Sheriff's Department Quick Reference Guide which she stated she understood her rights and would answer my questions. Ms. Maldonado was not questioning about why she was being read her rights. I advised her at this time that due to the fact she was being detained, I had questions that needed to be asked and she stated she understood. I asked Rosa Linda what the incident had all stemmed from which she advised that her boyfriend, Vincent Linares, was involved in the shooting at
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[redacted] where a security guard had shot a subject in the shoulder and Vincent was one of several occupants in the vehicle which he had fled from the scene.

I then asked Ms. Maldonado as to what was occurring within the vehicle which she advised that Vincent's mother was in contact with a deputy by telephone advising that Vincent would come in for a statement in regards to the shooting. However, prior to speaking with all the individuals, Ms. Maldonado advised that a traffic stop was conducted where deputies pulled everyone out by gunpoint. Ms. Maldonado voiced her concerns as far as having one of the deputies place her mother-in-law on the ground in custody.

I advised Ms. Maldonado at this time it was unknown as to what deputy had placed the mother in custody at which time she stated she understood.

I then spoke with other deputies on scene who advised Ms. Maldonado was not involved with this incident at which time she was then released and removed from double locked handcuffs.

I was then speaking with Ms. Maldonado and Mr. Linares became upset and I told him I would allow Ms. Maldonado to meet where he was at.

At this time, I stood by with deputies as we cleared from the scene. I then helped to escort Mr. Linares who rode in the vehicle with his mother and his girlfriend by caravan from Granada and Broadway to the Pima County Sheriff's Department (PCSD) Administration Building.

This concludes my involvement with this incident.

NFI Transcribed by #6407 on Fri Jun 05 23:12:11 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 17)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 18)

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Supplement Dictated by R. W. Powell #1405 on 06/05/09 at 1537 hrs.
Total Dictation Time = 6:13 mins.

On 06/03/09, at approximately 1500 hours, I had made an appointment with Isabel Coprowicz who is representing Alejandro Gama. Alejandro had been identified through the Circle K still photos as one of the shoplifters in this case. Alejandro agreed to make a statement with his lawyer present. During the interview Alejandro had very little information to add to the case. He did confirm that the car had started to move as the shots were fired, and that he had run southbound on Country Club and fled the scene. He did confirm that they were going to the Circle K with the intent to "do a food run" to shoplift, and that he did not have any intentions of paying for the food.

NOTE: The interview was a digitally taped interview. Please refer to the transcripts for more detail.

On the following day 06/04/09, I went back and I picked up Victor Lopez at his home, and he agreed to come to the Pima County Sheriff's Department (PCSD) building on **********
interview, Victor was able to give greater detail on the account of the struggle he had with the undercover officer Nicholas Kangas. He explained that after he had pushed Nicholas to the ground, he had gotten into the car and closed the door while Nicholas was on the ground. As he was closing the door, he heard the gunshots fire.

Victor also made the statements that after the vehicle had run into the tree in the parking lot, he was pulled out, handcuffed and sat on the ground. He made statements that Josh and Nicholas were speaking back and forth to each other where Josh was asking Nicholas questions like "he was trying to pull you in the car", and also questions of "you were underneath the car".

When the interview was done, we gave Victor a ride home, and I stopped by the University Medical Center (UMC) to speak with Danny Tarango. I had received information that he had woken up from surgery. I spoke with Danny for about 10 minutes in his hospital room. During the interview he said that the car was turned off, and that as soon as Victor had gotten into the car, that is when he put it in reverse and started driving backwards. He said that he did not see the security guard shoot him, that he was looking over his shoulder backing the car out when it happened.

I tried to get ahold of Nicholas Kangas later in the day to do an interview on him. He refused to return any of my calls, and after speaking to his mother at her residence, she advised that Nicholas was not going to speak with us without a lawyer present. I was able to contact Brad Roach, and he set up an appointment with us on the following day.

On 06/05/09, I was able to meet with Nicholas and do an interview with Brad Roach present. Nicholas was more detailed on his account of his struggle at the car. He advised that when he fell down, he said that his feet were underneath the car. He had moved his feet out of the way of the car, and that is when he got hit by the door. He said the open door hit his knees, and pushed him back about two to three feet, and then the car door passed over him. He said that shots were fired when the car door had hit him. He also advised that there was no conversation between he and Josh while at the car wreck at the end of the scene. Please refer to the transcripts for further detail of these interviews.

NFI Transcribed by #6410 on Mon Jun 08 08:01:41 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 18)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 19)

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Supplement Dictated by T. B. Parish II #1142 on 06/05/09 at 1638 hrs.
Total Dictation Time = 14:19 mins.
Total Narrative Dictation Time = 13:55 mins.

On 06/03/09, I was contacted by patrol units advising that a shooting had occurred at the Circle K at Country Club and Ajo. I was advised that security guards had been involved in a shooting, and that at least one individual was struck several times, and would be en route to the University Medical Center (UMC) shortly.

Upon arrival at the scene with Robbery/Assault Unit detectives still en route, I observed a vehicle on the far west parking lot that appeared to be resting up against a tree. It was apparent to me that the vehicle had impacted the tree with the rear bumper. I also observed orange cones, one directly south and west of the front fender, and two other cones to the west and north of the rear of the vehicle. Additionally I was advised by patrol units that they believed that a shoplifting had occurred, and that a security guard had opened fire on the victims at the vehicle's location; however as I looked at the scene I did

not agree with that synopsis, and believed that it was more probable that the shell casing which were under the orange cones, had been delivered to their current location by the aforementioned vehicle.

It appeared based on the vehicle's originating point and its resting point against the tree, that it had executed a move identified as a J-turn, causing it to come up to rest at the tree, at which point I believed that it was likely that the shell casing closest to the front of the vehicle had been on the hood or some other part of the vehicle towards the front of the vehicle, or centrifugal force would cast the shell casing off, and cause it to continue westbound near the front of the vehicle. It also appeared that when the vehicle had hit the tree, shell casing that had been on the rear of the vehicle had continued traveling in the vehicle's direction, causing them to travel north and west until they came to a resting spot near some rocks that were directly behind the vehicle.

I continued observing the scene, until which point I observed two cigarette butts on the ground next to where the car had been parked. These cigarette butts had not been stepped on, or run over, and appeared to have been extinguished at their own normal burning pace, laying in the crack of the cement or on the cement.

I spoke further with deputies about the incident, and I was advised at one point that there was some conversation between the security guards regarding where the undercover security guard had been. I was informed that the uniformed security guard was the shooter. Detective units began to arrive, and I assigned Detective R. W. Powell #1405 and Detective R. M. Lynn #1457 to conduct interviews. Detective Powell was advised that this would in fact be his case.

As the interviews were being conducted, I received information from the detectives conducting the interviews. I was advised that there was an individual identified as a suspect regarding being a shoplifter, that had been attempting to get into the driver's side rear of the vehicle when the altercation occurred between him and the security guards following the shoplifting event inside the store. As he attempted to get inside the car, contact was made between him and the undercover security guard. At some point the security guard fell to the ground and the vehicle went into reverse away from the security guard, as well as away from the armed and in uniform security guard. I was advised that as the vehicle was doing that, the armed and in uniform security guard opened fire on the driver of the vehicle, striking him several times.

I was updated by the deputy at the hospital Deputy E. K. Gieron #1255, that the subject appeared to have been shot three different times, and that he was in critical condition, and would be most likely paraplegic, assuming he survived.

I stood by while detectives walked through the scene with the undercover security guard.

NOTE: The armed and in uniform security guard was invoking his right to Miranda, and did not want to speak with us without a company representative or his attorney.

I observed while the individual was talking that he advised that initially when he had fallen down, he was concerned about coming in contact with the vehicle. As a result he had pushed away from the vehicle, which he believed kept him out from under the vehicle, and that after he rolled away shots had been fired. This was fairly consistent with the statements of the suspect shoplifter that was in custody at the time; with his statements being that the security guard had fallen down, and that as the vehicle began rolling away, shots were fired.

NOTE: The crime scene combined with the apparent trajectory of the rounds; the positioning of the shell casings and their eventual resting place, cause me to believe that the shooting had occurred after the security guard had rolled away from the vehicle, and at that point the vehicle was moving away from all people involved in the incident, and was represented as only a threat at that point to property. It was at that point that I believe that the shooting occurred. This is based on my training and experience with crime scenes; additionally the walk through's that were done with the security guards as well as the shoplifter which was in custody.

NOTE: The security guard who was under cover was identified as Nicholas Kangas, and the witness was identified as Victor Lopez.

I contacted traffic units and requested their response regarding using Global Positioning System (GPS) to map the crime scene accurately. I also advised Detective W. L. Croft #1488 and Detective J. Ten-Elshof #5702 to process the scene, which they did. Additionally I had video surveillance downloaded from the Circle K, and the vehicle impounded with the only item being removed from inside the vehicle being an expended projectile from a firearm which was laying on the driver's seat next to a quantity of blood. This item was removed because of two reasons; one- it was in plain view, and two - we did not want it to get destroyed.

Upon the scene being completed being processed, the Circle K was allowed to

reopen, and detectives were allowed to clear the scene with the shooting security guard being arrested for attempted homicide. It was my instruction at that point to also arrest him for Aggravated Assault, however apparently there was some confusion, and as a result detectives responded later to the jail at my direction to add the charge of Aggravated Assault.

NOTE: Throughout this event, I consulted with the County Attorney's Office, as well as other members of the Pima County Sheriff's Department (PCSD). Eventually the County Attorney's Office did advise me that our suspect Joshua Kosatschenko was a prohibitive possessor and that that charge needed to be added, along with the Aggravated Assault charge that I was having added; this was done. I was also advised that Joshua had a prior Aggravated Assault conviction, and that he had applied to have his rights restored and the judge had refused that restoration of rights.

The investigation into this continues. At this point I have been unable to speak with the actual shooting suspect, and obtain his state of mind during the shooting. The only information available is the crime scene, the statements of the two other people involved in the incident, as well as possible statements from two outstanding shoplifters who did not stay and wait for police to arrive. The investigation continues.

NFI Transcribed by #6410 on Mon Jun 08 08:57:13 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 19)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 20)

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Supplement Dictated by T. B. Parish II #1142 on 06/05/09 at 2157 hrs.
Total Dictation Time = 6:47 mins.

On 06/05/09, I responded to Pima County Sheriff's Department (PCSD) Headquarters regarding a report that the fourth subject/third shoplifter in this case had been located. He became identified to me as Vincent Linarez. Mr. Linarez was taken into the conference room at the Pima County Sheriff's Department Headquarters, on the second floor, where we spoke with him regarding this incident.

NOTE: Mr. Linarez was not read his Miranda Rights or handcuffed at the station. Mr. Linarez was eventually allowed to leave under his own free will.

Mr. Linarez stated that on 06/03/09, he and three other people went to the Circle K at **********
clerk to get five ones in exchange for a five dollar bill. He stated he was going to give the other two individuals that entered the store with him a dollar so they could buy some type of food. He stated that while he was doing this, he observed that all the subjects started grabbing food. He stated that in his mind he then understood that was the way it was going to be, so he started grabbing food as well.

Mr. Linarez stated that at that point the first two individuals left the store. He stated he walked out of the store last and as he was walking out, he looked down by the coolers where the office to the store was at and saw that one of the cooler doors was open but he did not see anyone coming out those doors. He stated he did a fast walk around the corner of the store towards where they had parked the vehicle. He stated at no time did he know he was being pursued and he never heard any commands.

Mr. Linarez stated that he then got to the front of the vehicle, at which point, he was planning to jump over the hood of the vehicle from approximately the center of the hood in order to have quick access to the passenger side of the vehicle. He stated that as he approached the hood of the vehicle, he heard shots fired. He thought there were more than three shots, at which point, he looked and saw the uniformed security guard standing directly next to the driver with his arms stretched out and in a shooting stance. He stated he saw what he described as a plainclothes security guard standing behind the shooting security guard but to his right, so he would be closer to the rear door of the vehicle but farther away from the vehicle in a perpendicular fashion.

Mr. Linarez stated at that point he continued running around the vehicle and the vehicle at this point had not moved. He stated that not until he was beside the vehicle on the passenger side did the vehicle start to move and he initially was concerned that he might become entangled in the vehicle and get run over. He stated however that the vehicle backed straight back very slow. He described this as being slow, as if someone was not using the accelerator at all. I asked him if he meant as if the vehicle was just in a slow roll with somebody taking their foot off the brake. He advised me that was the correct speed the vehicle was moving at that time. He stated he thought that meant the driver had been hit. He stated that the vehicle was slow rolling like it had been hit.

Mr. Linarez stated that he then ran across the parking lot, in what he described as a southwest direction where he tripped over some barricades that

had wires strung between them. He stated he then ran across Country Club into the desert next to Kino Hospital. He said that at one of the buildings had thrown his hat on top of the building. He agreed to meet with us tomorrow to help us locate where exactly the hat was thrown.

This information was gone over several times with the subject and he was provided access to a map, hand drawn on paper, at which point he was allowed to make markings on the map indicating where people were and directions of travel.

NOTE: Once reaching the southwest corner of the parking lot where he fell down, Mr. Linarez advised that he looked back and saw the car was then resting against the tree in its final resting position up on the curb and the gun wielding security officer was approaching the vehicle with the plainclothes security officer behind him, and again to the gun wielding officer's right. Mr. Linarez drew lines to indicate their direction of travel when he saw them, and that concluded the interview.

NOTE: The statement made by Mr. Linarez matched the evidence located as part of the crime scene and other statements provided.

The investigation continues.

NFI Transcribed by #5198 at Mon Jun 08 09:07:40 MST 2009
Reviewed by T. B. Parish II #1142 and corrected by #3565 Mon Jun 08 09:55:18 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 20)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 21)

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Supplement Dictated by R. W. Powell #1405 on 06/05/09 at 2205 hrs.
Total Dictation Time = 4:52 mins.

On 06/05/09 at approximately 1700 hours, I received a phone call from Deputy M. Rios #6316, advising me that he had a woman by the name of Jenny Canez (ph) who advised she had seen her son Vincent Linarez on the TV screen, on the media release I had released reference this case. He then gave me her information. I tried several times to contact her on her cell phone, but it went straight to voicemail and she did not call me back.

At approximately 1930 hours, I received another phone call from Deputy Rios and

he advised me that he had Jenny Canez on the phone and there was additional information about them being followed by the police and a traffic stop about to occur. At that time, I call Communications and they were able to patch me through to Jenny's cell phone.

I spoke to Jenny Canez briefly over the phone and then I spoke to her son Vincent Linarez. I advised him he was not a suspect in this case, he was not a major player, he was a witness and we needed to take his statement. He advised me that there were police following him. I gave him directions to pull over and cooperate with the law enforcement.

I then spoke with Lieutenant Lt. S. P. Rosenthal #535 and requested Vincent be transported to **********
on the events that occurred reference Case #090603023. He agreed.

I arrived at **********
Canez, and also his girlfriend Rosa Linda Maldonado. Vincent, Sergeant T. B. Parish II #1142, and I met in the second floor conference room where we discussed the case and took Vincent's statement. Please refer to my taped statement that has been uploaded in the taped tracks for transcription, for greater detail.

Some key points during his interview:

Vincent was able to place the shooter, Joshua, right against the driver's door, which would be consistent with where the shell casings were at.

He also placed the undercover officer, Nicholas, as standing to the right of Joshua and a little behind him at the time of the shooting.

Vincent advised that after he had heard the gunshots, he ran south down Country Club and crossed over to Kino where he had ditched his clothing.

I was able to upload the taped statement into tape tracks, and that ended my involvement with this case.

NFI Transcribed by #5198 at Mon Jun 08 09:35:04 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 21)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 22)

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Supplement Dictated by M. Rios #6316 on 06/05/09 at 2208 hrs.
Total Dictation Time = 3:35 mins.

On 06/05/09 at approximately 1719 hours, while on patrol in my fully marked patrol vehicle, I was assigned to handle a call reference a supplement to an assault with a deadly weapon call.

Upon making contact with the reportee who was identified over the phone as Jenny Canez. She stated that as she was watching the news on television, she observed the picture of her son, Vincent Linarez, on the news. She said the news wanted to know the whereabouts and identity of her son, and to call 911 with the information. She said that was why she was calling. Ms. Canez also stated that she believed that Vincent was hiding because he usually stays with her; however, he has not stayed with her for the past few days. She said she believes he is staying with his girlfriend by the name of Rosa. Ms. Canez said she does not know her last name; however, she does know that she works at the Quik Mart located on Columbus and Benson Highway. Ms. Canez also informed me that she was going to try to find the whereabouts of her son Vincent and she would call back with that information.

I made telephonic contact with Detective R. W. Powell #1405, and informed him of my findings reference Mr. Vincent Linarez. Also, Sergeant T. B. Parish II #1142, from Robbery/Assault, was notified.

This concludes my involvement in this case.

NFI Transcribed by #5198 at Mon Jun 08 09:44:01 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 22)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 23)

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Supplement Dictated by T. Peine #5814 on 06/06/09 at 0030 hrs.
Total Dictation Time = 6:18 mins.

On 06/05/09, at approximately 1923 hours, I responded as a backup unit to assist Deputy A. Silva #5944 in a supplemental matter to a call that was documented under Connect Up Case #090603023.

The information that we had received from the dispatched call text was that a

female had called in stating that her son, who was with her in the car at the time, was involved in an assault situation where guns were involved. Her son was being looked for by law enforcement and he was in the car with her at this time. Further information indicated that he was potentially armed with a gun. The call text also indicated that he was potentially under the influence of drugs and he threatened to jump out of the car and she tried to turn him over to police.

I overheard how Deputy Silva responded to the area. The female providing continuing updates of her location and where they were travelling in the vehicle. Deputy Silva came into close proximity of it and I was still quite a distance away.

At one point I heard Deputy Silva advise that he had located the vehicle and was now behind it. The vehicle matched the description that the female had provided; a white Chevrolet Malibu passenger car which was a rental car.

Deputy Silva advised over the radio that he would wait for me to close in on his location. I expedited my response when I suddenly heard Deputy Silva advise that the car had pulled over and he had several individuals at gunpoint.

A short while after that I caught up with him at the intersection of Granada and Congress, just south of, where I saw Deputy Silva's patrol vehicle. I assumed a standing position left of Deputy Silva's patrol vehicle and we conducted a high risk stop.

During the stop procedure we identified that three individuals were inside of the car; two females and a male. All subjects were ordered out of the car at gunpoint, handcuffed and seated in the back of the patrol vehicle.

I took the male individual was taken into custody. He later identified himself as Vincent Linarez (DOB ********** I provided him with his Miranda Rights. He stated he understood these rights.

I asked Mr. Linarez to explain to me what his involvement was. He said that he was involved as an eye witness in the case and he was on the telephone with a detective who he was unable to name while the entire high risk stop procedure was taking place. I asked him if he was willing to talk to detectives. He stated that he would do so.

Lieutenant S. P. Rosenthal #535 had also arrived at the scene. He was there in the role of FORCE commander. I relayed the information that I had received from Mr. Linarez to him and he spoke to the mother, who was in a different

patrol vehicle. It was arranged for Mr. Linarez to be driven by his mother to the Sheriff's Administration Building where they would meet with Detective R. W. Powell #1405, who was the lead detective on this case.

Mr. Linarez was released from his handcuffs and he took a seat in the car that we had initially stopped, along with his mother and the other female who remained unidentified to me. Deputy Silva and I escorted the parties to the Sheriff's Administration Building, where everyone met with Deputy Powell.

Once our assistance was no longer needed there, we cleared from the scene.

This concludes my involvement in this matter.

NFI Transcribed by #6741 Mon Jun 08 16:03:40 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 23)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 24)

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Supplement Dictated by D. Nicolosi #6468 on 06/05/09 at 2247 hrs.
Total Dictation Time = 3:15 mins.

On 06/05/09 at approximately 1930 hours, I was in the vicinity of Oracle and River when I was informed there was a supplement to an assault call in which the priority was raised and an investigative lead to a case handled in the San Xavier Distrist was supposedly saying if the female who was driving with him were to stop, he was going to jump out of the car. I was also informed the female whom the investigative lead was with was unsure if the person whom she was with had a weapon or a gun. Soon thereafter, I overheard on the radio Pima County Sheriff's Department (PCSD) units believed they had found the vehicle at Saint Mary's and Grenada and were requesting units to block off traffic for them in that area.

Soon thereafter, I arrived on scene using my patrol car as a barricade for the street where the stop was being conducted, as it was being conducted as a high-risk stop and did not want the possibility of civilians getting involved.

I observed two other units conduct a felony stop. I moved up to the scene with my gun drawn at which point in time I helped clear the vehicle by approaching with my gun drawn and making sure there were no other parties inside the vehicle. I checked the back seat along with the front seat of the vehicle,

making sure there was no one inside. We were able to locate keys to the vehicle which were on the ground. The other deputy clearing the vehicle and I opened up the trunk, making sure there was no one inside the trunk.

At this point in time, I was informed my services were no longer needed and I returned to the Foothills District.

This concludes my involvement in this case.

NFI Transcribed by #6624 Wed Jun 10 22:03:07 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 24)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 25)

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Supplement Dictated by A. Silva #5944 on 06/06/09 at 1600 hrs.
Total Dictation Time = 7:56 mins.

On 06/05/09 at approximately 1800 hours I was informed via my Mobile Data Computer (MDC) and on radio an assault suspect was driving in a vehicle with his Mom. His mother had been calling the Sheriff's Department because he wanted to speak with us.

I proceeded en route to where they were last seen at Campbell and Glenn to attempt to conduct a traffic stop there. At one point, my MDC informed me the subject was advising his Mom he was going to do suicide by cop and if she stops the vehicle he is going to run out. At one point the dispatcher could overhear him stating and yelling at his Mom; You are about to see your son die, look what you did.

I proceeded down Glenn in an attempt to catch them. I went past Glenn and Oracle without contact. I informed the dispatchers to also inform our Foothills units as well as Tucson Police Department (TPD) and send out an attempt to locate for them. At one point, they advised us they were now going southbound on Oracle. I proceeded down Oracle to attempt to catch them. The description of the vehicle they gave was a white Chevrolet Malibu with permanent rental plates.

I observed them where Oracle turns into Grenada. I did not want to conduct a traffic stop due to the fact it was a high-risk situation. I wanted to wait for an additional unit for the possibility of there being a gun involved.

I began contacting Deputy T. Peine #5814 via my phone to advise him to try and get there quicker. As soon as I was done talking to him, the vehicle made a sharp right and pulled over at Grenada, just south of Congress. At that point, I turned on my emergency equipment and I proceeded to draw my county issued weapon. I ordered everyone inside the vehicle to put their hands up and not get out of the car. At one point, the passenger attempted to get out of the car and I ordered her to stay inside the vehicle and shut the door.

Deputy Peine arrived on scene and we proceeded to conduct a high-risk stop. Deputy Peine began ordering the driver out to the front of our patrol vehicles. While she was approximately five feet from my patrol vehicle, I ordered the female driver to get down on her knees and to interlock her hands on top of her head. I went over to the female, handcuffed her behind the back and conducted a quick Terry frisk. I secured her in the back of my patrol vehicle.

Deputy E. Maldonado #1072 arrived on scene, advising he was going to take over command. I went over to the opposite of my patrol vehicle on the passenger side so I could better cover Deputy Maldonado with my weapon. At that point, Deputy Maldonado began ordering the female passenger in the front to step out of the vehicle with her hands up and ordered her back. I also handcuffed the female subject, ordered her to her knees and conducted a quick Terry frisk after handcuffing her. I secured her in the back of my patrol vehicle as well.

The male subject was ordered to step out of the vehicle near his door but instead he went out the driver's side passenger door. I proceeded to go back to the other side of my patrol vehicle so I could better cover Deputy Peine. The male subject was ordered back towards our patrol vehicles. I ordered him to his knees and to interlock his hands. Deputy Peine handcuffed the subject, escorted him to the back of his patrol vehicle and secured him.

Deputy D. Nicolosi #6468 arrived on scene and I advised him we were going to have to clear the car. Deputy Nicolosi and I proceeded to clear the vehicle as well as the trunk. After the vehicle was cleared, I secured my weapon.

I stood by as a witness while Deputy Peine read Miranda to the male subject and questioned him as to what was going on. We later found out the male subject was a witness to a crime and not necessarily the suspect of a crime.

The assault detective wanted to speak with him. At that point, the subject advised he would go to the Pima County Administration Building off of Benson Highway. He advised he did not want to be transported by one of us but he would go if he was transported by his Mom in the same car. Due to the fact we

had already received several problems from him, we had Deputy Peine in front of his vehicle and I following behind him in my patrol vehicle. We left him at the Benson Highway substation so he could be interviewed by assault detectives. We cleared the scene.

This concludes my involvement.

NFI Transcribed by #6624 Wed Jun 10 22:49:45 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 25)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 26)

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~~Supplement Dictated by K. S. Gardner #1288 on 06/11/09 at 1452 hrs.~~
Total Dictation Time = 6:44 mins.

On 06/03/09, at approximately 0330 hours, I was requested by Sergeant J. H. Copfer #1052, Supervisor of the Traffic Investigation Unit, to respond to
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I was informed, a brief synopsis, that a security guard had fired several rounds and shot a suspect at the location. I responded to the location and found it to be secured by Sheriff's Department personnel as well as Sheriff's Auxiliary Volunteers (SAV).

Upon arrival I was briefed at the request of the Robbery/Assault Team and requested to complete a scale diagram of the Circle K parking lot to include items that the detectives had laid out as evidence items.

Deputy B. Bernstein #5680 also from the Traffic Investigations Unit responded to assist. Deputy Bernstein and I set up the Sakia (ph) Global Positioning System (GPS) Forensic Mapping Station and proceeded to map the parking lot. After completing the initial map of the parking lot we started to document the points of evidence. These were labeled by detectives on scene with yellow placards. These placards were numbered sequentially one through 15. The evidence included several items such as food items, cigarette butts, shell casings and personal items such as cell phones and handcuffs. Please see the initial diagram reference specifics. Each item was shot and a measurement log as well as diagram was completed. The scale was completed by me and given to the Robbery/Assault Team.

On 06/09/09, I was requested by the Robbery/Assault Team to independently look at the investigation in regards to the possible speed of the vehicle at the time of collision.

I was advised that they were currently inspecting the vehicle under search warrant and in regards to the shooting. I responded over there to look at the damage of the LTV. I noted it had damage consistent with hitting either a tree or pole commonly referred to as a narrow item impact. There was significant intrusion into the rear portion of the vehicle. I measured approximately six and half inches with a 12 inch wide damage area. Due to the fact that there was no substantial vehicle parts in order to stop the intrusion a scientific evaluation using an energy analysis would be very difficult to substantiate; however, according to the vehicle specs there was information in regards to the vehicle's acceleration rate. I conducted some brief mathematical formulas using the distance of 181 feet and 175 feet. On the 181 feet using an arc type of movement from the parking space to the tree. I used an acceleration factor of zero to 60 at 7.74. I reasoned that the vehicle accelerating rapidly could obtain the speed of anywhere between 22 and 24 miles per hour; however, it is important to realize that the acceleration factor is based on a vehicle in the drive gear not in reverse. I am not aware of any scientific acceleration tests done on a vehicle in the reverse gear.

I also advised the Robbery/Assault Team that due to the fact that there is no substantial vehicle parts to stop any kind of intrusion into the rear of the vehicle, the trunk area of the vehicle, the vehicle's speed could be estimated anywhere between five and 25 miles per hour.

This concludes my involvement.

NFI Transcribed by #6903 on Thu Jun 11 17:52:35 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 26)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 27)

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Supplement Dictated by T. J. Parker #4072 on 06/13/09 at 1003 hrs.
Total Dictation Time = 4:23 mins.

On 06/03/09, I received from Deputy J. Ten-Elshof #5702 items of evidence for latent print processing.

I then proceeded to the processing area, where photographs were taken of Evidence Items PL1, PL2, PL4, PL9, and PL10. Three of the items were wrapped burritos, one was a Hot Pockets in its sealed container and the other was a bag of Cheetos, unopened. Photographs were taken of each of the food items as they were removed from their original evidence bags and photographs were taken showing that the bags did contain the food items. I then, upon opening the bags, dumped the food items so they would not spoil in Evidence. The wrappers and bags were all then processed, either with magnetic powder on surfaces that would yield results using that medium and the paper products were processed in a ninhydrin/heptane solution, and upon the drying of that solution on the items, I then steamed them to develop any latent prints.

Upon the completion of the magnetic powder processing and ninhydrin processing, the latent prints were lifted from some of the labels, bags, and wrappers. Also, latent prints were developed using the ninhydrin process. Images were then scanned into the computer. I printed up one to one images to be placed into the Latent Print Examiner's office. The images were also photographed prior to scanning. These were placed into the DIMS system. Also, the scanned images were placed into DIMS.

On 06/13/09, I returned all evidence items, resealed into their original containers, to the Property and Evidence Division.

Processing results were positive from both mediums.

This concludes my involvement.

NFI Transcribed by #5198 at Mon Jun 15 13:14:17 MST 2009

Email notification sent to Deputy J. Ten-Elshof #5702 per Forensic Technician T. J. Parker #4072 Mon Jun 15 13:16:16 MST 2009

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 27)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 28)

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CASE NUMBER: 0090603023 Reported by: James Gamber #748, PCSD

Detective James Gamber #748
Cold Case Homicide Unit

CASE NUMBER: 090603023
DATE: 06-22-2009

ARRESTEE:

Kosatschenko, Joshua DOB **********

CONNECT UP CASE NUMBER(S):

090605274

090605318

SYNOPSIS:

Shooting reconstruction examination of 1987 Ford LTD

DETAILS OF INVESTIGATION:

On 06-08-2009 Detective R. Powell #1405, PCSD Robbery Assault Unit, requested I examine the vehicle involved in this incident to determine if a shooting reconstruction could be done. The vehicle is currently stored as evidence in the PCSD Impound lot indoor vehicle examination bay. Detective Powell briefed me on the investigation, reporting that subjects entered the Circle K store at **********
paying. The subject ran to a car parked on the west side of the store. A uniformed security guard approached the vehicle and a second non uniformed security guard became involved and started dealing with the driver of the suspect vehicle. The suspect vehicle began to back up, the uniformed security guard was on the ground possibly in the path of the vehicle, but got out of the way, and the non-uniformed security guard shot the driver of the suspect vehicle. The suspect vehicle traveled backwards in an arc across the parking lot striking a tree where it came to rest on the east side of the parking lot, approximately seventy five feet from the shooting scene. There were three spent casings found in the area of the car.

The involved vehicle is a tan colored 1987 Ford LTD four door passenger car bearing Arizona license plate AEV8812 Vehicle Identification Number 2FABP73F8HX13750. Arizona Department of Motor Vehicles shows the car registered Diane Rodriguez Tarango.

Detectives from the Robbery Assault Unit fired the involved weapon and reported they documented the ejection pattern of the spent cases ejected from the firearm. Reportedly the casings are ejected approximately 21 feet to the right and rearward of the ejection port, with the firearm be fired in traditional grip and stance.

We agreed to meet to examine the vehicle at 0900 hours ********. The examination would be conducted in conjunction with the search of the vehicle pursuant to a search warrant obtained by Detective Powell.

I contacted Firearms and Tools Marks Examiner J. Maciulla and Aaron Burnell of the Arizona Department of Public Safety Crime Laboratory, Tucson and requested they assist in the examination of the vehicle, and documenting any gunshot residue patterns on the vehicle

On ********, at approximately 0900 hours, we served the search warrant on the vehicle. The vehicle was parked in the examination bay with evidence seals on the doors, trunk, and hood. I photographed the seals prior to the service of the search warrant.

I documented my examination of the vehicle in digital photographs. The images were down loaded into the PCSD digital image management system upon the completion of my examination. Additional photographs were taken by J. Maciulla.

For purposes of this examination references to left, right, front, back, up, and down are from the position of a person operating the vehicle in a normal manner.

The left front window is covered with brown paper. On removing the paper the window glass is exposed. The window glass is completely fractured and has been stabilized with clear adhesive tape. There are three defects to the window glass that are consistent with bullet holes. Based on the concentric fracture patterns to the glass the lowest defect is the first impact.

The defects were labeled A, B, and C. This labeling does not establish or document the sequence of the shots.

There is a fragment of glass in the rear vertical window track. This fragment is approximately 48 1/2" from the ground, establishing a minimum height of the glass in the window opening. Indicating the window was down approximately 4 1/2".

The window glass appears to be pulled out of the rear vertical window track. It appears the glass is canted forward. My examination of the right side window

glass shows that when the window is rolled down the rear portion of the glass stays in the rear vertical window track.

The defects were measured from the rear vertical edge of the window glass and the upper horizontal edge of the window glass; the locations were determined to be as follows:

DEFECT	BELOW UPPER EDGE	FORWARD OF REAR EDGE
A	7 3/4"	6 1/4"
B	3 1/2"	5 1/2"
C	1"	7 1/2"

The location of the defects were measured and marked on the right side front window for demonstrative/ illustrative purposes with the window at the height indicated by the glass fragment in the rear vertical window track.

A possible secondary impact point was located of the shoulder portion of the driver's seatbelt. The seat belt appears to have been in use at the time of the shooting as the buckle is fastened and the belts have been cut at the left side of the lap belt and at the upper portion of the shoulder belt, consistent with EMS extrication techniques.

The head light switch was fully pushed in, in the off position at the time of this examination.

The park break is not set in the on position.

The gear selector indicator is on R.

No other secondary impact sites were located in or on the vehicle. Based on the lack of secondary impact sites no trajectories could be established/ documented.

We removed the left side window glass from the window mechanism. We marked the position of the manual window crank by drawing a line on either side of the handle on to the vinyl surface of the inner door panel. Then on attempting to raise the window found that the handle would not turn. Examination of the window mechanism, with the glass removed shows that the mechanism is twisted and bent forward.

We removed the clear tape, around the defects, that was stabilizing the window glass and tested the glass and the adhesive side of the tape for gunshot

residues. The testing of the glass and the window frame on the left front door were negative for any gunshot residue patterns. It is not inconsistent that there is no gunshot residue on the glass from close range shooting.

Examination of the interior of the vehicle shows a large quantity of automotive glass fragments under the back seat. Based on the left front window being fractured but not having collapsed as it was supported by the window tint, that no other windows are shattered, the quantity of the glass found under the seat and its' location this glass does not appear to be associated with this incident.

The glass was re-taped to stabilize it and packaged as evidence item number LFW.

All the evidence collections were done by Detective R. Powell.

The examination was concluded at approximately 1230 hours.

This examination did not reveal anything that contradicts the statements of the witnesses or the shooter in this incident.

NFI

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 28)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 29)

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CASE NUMBER: 0090603023 Reported by: James Gamber #748, PCSD

Detective James Gamber #748
Cold Case Homicide Unit
CASE NUMBER: 090603023
DATE: 06-19-2009

ARRESTEE:

Kosatschenko, Joshua DOB **********

CONNECT UP CASE NUMBER(S):

090605274

090605318

PHOTO LOG

The following is a brief description of what is depicted in the photographs under this case number. This description is neither all that is known about the contents of the photograph by the investigator nor all that the investigator can interpret from the photograph. The photograph numbers are assigned by the PCSD digital image management system. All photographs were taken by Detective James Gamber #748. NOTE: BASED ON THE CURRENT PCSD REPORT WRITING SYSTEM THIS
REPORT IS NOT IN THE FORMAT INTENDED BY THE AUTHOR

Photograph #	Description
96C16503	Leader/ film identification card
96C16504	Leader/ film identification card
96C16505	View, from the rear, of the back of the Ford LTD
96C16506	View, from the rear, of the rear license plate on the Ford LTD
96C16507	View, from the rear, of the left side of the Ford LTD
96C16508	View, from the rear, of the left side of the Ford LTD
96C16509	View, from the front, of the left side of the Ford LTD
96C16510	View, from the front, of the front of the Ford LTD
96C16511	View, from the front, of the right side of the Ford LTD

Photograph #	Description
96C16512	View, from the front, of the right side of the Ford LTD

96C16513	View, from the rear, of the right side of the Ford LTD
96C16514	View, from above, of the roof of the Ford LTD
96C16515	View, from above, of hood of Ford LTD
96C16516	View, from above, of the trunk of the Ford LTD
96C16517	View, from the right, of the seals on the right side of the Ford LTD
96C16518	View, from the right, of the seal on the right front door of the Ford LTD
96C16519	View, from the right, of seal on the right front door of the Ford LTD
96C16520	View, from the right of seal on right rear door of the Ford LTD
96C16521	View, from right, of seal on right rear door of Ford LTD
96C16522	View, from right, of seal on right side of trunk lid of Ford Ltd
96C16523	View, from right, of seal on right side of trunk lid of Ford Ltd
96C16524	View, from rear, of seal on left side of trunk lid of Ford LTD
96C16525	View, from above, of seal on right side of trunk lid of Ford LTD
96C16526	View, from right, of seal on fuel door of Ford LTD
96C16527	View, from right, of seal on right rear door of Ford LTD

Photograph #	Description
96C16528	View, from right, of seal on right rear door of Ford LTD
96C16529	View, from right of seal on right front door of Ford LTD
96C16530	View, from right of seal on right front door of Ford LTD
96C16531	View, from above, of seal on right rear door of Ford LTD
96C16532	View, from right, of seals on right front door of Ford LTD
96C16533	View, from right, of seals on right front door of Ford LTD

96C16534 View, from right, of seals on right front door of Ford LTD

96C16535 View, from above, of seal on left side of hood of Ford LTD

96C16536 View, from above, of seal on the left side of hood of Ford LTD

96C16537 View, from above, of seal at left font of hood of Ford LTD

96C16538 View, from above, of seal at left font of hood of Ford LTD

96C16539 View of public Vehicle Identification Number plate on Ford LTD

96C16540 View, from the right, through the right front door opening of Ford LTD

96C16541 View, from the right, through the right front door opening of Ford LTD

Photograph # Description

96C16542 View, from the right, through the right front door opening of Ford LTD showing window crank position

96C16543 View, from the right, through the right front door opening of Ford LTD showing left front door window opening

96C16544 View, from rear, of inner door panel of right front door of Ford LTD

96C16545 View, from the left, of left front door window opening, of Ford LTD, with paper and seals removed

96C16546 View, from the front, of glass fragment in rear vertical window track of left front door of Ford LTD

96C16547 View, from the front, of glass fragment in rear vertical window track of left front door of Ford LTD

96C16548 View, from the front, of glass fragment in rear vertical window track of left front door of Ford LTD

96C16549 View, from front, of height measurement of glass fragment in

rear vertical window track of left front door of Ford LTD

96C16550 View, from front, of height measurement of glass fragment in rear vertical window track of left front door of Ford LTD

96C16551 View, from above, of defects to left front door window glass of Ford LTD

96C16552 View, from the left, of defects to left front door window glass of Ford LTD

96C16553 View, from left, of defect to left front door window glass of Ford LTD with scale in place

Photograph # Description

96C16554 View, from left, of defect to left front door window glass of Ford LTD with scale in place

96C16555 View, from left, of defect to left front door window glass of Ford LTD with scale in place

96C16556 View from left, of left front door window glass of Ford LTD with tape measure in place to show glass dimension

96C16557 View from left, of left front door window glass of Ford LTD with tape measure in place to show glass dimension

96C16558 View from left, of left front door window glass of Ford LTD with tape measure in place to show glass dimension

96C16559 View from left, of left front door window glass of Ford LTD with tape measure in place to show glass dimension

96C16560 View from left, of left front door window glass of Ford LTD with tape measure in place to show glass dimension

96C16561 View, from the left, of the window glass in the left front door of the Ford LTD

96C16562 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show vertical dimension

96C16563 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show vertical dimension

96C16564 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show horizontal dimension

96C16565 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show horizontal dimension
Photograph # Description

96C16566 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show horizontal dimension

96C16567 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show horizontal dimension

96C16568 View, from the left of the left front door window opening of Ford LTD with tape measure in place to show horizontal dimension

96C16569 View, from the left, of the window glass in the left front door window, of the Ford LTD, with the defects labeled A, B, and C

96C16570 View from the left of the window glass in the left front door window of the Ford LTD, with a tape measure in place to show the distance of the defect from the rear edge of the window glass

96C16571 View from the left of the window glass in the left front door window of the Ford LTD, with a tape measure in place to show the distance of the defect from the rear edge of the window glass

96C16572 View from the left of the window glass in the left front door window of the Ford LTD, with a tape measure in place to show the distance of the defect from the rear edge of the window glass

96C16573 View from the left of the window glass in the left front door window of the Ford LTD, with a tape measure in place to show the distance of the defect from the rear edge of the window glass

96C16574 View from the left of the window glass in the left front door window of the Ford LTD, with a tape measure in place to show the distance of the defect from the rear edge of the window glass

Photograph # Description

96C16575 View from the left of the window glass in the left front door window of the Ford LTD, with a tape measure in place to show the distance of the defect from the rear edge of the window glass

96C16576 View from the left of the window glass in the left front door window of the Ford LTD, with a ruler in place to show the distance of the defect from the upper edge of the window glass

96C16577 View from the left of the window glass in the left front door window of the Ford LTD, with a ruler in place to show the distance of the defect from the upper edge of the window glass

96C16578 View from the left of the window glass in the left front door window of the Ford LTD, with a ruler in place to show the distance of the defect from the upper edge of the window glass

96C16579 View from the left of the window glass in the left front door window of the Ford LTD, with a ruler in place to show the distance of the defect from the upper edge of the window glass

96C16580 View from the left of the window glass in the left front door window of the Ford LTD, with a ruler in place to show the distance of the defect from the upper edge of the window glass

96C16581 View, from the left, of the window glass in the left front door window of the Ford LTD with ruler in place to show height of glass in the window opening

96C16582 View, from the left, of the window glass in the left front door window of the Ford LTD with ruler in place to show height of glass in the window opening

96C16583 View, from the left, of the left front door widow opening of the Ford LTD with inclinometer in place to show the angle of the rear vertical track of the window opening
Photograph # Description

96C16584 View, from the left, of the left front door widow opening of the Ford LTD with inclinometer in place to show the angle of the base of the window opening

96C16585 View, from the left, of the left front tire of the Ford LTD

96C16586 View, from the left, of the left front tire of the Ford LTD

96C16587 View, from the left, of the left rear tire of the Ford LTD

96C16588 View, from the left, of the left rear tire of the Ford LTD

96C16589 View, from the right, of the right front tire of the Ford LTD

96C16590 View, from the right, of the right front tire of the Ford LTD

96C16591 View, from the right, of the right rear tire of the Ford LTD

96C16592 View, from the right, of the right rear tire of the Ford LTD

96C16593 View, from above, of interior of left front door of Ford LTD showing window mechanism with window glass removed

96C16594 View, from above, of interior of left front door of Ford LTD showing window mechanism with window glass removed

96C16595 View, from above, of interior of left front door of Ford LTD showing window mechanism with window glass removed

96C16596 View, from above, of interior of left front door of Ford LTD showing window mechanism with window glass removed
Photograph # Description

96C16597 View, from above, of interior of left front door of Ford LTD showing window mechanism with window glass removed

96C16598 View, from above, of window glass from left front door of Ford LTD

96C16599 View, from rear, of inner door panel of left front door of Ford LTD

96C16600 View, from the rear, of left front seat area of Ford LTD

96C16601 View, from left, of left front seat area of Ford LTD

96C16602 View, from the front, of left front seat area of Ford LTD

96C16603 View, from left, of left and right front seat area of Ford LTD

96C16604 View, from above, of cut ends of lap belt portion of left front seat seatbelts in Ford LTD

96C16605 View, from above, of defect to shoulder belt portion of left front seat seatbelt of Ford LTD, position of shoulder belt is approximated for demonstrative/ illustrative purposes

96C16606 View, from the front, of approximation of location of left front seat seatbelt shoulder belt, of Ford LTD, prior to cutting

96C16607 View, from the front, of defect to the shoulder belt of the left front seat seatbelt, of the Ford LTD. Shoulder belt is in approximate position of shoulder belt prior to cutting

96C16608 View, from above, of seat belt for left front seat of Ford LTD showing seatbelt as found at time of this examination

96C16609 View, from the rear of inner door panel of left rear door of Ford LTD

Photograph # Description

96C16610 View, from the left of left rear seat area of Ford LTD

96C16611 View, from the rear, of the inner door panel of the right rear door of the Ford LTD

96C16612 View, from the right, of the right rear seat area of the Ford LTD

96C16613 View, from the right, of the rear deck area of the Ford LTD

96C16614 View, from the right rear, of the left front seat area of the Ford LTD

96C16615 View, from above, of damage to left side of rear bumper of Ford LTD

96C16616 View, from above, of damage to left side of rear bumper of Ford LTD

96C16617 View, from the rear, of damage to left side of rear bumper of the Ford LTD

96C16618 View, from above, of blood patterns on front seat center arm rests in Ford LTD

96C16619 View, from rear, of latch face of left front door of Ford LTD

96C16620 View, from the rear, of Vehicle Identification Number on manufacturer's sticker of latch face of left front door of Ford LTD

96C16621 View, from rear, of latch face of left front door of Ford LTD

96C16622 View, from the right, of right rear seat area, of Ford LTD, with bench portion of seat pulled forward

96C16623 View, from above, of right rear seat area, of Ford LTD, with bench portion of seat pulled forward

Photograph # Description

96C16624 View, from above, of right rear seat area, of Ford LTD, with bench portion of seat pulled forward

96C16625 View, from the left, of left rear seat area, of Ford LTD, with bench portion of seat pulled forward

96C16626 View, from above, of left rear seat area, of Ford LTD, with bench portion of seat pulled forward

96C16627 View, from above, of left rear seat area, of Ford LTD, with bench portion of seat pulled forward

96C16628 View, from the rear, of left front seat seatback in Ford LTD

96C16629 View, from the rear, of left front seat seatback in Ford LTD

96C16630 View, from below, of right rear head liner of Ford LTD

96C16631 View, from below, of rear head liner of Ford LTD

96C16632 View, from below, of left rear head liner of Ford LTD

96C16633 View, from below, of left front headliner of Ford LTD

96C16634 View, from below, of right front headliner of Ford LTD

96C16635 View, from rear, of glove compartment contents of Ford LTD

96C16636 View of vehicle registration found in glove compartment of Ford LTD

96C16637 View of vehicle insurance paperwork from glove compartment of Ford LTD

96C16638 View of contents of glove compartment of Ford LTD

Photograph # Description

96C16639 View of contents of glove compartment of Ford LTD

96C16640 View, from the left, of measurement along straight line between brake pedal and left front seat seat back of Ford LTD

96C16641 View, from the left, of measurement along straight line between brake pedal and left front seat seat back of Ford LTD

96C16642 View, from the left, of measurement along straight line between steering wheel and left front seat seat back of Ford LTD

96C16643 View, from the left, of measurement along straight line between steering wheel and left front seat seat back of Ford LTD

96C16644 View, from above, of defect to left front seat shoulder belt of Ford LTD with tape measure in place as a scale

96C16645 View, from the rear, of instrument cluster of Ford LTD

96C16646 View, from the rear, of gear selection indicator of Ford LTD

96C16647 View, from the rear, of head light switch of Ford LTD

96C16648 View, from the left, of position of head light switch of Ford LTD, at time of this examination.

96C16650 View, from left, of head light switch of Ford LTD in first on position

96C16651 View, from the left, of head light switch of Ford LTD in second/ full on position

96C16652 View, from rear, of parking brake pedal position of Ford LTD at time of this examination

Photograph # Description

96C16653 View, from rear, of parking brake pedal position of Ford LTD at time of this examination with tape measure measuring distance from firewall to pedal

96C16654 View, from rear, of parking brake pedal position of Ford LTD at time of this examination with tape measure measuring distance from firewall to pedal

96C16655 View, from the left, of left front door window opening, with scale on rear most window mounting bracket of the Ford LTD

96C16656 View, from above, of left front door window opening, with scale on rear most window mounting bracket of the Ford LTD

96C16657 View, from above, of left front door window opening, with scale on rear most window mounting bracket of the Ford LTD

96C16658 View, from the left, of left front door window opening, with scale on rear most window mounting bracket of the Ford LTD

96C16659 View, from above, of left front door window opening, with scale on rear most window mounting bracket of the Ford LTD

96C16660 View, from the left, of left front door window opening, with scale on forward most window mounting bracket of the Ford LTD

96C16661 View, from above, of left front door window opening, with scale on forward most window mounting bracket of the Ford LTD

96C16662 View, from above, of left front door window opening, with scale on forward most window mounting bracket of the Ford LTD

96C16663 View, from the front of glass fragment in the rear vertical track of the left front door window of the Ford LTD

Photograph # Description

96C16664 View, from the front of glass fragment in the rear vertical track of the left front door window of the Ford LTD

96C16665 View, from the front of glass fragment in the rear vertical track of the left front door window of the Ford LTD

96C16666 View, from above, of damage to latch face of left front door of

Ford LTD

96C16667 View, from the left, of the defect locations measured out onto the right side front window of the Ford LTD

96C16668 View, from the front, of the swabbing of the defect to the left front seat shoulder belt of the Ford LTD for copper and lead testing. NOTE: Test results were negative

96C16669 View, from above, of defects to the left front window glass of the Ford LTD after glass was removed from the door

96C16670 View, from above, of defects to the left front window glass of the Ford LTD after glass was removed from the door

96C16671 View, from above, of defects to the left front window glass of the Ford LTD after glass was removed from the door

96C16672 View, from the left, of the defect locations measured out onto the right side front window of the Ford LTD with scale to show window lowered to height indicated by glass fragment in rear vertical window track

96C16673 View, from the left, of the defect locations measured out onto the right side front window of the Ford LTD

Photograph # Description

96C16674 View, from the left, of the defect locations measured out onto the right side front window of the Ford LTD

96C16675 View, from the left, of the defect locations measured out onto the right side front window of the Ford LTD

96C16676 View, from the front, of search warrant, left front window glass packaged as evidence and property sheet for the glass on the Ford LTD

96C16677 View, from the front, of search warrant, left front window glass packaged as evidence and property sheet for the glass on the Ford LTD

PHOTO LOG TO BE CONTINUED AS NEEDED

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 29)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 30)

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Supplement Dictated by K. L. Bright-Birnbaum #1529 on 07/14/09 at 1154 hrs.
Total Dictation Time = 2:16 mins.

On 06/16/09, as a result of an AFIS search on selected latents on file in Pima County Sheriff's Department (PCSD) Case #090603023, the following inked prints were compared.

The finger and palm print cards bearing the name Vincent Linarez (DOB ********)
SID [redacted] Name #[redacted]

One latent impression labeled "Cheetos bag, back PL-4" was identified as having been made by Vincent Linarez.

One latent impression labeled "green chile burrito bean, beef, cheese label PL-1" was identified as having been made by Vincent Linarez.

Major case prints are needed on the above subject with emphasis on the finger joint areas.

NFI Transcribed by #6410 on Tue Jul 14 13:48:55 MST 2009

Email notification sent to Detective R. W. Powell #1405 per K. L. Bright-Birnbaum #1529 on Tue Jul 14 13:49:25 MST 2009 by #6410.

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 30)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 31)

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Supplement Dictated by R. Roher #5347 on 07/20/10 at 1533 hrs.
Total Dictation Time = 2:27 mins.

On 07/19/10, I was in my office at the Administration Building when I was asked by Sergeant M. S. Grider #793 to assist a representative of the attorney from Kimble, Nelson, Audilett and Kastner. The legal assistant was identified as Ellen Casadei.

Ellen had been provided a CD with information that apparently was not able to be opened. She informed me that she had received a CD with VNC files, which was a proprietary extension for the visual statement software, which is utilized by our Department. In addition, she also received several files with the extension BAK which were backup files as well as a file with the extension of SDR. The SDR file was a data extension associated with the data collector which we utilize at scenes.

In the particular case, I had no involvement in this case up and to this point.

After receiving information from Sergeant Grider, I provided Ellen with three separate PDF files. Both had already been placed in the folder in the computer system. Each was a different version to include the entire scene, one with the parking lot area without and with cars.

~~In addition I provided a CSC file, which would be the raw data created from the~~ data collector once it was placed into juststatement

I finally provided Ellen with a DXS file, which would be openable by anyone with a CAD type software or program.

She contacted the following day telephonically and advised she could not open the DXS. I then explained to her the nature of the DXS file as well as provided more information regarding the CSC file.

All of the information was e-mailed to her, so the information could be received by her in a timely manner.

This concludes my involvement.

NFI Transcribed by #6903 on Tue Jul 20 20:11:18 MST 2010

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 31)

PIMA COUNTY SHERIFF'S DEPT.
TOW TRUCK REQUEST

Report No.: 090 05 023
Offense Code: 04.2
Connect-Up Numbers:

RELEASED

LOCATION: [redacted]
Location Code:

Date: Hour Called: 0639 Hour Arrived: 0650

TERMINAL OPERATIONS Date / Time:
Operator: Verification No.:

SITUATION
☐ Abandoned Vehicle ☐ Accident ☐ Police Hold
☐ Motorist Assist ☐ Arrest ☑ Impounded
☐ Recovered Stolen

Transmission: ☑ Auto ☐ Manual ☐ N/A

	Yes	No
Engine	✓	
Battery	✓	
Air Conditioning	✓	
Audio Equipment	✓	
Heater	✓	
Clock		✓
Keys	✓	
Front Seats	✓	
Rear Seats	✓	
Rear View Mirrors	✓	
Side View Mirrors	✓	
Fog Lights		✓
Headlights	✓	
Bumper – Front	✓	
Bumper – Rear	✓	
Spare Tire	—	
Jack	—	
Trunk Locked	✓	
Glove Box Locked		✓

	Poor	Fair	Good
Paint			
Windows			
Rims & Tires			

Odometer Reading:

OWNER AND OPERATOR INFORMATION

Registered Owner: DIANE TARANGO
Telephone #: Cell Phone #:
Address (include City / State): [redacted]
Legal Owner:
Telephone #: Cell Phone #:
Address (include City / State):
Operator: DANIEL TARANGO
Telephone #: Cell Phone #:
Address (include City / State): [redacted]

OWNER NOTIFICATION

Registered & Legal Owner Notified? ☐ Yes ☑ No
By: Date: Time:
☐ In Person ☐ By Phone ☐ By Letter

VEHICLE STATUS

☐ Stored ☑ Impounded ☐ *Seized ☐ Other
* All Seized vehicles must be towed to the Sheriff's Department's Impound Lot
Tow Company: Driver's Signature:
Address:

VEHICLE IDENTIFICATION

☐ Driveable ☐ Not Driveable ☐ Wrecked ☐ Stripped ☐ Burned
Color: Make: Year: 97
Type: License #: State: AZ
VIN: Motor #:

REMARKS AND INVENTORY

N.C.I.C. Check ☐ Positive ☑ Negative

Deputy's signature confirms inspection of vehicle, i.e., description, plate, and inventory.

Deputy's Signature Badge # District / Section

FOLLOW-UP INVESTIGATION:
☐ CID ☐ Traffic ☐ N/A

NOTES:

Pima County Sheriff's Dept.
Inc# 090603023
090603105

EVIDENCE / ID TECH USE ONLY

Received From: CGIERON Badge #: 1255
Placed in Impound On: Date: 06/03/09 Time: 0715
Received By: Badge #:
ROW: Bay 12 SPACE: KEYS: ☒ YES ☐

PCSD 508 Rev. 08/2008

ATTENTION PROPERTY AND EVIDENCE

This vehicle was impounded by Deputy _____ Badge # _____

Section / District _____

Follow-up investigation will be made by:

- ☐ C.I.D.
- ☐ Traffic Unit
- ☐ Originating Deputy
- ☐ Other Department

Permission to authorize the towing company to release the vehicle must be granted by:

- ☐ Civil Division
- ☐ C.I.D.
- ☐ Traffic Unit
- ☐ Other Department
- ☐ And / Or Originating Deputy

This vehicle was impounded because:

NOTES: Vehicle moved to C1 06/10/09 1010 HRS.
FRONTIER DRIVER - WYATT HOGGIN
CUSTODIAN : MG 4836
Keys now out of ignition and placed into key cabinet.
06/10/09 MG4836

PIMA COUNTY SHERIFF'S DEPT.
TOW TRUCK REQUEST

Report No.: 090603023
Offense Code: 0412
Connect-Up Numbers:

LOCATION: 3845 S COUNTRY CLUB
Location Code: 581

Date: 6-3-09 Hour Called: 0639 Hour Arrived: 0650

TERMINAL OPERATIONS Date / Time: Operator: Verification No.:

SITUATION
☐ Abandoned Vehicle ☐ Accident ☐ Police Hold
☐ Motorist Assist ☐ Arrest ☑ Impounded
☐ Recovered Stolen

OWNER AND OPERATOR INFORMATION

Registered Owner: DIANE TARANGO
Telephone #: Cell Phone #:
Address (include City / State): [redacted]
Legal Owner: SAME AS ABOVE
Telephone #: Cell Phone #:
Address (include City / State):
Operator: DANIEL TARANGO
Telephone #: Cell Phone #:
Address (include City / State) [redacted]

OWNER NOTIFICATION

Registered & Legal Owner Notified? ☐ Yes ☑ No
By: Date: Time:
☐ In Person ☐ By Phone ☐ By Letter

VEHICLE STATUS

☐ Stored ☑ Impounded ☐ *Seized ☐ Other
* All Seized vehicles must be towed to the Sheriff's Department's Impound Lot
Tow Company: FRONTIER Driver's Signature:
Address: 3666 S DODGE

VEHICLE IDENTIFICATION

☑ Driveable ☐ Not Driveable ☐ Wrecked ☐ Stripped ☐ Burned
Color: TAN Make: FORD Year: 87
Type: CDR License #: REV 8812 State: AZ
VIN: 2FABP73F8HX137350 Motor #:

REMARKS AND INVENTORY

N.C.I.C. Check ☐ Positive ☑ Negative

FLASHLIGHT, KNOW SHIRT, HAT, DORITOS, TOY, CORNNUTS, SNACK CAKE, CD CASE, TAPE, CD, SPEAKER WIRES, FISHING AND CHAIR

Deputy's signature confirms inspection of vehicle, i.e., description, plate, VIN, Inventory.

Deputy's Signature	Badge #	District / Section
TON FLESHER	5702	C10 / RAT

EVIDENCE / ID TECH USE ONLY

Received From: E. GUTZAN Badge #: 1255
Placed In Impound On: Date: 06/03/2009 Time: 0715
Received By: Badge #:
ROW: BAY 2 SPACE: KEYS: ☒ YES

Transmission: ☑ Auto ☐ Manual ☐ N/A

	Yes	No
Engine	✓	
Battery	✓	
Air Conditioning	✓	
Audio Equipment	✓	
Heater	✓	
Clock		✓
Keys	✓	
Front Seats	✓	
Rear Seats	✓	
Rear View Mirrors	✓	
Side View Mirrors	✓	
Fog Lights		✓
Headlights	✓	
Bumper – Front	✓	
Bumper – Rear	✓	
Spare Tire	—	
Jack	UNK	
Trunk Locked	YES	
Glove Box Locked		✓

	Poor	Fair	Good
Paint	✓		
Windows	✓		
Rims & Tires	✓		

Odometer Reading: 12446

FOLLOW-UP INVESTIGATION:
☐ CID ☐ Traffic ☐ N/A

NOTES
Pima County Sheriff's Dept.
Inc# 090603023
090603105

PCSD 508 Rev. 06/2006

01000960MVD 8K55
18-01 RR.01000960.AZ0100000.*8K55000000.TXT LIC/AEV8812.LIY/2009.LIT/PC.
LIC:AEV8812 001 TAB:AEV8812 EXPIRE: 12/31/2009
VIN:2FABP73F8HX137350 VYR:1987 VMA:FORD VMO:CVI VST:4DSD
NAM:DIANE,RODRIGUEZ,TARANGO CUST#:D05040442
ADR[redacted]
CTY:[redacted] ST:AZ ZIP:857134114 GVW:000000
TTL:A39933E005107 ST:AZ DTE: 01/05/2002
1ST LIEN:(NONE) AMT: DATE:
ADDR: CTY: ST:
ZIP:
NO PRIOR PLATES

RELEASED

09 06 03 023

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Diane Tavango

[redacted]

Tucson, AZ, 85713

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Diane Tavango ☐ Agent ☐ Addressee

B. Received by (Printed Name) TAVANGO

C. Date of Delivery 9.19.9

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 7010 0001 6549 7138

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE PHOENIX AZ 850

19 SEP 03 PM 5 L

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Evidence Unit
Pima County Sheriff's Department
1750 East Benson Highway
Tucson, Arizona 85714-1758

Pima County Sheriff's Department

Evidence Unit

Property Release Notification

Our records indicate one or more of the following is owned by or registered to you and is available for release:

[x] Vehicle [ ] Weapon [ ] Property

Date:09-02-09

Case # 09-06-03-023

Owner's Name and Address:
DIANE TARANGO
[redacted]
TUCSON, AZ, 85713

RELEASED

Vehicle Information

Vehicle Year	Make	Model	VIN#	License	State
1987	FORD		137350	AEV8812	AZ
Vehicle Year	Make	Model	VIN#	License	State

If the vehicle listed above is not removed (or if arrangements have not been made to have it removed) within fourteen (14) days of the above date, it will be released to our contracted towing company and fees will be assessed by the towing company. If you do not claim your vehicle, the towing company has the right to file for an abandoned title and sell you vehicle.

Weapon Information

Make	Caliber	Type
N/A		

Property Information

N/A	

Please call 351-4724 to start the release procedure for all items listed. *ALL* unclaimed items are subject to disposal ninety (90) days from date of this letter.

Completed by:	Badge #:	Pima County Sheriff's Department Evidence Unit
M.G. GRIGNANO	4836	

PCSD 1332

Rev 10/08

PIMA COUNTY SHERIFF'S DEPT.
TOW TRUCK REQUEST

Report No.: 0906 03 023
Offense Code: 04.12
Connect-Up Numbers:

LOCATION: 1600 E. BENSON HGWY Location Code:

Date: _____ Hour Called: _____ Hour Arrived: _____

TERMINAL OPERATIONS Date / Time: _____ Operator: _____ Verification No.: _____

SITUATION
☐ Abandoned Vehicle ☐ Accident ☐ Police Hold
☐ Motorist Assist ☐ Arrest ☐ Impounded
☐ Recovered Stolen

OWNER AND OPERATOR INFORMATION

Registered Owner: Diane TARANGO
Telephone #: _____ Cell Phone #: _____
Address (include City / State): [redacted]
Legal Owner: TUCSON, AZ, 85713
Telephone #: _____ Cell Phone #: _____
Address (include City / State): _____
Operator: _____
~~Telephone #:~~ _____ ~~Cell Phone #:~~ _____
~~Address (include City / State):~~ _____

OWNER NOTIFICATION

Registered & Legal Owner Notifed? ☒ Yes ☐ No
By: Cert Date: 02/02/09 Time: _____
☐ In Person ☐ By Phone ☒ By Letter

VEHICLE STATUS

☐ Stored ☐ Impounded ☐ *Seized ☐ Other
* All Seized vehicles must be towed to the Sheriff's Department's Impound Lot
Tow Company: FRONTIER Driver's Signature: Ellery Corley
Address: 3630 S. DODGE BLVD

VEHICLE IDENTIFICATION

☐ Driveable ☐ Not Driveable ☐ Wrecked ☐ Stripped ☐ Burned
Color: TAN Make: FORD Year: 1987
Type: 4DR License #: AGV 8812 State: AZ
VIN: 2FABP73F8HX137350 Motor #: _____

Transmission: ☐ Auto ☐ Manual ☐ N/A

	Yes	No
Engine	/	
Battery		
Air Conditioning		
Audio Equipment		
Heater		
Clock		/
Keys	/	
Front Seats		
Rear Seats		
Rear View Mirrors		
Side View Mirrors		
Fog Lights		/
Headlights	/	
Bumper – Front		
Bumper – Rear		
Spare Tire		
Jack		
Trunk Locked		
Glove Box Locked		

	Poor	Fair	Good
Paint	/		
Windows			
Rims & Tires			

Odometer Reading: 12996

REMARKS AND INVENTORY

N.C.I.C. Check ☐ Positive ☐ Negative

UNCLAIMED AS OF 11/08/09

Deputy's signature confirms inspection of vehicle, i.e., description, plate, VIN, inventory.

Deputy's Signature _____ Badge # _____ District / Section _____

RTO AUTHORIZED BY DET. POWELL # 1405

FOLLOW-UP INVESTIGATION:
☐ CID ☐ Traffic ☐ N/A

NOTES:
UNCLAIMED

EVIDENCE / ID TECH USE ONLY

Received From: _____ Badge #: _____
Placed in Impound On: Date: _____ Time: _____
Received By: _____ Badge #: _____
ROW: _____ SPACE: _____ KEYS: ☒ YES ☐ NO

PCSD 508 Rev. 08/2006

PIMA COUNTY SHERIFF'S DEPT.
TOW TRUCK REQUEST

Report No.: 0906 03 023
Offense Code: 04 12
Connect-Up Numbers:

LOCATION: 1600 E. BENSON HWY Location Code:

Date: _____ Hour Called: _____ Hour Arrived: _____

TERMINAL OPERATIONS Date / Time: _____ Operator: _____ Verification No.: _____

SITUATION ☐ Abandoned Vehicle ☐ Accident ☐ Police Hold ☐ Motorist Assist ☐ Arrest ☐ Impounded ☐ Recovered Stolen

OWNER AND OPERATOR INFORMATION

Registered Owner: Diane TARANGO
Telephone #: _____ Cell Phone #: _____
Address (include City / State) [redacted]
Legal Owner: TUCSON, AZ 85713
Telephone #: _____ Cell Phone #: _____
Address (include City / State): _____
Operator: _____
Telephone #: _____ Cell Phone #: _____
Address (include City / State): _____

RELEASED

OWNER NOTIFICATION

Registered & Legal Owner Notifed? ☒ Yes ☐ No
By: Cert Date: 02/02/09 Time: _____
☐ In Person ☐ By Phone ☒ By Letter

VEHICLE STATUS

☐ Stored ☐ Impounded ☐ *Seized ☐ Other
* All Seized vehicles must be towed to the Sheriff's Department's Impound Lot.
Tow Company: FRONTIER Driver's Signature: [illegible]
Address: 3630 S DOUGLAS BLVD

VEHICLE IDENTIFICATION

☐ Driveable ☒ Not Driveable ☐ Wrecked ☐ Stripped ☐ Burned
Color: TAN Make: FORD Year: 1987
Type: 4DR License #: AGV 8812 State: AZ
VIN: 2FABP73F8HX137350 Motor #: _____

REMARKS AND INVENTORY

N.C.I.C. Check ☐ Positive ☐ Negative

UNCLAIMED AS OF 11/06/09

Deputy's signature confirms inspection of vehicle, i.e., description, plate, VIN, inventory.

Deputy's Signature _____ Badge # _____ District / Section _____

RTD AUTHORIZED BY DET. POWELL # 1405

EVIDENCE / ID TECH USE ONLY

Received From: _____ Badge #: _____
Placed in Impound On: _____ Date: _____ Time: _____
Received By: _____ Badge #: _____
ROW: _____ SPACE: _____ KEYS: ☒ YES ☐ NO

Transmission: ☐ Auto ☐ Manual ☐ N/A

	Yes	No
Engine	✓	
Battery	✓	
Air Conditioning	✓	
Audio Equipment	✓	
Heater	✓	
Clock		✓
Keys	✓	
Front Seats	✓	
Rear Seats	✓	
Rear View Mirrors	✓	
Side View Mirrors	✓	
Fog Lights		✓
Headlights	✓	
Bumper – Front	✓	
Bumper – Rear	✓	
Spare Tire	✓	
Jack	✓	
Trunk Locked		
Glove Box Locked		

	Poor	Fair	Good
Paint	✓		
Windows			
Rims & Tires	✓		

Odometer Reading: 12446

FOLLOW-UP INVESTIGATION: ☐ CID ☐ Traffic ☐ N/A

NOTES:
UNCLAIMED

PCSD 508 Rev. 06/2006

ATTENTION PROPERTY AND EVIDENCE

This vehicle was impounded by Deputy _____ Badge # _____

Section / District _____

Follow-up investigation will be made by:

- ☐ C.I.D.
- ☐ Traffic Unit
- ☐ Originating Deputy
- ☐ Other Department

Permission to authorize the towing company to release the vehicle must be granted by:

- ☐ Civil Division
- ☐ C.I.D.
- ☐ Traffic Unit
- ☐ Other Department
- ☐ And / Or Originating Deputy

This vehicle was impounded because:

_____

NOTES: _____

PIMA COUNTY S
AUTHORIZATION FOR

Date: 8-28-09

To:

From: [illegible]

Subject: DISPOSITION OF PROPERTY, WE

Case # 09066302S

The property, weapons, vehicles, and/or evidence listed ... eduled for disposal on: ... If these items are ... this date.

It is your responsibility to contact appropriate personnel ... completing the lower portion of this form. Return completed form to ...

☐ RETAIN ☐ DISPOSE ☒ RELEASE

Report Number: 09066302S	Crime Incident: [illegible]
Owner's Name: (Last, First, MI) [illegible]	Person From Whom Property Was Seized: [illegible]
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: / Work Phone:
Release Authorized by: (Print Name) [illegible]	Assigned Unit: [illegible] / Phone: [illegible] / Date: 8-28-09

The below listed property may be released to the above listed person(s) first, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE PRIOR TO RELEASE

Signature of person authorizing release: [illegible]

Domestic Violence Victim notified of release of property on: ____ 20

DISPOSITION INSTRUCTIONS

PH-Photo & Return to Owner / RTO-Return to Owner / D-Destroy / ROA-Return to Other Agency / O-Other (SPECIFY)

[redacted]

83 [illegible] # [illegible]	[illegible]
VIN: 2FAGP90S98H[illegible]	

RELEASED

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

Received By: [illegible] Date: [illegible]

Released By: [illegible] Date: [illegible]

PCSO-1330 Rev. 10/06/07

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	MAILED
Restricted Delivery Fee (Endorsement Required)	09/02/09
Total Postage & Fees	$

7008 2810 0001 6549 7138

Sent To: DIANE TARANGO
Street, Apt. No.; or PO Box No.: [redacted]
City, State, ZIP+4: TUCSON AZ 85713

PS Form 3800, August 2006 See Reverse for Instructions

1 Q. ALL RIGHT. THIS IS DETECTIVE RYAN POWELL, BADGE NUMBER 1405. UH,
2 THIS IS A TAPED INTERVIEW STATEMENT WITH, UM, WITH VINCENT.
3 WHAT WAS YOUR LAST NAME AGAIN, VINCENT?
4 A. LINAREZ.

5 Q. CAN YOU SPELL THAT FOR ME?
6 A. L-I-N-A-R-E-Z.

7 Q. L-I-N-A-R?
8 A. E-Z.

9 LEGEND: Q. DETECTIVE POWELL A. VINCENT LINAREZ
10 Q2. SGT. PARISH
11

---

12 Q. And, uh, what's your date of birth, sir?
13 A. [redacted]

14 Q. And, uh, you have a phone number we can reach you at?
15 A. Yeah, um, [redacted].

16 Q. And where do you, uh, where do you?
17 A. [redacted]

18 Q. Is it the same as your mom's...
19 A. Yeah.

20 Q. ...up here? Okay. [redacted]
21 A. Yeah, [redacted] uh, _____ [redacted]

22 Q. [redacted] Yeah.
23 A. Okay.

24 Q. Um, also, uh, Sergeant Terry Parish is, in, present in the room. We're at 1750 East
25 Benson Highway in a conference room on the second floor. And this is, um, relating to
26 case number *090603*, uh, *023*. And this happened on Tuesday, early Tuesday morning
27 over at, uh, Country Club and Ajo Circle K.
28 A. Yeah.

29 Q. Okay. Um, let's, let's do this. Why don't you, uh, you go ahead and tell your story. Go
30 through the whole thing. And then I'll come back and ask you some detailed questions on
31 stuff I, I, I wanna know more about.
32 A. Uh huh (yes).

33 Q. So why don't you start, um, when you got in the car.
34 A. Um.

35 Q. With those, with those three other guys.

1 A. Well, we got into the car and we planned to go to the store.

2 Q. Okay.
3 A. That was the deal, go to the store. So we went to the store and all I had was $5 on me.
4 And I asked the clerk for change for a five. I was gonna everybody a dollar and then
5 everybody, I see everybody's grabbing everything.

6 Q. Mm hm (yes).
7 A. So, I was like, okay, I put two and two together so I grab stuff, I started grabbin' stuff.

8 Q. Mm hm (yes).
9 A. You know what I mean? We ran out. We end up running out and next thing you know,
10 we just heard like, I heard gunshots. I looked back and he, he's, I started running 'cause
11 like, they didn't s-, say who they were, you know what I mean?

12 Q. Right.
13 A. All I, all I seen, they're like, I heard my homey, like, oh, shit. And I looked back to see
14 what the hell was goin' on and, uh, that's when the cop, that's when the dude already shot
15 or already fired and.

16 Q. Okay.
17 A. By that time, I had took off running. _____, like, I fell over the wire.

18 Q. Okay.
19 A. They had like a wire right there that I run, was running towards and I tripped. And then I
20 looked back to see what was going on and they were paying more attention to the car
21 than us, so I got up and took off runnin'. And when I look back, I just see the, the car
22 reversing all, you know, like, going up where it stopped, and it stopped.

23 Q. Hm.
24 A. You know what I mean?

25 Q. Oh, you s-, you saw the car backed in?
26 A. Yeah. He was already backed into the tree over there where it hit.

27 Q. Oh, okay. All right. So, when you guys were leavin' the store, you guys, you took off
28 outta the store, um, let me draw a quick, kinda, diagram, so you, I can show where you're
29 at. That's the Circle K building.
30 A. Yeah.

31 Q. And put, this is the sidewalk. Um.
32 A. Okay. We were parked right here.

33 Q. Yeah. There was two parking spots over here.
34 A. Mm hm (yes).

35 Q. And there was a handicap rail. Do you remember the handicap rail?
36 A. Yeah. There was a handicap rail.

1 Q. There was two, there was both sides of the rail right here.
2 A. Yeah.

3 Q. And then over here, there was like a fence area.
4 A. Mm hm (yes).

5 Q. The gas pumps…
6 A. Yeah.

7 Q. …are over here.
8 A. Yeah.

9 Q. All right? And there were some other gas pumps…
10 A. _____.

11 Q. …over here. Okay. So, you guys, uh, you guys left the store building.
12 A. We ran this way.

13 Q. You ran down the rail?
14 A. Yeah. We ran down the rail. I cut through the rail, though.

15 Q. Oh, you cut right through?
16 A. There's a opening.

17 Q. Yeah. There's an opening right here.
18 A. Yeah. These, the other guys took off running this way.

19 Q. Okay.
20 A. The other two guys took off running this way to get to the passenger side. I mean, to the
21 driver side.

22 Q. Right.
23 A. And I ran through there was like a opening. And I ran through that opening to get to the
24 passenger side.

25 Q. So you went around the front?
26 A. Yeah. By the time I was going, by the time I hit the front, the front car, by, by the time I
27 hit the front of the car.

28 Q. Mm hm (yes).
29 A. That's when the gunshots already ranged out.

30 Q. Okay. So.
31 A. And I threw the stuff and I ran this way. I kept running this way. When I look back, I see
32 the two det-, uh, the two cops, ready with their gun like that. And the guy was already
33 rever-, he was already reversing. They were, like, stop the car. Get outta the car. You
34 know what I mean?

1 Q. Okay.
2 A. And they try, the car was already stopped when I, when I was ready to look back, when I
3 looked back, I was already like in Kino, in the Kino Hospital, you know, parking lot.

4 Q. You were gone.
5 A. Yeah. I was already in the parking lot and I, that's all, I just seen the car's back.

6 Q. M'kay. So, it's, um, now, who all went into the store? You?
7 A. Me and the other two people _____.

8 Q. You, too. Where was the other guy at?
9 A. In the car.

10 Q. In the car? And he, and where was he sitting at in the car?
11 A. Driver.

12 Q. And he was driving, okay? He had been driving the whole time?
13 A. Yeah.

14 Q. Okay.
15 A. It was his car.

16 Q. So he stayed there right? When you guy-, when, did you notice when he parked the car,
17 where, about where you were at when you parked the car? Were you, you were in this
18 spot, this spot or?
19 A. We, when we parked there, we were at, there was a dumpster with a.

20 Q. Yeah. They dumpsters…
21 A. _____.

22 Q. …are kinda over here.
23 A. We were parked right there on the side of, um.

24 Q. Right, right here?
25 A. Where the parking spot was at, we parked right in front, like, on the side of it.

26 Q. Okay.
27 A. Right here. We parked right…

28 Q. Right in there.
29 A. …we didn't reverse in. We parked, parked.

30 Q. You just parked straight in?
31 A. Straight in.

32 Q. Okay. Did you notice, it was, was it, was he straight in there? Was he crooked?
33 A. No. He was straight in there.

1 Q. Straight in there?
2 A. Yeah.

3 Q. Okay. So he was sittin' like right in here?
4 A. Yeah. Straight in there.

5 Q. Okay. And he's facing this way?
6 A. Yeah. He was facing that way. When I came out, it was…

7 Q. Yeah, go ahead.
8 A. …and when the other two took off this way.

9 Q. Mm hm (yes).
10 A. And they, they tried to get into the driver's side. There is like a, a gap, and a gap opening
11 right there.

12 Q. Right.
13 A. So I could fit through. And that's where I went through.

14 Q. You went through, you went down…
15 A. _____.

16 Q. …the building…
17 A. Yes.

18 Q. …in front of the car?
19 A. Before the cop, by the time I got right here in front of the car, he already shot.

20 Q. Okay. Okay. So you were…
21 A. I think I heard the….

22 Q. …you were right here.
23 A. …I think, I think heard like seven shots, like seven rounds _____.

24 Q. About seven rounds?
25 A. Yeah.

26 Q. Okay.
27 A. That's what sounded to me, to me it was more than three, I'll tell you that.

28 Q. Okay. All right.
29 A. I was like right, right in front of it when he shot and that's when I threw all the shit right
30 here. The burritos and everything.

31 Q2. So that's why all that stuff was there?
32 A. Yeah. _____.

33 Q2. That's why all the burritos.

A. And Hot Pockets.

Q2. Okay. Yeah. Yeah.
A. That's what I threw right there. That's when he shot. I _____.

Q2. Did you have the Cheetos?
A. Yeah. I had the hot Cheetos, man.

Q2. Yeah.
A. That's me _____. I was already in front, I was already in front when he shot and I thought he was shooting at me. I thought I had got hit and so that's why I dropped everything.

Q2. Okay.
A. 'Cause I, 'cause he didn't identify himself _____.

Q2. Did you see over here, did you see over here? Were they fightin' outside the car or…
A. No, nobody was fighting.

Q. ...what did you see?
A. Nobody was fighting. There was.

Q2. So where is everybody?
A. Okay. Okay. See, du-, okay, two guys, two guys ran this way. _____.

Q2. The two guys that are with you?
A. Well, _____.

Q2. Don't say two guys...
A. _____.

Q2. *…cause we got so many people.*
A. Yeah.

Q2. I need you to be _____.
A. Yeah, there was, there was three of us in there.

Q2. Okay.
A. Okay? The two ran down the ramp and I cut through it.

Q2. Okay.
A. Okay? One of 'em tried, one of 'em got inside the car with the guy.

Q2. Okay.
A. And the other guy, he could-, he didn't make it 'cause the door shut so he ran, he ran through the back like that, and down an alley.

Q2. Okay. So, let me, let me.

1 A. 'Cause I already ran this way and then, uh, _____.

2 Q2. Okay. I just wanna make sure I got this right. Three of you run outta the store?
3 A. Yeah.

4 Q2. Okay. You take, uh, you take a left.
5 A. I _____, yeah.

6 Q2. And you head towards the passenger side of the car from the front?
7 A. Yeah.

8 Q2. The two other guys that are with you, run down this little guard rail here, one jumps in
9 the back of the car.
10 A. One jumps in the back of the car. And the other one didn't make it. That's by the time he
11 already shot. And the car was already reversing back like that to the gas pump.

12 Q2. Okay.
13 Q. M'kay. We'll talk, yeah, we'll get more. Okay, so, do you s-, when you were running that
14 way, were you running with the guy or?
15 A. I was running with the guy 'cause I tripped over him. 'Cause we both hit the wire.

16 Q. Okay.
17 A. We both tripped. Boom. I fell on top of him. I fell on top of him. He got up and he ran
18 back to, tow-, towards…

19 Q. Okay.
20 A. …the Circle K. And I ran towards…

21 Q. That's exact-, that's…
22 A. …the _____.

23 Q. …that's very consistent. His name is Alejandro.
24 A. _____.

25 Q. And he said the same thing, that he ran into the wire.
26 Q2. So you don't know these dudes or what?
27 A. No.

28 Q. You didn't know their names, right?
29 A. No. None of 'em.

30 Q. Well the, okay, this guy in the white shirt.
31 A. Mm hm (yes).

32 Q. That's Alejandro. He was the other one that ran and you ran in behind him and that's
33 what you just said, you and him. This is Vincent, uh, not Vincent. His name is Victor.
34 A. Mm hm (yes).

1 Q. And he's the one that actually got in the car. The one that got in there. Did you see
2 Victor when he sa-, you said when he got into the car, did you see, um, well, let's back
3 up. What were the two se-, where the sec-, security guards at and did you see 'em?
4 A. Like I know, like, one was standing like by, by the driver door and one was, one was like
5 on the side of him.

6 Q. So.
7 A. One was at the driver door and one was at the passenger door.

8 Q. So one was standing at the driver's door?
9 A. Mm hm (yes).

10 Q. And one was standing at the passenger door?
11 A. Yeah.

12 Q. Okay. When you.
13 A. And he tried to grab the kid that ran this way. He tried, 'cause I cut through the thing.

14 Q. Okay. Okay.
15 A. _____.

16 Q. So did they run down the railing or did they cut through also?
17 A. They ran through, down the railing.

18 Q. They went down the railing also?
19 A. Yeah.

20 Q. When you heard the gunshots, did you?
21 A. Uh, that's when I looked back.

22 Q. You looked back? Did you, um, so you heard them. Did you se-, actually see the guy
23 shoot?
24 A. I saw, no, I didn't see the guy shoot.

25 Q. You didn't see him shoot?
26 A. _____.

27 Q. Okay.
28 A. _____.

29 Q. Yeah. That's perfect, yeah. You, you can only…
30 A. _____.

31 Q. …tell me what you saw.
32 A. I did not see the guy shoot. I don't know, I did not, you know what I mean by, when I,
33 when I heard the shots, after like, it happened so fast, you know what I mean?

34 Q. M'kay.

1 A. It was like, pop, pop, pop, pop.

2 Q. You looked back..
3 A. I looked back and I seen like one of the guards go like that. And he was already yelling at
4 the car 'cause the car was reversing real slow back. He was yelling for it to stop. So both
5 of the security guards ran to the car and that, and that's the, the two I saw.

6 Q. M'kay. Okay. That's good. Wh-, when you look back and you saw him standing with his,
7 with his arms extended, where was he standing at? In reference to.
8 A. Like.

9 Q. This parking spot and in reference to the car.
10 A. When the car already reverse, the car was already reversing and he was, like, standing
11 right here. And I was standing right here.

12 Q. Okay.
13 A. And the other one was like back, like, back, like on the side of him.

14 Q. They were right on the side?
15 A. Yeah.

16 Q. Where was the car?
17 A. They were yelling to the car, they were yelling to the car to stop but it was already
18 reversing and that's when it crashed into the tree.

19 Q2. This is after the shots were fired?
20 A. Yeah.

21 Q. Okay. So, was, was the car moving when the shots were fired?
22 A. No, the car, the car was starting when the shots were fired.

23 Q. The car had not started moving yet?
24 A. The car did not start moving at all.

25 Q. So it was sittin' right here.
26 A. *It was sitting right there when the shots fired 'cause right when I got to the front of the*
27 car, that's when the shots popped off.

28 Q. Okay.
29 A. And that's when I threw everything right there.

30 Q. Okay. Now when the security guard shot, you said he's standing right here?
31 A. Yeah. He was down here on the driver door already.

32 Q. Oh, he was right on the driver door?
33 A. Yeah. He was on the driver door already.

34 Q. Okay. So he was standing right there?

A. Yeah. He was standing at the driver door and the other one as tryin', they were tryin' to get the two that ran this way.

Q2. Okay. Let's, let's.
Q. Let's slow down. _____.
Q2. Yeah, just 'cause this, this is real important for us 'cause we wanna make sure we do the right thing on this case.
A. _____.

Q2. Okay. Um, now there's two security guards?
A. Yeah. There was two that ran out.

Q2. One wearing a uniform.
A. One was wearing a uniform and the other one was in street clothes.

Q2. Okay.
Q. Good.

Q2. So when you're sayin' somebody's by the driver's door, which one?
A. The one in uniform.

Q2. The one in uniform is right by the driver's door?
A. Yeah.

Q2. Okay. Now, the other one that's out of clothes, out of uniform, that's in street clothes, like you said, he's standing, according to here.
A. They're standing like, they're, they both ran each other, grab the two, they tried grab the two people that tried to get to the back seat right here.

Q2. Okay. So the shots are fire, pop, pop, pop, pop.
A. The shots were fired and when I look back the, the, the guys were already like walking this way 'cause the car was already reversing.

Q2. Okay. So they're both standin' up.
A. _____.

Q2. After the shots are fired, you, you're tellin' me that they're both standing up. The guy in uniform is right by the door, the driver's door. Where is the street guy?
A. Like over here, on the side right here.

Q2. Is he behind and kinda then to the side or is he even with him?
A. He's even with him.

Q2. He, he, 'cause he was right next to the _____.
A. Yeah. They were tryin' to grab the _____.

Q. Okay.
A. They were tryin' to grab 'em.

1 Q. When you.
2 A. 'Cause the guy, the guy, like, I, I think it was tan.

3 Q. Okay.
4 A. Or white, tan.

5 Q. But you didn't, okay, you're right.
6 A. Okay? He was, he was the one tryin' to grab the person. I mean, not grab the person but,
7 like, he came out running, like, boom. He was the first one and the other guy on the side
8 of him.

9 Q. Oh, you're talkin' about the street guy?
10 A. Yeah.

11 Q. Okay.
12 A. And then they didn't say who they were or nothin'.

13 Q. Okay.
14 A. You know, they didn't yell, they didn't say.

15 Q. You didn't hear any commands?
16 A. Nothin'. I didn't hear no commands. I didn't know that we were, we were being chased
17 'cause we were in there. I was looking. There, uh, I didn't see the undercover or anything
18 was in there.

19 Q. So when was the first time that you noticed that they were there?
20 A. When, that's when I got in the front and I heard the gunshot.

21 Q. When you heard the gunshots.
22 A. Yeah.

23 Q. That's, that's the, when you.
24 A. That when I heard, that, when I heard the gunshots, that's when, that's when I was like,
25 what the fuck? And I threw all the shit and I fuckin' took off running 'cause I scared.

26 Q. Right. Okay.
27 A. You know what I mean.

28 Q. Okay. I think what, okay. We know, you, you put him in the right and, not the right spot,
29 but he knew, I'm very clear where he was standing.
30 Q2. Yeah, me, too.
31
32 Q. I'm still very, I'm a little hazy on where the second guy was standing at where he was at.
33 A. Well, like I said, when they both ran out, they both tried to grab the two, the.

34 Q. Okay.
35 A. The two guys. These two guys. They tried, he tried to grab.

1 Q. Okay.
2 A. All right?

3 Q. Okay.
4 A. He tried, they tried to, they, they didn't say nothing. By the time I got to the front of the
5 car, I just remember goin' to the front.

6 Q. Okay.
7 A. And I was right there. I was, 'cause I was, like, walking, you know what I mean? 'Cause
8 I didn't think nothing of it.

9 Q. Right. Right.
10 A. 'Cause I didn't think there was people in there. Security or nothing.

11 Q2. So you're, like, doin' a fast walk.
12 A. So, yeah, so we're just doin' a fast walk and then fucking, boom, that, I seen them, like,
13 get hit then, pa, pa, pa, pa, pa boom.

14 ~~Q. Okay. So you, um, when you look back and you said you saw the security with the arms~~
15 ~~extended and he was pointing it at the, at the driver.~~
16 A. He, yeah, but he didn't yell nothing.

17 Q. What.
18 A. He was just pow, pow, pow.

19 Q. Okay. And then when you looked back, did you see the other security guard, the guy that
20 was in plain clothes?
21 A. No. I didn't ever see him.

22 Q. You did, did you see him anywhere?
23 A. I don't know. It happened so fast, man.

24 Q. Okay. That's fine. Yeah. And, so when you look back, when you.
25 A. When I fell, when I fell, like, when, like when I took of runnin', like when those shots
26 happened.

27 Q. Mm hm. Mm hm (yes).
28 A. I took off running. There was like some bars right there, just some _____ bars.

29 Q. Yeah. I know exactly, yeah.
30 A. And a wire.

31 Q2. Uh huh (yes).
32 A. That we did not see.

33 Q2. Those _____.
34 Q. This, there, this guy hit it, boom. Then I fell right on top of him, boom.

1 Q2. You know, just like, 'cause I interviewing Alejandro. He says, I was running as fast as I
2 could. I hit that wire.
3 A. Right.

4 Q. He goes, and the security guard jammed me in the back. And I was, like, uh, it wasn't the
5 security guard. It was you.
6 A. Yeah. I was right, I was right on him. And I was as full speed, too and I hit that thing too
7 hard, boom. And then I, I, I sat for awhile 'cause I was dazed. You know what I mean? I
8 sat and I looked back. Like I looked back to see if the security were runnin' after that and
9 they were _____, like, like I said, they were like, were already walking that way
10 towards the car 'cause the car was already stopped _____.

11 Q. Okay. So.
12 A. And he was like stop the car, stop the car, yellin'.

13 Q. When you st-, when you look back, did you see both security guards after?
14 A. They were already walking to the car when the car was stopped.

15 Q. Okay. So the car, they, they.
16 A. I didn't see nothin' after that. I was already at the, fuckin' past _____.

17 Q. After the car stopped in the tree.
18 A. Yeah. I was already.

19 Q. You were gone?
20 A. Yeah. I was already like phew.

21 Q2. *So that went different two different directions. That's why the canine had footprints goin'*
22 both ways.
23 Q. Yeah. We have, because Alejandro.
24 A. Well, they didn't.

25 Q. Alejandro said that he had ran, after he hit the wire, that he ran down the alley.
26 Q2. East.
27 Q. Yeah. He ran east.
28 A. And I ran toward the.

29 Q. And you ran west…
30 A. I ran…

31 Q. …towards the hospital.
32 A. …towards the hospital.

33 Q. Okay.
34 A. And then I was, like, so they could think I that, up, and then I cut through the, the back
35 and I went through the ditch and the pond all that, you know _____.

36 Q. Do you know these guys?

A. No, I don't.

Q. The, the, the other people in the car with you?
A. The driver. I knew the driver 'cause I met him through another friend of mine.

Q. Do you know him good or just a little bit?
A. No. Just, like, a little bit.

Q. Do you know his name?
A. Uh, I think it was Daniel or something.

Q. Okay. That, how did you know it, through who?
A. 'Cause he went through, he went to my house, to my mom's house, when, uh, one of my cousins _____ Markie.

Q. Okay.
A. And, uh.

~~Q. Okay. That's what, that's what Danny _____. And I talked to Danny and he said he met you through Markie.~~
A. Yeah. He's _____.

Q. Oh, yeah. _____.
Q2. No, I wanna, without anybody jumpin' anything, just, okay. You're here, where is.

Q. _____.
Q2. Like step by step, so there's no confusion 'cause I little bit, still screwed up about where everybody was when.
A. I was.

Q2. I appreciate you helpin' us _____, man.
A. I was _____, I wasn't _____ like I was sayin' the way I got the phone call was, they were putting me as the main suspect.

Q. No.
A. That's they was I got the phone call.

Q2. No, you were not even a suspect. You'd in handcuffs and we'd in the interview instead of a conference room talkin'.
A. Yeah.

Q2. What basically, because of this event, it's…
A. _____.

Q2. …real important that we figure out.
Q. _____.

Q2. You know, what happened, should Danny have gotten shot or not.

1 A. No. I don't think he should've.

2 Q2. Okay. But we, there's all kinds of things that play into that like, you know, did Danny,
3 were there any guns in the car?
4 A. There was no weapons involved.

5 Q. Yeah. 'Cause you, I asked about that.
6 A. 'Cause if I'm around a gun, or if I'm around a person with a gun or a bullet on him, I'm
7 already, I'm _____.

8 Q2. You're _____. Okay. What are you?
9 A. _____.

10 Q2. What, what are you on, are you on probation?
11 A. No. I'm not on no probation, nothing. But I cannot have no kinda gun around me.

12 Q2. Okay. So you're a prohibited possessor.
13 A. Yeah.

14 Q2. What, what have you done time for?
15 A. For aggravated assault with a deadly weapon.

16 Q2. Okay. All right.
17 A. Shooting.

18 Q. Yeah. But he's, he told me he's already done his number. He's done.
19 A. I done my number but, like, if I still get caught 'cause I don't have my rights back.

20 Q2. Right. Right.
21 A. So, if I, like, like if they find me with bullets in my pocket.

22 Q. Right.
23 A. They can still charge me for a gun, not having the gun.

24 Q. Okay. All right. So this is like the driveway here. And then these are like the, um, the
25 poles where you're talkin' about, where the wire, the poles down here.
26 A. Yeah.

27 Q2. They're all across _____.
28 Q. There's the wire here.

29 Q2. Okay. Put the car in there.
30 Q. Put the car.
31 A. There was like alley right here. That's…

32 Q2. Yep.
33 A. ….where that other guy ran.

1 Q2. Yeah, there was an alley right there.
2 Q. Yeah, there's an alley way in the back.
3 A. 'Cause I fell on top of him and he thought I was, I guess he thought I was the security
4 guard _____.

5 Q. So you want.
6 Q2. That's pretty good.
7 A. He was running scared.

8 Q2. _____ go through it real quick.
9 Q. Do you want where they shot or?

10 Q2. Okay. I wanna start at the beginning. All right. Now you guys, they, you see them
11 grabbin' stuff so you start grabbin' stuff so you guys leave the store.
12 A. Mm hm (yes).

13 Q2. Okay. Are you the first guy to leave the store, second guy, third guy?
14 A. Third. I was the last one.

15 Q2. You're the last one outta the store. Okay. At that point, you're leavin' the store. You're
16 the last guy. Did you ever see the security guards in the store?
17 A. No.

18 Q2. M'kay.
19 A. 'Cause I even looked in the back 'cause the freezer door was open. One of the doors were
20 open.

21 Q2. Okay.
22 A. One of the cooler doors?

23 Q2. Mm hm (yes).
24 A. And that was like, it was open, so when I went to grab the snacks, I looked, like, in the
25 back and I just didn't see it.

26 Q. Okay.
27 Q2. Okay.
28 A. That's why I, that's why I was, like, okay, maybe we could get away.

29 Q2. So you come on that door and you're just fast walkin' because.
30 A. Yeah. I was walkin'. I cut through here.

31 Q2. Okay. And you don't go down the guard rail.
32 A. Uh huh (yes).

33 Q2. You turn left at the sidewalk and follow it through the, through the…
34 A. All the way.

35 Q2. … through the two parking spaces.

A. And then when I get to the center of the car.

Q2. Okay.
A. _____.

Q2. Let's stop at the front of the car. All right, let's stop before the shots are fired. Have you seen the security guards at that point?
A. No. I didn't know _____.

Q2. Okay. Have you heard anything at that point?
A. No. I just heard gunshots.

Q2. Okay.
A. _____.

Q2. So where exactly are you when you hear gunshots?
A. Right in front of the car.

~~Q2. Right in front, like at the hood ornament or?~~
A. I, barely, I was gonna jump over, like, jump over, like leap over it.

Q2. So you're fixin'…
A. Like.

Q2. …to go around this corner here.
A. Yeah.

Q2. Around the car.
A. I was gonna leap over the car, like jump over it.

Q2. Uh huh (yes).
A. Like slide on it. And so.

Q2. You're gonna do the Dukes of Hazard shit…
A. Yeah.

Q2. …and slide the hood? Okay.
A. And it's about, like, when I, when I got to the front, that's when gunshots ranged out.

Q2. Okay.
A. And that's when I dropped _____.

Q2. So you're at the front of the car. You're gonna be the circle.
A. All right.

Q2. Okay? You're the circle. You're at the front of the car. Shots rang out. What do you see at that point?
A. I was already, like, over here sitting down and I seen the car rev-, like, reverse.

1 Q2. Okay. Well, before that. Shots just got fired. Did you look?
2 A. _____ yes. That was, like, that was _____ gun out.

3 Q2. Oh, okay.
4 A. _____.

5 Q2. You see the guy. You see the guy.
6 A. The shot _____.

7 Q2. Yeah. He's in uniform, is all you know. Okay? Now where exactly.
8 A. And.

9 Q2. Where is he, where is he standing?
10 A. He was standing like from _____.

11 Q2. The tan one, you said?
12 A. Yeah, the tan colored one.

13 Q2. Okay.
14 A. _____ over here.

15 Q2. All right. So he.
16 A. He was standing, like, at the door.

17 Q2. You put your finger.
18 A. The _____ door.

19 Q2. Towards the front. Okay, so you're talkin' about the driver's side door.
20 A. Yeah. 'Cause he started going this way to get into the back seat.

21 Q2. All right, so you got.
22 A. _____ back of them and that's when the gun shot.

23 Q2. Okay.
24 A. _____ tackle him over there.

25 Q2. So this, have you talked to anybody else about this case?
26 A. (no audible response)

27 Q2. No? Have you talked to Daniel or anybody? I know he's in the hospital.
28 A. _____.

29 Q2. You didn't go visit him.
30 A. _____.

31 Q2. _____.
32 A. _____ 'cause I, if I don't wanna go and show up 'cause I don't want his family to
33 think.

1 Q2. Yeah. Think it's your fault?
2 A. Yeah. Yeah.

3 Q2. Yeah. Okay. All right. So security guard number one, in the tan uniform is standing here
4 by the driver's door. You see his arm extended…
5 A. Yeah. _____…

6 Q. Arms extended, you….
7 A. … _____ after the shots…

8 Q. …_____.,
9 A. …_____ yeah.

10 Q. Okay….
11 A. _____.

12 Q. …so he's holdin' the gun straight up and down?
13 A. He was yelling for the car, like, he was yelling for the guy to, the shots already ranged
14 out.

15 Q. Mm hm (yes).
16 A. But like, when, when I was, when I tripped over here, and I was sitting down, I looked
17 back to see where the security were at.

18 Q. Okay.
19 A. And he was like, the car was already reversing, like…

20 Q. Okay. Well, I….
21 A. …_____.

22 Q. …I don't wanna jump ahead yet. I don't wanna…
23 A. _____.

24 Q. ….jump ahead yet.
25 A. _____.

26 Q. We're gonna go there, okay?
27 A. When he was yelling for the car to, I mean the car to stop.

28 Q. Okay.
29 A. That's when I was, that's when I was, you know. I see him like that. He's yelling for the
30 car…

31 Q. Okay.
32 A. …I just hear him yelling, car, for it to st-, stop the car, stop the car. That's all I heard.

33 Q2. All right. When the shots rang out though.
34 A. After the shots ranged out, yeah.

1 Q2. Let's go right to when they rang out.
2 A. All right.

3 Q2. Okay. You just heard boom, boom, boom, boom…
4 A. _____

5 Q2. …however many, okay? It doesn't matter. You just hear that. What do you see at that
6 point? You see this guy by the driver's door or where is he at?
7 A. He was, like, right there by like…

8 Q2. By the driver's door?
9 A. …by the door.

10 Q2. Okay.
11 A. _____.

12 Q2. Did you see the other street guy? The guy that….
13 A. He was standing beside of him.

14 Q2. …was in street clothes? He was standing beside him you say?
15 A. Yeah.

16 Q2. Òkay. How far away do you think? Like, by the passenger rear door, I mean, the driver's
17 rear door or is he…
18 A. Like, when the _____.

19 Q2. …closer that that?
20 A. No, probably like a little further from, like, where we're at, where he's at. 'Cause the guy
21 was like at the door and the guy's like right there…

22 Q2. The other…
23 A. …_____.

24 Q2. …standin' out there, six, eight feet away at…
25 A. Yeah. Yeah.

26 Q2. …back of the car?
27 A. _____.

28 Q. If this table's the car.
29 A. _____ the dude, was like _____ like that, when I looked back.

30 Q. Okay. Where's.
31 A. The car already moving like that.

32 Q2. Driver's side. You're up here.
33 A. He was already walking _____.

1 Q2. You're up here, dude. Let's put you back where you were, okay.
2 Q. _____.

3 Q2. Okay. This is the front of the car.
4 Q. That's where you're at.

5 Q2. You're fixin' to jump a.
6 A. Yeah. I'm in front of the car like that. I was ready, I was fixin' to jump _____ like
7 this.

8 Q2. Okay. And.
9 A. And then _____.

10 Q2. Then the guy.
11 A. The guy in uniform was like that already. And the other guy was like, behind him.

12 Q. Okay.
13 A. Like over here more in, like the.

14 Q2. Like at another angle basically?
15 A. At other angle, behind the, like, _____.

16 Q2. Okay.
17 Q. Okay.
18 A. And the.

19 Q. _____.
20 Q2. _____.
21 A. _____.

22 Q2. _____.
23 Q. Same with you, so they're almost lined up.
24 A. Yeah. And then he was yelling for the car to stop. Stop the car or you'll, stop the car
25 ____.

26 Q2. So if, based on your description, and I want you to tell me yes or no, okay? Here's, I'm
27 gonna the draw real quick and it's really stupid 'cause I _____ person to draw cars.
28 But I've got the guy standin' by the, the driver's door. There's the mirror, okay?
29 A. Mm hm (yes).

30 Q2. They guy's standin' right here, maybe. Now you're standin' at an angle. Am I
31 _____, draw a line through the car and he's back here somewhere?
32 A. Yeah. It through the, say this is the, the gun.

33 Q2. The guy with the gun.
34 A. The gun, yeah. The guy was, like, over here.

35 Q2. Okay.

1 A. And the car was already, the car was like still riding when the.

2 Q2. So the car hadn't moved at this point?
3 A. The car hadn't moved, no. And then fuckin' when, when I was sitting down, pretty much,
4 that's what _____. The car was already like, it was moving, and it was, it
5 stopped at the thing.

6 Q2. Okay.
7 A. So the car did not move before, I, like when I got to the front, that's when the, the car did
8 not move a inch or nothing.

9 Q2. Okay. So the car hadn't moved…
10 A. _____.

11 Q2. …when you're at the front of the car, but shots rang out. Okay, we're going back to the
12 draw-, the, the big drawing here. Shots rang out. You're goin' this way and you hear, um,
13 we're gonna make this guy, circle with an X.
14 A. All right.

15 Q2. So, you've got guy with gun. Street clothes guy. Okay? And you're here. You throw all
16 your shit.
17 A. I _____.,

18 Q2. Pot pies, burritos, cheetos.
19 A. _____.

20 Q2. _____.
21 A. That's what, that's what you found.

22 Q2. Yeah. That shit was all along this fence right here.
23 A. And that's when I took off running this way.

24 Q2. Okay.
25 A. And then me and the guy, um.

26 Q2. *Let's, let's go slow here.*
27 A. _____.

28 Q2. Let's go slow here. When you get to this side of the car, are you, do you…
29 A. _____.

30 Q2. ….see anything at this point?
31 A. _____.

32 Q2. Is the car movin'?
33 A. The car was, I think the car was already moving, yeah.

34 Q2. The car started movin' when you're on the side here?

1 A. _____.

2 Q2. Okay. So you're comin' around here. The car starts moving. When you're on the side.
3 M'kay? Is it goin' straight back at this point?
4 A. It's going straight back, yeah.

5 Q2. Okay. So it's goin' straight back. Okay? Now you then, what do you, come around this
6 corner by the fence here?
7 A. No. I just take off running straight _____.

8 Q2. You were goin' that way? Towards Country Club?
9 A. Toward, towards, yeah, towards Country Club.

10 Q2. Okay. So you're goin' straight back here. Tell if I, if I start to get crazy and be wrong.
11 A. No.

12 Q2. You tell me.
13 A. Okay. That's where I fell, at the fence right there.

14 Q2. Okay. So at the first one, you go…
15 A. _____.

16 Q2. …through, you fall down.
17 A. Fall, yeah.

18 Q2. Okay. When you get past the fence, are you lookin' at the car all?
19 A. No, I didn't….

20 Q2. Did you see anything?
21 A. …see nothing after the fence, uh, when I….

22 Q2. Okay.
23 A. ….the only thing, the only time I see something is when I was picking myself back up.

24 Q2. Okay. So you fall on your buddy, the other guy here. You fall on him.
25 A. Yeah.

26 Q2. You pick yourself back up. You started lookin'. What do you see then?
27 A. I seen the car already in reverse stop, it was stopped at his _____ already.

28 Q2. Okay. Did you see the car do the turn?
29 A. No. I did not…

30 Q. _____.
31 A. ….see the car _____.

32 Q2. Okay…
33 A. The car was...

Q2. ...so, basically.
A. ...the car _____ up on, like, on a hill.

Q2. Okay. Did you hear it?
A. Um, I just heard the guy yelling stop the car, stop the car.

Q2. You didn't hear the crash or anything like that?
A. No. _____.

Q2. Okay. So, when this car's moving and you're beside it here, how fast, is it haulin' ass or...
A. No. It was...

Q2. ...was it just, like...
A. ..._____...

Q2. ....roll, slow rollin'...
A. ..._____.

Q2. Or what?
A. _____ like he got hit, you know what I mean?

Q2. Okay.
A. Like.

Q2. Like he...
A. _____.

Q2. ...took his foot off the brake?
A. He took his foot off the, the brake, you know?

Q2. Okay.
A. Kinda like it was _____.

Q2. Was there any acceleration at all...
A. _____.

Q2. ...anything fast?
A. Nothing _____. No car or nothin'.

Q2. Okay.
Q. Were the tires squealing.
A. No, no, _____.

Q2. Were you worried about gettin' over? You're runnin' next to a moving car...
A. Yeah. _____.

Q2. ...were you worried about that?

1 A. Yeah, I was worried, yeah.

2 Q2. Okay.
3 A. I thought I got shot, honestly. You know what I mean?

4 Q2. Mm hm (yes).
5 A. I had thought I got hit, but.

6 Q2. Didn't work _____?
7 A. I didn't feel, I didn't feel nothin' after, like, I got across to go to the hospital.

8 Q2. Okay. So you never the car where it made it's turn?
9 A. Ye-, no, I didn't see it when it was turnin' like that. I just seen in it's final stop…

10 Q2. You saw it….
11 A. ….that's when the two guys…

12 Q2. …like, over here…
13 A. …_____. Yeah.

14 Q2. ….there's a tree and then it ends up like this?
15 A. Yeah. _____.

16 Q2. Up on the curb kinda thing?
17 A. And then, um, that's when I see the cops, the two security guards, 'cause I thought they
18 were gonna chase. One of 'em was gonna chase us.

19 Q2. Mm hm (yes).
20 A. The two just paid attention more to the car than what they did.

21 Q2. Okay.
22 A. And, and I got up…

23 Q2. So they didn't chase…
24 A. …took off…

25 Q2. …your ass, they just.
26 A. No.

27 Q2. They went to the car?
28 A. Yeah. They went straight to the car, yelling at the car for it to stop and…

29 Q2. Okay.
30 A. …I got up and ran this way and the other guy ran this way.

31 Q2. So you fall down. You look back. Here let's go back to here again, you see the car over
32 here.
33 A. Mm hm (yes).

1 Q2. This is the, when we draw these triangles, this means that's the front of the car.
2 A. Yeah.

3 Q2. This is the back of the car, okay?
4 A. All right.

5 Q2. All right. Where are these guys when you see this car like this?
6 A. The guy with the, the guys with the, the uniform was already, uh, like going towards the
7 car and the other guy was following him behind.

8 Q2. Okay. When you say goin' towards the car. And I'm gonna try and put it on my map.
9 A. _____.

10 Q2. Where is he at?
11 A. _____.

12 Q2. Remember, he's the X.
13 A. Okay. One was, the other…

14 Q. Oh, good. _____.
15 A. …this one was walkin' like that and he stop, he stopped like right there…

16 Q2. Okay. Can you…
17 A. …the other one _____.

18 Q2. …draw a line there? So he stayed kinda behind him and…
19 A. Yeah.

20 Q2. …off at an angle?
21 A. That's all I seen.

22 Q2. Okay.
23 A. And I just seen, like when I was running towards the thing, I saw those cops, like,
24 Sheriff's going that way.

25 Q2. All right. Have you talked to anybody else that was involved in this…
26 A. _____.

27 Q2. …incident that, that happened?
28 A. No.

29 Q2. Okay. So.
30 A. That's when, when…

31 Q2. Vin-, your name's Vincent…
32 A. ….I got back to the, yeah.

33 Q2. …the other guy's name is Victor.

1 Q. Okay.
2 A. When I got back to where I was at, I just looked at my, I, I looked at my girlfriend and I
3 started cryin'. I was like, I think one of my guys that I just met got killed _____.

4 Q2. Okay.
5 A. She said, what do you mean? I go, we got shot by security. She _____...

6 Q2. Did you tell her...
7 A. ..._____

8 Q2. ...her, did you tell her the story?
9 A. No, I didn't tell her nothing. She was just like, well, you gotta _____. No, no,
10 just, we just forget it about _____.

11 Q2. Okay. 'Cause if you told her the story, it would be somethin' that would add credibility to
12 today's story, you know? If, if did you...
13 A. No. I ....

14 Q2. ..._____.
15 A. ...didn't tell her nothing. No.

16 Q2. So if I went and asked her, she's not gonna know shit.
17 A. No, she don't know nothing.

18 Q2. Okay. All right. What's your girlfriend's name?
19 A. _____ Rosa.

20 Q. Okay.
21 Q2. Rosa. Is she the one that's here.
22 A. _____.

23 Q2. *Oh, she's already* _____.
24 Q. I sure did.

25 Q2. Okay. I knew that. Benson Highway, Country Club. Yep. Or not Benson, Col-.
26 Q. Columbus.

27 Q2. Columbus. Yeah.
28 Q. _____.

29 Q2. [redacted]
30 A. Yeah, um, well, that's all I seen after that and I just took off runnin'. I ran towards Kino. I
31 threw my hat 'cause I knew they were gonna, _____ or whatever.

32 Q2. Did you ever go back and get?
33 A. No. It's on top of the hospital _____.

34 Q2. What? One of the short buildings?

A. Yeah. It's on top of it.

Q. _____.
A. Yeah. It was, well, that's where I threw it.

Q. You know _____, right? We _____ get a hat, okay?
A. That's why I threw it at _____. And there's like a side right there, I ran like towards the desert area.

Q. Uh huh (yes).
A. Like a side, and there's like little brown stick that don't have _____.

Q2. Where are you going after you leave here tonight?
A. My, I'm going to my girlfriend's.

Q2. To your girlfriend's house? Does she live over the Quik Mart?
A. Um, no.

Q2. Okay. The reason I'm askin' you that is 'cause I mean,
A. But if you want me to meet up _____.

Q2. Well, 'cause it'd be a lot easier for him to find…
A. _____.

Q2. …that hat if he knew where he was goin'?
Q. Yeah. If you could just show me where you threw it?
A. Yeah. I, _____.

Q2. If you could just, you could just show him tonight and then when you go _____.
A. Well, see, I gotta go pay a bill right now.

Q. Okay.
A. Before 10 o'clock hits so, whatever.

Q2. What time is it?
A. _____.

Q. Ooh. 9:30 man.
A. _____.

Q2. Okay.
A. _____.

Q2. All right. Um, how do we get a hold of you tomorrow?
A. Um.

Q. We got your phone number?

1 A. _____ phone.

2 Q. Does that work for tomorrow?
3 A. Yeah. It works.

4 Q. Is that a cell phone?
5 A. It's a house phone but they, they'll get it to her like that.

6 Q. Okay.
7 A. I'll get it quick. _____ out by Kino and I'll show you.

8 Q2. You guys _____.
9 Q. Yep. I got mom's phone number. Girlfriend's phone number. I got _____.
10 Q2. 'Cause when I need to find that hat because, you know what? That, that hat helps us
11 understand and know that you're telling the story the way you remember it that night.
12 A. All right.

13 Q2. And that's what's important?
14 A. All right.

15 Q2. Okay? Um so that's cool.
16 Q. All right. Um.
17 A. _____.

18 Q2. Thank you.
19 Q. Yeah, thank you.
20 A. You're welcome.

21 Q2. You made it, you, you helped a lot dude.
22 A. All right.

23 Q2. I appreciate it.
24 A. You're welcome.

25 Q2. Hey, next time, put _____?
26 A. _____.

27 Q2. Dude, don't run. It ain't gonna help.
28 Q. _____. It ain't gonna help. I know you get scared 'cause you don't
29 know _____.
30 A. Well, I just, I didn't know, yeah, well, I didn't security was gonna shoot that guy
31 _____.

32 Q. Yeah.
33 A. I thought _____.

34 Q. No, I mean, _____ I would understand.
35 Q2. Yeah. _____.

1
2 Q. _____.
3 Q2. _____.
4 A. _____.

5 Q2. IT'S 2130. I'LL STOP THE INTERVIEW.
6
7 WITNESS:

_____
8 DETECTIVE POWELL #1405

9 TRANSCRIBED BY:
10 C.ZAUNER JUNE 11, 2009
11

1

LEGEND: Q. DET. POWELL A. WILLIAM MARVIN
Q2. UNIDENTIFIED MALE

Q. Um, is it all right if I, I get some more information from you?
A. Sure, sure.

Q. Okay. Um, just, I wanna make sure I have your name spelled right. And it's W-I-L-L-I-A-M?
A. Yes.

Q. And Marvin, M-A-R-V-I-N?
A. Yes.

Q. And, um, is this your current phone number?
A. Yes.

Q. All right, and I'm assuming this is a cell phone?
A. Yes.

Q. All right, it's [redacted]
A. Yes.

Q. All right. Um, and your date of birth?
A. [redacted]

Q. [redacted], all right. Um, do you have a, a residence in?
A. Yeah, [redacted]

Q. [redacted] okay.
A. The reason why I'm saying, is because I'm a security guard myself.

Q. Mm, hm (yes).
A. And, you know to, uh, to talk bad about another security officer I'm afraid I'm gonna lose my license. And I'm not gonna take, uh, take that change at all.

Q. Okay. No problem. Um, who do you work for as a security guard?
A. Uh, AKAL Security.

Q. AKAL?
A. Akal, A-K-A-L.

Q. A-K-A-L.
A. It's off of, uh, 333, uh, North Campbell Road, apar,-, uh, suite four.

Q. Okay. All right.
A. I don't, I don't want my boss to find out I'm doing this.

1 Q. Oh, no problem. I, I will keep you, um, I will keep you, um, this is a restricted access
2 case anyway.
3 A. Yes.

4 Q. So no one has access to this case, the public won't have access to this case...
5 A. Okay.

6 Q. ...until, until actually it's all over with and by that time, um, we can admit a lot of
7 information also too.
8 A. Okay.

9 Q. Okay. Um, so, um, can you, do you go by William or do you go by Bill or?
10 A. I go by Bill.

11 Q. Okay, Bill so is it okay if I call you Bill?
12 A. Sure, sure.

13 Q. All right Bill, um, so yeah, tell me, yeah tell me what, what you know and what you saw?
14 A. Well I was, I get off work at midnight and I went to go see my wife 'cause she works for
15 the same company too, as well. And she is on the eastside of Tucson and I had to go back
16 on, on the south side 'cause I wanted to go see some friends of mine. And, uh, I was
17 gonna pull into the Circle K on Ajo and Country Club, and all I saw is, uh, two officers. I
18 didn't know if they were police officers or security officers, I didn't know what they
19 were. And, uh, there was a lot of scuffling around, you know like, you know pushing and
20 shoving and __ and stuff like that. And before I knew it gun fire started rolling out, and I
21 got back in my car 'cause I was pull into the Circle K and I was kinda out of my car. And
22 gunfire starts shooting out and I just jumped back in my car and left.

23 Q. Okay. Um, do you know about, and which Circle K was that?
24 A. Ajo and Country Club.

25 Q. Okay, and you said you pulled up to, where did you pull up to?
26 A. I was, I was in the process of pulling up to the gas pump.

27 Q. Okay.
28 A. And before I knew it gunfire started, you know gunfire started going off and I just
29 jumped in my car and left right away 'cause I didn't wanna get involved.

30 Q. So where did you park your car in the parking lot?
31 A. It was basically almost like, uh, on the north side of the pump.

32 Q. It was on the north side of the pumps?
33 A. Of the pumps, yes.

34 Q. Okay, um, and you said you got out of your vehicle?
35 A. I was in the process of opening my door and getting out of my car.

36 Q. So, were you, were you completely out or were you, were you?

1 A. I had one foot out.

2 Q. Okay.
3 A. And my door wide open.

4 Q. All right. Um, and so your door was wide open, so you could, now when you, you heard
5 the scuffling? Now what, can you describe, will you describe what you, you said you saw
6 them coming out of the store?
7 A. Coming out of the store and the security guards were yelling and screaming that, they
8 yelled suspects, and.

9 Q. What were they yelling, what were they yelling?
10 A. Uh, stop. You ca-, you know you're, uh, they were, they were saying to freeze and, uh,
11 you're under arrest. You can leave the property.

12 Q. Okay.
13 A. And all I know is that o-, uh, one of the officers tried to grabbed the other one suspect, I
14 don't know which one. 'Cause like I said, it happened so quickly.

15 Q. Right.
16 A. Where, the first thing I thought about is get the hell outta there, that's in my mind frame.
17 Get the hell out, of course.

18 Q. Well that's, yeah that's, and that's very normal to have that self preservation man. I can
19 understand that.
20 A. And, uh, I don't know what, what they were, what the suspects were driving. I don't
21 know what kinda, 'cause it happened so dang quickly. In face I, by the time I got my car
22 started again, closed my door and gun fire started rolling.

23 Q. Okay.
24 A. __ right away.

25 Q. Did you, you heard, you heard the gun fire, do you know how many shots d-, did you
26 hear?
27 A. All I heard was several. I don't know how many, it was several shots were, were fired.

28 Q. Okay.
29 A. And, uh, there were, I just heard them, and all I knew is that, that, praying to God at the
30 time period that I was not gonna get hit. My car was not gonna get hit, and I was at the
31 pumps thinking, you know, the pumps were gonna get hit 'cause they're full of gas. And
32 I was just praying to God that, you know I was, I have a wife and my mom and dad and
33 my brother and my, and my sister in law.

34 Q. Okay.
35 A. And I just got the hell out of there as quick as possible.

36 Q. Okay. You said that, um, you heard the shots, did you see anybody shooting a gun?
37 A. Yes.

1 Q. Okay, who did you see the shooting the gun?
2 A. The officer.

3 Q. Um, now there was, you said there was two officers?
4 A. Yeah.

5 Q. Which, do you, can you describe which one was shooting?
6 A. It looked like a Hispanic guy. A young, young kid.

7 Q. Okay, what was he wearing?
8 A. Uh, an officer's uniform, uh, he had all the, uh, you know requirements as an officer.
9 Basically, a gun and handcuffs.

10 Q. Okay.
11 A. Everything on a security belt, basically __.

12 Q. Did he, um, did both officers, were they dressed the same?
13 A. Yes.

14 ~~Q. Okay, and then you, and then, do you, so you saw, where was he standing a-, about,~~
15 where was he standing when he, um, when he was firing the gun?
16 A. Um, I wanna say almost, pry about ten feet away from the actual door.

17 Q. Door of the?
18 A. Of the store itself.

19 Q. Okay.
20 A. It was, it was really, you know, like I said it happened so quickly and all, like I said all I
21 thought about was get the hell out of there.

22 Q. Okay, did you see what he was shooting or what he was aiming at?
23 A. He was basically aiming at the vehicle itself.

24 Q. Okay, and was that vehicle, um, where was it parked at?
25 A. Um, I, I don't recall exactly where it was located at, to be honest with you.

26 Q. Okay.
27 A. But, but by the time I got outta there and I looked in my rear mirror I saw them shooting
28 at the car, the vehicle itself. I can't remember what kinda vehicle, it was so dark last
29 night.

30 Q. Right. So did you, okay, now you said that you saw thru the re-, you saw the shooting
31 thru the rear mirror or you saw?
32 A. No, I saw thru the rear view mirror by the time I hit Ajo Street going back to the
33 eastbound...

34 Q. Mm, hm (yes).

1 A. ...it, it's, that's when I started hearing the shots going off at the parking lot. And I saw,
2 you know basically it ricocheting off the cars.

3 Q. Okay, was the car, was the car moving or was the car parked?
4 A. No, it was moving.

5 Q. Was he shooting the car as it was parked?
6 A. No, no it was not.

7 Q. No, okay. So the car was actually moving when he was shooting it?
8 A. Yes, it was like leaving the parking lot itself.

9 Q. Okay.
10 A. And they were basically, you know the way it looked was, looked like he was running at
11 the car, shooting at the car itself as it was leaving the parking lot.

12 Q. So you're saying that the, the, the officer was, was, was he standing still shooting, or was
13 he?
14 A. No.

15 Q. Moving and shootin at the same time?
16 A. Moving and shootin' at the same time.

17 Q. Okay.
18 A. The way it looked to me when I was leaving, leaving the scene itself.

19 Q. Okay.
20 A. But like I said they were grabbing each other, they were, you know trying to, you know
21 put the guy in handcuffs when I was in the parking lot. And, uh, and the guy basically,
22 you know broke free of the, uh, them grabbing him. And he, they all jumped, all I know
23 is several, I don't know how many people were in the car, but they broke free and they
24 jumped in the car and booked out of there too, as well. And they, that's when they
25 started shootin' at the car.

26 Q. Okay, did the, the officer that had the gun, and was shooting at the car, did he actually put
27 his hands on, and was scuffling with, with?
28 A. Yes.

29 Q. He was?
30 A. Yeah, both officers were scuffling with the suspects in the parking lot.

31 Q. Oh.
32 A. And, and.

33 Q. And then. Okay, go ahead.
34 A. And then basically they broke free, and that's when they jumped in their car, I jumped in
35 my car, like I said I shut my car door and I got the hell out of there. And by the time I

1 realized they were already leaving the parking lot that's when the shooting started
2 happening.

3 Q. Okay, all right.
4 A. And all I saw is, you know, you know, uh, ricocheting, you know like you see it, when it
5 hits something it ricochets. You can see like a, like a spark or whatever.

6 Q. Okay, was the spark coming off of, off of where?
7 A. The vehicle.

8 Q. The vehicle itself, okay.
9 A. And, uh, and basically I don't know how many shots were fired, I just know it was
10 several shots. And I, like I said I just got out of there and I was praying that I was not
11 gonna get hit either.

12 Q. Yeah, well that's, it was smart that you, um, that you left. And I'm glad that, um, you
13 actually called us to give this statement it was very important.
14 A. Well see I'm not armed. My company does not require us to be armed.

15 Q. And that's, you know and that's, it's a good thing. I wouldn't, I wouldn't work for a
16 company that required you to be armed. So you.
17 A. Well see, I applied to Valley Protection Services about nine months ago.

18 Q. Oh okay.
19 A. And I went in there and I swear to God it loo-, looked like, oh, they had you sign like a
20 book of application paperwork. And they told me that I had to give 'em, to hire 'em, 50
21 dollars and, and I would have to use their equipment, and their guns if I wanna be, uh, an
22 employee of their company.

23 Q. Hm.
24 A. And I'm telling 'em wait a minute, you're gonna give me a used gun and I know about
25 used guns, you don't know if they've been kept up properly.

26 Q. Right.
27 A. Or, you know whatever. Anything could, could go wrong 'cause, hey I do a lot of reading
28 and I know when the Germans, years ago, when they had the Ruegger's, they were
29 backfiring and killing their own people. And they would go in the field and pick 'em
30 back up and recondition 'em, and give 'em back to a new, a new, new people. Well, I
31 don't use used guns. I don't even have a gun.

32 Q. Right.
33 A. But if I did I would buy a brand new gun so I knew it was brand new from the
34 manufacturer.

35 Q. Right.
36 A. But when I went to Valley Protective Services they were, you know armed. Even the,
37 um, __ Protection, they're armed too as well, and so is Re-, Reliant, you know.

1 Q. So, I would like to, um, I would like to schedule a time with you where I could take you
2 over to the, to the Circle K.
3 A. Yes.

4 Q. And you can kinda show me where you were standing, where your car was parked
5 exactly and kinda show me where you saw the, the security guard there fire his weapon.
6 A. Yeah.

7 Q. And where, where the scuffle happened.
8 A. Mm, hm (yes).

9 Q. And, and wh-, and, and so I can, we can better see the area. Is there, is there a time I can
10 meet you over there, it doesn't have to be today we can do it tomorrow?
11 A. Well __ but I doubt I'd be able to be back here by 3:00.

12 Q. Okay, so would you be able to do it like right now?
13 A. Yeah, yeah.

14 Q. How long would it take you to get over there?
15 A. Oh, I live five minutes, five minutes away from here.

16 Q. Okay. How about I meet you, can, can we plan on meeting over there like in the next 15
17 minutes?
18 A. Sure, sure.

19 Q. Okay. I'll, um, I will be over there. I'm driving a, uh, like a silver Dodge Stratus, I'm
20 wearing a blue polo shirt.
21 A. Okay, I'm, I'm gonna be driving a silver Oldsmobile, oh I'm sorry, a, a, I'm sorry, um, a
22 Mercury Sable, a grey Mercury Sable.

23 Q. Okay.
24 A. I'm wearing blue jeans, brown work boots and a brown cowboy shirt.

25 Q. All right, __ Bill. I'll, I'll meet you over there in, in I'm gonna, I have to check one
26 phone message here, then I'll, I'll drive over there.
27 A. Thank you sir.

28 Q. All right, thank you.
29 A. Bye.

30 END OF RECORDING ONE
31

32 Q. Bill, show me where you pulled in at, and?
33 A. __ by this pump right here.

34 Q. Okay.
35 A. Pump two.

1 Q. Which way were you facing?
2 A. I was facing ___.

3 Q. So did you come in to this part?
4 A. Yes, exactly ___.

5 Q. Okay, so you came in and, and you were parked right here?
6 A. Yeah, and my vehicle __.

7 Q. Okay, so you parked up here?
8 A. Yeah. And, uh, like I said I had my door open. Had one leg out, I had one leg out. I was
9 __ by the door and, uh, they were scuffling __ like they were arguing back and forth. __
10 and , uh, they were grabbing the, the suspect trying to arrest him or, you know __. And
11 all I know is that I was trying to get the hell out of here 'cause I didn't want no part of it
12 'cause I __ I'm not armed. By the time I hit the exit, that's when they, the car spun out
13 here and they started firing right away ___.

14 Q. Oh, so you had already moved over towards the exit there?
15 A. Yeah, yes.

16 Q. And then you, and then you, how did you see them if you're facing this way, how did you
17 see them shooting?
18 A. Well I was __ in my rear mirror.

19 Q. Okay.
20 A. And my rear mirror is __ crooked __. You know how you, how you ___ ?

21 Q. Right.
22 A. And by the time I __ to Ajo, and that's when I saw the car going that way and that's
23 when the officers started running and started shooting at the car.

24 Q. Okay, so you went, you went back that way and then you turned around?
25 A. No, no, I came, I kept on going.

26 Q. You kept on going?
27 A. Oh yeah, I live on the east side of Tucson.

28 Q. Okay, okay.
29 A. And by the time I realized it was __ the shooting __ happened right away, I called__ the
30 car. All I knew is that I saw __ coming off his car, and I don't know what kinda car it
31 was. And, that was the last time I, __ happened. I saw the news and what happened.

32 Q. Right.
33 A. And that's when I __ make the call.

34 Q. Did you see anybody on the ground at all?
35 A. No, I didn't see, __ dead out there. ___ at all.

1 Q. Oh okay. Okay, let's walk over there and you can show me where they were scuffling at.
2 A. Let's see. Like I said, they were coming out the door like, like they were the officers.
3 They were coming out of the door, and, uh, they were coming out of the door.

4 Q. Okay.
5 A. And they were trying to, they were trying to hold the suspect, like trying to arrest him.

6 Q. Where, where were they at when they did that?
7 A. They were on the __ right here.

8 Q. Okay.
9 A. And, uh, they were wrestling a little bit. And, uh, all I know is the suspect jumped in the
10 vehicle. I don't remember where, exactly where it was I just know that they jumped in the
11 vehicle ___and the suspect's car. And I was over there __ pump number two.

12 Q. Okay.
13 A. And, um.

14 Q. Did, was your car, was the car parked up here or do you think it was parked on the side?
15 A. I, I think, my honest opinion, I really don't know.

16 Q. Okay.
17 A. I, I can not, I can't remember exactly where they were parked. I just know that they were
18 parked and, uh, like I said they were scuffling a little bit and they broke free of the
19 security officers and all I know is that I, like I said, heading out to Ajo and heading back
20 eastbound to go home. And I didn't get my gas at all, I was in the process of getting out
21 of my car and getting, getting my money and __ my car. And, um, all I know is after, uh,
22 I hit Ajo, uh, the shots start firing, firing up in the air and __ car just booked out of here
23 __ the car.

24 Q. Where did, where was he at when you were looking in your rear view mirror, where,
25 about where was he at, could you tell, when he started shooting?
26 A. Well I, I, __ right about, behind that, uh, the brown Dodge.

27 Q. Yeah.
28 A. And, uh, he was basically in pursuit, I would use the word pursuit of firing. Like trying
29 to run after the car, or, or, you know to a point where he was firing, not standing still.

30 Q. Okay, so he wasn't stationery?
31 A. No.

32 Q. He was actually running?
33 A. Yeah.

34 Q. All right.
35 A. And I don't know why he was shooting at a c-, a moving vehicle, or, you know stationery
36 or why he was shooting period.

1 Q. Okay.
2 A. The car had already left the property ___.

3 Q. Okay.
4 A. And, um, ___ if it was me I, I would've got in the truck first and called 911 and called
5 my supervisor and have him come out here and, you know ___.

6 Q. All right.
7 Q2. __ car leaving the parking lot?
8 A. Oh yeah, I saw 'em.

9 Q2. You saw 'em going which way?
10 A. I saw 'em go that way, westbound.

11 Q2. You saw the vehicle leave?
12 A. Yeah.

13 Q. Okay.
14 A. ~~See I was on Ajo, almost the whole car was almost on Ajo and I saw 'em book that way~~
15 and that's when the fire, ____ right away at the vehicle.

16 Q2. The vehicle was going that way and he was shooting at the back or?
17 A. Yeah, the back.

18 Q. Okay.
19 A. 'Cause the car, when it hit Country Club they made a quick, uh, left turn and that's when
20 he started shooting right away __ on Ajo.

21 Q. All right. Now when he, when he was shooting did you see anybody else on the ground,
22 or where was the other officer?
23 A. He was right beside him.

24 Q. He was standing next to him?
25 A. Oh yeah.

26 Q. Okay.
27 A. And, uh, they were, they were, basically like I said he was the only one shooting.

28 Q. Right.
29 A. The young kid. I could tell he was younger then I am, but I'm 42 years old.

30 Q. Yeah.
31 A. Anybody, anybody younger then me they're a kid to me, you know.

32 Q. Okay.
33 A. And, uh, like I said he had the utility belt on, he had the handcuffs and everything on his
34 belt and everything. And he drew his gun and started shooting.

1 Q. All right.
2 A. And, uh, I don't see, I don't see why in the hell he was trying to shoot at a moving
3 vehicle, but it was, you know the point is if there was anybody __ car ___ they could've
4 __.

5 Q. Right.
6 A. You know, pedestrians or whoever, but lucky enough it was real early in the morning,
7 there was no one on the property, no one around. You know.

8 Q. Okay.
9 A. Yeah, but.

10 Q. Yeah, it was real early. Well I appreciate you coming out. It's, it pretty much describes
11 the scene of how we have it.
12 A. Yeah, you have it exactly. Like I said I don't understand it. Uh, __ I don't understand
13 why he was shooting at that car. When the car left the property, he didn't even assault
14 the security officer. The security guard __, both of 'em assaulted the suspect. They tried
15 to arrest him, they tried to put him in handcuffs.

16 Q. Okay.
17 A. These guys, I'm telling ya, no matter what security officers should not have guns.

18 Q. __.
19 A. __ have the ability to arrest him or __ at all.

20 Q. How long have you been a security guard?
21 A. All my life. I, I started when I was 17. I've been a plumber, I've been, you know a
22 construction worker. I've been a, I've been a truck driver.

23 Q. How many years have you done security though?
24 A. On and off?

25 Q. On and off.
26 A. I'd say about eight years.

27 Q. About eight years. And you, um, and you worked for different companies?
28 A. Oh yeah, and they're all, they're all a joke. They're all a joke. Now the only one's __ be,
29 well like I said I'm looking for one right now ___ Reliant, uh, you know Valley
30 Protection and stuff like that, who want you to be a cop, you're not.

31 Q. Right.
32 A. They, they do not let anybody carry a damn gun. Not even how ol-, how young, I mean
33 this guy was 19 years old, I heard on the news. I didn't know how old he was.

34 Q. Yeah.
35 A. No real, I don't care he's a young kid. He has no idea how to deal with a handgun. I
36 don't care if he's a young kid going out __ his dad bird shooting or whatever, it don't
37 make any difference.

1 Q. Right.
2 A. He doesn't know what, a lot of liability insurance ____ talk about him getting __ the rest
3 of his life. He was, he ruined his life.

4 Q. Yeah.
5 A. And I know the company will not back him up.

6 Q. Right.
7 A. No matter what.

8 Q. Well I appreciate you coming out and spending some time with us. I'm glad we have a
9 third witness 'cause all we had before was just everyone that was involved.
10 A. Yeah.

11 Q. So, it was great.
12 A. I just know that it, it __ happen that way. I'm sad that it happened that way, that he
13 ruined his life but I, I still think that he was out of line. And the company is out of line
14 for what __ do.

15 Q. Okay.
16 A. Somebody needs to take some responsibility and I think the company should take more
17 responsibility ___.

18 Q. All right. Okay, well we'll see how it, how it plays out in court and everything. We'll see
19 how it plays out.
20 A. Well I know how it's gonna play out, I think the __, I think the __ pry sue the company.

21 Q. Yeah.
22 A. Giving a 19 year old kid a gun, I mean come on.

23 Q. I know.
24 A. I'm sorry that it happened, I'm sorry that, I hope no one got hurt. But, you know
25 anybody that would rob the store for beer, or whatever, let it go.

26 Q. Right.
27 A. Like I worked at Circle K when I was in my 20's, that's the first thing they tell you. If
28 they want the money, give them money.

29 Q. Right.
30 A. Don't argue with them, just give 'em, give 'em the beer. Give 'em the, you know,
31 whatever. Don't, don't ___. Your life's too important, to you and to your family there's
32 no reason __. Let 'em have it and get the hell out of here.

33 Q. Right. All righty, well thank you very much. We'll, uh, we'll, uh, if we need anything
34 I'll get a hold of you, I got your phone number.
35 A. Yes sir.

36 Q. All right.

1 A. Have a wonderful day.

2 Q. Thank you Bill.
3 Q. THAT WAS, UH, WILLIAM MARVIN ON 6/3 OF 09 AT 1345 AT THE CIRCLE K
4 ON COUNTRY CLUB AND AJO.
5

6 WITNESS:
7 REVIEWED_____

8 DET. POWELL #1405
9

10 TRANSCRIBED BY:
11 TARA FINN, JUNE 6, 2009

1 Q. ALL RIGHT THIS IS, UH, DETECTIVE RYAN POWELL, WITH DETECTIVE
2 MATT LYNN. UM, AND WE'RE AT THE LAW OFFICES OF.
3 A. CLINT HERNANDEZ.

4 Q. ____ HERNANDEZ AND IT'S A[redacted] I BELIEVE THAT'S WEST PASEO
5 REDONDO.
6 A. WEST PASEO REDONDO.

7 Q. OKAY. I WAS PRETTY GOOD.
8 A. YOU WERE PRETTY GOOD.

9 Q. UM, WE'RE HERE WITH, UM.
10 A. I'M, ISABELLE KOKOVICH (PH), CLAY'S ASSOCIATE.

11 Q. OKAY. AND
12 A2. ALEJANDRO GAMA

13 Q. ALEJANDRO GAMA.
14 A2. RIGHT.

15 Q. AND THAT'S G-A-M-A?
16 A2. YEAH.

17 LEGEND: Q. DETECTIVE POWELL A. ISABELLE KOKOVICH
18 Q2. DETECTIVE LYNN A2. ALEJANDRO GAMA
19

---

20 Q. All right. ____ your, your date of birth, Alejandro?
21 A2. [redacted]

22 Q. Okay. Thank you.
23 A. We're here, um, for Alejandro to, um, discuss, um, his knowledge of a shooting that
24 occurred based on immunity agreement with, uh, Prosecutor from the Pima County
25 Attorney Office, in this case, um, a Kelly Johnson.

26 Q. That's correct. And actually our, our case number for this is, um, it's 090603, um, 023.
27 And it occurred at the, uh, Circle K on Country Club and Ajo. And it was 3845, um,
28 South Country Club. It was about two o'clock in the morning. Um, there's just a few
29 things that we would like to ask, um, Alejandro and you kind of help us. Um, first of all
30 would you like to, uh, tell us what happened? Kind of go over in detail what you
31 remember and then I can come back and ask you specific questions? Or would you rather
32 have it the other way around?
33 A. Probably, he's had a rough night, and his nerves if you can…

34 Q. Okay.
35 A. …ask a specific questions that would be easiest.

1 Q. Okay, great. Well there's a few things that we really need from you. And the first thing
2 is, um, can I, uh, let me, let me verify all his biographical stuff and make sure that we
3 have the, the, um, um, is your middle name Oscar?
4 A2. Yeah.

5 Q. Okay. And is your current address, I have [redacted]
6 A2. Yeah, it's my aunt's.

7 Q. Okay. And that's [redacted]
8 A2. Yes.

9 Q. All right, um, black hair, brown eyes about 5'9". This is just your driver's license
10 information…
11 A2. Yeah.

12 Q. …I'm reading, okay. All right, good. Um, and the one, one _____ this is a, uh, photo
13 from the Circle K, um, when you guys entered the building, when you guys entered the
14 building. Um, we've already talked to, we've already talked to, um, Victor Lopez, and
15 he's the one in the back here.
16 A2. Yeah. That's who I know.

17 Q. Okay. Victor Lopez, he ca-, he actually stayed at the scene and everything. And we ___
18 actually talked to him…
19 A2. Mm hm (yes).

20 Q. …early this morning. And then this, this other this other guy that you were with.
21 A2. I don't really know that's Victor's, Victor's friend, Victor knows him.

22 Q. Okay.
23 A2. I barely, like hung out with him that night. _____.

24 Q. Okay. So you don't know, you don't know him.
25 A2. I barely even that's the first time I, even, even.

26 Q. What.
27 A2. Like I heard _____ you know, _____.

28 Q. Well, what was? Okay I, I believe you 'cause…
29 A2. Yeah.

30 Q. …um, what was his name? What were you guys calling him? Was he going by a name
31 or a nickname or anything?
32 A2. I can't remember it really. I mean I didn't really talk to him at all.

33 Q. Okay. Was he, um, did Victor or _____refer to him as a name?
34 A2. Uh.

35 Q. Nickname or.

A2. Not that I know of. All I know is he has a tattoo right here.

Q. He has a.
A2. His eyebrows or something.

Q. Tattoo above his eyebrow?
A2. Yeah.

Q. It looks like he has some tattoos on his ____....
A2. Yeah.

Q. ... too. All right.
A2. ___ here ____ tattoos ____.

Q. Okay.
A. He looks older than you.

Q. He's does, he does look a lot older than you guys. Do you remember where you, where you picked up and where you first met with him?
A2. Uh, well me and Danny we were gonna go fishing, but instead we went to the Mo-, Motel 6.

Q. Okay.
A2. And we were just hanging out over there and then, then we decide to go to the store ____.

Q. You were gonna hang out at Motel 6? Is there were you met him?
A2. Yeah, me and Danny went over there when they were already over there, Victor and ____.

Q. Oh, he was over there at Motel 6.
A2. Yeah, he was already over there.

Q. Um, which, which Motel 6?
A2. Um, I don't know what street it is, but it's, it's across the street from AM/PM and there's a Chevron on the corner.

Q. Okay. Is it the one on, um, is it Irvington?
A2. Yeah, I think it might be Irvington.

Q. Irvington.
Q2. Irvington and Palo Verde?

Q. Yeah, Irvington and Palo Verde something like that.
A2. Yeah, maybe.

Q2. Is there like a Denny's and Red Roof Inn across the street? A bunch of hotels over there?
A2. Uh, there's a Quality Inn or something next to it.

1 Q2. Right.
2 Q. Okay, we'll, we'll, we'll figure that out. Um, yeah the reason why we talk to him too, is
3 the same reason we want to talk to you. Is that you guys were there I guess just minutes
4 before Danny got shot.
5 A2. Right.

6 Q. And that's, um, so it's the same reason we're talking to you it's the same reason we want
7 to talk to him, so.
8 Q2. Do you know what ____?

9 A2. No ____.

10 Q2. Did you actually go to the room with him?
11 A2. Huh?

12 Q2. Did you actually go to go to the room to meet with him?
13 A2. Um, Victor was already over there.

14 Q2. Okay.
15 A2. So, we just went over there.

16 Q2. And, but did you go to a room, at the Motel 6?
17 A2. Yeah, they already had a room over there.

18 Q2. Okay. And you think Victor had the room?
19 A2. Uh.

20 Q2. _____.
21 A2. I don't know who _____.

22 Q. Okay.
23 Q2. Okay, _____.

24 A. Who are you with when you went to the room?
25 A2. Me and Danny.

26 A. You and Danny.
27 A2. Yeah.

28 A. Okay and the other two guys were already there.
29 A2. Yeah, they were already over there.

30 A. Okay.
31 A2. ____ I think _____ his girlfriend _____.

32 Q. Oh, okay.
33 A2. So.

1 Q. About what time was that, do you remember?
2 A2. Mm that we were at the hotel?

3 Q. Yeah, when you first met up with him.
4 A2. Um, maybe like 11:45 or something.

5 Q. All right.
6 A2. We went over there, but we were over there by 11:45 or something around there.

7 Q. And then you left from there and.
8 A2. Went to the store.

9 Q. Went to the store. You were only there for about, about two hours, hanging out over
10 there.
11 A2. Uh, yeah.

12 Q. Do you remember what room number that was?
13 A2. It was 250 something, I don't know.

14 Q. It was on the second floor?
15 A2. Yeah, it was on the top floor.

16 Q. Okay. That's gonna help a lot. Stuff like that helps a lot. All right, um, ____, um, we're
17 not concerned about why you guys went to the store.
18 A2. Yeah.

19 Q. And the purpose that you were there. Um, but the result of that decision happened that
20 you guy, when you guys left there was actually, um, some security guards that were in, in
21 the store.
22 A2. Mm.

23 Q. Um, so when you left, when you guys left store, um, these security guards followed you
24 out.
25 A2. Yeah.

26 Q. Okay, can you kind of remember what happened…
27 A2. ____.

28 Q. … at that point?
29 A2. Well, when I was coming out of the store, and I was going into the car I heard somebody
30 yell, yell security, you know, and I was already like ___the door. Danny was like.

31 Q. The door, the door of the car?
32 A2. Yeah, the door of the car.

33 Q. Okay.
34 A2. And Danny was already backing up like to, to go. They started yelling at each other and
35 then I heard like four gunshots.

1 Q. Okay.
2 A2. So, I took off running. I left my bag of chips and soda in the car. Took off running and I
3 hit this like wire. Some wire, I don't know, _____ back to the store they like put holes.

4 Q. Oh, okay.
5 A2. And they were wires. And it got my stomach and, um, ____. I don't know, somebody
6 ran like in back of me. He hit my waist like both of my hips _____. I hit like, I don't
7 know, some ____ behind, but I started running down the alley.

8 Q. Running down the alley.
9 A2. Yeah. It's like behind it kind of or.

10 Q. Behind the Chevron?
11 A2. Yeah, right behind it there's an alley or something right there.

12 Q. All right. Um.
13 A. ___ pretty startled when he heard four gunshots you were like…

14 A2. Yeah ____.
15 A. … uh, don't know what's going on here.

16 Q. Absolutely. Um, when you, uh, when you left the store which side of the car did you, did
17 you get out?
18 A2. The car was parked _____like so I'm facing this way.

19 Q. Mm hm (yes).
20 A2. I was on the, the backseat of the passenger.

21 Q. So you went…
22 A2. ___.

23 Q. …so you went around…
24 A2. Yeah.

25 Q. …like around behind the car got in the backseat the passenger.
26 A2. Well, I was about to open it and he was backing up. And then I heard like, they started
27 shooting, they shot four times, I'm pretty sure.

28 Q. Okay.
29 A2. And then that's when I ran and hit that wire and then it like hit my stomach right there.

30 Q. So.
31 A2. _____ on me, but _____.

32 Q. Um, I'm pretty sure it was him he followed right behind _____. Do you know where he,
33 was he like getting in on your side or?
34 A2. Um.

1 Q. Was he getting?
2 A2. I think he was barely, might have been barley walking out, so he was kind of towards the
3 front of the car maybe.

4 Q. Okay.
5 A2. I'm not sure.

6 Q. Okay. Um, so you were standing you weren't inside the car you were actually standing.
7 A2. I was about to get, like almost about to get in the car.

8 Q. Okay.
9 A2. I was opening the car and he was like ____ like kind of backed a little bit.

10 Q. Okay.
11 A2. And then that's when I heard like there was yelling, I don't know _____.

12 Q. So, you weren't ins-, so the door wasn't open yet?
13 A2. No it was…

14 Q. You were.
15 A2. …I'm standing opening _____.

16 Q. Okay.
17 A2. That's when I heard.

18 Q. You said you put the soda and stuff in the, in the car.
19 A2. Well, yeah I was like when I was about to open it, the window was down and _____.

20 Q. Oh, okay.
21 A2. Chips and the sodas I just threw and started running.

22 Q. Okay.
23 A2. _____.

24 Q. Okay. All right. Um.
25 A. Did somebody else tell you that Alejandro is good friends with this guy?

26 Q. No, we never knew that.
27 A. Okay. 'Cause I, I, thought that.

28 Q. Wait a minute, I think, it's been a long day, I'm sorry.
29 A. No, that's okay. I just want to follow up on that…

30 Q. Well this is.
31 A. …'cause he says he doesn't know him and that's been consistent…

32 Q. Yeah.
33 A. …and I just want to know that.

1 Q. This is the, this is and totally honest, when we were talking to Victor, Victor said that he
2 didn't know either one of you guys. That he didn't know who either one of you guys are.
3 And that he said that Danny would know who you guys were.
4 A2. Yeah, I know, I know Danny and Victor from like _____.

5 Q. Yeah. And so Victor just told us that the only person I know is Danny. I don't know
6 who these two guys are. Okay. And he said if he can talk to Danny, which we can't right
7 now, that he can give us your information.
8 A2. Mm hm (yes).

9 Q. And I think.
10 A2. I knew Danny, I knew, I knew him from elementary.

11 Q. Yeah.
12 A2. So.

13 Q. Well, when I showed, um, when we went to the hospital we, we met Angel, Danny's
14 brother.
15 A2. Mm hm (yes).

16 Q. And Angel immediately said oh, that's, that's Alejandro.
17 A2. Mm hm (yes).

18 Q. And then he called a friend that gave the picture and gave me your number. And that's
19 how I got a hold, that's how I got a hold of you. So, um, yeah, so Victor's story is not
20 matching at all about how, who he knew or what he did, so...
21 A2. Mm hm (yes).

22 Q. ...so, it's kind of. ____ so back to the, back to the, so that's how we, so that's why
23 we're trying to figure out who he is. So, I there's no reason for me not to believe that you
24 didn't know who he was. I think we need to talk to Victor again _____. Yeah,
25 I'll find out what his story was. Um, just to kind of go back to the car, and, and, and I'm
26 getting to rea-, the reason why this is important, and we'll explain it to you. Is I need to
27 know where Victor was at. And.
28 A. ____ draw a little picture, would that help?

29 Q. Would that help?
30 A2. Where Victor was at, where?

31 Q. In the car.
32 A2. You mean inside the car?

33 Q. No, not inside the car when you guys were coming back to the car and security guards
34 were coming at you and yelling at you guys like security.
35 A2. I didn't see ____.

36 Q. _____.
37 A2. _____ heard and I was like I didn't see, pay attention to nobody really but.

1 Q. Okay.
2 A2. The only reason I know like, uh, Victor was going towards the, the car _____ in the
3 front.

4 Q. Mm hm (yes).
5 A2. So, I think he was working, like working his way into the, the passenger seat.

6 Q. Okay.
7 A2. __ the passenger seat, but I didn't see where Victor got in the car.

8 Q. _____.
9 A2. _____.

10 Q. When, when you took off running. So you didn't see.
11 A2. That's why I didn't know who ran behind me.

12 Q. At any time before you guys even got to the car was there a scuffle or a fight or any
13 hands on where…
14 A2. No.

15 Q. …the guys were like the security guards are grabbing you guys? Or holding on to you
16 or?
17 A2. Um…

18 Q. _____.
19 A2. …_____ I heard them come out and I didn't really like.

20 Q. Okay. About with you, just with you? I don't want you to tell me about any of those
21 other guys.
22 A2. Well, I don't know who ran behind me, like kind of like grabbed me. 'Cause I hit the
23 wire, somebody, I don't know if it was security but they let me go. And I ended up
24 running down the alley.

25 Q. Okay.
26 A. Where did they grab you at?

27 A2. Um, like 'cause I hit my, like the wire like probably like this high, so when I was running
28 like I hit it like that. _____the stomach.

29 Q. Okay.
30 A2. So that was _____ my stomach and then I don't know, but I just like shook out of it
31 and I just like ____ running.

32 Q. And that was after the gunshots?
33 A2. Yeah.

34 Q. Okay.
35 A2. Well, when they started shooting that's when I ran towards the, I tried to run.

1 Q. Okay.
2 A2. And then that's when I hit that wire. And then somebody grabbed me. And then I ran
3 down the alley, ___ shook out of it.

4 Q. Okay.
5 A2. Like the _____or something.

6 Q. Okay. Um.
7 Q2. You never saw them again?

8 A2. The guy that was behind me?

9 Q2. Yeah.
10 A2. I didn't even know _____.

11 Q. That's fine. Um, what I'm trying to get out, is I'm trying to find out if there is one of the
12 security guards was actually wrestling with one, one with one you. The four of you that
13 were there.
14 A2. Mm mm (no).

15 Q. And if you saw it and ____ like grabbing Victor.
16 A2. No.

17 Q. Or.
18 A2. I didn't see none of that.

19 Q. Okay.
20 A2. The only person that I, I seen was somebody was behind me…

21 Q. Okay.
22 A2. …grab me, like they grabbed me or he just ran into me. But let go, so I don't know ____
23 security or.

24 Q. Okay. Um, did you actually see the security guard shoot?
25 A2. No, I was already like _____ I ran into the wire and then I ran in the alley.

26 Q. Okay. So, all you did you just heard everything?
27 A2. Mm hm (yes).

28 Q. Okay. Um, do you, um, did you see either of the security guards?
29 A2. Um, I didn't really, like I just heard everything.

30 Q. Okay.
31 A2. _____.

32 Q. So, would you be able to describe what they were wearing, or?
33 A2. I seen black. Like, like, like when I looked like barely, I seen black and then I ____.

1 Q. Okay.
2 A2. _____ .

3 Q. That's fine.
4 A2. I took off and _____.

5 Q. It's a pretty traumatic experience like, Isabelle was saying. And we've been through
6 those we've been in ___ critical incidents so I know how, how you're feeling and first
7 day, second day, or third day really kind of you're putting all the puzzle pieces together.
8 And it will come together.
9 A2. Mm hm (yes).

10 Q. Clearer and clearer as days go on. So, I completely understand when you say all _____
11 or so, I understand. I, I know that you're telling the truth. All right. Um, and then that's
12 about all, so did, did you, um. So that you just, you didn't even see the car leave or
13 anything, right?
14 A2. Mm mm (no).

15 Q. Okay. I'm.
16 Q2. When, when you came out and you said the car was, Danny was at the vehicle, he, was he
17 backing up, is that what he was doing?
18
19 A2. Danny's like backing up, but that's all, like he backed up a little bit so I don't know if
20 security stopped him, I was already running, so.

21 Q2. Did you remember any, any like any noises from the car, like screeching tires or
22 anything?
23 A2. Uh uh (no).

24 Q2. Like he's trying to get out of there pretty quick or?
25 A2. Not really. I _____.

26 Q2. Okay. And as soon as you went to grab the handle and obviously the car was backing up
27 is that when you heard the gunshots? Or was it.
28 A2. Yeah, when he backed up I think that's when I heard the gunshots.

29 Q2. Do you remember hearing anything before that from anybody as, as far as any words that
30 were said? Uh, it was pretty chaotic I'm sure.
31 A2. I didn't really remember any _____ I was like.

32 Q. Any commands given or any threats or any…
33 A2. _____.

34 Q. …yelling or?
35 A2. (Non verbal response).

36 Q. No. Okay. Um, I think I remember you saying that you did hear him say like security
37 or…

1 A2. Yeah.

2 Q. ...when you first.
3 A2. When I came out of the store...

4 Q. When you first came out of.
5 A2. ..____ security something, something.

6 Q. Okay. All right. Do you guys have any other questions? I, I. Do you want to show him
7 the diagram real quick?
8 Q2. Yeah. I mean obviously this is a _____ but, if you're the, the pumps are here, this is
9 Country Club and then I just put the vehicle is that, um, this is the ramp that you guys ran
10 down? And another, his car is right here. Okay. So, that is correct?

11 A2. And then there's, uh, there's that, that wire right there...

12 Q2. The alley. Oh, okay the alley.
13 A2. Okay this is that car the alley should be like right there.

14 Q. Right behind the Circle K.

15 A2. Yeah.
16 Q. Okay.

17 Q2. So, that's pretty accurate where the vehicle was?
18 A2. Yeah.

19 Q2. And then you guys came, did you go down the ramp? Or do you cut across the ramp to
20 get to the car, do you remember?
21 A2. I went down the ramp.

22 Q2. Okay.
23 A2. I'm pretty sure.

24 Q2. And I know we keep asking one more __ questions, but it's trying to job your memory,
25 um, as far as what happened. Um, all right and then you heard the gunshots. But, by the
26 time you heard the gunshots you were already, you were at the door, and it was back
27 here, or _____.
28 A2. _____. I guess when he, he might have backed up that's when I started,
29 that's when the gunshots and that's when I ran.

30 Q2. Okay.
31 A2. I didn't see the security shoot, but I, I...

32 Q. Okay.
33 A2. ... can hear it. I was _____.

34 A. So, that would mean they were coming...

1 Q. Yeah, they.
2 A. ...towards this side of the car...

3 Q. Right.
4 A. ...towards the driver's side. And you were already on the other side...

5 A2. Yeah, I was already right there.
6 A. ...of the car so you didn't see but right now as far as you can remember you didn't see...

7 A2. I didn't see.
8 A. ...a security guard or hear anything. You just _____.

9 A2. _____.
10 A. _____ the handle and heard the shots.

11 A2. _____yeah, _____ actually look at him, __ anything that looked like
12 _____.

13 Q. And just to be when you finally made it over the, the wire and _____.
14 A2. Well, I didn't make it over the wire I ran into it.

15 Q. Right.
16 A2. I don't know who ran behind me, but like I said, like they, like they ran behind me ___
17 like they ran into me.

18 Q. Mm hm (yes).
19 A2. But, let go of me because I know I shook out of it.

20 Q. Okay.
21 Q2. And that's where I was getting at. So, and then did you hear.

22 A2. I ran into wire and that's when I ran down the alley.

23 Q2. Oh, okay that makes sense. So, when you ran down the alley did you hear anybody
24 pursuing you with footsteps or anything?
25 A2. No.

26 Q2. No, you were all by your lone- _____.
27 A2. Yeah, I was by myself.

28 Q2. Okay.
29 A2. I like wal-, after I ran like half way, I started walking.

30 Q2. Okay.
31 Q. Okay. All right. After you, uh, after you cleared the scene and everything did you try to
32 call Danny on his phone or text him or anything?

33 A2. Um, I tried to call him.

1 Q. Okay. And no an-, and no answer.
2 A2. No answer.

3 Q. Okay. You know it's ____ your statements are really consistent to everything that we've
4 investigated so far. We believe, we also have in that report that one of you guys ran
5 south on Country Club. I'm assuming that's the other.
6 A2. South on Country Club?

7 Q. Yeah, like he was running down around so I. What I'm thinking, I'm just thinking that
8 you ran out and he then he came out and he was, 'cause he was probably by the other
9 door and he followed you.
10 A2. Yeah.

11 Q. And you hit that wire and he hit you, 'cause he was following you.
12 A2. ____.

13 Q. You went one way.
14 A2. _____.

15 Q. Yeah, you went one way and he went the other. And.
16 A2. _____.

17 Q. That's what I'm thinking. And that's and that's what we'll clear that up when we talk to
18 him too. He'll probably have the same story. I ran right into your back. So, um, all
19 right. I, this has been very helpful it helps clears things all up a lot.
20 Q2. And plus the information as far as the hotel that's ____ for us. So we can go to the hotel
21 and look up the names _____ give it to us by ____ and you're pretty confident that
22 _____.
23 A2. Huh?

24 Q2. Are you pretty confident that the number was 2-5 something?
25 A2. Yeah, probably.

26 Q2. Okay. And.
27 A. If you went back to the hotel do you think you could ____ visually?

28 A2. Yeah, probably.
29 A. Or, among a group?

30 A2. Um.
31 A. We can show him like, if you can't that's fine. But, 'cause I don't know ____ hotels
32 have them.

33 A2. Right.

34 Q. ___ go into the hotel we can show him a picture.
35 A. They'll know.

1 Q. And they'll know who checked in.
2 A2. You says _____ Victor, you guys say 'cause I don't want them, you know, like pointing
3 fingers like, you said he don't know me or any ___.

4 Q. No, we'll Victor was very scared. It's understandable that he would not want be
5 completely truthful. No, no it's understandable.
6 Q2. And we're not gonna go in there and go hey, ____ Al-, Alejandro said this about you
7 _____. We just _____ you guys are witnesses you know what I mean. That's our
8 main concern. I mean like we said we could care less about the other peripheral stuff that
9 went on. _____ we're trying to figure out why this guy got shot. And what
10 circumstances surrounded that? 'Cause I mean, uh, 18, 19 year old kid got shot...
11 A2. Mm hm (yes).

12 Q2. ...over a bag of chips and freakin burrito and a soda, you know what I mean. That's
13 what we're trying to figure out. So, that's why obviously we're here and we appreciate
14 your help. Um, the only thing I can add is if you have anything else you remember, oh,
15 they called him this, 'cause this ____ Detective Powell said, any stressful situation three
16 or four days later on, you're gonna sit there and go you're gonna remember a lot more
17 than you did. And that's coming from experience. Um, and getting in that stressful
18 situation. So if you do, um, call your attorney hey, I remember this and she can relay the
19 information as she deems appropriate. And then it just gives us that much more help to
20 find the witness. You know what I mean.
21 A2. _____.

22 Q. Okay, cool.
23 A. I wanted to ask you guys.

24 Q2. Sure.
25 A. He's still upset about his friend can he go to the hospital?

26 Q. Absolutely.
27 A. Where, do you know where he is?

28 Q. He's at the University Medical Center. And he's at the intensive care. He's, uh, I'm not
29 gonna lie, he's in bad shape. Real bad shape. Um, I don't know how responsive he is, he
30 is. He was on a ventilator and being on the ventilator they keep you induced. So, he's,
31 he's totally asleep right now. Until he.
32 A. ____ but if he wanted to, you guys don't have an objection to _____.

33 Q. Oh, absolutely not, no.
34 Q2. You're, you're his friend and you're a witness. I mean that's all there is to it.

35 Q. Um, I'd be careful I might, might call, you know, call his mom, call his family.
36 A2. Mm hm (yes).

37 Q. You don't know how they might be reacting because they, you know, they're thinking
38 that you were there, you might a.
39 A. Caused it.

1 Q. Caused it.
2 A2. Mm hm (yes).

3 Q. You know. Plus they might have a lot anger or jealousy that why my son got hurt and not
4 you. So, there's a whole lot emotions there you just be careful.
5 A2. All right.

6 Q. Okay. But, um, you know, it's a hard thing.
7 A2. Uh huh (yes).

8 Q. But, so that would be my, my concern, talk to somebody talk to Angel or whoever you're
9 closest too with that family.
10 A2. _____.

11 Q. And ask them if it would be okay for you to come and pay your respects too. And, and
12 hopefully they're open to that. That's my own advice that's just.
13 A. That's good, I wouldn't have thought of that _____.

14 Q. 'Cause we do see that, I mean, families all of a sudden.
15 A. Right.

16 Q. They're mad at you too, and you don't need to, it's not even your fault you know. All
17 right.
18 Q2. Another thing too, _____ this conversation never happened. _____.

19 A. Yeah.

20 Q2. _____ he doesn't know any different.
21 Q. Yeah.

22 Q2. _____ obviously, but.

23 A. You're not gonna talk to anybody from that night. If they contact you, you don't take a
24 call.
25 Q. Absolutely.

26 A2. All right.

27 A. You just don't talk to anybody about this case, period. Okay.
28 A2. All right.

29 A. _____.
30 Q2. _____.

31 Q. _____.
32 Q2. _____. The ultimate responsibility of you is you. You know what I
33 mean, so don't, you know, don't give them any _____ and all that. And you take care of

1 yourself until things clear up and then you can start, uh, uh, seeking out those things you
2 _____you kind of miss while this is going on, okay.

3 A2. All right.
4 A. Stay away from it and get close to your family, okay.

5 Q2. Yeah, and you know, we're not gonna be the, uh, _____ sit here and say _____just
6 remember every choice and action that you make you're responsible for it, okay. And
7 just remember that sometimes bad stuff happens. And unfortunately in this case
8 _____just remember what, how one little thing _____ turned into something pretty...
9 A2. Yeah.

10 Q2. ... you know, pretty messed up, you know. And _____ you know what I mean.
11 Q. AND WE'LL, WE'LL CONCLUDE THE INTERVIEW, IT'S, UH, 1623.

12 WITNESS:
13 REVIEWED_____
14 DETECTIVE POWELL, #1405

15 TRANSCRIBED BY:
16 LAURIE L. SOLOFF, JUNE 5, 2009

090603023

STANDARD ARIZONA INVENTORY, AFFIDAVIT AND RETURN OF SEARCH WARRANT

Powell 1405, A PEACE OFFICER OF THE STATE OF ARIZONA,

BEING FIRST DULY SWORN UPON OATH, DEPOSES AND SAYS:

THAT ON THE 9 DAY OF JUNE, 20 09, I EXECUTED THIS SEARCH WARRANT,

09 SW 0598 ISSUED BY JUDGE TERESA GOODY, AND THE FOLLOWING

DESCRIBED PROPERTY WAS SEIZED:

- SEE PROPERTY SHEET -

I FURTHER CERTIFY THAT THE FOREGOING INVENTORY IS A TRUE AND DETAILED ACCOUNT OF ALL THE PROPERTY TAKEN BY ME PURSUANT TO A.R.S. SECTION 13-3921, AND THAT A DETAILED RECEIPT FOR THE PROPERTY TAKEN WAS (GIVEN TO) (LEFT AT):

IN VEHICLE

PIMA COUNTY SHERIFF'S DEPT. JUN 2009 RECORDS UNIT

Powell — DEPUTY SIGNATURE

1405 — BADGE #

THIS WARRANT RETURNED, SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 10th DAY OF June, 20 09

JUDGE, JUSTICE OF THE PEACE, OR MAGISTRATE OF Superior COURT

DISTRIBUTION: WHITE: COURT YELLOW: RECORDS PINK: DETECTIVE GOLDENROD: DEFENDANT/SEARCH SITE

REV. 4/2004

09060302 3

STANDARD ARIZONA DUPLICATE ORIGINAL SEARCH WARRANT
STATE OF ARIZONA

WHICH PROPERTY OR THINGS:

09 SW 0598

( ) WERE STOLEN OR EMBEZZLED

(X) WERE USED AS A MEANS FOR COMMITTING A PUBLIC OFFENSE

(X) IS BEING POSSESSED WITH THE INTENT TO USE IT AS A MEANS OF COMMITTING A PUBLIC OFFENSE

( ) ARE IN THE POSSESSION OF _____ TO WHOM IT WAS DELIVERED FOR THE PURPOSE OF CONCEALING IT OR PREVENTING IT FROM BEING DISCOVERED

(X) CONSISTS OF ANY ITEM OR CONSTITUTES ANY EVIDENCE WHICH TENDS TO SHOW THAT A PUBLIC OFFENSE HAS BEEN COMMITTED, OR TENDS TO SHOW THAT A PARTICULAR PERSON COMMITTED THE PUBLIC OFFENSE

( ) THE PERSON SOUGHT IS THE SUBJECT OF AN OUTSTANDING ARREST WARRANT WHICH OFFENSE OCCURRED ON OR ABOUT THE _____ DAY OF _____, 20 _____ IN THE COUNTY OF PIMA, STATE OF ARIZONA.

(X) IN THE DAYTIME (EXCLUDING THE TIME PERIOD BETWEEN 10:00 P.M. AND 6:30 A.M.)

( ) IN THE NIGHTTIME (GOOD CAUSE THEREFORE HAVING BEEN SHOWN), AND IF YOU FIND THE SAME OR ANY PART THEREOF, TO RETAIN SUCH IN YOUR CUSTODY OR IN THE CUSTODY OF THE AGENCY YOU REPRESENT, AS PROVIDED BY A.R.S. SECTION 13-3920.

RETURN THIS WARRANT TO ME WITHIN THREE (3) COURT BUSINESS DAYS AFTER EXECUTION, AS DIRECTED BY A.R.S. SECTION 13-3918.

GIVEN UNDER MY HAND AND DATED THIS 8 DAY OF JUNE, 20 09

TERESA GODOY
JUDGE, JUSTICE OF THE PEACE, OR MAGISTRATE OF

S. COURT

DATE 6.9.09

TIME 1139

Powell 1405
OFFICER

W CROFT 1488
OFFICER

PCSD 510B DISTRIBUTION: WHITE: COURT YELLOW: RECORDS PINK: DETECTIVE GOLDENROD: DEFENDANT/SEARCH SITE Rev. 08/2006

STANDARD ARIZONA DUPLICATE ORIGINAL SEARCH WARRANT
STATE OF ARIZONA

SERVICE: DATE 6-9-09

TIME 0900

09 PM 10 PM 1:15

NO. 09 SW 0598

COUNTY OF PIMA, STATE OF ARIZONA

TO ANY PEACE OFFICER IN THE STATE OF ARIZONA:

PROOF OF AFFIDAVIT HAVING BEEN MADE THIS DATE BEFORE ME BY DET. POWELL 1405 . I AM SATISFIED THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT:

( ) ON THE PERSON (S) OF

( ) ON THE PREMISES KNOWN AS

(X) LOCATED IN EVIDENCE @ PIMA COUNTY SHERIFF'S DIGITAL RECORDER RED ITEM # CK9

(X) IN THE VEHICLE(S) DESCRIBED AS 1987, FORD, LTD, 4DR, TAN IN COLOR, AZ LIC AEV8812, VIN 2FABP73F8HX137350 CURRENTLY STORED BAY #2 @ PIMA COUNTY EVIDENCE 1600 E BENSON.

IN THE COUNTY OF PIMA, STATE OF ARIZONA, THERE IS NOW BEING POSSESSED OR CONCEALED CERTAIN PROPERTY OR THINGS DESCRIBED AS:

FIREARMS- ANY FIREARMS, BUT NOT LIMITED TO HANDGUNS, RIFLES, MAGAZINES, AMMUNITION, HOLSTERS, GUN CASES, AND ANY ITEMS ASSOCIATED WITH THESE WEAPONS.

MISCELLANEOUS - BOOKS, RECORDS, TELEPHONE RECORDS, RECEIPTS, NOTES, LEDGERS AND OTHER PAPERS RELATING TO THE CRIME, BULLETS, FRAGMENTS, CLOTHING, GUNSHOT RESIDUE, GUNSHOT BLAST PATTERN, STOLEN ITEMS

DNA - ANY PHYSICAL OR BIOLOGICAL MATERIAL, INCLUDING BUT NOT LIMITED TO, BLOOD, FIBERS, FINGERPRINTS, BODY FLUIDS AND ARTICLES OF CLOTHING RELATED TO THIS CRIME.

ELECTRONIC DEVICES - PAGERS, MOBILE PHONES, ELECTRONIC TELEPHONE BOOKS, DIGITAL RECORDING DEVICES AND THE CONTENTS OF THEIR MEMORY AND ANY DIGITAL MESSAGES RECEIVED WHILE IN POSSESSION OF THIS WARRANT.

PIMA COUNTY SHERIFF'S DEPARTMENT
FIELD RELEASED PROPERTY CHAIN OF CUSTODY

Date: 06 03 09	
To: **Records Maintenance Unit**	
From: Powell 1405	
Subject: **PROPERTY RETURNED TO OWNER OR FAMILY MEMBER**	
Case #: 090603023	UCR Code:

This form is to be utilized for the field release of found property, property taken for safekeeping, or property otherwise collected by Department personnel for temporary custody. Items required to be held as evidence, firearms, and/or specialized items **shall not** be field released and **must** be submitted to the Evidence Unit. Supervisor approval should be obtained prior to field releasing any item.

If rightful ownership or authorization for release is not immediately known, or property cannot be field released prior to the end of the shift, items shall be submitted to the Evidence Unit.

Item(s) Photographed? ☒ Yes ☐ No

The below listed property was temporarily held by the Pima County Sheriff's Department. The below signature indicates that the property has been returned to the owner or authorized person.

ITEM #	DESCRIPTION	SERIAL #	REASON
16	WALLET		OWNER
17	KNIFE		/
18	PHONE		

Owner: (Last, First, MI) KANGAS, NICHOLAS EVAN	Person / Firm to Whom Property May be Released: KANGAS, NICHOLAS	
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted]	Work Phone:
Field Release Authorized By: (Name and Badge #) Powell 1405	District / Section / Unit: RAT	Phone: 351-6443

Person Receiving Property: (Print name) NICHOLAS KANGAS

Signature of Person Receiving Property: [signature] Date: 6-3-09

ARIZONA DEPARTMENT OF PUBLIC SAFETY

SCIENTIFIC EXAMINATION REPORT

DR NO. 2009721284

AGENCY Pima County Sheriff's Department
Tucson, AZ 85714
FILE NO. 090603023
OFFICER BIRNBAUM, #1529
DATE July 16, 2009
NAME(S) LINAREZ, VINCENT

ITEMS:

#1. One fingerprint card and inked palm prints bearing the name Vincent Linarez; two latent lift cards

EXAMINATION REQUESTED:

Latent Prints

RESULTS / INTERPRETATIONS:

Two latent print identifications were verified.

PIMA COUNTY SHERIFF'S DEPT.
17 SEP 2009 10 27
RECORDS UNIT

ALICIA PERKINS, #6005
Criminalist
Southern Regional Crime Laboratory
6401 South Tucson Blvd.
Tucson, AZ 85706
(520) 746-4575

CUSTODY OF EVIDENCE

RECEIVED D.P.S. Property

DISPOSITION D.P.S. Property

Accredited by the ASCLD Laboratory Accreditation Board

Any notes, photographs, charts, or graphs generated during the examination are retained in the laboratory.

PIMA COUNTY SHERIFF'S DEPARTMENT

Drawn By	Location:
DEPUTY KEVIN GARDNER #1288	[redacted]S. COUNTRY CLUB
Date Drawn	Incident Date:
6/3/2009	6/3/2009
Scale	Case
1" = 45.77'	090603023

PIMA COUNTY
SHERIFF'S DEPARTMENT
POST SITUATION MAP
CASE #090603023
3845 E. AJO WAY
06/03/09

PIMA COUNTY SHERIFF'S DEPT
-5 JUN 2009 14
RECEIVED

PIMA COUNTY SHERIFF'S DEPARTMENT

Measurement Data Log

File Number	090603023	Scene Measured By	DEPUTY GARDNER
Incident Date/Time	3-Jun-2009 01:55 AM	ID Number (measured by)	1288
Incident Location	3845 S. COUNTRY CLUB ROAD	Scene Assisted By	DEPUTY BERNSTEIN
Date Measured On	3-Jun-2009	ID Number (assisted by)	5680
Weather Description	Clear	Reference Point Description	TELEPHONE POLE #401
Road Description	Asphalt - Dry	Secondary Reference Point	CIRCLE K SIGN
		Visibility Description	Unlimited

Narrative

Point	X	Y	Z	Description	Notes
1	5000.0000	5000.0000	100.0000		
2	5026.4780	4958.1200	100.3736	perimeter	
3	5026.1810	5043.4280	98.4310	perimeter	
4	5009.3720	5043.9030	98.4468	perimeter	
5	5008.4150	5059.0350	98.0327	perimeter	
6	5026.3440	4958.5290	100.3687	perimeter	
7	5003.4110	4958.1890	100.6518	perimeter	
8	4977.3350	4957.6200	101.0731	perimeter	
9	4977.4940	4910.5120	101.3228	perimeter	
10	4978.1060	4908.2650	101.2575	fence	
11	5025.9580	4909.1520	100.3254	fence	
12	5026.5000	4958.4590	100.3077	fence	
13	5024.7890	4946.1790	101.0793	box	
14	5003.5710	4946.0270	100.8247	box	
15	5003.3630	4957.7740	100.5029	box	
16	4999.3200	4958.6110	100.7175	pl1	PARKING LINES
17	4999.5890	4969.9930	99.9609	pl1	
18	4990.8690	4973.4670	100.6115	pl2	PARKING LINES
19	4990.6140	4959.0010	100.8057	pl2	
20	4982.5440	4958.5020	100.9602	pl3	PARKING LINES
21	4982.1040	4973.5000	100.6426	pl3	
22	4977.0920	4973.5630	100.8182	pl3	
23	4976.7880	4961.9070	100.9993	pl3	
24	4967.6220	4958.8320	101.3251	pl4	PARKING LINES
25	4967.4680	4973.7830	100.8028	pl4	

Printed from Fx3

Point	X	Y	Z	Description	Notes
25	4967.4680	4973.7830	100.8028	pl4	
26	4958.3660	4974.1640	100.8254	pl5	PARKING LINES
27	4958.2910	4960.8320	101.2224	pl5	
28	4949.6010	4959.4490	101.3539	pl6	PARKING LINES
29	4949.4760	4973.6960	100.7781	pl6	
30	4940.4540	4973.7920	100.7083	pl7	PARKING LINES
31	4940.5330	4958.2040	100.8615	pl7	
32	4931.3970	4961.2740	101.6761	pl8	PARKING LINES
33	4931.2990	4973.6790	100.7719	pl8	
34	4921.5420	4974.0170	100.8162	pl9	PARKING LINES
35	4921.9920	4959.0420	101.2227	pl9	
36	4913.1130	4959.2010	101.5977	pl10	PARKING LINES
37	4912.9680	4975.0050	100.7936	pl10	
38	4903.4660	4973.4250	100.8162	pl11	PARKING LINES
39	4902.1950	4958.2020	100.9973	pl11	
~~40~~	~~4902.1860~~	~~4975.3590~~	~~100.8234~~	~~pl11~~	
41	4895.7660	4976.8910	100.5977	pl11	
42	4895.7610	4964.2170	100.8178	pl11	
43	4888.4010	4963.4860	100.6833	pl11	
44	4888.1570	4951.0850	100.9025	pl11	
45	4892.9950	4951.0710	101.0167	pl11	
46	4892.9100	4957.0930	100.9842	pl11	
47	4895.9610	4956.5850	100.9665	pl11	
48	4896.0780	4957.6690	100.9241	pl11	
49	4901.9640	4957.8960	101.1344	pl11	
50	4882.7720	4948.4040	100.8703	pl12	PARKING LINES
51	4898.7110	4948.1390	101.3631	pl12	
52	4897.8980	4938.4240	101.2145	pl13	PARKING LINES
53	4884.3600	4937.5940	100.7601	pl13	
54	4882.4530	4927.5380	100.8756	pl14	PARKING LINES
55	4897.2410	4927.7780	101.1571	pl14	
56	4897.0560	4927.5670	101.0984	fence 2	
57	4883.1250	4923.9920	100.8959	fence 2	
58	4880.8460	4910.3880	101.0213	fence 2	
59	4900.7930	4907.2630	101.7079	fence 2	
60	4903.3760	4905.3410	100.9766	fence 2	
61	4883.2170	4907.3820	100.8661	perimeter	
62	4823.2160	4906.4720	99.9031	perimeter	
63	4822.0630	4902.0450	99.8559	perimeter	
64	4823.5720	4881.2450	100.0396	alley	
65	4854.1040	4881.7050	100.5495	alley	
66	4848.6120	4885.5810	100.3051	401 pole	TELEPHONE POLE
67	4804.8010	4901.5300	99.0068	perimeter	
68	4795.7460	4904.9800	98.6994	perimeter	

Printed from Fx3

Point	X	Y	Z	Description	Notes
68	4795.7460	4904.9800	98.6994	perimeter	
69	4792.7260	4907.2640	98.6128	perimeter	
70	4793.0940	4915.7560	99.0534	perimeter	
71	4794.0230	4921.6490	98.5446	perimeter	
72	4807.7070	4922.8230	99.1374	perimeter	
73	4819.3430	4921.5400	99.4120	perimeter	
74	4821.7210	4920.4450	99.6072	perimeter	
75	4822.8820	4903.7110	99.7011	perimeter	
76	4821.6930	4953.6380	99.7371	perimeter	
77	4814.2290	4950.9450	99.3008	perimeter	
78	4793.8720	4953.1960	98.4091	perimeter	
79	4793.4700	4975.7770	98.1328	perimeter	
80	4822.1090	4992.4670	99.6354	perimeter	
81	4792.7730	5007.4300	98.0639	perimeter	
82	4803.6070	5007.0320	98.4045	perimeter	
~~83~~	~~4809.0900~~	~~5008.8300~~	~~98.6138~~	~~perimeter~~	
84	4819.4250	5023.6790	98.7194	perimeter	
85	4829.6750	5036.1740	98.7188	perimeter	
86	4842.1460	5048.8830	98.1030	perimeter	
87	4842.8820	5057.6900	97.4497	perimeter	
88	4824.2280	5058.2120	97.8733	perimeter	
89	4815.4850	5057.0010	97.8769	perimeter	
90	4792.7290	5031.6340	98.1374	perimeter	
91	4792.1830	5024.2640	98.2782	perimeter	
92	4792.5350	5007.4090	98.0544	perimeter	
93	4784.1680	4856.1520	98.0436	o perimeter	
94	4784.3250	4855.5250	98.0593	o perimeter 1	
95	*4784.5250*	*4868.5080*	*98.1295*	*o perimeter 1*	
96	4786.0450	4909.1950	98.3451	o perimeter 2	
97	4785.7980	4921.0430	98.2503	o perimeter 2	
98	4785.6300	4951.8670	98.1072	o perimeter 3	
99	4785.5050	4963.2690	98.5524	o perimeter 3	
100	4785.1210	5007.4730	97.7181	o perimeter 4	
101	4784.7010	5024.5560	97.3441	o perimeter 4	
102	4787.8810	5040.2990	97.3999	o perimeter 4	
103	4796.4300	5053.7970	97.3625	o perimeter 4	
104	4804.7540	5060.4470	97.2677	o perimeter 4	
105	4814.2430	5064.1820	97.1171	o perimeter 4	
106	4840.1680	5065.7850	97.1305	o perimeter 4	
107	4877.2110	5066.4220	97.0567	o perimeter 5	
108	4970.7290	5066.6410	97.1600	o perimeter 5	
109	5009.1350	5066.0850	97.7890	o perimeter 6	
110	5029.8920	5064.9330	98.2398	o perimeter 6	
111	4971.4610	5059.4900	97.4376	perimeter	

Printed from Fx3

Point	X	Y	Z	Description	Notes
111	4971.4610	5059.4900	97.4376	perimeter	
112	4971.6260	5051.9890	97.8986	perimeter	
113	4970.8460	5043.4410	98.4930	perimeter	
114	4876.9270	5042.5120	98.4694	perimeter	
115	4875.1890	5058.2990	97.4927	perimeter	
116	4971.4160	5059.0450	97.4032	perimeter	
117	4927.1590	5060.7330	97.5305	bus	BUS STOP BENCH COVER
118	4917.9810	5062.2030	99.2289	bus	
119	4912.0630	5052.4570	98.4875	bus	
120	4926.5630	5052.9090	97.9507	bus	
121	4937.0210	5023.6310	99.7637	awning per 1	
122	4938.3760	4996.8650	100.3110	awning per 1	
123	4888.2910	4995.3790	100.2325	awning per 1	
124	4887.8900	5021.0880	99.7677	awning per 1	
125	4849.6300	4977.9010	100.0255	awning per 2	
126	4847.6610	4952.8000	99.9645	awning per 2	
127	4823.1700	4953.6280	99.9760	awning per 2	
128	4826.9480	4986.3570	99.8762	awning per 2	
129	4825.1000	5000.8210	99.5688	EVIDENCE PLACARD 13	.45 CALIBER SHELL CASING #2
130	4840.4020	5023.9980	101.9405	k sign	
131	4820.7150	4975.6340	99.8769	EVIDENCE PLACARD 12	.45 CALIBER SHELL CASING
132	4834.1630	4977.4030	99.7591	EVIDENCE PLACARD 18	WALLET
133	4871.7170	4938.5460	100.4484	EVIDENCE PLACARD 7	CIGARETTE BUTT #2
134	4879.3200	4939.1850	100.7309	EVIDENCE PLACARD 6	CIGARETTE BUTT
135	4887.1840	4927.5080	101.1010	EVIDENCE PLACARD 5	INVOICE
136	4892.8160	4927.1150	101.1276	EVIDENCE PLACARD 4	CHEETOS BAG
137	4895.2300	4929.3050	101.1269	EVIDENCE PLACARD 3	HOT DOG BAG
138	4895.4820	4927.8630	101.0613	EVIDENCE PLACARD 2	HOT POCKET
139	4896.1360	4928.2400	101.1079	EVIDENCE PLACARD 1	BEEF/BEEN BURRITO
140	4874.6410	4919.1090	100.6318	EVIDENCE PLACARD 8	MENU
141	4866.8600	4908.7860	100.5081	EVIDENCE PLACARD 9	RED HOT BURRITO
142	4866.6560	4906.6470	100.3913	EVIDENCE PLACARD 10	GREEN CHILI BURRITO
143	4814.0500	4919.6530	99.8585	EVIDENCE PLACARD F	WALMART BAG AND CIRCLE K CUP
144	4831.2820	4954.6880	99.8598	EVIDENCE PLACARD 15	PIECE OF WINDOW GLASS
145	4820.7490	4953.0620	99.6292	aev8812	VICTIMS VEHICLE
146	4815.6540	4950.8040	99.4678	aev8812	VICTIMS VEHICLE
147	4808.6450	4966.3390	99.9648	aev8812	VICTIMS VEHICLE
148	4801.3130	4951.4410	98.6059	EVIDENCE PLACARD 14	.45 CALIBER SHELL CASING #3
149	4797.2920	4940.2180	98.5055	g073fn	PATROL VEHICLE
150	4797.7160	4946.3110	98.5652	g073fn	PATROL VEHICLE
151	4814.7740	4945.2870	99.3474	g073fn	PATROL VEHICLE
152	4814.6030	4940.3150	99.4114	g073fn	PATROL VEHICLE
153	4797.4170	4940.7490	98.4133	g073fn	PATROL VEHICLE

Point	X	Y	Z	Description	Notes
153	4797.4170	4940.7490	98.4133	g073fn	PATROL VEHICLE
154	4831.0730	4954.7630	99.7217	EVIDENCE PLACARD 15	PIECE OF WINDOW GLASS 2ND ATTEMPT
155	4821.2900	4956.2980	99.7726	EVIDENCE PLACARD 11	EMPTY GAUZE PACKAGE
156	4903.8570	4909.5850	104.8090	building	
157	4903.3420	4950.0870	103.1777	building	
158	4971.1130	4965.1290	100.9707	end of building	
159	4977.5570	4910.3970	101.2955	cement	
160	4977.2410	4958.1850	100.8320	cement	
161	4903.2450	4957.6390	101.0879	cement	
162	4903.1790	4956.7580	101.2670	cement	
163	4893.1010	4956.6410	101.0452	cement	
164	4893.4140	4950.9480	101.0347	cement	
165	4903.0470	4951.3610	101.7955	cement	
166	4928.7260	4974.1020	100.7509	abl8821	
167	4923.3220	4974.1720	100.7939	abl8821	
168	4924.0200	4959.1050	101.5062	abl8821	
169	4929.2990	4959.6510	101.0902	abl8821	
170	4915.3140	4958.4240	100.2808	pole1	
171	4910.3190	4958.3150	101.1341	pole2	
172	4905.5880	4957.9920	101.1108	pole3	
173	4897.1720	4957.3550	101.0167	pole4	
174	4898.7050	4946.6440	101.2594	pole5	

FX Raw Data Import

File type: Sokkia SDR31/SDR33 (SDR)

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□
00NMSDR33     V04-01.00 Jun-03-09 05:00 122211
10NM090603023       12
13DU3:US Feet:
13OOOBS
13NMSurvCE Version 2.00
13NMCRD: Alphanumeric
13NMAZ Central NAD83
13NMEquipment: Sokkia GSR
13NMAntenna Type: [] Internal, Vertical
13NMLocalization File: None
13NMGeoid Separation File: None
06NM1.00000000
08KI                15000.00000000   5000.00000000   100.00000000
13NMBase Configuration by Reading GPS Position
13TSJun-03-09 05:01:16
13NMValues are in Decimal Degrees.
13NMLat: 32.177646468080, Lon: -110.925557305410, Elv: 745.82350m
13NMBase Rod Hgt: 5.412
13NMAntenna Type: [] Internal, Vertical
13NMLocalization File: \C_Drive\Data\090603023.loc
13NMNumber of Localization Points Used: 1
13NMLocalization Scale: 1.00000000
13NMLocalization Azimuth: State Plane Grid
13NMBP,PN,LA32.1039527285064463,LN-110.5532006301703604,EL745.8237
03NM5.41200000
08RK                24958.11950000   5026.47790000   100.37360000    perimeter
13NMHRMS:0.049, VRMS:0.048, STATUS:FIXED, SATS:9, PDOP:1.5
08RK                35043.42810000   5026.18130000   98.43100000     perimeter
13NMHRMS:0.052, VRMS:0.095, STATUS:FIXED, SATS:8, PDOP:1.5
08RK                45043.90350000   5009.37140000   98.44680000     perimeter
13NMHRMS:0.053, VRMS:0.063, STATUS:FIXED, SATS:7, PDOP:1.5
08RK                55059.03500000   5008.41460000   98.03270000     perimeter
13NMHRMS:0.046, VRMS:0.082, STATUS:FIXED, SATS:8, PDOP:1.5
08RK                64958.52930000   5026.34390000   100.36870000    perimeter
13NMHRMS:0.049, VRMS:0.049, STATUS:FIXED, SATS:9, PDOP:1.5
08RK                74958.18880000   5003.41090000   100.65180000    perimeter
13NMHRMS:0.049, VRMS:0.049, STATUS:FIXED, SATS:9, PDOP:1.5
08RK                84957.61990000   4977.33550000   101.07310000    perimeter
13NMHRMS:0.054, VRMS:0.068, STATUS:FIXED, SATS:7, PDOP:1.5
08RK                94910.51160000   4977.49350000   101.32280000    perimeter
13NMHRMS:0.051, VRMS:0.055, STATUS:FIXED, SATS:8, PDOP:1.5
08RK               104908.26490000   4978.10660000   101.25750000    fence
13NMHRMS:0.045, VRMS:0.077, STATUS:FIXED, SATS:9, PDOP:1.5
08RK               114909.15240000   5025.95810000   100.32540000    fence
13NMHRMS:0.042, VRMS:0.073, STATUS:FIXED, SATS:9, PDOP:1.5
08RK               124958.45950000   5026.50050000   100.30770000    fence
13NMHRMS:0.041, VRMS:0.069, STATUS:FIXED, SATS:10, PDOP:1.5
08RK               134946.17850000   5024.78860000   101.07930000    box
13NMHRMS:0.041, VRMS:0.069, STATUS:FIXED, SATS:10, PDOP:1.5
08RK               144946.02690000   5003.57070000   100.82470000    box
```

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08RK              144946.02690000   5003.57070000   100.82470000    box
13NMHRMS:0.041, VRMS:0.069, STATUS:FIXED, SATS:10, PDOP:1.5
08RK              154957.77380000   5003.36320000   100.50290000    box
13NMHRMS:0.042, VRMS:0.082, STATUS:FIXED, SATS:9, PDOP:1.5
08RK              164958.61150000   4999.31970000   100.71750000    p11
13NMHRMS:0.045, VRMS:0.077, STATUS:FIXED, SATS:9, PDOP:1.5
08RK              174969.99290000   4999.58870000   99.96090000     p11
13NMHRMS:0.046, VRMS:0.095, STATUS:FIXED, SATS:8, PDOP:1.5
08RK              184973.46730000   4990.86910000   100.61150000    p12
13NMHRMS:0.051, VRMS:0.057, STATUS:FIXED, SATS:8, PDOP:1.5
08RK              194959.00130000   4990.61390000   100.80570000    p12
13NMHRMS:0.051, VRMS:0.057, STATUS:FIXED, SATS:8, PDOP:1.5
08RK              204958.50180000   4982.54460000   100.96020000    p13
13NMHRMS:0.047, VRMS:0.087, STATUS:FIXED, SATS:8, PDOP:1.5
08RK              214973.50020000   4982.10370000   100.64260000    p13
13NMHRMS:0.049, VRMS:0.149, STATUS:FIXED, SATS:6, PDOP:1.5
08RK              224973.56350000   4977.09170000   100.81820000    p13
13NMHRMS:0.046, VRMS:0.109, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              234961.90680000   4976.78780000   100.99930000    p13
13NMHRMS:0.048, VRMS:0.103, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              244958.83190000   4967.62210000   101.32510000    p14
13NMHRMS:0.079, VRMS:0.128, STATUS:FIXED, SATS:6, PDOP:1.5
08RK              254973.78270000   4967.46830000   100.80280000    p14
13NMHRMS:0.052, VRMS:0.198, STATUS:FIXED, SATS:5, PDOP:1.5
08RK              264974.16380000   4958.36560000   100.82540000    p15
13NMHRMS:0.040, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK              274960.83180000   4958.29040000   101.22240000    p15
13NMHRMS:0.055, VRMS:0.073, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              284959.44910000   4949.60080000   101.35390000    p16
13NMHRMS:0.071, VRMS:0.180, STATUS:FIXED, SATS:6, PDOP:1.5
08RK              294973.69590000   4949.47630000   100.77810000    p16
13NMHRMS:0.052, VRMS:0.199, STATUS:FIXED, SATS:5, PDOP:1.5
08RK              304973.79250000   4940.45410000   100.70830000    p17
13NMHRMS:0.046, VRMS:0.101, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              314958.20390000   4940.53250000   100.86150000    p17
13NMHRMS:0.050, VRMS:0.116, STATUS:FIXED, SATS:6, PDOP:1.5
08RK              324961.27410000   4931.39730000   101.67610000    p18
13NMHRMS:0.670, VRMS:0.707, STATUS:FLOAT, SATS:6, PDOP:1.5
08RK              334973.67870000   4931.29880000   100.77190000    p18
13NMHRMS:0.068, VRMS:0.143, STATUS:FIXED, SATS:5, PDOP:1.5
08RK              344974.01680000   4921.54130000   100.81620000    p19
13NMHRMS:0.044, VRMS:0.111, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              354959.04190000   4921.99190000   101.22270000    p19
13NMHRMS:0.067, VRMS:0.116, STATUS:FIXED, SATS:6, PDOP:1.5
08RK              364959.20140000   4913.11330000   101.59770000    p110
13NMHRMS:0.107, VRMS:0.226, STATUS:FIXED, SATS:5, PDOP:1.5
08RK              374975.00530000   4912.96820000   100.79360000    p110
13NMHRMS:0.047, VRMS:0.149, STATUS:FIXED, SATS:6, PDOP:1.5
08RK              384973.42510000   4903.46650000   100.81620000    p111
13NMHRMS:0.053, VRMS:0.073, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              394958.20180000   4902.19480000   100.99730000    p111
13NMHRMS:0.057, VRMS:0.083, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              404975.35900000   4902.18550000   100.82340000    p111
13NMHRMS:0.057, VRMS:0.083, STATUS:FIXED, SATS:7, PDOP:1.5
08RK              414976.89130000   4895.76630000   100.59770000    p111
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
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13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            424964.21690000   4895.76120000   100.81780000    pl11
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            434963.48610000   4888.40150000   100.68330000    pl11
13NMHRMS:0.053, VRMS:0.074, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            444951.08480000   4888.15700000   100.90250000    pl11
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            454951.07060000   4892.99450000   101.01670000    pl11
13NMHRMS:0.050, VRMS:0.063, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            464957.09320000   4892.90980000   100.98420000    pl11
13NMHRMS:0.050, VRMS:0.063, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            474956.58510000   4895.96120000   100.96650000    pl11
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            484957.66920000   4896.07800000   100.92410000    pl11
13NMHRMS:0.050, VRMS:0.063, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            494957.89650000   4901.96450000   101.13440000    pl11
13NMHRMS:0.050, VRMS:0.063, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            504948.40410000   4882.77180000   100.87030000    pl12
13NMHRMS:0.053, VRMS:0.074, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            514948.13850000   4898.71090000   101.36310000    pl12
13NMHRMS:0.060, VRMS:0.076, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            524938.42420000   4897.89810000   101.21450000    pl13
13NMHRMS:0.060, VRMS:0.138, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            534937.59380000   4884.35990000   100.76010000    pl13
13NMHRMS:0.061, VRMS:0.101, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            544927.53800000   4882.45260000   100.87560000    pl14
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            554927.77770000   4897.24060000   101.15710000    pl14
13NMHRMS:0.056, VRMS:0.116, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            564927.56680000   4897.05630000   101.09840000    fence 2
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            574923.99210000   4883.12440000   100.89590000    fence 2
13NMHRMS:0.043, VRMS:0.114, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            584910.38790000   4880.84550000   101.02130000    fence 2
13NMHRMS:0.049, VRMS:0.064, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            594907.26290000   4900.79300000   101.70790000    fence 2
13NMHRMS:0.052, VRMS:0.070, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            604905.34150000   4903.37610000   100.97660000    fence 2
13NMHRMS:0.043, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            614907.38200000   4883.21720000   100.86610000    perimeter
13NMHRMS:0.043, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            624906.47180000   4823.21610000   99.90310000     perimeter
13NMHRMS:0.047, VRMS:0.164, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            634902.04500000   4822.06270000   99.85590000     perimeter
13NMHRMS:0.051, VRMS:0.071, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            644881.24510000   4823.57190000   100.03960000    alley
13NMHRMS:0.049, VRMS:0.066, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            654881.70530000   4854.10460000   100.54950000    alley
13NMHRMS:0.066, VRMS:0.127, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            664885.58110000   4848.61180000   100.30510000    401 pole
13NMHRMS:0.047, VRMS:0.169, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            674901.53040000   4804.80150000   99.00680000     perimeter
13NMHRMS:0.061, VRMS:0.082, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            684904.98000000   4795.74600000   98.69940000     perimeter
13NMHRMS:0.042, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            694907.26430000   4792.72600000   98.61280000     perimeter
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08RK 694907.26430000 4792.72600000 98.61280000 perimeter
13NMHRMS:0.042, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 704915.75650000 4793.09420000 99.05340000 perimeter
13NMHRMS:0.068, VRMS:0.092, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 714921.64880000 4794.02280000 98.54460000 perimeter
13NMHRMS:0.051, VRMS:0.072, STATUS:FIXED, SATS:7, PDOP:1.5
08RK 724922.82280000 4807.70630000 99.13740000 perimeter
13NMHRMS:0.056, VRMS:0.089, STATUS:FIXED, SATS:7, PDOP:1.5
08RK 734921.53940000 4819.34280000 99.41200000 perimeter
13NMHRMS:0.056, VRMS:0.089, STATUS:FIXED, SATS:7, PDOP:1.5
08RK 744920.44460000 4821.72120000 99.60720000 perimeter
13NMHRMS:0.042, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 754903.71140000 4822.88160000 99.70110000 perimeter
13NMHRMS:0.076, VRMS:0.132, STATUS:FIXED, SATS:5, PDOP:1.5
08RK 764953.63820000 4821.69360000 99.73710000 perimeter
13NMHRMS:0.064, VRMS:0.097, STATUS:FIXED, SATS:6, PDOP:1.5
08RK 774950.94510000 4814.22940000 99.30080000 perimeter
13NMHRMS:0.043, VRMS:0.117, STATUS:FIXED, SATS:7, PDOP:1.5
08RK 784953.19590000 4793.87190000 98.40910000 perimeter
13NMHRMS:0.056, VRMS:0.101, STATUS:FIXED, SATS:6, PDOP:1.5
08RK 794975.77750000 4793.47020000 98.13280000 perimeter
13NMHRMS:0.056, VRMS:0.079, STATUS:FIXED, SATS:7, PDOP:1.5
08RK 804992.46750000 4822.10930000 99.63540000 perimeter
13NMHRMS:0.042, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 815007.42960000 4792.77360000 98.06390000 perimeter
13NMHRMS:0.049, VRMS:0.070, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 825007.03180000 4803.60700000 98.40450000 perimeter
13NMHRMS:0.049, VRMS:0.070, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 835008.82970000 4809.09040000 98.61380000 perimeter
13NMHRMS:0.042, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 845023.67860000 4819.42510000 98.71940000 perimeter
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 855036.17440000 4829.67480000 98.71880000 perimeter
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 865048.88320000 4842.14600000 98.10300000 perimeter
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 875057.69020000 4842.88170000 97.44970000 perimeter
13NMHRMS:0.050, VRMS:0.076, STATUS:FIXED, SATS:7, PDOP:1.5
08RK 885058.21240000 4824.22750000 97.87330000 perimeter
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 895057.00110000 4815.48540000 97.87690000 perimeter
13NMHRMS:0.049, VRMS:0.071, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 905031.63370000 4792.72960000 98.13740000 perimeter
13NMHRMS:0.049, VRMS:0.071, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 915024.26370000 4792.18290000 98.27820000 perimeter
13NMHRMS:0.049, VRMS:0.071, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 925007.40850000 4792.53500000 98.05440000 perimeter
13NMHRMS:0.049, VRMS:0.071, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 934856.15250000 4784.16830000 98.04360000 o perimeter
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 944855.52520000 4784.32450000 98.05930000 o perimeter 1
13NMHRMS:0.048, VRMS:0.073, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 954868.50850000 4784.52470000 98.12950000 o perimeter 1
13NMHRMS:0.048, VRMS:0.073, STATUS:FIXED, SATS:8, PDOP:1.5
08RK 964909.19540000 4786.04470000 98.34510000 o perimeter 2
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5

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13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            974921.04300000   4785.79850000   98.25030000     o perimeter 2
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            984951.86690000   4785.63060000   98.10720000     o perimeter 3
13NMHRMS:0.048, VRMS:0.073, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            994963.26860000   4785.50510000   98.55240000     o perimeter 3
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1005007.47310000   4785.12050000   97.71810000     o perimeter 4
13NMHRMS:0.048, VRMS:0.073, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1015024.55590000   4784.70070000   97.34410000     o perimeter 4
13NMHRMS:0.048, VRMS:0.074, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1025040.29930000   4787.88070000   97.39990000     o perimeter 4
13NMHRMS:0.048, VRMS:0.074, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1035053.79760000   4796.42970000   97.36250000     o perimeter 4
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1045060.44740000   4804.75390000   97.26770000     o perimeter 4
13NMHRMS:0.054, VRMS:0.096, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1055064.18210000   4814.24280000   97.11710000     o perimeter 4
13NMHRMS:0.042, VRMS:0.091, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1065065.78510000   4840.16820000   97.13050000     o perimeter 4
13NMHRMS:0.048, VRMS:0.075, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1075066.42220000   4877.21070000   97.05670000     o perimeter 5
13NMHRMS:0.048, VRMS:0.075, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1085066.64080000   4970.72930000   97.16000000     o perimeter 5
13NMHRMS:0.062, VRMS:0.139, STATUS:FIXED, SATS:6, PDOP:1.5
08RK           1095066.08550000   5009.13540000   97.78900000     o perimeter 6
13NMHRMS:0.042, VRMS:0.092, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1105064.93300000   5029.89160000   98.23980000     o perimeter 6
13NMHRMS:0.048, VRMS:0.076, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1115059.49030000   4971.46090000   97.43760000     perimeter
13NMHRMS:0.058, VRMS:0.098, STATUS:FIXED, SATS:6, PDOP:1.5
08RK           1125051.98880000   4971.62630000   97.89860000     perimeter
13NMHRMS:0.042, VRMS:0.092, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1135043.44100000   4970.84550000   98.49300000     perimeter
13NMHRMS:0.042, VRMS:0.123, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1145042.51210000   4876.92680000   98.46940000     perimeter
13NMHRMS:0.048, VRMS:0.077, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1155058.29900000   4875.18900000   97.49270000     perimeter
13NMHRMS:0.048, VRMS:0.078, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1165059.04500000   4971.41590000   97.40320000     perimeter
13NMHRMS:0.045, VRMS:0.108, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1175060.73360000   4927.15870000   97.53050000     bus
13NMHRMS:0.073, VRMS:0.129, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1185062.20300000   4917.98090000   99.22890000     bus
13NMHRMS:0.060, VRMS:0.141, STATUS:FIXED, SATS:6, PDOP:1.5
08RK           1195052.45670000   4912.06280000   98.48750000     bus
13NMHRMS:0.042, VRMS:0.092, STATUS:FIXED, SATS:8, PDOP:1.5
08RK           1205052.90920000   4926.56270000   97.95070000     bus
13NMHRMS:0.097, VRMS:0.156, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1215023.63100000   4937.02050000   99.76370000     awning per 1
13NMHRMS:0.057, VRMS:0.137, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1224996.86520000   4938.37610000   100.31100000    awning per 1
13NMHRMS:0.048, VRMS:0.090, STATUS:FIXED, SATS:7, PDOP:1.5
08RK           1234995.37960000   4888.29030000   100.23250000    awning per 1
13NMHRMS:0.048, VRMS:0.130, STATUS:FIXED, SATS:6, PDOP:1.5
08RK           1245021.08860000   4887.89020000   99.76770000     awning per 1
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08RK            1245021.08860000   4887.89020000   99.76770000     awning per 1
13NMHRMS:0.102, VRMS:0.166, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            1254977.90120000   4849.63020000   100.02550000    awning per 2
13NMHRMS:0.051, VRMS:0.105, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1264952.80040000   4847.66050000   99.96450000     awning per 2
13NMHRMS:0.062, VRMS:0.121, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1274953.62770000   4823.17000000   99.97600000     awning per 2
13NMHRMS:0.054, VRMS:0.095, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1284986.35700000   4826.94790000   99.87620000     awning per 2
13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1295000.82120000   4825.10000000   99.56880000     13
13NMHRMS:0.047, VRMS:0.087, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1305023.99750000   4840.40190000   101.94050000    k sign
13NMHRMS:0.048, VRMS:0.099, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1314975.63410000   4820.71510000   99.87690000     12
13NMHRMS:0.076, VRMS:0.166, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            1324977.40290000   4834.16270000   99.75910000     18
13NMHRMS:0.098, VRMS:0.139, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            1334938.54660000   4871.71740000   100.44840000    7
13NMHRMS:0.043, VRMS:0.132, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1344939.18470000   4879.32020000   100.73090000    6
13NMHRMS:0.045, VRMS:0.095, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1354927.50850000   4887.18420000   101.10100000    5
13NMHRMS:0.042, VRMS:0.093, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1364927.11520000   4892.81610000   101.12760000    4
13NMHRMS:0.045, VRMS:0.095, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1374929.30530000   4895.23040000   101.12690000    3
13NMHRMS:0.045, VRMS:0.095, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1384927.86260000   4895.48210000   101.06130000    2
13NMHRMS:0.042, VRMS:0.093, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1394928.23980000   4896.13610000   101.10790000    1
13NMHRMS:0.044, VRMS:0.089, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1404919.10900000   4874.64110000   100.63180000    8
13NMHRMS:0.069, VRMS:0.278, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1414908.78600000   4866.86010000   100.50810000    9
13NMHRMS:0.044, VRMS:0.095, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1424906.64710000   4866.65620000   100.39130000    10
13NMHRMS:0.042, VRMS:0.093, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1434919.65310000   4814.04970000   99.85850000     f
13NMHRMS:0.064, VRMS:0.124, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1444954.68760000   4831.28180000   99.85980000     15
13NMHRMS:0.131, VRMS:0.093, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            1454953.06140000   4820.74860000   99.62920000     aev8812
13NMHRMS:0.050, VRMS:0.086, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1464950.80350000   4815.65400000   99.46780000     aev8812
13NMHRMS:0.047, VRMS:0.086, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1474966.33880000   4808.64480000   99.96480000     aev8812
13NMHRMS:0.046, VRMS:0.098, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1484951.44090000   4801.31300000   98.60590000     14
13NMHRMS:0.047, VRMS:0.086, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1494940.21780000   4797.29180000   98.50550000     g073fn
13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1504946.31090000   4797.71610000   98.56520000     g073fn
13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1514945.28640000   4814.77380000   99.34740000     g073fn
13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
```

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13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1524940.31510000   4814.60320000   99.41140000     g073fn
13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1534940.74910000   4797.41630000   98.41330000     g073fn
13NMHRMS:0.047, VRMS:0.085, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1544954.76290000   4831.07310000   99.72170000     15
13NMHRMS:0.133, VRMS:0.130, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            1554956.29810000   4821.28960000   99.77260000     11
13NMHRMS:0.062, VRMS:0.091, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1564909.58530000   4903.85740000   104.80900000    building
13NMHRMS:0.047, VRMS:0.084, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1574950.08670000   4903.34180000   103.17770000    building
13NMHRMS:0.081, VRMS:0.154, STATUS:FIXED, SATS:4, PDOP:1.5
08RK            1584965.12920000   4971.11270000   100.97070000    end of building
13NMHRMS:0.051, VRMS:0.126, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1594910.39710000   4977.55700000   101.29550000    cement
13NMHRMS:0.046, VRMS:0.131, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1604958.18480000   4977.24140000   100.83200000    cement
13NMHRMS:0.082, VRMS:0.443, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1614957.63930000   4903.24460000   101.08790000    cement
13NMHRMS:0.059, VRMS:0.082, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1624956.75800000   4903.17920000   101.26700000    cement
13NMHRMS:0.076, VRMS:0.101, STATUS:FIXED, SATS:6, PDOP:1.5
08RK            1634956.64120000   4893.10050000   101.04520000    cement
13NMHRMS:0.086, VRMS:0.082, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1644950.94800000   4893.41350000   101.03470000    cement
13NMHRMS:0.048, VRMS:0.081, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1654951.36060000   4903.04740000   101.79550000    cement
13NMHRMS:0.079, VRMS:0.154, STATUS:FIXED, SATS:5, PDOP:1.5
08RK            1664974.10220000   4928.72560000   100.75090000    abl8821
13NMHRMS:0.043, VRMS:0.090, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1674974.17250000   4923.32200000   100.79390000    abl8821
13NMHRMS:0.048, VRMS:0.081, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1684959.10520000   4924.01960000   101.50620000    abl8821
13NMHRMS:0.059, VRMS:0.081, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1694959.65080000   4929.29910000   101.09020000    abl8821
13NMHRMS:0.050, VRMS:0.084, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1704958.42370000   4915.31450000   100.28080000    pole1
13NMHRMS:0.049, VRMS:0.082, STATUS:FIXED, SATS:9, PDOP:1.5
08RK            1714958.31540000   4910.31950000   101.13410000    pole2
13NMHRMS:0.046, VRMS:0.068, STATUS:FIXED, SATS:9, PDOP:1.5
08RK            1724957.99210000   4905.58860000   101.11080000    pole3
13NMHRMS:0.048, VRMS:0.081, STATUS:FIXED, SATS:8, PDOP:1.5
08RK            1734957.35540000   4897.17250000   101.01670000    pole4
13NMHRMS:0.047, VRMS:0.130, STATUS:FIXED, SATS:7, PDOP:1.5
08RK            1744946.64400000   4898.70500000   101.25940000    pole5
13NMHRMS:0.086, VRMS:0.149, STATUS:FIXED, SATS:7, PDOP:1.5
□00000
□00000
□00000
```

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 0023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 04.02
Form #: _____ Of _____

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Evaluated: _____ # Envelopes: _____ # Paper Bags: _____ # Boxes: _____ # Other (Specify): _____
Received by: _____ Time: _____ Date: _____

Please Print Entire Form Clearly

Location Data	Location Found: 1600 E Benson Hwy	Received by Deputy (Name & Badge): Powell 1405	Date: 6·9·09	Time: 1715
Placed into evidence by (Name & Badge): Powell 1405	Time: 1520	Date: 6·9·09	District: [redacted]	Locker #: 7
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #:		District/CID Unit:		Business Phone:
Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:	City:	State:	Zip:
Victim	Last Name:	First Name:	Middle Name:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EVI	VBS				Victim Bloody Shirt

Pima County Sheriff's Dept.
Inc# 090603023 VBS
SHIRT, 090610017

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Custody					
Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
VB5	[illegible] 418	Fowell 1405	Drying Room	06/10/09	0830
VB5	Fowell 1405	[illegible] 4599	Control	06/12/09	1115

Remarks:

Drug Package Weight – For Evidence Tracking Use Only – Approximate net weight of package including contents				
Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

1360 09/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

Date: 2/12/10

To:

From: Farell 1405

Subject: DISPOSITION OF PROPERTY, WEAPONS, V

Case #: 09060302 3

The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: If these items are to be retained

It is your responsibility to contact appropriate personnel, such as: Ca
the lower portion of this form. Return completed form to Property &

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 09060302 3	Case/Incident: SHOPLIFTING
Owner's Name: (Last, First, MI) DEBOM, PATRICK	Person/Firm to Whom Property May be Released: DEBOM, PATRICK
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Farell 1405 / Assigned Unit: PAT	Phone: 6943 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE PRIOR TO RELEASE.

Signature of person authorizing release: 1405

Date: 20

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. Farell Hammel

PH: ACTIONS: O-Return to Other Agency / O-Other (SPECIFY)

CK 28:	DRIVERS LICENSE	[redacted]
UMCH:	AMOCAS CARD	
PL 20:	KEYS ON LANYARD	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: Farell Hammel

Released By: [signature] # 1818 Date: 02/26/10

PCSD 1330 Rev. 03/2007

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 02/26/10

Postmark Here: MAILED

7008 2810 0001 6549 7409

Sent To: PATRICK BROOM
Street, Apt. No.; or PO Box No.: 15 CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ. 8570

PS Form 3800, August 2006 See Reverse for Instructions

Pima County Sheriff's Dept
Inc# 090603023 CK20

090603067

DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UMC4

090603080

WPD, AHLCLS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047

REF, ON H LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

PL3 :	HOT DOG BAG			
PL5 :	INVOICE			
PL6 :	C/G. BUT			
PL7 :	C/G BUT #2			
PL8 :	MENU			
PL A :	GAUZE PAD			
PL B :	GAUZE ROLL			
PL E :	AMY PM CUP			
PL G :	BULLET FRAG FROM PAS SEAT			
UNC 1 :	SPIDERMAN BOXER SHORTS			
UNC 2 :	BLACK PICKLED STEAK WRAPPER			
PL 11 :	EMPTY GAUZE PACKAGE			
PL 12 :	.45 SHELL CASING			
PL 13 :	" " #2			
PL 14 :	" " #3			
PL 15 :	PIECE OF WINDOW GLASS			
PL 19 :	GAUZE W/ BLOOD			
PL 1 :	BEEF & BEAN BURRITO			
PL 2 :	HOT POCKET WRAPPER			
PL 4 :	CHEETOS BAG			
PL 9 :	RED HOT BURRITO WRAPPER			
PL 10 :	GREEN CHILI BURRITO			
TEL :	TEST FIRE EXPENDED CASINGS			
UNC 5 :	5 - $1 BILL = $5.00			
UNC 6 :	2 - DIMES = $.10			
VBS :	VICTIM BLOOD SHEET			
RPG :	MEDICAL RECORDS			

[redacted]

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [signature]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [signature]
RELEASED BY:
DATE:

PCSD 1330A

REV. 04/00

1518 02/26/10

Pima County Sheriff's Dept
Inc# 090603023 PL3
090603008
MISC. FOUD BAG

Pima County Sheriff's Dept
Inc# 090603023 UMC1
090603077
SHORTS. W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC. FOUD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
MPNICE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
SHRTS. W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC. ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC. CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PL10
090603015
ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
ASING.

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
ASING, TEST FIRE EXPEL

Pima County Sheriff's Dept
Inc# 090603023 PL8
090603013
MISC. MENU

Pima County Sheriff's Dept.
Inc# 090603023 PL13
090603018
ASING.

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US. MONEY

Pima County Sheriff's Dept.
Inc# 090603023 PL14
090603044
ASING. 45 CAL #3

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US. MONEY

Pima County Sheriff's Dept.
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS. PIECE, WINDOW

Pima County Sheriff's Dept
Inc# 090603023 UBS
090610017
HIPT.

Pima County Sheriff's Dept
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept.
Inc# 090603023 PLE
090603052
HP. AMPH

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOUD PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0412
Form #: _____ Of _____

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Location(s): Z-5 S1 / 2 # Envelopes
Paper Bags
Boxes
Other (Specify)
Received By: Date: 060309

Please Print Entire Form Clearly

Location Data	Location Found: UMC	Received by Deputy (Name & Badge): GIERON 1255	Date: 060309	Time: 0330
Placed into evidence by (Name & Badge): GIERON 1255	Time: 0915	Date: 060309	District: DRECP	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #: POWELL 1405		District/CID Unit: RAT		Business Phone: 3516443

Owner	Last Name / Business: TARANGO	First Name: DANIEL	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:			City:	State:	Zip:
Victim	Last Name:	First Name:		Middle Name:		
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EVI	UMC5	3		RELEASED	1 DOLLAR BILLS/1x3=3.00
EVI	UMC5	2		RELEASED	NICKLES 2x5=0.10
					TOTAL 3.10

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US, MONEY

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US, MONEY

Distribution: White – Evidence Bl ty
PCSD 1301 /2005

Evidence Control Log					
Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Drug Package Weight – For Evidence Technician Use Only Approximate total weight of package including contents				
Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

1350 02/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

Date: 2/12/10

To:

From: Powell 1405

Subject: DISPOSITION OF PROPERTY, WEAPONS, V

Case #: 090603023

The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: _____ If these items are to be retained

It is your responsibility to contact appropriate personnel, such as, Co
the lower portion of this form. Return completed form to Property & E

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		MAILED
Total Postage & Fees	$ 02/16/10	

7008 2810 0001 6549 7909

Sent To: PATRICK BROOM
Street, Apt. No.; or PO Box No.: 15 CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ, 85701

PS Form 3800, August 2006 See Reverse for Instructions

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 090603023	Crime/Incident: SHOOTING
Owner's Name: (Last, First, MI) BROOM, PATRICK	Person/Firm to Whom Property May be Released: BROOM, PATRICK
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: RAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/or firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: _____ 1405

Don _____ 20 ___

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. _____

UCTIONS:
PH... DA-Return to Other Agency / O-Other (SPECIFY)

CK28	Drivers License Forwarded	
UMC4	Knives Check	[redacted]
PL20	Keys on Lanyard	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: _____

Released By: _____ # 1405 Date: 02/26/10

1318

PCSD 1330 Rev. 03/2007

Pima County Sheriff's Dept
Inc# 090603023 CK28

090603067

DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UMC4

090603080

WAPD, AHCCS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047

PTY. ON A LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

ITEM	DESCRIPTION			
PL3 :	HOT DOG BAG	[redacted]	[redacted]	
PL5 :	INVOICE			
PL6 :	CIG BUTT			
PL7 :	CIG BUTT #2			
PL8 :	MENU			
PL A :	GAUZE PAD			
PL B :	GAUZE PAD			
PL E :	AM/PM CUP			
PL G :	BULLET FRAG FROM PRIS SEAT			
UNC1 :	SPECIMEN BOXES SHEETS			
UNC2 :	BLACK DICKIES SHIRT W/BLOOD			
PL11 :	EMORY GAUZE PACKAGE			
PL12 :	.45 SHELL CASING			
PL13 :	" " #2			
PL14 :	" " #3			
PL15 :	PIECE OF WOOD BLOCK			
PL19 :	GAUZE W/ BLOOD			
PL1 :	BEEF & BEAN BURRITO			
PL2 :	HOT POCKET WRAPPER			
PL4 :	CHEETOS BAG			
PL9 :	RED HOT BURRITO WRAPPER			
PL10 :	GREEN CHILE BURRITO			
TF1 :	TEST FIRE EXPIRED CHARGE			
UNC5 :	2 - $1 BILL = $2.00			
UNC6 :	2 - NICKELS = $.10			
VBS :	VICTIM BLOODY SHIRT			
RPG :	MEDICAL RECORDS			

[redacted]

RECEIVED BY: [illegible]
RELEASED BY: [illegible]
DATE: 1/26/10 # 5106

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY.

RECEIVED BY: [illegible]
RELEASED BY: [illegible]
DATE: 1/26/10

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [illegible]

RCSD 1330 A

REV. 04/00

Pima County Sheriff's Dept
Inc# 090603023 PL3
090603008
MISC. FOOD BAG

Pima County Sheriff's Dept
Inc# 090603023 UMC1
090603077
SHORTS. W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC. FOOD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
MIRRICE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
SHIRTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC. ITEMS, UNBURNT

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC. CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PL10
090603015
MISC. ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
CASING.

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
CASING, TEST FIRE EXPEL

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
MISC. CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PL13
090603018
CASING,

Pima County Sheriff's Dept
Inc# 090603023 PL8
090603013
MISC. MEMO

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US. MONEY

Pima County Sheriff's Dept.
Inc# 090603023 PL14
090603044
CASING. 45 CAL #3

Pima County Sheriff's Dept
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL16
090603045
GLASS. PIECE, WINDOW

Pima County Sheriff's Dept.
Inc# 090603023 VBS
090610017
HIPT.

Pima County Sheriff's Dept
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept.
Inc# 090603023 PLE
090603052
MIP. AM/MM

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOOD PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0412
Form #: _____ Of _____

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Location: 1255 TS
Envelopes: 2
Paper Bags:
Boxes:
Other (Specify):
Received By: RS Staff
Time: 09/5 Date: 060309

Please Print Entire Form Clearly

Location Data	Location Found: UMC	Received by Deputy (Name & Badge): GIERON 1255		Date: 060309	Time: 0330
Placed into evidence by (Name & Badge): GIERON 1255		Time: 09/5	Date: 060309	District: DIRECT	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):			Telephone #:
Case Deputy / Badge #: POWELL 1405			District/CID Unit: RAT		Business Phone: 3516443
Owner	Last Name / Business: TARANGO	First Name: DANIEL	M.I.:	D.O.B.:	Home Phone: / Business Phone:
	Street Address:		City:	State:	Zip:
Victim	Last Name:	First Name:		Middle Name:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:
FREEZE ITEMS: UMC1
UMC2

[redacted]

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

	Type	Item	Qty	Disp	Serial Number	Description
P.	EVI	UMC1	1	RELEASED		SPIDERMAN BOXER SHORTS W/BLOOD
P.	EVI	UMC2	1	RELEASED		BLACK DICKIES SHORTS W/BLOOD
E	EVI	UMC3	1	RELEASED		BLACK NOKIA CELL PHONE
E	EVI	UMC4	1	RELEASED		AHCCCS CARD

1255

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Drug Package Weight – For Evidence Technician Use Only

Approximate net weight of drug package (including packaging)

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line. Reserved [illegible]

Pima County Sheriff's Dept.
Inc# 090603023 UMC1
090603077
SHORTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 UMC2
090603078
SHORTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 UMC3
090603079
CELLULAR PHONE, NOKIA

Pima County Sheriff's Dept.
Inc# 090603023 UMC4
090603080
CARD, AHCCCS

1303 02/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

Date: 2/12/10

To:

From: Powell 1405

Subject: DISPOSITION OF PROPERTY, WEAPONS, V

Case #: 09060 3023

The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: _____ If these items are to be retained

It is your responsibility to contact appropriate personnel, such as: Co
the lower portion of this form. Return completed form to Property & E

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 09060 3023	Crime/Incident: SHOOTING
Owner's Name: (Last, First, M) BROOM, PATRICK	Person/Firm to Whom Property May be Released: BROOM, PATRICK
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: RAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/or firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: _____ 1405

Don _____ 20 _____

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. Renee A Hummel

PH: UCTIONS: DA-Return to Other Agency / D-Other (SPECIFY)

[redacted]

C4-28	DRIVERS LICENSE	
UMC4	AMMO CLIPS	[redacted]
DL20	KEYS ON LANYARD	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: Renee A Hummel

Released By: _____ # 1434 Date: 02/26/10

1318

PCSD 1330 Rev. 03/2007

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com.
OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 02/16/10

Postmark Here: MAILED

7008 2810 0001 6549 7909

Sent To: PATRICK BROOM
Street, Apt. No.; or PO Box No.: 15. CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ. 8571

PS Form 3800, August 2006 See Reverse for Instructions

Pima County Sheriff's Dept
Inc# 090603023 CK28

090603067

DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UMC4

090603080

HPD, AHUCS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047

ON A LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

ITEM				
PL3 :	HOT DOG BAG			
PL5 :	INVOICE			
PL6 :	CIG BUT			
PL7 :	CIG BUT #2			
PL8 :	MENU			
PLA :	GAUZE PAD			
PLB :	GAUZE ROLL			
PLE :	AM/PM CUP			
PLG :	BULLET FRAG FROM PAX SEAT			
UNC1 :	SPIDERMAN BOXER SHORTS			
UNC2 :	BLACK DISHES SHOES W/BLOOD			
PL11 :	EMPTY GAUZE PACKAGE			
PL12 :	.45 SHELL CASING			
PL13 :	" " " #2			
PL14 :	" " " #3			
PL15 :	PIECE OF WOOD GUN			
PL19 :	GAUZE W/ BLOOD			
PL1 :	BEEF & BEAN BURRITO			
PL2 :	HOT POCKET WRAPPER			
PL4 :	CHEETOS BAG			
PL9 :	RED HOT BURRITO WRAPPER			
PL10 :	GREEN CHILE BURRITO			
TE1 :	TEST FIRE EXPELLED CASINGS			
UNC5 :	5 - $1 BILL = $5.00			
UNC6 :	2 - DIMES = $.10			
VBS :	VICTIM BLOOD SHIRT			
RPG :	MEDICAL RECORDS			

RELEASED BY: [illegible] RECEIVED BY: [illegible] RELEASED BY: [illegible] DATE: [illegible]

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [illegible]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [illegible]
RELEASED BY: [illegible]
DATE: [illegible]

PCSD 1330 A

1318

REV. 04/08

02/26/10

Pima County Sheriff's Dept
Inc# 090603023 PL3
090603008
MISC. FOOD BAG

Pima County Sheriff's Dept
Inc# 090603023 UMC1
090603077
SHORTS. W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC. FOOD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
OFFICE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
SHORTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC. ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC. CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PL10
090603015
ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
WRAPPING.

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
CASING, TEST FIRE EXPEL

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PL8
090603013
MISC. MENU

Pima County Sheriff's Dept.
Inc# 090603023 PL13
CASING, 090603018

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL14
WRAPPING. 090603044
45 CAL #3

Pima County Sheriff's Dept
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS. PIECE, WINDOW

Pima County Sheriff's Dept
Inc# 090603023 UB8
090610017
HIPT.

Pima County Sheriff's Dept.
Inc# 090603023 PLE
090603052
HP. AM/PM

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOOD PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL/RELEASE

Date: 06/07/13

To: [illegible]

From: [illegible]

Subject: DISPOSITION OF PROPERTY, WEAPONS, VEHICLE, AND/OR OTHER EVIDENCE

Case #: 0726030023

The property listed on the attached sheet is no longer needed for evidence. Court hearing is scheduled for (date/time): _____ (Unless there are no hearings, this form cannot be processed prior to the court date.)

It is your responsibility to contact appropriate [illegible] prior to completing the lower portion of this form. Return completed form to property [illegible]

☐ RETAIN ☐ DESTROY ☒ RELEASE

Report Number: 0726030023	Date of Incident: [illegible]
Owner's Name (Last, First, M): [illegible]	[illegible]
Home Address: (Apt., City, State, Zip)	Home Phone: / Work Phone:
Release Authorized by (Print Name): [illegible]	Authorized Agency: [illegible] / Phone: [illegible] / Today's Date: 6/5/13

The below listed property may be released to the above listed owner/agent, or destroyed/disposed in accordance with the below Disposition instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND FIREARMS SAFETY [illegible] DONE PRIOR TO RELEASE

Signature of person authorizing release: _____ Date: _____

Domestic Violence victim notified of release of firearm on: _____ 20__

DISPOSITION INSTRUCTIONS

Pit Photo & Return to Owner / RTO Pick Up in Owner's [illegible] / Destroy / Dispose of in Pima County Landfill / Other (SPECIFY)

[redacted]

[illegible]	[illegible]
[illegible]	[illegible]

THIS SECTION TO BE COMPLETED BY PERSON RECEIVING PROPERTY

Received By: [illegible]

Released By: [illegible] Date: [illegible]

PCSD 300 Rev. 03/2010

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0412
Form #: _____ Of _____

Please Print Entire Form Clearly

Location Data	Location Found: 10001 S RITA ROAD	Received by Deputy (Name & Badge): W. CROFT 1488	Date: 060509	Time: 1400
Placed into evidence by (Name & Badge): W. CROFT 1488	Time: 1520	Date: 060509	District: CID	Locker #: MIB
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #: POWELL 1405		District/CID Unit: RAT		Business Phone: 351-0443

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:		City:	State:	Zip:	
Victim	Last Name:	First Name:	Middle Name:			
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EVI	TF-1	5		RELEASED	TEST FIRE EXPELED CASINGS

W. CROFT 1488

Pima County Sheriff's Dept
Inc# 090603023 TF1
CASING, TEST FIRE EXPEL
090608171

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
TF-1	CIDMB	R06331	TRNS	6.8.09	0805

Remarks:

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

1300 02/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

Date: 2/12/10

To:

From: Powell 1405

Subject: DISPOSITION OF PROPERTY, WEAPONS, V

Case #: 090603023

The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: _____ If these items are to be retained

It is your responsibility to contact appropriate personnel, such as: Co
the lower portion of this form. Return completed form to Property &

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 02/16/10

Postmark Here: MAILED

7008 2810 0001 6549 7909

Sent To: PATRICK BROOM
Street, Apt. No.; or PO Box No.: 15. CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ. 85701

PS Form 3800, August 2006 — See Reverse for Instructions

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 090603023	Crime/Incident: SHOOTING
Owner's Name (Last, First, MI): BROOM, PATRICK	Person/Firm to Whom Property May be Released: BROOM, PATRICK
Home Address (Apt., City, State, Zip): [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: PAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person or firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE PRIOR TO RELEASE.

Signature of person authorizing release: [signature] 1405

Don ... 20 ...

PH ... UCTIONS:
... OA-Return to Other Agency / O-Other (SPECIFY)

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [signature]

CS-28	DEVICES CARRIED [illegible]	[redacted]
UMC-4	ATTACCS CARED [illegible]	
DL 20	KEYS ON LANYARD	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: [signature]

Released By: [signature] # 1834 Date: 02/26/10

1318

PCSD 1930 Rev. 03/2007

Pima County Sheriff's Dept
Inc# 090603023 CK28

090603067

DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UMC4

090603080

UPD. AHUCUS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047

ON A LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

[redacted]				
PL3 ·	HOT DOG BAG	[redacted]	[redacted]	
PL5 ·	INVOICE			
PL6 ·	O/C BUT			
PL7 ·	CIG BUT #2			
PL8 ·	MENU			
PL4 ·	GAUZE PAD			
PL6 ·	GAUZE ROLL			
PL E ·	AM/PM CUP			
PL6 ·	BULLET FRAG FROM PAX SEAT			
UMC1 ·	SPIDERMAN BOXER SHORTS			
UMC2 ·	BLACK DICKIES SHORT w/BLOOD			
PL11 ·	Empty GAUZE PACKAGE			
PL12 ·	.45 SHELL CASING			
PL13 ·	" " #2			
PL14 ·	" " #3			
PL15 ·	PIECE OF WINDOW GLASS			
PC19 ·	GAUZE W/ BLOOD			
PL1 ·	BEEF & BEAN BURRITO			
PL2 ·	HOT POCKET WRAPPER			
PL4 ·	CHEETOS BAG			
PL9 ·	RED HOT BURRITO WRAPPER			
PL10 ·	GREEN CHILE BURRITO			
TFE1 ·	TEN FREE EXPIRED CARDS			
UMC5	3 - $1 BILL = $3.00			
UMC6 ·	2 - NICKELS = $.10			
VBS ·	VICTIM BLOODY SHIRT			
RP6 ·	MEDICAL RECORDS			

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [illegible]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [illegible]
RELEASED BY: [illegible]
DATE: [illegible]

PC SD 1330 A

REV. 04/00

1318 02/26/10

Pima County Sheriff's Dept.
Inc# 090603023 PL3
090603008
MISC. FOUD BAG

Pima County Sheriff's Dept
Inc# 090603023 UMC1
090603077
SHORTS. W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC. FOUD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
MPNICE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
SHORTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC ITEMS, MODESTING

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC. CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL10
090603015
ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
ASING.

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
ASING, TEST FIRE EXPEL

Pima County Sheriff's Dept
Inc# 090603023 PL8
090603013
MISC. MENU

Pima County Sheriff's Dept.
Inc# 090603023 PL13
090603018
ASING,

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US. MONEY

Pima County Sheriff's Dept.
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL14
090603044
ASING. 45 CAL #3

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US. MONEY

Pima County Sheriff's Dept.
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS. PIECE, WINDOW

Pima County Sheriff's Dept.
Inc# 090603023 VBS
090610017
HIPT.

Pima County Sheriff's Dept
Inc# 090603023 PLE
090603052
UP. AM/PM

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOUD PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0305
Form #: _____ Of _____

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Locators: _____ # Envelopes: _____
Paper Bags: _____
Boxes: _____
Other (Specify): _____
Received By: _____
Time: _____ Date: _____

Please Print Entire Form Clearly

Location Data	Location Found: 1600 E Benson	Received by Deputy (Name & Badge): Powell		Date: 9/1/9	Time: 0900
Placed into evidence by (Name & Badge): Powell 1405		Time: 910	Date: 919	District: 12	Locker #: SK
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):			Telephone #:
Case Deputy / Badge #: Powell 1405			District/CID Unit: RAT		Business Phone: 3516448
Owner	Last Name / Business: Portell	First Name: Stephen	M.I.: T	D.O.B.: [redacted]	Home Phone: / Business Phone:
	Street Address: [redacted]		City: Tucson	State: AZ	Zip: 85711
Victim	Last Name:	First Name:		Middle Name:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
SK	SK1				SPEAKER BOX 1
SK	SK2				SPEAKER BOX 2
SK	SK3				AMP

RELEASED SEP 01 2009 BY

RELEASED TO: [signature]

RELEASED BY: [signature] 458

DATE 9/1/09 **TIME** 0915

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Gross Package Weight – For Evidence Technician Use Only
Approximate total weight of package, including contents

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 - 06 - 03 - 023

☐ Felony ☐ Civil
☐ Misdemeanor
UCR Code: RAT 04.12
Form #: _____ Of _____

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Locator(s): R202
Received By: RB 5441
Time: 1400 Date: 060909

1 # Envelopes
_____ # Paper Bags
_____ # Boxes
_____ # Other (Specify)

Please Print Entire Form Clearly

Location Data	Location Found: 10001 S. RITA RD.	Received by Deputy (Name & Badge): RODOLFO S. OCHOA 5830	Date: 6-5-09	Time: 0900
Placed into evidence by (Name & Badge): RODOLFO S. OCHOA 5830		Time: 1400	Date: 6-9-09	District: DIRECT / Locker #: —

Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):	Telephone #:
Case Deputy / Badge #: RODOLFO S. OCHOA 5830		District/CID Unit: N. I. B. I. N.	Business Phone: 351-6771

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:			City:	State:	Zip:

Victim	Last Name:	First Name:		Middle Name:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EVI	RSO 1	2			2 SPENT CASINGS (.45)
NFI.					

Pima County Sheriff's Dept.
Inc# 090603023 RS01
090609167
SPENT CASINGS

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
2501	[illegible] 5444	R. Ochoa 5830	NIBIN	6-10-09	1000

Remarks:

[redacted]

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 0 9 0 6 0 3 0 2 3

[redacted]

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 04.02
Form #: 1 Of

Please Print Entire Form Clearly

Location Data	Location Found: 1750 E BENSON HWY	Received by Deputy (Name & Badge): POWELL 1405	Date: 6-11-09	Time: 0900
Placed into evidence by (Name & Badge): POWELL 1405	Time: 0930	Date: 6-11-09	District: 103	Locker #: MB
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #: POWELL 1405		District/CID Unit: RAT		Business Phone: 6443

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:			City:	State:	Zip:
Victim	Last Name:	First Name:		Middle Name:		
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EV	RP1				PICTURES ON CD RELEASED
EV	RP2				INTERVIEWS & DOCS ON CD RELEASED
EV	RP3				SCENE DRAWING ON CD RELEASED
EV	RP4				CIRCLE K VIDEO RELEASED
EV	RP5				#CK9 DOWNLOAD
EV	RP6		RELEASED		MEDICAL RECORDS
EV	RP7				WARRANT RELEASED
EV	RP8				SCENE RECONSTRUCTION REPORT RELEASED
EV	RP9				COLLISION DYNAMICS REPORT RELEASED
EV	RP10				VPS / CIRCLE K CONTRACT RELEASED
EV	RP11	6			MISC INTERVIEW MAPS RELEASED

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
RP1-11	CLOMA	NT 6404	TAS	6/12/09	0620
RP1 -RP11	4836	1405	COPY/NV	08/24/09	1104
RP1-RP11	Powell 1405	1070	CONT'L.	8.24.09	1010
RP7-11	1008		Copy	10.19.09	0935
RP7-11	1405	Zazamora	Control	10-20-09	0945
RP1-5	Zazamora	1405	Copy	11-10-09	1005
RP1-RP5	1405	RO 0331	CONTROL	11/10/09	1055
RP 1-5	4836	1405	Send to Records	02/11/10	1215
RP 7-11	4836	1405	Send to Records	02/11/10	1215

Remarks:

Drug Package Weight – For Evidence Technician Use Only

Approximate total weight of drug items in this log

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

Pima County Sheriff's Dept.
Inc# 090603023 RP1
090612055
COMPACT DISK, PICTURES

Pima County Sheriff's Dept.
Inc# 090603023 RP2
090612056
COMPACT DISK, INTERVIEW & DOC

Pima County Sheriff's Dept.
Inc# 090603023 RP3
090612058
COMPACT DISK, SCENE DRAWING

Pima County Sheriff's Dept.
Inc# 090603023 RP4
090612059
VIDEO TAPE, CIRCLE K

Pima County Sheriff's Dept.
Inc# 090603023 RP5
090612061
MISC, #CKS DOWNLOAD

Pima County Sheriff's Dept.
Inc# 090603023 RP6
090612065
MISC, MEDICAL RECORDS

Pima County Sheriff's Dept.
Inc# 090603023 RP7
090612068
MISC, WARRANT

Pima County Sheriff's Dept.
Inc# 090603023 RP8
090612070
MISC, SCENE RECON RPT

Pima County Sheriff's Dept.
Inc# 090603023 RP9
090612071
MISC, COLL DYNAN RPT

Pima County Sheriff's Dept.
Inc# 090603023 RP10
090612072
MISC, CONTRACT

Pima County Sheriff's Dept
Inc# 090603023 RP11
090612074
MAP, MISC INTERVIEW

PCSD 1301

Rev. 07/2005

AUTHORIZATION

Date:

To:

From:

Subject:

Case #:

[redacted]

[redacted]

[redacted]

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[illegible]	[illegible]	[illegible]	[illegible]
RP3	Scene Reconstruction Report		
RP9	Collision Diagram Report		
RP10	NPS/Circle K Contract		
RP11	Scene Drawings		
RP4	Circle K Video		
RP5	CK9 Downloads		
RP7	Warrant		

RELEASED FEB 1 2000 BY

RELEASED FEB 1 2000 BY

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [illegible] #
RELEASED BY:
DATE:
TIME:

PCSD 1330 A

REV. 04/00

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor

UCR Code: 04.12
Form #: 1 Of 8

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Locker #: 7/A
Envelopes: 5
Plastic Bags:
Boxes:
Other (Specify):
Received By: [illegible]
Time: 0733 Date: 06/03/09

Please Print Entire Form Clearly

Location Data	Location Found: [redacted] A 30 WAY	Received by Deputy (Name & Badge): CROFT 1488		Date: 06/03/09	Time: 06:00
Placed into evidence by (Name & Badge): CROFT 1488		Time: 07:33	Date: 06/05/09	District: 103	Locker #: EVIDENCE
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):			Telephone #:
Case Deputy / Badge#: Powell #1405			District/CID Unit: RAT		Business Phone: 351-6443
Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone: / Business Phone:
	Street Address:		City:	State:	Zip:
Victim	Last Name:	First Name:		Middle Name:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
~~EVI~~	~~PL1~~	~~1~~			~~BURRITO PACKAGING BAG~~
EVI	PL1	1	RELEASED		BEEF BEAN + CHEESE BURRITO PACKAGE
EVI	PL 2	1	RELEASED		HOT POCKET
EVI	PL 3	1	RELEASED		HOT DOG BAG
EVI	PL 4	1	RELEASED		CHEETOS BAG
EVI	PL 5	1	RELEASED		INVOICE
EVI	PL 6	1			CIGG. BUTT
EVI	PL 7	1			CIGG BUTT #2
EVI	PL 8	1			MENU
EVI	PL 9	1	RELEASED		RED HOT BURRITO
EVI	PL10	1	RELEASED		GREEN CHILI BURRITO
EVI	PL 11	1	RELEASED		EMPTY GAUZE PACKAGE
EVI	PL 12	1	RELEASED		45 SHELL CASING
EVI	PL 13		RELEASED		45 SHELL CASING #2

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
PL1,2,4,9,10	RB 5444	5702	INVEST	060309	0755

Remarks:

Date	Item(s) #	Weight	Scale #	Initials / Badge

Pima County Sheriff's Dept.
Inc# 090603023 PL1
090603006
MISC, FOOD PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
FOOD, HOT POCKET

Pima County Sheriff's Dept.
Inc# 090603023 PL3
090603008
MISC, FOOD BAG

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC, FOOD BAG

Pima County Sheriff's Dept.
Inc# 090603023 PL5
090603010
INVOICE,

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC, CIG. BUTT

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
MISC, CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 PL8
090603013
MISC, MENU

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
FOOD, BURRITO

Pima County Sheriff's Dept.
Inc# 090603023 PL10
090603015
FOOD, BURRITO

Pima County Sheriff's Dept.
Inc# 090603023 PL11
090603016
MISC, PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
CASING,

Pima County Sheriff's Dept.
Inc# 090603023 PL13
090603018
CASING,

Rev. 07/2005

1305 02/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com.
OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 02/16/10

Postmark Here: MAILED

7008 2810 0001 6549 7909

Sent To: PATRICK BROOM
Street, Apt. No.; or PO Box No.: 15 CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ, 85701

PS Form 3800, August 2006 — See Reverse for Instructions

Date: 2/12/10
To:
From: Powell 1405
Subject: DISPOSITION OF PROPERTY, WEAPONS, V
Case #: 09060323
The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: _____ If blank items are to be retained

It is your responsibility to contact appropriate personnel, such as Co
the lower portion of this form. Return completed form to Property &

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 09060323	Crime/Incident: SHOOTING
Owner's Name: (Last, First, MI) BROOM, PATRICK	Person/Firm to Whom Property May be Released: BROOM, PATRICK
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: PAT	Phone: 6493 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: _____ 1405

Dor _____ 20 _____

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. Renee Hammel

PH ... ICTIONS: ... OA-Return to Other Agency / O-Other (SPECIFY)

[redacted]

CF-28	DRIVERS LICENSE	[redacted]
UMC4	ATTACHE CASE	
RL 20	KEYS ON LANYARD	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: Renee Hammel

Released By: _____ # 1838 Date: 02/26/10

1318

PCSD 1330 Rev. 03/2007

Pima County Sheriff's Dept.
Inc# 090603023 CK28

090603067

DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UMC4

090603080

WPD. AHCCLS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047

ON A LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

PL3 :	HOT DOG BAG	DESTROYED		
PL5 :	INVOICE		[redacted]	
PL6 :	QUE BUTT			
PL7 :	QUE BUR #2			
PL8 :	MENU			
PL4 :	GAUZE PAD			
PL6 :	GAUZE ROLL			
PL8 :	AMPM CUP			
PL9 :	BULLET FRAG FROM PAX SEAT	RETURNED TO OWNER		
UMC1 :	SPIDERMAN BOXER SHORTS			
UMC2 :	BLACK DICKIES STYLE LIBERTY			
PL11 :	EMPTY GAUZE PACKAGE			
PL12 :	.45 SHELL CASING			
PL13 :	" " #2			
PL14 :	" " #3			
PL15 :	PIECE OF WINDOW GLASS			
PL19 :	GAUZE W/ BLOOD			
PL1 :	BEEF & BEAN BURRITO	DESTROYED		
PL2 :	HOT POCKET WRAPPER			
PL7 :	CHEETOS BAG			
PL9 :	RED HOT BURRITO WRAPPER			
PL10 :	GREEN CHILE BURRITO			
TF1 :	TEST FIRE EXPIRED CARTRIDGE			
UMC5 :	2-$1 BILL = $2.00			
UMC6 :	2- NICKELS = $.10			
VBS :	VICTIM BLOODY SHIRT			
RPG :	MEDICAL RECORDS			

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [signature]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY [signature]
RELEASED BY
DATE

FCSD 1330 A

REV. 04/06

1318 02/26/10

Pima County Sheriff's Dept
Inc# 090603023 PL3
090603008
MISC. FOUD BAG

Pima County Sheriff's Dept
Inc# 090603023 UMC1
090603077
SHORTS. W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 PL4
090603009
MISC. FOUD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
UPPNICE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
SHIRTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC, CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PL10
090603015
ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
CASING,

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
CASING, TEST FIRE EXPEL

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PL8
090603013
MISC. MENU

Pima County Sheriff's Dept.
Inc# 090603023 PL13
090603018
CASING,

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PL14
090603044
CASING, 45 CAL #3

Pima County Sheriff's Dept
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS. PIECE, WINDOW

Pima County Sheriff's Dept
Inc# 090603023 VBS
090610017
SHIRT.

Pima County Sheriff's Dept
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 PLE
090603052
CUP. AM/PM

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOUD PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

[redacted]

PIMA COUNTY SHERIFF'S DEPARTMENT

EVIDENCE CONTROL LOG SUPPLEMENT

CASE # 0906-03-023

ITEM [redacted] DESCRIPTION ~~A~~ FOOD IN BAGS & WRAPPERS

FROM	TO	FOR	DATE AND TIME
TED ELLIOT 5702	TOM PARKER 4072	LATENT PROCESSING	6-7-09 0815
T. PARKER 4072	LOCKER # 23	CONTROL	6-18-09 0938
EVID # 23	RB5441	CONTROL	06-25-09 0715

REMARKS/COMMENTS: ~~A~~ FOOD ITEMS WERE THROWN AWAY AFTER PHOTOGRAPHS WERE TAKEN AND WRAPPERS/CONTAINERS WERE PROCESSED FOR LATENT PRINTS

PCSD # 198 5/76

Pima County Sheriff's De[redacted]
1750 E. Benson Highway – Tuc[redacted]
Evidence Control Fo[redacted]

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 04.12
Form #: 2 Of 2

FOR EVIDENCE TECHNICIAN USE ONLY
Received By: [illegible]
Received Date: [illegible]
Time: [illegible] Log: [illegible]
Envelopes
Paper Bags
Boxes
Other (Specify)

Please Print Entire Form Clearly

Location Data	Location Found: [redacted] A50 · WAY	Received by Deputy (Name & Badge): CROFT 1488	Date: 06/03/09	Time: 06:00
Placed into evidence by (Name & Badge): CROFT 1488		Time: 07:33	Date: 06/03/09	District: ~~103~~ DIR Locker #: ~~[illegible]~~

Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):	Telephone #:
Case Deputy / Badge #: POWELL 1405		District/CID Unit: RAT	Business Phone: 351-6443

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:			City:	State:	Zip:
Victim	Last Name:	First Name:		Middle Name:		
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

	Type	Item	Qty	Disp	Serial Number	Description
E	EVI	PL14	1	RELEASED		45. SHELL CASING #3
E	EVI	PL15	1	RELEASED		PIECE OF WINDOW GLASS
R	EVI	PL19	1	RELEASED		GAUZE w/BLOOD
E	EVI	PL20	1	RELEASED		KEYS ON ALANYARD
E	EVI	PLA		RELEASED		GAUZE PADS
R	EVI	PLB	1	RELEASED		GAUZE ROLL
P	EVI	PLE	1	[illegible]		AM/PM CUP
E	EVI	PLG	1	[illegible]		BULLET FRAG FROM PASS. SEAT

NFA

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

Pima County Sheriff's Dept.
Inc# 090603023 PL14
090603044
CASING, .45 CAL #3

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS, PIECE, WINDOW

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC, GAUZE W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL20
090603047
KEY, ON A LANYARD

Pima County Sheriff's Dept.
Inc# 090603023 PLA
090603048
MISC, GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PLB
090603050
MISC, GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PLE
090603052
CUP, AM/PM

Pima County Sheriff's Dept.
Inc# 090603023 PLG
090603053
MISC, BULLET FRAGMENT

1330 02/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

Date: 2/12/10

To:

From: Powell 1405

Subject: DISPOSITION OF PROPERTY, WEAPONS, V

Case #: 09060302 3

The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: _____ If these items are to be retained

It is your responsibility to contact appropriate personnel, such as: Co
the lower portion of this form. Return completed form to Property &

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		MAILED
Total Postage & Fees	$ 02/26/10	

7008 2810 0001 6549 7909

Sent To: PATRICK BROOM
Street, Apt. No.; or PO Box No.: 15 CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ, 8701

PS Form 3800, August 2006 — See reverse for instructions

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 09060302 3	Crime/Incident: SHOOTING
Owner's Name: (Last, First, MI) BROOM, PATRICK	Person/Firm to Whom Property May be Released: BROOM, PATRICK
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: RAT	Phone: 6943 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/or firm, or otherwise disposed of in accordance with the below Disposition instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: _____ 1405

Don _____ 20 _____

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. _____

PH ... UCTIONS: ... Return to Other Agency / O-Other (SPECIFY)

[redacted]

CK-28	DRIVERS LICENSE [illegible]	
UMC4	RHCCCS CARD	[redacted]
PL20	KEYS ON LANYARD	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: _____

Released By: _____ # 1318 Date: 02/26/10

1318

PCSD 1330 Rev. 03/2007

Pima County Sheriff's Dept.
Inc# 090603023 CK20

090603067
DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UHC4

090603080
UPD. AHCCS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047
ON A LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

PL3 :	HOT DOG BAG	[redacted]		
PL5 :	INVOICE			
PL6 :	CIG BUTT			
PL7 :	CIG BUT #2			
PL8 :	MENU			
PL A :	GAUZE PAD			
PL B :	GAUZE ROL			
PL E :	AMY PIN CUP			
PL G :	BULLET FRAG FROM PAX SEAT			
UMC1 :	SPIDERMAN BOXER SHORTS			
UMC2 :	BLACK DICKIES SHORTS [illegible]			
PL11 :	EMPTY GAUZE PACKAGE			
PL12 :	.45 SHELL CASING			
PL13 :	" " #2			
PL14 :	" " #3			
PL15 :	PIECE OF WINDOW GLASS			
PL19 :	GAUZE W/ BLOOD			
PL1 :	BEER & BEAN BURRITO			
PL2 :	HOT POCKET WRAPPER			
PL4 :	CHEETOS BAG			
PL9 :	RED HOT BURRITO WRAPPER			
PL10 :	GREEN CHILE BURRITO			
TF1 :	TEST FIRE EXPENDED CASINGS			
UMC5 :	5-$1 BILL =$5.00			
UMC6 :	2- DICKIES = $.10			
VBS :	VICTIM BLOODY SHIRT			
BP6 :	MEDICAL RECORDS			

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [illegible]

RECEIVED BY: [illegible]
RELEASED BY: [illegible]
DATE: [illegible]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

PCSD 1340 A

REV. 04/00

1318 02/26/10

Pima County Sheriff's Dept
Inc# 090603023 PL3
090603008
MISC. FOOD BAG

Pima County Sheriff's Dept.
Inc# 090603023 UMC1
090603077
SHORTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC. FOOD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
NOTICE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
SHIRTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC. CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PL10
090603015
ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
CASING.

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
CASING, TEST FIRE EXPEL

Pima County Sheriff's Dept.
Inc# 090603023 PL8
090603013
MISC. MEMO

Pima County Sheriff's Dept.
Inc# 090603023 PL13
090603018
CASING,

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US, MONEY

Pima County Sheriff's Dept.
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL14
090603044
CASING, .45 CAL #3

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US, MONEY

Pima County Sheriff's Dept
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS, PIECE, WINDOW

Pima County Sheriff's Dept
Inc# 090603023 VBS
090610017
MISC.

Pima County Sheriff's Dept
Inc# 090603023 PLE
090603052
MISC. AM/PM

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOOD PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0404
Form #: 1 Of 1

FOR EVIDENCE TECHNICIAN USE ONLY
(Evidence Location(s)): 7/5
Envelopes
Paper Bags
Boxes
Other (Specify)
Received By: RO Sheff
Time: 1330 Date: 06/07/09 WHO 8/20

Please Print Entire Form Clearly

Location Data	Location Found: 1600 E BENSON HWY	Received by Deputy (Name & Badge): POWELL 1405	Date: 6.9.9	Time: 1315
Placed into evidence by (Name & Badge): POWELL 1405	Time: 1330	Date: 6.9.9	District: ED	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #:		District/CID Unit:		Business Phone:
Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:	City:	State:	Zip:
Victim	Last Name:	First Name:	Middle Name:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions: "FRAGILE"

RELEASED

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EV	LFW	1		RELEASED	LEFT FRONT WINDOW FROM LTD AEV 8812

Pima County Sheriff's Dept.
Inc# 090603023 LFW
WINDOW, LEFT FRONT 090609181

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
LFW	Casanova	[illegible] KWT	RIP ~~[illegible]~~	11-10-09	1005

Remarks:

Item Weight - For Evidence Destruction Only

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

[redacted]

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 0 9 0 6 0 3 0 2 3

☑ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 04.12
Form #: _____ Of _____

FOR EVIDENCE RECEIPT ONLY
Evidence Inventory: 1 # Envelopes
Paper Bags
Boxes
Other (Specify)
Received By: [illegible]
Time: [illegible] Date: 6/5/09

Please Print Entire Form Clearly

Location Data	Location Found: [redacted] S. Country Club	Received by Deputy (Name & Badge): CARONER #1288	Date: 6/5/09	Time: 0500
Placed into evidence by (Name & Badge): CARONER 1288	Time: 1455	Date: 6/5/09	District: 103	Locker #: A115

Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):	Telephone #:
Case Deputy / Badge #: Towell		District/CID Unit:	Business Phone:

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:			City:	State:	Zip:
Victim	Last Name:	First Name:		Middle Name:		
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EV	KG1	1		RELEASED	1 C.D. DIAGRAM SCENE
					CASE # 090603023 VISTA/FX

Pima County Sheriff's Dept.
Inc# 090603023 KG1
090608128
COMPACT DISK

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
KG1	CIDMB	RO 6331	TRW5	6.8.09	0805
Kit	[illegible] 4836	[illegible] 1405	Rel. TO Records	02/11/10	1215

Remarks:

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

[redacted]

[redacted]

Date: [redacted]

To: [redacted]

From: [redacted]

Subject: [redacted]

Case #: [redacted]

[redacted]

[redacted]

[

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

RP8	Scene Reconstruction Report		
RP9	Collision Dynamics Report		
RP10	VPS/Circle K Convert	RELEASED FEB 1 0 2010 BY	
RP11	Scene Drawings		
RP4	Circle K Video		
RP5	CK9 Downloads		
RP7	Warrant	RELEASED FEB 10 2010 BY	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY:
RELEASED BY: #
DATE:
TIME:

PCSD 1330 A

REV. 04/00

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09-06-03-023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0305
Form #: 1 Of 1

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Locator(s): Fend 1 # Envelopes
Paper Bags
Boxes
Other (Specify)
Received By: 2011 1699
Time: 1215 Date: 08 28 09 Fishing Pole

Please Print Entire Form Clearly

Location Data	Location Found: PAE 1600 E BENSON	Received by Deputy (Name & Badge): Powell 1405	Date: 8-28-09	Time: 1200
Placed into evidence by (Name & Badge): Powell 1405	Time: 1215	Date: 82809	District: Dell	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #: Powell 1405		District/CID Unit: RAT		Business Phone: 6443
Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:	City:	State:	Zip:
Victim	Last Name:	First Name:	Middle Name:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
SFK	FP1				FISHING RODS
SFK	FP2				IPOD

RELEASED
AUG 27 2009
BY: 2011 1699

Pima County Sheriff's Dept
Inc# 090603023 FP1
090828092
FISHING ROD

Pima County Sheriff's Dept
Inc# 090603023 FP2
090828093
IPOD

1405

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Drug Package Weight – For Evidence Technician Use Only
Approximate total weight of package including contents

Date	Item(s) #	Weight	Scale #	Initials / Badge

Do not write below this line – Barcode stickers only:

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL/RELEASE

Date: 8-23-09

To:

From:

Subject: DISPOSITION OF PROPERTY, WEAPONS, VEHICLE & AND/OR OTHER EVIDENCE

Case #:

The property, weapons, vehicles, and/or evidence listed on the attached Property and Evidence Control Form is scheduled for disposal on: _____. If these items are to be released, you must contact the Evidence Unit prior to this date.

It is your responsibility to contact appropriate personnel, such as: County Attorney, Case Detective, etc., prior to completing the lower portion of this form. Return completed form to Property & Evidence prior to: _____

☐ RETAIN ☐ DISPOSE ☒ RELEASE

Report Number: 09000223		Owner Release: [illegible]	
Owner's Name: (Last, First, MI) [illegible]		Person/Firm to Whom Property May be Released: [illegible]	
Home Address: (Apt., City, State, Zip)		Home Phone:	Work Phone:
Release Authorized by: (Print Name)	Assigned Unit:	Phone:	Today's Date:

The below listed property may be released to the above listed person/firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND FIREARMS POLICY ACTION CHECK DONE PRIOR TO RELEASE

Signature of person authorizing release: [illegible]

Domestic Violence victim notified of retained property on: _____, 20__

DISPOSITION INSTRUCTIONS

PH-Photo & Return to Owner / RTO-Return to Owner / D-Destroy / SOA-Return to Other Agency / Explain (SPECIFY)

[redacted]

FD1	Firearm Knife	[illegible]	[illegible]
FD2	Knife	[illegible]	[illegible]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

Received By: [illegible]

Released By: [illegible] [illegible]

PCSD 1330 Rev. 03/2007

ARIZONA

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0412
Form #: 3 Of 3

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Location(s): 1 # Envelopes
Paper Bags
1 # Boxes
Other (Specify)
Received By: RS Time: 0745 Date: 060309

Please Print Entire Form Clearly

Location Data	Location Found: [redacted] AJO WAY	Received by Deputy (Name & Badge): W. CROFT 1488		Date: 060309	Time: 0300
Placed into evidence by (Name & Badge): W. CROFT 1488		Time: 0915	Date: 060309	District: DIRECT	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):			Telephone #:
Case Deputy / Badge #: R. POWELL 1405			District/CID Unit: RAT		Business Phone: 351 6443
Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone: / Business Phone:
	Street Address:		City:	State:	Zip:
Victim	Last Name:	First Name:	Middle Name:		
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

Type	Item	Qty	Disp	Serial Number	Description
EVI	CK29	1		RELEASED	BROWN LEATHER WALLET W/CARDS
EVI	CK30	1		RELEASED	BLACK HANDCUFF KEY
EVI	CK31	1 PAIR		RELEASED	BATTS WORK BOOTS 1 PAIR
EVI	CK32	1		RELEASED	FECHHEIMER UTILITY PANTS
EVI	CK33	1		RELEASED	BLACK LEATHER BELT
EVI	CK34	1		RELEASED	BLACK T SHIRT
EVI	CK35	1		RELEASED	BLACK SOCKS

W. CROFT 1488

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Drug Package Weight – For Evidence Technician Use Only

Check scale and weigh each package individually.

Date	Item(s) #	Weight	Scale #	Initials / Badge

Pima County Sheriff's Dept.
Inc# 090603023 CK29
090603068
WALLET, LEATHER

Pima County Sheriff's Dept.
Inc# 090603023 CK30
090603069
KEY, HANDCUFF

Pima County Sheriff's Dept.
Inc# 090603023 CK31
090603070
BOOT, WORK-BRITS

Pima County Sheriff's Dept.
Inc# 090603023 CK32
090603072
PANTS, UTILITY

Pima County Sheriff's Dept.
Inc# 090603023 CK33
090603073
BELT, LEATHER

Pima County Sheriff's Dept.
Inc# 090603023 CK34
090603074
T SHIRT,

Pima County Sheriff's Dept.
Inc# 090603023 CK35
090603075
SOCK,

03/09/10

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PR

1330

Date: 2/12/10

To:

From: Powell 1405

Subject: DISPOSITION OF PROPERTY WEAPO

Case #: 09060 3023

The property, weapons, vehicles, and/or evidence listed on th
disposal on: _____ If these items are to be
d for
e.

It is your responsibility to contact appropriate personnel, such
the lower portion of this form. Return completed form to Prope
ating

☐ RETAIN ☒ DIS ☐ RELEASE

Report Number: 09060 3023	Crime/Incident: SHOPLIFTING
Owner's Name: (Last, First, MI) VALLEY PROTECTIVE SERVICES	Person/Firm to Whom Property May be Released: RICK CLAMPITT
Home Address: (Apt., City, State, Zip) 1970 W KING PDX 85715	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: RAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person or firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: _____ 1405

Domestic Violence victim notified of release of property on: _____ 20

DISPOSITION INSTRUCTIONS:

PH-Photo & Return to Owner / RTO-Return to Owner / D-Destroy / ROA-Return to Other Agency / O-Other (SPECIFY)

06 35	BLACK SOCKS	UNRELEASED	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

Received By: _____

Released By: _____ # 1836 Date: 03/09/10

1340

PCSD 1330 Rev. 03/2007

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

MAILED 02/16/10

Postmark Here

7008 2810 0001 6549 7817

Sent To: RICK CLAMPITT
Street, Apt. No.; or PO Box No.: Valley Protective Services
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

[redacted]			
CK 4 •	CK4 Valley Restaurant Receipt ✓	DDBO	RELEASED
CK 5 •	Ecuadorian Baton ✓	DDBO	RELEASED
CK 8 •	CK8 Dexter Cell Phone ✓	"	
CK 13 •	Alcatel Black Cell Phone ✓	"	
CK 14 •	OC Spray ✓	"	
CK 15 •	Carson Oscilloscope ✓	"	
CK 29 •	Brown Wallet w/ Keys ✓	"	
CK 30 •	Black Handcuff Key ✓	"	
CK 9 •	Digital Recorder RCA ✓	I445	
CK 12 •	Stocker Guard Badge ✓	"	
CK 16 •	Gous Vest ✓	UU 207	
CK 17 •	Flying Cross Uniform ✓	UU 207	
CK 18 •	Black Duty ✓	"	
CK 19 •	Black Holster ✓	"	
CK 20 •	Black Handcuff Case ✓	"	
CK 21 •	Black Baton ✓	"	
CK 22 •	Mace Pouch ✓	"	
CK 23 •	Flash Light Holder ✓	"	
CK 24 •	Black Cell Phone ✓	"	
CK 25 •	Belt Keeper ✓	"	
CK 26 •	Handcuffs Black / Silver ✓	"	
CK 27 •	Stream Light Stinger ✓	"	
CK 31 •	Bates Work Boots ✓	"	
CK 32 •	Fechheimer Utility Belt ✓	"	
CK 33 •	Black Leather Belt ✓	"	RELEASED
CK 34 •	Black T-Shirt ✓	"	RELEASED

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [signature]
RELEASED BY: [signature]
DATE: 07/07/10
1340

PCSD 1330A

REV. 04/06

RELEASED

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 06 03 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0412
Form #: 1 Of 3

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Locator(s): 2/25 — 5 # Envelopes
Paper Bags
2 # Boxes
Other (Specify)
Received By: RS 3 PW
Time: 0715 Date: 060309

Please Print Entire Form Clearly

Location Data	Location [redacted] AJO WAY	Received by Deputy (Name & Badge): W. CROFT	Date: 060309	Time: 0300
Placed into evidence by (Name & Badge): W. CROFT 1488	Time: 0915	Date: 060309	District: DIRECT	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #: M. LYNN		District/CID Unit: RAT		Business Phone: 351 6936

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:		City:	State:	Zip:	
Victim	Last Name:	First Name:	Middle Name:			
☐ Suspect ☒ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

	Type	Item	Qty	Disp	Serial Number	Description
E	EVI	CK1	8			.45 CAL BULLETS
E	EVI	CK2	1			BLACK .45 CAL MAGAZINE
B	EVI	CK3	1		38318553	DESERT EAGLE .45 CAL SN# ~~38318553~~ WLC
E	EVI	CK4	1	RELEASED		VALLEY PROTECTIVE SERVICE BADGE
B	EVI	CK5	1	RELEASED		EXPANDABLE BATON
E	EVI	CK6	1			MAGAZINE FROM DUTY BELT
E	EVI	CK7	11			BULLETS FROM DUTY BELT MAGAZINE
1/22	EVI	CK8	1	RELEASED		NEXTEL CELL PHONE BLACK
E	EVI	CK9	1	RELEASED		~~KEY~~ DIGITAL RECORDER RCA
	EVI	CK10	4			KEYS ON KEY RING RELEASED
	EVI	CK11	1			KEYS ON KEY CHAIN
	EVI	CK12	1	RELEASED		SECURITY GUARD ARMED ID
1/25	EVI	CK13	1	RELEASED		ALLTEL BLACK CELL PHONE
E	EVI	CK14	1	RELEASED		O C SPRAY

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time
CK2	R. Swe R544	B. W. Tuwd 1296	INVEST	060509	1250
CK2	B. W. Tuwd 1296	S. Valencia 4599	CONTROL	6/5/09	1505
CK9,10,11,12	S. Casanova 1535	[illegible] 1405	INVEST.	06-09-09	1345
CK9,10,11,12	Powell 1405	S. Valencia 4599	CONTROL	6/12/09	1115
CK9-CK12	RO 6331	Powell 1405	SEPARATE ITEMS	11/18/09	1216
CK9-CK12	Powell 1405	RO 6331	CONTROL	11/18/09	1222
CK2+CK3	S. Valencia 4599	[illegible] 1488	COURT	11/30/09	0918
CK2+3	[illegible] 1488	S. Casanova	Control	11-30-09	1508

Remarks:

Drug Package Weights - For Evidence Technician Use Only

Date	Item(s) #	Weight	Scale #	Initials / Badge

Pima County Sheriff's Dept.
Inc# 090603023 CK1
090603083
BULLET, .45 CALL

Pima County Sheriff's Dept.
Inc# 090603023 CK2
090603084
MAGAZINE WEAP, .45 CAL

Pima County Sheriff's Dept.
Inc# 090603023 CK3
090603085
HANDGUN, DESERT EAGLE

Pima County Sheriff's Dept.
Inc# 090603023 CK4
090603087
MISC, BADGE

Pima County Sheriff's Dept.
Inc# 090603023 CK5
090603088
MISC, BATON

Pima County Sheriff's Dept.
Inc# 090603023 CK6
090603089
MAGAZINE WEAP, FROM DUTY BELT

Pima County Sheriff's Dept.
Inc# 090603023 CK7
090603090
BULLET,

Pima County Sheriff's Dept.
Inc# 090603023 CK8
090603091
CELLULAR PHONE, NEXTEL

Pima County Sheriff's Dept.
Inc# 090603023 CK9
090603092
MISC, DIGITAL RECORDER

Pima County Sheriff's Dept.
Inc# 090603023 CK10
090603093
KEY, ON KEY RING

Pima County Sheriff's Dept.
Inc# 090603023 CK11
090603094
KEY, ON KEY CHAIN

Pima County Sheriff's Dept.
Inc# 090603023 CK12
090603095
ID CARD, SEC GUARD

Pima County Sheriff's Dept.
Inc# 090603023 CK13
090603096
CELLULAR PHONE, ALLTEL

Pima County Sheriff's Dept.
Inc# 090603023 CK14
090603097
MISC, OC SPRAY

Rev. 07/2005

03/09/10

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PR

1330
HP

Date: 2/12/10
To:
From: Powell 1405
Subject: DISPOSITION OF PROPERTY, WEAPO
Case #: 09060302 3

The property, weapons, vehicles, and/or evidence listed on th
disposal on: _____ If these items are to be
d for
e
It is your responsibility to contact appropriate personnel, such
the lower portion of this form. Return completed form to Prope
ting

☐ RETAIN ☒ DISPOSE ☐ RELEASE

Report Number: 09060302 3	Crime/Incident: SHOOTING
Owner's Name (Last, First, MI): VALLEY PROTECTIVE SERVICES	Person/Firm to Whom Property May be Released: REV. CAMPITT
Home Address: (Apt., City, State, Zip) 1920 N KOLB RD 85715	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: CAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person or firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: _____ 1405

Domestic Violence victim notified of release of property on: _____ 20 ____

DISPOSITION INSTRUCTIONS:

PH-Photo & Return to Owner / RTO-Return to Owner / D-Destroy / ROA-Return to Other Agency / O-Other (SPECIFY)

0435	BLACK JACKS	UNCLEARED	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY:

Received By: _____

Released By: _____ # 4836 Date: 03/09/10

340

PCSD 1330 Rev. 03/2007

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Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

MAILED 02/16/10

Postmark Here

Sent To: RICK CAMPITT
Street, Apt. No.; or PO Box No.: Valley Protective Services
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

[redacted]			
[redacted]			RELEASED
CK 1 •	LK4 VALLEY PESTICIDE SERVICE ✓	DD30	RELEASED
CK 5 •	EXCALIBUR BATON ✓	DDDO	RELEASED
CK 9 •	UNIDEN CELL PHONE ✓	"	
CK 13 •	ALLTEL BLACK CELL PHONE ✓	"	
CK 14 •	OC SPRAY ✓	"	
CK 15 •	CARSON DESIGN FLASHLIGHT ✓	"	
CK 29 •	BROWN WALLET SILVER ✓	"	
CK 30 •	BLACK HANDCUFF KEY ✓	"	
CK 9 •	DIGITAL RECORDER RCA ✓	I945	
CK 12 •	SECURITY GUARD DENIM ✓	"	
CK 16 •	GULLS VEST ✓	UU 201	
CK 17 •	FLYING CROSS UNIFORM ✓	UU 201	
CK 18 •	BLACK DUTY ✓	"	
CK 19 •	BLACK HOLSTER ✓	"	
CK 20 •	BLACK HANDCUFF CASE ✓	"	
CK 21 •	BLACK BATON ✓	"	
CK 22 •	MACE POUCH ✓	"	
CK 23 •	FLASH LIGHT HOLDER ✓	"	
CK 24 •	BLACK CELL PHONE ✓	"	
CK 25 •	BELT KEEPER ✓	"	
CK 26 •	HANDCUFFS BLACK / SILVER ✓	"	
CK 27 •	STEERING WHEEL STUNNER ✓	"	
CK 31 •	BATES WORK BOOTS ✓	"	
CK 32 •	FECHHEIMER UTILITY BELT ✓	"	
CK 33 •	BLACK LEATHER BELT ✓	"	RELEASED
CK 34 •	BLACK T-SHIRT ✓	"	RELEASED

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [illegible]
RELEASED BY: [illegible] UNIT
DATE: 8/19/10

1340

FCSD 1338 A

REV. 04/00

Pima County Sheriff's Department
1750 E. Benson Highway – Tucson, AZ 85714
Evidence Control Form

Case # 09 - 06 - 03 - 023

☒ Felony ☐ Civil
☐ Misdemeanor
UCR Code: 0412
Form #: 2 Of 3

FOR EVIDENCE TECHNICIAN USE ONLY
Evidence Location(s): 772
Envelopes
Paper Bags
2 # Boxes
Other (Specify)
Received By: [illegible]
Date: 060309

Please Print Entire Form Clearly

Location Data	Location Found: [redacted] A30 WAY	Received by Deputy (Name & Badge): W. CROFT 1488	Date: 060309	Time: 0300
Placed into evidence by (Name & Badge): W. CROFT 1488	Time: 0915	Date: 060309	District: DIRECT	Locker #:
Citizen Finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone #:
Case Deputy / Badge #: POWELL		District/CID Unit: RAT		Business Phone: 351 6143

Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:		City:	State:	Zip:	
Victim	Last Name:	First Name:	Middle Name:			
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	
☐ Suspect ☐ Arrestee	Last Name:	First Name:	M.I.:	☐ Adult ☐ Juvenile	Date of Birth:	

Special Instructions:

Use a separate Evidence Control Form for each item "type" or each owner.

Property Disposition: RTO-Returned to Owner D-Destroyed ROA-Returned to Other Agency A-Auctioned O-Other (Specify)

Property Type: EVI = Evidence FND = Found Property SFK = Safekeeping

	Type	Item	Qty	Disp	Serial Number	Description
B	EVI	CK15	1		RELEASED	CARSON DESIGN M16-145F KNIFE
B	EVI	CK16	1		RELEASED	GULLS VEST
	EVI	CK17	1		RELEASED	FLYING CROSS UNIFORM SHIRT
	EVI	CK18	1		RELEASED	BLACK DUTY
	EVI	CK19	1		RELEASED	BLACK HOSISTE
	EVI	CK20	1		RELEASED	BLACK HANDCUFF CASE
	EVI	CK21	1		RELEASED	BLACK BATON
	EVI	CK22	1		RELEASED	MAGAZINE POUCH
	EVI	CK23	1		RELEASED	FLASH LIGHT HOLDER
	EVI	CK24	1		RELEASED	BLACK CELL PHONE CASE
	EVI	CK25	5		RELEASED	BELT KEEPERS BLACK
	EVI	CK26	2		RELEASED	HANDCUFFS #SILVER 1 BLACK
	EVI	CK27	1		RELEASED	STREAM LIGHT STINGER FLASHLIGHT
E	EVI	CK28	1		RELEASED	DRIVER LICENSE FOR DANIEL TARANGO

Distribution: White – Evidence Blue – Records Pink – CID/Deputy Goldenrod – Citizen Receipt

PCSD 1301 Rev. 07/2005

Evidence Control Log

Item(s) #	Received From / Badge	Received By / Badge	Purpose	Date	Time

Remarks:

Item Package Weight - For Evidence Technician Use Only

Approximate total weight of package including container

Date	Item(s) #	Weight	Scale #	Initials / Badge

Pima County Sheriff's Dept.
Inc# 090603023 CK15
090603054
KNIFE, CARBON DESIGN

Pima County Sheriff's Dept.
Inc# 090603023 CK16
090603055
VEST, GULLS

Pima County Sheriff's Dept.
Inc# 090603023 CK17
090603056
SHIRT,

Pima County Sheriff's Dept.
Inc# 090603023 CK18
090603057
MISC, BLACK DOTY

Pima County Sheriff's Dept.
Inc# 090603023 CK19
090603058
HOLSTER,

Pima County Sheriff's Dept.
Inc# 090603023 CK20
090603059
CASE, HANDCUFF

Pima County Sheriff's Dept.
Inc# 090603023 CK21
090603060
MISC, BATON

Pima County Sheriff's Dept.
Inc# 090603023 CK22
090603061
POUCH, MAGAZINE

Pima County Sheriff's Dept.
Inc# 090603023 CK23
090603062
MISC, FLASHLIGHT HOR

Pima County Sheriff's Dept.
Inc# 090603023 CK24
090603063
CELLULAR PHONE,

Pima County Sheriff's Dept.
Inc# 090603023 CK25
090603064
MISC, BELT KEEPER

Pima County Sheriff's Dept.
Inc# 090603023 CK26
090603065
HANDCUFFS,

Pima County Sheriff's Dept.
Inc# 090603023 CK27
090603066
FLASHLIGHT,

Pima County Sheriff's Dept.
Inc# 090603023 CK28
090603067
DRIVERS LICENSE, DANIEL TARANGO

03/09/10

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PR

1336
HP

Date: 2/12/10

To:

From: Powell 1465

Subject: DISPOSITION OF PROPERTY; WEAPO

Case #: 090603023

The property, weapons, vehicles, and/or evidence listed on th
disposal on: _____ If these items are to be r

d for
te

It is your responsibility to contact appropriate personnel, upon
the lower portion of this form. Return completed form to Prope

ling

☐ RETAIN ☒ DIS ☐ RELEASE

Report Number: 090603023	Crime/Incident: SHOTGUN
Owner's Name: (Last, First, MI) VALLA PROTECTIVE SERVICES	Person/Firm to Whom Property May be Released: ERIC CLAMPITT
Home Address: (Apt., City, State, Zip) 1920 N 1420 RD 85715	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1465 / Assigned Unit: PAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE

Signature of person authorizing release: _____ 1465

Domestic Violence victim notified of release of property on: _____ 20 ____

DISPOSITION INSTRUCTIONS:

PH-Photo & Return to Owner / RTO-Return to Owner / D-Destroy / ROA-Return to Other Agency / O-Other (SPECIFY)

QX 35	BLKK SOCKS	WERE RELEASED	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

Received By: _____

Released By: _____ # 1836 Date: 03/09/10

PCSD 1330

1340 Rev. 03/2007

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

MAILED 02/16/10

Postmark Here

Sent To: ERIC CLAMPITT
Street, Apt. No.; or PO Box No.: Valley Protective Services
City, State, ZIP+4

7008 2810 0001 6549 7817

PS Form 3800, August 2006 See Reverse for Instructions

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

[redacted]

[redacted]				
CK 4 •	CK4 VALLEY PROTECTIVE SERVICES	✓	DD30	RELEASED
CK 5 •	EXAMINER GLOVE	✓	DD30	RELEASED
CK 8 •	UNDER CELL PHONE	✓	"	RELEASED
CK 13 •	ALLTEL BLACK CELL PHONE	✓	"	RELEASED
CK 14 •	OC SPRAY	✓	"	RELEASED
CK 15 •	CARSON OSCILLO MILLINST	✓	"	RELEASED
CK 29 •	BRAND WALLET WALLETS	✓	"	RELEASED
CK 30 •	BLACK HANDCUFF KEY	✓	"	RELEASED
CK 9 •	DIGITAL RECORDER RCA	✓	I445	RELEASED
CK 12 •	SECURITY GUARD AGENCY ID	✓	"	RELEASED
CK 16 •	GUARD VEST	✓	UU 201	RELEASED
CK 17 •	FLYING CROSS UNIFORM	✓	UU 201	RELEASED
CK 18 •	BLACK DUTY	✓	"	RELEASED
CK 19 •	BLACK HOLSTER	✓	"	RELEASED
CK 20 •	BLACK HANDCUFF CASE	✓	"	RELEASED
CK 21 •	BLACK BATON	✓	"	RELEASED
CK 22 •	MACE POUCH	✓	"	RELEASED
CK 23 •	FLASH LIGHT HOLDER	✓	"	RELEASED
CK 24 •	BLACK CELL PHONE	✓	"	RELEASED
CK 25 •	BELT KEEPER	✓	"	RELEASED
CK 26 •	HANDCUFFS BLACK / SILVERY	✓	"	RELEASED
CK 27 •	STREAM LIGHT STINGER	✓	"	RELEASED
CK 31 •	BATTS WHITE BOOTS	✓	"	RELEASED
CK 32 •	PENNEIMER UTILITY BELT	✓	"	RELEASED
CK 33 •	BLACK LEATHER BELT	✓	"	RELEASED
CK 34 •	BLACK T-SHIRT	✓	"	RELEASED

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [illegible]
RELEASED BY: [illegible]
DATE: [illegible] 1340

RCSW1500A

REV. 04/00

02/26/10

PIMA COUNTY SHERIFF
AUTHORIZATION FOR PROPER

Date: 2/12/10
To:
From: Powell 1405
Subject: **DISPOSITION OF PROPERTY, WEAPONS, V**
Case #: 09060302 3

The property, weapons, vehicles, and/or evidence listed on the attac
disposal on: _____ If these items are to be retained

It is your responsibility to contact appropriate personnel, such as: Co
the lower portion of this form. Return completed form to Property A

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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7008 2810 0001 6549 7909

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 02/16/10

Postmark Here: MAILED

Sent To: PATRICK BROWN
Street, Apt. No.; or PO Box No.: 15 CHURCH AVE #900
City, State, ZIP+4: TUCSON, AZ, 8701

PS Form 3800, August 2006 — See Reverse for Instructions

☐ **RETAIN** ☒ **DISPOSE** ☐ **RELEASE**

Report Number: 09060302 3	Crime/Incident: SHOPLIFTING
Owner's Name: (Last, First, MI) BROWN, PATRICK	Person/Firm to Whom Property May be Released: BROWN, PATRICK
Home Address: (Apt., City, State, Zip) [redacted]	Home Phone: [redacted] / Work Phone:
Release Authorized by (Print Name): Powell 1405 / Assigned Unit: RAT	Phone: 6443 / Today's Date: 2/12/10

The below listed property may be released to the above listed person/or firm, or otherwise disposed of in accordance with the below Disposition Instructions.

WEAPONS MUST HAVE CRIMINAL HISTORY AND PENDING COURT ACTION CHECK DONE, PRIOR TO RELEASE.

Signature of person authorizing release: [signature] 1405

Don _____ 20 _____

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [signature]

PH ... **CTIONS:** ... DA-Return to Other Agency / O-Other (SPECIFY)

CK28	Drivers License	[redacted]
UMC4	Ahccos Cards	
PL20	Keys on Lanyard	

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY!

Received By: [signature]

Released By: [signature] # 1318 Date: 02/26/10

1318

PCSD 1330 Rev. 03/2007

Pima County Sheriff's Dept
Inc# 090603023 CK20

090603067

DRIVERS LICENSE, DANIEL TARANGO

Pima County Sheriff's Dept.
Inc# 090603023 UMC4

090603080

CAPD. AHLCCS

Pima County Sheriff's Dept.
Inc# 090603023 PL20

090603047

HELD ON A LANYARD

PIMA COUNTY SHERIFF'S DEPARTMENT
AUTHORIZATION FOR PROPERTY DISPOSAL / RELEASE SUPPLEMENT

ITEM	DESCRIPTION	DISPOSAL	RELEASE
PL3 :	HOT DOG BAG		
PL5 :	INVOICE		
PL6 :	CIG BUTT		
PL7 :	CIG BUTT #2		
PL8 :	MENU		
PL4 :	GAUZE PAD		
PL8 :	GAUZE ROLL		
PL E :	AM/PM CUP		
PL6 :	BULLET FRAG FROM PAT SEAT		
UNC1 :	SPIDERMAN BOXER SHORTS		
UNC2 :	BLACK PICKER STICK W/BLOOD		
PL11 :	EMORY GAUZE PACKAGE		
PL12 :	.45 SHELL CASING		
PL13 :	" " #2		
PL14 :	" " #3		
PL15 :	PIECE OF WINDOW CLIPS		
PL19 :	GAUZE W/ BLOOD		
PL1 :	BEEF & BEAN BURRITO		
PL2 :	HOT POCKET WRAPPER		
PL4 :	CHEETOS BAG		
PL9 :	RED HOT BURRITO WRAPPER		
PL10 :	GREEN CHILE BURRITO		
TE1 :	TEST FIRE EXPIRED CARTRIDGE		
UNC5 :	5 - $1 BILL = $5.00		
UNC6 :	2 - NICKELS = $.10		
VBS :	VICTIM BLOODY SHIRT		
RP6 :	MEDICAL RECORDS		

The undersigned has been advised that these items may be contaminated with blood or other body fluids which may pose a health hazard and accepts the receipt of the items as is and agrees to HOLD HARMLESS the Pima County Sheriff's Department. [signature]

THIS SECTION TO BE COMPLETED BY EVIDENCE TECH ONLY

RECEIVED BY: [signature]
RELEASED BY: [signature]
DATE: 4/15

PCSD 1330 A

REV. 04/00

1318 02/26/10

Pima County Sheriff's Dept
Inc# 090603023 PL3
090603008
MISC. FOOD BAG

Pima County Sheriff's Dept.
Inc# 090603023 UMC1
090603077
SHORTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL4
090603009
MISC. FOOD BAG

Pima County Sheriff's Dept
Inc# 090603023 PL5
090603010
EVIDENCE.

Pima County Sheriff's Dept
Inc# 090603023 UMC2
090603078
PANTS, W/BLOOD

Pima County Sheriff's Dept.
Inc# 090603023 PL9
090603014
MISC ITEMS, VIDEOTAPE

Pima County Sheriff's Dept.
Inc# 090603023 PL6
090603011
MISC. CIG. BUTT

Pima County Sheriff's Dept
Inc# 090603023 PL11
090603016
MISC. PACKAGE

Pima County Sheriff's Dept
Inc# 090603023 PL10
090603015
MISC. ITEMS, WRAPPING

Pima County Sheriff's Dept.
Inc# 090603023 PL7
090603012
MISC. CIG. BUTT #2

Pima County Sheriff's Dept.
Inc# 090603023 PL12
090603017
CASING,

Pima County Sheriff's Dept.
Inc# 090603023 TF1
090608171
CASING, TEST FIRE EXPEL

Pima County Sheriff's Dept.
Inc# 090603023 UMC5
090603081
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PL8
090603013
MISC. MENU

Pima County Sheriff's Dept.
Inc# 090603023 PL13
090603018
CASING,

Pima County Sheriff's Dept.
Inc# 090603023 UMC6
090603082
CURRENCY US. MONEY

Pima County Sheriff's Dept
Inc# 090603023 PLA
090603048
MISC. GAUZE PAD

Pima County Sheriff's Dept.
Inc# 090603023 PL14
090603044
CASING, 45 CAL #3

Pima County Sheriff's Dept
Inc# 090603023 PLB
090603050
MISC. GAUZE ROLL

Pima County Sheriff's Dept.
Inc# 090603023 PL15
090603045
GLASS. PIECE, WINDOW

Pima County Sheriff's Dept
Inc# 090603023 VBS
090610017
VIPT.

Pima County Sheriff's Dept
Inc# 090603023 PLE
090603052
CLIP. AM/FM

Pima County Sheriff's Dept.
Inc# 090603023 PL19
090603046
MISC. GAUZE W/BLOOD

Pima County Sheriff's Dept
Inc# 090603023 RP6
090612065
MISC. MEDICAL RECORDS

Pima County Sheriff's Dept
Inc# 090603023 PLG
090603053
MISC. BULLET FRAGMENT

Pima County Sheriff's Dept
Inc# 090603023 PL1
090603006
MISC. FOOD PACKAGE

Pima County Sheriff's Dept.
Inc# 090603023 PL2
090603007
MISC ITEMS, WRAPPING

'09 JUL-14 12:42

ARIZONA DEPARTMENT OF PUBLIC SAFETY

SCIENTIFIC EXAMINATION REPORT

DR NO. 2009721284

AGENCY Pima County Sheriff's Department
Tucson, AZ 85714
FILE NO. 090603023
OFFICER POWELL, #5415
DATE June 16, 2009
NAME(S)

SCENE LOCATION:

A Brown four door Ford Crown Victoria with a broken front drivers side window located at 1750 East Benson Hwy, Tucson, AZ 85714

EXAMINATION REQUESTED:

Scene Assistance

RESULTS / INTERPRETATIONS:

Assisted Detective Gamber #748 of the Pima County Sheriff's Department on Tuesday, June 9, 2009. The window area was chemically processed for the presence of gunshot residues. The results were inconclusive.

Photographs were taken at the scene.

JOHN G. MACIULLA, #5510
Criminalist
Southern Regional Crime Laboratory
6401 South Tucson Blvd.
Tucson, AZ 85706
(520) 746-4575

CUSTODY OF EVIDENCE

RECEIVED

DISPOSITION

Any notes, photographs, charts, or graphs generated during the examination are retained in the laboratory.

ARIZONA DEPARTMENT OF PUBLIC SAFETY — PHOENIX (602) 223-2391 — TUCSON (520) 746-4596 — FLAGSTAFF (928) 773-3684

AGENCY REQUEST FOR SCIENTIFIC EXAMINATION

*** FOR NON-DPS AGENCY USE ONLY ***

DPS NO. 2009721284

PAGE 1 OF 1

SUBMITTING AGENCY DR. #	UCR CODE	AGENCY
090603023	RAT 04.12	PCSD
CASE OFFICER: R. Ochoa	ID NO.: 5830	AGENCY PHONE: 351-6771

EVIDENCE SECTION USE ONLY — STORAGE LOCATION(S): ENV-303

TYPE EXAMINATION REQUESTED: ☐ Laboratory ☐ Questioned Documents ☐ Latent Prints ☒ Other

SPECIAL INSTRUCTIONS (DESCRIBE EXAMINATION NEEDED FOR EACH ITEM, ATTACH ADDITIONAL SHEETS AS NEEDED)

NIBIN

SUSPECT 1	D.O.B.	OFFENSE (MANDATORY)
SUSPECT 2	D.O.B.	OFFENSE (MANDATORY)
SUSPECT 3	D.O.B.	OFFENSE (MANDATORY)

FOR DPS USE ONLY	ITEM NO.	✓ TO BE EXAM	ITEMIZE AND DESCRIBE ALL EVIDENCE
	RS01	✓	2 SPENT CASINGS (.45)

Southern Regional Crime Laboratory
AZ DPS DR# 2009721284
Subm # SRCL03
IT1JW2PC0U5U57
ENV/ (RS01) 2 SPENT CASINGS

(FOR ADDITIONAL ITEMS, USE CONTINUATION FORM DPS 802-01825)

HAS THIS EVIDENCE BEEN SCIENTIFICALLY EXAMINED BY ANYONE? ☐ YES ☐ NO — ARE CRIMINAL CHARGES PENDING? ☐ YES ☐ NO

COURT DATE (IF KNOWN) _____ — IS OFFENSE REPORT OR SYNOPSIS ATTACHED? ☐ YES ☐ NO

CHAIN OF CUSTODY

ITEM(S)/PACKAGE(S)	FROM NAME	ID NO.	TO NAME	ID NO.	PURPOSE	DATE/TIME
ENV (RS01)	R. Ochoa	5830	[illegible]	[illegible]	TSN PDS	7/15/9 1200
1 ENV "	[illegible]	0634	R. [illegible]	6917	Trans Phx	4/20/11 0700
1 ENV "	R. [illegible]	6917	McCluiz	5189	Prop.	4-20-11 0932
ENV	[illegible]	7058	[illegible]	1639	LAB	5/5/11 1250
ENV	[illegible]	1639	[illegible]	7097	PROP	7/2/11 0630
ENV	[illegible]	7097	R. [illegible]	6917	TRANS	7/6/11 1100
ENV (RS01)	R. [illegible]	6917	[illegible]	4796	Tsn Prop	7/6/11 1545
ENV "	[illegible]	[illegible]	[illegible]	[illegible]	ARCYKS	7/12/11 0910
" "	W. [illegible]	5403	[illegible]	4820	Contrcl	7/12/11 0910

DISTRIBUTION: White - Evidence, Yellow - Lab, Pink - Latent Prints, Goldenrod - Officer

DPS 802-01550 Rev. 08/93

TAPED TELEPHONIC SEARCH WARRANT
CASE #090603023

LEGEND: Q. DET. POWELL A. JUDGE GODOY

Q. Um, Judge Godoy, this is, uh, Deputy Powell, Badge #1405, of the Pima County Sheriff's Department. Will you please swear me in?

A. Do you swear to speak the truth, the whole truth and nothing but the truth, so help you God?

Q. Yes, I do. This is, uh, Deputy Powell, Badge #1405, of the Pima County Sheriff's Department. I am calling you on June 8, 2009 with, uh, Detective Warren Croft, Badge #1488, um, standing by as a witness. Um, the time now is 11:32.

And I am calling for a Telephonic Warrant, Search Warrant, and have just, probable and reasonable cause to believe that there is now:

~~In possession of, um, the Pima County Sheriff's Evidence room, um, item #CK9, a digital~~ recorder, RCA brand,

Also, in the vehicle described as a 1987, uh, Ford LTD four door, tan in color with Arizona License plate, uh, AEV 8812, with the VIN # 2FABP73F8HX137350, that is currently stored in bay #2 of the Pima County Evidence ____ 1600 East Benson Highway.

Um, in the, in, in Pima County, the State of Arizona, there is now being possessed or concealed certain property or things described as: Firearms: any firearms, but not limited to, handguns, rifles, magazines, ammunition, holsters, gun cases and any other, um, items associated with these weapons; Um, any Miscellaneous Items: books, records, telephone records, receipts, notes, ledgers and other, um, papers related to the crime; bullets, fragments, clothing, gunshot residue, gunshot blast patterns, stolen items; any DNA: any physical or biological material, including, but not limited to, blood, fibers, fingerprints, body fluids and, and areas of, and articles of clo-, clothing related to the crime; Electronical (ph) Devices: pagers, mobile phones, electronical telephone books, digital recording devices, and contents of the memory and any digital messages received while in possession of this Warrant.

Together with other, uh, fruits, instrumentalities and evidence of the crimes of: Attempted Murder, Aggravated Assault With a Deadly Weapon, Shoplifting.

As, uh, set forth in this Affidavit, I, Deputy Powell, Badge #1405, your Affiant, am a Peace Officer in the State of Arizona, employed by the Pima County Sheriff's Department. I have been a Police Officer for nine years and have the following, uh, training and experience:

At a 16 week State certified academy, uh, four weeks post academy with the Sheriff's Department. An additional 12 week of field training, um, on the job training. I, I was originally assigned to, uh, five years on patrol. I spent three years in our SRO program and currently one year as a Detective. Um, during this time, I have investigated several felonies which have, um, led to conviction.

I am investigating the crimes of, uh, Attempted Murder, Aggravated Assault With a Deadly Weapon and Shoplifting, which I believe have been committed on the 3rd day of, uh, June, 2009 in Pima County, based on the following reasons:

On 6-3-09 at approximately 051 at 3845 South Country Club, at the Circle K, um, our suspect, Joshua Kosatschenko, was working as an armed uniform guard for the Valley Protective Services. Also working as an unarmed undercover guard was, uh, Nicholas Kangas. Both guards, um, were sitting in the back storage room of the Circle K, monitoring video surveillance. Um, at that time, at 1:51, three male subjects entered the store. They were identified as Vincent Lenarez, Victor Lopez and Alejandro Gama.

~~At, uh, 1:53, all three subjects leave the store with food items that were not purchased. Um, both guards left the storage room and ran to confront the shoplifters. In a vehicle,~~ parked on the west side of the store, was Daniel Tarrango, sitting in the driver's seat. He was waiting for his three friends to come back from, from the food run. All five sus-, all five subjects that were in the store, came around the building. Um, Lenarez and Gama heard gunshots and ran southbound on Country Club. Lopez had a confrontation with, uh, with, uh, Security Guard Kangas and ended up in the back seat on the driver's side. Um, after Security Guard Kangas had contact with Lopez, he fell to the ground. Security Guard Kosatschenko fired three shots into the vehicle through the driver's side window, hitting Terrango twice in the arm and once in the side.

The vehicle had rolled back in reverse, hitting a tree at the end of the parking lot. Terrango, the driver, was critically wounded and transported to UMC for care. Uh, to this point, all the subjects, except for the shooter, Kos-, Kosatschenko, have given statements.

Uh, based on the preceding facts, I, Deputy Powell, Badge #1405, request that a Telephonic Search Warrant be issued. I also request that, um, that you con-, consider the Affidavit and incorporate it into the Warrant itself.

Q. This concludes my Affidavit, Your Honor.
A. All right. I do find probable cause for you to make the searches.

Q. Um, I will now read, verbatim, the Standard Arizona Duplicate Original Search Warrant, State of Arizona. You want me to include the spaces that are not marked?
A. No, just the one's you've checked.

Q. Uh.

STANDARD ARIZONA DUPLICATE ORIGINAL SEARCH WARRANT
STATE OF ARIZONA

Which property or things:

__X__ Were used as a means of committing a public offense.

__X__ And being possessed with the intent to use it as a means of committing a public offense.

__X__ Consists of any item or constitutes any evidence which tends to show that a public offense has been committed, or tends to show that a particular person committed the public offense.

__X__ In the daytime, excluding the times between 10:00 p.m. and 6:30 a.m.

I'll return this Warrant, uh, return this Warrant to me within three (3) court business days after the execution, as directed by A.R.S. Section 13-3918.

Given under my hand, dated this 8th of, 8th day of June, 2009.

Q. How would you like me to sign your name?
A. Teresa Godoy, There is no H in Teresa.

Q. Okay. And that would, um, the court is, uh?
A. Superior.

Q. Okay. All right. The time now is, uh, 11:39.
A. All righty.

Q. Thank you, Your Honor.
A. Thank you.

AFFIANT: WITNESS:
REVIEWED

DET. POWELL #1405 DET. CROFT #1488

TRANSCRIBED BY:
ROSEMARY SANFORD, JUNE 8, 2009

1 Q. ALL RIGHT, THIS IS DETECTIVE LYNN, BADGE #1457, PIMA COUNTY
2 SHERIFF'S DEPARTMENT. I AM CURRENTLY AT [redacted] SOUTH COUNTRY
3 CLUB, REFERENCE CASE #090603023. UH, WITH ME IS, UH, TEDDY COUCH,
4 C-O-U-C-H, DO[redacted] PLEASE STATE YOUR NAME FOR THE TAPE,
5 PLEASE.
6 A. TEDDY COUCH.

7 LEGEND: Q. DET. LYNN A. TEDDY COUCH
8

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9 Q. All right. Um, Teddy, you're, you're an employee with Circle K?
10 A. Yeah.

11 Q. And how long you worked there?
12 A. Uh, about eight or nine months.

13 Q. Okay. Um, I'm gonna turn my radio off. Um, so, were you working last night. It's, it's
14 5:41 in the morning. I assume you get off here, shortly. But, what are your normal work
15 hours?
16 A. Uh, ten to six.

17 Q. Okay. Um, so, last night, um, and you started working at. Um, these people are. Um,
18 so, I assume last night you started your shift at like, 10:00.
19 A. Yeah.

20 Q. You relieved somebody. Do you normally work here by yourself at night?
21 A. Yeah.

22 Q. Okay. Are there any other employees, not just for Circle K, are there any other
23 employees that work with you during the night?
24 A. No.

25 Q. No? Okay. Do you have, uh, does Circle K have a security service?
26 A. Uh, not usually.

27 Q. Not usually. Okay. But, they do have contract with.
28 A. Uh, yeah

29 Q. Okay. And, the night, tonight was kind of an, a different, an odd thing that there was two
30 security guards there?
31 A. Yeah.

32 Q. Okay. And have you ever seen those guys before?
33 A. Yeah.

34 Q. Okay.
35 A. I've seen one of them before.

1 Q. Okay. Do you know their names?
2 A. Uh, Josh is one of them. And I'm not sure about that guy.

3 Q. Okay. Uh, okay. Over there? So, last night it was you and then Josh. And what was,
4 what was Josh wearing? Do you remember?
5 A. Uh, the uniform, that Valley Protective Services uniform.

6 Q. Okay. And, uh, so, you, you've worked with him before.
7 A. Yeah.

8 Q. So, you, um, and he had somebody else with him?
9 A. Yeah.

10 Q. Okay. And was that person in uniform?
11 A. No.

12 Q. All right. Trying to make this _____. So, so, I guess something happened around 2:00
13 a.m.
14 A. Yeah.

15 Q. Can, can you tell me what, what you saw?
16 A. Uh, three guys came in the store. Uh, they grabbed, uh, chips, soda, uh, um, burritos, Hot
17 Pocket, stuff like that. And they, uh, walked out the door. And the security guards ran
18 after them. And then, uh, right after they left the store, I heard, uh, uh, tires peel out and,
19 uh, shots fired.

20 Q. Okay. So, you heard some gun shots?
21 A. Yeah.

22 Q. How many gun shots?
23 A. I heard two.

24 Q. Okay. You, the individuals, uh, inside the store.
25 A. Mm hm (yes).

26 Q. Do you remember, uh, did anybody pay for anything?
27 A. No. One guy came up to the counter and asked for, uh, change for a five. That's it.

28 Q. Okay. So, there was only three people inside?
29 A. Yeah.

30 Q. All right. do you remember what they were wearing?
31 A. Uh, no. I do not.

32 Q. Okay. So, they, they ran outside. And the security guards, were they inside or outside?
33 A. Yeah. They were in the back.

34 Q. Okay. And they ran through the store?

1 A. Yeah.

2 Q. To get outside? To chase after these guys?
3 A. Yeah.

4 Q. And basically, they shoplifted, right?
5 A. Yeah.

6 Q. Okay. So, after you hear the tires peel out and the gun shots, what do you do?
7 A. I went to the door to see what was going on. But, I mean, I didn't go outside. 'Cause, I
8 didn't want to get fired or anything. And I just, uh, I called my manager and let her know
9 what was going on. And that's about it.

10 Q. Did you call 911 at all?
11 A. No. I, I came outside to ask them if they wanted me to. And they, uh, he was on the
12 phone with, what sounded like the cops. So, I just, uh, went back inside

13 Q. Okay. Didn't see anything else?
14 A. No.

15 Q. Didn't even come out here and see the vehicle at all?
16 A. No. I didn't set foot off the sidewalk.

17 Q. Uh, that's it. All right. Time is now 05448 _____.

18 WITNESS:

REVIEWED _____
19 DET. LYNN #1457

20 TRANSCRIBED BY:
21 ROSEMARY SANFORD, JUNE 5, 2009

1 DETECTIVE POWELL, BADGE NUMBER 1405, WITH DETECTIVE MATT LYNN, UH,
2 BADGE NUMBER 1457. WE'RE AT THE UMC HOSPITAL ON THE, UH, FIFTH FLOOR.
3 TODAY'S DATE IS, UH, 06/04/09 AND IT'S ABOUT ONE O'CLOCK IN THE
4 AFTERNOON AND WE'RE INTERVIEWING DANNY, IS IT DANIEL, RIGHT? DANIEL
5 TARANGO IN REFERENCE TO, UM, GETTING HIS SIDE OF THE STORY AND WHAT,
6 WHAT HAPPENED TO HIM ON THE NIGHT OF THE THIRD AT THE CIRCLE K ON
7 SOUTH COUNTRY CLUB AND AJO.

8 LEGEND: Q. DETECTIVE POWELL A. DANIEL TARANGO
9

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10 Q. Um, Dan, I'm just gonna put the recorder a little, a little closer to you. You don't have to
11 touch it or anything. So we, we can just make sure we get a good recording of what
12 happened. So Danny, take your time. Um, I know that you're, uh, you, um, and I wanna
13 back up a little bit before you even get to the Circle K, okay? Um, 'cause I wanna know
14 who was with you and when you picked them up. Because you were driving your
15 mother's car from, from what I understand.
16 A. It was kinda like my car.

17 Q. It's your car? In your mom's name?
18 A. It's an open title.

19 Q. Yeah. I did the same thing when I was kid. That, I think, my, it was my, the title was in
20 my dad's name for, probably 'til I was about 23, 24, until I got my own stuff, 'til I started
21 buying my own stuff and, um, so, start, start when you started picking these guys up and,
22 and they started joining you.
23 A. Uh, um, I, we went to, uh, a Motel 6.

24 Q. Who's we?
25 A. Mm, my friend Matthew. My friend Jandro (ph). And my friend Victor.

26 Q. Who's Markie?
27 A. He was, he wasn't with us at the time.

28 Q. Okay. So.
29 A. He had stayed back at the hotel.

30 Q. Okay.
31 A. And the guys said that they were hungry. So they told us let's go get some food.

32 Q. Who's the guy?
33 A. Uh, Jandro and Victor and them.

34 Q. Okay. Th-, who was the fourth guy? I know that you were, you were drivin' and Victor
35 and Alejandro were with you but who was that fourth guy that was with you?
36 A. I don't know. I barely met him.

37 Q. Do you, do you have a name or anything?

1 A. No, none at all. I barely even met him that night.

2 Q. Okay. And you picked him at the hotel?
3 A. Uh huh (yes).

4 Q. Was he renting a room there?
5 A. I believe so.

6 Q. Was, was he the one that was in charge of that room or?
7 A. I'm not too sure. I didn't get into detail.

8 Q. Okay.
9 A. I just know that, um, that my friends were over there. So I decided to go over with them,
10 hang out with them.

11 Q. Which friends were over there?
12 A. Markie.

13 Q. Markie?
14 A. Victor.

15 Q. Okay.
16 A. And Alejandro.

17 Q. What's Markie's last name?
18 A. Machado.

19 Q. Markie Machado.
20 A. M-A-C-H-A-D-O.

21 Q. Okay. All right. And you guys decide to go do a food run before he got in your, in the
22 car. And you drove to that, that Circle K. Okay, now tell me what happens from there.
23 A. I sat in the car and I waited.

24 Q. Was the car on or off?
25 A. It was off.

26 Q. You, you turned it off?
27 A. (no audible response)

28 Q. Okay. You waited, and then what happened?
29 A. I just seen them walking out.

30 Q. Okay.
31 A. To my car. They opened up the door and got in the car. And I started reversing. And all I
32 heard was store security, store security, and they ran out. And I tried to back up and, to go
33 outta the store. And I wasn't going fast at all.

1 Q. Okay.
2 A. I was just backing up just to get outta there. And all I heard's, boom, boom, boom. Then
3 my window shattered. And I got hit. And I just, I just laid down sideways.

4 Q. Okay.
5 A. And then, and then I hit the tree and then they told me to get outta the car. And I told
6 them that I was hit. And then he told me to stay in the damn car. _____. Please
7 don't let me die, please don't let me die, I have two kids.

8 Q. Mm hm (yes).
9 A. And he said, uh, um, the ambulance is on the way. And they told me _____ Hospital.
10 It was just right there. Please help me.

11 Q. Mm hm (yes).
12 A. And I was laying down on my side. And I was dripping blood everywhere. And then he
13 tried to get me _____. I tried to get out of the car. But my feet were numb. I
14 got _____.

15 Q. Right.
16 A. But through the whole time, I never threatened him.

17 Q. Oh, we know. We, um.
18 A. And I never did anything, you know, it was just a food run. I didn't have any intention to
19 hurt anybody.

20 Q. Let me, um, let me back up a little bit just to make, get some details that I need to know,
21 all right? Um, when you were sitting in the car waiting for them, when you, you said the
22 three guy-, your, Alejandro, Victor and this other guy, they come out. Um, when did you
23 start the car?
24 A. As soon as I seen Victor get in. As soon as Victor jumped in my back seat, I got in the
25 car, I turned on the car and I started backing. And then Alejandro and that other guy fled
26 'cause they heard them say, store security so they just kept running.

27 Q. So Alejandro and this other guy, did, did they ever get into the car?
28 A. No.

29 Q. They never got in? Okay. Um, when you were, um, after Victor got in the car, and you,
30 uh, that's when you started it or was he?
31 A. I just put the car in reverse.

32 Q. Okay.
33 A. And I was just rollin' back slowly.

34 Q. Mm hm (yes).
35 A. And then that's when I heard bah, bah, bah. And he shot me.

36 Q. Okay.
37 A. And then Victor said, why'd, uh, why'd you shoot, why'd you shoot him for, man?

1 Q. Mm hm (yes).
2 A. Over some food? That's no reason for you to shoot him. He don't have a gun or nothin'.
3 That guy was just talkin' on the radio the whole time.

4 Q. Okay. Was, uh, was it, when you were pulling it in reverse, where were, did you actually
5 see him shoot? Did you see the gun? Did you see who was shootin' at you?
6 A. He was about, I think, if I looked to my left, he was about _____ feet away.

7 Q. Okay.
8 A. Probably fifteen feet away.

9 Q. And you saw him point the gun at you? Or was that?
10 A. I seen him run outta the store. There was an undercover that ran out first. And I, I think
11 he tried to go for the guys that were running.

12 Q. Okay.
13 A. And then something, Victor got in the car. So I started reversing and I seen the other guy
14 holding his holster. And he pulled the gun out, and he was like looking at me. And I
15 turned my head so I can look what's behind me.

16 Q. Mm hm (yes).
17 A. So I don't hit anybody. And I just remember, bah, bah. And my glass shattered.

18 Q. When you looked behind you, did you see, was there anybody in the way? Did you, in the
19 mirrors, did you see anybody _____?
20 A. Nobody was in the way or else I would never.

21 Q. Yeah. Did you, uh, was there anybody on the ground?
22 A. No.

23 Q. Next to, by the car or?
24 A. Nobody was on the ground.

25 Q. So when's the last time you saw the undercover guy when he, when he ran? And you saw
26 him, or you said you saw him first, he came around the corner?
27 A. I saw him come around the corner. And then the other security guy came around him. He,
28 I think he tried to go after Alejandro, the one who was undercover.

29 Q. Okay.
30 A. I think he tried to run after those two.

31 Q. Okay.
32 A. And the other guy, since he had the gun, you know?

33 Q. Right.
34 A. He probably come out at both of us in the car. _____ just firing.

1 Q. Okay. You never saw that, that undercover? Did he go in front of your car at all? Did you
2 ever see him go in front?
3 A. I think he went in front of it instead of behind it.

4 Q. You don't remember him going behind it?
5 A. No, nuh uh (no).

6 Q. Did he, I mean, did he go or did you, do you remember seeing him _____?
7 A. (no audible response)

8 Q. That's okay. Yeah, if, if you, you don't remember, man, that's cool. That's
9 understandable.
10 A. I really don't remember. I just.

11 Q. We'll tell you, we'll tell you what we know in a minute. So _____.
12 A. Everything is happening so fast, you know?

13 Q. Oh, absolutely. It happens very quick.
14 A. And we just, I didn't believe he was gonna shoot me.

15 Q. Well, yeah. Yeah. Um, the only part I re-, I wanna, wanna concentrate now on is after
16 you were shot, and you backed into the tree. And you were.
17 A. Stayed there.

18 Q. You stayed there. And you were able to talk to these guys and there guys were talkin' to
19 you and they were talkin' to Victor, do you kinda remember what people were saying in
20 that, in, uh.
21 A. I had my seatbelt on.

22 Q. Okay.
23 A. He came up. And was just talkin' on the phone.

24 Q. And, the other guy that shot you?
25 A. Yeah. He was just talkin' on the radio.

26 Q. Mm hm (yes).
27 A. Tellin' 'em what had happened. And he pulled Victor outta the car. He _____ at
28 Victor.

29 Q. And what.
30 A. Mm.

31 Q. Was Victor saying anything?
32 A. Mm, why did you shoot him for? I mean, what'd you shoot him for?

33 Q. Mm hm (yes).
34 A. Over food? He doesn't have a gun, dude, why did you shoot him? Are you all right,
35 Danny? Are you all right? Then he just started crying.

1 Q. Okay.
2 A. No, I think I'm all right _____. But he shot me. And then.

3 Q. Do you remember anything that the security guards were saying to each other?
4 A. (no audible response)

5 Q. No? Okay.
6 A. I think they were too in shock at that.

7 Q. Yeah. Everybody was.
8 A. What did he do _____.

9 Q. Everybody was in shock.
10 A2. Excuse me. Can I _____?

11 Q. Sure.
12 A2. Come on, mijo. Come on, mijo.

13 Q. We're gonna pause the interview here. Um, the mother Denise has just walked in.
14 Q2. With a phone call.
15 Q. With a phone call.
16 A. Mijo.

17 END OF RECORDING

18 WITNESS:

REVIEWED_____
19 DETECTIVE POWELL #1405

20 TRANSCRIBED BY:
21 C.ZAUNER JUNE 7, 2009

1 Q. ALL RIGHT. THIS IS CASE #090603024. IT'S, UH, 3:10 IN THE MORNING ON
2 THE 3RD. WE'RE, UH, SITTING AT THE COUNTRY CLUB, UM, AND AJO
3 CIRCLE K. AND IT'S, UH, WHAT'S IT? [redacted]?
4 A. YES.

5 Q. IS IT [redacted]?
6 A. YEAH, [redacted]

7 Q. UH, IT'S [redacted] I'M SO TIRED I CAN'T EVEN SEE OVER THERE. OR IS THAT
8 [redacted]
9 A. IT'S [redacted]

10 Q. OKAY. YOUR YOUNG EYES YOU GOT IT. ALL RIGHT. [redacted] UM, AJO AT
11 THE CIRCLE K. UM, DETECTIVE POWELL, P-O-W-E-L-L, 1405. AND ALSO
12 SITTING IN THE CAR IS, UH, DETECTIVE MATT LYNN, BADGE #14.
13 Q2. 57.
14 Q. 57. AND ALSO SITTING IN THE CAR IS VICTOR ANTONIO LOPEZ WITH A
15 DATE OF BIRTH OF [redacted]

16 LEGEND: Q. DET. POWELL A. VICTOR LOPEZ
17 Q2. DET. LYNN
18

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19 Q. Um, all right, Victor, we had a brief conversation before I turned the tape on about what,
20 what we're gonna do here. And this is your turn to just kind of tell us everything that
21 happened. Um, starting, you know, when you guys got here. And then and what was
22 probably a short time, but, go ahead and tell me the best words. I might interrupt you and
23 just make sure I understand things or ask some questions. And also be taking some notes.
24 Okay?
25 A. All right.

26 Q. And if you have any questions, let me know, too, and I'll try my best to answer them.
27 You know, before we get started, I, I do need to advise you of your rights.
28 A. All right.

29 Q. And you do understand that you do have rights. Okay? And I'm a police officer. And
30 I'm not going to, uh, keep any secrets. Everything that you tell me, I'm gonna tell a
31 judge.
32 A. All right.

33 Q. All right. You have the right to remain silent. Um, you have the right to have any
34 counsel with you. So, if you want to have a lawyer with you, while we're talking, we can
35 do that. All right. Do you understand?
36 A. Yes. Mmm.

37 Q. All right. You understand your rights?
38 A. Yes.

1 Q. All right. All right. Go ahead and tell us what happened, man.
2 A. Well, well, we're coming to Circle K. We pulled up right here by the, by that no parking
3 sign on the side.

4 Q. Oh, okay.
5 A. And, and we go in. And grab chips and soda. We come out. And, and like, and then,
6 and then, like, as I'm entering the car.

7 Q. Mm hm (yes).
8 A. I just saw someone just come and rush me, like, started grabbing, like, grab my hand and
9 everything. And then I, then I just like, threw myself in the car. And my friend, uh, I, I
10 went to go, I think my friend reverse. And that dude that was trying to grab me, like, fell
11 back or something. He fell back. And then the other dude looked at him. And like, like,
12 like, like, I closed the other door. And the other door looked at him.

13 Q. Mm hm (yes).
14 A. And he thought, I guess he thought or like, I don't know, like, like, I guess he got hit by.
15 Like, that dude said that I pulled him into the car. But, I did not pull him into the car. I
16 had all the stuff in my hand. You know what I mean?

17 Q. Okay. Okay.
18 A. And then, and then, um, and that dude fell back. And right after his friend fell back, he
19 just started shooting at us. And my friend got hit. I, I let's call my friend, I, I'm hit. I'm
20 hit. And he just fell back. And he hit that. And that dude ran up to the car pointing the
21 gun at us, tel-, telling us not to get out.

22 Q. Okay. And then, you not to get out. And then what happened? Then is that when the
23 police came or?
24 A. Yeah. When I got out, they handcuffed me. Put, and I sat right there. On top of the
25 rocks.

26 Q. Okay. All right. So, how many, how many guys are with you? How many were in the.
27 A. There was four of us.

28 Q. Four of us? Who was all with you? What were their names?
29 A. Uh, I don't know the other two guys' names.

30 Q. So, who is the guy that you know? Who's the guy that got.
31 A. Like, Danny, the driver.

32 Q. Danny?
33 A. Yeah. He lives down the street from me. _____.

34 Q. What Danny's last name?.
35 A. Uh, Terrango. Terrango, Terrango, I can't pronounce.

36 Q. Spell it?
37 A. Nah, I can't.

1 Q. Terrango, like, a T, with a T?
2 A. Yeah, with a T.

3 Q. Um, and you, you don't know those other two guys at all?
4 A. I don't. I, I barely met them. I mean.

5 Q. Where'd you pick them up at?
6 A. Uh, I don't know. Somewhere on the south, I think.

7 Q. You guys.
8 A. I, I don't remember.

9 Q. What was the, why were they with you?
10 A. I don't. Well, we were just. I don't know. They're my friend's homeys. We're, just
11 kicking back.

12 Q. They were Danny's homeys?
13 A. Yeah. We were just kicking back.

14 Q. Does Danny know who they are?
15 A. Yeah. I, I guess. I don't know.

16 Q. Okay. You don't know who they are? When did you meet them?
17 A. Just today.

18 Q. Today. What time?
19 A. Uh, I don't know what time.

20 Q. Was it dark time.
21 A. Like, morning.

22 Q. It was morning?
23 A. Yeah. But, I don't know what time.

24 Q. So, you hung out with them all day today, but you don't know their names?
25 A. Mm mm (no).

26 Q. What were you calling them? Nicknames or anything like that?
27 A. Mm hm (yes). Um, we just call each other, A or _____.

28 Q. Okay. Okay. Um, did all, all four of you go in the Circle K?
29 A. No. Danny was in the car. He stayed in the car.

30 Q. Okay. So, was the plan that he was gonna stay in the car. And you guys were gonna go
31 in and, and.
32 A. And just get food.

33 Q. Get some food and then, and then leave?

A. Yeah.

Q. Okay.
A. And just walk out.

Q. Walk out? Okay. Um, so, Danny stayed I the car. All three of you go inside. Who was in the Circle K with you? Besides you three?
A. Mmm, the, that dude that was in the. I don't know. That dude. The Circle K person.

Q. The clerk?
A. Yeah.

Q. Okay. Where was he standing? He was behind the?
A. Yeah. He came, uh, first he was when we walked in, um, behind the thing.

Q. Okay. Would be behind the counter. And who else was in there?
A. I didn't see nobody else.

~~Q. You didn't see anybody else? Did all three of you leave at the same time after you, after you stole the stuff? And then you come down this thing and you started to. And who tackled you?~~
A. That guy with the hat. I don't know. I don't know his name. He's like, he just comes rushing me. He's all, I don't know what he just kept yelling. He was trying to get my hands. 'Cause, I was facing, going in the car like this. And I had all this stuff in my hand. And he's just trying to pull me. Like, he's just saying. He's all, I'm, he said something undercover. Some kind, that's all I heard. And I just threw myself in the car. And he, and was in reverse. And I don't know if that dude fell back. I think he fell back. And then right after he fell back, the other dude started shooting at us. I think he shot like three or four times. And then my friend just yelling, saying that he's hit.

Q. Okay. And where did he shoot at?
A. Uh, he was like, I don't know. Somewhere around there. Like, where that rail is at. But, like a little bit more up.

Q. So, he was shooting where the rail.
A. No. Not like, up there. Like, more down, like down the rail, but a little bit more down.

Q. Okay
A. Not, not right next to it. But, a little bit more.

Q. Okay.
A. 'Cause he, 'cause he was standing, like, when the dude was holding me like that and I threw myself in the car, he was still like that with the gun like that. He was like, I don't know, he, I just seen him with a gun like that. And when his friend fell, I just, I just seen him start shooting.

Q. So, did you see him shoot? Or just hear it?

A. Yeah. Huh, I seen hi shoot twi-, and like, once or twice. And then I ducked down after that, 'cause, I saw my fri-, I just started feeling the glass.

Q. Okay.
Q2. Were there, you said there's two people then, that were out there with you in the parking lot? Other than your friend?
A. Like, in the parking lot?

Q2. No, when you came out, you said there was, one guy was grabbing you?
A. Nah, um, the other guy, one guy was grabbing me. And the other guy was just right there with the gun like that. Like, more back behind.

Q2. Two. Okay, so there was two.
A. Yeah, two.

Q2. Two people from Circle K out there or just two? The security or, uh, okay. One was the security guard and one said he was what?
A. No. The other guy, I don't know. He, undercover security or something. I, I wasn't, I wasn't even paying attention. I just heard someone like, trying to grab me, yelling in my ear.

Q. Do have two?
Q2. I don't know. That's what.

Q. You want to check on that real quick?
Q2. Well, yeah.
A. Uh, one dude was wearing a brown, like, a brown security suit or something. I don't know.

Q. Okay. So, one of them was in uniform.
A. Yes. And, the other, the other dude wasn't.

Q. Okay.
A. The one, the one that was shooting was in uniform.

Q. Okay. Okay.
A. And the other one that wasn't shooting, uh, um, was the dude with the hat and.

Q. And he, he was with, ____ the undercover guy.
A. Yeah. That's the, 'cause, that's the one that tackled me. He didn't tackle me. But, like, he ran up on me and tried to grab me all crazy, _____.

Q. Right. Okay. Okay. Um, and so the, the door was open. He hit reverse. And the, and when.
A. The door was already, uh, clo-, like, when I seen it was in reverse, I closed it. And like, the dude like, either threw himself back or fell back. 'Cause, I know the door didn't hit him. And then he threw, he threw himself or fell back. And the other dude started shooting.

1 Q. Okay. And you said, and then he started shooting. And you're positive that he was
2 shooting over here?
3 A. Like, over, like, yeah. Over there.

4 Q. By, by the Circle K. Not over here by the car where it was hit.
5 A. No. I, I, I don't think he was shooting at _____. Shooting like, over he-, over here.

6 Q. Okay.
7 A. Like, where I told you, like, around the end. Like, there, where the end of the rail is.
8 But, more up or. You know what I mean?

9 Q. Mm hm (yes). Okay. Yeah. I understand.
10 A. 'Cause, I just, I just like, turned around. And I see him pointing at, and as soon as his
11 friend fell, he started shooting. And then, I don't know, after like a second, the second
12 or, second or third one, I just bellied down. 'Cause, I didn't want to get hit.

13 Q. Right. Right. Um, in your, in your best guesses, why was he shooting at you?
14 A. I do not know. Uh, my best guess is, I thought he was shooting, that it was over bag of
15 chips. I was like, like, why you gonna shot at us for a bag of chips. He says, 'cause, I'm
16 all, why you sho-, I was telling him, why you shooting at us over a bag of chips right
17 here, when, when they ar-, when they handcuffed me.

18 Q. Mm hm (yes).
19 A. The security. I asked him, he's all, uh, he's all, well, because my friend was in danger.
20 'Cause, then, uh, I don't know, that we almost ran him over or something. I, he's lying
21 about that, I think. And then, and then the dude tried to say that I tried to pull him into
22 the car. How can I pull him into the car. I had the soda. I had the chips.

23 Q. Right. Okay. Okay. Um, hey, did Danny have, uh, um, a weapon with him tonight?
24 A. No.

25 Q. Danny didn't have a gun. Well, well, did any, any of you guys?
26 A. Nobody had a weapon. Nobody.

27 Q. You guys weren't packing at all tonight?
28 A. No. No one had no weapon, no nothing. He had. I, I would think he had no reason to
29 shoot. Because, he could a just wait here like, maybe, like if we, like we stole like, some
30 chips or something, throw us on the floor or something. But, not start shooting people.

31 Q. Right.
32 A. You know what I mean?

33 Q. Okay. No, I, I agree, man. I think you're right, you know.
34 A. Or, or if he could just let us leave and got our license plate number down and or
35 something.

36 Q. All right. _____ what he's got.
37 Q2. _____.

1 Q. Okay. I didn't hear that when we first got briefed.
2 Q2. I didn't either.

3 Q. All right. Then after, um, after he handcuffed you and put you over here on the rocks, uh,
4 and then everybody started showing up, right? What happened with those other two
5 guys? Were they sitting on the other side of the car?
6 A. Yeah.

7 Q. Did they get in the car when it crashed? Or did they take off?
8 A. They were in, they were in the car.

9 Q. When did they take off?
10 A. As soon as it crashed.

11 Q. They just jumped out and ran away? Um.
12 A. Yes, they did.

13 Q. Okay. And does Danny know who they are?
14 A. Well, I, I think so. I don't know.

15 Q. You know, 'cause, their uh, their statements are very important. We want to get theirs,
16 too. Uh.
17 Q2. Do you know how to get a hold of those two guys?
18 A. No, I don't. _____.

19 Q. Well, let's, uh, give me a good description on them. Let's start with the first guy. The
20 guy that was in the, the driver's, in the front seat. What did, who was he, what'd he look
21 like, how old he was, all that.
22 A. I don't know how old he was

23 Q. Okay, but, it's a guy, right?
24 A. Yeah. That his, I, I don't know. I don't really know him.

25 Q. Okay. Was he Hispanic?
26 A. Yeah, well, he looked, yeah.

27 Q. Well, I don't know, man. He could have been a white guy. He could have been a black
28 guy. Is he younger or older than you?
29 A. Um, I don't know. Maybe, I don't know, 'cause it, he looked older that are younger I
30 don't know, I didn't ask him his age, nothing.

31 Q. Okay. Um.
32 A. I like, I don't know, like, they're around 18 or maybe, I don't know.

33 Q. What was he wearing?
34 A. Mmm, I, I don't even know. 'Cause, I, I, I don't know.

Q. Was he wearing red? Was he wearing shorts?
A. Uh, uh, no. I think. I don't know. I, I think they wearing shorts, but, I don't know.

Q. Okay. Was he, he had a shaved head?
A. Um, uh, I think he had hair. I don't know.

Q. How tall was?
A. 'Cause, I wasn't really paying attention. I don't.

Q. Well, you were with them all day, man.
A. I know. But, I don't pay attention ____.

Q. How tall is he? Compared to you? Is he taller or shorter than you?
A. Well, like, a little bit taller.

Q. Taller than you.
A. Yeah.

Q. How tall are you?
A. I'm like, 5'5".

Q. Okay. So, he's a little taller or a lot taller than you?
A. A little bit.

Q. Okay. Okay, the other guy that was in the back seat with you.
A. Like, he was a little bit taller, too. Um, I don't know. Just a little bit taller than me. Probably about like, the same.

Q. About the same as you? Do you remember what he was wearing?
A. I don't know. Just know he was wearing pants. And that's was it.

Q2. Were they wearing hats at all?
A. No.

Q. Okay. We'll get them on the video.
A. I don't know. I wasn't remembers.

Q. Hey, um, well, like I said earlier, you know what? We, we don't. I'm not worried about the shoplifting or anything. But, I'm a little, I'm a little concerned that you're being so vague with these two guys.
A. No. But, I really, I really don't know everybody. I don't. I barely met them today.

Q. Okay. You, um, are you buying dope from these guys?
A. No.

Q. No? You smoking dope with these guys today?
A. No.

1 Q. Okay. I can smell in the.
2 A. I smoked weed today, but, I haven't, like, been doing it all day.

3 Q. But, you're smoking with those guys today, right?
4 A. Yeah, earlier.

5 Q. Okay. I can smell it on you. So, that's why I'm asking.
6 A. Yeah.

7 Q. All right? And so, are these guys, do these guys sell weed. Or are you afraid to tell.
8 A. I don't sell weed or nothing.

9 Q. You're buying weed from these guys?
10 A. Mmm, I don't, no, I haven't, I haven't, I haven't bought weed like, for a long time.

11 Q. Okay.
12 A. Maybe like, two, three days.

13 Q. There's no reason to protect these guys.
14 A. Yeah. But, I'm saying. I don't, I don't know them or nothing. I barely met them today.
15 I got high with them, yeah. But, it doesn't mean that I know them, I know them.

16 Q. Okay. Okay. Uh, was Danny, so, Danny knows these guys. When I go, so, if I go talk to
17 Danny, he's gonna be able to tell me who they are.
18 A. I, I think he knows them. 'Cause, I _____.

19 Q. All right. You got, you got anything else?
20 Q2. _____. Back, going back over, tell, tell again. And I know this seems repetitive, bro,
21 but, we got to get it from, you know, what happened after the, you guys came out over
22 and over again. Okay?
23 A. Yeah

24 Q. You know, we can't. All right.
25 Q2. You, you, all three walked out?
26 A. Uh, yeah, but, I was ____.

27 Q. You want to walk over there? We can walk over there, show me.
28 A. Yeah. I'll show you where he.

29 Q. You want to do it?
30 Q2. Yeah. Well, hold on. Let's do something else first.
31 Q. Okay.

32 Q2. So, you all three, you all three walk out. And you go to the passenger side or driver side
33 of the vehicle?
34 A. Um, the passenger side of the back.

1 Q2. Okay. So, it's a four door sedan, obviously. Got four doors. So, you went passenger
2 side of the back. You get in.
3 Q. No. You went to the driver's side right here. That door.
4 A. Oh, no, that, yeah. The driver' side.

5 Q2. Okay.
6 A. Yeah. Yeah.

7 Q2. So you get, you get ready to get in the driver's side pas-, passenger door, right?
8 A. Yeah. I'm about to get in it like that. And then the dude comes. He ru-, he ru-, uh, he
9 said something undercover something in my ear. And he's holding me something like
10 that. And I throw myself in the car. The dude, my friend reverses, and I don't know if
11 the dude fell, like he fell back or threw himself back or something. And I close the door.
12 And the dude starts shooting. In reverse like that. The dude started shooting.

13 Q2. The other guy started shooting.
14 A. Yeah. The other guy started shooting. Yeah.

15 Q2. And this guy was in uniform?
16 A. Yeah. Like, he had like a, he had like, uh, I think, I think it was security or tan, like a tan
17 thing

18 Q2. Mm hm (yes). Right.
19 A. And he started shooting. Like, three or four times. And then I, I duck my head down
20 and, and we hit the tree. And I don't know. I just, the dude ran up, the other guy ran up
21 to me, saying, uh, freeze. Don't move. Or put your hands or something like that. And I
22 just stay right there. 'Cause, my friend was right there shot. 'Cause, he didn't know
23 what to do.

24 Q2. Was the car already on?
25 A. Huh?

26 Q2. Was the car.
27 A. When, when we came out?

28 Q. Yeah. Was the car on? Or did he have to start it?
29 A. Uh, he, I think he started it when we ran out.

30 Q. Okay.
31 Q2. Now, you remember seeing the one security guard shoot, right?
32 A. Yeah.

33 Q2. Having the gun up and you remember the rounds
34 A. Yeah.

35 Q2. And while it's hitting and all that.
36 A. Mm hm (yes).

1 Q2. Where exactly were, was, where's the security guard and you in the vehicle when that
2 happened?
3 A. I was in, right there behind the driver's seat.

4 Q2. Okay.
5 A. And they were like right there. Like, you see where the end of the rail's at?

6 Q2. Uh huh (yes).
7 A. You go more down it.

8 Q2. Mm hm (yes).
9 A. Like, more down it, not up towards the, the Circle K there. But, you go down.

10 Q2. Mm hm (yes).
11 A. By the thing, you go little, like right there. Like, right there around there.

12 Q2. Now you just.
13 A. He just pointed like that and then, his friend fell and he just started shooting.

14 Q2. Okay. So, if, if I'm sitting. Actually, I'm sitting in the car right now like you would be,
15 right? Where, if this is the vehicle, where would the security guard be where, when he
16 was shooting?
17 A. Say about, you see where these little cone things right there?

18 Q2. Uh huh (yes).
19 A. Like, no, like, you know what I'm talking about? You see these little edges how like, the
20 lines in the floor.

21 Q2. Yes.
22 Q. Uh huh (yes).
23 A. Right there. That little corner where he.

24 Q2. So, it, it's ___ right here? Right here?
25 A. Huh? No, like.

26 Q2. Like here? Or right where this more?
27 Q. Over here more.
28 A. Over here more. Like, he was, like, we were like, reversing and he just. 'Cause, by the
29 time he started shooting, we were in reverse. And.

30 Q2. And how close was he?
31 A. Uh, like, like, I'm trying to show you. Like, if you know and, uh.

32 Q. I see it right there.
33 A. If you know where I'm pointing at. And.

34 Q2. Okay. Hop out. Come over here. This is the car and you're leaving right here.
35 Wherever you came.

1 A. That was the car just like that. We were like, _____. And that's when _____.

2 Q2. You said you were, you said you were already in the car.
3 A. Yeah. I jumped in the car. Then he, and, when I jumped the car, the other dude was right
4 there. And he had already threw himself back. Or if he fell back. And the fucking, I
5 closed the door. And the dude started shooting.

6 Q2. Okay.
7 A. That's what I'm saying.

8 Q2. Okay. All right. Do we _____.
9 Q. I know. I know.

10 Q2. Okay. If you look where the car is right now, we have a bunch of shell casings behind
11 the vehicle.
12 A. Mm hm (yes).

13 Q2. Okay? Where the car is at right now. What we're trying to figure out is, did any of the
14 shooting here while the vehicle was by the tree?
15 A. I, ____.

16 Q2. Was everything.
17 A. I, I don't know, I don't know if the last, the last one happened right there or whatever. I,
18 I heard like three or four shots.

19 Q2. Okay.
20 A. And I bent my head down.

21 Q2. All of the shell casings would be up by the vehicle.
22 A. Uh, he been shot right, around here, around here.

23 Q2. And, and if this is the vehicle, he was right about here.
24 A. Yeah. Like, a little bit back or somewhere around there.

25 Q2. This way?
26 A. Yeah. Like, some, yeah.

27 Q2. The guy's right here shooting. Okay.
28 A. Yeah, 'cause the dude, the dude was like, on, like, on like jump myself in and, and like,
29 fell back or he like, he threw himself back or something ____ my friend reverse. And he
30 threw himself back or he fell back.

31 Q2. Did he, the car's moving the whole time.
32 A. Uh, like, yeah, like, he got.

33 Q2. Hey, were you up against the fence part?
34 A. _____ well, I'm closer to that _____. ____ Uh, they're on the oth-, the one on the one
35 on the, by the fence.

1 Q2. By the fence?
2 A. Yeah.

3 Q2. And then, uh, I know I keep asking the same question. Okay? But, the, the shooting
4 happened _____.
5 A. Yeah. Uh.

6 Q2. Show me where. Stand where he was shooting at. _____
7 A. We ran to the car. The car was right here\

8 Q2. Okay.
9 A. The car was right there.

10 Q2. Okay. So, they're all.
11 A. Like, _____. That's all I know.

12 Q2. So, the car was parked right there.
13 A. Yeah.

14 Q2. Okay.
15 A. And I, and I, but, I was right there. And then.

16 Q2. So, you.
17 A. And then he ____ right here. And when we reversed he, after he fucking, like he got me
18 like that. I jumped in the car and, and he, my homey reversed. And then he started
19 shooting like that.

20 Q2. Where was the dude standing at?
21 A. Huh? What?

22 Q2. Where was the uniform security guard standing at?
23 A. Standing somewhere right here. Uh, I can't tell you exactly where.

24 Q2. But, it was right.
25 A. But, like, somewhere around this area, I can tell you that for sure. Around here. 'Cause,
26 we were right there. And, and right when I, like, I was sitting like, about, got up to the
27 car, he got me. He tried to like, tackle me or something. And I just threw myself in the
28 car. And then right after that, um, fucking that dude, he stood right there. And then my
29 friend, reverse, I don't know if he fell back or he threw himself back. You know what I
30 mean?

31 Q2. Okay.
32 A. But, he fell back. And that dude, and that dude, and that dude looked at his friend, and
33 then I saw the shooting like, I don't know, there, there's. _____.

34 Q2. Okay. Were you, you were already in the car and the car was already moving when the
35 gunshots were going off.

1 A. Yes. I was in the car. The door was closed. We were reversing. And I don't know
2 where. That's when, like, after like, the third or, or third or fourth shot, I don't know. I
3 just put my head down and we hit the tree.

4 Q2. Okay.
5 A. That's all I remember.

6 Q2. Okay. So, okay.
7 A. Hey, can I get one of my cigarettes right there?

8 Q2. ____. Well, in a minute. I know that you're probably. It's all right. I understand. So, I
9 just, I know. So, he was, you guys, you jump in. The car starts rolling. And you were
10 already. You were, you, the car was already moving. So, when the gunshots were going
11 off, the car was rolling.
12 A. The car was rolling. Yes. 'Cause, his friend fell.

13 Q2. Okay.
14 A. And that's when we were reversing. And after his friend fell where that kid, I guess it
15 was his friend or whatever. After he fell and he looked at him. And then started shooting
16 like that.

17 Q2. Okay.
18 A. That's all, like, what the hell he's shooting at us for.

19 Q2. Was, do you remember was it, if you could tell, do you remember if the car was past the
20 dude the fell? Or, was it?
21 A. Like, no, like, like, like the door was o-, like, like, I don't know if he saw the door like,
22 probably open, I don't know. Or something.

23 Q2. Right.
24 A. But, like, he fell. And then I closed the door or like, he, I don't know if he fell or threw
25 himself, but, he like, I closed the door right after he fell or threw himself. I don't know.

26 Q2. Okay. So, so, the vehicle's coming back. You, you, he falls. And when, when the
27 shooting, when you remember seeing the shooting, do you remember where that other
28 security guard at?
29 A. The one standing?

30 Q2. No. The one that was on the ground.
31 A. On the floor? He was on the floor.

32 Q2. But, do you remember seeing him?
33 A. Well, I after, after the shooting?

34 Q2. Like I'm saying, was the car past him?
35 A. Yeah. Like, he, it was past him. It wasn't, it wasn't like, after he fell, the car, look at.

36 Q2. Mm hm (yes).

1 A. This is my door, right?

2 Q2. Okay.
3 A. This is the door. This is him. and this me seeing, like, right after I threw myself in. He
4 went like that. I don't know if he fell or whatever. But, past him like that. And then, and
5 then they started shooting right after we crashed right there.

6 Q2. The guy was still on the ground.
7 A. Yeah.

8 Q2. The other guy was up, kind of above him?
9 A. Huh?

10 Q2. The, the, security guard that shot, when he got up, above the guy on the ground?
11 A. Yeah. Like, he was like, like, probably from like, right here. Like, like, like, like, ____
12 distance from the, where it happened.

13 Q2. Yeah.
14 A. It was like _____. So, like, probably like, if he was there.

15 Q2. Right.
16 A. That, that's how far they was from each other. Like, they weren't that far from each
17 other.

18 Q2. And I don't think we asked this question. Did you or Danny or any of those two other
19 individuals have.
20 Q. I already asked him.

21 Q2. You already asked him. Have no, you had no weapons whatever.
22 A. No weapons at all. You can search the car. Do whatever.

23 Q2. Well, we're gonna do that.
24 A. Yeah.

25 Q2. But, no weapons at all?
26 A. No weapons at all. No knives, nothing.

27 Q2. Did you, did you guys say anything?
28 A. No. We didn't even say nothing. We, we run up there. Came out. We came out and we
29 didn't even.

30 Q2. So, you guys didn't yell or talk shit or anything with these guys, huh?
31 A. We did not talk shit. You can ask the dude, the, the clerk or whatever.

32 Q2. No knives, no nothing?
33 A. He just.

34 Q2. Okay.

A. The what you call it. Even the clerk was all, what are you guys doing? That's all he said, you know, he just walked out.

Q2. Now, was the clerk out here, too?
A. Uh, no. He was, I think was inside. I, I wasn't really paying attention. But, I think he was inside.

Q2. Okay. _____ Yeah. That happened when you were _____.
Q. So, what we're trying to figure out is how the shell casings ended up way over there.
A. I, I cannot tell you that. I don't know. He shot from right here.

Q2. _____.
A. Office, I'm sure, I'm positive. 'Cause, as soon as we, as soon as his friend fell, that's when he started shooting. He, he trying to make _____ saying that, he's trying to say that he trying to say that __ we ran his friend over. He's ____ I'm like.

Q2. Okay. After you were handcuffed, you were sitting in there. What was the, what were the security guards doing?
A. They were right there. Uh, the other dude was just telling me, your, you, uh. I go, why the hell did you shoot? And the dude.

Q2. Did any of them come walking around over here or anything?
A. I do not, I do not know that. Uh, one of them was right there. He's all, I can't, I can't, uh, because, because my friend was shot, _____ me. I don't remember, I can't really tell you, 'cause, I was more worried about my friend.

Q2. Right.
A. I can't really tell you. 'Cause, I was telling them to call the ambulance because.

Q2. And so, they were sitting there. Kind of.
A. One, one of the guys were right behind me. And the other, I don't know, I think the other dude was right there.

Q2. Did they, did they ever leave the scene over there while you were there?
A. Uh, I don't think so.

Q. And who was the first one to show up, ambulance or cops?
A. I think, uh, cops. The Sheriff's. The Sheriff's were the first.

Q. The Sheriff showed up first?
A. Mm hm (yes).

Q. Okay. And so, after you guys crashed into that tree over there, the, the guy that was undercover, he stayed with you.
A. Yeah. He stayed right on, like, right, like, I was sitting on the floor on the, right there. And he just standing behind me.

1 Q. Okay. You sitting right. And then did the guy in the uniform, did he stay over there, too,
2 the whole time?
3 A. Uh, no. He was, he was right there. He was just trying to see like, make sure, make sure
4 my friend was okay or something, I think. Uh, I don't, I don't.

5 Q. Danny, the guy that got shot.
6 A. Yeah. Danny.

7 Q. Making sure he's okay.
8 A. I think, I think, he looked at my friend. He's up there, are you shot? And he's just, yeah.
9 And like, why'd you shoot me ____.

10 Q. Okay. Okay.
11 A. I lost my phone.

12 Q. Hey, um, can you describe what the weapon looked like?
13 A. Uh, I cannot tell you. Tell you, it's black.

14 Q. Okay.
15 A. I tried to tell you _____.

16 Q. Do you know the difference between, like, a revolver and a?
17 A. Yeah. It was, uh, it was, uh.

18 Q. Semi-automatic?
19 A. It was a handgun. It was, uh, it was, uh, it wasn't, it wasn't a revolver.

20 Q. Okay. Well, like mine?
21 A. Yeah. It wasn't a revolver. I can tell you that.

22 Q. Okay. Okay. All right. All right, ___, um, I'm gonna put you back in one of the police
23 cars. Just chill out for a second. Let's see if I can't get you a cigarette. I'll ask these
24 guys, if they'll stand with you while you smoke real quick. And then we're gonna, kind
25 of debrief and walk through a little bit. If I have any more questions, I'll come and talk
26 to you. Do you know, do you need to go piss or anything?
27 A. No, _____.

28 Q. ALL RIGHT.

29 WITNESS:

REVIEWED_____
30 DET. POWELL #1405

31 TRANSCRIBED BY:
32 ROSEMARY SANFORD, JUNE 5, 2009

1 LEGEND: Q. DETECTIVE POWELL A. VICTOR LOPEZ
2 Q2. UNIDENTIFIED MALE
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4 Q. Okay. So to the best of your ability, tell me, kind of, uh, before you got to the Circle K,
5 what you guys did, kind of in order. And when did you guys, when did he get in the car?
6 A. Um, I don't really know what we did, like, in order.

7 Q. Okay.
8 A. I'm just, I don't know. It's just I was gettin' high and then going to go to the _____.
9 And then that happens so I mean.

10 Q. Okay. So you guys, where did you get high at?
11 A. Hm? At that park, _____.

12 Q. At the park?
13 A. (no audible response)

14 Q. And then you ride in the car with Danny. Was it dark or, or is st-, light?
15 A. When he first picked us up? It was afternoon, like I told you. Like one in the afternoon.

16 Q. Right. You told me in the afternoon. And then when, when did he drop you, when does
17 he pick you up? Did he pick you up with him or with him or who?
18 A. Hm? 'Cause we went with, uh, we went, uh, me and my other friend and my other friend
19 left. He left way, way earlier. Way, way earlier. He left way, way earlier.

20 Q. This other friend wasn't even involved?
21 A. Yeah, wasn't involved with this.

22 Q. Okay.
23 A. Nothing like that.

24 Q. And then he dropped you off where?
25 A. Huh?

26 Q. When did D-, Danny drop you off at?
27 A. He never dropped me off. We went, went drivin' around.

28 Q. So you stayed with Danny the whole night?
29 A. The whole night? Yeah, like, maybe for like, yeah, the whole night.

30 Q. The whole day into night?
31 A. Yeah. 'Cause then we went to, I think he said was goin' to the doctor or something to go
32 a, a test.

33 Q. Okay.
34 A. Or something. And then he came back and then that's when we left.

1 Q. Came back to where?
2 A. Hm?

3 Q. Where were you?
4 A. At the hotel.

5 Q. So you, he left you at the hotel?
6 A. Yeah. For like, maybe like, mm, like, a hour, not even an hour. Just like to go to a test.

7 Q. Okay. And when you were at the hotel, was this guy at the hotel?
8 A. Mm. Uh, I don't know. I, probably. There was a lotta people there. A lotta people.

9 Q. A lotta people? That were comin' in and out?
10 A. Mm hm (yes). Like that, no, it was like, there was, there was a lotta people everywhere at
11 the hotel.

12 Q. But you said you…
13 A. _____.

14 Q. …were in the one room. Who was in the room with you?
15 A. Huh? Mm, like three, I think _____.

16 Q. Are you a friend of this guy somethin'?
17 A. No.

18 Q. Is this guy a friend a yours or?
19 A. I just don't know him.

20 Q. Okay. I'm just.
21 A. You keep me asking me if I know him. I keep telling you, I don't know him.

22 Q. Okay. The reason I keep asking you that? Because I have you and him together.
23 A. Yeah.

24 Q. All right? And then I have Alejandro telling me that you, they picked you and him up at
25 the hotel.
26 A. Yeah. But I don't know him.

27 Q. Okay. So that's why I'm askin' you. You said you were at the hotel and then they come
28 back to the hotel and they pick these two, they pick you and him up.
29 A. _____.

30 Q. So you were together at the hotel.
31 A. But I don't know him. Just 'cause that kid was _____doesn't mean know him.

32 Q. Okay. Okay.
33 A. _____

1 Q. I'm just sayin' that, so you can understand where I'm comin' from.
2 A. Yeah. But I'm just sayin', I don't, I don't know no, I don't know everybody I, I chill
3 with.

4 Q. All right. I'm just makin' sure that this guy is not some guy that you don't wanna tell me
5 because you're afraid of him of he's some.
6 A. Mm.

7 Q. Somebody that you respect and you just don't wanna, 'cause we're gonna find him
8 sooner or later.
9 A. Hm.

10 Q. He's not gonna hide from me forever.
11 A. Mm.

12 Q. And then he's gonna tell me what happened that night, too. Okay? So you're at the hotel
13 for a couple hours while Danny left you there. And then Danny came back. Was it at
14 night?
15 A. Mm, like, I don't know, like hour later, I guess.

16 Q. 'Cause he had to go do something?
17 A. I guess it was like hour later.

18 Q. And was Danny alone?
19 A. Hm?

20 Q. Was Danny alone?
21 A. Um, no. I think he was with him.

22 Q. You think they, so they, he was with him?
23 A. The guy, I think he, yeah, he was with him.

24 Q. How long did you guys stay there before you left the hotel? A little bit or?
25 A. I don't really remember. I can't remember, like, _____.

26 Q. Okay.
27 A. I know we left in, like, a little bit and then we just left.

28 Q. And then you left? And when you left the hotel, did you guys, where did you guys go?
29 A. Um, I think we went to go do that, um, the food run at the.

30 Q. The food run? All right. And you know that we don't care about the food run?
31 A. Yeah.

32 Q. Yeah. I th-, I think I told you in the car…
33 A. Yeah.

34 Q. …that you were gonna get a ticket but then…

A. Yeah.

Q. ...they told me no.
A. Yeah.

Q. I was, like, all right, cool.
A. _____ 'cause the, dude, he threw me out of the car and he's all walk. And I was like, I started walking, and I was all, huh? _____ walk 'cause I don't wanna _____...

Q. Right. Right.
A. ..._____.

Q. Yeah, so you just left. But it was a Deputy that told you to go ahead and walk?
A. Yeah.

Q. Okay. All right. Um, all right. So, so this cool. So we gotta kinda, you guys, are you lookin' for, he dropped you off at the hotel. He went to go do something per-, personal, like a doctor appointment or somethin'.
A. Right.

Q. Then he came back to the hotel. He came back with Alejandro. And then he took, he took you, Alejandro, and this unknown guy that nobody knows who he is, but he picked, he picked you two guys up at this, at the, the Motel 6. And do you remember which Motel 6 it was?
A. Mm. I don't know what, I think it's, is there one on Benson?

Q. The one on Benson Highway?
A. I think. I don't know.

Q. Do you remember what stores were around it?
A. 7-11. Uh, yeah, 7-11.

Q. A 7-11 was by it? Okay. All right. Okay. So you guys all say, hey, we're hungry. Let's go do a food run. So you jump in the car. You drive down to this Circle K. All right? Let me draw a picture real quick of, of that night, 'cause before when we were talkin' we were lookin' at right? It's a little easier to. We'll call that the Circle K here. These are the doors right here. Um.
A. It's got the rail.

Q. Yeah. Remember the little handicapped rail that was like right there? Um, there was, uh, parkin' spot here.
A. Here, and a parkin' spot here.

Q. And then there was that.
A. One, two parking spaces.

Q. Yeah, there was that fence. There was that, that fence thing here.

A. Oh, yeah.

Q. Remember?
A. A white fence.

Q. And then there was like a, like a, um, the cones. And there was some parking spaces here. Uh, the gas tank thing was over here.
A. And the tree.

Q. And the tree was, like, right here, right?
A. Yeah.

Q. All right. All right. But you, that look about right? I mean, I know it's not to scale or anything. So you guys come in. And you guys parked and D-, Danny parked right here, right?
A. Yeah.

Q. Okay. So the car was right here. In that second parking spot. Um, who, then you guys left and you came out. How far did you guys get, did you guys get off the sidewalk? Or where about were you at when the security guards run out of the door.
A. At the car.

Q. And you were at the car?
A. I was at the car. I had everything in my hand and I was gonna open the door like this. I had ____ like…

Q. Uh huh (yes).
A. ….and I'm tryin' to open the door. And I thought everybody else was in the car. And I'm tryin' to, like, open, and I opened it. And right when I was about to get in, someone goes, vrrrooom, _____...

Q. Okay.
A. _____ the car _____.

Q. So the back car door, it was open?
A. Yeah. It was open and when that, mm, when, uh, and.

Q. And where, so this car door was open, go ahead and mark, where were you standing at when he hit you?
A. Like right here.

Q. Right there? Okay.
A. Right here. The door was right there and I'm like right here.

Q. Okay. So he kinda grabbed you, right? You guys, was it kinda like a little push and shove a little bit? Like you tryin' to get away and he's grabbin? Well, how.
A. No, like he, he was, like, tryin' to grab me and try, I think he was tryin' to throw me on the floor or something. I don't know.

1 Q. Mm hm (yes).
2 A. But then like I, I just, like, threw myself into the car. I don't know. Like when, when I
3 threw myself into the car, it's like he was tryin' to hold on to me and he slid back, and he
4 slid back, like, fell or something. And I _____ he fell back and slid, and that's
5 when we were in reverse, closed the door, and he started shooting.

6 Q. Okay. So, did, um, when you were standing there, had the car started moving yet?
7 A. Mm, not yet. I don't think. Not yet. 'Cause I, 'cause, uh, I was right there for like a good,
8 _____, five, seven seconds.

9 Q. Okay.
10 A. Just right there. And I, I, 'cause I, it was like I didn't, like I would just move like that
11 'cause I had everything in my hand and, and I had everything in my hand and I just like
12 pulled, like, uh, pulled, you know, and pull yourself _____ like that and just pull
13 myself in there.

14 Q. And you kinda, kinda fell into the car?
15 A. Yeah. And I fell, uh, yeah, like I jumped into the car basically.

16 Q. Were you jumpin' in feet first or head first?
17 A. No, on the side. To the side.

18 Q. Oh, just kinda. Oh, just kinda jumpin' in?
19 A. Yeah. Like jumped in and put all my _____ right there.

20 Q. Okay. So you were, so you, so then were you outside of the car or inside of the car when
21 Danny started goin' backwards?
22 A. Uh, inside.

23 Q. You were already in the car? Okay. And then where was the security guard standing
24 when the, when the, when you noticed.
25 A. The standing one? The one that was shooting?

26 Q. Not the guy that was shooting. The g-, the, I'm talkin' about the, the guy.
27 A. The one that was tryin' to get me?

28 Q. Yeah, the one that was tryin' to get you?
29 A. He, the door, like, um, when he, when, uh, I jumped in? Like, I don't know if he, if he let
30 go and fell or something like, like, _____ and he fell like that. And then we reversed
31 like that.

32 Q. So he was already on the ground when the car started moving?
33 A. Yeah.

34 Q. He had fallen down?
35 A. Yeah. He already fell down when the car was moving.

1 Q. And was the car open when the, when you were goin' backwards? The car door was
2 open?
3 A. Right. Yeah. It was open for a little bit and then I closed it. I closed it and then right after
4 we closed it, just heard shots. That was it.

5 Q. All right.
6 A. And then, and then when I, and then I _____.

7 Q. Where was he laying at, where was he laying at when you pulled the door shut?
8 A. See, like, there's a, when we pulled the door shut right here?

9 Q. Mm hm (yes).
10 A. He was like, probably like this far from the _____, like, right here? Laying on the
11 floor like that. And he was laying, like, he fell back or something. As soon as he fell
12 back, that's when we reversed.

13 Q. Okay. So he fell backwards and then, was the car door, did the car door pass him?
14 A. Mm hm (yes). _____...

15 Q. When you closed it?
16 A. ...it didn't, it didn't hit him or nothing. It wasn't even close or nothing. 'Cause I'm, like,
17 that's why when I had the, especially when I was over there, when I was at the Circle K,
18 the security were, just the security there, I was getting down. And that dude's all, you
19 were under the car weren't you? You were under the car? He's all, I'm like, what? And
20 that dude's all, all, well because that dude tried to grab you into the car. I'm all, I'm all,
21 oh, hell no. 'Cause he just was, they, 'cause they were right there talking, well something
22 like that. You guys better not try to say I grabbed you into the car. 'Cause I, I couldn't, I
23 had everything my hand. How, how am I gonna grab him into the car.

24 Q. Okay. So, I just wanna make it very clear, and then we'll talk about that.
25 A. Mm.

26 Q. That, and when we get to that point, I wanna talk in that, in that more detail, all right?
27 The, um, so you were in the car. The security guard was on the ground. Was he, was he
28 laying on, was he?
29 A. Like this. Like, the car was _____.

30 Q. Was he sitting down?
31 A. The car's like this, right? Reversing.

32 Q. Mm hm (yes).
33 A. Like that. Going that way. He fell back, like, this way. Like, on his back.

34 Q. Like he fell down.
35 A. _____ on his butt, on his butt and then he rolled to the back or somethin' like that.

36 Q. Okay.
37 A. _____.

1 Q. Right.
2 A. Hit his butt and then he just rolled back…

3 Q. I underst-.
4 A. …on his back.

5 Q. Okay. And then you shut the car door?
6 A. Yeah. I shut the car door.

7 Q. When you, when you were shuttin' the car door, did you see the car door hit him at all?
8 A. Nah. It didn't even hit him all. Believe me, it didn't hit him at all.

9 Q. Okay. So you were.
10 A. The only thing that's probably happened to was when he fell, _____ probably got
11 scraped right here. That's probably the only thing that happened.

12 Q. When he fell, when he fell down.
13 A. Yeah.

14 Q. So when you were, you are sitting in the car like you're supposed to be.
15 A. Mm hm (yes).

16 Q. And you were sittin' right behind Danny.
17 A. Yeah.

18 Q. Then he fell back and then you reached over and you pulled the car door shut?
19 A. Yeah. After, after he, after he fell down, after he fell down, I fuckin' pulled the car door
20 shut and then, _____.

21 Q. Okay. When did the, okay. So when you pulled the car door shut, um, you didn't feel, did
22 you feel it hit something or bump anything?
23 A. It didn't even hit him.

24 Q. Okay.
25 A. I didn't feel nothing. Nothing. _____

26 Q. _____. All right. At what, was the car door, when, okay, then, what, at what point
27 did that happen did you hear the gunshots?
28 A. Right when we started reverse. They were right after we closed the door. Right after we
29 closed the door and this homey, like, he saw his homey on the floor. His friend or
30 whatever on the floor. He just started pop, pop, pop, pop.

31 Q. Okay. Well, don't tell me what he did. Tell me, tell me what you were doing when you
32 heard the gunshots.
33 A. Oh, tell you what I was doing?

34 Q. Yeah. That's, that's…
35 A. I look, I looked up...

1 Q. ...that's the only thing you can really do.
2 A. ...I looked up. I looked over at them and I was just saw him shooting at us and, and I hear
3 it go through the window and after that, I just put my head down 'cause he kept shooting
4 and shit. And I didn't wanna, I was like fuck that. And then the car just started going like
5 this ___, like it just started going like that. 'Cause it was reversing, well, and then it was,
6 we were reversing so we were just going like that. And it hit the tree, boom.

7 Q. Right.
8 A. It hit the tree.

9 Q. 'Cause he was already turnin' the wheels to back out. Okay, and then you guys came over
10 and you hit the tree. So, and I know it, I know it's silly, I'm gonna, but I wanna make
11 sure, you got in the car. He had fallen down on his butt. You shut the car door. Then you
12 hear the gunshots.
13 A. Yeah.

14 Q. And you, and you're positive that the car door was shot, was shut.
15 A. Yeah.

16 Q. When you heard the gunshots.
17 A. _____.

18 Q. And you hear the gunshots then.
19 A. Because I remember, 'cause, 'cause I closed the door, and that's when I closed the door
20 that we were, we were reversing, well. 'Cause we were, we were reversing like that, just
21 reversing.

22 Q. Mm hm (yes).
23 A. I don't know, but we weren't even, we were, we were going fast reversing or not, I mean,
24 like, not all crazy like, errrr, like that.

25 Q. Right.
26 A. But, and then I don't know, like, _____ he just pop, pop, pop, pop. 'Cause I,
27 'cause I think if that door wasn't closed, I probably would've gotten hit or some shit. I
28 don't know.

29 Q. Yeah. Pretty close to where you sittin'.
30 A. Yeah.

31 Q. Yeah.
32 A. I told him like.

33 Q. Do you remember.
34 A. _____.

35 Q. About where the security guard was standing...
36 A. Yeah.

1 Q. ...in reference to the railing and everything when he sh-, was shooting?
2 A. Probably like, like somewhere around this little area.

3 Q. Okay.
4 A. Somewhere around here.

5 Q. Okay.
6 A. I can't tell you exactly...

7 Q. That's fine.
8 A. ...where, but I, when...

9 Q. But he was like.
10 A. ...I looked up and I just seen him like that, I just went oh, hell no.

11 Q. So the car was already moving.
12 A. Yeah. The car was like right here when he got shot.

13 Q. Your door was shut.
14 A. The car was like right here when he started shooting.

15 Q. Okay. And here's another question, was the door shut while, wh-, were you shutting the
16 door while you were moving or before the car was moving?
17 A. Right before, like, he was barely putting it in reverse and then I looked out, and right after
18 he fell, I closed the door and we're like...

19 Q. Just by.
20 A. ...like, like, we were barely going like slow, like, not even fast. Just like that.

21 Q. So he had popped it in.
22 A. _____ like, and, and _____.

23 Q. He popped in reverse already.
24 A. Yeah.

25 Q. Then you closed the door and then you starting moving. It's almost, almost _____.
26 A. Yeah. It wasn't even like, not even like, not even like two miles per hour and.

27 Q. Okay.
28 A. Just, like, it was, you know, like, like, like, the reverse. Well, 'cause you know, how
29 when it reverses on its own when you, when you let go of the brake? It was going like
30 that. And then I closed the door and then, like that.

31 Q. Okay. Okay. Um, were you and Danny talkin' to each other?
32 A. When he got hit?

33 Q. No, I mean during this whole time, what were you guys sayin' to each other?
34 A. Um, oh, when we were being shot at _____.

1 Q. Mm hm (yes).
2 A. No. I couldn't talk to him. The only time I talked to him was when we hit the tree and
3 then he said he was all right and stuff.

4 Q. Did he say anything?
5 A. Yeah. He was like, the dude shot me, he shot me. That's all he kept saying and, and he
6 thought he was gonna die and stuff like that.

7 Q. What was he saying?
8 A. He was like, he shot me. And then he was like, I'm gonna die, I'm gonna die. And that's
9 all he kept saying.

10 Q. Okay. And what were you saying?
11 A. Oh, I just, just _____ calm down, breathe normal, anything.

12 Q. Okay.
13 A. And that security was just, uh, like, like that waiting for the cops to come or something.

14 Q. Okay. At any of this time, did any, do you, do you remember the security guard saying
15 anything to you guys during, at all? When they first came up to you until the.
16 A. When we came in?

17 Q. No, no, no. Not when you came in 'cause they were in the back. Um, when, when they,
18 when you left, and you were standing at the door, did you hear any, the security guards
19 say anything to you or yelling at you guys or do anything?
20 A. They rushed me. And then they _____ at the door first. And then I heard undercover
21 and that's all heard. I didn't hear nothin' else. I just heard, undercover. But he was yelling
22 in my fucking ear.

23 Q. He was like, he was undercover?
24 A. Yeah. That's, but that's all I heard. And, and then he's all, undercover and then I, I
25 thought I heard security or something. And then.

26 Q. Okay.
27 A. He was just yelling in my ear and all, and I was just tryin' to pull myself to the car.

28 Q. Do you remem-, do you remember anything else they said? Just the words undercover.
29 And you might've heard someone else say security or the guy that was.
30 A. Yeah.

31 Q. Yelling at you?
32 A. The guy that was yelling at me.

33 Q. Okay.
34 A. Because, because, because I'm, because when, well, because when we crashed, when we
35 crashed, it was kinda like the same voice 'cause the dude that _____ handcuffed.
36 Sounded like the voice. 'Cause I was like what the hell did you shoot him over some

1 chips. And he's all, you guys shouldn't be stealing. You should be stealing. And I was
2 what the fuck.

3 Q. Who, who said that you shouldn't be stealing?
4 A. The guy in the hat.

5 Q. Oh, okay. The guy, the undercover one?
6 A. Yeah. That dude's, like, you guys shouldn't even be stealing. What are you guys doin'
7 stealing?

8 Q. Okay. So he, after you crashed, he pulls you outta the car and he puts you in handcuffs on
9 those rocks?
10 A. Yeah.

11 Q. Okay. Like you said the other night. He left Danny in the car though, right?
12 A. Yeah.

13 Q. And they called, and the called for help?
14 A. Yeah. They called for an ambulance. The ambulance didn't get there like 20 minutes
15 later.

16 Q. Yeah. It was, it takes awhile sometimes. Um, when you were sittin' on the rocks, were
17 the two, um, security guards talkin' to each other?
18 A. (no audible response)

19 Q. What were they sayin'?
20 A. They were sayin', uh, you were, you were almost under the car right? _____.

21 Q. Okay. Which one was saying that? So there was a uniformed guy.
22 A. The, the guy that was shooting.

23 Q. Okay, but.
24 A. That, that, that dude's all, uh, you were almost under the car right? He was tellin' that
25 dude. And then he was standin' there saying, yeah, I was, I was. And I was like, how the
26 fuck were you almost under the car? You were, you, your legs, and if you were halfway
27 under the car, and if your legs was not _____...

28 Q. _____.
29 A. ...how'd you get out all quick like that? And then, and, and then, and then, and then, and
30 then the other dude tried to say that, um, I don't know what they call that one dude. Uh,
31 what the fuck? I said, I was _____ but they're like, yeah, I'm lucky 'cause the
32 guy tried to pull me into the car or something like that. I was like, oh, hell no.

33 Q. Okay. I know, okay. Try to, I know you disagree with it, what they were doin'. I know
34 you disagree with it a lot 'cause Danny got hurt and this whole thing. But, um, let's, can
35 you tell me what they say? Let's just, let's, let's go from back and forth. What one guy
36 said and what the other guy said. And let's not worry about what you were thinkin', all
37 right.

1 A. Mm hm (yes).

2 Q. So, so the, the, the uniform security guard asked the un-uniformed security guard, the guy
3 that was undercover, so, the guy in the uniform asked the undercover guy if, if he tried to
4 pull you in the car?
5 A. Yeah.

6 Q. And what did the uniform guy, the, the undercover guy, what did he say?
7 A. Uh, I can't even tell you.

8 Q. Okay. Okay.
9 A. I was, I heard it and, and right after that I heard him say that, I was like, you guys better
10 not be tryin' to make up no bullshit sayin' that I pulled you into the car. It's not, 'cause I,
11 'cause you know I had all the chips, everything in my hand.

12 Q. Okay.
13 A. 'Cause I was tellin' 'me, like, you guys are stupid.

14 Q. Okay. So, and then, the undercover guy, then the uniform guy asked the und-, undercover
15 guy if he was underneath the car?
16 A. Yeah. That's when, oh, you were almost underneath the car when they reversed right?
17 I'm like, _____.

18 Q. Okay. And then the, um, the uniform guys asked the, the, did the undercover guy ask the
19 uniform guy any questions or tell him anything?
20 A. Mm.

21 Q. Was he pretty quiet or was he talkin' to you or what was he saying?
22 A. He was talking to me 'cause I was talkin' shit, I wasn't talkin' shit to him, but I was like,
23 what the hell did you shoot, you know, I mean, over some chips? He was all, you guys
24 shouldn't be stealing, la, la, la. That's all he kept staying, you shouldn't be stealing.

25 Q. That's what he kept telling you? You shouldn't be stealing? You should be stealing?
26 A. Yeah. That's all he kept saying. Yelling, and shit, _____.

27 Q. Okay. Okay. All right. You are, um, wh-, anything else those two guys were saying?
28 A. Mm. Not that I, that I could think of, no.

29 Q. Okay. This has been a much better interview.
30 A. Hm.

31 Q. Can you tell?
32 A. Yeah.

33 Q. Okay.
34 A. 'Cause that, that's when I was more, like shock. I thought I got shot at first. And I'm like,
35 'cause you know when you get shot, you don't even feel it sometimes? Yeah, like that.
36 Just like the air go through?

1 Q. Yeah.
2 A. That's why I was like, I had to feel myself _____.

3 Q. All right. Um, I appreciate you being really honest with me. I really do. It makes my job a
4 lot easier. It's gonna make this case for Danny a lot better, too.
5 A. Mm hm (yes).

6 Q. All right. Um, and from what I understand you, you were, you were pretty high that day,
7 all day.
8 A. Mm hm (yes).

9 Q. Right? You were smokin' a lot right? To the point you, you have a hard, you're having a
10 hard time remembering what kind of a course of events happening that day.
11 A. Yeah. But.

12 Q. And that's fine. Um.
13 A. Because that, because that whole day, after this happened, my whole mind just went into
14 that, you know what I mean? Like, what the fuck?

15 Q. Well, you're gonna think about it over and over and over again for a long time.
16 A. Yeah.

17 Q. And you're gonna keep thinkin' about it over and over. What you should've done
18 differently, what should've happened, man, we never should've gone to the store, you
19 know, stuff like.
20 A. But that, those dudes, they should a just laid in, let us leave, got our license plate down or
21 something, you know, what I mean? Or they should a just called the cops, yeah, someone
22 did a food run, you know what I mean?

23 Q. If he was a, yeah, there's a whole bunch a things, dude. If he was, if was in uniform, if he
24 was standing right there, would you guys stole anything?
25 A. Hm?

26 Q. If he was in uniform, would you guys still have stole something?
27 A. _____.

28 Q. If he was standing right here?
29 A. If he was standing at the door, like, if he was standing out here? No, _____.

30 Q. You guys would walk in and walk out, huh?
31 A. I woulda walked in and bought something and walked out. But they were probably just
32 tryin' to, mm, catch people doing that 'cause the other security, at the other st-, Circle K.
33 It was a crazy, I don't know if he still works there but.

34 Q. Mm hm (yes).
35 A. They used to _____ and stuff.

36 Q. Right.

1 A. _____.

2 Q. So, did you see, um, what happened to Alejandro and what happened to this guy?
3 A. No, I didn't.

4 Q. Did you ever see what happened to 'em?
5 A. No. 'Cause as soon as, um, as soon we, um, like as soon as we crashed, like, they, they
6 was on us, they caught us. That's all you hear, I'm like, look like that? I'm, like, oh, oh,
7 _____ all over my door so I could get out and see what's wrong with _____. But the
8 door, it was like, you can't, you know what I mean?

9 Q. It was jammed?
10 A. It was jammed.

11 Q. Yeah.
12 A. Yeah. I was...

13 Q. So were you.
14 A. ...and, and then and those two guys weren't even there.

15 Q. Wh-, were they in the car when it crashed?
16 A. Mm hm (yes). Yeah.

17 Q. They were in the car when it crashed?
18 A. Yeah. After it crashed, beep, that's all you hear. You here the doors open, both of 'em.
19 Bink. And then, I'm in the middle of it _____ and I said, open the door. That dude
20 ran up from, run up to me, don't fuckin' move. And I wasn't gonna move. What the hell
21 am I, he was already shootin' people for chips. And I don't know if I move my hand,
22 he'll probably shoot me.

23 Q. Okay.
24 A. Yeah.

25 Q. All right. Um, let me take a second real quick.
26 A. Mm.

27 Q. Um, and go to talk to, uh, one of my friends real quick, make sure that we have, uh, any
28 questions or anything that I've missed. Okay?
29 A. _____.

30 Q. And then after I, after I talk with him, but, uh, maybe we can go swing by the, um, Motel
31 6. You don't have to go with me or anything just, if you see if you can rec-, recognize
32 which one it was. And I'll, I'll do all the, then I'll take you home. But I'm not gonna have
33 you knock on the door or anything like that, okay?
34 A. All right. That's, that.

35 Q. We'll be cool that way. All right? Maybe you can show me about where it was at and
36 then I can, uh, 'cause I can get, like, who rented the room and all that stuff.

1 A. Mm hm (yes).

2 Q. I can do all the investigation later, all right?
3 A. All right

4 Q. So give me a couple minutes bud.
5 A. All right.

6 END FIRST TRACK
7 BEGINNING OF SECOND TRACK

8 Q. I just wanted to, uh, uh, make sure, I was talkin' to those guys, make sure, I want you to,
9 I want you to concentrate on every-, everything's good. But I want you to really
10 concentrate on remembering the events that happened right after you got pulled outta the
11 car by those guys. And try to go in your head and kinda remember the dialogue and what
12 they were saying to each other, what they were saying to you and back and forth, you
13 know.
14 A. Mm hm (yes).

15 Q. What they were saying and, so we can get everything what they said because those guys,
16 you know, were tryin' to make up a story or somethin' _____.
17 A. Mm.

18 Q. You know? 'Cause that could, that could, uh, everything that happened, as a witness, this
19 could be the biggest, your biggest part.
20 A. Mm hm (yes).

21 Q. You know? Because this story of here, every-, everybody's telling me the same thing. We
22 know exactly what happened that night, too, 'cause, uh, we had a, uh, at these g-, gas
23 pumps over here. There was a car sitting right here and they guy saw the whole thing.
24 Okay?
25 A. Mm.

26 Q. So we have, we have everybody tellin' us, so this is good.
27 A. Mm hm (yes).

28 Q. This is, everybody's tellin' us the same thing over here, but this guy, as soon as the
29 gunshots happened?
30 A. He _____, huh.

31 Q. He did, he got the hell outta there. All right? So, so the only people that were here, were
32 those two security guards, you and Danny.
33 A. And me and Danny.

34 Q. I don't know how much Danny's gonna remember 'cause he's scared that, he was, like.
35 A. Yeah, he was, he was just right there, like, was more worried about himself.

36 Q. Yeah. He said he was gonna die.

1 A. Yeah. He was just like, he kept sayin' I'm gonna die. That's what he kept saying.

2 Q. All right. So, so let's see you, you crashed, bang. Who opened the door?
3 A. Uh, the, that one, um, with the hat?

4 Q. Okay. The undercover guy.
5 A. Yeah. _____.

6 Q. Let's call…
7 A. Call undercover.

8 Q. …one guy undercover. We'll com-, call the other guy the uniform.
9 A. All right.

10 Q. All right? Will that, so that'll help us. Okay. So the undercover guy opens the door and he
11 pulls you out?
12 A. Yeah. He, he pulled me out, like that, he had my hand like this.

13 Q. Mm hm (yes).
14 A. And then he puts, and then he put handcuffs, tell me to sit on the floor.

15 Q. Okay.
16 A. And then after that, the other dude checks on my home-, my friend.

17 Q. The uniform guy checks?
18 A. Yeah, yeah, Dan-, Dan-, the uniform guy checks on Danny and then after, and then he
19 checks on him, make sure he's all right. And then after that they, and then, I'm, I'm
20 sitting down right there making sure Danny's all right. And then _____, I just
21 heard that dude telling him, _____, what the call _____.

22 Q. That dude in uniform?
23 A. Yeah, yeah. The uniform, _____ uniform guy telling the other guy, _____ you
24 were almost under the car, huh? And that, that dude was, like, yeah or some-, I, I don't
25 know anything, yeah or something. And then, and then I was like oh, hell no. And that's
26 when, and that's when the other dude, I mean the, the, uh, the undercover guy, uh, oh, no,
27 not the undercover guy, the other guy was all, the uniform guy was all, um, what the
28 _____, um, what _____ that dude tried to grab you inside the car. He
29 was talkin' about me. 'Cause I was all.

30 Q. Okay. They said, that dude, pointing at you?
31 A. Yeah.

32 Q. That dude?
33 A. Tried to grab you in the car.

34 Q. Tried to grab you in the car?
35 A. Yeah. And I was like, oh, hell no. I didn't even grab him. How could I grab him when I
36 have a fucking, you know what I mean?

1 Q. What did the uniform, what did the undercover guy, the guy with the hat, what did he say
2 when the uni-, the guy with the uniform, that guy that shot him, asked him did he, hey,
3 did he try to pull you in the car?
4 A. That, he tried to say, like, yeah, but no, like yeah, no, or something like that. I wasn't
5 really payin', I, I heard him say yeah and then I heard him say no, and then...

6 Q. Okay.
7 A. ...yeah. I don't know.

8 Q. Okay.
9 A. I couldn't really tell you that one but I'm like, I don't know.

10 Q. Any other, any other dialogue between those two asking each other questions?
11 A. No. Those were the only two questions that I heard them.

12 Q. Okay. Did they talk about each other, like, hey you gonna call the cops or you gonna call
13 the?
14 A. Well, uh, no, I don't think so.

15 Q. Did you hear 'em talkin' on the, their _____?
16 A. I think, yeah, yeah, I think, uh, yeah, them, on, yeah, it was, it was the uniform, not the
17 uniform guy called the cops and I think the Circle K guy called the cops.

18 Q. Oh, okay.
19 A. 'Cause he, 'cause I remember the Circle K guy walking out with the phone _____.

20 Q. But you saw him, you saw him over here?
21 A. Yeah. I saw him walkin' down, like the ramp, like that. Uh, not by the ramp, but like
22 right here? And I just seen him calling the cops on the phone.

23 Q. Oh, okay. So he came over here, then he came back?
24 A. Yeah.

25 Q. Okay. All right. All right. Cool. All right, man. Well, what we'll do is, um, that's good.
26 Let me, um, all right, did I ever give you a card or anything?
27 A. Um.

28 Q. Let me give you my card and the case number and everything, okay? And then you'll
29 have my phone number so you can get a hold of me.
30 A. Mm.

31 Q. And if you remember anything else, something that you wanna tell me. Even if you
32 wanna start remembering maybe his name or his girlfriend.
33 A. _____.

34 Q. 'Cause from what I understand, he was, he was, he had a girlfriend, too. Okay? So the
35 case number is, it's 090603023. All right?
36 A. Hm.

1 Q. And it's, uh, that was yesterday. Today's date is 6/4 of 09. And it's, it's noon already. It's
2 12 o'clock.
3 A. Already?

4 Q. Yeah. So let's take you over to the, um.
5 A. Yeah. I'm missing lunch.

6 Q. You're missin' lunch?
7 A. Yeah.

8 Q. What you have an appointment?
9 A. With my dad. We have lunch at 12.

10 Q. Oh. You need to call him?
11 A. Huh?

12 Q. Do you need to call him?
13 A. Yeah, can I use the phone?

14 Q. Yeah. Go ahead.
15 A. What is this, Boost?

16 Q. That thing's a brick, man. Are you kiddin' me? And we'll go over to Circle K. I mean,
17 we'll go over to the Motel 6. Tell him he's gotta feed the Detectives, too.
18 Q2. No, I'll, but I talked to somebody _____.
19 Q. OKAY.

20 WITNESS:

REVIEWED_____
21 DETECTIVE POWELL #1405

22 TRANSCRIBED BY:
23 C.ZAUNER JUNE 7, 2009

1 Q. ALL RIGHT. THIS IS DETECTIVE RYAN POWELL, BADGE NUMBER 1405. UH,
2 THIS IS A TAPED INTERVIEW STATEMENT WITH, UM, WITH VINCENT.
3 WHAT WAS YOUR LAST NAME AGAIN, VINCENT?
4 A. LINAREZ.

5 Q. CAN YOU SPELL THAT FOR ME?
6 A. L-I-N-A-R-E-Z.

7 Q. L-I-N-A-R?
8 A. E-Z.

9 LEGEND: Q. DETECTIVE POWELL A. VINCENT LINAREZ
10 Q2. SGT. PARISH
11 ---

12 Q. And, uh, what's your date of birth, sir?
13 A. [redacted]

14 Q. And, uh, you have a phone number we can reach you at?
15 A. Yeah, um, [redacted]

16 Q. And where do you, uh, where do you?
17 A. [redacted]

18 Q. Is it the same as your mom's...
19 A. Yeah.

20 Q. ..,up here? Okay. [redacted]
21 A. Yeah. [redacted] uh, _____ [redacted]

22 Q. [redacted] [redacted] Yeah.
23 A. Okay.

24 Q. Um, also, uh, Sergeant Terry Parish is, in, present in the room. We're at 1750 East
25 Benson Highway in a conference room on the second floor. And this is, um, relating to
26 case number 090603, uh, 023. And this happened on Tuesday, early Tuesday morning
27 over at, uh, Country Club and Ajo Circle K.
28 A. Yeah.

29 Q. Okay. Um, let's, let's do this. Why don't you, uh, you go ahead and tell your story. Go
30 through the whole thing. And then I'll come back and ask you some detailed questions on
31 stuff I, I, I wanna know more about.
32 A. Uh huh (yes).

33 Q. So why don't you start, um, when you got in the car.
34 A. Um.

35 Q. With those, with those three other guys.

1 A. Well, we got into the car and we planned to go to the store.

2 Q. Okay.
3 A. That was the deal, go to the store. So we went to the store and all I had was $5 on me.
4 And I asked the clerk for change for a five. I was gonna everybody a dollar and then
5 everybody, I see everybody's grabbing everything.

6 Q. Mm hm (yes).
7 A. So, I was like, okay, I put two and two together so I grab stuff, I started grabbin' stuff.

8 Q. Mm hm (yes).
9 A. You know what I mean? We ran out. We end up running out and next thing you know,
10 we just heard like, I heard gunshots. I looked back and he, he's, I started running 'cause
11 like, they didn't s-, say who they were, you know what I mean?

12 Q. Right.
13 A. All I, all I seen, they're like, I heard my homey, like, oh, shit. And I looked back to see
14 what the hell was goin' on and, uh, that's when the cop, that's when the dude already shot
15 or already fired and.

16 Q. Okay.
17 A. By that time, I had took off running. _____, like, I fell over the wire.

18 Q. Okay.
19 A. They had like a wire right there that I run, was running towards and I tripped. And then I
20 looked back to see what was going on and they were paying more attention to the car
21 than us, so I got up and took off runnin'. And when I look back, I just see the, the car
22 reversing all, you know, like, going up where it stopped, and it stopped.

23 Q. Hm.
24 A. You know what I mean?

25 Q. Oh, you s-, you saw the car backed in?
26 A. Yeah. He was already backed into the tree over there where it hit.

27 Q. Oh, okay. All right. So, when you guys were leavin' the store, you guys, you took off
28 outta the store, um, let me draw a quick, kinda, diagram, so you, I can show where you're
29 at. That's the Circle K building.
30 A. Yeah.

31 Q. And put, this is the sidewalk. Um.
32 A. Okay. We were parked right here.

33 Q. Yeah. There was two parking spots over here.
34 A. Mm hm (yes).

35 Q. And there was a handicap rail. Do you remember the handicap rail?
36 A. Yeah. There was a handicap rail.

1 Q. There was two, there was both sides of the rail right here.
2 A. Yeah.

3 Q. And then over here, there was like a fence area.
4 A. Mm hm (yes).

5 Q. The gas pumps…
6 A. Yeah.

7 Q. …are over here.
8 A. Yeah.

9 Q. All right? And there were some other gas pumps…
10 A. _____.

11 Q. …over here. Okay. So, you guys, uh, you guys left the store building.
12 A. We ran this way.

13 Q. You ran down the rail?
14 A. Yeah. We ran down the rail. I cut through the rail, though.

15 Q. Oh, you cut right through?
16 A. There's a opening.

17 Q. Yeah. There's an opening right here.
18 A. Yeah. These, the other guys took off running this way.

19 Q. Okay.
20 A. The other two guys took off running this way to get to the passenger side. I mean, to the
21 driver side.

22 Q. Right.
23 A. And I ran through there was like a opening. And I ran through that opening to get to the
24 passenger side.

25 Q. So you went around the front?
26 A. Yeah. By the time I was going, by the time I hit the front, the front car, by, by the time I
27 hit the front of the car.

28 Q. Mm hm (yes).
29 A. That's when the gunshots already ranged out.

30 Q. Okay. So.
31 A. And I threw the stuff and I ran this way. I kept running this way. When I look back, I see
32 the two det-, uh, the two cops, ready with their gun like that. And the guy was already
33 rever-, he was already reversing. They were, like, stop the car. Get outta the car. You
34 know what I mean?

1 Q. Okay.
2 A. And they try, the car was already stopped when I, when I was ready to look back, when I
3 looked back, I was already like in Kino, in the Kino Hospital, you know, parking lot.

4 Q. You were gone.
5 A. Yeah. I was already in the parking lot and I, that's all, I just seen the car's back.

6 Q. M'kay. So, it's, um, now, who all went into the store? You?
7 A. Me and the other two people _____.

8 Q. You, too. Where was the other guy at?
9 A. In the car.

10 Q. In the car? And he, and where was he sitting at in the car?
11 A. Driver.

12 Q. And he was driving, okay? He had been driving the whole time?
13 A. Yeah.

14 Q. Okay.
15 A. It was his car.

16 Q. So he stayed there right? When you guy-, when, did you notice when he parked the car,
17 where, about where you were at when you parked the car? Were you, you were in this
18 spot, this spot or?
19 A. We, when we parked there, we were at, there was a dumpster with a.

20 Q. Yeah. They dumpsters…
21 A. _____.

22 Q. …are kinda over here.
23 A. We were parked right there on the side of, um.

24 Q. Right, right here?
25 A. Where the parking spot was at, we parked right in front, like, on the side of it.

26 Q. Okay.
27 A. Right here. We parked right…

28 Q. Right in there.
29 A. …we didn't reverse in. We parked, parked.

30 Q. You just parked straight in?
31 A. Straight in.

32 Q. Okay. Did you notice, it was, was it, was he straight in there? Was he crooked?
33 A. No. He was straight in there.

1 Q. Straight in there?
2 A. Yeah.

3 Q. Okay. So he was sittin' like right in here?
4 A. Yeah. Straight in there.

5 Q. Okay. And he's facing this way?
6 A. Yeah. He was facing that way. When I came out, it was…

7 Q. Yeah, go ahead.
8 A. …and when the other two took off this way.

9 Q. Mm hm (yes).
10 A. And they, they tried to get into the driver's side. There is like a, a gap, and a gap opening
11 right there.

12 Q. Right.
13 A. So I could fit through. And that's where I went through.

14 Q. You went through, you went down…
15 A. _____.

16 Q. …the building…
17 A. Yes.

18 Q. …in front of the car?
19 A. Before the cop, by the time I got right here in front of the car, he already shot.

20 Q. Okay. Okay. So you were…
21 A. I think I heard the….

22 Q. …you were right here.
23 A. …I think, I think heard like seven shots, like seven rounds _____.

24 Q. About seven rounds?
25 A. Yeah.

26 Q. Okay.
27 A. That's what sounded to me, to me it was more than three, I'll tell you that.

28 Q. Okay. All right.
29 A. I was like right, right in front of it when he shot and that's when I threw all the shit right
30 here. The burritos and everything.

31 Q2. So that's why all that stuff was there?
32 A. Yeah. _____.

33 Q2. That's why all the burritos.

1 A. And Hot Pockets.

2 Q2. Okay. Yeah. Yeah.
3 A. That's what I threw right there. That's when he shot. I _____.

4 Q2. Did you have the Cheetos?
5 A. Yeah. I had the hot Cheetos, man.

6 Q2. Yeah.
7 A. That's me _____. I was already in front, I was already in front when he shot
8 and I thought he was shooting at me. I thought I had got hit and so that's why I dropped
9 everything.

10 Q2. Okay.
11 A. 'Cause I, 'cause he didn't identify himself _____.

12 Q2. Did you see over here, did you see over here? Were they fightin' outside the car or…
13 A. No, nobody was fighting.

14 Q. ...what did you see?
15 A. Nobody was fighting. There was.

16 Q2. So where is everybody?
17 A. Okay. Okay. See, du-, okay, two guys, two guys ran this way. _____.

18 Q2. The two guys that are with you?
19 A. Well, _____.

20 Q2. Don't say two guys...
21 A. _____.

22 Q2. …cause we got so many people.
23 A. Yeah.

24 Q2. I need you to be _____.
25 A. Yeah, there was, there was three of us in there.

26 Q2. Okay.
27 A. Okay? The two ran down the ramp and I cut through it.

28 Q2. Okay.
29 A. Okay? One of 'em tried, one of 'em got inside the car with the guy.

30 Q2. Okay.
31 A. And the other guy, he could-, he didn't make it 'cause the door shut so he ran, he ran
32 through the back like that, and down an alley.

33 Q2. Okay. So, let me, let me.

A. 'Cause I already ran this way and then, uh, _____.

Q2. Okay. I just wanna make sure I got this right. Three of you run outta the store?
A. Yeah.

Q2. Okay. You take, uh, you take a left.
A. I _____, yeah.

Q2. And you head towards the passenger side of the car from the front?
A. Yeah.

Q2. The two other guys that are with you, run down this little guard rail here, one jumps in the back of the car.
A. One jumps in the back of the car. And the other one didn't make it. That's by the time he already shot. And the car was already reversing back like that to the gas pump.

Q2. Okay.
Q. M'kay. We'll talk, yeah, we'll get more. Okay, so, do you s-, when you were running that way, were you running with the guy or?
A. I was running with the guy 'cause I tripped over him. 'Cause we both hit the wire.

Q. Okay.
A. We both tripped. Boom. I fell on top of him. I fell on top of him. He got up and he ran back to, tow-, towards…

Q. Okay.
A. …the Circle K. And I ran towards…

Q. That's exact-, that's…
A. …the _____.

Q. …that's very consistent. His name is Alejandro.
A. _____.

Q. And he said the same thing, that he ran into the wire.
Q2. So you don't know these dudes or what?
A. No.

Q. You didn't know their names, right?
A. No. None of 'em.

Q. Well the, okay, this guy in the white shirt.
A. Mm hm (yes).

Q. That's Alejandro. He was the other one that ran and you ran in behind him and that's what you just said, you and him. This is Vincent, uh, not Vincent. His name is Victor.
A. Mm hm (yes).

1 Q. And he's the one that actually got in the car. The one that got in there. Did you see
2 Victor when he sa-, you said when he got into the car, did you see, um, well, let's back
3 up. What were the two se-, where the sec-, security guards at and did you see 'em?
4 A. Like I know, like, one was standing like by, by the driver door and one was, one was like
5 on the side of him.

6 Q. So.
7 A. One was at the driver door and one was at the passenger door.

8 Q. So one was standing at the driver's door?
9 A. Mm hm (yes).

10 Q. And one was standing at the passenger door?
11 A. Yeah.

12 Q. Okay. When you.
13 A. And he tried to grab the kid that ran this way. He tried, 'cause I cut through the thing.

14 Q. Okay. Okay.
15 A. _____.

16 Q. So did they run down the railing or did they cut through also?
17 A. They ran through, down the railing.

18 Q. They went down the railing also?
19 A. Yeah.

20 Q. When you heard the gunshots, did you?
21 A. Uh, that's when I looked back.

22 Q. You looked back? Did you, um, so you heard them. Did you se-, actually see the guy
23 shoot?
24 A. I saw, no, I didn't see the guy shoot.

25 Q. You didn't see him shoot?
26 A. _____.

27 Q. Okay.
28 A. _____.

29 Q. Yeah. That's perfect, yeah. You, you can only…
30 A. _____.

31 Q. …tell me what you saw.
32 A. I did not see the guy shoot. I don't know, I did not, you know what I mean by, when I,
33 when I heard the shots, after like, it happened so fast, you know what I mean?

34 Q. M'kay.

1 A. It was like, pop, pop, pop, pop.

2 Q. You looked back..
3 A. I looked back and I seen like one of the guards go like that. And he was already yelling at
4 the car 'cause the car was reversing real slow back. He was yelling for it to stop. So both
5 of the security guards ran to the car and that, and that's the, the two I saw.

6 Q. M'kay. Okay. That's good. Wh-, when you look back and you saw him standing with his,
7 with his arms extended, where was he standing at? In reference to.
8 A. Like.

9 Q. This parking spot and in reference to the car.
10 A. When the car already reverse, the car was already reversing and he was, like, standing
11 right here. And I was standing right here.

12 Q. Okay.
13 A. And the other one was like back, like, back, like on the side of him.

14 Q. They were right on the side?
15 A. Yeah.

16 Q. Where was the car?
17 A. They were yelling to the car, they were yelling to the car to stop but it was already
18 reversing and that's when it crashed into the tree.

19 Q2. This is after the shots were fired?
20 A. Yeah.

21 Q. Okay. So, was, was the car moving when the shots were fired?
22 A. No, the car, the car was starting when the shots were fired.

23 Q. The car had not started moving yet?
24 A. The car did not start moving at all.

25 Q. So it was sittin' right here.
26 A. It was sitting right there when the shots fired 'cause right when I got to the front of the
27 car, that's when the shots popped off.

28 Q. Okay.
29 A. And that's when I threw everything right there.

30 Q. Okay. Now when the security guard shot, you said he's standing right here?
31 A. Yeah. He was down here on the driver door already.

32 Q. Oh, he was right on the driver door?
33 A. Yeah. He was on the driver door already.

34 Q. Okay. So he was standing right there?

1 A. Yeah. He was standing at the driver door and the other one as tryin', they were tryin' to
2 get the two that ran this way.

3 Q2. Okay. Let's, let's.
4 Q. Let's slow down. _____.
5 Q2. Yeah, just 'cause this, this is real important for us 'cause we wanna make sure we do the
6 right thing on this case.
7 A. _____.

8 Q2. Okay. Um, now there's two security guards?
9 A. Yeah. There was two that ran out.

10 Q2. One wearing a uniform.
11 A. One was wearing a uniform and the other one was in street clothes.

12 Q2. Okay.
13 Q. Good.

14 Q2. So when you're sayin' somebody's by the driver's door, which one?
15 A. The one in uniform.

16 Q2. The one in uniform is right by the driver's door?
17 A. Yeah.

18 Q2. Okay. Now, the other one that's out of clothes, out of uniform, that's in street clothes,
19 like you said, he's standing, according to here.
20 A. They're standing like, they're, they both ran each other, grab the two, they tried grab the
21 two people that tried to get to the back seat right here.

22 Q2. Okay. So the shots are fire, pop, pop, pop, pop.
23 A. The shots were fired and when I look back the, the, the guys were already like walking
24 this way 'cause the car was already reversing.

25 Q2. Okay. So they're both standin' up.
26 A. _____.

27 Q2. After the shots are fired, you, you're tellin' me that they're both standing up. The guy in
28 uniform is right by the door, the driver's door. Where is the street guy?
29 A. Like over here, on the side right here.

30 Q2. Is he behind and kinda then to the side or is he even with him?
31 A. He's even with him.

32 Q2. He, he, 'cause he was right next to the _____.
33 A. Yeah. They were tryin' to grab the _____.

34 Q. Okay.
35 A. They were tryin' to grab 'em.

1 Q. When you.
2 A. 'Cause the guy, the guy, like, I, I think it was tan.

3 Q. Okay.
4 A. Or white, tan.

5 Q. But you didn't, okay, you're right.
6 A. Okay? He was, he was the one tryin' to grab the person. I mean, not grab the person but,
7 like, he came out running, like, boom. He was the first one and the other guy on the side
8 of him.

9 Q. Oh, you're talkin' about the street guy?
10 A. Yeah.

11 Q. Okay.
12 A. And then they didn't say who they were or nothin'.

13 Q. Okay.
14 A. You know, they didn't yell, they didn't say.

15 Q. You didn't hear any commands?
16 A. Nothin'. I didn't hear no commands. I didn't know that we were, we were being chased
17 'cause we were in there. I was looking. There, uh, I didn't see the undercover or anything
18 was in there.

19 Q. So when was the first time that you noticed that they were there?
20 A. When, that's when I got in the front and I heard the gunshot.

21 Q. When you heard the gunshots.
22 A. Yeah.

23 Q. That's, that's the, when you.
24 A. That when I heard, that, when I heard the gunshots, that's when, that's when I was like,
25 what the fuck? And I threw all the shit and I fuckin' took off running 'cause I scared.

26 Q. Right. Okay.
27 A. You know what I mean.

28 Q. Okay. I think what, okay. We know, you, you put him in the right and, not the right spot,
29 but he knew, I'm very clear where he was standing.
30 Q2. Yeah, me, too.
31
32 Q. I'm still very, I'm a little hazy on where the second guy was standing at where he was at.
33 A. Well, like I said, when they both ran out, they both tried to grab the two, the.

34 Q. Okay.
35 A. The two guys. These two guys. They tried, he tried to grab.

1 Q. Okay.
2 A. All right?

3 Q. Okay.
4 A. He tried, they tried to, they, they didn't say nothing. By the time I got to the front of the
5 car, I just remember goin' to the front.

6 Q. Okay.
7 A. And I was right there. I was, 'cause I was, like, walking, you know what I mean? 'Cause
8 I didn't think nothing of it.

9 Q. Right. Right.
10 A. 'Cause I didn't think there was people in there. Security or nothing.

11 Q2. So you're, like, doin' a fast walk.
12 A. So, yeah, so we're just doin' a fast walk and then fucking, boom, that, I seen them, like,
13 get hit then, pa, pa, pa, pa, pa boom.

14 Q. Okay. So you, um, when you look back and you said you saw the security with the arms
15 extended and he was pointing it at the, at the driver.
16 A. He, yeah, but he didn't yell nothing.

17 Q. What.
18 A. He was just pow, pow, pow.

19 Q. Okay. And then when you looked back, did you see the other security guard, the guy that
20 was in plain clothes?
21 A. No. I didn't ever see him.

22 Q. You did, did you see him anywhere?
23 A. I don't know. It happened so fast, man.

24 Q. Okay. That's fine. Yeah. And, so when you look back, when you.
25 A. When I fell, when I fell, like, when, like when I took of runnin', like when those shots
26 happened.

27 Q. Mm hm. Mm hm (yes).
28 A. I took off running. There was like some bars right there, just some _____ bars.

29 Q. Yeah. I know exactly, yeah.
30 A. And a wire.

31 Q2. Uh huh (yes).
32 A. That we did not see.

33 Q2. Those _____.
34 Q. This, there, this guy hit it, boom. Then I fell right on top of him, boom.

1 Q2. You know, just like, 'cause I interviewing Alejandro. He says, I was running as fast as I
2 could. I hit that wire.
3 A. Right.

4 Q. He goes, and the security guard jammed me in the back. And I was, like, uh, it wasn't the
5 security guard. It was you.
6 A. Yeah. I was right, I was right on him. And I was as full speed, too and I hit that thing too
7 hard, boom. And then I, I, I sat for awhile 'cause I was dazed. You know what I mean? I
8 sat and I looked back. Like I looked back to see if the security were runnin' after that and
9 they were _____, like, like I said, they were like, were already walking that way
10 towards the car 'cause the car was already stopped _____.

11 Q. Okay. So.
12 A. And he was like stop the car, stop the car, yellin'.

13 Q. When you st-, when you look back, did you see both security guards after?
14 A. They were already walking to the car when the car was stopped.

15 Q. Okay. So the car, they, they.
16 A. I didn't see nothin' after that. I was already at the, fuckin' past _____.

17 Q. After the car stopped in the tree.
18 A. Yeah. I was already.

19 Q. You were gone?
20 A. Yeah. I was already like phew.

21 Q2. So that went different two different directions. That's why the canine had footprints goin'
22 both ways.
23 Q. Yeah. We have, because Alejandro.
24 A. Well, they didn't.

25 Q. Alejandro said that he had ran, after he hit the wire, that he ran down the alley.
26 Q2. East.
27 Q. Yeah. He ran east.
28 A. And I ran toward the.

29 Q. And you ran west…
30 A. I ran…

31 Q. …towards the hospital.
32 A. …towards the hospital.

33 Q. Okay.
34 A. And then I was, like, so they could think I that, up, and then I cut through the, the back
35 and I went through the ditch and the pond all that, you know _____.

36 Q. Do you know these guys?

1 A. No, I don't.

2 Q. The, the, the other people in the car with you?
3 A. The driver. I knew the driver 'cause I met him through another friend of mine.

4 Q. Do you know him good or just a little bit?
5 A. No. Just, like, a little bit.

6 Q. Do you know his name?
7 A. Uh, I think it was Daniel or something.

8 Q. Okay. That, how did you know it, through who?
9 A. 'Cause he went through, he went to my house, to my mom's house, when, uh, one of my
10 cousins _____ Markie.

11 Q. Okay.
12 A. And, uh.

13 Q. Okay. That's what, that's what Danny _____. And I talked to Danny and he said he
14 met you through Markie.
15 A. Yeah. He's _____.

16 Q. Oh, yeah. _____.
17 Q2. No, I wanna, without anybody jumpin' anything, just, okay. You're here, where is.

18 Q. _____.
19 Q2. Like step by step, so there's no confusion 'cause I little bit, still screwed up about where
20 everybody was when.
21 A. I was.

22 Q2. I appreciate you helpin' us _____, man.
23 A. I was _____, I wasn't _____ like I was sayin' the way I got the phone
24 call was, they were putting me as the main suspect.

25 Q. No.
26 A. That's they was I got the phone call.

27 Q2. No, you were not even a suspect. You'd in handcuffs and we'd in the interview instead of
28 a conference room talkin'.
29 A. Yeah.

30 Q2. What basically, because of this event, it's…
31 A. _____.

32 Q2. …real important that we figure out.
33 Q. _____.

34 Q2. You know, what happened, should Danny have gotten shot or not.

1 A. No. I don't think he should've.

2 Q2. Okay. But we, there's all kinds of things that play into that like, you know, did Danny,
3 were there any guns in the car?
4 A. There was no weapons involved.

5 Q. Yeah. 'Cause you, I asked about that.
6 A. 'Cause if I'm around a gun, or if I'm around a person with a gun or a bullet on him, I'm
7 already, I'm _____.

8 Q2. You're _____. Okay. What are you?
9 A. _____.

10 Q2. What, what are you on, are you on probation?
11 A. No. I'm not on no probation, nothing. But I cannot have no kinda gun around me.

12 Q2. Okay. So you're a prohibited possessor.
13 A. Yeah.

14 Q2. What, what have you done time for?
15 A. For aggravated assault with a deadly weapon.

16 Q2. Okay. All right.
17 A. Shooting.

18 Q. Yeah. But he's, he told me he's already done his number. He's done.
19 A. I done my number but, like, if I still get caught 'cause I don't have my rights back.

20 Q2. Right. Right.
21 A. So, if I, like, like if they find me with bullets in my pocket.

22 Q. Right.
23 A. They can still charge me for a gun, not having the gun.

24 Q. Okay. All right. So this is like the driveway here. And then these are like the, um, the
25 poles where you're talkin' about, where the wire, the poles down here.
26 A. Yeah.

27 Q2. They're all across _____.
28 Q. There's the wire here.

29 Q2. Okay. Put the car in there.
30 Q. Put the car.
31 A. There was like alley right here. That's…

32 Q2. Yep.
33 A. ….where that other guy ran.

1 Q2. Yeah, there was an alley right there.
2 Q. Yeah, there's an alley way in the back.
3 A. 'Cause I fell on top of him and he thought I was, I guess he thought I was the security
4 guard _____.

5 Q. So you want.
6 Q2. That's pretty good.
7 A. He was running scared.

8 Q2. _____ go through it real quick.
9 Q. Do you want where they shot or?

10 Q2. Okay. I wanna start at the beginning. All right. Now you guys, they, you see them
11 grabbin' stuff so you start grabbin' stuff so you guys leave the store.
12 A. Mm hm (yes).

13 Q2. Okay. Are you the first guy to leave the store, second guy, third guy?
14 A. Third. I was the last one.

15 Q2. You're the last one outta the store. Okay. At that point, you're leavin' the store. You're
16 the last guy. Did you ever see the security guards in the store?
17 A. No.

18 Q2. M'kay.
19 A. 'Cause I even looked in the back 'cause the freezer door was open. One of the doors were
20 open.

21 Q2. Okay.
22 A. One of the cooler doors?

23 Q2. Mm hm (yes).
24 A. And that was like, it was open, so when I went to grab the snacks, I looked, like, in the
25 back and I just didn't see it.

26 Q. Okay.
27 Q2. Okay.
28 A. That's why I, that's why I was, like, okay, maybe we could get away.

29 Q2. So you come on that door and you're just fast walkin' because.
30 A. Yeah. I was walkin'. I cut through here.

31 Q2. Okay. And you don't go down the guard rail.
32 A. Uh huh (yes).

33 Q2. You turn left at the sidewalk and follow it through the, through the…
34 A. All the way.

35 Q2. … through the two parking spaces.

1 A. And then when I get to the center of the car.

2 Q2. Okay.
3 A. _____.

4 Q2. Let's stop at the front of the car. All right, let's stop before the shots are fired. Have you
5 seen the security guards at that point?
6 A. No. I didn't know _____.

7 Q2. Okay. Have you heard anything at that point?
8 A. No. I just heard gunshots.

9 Q2. Okay.
10 A. _____.

11 Q2. So where exactly are you when you hear gunshots?
12 A. Right in front of the car.

13 Q2. Right in front, like at the hood ornament or?
14 A. I, barely, I was gonna jump over, like, jump over, like leap over it.

15 Q2. So you're fixin'…
16 A. Like.

17 Q2. …to go around this corner here.
18 A. Yeah.

19 Q2. Around the car.
20 A. I was gonna leap over the car, like jump over it.

21 Q2. Uh huh (yes).
22 A. Like slide on it. And so.

23 Q2. You're gonna do the Dukes of Hazard shit…
24 A. Yeah.

25 Q2. …and slide the hood? Okay.
26 A. And it's about, like, when I, when I got to the front, that's when gunshots ranged out.

27 Q2. Okay.
28 A. And that's when I dropped _____.

29 Q2. So you're at the front of the car. You're gonna be the circle.
30 A. All right.

31 Q2. Okay? You're the circle. You're at the front of the car. Shots rang out. What do you see
32 at that point?
33 A. I was already, like, over here sitting down and I seen the car rev-, like, reverse.

1 Q2. Okay. Well, before that. Shots just got fired. Did you look?
2 A. _____ yes. That was, like, that was _____ gun out.

3 Q2. Oh, okay.
4 A. _____.

5 Q2. You see the guy. You see the guy.
6 A. The shot _____.

7 Q2. Yeah. He's in uniform, is all you know. Okay? Now where exactly.
8 A. And.

9 Q2. Where is he, where is he standing?
10 A. He was standing like from _____.

11 Q2. The tan one, you said?
12 A. Yeah, the tan colored one.

13 Q2. Okay.
14 A. _____ over here.

15 Q2. All right. So he.
16 A. He was standing, like, at the door.

17 Q2. You put your finger.
18 A. The _____ door.

19 Q2. Towards the front. Okay, so you're talkin' about the driver's side door.
20 A. Yeah. 'Cause he started going this way to get into the back seat.

21 Q2. All right, so you got.
22 A. _____ back of them and that's when the gun shot.

23 Q2. Okay.
24 A. _____ tackle him over there.

25 Q2. So this, have you talked to anybody else about this case?
26 A. (no audible response)

27 Q2. No? Have you talked to Daniel or anybody? I know he's in the hospital.
28 A. _____.

29 Q2. You didn't go visit him.
30 A. _____.

31 Q2. _____.
32 A. _____ 'cause I, if I don't wanna go and show up 'cause I don't want his family to
33 think.

1 Q2. Yeah. Think it's your fault?
2 A. Yeah. Yeah.

3 Q2. Yeah. Okay. All right. So security guard number one, in the tan uniform is standing here
4 by the driver's door. You see his arm extended…
5 A. Yeah. _____…

6 Q. Arms extended, you….
7 A. … _____ after the shots…

8 Q. …_____.,
9 A. …_____ yeah.

10 Q. Okay….
11 A. _____.

12 Q. …so he's holdin' the gun straight up and down?
13 A. He was yelling for the car, like, he was yelling for the guy to, the shots already ranged
14 out.

15 Q. Mm hm (yes).
16 A. But like, when, when I was, when I tripped over here, and I was sitting down, I looked
17 back to see where the security were at.

18 Q. Okay.
19 A. And he was like, the car was already reversing, like…

20 Q. Okay. Well, I….
21 A. …_____.

22 Q. …I don't wanna jump ahead yet. I don't wanna…
23 A. _____.

24 Q. ….jump ahead yet.
25 A. _____.

26 Q. We're gonna go there, okay?
27 A. When he was yelling for the car to, I mean the car to stop.

28 Q. Okay.
29 A. That's when I was, that's when I was, you know. I see him like that. He's yelling for the
30 car…

31 Q. Okay.
32 A. …I just hear him yelling, car, for it to st-, stop the car, stop the car. That's all I heard.

33 Q2. All right. When the shots rang out though.
34 A. After the shots ranged out, yeah.

1 Q2. Let's go right to when they rang out.
2 A. All right.

3 Q2. Okay. You just heard boom, boom, boom, boom…
4 A. _____

5 Q2. …however many, okay? It doesn't matter. You just hear that. What do you see at that
6 point? You see this guy by the driver's door or where is he at?
7 A. He was, like, right there by like…

8 Q2. By the driver's door?
9 A. …by the door.

10 Q2. Okay.
11 A. _____.

12 Q2. Did you see the other street guy? The guy that….
13 A. He was standing beside of him.

14 Q2. …was in street clothes? He was standing beside him you say?
15 A. Yeah.

16 Q2. Okay. How far away do you think? Like, by the passenger rear door, I mean, the driver's
17 rear door or is he…
18 A. Like, when the _____.

19 Q2. …closer that that?
20 A. No, probably like a little further from, like, where we're at, where he's at. 'Cause the guy
21 was like at the door and the guy's like right there…

22 Q2. The other…
23 A. …_____.

24 Q2. …standin' out there, six, eight feet away at…
25 A. Yeah. Yeah.

26 Q2. …back of the car?
27 A. _____.

28 Q. If this table's the car.
29 A. _____ the dude, was like _____ like that, when I looked back.

30 Q. Okay. Where's.
31 A. The car already moving like that.

32 Q2. Driver's side. You're up here.
33 A. He was already walking _____.

1 Q2. You're up here, dude. Let's put you back where you were, okay.
2 Q. _____.

3 Q2. Okay. This is the front of the car.
4 Q. That's where you're at.

5 Q2. You're fixin' to jump a.
6 A. Yeah. I'm in front of the car like that. I was ready, I was fixin' to jump _____ like
7 this.

8 Q2. Okay. And.
9 A. And then _____.

10 Q2. Then the guy.
11 A. The guy in uniform was like that already. And the other guy was like, behind him.

12 Q. Okay.
13 A. Like over here more in, like the.

14 Q2. Like at another angle basically?
15 A. At other angle, behind the, like, _____.

16 Q2. Okay.
17 Q. Okay.
18 A. And the.

19 Q. _____.
20 Q2. _____.
21 A. _____.

22 Q2. _____.
23 Q. Same with you, so they're almost lined up.
24 A. Yeah. And then he was yelling for the car to stop. Stop the car or you'll, stop the car
25 ____.

26 Q2. So if, based on your description, and I want you to tell me yes or no, okay? Here's, I'm
27 gonna the draw real quick and it's really stupid 'cause I _____ person to draw cars.
28 But I've got the guy standin' by the, the driver's door. There's the mirror, okay?
29 A. Mm hm (yes).

30 Q2. They guy's standin' right here, maybe. Now you're standin' at an angle. Am I
31 _____, draw a line through the car and he's back here somewhere?
32 A. Yeah. It through the, say this is the, the gun.

33 Q2. The guy with the gun.
34 A. The gun, yeah. The guy was, like, over here.

35 Q2. Okay.

1 A. And the car was already, the car was like still riding when the.

2 Q2. So the car hadn't moved at this point?
3 A. The car hadn't moved, no. And then fuckin' when, when I was sitting down, pretty much,
4 that's what _____. The car was already like, it was moving, and it was, it
5 stopped at the thing.

6 Q2. Okay.
7 A. So the car did not move before, I, like when I got to the front, that's when the, the car did
8 not move a inch or nothing.

9 Q2. Okay. So the car hadn't moved…
10 A. _____.

11 Q2. …when you're at the front of the car, but shots rang out. Okay, we're going back to the
12 draw-, the, the big drawing here. Shots rang out. You're goin' this way and you hear, um,
13 we're gonna make this guy, circle with an X.
14 A. All right.

15 Q2. So, you've got guy with gun. Street clothes guy. Okay? And you're here. You throw all
16 your shit.
17 A. I _____.,

18 Q2. Pot pies, burritos, cheetos.
19 A. _____.

20 Q2. _____.
21 A. That's what, that's what you found.

22 Q2. Yeah. That shit was all along this fence right here.
23 A. And that's when I took off running this way.

24 Q2. Okay.
25 A. And then me and the guy, um.

26 Q2. Let's, let's go slow here.
27 A. _____.

28 Q2. Let's go slow here. When you get to this side of the car, are you, do you…
29 A. _____.

30 Q2. ….see anything at this point?
31 A. _____.

32 Q2. Is the car movin'?
33 A. The car was, I think the car was already moving, yeah.

34 Q2. The car started movin' when you're on the side here?

1 A. _____.

2 Q2. Okay. So you're comin' around here. The car starts moving. When you're on the side.
3 M'kay? Is it goin' straight back at this point?
4 A. It's going straight back, yeah.

5 Q2. Okay. So it's goin' straight back. Okay? Now you then, what do you, come around this
6 corner by the fence here?
7 A. No. I just take off running straight _____.

8 Q2. You were goin' that way? Towards Country Club?
9 A. Toward, towards, yeah, towards Country Club.

10 Q2. Okay. So you're goin' straight back here. Tell if I, if I start to get crazy and be wrong.
11 A. No.

12 Q2. You tell me.
13 A. Okay. That's where I fell, at the fence right there.

14 Q2. Okay. So at the first one, you go…
15 A. _____.

16 Q2. …through, you fall down.
17 A. Fall, yeah.

18 Q2. Okay. When you get past the fence, are you lookin' at the car all?
19 A. No, I didn't….

20 Q2. Did you see anything?
21 A. …see nothing after the fence, uh, when I….

22 Q2. Okay.
23 A. ….the only thing, the only time I see something is when I was picking myself back up.

24 Q2. Okay. So you fall on your buddy, the other guy here. You fall on him.
25 A. Yeah.

26 Q2. You pick yourself back up. You started lookin'. What do you see then?
27 A. I seen the car already in reverse stop, it was stopped at his _____ already.

28 Q2. Okay. Did you see the car do the turn?
29 A. No. I did not…

30 Q. _____.
31 A. ….see the car _____.

32 Q2. Okay…
33 A. The car was...

1 Q2. …so, basically.
2 A. …the car _____ up on, like, on a hill.

3 Q2. Okay. Did you hear it?
4 A. Um, I just heard the guy yelling stop the car, stop the car.

5 Q2. You didn't hear the crash or anything like that?
6 A. No. _____.

7 Q2. Okay. So, when this car's moving and you're beside it here, how fast, is it haulin' ass
8 or…
9 A. No. It was…

10 Q2. …was it just, like…
11 A. …_____…

12 Q2. ….roll, slow rollin'…
13 A. …_____ .

14 Q2. Or what?
15 A. _____ like he got hit, you know what I mean?

16 Q2. Okay.
17 A. Like.

18 Q2. Like he…
19 A. _____.

20 Q2. …took his foot off the brake?
21 A. He took his foot off the, the brake, you know?

22 Q2. Okay.
23 A. Kinda like it was _____.

24 Q2. Was there any acceleration at all…
25 A. _____.

26 Q2. …anything fast?
27 A. Nothing _____. No car or nothin'.

28 Q2. Okay.
29 Q. Were the tires squealing.
30 A. No, no, _____.

31 Q2. Were you worried about gettin' over? You're runnin' next to a moving car…
32 A. Yeah. _____.

33 Q2. …were you worried about that?

1 A. Yeah, I was worried, yeah.

2 Q2. Okay.
3 A. I thought I got shot, honestly. You know what I mean?

4 Q2. Mm hm (yes).
5 A. I had thought I got hit, but.

6 Q2. Didn't work _____?
7 A. I didn't feel, I didn't feel nothin' after, like, I got across to go to the hospital.

8 Q2. Okay. So you never the car where it made it's turn?
9 A. Ye-, no, I didn't see it when it was turnin' like that. I just seen in it's final stop…

10 Q2. You saw it….
11 A. ….that's when the two guys…

12 Q2. …like, over here…
13 A. …_____. Yeah.

14 Q2. ….there's a tree and then it ends up like this?
15 A. Yeah. _____.

16 Q2. Up on the curb kinda thing?
17 A. And then, um, that's when I see the cops, the two security guards, 'cause I thought they
18 were gonna chase. One of 'em was gonna chase us.

19 Q2. Mm hm (yes).
20 A. The two just paid attention more to the car than what they did.

21 Q2. Okay.
22 A. And, and I got up…

23 Q2. So they didn't chase…
24 A. …took off…

25 Q2. …your ass, they just.
26 A. No.

27 Q2. They went to the car?
28 A. Yeah. They went straight to the car, yelling at the car for it to stop and…

29 Q2. Okay.
30 A. …I got up and ran this way and the other guy ran this way.

31 Q2. So you fall down. You look back. Here let's go back to here again, you see the car over
32 here.
33 A. Mm hm (yes).

1 Q2. This is the, when we draw these triangles, this means that's the front of the car.
2 A. Yeah.

3 Q2. This is the back of the car, okay?
4 A. All right.

5 Q2. All right. Where are these guys when you see this car like this?
6 A. The guy with the, the guys with the, the uniform was already, uh, like going towards the
7 car and the other guy was following him behind.

8 Q2. Okay. When you say goin' towards the car. And I'm gonna try and put it on my map.
9 A. _____.

10 Q2. Where is he at?
11 A. _____.

12 Q2. Remember, he's the X.
13 A. Okay. One was, the other…

14 Q. Oh, good. _____.
15 A. …this one was walkin' like that and he stop, he stopped like right there…

16 Q2. Okay. Can you…
17 A. …the other one _____.

18 Q2. …draw a line there? So he stayed kinda behind him and…
19 A. Yeah.

20 Q2. …off at an angle?
21 A. That's all I seen.

22 Q2. Okay.
23 A. And I just seen, like when I was running towards the thing, I saw those cops, like,
24 Sheriff's going that way.

25 Q2. All right. Have you talked to anybody else that was involved in this…
26 A. _____.

27 Q2. …incident that, that happened?
28 A. No.

29 Q2. Okay. So.
30 A. That's when, when…

31 Q2. Vin-, your name's Vincent…
32 A. ….I got back to the, yeah.

33 Q2. …the other guy's name is Victor.

1 Q. Okay.
2 A. When I got back to where I was at, I just looked at my, I, I looked at my girlfriend and I
3 started cryin'. I was like, I think one of my guys that I just met got killed _____.

4 Q2. Okay.
5 A. She said, what do you mean? I go, we got shot by security. She _____...

6 Q2. Did you tell her...
7 A. ..._____

8 Q2. ...her, did you tell her the story?
9 A. No, I didn't tell her nothing. She was just like, well, you gotta _____. No, no,
10 just, we just forget it about _____.

11 Q2. Okay. 'Cause if you told her the story, it would be somethin' that would add credibility to
12 today's story, you know? If, if did you...
13 A. No. I ....

14 Q2. ..._____.
15 A. ...didn't tell her nothing. No.

16 Q2. So if I went and asked her, she's not gonna know shit.
17 A. No, she don't know nothing.

18 Q2. Okay. All right. What's your girlfriend's name?
19 A. _____ Rosa.

20 Q. Okay.
21 Q2. Rosa. Is she the one that's here.
22 A. _____.

23 Q2. Oh, she's already _____.
24 Q. I sure did.

25 Q2. Okay. I knew that. Benson Highway, Country Club. Yep. Or not Benson, Col-.
26 Q. Columbus.

27 Q2. Columbus. Yeah.
28 Q. _____.

29 Q2. [redacted]
30 A. Yeah, um, well, that's all I seen after that and I just took off runnin'. I ran towards Kino. I
31 threw my hat 'cause I knew they were gonna, _____ or whatever.

32 Q2. Did you ever go back and get?
33 A. No. It's on top of the hospital _____.

34 Q2. What? One of the short buildings?

A. Yeah. It's on top of it.

Q. _____.
A. Yeah. It was, well, that's where I threw it.

Q. You know _____, right? We _____ get a hat, okay?
A. That's why I threw it at _____. And there's like a side right there, I ran like towards the desert area.

Q. Uh huh (yes).
A. Like a side, and there's like little brown stick that don't have _____.

Q2. Where are you going after you leave here tonight?
A. My, I'm going to my girlfriend's.

Q2. To your girlfriend's house? Does she live over the Quik Mart?
A. Um, no.

Q2. Okay. The reason I'm askin' you that is 'cause I mean,
A. But if you want me to meet up _____.

Q2. Well, 'cause it'd be a lot easier for him to find…
A. _____.

Q2. …that hat if he knew where he was goin'?
Q. Yeah. If you could just show me where you threw it?
A. Yeah. I, _____.

Q2. If you could just, you could just show him tonight and then when you go _____.
A. Well, see, I gotta go pay a bill right now.

Q. Okay.
A. Before 10 o'clock hits so, whatever.

Q2. What time is it?
A. _____.

Q. Ooh. 9:30 man.
A. _____.

Q2. Okay.
A. _____.

Q2. All right. Um, how do we get a hold of you tomorrow?
A. Um.

Q. We got your phone number?

A. _____ phone.

Q. Does that work for tomorrow?
A. Yeah. It works.

Q. Is that a cell phone?
A. It's a house phone but they, they'll get it to her like that.

Q. Okay.
A. I'll get it quick. _____ out by Kino and I'll show you.

Q2. You guys _____.
Q. Yep. I got mom's phone number. Girlfriend's phone number. I got _____.
Q2. 'Cause when I need to find that hat because, you know what? That, that hat helps us understand and know that you're telling the story the way you remember it that night.
A. All right.

Q2. And that's what's important?
A. All right.

Q2. Okay? Um so that's cool.
Q. All right. Um.
A. _____.

Q2. Thank you.
Q. Yeah, thank you.
A. You're welcome.

Q2. You made it, you, you helped a lot dude.
A. All right.

Q2. I appreciate it.
A. You're welcome.

Q2. Hey, next time, put _____?
A. _____.

Q2. Dude, don't run. It ain't gonna help.
Q. _____. It ain't gonna help. I know you get scared 'cause you don't know _____.
A. Well, I just, I didn't know, yeah, well, I didn't security was gonna shoot that guy _____.

Q. Yeah.
A. I thought _____.

Q. No, I mean, _____ I would understand.
Q2. Yeah. _____.

1
2 Q. _____.
3 Q2. _____.
4 A. _____.

5 Q2. IT'S 2130. I'LL STOP THE INTERVIEW.
6
7 WITNESS:

REVIEWED _____
8 DETECTIVE POWELL #1405

9 TRANSCRIBED BY:
10 C.ZAUNER JUNE 11, 2009
11

1

1 Q. UH, THIS IS REFERENCE CASE #090603024. WE'RE IN, UH, IT'S, UH, 4:40 IN
2 THE MORNING ON 6-2 OF O,
3 A. 6-3.

4 Q. THAT'S CORRECT. 6-3 OF '09. WE'RE AT [redacted] EAST AJO AT THE CIRCLE K
5 ON COUNTRY CLUB AND AJO. UH, IN THE VEHICLE IS MYSELF, UH,
6 DETECTIVE POWELL, BADGE #1405, DETECTIVE, UH, MATT LYNN, BADGE
7 #1457 AND IS A STATEMENT BY JOSH. CAN YOU SPELL YOUR LAST NAME?
8 UH, IT, YOU GO BY JOSHUA OR JOSH?
9 A. JOSH.

10 Q. IS YOUR FIRST NAME JOSHUA?
11 A. YES.

12 Q. AND SPELL YOUR LAST NAME.
13 A. K-O-S-A-T-S-C-H-E-N-K-O.

14 Q. AND YOUR DATE OF BIRTH, JOSH?
15 A. [redacted]

16 LEGEND: Q. DET. POWELL A. JOSHUA KOSATSCHENKO
17 Q2. DET. LYNN
18

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19 Q. Okay. I need to, um, just advise you of your rights.
20 A. Okay.

21 Q. You have the right to remain silent. Anything you say can and will be used against you
22 in a court of law. You have the right to have an attorney present with you, um, prior and
23 during questioning. Do you understand those rights?
24 A. Yes.

25 Q. Do you understand that we are Law Enforcement Officers and everything that you say,
26 tell us we're gonna tell somebody else?
27 A. Yes.

28 Q. Okay. Um, Josh, what's, uh, a good phone number I can reach you at?
29 A. [redacted] And that's my cell.

30 Q. And a house number?
31 A. [redacted]

32 Q. Okay. And an address?
33 A. [redacted]

34 Q. All right. And you have any other addresses or other phone numbers that?
35 A. No.

1 Q. No?
2 A. Do you need the company information?

3 Q. Yeah, well, yeah, who do you work?
4 A. Uh, Valley Protective Services of Tucson. The address.

5 Q. Okay.
6 A. Is 1970 North Kolb Road. 85715. The phone number is 520-325-2117.

7 Q2. Is there Valley Protective Service of Phoenix?
8 A. Yes, it's the, uh, same company.

9 Q. Oh, it is _____. How long did you work there?
10 A. Since September 23rd to _____.

11 Q. So, not quite a year yet.
12 A. No.

13 Q. All right.
14 A. Just eight months

15 Q. Eight months. And what's your job title with them?
16 A. I'm a Sergeant or Field, uh, Supervisor.

17 Q. Field Supervisor? And you do, and your duties are like, security services for, for private
18 businesses?
19 A. Yes. I, I am over, I'm assigned to a specific section of the city. And I overlook the
20 officers that are working the properties in that side of the town.

21 Q. Okay. Um, what have you, what have you done before, Josh? What's some other jobs?
22 What was the job you had before you did this?
23 A. I worked at Desert Toyota of Tucson.

24 Q. Oh, okay.
25 A. Okay.

26 Q. And did you do anything else? How long were you with the, Toyota?
27 A. Nine months.

28 Q. Nine months? And what'd you do before that?
29 A. I worked at Walgreens.

30 Q. Okay. Any prior military or any other kind of law enforcement or corrections, or
31 anything?
32 A. No.

33 Q. Okay. All right, um, you say, uh, how many stores do you look over? How many you
34 guys have?

A. Uh, Circle K stores are just a, just one of the many contracts we have. We usually work in apartment complexes.

Q. Okay.
A. And we have _____ and Circle K's. And we have undercover teams.

Q. All right. And are all your officers armed? Are all the guys that work armed? Are they certified to, or qual-, trained to be armed officers? Or.
A. The ones that are armed are, yes.

Q. Yeah. But, um, but the guy you were working with tonight, he wasn't armed.
A. No. He was not armed because he's in plain clothes and does not have armed status.

Q. Okay. All right. Well, basically, the, we pretty much, um, have taken everybody's statement who is, who we have here.
A. Yes.

Q. Uh, we've even, um, you know, even have a Detective over at the hospital. So.
A. ____.

Q. Um, the only, the only, uh, side of the story that we're missing is yours.
A. Mm hm (yes).

Q. Uh, so, we'd just like you to kind of tell us, you know, start like, I am, I'm assuming just from what I know, you guys started your shift around 1800?
A. Yes.

Q. ____. And you have an eight hour shift.
A. Mm hm (yes).

Q. And then right, like, right at the end of your shift, right.
A. Yeah.

Q. I mean, it was almost over.
A. Two minutes, so.

Q. Two minutes. So, right? You guys were just waiting to go home, um, when these kids walked in. So, if you want, and then, and, and just from, from what I know to you, that you and, were in the back.
A. Mm hm (yes).

Q. Um, watching the monitor. Um, if you want to start there and kind of tell us, um, what happened. Starting at that point. And you and, uh, Nick. You and Nick were in the back together and you saw these guys walk in. Uh, kind of tell us what happened starting at that point.
A. Um, like I said, I'm _____ cooperating, but, I'm gonna wait until I have legal counsel to give any more statements.

1 Q. OKAY. AND THE TIME IS 4:48.

2 WITNESS:

REVIEWED_____
3 DET. POWELL #1405

4 TRANSCRIBED BY:
5 ROSEMARY SANFORD, JUNE 5, 2009

Q. WELL, LET'S KINDA JUST GO AROUND THE TABLE AND INTRODUCE OURSELVES. LET'S START THAT WAY. UM, I'M DETECTIVE RYAN POWELL, BADGE NUMBER 1405

Q2. SERGEANT TERRY PARISH, BADGE NUMBER 1142.

A2. BRAD ROACH, REPRESENTING SUSPECT.

A. JOSHUA KOSATSCHENKO

Q. ALL RIGHT. UM, THIS IS IN REFERENCE TO OUR CASE NUMBER, UH, 090603023. UM, REFERENCING INCIDENT ON 6/3 OF 09 AT APPROXIMATELY 0200 HOURS AT THE, UH, CIRCLE K ON AJO AND COUNTRY CLUB.

LEGEND:				
	Q.	DETECTIVE POWELL	A.	JOSHUA KOSATSCHENKO
	Q2.	SGT. PARISH	A2.	BRADLEY ROACH
			A3.	UNIDENTIFIED FEMALE

Q. Um, all right, Joshua, you go by Josh, right?

A. Yes, sir. My name's Josh.

Q. Okay. We're, um, we're just, uh, we just need to, we're, we're here for one purpose, to have you, um, give your statement, give your side of the story so, um, just remember, um, everything that we talked about that night.

A. Mm hm (yes).

Q. About your rights and everything still apply today. And, well, for, but before we start talkin' about that night, I wanna talk a little about, um, a little bit more about your background. I talked you to a little bit about that night, about your job, prior job experience and stuff but I also wanted to talk about, um, mainly about, um, Valley Protective Services and how long you've been with them.

A. Mm hm (yes).

Q. How long have you been with them?

A. Um, I've been with Valley Protective Services since September 23rd, 2008. So.

Q. Okay.

A. It's just between seven and eight months, I believe.

Q. Okay. And.

A2. I'm sorry to interrupt.

Q. Yeah, go ahead.

A2. But I think, I think we talked about this. I know I talked with the prosecutor about it. I, I'm obviously represent Josh.

Q. Absolutely.

A2. He, uh, is knowingly here. He's not in custody. He's with his attorney. So this is obviously a voluntarily statement. What we said was he's more than happy to talk about anything to do with Valley Protective Services, the incident that night. Um, what, what I've advised him to do, pursuant to my advice we're not gonna talk about any other issues he may have had when he was juvenile _____.

Q. I wasn't there goin' there at all.
A2. I, I didn't think you were but I, and I thought we were on the same page, but…

Q. Absolutely.
A2. …I just wanted to say that we all understood kinda the primers of what we're talkin' about.

Q. Absolutely.
A2. Okay.

Q. I just wanted to get, um, job experience with Valley Protective. So, um, it, there, there since September.
A. Yeah.

Q. Um, and Valley Protective Services provides two services, undercover and uniform?
A. For Circle K, yes. They have a standing posts at Circle K's and then they have two undercover teams.

Q. Okay. Um, and I've talked with Circle K Corporation a little bit and how you guys work and what your procedures are and stuff, so I understand.
A. Mm.

Q. All of that. Um, now not, not all security guards are armed?
A. No.

Q. Okay. Could you kinda explain how that process, uh?
A. To, to be armed with the company, um, you have to one, be approved by the operations manager before you can even apply to take the class. Um, the undercover teams at one point, and I don't know when it changed over, but at one point, no undercover officers were armed. Uh, prior to that, they were. And they have, they switched the policy back and forth over time. I don't know when, what date. Um, the time that I was working, if you were armed status, you had your Department of Public Safety License, um, and you were a uniformed officer, you could carry a firearm.

Q. Okay.
A. So, if you didn't have a license to carry a firearm or, uh, you were the plain clothes guy, you were not able to carry or possess a firearm.

Q. All right. And you are, are, you are licensed with…
A. Yes.

1 Q. ...Valley Protective to carry?
2 A. Yep.

3 Q. How long have you, have you always been licensed? Were you hired as a licensed?
4 A. No. I was not. I applied, um, in March. Um, that's actually when I took my class and, uh,
5 I think about two and half to three weeks after that is when the Department of Public
6 Safety approved me and mailed back the license to, uh, Valley Protective.

7 Q. Okay.
8 A. And they gave me my license.

9 Q. And then immediately you started after that?
10 A. Yes.

11 Q. Okay. Um, what kinda training, is that all of Valley Protective Services? Do they do all
12 the training or do you actually, uh, is it someone else who does it?
13 A. The, uh, the Firearms Instructor is licensed through DPS.

14 Q. Okay.
15 A. Um, he has to go, like, up to Michigan, take a class and then he's licensed through the
16 State of Arizona to teach armed guard classes. Um, so it's a, if I remember correctly, it's
17 a 20 hour class is what we went through. Um, the majority of that was laws, uh, knowing
18 when and when not you can use deadly force and what to do if you do so. And then you
19 have to qualify, uh, scoring a 220 out of 250, um, in your qualifying round. And you only
20 have three times to qualify. If you don't, then you have to wait until you can qualify
21 again.

22 Q. Okay. Um, what is your, uh, the operation manager's name?
23 A. Um, as of right now, it is Richard Clampett.

24 Q. Okay, Clampett, is he also the, the president or?
25 A. No. Um, he's the operations manager for Tucson. The owner and CEO are Dave Connant

26 Q. Connant. That's the other name I was thinkin' of. And you started as a, you were certified
27 in March.
28 A. Yes.

29 Q. When did you start actually carrying a weapon on duty?
30 A. Um, when the license was sent to me, um, so like I said I think it was about two and a
31 half to three weeks after the class, if not a little bit longer so until I had the license in my
32 hand, I wasn't not allowed to even display...

33 Q. Sure.
34 A. ...a holster or magazines.

35 Q. So, um, so late March, early April?
36 A. Yeah. I think, I think it was about mid-April, um.

1 Q. Mid-April?
2 A. Was when it was.

3 Q. Okay. I'm very, um, and I'm assuming that you're, this 20 hour class, you said a lot of
4 it's classroom.
5 A. Mm hm (yes).

6 Q. Law and things of that nature. But you actually do get to practice?
7 A. Yeah.

8 Q. And shooting for qualification? Um, and is there also, um, we call it, like, they teach you
9 how to hold the weapon, how to clean the weapon, uh.
10 A. Yeah. We went through, uh, _____ clature, or, clature, culture.

11 Q. _____, yeah.
12 A. Uh, we went through that. Um, we went through everything on, um, how to properly
13 draw your weapon, um, whether it be a low rock or a high rock, um, how to disassemble
14 the weapon, um, how to clean it, uh, the different kind a reloads. Um, so we had to
15 practice, uh, drill all that in the classroom with unloaded weapons and then the, uh,
16 second day of the class we went out to a, uh, shooting range and the DPS instructor had
17 everybody do the, uh, the drill. I think it's a 50 round drill.

18 Q. Um, does Valley Protective Se-, um, issue your firearms?
19 A. No.

20 Q. No? Um, so you have to, you have to provide your own?
21 A. Yes.

22 Q. Okay. Um, is there any program where they do issue, like you can buy one from Valley
23 Protective?
24 A. No.

25 Q. Okay. All right. That's, uh, about as much as I can think about any kinda background I'd
26 like to know. So, let's, uh, that night, um, pretty much you guys were working from 1800
27 to 0200. That's your shift.
28 A. Yep.

29 Q. And you were working with Nicholas Gingas (ph).
30 A. Mm hm (yes).

31 Q. And he was, um, he was your undercover guy.
32 A. Yeah.

33 Q. You were in uniform. Now have you and Nick worked together before?
34 A. No.

35 Q. So that was your first night together?
36 A. Yep.

1 Q. All right. Now were you scheduled to work there that night?
2 A. That night, yes. Um, what ended up happening is the, Nicholas's old partner, um, had
3 actually happened to be hit by a car and broke his tibula.

4 Q. Okay.
5 A. Um, I think it was that Saturday before that incident. Um, so they had schedule to have
6 another person work that, um, so they gave me an option of either working a property or
7 workin' the undercover.

8 Q. Okay.
9 A. And I told 'em that I would work the undercover that night for 'em. Um, to cover the
10 shift until the next day, they could have somebody else scheduled to do it. Um, so I was
11 just a fill in, um, to work that night.

12 Q. So, and, you have, so you were scheduled to work that night.
13 A. Yes.

14 Q. But you didn't, weren't scheduled necessarily to work at the Circle K?
15 A. No.

16 Q. Okay. Um, uh, before that, um, just some more of a background question, before that
17 night, um, when's the last time you slept?
18 A. Um, I slept between, I think about 6 o'clock in the morning on that Tuesday. And I woke
19 up at, I'd say around 3 o'clock that afternoon. And then went to work at six.

20 Q. Is that your normal routine?
21 A. Yeah.

22 Q. Goin' to bed that late in the morning and then _____.
23 A. Yeah. My usual hours at 9 to 5, 21 to 05.

24 Q. Okay.
25 A. So.

26 Q. Okay.
27 A. The undercover just started a little bit earlier.

28 Q. Understood. All right, so, what the video camera, the, the surveillance that we have at
29 Circle K, um, shows that you and Nicholas were in the back, um, storage room and you
30 were both sittin' there kinda chit chattin', and you just observing the, um, the
31 surveillance. Um, go ahead and start at that, at that moment, a few minutes before.
32 A. Yeah.

33 Q. Uh, three guys walked in
34 A. Um, pretty much we were, we were sittin' there. It was, I believe it was 0158. We had
35 two minutes left on the shift. And we saw the three males come in. Uh, one was wearin' a
36 black shirt, one was wearin' a red shirt, and a white shirt. We saw them come in, and we
37 were, you know, we think beer run when, you know, that many guys come in that late at

night. And they started pickin' up a lotta food so, I've been doin' undercover for four months prior to this and I've never seen, you know, three guys come in and do a food run, per se. So I wasn't too worried about them not payin' for hese armful of food that they had. And Nick was, if I believe correctly, he was actually at that back door in the store, in the back room. And he as lookin' out and I was watchin' the video camera. And I told him somethin' along the lines, you know, there's no way they're gonna steal this food or somethin'. Then they just walked out. So, I said go. He.

Q. Now, now bef-, prior to that, did you te-, did you tell Nick to go to the door and wait?
A. He, he does it on his own.

Q. He does it on, so it's a routine…
A. Yeah.

Q. …you guys have? Okay.
A. Yeah. We just kinda sneak out to look out the back door.

Q. Right.
A. Just to keep an eye on 'em visually 'cause the cameras have a delay on 'em.

Q. Oh. Okay.
A. Yeah

Q. All right. Go ahead.
A. Um, so.

Q. So you said, go?
A. Yep. They, they walked out. I told Nick to go. Um, I ran out behind him. My radio was attached to the _____ on my shirt and when I was running, it fell off and slid all the way under, to cash register.

Q. Mm hm (yes).
A. So Nick actually got out the door before I did. Um, I knew I was gonna need the radio so I stopped, picked up the radio, threw it back in my shirt then went back outside.

Q. Okay.
A. When I got outside, Nick, um, was at the back door of the passenger, uh, of the driver side. The back door was open and the kid in the red shirt, um, they were havin' a confrontation. The driver was in a white shirt and I believe he had the window half cracked. Um, Nick attempted to grab the guy and then, um, I was about, I'd say five to ten feet away from the driver side of the vehicle and I saw the driver cut on the car.

Q. Okay.
A. At this point, Nick was tryin' to get away from the vehicle and.

Q. Where were the other two guys?
A. They ran off property. They ran southbound on Country Club.

1 Q. They were gone already?
2 A. _____.

3 Q. Okay.
4 A. So as soon as I got outside and had visual contact with 'em, they were already runnin'
5 southbound on Country Club, as Nick ran outside and yelled store security.

6 Q. Okay.
7 A. Um, that's al-, also a policy. We have to yell store security. Um, so Nick was attempting
8 to get away from the vehicle and the kid grabbed his arm, I believe it was. The back door
9 was still open. The driver of the vehicle, um, I saw him shift it into reverse. I told him to
10 stop the car twice. And he hit the gas. It broke traction. At that point, Nick was kind of
11 leaned back and his legs were both.

12 Q. When you say it broke traction, you?
13 A. Yeah, the, the car broke traction in reverse.

14 Q. It started, the wheels started moving?
15 A. Yes.

16 Q. Okay.
17 A. Yeah, they spin. Um.

18 Q2. You mean like a squealed tire?
19 A. Yeah.

20 Q2. Okay.
21 A. Yeah. Um, at that point, Nick was kinda leaned back and I saw his legs goin' underneath
22 the vehicle. So at that point, my main concern was one of two things are gonna happen.
23 One, he's gonna slide completely under car given the, the motion of it or two, the door
24 that was still open, was gonna clip him or take him out because he was completely behind
25 that door. Um, at that time, the driver didn't comply, stop the vehicle twi-, the two times
26 that I asked him. Nick, um, said, let go or something like that to the back passenger. Um,
27 and he didn't let go. So I drew my weapon and I fired three rounds into the driver side
28 window of the vehicle. Um, when that happened, the car still was goin' backwards. It
29 slowed down, um, and it crashed into that tree. It kinda went back to the left a little bit
30 and crashed into the tree. Um, at that point, when I made visual contact with Nick again,
31 he was back up on his feet and we both ran over to the vehicle. When we got over to the
32 vehicle, the passenger in the back seat had ended up closing the door or the door closed
33 because of the impact.

34 Q. Mm hm (yes).
35 A. Uh, we went over to the vehicle, and we opened that door, got him out, put him into
36 custody, um, via handcuffs. And closed that door. We went to the driver door and I,
37 we're taught that if we ever shoot somebody we need to get as much care as possible to
38 'em. Obviously I'm not a doctor or an EMT. So, I went over to that door. Opened it. He
39 said, I'm shot. I said, okay. You need to remain calm, don't move, EMT's are on the way.
40 He said, Kino's right there, why can't take you just take me. I said, I can't move you,

1 dude. Uh, we just gotta wait for police and paramedics. Um, at that time, um, I re-holster
2 my weapon and, uh, police arrived on scene.

3 Q. Okay. We, um, I do like, to the best of your ability, let's kinda draw the crime scene now.
4 A. Yeah. No problem.

5 Q. Or not the crime scene. Let's just draw the Circle K parkin' lot.
6 A. Okay. No problem.

7 Q. And, yeah just put the, yeah I'd put the building in the corner and then we'll put the
8 parkin' spots over there.
9 A. Yeah. No problem.

10 (Short pause)
11 A. Okay. And these are the gas pumps. Okay. Um, you have the building. This is the front,
12 right here. This is the sidewalk. This right here is a handicap, um.

13 Q. The railing?
14 A. Ramp and the railing.

15 Q. Okay. So Country Club is on this side?
16 A. This is Country Club. This is Ajo.

17 Q. And that's Ajo?
18 A. Yes.

19 Q. All right.
20 A. Um, the vehicle, I believe was in this spot, if I remember correctly. There's three parking
21 spots. This right here is a dumpster area.

22 Q. Right. It's a fenced off?
23 A. Yes. It's fenced off.

24 Q. Okay.
25 A. Um, I believe the vehicle's in the third parking spot. I think there's three parkin' spots
26 there. Um, when I came out, this door was open. The driver door was closed. Nick was
27 right here. The suspect was in the back seat. And I believe I was in, I'd say about that
28 area or so. And the vehicle, and, and you obviously know that that tree over there.

29 Q. Right.
30 A. Um, when the vehicle backed up, it kind of went into this kind of motion. It went back
31 and then to the left, um.

32 Q. Where did, at this time wh-, um, where were the other two guys?
33 A. At this point, they were already down the street, runnin', um, by the time I was to here,
34 the other two men were already running. And I saw them ar-, around this area, by the
35 time that I actually was outside and had visual contact with 'em .

1 Q. Okay. Did you go down the ramp, around?
2 A. Yes.

3 Q. So you came out the door and down the ramp?
4 A. Yep. And then came up in this direction.

5 Q. Okay.
6 A. Um, uh, the other two guys were running. Uh, I came down the ramp and ran in this
7 direction. Nick was right here. The guy was in the back seat. And, you know, at that
8 point, I'd already saw that Nick was a havin' a confrontation with him and, um, as soon
9 as I got right here, he started the car. Nick said, let go. I told him to stop the vehicle twice
10 and he threw it in reverse and broke traction and at that time, I fired the three rounds into
11 the driver window and the car went, um, was backwards. And I, I believe, when I was
12 firing, the car was actually moving. Um, so, yeah, that's what, that's what I can
13 remember.

14 Q. Okay. When you, you were standing here, were you, how close to the car were you when
15 you, when you shot?
16 A. Yes, I believe between five and ten feet. I can't remember off the top of my _____.

17 Q. About five to ten feet?
18 A. Yeah.

19 Q. Would it better if, to kinda visualize it in the room? I mean.
20 A. Mm.

21 Q. You were, like, let's say to this wall here, how close to that, I mean, you can stand up and
22 show us if that, if that.
23 A. Uh, you know what? Probably to, to that wall, I would probably say from, probably from
24 about here to the corner of that desk would, would probably the direction I was, um,
25 shooting.

26 Q. Okay.
27 A. So.

28 Q2. What's your shooting position?
29 A. Uh.

30 Q2. So you're right handed?
31 A. Yeah.

32 Q2. Okay. You use a _____ modified _____?
33 A. Yeah.

34 Q2. Okay. So you extend your arm so.
35 A. Yeah.

36 Q2. Is there…

1 A. _____.

2 Q2. ...and then your arms are up.
3 Q. All right. And, and the, in relation to these two parking spots.
4 A. Yeah.

5 Q. There is, um this parking spot here and then there's a line that, the divider, the, the
6 painted line on the ground.
7 A. Mm.

8 Q. Were you, would you say you were on, you were inside the same parking spot as the car
9 or were you in the, in the empty spot?
10 A. I would say I was in the empty spot.

11 Q. In the empty spot? Just on the inside, I mean?
12 A. Yeah. Just, just, probably, just, um, maybe two foot off or about a foot, a foot off that
13 line.

14 Q. Okay.
15 A. On this side of it.

16 Q. Do recall that, was the car parked in straight or was it canted or?
17 A. It was parked in perfectly straight.

18 Q. Perfectly straight. Okay. Okay. Let's, uh, let's just, we'll back up just a little bit. When
19 you came around the corner.
20 A. Yep.

21 Q. The first, what did, you said earlier that Nick was already in that position.
22 A. Yep, yeah.

23 Q. In the position.
24 A. Because if, if I would've gone out at the time as him, we obviously _____ the same
25 time but because I stopped and picked up the radio, he was out the door, um, I would say,
26 three to five seconds before I was 'cause I had to stop running, pick up the radio.

27 Q. Yeah. Yeah.
28 A. Put it back in the shirt. And then run back outside.

29 Q. I remember seein' that. Um, and then you, you didn't go, then you went straight to the
30 driver.
31 A. Yes.

32 Q. Okay.
33 A. Because Nick was already talking, had a conversation with him and, you know, there I
34 wouldn't of been able to do anything if I got behind that door. And by putting myself
35 behind that door, if the driver was gonna go in reverse, it woulda took both of us out.

1 Q. Mm hm (yes).
2 A. So I wasn't gonna put myself in the position that he was already in. Therefore, both of us
3 be at a, you know, in danger position.

4 Q. Now let's talk about Nick. Now where, Nick was behind the door and you, he's, and you
5 hear this, you hear and see the struggle going on.
6 A. Yes.

7 Q. Now, at what point did you feel, um, that Nick was in trouble?
8 A. I felt he was in trouble when they st-, the driver started the vehicle and at that point, um, I
9 told the driver, stop the car. Twice. And then he put it in reverse. When he put it in
10 reverse, um, I knew, I, you know, I've seen a million times, these guys, they burn out
11 backwards.

12 Q. Right.
13 A. That's the way it is. Um, he threw it in reverse. Nick said, let go. He was tryin' to get
14 away. And like I said, because he was pulling away and he wasn't able to let his arm go,
15 he was backwards and his legs were goin' underneath the vehicle. At that point, I felt he
16 was in trouble. And then as soon as he hit the gas and broke tractions from the tires in
17 reverse.

18 Q. Mm hm (yes).
19 A. That's when I felt that Nick was going to get killed or the door was take him.

20 Q. Did, did you see Nick fall to the ground?
21 A. No. I saw his legs were about to here underneath the vehicle when it started goin' in
22 reverse.

23 Q. Okay. Did Nick ever fall down?
24 A. Not that I saw. I took my eyes off of him, um, after I saw the fact that he was sliding
25 under the car.

26 Q. Did the door ever hit Nick? Did you see the door hit Nick?
27 A. I, I took my eyes off of him before that would happen.

28 Q. Okay. Um, and after the car left, where was Nick at?
29 A. Um, by the, from the time I fired to the time that car was backwards, um, when I made
30 eye contact with Nick, he was, um, over, let's say about in this area. And then he ran to
31 the car after it crashed into the tree.

32 Q. Now, wh-, how did he get over there? Is that just where you s-, saw him?
33 A. That's, that's just where I saw him after I was done focusing on what I was doing.

34 Q. So when you, after you shot, the next time you saw Nick he was wh-, he was over here?
35 A. Yeah.

36 Q. Okay.
37 Q2. Where are you?

1 A. I was still in the same position. Um, and after the car, after I fired the rounds, I followed
2 the vehicle in reverse and, uh, as it was backing up and, and I followed the car, um, and
3 then once I, like I said, once I made contact with Nick after I was focused on the driver,
4 um, that's where I made contact with him.

5 Q. Okay. At, um, m'kay. We can come back to that. Now, he gets to the tree, am I right? He
6 gets to the tree and it hits the tree?
7 A. Yeah.

8 Q. All right. Um, and like you said, _____, did you, um, what was the, what was the
9 conversation you and Nick were having at that time?
10 A. Um, at that time, I only said, um, I think two things to him. I asked him if he was okay,
11 and I asked him if got completely under the car. And, uh, he said almost. Um, that's the
12 only things that were said. After that, um, he got the guy into custody. Um, I was talkin'
13 to the driver so, like I said, it was just are you okay?

14 Q. Right.
15 A. And I said, did you get completely under the car? And he said, almost. But that was the
16 only conversation that we had.

17 Q. What was the, uh, the kid in handcuffs, what was he sayin'?
18 A. I wasn't, I didn't hear him say anything. I wasn't payin' attention, um, the only thing that
19 I even remotely hearin' him say was, you shot him for food. And that's, that's what I
20 remember him saying.

21 Q. Okay.
22 A. And then.

23 Q. Was he, uh, being compliant or was he confrontational?
24 A. No, he was, he was compliant. Um, he was, he seemed very scared. But he, he really
25 wasn't sayin' much of anything besides that. Um, I was talkin' to the driver for the most
26 part and Nick was handlin' him.

27 Q. And Nick didn't talk back to you?
28 A. No.

29 Q. He didn't answer your questions or anything?
30 A. All, all I said, are you okay? Yeah. Did you get completely under the car? Almost. And
31 that's the only conversation we had.

32 Q. Okay.
33 A. At that point, I was gettin' on the phone, um, you know, I called my supervisors, told 'em
34 what happened. Um, I called dispatch over the radio, told them that we needed medical
35 and that, uh, shots were fired. Um, and _____ so I was focusing on gettin'
36 everybody out there. Gettin' emergency services out there. Talkin' to the driver and, uh,
37 uh, talkin' to my Lieutenant.

38 Q. Okay. Do you have somethin'?

1 Q2. Do you remember this?
2 A. Yes, sir.

3 Q2. Okay. 'Cause I gotta be straight with you, your, what you've said so far is a lot different.
4 A. Mm.

5 Q2. Than what we've heard from everybody, uh, including some independent people that had
6 nothin' to do with this event.
7 A. Mm.

8 Q2. Um, and it's also different than the crime scene. Um, and I was in a shooting.
9 A. Yeah.

10 Q2. So I kinda know about the memory of the event and that it's not always clear. So if it's
11 not, you need to be frank with us, and I appreciated him going for next to you, by the car
12 door, to way out in the middle of the parking lot, following the car, and you don't
13 remember ever do, you know, seein' him until he gets to there. But, um. Thank you.
14 A3. Mm hm (yes).

15 Q. Thanks.
16 Q2. Um. Your weapon, how, how familiar are you with the weapon, that's your dad's
17 weapon?
18 A. (no audible response)

19 Q2. Okay. Uh, how familiar are you with that weapon?
20 A. Um, yeah, I've went out shooting with it, um, probably three times before this incident.

21 Q2. Okay. Your weapon, where does it eject?
22 A. Out to the right.

23 Q2. Out to the right. Do you know about how far?
24 A. Um, usually it's about four to five feet. Like, it kinda ejects in this direction.

25 Q2. Okay. It ejects.
26 Q. In a backwards directions?
27 A. Yeah. Backwards to the right.

28 Q2. Okay. And we did some just preliminary stuff with it. And it ejects 14 feet out.
29 A. Uh huh (yes).

30 Q2. Okay? To your right and then back.
31 A. Okay.

32 Q2. So, basic question for you would be, how do your shell casings end up on top of the car?
33 A. Um, I don't know.

34 Q2. Okay. 'Cause if you were standing there, _____ on top of the car?
35 A. I don't know. Like I said...

1 Q2. Okay.
2 A. ...the vehicle backed up to the back _____.

3 Q2. You don't know, that's fair. Okay. You don't know, that's fair. Um, now, you said that
4 the vehicle broke traction.
5 A. Mm hm (yes).

6 Q2. But we found no traction or skid mark, brakes anywhere.
7 A. Okay. Um.

8 Q2. Did you hear it break traction?
9 A. Yes. Yeah. I heard it break traction. I heard the tires squeal.

10 Q2. Okay. 'Cause I gotta tell you, we got a thousand photographs of that payment and that, I
11 mean that concrete right there.
12 A. Yeah.

13 Q2. And there's not a mark. Okay? Um, that's why I'm askin' you, if you...
14 A. Yeah.

15 Q2. ...are you sure you remember this?
16 A. Yes. Everything that I'm telling you guys is to the best of my knowledge that I remember
17 of the incident.

18 Q2. Does he have a diagram? Okay. This is a basic diagram that we've done so far.
19 A. Okay.

20 Q2. Okay? Circle K. Here's your little ramp that we've been talkin' about.
21 A. Yeah.

22 Q2. The two parking spaces. The fenced area as demonstrated by this right here.
23 A. Yeah.

24 Q2. Okay. And you've got the alley. All right. Here's the where the car was parked.
25 A. Yeah.

26 Q2. You're correct there. You are correct there, okay? Um, these are cigarette butts. Do you,
27 either of you smoke?
28 A. I do.

29 Q2. You do? Okay. 'Cause these are two un-run-over cigarette butts in that parking lot.
30 A. Hm.

31 Q2. Um, here's where the car ends up.
32 A. Yep.

33 Q2. Okay? Everything makin' sense to you so far?
34 A. Yes.

1 Q2. Okay. All right. Now, we've got witness statements, uh, from some of the people
2 involved in the shoplifting.
3 A. Mm hm (yes).

4 Q2. And some not. That, um, when the car was here, it didn't break traction.
5 A. Hm.

6 Q2. And that it didn't start to roll 'til after it was shot.
7 A. Mm hm (yes).

8 Q2. And that the entirety of the roll was like it was a dead stick, like, somebody took their
9 foot off the brake.
10 A. Hm. Now when, uh, from, from my standpoint, he hit the gas and once I fired the rounds,
11 he let off the gas.

12 Q2. Okay. All right. We've also got one of the shoplifters admitting he's a shoplifter, which is
13 interesting. That's a new one. Um, 'cause see, my experience is this. My experience is
14 that people lie, crime scenes don't.
15 A. Mm hm (yes).

16 Q2. So, um, and also some times memories aren't completely accurate, especially under
17 stressful events. So that's why I'm kinda giving you the benefit of the doubt, going
18 through this with you.
19 A. Yeah.

20 Q2. Okay. Because your statements are pretty contradictory to everything that everybody has
21 said.
22 A. Yeah.

23 Q2. Okay? For example, the last shoplifter we spoke to, comes out, he says he's the last guy
24 out the door.
25 A. Mm hm (yes).

26 Q2. Okay. He says he's fast walkin' 'cause he doesn't see anybody comin'. I guess there was
27 a cooler door or something open back by the, uh, manager's office where you guys came
28 out?
29 A. Not.

30 Q2. Or I guess a.
31 A. That I know of.

32 Q2. Okay. Well, he thought the cooler door was open. He didn't see anybody. He was like,
33 cool, we're gonna get away with this, and I'm paraphrasing. He gets to the front of the
34 car here and he's gonna do the Dukes of Hazard slide across the hood thing, be really
35 cool and get in the passenger side.
36 A. Mm hm (yes).

37 Q2. When he hears shots fired. And until that.

A. _____.

Q2. Hang on.
A. I'm sorry.

Q2. Until that point, he has no idea that you guys are bein' chased. Now that kinda makes sense because he went this way and everybody else went down the guard rail.
A. Yeah.

Q2. So he's not near 'em. He looks over, oh, actually he throws his burritos.
A. Mm hm (yes).

Q2. And his Cheetos and stuff and says he throws 'em while he's in this corner.
A. Mm hm (yes).

Q2. Well, that's where we found 'em all. Okay? 'Cause he thinks you guys are shootin' at him and he doesn't know who's shootin' yet. He describes seein' a guy in uniform who is standing across from driver's door of the vehicle. Right up, uh, well, he described it on top, up on the gr-, driver's door. Um, then he describes seein' another guy in street clothes beside you and to your right.
A. Mm hm (yes).

Q2. Beside you to your right and behind you, sorry. I didn't explain that correctly. And then after the sh-, after the shots are fired, he sees you guys for the first time. That's when he sees you, he sees you in a position, yellin' at somethin' about stop the car. He runs this way and as he's beside the car, he senses the car start to roll. He runs over here. I guess there's a, it's over here isn't it?
Q. It's _____.

Q2. Yeah. There's theses pipes with that cable that goes between 'em? Well, at nighttime, you can't see the cable. So he piles up on it. With another guy, in front of him. The other guy tells the same story, and he thinks it's you guys.
A. Mm hm (yes).

Q2. They both get up. Nobody runs south on Country Club.
A. Mm hm (yes).

Q2. This first guy runs east, through the alley. The second guy runs across the street and goes to Kino Hospital.
A. Okay.

Q2. So I'm tryin' to rectify, and I'm only on this part of the crime scene right now.
A. Yeah.

Q2. Okay? I'm tryin' to rectify what the evidence says, what the witness statement says, independent eye witness confirms a lotta what I just said, too.
A. Yeah.

1 Q2. A guy that wasn't even involved, pumping gas over here.
2 A. Uh huh (yes).

3 Q2. Okay. He's pumpin' gas at this gas pump. So I'm tryin' to rectify that with what you just
4 said.
5 A. Mm hm (yes).

6 Q2. From where they ran, where you saw 'em runnin' when you came out the store. So if you,
7 uh.
8 A. Like I said, when I came outside, I already saw, um, the subjects runnin' away from the
9 scene. I didn't see them standin' in, in the corner or anything _____.

10 Q2. Well, they weren't standing. No, he's not saying he's standing. He said was walking fast.
11 A. Mm.

12 Q2. Just to here, he's gonna, remember he's gonna do the Dukes of Hazard thing, goin' over
13 the hood of a car.
14 A. Yeah.

15 Q2. He hears shots fired and, oh, shit, throws out his burritos and stuff right there in the
16 corner.
17 A. Mm hm (yes).

18 Q2. And that's where they were. And there's a bag of Cheetos, I think this is the Cheetos. It
19 was the first one down, if I remember right. Either that or that's the Cheetos. But any
20 how, um, so, but, the, the most troubling aspect of it really for me is how the shell casings
21 get on top of the car. If you're way over here shooting.
22 A. Mm hm (yes).

23 Q2. Shell casings, even according to you and your description of where they come out, at a
24 minimum they're here.
25 A. Yeah.

26 Q2. At 14 feet, they're back here somewhere. That's a long ways from that car.
27 A. Well I don't even understand how they would get on the vehicle unless I was on this side
28 of the.

29 Q2. Oh, I do.
30 A. Of the car.

31 Q2. I, I do. When you, and I went out and did a bunch a tests this weekend 'cause I got
32 nothin' better to do with my time, right?
33 A. Right.

34 Q2. Right. And, um, you'd be closer to the car and you'd have a downward angle, pointing
35 down at the driver.
36 A. Okay.

1 Q2. And that'll kick 'em forward and to the right.
2 A. Okay.

3 Q2. And they land on the car every time. Um, and in case, in fact, you fired three rounds.
4 A. Mm hm (yes).

5 Q2. And all three of 'em landed on the car. So, try and understand. So far, the guy that's the
6 most accurate from my perspective, is a shoplifter.
7 A. Mm hm (yes).

8 Q2. He runs out, tells us how close he thinks you are, it works. He tells us when he hears the
9 shots and knows, tell us when the car starts rollin'. He's about here. He's runnin' on the
10 side a the car. Started to wonder about whether or not the car was gonna run over him
11 'cause he didn't know if the guy was gonna take off in a hurry.
12 A. Mm hm (yes).

13 Q2. And he talks about how slow it took off. He says, like the dude was hit and the car just
14 started rollin' like he took his foot of the brake.
15 A. No. Like I said, when I, when I fired the rounds, I heard the car break traction and that's
16 when I fired the rounds.

17 Q2. And I've got no evidence of that. None.
18 A. Mm hm (yes).

19 Q2. So, the evidence, I mean, nobody planted the, the shell casings on the roof of this car.
20 A. No.

21 Q2. Nobody cleaned the concrete before you got there, before we got there. That's just two
22 things. That's a big crime scene. That's a lot for anybody to remember.
23 A. No. Well, I.

24 Q2. You know, I, you wanna, you wanna know what I think? I don't think you're a bad dude.
25 I think I've already said this to Brad. I think that you're 19 years old. You ran out and
26 shits goin' down. And you have an A-D, accidental, whatever, that's what I think
27 happened.
28 A. ____.

29 Q2. I don't need you to tell me, but I think that's what happened. And if that's what
30 happened, and you don't have to do it right now, if that's what happened, you need to
31 straighten that out before this gets ugly because when you don't match up with the
32 evidence, this is just a cop to you, talkin' right now, when you don't match up with the
33 evidence, and there's no other explanation figured out for it.
34 A. Mm

35 Q2. And right now we don't have one, you got problems.
36 A. Like, like I said, what I'm tellin' you guys is what I remember.

37 Q2. Okay.

A. To the best of my ability. I wouldn't of went out and just shot because I thought somebody was _____

Q2. Yeah. But cops have A-D's all the time. I investigate those, too. Yeah. I mean, my buddy is clearin' a empty restaurant. What was that, about two months ago?
Q. Yeah.
Q2. He killed a booth. I mean, it's an empty restaurant because the alarm went off. And he's transitioning and, and you're doin' a lotta movin'.
A. Mm hm (yes).

Q2. You're doin' a lotta movin'. It would not be a bad thing for you to have an A-D. It's a bad thing somebody got hit but the A-D part is not bad. But, um, I don't know. I'm just wonderin' how it all happened.
A. Yeah. Like I said, what I'm tellin' you guys, I'm not lyin' or makin' anything up. I'm tellin' you guys, to the best of ability, what I remember from that incident. I would not have fired unless I thought Nick was goin' to die.

~~Q2. Okay.~~
~~A. Or get killed by the car.~~

Q2. Then how does this guy, over here, throwin' his Cheetos and his burros, where we found 'em.
A. Mm hm (yes).

Q2. How does he see Nick standin' next to you? How does he know he's in street clothes, if, let's assume.
A. Mm hm (yes).

Q2. Let's assume he made it southbound on Country Club, which he didn't run there, but let's assume he did.
A. Yeah.

Q2. How would he even know Nick existed? Or what, what's his name?
Q. It's Nick.

Q2. Nick? Okay. How would he even know Nick existed?
A. Like I said, Nick ran before I did.

Q2. But he was able to tell us what Nick was wearin'.
A. Well, like I said, Nick went out before I did.

Q2. Mm hm (yes).
A. So.

Q2. But Nick was confronting these guys right? This guy? The guy in red?
A. Well when he, when he ran out, I'm sure they looked back and saw him. He sa-, yeah, came out running, yelled store security, so, for the most part, every time that happens, they all look back at you and then they _____.

1 Q2. Did he yell undercover or did he yell store security?
2 A. He said, yelled store security. That's it.

3 Q. Did you yell store security?
4 A. No. 'Cause Nick's already done it. I'm in uniform.

5 Q. Okay. Um.
6 Q2. How'd you know Nick had already done it? You were inside pickin' up your radio.
7 A. That's how loud he said it.

8 Q2. Okay. Cool.
9 Q. And you said the driver side window was done.
10 A. It was, uh, uh, from what I remember it was half open.

11 Q. Half open? Did the driver acknowledge you at all like when you were givin' him
12 commands?
13 A. He looked at me.

14 Q. He looked at you?
15 A. Yeah.

16 Q. He saw you?
17 A. Mm hm (yes). Oh, yeah. He, he was very aware of the fact that I was there.

18 Q. Okay. Um, and he, he didn't make any, any, and he didn't say anything back to you?
19 A. No.

20 Q. All right, um, do you remember what he, where he was looking when or what, what
21 position he was in the car when you shot?
22 A. Um, he was, when, when I shot him? Um, he was kind of like in the driver seat. Had his
23 hand on the thing and then when he hit the gas, he was kinda just, wh-, I don't know, if
24 he was _____ my direction, kinda like this.

25 Q. Okay. He wasn't looking away and looking to back up?
26 A. No.

27 Q. No. He was looking forward?
28 A. Mm hm (yes).

29 Q2. You're sure.
30 A. Pretty sure.

31 Q2. You need to be real sure.
32 A. I, it was

33 Q2. Okay.
34 A. He wasn't doin' this.

1 Q2. Okay.
2 Q. Did the window break? Did you go through the windshield or…
3 A. I, I think.

4 Q. …did you got through the, between the space?
5 A. The window did break on the driver side of the car.

6 Q. Oh, the passeng-, the, the drive side roll up _____?
7 A. The driver side _____ roll up window, yeah.

8 Q2. So you think you shot through it?
9 A. Yeah.

10 Q2. Okay. Do you remember first, second, third? Do you have any?
11 A. No, I don't, they, I, it was, uh, just a three tap. I wasn't shooting individually, like, I fired
12 those three rounds within a second.

13 Q. Okay. Um, if his injuries, consistent with his injuries, he would have to be holding the
14 driver's on top, like this.
15 A. Mm.

16 Q. And he would have to be turned like this.
17 A. Okay.

18 Q. Is how, how he got shot. And the angle that we're talkin' so, and I understand the
19 memory thing, too. I mean, just, if he had just put it in reverse, he's looking to go.
20 A. Yeah.

21 Q. I've already interviewed him and I talked to him about his mindset and everything, where
22 he was at. Uh, he said that he never saw you. The only person that he saw, was he saw
23 Nick run around the corner first. Then he saw his buddies and he said, um, he see, um,
24 coming running towards the car. And he remembers that Nick, and, and, and, uh, the
25 Lopez kid was, had a little confrontation. He remembers, alls he remembers is putting it n
26 in reverse.
27 A. Mm hm (yes).

28 Q. And lookin' back. And then he gets shot. He said he never saw you. He never, he doesn't
29 remember any commands or anything. He said the last thing that, he says he remembers
30 going through his mind is, oh, crap, store security.
31 A. Right.

32 Q. They got our license plate. We're done.
33 A. Yeah.

34 Q. That's what he was thinkin', um, because, you know, he's a shoplifter. He's thinkin'
35 crap, I'm drivin' my mom's car. They'll know who I am. Um, so that's why were just
36 tryin' to make it real clear. Also, when we interviewed, interviewed the Lopez kid, in the
37 back.

A2. Is he the guy in red?

Q. The guy in the red.
A2. That's how he knows him.

Q. The guy in red, all right. He, um, and you said, it was very accurate. He, he was in the car. Now when he was in the car, Nick was standing up, when you came and you saw him.
A. When I saw him, initially saw him, Nick was standing up and they were holdin' on to each other.

Q. They were holding on to each other?
A. Yeah.

Q. Um, was, uh, was Nick bent over or was he standing straight up or was he inside the car?
A. Um.

Q. How was, how do you remember that?
A. I remember Nick, he was kinda, he was standing up but he was reached in like that, and then once the car started moving, um, the kid in the backseat, from what I could see, was holdin' on to him, and Nick, because of the position he was in, started going, you know, backwards motion with his legs goin' underneath the vehicle.

Q. Okay. And you saw his legs go…
A. Yes.

Q. …underneath the vehicle.
A. Up to about mid, mid, um.

Q. Okay.
A. Alm-, almost up to his knee.

Q. And then, so you see that happen and then you disengage and you look back at the driver?
A. Yes.

Q. And you didn't see anything else that happened with Nick from that point on?
A. No.

Q. You didn't see anything that happened with the door?
A. No.

Q. Nothing at, at that point? Did you hear the door close or hear anything after that?
A. No. My, my focus was off of them because of the fact that if I would've kept watching them, and I believe that if I wouldn't of acted on what I did, then I woulda just of watch him get run over by the car and.

Q. Okay.

1 A. I'd just been watching him.

2 Q. And then, then you shoot. The car starts to roll back. And the next time you see Nick is
3 he's over here, standing up.
4 A. I believe so, yes.

5 Q. Okay. You don't remember him any other place?
6 A. No. The, I wasn't focused on him after, between that point and the time that the vehicle
7 was backin'. When the vehicle started movin', the vehicle was rolling I was watching the
8 driver, and I was walking with the car as it was going backwards. Like I said it, when it,
9 when he accelerated, um, by the time I fired, it was slowin' down around this area.

10 Q. Okay.
11 A. Because it, it was like he hit the gas. I fired the rounds and then he, it slowed down. And
12 at that point, I was able to briskly walk next to it all the way to this tree.

13 Q2. So how fast do you think it accelerated to?
14 A. In reverse?

15 Q2. Yeah.
16 A. I don't know. I'm not a expert on that kinda stuff. I don't.

17 Q2. I wasn't, yeah, I didn't think you were. I was just wonderin' what you thought?
18 A. Yeah.

19 Q2. I mean, 'cause you just us that it accelerated back beyond the limits of this parking space.
20 A. Mm hm (yes).

21 Q2. Um, and accelerated to that point then suddenly slows down and you were able to walk
22 briskly next to it.
23 Q. Who got to the car first, you or Nick?
24 A. Nick did. Oh, are, are you talkin' about before or after…

25 Q. After it hit…
26 A. …it hit the tree?

27 Q. …the tree?
28 A. Nick did.

29 Q2. So it's the same both ways?
30 A. Hm.

31 Q2. Okay. Well, it was con-, confusing 'cause you were wondering which time. Why don't
32 you think he got run over?
33 A. Um, I don't think he got ran over because.

34 Q2. No, why don't you think he did? He.

1 A. Because I fired the rounds into the car and because it slowed down, it gave him enough to
2 get away from the vehicle.

3 Q2. You said it didn't slow down 'til here?
4 A. Yeah.

5 Q2. This all happened right here, right?
6 A. Yeah. Well, it, it, happened.

7 Q2. So.
8 A. After he hit the gas. I fired the rounds and it slowed down after I fired the rounds.

9 Q2. So where did you shoot the driver? Where was he at when you shot him?
10 A. The vehicle?

11 Q2. You shot the driver. Where…
12 A. Yeah.

13 Q2. …what was it…
14 A. It was in…

15 Q2. …when you shot him?
16 A. …it was in that spot going backwards. It, like, I said, when I fired the rounds, I believe
17 the car was moving.

18 Q2. Okay.
19 A. And.

20 Q2. Here's a two scale diagram. Give me a lucky guess about where the car was, where the
21 drive was when you.
22 A. Here.

23 Q2. You got, we got more of these.
24 Q. Oh, yeah.
25 Q2. This is our, okay.
26 Q. _____.
27 Q2. Yeah. We should get him one. This triangle indicates the direction the vehicle is
28 pointing.
29 A. Mm hm (yes).

30 Q2. Okay. Next to the triangle, I'm gonna put it next to the driver.
31 A. Okay.

32 Q2. Okay. _____ back here some time. Right now, he doesn't matter. Just take an
33 arrow and put it where you think the drive was when you shot.
34 A. When I shot, I think he was about in this area.

1 Q2. Okay. So your distance at that point, is how far? 'Cause you got yourself standin' in the
2 middle of a parking space.
3 A. Mm hm (yes).

4 Q2. Parking spaces are between 8 and 12. I don't remember exactly how wide those are. So
5 you're a good 4 to 6 feet inside the space.
6 A. Um, I, I was tellin' 'em, I, I wasn't accurately, I was just drawin' the lines on
7 _____.

8 Q2. No. I know. That's why we're clearin' it up right now.
9 A. Yeah. I was about, um.

10 Q2. How far, how far do you think it was?
11 A. Like I said, about two feet, well, two to three feet _____.

12 Q2. Inside the space?
13 A. Yeah.

14 Q2. Okay So you're still puttin' yourself at five to six feet away from the car. He's just
15 further back than he was?
16 A. (no audible response)

17 Q2. Okay.
18 A. It's possible that the…

19
20 Q2. It is _____.
21 Q. …_____shell casings.
22
23 Q2. Okay. That's what you remember?
24 A. That's what I remember.

25 Q. I'm done. Yeah. I'm just, I don't understand _____ but the crime scene doesn't fit
26 that away.
27 Q2. How long was it after the, like, after the car hit there that police showed up, do you
28 know?
29 A. Um, I would say about two to three minutes.

30 Q2. All right.
31 A. That's when we had the, the SWAT SUV, Sheriff's officer pull up.

32 Q2. And did you describe to your, you called your dispatch.
33 A. I called my dispatch over our radio.

34 Q2. Did you describe to them what happened or did you just say shots fired?
35 A. I just told 'em that we needed, uh, medical and PD and that we had shots fired and one
36 injured.

1 Q2. So you, did you do any sort of explanation about how it was or why you shot or anything
2 like that?
3 A. No.

4 Q2. When you say radio, that reminds me, 'cause I asked one of your corporate guys, and I
5 was a little bit confused. Do you have a radio or a Nextel.
6 A. It's, it's a Nextel walkie talkie.

7 Q2. So it'd probably be...
8 A. _____.

9 Q2. ...the direct connect?
10 A. Yeah.

11 Q2. Okay. 'Cause we radio, we mean, uh, it's recorded and all that good stuff. I'm thinkin',
12 all right, yeah. Yeah. Okay. So it's just a direct connect on a, on a, on a radi-, on a cell
13 phone?
14 A. Yes.

15 Q2. Okay. All right. And have you seen, did you get a chance to talk to Nick at any...
16 A. I haven't, uh.

17 Q2. ...after the police arrived?
18 A. No.

19 Q2. And have you seen Nick since the.
20 A. I have not talked, seen or called or any, I have had no contact with Nick, um, since before
21 this incident.

22 Q2. Other than your conversation with him goin' underneath the car?
23 A. Yeah.

24 Q2. Okay.
25 A. That's the last time that I even spoke to him.

26 Q2. Regarding the, who is your brother's, uh, I mean, who is, um, Nick's old partner.
27 A. The.

28 Q2. The one with the broken leg?
29 A. Uh, his name is, uh, I don't know his first name. It's Fitzpatrick is his last name.

30 Q2. Okay. Is your brother also an ex-partner a his?
31 A. My brother? I don't have a brother.

32 Q. No. Mm, you are, used to Nick's brother's, Shay's partner.
33 A. I used to be Shay's partner.

34 Q2. Okay. Nick.

A. Um, when…

Q2. _____ backwards.
A. …I worked undercover.

Q2. Okay. So how long have you known them?
A. Um, I've know Shay for about three months. Um, I never worked with Nick or really, Nick would come in and pick up, like, bring food and stuff but I never really had any interaction or any kind of tie with Nick at all.

Q2. Okay. So you know both these guys less than a year?
A. Yes.

Q2. Roughly. Okay. I don't have anything else.
Q. Um, at any time be-, before the police arrived or anything did you touch your casings, touch your shell casings or anything?
A. I didn't touch anything.

Q. Pick 'em up? Move 'em?
Q2. Did anybody else?
A. (no audible response)

Q. Did you notice anyone kickin' 'em or anything?
A. No.

Q. Did you see anything?
A. I know before you guys rolled up, um, Tucson Police pulled into the parking lot and said they'd run over a shell casing. Before the Detective showed up. And that was actually bef-, I was, I was still standin' outside of the car when, uh.

Q. Who said they ran over a shell casing?
A. The pol-, Tucson Police Officer said he did.

Q. Where, where did his car come in _____?
A. There's two entrances. This is an entrance, right?

Q. Correct, yeah.
A. He pulled into there and I was standing, like, just underneath the gas pump here. And the police department.

Q. _____ gas pump.
A. Yeah. Okay. This is the gas pump. He pulled in to here. He stopped the car, um, just like, right in this area. And I was standin' right underneath the gas pump. And he got out went and talk to one of the sergeant, um, deputies and said, hey, I just ran over one of your shells, um, and the, that's, that's all I remember anything about, anything being moved.

Q. Okay.
A. And he said the shell was, like, in this area.

1 Q. Okay.
2 Q2. It was down here?
3 A. Yeah. It was, there was, it was, like, fr-, I looked to see if I could see what he was talkin'
4 about. And like between the road and the, the cement parking lot, I thought I saw it, like
5 in between the gap right there, right by...

6 Q. _____.
7 A. ..._____.

8 Q2. Yeah. How many rounds do you carry in your weapon?
9 A. Ten plus one.

10 Q2. Okay. So you carry 11? Okay. And you think you fired three?
11 A. Yes.

12 Q2. You did. I was just making sure.
13 A. Yeah. Some, somethin' in my head.

14 Q2. We got something that matches.
15 A. Somethin' in my head after, after the three rounds were fired, somethin' in my head said,
16 click, and said stop. And you know that, I don't know what told me to stop but I, I just
17 know I needed. That was enough to do what I was tryin' to prevent.

18 Q2. All right. So you know you didn't see him after you fired. The next time you see him,
19 he's up there. You think you slowed that down enough so he could get outta there.
20 A. Yes.

21 Q2. Okay. Now let me ask you this, if, if, rather than being hit, if he'd been driving, his
22 choices were to back up, he could've cranked the car this way and gone out, is there an
23 exit over here?
24 A. Yes.

25 Q2. So, and if he'd a cranked the car this way, it would've brought the front of his car around.
26 A. Yeah.

27 Q2. That area. And at that point, you didn't know which way he was leaving?
28 A. No.

29 Q2. All right.
30 A. I didn't, my main concern was because this door was open, if he'd went this way, Nick
31 was gonna get stuck between this door and this vehicle. Uh, like I said, he was partially
32 up to his...

33 Q2. Yeah, he was...
34 A. ..._____.

35 Q2. ...according to you, under the car, so.
36 A. Yeah. So, he's under the car.

1 Q2. _____, right?
2 A. Yeah. He was under the car. The door was still open so if he'd a went this way, he was
3 under the vehicle and it was gonna go over him. If he'd a went this way, that door was
4 gonna catch him and he was gonna be under the vehicle, the front tire would a went over
5 him. Um, if he went straight back, that door was still open.

6 Q2. Okay. But everybody else says the door was closed?
7 A. No. It was not.

8 Q2. Okay.
9 A. I have, well, I have, the, the last time that I made contact.

10 Q2. The last time you saw it was open?
11 A. Yes.

12 Q2. So you don't know if it was open or closed when you shot the gun?
13 A. No.

14 Q2. Okay.
15 Q. And you're positive that you actually saw these guy runnin' out? You saw them?
16 A. Yeah. I saw 'em both. They were.

17 Q. And this is before you shot?
18 A. Before I shot. That was, is, from what I remember, and I'm almost 100 percent positive,
19 there was nobody in this area. They were both already running with their backs facing me
20 by the time that I was over in this area making contact. They were not, there was nobody
21 right here. I can guarantee you that.

22 Q. Okay. 'Cause that contradicts both their statements, too.
23 A. Okay.

24 Q. Okay, so. All right. Well, now _____.
25 Q2. You done?
26
27 Q. Yeah.
28 Q2. All right. I'm here. What's the time?
29 A. Um.

30 Q2. Nice watch.
31 A. Thanks.

32 Q. ALL RIGHT. ONE, 1:46. 1346.

33 WITNESS:

REVIEWED_____
34 DETECTIVE POWELL #1405

1 TRANSCRIBED BY:
2 C.ZAUNER JUNE 11, 2009

Q. ALL RIGHT, THIS IS A TAPED STATEMENT FOR CASE #090603024. WE'RE AT, UH, [redacted] WEST AJO, EAST. YEAH. 3845 EAST AJO, AT THE CIRCLE K ON COUNTRY CLUB AND, AND AJO. I'M DOING A TAPED STATEMENT ON, UH, NICHOLAS EVANS KANGAS, K-A-N-G-A-S. DATE OF BIRT[redacted]UM, I'M DETECTIVE POWELL, P-O-W-E-L-L, 1405. ALSO IN THE VEHICLE IS DETECEIVE MAT LYNN, BADGE #1457. THAT'S CORRECT, RIGHT?

Q2. CORRECT.

LEGEND: Q. DET. POWELL A. NICHOLAS KANGAS
Q2. DET. LYNN

Q. All right, Nick, um, I know we've just met, but, I, uh. Before we get start, I also have to advise you of your rights. Okay. That you are talking to police officers. And we're gonna, um, we're not gonna keep any secrets. Everything that you tell me, uh, I'll be telling either a judge or a lawyer, somebody, right? So, I just want to make sure that you know that. You have the right to remain silent. All right? And, and anything that you say tonight, can, can be used against you or anybody else that we're, that we're investigating. All right? And you have the right to have, uh, a lawyer present.

A. Uh, I'd rather have that, 'cause, I'm not sure what, what, what to do right now. Honestly, I'm real, really nervous and I, like.

Q. Okay. That is completely understandable.

A. I, I, I honestly, I'm just freaking out. I just don't', I, I, I'm willing to give a statement, but, I'm just. I don't know.

Q. Okay. When you say you would rather, um, I just want to make this clear. I want to make this clear. That, uh, you'd rather remain silent tonight. And, and have a lawyer present?

A. Uh, uh, I don't know. Um, I, I, uh, one thing, I, I want to cooperate and whatever. I just don't know, I, I'm willing to give a statement. I just don't know.

Q. Okay.

A. Uh.

Q. We just want to be able to, uh, get the, get the complete story. Um.

A. I just want to get this over quickly, done. And go home, honestly. Uh.

Q. All right. I completely understand. So, I'm, I'm.

A. I, I con-, I'm not confused. I just don't know what to do right now.

Q. Okay.

A. Um, I know I gave, uh, a statement to the officer. I'm willing to give the same statement.

Q. Okay.

A. As best of my knowledge.

1 Q. If we want, if you, if you feel comfortable doing that, um, I know that you've already,
2 I've already talked to the Deputy. And he says that you pretty much, that you already
3 pretty much told him the story once. Um, I would like to get that same story that you
4 told.
5 A. Uh, and I can give that to you.

6 Q. Okay. _____.
7 Q2. And, and I don't know what he told you, but, remember that you're not, you're a witness.
8 Okay? You're not subject to un-, unless something, uh, that you didn't tell us is totally
9 gonna change this whole thing. You, you're not, we're not looking at you for anything.
10 Okay? We just have to advise that stuff. Okay?
11 A. Okay.

12 Q2. I'm just so, yeah, we didn't want to scare you with that. And that's what kind of, what,
13 how it sounded. Okay. You're a witness. Okay? And that's what we need is you to be a
14 witness for.
15 Q. 'Cause, any time that we do any kind of investigation, we have to read them their rights.
16 All right.
17 A. Okay.

18 Q. Any time we question anybody on anything, we make sure that they understand. I do it
19 for everybody. I do it for the bad guys. I do it for the good guys. I do it for everybody.
20 It's not like the movies where they only do it for the bad guys. It's for everybody. Your
21 rights are for everybody. Okay?
22 A. Yeah.

23 Q. So, if you feel comfortable. I know you're nervous about this and everything. But, if we
24 can, um, if you, you know, you're, basically, with your permission, we can continue. So,
25 it's up to you Nick. You can, so, if you want to start, you can start telling us what
26 happened.
27 A. Okay.

28 Q. And, like, he said, you're, you're a witness in this whole thing. I mean, I already talked
29 to the bad guys.
30 A. Right.

31 Q. All right? And if, they told. And that's all the side of the story we have.
32 A. Yeah. Um, yeah, I know, and I have to, uh, give my statement.

33 Q. Okay. I'm gonna ask a few questions to kind of help, um, uh, to get ____, you know,
34 relax a little bit. And, and then we'll go from there. Instead of having you like, free talk
35 for a little bit. How long have you worked, what, what company do you work with?
36 A. I work with Valley Protective Services of Tucson.

37 Q. Okay. Valley Protective Services? And I'm assuming they're, they're a security
38 company.
39 A. Yes, sir.

Q. Okay. Um, prior to that, what did you, what have you done?
A. I was a juvenile corrections officer up in Catalina.

Q. Oh, all right. All right. And how long did you do that?
A. Almost two years.

Q. All right. And then, anything else before that? High school, or?
A. Uh, security over at Kino Hospital. Then, uh, lot attendant.

Q. Oh, okay. You looking to getting into law enforcement sooner or later?
A. Maybe. I'm.

Q. Okay.
A. Depending on how this goes. It, it's not the kind.

Q. _____.
A. _____. Uh, it's not depending on how this goes. It's just that, I'm still young. And I'm trying to look into different careers that I'm interested in.

Q. Okay.
A. This is one of them. The other one's firefighting. I'm…

Q. Oh, okay.
A. …just trying to see the options.

Q. Both. Hey, man, they're both good careers. And you're gonna be able to.
A. You get a lot of days off with firefighting. Mm hm (yes). And it's like, ten days a month.

Q. Yeah. Kind of do it all over again.
A. _____.

Q2. _____.
Q. This is fun. You get to do stuff like this. But, ten days a month does sound good. So, how long, now I think, I don't know. I can't remember if I asked you. But, how long have you worked with this, with the security company here?
A. Uh, about five months.

Q. Five months? And how often do you work during the week?
A. Uh, five days a week.

Q. Five days a week. Usually, you do go to different stores or it's always?
A. Uh, different stores. Uh, depending wherever the Circle K, how bad that store is getting hit, either by beer running, shoplifting.

Q. Okay.
A. Yeah, they, they'll move us wherever they need us.

1 Q. Have you worked at this Circle K before?
2 A. Uh, this is my first night.

3 Q. First night here? Okay. Um, then what time did you start work tonight?
4 A. Uh, at 1800.

5 Q. All right. And then, is it an eight hour shift?
6 A. Yes, sir.

7 Q. So, you were gonna go till about 2:00 tonight?
8 A. Yes, sir.

9 Q. Or this morning, I'm assuming. Okay. Um, and then did you know the other security
10 guard?
11 A. Yes, sir.

12 Q. How well did you know him?
13 A. Uh, when I started the company, I met him a couple of times. Um, he was my for-,
14 brother's partner.

15 Q. Okay.
16 A. Um, and I was suppose to have a new partner tonight. Because, my other partner got
17 injured a couple days ago. And he was helping fill in today for me. For, to be my partner
18 tonight until my new partner had got working with me tomorrow.

19 Q. Okay. So, when you say partner, you, usually is a undercover guy, there's two of you?
20 A. Yes, sir.

21 Q. Okay, but, they're not.
22 A. There, there's always, uh, two of us. One's in uniform and one's in plain clothes.

23 Q. Oh, I see. Okay. And what are you main duties when you work, what, what's you main
24 duty?
25 A. Um, try to apprehend shoplifters, beer runners.

26 Q. Okay. You like you job? You like doing this?
27 A. Yes.

28 Q. Okay. Sounds like kind of fun. Anytime you do undercover stuff, it's kind of fun.
29 A. Yeah.

30 Q. Do you also wear a uniform? Do you have, uh, a uniform?
31 A. Yes, sir. Uh, between me and my partners, we switch off.

32 Q. Okay. And tonight was your night not to wear the uniform. So, you're in plain clothes.
33 A. Yes.

1 Q. All right. Are the clothes that you're wearing right now, is the same clothes that you
2 were wearing tonight?
3 A. Yes.

4 Q. Okay. All right. And what was your, um, partner's name? What, who you were working
5 with in uniform? What was his name?
6 A. Kosatschenko.

7 Q. That's his first name and last name?
8 A. Uh, that's his last name.

9 Q. Kosatschenko. Do you know his first name?
10 A. Josh.

11 Q. All right. And did you guys start work at the same time?
12 A. Yes. Um, he came in 20 minutes late, 'cause, he was, uh, at the, our supervisor that's in
13 charge of this undercover. Then he came in about 20 minutes late. But.

14 Q. Okay.
15 A. Yeah, but, he's still here at the time of, on duty.

16 Q. Okay. Okay. Did, and so, the only other person working here tonight would be the
17 clerk?
18 A. Yes.

19 Q. And do you know her at all? Do you know her?
20 A. Uh, no, I don't. Uh, and I believe it's a him.

21 Q. Oh, it's a him?
22 A. Yeah.

23 Q. I just saw a female working over there. So, do you, so you met the clerk for the first time
24 tonight.
25 A. Uh, briefly. I, I did not introduce myself. I only heard his name. But, I forgot what his
26 name was.

27 Q. Okay.
28 A. I just had like, short cou-, couple sentence conversation with him. That's it. I don't.

29 Q. Okay. All right. So, when you guys, um, get to work, were you guys busy tonight?
30 Were you catching people?
31 A. No. It was completely dead up until this happened.

32 Q. Okay. So, where were you at, um, when these guys pulled up?
33 A. Um, me and my partner were both in the back of the store monitoring the cameras.

34 Q. Oh, okay. Okay. And then, why don't, starting there, why don't you tell me kind of what
35 was happened.

A. Um, we, at the time, about maybe ten till, uh, two, we saw the four suspects come in the store. Um, we had a suspicion that they might do something. Um, my partner was monitoring the camera. I was close to the exit door behind the back store, getting ready to, just in case they did do something. Um, my partner was still monitoring. I was just waiting for him to say, go. If they did do something. If they did not. Um, I saw them, briefly walk by. And my partner then said, go. Um, we both started running after the suspects. Um, as we were running out the door, we saw, saw them make the left. Uh, towards the ramps on the building.

Q. Mm hm (yes).
A. Um, I then continued to run down the ramp. My partner was following behind me.

Q. Mm hm (yes).
A. Um, as, as I turned, the, I believe, I don't know if the gentleman in red t-shirt, white stripes, saw me. But, he started running towards the car.

Q. Mm hm (yes).
A. ~~Um, at that time, he stopped at the car. I still continued to run. And he was able to open the door. Um, as he did that, he was still against the left, left rear passenger door that he opened.~~ Um, at that time, I hit him, um, with my chest onto his left arm. I tried to wrap my arms around him to prevent him from getting into the car.

Q. Mm hm (yes).
A. Uh, um, I was not able to get a good enough grip. I still had partially a hold of him, as he was able to get into the back seat of the car. At that time, I told him to stop resisting. I can briefly remember. I think I told him to get out of the car. Um, at that time, we still had our hands locked. 'Cause, I was trying to stop him still, at that time. Uh, that, I can remember that I think that the. Or, I don't think that I saw in the corner of my, that the pas-, driver got into the car. I don't know how. Then as the driver got into the car, he is able to put the car into reverse. Um, I tried letting go of the suspect in red. Uh, for some reason, I can, the guy wouldn't let go of me. I tried to yank my hand away. Um, at that time, I tried to run. And tried to get away from the door. Um, and tried to get away from the vehicle so I didn't get run over. Um, as, the next thing I got, know I almost got hit. I was on the ground. I remember going a couple of inches. Then I don't know what I did, but, I was able to do something and get my feet out of the, under, underneath the car.

Q. Mm hm (yes).
A. So, the wheels couldn't run over me. And I remember at that time, I was getting dragged I heard a couple of gun shots. Then, as the car door went over me, I, I, I looked up and the car, at that time, was still reversing out. And time I got up, I heard the crash. And I looked up again to see where the car was. And the car was backed up to the tree like it is right now. Um, at the, the back bumper against the tree. Uh, me and my partner approached the vehicle to see what the two suspects were doing. Um, me and my partner then told the people to get out of the car, a couple of times. Um, after that, the suspect that I tried to get that jumped into the back rear passenger. On the driver's side, left rear. Uh, he finally got out of the car. I told him to have a seat over here, uh, at the rocks.

1 About maybe couple inches away from the left rear tire. I then told him to put his hands
2 behind his back. I then applied handcuffs onto him, to restrain him from going anywhere.

3 Q. Mm hm (yes).
4 A. Uh, then I, I don't know if you want me to tell, uh, what the police officer or.

5 Q. Okay. And the, the officer, I mean, and that's, you guys called, um, you guys called for
6 help or?
7 A. Uh, yes. Um, dur-, during that time as we were trying to get everything situation.

8 Q. Mm hm (yes).
9 A. Trying to get the passenger under control, we called our dispatch company to call for
10 help. And our normal procedures, to, to call the police and dispatch and ev-.

11 Q. And then the whole Calvary showed up.
12 A. The, the whole.

13 Q. The Deputies, the ambulances, every.
14 A. Yes.

15 Q. Okay. All right, good. You know what? That's a very good account. I mean, it was
16 very detailed. There is a few things I just want to kind of go back and make sure I
17 understand it all.
18 A. Okay.

19 Q. I'll ask some questions. Uh, when you were in the back of the store, you guys were
20 watching the cameras. You said, you saw four people walk in.
21 A. Yeah.

22 Q. All four of them walk in?
23 A. Yes. Um, I, I remember three of them walked in. Uh, then, then my partner told me to
24 go stand by the door.

25 Q. Okay.
26 A. And to get ready. Um.

27 Q. So, you said you saw three of them walk in.
28 A. Three, three of them walk in.

29 Q. But, you know that there were four involved.
30 A. Then, then as soon, as soon as they walked past me, I saw four of them. And as I was
31 running out, I saw four again.

32 Q. Okay.
33 A. Uh, I saw two heading for the car. That's the ones that me and my partner chased.

34 Q. Okay.
35 A. And I saw two heading southbound on Country Club. In, in, in that direction.

1 Q. Okay. They, they didn't even try to get in the car. They took off.
2 A. Yeah. They took off. Um, I know that they just headed southbound towards Country
3 Club. I don't know which direction that they went.

4 Q. Okay. So, then you, you come out, how far behind were you?
5 A. Um.

6 Q. Were you pretty close on their tail or?
7 A. I was approximately, I, if I was looking at the door right now, and to where the back
8 office is, I would say a good six, seven feet.

9 Q. Okay. And, so, you go grab this guy with the red shirt. So, you run down the ramp.
10 Like you said, you ran down the ramp. And you grabbed him. And, and you describe, it
11 was almost like, uh, a tackle. 'Cause, you.
12 A. Um, it will.

13 Q. You, you, you hit your chest against his shoulder.
14 A. Uh, I, to describe it, I would say I did a bear hug.

15 Q. Okay.
16 A. I, I attempted to bear hug.

17 Q. Did good. All right. Okay, good. And after, then you grabbed him. And you guys, right
18 as he was getting into the car?
19 A. Um, attempting to get into the car.

20 Q. Okay. So, the door was already open
21 A. Uh, yes.

22 Q. Okay.
23 A. Uh, he, he, the door was and the, and probably in the process or almost actually opened.
24 'Cause, when I approached him, he had his hand on the handle.

25 Q. Okay.
26 A. And time I hit him, I don't know if the momentum opened the door. But, it was in the
27 process of, it was…

28 Q. Mm hm (yes).
29 A. …partly opened. Or to, o-, to being opened.

30 Q. Okay. And then he was, he was getting into the car. Did, did you ever fall into the car
31 with him or anything, or?
32 A. No.

33 Q. No? Okay. And then, um, you, um, then the car, the driver put the car in reverse. And
34 you heard the car start backing up.
35 A. Yeah.

1 Q. Now was that, were you inside the car door? So, you know what I'm saying? Like, if
2 you were, you were standing here, were you inside this car door area?
3 A. Mmm.

4 Q. When he was backing up?
5 A. The, I, when I saw the car backing up, the car door was fully open to it's full extent.

6 Q. Okay. So, you were, you were standing where the, if, if they started backing up, that car
7 door's gonna catch you.
8 A. Yes.

9 Q. Okay.
10 A. Um, I was sta-, to, to give a depth perception of, of the door, I was standing about in the
11 middle of it.

12 Q. Okay. Okay. Um, did the door hit you when they started backing up?
13 A. Honestly.

14 Q. I know it happened so fast. I.
15 A. It happened so fast, I can't remember.

16 Q. Okay.
17 A. I don't, I don't know if the door hit me. I.

18 Q. But, you did say that you fell down.
19 A. Yes.

20 Q. And that you were able to kind of roll out of the way, so you didn't get run.
21 A. Turns out, I, I know when I hit the ground that the car door did hit me. And it did drag
22 me a little bit.

23 Q. Drag.
24 A. Un-, until I was able to get, get out of the way. I, I don't know how, but, I did.

25 Q. Uh, at what point, and this is very important, at what point and about where were you at
26 when you heard those gunshots?
27 A. I was down on the ground getting dragged.

28 Q. Okay. So, you were actually, had already let go of the suspect. You had been hit by the
29 car door. You were falling down. And you were being dragged. Do you remember what
30 part of your body was, got caught on the car? What part, was it your, was it a leg? Or
31 your arm?
32 A. Um, uh, I'm trying to pic-, picture it.

33 Q. Okay. Well, take your time. I know it's. You know, and honestly, dude, you're gonna
34 think about this over and over and over. A hundred times for the next couple days. It's
35 gonna be.
36 A. Right.

1 Q. Well, that's all right. So.
2 A. Um, I, I believe when I let go and I was falling back and I was, when I was probably
3 barely hitting the ground. And I was getting dragged is when I heard the gun fire.

4 Q. Okay. And so, the car was moving.
5 A. Yes.

6 Q. Okay. The car was moving. You hear the gun fire. And then you say you got dragged
7 just for a little bit. You weren't like, dragged across the parking lot.
8 A. No.

9 Q. Just for.
10 A. I, I was probably dragged for about two, three seconds.

11 Q. Okay.
12 A. Um if I had to guess, I'd say about two to three seconds.

13 Q. And then you got free from the car.
14 A. Yes.

15 Q. Um, and then the car, from just looking at the scene, the car backed up, hit this tree. And
16 then you guys got up, ran over and engaged the car for a second time. And that's when
17 you pulled out the suspects, out of the vehicle. And then the.
18 A. I did not pull out the suspect.

19 Q. Oh, he got out himself?
20 A. The, the suspect complied and got out of the vehicle himself.

21 Q. Oh. Okay, good. Good. And then the guy who was shot, you guys left him in the car?
22 A. Yes.

23 Q. Okay.
24 A. We did not move him, 'cause, at that time, we did not know the extent of his injuries.
25 And we did not want to perv-, prevent or any.

26 Q. Okay. Did you guys apply any kind of First Aid or anything helping him out or?
27 A. No. We did not.

28 Q. You.
29 A. We wanted to keep him sit, where he was.

30 Q. Okay.
31 A. So, we did not prevent any other injuries from us or having him injury himself further.

32 Q. That's good. That's good. All right, um. In a second here, we're gonna kind of go out
33 there and want you kind of, uh, to the best of your ability, kind of show us maybe where
34 you were dragged. From where to where. And then I know, I know it's gonna be real
35 difficult. But, kind of walk me through the general area.

1 A. Um.

2 Q. And maybe show me where your buddy was standing when he shot. And, do you re-, do
3 you remember where he was standing at?
4 A. Uh, approximately, yeah. And I'm not sure.

5 Q. Okay.
6 A. I, just approximately.

7 Q. Okay. We can do that. Um, let me ask a few other questions I should have probably
8 asked you before we even started. How much training does your, um, security company
9 give you guys with the, uh, in firearm training and what. Uh, what's, what do you have
10 to, what are your qualifications, I guess?
11 A. Um, I remember briefly. But, I have not taken it, 'cause, at the time that they had the
12 training course, I did not have the money for the.

13 Q. Okay.
14 A. For the ammunition to take the class that was needed.

15 Q. Okay. Um, tonight, were you armed at all?
16 A. No, I was not armed.

17 Q. You were not armed tonight. At any time did you see the suspects, did they have any
18 guns or any weapons? Uh, did you guys. Do you remember seeing?
19 A. No. No, they did not have any weapons that I can recall.

20 Q. Okay. That's fine. Um, at any time, did they give you any threatening statements or yell
21 at you or, you know, talk to you guys? During the incident. You know. Was, were you,
22 you, do, do you remember any conversations that you were having with them? Besides
23 the commands that you told me that, you know.
24 A. Um, when I had the suspect detained on the ground.

25 Q. Mm hm (yes).
26 A. He kept asking if, to his buddy, if he was all right.

27 Q. Okay.
28 A. Uh, he did ask me if paramedics and help was on the way. I did say, yes. We are in the
29 process of doing that now. And they are on the way.

30 Q. Okay. So, when he, when that all happened, but, that was the first conversation that you
31 had with him?
32 A. Yes.

33 Q. Okay. First time he was talking back to you?
34 A. Yes.

1 Q. Okay. Um, all right. Uh, all right. Sounds good. I, uh, let's, let's get out of the vehicle.
2 And let's kind of walk. Do you remember, um, exactly where Josh was standing when
3 he, when he shot? You kind of.
4 A. Uh, approximately.

5 Q. Okay. Well, let's, uh, let's walk over there and, and, and, uh. I want to make sure. I
6 want to make sure exactly, kind of where the car was at. And where it was it at. And the
7 reason why I'm asking you this, is because, I need to, we need to be able to pin point this
8 exactly. Because, there's a few things on, on the scene that, uh, we can, we can explain
9 them. But, we want to make sure that we have the right. And, and I'll tell you what I'm
10 talking about. We're, we're leading up to that point over here. All right. And it's, it's
11 just trying to help my investigation. All right. So, why don't you step out and we'll walk
12 over. Okay. So, right here by the ramp, you guys came out the door. And then you, you
13 ran down the ramp. And you said you were pretty close behind them, right? You said,
14 you said about seven eight feet, right?
15 A. Well, uh, at the time that they ran out the door, and then I started running from the back,
16 uh, time I ran down the ramp, I was approximately, three to four feet away.

17 Q. So, you were pretty close. You're right on their tail.
18 A. Yeah.

19 Q. And where were they parked at?
20 A. Uh, they were kind of parked at the far end, maybe in the middle. Uh, they put, took up
21 both parking spots. Uh.

22 Q. Okay. So
23 A. Uh, I can't really give the.

24 Q. More, more towards the fence or, or closer to the line? But, you said, kind of in the
25 middle.
26 A. At, at, at that time, I'm not exactly sure. But, when everything happened, it, to me the car
27 seemed that it was in the middle, kind of in the second parking spot. Um, it looked like
28 the car that was about straddling both parking spots.

29 Q. Okay. Cool. And then the driver got in his, the, the driver's seat. And the other guy was
30 jumping into the passenger seat behind the driver. And the door was open. And you had
31 grabbed him. You, and the door was behind you. Then the, the vehicle started moving.
32 And then you got kind of caught. About, about where was the vehicle? And, when, how
33 far did you get dragged here?
34 A. Um.

35 Q. Um, 'cause, I'm assuming he was parked there. So, they just started backing up. So,
36 you, about how far do you think you were dragged?
37 A. Um, judging by the parking space, uh, at the end of the parking space is when I start,
38 when I felt maybe getting hit. And started going down.

39 Q. Okay.
40 A. Um, I'd say between the two markers.

1 Q. These two little markers that we put down here?
2 A. Yes.

3 Q. Okay.
4 A. Um, but in between the two markers is when actually I felt like I was getting dragged.

5 Q. Okay.
6 A. So, when I was getting dragged.

7 Q. All right. So, that, that's probably about. Yeah, that's probably about ten feet there or
8 so?
9 A. Um, yeah. Then I, when I stopped and got out of the way, I was about to that, where that
10 mark is or that water spot or oil, whatever.

11 Q. Okay.
12 A. And to where the marker, second marker is.

13 Q. I mean, you were able to roll out of the way of the car.
14 A. Yes.

15 Q. After you got down? Okay.
16 A. And so my feet didn't.

17 Q. Okay. Did you say, I remember say, you said that you remember the, the, the car door
18 passing over you, that was open.
19 A. Um, af-, after I somehow was able to push or get out of the way.

20 Q. Okay.
21 A. So, my feet didn't get run over.

22 Q. Okay. All right. Now, where was Josh standing at this whole time?
23 A. Um, approximately.

24 Q. Why don't you show me kind of, where he was at.
25 A. I believe approximately right about maybe in the middle of the first parking spot.

26 Q. About right in here?
27 A. Right. About in the middle.

28 Q. And then he, um, so, then he was looking this way. So, he was more in kind of in front of
29 the car here. 'Cause, the car's already backing up.
30 A. Uh, 'cause, he was trying to, I don't know. He went after the first suspect. And I do not
31 know what he was doing or.

32 Q. Okay. That's fine. Now, where were you at when the shots went off?
33 A. I was still getting dragged by the car.

1 Q. So, you were in that area where you just pointed out. And you, you were, you didn't, did
2 you ever see Josh shoot? Did you see the gun?
3 A. No, I did not.

4 Q. So, you just heard it only?
5 A. Yes.

6 Q. Okay. And so, you were actually on the ground. So, you had already let go of your
7 suspect. Had kind of fallen back. Be, was being dragged.
8 A. Uh, I was getting hit by the door and getting dragged.

9 Q. And that's when you heard the shots. About how many shots? Can you remember?
10 A. Uh, I recall two.

11 Q. Two? Okay. That's fine. Uh, two. And then you were able to get free. The car backs
12 out. Hits the tree. And then you guys get up and go back and, and reengage the car.
13 A. Yes.

14 Q. Okay. All-right. All-right. How did you feel, um, at the, at the moment. Not be-, right
15 before, right before you heard the gunshot, you in this altercation with the car, did you
16 feel like you were gonna get run over?
17 A. Yes.

18 Q. Okay. Were you, um, were you, uh, at any time you feel like maybe this, this is getting a
19 little out of control or was being. You know what I'm saying? Like, you were thinking,
20 like, I need to kind of like disengage. I need to back out of this thing or?
21 A. Uh, uh, the way I feel is, when I was getting dragged, and I realized that I needed to try to
22 do and for something to get, from preventing getting run over, I just tried to do my best of
23 whatever I did to get out of the way.

24 Q. Okay.
25 A. So, I did not get run over.

26 Q. Okay.
27 A. Um, that's all I was thinking at the time.

28 Q. Okay.
29 A. Is try to not get run over.

30 Q. Okay. So, your mind, your mind running try to get this, your mind's switched from, no
31 longer catching these guys. But, was switched over to your personal safety.
32 A. Yes.

33 Q. So, you weren't worried about catching these guys. You were worried about getting run
34 over.
35 A. Yes.

36 Q. Okay. And that's what I was trying to ____.

1 A. As, as soon as the suspect was able to get into the car and the car was in reverse, I
2 disengaged him, trying not to get run over.

3 Q. Okay. Okay. Great. All right, um, let me, uh, we're, I know it's, uh, ____, but I'm
4 gonna put you back in there. Do you need, you need to go to the bathroom or anything?
5 Are you good?
6 A. Uh, yeah.

7 Q. Uh, use the restroom?
8 A. Yeah. 'Cause, I've been, honestly, I've been holding it, uh.

9 Q. Okay. Well, how do you.
10 A. Get, so I can go home.

11 Q. Actually, how do you walk in with. ____.
12 A. I , I feel like I need to wash, wash up. 'Cause, I don't know how bad I am.

13 Q. You know what? Let me get some pictures of that. Has anybody taken pictures of you
14 yet?
15 A. No.

16 Q. Okay. We'll get some pictures of you there. And I might have to take a picture around
17 the corner here. All right.?
18 A. Okay.

19 Q. YEAH, I'M GONNA GO OFF TAPE NOW. AND THEN WE'LL, UH, WE'LL GET,
20 GET YOU TAKEN CARE OF.

21 WITNESS:

REVIEWED_____
22 DET. POWELL #1405

23 TRANSCRIBED BY:
24 ROSEMARY SANFORD, JUNE 4 2009

1 Q. A TAPED STATEMENT FOR, UH, NICHOLAS KANGAS, UH, YOUR DATE
2 AGAIN, NICK?
3 A. UH, [redacted]

4 Q. GREAT. AND THIS IS DETECTIVE RYAN POWELL, BADGE #1405. ALSO IN
5 THE ROOM IS,
6 Q2. DETECTIVE GIERON, BADGE #1255.

7 Q. AND,
8 Q3. BRAD ROACH, REPRESENTING JOSHUA KOSANTSCHENKO.

9 Q. GREAT. UM, WE'RE AT 100 NORTH STONE. AND THIS IS SUITE 606. WE'RE
10 IN, UH, BRAD ROACH'S OFFICE.

11 LEGEND: Q. DET. POWELL A. NICHOLAS KANGAS
12 Q2. DET. GIERON
13 Q3. BRAD ROACH
14

15 Q. Um, like I told you a little bit before we went on tape, we just wanted to talk. Some
16 minor details that we're missing. And maybe kind of rehash the, the incident real quick
17 on, on what exactly your involvement is and what you saw. What you heard and
18 everything. Um, we're talking about, uh, Sheriff's case #090603023. It was the night of
19 the 3rd, about 2:00 in the morning. And, and again, we were, uh, you were working that
20 night with Josh Kosantschenko. Did I say his name right?
21 A. Yeah.

22 Q3. Kosantschenko.
23 Q. Kosantschenko. Um, and you guys were working with Valley ____ Security.
24 A. Valley Protective Services.

25 Q. Valley Protective Services. I'm sorry. And, um, you guys play a roll as a un-, you guys
26 do undercover work for them to do the shoplifting and
27 A. _____.

28 Q. Okay.
29 A. For, for under contract of Circle K. Yeah.

30 Q. Circle K, right. And we already spoke with Circle K. I've talked to them and talked to
31 them about their contract and everything. And what their, uh, and what, what they expect
32 of Valley Protective. It sounds like everything that you guys were doing was, you know,
33 was what they want you to do. You guys were hired as an undercover crew. Which is,
34 which is good. Um, well, we want to go straight to the incident. Um, from, not to the
35 point where you guys saw them walk in. 'Cause, that's all pretty much, we have all that
36 on tape. And it's pretty self explanatory. Um, it's the point at the, it's the point where
37 we need to, uh, have a better detail is the point where you guys are off camera. You guys
38 come out of the, the door there and you're off camera. Um, and we want to concentrate

1 mainly on just you. All right? And what you did and what you saw. And I want to talk
2 about Josh. And talk about the suspects. And what they were doing. We'll talk, uh, just
3 for, for right now, we'll talk about you. So, after you, um, you exited the, you exited the
4 door, um, how many, how many guys were you chasing out of the, the store?
5 A. Uh, for, the, at that point, I only saw three.

6 Q. Okay.
7 A. Um, as I ran out of the store, we made the left to the west. Um, as Josh and I were
8 running to the suspects, Josh was behind me.

9 Q. Okay.
10 A. As we ran down the, started running down the ramp that was on the west end of the
11 building.

12 Q. Thank you.
13 A. Um, as I entered the ramp, um, the second suspect that was wearing, uh, the red t-shirt
14 with the white stripes.

15 Q. Mm hm (yes).
16 A. Um, was down at the end of the ramp. At the, where the two railings were at the one on
17 the left to the exit. Um, the second suspect saw, saw me. And there was a first, the first
18 suspect was, uh, right between the railing and the wall. I ran after the second suspect.

19 Q. I was just gonna draw a diagram to help us.
20 A. Um. You, you want me to draw. I can.

21 Q. Let me just. I'll lay it out real quick. And then you can show me, um, where, kind of
22 where you were at. And where these, these suss-, suspects. We'll kind of give them
23 names. There's the red, the guy with the red and white shirt.
24 A. Yes.

25 Q. And then there was, there was two others. Can you give.
26 A. Uh, one had a white t-shirt, to my knowledge.

27 Q. Okay.
28 A. I don't know what to a point exactly he was wearing. Or the third suspect. And the forth
29 suspect.

30 Q. This is the, uh, fenced area. This is gonna be the parking lot. And we'll do this, this is
31 the handicap rail. That you guys are talking about. And actually, kind of cuts like this.
32 Like that. There's a handicap rail on both sides of that sidewalk, right?
33 A. Yes.

34 Q. And then there's two parking spots, parking spots over here.
35 A. Yes, sir.

36 Q. Okay. So, when you said you came out. You turned left, like to go west. And you said
37 that when you came out, you saw the first suspect at the end of the, at end of the rail?

A. Yes. More towards like, right here. So, where you can just make the left and just.

Q. Okay, _____ yeah. Okay. And then, then you, then you ran down the rail?
A. Yes.

Q. You ran down, it's kind of different_____? At that time, were you making commands or, or saying anything?
A. Uh, no, sir. Um.

Q. Okay. Okay.
A. At, at the time I was about in the cross, or the, the ramp, the second suspect that was right here at the end of the ramp, saw me.

Q. He's the one with the white shirt?
A. Uh, red shirt with the white stripes.

Q. Okay. Red shirt. And he saw you. He, he was just turning the corner.
A. Yes. Yes. And he.

Q. Is that when he started running or?
A. Yes, sir.

Q. Okay. So, he wasn't running at first.
A. No, sir.

Q. They were all walking out.
A. Right.

Q. Okay. Good. And then, and you, what, at what point did you see the car? When you, I'm, if you're coming down the rail, ___.
A. Um, I, I saw the car right as I turned the corner down the ramp.

Q. Okay. Okay. So, the car was parked in the second spot.
A. Uh, it was about in the middle towards the second spot. More in the second spot. But, it was parked right in ___.

Q. You can go ahead and draw, uh, kind of where you, where, if this was the line of the parking. Where, about where?
A. Um. The car, the car was about like this.

Q. Okay. So, it was over that line then.
A. Uh, to my knowledge, yes.

Q. Okay. Okay. Okay.
A. And the car, and the front of the bumper was facing the store.

Q. Right. It was pointing that direction. All right. Um. Okay. Then the, the. Okay, the, the suspect in the red shirt, he runs over to the car.

1 A. Yes.

2 Q. And you're right behind him.
3 A. Yes, sir.

4 Q. And he's the one that you targeted.
5 A. Yes, sir.

6 Q. Okay. The other two, do you know where they went?
7 A. Um, I don't know where the forth one is. But, the third suspect, um, started running
8 towards south on Country Club.

9 Q. Okay. So, that's, and that's, and that's accurate from what we know, too. Um, and the
10 forth suspect you don't.
11 A. I have no clue.

12 Q. Okay. Was the, uh, was someone already in the car?
13 A. Uh, no.

14 Q. I mean, no, no one was in the car?
15 A. Nobody was in the car at the time.

16 Q. You're right here ____. Okay. Okay. When do you catch up to the suspect with the red
17 and white shirt? When do you catch up with him?
18 A. Um, as soon as he gets to the left rear passenger door.

19 Q. Okay.
20 A. And as soon as he starts to open the door, that's when I made contact and tried to grab the
21 person in a bear hug.

22 Q. Okay.
23 A. To wrap my arms around him.

24 Q. Okay.
25 A. So, to prevent him from getting in the car.

26 Q. Okay. Was the door open or, when you, when you got to him or was the door closed?
27 A. Uh, the door was partly open to make the, uh, motion of the, to make it open.

28 Q. Okay. So, as you were.
29 A. It, it was swinging open.

30 Q. So, if this is the car, the door was open, or swinging open. Where, when you made
31 contact with the, the suspect in the red and white shirt, were, about where, and this is, uh,
32 say this is, this would be the front door, it's closed. And this is the back door and it's
33 open. About where were you at? Were you?
34 A. Um, between, the back window is slanted like this. Then it comes down like this. I made
35 contact right about where the back window meets the trunk.

1 Q. Okay. And, and you grabbed him in a bear hug. Were you pushing him against the car?
2 A. Uh, yes, I was.

3 Q. Okay. Pushing him against the car. And how far was the door. How far was the door
4 open? Or?
5 A. Um, to, to the best of my knowledge it was about a 45 degree angle.

6 Q. So, was it open all, all the way open? Half way open? Less than half? There's
7 something wrong with. I.
8 A. Uh, it was about half way open.

9 Q. About half way open. Okay. Uh, that's good. That's fine. Did he, um. Okay. Did, uh,
10 I remember in your, in your, your other statement, you said there, it came to a point
11 where you let him go.
12 A. Yes.

13 Q. Okay.
14 A. Um, at, at that point, when I made contact with him, I did not have a good grip on him.
15 He was able to get into the back passenger seat. At that time, I still had his arm, telling
16 him, stop resisting.

17 Q. Okay. So, he's already, was he, how was he sitting in the back? Was he sitting in there?
18 Had he dove in head first?
19 A. Um.

20 Q. These are some of the details I should have asked that night. But.
21 A. He, he was sitting in the back seat with his butt on the seat, with his legs hanging out of
22 the, the door.

23 Q. Okay. Okay.
24 A. Oh, I'm sorry. He was.

25 Q. He kind of backed into it.
26 A. Yes.

27 Q. Backed into the, the compartment there. All right. When he was in the car, you were,
28 you, you still had a grab a hold of him? You still had, uh, a hold of his arm?
29 A. Yes.

30 Q. Okay. How were, how were you holding onto him?
31 A. Um, I was holding onto him, uh, with, with his left wrist out. I had my left wrist like, in a
32 lock like this.

33 Q. On his arm?
34 A. On his arm. And I was telling him, stop resisting and to get out of the car. Um.

35 Q. Okay.

1 A. At, at that point, I, out of the corner of my eye, I saw the driver jumped in, into the
2 driver's seat.

3 Q. Okay.
4 A. Um, at that point, I realized what the situation I was in. So, I tried to back off.

5 Q. Okay.
6 A. Um, at, at that time, I tried yanking my hand away from the subject. I was unable the
7 first time.

8 Q. Was he holding onto you?
9 A. Uh, at the time, we were still both holding on to each other. But, I was trying to let go.

10 Q. Okay. Was he trying to pull you in or it just?
11 A. Uh.

12 Q2. You guys are struggling.
13 A. We were struggling. I believe he was trying to hold onto me, still at that point.

14 Q. Okay.
15 A. Um, then the driver managed to throw the car into reverse.

16 Q. Right.
17 A. And the car started reversing. At that time, I told him to let go. I.

18 Q. You said, let go of me?
19 A. Yes.

20 Q. Okay.
21 A. Um, I do not know if I yelled it or said it, but, I said, let go.

22 Q. All right.
23 A. And I yanked my hand away for the second time. And I was successful. At, at the time,
24 um, I tried to get out of the way of the door that was fully open.

25 Q. Mm hm (yes).
26 A. At the time. The door then became, hit me. My legs were underneath the car itself. As I
27 hit the ground, uh, at that time, I was getting dragged two or three feet. Um, I do not
28 know, at that time, how I did it.

29 Q. Okay. Let's stop right there for a second. You're standing inside the door.
30 A. Yes, about half way in, in the ___.

31 Q. And, um, and you're, and you're kind of bent over grabbing him like this. You, you
32 finally get yourself free. And then the, the car starts backing up. Now, the door hits you.
33 A. Yes.

Q. And you, and you say you, you're, you get underneath the car. So, are you, have you fallen over?
A. I'm in the process of falling. Um.

Q. Okay. So, you're in the process of falling.
A. Uh, as, as the door hit me. Or.

Q. Okay. Did the door hit, knock you over? Or are you pulling away from yourself, is that why you're falling over?
A. Um, as I recall it, the door had hit me.

Q. Okay. All right. So, the door hits you, and you're starting to fall.
A. Yes.

Q. You fall, which way do you fall? Did?
A. Uh.

Q. Or I, I should say, how did you land on the ground? How did you land on the ground?
A. Uh, I landed on the ground with, by hitting my butt on the ground.

Q. Okay. So, you almost like, fell backwards and sat down.
A. Yes.

Q. And did you fall all the way to your back?
A. Um, at this point, I cannot recall if I…

Q. Okay.
A. …fully hit the back or not. Um, as the car was still reversing and the car door hit me, I remember that somehow, my feet were still underneath the car do-, car. Uh, underneath the wheels.

Q. Okay.
A. Uh, of the left rear wheel. And at, at this point, I'm still getting dragged.

Q. Your feet were underneath, behind this wheel or in front of this wheel?
A. Uh, in front of the left rear wheel.

Q. So, it was the front of this, the front, the left rear one? The driver's side, the back wheel.
A. Uh, no, yes.

Q. Okay.
A. Um, at this point, as I'm getting dragged, I don't know how I managed to get my feet under the car. And as I'm, I don't know how, but, as I got out of the car, I rolled and I was laying on my back. Uh, uh, east and west. And as that point, as I'm getting free and dragged, uh, out of the car, I hear two gunshots.

Q. Okay. Let's, I just, I need to, I need to make sure this is really clear in my mind. How you were positioned. So, you fell backwards. Your feet are under this way.

A. Yes.

Q. And then you roll your feet out so they're facing this way?
A. Um, at, at, at the time I was getting dragged and.

Q. Okay, wait. I know you keep saying dragged, but, we're not to the point where you're getting dragged yet. You said that you got hit by the car. You got knocked down on your butt. And you said your feet were underneath the car.
A. Yes.

Q. And that you said that you rolled yourself to keep your feet out of the car. Did you move your feet facing.
A. Eastwards, towards the building.

Q. Uh, eastwards towards the building. And then, are you still on your butt when you're doing this? Or are you rolled over on your stomach? Or how?
A. Uh, at that point, I believe I was still in the process of falling on my butt?

Q. So, you, so, basically, you're falling down this way. And then you kind of roll like this, falling on the ground.
A. Yes.

Q. So, you've got your feet from under, from out underneath the car?
A. Uh, at that time, again, I'm not exactly sure…

Q. Okay.
A. …how I managed to get my feet…

Q. Okay.
A. …out of underneath the car.

Q. Okay. And now, the car starts to back. And then you're getting, you said you start to get drugged.
A. Yes.

Q. What part of the car is, is grabbing onto you to drag you?
A. Uh, the left rear door. The door.

Q. Okay.
A. Yes.

Q. And what part of the body does it drag, that's being dragged? What, where's it catching onto you, the part your body that's dragging you?
A. My knees.

Q. So, it's hit your knees?
A. Yes.

1 Q. And so it hits your knees and it's pushing you. So, you're on your back scooting
2 backwards and it's hit your knees?
3 A. Yes.

4 Q. All right.
5 Q2. Do you have any marks on your body?
6 A. Uh, no. Um, the only marks I have was just road rash right here.

7 Q2. Your elbow?
8 A. On my elbow and I don't, at the time I probably, as I hit the ground, my left elbow hit.

9 Q2. So, you hit your elbows when you hit backwards?
10 A. Yes.

11 Q2. All right.
12 A. Um.

13 Q2. Okay.
14 A. Then I also had a big black marks on both of my elbows as well.

15 Q. Okay. So, the car backs up. Um, in your first interview, it says, you, you were dragged.
16 I remember you showing me on the, on the pavement there. It was like, less than ten feet
17 or so. I mean, it was.
18 A. Approximately, two to three feet.

19 Q. Okay. All right. Just dragged very shortly.
20 A. Yes.

21 Q. Um, at what point, and then, at what point did you hear the gunshots?
22 A. Um, as I was almost hitting the ground and starting to get dragged. That's when I heard
23 two gunshots.

24 Q. So, when you hit the ground and the door came and hit your knees, and you started to get
25 dragged and pushed by the door, that's when you heard the gunshots.
26 A. Yes.

27 Q2. So, does your butt hit the ground and then you heard the gunshots? Or did you hear it as
28 you went down?
29 A. Um, at that point, I do not recall.

30 Q2. Okay.
31 Q. Okay. It happens real fast. We're talking, this whole, I know we're trying to dissect this.
32 And we understand that this whole incident happened probably under two seconds. We
33 understand that. All right? And I know it's, you're, we know you were doing this and
34 it's like, we understand that. All right? But, we're just trying to make, I'm trying to have
35 the most clear picture in my mind of what happened. Um, and then you're gonna just.
36 Now as you're facing up here, were you able to see Josh?

A. Um, as, as I got up from the ground, I was able to get approximately where's he was standing.

Q. Okay. So, you didn't, you, okay. Here's the _____. Did you see Josh shoot?
A. No, I did not.

Q. Okay. So, you only heard him?
A. Yes.

Q. Okay. Um, and when, where did Josh, where was Josh standing?
A. Um.

Q. When you, when you finally were able to get up and see where he was at.
A. Josh was approximately standing about in the middle of the first parking lot, uh, almost dead center of, of the parking spot.

Q. Okay. Ws he standing in the center of the parking lot lines? Or was he standing in the center of where you said the car is over here and then the other line?
A. Uh, he is approximately standing in the da-, in the center of the parking space.

Q. Okay. Center of the parking space.
A. Approximately.

Q. And, and do you remember how close he was to the building or, uh?
A. Uh, no. I do not.

Q. Uh, how close he was to the end of the parking spot?
A. No, I do not. Um, at that point as I was making contact with the second subject, I had no clue what my partner was doing at the time.

Q. Okay. All right. Um. Okay. Good. Um, then you were down. The car, the car passes. Was the door closed or shut when the car, when the car past, passes you? When it backs up?
A. At that point, I do not recall.

Q. So, you, you don't remember if the door was over you? Or if you were able to roll past it? Or if he, or, or they ____ it.
A. As, as, as the car door passed over me, the car door was still open.

Q. Was still open. Were you under the door or you just out, away from it?
A. Um, I was still under the door, about an arm, the, al-, almost an arm and a half length away from the car wheel.

Q. Okay. All right. Okay. So, you were, you were laying right here. I mean, you were laying right here when the car passed, the door passed over you.
A. Yes.

1 Q. And you were able to somehow get your knees free or whatever so the, it was no longer
2 dragging you. And it just passed over you?
3 A. Yes.

4 Q. Okay. Um, all right. Um, what commands, what were you saying or commands that you
5 were giving to these guys when this was all happening?
6 A. Um, the last command was when I had a hold of the suspect, stop resisting. And get out
7 of the car. As the car was reversing, I yanked once. And at the second time, I said, let
8 go. And I yanked again.

9 Q. Okay. At any time, did you identify yourself of who you were?
10 A. Not that I can recall.

11 Q. Uh, security? Store security? Undercover? Anything like that?
12 A. Um, at that point, I cannot recall.

13 Q. Okay. That's good. At any time, do you remember Josh yelling anything?
14 A. Uh, no, I do not.

15 Q. Trying to identify himself verbally?
16 A. Uh, no, I do not. Uh, there again, I do not know what my partner was doing at the time.

17 Q. Okay. Cool. I mean, that's fine. I mean, you were engaged. Let me check. Okay.
18 We're gonna skip ahead. Do, do you have anything else?
19 Q2. Yeah, did they say anything when you grabbed him or?

20 Q. Oh, that's good.
21 Q2. Did he say anything to you when you were wrestling with him? Did he, did you hear him
22 say anything? Whether it's to you or the other person?
23 A. No, I do not.

24 Q2. Okay. Do you remember, you said that when you bear hugged him against the car, right?
25 Like, the back quarter panel? That you saw the driver jump into the front seat?
26 A. Yes.

27 Q3. Do you remember what the driver was wearing? Was he one of the ones inside the store?
28 A. Uh, yes, he was.

29 Q2. So, he was one of the ones that was inside the store?
30 A. Yes.

31 Q2. And that you guys had chased out? Do you remember what he was wearing? What
32 shirt? What pants?
33 A. Un, no, I do not. Uh, vaguely, as I was running down the step, um, the guy had a white t-
34 shirt on. Um, I do not know any designs or what he had on the top. Um, I just remember
35 that the back and the partial sleeve was white.

36 Q2. Okay.

1 A. So, to me it was a white t-shirt.

2 Q2. Okay. Now, when you're wrestling with this guy, you said he got his butt sit down in the
3 car. Did you hear the car start? Or did you just think that, oh, he's gonna get in the car
4 and start it and they're gonna back out of there?
5 A. Um, I can't recall or even remember if the car was started, uh, at that point. I just saw the
6 driver get into the car and throw it into reverse.

7 Q2. Okay. All right. Okay. Good.
8 Q. All right, okay, we'll fast forward to, uh, not really fast forward, 'cause, it happened very
9 quickly. You get up. The car backs through the parking lot and hits this tree right here.
10 The entrance to the, uh, this is, actually, this is Country Club over here. This road right
11 here. Kind of the entrance at the tree. I know it's not to scale, but, kind of see where.
12 These are the gas pumps.
13 A. Yes.

14 Q. Okay. Um, now, what do you do? You, you, from what I understand, you go over to this
15 point. And who do you, what do you do when you engage? Well, who gets there first,
16 you or Josh?
17 A. Uh, about that time, Josh and I are about parallel. And we get there about the same time.

18 Q. Okay.
19 A. Um, because, as we were walking, Josh was about three to four steps ahead of me, uh, to
20 my left in front of me. But, as, as we were walking up, we got to the car at the same
21 time.

22 Q. Okay. Um, when you guys get back up to the car, were there any more gunshots in this
23 area?
24 A. No.

25 Q. No? Okay. Um, now who do you, from what I understand, you, you pulled out the, the
26 suspect with the red and white shirt. The one that you wrestled or bear hugged in the
27 beginning. You, you engaged him and pulled him out of the car.
28 A. No. I did not.

29 Q. Oh, that's right. It would be. I said the exact same question the night before. You told
30 him to get out of the car. And he did.
31 A. Um, as Josh and I were approaching the suspect, we told him, don't move. Don't more.
32 Don't move.

33 Q. Okay.
34 A. Uh, at that point, as I was gonna, Josh stopped by the driver's side door. I continued
35 walking towards the second, towards about in the middle of the first, the driver's side
36 door and the back door.

37 Q. Mm hm (yes).
38 A. And then we were giving the verbal commands, get out of the car. Get out of the car.
39 Get out of the car, three or four times.

1 Q. Okay.
2 A. Um, about that time, the passenger that I was wrestling with, ver-, willingly got out of the
3 car.

4 Q. Okay. So, he's, he complied with your command.
5 A. Yes.

6 Q. To get out. All right. And then what did you do with him when he got out of the car?
7 A. Um, at that time, I told him to have a seat on the rocks right next to the left, left rear
8 wheel.

9 Q. Okay. And that's where you sat him down. And you handcuffed him, right?
10 A. I told him to put him, his hands behind the back. And, and I applied the handcuffs on
11 him.

12 Q. Okay. Um, what was your dialogue with him? Did he, did he talk back to you? The
13 suspect with the red shirt and white stripes?
14 A. Um, as talking back as in?

15 Q. Was he talking back like, when you were telling him to do something. Was, was he, was
16 he saying anything back to you?
17 A. Um.

18 Q. Not like he's talking.
19 A. At, at that point, no. He was telling his friend, are you okay? Are you okay? Uh, um, at,
20 at, at that point, he. The driver said something to point. And the suspect that I had
21 detained asked me if the paramedics were on the way. And I told him, yes, they're.
22 We're calling them now. That's they are on the way and so is the police.

23 Q. Okay. All right. Um, did you have any conversation with the driver?
24 A. No, I did not.

25 Q. You didn't talk to him? Ask him any questions? Okay. Did you have any conversation
26 with Josh at that time, during that time?
27 A. No. I did not.

28 Q. Okay. Was Josh asking you any questions during that time?
29 A. Uh, no. I believe he was still on the phone with someone. I believe it was still dispatch
30 trying to relay them all the information that, where we were located. And what was, what
31 the, what we were doing and what happened. 'Cause.

32 Q. Okay. All right.
33 A. We had the radio dispatch. Hey, we had a shoplifting, shots fired. We're at this location.

34 Q. Right. Okay. Um, did anytime did Josh ask you if you were okay? When you guys were
35 up at the. If you were okay?
36 A. Um, at that point, I do not recall him asking me, no.

Q. So, you guys had no conversation with each other between, at that time before the police came?
A. No.

Q. You guys didn't talk to each other at all?
A. No. 'Cause, he was still on the phone. And I was primarily fixated on the such, suspect that I had detained.

Q. Okay. So, you guys didn't ask each other if you were okay? You didn't say, um, hey. I got this guy over here? You know, what did dispatch say? Nothing like that?
A. Um.

Q. No, nothing that you remember?
A. Not that I can recall, no. Um, I couldn't quite know what Josh as doing at the time. Uh, besides me seeing him on the phone.

Q. Okay. There was something else I forgot. You have anything?
Q2. Yeah, actually. Um, so, you said, Josh called 911? Or did he call your guy's dispatch?
A. Um, I believe at the time, he was calling dispatch. 'Cause.

Q2. That, your company's dispatch?
A. Yes. To, to give you guys a call.

Q2. Okay.
Q. And that's their procedure.

Q2. Right.
A. Yes.

Q2. Okay. And the other thing, um, when you got hit by the car. You go down on your butt. You pull your legs out. The car door hits your knees and pushes you, uh, backwards. And you're able to roll out. And you say you hear the shots. Do you roll up and look? Do you see Josh with the gun out? If you do, when you see him approaching the car, when you see it hit the tree, approaching the car with the gun? Do you see doing any type of tactical approach? Or anything like that?
A. Um, as I am laying on the ground, I saw Josh having the gun, somewhat in his hands by his holster.

Q2. 'Cause, when the car crashes, you said you run up. Do you get up and you guys both run?
A. Um, uh, we were walking at, at that, walking up to the vehicle.

Q2. Did Josh still have his gun out? Like, you said, down, like in a down ready position? Did he have it pointed at the car?
A. In, in, uh, I, I could. I couldn't quite remember what Josh was still doing. I know he was still walking up with me. Um, at the time, I was looking at the car to see what the suspects were going to possibly do.

Q2. Were you guys like, together? Were you in front of him? 'Cause, uh, you know, were you behind him? Did you see him, did he still have his gun drawn and like down? Just in case?
A. Um, at that point, I do not recall.

Q2. Okay. Did you.
A. Um, as we got to the driver door, he was putting the, he had his gun in the holster. But, he had his hand on the holster.

Q2. Okay. All right. And when you said you had, you gave the guy commands in the back seat. The guy you were struggling with before, trying to get him, you know, in custody. And you sat him down. Did you notice anything about the driver? Did you notice if the driver was forward, bleeding or anything?
A. Um, I got a real brief look at the driver. He was laying down in the front seat, um, like, slouching over the center consol.

Q2. Mm hm (yes).
A. ~~Um, I could possibly, vaguely, saw that I saw two red dots on his left shoulder. Um.~~

Q2. And did you hear Josh giving him commands or anything? Or saying anything to him?
A. At, at that, both, point, both of us were yelling, don't move.

Q2. Okay. Okay. And you were watching your guy. And Josh was on the phone. Was there any conversation with the driver at all? Did you guys say anything to the driver, other than don't move? Did the driver saying anything to you guys?
A. Um, that was it.

Q2. Okay.
A. Um, the driver was also, was still just talking into the meantime, to his friend that he was shot. And he, and his friend was asking how are you? Are you okay?

Q. How long have you, um, how long have you known Josh?
A. Um, I know him briefly. I had, um, out of the time I was working for the company about five or six months, I had real brief conversations here and there. Um, I really don't know him that well. I'm just more of like a acquaintance that I've talked to him once or twice in the office. Shook his hand and say, hi. Um, and.

Q. You guys, besides, besides, um, work relationship, do you have any personal relationship with him?
A. Uh.

Q. Like, you guys.
A. The, the only.

Q. Hang out after work or?
A. No, we do not.

Q. On the weekends?

1 A. Um, that was the first night that he was filling in for my new partner, that I was suppose
2 to get, 'cause, of what happened.

3 Q. Okay.
4 A. About two or three nights prior. Um, so, he was just working with me that night.

5 Q. Okay. Is Josh, uh, friends of the family at all?
6 A. Uh, no, he isn't. But, before he got promoted, he was my brother's partner for
7 undercover.

8 Q. Okay. All right. So, your family knows him, but, it's all, seems like it's _____.
9 A. Uh, my, my brother knows him.

10 Q. Okay.
11 A. He, he has worked with him for approximately two, about two and a half, three months.

12 Q. Oh, okay. All right. Um, one other question. Is, uh, Josh was a, he was bonded out the
13 next day. Um, I believe that was on Wednesday. He was bonded out. Have you had any
14 contact with him since, since that night?
15 A. No, I haven't. Um.

16 Q. Talk to him on the phone? Talked to him?
17 A. No, I haven't. Um, um, the only time I heard that Josh was bonded out was early
18 Wednesday morning.

19 Q. All right. But, since, since the night of the shooting, have you talked to Josh? Text Josh?
20 Called him?
21 A. No, I have not.

22 Q. Seen him in person? No correspondence whatsoever.
23 A. No, I have not.

24 Q2. No common friends? No family's contacted you or anything like that?
25 A. No.

26 Q. Okay. _____. That's good. I think I'm.
27 Q2. I have, uh, just one or two questions. Um, 'cause, like I said, I was at the hospital. Um,
28 now when you guys saw these guys come in, were you, uh, in the store?
29 A. Uh, yes, sir. Uh, can I see the pen and paper?

30 Q2. Yeah.
31 A. So, I can, so I can describe to him.

32 Q. _____, that's pretty, we covered a lot of that in the first interview and.
33 Q2. Okay.

34 Q. And I have it all in video, too, where you guys were at and all that.
35 Q2. Okay. Cool.

A. Um, just, just to brief, so, and get an idea.

Q2. Yeah. Yeah, sure.
A. Um, as, as these are doors right here, you make the left down the first aisle. At the end of the first aisle, there's the back storage room where, where they keep the supplies. Where they can restock. And it has the cameras.

Q2. Okay.
A. Um, as we, as we were getting ready to finish up our paperwork, uh, we saw the subjects come in. Josh was monitoring the cameras. I was right here by the door to have my partner. If they did steal something, my partner was, said go. Or that they're code 4, meaning they're good. That they paid for it, but, as I was standing by the door, I saw them walk.

Q. Yeah, he, he just _____.
A. So, he, he, he, he gives me, he says go. Which gave me the green light that they stole the product without paying for it.

Q2. Mm-hm (yes).
Q. And that's their procedure. And actually, I talked to the Circle K, um, representative. He said that's what they want you guys to do. That's cool. So, that's good. All right. Um, anything else? I just want to, anything else that you want to say, Brad?
Q3. No.

Q. Do you have any questions for us?
A. Yeah, I mean.

Q. We, we pretty much know everything now. If you want us to, do you have any questions or anything that you want to bring to light.
A. Uh, not that I can think of, no.

Q. Okay. We, uh, the suspect that was shot, that's in the hospital, he cleared surgery pretty well. He's, I was able to talk him and everything. So, um, he's gonna have a lot of physical challenges through his life. But, he wasn't killed. I don't know if that makes a difference. But, uh.
A. In, in, in a way, I don't know how to exactly respond to it. But, that's the first time I have heard the shot victim on how he's doing. So.

Q. Yeah, he's, we're still human beings, man. We _____. You know what I'm saying?
A. Right. So, I'm, I'm still just wondering what, how he's doing. So.

Q. He, uh, shot twice in the arm, right? And once in the side? Is that how, uh, you saw the.
Q2. He's got three holes in him. Three.

Q. AND ONE OF THEM, TWO OF THEM WENT THROUGH. AND ONE WAS IN HIS SPINE. WE'LL END THE INTERVIEW RIGHT NOW. IT'S, UH, 1400 HOURS.

1 WITNESS:

REVIEWED_____
2 DET. POWELL #1405

3 TRANSCRIBED BY:
4 ROSEMARY SANFORD, JUNE 8, 2009