



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

Case
200607822

XX CONVERTED REPORT

OFFENSES	Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #	
	664(E)/187 PC	ATTEMPTED MURDER OF A PEACE OFFICER		12/22/06-12/22/06	2400 - 2400		
	245 PC	ASSAULT WITH DEADLY WEAPON		Date Reported	Time Reported		
	2800.2 VC	EVADING PEACE OFFICER W/WANTON DISREGARD OF SAFETY		12/22/2006	0808		
	23103(A) VC	RECKLESS DRIVING		Related Cases			
				Date Printed	Time Printed	Printed By	
			02/25/2020	15:17:30	0467		
			Latitude	Longitude			
			0.000000	0.000000			
	Location		Beat	Area	Disposition		Dispo Date
	N/A, Togo St/roane Ave #N/a, Eureka, CA		BEAT18				
	Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)	
	Victim		Drivers License	Cell Phone		Email	
	Residence Address		Notified of Victim Rights	Residence Phone		DOB	Age
	Business Name and Address			Business Phone		Height	Wt
	Assistance Rendered/Victim Disposition			Transporting Agency		Means of Attack (Assaults)	
	Description of Injuries			Other Information			
	Witness		Drivers License	Cell Phone		Email	
	[REDACTED]						
	Residence Address			Residence Phone		DOB	Age
	[REDACTED]			[REDACTED]		[REDACTED]	[REDACTED]
	Business Name and Address			Business Phone		Height	Wt
	[REDACTED]			Action Taken		Charges	
	[REDACTED]			BOOKING			
	Residence Address			Residence Phone		DOB	Age
	[REDACTED]			[REDACTED]		[REDACTED]	[REDACTED]
	Business Name and Address			Business Phone		Height	Wt
	Identifying Features			Cell Phone		Drivers License	Arrest Number
	Aliases						
VEHICLES	Status	Vehicle Make and Model		License/State	VIN		
	Impounded	[REDACTED] Pont Sunbird		[REDACTED]	[REDACTED]		
DEPUTIES	Prepared By		Date	Assisted By		Approved By	
	1397 - Braud, Justin		12/22/2006			0896 - Freese, Diana M	
	Routed To	Date	Routed To	Date	Notes		

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[REDACTED]		Action Taken BOOKING	Charges			
Residence Address		Residence Phone	DOB	Age	Sex M	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Identifying Features		Cell Phone	Drivers License		Arrest Number	
Aliases						
[REDACTED]		Action Taken BOOKING	Charges			
Residence Address		Residence Phone	DOB	Age	Sex M	Race I
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Identifying Features		Cell Phone	Drivers License		Arrest Number	
Aliases						
Witness		Drivers License	Cell Phone	Email		
Residence Address		Residence Phone	DOB	Age	Sex M	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Mentioned - Other		Drivers License	Cell Phone	Email		
Residence Address		Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Mentioned - Other		Drivers License	Cell Phone	Email		
Residence Address		Residence Phone	DOB	Age	Sex F	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Mentioned - Other		Drivers License	Cell Phone	Email		
Residence Address		Residence Phone	DOB	Age	Sex F	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes

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Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED]		Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex F	Race H
Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED]		Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex M	Race W
Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex M	Race W
Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED]		Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex F	Race W
Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED]		Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex M	Race W
Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]

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HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

NARRATIVE - PC 664/187, PC 245, CVC 2800.2, CVC 2310

200607822

On 12/22/06 I was working patrol in the Eureka area. I was in full uniform, and driving a marked Humboldt County Sheriff's Office (HCSO) patrol vehicle [REDACTED]

At approximately 0335 hours, I was parked in the entrance to the apartment complex at [REDACTED] in Eureka, which is directly across from the Safeway parking lot. My patrol vehicle was parked facing Safeway, and all the lights were off. Deputy Silva's patrol vehicle was parked next to mine, on the east side, and was facing the apartment complex. The lights to his patrol vehicle were also turned off. Deputy Silva and I were engaged in conversation, when I observed a [REDACTED] 4 door Pontiac Sunbird, pass our location westbound on Harris Street. The vehicle appeared to have two male occupants. I believed that the vehicle looked similar to the PC 211 [REDACTED] vehicle BOLO, that had recently been broadcast by the Eureka Police Department (EPD). I told Deputy Silva that we needed to follow the vehicle, and find probable cause to stop it.

I pulled out on to westbound Harris Street, and observed the vehicle was still on westbound Harris Street, but was just cresting the hill near Dolbeer Street. I accelerated in an attempt to catch up to the vehicle, but lost sight of it when it crested the hill. Once I reached the intersection of Harris Street and Dolbeer Street, I stopped my patrol vehicle, and looked north and south on Dolbeer Street. I did not see any lights or vehicles in either direction. I waited at this intersection for several more seconds, to verify that the vehicle had not continued westbound on Harris Street through the dip. I saw no lights on the other side of the Harris Street dip, and realized that the vehicle had eluded us. I notified Deputy Silva via radio, that the vehicle had ditched us but was probably still in the area.

I drove southbound on Dolbeer Street, and turned west on Chester Street. I next turned north on W Street, and met Deputy Silva at the intersection of W Street and Harris Street. I told Deputy Silva that I had not spotted/located the vehicle, and he told me the same. I told Deputy Silva that the vehicle had probably pulled over somewhere in the area, and requested he continue checking the nearby side streets. I drove east bound on Harris Street, and then turned northbound on Dolbeer Street. I could see the St. Joseph Hospital parking lot at the north end of Dolbeer, and thought the vehicle could have driven through the parking lots there, and then emerge on to Harrison Avenue. I turned east on Wood Street, and continued until it's intersection with Harrison Avenue. I turned north on Harrison Avenue, and headed toward St. Joseph Hospital. As I crested the hill of Harrison Avenue, near Coast Central Credit Union, I was able to see Harrison Avenue all the way to Buhne Street. I observed what I believed to be the same vehicle, pulling on to northbound Harrison Avenue from the St. Joseph Hospital entrance/exit. I advised Deputy Silva via radio, that I had again located the vehicle on Harrison Avenue, heading toward General Hospital.

I accelerated to catch up to the vehicle, and was close enough to read the California license, [REDACTED] as we neared the front of the General Hospital. The vehicle suddenly turned into the parking lot without using a turn signal, and sped around toward the back near Juvenile Hall. I continued to follow the vehicle, and radioed HCSO dispatch requesting a registration check on the plate. HCSO dispatch advised that the vehicle was not reported as stolen, and returned registered to [REDACTED] Arcata, California 95521.

I continued to follow the vehicle, as it began heading southbound through the parking lot toward the Urgent Care Center. I continued to follow the vehicle, at which time it increased it's speed dramatically, screeching the tires as it swerved through the parking lot. The vehicle continued to increase it's speeds, as it approached where the parking lot exited on to 23rd Street. At this time I felt that the vehicle was driving recklessly, in violation of CVC 23103. I activated my overhead emergency lights to initiate a traffic enforcement stop, while advising HCSO dispatch via radio of my intent to do so. At this time the vehicle dramatically increased it's speed, sliding sideways as it turned east on to 23rd Street. The vehicle drove across Harrison Avenue into an empty parking lot, disregarding the posted stop sign at that intersection. I radioed HCSO dispatch, advising that I was now in pursuit of the vehicle due to it displaying evasive actions and wanton disregard for safety.

The vehicle continued east through the parking lot, and began to veer right as it approached Togo Street. The vehicle jumped a raised, cement lined, bed of wood chips, and slid sideways off the curb on to Togo street facing southeast. I saw both of the vehicles doors begin to open, as the vehicle slowed to a stop. I radioed HCSO dispatch, advising that the [REDACTED] were going to take foot bail. I stopped/exited my patrol vehicle, approximately thirty feet behind the [REDACTED] vehicle, and began to round the drivers side door in pursuit of the fleeing [REDACTED]. The driver, WMA or IMA, wearing dark tan jacket, exited the drivers side and began running northbound on Togo. Simultaneously the passenger, WMA or IMA, wearing gray sweatshirt, exited the passenger side, turned toward me pointing an unknown, dark colored, firearm in my direction. I saw a muzzle flash extend from the firearm, and heard the report of a gunshot. I immediately retreated to the drivers side door of my patrol vehicle for cover, while un holstering my firearm. I observed the passenger turning back toward the [REDACTED] vehicle, and the back windshield shattered during his turn toward the front of the vehicle. I did not recall seeing an additional muzzle flash, and don't remember hearing the report of another gunshot. If there was an additional shot, it would have had to been in rapid succession with the first. The [REDACTED] then ran southbound on Togo Street out of my view. The driver continued running northbound on Togo out of my view.

I radioed HCSO dispatch advising that shots had been fired. I further advised HCSO dispatch the directions of travel for both [REDACTED] fleeing on foot. I began to approach the [REDACTED] vehicle on foot, when I heard a vehicle pulling up behind mine. I then observed Deputy Silva running to my location with his department issued shotgun. Deputy Silva racked a round in the shotgun, and we continued our approach to the [REDACTED] vehicle. Deputy Silva kept point on the direction the passenger had fled, while I kept point in the direction where the driver fled. The [REDACTED] vehicle was still running, with the headlights on, and had rap music playing loudly. I reached inside the vehicle, and turned the ignition key to the off position. I checked around the passenger side of the vehicle, but did

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1397 BRAUD, JUSTIN	12/22/2006	0896 FREESE, DIANA M	12/22/2006



HUMBOLDT COUNTY SHERIFF'S OFFICE

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NARRATIVE - PC 664/187, PC 245, CVC 2800.2, CVC 2310

200607822

not see any shell casings on the ground. I did notice a fresh bullet hole in the right rear fender area of the [REDACTED] vehicle.

At approximately 0343 hours Sgt. Freese arrived on scene. I explained the situation to her, and she began making phone calls for assistance from the EPD. Sgt. Freese also contacted the on-call Duty Officer, requesting Detectives and an Evidence Technician respond.

A short time later EPD Sgt. O'Neill, EPD Officer Harkness, and EPD Officer Cassetti arrived on scene. I explained the situation to them, and they agreed to help search for the [REDACTED]. The five of us began searching Togo Street south of the incident location, covering approximately two to three blocks. We then crossed out to Harrison Avenue, and searched the residential backyards along the street back to the incident location.

Sometime during our search, HCSO dispatch advised that a potential witness had phoned the office. The [REDACTED] claimed to have seen a [REDACTED] wearing a dark tan jacket, running into a yard behind the nearby convalescent home near Duck's Market. This was consistent with the path the fleeing driver most likely took, so we responded to that area to search. During this search we located a white cellular phone, lying in the road at the intersection of Togo Street and Roane Street. In searching further, we located a clear plastic ziploc freezer bag containing marijuana and [REDACTED] methamphetamine in the front driveway of the residence behind the convalescent home. In the backyard of that residence, we located a black and red San Francisco 49ers hat near the ridge line of the nearby wooded area. We continued searching the area, but were unable to locate either of the [REDACTED] or any additional evidence.

At approximately 0432 hours, Detective Nord arrived in the area, and began securing the crime scene.

At approximately 0448 hours, Detective Sgt. Hanson, Detective Lt. Cavinta, and Detective Schlesiger arrived on scene, and took over the investigation. I provided them with my best recollection of what occurred, and assisted in trying to find additional evidence. My service weapon and magazines were checked by Detective Lt. Cavinta and Detective Schlesiger, and I was photographed by Evidence Technician [REDACTED] when she arrived at 0648 hours.

I was unable to identify either of the two [REDACTED] and could not provide an adequate clothing or physical description.

I cleared the scene at 0759 hours, and was given a ride to the HCSO main station by Deputy Garey.

Any additional information will be added as a supplemental.

NFA.

CONTROLLED DOCUMENT

Prepared By:

1397 BRAUD, JUSTIN

Date:

12/22/2006

Approved By:

0896 FREESE, DIANA M

Date:

12/22/2006



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SUPPLEMENT 1 - SUPP. REPORT

200607822

On 10/22/2006, at approx. 0338 hours, I was on patrol in the Eureka area when I heard Deputy Braud run a Department of Motor Vehicle check on California license plate [REDACTED] I then heard dispatch respond with the results of the check. Deputy Braud radio dispatch advising he was initiating a traffic stop on that vehicle behind General Hospital. He then advised dispatch the vehicle was failing to yield. Within seconds, I heard Deputy Braud advise that the [REDACTED] had taken foot bail and shots were fired. Deputy Braud stated he was across Harrison Ave. From the parking lot of General Hospital on a road he believed to be Tydd Road. He then corrected himself and advised he was at Rhone Road and Togo Road. I was at Harrison Road and Harris Ave. I responded. Upon my arrival, I located Deputy Braud's vehicle parked in the parking lot of [REDACTED] Harrison, near the intersection of Togo and Rhone Roads. Parked crossways across Togo Road Blocking the roadway was a [REDACTED] Pontiac Sunbird CA plate [REDACTED] I saw that the rear window of the car was broken out.

Deputy Braud told me the passenger of the vehicle had shot at him and then fled southbound Togo Road. Deputy Braud also told me the driver of the vehicle had also fled northbound on Togo Road.

I requested dispatch contact EPD and request an agency assist. Three EPD units arrived to assist in the search. I secured the scene while Deputies Silva and Braud and the three EPD Officers checked the area. CHP was also called to assist by patrolling the roadways.

Note: On 12/20/2006 at approx. 2353 hours, I had observed the same [REDACTED] Pontiac Sunbird parked unoccupied in front of [REDACTED] Upon seeing the vehicle I also ran a department of motor vehicles check on the car. See attached copy of the CFS.

I contacted the Duty Officer Lt. Jimenez and advised him of the situation. I also contacted Lt. Cavinta and advised him of the incident.

Detective Been Nord and Sgt. Hanson responded and the investigation was turned over to them for further follow up.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
0896 FREESE, DIANA M	12/22/2006	0210 PARIS, DAN R	12/22/2006



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SUPPLEMENT 2 - SUPPLEMENTAL

200607822

On 12-22-06 I was on routine patrol in a marked patrol vehicle in the Eureka area. At approximately 0330 hrs., I was parked at the entrance to [REDACTED] (apartment complex across from Walford St.), speaking with Deputy J. Braud. My patrol vehicle was facing into the complex (north), and Deputy Braud's patrol vehicle was facing Harris St. (south). Deputy Braud noticed a suspicious vehicle pass our location, traveling west on Harris St., and wanted to investigate. Deputy Braud proceeded west on Harris St., following the vehicle. I was unable to get a description of the vehicle, other than it was [REDACTED] as it was behind me. I turned around and also proceeded west on Harris St. As I passed Harris St. and Harrison Ave., Deputy Braud told me via radio that he was on Dolbeer St., and that the vehicle had "ditched us". I proceeded to W St., where I passed Deputy Braud near Hodgson St. I continued to check the area of Russell St., between W St. and Harrison St. At approximately 0338 hrs., Deputy Braud told me via radio that he had located the vehicle behind General Hospital. I responded north on Harrison Ave., towards General Hospital, as Deputy Braud attempted to initiate a traffic stop. As I was passing 23rd St., I saw Deputy Braud's patrol vehicle with activated overhead emergency lights coming towards me, traveling on 23rd St. There was a [REDACTED] four door sedan in front of Deputy Braud's patrol vehicle. I pulled over in front of Ramone's Bakery (2223 Harrison Ave.), to see which direction the [REDACTED] vehicle would go. While looking in the rear view mirror, I saw the [REDACTED] vehicle run the stop sign at 23rd St., and Harrison Ave., and turn south onto Harrison Ave., and make an immediate left turn. At this time, Deputy Braud advised he had initiated a pursuit. I turned around and headed south on Harrison Ave. Due to watching where the vehicle had turned, I misjudged the driveway, and passed it. As I saw Deputy Braud's patrol vehicle overhead lights, Deputy Braud advised he was going to be in foot pursuit. As I backed up, Deputy Braud advised "shots fired". As I pulled into the driveway of [REDACTED] (the driveway connects Harrison Ave. and Togo St.), I observed a [REDACTED] Pontiac Sunbird, license [REDACTED] with the rear window broken out. The vehicle appeared to have driven over a landscaping curb, and came to rest in the intersection of Togo St. The vehicle was still running, and loud music was playing. Deputy Braud was crouched behind the driver's side front tire, in front of the open driver's side door. I approached Deputy Braud on the driver's side with my shotgun. Deputy Braud advised me the driver fled on foot north on Togo St., and the passenger (shooter) fled on foot south on Togo St. We awaited the arrival of additional units before searching the area, with negative success.

I did not hear any gunshots, and did not see any of the involved [REDACTED]

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Prepared By:	Date:	Approved By:	Date:
1194 SILVA, CYRUS P	12/22/2006	0210 PARIS, DAN R	12/22/2006



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251
SUPPLEMENT 3 - SUPPLEMENTAL REPORT

200607822

On 12/22/06 at about 0415 hours, I was telephoned at my residence by Dispatch. They advised me that I was being called out of my residence to assist with a shooting. Dispatch said that Deputy Justin Braud had been shot at behind St. Joseph's Hospital in Eureka, Ca. and Lt. George Cavinta was requesting I respond.

At about 0445 hours, I left my residence and telephoned Dispatch via my cell phone. Dispatch advised that they had an updated location for the scene and it was on Togo St. in Eureka near Duck's Market. At about 0510 hours, I arrived on scene and met with Sgt. Wayne Hanson. Sgt. Hanson said that he would be the primary investigator on this case.

At about 0538 hours, I met with Deputy Braud near my vehicle, which was parked outside of the crime scene near his patrol unit, which was inside the crime scene. Deputy Braud's patrol unit was parked in a parking lot that was located between Togo and Harrison St.'s. I asked Deputy Braud if he had fired his duty weapon and he said he had not. Deputy Braud provided me with his duty weapon, which was a Glock 22, 40-caliber semi-automatic handgun. Deputy Braud had his handgun loaded and prepared to fire. He had 16 rounds in the magazine and 1 round that was chambered. Deputy Braud had two other magazines on his duty belt. Both were filled with 15 rounds a piece. I then returned the magazines and handgun to Deputy Braud.

At about 0541 hours, I took 35mm photographs of the scene, since it was still dark out and my digital camera would not work. In these photos, I photographed [redacted] vehicle, which was a [redacted] colored Pontiac Sunbird, which had a California license plate of [redacted]. I also photographed several items that appeared to have been dropped by the driver of the vehicle who had fled northbound on Togo St. Including but not limited to a white cell phone and a baggy of what I believed to be marijuana.

At about 0610 hours, I met with Sgt. Hanson and he advised me that the registered owner to the Pontiac Sunbird was a [redacted]. Her address was [redacted] in Manila, Ca. Sgt. Hanson requested I contact [redacted] to see if she or someone else had borrowed her vehicle.

At about 0630 hours, Det. Ben Nord and I arrived at [redacted]. We met with [redacted] who was one of the residents on the property. [redacted] advised me that [redacted] used to reside on the property but moved out of the property 2 weeks before 9/8/06.

[redacted] said that [redacted] did own a [redacted] colored Pontiac at one time but she had sold it to [redacted] sister, who [redacted] did not know the name of or where she resided. [redacted] said that he did know that [redacted] lived in an old trailer next to [redacted] in Manila.

After speaking to [redacted] we met with [redacted] at a trailer just north of [redacted]. [redacted] said that his sister resided at [redacted]. [redacted] said he did believe that [redacted] had a [redacted] vehicle.

At about 0650 hours, Det. Nord and I met with [redacted] and [redacted] inside of their residence. I asked them about the [redacted] Pontiac Sunbird and they said that the vehicle belonged to [redacted]. I asked them if they knew where the vehicle was and they said they did not know.

They stated that they did not know [redacted] or [redacted] but they did know who [redacted]

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Table with 4 columns: Prepared By, Date, Approved By, Date. Row 1: 0931 SCHLESIGER, RICHARD D, 12/23/2006, 0330 HANSON, WAYNE E, 02/16/2007



[redacted] was and he would come to their house from time to time. After sometime, [redacted] and [redacted] admitted to giving the vehicle to [redacted] on the evening before and that they did know [redacted]

I asked [redacted] to go to her room so I could interview [redacted] in private. [redacted] did as I asked and I spoke to [redacted] at the kitchen table in the residence. The interview I conducted with [redacted] at about 0700 hours and was digitally recorded and later placed onto CD. The follow is a transcript of the interview I conducted with [redacted]

RS Rich Schlesiger

BN Ben Nord
[redacted]

RS Okay, date is December twenty second, two thousand and six, time is zero seven hundred hours, this is case two zero, zero, six, zero seven eight two, two. (200607822), [redacted] it's [redacted] right?

[redacted] Mm hmm.

RS Can you spell that for me?
[redacted]

UM I'm going to go ahead and step outside.

RS Okay. [redacted] you middle name?
[redacted]

RS [redacted]

[redacted] (Inaudible) is that, am I being recorded?

RS Yes. What did you want to say?

[redacted] Can we, can we turn that off, um (inaudible) that um the whole truth is um what's his name the other night was with him (inaudible).

RS [redacted] was too, okay.

[redacted] And now he um well,

RS And [redacted] what's your last name?
[redacted]

CONTROLLED DOCUMENT

Prepared By: 0931 SCHLESIGER, RICHARD D

Date: 12/23/2006

Approved By: 0330 HANSON, WAYNE E

Date: 02/16/2007



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RS [REDACTED]

RS And [REDACTED] your date of birth.

RS And we're here talking at your house and, and, and what's the address here?

[REDACTED] A. Phillips Court.

RS A D Phillips Court?

[REDACTED] Yeah.

RS here in Manila?

[REDACTED] Mm hmm.

RS phone number?

[REDACTED] There's no phone.

RS You guys got a cell phone or anything like that?

[REDACTED] No.

RS Okay. Well [REDACTED] we came in here earlier and spoke a little and obviously we knew you were lying because we knew the vehicle came from there that is involved in this investigation and you and [REDACTED] decided to uh tell us the truth and you just got done telling me that [REDACTED] was here also?

[REDACTED] Yeah well yeah but he didn't come inside, he was out there I seen him I seen his face (inaudible).

RS Okay so he just,

[REDACTED] (Inaudible).

RS And [REDACTED]

[REDACTED] Yeah was standing out, [REDACTED] was over (inaudible) came to the door, came in and asked to borrow the car.

Prepared By: 0931 SCHLESIGER, RICHARD D

Date: 12/23/2006

Approved By: 0330 HANSON, WAYNE E

Date: 02/16/2007



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RS

[REDACTED]

[REDACTED]

Uh I'm not even sure what his last name, yeah (inaudible)

RS

Okay and how long have you known these boys?

[REDACTED]

I, I, the only one (1) I knew was [REDACTED]

RS

Okay.

[REDACTED]

Well I don't even know him that well yeah I do know him some what, cause um he's related to my son's wife.

RS

Okay.

[REDACTED]

(Inaudible) girl, my son's wife's sisters boyfriend at one (1) time.

RS

Okay. So you know [REDACTED]

[REDACTED]

Mm hmm.

RS

You, how do you know [REDACTED]

[REDACTED]

Just name, by, by here it, I've heard from people coming in and saying, off the streets.

RS

How many times has he been to your house before?

[REDACTED]

Never.

RS

Okay how did you

[REDACTED]

That I know of.

RS

How did you know it was [REDACTED]

[REDACTED]

The picture.

RS

The picture what?

[REDACTED]

In the paper.

RS

Oh the picture in the paper?

[REDACTED]

Yeah.

Prepared By:

0931 SCHLESIGER, RICHARD D

Date:

12/23/2006

Approved By:

0330 HANSON, WAYNE E

Date:

02/16/2007



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RS So you saw them out there last night.

█ Yeah.

RS And, and how do you know █

█ The picture, well he lost a lot of weight but the picture you could tell, if you got up close you could tell it was him.

RS Okay. So they stood outside and █ came inside?

█ (Inaudible).

RS What time was that about?

█ It was before I went to bed, it was about twelve thirty (12:30).

RS At midnight you mean

█ Or eleven thirty twelve thirty or eleven thirty.

RS Around midnight then?

█ Yeah.

RS Okay did, where, where was everyone at in the house, they just came in or?

█ I was up in here and my neighbor was over here, she was in here and then, lets see everybody was in bed, █ was in bed cause she had school, she had school and actually █ didn't, I don't know if █ knew, I, I'm the one that loaned her car to, to █ I went and got her keys out of her purse. I just told him to be back before, if she, he didn't make it back before seven thirty (7:30) this morning cause █ had to go to school and he said he would so I loaned him the car.

RS And so did he come, did he come inside or did he just stay there or what?

█ No he come to the door and asked if he can borrow the car.

RS Okay what did he say he needed to borrow the car for?

█ Um he didn't really say, (inaudible) to tell you the truth he said something about one of, he'd bring me back a bottle of whiskey just to go across the bridge, besides that he didn't really say.

RS Okay so he just wanted to borrow the car, he was gonna get you a bottle

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█ Yeah.

RS For letting you,

█ Yeah.

RS Use it okay. And so you give him the keys,

█ I went and got the keys out of my daughters purse, (inaudible) cause I said be back before seven thirty (7:30) because she has school.

RS And where was █ purse at?

█ In her room beside her bed where it's always at.

RS Did █ wake up?

█ No.

RS No.

█ She was sleeping.

RS No, so did Kendra really not know (inaudible).

█ She really did not know I didn't want her to know cause she would have threw a fit for me loaning her car out to people, cause she always does.

RS Okay. Isn't odd for you to loan out her car?

█ No.

RS Okay why do you loan out her car?

█ I don't know I've loaned it out to my friends before um not always but sometimes, if they say they got gas money or whatever, I'll loan it to them cause I can't afford the gas to take her back and forth or, or

RS Or if they're gonna bring you a bottle of whiskey or?

█ Yeah, put gas in the car, put gas in the car to get her back and forth to work or,

RS Okay.



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█ You know. And nine times out of then they'll bring back the car with gas in it or whatever.

RS Okay and who, who else was here with you, you said someone else was here, up with you?

RS No it was just you?

█ No it just me, oh the lady next door um came over for a few minutes and then she, her ankle or something was hurting her and she asked me if I had an ace bandage (inaudibel0.

RS Was she here when those guys came over?

█ Yeah but she doesn't know them,

RS The one, the one straight across?

█ No she's right here next door.

RS next door this way.

█ Yeah and she doesn't know anything.

RS What's her name?

█ Um she goes by █, I don't know really even know her last name.

RS Okay. Back to you and █ you, so you know him pretty decent to loan him a car to him?

█ Right.

RS OKAY, but you know him through how is it your

█ █

RS █

█

RS Okay. And you know her, how does, how does she know him?

█ She use to live with him, that was her boyfriend at one (1) time.

RS Okay,



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█ For a while.

RS So how long have you known █ then?

█ Um a couple years.

RS Okay. Has he borrowed a car before from you?

█ Um he's borrowed my son's car before a long time ago.

RS Okay. Now █ obviously you saw some pictures in the paper,

█ Mm hmm.

RS When you gave █ the keys and saw the other two (2) people, what did you think?

█ I thought oh shit I'm in trouble and it's too late to help them now, I mean pretty much I mean I didn't want to say um, I didn't want to say, try to stop them after I'd already seen them you know,

RS Okay.

█ I'll say no you can't you know.

RS So pretty much you give █ the keys, he walks outside,

█ I trusted him with the, the car (inaudible),

RS The two guy in the paper you see standing outside?

█ Well not really seen them (inaudible) cover it up but whatever yeah.

RS They were trying to cover it up, what do you mean by that?

█ Well they were trying to (inaudible) yeah you know they were (inaudible) they were but,

RS Okay and so did they get in the car and take off or how did that go?

█ I, I, I don't know I didn't even watch them get, didn't even watch them I shut the door back, cause I was talking to my neighbor.

RS Okay.

█ And just let them go, I didn't even

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RS Where was the car parked?

Right here by, between this Honda Sedona and the car, pulls up nosed in right here by my porch.

RS Okay. Um you know, do you know to carry a gun on him?

Do I (inaudible) to carry a gun on him, I've never seen him carry a gun no.

RS Okay. And and um his brother never been over here before?

No.

RS Never seen them (inaudible)

(Inaudible) no I haven't met, I've heard, I've just heard of them through my son and the name um yeah.

RS

yeah, stay away from them and basically bottom line.

RS Okay. And so did and you mentioned that uh you lied to us because you were afraid that they might come back?

Yeah I mean they, they, they kill people for telling on people,

RS Okay.

You know what I'm saying, I mean, they call them narc's.

RS Okay.

So yeah that's why, yeah. I got to put this out.

RS Go ahead.

Okay.

RS we obviously have the vehicle now um

MM HMM.

RS Is it, is it your car or is it car?



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█ My daughter bought it.

RS OKAY.

█ And it's her car actually and um it's still in my girlfriend, the girls name that we bought it from
█

RS Yeah █

█ Yeah. She bought it for work purposes actually.

RS your daughter did?

█ Mm hmm.

RS Okay.

█ Cause I got tired of asking people for rides and charging me ten (10) dollars every, every time to go get her from work and back, one way, so I couldn't afford it so,

RS Right

█ And I ain't suppose to be driving without a license because she's got to get (inaudible) somehow.

RS Okay. Is that your husband or boyfriend?

█ Um he's a roommate.

RS roommate?

█ Yeah.

RS What's his name?

█ Um █

RS Does he go by a different name?

█ He goes by █

RS █

█ Mm hmm.



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RS anything Ben?

BN Uh can you give me a description of their clothing, the guys that were outside, you said they were trying to hide them self, can you give me a description of what they were wearing?

One of them had a uh like a gray sweatshirt, and one of them was wearing a tan colored bandana, and then a hood over it,

RS What do you mean bandana?

You know like the headband.

RS Okay.

Then they put the Hoodie over it and um the other one uh was in a dark hooded sweatshirt with a, like a big (inaudible) over it.

RS Which one which, who was in the gray?

That uh I think Jason was in the gray.

RS Okay.

And the other one was in the dark (Inaudible).

BN

Yeah.

BN He was in the cap?

Mm hmm. I don't know I just vaguely (inaudible) I really couldn't tell you that (inaudible) from it's yeah, to my yeah.

RS What was wearing?

He just had his bald head like he always whatever (inaudible) he wasn't, he wasn't even been in some dark jacket and that was it. I really didn't even notice what he was wearing, he wasn't trying to disguise but he was just wearing like a heavier jacket like a pull over about the color, dark just came up and asked if he could use the car.

RS Okay.

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█ He was just █

RS And, and you had realized that those other two (2) had been involved in robberies but through the paper right?

█ Right.

RS And then

█ And you can (inaudible)

RS When you, when you saw them out there, you didn't' want to take the keys back because of why?

█ Um scared maybe.

RS Okay.

█ They might, they might uh take it anyway or you know.

RS With their clothing was there anything on the, like any print or anything like that?

█ No, not that I seen.

RS So beside the gray mainly dark clothing?

█ Mm hmm.

RS And █ was wearing?

█ Just a dark pull over jacket like that with pockets right here, came down past his waist and, (inaudible).

BN I just want to clarify this because I, I'm over here um,

█ Mm hmm.

BN So █ was wearing kind of a dark colored,

█ Sweatshirt.

BN Hooded sweatshirt, with like a baseball cap you said?

█ yeah it looked like a baseball cap but it could have been one of just those things with a bill you know not the whole cap but whatever.



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BN Okay and then

█ underneath it he had the hooded pullover and the

BN Okay then █ was standing, were they next to each other?

█ Yeah, yeah.

BN And what was █ wearing, he was wearing a gray hooded sweatshirt?

█ It's like a yeah like , like, like, like those (inaudible). Lighter gray sweatshirt with a, I don't know what color, it could have been white bandana or uh, uh a light colored bandana of some kind, down by his, down by his uh (inaudible)

RS Was anybody wearing like a beanie cap or anything like that?

█ (Inaudible) I just oh (inaudible) kid █ or whatever had the beanie thing or whatever

BN (Inaudible).

█ A baseball cap and then the hooded sweatshirt over it.

RS You know what a beanie cap was?

BN Like a skull cap?

█ Oh I thought you were talking about the baseball cap,

RS No.

█ Oh no, I don't know um no, not that I seen no.

RS Okay. You see any of them talking on a cell phone or anything?

█ Uh uh. They were just here like just that fast, █ stood at the door, I went in to my daughters room, got her keys out of her purse and come back and it was just like that fast, that was it, and then █ was here and I was talking to her about trying to find some kind of ace bandage cause she hurt her ankle and I told her she should go soak it in the bathtub and da-da-da- cause it was swollen up and I shut the door and that it.

RS Where was █ sitting at in the house?

█ Well she was sitting right there, well she was sitting over on that side of the couch there.



RS Okay.

█ She tried to show me her ankle when they showed up.

RS Did you say anything to her about?

█ No, no, she doesn't know anything (inaudible) she doesn't know any of them, she just thought it was somebody coming in to borrow my car, I mean the car.

RS Okay. Okay. █ is there anything that me and Ben haven't asked you that you think about what's been going on would be important for us to know?

█ No but, that, that, I think you guys haven't asked me that I think that should be important, no.

RS Did you know that,

█ That █ he came over here uh week or so ago and stayed the night here and with some girl I don't know who she was.

RS Last,

█ (Inaudible) I don't know lowered in back and it was, I don't know who the girl was █ something, or something like that.

BN I have a question when was the last time that you let █ borrow that car?

█ Well uh before last night,

BN Yeah but when?

█ Um well last week whenever that girl had left, left him out here

BN Today's Friday.

█ (Inaudible) it was like um last Tuesday maybe (inaudible).

BN last Tuesday so that was like four (4) days ago?

█ Yeah, been about four (4) days ago and he pissed me off cause he didn't bring it back all night either.

BN Okay.

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■ I thought he wasn't going to bring it back (inaudible).

BN Did he ever borrow it any time before that again?

■ Not till just now.

BN That was, so he borrowed the car two (2) times to your recollection?

■ Right, right and I loaned it to him both times.

BN Did, did you ever see ■ is a ■ Camero?

■ ■ Camero, no.

RS How about a van?

■ No I, no the only car I seen him in was that girls that come over here and she lives like she said in Hoopa or something and it was a ■ like a Honda lowered and it the like, like the taillights were like square and they had those little slits in them you know, it was just a nice little car I don't, it, it stood out you know it would be a stand out here in Manila another words.

RS Mm hmm.

■ To nice for Manila so there you go (inaudible) they stayed the night here on the couch and then left. She left him here and asked to borrow the car, he brought it back so I trusted him and I figure he'd bring it back and he did.

RS That was four (4) days ago?

■ around four days ago, I'm not quite sure what day it was but yeah it was around four or five days ago.

BN So four or five days ago, maybe Monday, maybe Tuesday?

■ right.

RS Anything else Ben?

BN (Inaudible).

RS All right we'll end the interview at zero seventeen (017)hours.

End of transcript

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After speaking to [REDACTED] she retrieved [REDACTED] [REDACTED] from [REDACTED] bedroom so I could speak to her. I interviewed [REDACTED] at the kitchen table and the interview was digitally recorded and later placed onto CD. [REDACTED] went to her bedroom so I could speak to [REDACTED] The following is a transcript of the interview I conducted with [REDACTED]

RS Rich Schlesiger

RS Okay the date is December twenty second (22nd), two thousand and six (2006) time is zero seven eighteen (0718) hours, case two zero, zero six, zero seven eight two, two (200607822). [REDACTED] right?

[REDACTED] Mm hmm.

RS [REDACTED] what's your middle name?

[REDACTED]

RS [REDACTED]

[REDACTED]

RS Last name?

[REDACTED]

RS And your date of birth [REDACTED]

[REDACTED]

RS We're here at [REDACTED] Phillips Court?

[REDACTED] Mm hmm.

RS You guys don't have a phone here right?

[REDACTED] Uh-uh.

RS Okay. Obviously [REDACTED] we talked a little bit earlier,

[REDACTED] Yeah.

RS Mom and you weren't completely truthful but you guys decide to do the right thing and tell us the truth.

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■ Mm hmm.

RS And um you own a, what year is your car?

■ I don't know, I think it's a ninety (90) or ninety two (92) Pontiac or something.

RS Okay. Pontiac Sunbird, it's ■?

■ Yeah.

RS Kind of a different color ■?

■ Yeah it's kind of ■

RS Okay. You got a little rust on it.

■ Yeah.

RS Um I, I talked to mom ■

■ Mm hmm.

RS And she said that ■ ■ came over and borrowed your car?

■ See I had no idea, I was, I was in bed at the time probably,

RS Okay.

■ She likes to loan my car without really asking me but,

RS Okay. So you didn't know the car was borrowed until we got here?

■ Pretty much.

RS Okay,

■ No I didn't know.

RS Is that something mom normally does?

■ Yeah if she's trying to put gas in the car or like if it's (inaudible) whatever she does.

RS She said that he was gonna go get a bottle of whiskey for her.



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Well yeah.

RS That happens?

No. Not really. Mom don't really drink but sometimes, special occasion or whatever but,

RS Okay. And um what is in your car that belongs to you that you can think of?

The pictures.

RS The pictures, okay.

The necklace hanging from the rear view mirror.

RS Okay.

That's mine, I had a CD case in the back seat, but I don't know if that's still there or not.

RS Okay.

I just got it. And the gas can and stuff that's in the back,

RS Okay.

Stuff to use for the car but don't keep anything personal in there either because,

RS Okay and do you know uh [redacted]

I know of him because of brothers wife sister, that's her boyfriend at one (1) time, but I don't really know him.

RS Okay.

I don't know none of these people.

RS Okay has [redacted] came over here and borrowed the car before?

Um I think mom lend it to him before but I don't really know what, what time.

RS Okay you think a while ago or,

It was like not to long ago, but not recently..

RS Within a week?

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█ Probably like a week or so, maybe two (2).

RS Okay, okay,.

█ But he brought it back and everything was okay, but I don't,

RS Okay. Um and do you know, you know █, or █ █

█ I know through the, the photographs on the paper, but I don't know them, I don't.

RS Okay, okay.

█ My brother knows a lot of people that are, you know do you know █

RS Mm hmm.

█ That's my brother. I know of these people through him but I don't,

RS So you've heard of them but you don't know them?

█ Yeah I don't know them.

RS And you know █ █ through relation?

█ Yeah pretty much.

RS But not someone that you hang out with?

█ No I don't hang out with none of these people really.

RS Okay and then, from what you, how did you know mom borrow, lend, lent the car out?

█ Just now when you guys, she told you guys I mean I don't,

RS Okay.

█ I didn't know. It's all kind of a shock to me.

RS What time did you go to bed last night?

█ Probably like ten thirty (10:30) eleven (11).

RS Okay. And you just woke up when we got here?



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■ Yeah.

RS Okay. Have you ever given those guys a ride anywhere in there, that, in your car or anything like that?

■ I can't drive it, I don't have a license.

RS Oh okay. Well people still drive when they don't have a license.

■ I know but,

RS You don't do it

■ Once in a while maybe if I don't have a way to work, I'll go ahead but,

RS Okay.

■ I don't really drive my car,

RS And you bought the car from?

■ [REDACTED]

RS [REDACTED]

■ Yeah for a hundred dollars.

RS Okay when was that?

■ That was like four (4) five (5) months ago.

RS Okay. Hundred (100) bucks, that's not to bad of a deal.

■ It's not bad at all.

RS Ben?

BN So basically if I understand this, (inaudible) for a moment is that you were asleep when mom lend the car go?

■ Yeah that's why it was a shock cause I didn't know what to say and what to do and I'm sorry if I wasn't truthful but I don't want to you know like,



RS I guess you were truthful since you didn't know.

█ I didn't know I mean but,

RS Okay.

█ You guys thought I wasn't truthful, that's probably why I mean.

RS Is there anything else █ that we haven't asked you that might be important for us to know about these people?

█ Not that I'm, that I could help with.

RS Okay.

█ I don't know.

RS We'll end the interview at zero seven twenty three (0723) hours.

End of transcript.

After speaking with █ I met with █ █ on 12/22/06 at about 0725 hours. █ was a roommate of █ and █ I asked █ what he knew about █ and █ said that he knew who they were and did not care for them much.

I asked █ if he was at the residence on 12/21/06. █ said that he was but he went to bed at about 2230 hours. █ did not know that █ and █ had been to his home.

On 12/22/06 at about 0733 hours, Det. Nord and I met with █ at █ Phillips Ct. I was speaking to █ because according to █ █ had been at █ residence on the evening on 12/21/06. █ assisted █ in bandaging one of █ feet. The interview I conducted with █ was digitally recorded and later placed onto CD. The following is a transcript of the interview.

RS Rich Schlesiger

RS Okay lets see what's the date, date's the December twenty second (22nd) , two thousand six (2006), time is zero seven thirty three (0733) hours. Case two zero, zero, six, zero seven eight two, two (200607822). Um and you go by █, but it's █ right?

█ █ █

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RS What's your middle name [REDACTED]

[REDACTED] [REDACTED] [REDACTED] No, no.

RS [REDACTED]

[REDACTED] Yes.

RS Okay and your date of birth [REDACTED]

[REDACTED] [REDACTED]).

RS You're here in Phillips Court, what's the numbers here?

[REDACTED] [REDACTED]

RS [REDACTED] Um you got a phone?

[REDACTED] Um I do but it is down right now, [REDACTED]

RS [REDACTED]

[REDACTED] Yes.

RS Okay. Now [REDACTED] we just got done talking to [REDACTED] and she said that last night you were over at her house getting a bandage for your foot or something?

[REDACTED] Yes it's very swollen.

RS You twist your ankle or something?

[REDACTED] I, you know what, I have no idea it, it showed up two (2) later.

RS Okay, okay.

[REDACTED] Sorry. (Inaudible).

RS No reason to be nervous. And uh, and um while you're over there uh does anybody come over?

[REDACTED] Uh you know not the friends and neighbors that you know I'm familiar with?

RS Did anybody come over to borrow a car?



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■ Not that I know of.

RS Not that you know of?

■ Yeah ■ and I actually just became acquainted.

RS Okay.

■ Yeah I really didn't know ■ before I actually, yeah I knew nothing about her actually ■ the person who use to live here you know use to you know be around more, but she moved out um long story short, yeah actually isn't only been about a week since ■ and I have had an actually conversation

RS Okay.

■ Yeah.

RS Okay. So when you were over there last night, how, how long were you there for, from when to when?

■ Oh gees, I don't know the um, okay let me see what was on T.V. um, uh it was in the evening, it was like maybe, maybe I don't really know maybe between seven (7) and nine (9), I don't, like evening time.

RS Okay so you stayed there around from seven (7) to nine (9)?

■ Oh no I didn't stay that long duration.

RS Okay.

■ No, no, no I was there for what, uh fifteen, (15) twenty (20) twenty five (25) thirty (30), (inaudible) I, I don't remember.

RS You went over and got the bandage and pretty much B.S. ed a little and took of?

■ Yeah exactly.

RS Okay and you saw some people come over, were there any males that came over?

■ Um no just the you know a normal boyfriend and um?

RS Who's her boyfriend?

■ Who else, I have no, I don't know his name, I don't, yeah I'm really sorry, I don't know.



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RS Okay.

■ Um just him and um that's, oh and a brother and of I think a friend of ■ um and that's it,

RS Okay.

■ Oh ■ and then I think um what is her name uh ■ was sleeping and yeah.

RS Okay.

■ I think.

RS So her boyfriend comes over there is her boyfriend the one (1) that lives over there?

■ I have no, I don't think so,

RS Okay.

■ I have no idea.

RS Okay. And another guy comes over?

■ Okay,

RS Okay and do you remember, do you remember a car being, her giving keys to anybody or anything like that?

■ Uh oh you know I'm not, I'm not personally with her you know so I have no idea.

RS I meant last night while, while you were there, while you were there?

■ Oh, oh, oh, no, no, no, no.

RS No not nothing at all, okay.

■ No, no, no.

RS Okay do you remember anybody asking to borrow a car or anything like that, that came over last night?

■ No.

RS Okay.



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■ Uh uh.

RS The two, the two guys that you saw, what did, what did they look like?

■ Uh one (1) (inaudible) and um

RS What do you mean, you mean ■ brother?

■ ■ I don't know the names all,

RS The, the daughter of ■ right?

■ Um ■ oh ■ okay yeah, daughter of ■, yeah, yeah okay.

RS Okay. Her, her brother came over?

■ No um I think it was a friend,

RS A friend

■ Or a boyfriend, I mean I didn't see them um like partaking in, in that type of relationship but you know, I, you know I don't know, I mean I'm sure friend, boyfriend and girlfriend you know,

RS Okay so a younger person then came over then would you say?

■ Yeah I think he was already there.

RS He was already there?

■ Yeah he was yeah I just, (inaudible). You see pictures, you know I'm trying to bring back pictures.

RS Okay.

BN Uh by chance do you remember what they were wearing, or what he was wearing?

■ I, I could say they weren't light colors cause I, I mean that picture would probably (inaudible). You know.

BN probably darker clothes, darker colors?

■ Yes, yeah like.

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RS Okay.

█ That's what comes to me.

RS And who's car is the █ sunbird, the Pontiac that they have?

█ Um I, I, I think that she um the daughter take it to school, you know and back, but as far as I know it's the family um I you know.

RS Okay.

█ (Inaudible).

RS Alright thanks █ we'll end the interview at zero seven forty (0740) hours.

End of transcript.

After speaking with █ Det. Nord and I returned to the scene at Togo St. at about 0805 hours. I met with Det. Marvin Kirkpatrick and he advised me that he had spoken to Eureka Police Department Det. Neil Hubbard. Det. Hubbard advised Det. Kirkpatrick that he had a █ that told him that █ and █ were boyfriend and girlfriend.

█ did not tell me this and Det. Kirkpatrick and I decided to return to █ Phillips Ct. to asked █ about this. At about 0857 hours, Det. Kirkpatrick and I left Togo St. At about 0910 hours, we arrived at █ Phillips Ct. and met with █ █ █ told me that █ was in school at █ █ told me that █ and █ "might" be boyfriend and girlfriend but █ did not approve and █ did not want █ around her home.

After speaking with █ Det. Kirkpatrick and I drove to █. On 12/22/06 at about 0937 hours, we met with █ and asked for █ █ They retrieved █ for us and we spoke to █ outside of the classroom. The interview I conducted with █ was digitally recorded and later placed onto CD. The following is a transcript of the interview.

RS Rich Schlesiger

RS Okay. Let's see, we'll get the date and that again, December twenty second (22nd) two thousand six, (2006), time is zero nine thirty three (0933) case, two zero, zero six zero seven, seven, eight two, two (200607822). █ what's your middle name again, █

RS █

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█ Mm hmm.

RS Date of birth again.

█ [REDACTED]

RS Okay. And we came to get you out of school because we heard some more stuff that, about your relationship with █

█ Okay.

RS Okay. I want to know what your guy's relationship is, just to let you know we already talked to mom so,

█ Okay, he's I guess kind of I guess like boyfriend I guess.

RS How long have you guys been boyfriend and girlfriend?

█ A few weeks.

RS So last night, how did it go down then?

█ Um I went to bed like I told you

RS Uh huh.

KE And I woke up and he was gone, I don't know where he went, I don't,

RS Okay, what do you mean he was gone, did, did he stay the night last night with you or something?

█ Um he was there I guess for a little while.

RS Okay. Well what time did he come over last night?

█ I don't know, this is all so much for me, I've never had to,

RS Well hey I, I can understand that.

█ Um I don't remember what time. You talked to my mom already?

RS Yeah,



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■ Oh um,

RS On the way back up here to talk to you.

■ Is she here or?

RS No she's down at the house, we told her we were coming up to talk to you.

■ Oh. Uh, he uh was there probably in the evening time, I don't remember what time exactly.

RS Who else was with him?

■ Uh I don't know some, I think maybe his brother, I don't know.

RS ■

■ Yeah but like I said I had school so I had to go, if I didn't go to school today I'd be truant so,

RS We just heard that so, so um him and ■ come over then, okay. Then when do they take off with the car?

■ Uh that I don't know I went to bed early for school and I woke up and my mom I guess give them the keys,

RS Okay.

■ She said and I don't know.

RS Okay what was um ■ wearing?

■ Um I don't remember uh he, he was wearing a hat I think and dark clothes.

RS What kind of hat?

■ I don't know like a, just a regular hat.

RS baseball hat?

■ Yeah.

RS Did it have anything on it or anything like that?

■ I don't know what color, it was dark um (inaudible) dark,

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RS Dark clothes, sweatshirt, coat?

█ See he could have, I don't know,

RS Well I'm asking you what he had on at that time?

█ Um at that time he had a sweater on I think, a pullover sweater.

RS Sweatshirt you mean?

█ Yeah.

RS And, and you went to bed you said like at ten thirty (10:30) ?

█ Yeah ten thirty (10:30) or eleven (11:00).

RS Okay and him and █ were still there at that time?

█ Yeah, my mom,

RS What about █

█ He wasn't, I don't think he was there at that time but he had been there.

RS Okay.

KE Before, not yesterday but he was there,

RS Okay and um so you, he 's wearing dark clothes, baseball cap, hooded sweatshirt?

KE Yeah.

RS Okay did, what was uh █ wearing?

█ I don't know, I didn't really like pay attention to him, I don't remember dark clothes too I think, I know that but I,

RS Do you remember a gray sweatshirt or anything like that?

█ Gray sweater, I don't think so.

RS Okay, uh were anyone of them wearing beanie caps or anything like that?

█ No.

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RS Okay, so from what you can remember, [REDACTED] was wearing um dark clothing also?

[REDACTED] Yeah that's all I know,

RS Okay.

[REDACTED] And I went to sleep because I had school this morning,

RS Okay.

[REDACTED] I don't know anything else that's, this is all so much for me, I've never had to,

RS Well [REDACTED] I mean to tell you the truth your not hanging out with a good crowd.

[REDACTED] I know.

RS Okay and that's why

[REDACTED] I know him through my brother, my brother knows like a lot of wrong kind of people.

RS Right and brother even said don't hang out with those guy. And um what is [REDACTED] told you about the other robberies, that they've done?

[REDACTED] He hasn't talked to me about that really, he just he doesn't tell me much about that at all.

RS I mean obviously it was in the paper.

[REDACTED] Yeah.

RS And did you talk to him about it?

[REDACTED] I just asked him if he did it and he said yeah and he's suppose to, I, I was actually talking to him about turning himself in to you guys,

RS What was he saying to you about that?

[REDACTED] He said that he was going to after uh Christmas.

RS After Christmas he was going to?

[REDACTED] Yeah.

RS Um what's [REDACTED] saying about him when [REDACTED] was talking about it?



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■ See he wasn't there, he never really comes by there usually,

RS ■, well last,

■ Was there last night but.

RS Was he saying anything about it?

■ No he doesn't talk much at all.

RS Okay, so when did you talk to ■ about the robberies?

■ This was like a few, like when the very first started liking him or whatever, I asked him about it,

RS Like a month ago?

■ No like a week ago.

RS Okay.

■ Like a week or so ago.

RS The one's in Eureka that you heard about?

■ I don't know, all I know is the big one (1), the Rogers Market thing or something.

RS The Rogers Market one (1)?

■ Yeah but he said he did it, but that's all I remember.

RS He said he did that one (1)?

■ Yeah.

RS Did he say who he did it with?

■ No he didn't tell me any, any information he just said that he did it and that he was going to turn himself in cause I was talking to him about it, I said that I wouldn't, I don't want to, I don't want to be with someone that's gonna be, you know, if I don't know if he's gonna be dead or alive you know he needs to,

RS Right, or in prison for the rest of his life.



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■ Yeah, that's all I know.

RS So he uh, it was about a week ago you talked to him about the Roger's Market one (1), where were you guys at?

■ We were um at my house (inaudible).

RS Okay he was just hanging out?

■ He just stopped by.

RS And uh do you bring it up or does he bring it up?

■ I brought it up to him.

RS Okay what were your exactly words to him?

■ I just asked him if he did it and what he had planned to do.

RS If he had did what?

■ If he robbed that store.

RS Roger's Market

■ Yeah.

RS Did you ask him Rogers Market?

KE Yeah.

RS And what, what did he say?

KE He said that yeah he did it and he's doesn't feel proud that he did it and stuff so,

RS Did he say how he did it or anything like that?

■ No he didn't tell me anything, any info, any details or anything, I just, that's it was just a quick thing and,

RS Did he tell you why they were doing this stuff?

■ No.

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RS No. Did he mention any other robberies?

■ Uh uh.

RS Okay and you didn't talk to him last night about any of it?

■ All that stuff's kind of, it scares me and, I can't control who comes to my house you know, I'm the minor and just,

RS So mom knew they were there yesterday, hanging out there yesterday and what she told us wasn't true, at first either right, she says that ■ came and got the keys and they were standing outside?

■ See I don't, I don't know I wasn't.

RS Was mom there when uh

■ She, she controls what I do, my car and all that,

RS Right.

■ I don't know

RS Was, was she there when uh ■ and ■ were there, was mom?

■ Yeah. I went to bed and they were there yeah.

RS And so mom was hanging out with them in the living room?

■ Yeah as far as I know.

RS Okay. Have you ever seen any of them with a gun or pepper spray or anything like that?

■ No, no,

RS No nothing like that?

■ Uh huh, I'm scared of all that stuff.

RS Okay, okay. And, and you said that who borrowed your vehicle like four or five days ago?

■ Four (4) or five (5) days ago as far as I know ■ did,

RS ■ did?



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■ I, yeah I haven't even, I don't even car about that car anymore, everybody drives it so I'm just like whatever it's in my name thought and

RS Did you give the keys to ■ or did mom do that again?

■ My mom.

RS Okay.

■ Cause I wasn't home I don't think.

RS Are they bringing mom money or something to let her keep driving the car?

■ Putting gas in and, mom is just like a nice person, she just does stuff like that for people that ask her to, she'll, she's a giving person she won't (inaudible)

RS Okay. Anything Marvin?

MK How long have you been I'm, you know I haven't met you I'm Kirkpatrick from the sheriff's office,

■ Hi.

MK How you doing ■ Um how long have you been boyfriend girlfriend?

■ Like a week.

MK A week?

■ A week or two (2) almost.

MK Okay, where have you been meeting ■ at?

■ Uh he comes to my house once in a while, we're not really even boyfriend, girlfriend, he just like you know I can, he, he's a good kid under all this stuff I mean he just influenced by his brother.

MK We're you, you at your house yesterday when they showed up?

■ Uh yeah.

MK How did they get there?

■ I have no idea, they just popped up at the door and was just there and like I don't know how they got there, honestly I don't.

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MK And the two (2) that showed, it was just the two of them [REDACTED] and [REDACTED]?

[REDACTED] Yeah.

MK Did you see [REDACTED] at all?

[REDACTED] Uh uh.

MK You know [REDACTED]

[REDACTED] Yeah.

MK Okay.

[REDACTED] I know him he's my, my brother is with his girlfriends' sister.

MK Mm hmm. You just made a mention earlier,

[REDACTED] I don't even know none of them really like personally, I know of them, I know how we are (inaudible) with them, I don't know them though like,

MK Right.

[REDACTED] I don't know.

MK You made mention earlier, you own the car?

[REDACTED] It's in my name.

MK It's in your name?

[REDACTED] I bought it for a hundred (100) buck from [REDACTED], it was suppose to get me to work and that's it you know, back and forth to work.

MK You got the car put in your name thought?

[REDACTED] Yeah I have the pink slip and stuff,

MK Okay.

[REDACTED] In my purse, it's in my name (inaudible).

MK And you don't care about the car anymore?



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■ No cause everyone like drives it and stuff so

MK Uh huh.

■ And now, especially you know I mean, (inaudible) wow.

MK Is there a problem with us going into the car or anything else?

■ Huh?

MK Us going into the car, searching the car?

■ No as far as, I mean nothing in the car is mine but the pictures and my keys.

MK Take pictures where?

■ That are on the, the roof, that I have tacked up.

MK Okay.

■ That's the only thing I care about.

MK Did you have a letter or anything like maybe it came from a jail, a white letter on your dash?

■ White letter, maybe I, I don't remember one (1) though, I have a lot of people write me from the jail,

MK Uh huh.

■ Like cause well my brother, and his friend but no all my letters are at home, that is as far as I know unless it's someone else's letter.

MK Did you have any black cases in the car?

■ No.

MK Any clothing in the car?

■ The only thing that was in the car that was mine is pictures, a gas can in the back and the stuff I need if I break down.

MK Okay.

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█ And C.D's but I don't think they're there anyway.

MK Okay so you don't have any problem for us to go in the car, collect any items that are not yours uh out of that car. We're not gonna take the pictures or anything like that. I, I know what your talking, those pictures are up there on the top.

█ Yeah.

MK Correct. Okay.

RS Um and what time did they get there last night?

█ Like I said I don't know it was in the evening um,

RS It was dark out?

█ It was right before I went to bed.

RS Okay, so how long were they there before you went to bed, if you went to bed at ten thirty (10:30)?

█ I don't know like an hour that I remember.

RS Okay and then you went to bed and as far as you knew they were still there?

█ Yeah as far as I knew.

RS Okay.

█ I woke up and you guys were at the house.

RS Okay. What about uh █ and drugs?

█ Uh huh, he don't do drugs, he don't do dope.

RS What about everyone else, what about █

█ I, I don't know all I know is he doesn't cause that's what he told me, I don't know if it's true, I don't know.

RS So you been seeing █ about two (2) weeks then?

█ Yeah.

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RS And how many times have you met [REDACTED]

[REDACTED] Like twice, once, twice.

RS So last night and, when again?

[REDACTED] Um one (1) day when I uh went to Eureka, I don't remember, I seen him like once and we picked, I picked [REDACTED] up I think cause I could see him and um I seen a glimpse of him but I don't know if it was him, I don't.

RS Where was that at, you picked him up?

[REDACTED] Um I think it was at a gas station or something, just picked him up

RS And.

[REDACTED] I don't, I didn't go to no area, no house, nothing.

RS Which gas station?

[REDACTED] I think it was the one (1) the [REDACTED] one of the [REDACTED] my mom was driving.

RS Okay.

[REDACTED] And he just jumped in.

RS So what's mom's relationship with [REDACTED] and, and these guys?

KE She just knows of them through my brother.

RS Okay, why is she covering up for them?

KE I don 't know, I don't, we're not like.

RS You guys aren't tight with them it doesn't sound like,

[REDACTED] No (inaudible).

RS Is she trying not to get you in trouble or something?

[REDACTED] She's trying, she's ,we're scared, we've never been in this situation before, we don't know why they put us in this situation um,

RS Did you know that they were using your vehicle to go out and do robberies?

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■ No, no I didn't, if I knew that no they wouldn't have even token it, I, I didn't, like I said I didn't give them the keys.

RS And you never saw any of them with a gun or anything like that, flashing a gun, you know how boys are?

■ I'm not, no um no. I would never allow that around me at all, like weapons, um I'm a good kid I try to stay away from, I mean other than the brad, the bad crowd gets brought to me but I don't get mixed up in the whole situation, I've never been in trouble.

RS Okay.

■ My brother has a record I mean as you probably both know but,

RS Okay.

■ I'm just.

MK Are you still working?

■ At Subway, actually I was thinking about quitting' cause I need to focus on school more, I've been

MK Which, which Subway?

■ In Arcata.

MK Okay.

■ Down the street by Hutchins but,

MK And you were using the car but to and from work?

■ I was yeah I, even though I wasn't suppose to drive without a license, I'm not gonna lie.

MK Uh huh.

■ But most of the time I try to have someone take me to work and pick me up.

MK How long ago did you buy the car?

■ Four (4) months ago.



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MK Pardon.

■ Four (4) or five (5) months ago.

MK Okay.

■ At the most I think, this is all crazy.

MK Okay well when we're done with the car, we'll let your mom know what's happening with the car okay?

■ Yeah. Is there any, my teacher said I could leave early so. Is there any way maybe you could take me home?

RS Yeah I don't have a problem with that.

MK We don't have a problem with that if you're teacher, if it's alright with your teacher (inaudible).

RS Yeah. Bring him out here and that, if that's okay then we'll, I got to go back and talk to mom anyway.

MK We can do that if you want.

■ This is all so crazy of all.

RS Okay. ■ is there anything else that you can remember about anything regarding the robberies, last night, be important for us to know?

■ No.

RS Okay. We'll end the interview at zero nine forty nine (0949).

End of transcript.

Det. Kirkpatrick and I then returned to ■ Phillips Ct. We also transported ■ home after she was allowed to leave after speaking to school staff. On 12/22/06 at about 1003 hours, Det. Kirkpatrick and I again spoke to ■ We had ■ go into the house while Det. Kirkpatrick and I spoke to ■ on her front porch. ■ did later come out onto the front porch and we spoke to both ■ and ■ The interview was digitally recorded and later placed onto CD. The following is a transcript of the interview.

RS Rich Schlesiger

MK Marvin Kirkpatrick

■ ■

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RS Okay lets see the date is December twenty second, two thousand and six, (12 22, 2006), the time is ten zero, zero three (10:03) hours, [REDACTED] can you go back inside, thanks. [REDACTED] right?

[REDACTED] Mm hmm.

RS Middle name again?

[REDACTED] (Inaudible).

RS (Inaudible).

[REDACTED] (Inaudible) [REDACTED]

RS [REDACTED] right?

[REDACTED] Mm hmm.

RS We're back here at your residence standing outside of it okay, obviously talked with [REDACTED]

[REDACTED] Mm hmm.

RS Up at the school, you want to elaborate more on those boys being over at your house last night?

[REDACTED] Elaborate more on it?

RS Yes.

[REDACTED] The boys being over here at the house, what do you mean, when they come over here?

RS Yeah.

[REDACTED] Like what, what do you want to know?

RS What time did they get here?

[REDACTED] What time did they get here, I told you around eleven thirty (11:30) or twelve (12).

RS Okay, but there was [REDACTED] and [REDACTED] here, okay.

[REDACTED] Um yeah.

RS Before?

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Before, I don't know I wasn't here before, I wasn't home.

RS [redacted] says you were.

[redacted] I wasn't, No I wasn't, I was down in Samoa at [redacted] a friend of mine.

RS Okay she says you guys, you guys were all here and she went to bed about ten thirty (10:30).

[redacted] I wasn't home, I was down in Samoa, when I showed up, she was already in bed, [redacted] and [redacted] were here. I can prove that I was down there.

RS Okay well by who?

[redacted]

RS [redacted] who?

[redacted] Um I don't even know his last name, my brother knows him so I, I, and I can also prove that uh my, my brothers girlfriend gave me a ride home last night [redacted].

RS Okay. Where's [redacted] live?

[redacted] In uh you know where Fin town is, they call it Fin town?

RS Mm hmm.

[redacted] He lives right down there in that trailer, right across the street from that trolley place or whatever. And [redacted] works at the Community Center if you want to go down and verify that uh she gave me a ride home around nine thirty (9:30) or ten (10:00) last night.

MK Where does [redacted] live?

[redacted] She lives down, right down there next to [redacted] in a motor home, that's where they're staying at my brother and, and his girlfriend.

RS What's your brothers name?

[redacted]

RS Okay. Why does [redacted] say that they were here, while you were here?

[redacted] I have no idea because I wasn't here when, when they were here, if they were here.

RS And, and you say that,

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■ I was down in Samoa and they gave me a ride home at because actually, actually ■ took me down there and then he left and I didn't have no ride, ride home so I walked down to my brothers house from ■ and he, and ■ gave me a ride cause it was raining,

RS Okay.

■ So when I got here they weren't here, but they showed back up and asked for, if they could borrow the car.

RS Okay.

■ But you can ask them people that I (inaudible)

RS Why does ■ say that?

■ I don't know why she would say that.

RS Hold on a second, why does she say you were all here, she went to bed and then when she woke up in the morning, by us, obviously they were gone.

■ I don't know why she would say that, maybe she forgot that I left I guess, I don't know.

RS I mean I just don't understand.

■ I don't know why she would say that either, cause I wasn't here I was down there,

RS Hold on a second ■ are you trying to hide something or I mean?

CF ■ No I'm not trying to hide anything, I wasn't even

RS Well here's the problem you so far, there's three (3) different stories you told me,

■ My daughters just probably just scared and nervous I mean you know,

RS She's not nervous anymore, she's fine with us.

■ Okay well I'm fine too with you, I'm just saying that I wasn't here between nine thirty (9:30) or nine (9) to ten (10:00).

RS Listen to me, first of all you lie okay, right?

■ Yeah.



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RS Then you tell me oh they just showed up out of the blue.

Well, well what did my daughter tell you?

RS That you guys were all here, do you want me to bring her out

Okay and did she tell you that, that they were a couple?

RS Yeah she's, she's not lying about that.

Okay.

RS As I'm telling you she's completely one hundred (100%) percent truthful with us right now?

Alright.

RS That's why you need to be.

Okay. Well

RS And she told us a lot of,

But I really, really last night I wasn't here between nine thirty (9:30) and ten (10), I, I, I can prove that I mean I don't know why she would say that, maybe she was I don't know confused or something I don't know cause I wasn't here.

RS She said that they like each other and they're not really boy friend girlfriend, but they like each other.

Well I don't, I don't think that's gonna be happening.

RS No.

Me I don't think he'll be around much longer.

RS I'll agree with you.

I mean it's not his fault actually.

RS Well why do you say that?

Because alright because I've talked to the kid and he seems like he's, he's a o.k. kid.

RS Okay you have?

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■ Yeah.

RS And what's he say?

■ He's scared.

RS Of who?

■ Everything, he's just, he just a confused kid.

RS What's ■ tell you about the robberies?

■ He didn't say anything to me about the robberies, he just said that um his brother made go.

RS Made him go to the robberies. When which one (1) did he say?

■ The one (1) up there in McKinleyville.

RS The Rogers Market one (1)?

■ Mm hmm.

RS When did he tell you that?

■ Um I don't know, I don't know what day it was but,

RS Cause they've been seeing each other for about two (2) weeks.

■ Yeah I know, I know, but I don't, I don't remember what day exactly but yeah he just scared and confused.

RS And was this at your house?

■ Yeah he was crying.

RS Okay. So it, he's afraid of his brother, his brothers the one (1),

■ Make him do, make him do it, yeah he's scared of his brother pretty much.

RS What's he scare that his brothers gonna do?

■ Uh kick his ass or beat him up or something and I could see him probably doing him because he's that type of person, he would do that.

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RS Okay what exactly did you, did you ask him about hey what's going on with these robberies?

█ He just volunteered pretty much, he just was talking to us about it scared.

RS Was it just you three (3)?

█ No yeah me and █ and him yeah.

RS And what exactly did he say?

█ He just said he didn't you know he don't want to be um like tied up in the, in the gang activity and stuff or robbing people and stuff but his brother makes him, that's what he said.

RS And, and what did he say about the robbery in McKinleyville?

█ He said oh he said um, what did he say he said he sat in the car.

RS He sat in the car?

█ That's what he said.

RS And did he say where that robbery occurred at?

█ Yeah he said Rogers Market.

RS Okay. Did he say anything about █

█ He said █ was um like his brother too he um, yeah, make, he started making him go with him too then do, then do robberies or some, something like that I don't know.

RS Making who go with them?

█ █

RS So █ was telling █ to go with them and do robberies too?

█ Yeah.

RS What about weapons, you see these guys with any weapons, flashing them you know?

█ No not here uh well █ came over here with a knife one (1) time.

RS When?

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SUPPLEMENT 3 - SUPPLEMENTAL REPORT

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■ I told him to get the hell out of here with the knife and they were actually uh the girl I got the car from, ■ they were um, ■ said they were posted up down there for awhile.

RS Down there, down where?

■ In Hydesville.

RS In Hydesville uh?

■ In Hydesville where she's lives or something like that, I don't, I don't even know how they met her.

RS Okay.

■ To tell you the truth. I don't' know they must have knew her from a while back, cause that's where they were at. That's where ■ and ■ came from is Hydesville.

RS Okay.

■ when they showed up out here and that's how my daughter met, met ■ and da-da-da-da.

RS Now.

■ And then, then the brother just started coming around like a couple days ago.

RS Okay.

■ Get, wanting him to go do things, uh robberies and shit with him.

RS Did he, did you hear him say that?

■ Well he said lets go.

RS And you assumed that was let's go do robberies?

■ Yeah well yeah.

RS So what about

■ I assumed it when he's got gloves on and everything else.

RS He was wearing gloves and stuff?

■ Yep.

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RS What about last night when all this went on then?

█ That's what he said, he come and said lets go and away they went.

RS Okay well who said lets go?

█ █ told, told █ that and █ was with them and they all left.

RS And who did you give the keys to?

█ █

RS Okay. So what about, how, how long were █ and █ here?

█ █ █ wasn't here, █ has been, okay I'm, I'm █ been staying here on and off because the kids scared

RS Okay.

█ You know and he and so I let him stay here for a while.

RS Okay.

█ And he's scared you know, you know and so those guys just started coming around.

RS Okay what time yesterday did █ get here?

█ Did he get here yesterday, he was here already.

RS He was already here?

█ Yeah.

RS And then who shows up then?

█ Then his brothers, █ showed up last night.

RS And █ was already here?

█ Yeah then they told him lets go.

RS Okay and you gave the keys to █



■ Yeah he asked for the keys but I didn't know what they, I mean I'm not real sure that they were doing but what else would you assume if they're involved in da-da-da, all this shit you know but that's what the kid told me that's what he does and he's scared of his brother and that's what he does.

RS Why did you give him the keys then?

■ Um I don't know, to tell you the truth I really don't, I, I, I don't know why I did, it's stupid I guess.

RS So you gave them the keys,

■ I, well actually to tell you the truth about it, I'm kind of scare of those two (2) too myself, that uh ■ whatever, he's scared, kind of scary looking character, think about it you know and my son tells me stay away from those people, they'll do shit to you uh I believe him,

RS Okay.

■ You know. And so now ■ kind of mixed up in it and so that's kind of gets me mixed up in it and so yeah to tell you the truth I was scared, I mean (inaudible).

RS Okay. So did.

■ He's take it anyway even if you didn't give it to,

RS (Inaudible).

■ You know what I'm saying?

RS True.

■ And then I got, I got (inaudible) nice truck and that car and I figured if I don't give them the piece of shit car, they're gonna take one (1) of these you know.

RS Right.

■ You know what I'm saying, they will, they would.

RS So did. Go ahead.

■ And I didn't want their cars to get stolen.

RS Did ■ and ■ show up about midnight then,

■ Yeah.

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RS And [REDACTED] was already here?

[REDACTED] Yeah and I just got back from down there at Samoa.

RS Okay so they come in

[REDACTED] I don't know why, why she said I was here that time.

RS So the only person here?

[REDACTED] Was [REDACTED] and [REDACTED] and [REDACTED], cause [REDACTED] dropped me off, I don't know if he came back or not

RS So where was uh.

[REDACTED] I'm sure he did cause he had his son here this morning.

RS When you walk in through the door?

[REDACTED] Uh huh.

RS Where's [REDACTED]

[REDACTED] Last night?

RS Yeah?

[REDACTED] He was uh in my daughters room.

RS Okay and you got home at about what time about ten (10)?

GE Mm hmm.

RS Okay and [REDACTED] went, went to bed when?

[REDACTED] She went to bed about, yeah she went to bed about, she was early I think ten (10), ten (10) or so, I don't know right before I got home, [REDACTED] said she (inaudible) fall asleep.

RS Okay did [REDACTED]

[REDACTED] He was still awake

RS Okay.



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■ Still awake watching the T.V. in her, in her room.

RS Okay did ■ come outside with you or anything like that?

■ No ■ came out into the living room.

RS Okay. Did you guys talk about anything?

■ No he was uh he was, I said where's ■ and he said she's uh sleeping she's got to go to school tomorrow and I said oh, and then um he said something about he had called his little brother Gage or something,

RS Mm hmm.

■ And he said something about that uh he had a feeling that uh ■ was going to show up and wanting him to go do something and he, I said well do you want me to tell him you ain't here or whatever, oh I don't know he's just, he's hung out and then all of a sudden ■ knocked on the door and I gave them the keys,

RS Okay.

■ And they took off.

RS All three (3) of them?

■ Yeah ■ let's go and then I don't know exactly.

RS The, the clothing description that you gave earlier were they

■ (Inaudible).

RS The clothing descriptions you gave earlier, were they accurate?

■ They were accurate yeah pretty much.

RS Did you notice uh

■ (Inaudible) accurate too cause that's what he (inaudible)

RS ■ was wearing a hat,

■ He (inaudible) put on a hat.

RS What, what kind of hat was it?

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■ Just a plain one (1), to tell you the truth it looked like a UPS like you know those dark brown one's (1) they wear?

RS Mm hmm.

■ They're wearing just the plain colored hats now days,

RS Did it have a,

■ No, no symbols and stuff on them no not, but it looked like, it was a dark brown one (1) like that with UPS, I call it UPS hat.

RS Okay and did you see and ■ had a gray sweatshirt on?

■ Yeah with a looked like a, a, tan colored bandana or a white one (1) underneath of it (inaudible).

RS Okay.

■ Yeah the clothing was accurate yeah.

RS What about ■

■ He had the dark coat, jacket on that came down to about right here,

RS Okay.

■ And snapped, it looked like it snapped and zipped it kind of had elastic around it right here.

RS Okay,

GE Yeah.

RS And they knock on the door, you answer it they come in, RIGHT?

■ ■ knocked on the door and I, I said come in yeah cause the lady next door was trying uh.

RS Right.

■ (Inaudible) or whatever and so I really I just said come in, you it's a habit saying come in and it was ■ and he said hey can I use to the car and I didn't really even know ■ was even out here, ■ was out here or whatever.

RS You still didn't know at that time?

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■ No till I came to the door and I seen him in his and then uh ■ went and got his coat, coat and said stuff and said tell, tell ■ I'll see her and I said where you going and he goes, cause he (inaudible) ■ had already knew somehow he had already knew, he had already talked to those guys obviously. They were coming out here to get him I guess.

RS Okay.

■ But,

RS Who said let's go to ■ you said someone said,

■ ■ and uh I heard him say "lets go",

RS You heard him say it from outside here?

■ Yeah when I was standing, cause the door was still open I was standing right there, right talking to her about her foot or whatever.

RS And you noticed that ■ had gloves on?

■ (Inaudible) don't,

RS What color gloves?

■ I don't know what they were they were just like mittens, like you know like gloves he wears, like dark black one's or whatever.

RS Black one's okay.

■ Yeah like the, the (inaudible) ones or whatever.

RS were anybody else wearing gloves?

■ No not that I noticed. ■ had his hands in his pocket most of the time, no ■ didn't cause he, he I handed him the keys to the car.

RS Okay.

■ I just figured they're gonna take it whether I give it to them or not you know,

RS Mm hmm.

■ And (inaudible) hundred (100) dollar pieces of shit, as take these nice one's around here you

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know and [redacted] truck was here and it's a nice, nice maroon (inaudible) so.

RS Right, right.

[redacted] They're gonna do it anyway, but if I, I kind of feel that feel that since [redacted] was with my daughter that they had uh had uh access to it you know, that they uh can take it anytime they wanted so, that's the way they made me feel that they're gonna take it whether I give them permission or not so,

RS The four (4) or five (5) days ago, was [redacted] the one that borrowed the car at that time?

[redacted] Mm hmm.

RS And who was with him then?

[redacted] . That was um that he was hanging out with uh [redacted] actually, she was staying here for a while but I kicked her ass down the road.

RS Okay. So when he, he took off in that car, it was just him.

[redacted] But she, he wasn't with her he just was by himself when he borrowed it.

RS So he took the car by himself on that day?

[redacted] Yeah, yeah and he kept it out all night too, I don't know why,

RS But he returned it in the morning?

[redacted] But that's who he, that's who he uh, I seen him uh what's her, [redacted] in that, the one (1) girl that he brought out here that one (1) night car, a little Honda, [redacted] was driving it one (1) night and they were together out here.

RS Okay.

[redacted] Actually they went to uh, (inaudible) matter of fact, that's where they went.

RS Okay. What about dope and stuff with those guys?

[redacted] With who?

RS [redacted] and [redacted]

[redacted] Dope, [redacted] he does,

RS [redacted]

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■ He smokes a little pot but that's about (inaduibel0.

RS Not any crank or anything like that?

■ Not that I seen no.

RS Okay.

■ My daughter smokes a little pot here and there too but not you know,

RS But you haven't?

■ Seen them with dope, no, not ■ and I don't (inaudible).

RS Okay and but last night you're, you're positive that you weren't here when?

■ I wasn't here, I was down (inaudible) I don't know why ■ said that.

RS Well she said that it was ■ and ■ were here?

■ Well they might have shown up when I was there I don't know, I mean I wasn't here where they were here, they showed up, they, cause when I got here it was just ■ came out of the bedroom and ■ was already in bed and the neighbor knocked on the door and asked where ■ was, she's in bed and, and then it was like he was getting ready, that he knew that they were already coming out,

RS Okay, what about, did you see those guys talking on a cell phone at all?

■ No

RS No?

■ And I don't know how ■ would even call his brother ■, cause we don't even have a phone,

RS Right.

■ You know what I'm saying.

RS Right.

■ Unless he borrowed somebody's cell phone that might have came by while I was gone or something you know but I was only gone for about an hour, hour and a half down there.

RS have you ever seen ■ talk on the phone, uh cell phone before?



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■ No he don't have a cell phone.

RS Okay.

■ No never seen talking,

RS You seen any of those guys talk on a cell phone before, uh ■ or ■

■ Uh ■, no uh huh and I don't think none of them have cell phones or nothing like that,

RS Okay.

■ I don't know about ■ I don't know.

RS And you don't have a cell phone right?

■ About him he's spooky anyway.

RS You don't have a cell phone right?

■ No I don't even have a phone, house phone.

RS Right, right.

■ But no I've never seen ■ I don't think they can uh I don't know.

RS Okay.

■ And ■ I think, took that to use a phone when (inaudible) use it or whatever I don't know how he used the phone but he, it's like he already knew that

RS Where's the pay phone from here?

■ The one (1) at Manila Market's out now.

RS It's not there huh?

■ So I don't know how unless maybe ■ might have borrowed the phone from a neighbor or something I don't know, I mean that's possible to.

RS I'm gonna get ■ out here, see if she knows.

■ wait, wait a second (inaudible)

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RS Wait, wait a second (inaudible).

█ She could have (inaudible) a phone for them to use.

MK Who's, who's car is this, the blue car?

█ It was █ uh well, actually my daughter was working at Subway and it was bought for a hundred dollars and it was a good deal, it was tagged and everything and she needed a way back and forth to work so we, █ paid for it.

MK So it's █ car?

█ Right.

MK Okay it's not your car.

█ right, it's not my car.

MK She said she registered it in her name?

█ In her name, █

MK Yeah.

█ No. She hasn't, we haven't even changed it over yet.

MK Oh okay, but she's the one (1) that purchased it and everything?

█ Right she's the one that bought it,

MK Okay.

█ She doesn't even have a drivers license yet.

MK Yeah she said she didn't have,

█ And I, I don't have a license either but I mean I was working on trying to get mine back but I (inaudible) get in trouble for not having a license than her,

MK Okay.

█ So I've been driving her.

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RS [redacted] we're trying to figure out last night there was [redacted] and [redacted] here right, okay was mom home during that time?

[redacted] I went to Samoa remember [redacted] dropped me off?

[redacted] Oh yeah she went to uh to see her brother (inaudible) [redacted].

RS And then so when did [redacted] show up

[redacted] (Inaudible).

[redacted] They showed up like, he showed up like right when you got back right, wasn't it, I forgot that cause [redacted] and [redacted] was here and they were in there room and,

[redacted] (Inaudible) he showed up here after I got back, wanting the keys to the car, [redacted] and him, [redacted] did, [redacted] said you were already in bed.

[redacted] I know.

[redacted] You was already asleep.

RS Was Jason, did Jason come here while mom was gone?

[redacted] Yeah.

[redacted] He, he did?

[redacted] Was here I think a (inaudible).

[redacted] That's how, then, then that's must be how [redacted] knew to be ready or were.

RS So how long was her here for?

[redacted] Uh till mom got back he was here (inaudible).

[redacted] Wasn't here when I got back.

[redacted] Wasn't?

[redacted] No he wasn't here remember him and [redacted] showed up here, after (inaudible).

[redacted] You don't even know huh

[redacted] No I'm so confused and stressed out and tired and so,

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RS So [redacted] so you're here by yourself right?

[redacted] Hmm?

RS You're here by yourself right?

[redacted] I was, what, what do you mean?

RS How, you were here by yourself,

[redacted] Yeah.

RS Okay and it's you, [redacted] and [redacted] right, okay do you hear [redacted] and [redacted] talking about anything?

[redacted] No.

RS Not then, okay so when you go to bed, where does [redacted] and [redacted] go?

[redacted] I don't know I went to sleep, I don't know where they went.

[redacted] Was [redacted] still awake?

[redacted] [redacted], no she was in her room.

[redacted] Oh

[redacted] In bed.

[redacted] You went into your room and you don't know if they left or stayed or what?

[redacted] I don't know I went to sleep for school, I had to go to school.

RS Didn't you say that you went into the bed room and [redacted] was in the bedroom with her?

[redacted] No he came out of the bedroom, when I showed up at home he came out of the bedroom and I said where's [redacted] and he, he said uh asleep, she's got to go to school tomorrow and I said oh, and then the lady next door came over and we were talking about her ankle and then they showed up and it's like [redacted] knew though that, that you know they were coming back, they were coming to get, they were you know, they were just hanging around out here somewhere probably till I got home to get the key or whatever you know what I mean, I don't know but it's like he knew they were coming to get him to go do something.

RS [redacted] did you know that they needed to borrow the car at all?

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■ No they didn't even ask me.

RS Didn't mention anything, okay.

■ They probably knew I'd say no.

RS And so when, what time did ■ was already here right?

■ Yeah.

RS And did ■ show up?

■ Uh yeah he showed up yeah he showed up.

RS You don't know how he got here?

■ I have no idea how he got here.

RS Okay so he, he you three (3) are hanging out and you go to bed?

■ Yeah I was watching T.V. and eating Wendy's and went to bed.

RS Okay and mom wasn't here?

■ No, then she showed up, back here didn't you, but I was already in bed.

■ She was already in bed yeah.

RS Did you get up when mom came back home?

■ For a minute yeah, I wanted to go to the bathroom and got something to drink,

■ Yeah she did she knew I was back.

■ And I (inaudible) like.

RS Okay and who, who was all here when you got up when?

■ Um ■ and ■, well at that time when I (inaudible) drink of water and went back to bed.

RS So when you got home ■, ■ and ■ were here?

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■ When I, yeah well when I got home no just ■ came out of the bedroom like he was getting ready to go somewhere and then uh ■ knock,

■ ■(inaudible).

■ And I was talking to the lady and I opened the door and asked where ■ was and she he said in bed, so he didn't really have time to (inaudible).

RS Where, where is ■(inaudible) in and out of here all the time?

■ I don't know.

■ I don't know he don't tell us, he's, he didn't tell me nothing (inaudible).

■ He must know somebody around here like um, maybe down there, (inaudible) I'm thinking cause uh,

RS Okay.

■ I see (inaudible) going down there a few times

MK At C/I's house?

■ Yeah, maybe that's where they're going and then I uh, there close by I know that.

MK Which one, which one's C/I?

■ That one right there where that brown car is.

MK That brown car right there

■ Mm hmm.

MK Or that one over there?

■ That brown one (1) right there, right there.

MK Okay.

■ She lives (inaudible) that one, that one guy is out of (inaudible) too, what's her name, I think that's her new boyfriend, ■ or whatever.

MK ■?



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Yeah that's (inaudible) maybe that's where they were going I'm thinking (inaudible) cause the guy knows somebody out here to be out here to be that close. I don't know I'm just trying to be put two and two together like you all are, I don't know, it's all crazy.

This is all crazy to me, I don't know (inaudible).

RS Okay.

But that little kid is a good kid, let me tell he's, I, I feel sorry for him really I do, can't help she feel in love whatever.

RS The only thing I can advise I can give you guys is, if you see , he needs to turn himself in before something happens to him or he does something with someone else and

I know.

RS And someone else gets hurt.

I know he does, he absolutely does, because than that will stop him from being scare of his brother and having to (inaudible) didn't he tell us that, he told us that huh?

RS Told you what?

, don't cry sis. That he's scared of his brother and stuff.

RS Yeah. Alright guys anything else?

No. Come here sissy.

RS Anything Marvin?

MK No.

RS Alright, end the interview at ten twenty seven (10:27).

Bye. Are you out of school now too?

End of transcript.

On 12/22/06 at about 1030 hours, after speaking with she directed us to another residence. Det. Kirkpatrick and I met with a person that wanted to remain anonymous because he/she was afraid of retaliation from . We advised her that for the purpose of this report she could remain anonymous. I digitally recorded the interview with the and later placed it onto CD. The following is a transcript of the interview with the . It should be noted that the

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personal information on the transcript of the [REDACTED] was removed for this report.

RS Rich Schlesiger

[REDACTED]

MK Marvin Kirkpatrick

[REDACTED] (Inaudible) last two (2) weeks they've been there.

MK Last two (2) weeks they've been there?

[REDACTED] Mm hmm.

MK They have they been driving that [REDACTED] car or?

[REDACTED] Um they have come in variety of different cars so I don't know.

MK Mm hmm.

[REDACTED] A few times they came in a pickup uh, uh, so I don't know, I don't speak to them people down there so,

MK. I, it sounds like you have battles between the two (2) here huh?

[REDACTED] Mm hmm, I just didn't,

MK We've been down there.

[REDACTED] I just didn't feel,

MK We've been down there okay, just to let you know um,

[REDACTED] I just don't feel that they're son should have ripped off their aunt, and when Officer Stockton and asked me if he broke into his her place, I said yes he did you know you not suppose to rip off (inaudible) you're not suppose to rip off anybody.

MK Mm hmm.

[REDACTED] So they got pissed off at me.

MK What do you know about these two (2) guys [REDACTED] and (inaudible).

[REDACTED] about the robbery?

MK Yeah.

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■ Well they did it.

MK How do you know they did it?

■ Cause they brag about it.

MK Did they brag to you about it?

■ Several times.

MK When did they do that?

■ Right after it happened.

MK Which robbery you talking about?

■ The gas station, the little convenient store little of thing.

MK How long ago?

■ Maybe three (3) (inaudible).

MK Okay do they talk about any other one (1) besides the gas station?

■ Um there's a store, I don't know, they, they did a couple of them so I don't know, that's my impression.

MK Yeah. Um you don't know where this way, Eureka, Arcata, McKinleyville?

■ Uh McKinleyville.

MK They, they said McKinleyville?

■ Uh huh.

MK And who bragged to you about them?

■ (Inaudible) youngster didn't say actually to much um ■

MK It was ■ talking to you?

■ Yeah.



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MK And where were you talking to him at?

■ My at the car.

MK Pardon?

■ Out by my car.

MK In front of your place there?

■ Yeah cause he asked me I guess they at the time didn't have a vehicle and they asked me for a ride, oh you ain't getting in my car, uh huh.

MK So this is about three (3) weeks ago?

■ Two (2) three (3) weeks ago yeah.

MK Did they say what they did?

■ I wish I had some pic's, or knew where my daughters were because they just had a birthday party down there and they took pictures.

MK Oh really, do you know where those are?

■ Let me see if I can find them real fast.

MK Okay.

RS (Inaudible) daughters here.

■ I guess they didn't give her pictures of the party but um I know that um the youngster going by ■, they changed names.

RS The third (3rd) guy is going by ■

■ Yeah, the youngster, the youngest one (1).

RS Oh the youngest one (1)?

■ Yeah.

RS ■ is going by ■

■ Yeah.



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RS Okay.

■ Yeah.

MK Do you know any other guys showing up there?

■ There's everybody that shows up the hill there.

MK Who do you know there?

■ Uh (inaudible) I mean just (inaudible) different one's go there, there's several, there's several.

MK Do you know [REDACTED]

■ Yeah.

MK Do you know him?

■ Mm hmm.

MK Does he come up here?

■ He does (inaudible) but he's (inaudible).

MK When's the last time you saw him down there?

■ A couple weeks ago. Yeah, yeah there's different kinds of them that go down there.

MK Uh huh. Yeah.

RS Did, did any of them come over last night?

■ I don't know um we went uh Christmas shopping and then I came home and fixed dinner and then we crashed.

RS Okay.

■ So I don't know.

RS So no one came over there last night.

■ Uh huh. The night before though um they were all down there um yeah,

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RS When you say "they all"?

■ Yeah there's so many different people that show up in there I mean, [REDACTED], how I actually first head about it is [REDACTED] came down here talking about it and then um I was getting ready to get in my car and I ran into [REDACTED] and his brother (inaudible) talking (inaudible). I use to go out with [REDACTED] buddy [REDACTED]

RS Okay and so you're going out to your car and [REDACTED] and [REDACTED] come up to you and [REDACTED]

■ Yeah they were just bullshitting cause they needed a ride out of here I guess.

RS And [REDACTED] just freely,

■ (Inaudible) cause they were trying to be incognito you know.

RS And they just freely met, he freely mentions that?

■ (Inaudible) they talk about it.

RS Right in front of you?

■ Yeah.

RS Was he, so he was bragging to you about it?

■ Yeah, yeah. I guess they got away with two (2) of three (3) of them, I don't know, I don't know.

RS You ever seen them with a gun or anything?

■ [REDACTED] called me not to long ago and asked me if I can get him one (1).

RS When was that?

■ About three and a half (3 1/2), four (4) weeks ago.

RS Did, were you able to get him one (1)?

■ I did.

RS Okay what kind?

■ A thirty eight (38).

RS Revolver?

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■ Snub nose.

MK Where did you get that ■

■ Out on the street. Out on the street.

MK Did it have a long barrel or a short barrel?

■ Um, um just a snub nose.

MK Small barrel then?

■ Yeah it was nickel plated yeah.

RS It was nickel plated?

■ Yeah. It was short barrel yeah.

MK How long ago (inaudible).

■ Then there was a sawed off twelve (12) gauge too.

MK You got that for him too?

■ Mm hmm.

MK How long ago was that?

■ About four (4) weeks ago.

MK Four (4) weeks ago, have you seen him with it recently or, no?

■ I don't see him (inaudible0.

RS When, when did you get the guns to him?

■ About four (4) weeks ago.

RS Okay so he called you,

■ Mm hmm and I had them.

RS Okay and where did you meet him at?



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■ Right outside.

RS Right outside down here?

■ I don't go down there so (inaudible).

RS So at ■ uh right outside ■ house?

■ Actually just out in front here (inaudible).

RS Okay. And that was ■ right?

■ Mm hmm.

RS And what did he give you for them?

■ Hundred bucks each.

RS Okay. Any idea where those guns were from at all, besides off the street?

■ I guess the, I know the sawed off was throw away, um sawed off was pretty hot but um the thirty eight (38) was um I guess, some rounds were, I guess shot off to scare someone a few times on that, but other than that,

MK What do you mean the sawed off was real hot?

■ Meaning just (inaudible).

RS They as in?

■ (Inaudible) just say they cause

MK Who you got it from another words?

■ Yeah uh the person actually before them got it yeah.

RS And that was the sawed off that?

■ I didn't even want really want to carry that sucker with me, around.

RS Did he ask you for a sawed off or did he just ask for?

■ Asked for guns.

Prepared By:

0931 SCHLESIGER, RICHARD D

Date:

12/23/2006

Approved By:

0330 HANSON, WAYNE E

Date:

02/16/2007



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RS Just for some guns and you were able to get those to?

They were easy, there easier than going into the store and buying candy, that's sad too, (inaudible) around the Asians.

RS Did he tell you what he wanted the guns for?

I didn't ask no questions.

RS Okay.

The less I know the better.

RS Do you know where [redacted] is hanging out at?

Probably up uh, is it (inaudible).

RS The old, one (1) that runs parallel to the freeway there?

Yeah, there's uh a side street off through there and it's at a dead end and um (inaudible0.

RS Do you know who's house it is?

Um who's that guy, he was locked up so I, I don't even remember the girlfriends name, I went up there once with [redacted], but I, they'd been hanging out there.

MK Which [redacted] are you referring to?

Smith.

MK I know there's two (2) of them.

I know (inaudible) yeah (inaudible) this before.

MK Mm hmm. [redacted] and then there's

Nay.

MK He was getting in a little bit of problems himself huh?

Yeah.

MK With [redacted] wasn't it?

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■ Mm hmm.

MK You didn't get involved with [REDACTED] did you?

■ No, not at all. No.

MK Good.

RS What did the sawed off look like?

■ I don't want to have to go to court for none of this stuff, I believe you guys already got it, I think you guys got it from him yesterday.

MK But what did it look like was it a (inaudible) shotgun

■ Screw wasn't on it, the, the cap (inaudible) he shot it (inaudible).

RS Okay, but did it have like a wood stock or uh?

■ No.

RS Like the plastic stocks?

MK It was, had a black barrel, had a um, yeah I think it might have been (inaudible) I ain't for sure.

RS And it was a pump shotgun right?

MK You did have to pump a round into it or did it break open and you have to put a round into it, do you remember?

■ Well the barrel came off so I don't know, I mean I just, there wasn't a cap for it. I know you were able to I think maybe you put two (2) shotgun shells in it, I'm not for sure if they filed the pin down or not, I don't know.

MK How do you, what do you mean somebody has it now?

■ You guys do.

MK How do you know we have it?

■ Because I know you do.

MK How?

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■ Because someone got caught with it.

MK How long ago.

■ Two (2) days ago.

MK The Sheriff's office or the P.D.

■ Um it was a raid.

MK And where was that raid at?

■ [REDACTED]

MK [REDACTED]. In the city then?

■ I don't know where it was.

MK But that's the person that got arrested with it?

■ Um [REDACTED] did.

MK Pardon?

■ [REDACTED]

MK [REDACTED] okay.

■ Little piece of shit.

MK Know him too huh?

■ Yeah. He's a piece of shit.

MK And that's the same one (1) you got [REDACTED]

■ (Inaudible).

MK And how did it get to [REDACTED]?

■ I don't know, I don't know.

MK Okay.

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■ Come in.

UM Excuse me gentleman, just a second and I'll get out of here. Just wanted to double check and make sure your refrigerators working, everything's working.

■ I don't know, I don't hear it.

UM And uh you should have be having hot water soon, in fact you might want to check it.

■ Yeah it's on.

UM Okay. Turn your hot water on and see if it,

■ I was having hot water, well yeah,

UM Okay please refrain from touching the panels, sticking metal objects in it okay?

■ Okay (inaudible). I was just getting frustrated, I needed hot water man,

UM Okay is it getting warm?

■ Huh?

UM Is it getting warm?

■ Yeah.

UM Oh good, okay,

■ Okay.

UM And we'll see what happens if uh they get on the schedule we'll give you a call and give you what's the day.

■ Okay.

UM And we'll go from there, okay.

■ Okay thank you very much.

UM Merry Christmas.

■ Merry Christmas to you. Yeah I got (inaudible) I got tired of not having hot water.

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RS So they told you about this one (1) in McKinleyville but they didn't mention any other ones (1's).

■ Um I know it was, I'm not sure if it was a motel or a convenience store, I ain't for sure, I don't know I can't remember.

RS Did they mention to you about getting chased by the cops?

■ Oh yeah and um, they got away but I guess maybe one (1) got caught maybe, I think so.

RS Was that with the same robbery in McKinleyville?

■ I don't know.

RS Okay.

■ I don't know, they ramble on about a few things I don't know I didn't, I didn't want to be, I didn't want to know nothing, I didn't want, the less I know the better.

RS Okay. But the snub nose,

■ (Inaudible) off guard down there, they're always drinking pretty much.

RS Down here?

■ During the evening,

RS The snub nose is nickel right?

■ Yeah.

RS And they didn't come by here last night at all?

■ Uh huh, not that I know of.

RS Okay.

■ There was a whole bunch of commotion going on down there but I, I don't care really.

RS Okay.

MK Who do you all know lives in that house?

■ Everyone.

MK Who is everyone?

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█ █████, um █████, um

MK █████, do you know his last name?

█ █████ um, um █████.

MK █████

█ █████, █████,

MK Or █████

█ █████, █████ █████ and █████ live on West street by Longs, on Myrtle. There's a whole bunch of people. If you catch them all, you'll catch them all down there. It's a free high for her.

MK Does she use dope.

█ Huh?

MK Does she use dope?

█ Yeah.

MK What's she using crank?

█ Yeah.

MK Anything else?

█ Not that I know of.

MK (Inaudible) dope or what?

█ I know, I know uh there's been a lot of ecstasy flying out of there.

MK Ecstasy?

█ Mm hmm.

MK Where's that coming from?

█ Down at the end.



MK Pardon?

Down at the end, there's lots of it been flying around down there, I know uh, I know they got my niece high. She was thirteen (13), I sent her back to Stockton Sunday morning, got her drunk.

MK How long has um been staying down there?

About three and a half (3 1/2), four (4) weeks ago now. He's been with for about that long, yeah. Cause her and my son broke up um about a month and a half ago, yeah about three (3) four (4) weeks ago.

MK Your phone work here?

Uh huh. I don't let them in my house.

MK Okay.

I have children in my house.

RS What is your phone number in case we need to call you?

and this one (1) is

RS

And um what number is this one

(Inaudible) well

RS No what number

MK How long you lived at this one (1)?

I just moved in without permission, I had, I was cleaning rentals for this one (1) landlord and um my grandson almost cut hand completely off and right after that shit, they (inaudible) told me that they needed to put new foundation so I (inaudible) well actually I originally moved in to where one's living, I seen it empty, it was empty for about two (2) months so I went in there and cleaned it up and moved in, and I was told I had to leave, but officer Stockton gave me the landlords number and I called him and talked to him and um got to keep it.

MK So you got to keep this one huh?

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■ Yeah and move down here

RS Who is living here with you?

■ Me and my children.

RS Okay, anybody else?

■ Um ■ sells uh little boy, ■ the one (1) that just left here.

MK Isn't there a male here?

■ No.

MK ■

■ No.

MK We heard there was a male, they're, they're lying to us about that?

■ There's no ■ here.

MK Any boyfriends right now?

■ Uh uh, I wish, no.

MK You wish.

■ My Christmas present, no uh.

RS Anything else you can think of?

■ A guy name ■, um I don't know.

RS I've got nothing else.

MK We just heard there was some male coming in and out of here too, I don't care, we don't personally care, we're just trying to (inaudible) who was or wasn't I mean.

■ I mean my daughters friends, I mean they have boyfriends, I mean my daughter is ■ and so they do have people.

MK No ■, you know him?

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■ Yeah I know him.

MK He was not here?

■ (Inaudible).

MK Okay. Hell I don't think he's wanted or anything at the moment.

■ I plead the fifth (5th) okay people.

MK Your dogs?

■ No I had to put my dogs down cause they caught Parvo.

MK Oh really?

■ Yeah they (inaudible). I miss them a lot, they were my babies. (Telephone ringing) Hello, hi what are you doing, nothing. Um all evening, um can you call me back, no seriously call me back. It's important, where, okay. Bye.

RS Um so when is the last time you actually saw?

■ Two (2) nights ago.

RS Two (2) nights ago, did they come by here at all?

■ No they were down there partying (inaudible).

RS Okay do you remember what they were wearing at all?

■ Beanie cap.

RS What kind, what color beanie cap.

■ And a Hoodie you know like,

RS Who was wearing what?

■ They were both wearing Hoodie's.

RS Okay what color?

■ There was a gray one (1) and I think a blue one (1) I ain't for sure, I think.



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RS Who was wearing the gray one (1)?

■ I ain't for sure which one (1),

RS Okay.

■ I know it was a gray one (1) though.

RS Okay and you said,

■ About (inaudible) cause it was a real thick (inaudible) YOU KNOW KIND.

RS Uh sweatshirt you mean?

■ Mm hmm.

RS And someone was wearing a beanie cap?

■ Yeah he had a beanie cap?

RS Who had a beanie cap?

■ The youngster.

RS What color was that?

■ It was a dark one (1), I'm not sure if it was blue or black.

RS Okay, what about ■

■ Um he was off in the bedroom in there, so I didn't really yeah, youngster (inaudible).

RS You, you don't talk to ■ much?

■ Uh uh.

RS Okay cause I was wondering if they mentioned anything about ■ being involved in any of these robberies?

■ Real skinny guy?

RS I don't know.

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MK Might refer to him as [REDACTED]

RS Yeah.

[REDACTED] Real skinny guy?

MK I don't know him.

[REDACTED] He, they were doing tattoo work down there.

RS Right.

MK Who were they doing tattoo work on?

[REDACTED] Anybody that walked through the door.

MK [REDACTED] has tattoo's?

[REDACTED] Mm hmm on her back.

MK who was doing the tattoo's?

[REDACTED] Yeah.

MK How long ago was that?

[REDACTED] Not even a week and a half ago, maybe two (2) weeks at the most.

MK How do you know that were you there or?

[REDACTED] No but my daughter is the only one (1) that talked to [REDACTED] still.

MK You don't go down there?

[REDACTED] Uh uh. The only thing that my children have and I'm not gonna be in my situation. I put myself in a spot when I got those guns the other day, no. Something happens to me my children have nothing to go to the system.

(Telephone ringing).

[REDACTED] Hello, uh huh I know you're gonna have to call me back, just call me back. Yeah then, just call me back. Okay.

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RS [redacted] why did you get the guns for [redacted]

[redacted] Cause I made fifty (50) bucks. I bought my son a jacket, that's what I bought with it, I got my son a jacket, (inaudible) needs a new one (1).

RS Okay, I thought you got a hundred (100) for each gun?

[redacted] Yeah but I made a hundred (100), uh fifty (50) bucks out of it.

RS Okay. So you bought them before,

[redacted] They gave me the money and I went and got them.

RS They gave, okay. Alright, you got anything else [redacted]. Get out of here at ten fifty five (10:55).

End of transcript.

On 11/22/06 at about 1125 hours, Det. Kirkpatrick and I returned to the scene on Togo St. I stood by with Sgt. Hanson and ET [redacted] while ET [redacted] processed the [redacted] vehicle, the vehicle belonging to [redacted] [redacted]. At about 1300 hours, we left Togo St.

On 12/23/06 at about 1443 hours, I received a telephone call in my office from Dispatch. They advised me that a resident at [redacted] Togo St. had located a gray sweatshirt in the backyard of this residence. When Deputy Braud was shot at, the person that had shot at him was wearing what was believed to be a gray sweatshirt.

At about 1500 hours, I arrived at [redacted] Togo St. and met with [redacted] and [redacted] [redacted] and [redacted] invited me into their home and lying on a table just inside the front door was what appeared to be a gray sweatshirt. I could also see on the sweatshirt that there appeared to mud on one of the sleeves, which resembled a shoe sole print. With latex gloves, I placed the sweatshirt into a paper bag and later secured it in my office.

[redacted] and [redacted] took me into the backyard of their residence and [redacted] showed me where she had found the gray sweatshirt. I digitally photographed the area and the two gates that were on the north and south sides of their residence.

We returned inside of [redacted] and [redacted] residence and I interviewed both of them at the same time. The interview was digitally recorded and later placed onto CD. The following is a transcript of that interview.

RS Rich Schlesiger

[redacted]
[redacted]

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RS Exactly, let's see here date is December twenty third (23rd) two thousand six (2006), case two zero, zero, six, zero seven eight two, two (200607822).

■ You've written that down a few times haven't you?

RS Oh yeah more than a few. And your first name?

■ [REDACTED]

RS Middle name?

■ [REDACTED]

RS [REDACTED]

■ [REDACTED]

RS Last name?

■ [REDACTED]

RS And your date of birth [REDACTED]

■ [REDACTED]

RS Okay and [REDACTED]?

TS Mm hmm.

RS phone number?

■ [REDACTED]

RS Okay and sir your full name?

■ My first name is [REDACTED], [REDACTED] and then middle name is [REDACTED] last name is [REDACTED], [REDACTED].

RS Okay and your date of birth?

■ [REDACTED]

RS Okay. And you guys both live here?

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■ Mm hmm.

■ Yes.

RS Okay and ■ when did you first notice the gray sweatshirt?

■ Lets see it was (inaudible) I looked at the clock right after I called the sheriff's department and it said, okay twenty two (22) so it must have been probably about like two, well my clocks are fast too, probably about two twenty, somewhere around there.

RS Okay, okay and you were where in the house?

■ In the, in the back room.

RS Okay.

■ In the, my office back there.

RS In your office okay and you happened to look out and where you showed me before down by the stump you saw something gray?

■ Yeah like what the hell's that down there, it looked like (inaudible) binoculars you know to tell what,

RS Okay and why, why did the gray mean anything to you?

TS Well because it just didn't there's nothing down there usually, it's just out of place.

RS Okay. And um then you, did you look at something to know that one (1) of the guys had shot at the deputy was wearing a gray sweatshirt?

■ I had just read the article in the paper this morning cause I was curious if there was anything in there because yesterday one (1) of the deputies came and asked me

RS Mm hmm.

■ While I was getting stuff in the car and I notice this road was taped off and I'm like whoa,

RS Okay.

■ This is something happening down here, yeah so I knew something was up and then all of a sudden I thought, wait a second I think did it say gray sweatshirt, I should go see if this is in that article, if this you know,

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RS Okay.

■ It just started to look like mm.

RS And then did you immediately go down there and bring it back here where it's sitting now.

■ Mm hmm.

RS Okay. Now prior to that time when was the last time you looked out there and, and didn't notice anything.

■ I look out there every day,

RS Everyday.

■ It's a beautiful view I'm always,

RS Right.

■ It's just like I was just telling ■ like everyday I look out over, out, out the dining room window, I'm like what's that blue thing over on the hill, Pepsi, you know (inaudible) binoculars, I notice anything that's not, especially like litter or that kind of stuff, it doesn't belong.

■ And one (1) thing to clarify maybe it's not an important detail but initially you put the sweatshirt on the freezer,

■ I took it in the garage,

■ garage, yeah so,

■ Cause it was wet and I'm like I'm not gonna.

RS Okay and then you, you guys walked me out there first and the gate on the north side of your house is a wooden gate and it doesn't have a lock on it right?

■ Right

RS And um did, was that open yesterday when you guys came home or anything or did you notice that?

■ I didn't notice, lets see, I didn't notice that, gate.

RS Okay.

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■ Opened or closed.

■ I, I think it was either yesterday or the day before yesterday I was taking some you know recycling out and it seemed to me that the, the, the gate wasn't all the way closed.

■ Yeah often times the gate ends up like about this far.

RS (Inaudible) lock so it could end up

■ I mean (inaudible).

■ It's not a latch right, it's like this gate over here, it doesn't even fit really.

RS Okay the gate on the south side.

■ But that one will often times will end up getting pushed over, (inaudible) a stray dog runs, pushes threw like that time I'm like uh keep closing the gate.

RS Okay.

■ So in a way it was unusual that it was closed,

RS Okay.

■ Because often times it's open by like about that far.

RS Okay. And down from the gate, you guys pointed out a, a black barbeque, that was sitting up?

■ Yeah.

RS Okay, but now it's obviously,

■ I noticed that and I'm like what the heck.

RS Okay.

■ We haven't had that high winds I mean last winter when it broke trees, you know branches and stuff, nothing ever happens,

RS And when did you notice the barbeque knocked over?

■ That was, well it was just this morning,

■ Mm hmm.

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■ Or not even, that was probably like an hour before I noticed the sweatshirt.

RS Okay.

■ Yeah I'm like (inaudible) you know and I came up I was almost gonna ask him to got upright, but it started to rain a little bit I'm like oh I'll do it later.

RS Okay and so back to the other morning, um did you guys hear any shots or hear any sirens or anything?

■ I, we hear sirens, all, a lot,

RS Well yeah because the hospital,

■ Well yeah and the fire department over there, and we're always, we always know (inaudible) something's going on yet again, but I didn't hear anything which is really miraculous cause I'm a light sleeper,

RS Okay.

■ But you know sometimes in the night I don't hear.

RS Okay.

■ He though he heard something and he even mentioned the next day I always heard like (inaudible) like a (inaudible) or something

■ Which highly doesn't make sense because I, I felt like around two (2) in the morning uh I, I heard a strange sound, I wondered if it was like an earthquake tremor or something like that and, and, it, it, I was sitting in here it seemed like, I was wondering if I was if I was imagining things or the window shock or something like that or if there was a gust of wind but that's to vague.

RS Okay, yeah that was like two (2) in the morning though?

■ Yeah, right.

RS Okay.

■ That's before they got to this neighbor I guess.

■ Yeah right.

RS Yeah.



■ What were they headed to like Ducks Market or something, all these poor people with there little stores you know.

RS Yeah well hard telling where they were heading. Alright guys well I appreciate you calling, anything else that you guys can think of that I haven't asked you that would be important for me to know?

■ Can't think of anything.

■ No I don't think, I don't think so

RS Okay.

■ I'll definitely call you back if we notice anything like I said I notice like the littlest pieces of litter and because it annoys me.

RS Okay.

■ Like I thought it was a big plastic bag had blown in down there, I'm like what the heck you know wind, okay the storm, I'll go down and pick it up.

RS Okay.

■ And then you know low and behold it wasn't a bag.

RS Alright.

■ One (1) question I have is, is, is there any, does it seem like there's any possibility that these guys know some people who live on this street.

RS Not that I know of.

■ Right.

■ (Inaudible). Where they can

RS Not that I know of at all.

■ What is it, I, it was funny cause wasn't until I saw the article in there, the mention of the car, the like yesterday when I was getting ready to leave, cause I have to like pull cause I face this way with my car I turn around and back up and to go, and I did, I thought there was like a ■ car that looked like, what the heck are they parked like that, sticking out in the road from that parking lot I'm like that must have been the one (1).

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RS Yeah, yeah.

█ I seen the car.

RS Al right guys.

█ (Inaudible) the car, what happened to the car.

RS Oh I'll tell you here in a second (2nd), I'll turn this off,

█ Okay.

RS Fifteen eighteen hours (1518), well end.

End of transcript.

On 12/27/06 at about 0700 hours, I met with Det. Kirkpatrick in my office in CID. Det. Kirkpatrick advised me that he had obtained a Target receipt from Sgt. Hanson that was seized from the Pontiac Sunbird in this case. Det. Kirkpatrick said that he used the receipt to see who made the purchase over the video surveillance system. Det. Kirkpatrick and I then viewed the videotape and we could see whom we believed to be █ █ purchasing a dark colored sweatshirt and coat along with a gray sweatshirt.

We deemed it necessary to speak to █ again. On 12/27/06 at about 0931 hours, Det. Kirkpatrick and I met with █ at her residence. We spoke to █ in her residence and the interview was digitally recorded and later placed onto CD. The following is a transcript of that interview.

RS Rich Schlesiger

MK Marvin Kirkpatrick

█ █

RS Date is twelve twenty seven of oh six (12 27 06), time is zero nine thirty one (0931) hours.

█ middle name again █

█ █

RS █ █

█ Yeah.

RS Date of birth?

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█ [REDACTED]

RS Okay and um we're here at your house again, █ Phillips Court?

█ Yeah.

RS No phone still?

█ No phone.

RS No cell

█ Nope.

RS Hey █ the uh reason me and Marvin wanted to stop back by was um did you buy um █ and um █ and █ anything?

█ Buy them anything?

RS Yeah.

█ No.

RS Did you ever buy them any sweatshirts or coats or anything like that?

█ No.

RS Okay. Um did you buy anybody anything like that.

█ No.

RS Not at all?

█ Uh uh.

RS Okay. Have you been to Target recently?

█ Um yeah I was at Target yeah.

RS You remember what you bought there?

█ Yeah I did buy some sweatshirts there.

RS Okay, do you remember what kind of sweatshirt?

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■ Um there was a gray one (1), a, I can't remember, a blue one (1) and a black one (1) I think.

RS Okay were they all sweatshirts or?

■ No they were, they were pullovers.

RS Okay. Who did you give those to?

■ actually I sent them to my son.

RS And where is he at?

■ Actually he's in prison right now.

RS He's in prison. Well could they have gotten those sweatshirts in any way?

■ Yeah possibly they could have.

RS Were they in here at the house?

■ They were here in my house yes.

RS Where were they at?

■ In my room.

RS Are they there now?

GE Um no.

RS Where are they at?

GE Um I don't know.

RS Okay so you were going to send them to your son,

■ Well actually I was going to keep them for him when he got out of prison but they're gone now so,

RS Well the gray sweatshirt that one (1) of them was wearing that, the one (1) that actually shot at the cop, was recovered.

■ Okay.

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RS Okay and it returns to you buying it,

■ Mm hmm.

RS Marvin had has you on video tape buying it, so what I'm wondering is how they got those?

■ Well they had to have got them out of my house.

RS Okay and how did they get those?

■ They were here.

RS Did they, did they ask you for sweatshirts, how did that go down?

■ They didn't ask.

RS So what you're telling me is that they went into your room and stole them?

■ That's what I'm telling you.

RS I realize that's what your telling me, I want to know how they actually got them though?

■ That's how they had to have got them.

RS All three (3) of them?

■ Mm hmm.

RS I mean it's kind of interesting ■ that you continue to lie to us.

■ I'm not lying to you.

RS Yeah you are.

■ No I'm not.

RS Yeah you are.

■ I'm not lying I both house for my son.

RS Mm hmm, well you might have.

■ Yeah.

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RS And now they've ended up with people shooting at cops and they're wearing them.

█ Yeah they were, they were in my house.

RS Isn't not a big deal if you gave them to them, I just want to know if you gave them to them

█ I didn't give them to them, the

RS Okay but I mean is it,

Mk Or did they ask you to buy them for them.

█ They didn't ask me to buy them.

RS Well how did they, I mean they didn't go into your room and take them, I mean all, it's not that, I just want to know █ if you gave them to them you gave them to them and that's it. But I want to know because you, you rattled them off exactly how, what they were wearing to exactly what you bought.

█ I didn't give them to them, they, they,

RS Did they ask for them, did they ask for something, how did that?

█ No they didn't ask for them, they just took the,

RS Okay, why, why did they take them?

█ I don't know why.

RS Okay well what day was that on?

█ I don't even remember what day it was.

RS What day was that Marvin?

MK The twentieth (20th).

RS The twentieth (20th).

█ That was on my daughters birthday.

RS Okay so you, you went to Target on the twenty and you came back the next day,

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■ They were gone.

RS So they went into your room and got the sweatshirts is what you're saying, how did you know it was them?

■ Who else could it have been?

RS Were they presents for those guys?

■ No they weren't presents for them, they were presents for my son.

RS What sizes were they?

■ I can't remember double 'X's or something like that. He's a big, my son's a big guy.

RS Okay. So you're, you're sure they ended up with the sweatshirts then?

■ Pretty sure yeah.

RS Why, why do you say that ■

■ cause they were the only guys here.

RS Okay well when did all three (3) of them show up to get them?

■ I don't know.

RS Well it was the twentieth (20th), the shooting happened the next night.

■ So it was that night.

RS So when they were all over here, so when you saw them supposedly standing outside and all that, they were already wearing the sweatshirt you bought for your son?

■ Mm hmm.

RS Did you ask them about that?

■ No I didn't ask them about that.

RS Why not.

■ Cause I figure they needed them

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RS The what?

█ I don't know, I just didn't ask them about it.

RS Well you buy something for your son, they go into your room and supposedly steal it, you don't ask them about it?

█ No I didn't ask them about it.

RS You just assumed they needed it. █ you just keep digging yourself a hole.

█ obviously they need them worse than me.

RS Do you realize that, and I don't know who your covering up for or why you're covering up or what's going on but you just continue to keep doing that and getting your self more and more involved in this, you know that, I know that.

█ I'm trying not to,

RS Just tell me the truth that's all we're looking for, just tell us that you know it's simple as that █ and there's no reason to come every time me and Marvin come over here you tell us some bullshit lie that we already know what's going on, just tell us the truth, it's as simple as that.

█ Okay,

RS Okay.

█ Okay. All right I went to Target and bought the sweatshirts.

RS Okay, why did you buy them?

█ Um to tell you the truth I don't even know why, I was just asked to buy them.

RS Who were you asked to buy them for?

█ Um actually for my daughters uh boyfriend for █

RS Uh for █ Okay did █ ask you to buy them or how did, how did that go down?

█ Um I think, I think █ mentioned it yeah.

RS What do you mean mention it?

█ She asked me if I'd buy some sweatshirts for them so I said yeah.

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RS For who?

■ For ■ and I guess his brother and ■

RS Okay what, what and what day was that on was that on the twentieth (20th)?

■ Yeah.

RS The same day you went down there?

■ Mm hmm.

RS Were they all over here or how did that go down?

■ No ■ was here.

RS Just ■ was here, okay, um did you ask why.

■ Uh uh I didn't ask why.

RS Just said mom go buy some sweatshirts and you said,

■ She said for Christmas, is what she said.

RS Okay so you go down to Target, Target,

■ Mm hmm.

RS Buy them bring them back,

■ And give them to her.

RS Give them to who?

■ My daughter and her boyfriend.

RS And ■ Did you wrap them up?

■ No.

RS I thought they Christmas presents?

■ Um that's what I thought they were for, I just gave them, gave them the bag cause um

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RS Okay what time did you get back here?

█ I don't remember.

RS night time, afternoon.

█ It was, it was dark.

RS Okay and so █ and █ are here in the living room and you just say here's the sweatshirts?

█ Mm hmm.

RS Did you see anyone wearing them then?

█ No here no.

RS Okay. And then what did █ and █ do?

█ They went into █ room with the bag and that was the last time I seen them.

RS And what did you do?

█ Um I can't remember I think I left after that, I think I went down to Fairhaven or something (inaudible).

RS Where at, at Fairhaven?

█ Down there for the (inaudible) that was the night that's whenever I came back and those guys were all out here.

Mk Is that Fin Town you said?

█ Yeah.

MK The trailers at the end there you're saying?

█ Yeah trailer?

MK Was it a trailer?

█ Yeah. Right at the end when you first go around the corner.

MK Right when you make the right, it's right there on your right or left?

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█ It's on the left. Um

MK There's a ladies house there to isnt' there or it's his trailer?

█ Yeah.

MK Is that █ or?

█ No █ is um my uh brothers girlfriend, she has a trailer too there yeah, next to the one (1) that I was at,

MK So it's,

█ She's the one (1) that give me a ride home.

MK First one (1) on the left?

█ Mm hmm. She's the one that give me a ride home that night, back home.

RS So when you come home all three (3) boys are here?

█ Well I came back (inaudible) █ showed up and asked for █ car keys and all that (inaudible) can't remember.

RS Okay and um who was wearing what sweatshirts?

█ here we go again now um, I can't remember, lets see, one of them was wearing the dark one, one of them was wearing the, the older brother was wearing the gray one (1) with a tan colored bandana I think

RS I older.

█ I can't remember.

RS Older brother you saw █

GE Yeah I think so.

RS And the other two sweatshirts were darker colors?

GE Mm hmm. (Inaudible) wearing the other one.

RS Who was wearing that.

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■ [REDACTED]

RS [REDACTED] was?

■ Mm hmm.

RS And [REDACTED] was wearing,

■ A coat but I don't,

RS Coat?

■ Yeah.

RS You got two (2) dark hooded sweatshirts and a gray one (1)?

■ Yeah.

RS Okay.

■ I don't know where the third (3rd) one (1) went.

RS And did you say anything, why you guys wearing [REDACTED] sweatshirts or anything like that?

■ No I figured that's what he gave his brother for Christmas.

RS Okay did they pay you any money for it?

■ No.

RS Did [REDACTED] give you any money for it?

■ No.

RS And she's telling you just go pickup some sweatshirts for [REDACTED] that's

■ Sorta yeah, that's all, that's all she said, she asked me if I would, I said sure.

RS Do you remember what kind of sweatshirts they were?

■ Um brand?

RS Okay,



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█ they were just like cheap one's I think.

RS Okay. Do you remember what you did with the receipt?

█ No.

RS What car did you drive down there?

█ I drove my daughters.

RS The Pontiac?

█ The sunbird yeah.

RS Okay. Have you talked to those guys since all this happen, and of them?

█ No

RS You know where they're at?

█ No.

RS Does █ know?

█ I don't know, I don't think so.

RS No one stopped by at all. And so what sizes did you get?

█ Extra, extra large.

RS In all three (3) of them/

█ Mm hmm

RS Why did you get extra, extra large?

█ Cause that's what █ said to get.

RS That's what who?

█ Yeah she told me that's what █ asked her to get so

MK What about the other shirt that you bought with the little package shirt?

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■ Oh yeah right there was a t-shirt huh, that, that was for um ■■■■■ boyfriend too.

RS What kind of t-shirt was that?

■ It was one (1) of those um what do you call it, they call them wife beaters, whatever.

RS Tank top thing?

■ Yeah.

RS The tighter one's, did ■■■■■ ask you to do this in front of ■■■■■

■ Mm hmm.

RS So he already knew what he was getting for Christmas then?

■ Mm hmm.

MK Where's ■■■■■ at now?

■ She's supposedly staying with a friend, ■■■■■ and ■■■■■

RS Where's that at?

■ Down in the other side of Manila, (inaudible) it's hard to explain, down on Peninsula Drive.

RS What's ■■■■■ and them's last name?

■ Uh ■■■■■ last name is ■■■■■

MK Who's uh the lady that answered the door here, does she live here too?

■ Mm hmm.

MK Who's that?

■ She's my roommate, ■■■■■

MK ■■■■■

■ Yeah it's uh ■■■■■ sister.



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MK Pardon?

█ It's █ sister.

MK That's your boyfriend █

█ No he's a just a friend.

MK Friend.

█ He stays in the other room. Can I get another cigarette?

MK Alright.

RS █, so you're telling me they didn't have you go buy the sweatshirts?

█ Who didn't?

RS These, the boys?

█ █ asked me to do it.

RS █ did, so █

█ Yeah.

RS So █ involved in all this then?

█ She's not involved in it, she didn't know I mean, well I didn't know what they wanted the sweatshirt for.

RS Okay. Where did you get the money for the sweatshirts?

█ She give it, █

RS Huh?

█ █

RS I don't believe that though.

█ You don't believe that, well she did.

RS Where did █ get the money from?

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█ (Inaudible) it was a Target card actually.

RS Where did she get the Target card?

█ From █

MK That was no Target card, that was cash.

RS Yeah.

MK You want to try again?

RS Tell us?

█ █ gave me the money then, I can't remember, you guys are, you guys are here, I mean all these questions and everything, I get confused.

RS These are simple questions.

█ I'm getting confused, well yeah but you guys are over here every other day, ask, questioning me and

RS (Inaudible) keep fucking lying to us, we'll, we'd stay out of your hair if you'd stop lying?

█ I'm not lying. She gave me the money, I went and got them sweatshirts.

RS And where did the money come from?

█ I have no idea, from █ I imagine.

RS Did it come from █ did █ gave you the money, how did that go down?

█ He gave it to █ said.

RS █ said █ gave it to them?

█ Yes.

RS And then it wasn't for Christmas presents, it was just to go get some sweatshirts?

█ I don't know what it was for, I didn't ask. I assume it was for Christmas presents.

RS Why do you continue to keep lying to us?



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■ I'm not lying.

RS What the fuck you mean you're not lying?

■ I'm not.

MK You realize when we first started, (inaudible)

■ Every time you guys come in here I get, you guys get, I get confused okay.

RS Alright.

■ I mean (inaudible).

RS Yeah because you're lying and you can't keep them straight.

■ No, I'm not lying.

RS Hasn't she just

■ I just woke up, you just get wake up, woke up from somebody.

RS Mm hmm.

■ Yeah.

MK Well we gave you an opportunity to tell ya, tell us about these sweaters okay

■ I just did

MK No, no you came up with a story that you bought them for your son,

■ I don't want my daughter to get in trouble (inaudible0.

MK I, I understand that

■ Alright, I'm just trying to

MK But,

■ Protect her.

MK Well you're not doing a very good job of it lying when



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█ I know obviously not.

MK Believe me, we're not stupid okay, or else we wouldn't be telling you that you're lying to us.

█ What do you mean I'm not stupid either, I yeah, I'm trying to protect my daughter and um

MK I understand that.

█ from what I understand she's still running around with these guys okay, so I'm concerned.

MK You're probably concerned yes

█ Yes I am,

MK We're very concerned because of the other public out here and other people we work with is been thing happened to them,

█ For all I know right now she could be with them.

MK (Inaudible) you might be right about that.

█ I just don't want her to get hurt.

MK Well I understand that, we don't want her hurt, we don't want anybody else hurt.

█ I don't (inaudible).

MK These people are not nice people.

█ I don't want anybody else hurt either.

MK But you protecting all this stuff is not helping out, it's not looking good for you because we know you're lying to us, you know that don't you, I mean you're even lying to a point it was a Target card, now I mean it's not, of something so small and you're lying about that.

█ I don't want my daughter to get mixed up in all that.

MK I understand █

█ And she already,

MK She is involved in it you know that, you're involved a little bit in it, okay. We just trying,



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█ I don't want to be involved in it.

MK I know you don't want to be involved but you, you are. We are trying to get these guys in custody before somebody seriously gets hurt. They've already done very serious things.

█ I know they have.

MK And it's going to continue on unless it gets stopped okay and people lying

█ Since, since all this has happened I've got rocks thrown at my window over there, my girlfriend got acid put all over her car, don't tell me that it's not them guys doing that shit,

MK Who is it?

█ It's got to be them, who else could it be?

MK It could be some people that are mad at them and coming over.

█ Who, who else?

MK That they've done something to couldn't it?

█ Could be.

MK Yeah. And they know they've been here at your house.

█ It could be them also doing it, you never know.

MK But when they're staying here why would they be doing that █

█ They weren't staying where █ was for a while.

MK I understand that but well why would anybody else do it, it couldn't be █, gees you must be good friends by getting a tattoo from █

█ Yeah right.

MK Well why would you get a tattoo from him then?

█ That was a long time ago, well,

MK How long ago?

█ A couple weeks ago.

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MK Couple weeks ago, okay. There ever been a falling out between you two (2)?

█ No but,

MK Okay why would he do it then?

█ Well cause if he sees that the people, if these guys see you guys out here questioning me everyday and stuff they're gonna think I'm talk, telling all kinds of shit on them and there gonna come you know back and retaliate.

RS █ they don't know anything that you've told us, nothing.

MK How would they know.

RS What did we tell you to tell them, don't tell them shit.

█ They see, they see you guys out here all, I mean, and watch, why don't you guys watch them.

RS And, and, and why are we coming back here, because your lying, oh I've been lying to them, they don't believe me.

█ Alright, well I told you the truth about them sweatshirts, █ give me the money and I went to Target and I bought them.

MK So you really don't know where █ at right now?

█ No I don't.

MK So you lied about that?

█ No she's suppose to be with █ down there around the other end of Manila.

MK When was the last time you saw her?

█ Yesterday morning, actually last night I seen her.

MK Where was that at?

█ Right here at my house. But um she said she was going to stay the night with her old girlfriends and stuff but I, I don't think that's where she's at and what's she doing.

RS Why would she be hanging out with █ after she knows all this is going on?

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■ I don't know. Cause she thinks she's in love I guess I don't know.

RS Has, has ■ every been around when any of this stuff has gone on, has she told you anything about that?

■ Uh uh.

RS So ■ gave you the money from ■ right, how much money did he give you?

■ (Inaudible)

RS Well I'm just asking,

■ I, I, I don't remember.

MK How much you think?

■ Eighty (80) bucks, a hundred (100) bucks maybe.

MK Okay.

RS Did you give them back the change?

■ I gave it back to my daughter.

RS Okay and, and they said mom go down and get uh some sweatshirts for ■

■ Mm hmm.

RS So ■ already knew what was going to happen.

■ Obviously so.

RS Did he mention that to you?

■ No.

RS Did ■ tell you about it though?

■ No ■ said that they were Christmas presents or something, matter of fact, I don't really even,

RS Christmas presents for who?



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■ I don't know, she didn't say.

RS Okay. Why didn't ■ and ■ go down and get the sweatshirts?

■ I don't know.

RS Well why would you just go okay yeah I'll go down?

■ I can't remember or maybe cause I was going to town already I don't know I'm not sure, I'm sure.

RS Did you go anywhere else after that?

■ (Inaudible) I don't think so but I don't know I might have stopped for gas, I don't know (inaudible).

RS Okay did, did he give you gas money to go do that little errand?

■ I think so yeah.

RS Do you remember how much?

■ Um I don't know, probably five (5) or ten (10) bucks.

RS Where, where is ■ getting all his money to give you eighty (80) or one hundred (100) bucks?

■ I don't know, I don't know him that well, I, I don't know, I assume he got it from his parents, I don't, I don't know, that's what I'm assuming I don't, I don't know.

RS So are we going to be back here again tomorrow ■ to ask you, rehash the same questions and all that when we find more stuff out today or are you going to tell us everything?

■ That's pretty much everything, I'm hoping,

RS Not pretty much, we want everything.

■ (Inaudible) yeah that's pretty much everything about sweatshirts and yeah,

RS What was mentioned on this evening about going and doing a robbery, by those three (3) guys?

■ What was mentioned, I, I didn't hear none of it about a robbery.

RS ■ said that they had mentioned that they were gonna go,

■ ■ (inaudible) but I don't know.

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RS But she said you were here and you heard it also?

█ On that evening?

RS Yes.

█ The sweatshirts and that, I didn't, I didn't hear no, no, nothing mentioned about a robbery, I left I think after that. I went down to the trailer down there.

RS And why did █ take off last night, just to go stay with some friends and that was it?

█ She been staying away from home quite a bit,

RS And that's odd for her?

█ Yeah.

RS Why stay away from home when,

█ She quit her job and everything.

RS She did quit her job, why stay away from home when █ was coming over here anyway, right?

█ There you go. Now █ not coming here so she's not staying home. That's just my opinion, and I don't have a vehicle to really be going and checking on her or anything.

RS If we need to go and find █ where should we start looking?

█ Um up around Peninsula Drive, um it's hard to explain, I could take you there but I can't, it's hard to explain, it's like down in a hole, and the house is where she's suppose to be at.

RS Okay.

MK Is that off Peninsula

█ You know where █ (inaudible) lives?

MK Is that Taylor Lane or?

█ Yeah, yeah I think.

MK There's only about three (3) or four (4) houses (inaudible).



█ (Inaudible) would you go like you're going up to the church, you go all the way around, all the way at the end like you're going out of town,

MK Okay.

█ And you go around the tracks there and then there's a road that goes up to the right, and it goes to like a church down there but instead going to the church you go, take another little dirt road and follow it all the way down and it goes back around into a loop and there's a house down in there, that's where she's suppose to be staying at.

MK So you go all the way to the end of Peninsula and it bends around to the left?

█ Mm hmm.

MK And then uh,

█ The road goes up to the right,

MK You make a right and it goes, there's a church there off to the right hand side,

█ Mm hmm.

MK But continue down the road?

█ No you just go, it forks off,

MK Forks off at the church?

█ Before you get to the church, right before you get to the church, the church goes straight and then you fork off this way and it goes down and around you just follow that road, goes around and down into like a little gully like a hole or something, that's where she's suppose to be at

RS And that's a friend of hers'?

█ Yeah,

RS Parents there or?

█ Yeah um her dad's name is █ and her mom's name is █ █

MK █ or █

█ █ Her dad's name is █ █ but █ goes by █ so that's where,

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MK [redacted] and what?

[redacted]

MK And the daughters name is [redacted]

[redacted] Mm hmm.

MK And she goes by what name?

[redacted] She goes by her dad's last name [redacted]

MK [redacted]

RS Would the guys be hanging out down there?

[redacted] I don't know.

RS Or do you think she's just telling you that's where she's

[redacted] Probably, I think that's what she's saying she's going but she's not going.

MK You don't know if she's there or not?

[redacted] Uh uh, no I don't know if she's there or not.

MK Who bought the bottle of booze at uh Winco?

[redacted] I probably was at Winco.

MK The twenty first (21st), Lord Calvert.

[redacted] Um I bought it. I might have, I, I can't remember. I might have bought it I don't remember buying it but possible I bought it.

MK Who else, could have bought it?

[redacted] Mm well there's my roommates live here too, they could have bought it.

MK And which roommate would that be?

[redacted] Mm [redacted] or [redacted] there both of age.

MK [redacted] or who,



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█ █

MK █ Is that the real name?

█ No his real name is █

MK █

RS I talked to him already I got his info.

MK What's █ last name?

█ █

MK How do you spell that please?

█ Uh, █

MK How old is █ do you know.

█ She turned forty (40) in December (inaudible).

MK Do you know a █

█ █ yeah.

MK Which one (1) do you know?

█ █ █

MK Where is she?

█ She lives over in Eureka.

MK She been with you in the vehicle?

█ Um yeah I gave her a ride home one (1) day.

MK When was that?

█ Um it could have been around the twentieth (20th), or twenty first (21st), I can't remember.

MK Where did you go then?

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Where did I go then?

MK Yeah with her?

With I didn't go anywhere with her.

MK Give her a ride, where did you do that to?

Um to on where her mom and dad live.

MK Where's that at?

"E" street.

MK Do you know her mom and dad's name?

Yeah and , I use to baby sit years ago.

MK And their last names

I believe so, it, her last name can be different I don't know, I believe it's

MK And you said on "E" Street?

I think it's "E" Street yeah.

MK Where on "E"?

"E" and trying to think of what street that is, is it "E" street, it's up by the um Municipal Auditorium what's street that on, that E or F?

RS tenth and "H" isn't it. The Veteran's building you talking about?

Yeah the vet, yeah Veteran's Building.

MK Could it be thirteenth (13th) street?

Yeah it's just like two (2) blocks past that, where the Veteran's Building is you're right, I'm thing the (inaudible)

MK E or F, do you remember the color of house or anything?

Yeah it's . They live right there on the corner, it's like I think it's "E" Street, I

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don't know.

MK Take her to Winco?

█ Did I take her to Winco?

MK Yeah.

█ █

MK She use your daughters car?

█ She used my daughters car?

MK Mm hmm.

█ Uh no.

MK Does she run with uh █ or █, you know of or?

█ Um yeah she has in the past, I believe she has a kid by one (1) of them, not for sure about.

RS █ old lady?

█ Mm hmm.

MK She has his daughter by him?

█ I didn't take her to Winco, I just dropped her off at her house.

MK How old is █ you think?

█ Um I don't know twenty six (26), twenty five (25), twenty six (26) somewhere in there.

MK How old is the child?

█ I don't know her little girl is probably about three (3), two (2) or three (3), she has a couple of kids I think.

MK She work anywhere?

█ Not that I know of, I don't know, I don't know, she could I don't know, that I know of no.

MK She live with her mom and dad there?

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■ I believe so.

MK Or do you know?

■ I'm just assuming she does. I mean I'm not, I'm not sure if she lives there with her mom and dad or not, I don't,

MK Did you go in the house?

■ Uh uh.

MK How do you know the mom and dad's there?

■ because uh I could see them through the window when I pulled up and dropped her off.

MK Is that there mom and dad's house, that you know of?

■ That's her mom and dad's house.

MK Does she have a car or not?

■ Not that I, I don't think so, no.

MK Is that why you were giving her a ride?

■ Mm hmm.

MK So you think you might have gave her a ride around the twentieth (20th) or twenty first (21st)?

■ Mm hmm.

MK And where were you giving her a ride from?

■ Here.

MK So she was out here?

■ Mm hmm.

MK What was she doing out here?

■ Um I don't know.



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MK And you didn't go in and buy a bottle of booze (inaudible)

█ No I didn't remember that, I don't, I think so.

RS Hey █ so as far as loaning the car out to those three (3) guys, you've only loaned it out to █?

█ Mm hmm.

RS You've never given the car to █ or █ to drive?

█ No.

RS Has █

█ █ might have I, I haven't.

RS Okay you're usually the one (1) that loans out the car though?

█ No not usually she is actually.

RS Well who's she loan the car out to?

█ I don't know.

RS Have you ever seen her loan the car out to anyone?

█ Yeah she's loaned it out to um, lets see, she's loaned it out to her dad, her dad's drove it before.

RS What about those three (3) guys, you've never seen her do that?

█ To █ yeah.

RS You have?

█ Yeah she's, she's been with him when they drove it.

RS Okay.

█ That's yeah,

RS When uh █ and uh █ leave, who drives?

█ She drove most of the time but she let him drive once I think.



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RS Okay. And when those guys left that night, who, who was where in the car?

█ I don't remember.

RS Did you see them get in?

█ Uh, uh, no, (inaudible), or I, I can't remember, really seriously.

RS Okay. Did um do you ever remember seeing any of them in a brown coat or anything like that?

█ A brown coat?

RS Or tan coat, anything like that?

█ No but I seen that, I seen one (1) of them uh tan bandana on.

RS Who had a tan bandana on?

█ I think it was █

RS █

█ Mm hmm.

RS with the gray sweatshirt on?

█ Mm hmm.

RS How was he wearing that?

GE He has a bandana on and a hood pulled up over it.

RS So around his fore head and hood over it?

█ Mm hmm.

RS Okay. I

█ I don't remember no brown coat.

RS Last time you saw them they were wearing those sweatshirts, except █, wasn't wearing one (1).



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■ Right.

RS He was wearing a dark colored,

■ Coat yeah. A waist coat like

RS Like something like Marvin's wearing?

■ No, it was um longer than that.

RS Okay.

■ It was like down to here.

MK Like a trench coat, was it that long?

■ No it wasn't that long (inaudible) it was about down to here, and it had like you know like elastic kind of right here

MK Uh huh.

RS On the back part?

■ Yeah and it had a hood and yeah.

RS Okay. You have anything else. Anything else ■?

■ No.

RS So we don't have to come back?

■ No.

RS positive, you're not positive so, if there's something more tell us (inaudible).

■ I'm trying to think if there's anything more that to say, I'm not positive but I hope.

RS And you got my card?

■ Yeah I still got your card.

RS So if there's any little tidbit of information,

■ Uh huh.

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RS You need to call me.

█ Okay.

RS Alright.

█ Alright, I will.

RE I'll end the interview at ten eleven (10:11).

End of transcript.

After speaking with █, Det. Kirkpatrick arranged with her to have █ vehicle released to her. At about 1040 hours, we arrived at the Sheriff's Office Boat Shed/Storage Facility with █ and █ who possessed a valid driver's license. Det. Kirkpatrick then released the vehicle to █ and █

On 12/27/06 at about 1346 hours, I met with ET █ in my office. She took possession from me the gray sweatshirt that was recovered from █

This case will be submitted to the District Attorney's Office. All CD statements and photos were placed into evidence at the Sheriff's Office along with 35mm film. The transcripts in this case were also attached.

Disposition: No further information.

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SUPPLEMENT 4 - SUPPLEMENTAL

On 12-22-2006 at 0400 hours, I received a telephone call at my residence from our dispatch center. The dispatcher advised me that the on-call duty officer, Lt. Cavinta was requesting that I respond to Togo Street, Eureka. Dispatch advised me that Deputy Justin Braud was just involved in a vehicle pursuit and the passenger of the vehicle had shot at Deputy Braud when he fled the scene.

I then left my residence and I arrived at the scene on Togo Street at approximately 0445 hours. I then contacted Deputy Justin Braud, who relayed the following information to me. Deputy Braud told me that he was on duty tonight working the graveyard shift out of main station patrol Eureka from 2000 hours until 0600 hours. Deputy Braud told me that this morning at approximately 0335 hours he was parked in his marked patrol vehicle, [redacted] in the entrance to the apartment complex at [redacted] Eureka. Deputy Braud said that his patrol vehicle was parked facing the Safeway store located on Harris Street and Harrison Avenue, Eureka. Deputy Braud told me that Deputy Silva was in his patrol vehicle parked next to his patrol vehicle. Deputy Braud told me that himself and Deputy Silva were talking to each other when he observed a [redacted] 4 door, Pontiac Sunbird pass his location westbound on Harris Street.

Deputy Braud told me that he believed the [redacted] Pontiac Sunbird looked similar to a recent vehicle that was used in an armed robbery at the Harris and K Street Market on 12-19-2006. Deputy Braud said he learned that information from briefing on a Be On the Look Out (BOLO) from the Eureka Police Department, regarding an armed robbery that occurred on 12-19-2006. (See attached teletype BOLO bulletin form the Eureka Police Department). Deputy Braud said that he told Deputy Silva that the vehicle looked similar to the BOLO from the Eureka Police Department, regarding the [redacted] vehicle in the recent armed robbery.

Deputy Braud said that he then drove his patrol vehicle onto Harris Street westbound in an attempt to catch up to the [redacted] Pontiac Sunbird which he saw westbound on Harris Street cresting the hill near Dolbeer Street. Deputy Braud said he lost sight of the vehicle when it crested the hill on Harris Street near Dolbeer. Deputy Braud said he then started checking the streets and area for the vehicle. Deputy Braud told me as he was traveling northbound onto Harrison Avenue near Coast Central Credit Union he saw what he believed to be the same vehicle turning northbound onto Harrison avenue from St. Joseph Hospital entrance/ exit. Deputy Braud said he contacted Deputy Silva on the radio and advised him that he had located the vehicle traveling on Harrison Avenue towards General Hospital.

Deputy Braud told me that he was able to catch up to the vehicle on Harrison Avenue near General Hospital and he saw the rear license plate number which was California [redacted]. Deputy Braud said that the vehicle then turned suddenly into parking lot at General Hospital without using a turn signal. Deputy Braud said the vehicle then accelerated towards the back of the parking lot near Humboldt County Juvenile Hall. Deputy Braud said the vehicle then turned southbound in the parking lot towards the rear entrance to General Hospital's Urgent Care. Deputy Braud said that the vehicle started to increase it's speed and was screeching the tires as it swerved through the parking lot in a reckless manor. Deputy Braud said the vehicle then pulled onto 23rd Street from General Hospital parking lot. Deputy Braud said at this time he turned on his overhead emergency lights on his patrol vehicle to conduct a traffic stop for reckless driving. Deputy Braud said the vehicle then continued to speed up and slid sideways as it turned eastbound onto 23rd Street towards Harrison Avenue. Deputy Braud said that the vehicle did not stop at the stop sign at Harrison Avenue and 23rd Street.

Deputy Braud said that he then told dispatch that he was in pursuit of the vehicle. Deputy Braud said that the vehicle turned eastbound into a parking lot at [redacted], which is the parking lot for North Coast Surgical Specialists. Deputy Braud said that he followed the vehicle through the first parking lot off Harrison Avenue which was adjacent to a second parking lot which exited off Togo Street. Deputy Braud said as the vehicle approached Togo Street from the parking lot it ran over a raised cement shrubbery boarder in the parking lot. Deputy Braud said at this point a few feet before the vehicle reached Togo Street both the passenger and drivers front door began to open while the vehicle was still moving Deputy Braud said the vehicle stopped just as it reached Togo Street from the parking lot. Deputy Braud said he then stopped his vehicle approximately 30 feet behind the [redacted] vehicle.

Deputy Braud said he then saw the driver of the vehicle exit his vehicle. Deputy Braud could only described the driver as a white male or perhaps Indian male, who was wearing a dark tan jacket. Deputy Braud said that the male [redacted] then immediately began running northbound on Togo Street from his vehicle. Deputy Braud said as the driver of the vehicle was running northbound on Togo Street he saw the passenger exit the vehicle. Deputy Braud could only described this [redacted] as a white male adult or perhaps an Indian male adult, who was wearing a gray sweat shirt. Deputy Braud could not recall if the gray sweatshirt had a hood. Deputy Braud said he saw the passenger of the vehicle pointing an unknown, dark colored, handgun towards him with what he believed to be with his right hand. Deputy Braud said that the passenger of the vehicle was standing near the rear passenger side trunk area of the vehicle when he saw him pointing the handgun at him.

Deputy Braud said he then saw a muzzle flash from the handgun and he heard a loud gunshot. Deputy Braud said he was standing near the drivers door of his patrol vehicle when he witnessed the gunshot. Deputy Braud said he immediately went back to his patrol vehicle drivers door for cover and drew his firearm. Deputy Braud said he saw the [redacted] turn back towards the front of the [redacted] vehicle and he saw the rear back windshield shatter on the [redacted] vehicle. Deputy Braud said the passenger of the vehicle then ran southbound on Togo Street and he immediately lost sight of him. Deputy Braud told me he only heard and saw one gunshot form the [redacted] Deputy Braud told me that he never fired his weapon at the [redacted]

Deputy Braud said he then began to approach the [redacted] vehicle as Deputy Silva arrived on scene as his back up. Deputy Braud said he looked in the vehicle for any more [redacted] with negative results. Deputy Braud said that he turned off the vehicle's ignition

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and waited for additional unit to arrive before they started to check the area for the [redacted] Deputy Braud said that he checked the ground around the rear of the [redacted] vehicle for any shell casings with negative results. Deputy Braud said that he did notice what appeared to be a recent bullet hole in the right rear fender area near the trunk of the [redacted] vehicle.

Deputy Braud told me a short time later Eureka Police Department Sergeant O'Neill, Officers Harkness and Cassetti arrived to assist in the search of the area for the [redacted] with negative results. Deputy Braud told me that Sgt. Freese from our office also arrived on scene to assist in the investigation.

Deputy Braud told me when they were checking the area for the [redacted] officers located several items of evidence on the ground that may have been dropped by the driver of the vehicle as he ran north on Togo Street from the vehicle. Deputy Braud then showed me those items as evidence. The first item of evidence, I saw on the ground just north of the [redacted] vehicle on Togo Street was a small plastic bag laying in the middle of the street. I then saw a white, Virgin Mobile cellular telephone laying on the ground on Togo Street several feet north of the small plastic bag. The white cellular phone was a flip type phone and was open on the ground. I placed paper over both of these items to protect them from the rain, prior to collecting them as evidence.

Deputy Braud then showed me a large plastic bag laying on the ground in the driveway of [redacted], which would be north of where the cellular telephone was laying on the street. This plastic bag appeared to contain dried marijuana. I placed a cardboard box over this plastic bag to protect it from the rain, prior to collecting it as evidence. Deputy Braud and I then walked north from this plastic bag behind the residence located at [redacted]. When I walked behind the residence Deputy Braud showed me a black and red San Francisco 49ers baseball cap laying on the grass near a retaining wall. I did not touch the baseball hat, which was left to be collected as evidence at a later time.

I then walked back over to Deputy Braud's patrol vehicle and the [redacted] vehicle. I looked at the [redacted] 4- door, Pontiac Sunbird, California license number [redacted] I saw that the rear window to the vehicle was shattered out. I saw one bullet hole in the rear passenger side fender near the trunk. I saw a light colored knit cap laying on the ground in the parking lot just behind the passenger side of the vehicle. It appeared that the knit cap fell out of the vehicle as the passenger was opening the door, prior to the vehicle coming to a stop.

I then contacted identification technician [redacted] by cellular telephone and requested that she respond to the scene to collect evidence that the [redacted] had dropped and to fingerprint the [redacted] vehicle. [redacted] arrived on scene at 0650 hours. (see her reports for details of the evidence collection and diagram of the crime scene). Deputy Fulton arrived on scene at approximately 0630 hours to assist with securing the scene.

I looked at Deputy Braud's patrol vehicle, unit number [redacted]. I could not find any evidence that his patrol vehicle had been struck by any bullets. I checked a fence just to the north of his patrol vehicle and I could not find any evidence that the fence had been struck by a bullet. I checked the parking lot and pavement and I could not find any evidence of a bullet striking the parking lot or pavement. We left Deputy Braud's patrol vehicle parked where it was when the [redacted] fired his weapon at him, so [redacted] could photograph the patrol vehicle and [redacted] vehicle.

Sgt. Quenell, Detectives Schlesiger, Kirkpatrick and Nord arrived on scene to assist in this investigation. (See their reports for details). I had dispatch provided me with the registered owner information through the Department of Motor Vehicles on the [redacted] Pontiac Sunbird, California License number [redacted]. Dispatch advised me that the vehicle is currently registered to a [redacted] at [redacted] Arcata.(See Department of Motor Vehicles teletype attached to this report).

I requested that Detectives Schlesiger, Nord and Sgt. Quenell respond to [redacted] Arcata to contact [redacted] to learn, who was driving her vehicle tonight. Detective Schlesiger then responded to [redacted] Arcata. Detective Schlesiger later contacted me and told me that he had located the current owner of the vehicle a [redacted] at [redacted], Manila. [redacted] told Detective Schlesiger that she give her vehicle to three [redacted] last night at approximately midnight. Detective Schlesiger said that [redacted] identified the three [redacted] as [redacted] and a [redacted]. Detective Schlesiger learned that [redacted] left the residence wearing a gray sweatshirt (See his report for details).

I spoke to Deputy Silva, who relayed the following to me regarding this incident. Deputy Silva told me that he was parked in his patrol vehicle with Deputy Braud in the parking lot at [redacted] Deputy Silva told me that Deputy Braud told him that he saw a vehicle pass their location westbound on Harris Street that looked suspicious. Deputy Silva told me that Deputy Braud told him that he was going to follow the vehicle and he then went west on Harris Street. Deputy Silva said that he turned his patrol vehicle around to follow Deputy Braud, but he lost sight of Deputy Braud.

Deputy Silva said he spoke to Deputy Braud on the radio and was advised that Deputy Braud lost sight of the vehicle and he believed that the vehicle had attempted to avoided him. Deputy Silva said a few minutes later Deputy Braud told him on the radio that he had located the vehicle behind General Hospital. Deputy Silva said he then started north towards Deputy Braud's location from Harris Street at Harrison Avenue. Deputy Silva said as he passed 23rd Street he saw Deputy Braud's patrol vehicle with his overhead emergency lights on behind a [redacted] sedan. Deputy Silva said he saw the [redacted] sedan run the stop sign at 23rd and Harrison Avenue.

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Deputy Silva said he saw the [redacted] sedan turn into a parking lot off Harrison Avenue with Deputy Braud's patrol vehicle following the [redacted] sedan. Deputy Silva said that he turned his patrol vehicle around to assist Deputy Braud in the traffic stop. Deputy Silva said he heard over the radio Deputy Braud state, he was going to be in foot pursuit of the occupants of the vehicle. Deputy Silva said he then heard over the radio, shots fired. Deputy Silva said he then pulled his patrol vehicle to the south of Deputy Braud's patrol vehicle in the parking lot at [redacted]. Deputy Silva told me that he did not hear any gunshots, nor did he see any [redacted] when he arrived next to Deputy Braud. Deputy Silva did tell me he saw that the rear window to the [redacted] sedan was broken out. Deputy Silva told me that himself and Deputy Braud waited for additional units before they started checking the area for the [redacted]

At 0600 hours, I spoke to [redacted] [redacted] lives at [redacted] and is the residence where the driver of the vehicle ran through the driveway and to the rear of his residence. I asked [redacted] if he heard anything or saw anything this morning. [redacted] told me that he was sound asleep and did not hear any gunshots, nor did he see anyone running by his residence. I asked [redacted] if he owned a San Francisco 49ers baseball cap, because we found one laying in his backyard. [redacted] told me that the baseball cap did not belong to him or anyone who lives at his residence. I showed [redacted] where I placed the cardboard box over a plastic bag in his driveway. [redacted] told me that the plastic bag was not in his driveway yesterday. I asked [redacted] not to touch the baseball cap or the cardboard box, because we were collecting those items as evidence.

At 0830 hours, I spoke to [redacted], who is the maintance supervisor for Pacific Care Home located at 2211 Harrison Avenue. [redacted] told me that he was working graveyard last night at the care home. [redacted] told me that at night he sometimes listens to a police scanner. [redacted] told me that this morning at approximately 0330 hours he was listening to the police scanner when he heard a Deputy Sheriff broadcast over the scanner that he was following a vehicle over by General Hospital. [redacted] said he then went outside of the care home and stood on the loading dock which is on Roane Avenue near Togo Street. [redacted] told me he saw a Sheriff's Patrol vehicle with it's overhead lights on drive down a parking lot to the south of location. [redacted] said he could see another vehicle for a second that the Sheriff's vehicle was following, but he could not tell what type of car it was. [redacted] showed me the view he had of the parking lot to the south of where he was standing. [redacted] could only see part of the parking lot because of buildings which blocked his view. [redacted] could not see where the [redacted] vehicle stopped or where Deputy Braud parked his patrol vehicle behind the [redacted] vehicle. [redacted] said as he lost view of the Sheriff's vehicle he almost immediately heard, one loud gunshot.

[redacted] said he then heard over the police scanner someone broadcast, shots fired. [redacted] said he was still standing on the loading dock when he saw a male [redacted] running at full speed north on Togo Street. [redacted] said that the male [redacted] was wearing a brown coat. [redacted] said that the male [redacted] was approximately 5-10, but he could not give any other description. [redacted] said that the male [redacted] ran down [redacted] driveway and he then lost sight of him. [redacted] said he did not see or hear anything else.

At approximately 0845 hours, I assisted ID Tech [redacted] in collecting the "Virgin mobile", white cellular telephone as evidence. [redacted] picked up the cellular telephone with rubber gloves on and read back to me calls that were received and called by the cellular telephone. [redacted] collected the cellular telephone as evidence. Telephone number assigned to telephone [redacted]

Incoming calls on the cellular telephone.

- 7:10 pm--- [redacted]
- 9:09 pm--- [redacted]
- 6:58 am--- [redacted]

Out going calls.

- 2:08 am--- [redacted]
- 2:42 am--- [redacted]
- 2:43 am--- [redacted]
- 2:44 am--- [redacted]
- 2:54 am--- [redacted]
- 3:21 am--- [redacted]

Missed calls.

- 6:35 am--- [redacted]

Detective Kirkpatrick later researched on the Internet, ANY WHO on line directory and [redacted] returns to a [redacted] Eureka.

- 7:30 am--- [redacted]

At approximately 0900 hours, I spoke to Deputy District Attorney Wes Keat on the telephone. I briefed DA Keat, regarding this case. I

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told DA Keat that we had the [redacted] vehicle on Togo Street, Eureka and that the passenger of the vehicle and fired a shot at Deputy Braud this morning after a brief pursuit. I told DA Keat that the [redacted] vehicle had a bullet hole in the passenger side rear fender wall near the trunk. I asked DA Keat if we could without a search warrant cut the metal out of fender to preserve the bullet hole as evidence. DA Keat told me that we could seize the metal out of the vehicle to preserve it as evidence with out a search warrant.

I then contacted Deputy Roy Reynolds, who responded to my location with the cutting equipment necessary to remove part of the fender. I then witnessed Deputy Reynolds cut the piece of the fender out that contained the bullet hole. The metal part of the fender with the bullet hole was then given to ID Tech [redacted] to collect it as evidence.

At approximately 1030 hours, I assisted ID Tech [redacted] with collecting the following items as evidence out of the [redacted] 4 door, Pontiac Sunbird, California license number [redacted]

- 1) Broken glass from the rear window of the vehicle.
- 2) A portion of expended bullet lead was recovered from inside of the trunk.
- 3) Black plastic case with "TDK" printed on the front of the case. This item located on the front floor of the passenger side of the vehicle. Inside of the case we located several items which included, a "Panther" max stun gun, Samsung cellular telephone, M-80 explosive device, Ford car keys, Target receipt, road flare, 2 Winchester, .38 caliber hollow point bullets plus P.
- 4) Trunk area fender well right side, Samsung digital camera.
- 5) Metal fender panel with bullet hole.
- 6) Piece of white paper taped to dashboard passenger side. [redacted] written on front of paper.
- 7) Empty Chetta bag center counsel
- 8) half a cigarette located in center counsel
- 9) 3 photographs passenger side roof
- 10) left rear floor board, miscellaneous papers, receipt from Winco dated 12-20-2006, receipt from Staples dated 12-21-2006 @ 12:19 pm, Schafer Ace hardware dated 12-19-2006, receipt from Staples dated 12-21-2006 @ 12:20 pm, utility gloves empty package.
- 11) under drivers seat, cigarette
- 12) under drivers seat, empty plastic syringe container
- 13) under drivers seat, receipt dated 08-18-06 for a [redacted]
- 14) 3 photographs drivers side roof

All of these items were photographed and collected as evidence by ID Tech [redacted]

After the vehicle was processed for evidence, I had it towed to our evidence storage facility by Pacific Towing out of Eureka. On 12-27-2006 the vehicle was released to [redacted], who is the mother of [redacted]

I had dispatch put out a BOLO for officer safety reasons that [redacted] may have been involved in the attempt homicide of a deputy sheriff and they are to be considered armed and dangerous.

Follow up was done on the receipts that were located in the vehicle form Winco, Target and Staples by Detective Kirkpatrick. Detective Kirkpatrick asked the business for video to see who purchased the items listed on the receipts. (See his supplemental report for details).

At this time, I belive the [redacted] who shot at Deputy Braud is [redacted]. I base this opinion because a witness puts [redacted] in the vehicle at midnight wearing a gray sweatshirt. Deputy Braud observes the [redacted] who shot at him wearing a gray sweatshirt. I also spoke to ID Tech [redacted] regarding this case. [redacted] told me that of the latent fingerprints that she removed from the drivers window of the vehicle matched [redacted] fingerprint.

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On 12-26-2006, I contacted Lt. Jimenez, who is the supervisor in charge of our dispatch center. I asked Lt. Jimenez to provide me with a CD of the radio transmissions, regarding Deputy Braud's pursuit of the [REDACTED] vehicle in this case. Lt Jimenez then provided me with a cd containing Deputy Braud's radio transmissions. I then booked that CD into evidence.

On 12-27-2006, I spoke to Parole Officer Topp, who told me that [REDACTED] is wanted by State Parole and there is a warrant for his arrest in NCIC. Parole Officer Topp told me at this time she does not know his current location.

[REDACTED] currently has a felony warrant for his arrest for 211, 212.5, 12403.7 PC and 2800.2 (A) CVC. Bail \$150,000 dollars. [REDACTED] has a second misdemeanor warrant for his arrest for 422, 417 (A) (1) PC , bail \$10,000 dollars.

[REDACTED] currently has a no bail, juvenile warrant for his arrest for 245, 488, 460 PC, 25662 BP, 777 W&I.

On 12-28-2006, I wrote a search warrant for the write, Virgin Mobile cellular telephone that we seized as evidence. The search warrant was signed by Superior Court Judge Reinholtsen on 12-28-2006 at 1050 hours. Search warrant # 6183. I then faxed a copy of the search warrant to Sprint/Nextel office at [REDACTED]. I then called Sprint/Nextell office at [REDACTED]. I was advised that they had received the search warrant and it would take at least 7-10 days to process to give me the information. I also mailed a copy of the search warrant to their office in Kansas.

On 01-03-2007 at 1000 hours, I responded to the Eureka Police Department and met Detective Neil Hubbard, who told me that they had [REDACTED] in custody. Detective Hubbard and I then went into an interview room to speak with [REDACTED]. Detective Hubbard started to read [REDACTED] his rights per Miranda and [REDACTED] said, I want my attorney. We then ended our conversation with [REDACTED]

[REDACTED] was then transported to the Humboldt County jail by EPD. I then filled out a booking request for [REDACTED] on 4 separate warrants for his arrest. The first warrant, docket# CR066799S, charges 211, 212.5 , 12403.7 (G) PC, 2800.2 (a) CVC. Second warrant, docket # CR066859S, charges 245 (A) (2) , 12021 (A) PC. Third warrant, docket# CR065444S charges 422, 417(A) (1) PC. Fourth warrant, docket# CR065770S, charges 12500 (A) , 16028 (A), 22349 (B) CVC.

I then booked [REDACTED] on this case for 664/ 187 PC , 245 (d) (1) PC, 2800.2 CVC, 23103 (a) CVC. The jail normally has a bail of \$ 500,000 dollars on these charges. I am concerned that [REDACTED] may attempt to make bail on the above listed charges. I am aware that [REDACTED] is associated with several armed robberies in Humboldt County. I am concerned for the safety of the citizens of Humboldt County if he makes bail. I then contacted Superior Court Judge Reinholtsen, who authorized an increase to \$ 1,000,000 dollars in bail for [REDACTED] in this case. I then contacted the Humboldt County Jail, who then raised [REDACTED] bail.

Request copy of this report be sent to the DA's office.

Supplemental reports to follow when information from search warrant at Sprint/ Nextel on the owner of the cellular telephone that recovered at the scene.

CONTROLLED DOCUMENT

Prepared By: 0330 HANSON, WAYNE E

Date: 12/26/2006

Approved By: 0527 CAVINTA, GEORGE V JR

Date: 01/03/2007



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826 4TH ST EUREKA, CA 95501 707-445-7251

200607822

SUPPLEMENT 5 - EVIDENCE REPORT

On December 22, 2006 at approximately 0420 hours, I was contacted at my residence by HCSO Dispatch Center. I was advised a shooting had occurred in Eureka involving Deputy Braud. I was told the [redacted] had fired a weapon at Deputy Braud during a traffic stop. I was advised Deputy Braud was not injured. I was told Sgt. Hanson was enroute to the scene. I contacted Sgt. Hanson on his cell phone. Sgt. Hanson stated the [redacted] had fled on foot and the vehicle involved was still on scene. Sgt. Hanson stated he would inform me if the vehicle was to be towed or if I would be needed to process the scene. Sgt. Hanson telephoned me shortly after and advised there was evidence on scene and requested I start enroute to Togo Street located off of Harrison Ave. behind Duck's Market.

At approximately 0646 hours, I arrived on scene and met with Sgt. Hanson. Also on scene were Deputy Fulton, Detective Kirkpatrick and Deputy Braud. Sgt. Hanson briefed me on the incident. I was told Deputy Braud had initiated a traffic stop on the [redacted] vehicle. I was told as Deputy Braud was exiting his patrol unit the passenger of the [redacted] vehicle exited the vehicle and fired a weapon at Deputy Braud. I was told Deputy Braud was outside of his vehicle when the weapon was fired. I was told there may have been two shots fired. I was told both of the [redacted] fled from the vehicle. I was told the driver had fled northbound on Togo Street and the passenger had fled southbound on Togo Street.

Deputy Braud's patrol unit, [redacted] Ca Exempt [redacted] was located in a parking lot between Harrison Ave. and Togo Street behind the Surgical Associates building located at 2321 Harrison Ave. Surgical Associates is located on the west side of Harrison Ave. between Roane and Renfrew streets. Deputy Braud's vehicle was facing west with the driver's door open. The [redacted] vehicle was located on Togo Street. The vehicle was a [redacted] Pontiac Sunbird with California license plate number [redacted]. The vehicle was perpendicular to the roadway and the front of the vehicle was facing west. The vehicle had traveled west through the parking lot, over a concrete edged planter area and over the sidewalk before stopping on Togo Street. The doors of the vehicle were shut and the stereo was playing music. I was told that Eureka Police Department Officers had turned the lights to the vehicle off. I noticed what appeared to be a bullet hole located in the right rear fender just below the edge of the back window. The back window was completely shattered and most of the window glass had fallen into or on the vehicle.

Sgt. Hanson told me the area near the vehicles had been searched for possible spent cartridge cases but none were located. Sgt. Hanson told me Deputy Braud's patrol unit and the fence located on the north side of the parking lot had been thoroughly searched for possible bullet holes but none were located.

Sgt. Hanson told me several items of possible evidence had been located in the area prior to my arrival. Sgt. Hanson had protected these items using paper bags and a box. Sgt. Hanson showed me where the items were located. There was a knit cap located in the parking area between Deputy Braud's patrol unit and the [redacted] vehicle. There was a cell phone and small plastic bag located on Togo Street near the intersection at Roane Ave. There was a large plastic zip-loc bag located in the front yard of the residence on the northwest end of Roane Ave. There was a baseball cap located in the backyard of this same residence.

I placed numbered yellow evidence markers near the items. The evidence markers were numbered 41-45 denoting items 1-5.

Using a Nikon digital camera, I took photographs of the front and back of Deputy Braud. I also took photographs of the approximate position of Deputy Braud when the weapon was fired by the [redacted]

After photographing Deputy Braud, I proceeded to photograph the area. Using a Sony 8mm video camera, I proceeded to videotape the area. The 8mm video tape was later booked into evidence. I continued to photograph throughout the crime scene processing.

I proceeded to perform a search of the parking lot area and the fence located on the north side of the parking lot for possible bullet holes and bullets. Deputy Fulton assisted me in the search using a metal detector. I searched the east and south sides of the Surgical Associates building for possible bullet holes. We were unable to locate any possible bullet holes or bullets.

I proceeded to collect the following items of evidence: #1 gray knit cap; #2 clear plastic bag approx. 1 1/2 inches x 1 3/4 inches containing green leaf residue; #3 white and black Virgin Mobile cell phone; #4 clear Ziploc bag approx. 7 inches x 9 inches containing an additional plastic bag with 1.9 g GFW white crystal substance (inside plastic sandwich bag), clear plastic bag approx. 7 inches x 8 inches with possible marijuana 17.2 g GFW and one clear plastic bag approx. 1 3/4 inches x 2 inches with white crystal residue; #5 red and black San Francisco NFL baseball cap size 7 1/8. All of the items were wet due to condensation. These items were later booked into evidence. The evidence markers were left in place for diagramming purposes.

After collecting the evidence, I proceeded to take measurements and diagram the area. I was assisted by Deputy Fulton. I measured Togo Street between Roane Ave. and Renfrew Ave. to be approximately 433 feet. I measured from the west side of Harrison Ave., through the parking lot, to the rear bumper of Deputy Braud's vehicle to be approximately 174 feet. I measured from the driver's door of Deputy Braud's vehicle to the rear bumper of the [redacted] vehicle to be approximately 42 feet. Deputy Braud's driver door was open. Deputy Braud stated he was standing at the end of the door when the shot(s) were fired. Evidence Marker #42 (item #2 plastic bag) measured approximately 107 feet north on Togo Street from the [redacted] vehicle. Evidence Marker #43 (item #3 cell phone) measured approximately 133 feet north on Togo Street from the [redacted] vehicle. I measured approximately 34 feet from the south side of Roane Ave. at Togo Street to the driveway of the residence located at [redacted] Roane Ave. I was told this was where the driver of the [redacted] vehicle had fled. Evidence Marker #44 (item #4 Ziploc bag with possible marijuana/methamphetamine) measured approximately 68 feet from the entrance of the driveway. The Ziploc bag was located near the front entrance of the residence.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1302 [redacted]	12/27/2006	0330 HANSON, WAYNE E	03/12/2007



HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 5 - EVIDENCE REPORT

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Evidence Marker #45 (item#5 baseball cap) was located in the backyard of the residence. I measured approximately 71 feet from the beginning of the cement walkway, located at the front of the residence to a set of stairs located at the back of the residence. The walkway traveled in a north-south direction and was located between the residence and the garage. I measured approximately 20 feet traveling down the cement stairs at the back of the residence to the bottom of a retaining wall. The retaining wall was situated in a north-south direction. I measured approximately 29 feet from the bottom of the stairs north to where the baseball cap had been located. The baseball cap was found laying on the ground at the bottom of the retaining wall. The backyard was completely fenced with a gate leading to a pasture below on the east side of the residence. The pasture ended at a densely wooded area. There was a fence located on the west side of the backyard. There was a gate that opened to an alley. Pacific Care Home was located on the west side of the alley. Refer to attached diagram for details.

Sgt. Hanson informed me we would be processing the [redacted] vehicle on scene. The vehicle was wet from condensation. While waiting for the vehicle to dry, I assisted in searching the area for additional evidence and the firearm used in the shooting. I searched the areas on the east and west sides of Togo Street from Roane Ave. to Renfrew Ave. There was an empty lot located on an embankment on the west side of Togo Street across from the [redacted] vehicle. The embankment traveled downhill to a fence which separated the lot from the pasture and wooded area below. I searched this area. I was unable to locate any further evidence or a firearm.

At approximately 1010 hours, we proceeded to search the [redacted] vehicle. Using a Nikon digital camera, I took photographs of the vehicle. I continued to photograph throughout the search.

The driver's window and front passenger window were rolled down approximately 2/3 of the way. The rear window was shattered with some of the glass remaining at the edges. I noticed several dents throughout the exterior of the vehicle and areas of rust. The stereo was on and playing rap type music. The automatic transmission gear shift was in the "Park" position and the key was in the ignition and turned off. I noticed damage to the front portion of the vehicle. The plastic section which contained the Pontiac emblem was hanging loose and cracked. There was wood and vegetation debris throughout the left front section of the vehicle including the headlight and bumper. There was what appeared to be a bullet hole in the right rear quarter panel. The hole was located approximately 2 inches from the bottom right corner of the rear window. A section of the rubber window gasket was missing at the bottom right corner of the window. The hole was located above the right rear tire. I measured the hole to be approximately 1 inch x 3/4 inch.

Deputy Reynolds and Deputy Fulton proceeded to cut out the area of metal containing the possible bullet hole. This piece of metal along with the bottom right corner of the window was later booked into evidence. Deputy Fulton located a possible bullet and metal fragments inside the right rear fender well. I later weighed the metal to be approximately 9.1 grams. The possible bullet and metal fragments were later booked into evidence. We located a Samsung Digimax 301 camera [redacted] inside a black case in the right rear fender well. This item was covered with a layer of dust and appeared to have been in this location for a while. I collected this item and later booked it into evidence. I collected a sample of glass from the rear window. The glass sample was later booked into evidence.

We searched the trunk of the vehicle and located several items of wet clothing but no significant items of evidence. We continued to search the interior of the vehicle. The following items of evidence were collected and later booked into evidence: a black "TDK" case containing: pair of black sunglasses, white paper napkins, partial roll of black electrical tape, Camel cigarette pack, Kyocera cell phone battery, Kyocera cell phone manual, red road flare, Samsung cell phone [redacted] Virgin Mobile minute cards, 1 STI Mobile minute card, Virgin Mobile and Samsung User Guides, Camel cigarette box containing 2 Winchester .38 SPCL + P bullets, clear plastic bag with screws/hardware, firework, screwdriver, Panther Power Max Stun Gun 500,000 Volts and 2 - 9 volt batteries, set of keys including a Ford key and Ford remote locking device, crescent wrench, alarm key and 5 additional keys, 2 - Safeway receipts "#1712 12-20-06 22-.59, and 1 - Target receipt "12-20-06 12:24 p.m." the case and contents were located on the front passenger floorboard; 3 - photographs located above the front passenger door window; 1.5 oz. Cheez-It bag (empty) located in the center console; 1 - cigarette with filter removed located in the center console; piece of white paper with pencil artwork [redacted] and [redacted] taped to the right side of the dashboard; 1 - Camel cigarette, Safety Lok syringe/needle package (empty), Motel 6 receipt [redacted] dated 08-17-06 all located under the driver's seat; burned rolling paper, yellow plastic CD cover, packaging for 2 pair of utility gloves, Winco receipt "12-20-06 22:14:37", Shafer's Ace receipt "12-19-06 5:22", 2 - Staples receipts "12-21-06 12:19 and 12:20" located inside plastic grocery bag behind driver's seat; and 3 - photographs located above driver's door window.

We did not find any further evidence involved with the vehicle.

After collecting evidence, I proceeded to process the vehicle for latent prints. I dusted the exterior of the vehicle and windows, interior windows, driver and passenger visor mirrors, rearview mirror, stereo face plate, gear shift knob, and driver's instrument panel. I was able to lift latent prints from the exterior driver's window, rearview mirror, exterior front passenger window, interior of right rear wing window, driver and passenger visor mirrors and the trunk lid. The latent prints were transferred to 13 latent lift cards. The latent lift cards were later booked into evidence.

CONTROLLED DOCUMENT

Prepared By: 1302 [redacted]	Date: 12/27/2006	Approved By: 0330 HANSON, WAYNE E	Date: 03/12/2007
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826 4TH ST EUREKA, CA 95501 707-445-7251

SUPPLEMENT 5 - EVIDENCE REPORT

200607822

We concluded our search at approximately 1249 hours.

I took a total of 114 digital photographs of the vehicle and crime scene. The digital photographs were later transferred to CD ROM and booked into evidence.

All of the latent prints obtained from the vehicle and any latent prints obtained from the evidence will be compared to the [redacted] and/or entered into the Department of Justice ALPS system for possible identification.

Per Sgt. Hanson, on December 27, 2006 I processed the cell phone recovered from Togo Street for latent prints. I was unable to obtain any latent prints from the cell phone. I examined the cell phone and was able to retrieve the cell phone number. The number was [redacted] I called the cell phone number and received a standard greeting with no name spoken. I informed Sgt. Hanson of my findings.

On this same date, I received a Hanes gray hooded, pull-over sweatshirt, size 2X-Large from Detective Schlesiger. Detective Schlesiger stated the sweatshirt had been located in the yard of a residence located on Togo Street. I was told the sweatshirt had been exposed to rain. Detective Schlesiger believed there was a partial shoe print on the sweatshirt. I examined the sweatshirt and could not determine any type of pattern. Detective Schlesiger requested I book this item into evidence. Detective Schlesiger told me that the passenger, who fired the weapon at Deputy Braud, was believed to be wearing a gray hooded sweatshirt. I booked the item into evidence. Refer to Detective Schlesiger's report for details.

On December 28, 2006, I entered two of the latent prints obtained from the Pontiac Sunbird into the Department of Justice ALPS system. The two latent prints were obtained from the trunk lid of the vehicle. I was unable to establish identification of the latent prints.

On this same date, I compared one of the latent prints obtained from the rearview mirror of the Pontiac Sunbird to [redacted] and [redacted] and the owner of the vehicle, [redacted]. I was able to establish identification of the latent print as digit #6, left thumb of [redacted]. The latent identification was verified by Property Technician [redacted].

I compared one of the latent prints obtained from the exterior of the driver's window of the Pontiac Sunbird to [redacted] and [redacted] and the owner of the vehicle, [redacted]. I was able to establish identification of the latent prints as digit # 8, left middle finger of [redacted]. The latent identification was verified by Property Technician [redacted]. Note: The latent print was obtained from the top exterior portion of the window. The fingertips were pointed towards the ground.

I compared one of the latent prints obtained from the trunk lid of the Pontiac Sunbird to [redacted] and [redacted] and the owner of the vehicle, [redacted]. I was unable to establish identification. I compared the latent print to Deputy Todd Fulton and Deputy Roy Reynolds. Deputies Fulton and Reynolds had removed the portion of the vehicle containing the possible bullet hole. I was able to establish identification of the latent print as digit #6 of Deputy Roy Reynolds. The latent identification was later verified by Property Technician [redacted].

On January 3, 2007 at approximately 1020 hours, I was contacted in my office by Sgt. Hanson. Sgt. Hanson informed me that [redacted] Jason Omholt had been taken into custody. Sgt. Hanson requested I meet with him at the Humboldt County Correctional facility to take photographs of [redacted] and collect his clothing. At approximately 1028 hours, I met with Sgt. Hanson and went to the HCCF.

Using an Olympus digital camera, I took photographs of [redacted] in the booking room at HCCF. I took a total of 14 digital photographs. The digital photographs were later transferred to CD ROM and booked into evidence.

Humboldt County Correctional Staff placed [redacted] clothing into paper bags. I took possession of the clothing and later booked the following items into evidence: brown "B.E. Khaki's" pants size 40 x 30; black tank top; brown leather belt; 3 hair bands (2 black and 1 [redacted] tan/black/white bandana; 1 - California Scratcher ticket; [redacted] plaid boxer shorts, size L; 2 white/gray socks; and 2 black "Lugz" tennis shoes size 9.5. I later telephoned the California Lottery Commission and discovered the scratcher ticket was sold at [redacted] on Broadway in Eureka.

I cleared HCCF at approximately 1040 hours.

On February 15, 2007, I was contacted by Sgt. Hanson who informed me he had obtained a search warrant for head hair samples and blood for DNA for [redacted]. Sgt. Hanson stated he would be transporting [redacted] to St. Joseph's Hospital for a legal blood draw. He requested I collect the head hairs samples upon their return from the hospital.

At approximately 1415 hours, I met with Sgt. Hanson, Detective Kirkpatrick and [redacted] in the HCSO Criminal Investigations

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
1302 [redacted]	12/27/2006	0330 HANSON, WAYNE E	03/12/2007



HUMBOLDT COUNTY SHERIFF'S OFFICE

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200607822

SUPPLEMENT 5 - EVIDENCE REPORT

Interview Room. I proceeded to collect a random sample of head hair from [REDACTED]. The head hair samples were later booked into evidence. At this time, I took possession of the blood sample from Sgt. Hanson. I later booked the blood sample into evidence.

On February 16, 2007, I compared a latent print obtained from the Ziploc bag to [REDACTED]. The Ziploc bag containing possible marijuana and methamphetamine was originally collected on December 22, 2006 at the residence located at [REDACTED] following the incident involving Deputy Braud. I was able to identify the latent print as digit #1, right thumb of [REDACTED]. The latent print was obtained from the exterior of the Ziploc bag. The latent identification was verified by Property Technician [REDACTED].

I informed Sgt. Hanson of the identification.

On February 26, 2007 at approximately 1400 hours, I met with Humboldt County Deputy Coroner Roy Horton. I took possession of one vial of blood. The vial of blood was collected on January 5, 2007 during the autopsy of [REDACTED]. I was told the autopsy had taken place at the Sonoma County Coroner's Office. Refer to Humboldt County Coroner's case number C-002-07. I later booked the vial of blood, obtained from [REDACTED], into evidence.

CONTROLLED DOCUMENT

Prepared By: 1302 [REDACTED]	Date: 12/27/2006	Approved By: 0330 HANSON, WAYNE E	Date: 03/12/2007
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HUMBOLDT COUNTY SHERIFF'S OFFICE

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SUPPLEMENT 6 - SUPPLEMENTAL REPORT

200607822

[REDACTED]

[REDACTED]

[REDACTED] vehicle: [REDACTED] [REDACTED] Pontiac sunbird California license [REDACTED]

On 12-22-2006 after 0600 hours, Sergeant W. Hanson, Humboldt County Sheriff's Office Criminal Investigations Division, asked me to respond to the area of Togo Street near Duck's Market Eureka to assist him on an attempted murder investigation.

I arrived at the location (east end of parking lot of [REDACTED] Harrison Avenue and Togo Street) and met with Sergeant Hanson. I was asked to check with residents south of the [REDACTED] vehicle ([REDACTED] [REDACTED] Pontiac sunbird California license [REDACTED] to see if they witnessed anything regarding this investigation.

I went to [REDACTED] Togo Street and met with a young white female and male. They both told me they didn't witness anything and they didn't know anything was going on. I next met with an older white female at [REDACTED] Togo Street and she told me she didn't witness anything. The female told me she didn't even know anything was going on. All the other residences in this area there was no answer.

Deputy Sheriff Detective R. Schlesiger asked me to assist him with re-interviewing [REDACTED] and [REDACTED] in the Manila area.

After assisting Detective Schlesiger we arrived back at the location on Togo Street. I met with Sergeant Hanson and Sergeant Hanson told me while searching the [REDACTED] vehicle with the assistance of Humboldt County Sheriff's Office Evidence Technician [REDACTED] [REDACTED] they located some store cash register receipts. Sergeant Hanson asked me to conduct some follow up on these receipts.

The following are the store cash register receipts located in the [REDACTED] vehicle: Target dated 12-20-06 12:24, Winco dated 12-20-06 22:14:37, and two Staples dated 12-21-06 12:19 and one 12:20.

Around 1308 hours, I telephoned Staples and talked with Manager [REDACTED]. I advised Manager [REDACTED] about this investigation and one of Staples cash register receipts (return of Sandisk card) were found in the [REDACTED] vehicle. [REDACTED] told me he would check his video surveillance and make me a copy of the person regarding the sale (12-20-2006 12:19 hours). [REDACTED] told me he could have my request done in 15 to 20 minutes and I could pick it up anytime after that.

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
0583 KIRKPATRICK, MARVIN G	12/28/2006	0330 HANSON, WAYNE E	01/23/2007



Around 1317 hours, I telephoned and talked with [REDACTED] from Target surveillance. I advised [REDACTED] about this investigation and one of Target's cash register receipts were found in the [REDACTED] vehicle. [REDACTED] told me he would print me out some photographs of the person regarding the sale from Target. [REDACTED] told me to give him around 30 to 45 minutes and he would have my request done. [REDACTED] told me he would also put the video surveillance footage onto a VHS tape.

Around 1320 hours, I went to Staples and met with [REDACTED]. [REDACTED] handed me a CD-R disc and told me if our system was not able to play the CD-R disc to re-contact him. [REDACTED] told me the information obtained from the store video surveillance might not be compatible with our software.

Around 1356 hours, I went to Winco Foods and met with store surveillance person [REDACTED]. I advised [REDACTED] about this investigation and one of Winco's cash register receipts were found in a the [REDACTED] vehicle. [REDACTED] told me she would check their surveillance footage and make me some copies of the person purchasing the item. [REDACTED] printed me out three copies of photographs of a white adult female with blonde hair that had purchased the item on the receipt from Winco (Lord Calvert and candy bar). [REDACTED] told me the female gave the cashier at the time of the purchase the date of birth of [REDACTED]. The item purchased at Winco was Lord Calvert.

I later went to Target and met with [REDACTED]. [REDACTED] gave me four photographs of a white female adult that purchased the items listed on the Target receipt found in the [REDACTED] vehicle. In looking at the female in the photograph and meeting with [REDACTED] I identified the female as [REDACTED]. [REDACTED] also handed me a copy of the video surveillance footage onto a VHS tape.

Around 1600 hours, I viewed the VHS tape I received from Target surveillance. Upon viewing the tape I saw what [REDACTED] purchased was a dark [REDACTED] hooded sweatshirt, black hooded sweatshirt, packaged shirt, and a gray hooded sweatshirt. From the receipt it showed the sweatshirts were Hanes [REDACTED] and the packaged shirt was MRNA A shirts.

I attempted to open the CD-R disc Staples gave me but I was unable to access it. This is because the surveillance system Staples is using is set up for their company.

I checked this agencies report management system for any female with the date of birth of [REDACTED]. The only female that came up with this date of birth was [REDACTED] and she has blonde hair.

CONTROLLED DOCUMENT



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SUPPLEMENT 6 - SUPPLEMENTAL REPORT

200607822

Around 1635 hours, I met with Manager [REDACTED]. I asked Manger [REDACTED] if he was able to put the information on the CD-R disc to something else so I could review it and he told me he would have to contact someone else in the corporation about my request. Manager [REDACTED] told me he would contact me on 12-27-06 regarding my request.

On 12-28-2006 after 0700 hours, I met with Humboldt County Sheriff Detective R. Schlesiger in the Criminal Investigation Division. I told Detective Schlesiger about the VHS tape I reviewed and showed it to him. Detective Schlesiger told me he wanted to go out to [REDACTED] Manila and re-contact [REDACTED] regarding this video surveillance.

Around 0931 hours, Detective Schlesiger and I met with [REDACTED] at her residence ([REDACTED] Manila). Detective Schlesiger and I interviewed [REDACTED]. Detective Schlesiger is going to be writing an investigation report on [REDACTED] statement.

After interviewing [REDACTED] I told her Humboldt County Sheriff Sergeant W. Hanson told us that her daughter's vehicle ([REDACTED] Pontiac sunbird California [REDACTED]) that was towed and stored on 12-22-06 could be released. [REDACTED] told me her daughter ([REDACTED]) was not home and she didn't know where she was for sure. [REDACTED] is [REDACTED]. I know from this investigation [REDACTED] and [REDACTED] don't have a valid driver's license. I asked [REDACTED] if she had anyone else in the residence that has a valid license to pick up the vehicle. [REDACTED] told us one of her roommates [REDACTED] had a valid license and could drive the vehicle.

We met with [REDACTED] date of birth [REDACTED] and she has a valid license out of Washington. I had [REDACTED] sign the CHP 180 form releasing the vehicle to her. Detective Schlesiger and I transported [REDACTED] and [REDACTED] to the Humboldt County Sheriff's Office boat yard where the vehicle is being stored. At the boat yard, the vehicle was released to [REDACTED] and [REDACTED]. [REDACTED] drove the vehicle out of the boat yard.

As of 1645 hours, I have not heard back from Staples Manager [REDACTED] and I went to Staples. I met with Manger [REDACTED] and he told me the person he was going to contact regarding my request was off work and would not be back for around a week. Manger [REDACTED] told me he would contact me when the person comes back to work.

As of 1-17-2006 1050 hours, I have not heard back from Manager [REDACTED]. I telephoned Staples to talk with Manager [REDACTED] but found out he was in a meeting. I left a message for him to contact me.

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Prepared By:	Date:	Approved By:	Date:
0583 KIRKPATRICK, MARVIN G	12/28/2006	0330 HANSON, WAYNE E	01/23/2007



Around 1232 hours, I telephoned and talked with Manager [REDACTED] Manager [REDACTED] told me due to the licensing and agreement software for their surveillance equipment no other systems could view their surveillance footage. Manager [REDACTED] told me he is unable to print out the footage also. Manager [REDACTED] told me that I could come by Staples and could use their system to view the CD-R disc he provided me with.

Around 1725 hours, I met with Manager [REDACTED] at Staples to use their system to view the CD-R disc (Exhibit S-1). I viewed the transaction dated 12-21-2006 12:19:08 PM and I saw a white male adult, around 30 years of age, approximately 5-7, thin build, moustache, beard, brown hair, wearing a tan ball cap, sunglasses, and gray hooded sweatshirt. This is the male who returned the Sandisk from the receipt found in the [REDACTED] vehicle on 12-21-2006. Manager [REDACTED] told me he didn't know the [REDACTED] but remembers the transaction. Manager [REDACTED] told me I needed to contact Staples legal department to try to get the name the [REDACTED] used when he returned the Sandisk.

I took digital photographs of this [REDACTED] off Staples monitor since Staples was unable to print out any photographs or their CD-R disc was unable to be opened with other computers due to Staples specialized surveillance software. I later placed the digital photographs onto a CD-R disc (Exhibit DP-1) and booked it into evidence.

On 01-18-2007 around 1026 hours, I telephoned Staples Legal Department but only received an answering machine. I left a message for them to contact me.

On 01-19-2007 1411 hours, I received a telephone call from [REDACTED] Staples Corporate Office [REDACTED]. [REDACTED] told me when the Sandisk was originally purchased it was purchased with a cash card and the name used was [REDACTED] with the telephone number of [REDACTED]. It should be noted [REDACTED] is [REDACTED] and [REDACTED] mother and her telephone number is [REDACTED].

ITEMS OF EVIDENCE:

- Exhibit VS-1: Sony VHS tape. Video surveillance from Target.
- Exhibit S-1: CD-R disc. Staples video surveillance.

CONTROLLED DOCUMENT

Prepared By: 0583 KIRKPATRICK, MARVIN G	Date: 12/28/2006	Approved By: 0330 HANSON, WAYNE E	Date: 01/23/2007
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SUPPLEMENT 7 - SUPPLEMETAL

200607822

On 01-03-2007 at approximately 1300 hours, I was contacted by EPD Officer Neil Hubbard, regarding writing a search warrant at [redacted] Eureka, because [redacted] was arrested at the residence. I then wrote a search warrant for the residence, which was signed by Superior Court Judge Neville at 1435 hours. (See attached search warrant affidavit for further information S/W # 6189).

At 1500 hours, Detective Nord and I assisted Detectives Hubbard and Lawson in serving the search warrant at the residence. I gave knock and notice at the front door. Detective Hubbard collected several items of evidence from inside of the residence. I took digital photographs of the items that were collected. I later placed those digital photographs onto a CD, which I booked into evidence. I left a copy of the search warrant on top of the kitchen table in side of the residence.

On 01-05-07 at approximately 0615 hours, I listened to a conversation on the computer in the detective office that occurred between [redacted] and his mother. The conversation was recorded on our computer, which is linked to the telephone calls that inmates make from the Humboldt County jail to outside telephone numbers.

Through my investigation in this case, I am aware that [redacted] mother's telephone number is [redacted]. At 2037 hours last night [redacted] called his mother from a telephone in the Humboldt County Jail. (Jail telephone located at [redacted]). The telephone call lasted 11 minutes and 4 seconds. I heard [redacted] speaking to his mother, who told him that [redacted] was killed by the police today. [redacted] became extremely upset in the conversation with his mother, about the death of his brother. At approximately 3 minutes and 40 seconds into the conversation, I heard [redacted] mother state, I seen him last night for a brief second and every thing was honkey dory. He was ready to roll, ready to fucking shoot them all, [redacted] come on. [redacted] mother then moved onto another [redacted] I made a CD copy of the entire conversation, which I booked into evidence.

On 01-05-07 at 0650 hours, I received a telephone call from my dispatch, who told me that [redacted] was in custody in Mendocino County. I then contacted CHP Officer Gersten Korn [redacted]. Officer Korn told me that last night at approximately 0150 hours he was on patrol in the Ukiah area of Mendocino County. Officer Korn told me that he saw a [redacted], Toyota, 4-Runner, California license number [redacted] at highway 101 @ highway 20. Officer Korn told me that he attempted a traffic stop on the vehicle for a possible drunk driver. Officer Korn told me that he then got into a 6 mile pursuit with the vehicle, which ended in downtown Ukiah.(CHP case# F001-150-07).

Officer Korn told me that during the pursuit the occupants of the vehicle where throwing items onto the freeway . Officer Korn said when the vehicle finally stopped he located [redacted] in the vehicle. Officer Korn said he arrested [redacted] on a parole warrant and for 10851 CVC. Officer Korn said that he arrested [redacted] for a warrant out of Humboldt County for 459, 460 (B) , 487 (A) PC and 10851 CVC.

Officer Korn told me that the Toyota 4-Runner was reported stolen out of the city of Arcata on 01-02-2007. Officer Korn said the vehicle had a cold license plate number on the vehicle that he later learned was a stolen license plate from another Toyota 4 Runner. Officer Korn said that the cold license plate was stolen from a [redacted] Eureka. Officer Korn told me that the issued license plate to the vehicle is [redacted]. Officer Korn told me that he located a .22 caliber bullet in the vehicle along with one shotgun shell, which he seized as evidence. Officer Korn said he transported both [redacted] and [redacted] to the Mendocino County Jail in Ukiah.

I then contacted Mendocino County Detective Caudillo at [redacted]. I asked Detective Caudillo to seize all of [redacted] clothes as evidence in our cases in Humboldt County. Detective Caudillo also told me that his office was in the process of assisting CHP in checking the road area on highway 101 where they had thrown items from the vehicle from the pursuit. I provided Detective Caudillo with my office number and our case number.

I contacted [redacted], Parole Agent Topp. Agent Topp told me that she was aware tha [redacted] was in custody in Mendocino County. I advised Topp that [redacted] was a [redacted] in several armed robberies in Humboldt County and a [redacted] in the attempted homicide against one of our deputies.

I had dispatch cancel the BOLO on [redacted].

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
0330 HANSON, WAYNE E	01/04/2007	0527 CAVINTA, GEORGE V JR	01/05/2007



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

SUPPLEMENT 8 - SUPPLEMENTAL

200607822

On 01-17-2006, I wrote another search warrant in this case, which was signed by Superior Court Judge Reinholtsen (S/W# 6195). The search warrant was for subscriber information for Virgin Mobile. I learned through my search warrant to Sprint/Nextel that they sold the telephones numbers to Virgin Mobile. On 01-17-2006, I faxed the search warrant to Virgin Mobile for the subscriber information. On 01-18-2007, I received information back on our fax machine from Virgin Mobile. I read the information sent to me from Virgin Mobile, which stated that cellular telephone number [redacted] is owned by a [redacted] named [redacted] with an address of [redacted] Arcata. This cellular telephone number belongs to the white, Virgin Mobile cellular telephone that was dropped by the driver of the vehicle when he fled the scene after the pursuit by Deputy Justin Braud. The address of [redacted] Arcata/Manila is the same address as the registered owner of the [redacted] Pontiac, Sunbird vehicle that the driver fled the scene from.

Virgin Mobile also advised me [redacted] returns to a [redacted] named [redacted], Eureka, Ca. I called the Eureka Police Department for any prior contacts at [redacted]. I was advised by them they have a prior contact for a [redacted] at that address with a [redacted]. I believe that Virgin Mobile made a mistake on the first letter of the last name of the [redacted] who owns cellular telephone number [redacted].

Cellular telephone number [redacted] was called by cellular telephone number [redacted] at 0244 hours in the morning just prior to Deputy Braud getting into pursuit with the [redacted] Pontiac, Sunbird.

On 01-22-2007 at 1300 hours, Detective Nord and I went to [redacted] Arcata/ Manila in an attempt to locate [redacted] for a statement. I contacted [redacted] in the apartment, who told me that they have never heard of a [redacted] named [redacted] and he did not live at the apartment. I asked the 4 [redacted] if they new who owned the cellular telephone number [redacted]. The 4 [redacted] said that they have never heard of that cellular telephone number. I then left [redacted] I have attempted to locate a date of birth on [redacted] or another possible address with negative results.

On 01-22-2007 at 1315 hours, Detective Nord and I then went to [redacted], Eureka to contact [redacted]. When I arrived at the apartment, I knocked on the front door. I looked through the front window and I noticed that the apartment was vacant. We then left the apartment.

On 01-23-2007, I contacted the Eureka Police Department and they told me that they had a prior contact for [redacted] at [redacted] Eureka. The Eureka Police Department also provided me with a telephone number for the Housing Authority at [redacted] who may know the current address for [redacted]. On 01-24-2007, I spoke to a [redacted] at the Housing Authority, who told me that they did not have a current address for [redacted]. They also told me that [redacted] does not live at [redacted].

Supplemental to follow when I locate [redacted]

CONTROLLED DOCUMENT

Prepared By:	Date:	Approved By:	Date:
0330 HANSON, WAYNE E	01/18/2007	0330 HANSON, WAYNE E	01/24/2007



HUMBOLDT COUNTY SHERIFF'S OFFICE

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200607822

SUPPLEMENT 9 - DNA BLOOD DRAW

On 02-15-2007 at 1300 hours, Detective Kirkpatrick and I went to the Humboldt County Jail to contact [REDACTED]. I wrote a search warrant for blood samples for DNA and head hair samples from [REDACTED] person. The search warrant was signed by Superior Court Judge Reinholtsen on 02-14-2007. (S/W # 6219).

I provided [REDACTED] with a copy of the search warrant. I explained to [REDACTED] that I had a search warrant for blood samples for DNA and hairs from his head. [REDACTED] told me that he was objecting to the search warrant, because, I would not let him talk to his attorney [REDACTED]. I explained to [REDACTED] that I did not have to speak to his attorney regarding the blood draw and I would not allow him to call his attorney.

We then transported [REDACTED] to St. Joseph's hospital where DNA blood samples was taken by a lab tech. The blood samples were drawn at 1347 hours. I then took custody of the blood samples. I later gave the blood samples to ID Tech [REDACTED] at our office in Eureka to book the blood samples into evidence.

At 1405 hours, I witnessed ID [REDACTED] take several head hair samples from [REDACTED] in the detective bureau, which she then booked into evidence.

Note: On the search warrant I list [REDACTED]. I made an error on the search warrant: [REDACTED].

Request a copy of this report and the search warrant be sent to the DA's office.

CONTROLLED DOCUMENT

Prepared By:
0330 HANSON, WAYNE E

Date:
02/15/2007

Approved By:
0330 HANSON, WAYNE E

Date:
02/16/2007



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

200607822

SUPPLEMENT 10 - LATENT IDENTIFICATION

On February 27, 2007, I compared a latent print obtained from the evidence collected from the Pontiac Sunbird. The item processed was a diehard battery removed from the stun gun. The stun gun was originally located inside a black "TDK" case. The "TDK" case was collected from the front passenger floorboard of the Pontiac Sunbird California license number [REDACTED]

I compared the latent print to [REDACTED] and the owner of the vehicle, [REDACTED]. I was able to establish identification of the latent print as digit # 9 left ring finger of [REDACTED]. The latent identification was later verified by Evidence Technician (RET) [REDACTED]

I informed Sgt. Hanson of the identification.

Any further investigation will be a matter of report.

CONTROLLED DOCUMENT

Prepared By:

1302 [REDACTED]

Date:

03/29/2007

Approved By:

0330 HANSON, WAYNE E

Date:

03/29/2007



HUMBOLDT COUNTY SHERIFF'S OFFICE

826 4TH ST EUREKA, CA 95501 707-445-7251

SUPPLEMENT 11 - DA REQUEST

200607822

On October 29, 2007, I received a request from D.A. Investigator Wayne Cox. Inv. Cox requested I compare the latent print, lifted from the driver's window of the Pontiac Sunbird (California license plate [REDACTED]), to the 10-print card for [REDACTED] with a date of arrest 02-05-2003. The latent print had previously been compared to a 10-print card for [REDACTED] with a date of arrest 10-22-1997. The latent print was identified on 12-28-2006 as digit #8 left middle finger of [REDACTED]. Investigator Cox discovered that the original 10-print card dated 10-22-1997 was taken by a Humboldt County Correctional Officer who was no longer employed by the Sheriff's Office.

Per D.A. Investigator Cox, I compared the latent print obtained from the driver's window of the Pontiac Sunbird to the 10-print card for [REDACTED] with a date of arrest 02-05-2003. The latent print was identified as digit #8, left middle finger.

I will request a copy of this report be forwarded to D.A. Investigator Cox.

Nothing further.

CONTROLLED DOCUMENT

Prepared By:

1302 [REDACTED]

Date:

10/29/2007

Approved By:

0330 HANSON, WAYNE E

Date:

10/29/2007

**Humboldt County Sheriff's Office
Supplemental Report**

Case #: 200700084

Date: 2/16/07

Location: [REDACTED] Albee St.-Eureka, Ca.

Charge(s): Agency assist, Officer Involved Shooting

[REDACTED]

[REDACTED]

[REDACTED] State of California

Witness: Eureka Police Department Officer Stephen M. Watson, 3B94

[REDACTED]

Address: [REDACTED] 13th St.-Eureka, Ca.

Phone: [REDACTED]

Narrative: On 1/4/07 at about 1050 hours, I was on duty in my assigned vehicle when I heard radio traffic that shots had been fired at [REDACTED] Albee St. in Eureka, Ca. I recognized the voice on the radio as belonging to Sheriff's Office Det. Marvin Kirkpatrick. I knew that Det. Kirkpatrick was working with a Multi-Agency Task Force and they were looking three [REDACTED] named [REDACTED] and [REDACTED]. I knew that [REDACTED] had been arrested the day before for a robbery warrant. I knew that [REDACTED] and [REDACTED] were also being sought for robberies that had occurred in the Sheriff's Office, EPD (Eureka Police Department) and APD (Arcata Police Department) jurisdictions. [REDACTED] and [REDACTED] were also being sought for questioning regarding an attempted murder charge for shooting at a Humboldt County Sheriff's Office Deputy.

I made a u-turn at Henderson St. and Broadway and responded to Albee St. I arrived in the area at about 1056 hours, and there were already several marked EPD and Sheriff's Office units on scene. Shortly after my arrival, Lt. George Cavinta and Det. Steve Quenell arrived on scene. Lt. Cavinta was able to obtain information from other Deputies and Officers on scene that shots were fired at the Task Force members, the Task Force members returned fire, and there was a [REDACTED] male inside of [REDACTED] Albee St. This male was believed to be [REDACTED]. In addition, a second male [REDACTED] was removed from the residence and was being transported to the EPD.

At about 1125 hours, Lt. Cavinta advised Det. Quenell and I that the CIRT (Critical Incident Response Team) was going to be utilized in this investigation and we were going to be the two members from the Sheriff's Office. I advised Lt. Cavinta that I needed to return to my office to retrieve all my equipment. At about 1138 hours, Det. Quenell and I arrived at my office. At about 1140 hours, Det. Quenell advised me that he had spoken to DA (District Attorney) Chief Investigator Jim Dawson and Investigator Dawson advised Det. Quenell that CIRT members were meeting at the EPD. At about 1147 hours, Det. Quenell and I responded to the EPD and arrived at about 1151 hours.

We met with CIRT members in the Police Chief's office and Investigator Dawson and EPD Det. Neil Hubbard briefed us on what they knew. They advised us that [REDACTED] Albee St. was supposed to be a vacant residence and was owned by [REDACTED]. The Task Force members got consent from [REDACTED] to enter the residence. After entering they went to the second floor of the residence, shots were fired at the Officers, and shots were returned at the [REDACTED]. As far as Investigator Dawson and Det. Hubbard knew, EPD Officer Terry Liles, Det. Kirkpatrick and ATF (Alcohol, Tobacco and Firearms) Agent Mike Medlin had shot their duty weapons. Other members that were involved were EPD Officer Steve Watson, EDP Sgt. Mike Hislop, Parole Officers Greg Allen and Garey Wolfinden. All Task Force members were separated and interview times with these Officers were going to be determined.

Investigator Dawson advised us that the [REDACTED] male in the Albee St. residence was identified as [REDACTED].

Investigator Dawson asked if I could interview Officer Watson. I agreed to do so, I left the Chief's office, and Officer Watson was brought to me. Officer Watson and I went to the second floor of the Police Department to a secluded conference room.

On 1/4/07 at about 1227 hours, I interviewed Officer Stephen Watson in the aforementioned conference room. The interview was digitally recorded and I later placed it onto CD. The following is a summary of the interview I conducted with Officer Watson.

I explained to Officer Watson what I knew about the Multi-Agency Task Force and how the members got to [REDACTED] Albee St. and what occurred after their arrival.

Officer Watson was aware that [REDACTED], [REDACTED] and [REDACTED] were the reason for the Task Force being formed due to their alleged involvement in robberies and shooting at a Deputy.

Officer Watson advised me that after he concluded his work shift on 1/3/07, he was asked if he would like to assist with the Task Force on 1/4/07. Officer Watson agreed to work on the Task Force and on 1/4/07 at about 0700 hours; he arrived at EPD and met with other Task Force members. Officer Watson was already aware that [REDACTED] had been arrested on 1/3/07 by Task Force members but [REDACTED] and [REDACTED] were still outstanding.

During the briefing of the Task Force members Officer Watson was told about [REDACTED], [REDACTED] and [REDACTED] involvement with the robberies and the shooting at the Deputy. Officer Watson said he was already aware of these incidents from briefing information he had received from working his patrol duty. From the briefing, Officer Watson also learned that [REDACTED] was possibly the person that had shot at the Deputy.

Officer Watson was advised that [REDACTED] had a shotgun and was looking for shotgun shells. Officer Watson obviously, from the information he was told; felt that [REDACTED] was armed and dangerous.

I asked Officer Watson who the Task Force members were on this day. Officer Watson said Sgt. Hislop was in charge, Officer Liles, Det. Kirkpatrick, ATF Agent (unable to recall name, Medlin) and Parole Officers Wolfinden and Allen.

Officer Watson said that the briefing lasted for about one hour at which time the members left in three separate vehicles. One of the vehicles was Officer Watson's patrol unit [REDACTED] Sgt. Hislop had his "slick top" patrol unit and Parole Officers Wolfinden and Allen were in their unmarked truck.

Officer Watson told me that there were several residences that the Task Force was going to check. Officer Watson could not remember the order in which houses they checked first for [REDACTED] and [REDACTED] but could tell me the locations. Officer Watson said he believed they checked a residence on H St., possibly in the 2700 block. The Task Force also checked an apartment behind Alder Bay assisted living off Myrtle Ave. [REDACTED] Burril St. and the last residence that the Task Force checked was south of Burril St. but Officer Watson could not recall what street they were on. To the best of Officer Watson's knowledge he believed in all they checked 4-5 residences before going to [REDACTED] Albee St.

I asked Officer Watson what information the Task Force received to end up at [REDACTED] Albee St. Officer Watson said he believed that information came from someone at [REDACTED] Burril St. but Officer Watson did not hear the conversation with the occupant of this address who was a male named [REDACTED] Sgt. Hislop told Officer Watson that [REDACTED] told him that [REDACTED] might be staying at an abandoned house located at [REDACTED] Albee St.

Officer Watson told me that after leaving Burril St. the Task Force did go to a residence south of Burril St., which was a residence that Officer Watson could not recall the address of. At this residence, Officer Watson did speak to a female at this address who identified herself as [REDACTED] told Officer Watson that [REDACTED] had been at her home about a day and a half ago and was with two other younger males.

Officer Watson said after speaking to [REDACTED] was when the Task Force went to [REDACTED] Albee St. Officer Watson said that he and Agent Medlin were directed by Sgt. Hislop to cover the rear of this residence. The other Task Force members went to the front of the residence as far as Officer Watson knew.

Officer Watson said that he noticed that there was an upstairs window open in the residence and there was a curtain flapping in the breeze. By now some of the other Task Force members had come to the rear of the residence and Officer Liles pointed out some wet shoe sole prints that were on a covered porch at the rear of the residence. By this time, Officer Watson and Agent Medlin were now at the rear porch of the residence and Officer Watson saw the wet sole prints on the porch. Officer Watson noticed a door that was just inside of the residence, which was off the rear porch.

Sgt. Hislop contacted his Dispatch to see if they could contact the owner of the property [REDACTED] to see if there was supposed to be anyone in his residence and to see if he would give consent for the Task Force members to enter the residence. Dispatch advised Sgt. Hislop that they could not contact [REDACTED]. Sgt. Hislop requested an Officer go to [REDACTED] place of business and ask the above questions. Officer Watson was aware that Officer Louis Altic responded to [REDACTED] business and spoke to him. Officer Watson later heard Officer Altic speaking to Sgt. Hislop via radio and Officer Altic advised Sgt. Hislop that no one was to be at the residence and [REDACTED] had given verbal consent for the Task Force members to enter the residence and Officer Altic was in the process of obtaining written consent from [REDACTED]. Sgt. Hislop then advised Officer Altic that the door was locked and Officer Altic radioed back stating that [REDACTED] did not have a key and they could force entry into the residence.

Officer Watson said that they "stacked" on the right side of the door and they began knocking on the door and announcing Eureka Police Department. There was no response, Agent Medlin kicked the door twice, and the door broke free on the second kick.

Officer Watson said that he was the first or second Officer to enter the residence and cleared the downstairs. Officer Watson said that they did not find anyone downstairs but the second story of the residence was still not clear. Officer Watson said that there was an empty stairwell where the stairs in the residence once had been. There still was some framing left on the wall.

Officer Liles then climbed up the framing on the wall to clear the upstairs and Officer Watson followed. Officer Watson said when he got to the second story there was a shut door on the north wall to Officer Watson's right. Officer Watson said that there were two rooms in the second story that were connected but were open to one another. Officer Watson said that he and Officer Liles visually cleared these two rooms then focused their attention on the closed door.

Officer Watson and Officer Liles took position to the left side of the door, which would have been to the west. Officer Liles was in front of Officer Watson and Officer Watson was directly behind Officer Liles and to his right. Officer Watson said that he and Officer Liles were forced to go to the left side of the door because on the right side of the door was where the open stairwell was.

Officer Watson said that he and Officer Liles announced themselves several times before opening the closed door and had their duty weapons drawn. Officer Liles then pushed the door open, which opened inward to the room. Officer Watson said about 5-6 feet on the floor, Officer Watson saw someone under some bedding. Officer Watson said that he and Officer Liles began yelling commands such as, "Police show us your hands."

At this point, Officer Watson saw the blankets moving. Officer Watson then noticed that there were two people in the room and the second person was lying to the right (west) of

the first seen person. The second person was about 3 feet from the first person and Officer Watson could not see anyone except the bedding.

Officer Watson said that all of this happened very quickly and the next thing to occurred was a flash and a loud "boom" and Officer Watson realized that he and Officer Liles had just been shot at. Officer Watson said he was unsure of who shot at he and Officer Liles but at that time believed it came from the first person seen. Officer Watson said he was exposed in the doorway or as he referred to as the "fatal funnel". Officer Watson said that he stepped back and to the right to avoid the empty stairwell and to avoid being shot. Officer Watson believed he still heard Officer Liles yelling commands at the [REDACTED] in the room.

Officer Watson could see that Officer Liles was somewhat crouched down and had his Glock handgun pointed at the first [REDACTED] seen who Officer Watson said was later identified as [REDACTED]. Officer Watson saw Officer Liles shooting his handgun into the room. Officer Watson added that he heard many gunshots but he could not tell if all the shots were coming from Officer Liles' handgun or from inside of the room, or from the Officers that were downstairs. Officer Watson said he did not shoot at this point because he was behind a wall and could not see into the room.

At this point, I had Officer Watson sketch a diagram of the room and where he and Officer Liles were standing. I placed this sketch into evidence at the Sheriff's Office at a later time. Officer Watson then went on to describe what had occurred.

As far as Officer Watson could tell, [REDACTED] and the other male that was lying on the bedding who was later identified as [REDACTED] were lying with their heads pointed north. Officer Watson said that he believed he saw [REDACTED] first before he saw [REDACTED]

Officer Watson added that he believed he saw [REDACTED] hands come out of the bedding at one point. Officer Watson said he never saw any portion of [REDACTED] Officer Watson told me that when he had moved to the right of the doorway he had concealment and not cover from the shooter. Officer Watson said the wall he was standing behind was regular sheet rock. Officer Liles was in direct site of the [REDACTED] that was shooting from the room.

Officer Watson told me that the location of Officer Liles was very dangerous. Officer Watson continued asking Officer Liles if he was okay because Officer Watson had thought Officer Liles had been shot.

I asked Officer Watson how far he was standing to the right of Officer Liles. Officer Watson estimated he was approximately 8 feet from Officer Liles. Officer Watson said he could see Officer Liles holding his duty weapon with two hands and pointing the weapon into the room. Officer Watson could see Officer Liles shooting into the room and was holding his duty weapon cocked to the side.

I asked Officer Watson how many shots he believed Officer Liles fired. Officer Watson told me that he saw Officer Liles reload his duty weapon with a magazine. Officer Watson believed that Officer Liles at least shot 15 rounds and this was why he reloaded his duty weapon. Officer Watson did not see Officer Liles shoot his duty weapon any further but Officer Watson was not sure. Officer Watson also recalled seeing an empty magazine on the floor near where Officer Liles had been shooting.

I asked Officer Watson what happened after there were no more shots fired. Officer Watson and Officer Liles began yelling commands at [REDACTED] and Officer Watson moved towards Officer Liles position. Officer Watson and Officer Liles had their duty weapons pointed at [REDACTED] and ordered him to walk towards the doorway. Officer Watson grabbed onto [REDACTED] as he neared the doorway, pulled him through the doorway, and laid him out onto the floor in the adjoining room. While [REDACTED] was lying on the floor Officer Watson had his duty weapon at the back of [REDACTED] head and Officer Watson told [REDACTED] not to move or he would be shot. Officer Watson then handcuffed [REDACTED] and searched him for weapons.

I asked Officer Watson what Officer Liles was doing while Officer Watson was with [REDACTED]. Officer Watson said that Officer Liles was covering [REDACTED]. At this point, Officer Watson had moved back over with Officer Liles. Sgt. Hislop was now in the second story of the residence and was watching over [REDACTED].

Officer Watson and Officer Liles entered the room where [REDACTED] was, continuing to cover [REDACTED] with their duty weapons. When they reached [REDACTED] they pulled a blanket off him and Officer Watson said he could not see [REDACTED] right-hand. Officer Liles cautioned Officer Watson of this and Officer Watson pulled [REDACTED] to his side at which point Officer Watson saw a shotgun. Officer Watson said when he and Officer Liles were standing near [REDACTED] Officer Watson was on the left side of [REDACTED] and Officer Liles was on the right side. Officer Watson said the [REDACTED] was lying on the bedding on his right side toward his back before Officer Watson had moved [REDACTED]. I asked Officer Watson which way he pulled [REDACTED] to reveal his right hand and Officer Watson said he pulled [REDACTED] toward Officer Watson's location.

Officer Watson told me that the shotgun that he had seen had a pistol grip. Officer Watson noticed that the shotgun was pointed in the direction of the doorway where they had staged. Officer Watson then proceeded to handcuff [REDACTED]. When Officer Watson handcuffed [REDACTED] he said he noticed several gunshot wounds in [REDACTED] back. Officer Watson also noticed an injury on one of [REDACTED] hands but Officer Watson could not recall which hand.

Officer Watson checked [REDACTED] for any weapons at this point. Over the next several minutes Officer Watson check [REDACTED] for vital signs but none were present. Officer Watson said that it was obvious that [REDACTED] was [REDACTED].

I asked Officer Watson if he could recall what the shotgun looked like. Officer Watson told me that he could only see the bottom 6 to 8 inches of the shotgun. Officer Watson recalled, besides the pistol grip, the shotgun was green and black in color.

Officer Watson recalled in the southwest corner of the room they were currently in there were some handgun rounds. The rounds were contained in a white box Officer Watson estimated that there was approximately 20 rounds he was unsure of the caliber of the rounds.

I asked Officer Watson what occurred next after [REDACTED] was secured in the room. Officer Watson said Sgt. Hislop radioed for medical and fire. Officer Watson said once fire personnel arrived on scene and fire personnel placed a ladder in the stairwell. Officer Watson assisted in escorting [REDACTED] down the ladder.

I asked Officer Watson while they were waiting for medical and fire personnel did anyone mention firing their duty weapons besides Officer Liles. Officer Watson said that there was some talk and he heard Det. Kirkpatrick state that he had fired his weapon from downstairs at an angle where Det. Kirkpatrick believed Officers Watson and Liles would not be. Det. Kirkpatrick also stated that he heard a shot and saw a flash.

At this point in the interview with Officer Watson, he told me that he felt Officer Liles had saved his life.

Officer Watson told me that Detective Kevin Lawson from the EPD had arrived on scene. Officer Watson told Detective Lawson that he and Officer Liles had removed a blanket and mirror from the window inside of the room. Officer Watson told me they did this because of the poor lighting conditions. Officer Watson said that the room was dark but there was enough light coming through the window that he could still see. Officer Watson showed Detective Lawson where the shotgun and handgun rounds were located in the room.

I asked Officer Watson when he realized one of the [REDACTED] inside of the room was [REDACTED]. Officer Watson told me when the blanket was removed from over [REDACTED] that was when Officer Watson recognized [REDACTED]. Officer Watson added that when he handcuffed [REDACTED] Officer Watson asked [REDACTED] who the other person in the room was and [REDACTED] stated that it was his cousin [REDACTED].

Officer Watson told me that [REDACTED] was acting, as all of this was a big game. While [REDACTED] was handcuffed on the ground, he was smiling and said something similar to lucky that the cops missed.

I asked Officer Watson at any time before or after they entered the residence if he heard any noises. Officer Watson said he himself did not hear any noises at all.

I asked Officer Watson when Task Force members went to the rear door of the residence how many times did they announce their presence. Officer Watson said that Sgt. Hislop

announced at least two to three times before forced entry was made. After entering the residence Task Force members continued to announce their presence with no response.

I asked Officer Watson if he and Officer Liles announced themselves at the second story room. Officer Watson said they did not in fear of putting their lives in danger. As soon as they noticed people were inside of the room Officer Watson and Officer Liles began identifying themselves by saying such things as Eureka Police Department show us your hands.

I told Officer Watson as we were walking to the interview room he handed Evidence Technician [REDACTED] a pair of latex gloves. I asked Officer Watson what those were for and Officer Watson told me before handcuffing [REDACTED]. Officer Watson put the latex gloves on.

I asked Officer Watson when he entered the residence if it appeared that someone had been staying in it. Officer Watson said it did not appear anyone was staying in the house and it was full of construction equipment and had no furniture.

Officer Watson told me after [REDACTED] and [REDACTED] were handcuffed he made a sweep of the room they were in. Officer Watson did not disturb anything but did not see any other weapons.

I asked Officer Watson if any medical or fire personnel came upstairs in the residence when they arrived at the house. Officer Watson said he did not believe any medical or fire personnel came upstairs. This concluded my interview with Officer Watson.

After interviewing Officer Watson, he turned over 2 magazines to me. Each magazine had 15 rounds in it. Officer Watson's duty weapon was loaded with 1 round in the chamber and 15 rounds in the magazine. Officer Watson's duty weapon was a Glock 22, 40-caliber, semi-automatic handgun. The serial number on the handgun was [REDACTED].

Officer Watson and I returned to the downstairs portion of the Police Department and we met with Evidence Technician [REDACTED] at about 1326 hours. Officer Watson left with Evidence Technician [REDACTED] at this point, so Evidence Technician [REDACTED] could photograph Officer Watson.

On 1/4/07 at about 1445 hours, DA Investigator Steve Dunn and I were assigned to go to [REDACTED] Spring St. in Eureka. We were supposed to attempt to meet with a female named [REDACTED] at this residence who had the last name of possibly [REDACTED]. According to Det. Hubbard, [REDACTED] had been at [REDACTED] residence in the past several days. There was also supposed to be [REDACTED] colored Dodge truck parked in the driveway.

I knocked on the front door to the residence several times and there was no answer. The Dodge truck was parked in the front driveway. At this time, Investigator Dunn and I returned to [REDACTED] Albee St.

On 1/4/07 at about 1530 hours, Investigator Dunn and I saw two females standing at the northern end of the barrier tape that was placed on Albee St. We made contact with the two females and I met with [REDACTED] [REDACTED] [REDACTED] told me that she had a child with [REDACTED] I recalled through other investigations that [REDACTED] may have been frequenting the house that [REDACTED] resided in. I asked [REDACTED] if I could speak with her and she agreed to do so.

The interview I conducted with [REDACTED] was digitally recorded and later placed onto CD. The following is a summary of the interview with [REDACTED] It should be noted that the recording was difficult to hear due to the wind and rain that was occurring.

[REDACTED] told me that she was living with her mother on 13th St. in Eureka. According to [REDACTED] [REDACTED] had been not coming over to her residence.

[REDACTED] said that [REDACTED] did mention to her that he was wanted for a robbery but [REDACTED] said he did not understand why this was. I asked [REDACTED] when the last time she spoke to [REDACTED] was and she told me she had visited [REDACTED] in jail on 1/3/07.

I asked [REDACTED] when was the last time she saw [REDACTED] and [REDACTED] said it had been awhile because she and him did not get along.

I asked [REDACTED] if she knew [REDACTED] or [REDACTED] to have guns. [REDACTED] said she did not know because she had not really been with [REDACTED] for the past 10 years.

[REDACTED] also brought up the attempted murder charge to [REDACTED] and according to [REDACTED] [REDACTED] said he did not know anything about the charge.

I asked [REDACTED] about [REDACTED] and she told me that she had no idea who he was.

[REDACTED] added that she had a hard time believing that [REDACTED] would get [REDACTED] involved in all of this. I asked [REDACTED] about drugs and she said that [REDACTED] was probably using but she had no idea about [REDACTED]

I told [REDACTED] that either I or other Officers might be coming to speak to her later. [REDACTED] told me that would be fine with her. This concluded my interview with [REDACTED]

On 1/4/07 at about 1625 hours, Investigator Dunn and I left [REDACTED] Albee St. and arrived at [REDACTED] Spring St., [REDACTED] residence. We again knocked on the front door and there was no answer. The Dodge truck was now gone from the driveway.

At about 1640 hours, Investigator Dunn and I arrived at the EPD. At about 1700 hours, Investigator Dawson and Det. Hubbard advised me that I was no longer needed but to return to the Police Department on 1/5/07 at 0900 hours.

On 1/5/07 at about 0900 hours, I arrived at the EPD. Det. Hubbard advised me that he wanted EPD Det. Ron Harpham and I to interview Officer Liles. At about 1008 hours,

Det. Harpham and I went to [REDACTED] Albee St. to do a walkthrough of the residence before interviewing Officer Liles. At about 1018 hours, we arrived at the Albee St. address.

Det. Harpham and I entered the residence and Evidence Technician [REDACTED] and DOJ Criminalist [REDACTED] were processing the inside of the residence. Evidence Technician [REDACTED] and Criminalist [REDACTED] advised us we could enter to make a walkthrough. Det. Harpham took several photographs of the interior of the residence that he was going to utilize while we interviewed Officer Liles. At about 1035 hours, Det. Harpham and I left the Albee St. address.

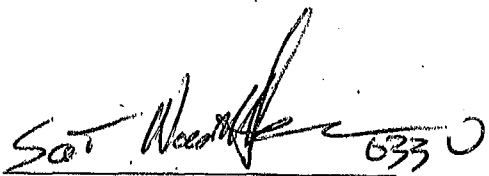
On 1/5/07 at about 1404 hours, Det. Harpham and I interviewed Office Liles in the same conference room I had interviewed Officer Watson. Det. Harpham recorded the interview and Officer Liles had his attorney [REDACTED] present for the interview. Refer to Det. Harpham's report for further details regarding this interview.

This case will be turned over to Det. Hubbard.

Disposition: No further information.



Detective Rich Schlesiger #0931



Sergeant Wayne Hanson #330

**Humboldt County Sheriff's Office
Supplemental Report**

Case #: 200700084

Date: 01/04/07

Charge(s): C.I.R.T. Supplemental

Location: [REDACTED] Albee St. Eureka
[REDACTED]

Reporting Party: N/A

[REDACTED] Burill St. Eureka, [REDACTED]

Narrative: On 01/04/07 at approx. 1147 hrs. Det. Schlesiger and I responded to Eureka Police Dept. in reference to a Critical Incident Response Team call-out. Upon our arrival we met with other C.I.R.T. members. Det. Neal Hubbard was lead Investigator for the Eureka Police Dept. and Humboldt County Chief Investigator Jim Dawson was the lead Investigator for the C.I.R.T. team.

Chief Investigator Dawson requested that District Attorney Investigator Tom Cooke and I interview [REDACTED] [REDACTED] at the Eureka Police Dept. in reference to this incident. We digitally recorded [REDACTED] statement and later transferred it to a CD. The following will be a summary of [REDACTED] statement, refer to transcribed CD for complete details of his statement. CD turned over to Eureka Police Detective Neal Hubbard.

[REDACTED] [REDACTED] was advised that he was not under arrest. We also told him that he was free to leave at anytime and that he did not have to talk to us. We told him that we would be recording our conversation. We started our interview at 1235 hrs. and told [REDACTED] that we had been told that he was a possible witness or had information about the shooting. I asked [REDACTED] if he was under the influence of anything and he said that he was not.

Investigator Cooke asked [REDACTED] [REDACTED] to tell us about what had happened in his neighborhood or who was involved. [REDACTED] said that as far as he knew [REDACTED]. The Police came to his house this morning and yesterday, talking about [REDACTED]. The Police asked [REDACTED] if he knew where [REDACTED] was. The Police asked if [REDACTED] was going to have a firearm or not. [REDACTED] [REDACTED] said that he told the Police that he heard that he had one. He said that he didn't know for sure whether he had a gun or not.

We asked [REDACTED] [REDACTED] what [REDACTED] looked like. He said like a [REDACTED] with a shaved head. [REDACTED] said that [REDACTED] had a tattoo on his head. [REDACTED] said that [REDACTED] was eighteen years old, white male adult. [REDACTED] saw [REDACTED] a couple of days ago at [REDACTED] house. He said that he was wearing a [REDACTED] style baseball cap with a straight bill, dark in color. He was wearing a dark colored sweatshirt. [REDACTED] wasn't sure about the color because he always talked to him at night. He said that he has known

██████████ for 3-4 weeks. ██████████ met ██████████ through a friend that had dropped him off at his house on the night that something happened in McKinleyville. We asked ██████████ what his friend's name was and he said that he didn't want to get his friend involved. ██████████ said that he saw ██████████ picture on the news or someone that looked like him. He told ██████████ if they were wanted by the Police, that he didn't want them at his house because of his daughter.

They told ██████████ that some "cool mother fuckers" robbed the store. ██████████ said that he was apprehensive about giving other names to us because he might have to go to prison some day. ██████████ told us that the name of the friend that brought ██████████ to his house was "██████████". He said that ██████████ was 33-34 years old, 5'-8", 150 lbs., with dark black hair. ██████████ said that ██████████ wears a black jacket with some type of red logo. We ask ██████████ if the night they came to his house, if they brought any weapons. He said that he talked about leaving a weapon somewhere in a car. ██████████ also mentioned ██████████ girlfriend's car as being involved.

██████████ described ██████████ as "tripping", thinking that the Cops were after him and everyone was going to turn him in. ██████████ said that he already told the Police this and it was just rumored. ██████████ said that after the chase by the Police, that someone dropped them off at his house driving ██████████ girlfriend's car. ██████████ said that it was the same car they had previously been chased in by the Police. ██████████ said that when ██████████ was at his house, he was always asking about his brother, ██████████. He would request that ██████████ attempt to contact ██████████ for him and tell him that he was staying at the abandon house. We asked ██████████ how many times he had been to the abandon house and he said once.

We asked him if he had any knowledge of any other robberies or burglaries and he said "no". ██████████ said that ██████████ girlfriend's car was used in the McKinleyville robbery. He said that they spent the night with him after the robbery. ██████████ said that on the night they spent the night with him, he heard them talking about being on the news. He said that he told them that he didn't want them hanging around his house. ██████████ said that ██████████ brother's name was "██████████" or something like that. He said that ██████████ was with them, trying to hide them out. I asked ██████████ about ██████████ and he said that he hangs out in the neighborhood, doesn't know his last name, but would recognize him if he saw him again.

██████████ said that ██████████ called him from jail yesterday. He wanted ██████████ to go to his Mom's house and to the abandoned house and pick up some of his "stuff". ██████████ said that he never went to either house. ██████████ said that when the Police came to his house, they were asking him about something being hid behind a clown picture. He said that he didn't know what they were talking about.

██████████ said that after the robbery in McKinleyville, around 1-2 A.M., that ██████████ and ██████████ showed up at his house. ██████████ told ██████████ that ██████████ was his friend and he needed a place to stay. ██████████ said that they both hung out at his house and never went to sleep. ██████████ said that ██████████ is not involved with any of the robberies. He

said that there was no doubt in his mind that [REDACTED] did the robbery in McKinleyville. He said that he was 95% sure. [REDACTED] [REDACTED] said that [REDACTED] would come by his house from time to time, to just to take a shower. [REDACTED] [REDACTED] said that he was told that [REDACTED] is always packing a gun.

[REDACTED] [REDACTED] said that after the Deputy shooting he heard that there was some type of evidence that had been left in the car that they had used and they were concerned about it. [REDACTED] [REDACTED] said that [REDACTED] did it and [REDACTED] was getting accused of it. [REDACTED] and [REDACTED] told him that they hid out in backyards after the Deputy incident, until daylight. They told [REDACTED] [REDACTED] that they had an incident with a Cop and it was on the news or in the newspapers. [REDACTED] [REDACTED] overheard [REDACTED] talking on the phone, saying that shots had been fired and that they had his brother's girlfriend's car. [REDACTED] [REDACTED] said that [REDACTED] got away with the gun, but later gave it to [REDACTED]

[REDACTED] [REDACTED] said that [REDACTED] and [REDACTED] knew that they were wanted. They told [REDACTED] [REDACTED] that when the Cops found them that there would be a shoot out. [REDACTED] [REDACTED] said that he took that as just talk and that they had said it after the McKinleyville robbery. [REDACTED] told [REDACTED] [REDACTED] that if the Cops came here that he would be "bunkin". [REDACTED] [REDACTED] took that as shooting. He said that [REDACTED] was a "meth." user and [REDACTED] didn't use "meth."

[REDACTED] told [REDACTED] that if he needed to get a hold of him that he should come to the abandon house. Once inside, he should approach the area where the stairs used to be and yell out his name. [REDACTED] [REDACTED] said that he was worried about his safety if he said more. He said that after he told the Cops where [REDACTED] was, that they told him not to go anywhere or they would come back and arrest him. [REDACTED] [REDACTED] said that after the Cops left his house enroute to the abandon house, that he heard five shots or loud "cracks". He then heard an ambulance siren. We turned the tape off at 1312 hrs.

While off tape, [REDACTED] [REDACTED] said that [REDACTED] had told him that he was jealous of [REDACTED] because he got shots off at the Cop and he didn't. [REDACTED] [REDACTED] said that [REDACTED] did not shoot at the Cops; it was his brother, [REDACTED] [REDACTED] said that [REDACTED] had a long barrel gun, three to four days ago. He said that [REDACTED] and [REDACTED] did the 76 Station and Circle K. He heard them laughing about it, saying that the Cops thought that Mexicans or Blacks did it. [REDACTED] [REDACTED] said that [REDACTED] knew where [REDACTED] had been staying, but didn't tell the Cops. Request that a copy of this supplemental be forwarded to Eureka Police Detective Neal Hubbard for his investigation.

At 1440 hrs. Investigator Cooke and I went to [REDACTED] Albee St. in Eureka, part of the neighborhood check that we had been assigned. We contacted [REDACTED] [REDACTED] and his wife, [REDACTED]. We recorded our conversation on a digital recorder that was later transferred to CD. I turned the CD over to Eureka Police Detective Neal Hubbard for his investigation. They said that they didn't see or hear anything when the incident occurred at the abandoned house. They did hear sirens after the incident. During the incident [REDACTED] looked out her front door and was told by a "Cop" to leave. She said that runaways utilized the abandon house. [REDACTED] [REDACTED] said that her little brother would go there when he ran away from home. She said that her friend's grandson, [REDACTED]

had been staying there with [REDACTED] friend's name is [REDACTED] and she had phoned [REDACTED] after the incident and confirmed that [REDACTED] had told his Mom that [REDACTED] had pulled a gun on a Cop and they shot him. Refer to CD for complete details.

At approx. 1500 hrs. we responded to [REDACTED] West Harris St. in Eureka. We contacted [REDACTED] We recorded our conversation on a digital recorder that we later transferred to CD. They did not see or hear anything during the time that the incident occurred. They said that someone in the neighborhood had said that they had heard six shots. They did not know the neighbor's name or address. Refer to CD for complete details. I turned the CD over to Eureka Police Detective Neal Hubbard for his investigation.

Stu R. Quenell #0788
Det. S. Quenell #0788

1-14-07 / 1631 hrs.
Date/Time

SCOT WAYNE HANSON
Approved by Sgt. Wayne Hanson

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
IDENTIFICATION SECTION

826 Fourth Street

Eureka, CA 95601

LATENT PRINT CASE PROCESSING RESULTS

Agency Case No. **200700084**

Submitting Agency EUREKA DEPARTMENT OF JUSTICE

Submitting Officer [REDACTED] #1302

Date of Case: 01/04/2007

REC'D 01-24-2007

REF. CASE 200607822

Submitted Material:

Item #	Description	Latent Result
54	BLUE GLASS SMOKING PIPE	NEGATIVE
43	RUGER NEW MODEL BLACKHAWK [REDACTED]	NEGATIVE
43a	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #1 CHAMBER UNDER HAMMER	NEGATIVE
43b	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #2	NEGATIVE
43c	38 SPCL CARTRIDGE COPPER JACKETED WINCHESTER REMOVED FROM #43: POSITION #3	NEGATIVE
43d	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #4	NEGATIVE
43e	357 MAGNUM CARTRIDGE FEDERAL REMOVED FROM #43: POSITION #5	NEGATIVE
43f	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #6	NEGATIVE

s)

Name	DOB	SA#

Name	DOB	SA#

Examination of the submitted latent lift cards resulted in NO usable latent impressions.

Examination of the submitted latent lift cards resulted in usable latent impressions.

XXXXX Processing and examination of the submitted physical evidence resulted in NO usable latent impressions.

Processing and examination of the submitted physical evidence resulted in usable latent impressions.

The usable latent impressions were filed in the I.D. section under this case number for future possible comparisons.

The usable latent impressions appear to be portions of the palms, and NO palm prints were available for comparison.

The usable latent impressions were compared to ink prints of the [REDACTED] s) listed above, and NO identification was established.

The usable latent impressions were compared with ink prints and identification was established as:

The usable latent impressions were entered into Alps.

Comments:

Identification Technician: [REDACTED]

Date: 02/06/2007

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
EVIDENCE REPORT
SUPPLEMENTAL REPORT

Classification: Officer Involved Shooting

Case: HCSO 200700084
EPD 3C07-00095

Evidence Tech: [REDACTED]

Investigator: C.I.R.T.

Occurred: [REDACTED] Albee Street
Eureka, CA

Date Reported: 01-04-2007

[REDACTED]

On January 4, 2007 at approximately 1100 hours, I was contacted in my office by Detective Quenell and informed of an Officer Involved Shooting that had occurred within the city of Eureka. Detective Quenell stated Lt. Cavinta was requesting I stand by to possibly assist in processing the scene. I was told Detective Kirkpatrick had been involved along with Police Officers from Eureka Police Department, an Agent from ATF and an Agent from Parole.

At approximately 1200 hours, Detective Quenell contacted me in my office. Detective Quenell informed me that Eureka Police Department was requesting my assistance. I was instructed to go to Eureka Police Department for further instructions.

I arrived at Eureka Police Department at approximately 1220 hours and met with D.A. Chief Investigator Jim Dawson and EPD Detective Neil Hubbard. Dawson briefed me on the incident and instructed me on my duties at the scene. I was told the incident had occurred at [REDACTED] Albee Street in Eureka inside a gutted house. I was told there was one [REDACTED] on scene that was believed to be [REDACTED]. I was told his identity had not been confirmed. Dawson instructed me to assist Criminalists from the Eureka Department of Justice Laboratory in processing the scene. Dawson told me to take photographs of the scene, construct a crime scene diagram and assist in locating possible evidence. Dawson told me that DOJ would be the primary crime scene investigators and would be recording and collecting all evidence to be stored at the Eureka DOJ Laboratory. I asked Dawson if there were any vehicles on scene involved with the [REDACTED]. Dawson stated no. Dawson told me they did not believe the [REDACTED] had permission to be inside the residence and to check for forced entry. I was told Detective Honeycutt was obtaining a search warrant for the residence and I would be notified when to start enroute to the scene.

While waiting for the search warrant, I was contacted by EPD Retired Evidence Tech [REDACTED]. [REDACTED] informed me that there should be a magazine for a .40 caliber Glock

located inside the residence. [REDACTED] told me EPD Officer Terry Liles had dropped the magazine to reload his weapon during the incident.

At approximately 1350 hours, we were informed the search warrant had been signed. EPD Detective Hubbard briefed us on the scene. We were told that the [REDACTED] was located in an upstairs bedroom to the right of the staircase. We were told there were no stairs leading to the second story of the residence. I was told to search for items to be processed for latent prints.

I arrived on scene at approximately 1427 hours and met with HCSO Sgt. Buihner, DOJ Criminalists [REDACTED] and [REDACTED], District Attorney Paul Gallegos, DA Chief Investigator Jim Dawson. The residence was located on the east side of Albee Street with the front entrance facing west.

Using a Nikon digital camera, I took photographs of the exterior of the residence.

At approximately 1509 hours, Detective Hubbard arrived on scene and served the search warrant. Prior to the Investigators walk through, Criminalist [REDACTED] and I took initial photographs of the interior of the residence and placed numbered markers on items of possible evidence that were clearly visible. We had earlier been informed that Ambulance Personnel, Detective Prose, Detective Honeycutt and Detective Lawson had entered the scene prior to our arrival.

After the Investigators walk through, I proceeded to videotape the residence. The 8mm videotape was later booked into evidence.

The residence was a two-story structure with a set of concrete stairs leading from the sidewalk on Albee Street to the covered front porch and front door. There was a bay window located at the front of the residence on the north side. The front door had been blocked from the inside with a board located underneath the doorknob. There was an enclosed porch located at the back of the residence on the southeast corner. This porch contained the rear entrance to the residence. There was a fence located at the back of the yard with a large opening on the south side. There was a fence from the northeast corner of the yard to the northeast corner of the residence. This fence separated the residence from the neighbor on the north side. The access to the north side of the residence was gained by entering the yard of the neighbor on the north side. The windows to the residence were covered by boards and blankets.

The downstairs portion of the structure contained three rooms. The enclosed back porch entered through a door to a room located at the back of the residence. The room was L-shaped with a bathroom on the north side. A large opening led into the front room or what would be the living room area. This was where the front door was located. The front door was secured from the inside with a board. The board was placed under the door handle and was secured by an additional board nailed to the floor. On the north side of the living room was an additional room separated by a door. This room was where the bay window was located. The living room contained an opening in the ceiling where the

second story was located. The opening was located on the north wall of the living room. No stairs were present. There was a ladder placed where the stairs would have been located. I was told the ladder had been placed in its position by Fire and Rescue to gain access to the second story.

The second story contained 3 rooms. There was a room located at the back of the residence with an opening to the second room located at the southwest corner above the living room area. The rooms contained a large opening between the two. The third room was located at the northwest corner and was separated from the second room by a door. This room contained furniture, a bed and miscellaneous personal items. The [REDACTED] was lying on the bed.

We noticed what appeared to be bullet holes in the north wall of the living room where the stairs would have been located. This wall was shared with the bedroom where the [REDACTED] was found. We noticed what appeared to be bullet holes in the ceiling, north wall and window of the bedroom where the [REDACTED] was found.

Criminalist [REDACTED], Criminalist [REDACTED] and I proceeded to search for additional evidence. All of the evidence was marked with numbered evidence markers and photographed.

We proceeded to measure and diagram the residence. After diagramming the interior of the residence, we proceeded to take measurements of the location of the evidence. I recorded all measurements. Criminalist [REDACTED] later took possession of the measurements and created the diagrams. Refer to Criminalist [REDACTED] report for details.

During our search, we located several spent cartridge cases in the downstairs and upstairs portion of the residence. We located a Glock magazine on the floor at the top of the stairwell. We located what appeared to be shotgun pellets in the upstairs bedroom where the [REDACTED] was found. We located several items to be collected for latent print processing which included 1 empty Budweiser can, 2 empty bottles of Lord Calvert, clear drinking glass, bottle of tequila, a blue glass smoking pipe and a box of Winchester .38 special cartridges. Refer to Criminalist [REDACTED] report for details.

We proceeded to take measurements of the [REDACTED] body inside the bedroom. The diagram will be attached to this report.

Humboldt County Deputy Coroner Roy Horton and Deputy Coroner Charlie Comer arrived to take possession of the body.

After the body was removed, we continued our search for possible evidence. Criminalist [REDACTED] collected a shotgun, which was located on the east side of the [REDACTED] near the bed. We located a Ruger .357 revolver pistol located on the north side of the bed near the [REDACTED] head. We located several spent bullets in the north wall of the bedroom. We observed a bookshelf located between the bed and the east wall of the bedroom. There was damage to the side of the bookshelf and one of the shelves was shattered.

Criminalist [REDACTED] stated the damage was consistent with a shotgun blast. Refer to Criminalist [REDACTED] report for details on evidence collected.

At approximately 2130 hours, we concluded our search. EPD Detective Hubbard requested we return to the scene on January 5 to continue processing the residence.

On January 5, 2007 at approximately 0805 hours, I arrived at [REDACTED] Albee Street and met with Criminalist [REDACTED]. Detective Hubbard arrived shortly after. We entered the residence, which had been secured over night, and resumed processing the scene.

I assisted Criminalist [REDACTED] in defining the bullet holes in the walls and assisted in placing trajectory poles and line. I continued to take photographs throughout the crime scene processing. Refer to Criminalist [REDACTED] report for bullet and trajectory details.

During our search, we located three possible areas where bullets struck the residence located on the north side of [REDACTED] Albee Street. We were able to recover one of these bullets. The bullet traveled through the south wall of the sunroom and was found imbedded in a vacuum hose.

I recorded measurements of the bookshelf located in the upstairs bedroom. The diagram will be attached to this report.

All the items for latent print processing along with all other items of evidence were collected and booked into the DOJ Laboratory in Eureka by Criminalist [REDACTED]

We concluded our search at approximately 1830 hours.

I took a total of 356 digital photographs. The digital photographs were later transferred to CD ROM and booked into evidence.

On January 8, 2007 I took possession of the following items of evidence from the Eureka Department of Justice Laboratory for latent print processing: blue glass smoking pipe, 1 pint 8 oz. empty Budweiser can, Lord Calvert bottle, Lord Calvert bottle w/candle wax at opening, Tequila bottle w/liquid (opened), small hand mirror w/wood frame, and clear drinking glass.

I processed the evidence for latent prints at the HCSO Laboratory. I was able to lift latent prints from the Budweiser can, both Lord Calvert bottles and the clear drinking glass.

On January 11, 2007 I compared the latent prints obtained from the evidence to [REDACTED] and possible involved [REDACTED], [REDACTED] and [REDACTED]. I was able to identify two latent prints as belonging to [REDACTED]. The latent prints were obtained from the empty Budweiser can. The latent prints were identified as digit # 10 left little finger and digit #9 left ring finger.

I was able to identify one of the latent prints as belonging to [REDACTED]. The latent print was obtained from the Lord Calvert bottle not containing the candle wax. The latent print was identified as digit # 6 left thumb.

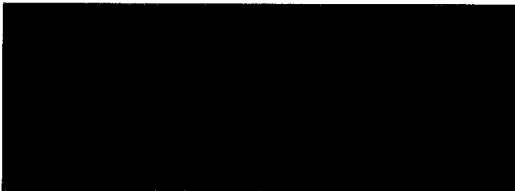
The latent identifications were verified by HCSO Property Technician [REDACTED].

On January 24, 2007 I took possession of the following items of evidence from the Eureka Department of Justice Laboratory for latent print processing: Ruger New Model Blackhawk .357 pistol [REDACTED], .357 Magnum cartridge removed from the Ruger position #1, .357 Magnum cartridge removed from the Ruger position #2, .38 SPCL Winchester copper jacketed cartridge removed from the Ruger position #3, .357 Magnum cartridge removed from the Ruger position #4, .357 Magnum Federal cartridge removed from the Ruger position #5, .357 Magnum cartridge removed from the Ruger position #6 and box of Winchester .38 cartridges containing 9 - .357 Magnum Federal cartridges, 5 - .357 Magnum Federal expended shell cases, 6 - .38 SPCL Winchester expended cartridge cases. The cartridges were removed from the Ruger and labeled by Criminalist [REDACTED]. Refer to his report for position number details.

I processed the evidence for latent prints at the HCSO Laboratory. I was unable to locate any latent prints on the evidence submitted. The latent results from the 9 - .357 Magnum Federal cartridges from the Winchester box are still pending.

All of the items of evidence will be returned to the Eureka Department of Justice Laboratory.

Any further investigation will be a matter of report.



7-24-07

Date/Time

Sgt. Hanson 7/24/07

Approved by Sgt. Hanson

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
IDENTIFICATION SECTION

826 Fourth Street

Eureka, CA 95501

LATENT PRINT CASE PROCESSING RESULTS

Agency Case No. **200700084**

Submitting Agency EUREKA DEPARTMENT OF JUSTICE

Submitting Officer [REDACTED] #1302

Date of Case: 01/04/2007

Submitted Material:

Item #	Description	Latent Result
57	1 PINT 8 OZ. EMPTY BUDWEISER CAN (UPSTAIRS BEDROOM)	POSITIVE
55	LORD CALVERT BOTTLE (DOWNSTAIRS LIVINGROOM)	POSITIVE
59	LORD CALVERT BOTTLE W/CANDLE WAX (UPSTAIRS BEDROOM CLOSET)	POSITIVE
53	OPENED TEQUILLA BOTTLE (UPSTAIRS BEDROOM)	NEGATIVE
58	SMALL HAND MIRROR W/WOOD FRAME (UPSTAIRS BEDROOM)	NEGATIVE
56	BAR GLASS (UPSTAIRS BEDROOM)	POSITIVE

Name	DOB	SA#

Name	DOB	SA#

- _____ Examination of the submitted latent lift cards resulted in NO usable latent impressions.
- _____ Examination of the submitted latent lift cards resulted in usable latent impressions.
- _____ Processing and examination of the submitted physical evidence resulted in NO usable latent impressions.
- XXXXX** Processing and examination of the submitted physical evidence resulted in usable latent impressions.
- _____ The usable latent impressions were filed in the I.D. section under this case number for future possible comparisons.
- _____ The usable latent impressions appear to be portions of the palms, and NO palm prints were available for comparison.
- _____ The usable latent impressions were compared to ink prints of the [REDACTED] (s) listed above, and NO identification was established.
- _____ The usable latent impressions were compared with ink prints and identification was established as:
- _____ The usable latent impressions were entered into Alps.

Comments:
REFER TO NARRATIVE FOR DETAILS ON COMPARISON/IDENTIFICATIONS.

Identification Technician: [REDACTED]

Date: 01/12/2007

HUMBOLDT COUNTY SHERIFF'S DEPARTMENT
IDENTIFICATION SECTION

826 Fourth Street

Eureka, CA 95501

LATENT PRINT CASE PROCESSING RESULTS

Agency Case No. **200700084**

Submitting Agency EUREKA DEPARTMENT OF JUSTICE

Submitting Officer [REDACTED] #1302

Date of Case: 01/04/2007

REC'D 01-24-2007

REF. CASE 200607822

Submitted Material:

Item #	Description	Latent Result
64	BLUE GLASS SMOKING PIPE	NEGATIVE
43	RUGER NEW MODEL BLACKHAWK [REDACTED]	NEGATIVE
43a	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #1 CHAMBER UNDER HAMMER	NEGATIVE
43b	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #2	NEGATIVE
43c	38 SPCL CARTRIDGE COPPER JACKETED WINCHESTER REMOVED FROM #43: POSITION #3	NEGATIVE
43d	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #4	NEGATIVE
43e	357 MAGNUM CARTRIDGE FEDERAL REMOVED FROM #43: POSITION #5	NEGATIVE
43f	357 MAGNUM CARTRIDGE REMOVED FROM #43: POSITION #6	NEGATIVE

(s)

Name	DOB	SA#

Name	DOB	SA#

Examination of the submitted latent lift cards resulted in NO usable latent impressions.

Examination of the submitted latent lift cards resulted in usable latent impressions.

XXXXX Processing and examination of the submitted physical evidence resulted in NO usable latent impressions.

Processing and examination of the submitted physical evidence resulted in usable latent impressions.

The usable latent impressions were filed in the I.D. section under this case number for future possible comparisons.

The usable latent impressions appear to be portions of the palms, and NO palm prints were available for comparison.

The usable latent impressions were compared to ink prints of the (s) listed above, and NO identification was established.

The usable latent impressions were compared with ink prints and identification was established as:

The usable latent impressions were entered into Alps.

Comments:

Identification Technician: [REDACTED]

Date: 02/06/2007

REQUESTING AGENCY CASE NO.
3C-07-0095

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
NORTH COAST REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-07-000013-0002

ATTN: Detective Neil Hubbard
Eureka Police Department
604 C Street
Eureka, CA 95501

COPIES: Humboldt Co. DA's Office
Investigator Jim Dawson

PHYSICAL EVIDENCE EXAMINATION REPORT

OFFENSE: OFFICER INVOLVED SHOOTING

OFFICER TERENCE LILES, DEPUTY MARVIN KIRKPATRICK,
AND AGENT MEDLIN

OFFENSE DATE: JANUARY 4, 2007

I, the undersigned, if called as a witness, would testify that I: (1) am employed by the State of California Department of Justice, (2) conducted an examination of, and (3) formed conclusions as stated in this report. I, the undersigned, declare this information is true and correct under penalty of perjury.

SUMMARY:

Each of the three handguns collected from U.S. Alcohol, Tobacco, and Firearms Agent Mike Medlin, Humboldt Co. Sheriff's Detective Marvin Kirkpatrick, and Eureka Police Officer Terence Liles were in good condition and functioned properly.

All of the bullets recovered from [REDACTED] body at his autopsy were consistent with ammunition carried by Officer Liles and was not consistent with the ammunition carried by Agent Medlin and Detective Kirkpatrick.

[REDACTED] shotgun was determined to be functional. Shot pellets found on the floor of the bedroom he occupied at the time of the shooting were consistent in size and composition with the labeling on the fired shot shell removed from the chamber of the weapon at the laboratory. Two unfired shot shells were removed from the magazine.

The single-action revolver found in the bedding of the bedroom occupied by [REDACTED] at the time of the shooting was determined to be functional. The revolver was fully loaded as recovered at the crime scene.

EVIDENCE:

The following evidence was collected at the crime scene and retained by the laboratory on January 4, 2007:

Items 1-2	Two cartridge cases from utility room floor, 1 st floor
Item 3	Striker plate and screws from doorway between utility room and dining room, 1 st floor
Item 4	One cartridge case from utility room floor, 1 st floor
Items 5-10	Six cartridge cases from dining room floor, 1 st floor
Item 11	One cartridge case near doorway between dining room and living room, 1 st floor
Item 12-14	Three cartridge cases from living room floor, 1 st floor
Item 15	Small round gray colored spheroid resembling lead shot from living room floor, 1 st floor

EVIDENCE CONT'ED:

Item 16-17	Two cartridge cases from living room floor, below stairwell opening, 1 st floor
Item 18-19	Two cartridge cases from living room floor, 1 st floor
Item 20	Empty pistol magazine on south bedroom floor, near the top of the stairwell, 2 nd floor
Item 21-23	Three cartridge cases from east bedroom floor, 2 nd floor
Item 24	One cartridge case from dining room floor, 1 st floor
Item 25	One cartridge case from floor inside wall space, 2 nd floor
Item 26	One cartridge case from east bedroom floor, 2 nd floor
Item 27	One cartridge case from south bedroom floor, 2 nd floor
Item 28-29	Two cartridge cases from east bedroom floor, 2 nd floor
Item 30-31	Two shot pellets from north bedroom floor, 2 nd floor
Item 32	Shotgun from floor, near [REDACTED] bed
Item 33-38	Seven shot pellets from north bedroom floor, 2 nd floor
Item 39	Several shot pellets and shot shell wadding from floor in the southeast corner of the north bedroom, 2nd floor
Item 40	Fired bullet found on floor of north bedroom, near [REDACTED] bed, 2 nd floor
Item 41	Bullet with sheetrock embedded in nose on bed frame in north bedroom, 2 nd floor
Item 43	Loaded single-action pistol wrapped in a T-shirt on floor between the bed frame and the north wall of north bedroom, 2 nd floor
Item 43a-43f	Six cartridges removed from revolver (Item 43) in north bedroom, 2nd floor,
Item 44	Bullet near north wall floor in north bedroom, 2 nd floor
Item 45	Bullet near north wall floor in north bedroom, 2 nd floor
Item 46	One box of pistol cartridges in north bedroom, 2 nd floor
Item 47	Two-way radio from bed in north bedroom, 2nd floor
Item 48	Prescription bottle containing pistol cartridges
Item 49	Two two-way radios from backpack found in north bedroom, 2nd floor
Item 50	Sleeping bag from bed in north bedroom, 2nd floor
Item 51	Orange blanket from bed in north bedroom, 2nd floor
Item 52	Blanket with "Dallas Cowboys" graphics from bed in north bedroom, 2nd floor

The following evidence was collected at the crime scene and retained by the laboratory on January 5, 2007:

Item 53	Partially full bottle of tequila from north bedroom, 2nd floor
Item 54	Small smoking pipe from north bedroom, 2nd floor
Item 55	"Lord Calvert" whiskey bottle from residence
Item 56	Bar glass from north bedroom, 2nd floor
Item 57	Empty beer can from north bedroom, 2nd floor
Item 58	Small hand mirror from north bedroom, 2nd floor
Item 59	"Lord Calvert" whiskey bottle from north bedroom, 2nd floor
Item 60	Bullet recovered from sun porch of the house next door, [REDACTED] Albee Street
DOJ 1	Bullet from ceiling in north bedroom, 2nd floor (also known from photographs as Item # 1?)
DOJ 2	Bullet from ceiling in north bedroom, 2nd floor (also known from photographs as Item # 2?)
DOJ 3	Bullet from north wall in north bedroom, 2nd floor (also known from photographs as Item # 5)

EVIDENCE CONT'ED:

The following evidence was received from the Eureka Police Department on January 5, 2007:

DOJ 4	Bullet and fragment from north wall in north bedroom, 2nd floor (also known from photographs as Item # 12)
Item J4	Agent Medlin's .40 S & W semi automatic pistol, [REDACTED]
Item J5	One 357/40 CAL detachable box magazine from Item J4
Item J6	One Speer 40 S & W cartridge from chamber of Item J4
Item J7	Eleven cartridges from Item J5, six Winchester and five Speer
Item J8	Deputy Kirkpatrick's Glock Model 22 40 S & W semi automatic pistol, s/n [REDACTED]
Item J9	One Winchester 40 S & W cartridge from chamber of Item J8
Item J10	One detachable box magazine containing fifteen Winchester 40 S & W cartridges from Item J8
Item J11	One detachable box magazine containing fifteen Winchester 40 S & W cartridges from Deputy Kirkpatrick's duty belt
Item J12	One detachable box magazine containing ten Winchester 40 S & W cartridges from Deputy Kirkpatrick's left pants pocket, used during shooting incident
Item J13	Officer Liles's Glock Model 22 40 S & W semi automatic pistol, [REDACTED]
Item J14	One Winchester 40 S & W cartridge from chamber of Item J13
Item J15	One detachable box magazine containing Twelve Winchester 40 S & W cartridges from Item J13
Item J16	One detachable box magazine containing fifteen Winchester 40 S & W cartridges from Officer Liles's duty belt

The following evidence was received from the Eureka Police Department on January 5, 2007:

Item J17	Liquid blood sample from Officer Liles
Item J18	Liquid blood sample from Deputy Kirkpatrick
Item J19	Liquid blood sample from Agent Medlin
Item J44	Bullet from wound "P" with fuzzy fibers recovered at [REDACTED] autopsy
Item J45	Bullet from "upper Rt arm" recovered at [REDACTED] autopsy
Item J46	Bullet from wound "R" "intestine" recovered at [REDACTED] autopsy
Item J47	Bullet from wound "Q" "neck" recovered at [REDACTED] autopsy
Item J48	Bullet from wound "L" "upper back" recovered at [REDACTED] autopsy
Item J49	Bullet from wound "D" recovered at [REDACTED] autopsy

EXAMINATION:Weapons and Ammunition from Law Enforcement Personnel

Agent Medlin's weapon was a Sig Sauer Model P226 semi automatic pistol chambered for the 40 S & W cartridge, [REDACTED] (J4). It is significant to note that Agent Medlin's pistol had a hemispherical shaped firing pin and conventionally rifled lands and grooves. The trigger pull of the weapon was determined to average 3-1/2 lbs. single action and 8-1/8 lbs. double action. The magazine that was recovered from the weapon (J5) contained eleven cartridges, five Speer cartridges and six Winchester cartridges (J7). A Speer cartridge was removed from the chamber of the weapon (J6). Both the Speer and Winchester cartridges removed from Agent Medlin's weapon had nickel-plated cartridge cases, and the bullets had closed, concave

EXMINATION CONT'ED:

bases (jacketed, no exposed lead). Exemplars of the ammunition from Agent Medlin's weapon (J7) were test fired in his pistol and retained for examination as needed.

Deputy Kirkpatrick's weapon was a Glock Model 22 semi automatic pistol chambered for the 40 S & W cartridge, [REDACTED] (J8). It is significant to note that Deputy Kirkpatrick's pistol had a rectangular shaped firing pin and a polygonal rifled barrel. The trigger pull of the weapon was determined to average approximately 4 lbs. single action. As recovered, the magazine (J12) contained ten Winchester cartridges. A Winchester cartridge was removed from the chamber of the weapon (J9). The Winchester cartridges removed from Deputy Kirkpatrick's weapon had brass cartridge cases, and the bullet bases were flat and not jacketed (exposed lead). Four cartridges from the magazine recovered that Deputy Kirkpatrick was alleged to have used during the shooting (J12) were test fired in his pistol and retained for examination as needed.

Officer Liles's weapon was a Glock Model 22 semi automatic pistol chambered for the 40 S & W cartridge (J13). Officer Liles's weapon had mismatched serial numbers. The slide and barrel bore the serial number [REDACTED], and the frame bore the serial number [REDACTED]. It is significant to note that Officer Liles's pistol had a rectangular shaped firing pin and a polygonal rifled barrel. The trigger pull of the weapon was determined to average approximately 4-3/4 lbs. single action. As recovered, the magazine (J15) contained twelve Winchester cartridges. An empty magazine found on the second floor south bedroom (20) was alleged to have been emptied and released by Liles's from his weapon during the shooting. A Winchester cartridge was removed from the chamber of the weapon (J14). The Winchester cartridges removed from Officer Liles's weapon had nickel-plated cartridge cases, and the bullet bases were flat and jacketed (no exposed lead). Four cartridges from the magazine recovered that Officer Liles was alleged to have used during the shooting (J15) were test fired in his pistol and retained for examination as needed.

The differences observed in the firing pin shapes, rifling techniques, and cartridge component appearances made it relatively simple to determine which individual fired a particular bullet or cartridge case collected at the crime scene. The following photographs depict these differences.



Agent Medlin's ammunition-bullet base and cartridge case head stamp and firing pin impression. Note the concaved, jacketed base of the bullet and the spherical firing pin impression on the cartridge case primer.



Agent Medlin's ammunition-bearing surface of bullet. Note the well-defined land impressions indicative of conventional barrel rifling.



Deputy Kirkpatrick's ammunition- bullet base and cartridge case head stamp and firing pin impression. Note the flat, jacketed base and the rectangular firing pin impression on the cartridge case primer.



Officer Liles's ammunition- bullet base and cartridge case head stamp and firing pin impression. Note the flat, unjacketed base and the rectangular firing pin impression on the cartridge case primer.

EXAMINATION CONT'ED:

Both Liles's and Kirkpatrick's ammunition (example)-Typical of polygonal rifling, distinct lands and grooves are not present. Instead, flattened areas are present around the circumference of the bullet's bearing surface.

Cartridge Case Evidence

Evidence components collected at the crime scene were attributed to each officer's weapon using the characteristics depicted in the photographs.

Evidence cartridge cases 1, 2, 4, 5, 6, 7, and 24 were fired in Agent Medlin's Sig Sauer Model P226 pistol.

Evidence cartridge cases 12, 13, 14, 18, and 19 were fired in Deputy Kirkpatrick's Glock Model 22 pistol.

Evidence cartridge cases 5, 8, 9, 11, 16, 17, 21, 22, 23, 25, 26, 27, 28, and 29 were fired in Officer Liles's Glock Model 22 pistol.

The approximate locations in which the evidence cartridge cases were found are graphically depicted in the Corrected Field Investigation Report dated February 20, 2007.

Bullet Evidence

The following bullets are consistent in design with the ammunition carried by Agent Medlin. They also have conventional land and groove impressions as does Agent Medlin's Sig Sauer P226 pistol: 41, DOJ-1, DOJ-2, DOJ-3, and DOJ-4 (depicted in crime scene photographs as CS 1?, CS 2?, CS 5?, and CS 12 respectively). DOJ-1 through DOJ-3 were recovered from the ceiling of the north bedroom. CS 12 was recovered from the north wall of the bedroom.

The following bullets are consistent in design with the ammunition carried by Officer Liles. They also have polygonal rifling impressions as does Officer Liles's Glock Model 22 pistol: 40, 44, 45, 60, J44, J45, J46, J47, J48, and J49. Bullets J44 through J49 were recovered from [REDACTED] body at his autopsy.

Weapons and Ammunition from Cook

A Mossberg 835 pump-action shotgun, [REDACTED] was recovered near [REDACTED] body. The weapon had a sawed-off barrel, 16-1/4 inches in length and the butt stock had been cut off just below the pistol grip. The total length of the weapon was measured to be approximately 28 inches. The safety was in the "off" position as found. The trigger pull was measured as approximately 5-1/2 lbs. The shotgun had an empty high brass shot shell in the chamber when recovered with the following markings:

Winchester Super X 12 GA
MAG-1-9/16-T DRYLOK
STEEL SHOT
3 3/8 IN./99mm

Forty-nine steel shot pellets were collected in the 2nd floor north bedroom where [REDACTED] body was located. Five of these pellets were measured as a representative sampling and they all had a diameter consistent with size T shot.

EXAMINATION CONT'ED:

In addition to the fired shot shell removed from the chamber of the shotgun, two unfired shot shells were removed from the weapon's magazine. The shells in the order that they were removed from the magazine were a 3-1/2 inch Remington 12 GA "PREMIER HEVI-SHOT™", and a 3 inch Winchester 12 GA "SUPREME HV TURKEY™".

The Ruger New Model Blackhawk 357 Magnum six-shot revolver, [REDACTED], recovered near [REDACTED] body at the crime scene was in good condition and functional. It had a trigger pull of approximately 4 lbs. The weapon was fully loaded as recovered. A mixture of brands of ammunition including those made by CCI (four cartridges, Federal (one cartridge), and Winchester (one cartridge). The Federal and CCI cartridges were 357 Magnum. The Winchester cartridge was a 38 Special.

Items 20, 47, 48, 49, 50, 51, and 52 were not examined.

DISPOSITION:

Liquid blood samples from Liles, Kirkpatrick, and Medlin (Items J17, J18, and J19 respectively) were forwarded to the CA Department of Justice Toxicology Laboratory on January 12, 2007. Items 43, 46, and 53-59 were released to [REDACTED] of the Humboldt Co. Sheriff's Office on January 8, 2007. Items 43, 46, 53, and 55-59 were returned to the laboratory on January 24, 2007. Item 54 was returned to the laboratory on February 9, 2007. Items 20, 32, 47, 49, and J4-J16 were released to the Eureka Police Department on January 17, 2007. Item 32 was returned to the laboratory on January 26, 2007. Items 43, 43a-43f, and 46 were released to [REDACTED] on January 24, 2007 and were returned to the laboratory on February 9, 2007. Laboratory generated digital photographic evidence (Items DOJ5-DOJ8) were released to the Eureka Police Department on February 9, 2007. Evidence currently in the custody of the laboratory will be returned to the appropriate agency during by normal business practice.

EXAMINED BY: _____

Date of Report: February 20, 2007

[REDACTED]
Senior Criminalist

Technical review by: _____ Date: _____

Administrative review by: _____ Date: _____

[REDACTED]

NDV

REQUESTING AGENCY CASE NO.
3C-07-0095

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
NORTH COAST REGIONAL CRIMINALISTICS LABORATORY
1011 West Wabash Ave. Eureka, CA 95501-2121
Phone No. (707) 445-6682 FAX No. (707) 445-6688

BFS CASE NUMBER
EU-07-000013-0006

ATTN: Detective Neil Hubbard
Eureka Police Department
604 C Street
Eureka, CA 95501

COPIES: Investigator Jim Dawson

PHYSICAL EVIDENCE EXAMINATION REPORT

██████████ ██████████ ██████████

OFFENSE: OFFICER INVOLVED SHOOTING

OTHERS: OFFICER TERRENCE LILES, DEPUTY MARVIN KIRKPATRICK,
AND AGENT ██████████ MEDLIN

OFFENSE DATE: JANUARY 4, 2007

The undersigned, if called as a witness, would testify that I: (1) am employed by the State of California Department of Justice, (2) conducted an examination of, and (3) formed conclusions as stated in this report. I, the undersigned, declare this information is true and correct under penalty of perjury.

Corrected Copy

Changes on Page 3, Paragraph 4 (underlined) and Page 5 (Item #5 on sketch changed to red)
FIELD INVESTIGATION REPORT

SUMMARY:

January 4, 2007

At approximately 1130 hours, Assistant Laboratory Director ██████████ ██████████ received a call from Humboldt County District Attorney's Investigator Jim Dawson requesting assistance in the investigation of an officer involved shooting incident that had occurred earlier in Eureka. Several agencies were involved, including the Eureka Police Department (EPD), Humboldt County Sheriff's Office (HCSO) and the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

Assistant Laboratory Director ██████████ assigned the case to me. I communicated directly with Investigator Dawson by telephone and he gave me directions to the crime scene. I was given an address of ██████████ Albee Street, located south of Harris Street. Senior Criminalist ██████████ accompanied me to assist. We arrived at the scene at approximately 1415 hours.

Upon our arrival, I took exterior photographs of the residence while we waited for the other investigators to arrive. Investigator Dawson and Humboldt Co. District Attorney Paul Gallegos arrived soon after us. HCSO Evidence Technician ██████████ and EPD Detective Neil Hubbard arrived soon thereafter. Between Detective Hubbard and Investigator Dawson, we were briefed with the following information:

[A lead developed by the interagency task force formed to investigate a series of armed robberies, burglaries, and an attempted homicide committed against law enforcement personnel during a vehicular pursuit led the officers to the vacant residence at ██████████ Albee Street for the purpose of serving a search warrant on one of the ██████████ that was supposed to be inside. Five officers entered the residence by kicking in the rear door between the utility room and dining room. After clearing the lower floor, HCSO Deputy Kirkpatrick, EPD Officer Hislop, and ATF Agent Medlin took up positions on the first floor of the residence. EPD Officers Liles and Watson climbed to the second floor, using staircase stringers for hand and foot purchases. Liles kicked in the door to ██████████ bedroom, which coincided with the firing of a shotgun from within the bedroom. Initiation of fire by the ██████████ within resulted in a period of return fire from three of the officers. Officers Hislop and

SUMMARY CONT'ED:

Watson did not fire their weapons. [REDACTED] [REDACTED] was killed during the exchange of gunfire. A [REDACTED] inside the bedroom with [REDACTED] hid in a corner nook of the bedroom and was uninjured.]

The house is a two-story uninhabited dwelling in gutted condition with none of the usual fixtures (e.g. light fixtures, counters, sinks, basins, toilets, etc.) found in a finished house. The presence of tools and scrap material suggests that remodeling of the interior was ongoing.

All of the windows on the lower floor were covered with cloth and/or boards. Inspection of the walls and ceiling of the kitchen, living room, and parlor/storage room did not reveal any bullet holes, except for a grouping of six holes in the dry wall in the northeast corner of the north wall of the living room, above the stair well. The bedroom with [REDACTED] body shared this particular wall.

Each of the cartridge cases discovered in the utility room, dining room, and living room, as well as the striker plate and screws from the utility room doorjamb, were marked with an evidence number as they were discovered. The location of the evidence was documented as to the location in which they were discovered by photography and in a rough sketch of the first floor rooms prepared with the location of the evidence recorded using the two-reference point method. The dimensions of the rooms were measured for preparation of a scaled drawing. After initial documentation, the evidence was picked up and packaged.

After completing the documentation and collection of evidence on the first floor, Evidence Technician [REDACTED], SR Criminalist [REDACTED] and I began processing the second floor.

The Eureka Fire Department had placed a ladder in the stairwell to provide access to the upper floor. Two attic bedrooms were present on the second floor, one to the south of the stairwell and one to the east. Both of these rooms were currently open space. A third bedroom, with conventional walls and doorway was present to the north of the stairwell. [REDACTED] body was on a near ground-level futon in this north bedroom. All the upstairs windows were covered or partially covered. Bullet holes were only found in the southwest corner and in the north wall of [REDACTED] bedroom.

Each of the cartridge cases discovered in the east and south bedrooms were marked with an evidence number as they were discovered. The location of the evidence was documented as to the location in which they were discovered by photography and in a rough sketch of the second floor rooms prepared with the location of the evidence recorded using the two-reference point method. The dimensions of the rooms were measured for preparation of a scaled drawing. After initial documentation, the evidence was picked up and packaged.

The north bedroom was processed next. A wooden futon frame was present in the northwest corner of the room. A number of sleeping bags and blankets were laid on top of the futon frame to create a bed. [REDACTED] body was present on this bed. His body was face down with his head directed toward the northwest and his feet pointing toward the southeast. His hands had been handcuffed behind his back prior to our arrival. [REDACTED] body was fully clothed. He was wearing a white T-shirt with a blue zippered sweatshirt over it. He was wearing underwear and black denim long shorts with black sports shoes over ankle socks. A short-barreled Mossburg pump-action 12 GA shotgun with the stock modified to a pistol grip was found on the floor next to the futon, just to the right of [REDACTED] body. On the floor between the edge of the futon and the north wall, near the location of [REDACTED] head, was discovered a Ruger New Model Blackhawk six-shot single action revolver chambered for 357 Magnum cartridges. The handgun was hidden under the bedding.

SUMMARY CONT'ED:

Numerous small shiny silver colored metallic spheres (shot pellets) were observed in various locations on the north bedroom floor. A large number of these pellets, and a plastic shot shell wadding were found in the southeast corner of the bedroom. Two pellets were observed to be embedded in the east wall, near the southeast corner of the room. A rectangular-shaped bookcase was location between the futon and the southeast corner of the room with the left side facing the futon. An oblong hole was present in the left side panel of the bookshelf that was consistent with having been made by a shotgun discharge. The hole was located approximately three feet above the floor. The hole had an upward angle, a conclusion supported by the orientation of the hole and because the shelf above the hole in the side panel had been shattered by the discharge as it exited the side panel.

The shooter, presumed to be [REDACTED], was not standing when the shotgun was discharged.

Only two shot pellets from the discharge were observed to impact the wall behind the bookcase with sufficient force to penetrate the drywall. These were observed to be superficially embedded in the east wall at a height of approximately 4 feet, near the southeast corner of the room. It is my opinion that after penetrating the side panel and impacting the top shelf of the bookcase, the discharged pellets did not have sufficient energy remaining to penetrate the painted drywall, and most of them were either directed downward after impacting the shelf or bounced off the wall and onto the floor. The shot shell wadding was found in this corner. Of the 49 shot pellets that were recovered, 40 of them came from the floor in the southeast corner (Item 39). Wood splinters were found in the southeast corner of the bedroom that were consistent with the color and appearance of the wood comprising the bookcase. This information indicates the following:

The direction of the shotgun discharge was in the direction of the southeast wall of the bedroom.

Evidence indicated that [REDACTED] was under a sleeping bag being used as a blanket during the shooting. The sleeping bag contained loose white fibers as insulation. Bullet holes were observed in the sleeping bag and the projectile, upon exiting, pulled tufts of the fibers out the exit hole. A hole in the back of [REDACTED] denim shorts had a tuft of similar fibers partially protruding from the bullet hole. This information indicates the following:

[REDACTED] was underneath, or partially underneath, the sleeping bag when he was shot. This observation is consistent with [REDACTED] being in a sitting, or near prone position when he was shot.

[REDACTED] was not facing the doorway when he was struck by at least one of the shots fired at him.

After Evidence Technician [REDACTED] and I photographed and collected some evidence that had been located in the room (shot pellets from the floor), we documented the location of [REDACTED] body using the two-point reference technique. We then requested that the Humboldt Co. Coroner's Office respond and remove the body, so that we could complete processing of the scene. The coroner's office was summoned between approximately 1800 and 1930 hours. Deputy Coroner Roy Horton and an assistant from his office arrived and removed the body.

After the body was removed, we continued processing. The bedding and personal effects within the room were examined. The bedding was removed and examined one layer at a time. We also located bullet holes, collected bullets that were not embedded, and took additional photographs. Some of the bedding, personal effects, and bullets were collected at this time. We terminated processing at this stage, and agreed to return the next morning to evaluate bullet paths, collect evidence items for latent print processing, and attempt to remove bullets from walls and elsewhere. The Eureka Police Department retained a private security company to secure the scene until morning.

SUMMARY CONT'ED:

Upon returning to the laboratory, I unloaded the Mossburg shotgun and the Ruger pistol. The Mossburg action was difficult to open and required a greater exertion of force than is normally required to cycle most pump shotguns. In the chamber was a fired 3-1/2 inch 12 GA shot shell with a high brass shell case. Markings on the shell tube indicted that it contained size "T" steel shot. Two unfired shells were present in the tubular magazine. The shell case and shot shells were repackaged.

All six chambers of the Ruger New Model Blackhawk contained loaded cartridges. Chambers #1, #2 and #4-#6 contained cartridges with headstamps indicating them to be 357 Magnums. Chamber #3 contained a cartridge headstamp indicating it to be a Winchester 38 SPL cartridge. This mixture of cartridge calibers was consistent with the mixture of cartridge calibers found in a box of ammunition found in the bedroom with [REDACTED] body.

January 5, 2007

Bullet holes in, or into, [REDACTED] bedroom tended to be segregated in definite locations and bullet paths from where they were fired. Bullet holes were given arbitrary numbers beginning with #1 and any bullets recovered from a given bullet hole retained the same number.

A cluster of bullet holes entered the drywall into [REDACTED] bedroom above the stairwell. These were labeled as bullet holes #1-6. Four of the bullets penetrated the wall and struck the ceiling in approximately the center of [REDACTED] bedroom. Items 1, 2, and 5 were recovered from the drywall covering the ceiling. Item 41 was a similar style bullet and it was found lying on the top of one of the slates of the futon. It likely ended up there after it exited the ceiling (bullet holes #3 or 4) and dropped onto this area of the room after exhausting its energy.

Several bullet holes were clustered in the upper window and upper window frame located behind the futon. This group was identified with numbers for reference as bullet holes #7-12. At least four of these were through and through. A bullet was recovered from one of the holes (#12).

Several bullet holes were present in the windowsill and below it in the wall. These were labeled bullet holes #13-18. At least five of these were through and through bullet paths. At least three of these struck the house next door. One of the bullets (#60) was recovered from a sun porch. The bullet was found partially penetrating the hose of a vacuum cleaner located in the sunroom. Several apparent bullet impact sites observed below the windowsill did not penetrate far, and it appeared the bullets struck and dropped to the floor or struck and were diverted, probably with a rather low degree of energy due to the lack of penetration. The energy may have been depleted because of contact with one or more intervening targets. Bullet holes through which a bullet track could be determined, through-and-through tracks or tracks with at least two points of contact (such as a graze mark and bullet hole), were probed with bullet probes. The angles of entry, and in some cases, exit and reentry, were projected back to the floor or wall to depict the approximate location of the shooter who fired the particular shot. Trajectory information indicates the following (shooter # arbitrarily assigned and does not indicate the order of fire):

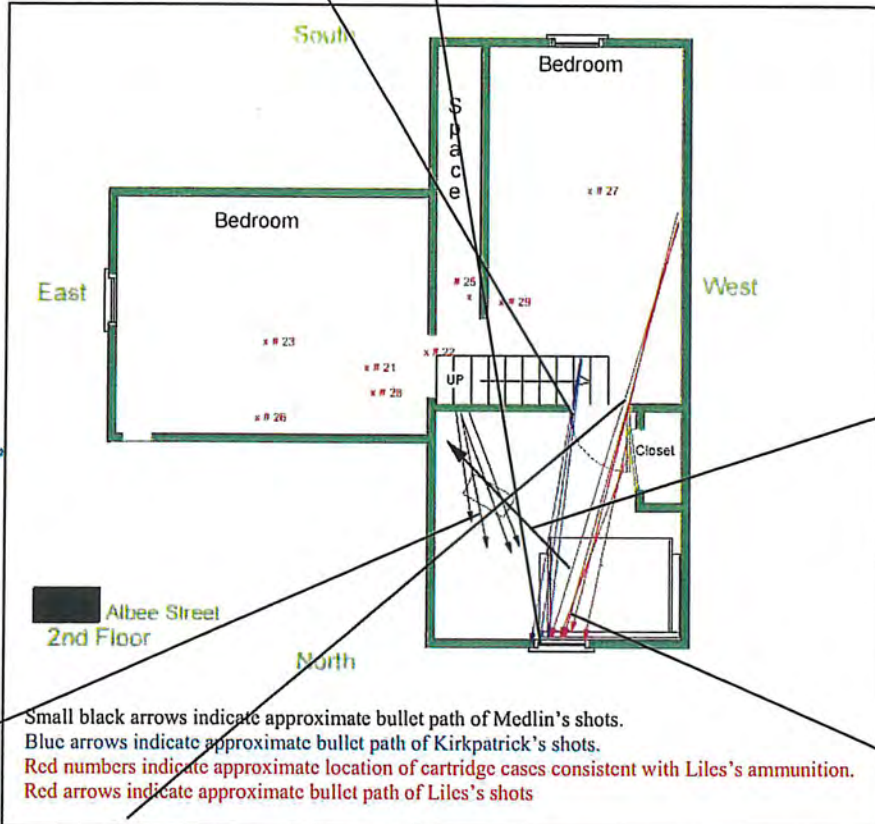
Shooter #1 (Medlin)

One grouping of bullet holes, #1-6, was produced by gunshots fired into the southeast corner of [REDACTED] bedroom from the first floor in the approximate vicinity of the doorway between the dining room and living room.

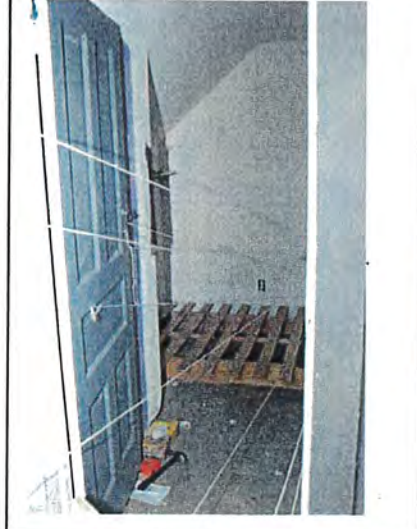
SUMMARY CONT'ED:



COPY



Large arrow indicates the approximate direction of the shotgun discharge



EVIDENCE:

The following evidence was collected at the crime scene located at [REDACTED] Albee Street by the undersigned and transported to the laboratory on January 4, 2007:

- Items 1-2 One each cartridge cases from 1st floor, utility room floor
- Item 3 Striker plate and screws from doorjamb 1st floor, utility room/dining room doorway
- Items 4-9 One each cartridge cases from 1st floor, dining room floor
- Item 10 One cartridge from 1st floor, dining room floor
- Items 11-14 One each cartridge cases from 1st floor, living room floor
- Item 15 Grey spherical object from 1st floor, living room floor
- Items 16-19 One each cartridge cases from 1st floor, living room floor
- Item 20 Empty pistol magazine from 2nd floor, south bedroom floor
- Items 21-23 One each cartridge cases from 2nd floor, east bedroom floor
- Item 24 One cartridge case from 1st floor, dining room floor
- Item 25 One cartridge case from 2nd floor, wall space floor between east and south bedrooms
- Item 26 One cartridge case from 2nd floor, east bedroom floor
- Item 27 One cartridge case from 2nd floor, south bedroom floor
- Item 28 One cartridge case from 2nd floor, east bedroom floor
- Item 29 One cartridge case from 2nd floor, south bedroom floor
- Items 30-31 One each shot pellets from floor of 2nd floor, north bedroom floor
- Item 32 Mossburg 12 GA shotgun [REDACTED] [REDACTED] from floor of 2nd floor, north bedroom floor
- Item 33 One shot pellet from floor of 2nd floor, north bedroom floor
- Item 34 Two shot pellets from floor of 2nd floor, north bedroom floor
- Items 35-38 One each shot pellets from floor of 2nd floor, north bedroom floor
- Item 39 Multiple shot pellets and a plastic shot shell wadding from the southeast corner, 2nd floor, north bedroom
- Item 40 Fired bullet, 2nd floor, north bedroom
- Item 41 Fired bullet on futon frame, 2nd floor, north bedroom
- Item 42 Bullet embedded in wooden futon frame, 2nd floor, north bedroom
- Item 43 Ruger 357 Magnum New Model Blackhawk revolver [REDACTED]
- Item 44-45 One each bullets, near north wall, 2nd floor, north bedroom
- Item 46 One partial box of handgun ammunition, 2nd floor, north bedroom
- Item 47 Two-way handheld radio, 2nd floor, north bedroom
- Item 48 Pharmacy bottle containing cartridges from backpack on floor, 2nd floor, north bedroom
- Item 49 Two two-way handheld radio from backpack on floor, 2nd floor, north bedroom
- Item 50 Sleeping bag with brown plaid flannel lining near [REDACTED] body, 2nd floor, north bedroom
- Item 51 Orange blanket near [REDACTED] body, 2nd floor, north bedroom
- Item 52 Blanket with "Dallas Cowboys" design from futon, 2nd floor, north bedroom

The following evidence was collected at the crime scene located at [REDACTED] Albee Street by the undersigned and transported to the laboratory on January 5, 2007:

- Item 53 Partial bottle of tequila, 2nd floor, north bedroom
- Item 54 Pipe with residue, 2nd floor, north bedroom
- Item 55 Lord Calvert whiskey bottle, 2nd floor, north bedroom
- Item 56 Bar glass, 2nd floor, north bedroom
- Item 57 Beer can, 2nd floor, north bedroom
- Item 58 Small mirror, 2nd floor, north bedroom
- Item 59 Lord Calvert whiskey bottle, 2nd floor, north bedroom

EVIDENCE CONT'ED:

- Item 60 Bullet partially embedded in vacuum cleaner hose on sun porch of neighbor's residence, [REDACTED] Albee Street, north side of [REDACTED] Albee Street
- Item DOJ1 & DOJ2 One each bullet from ceiling, 2nd floor, north bedroom
- DOJ3 Bullet from wall in southeast corner, 2nd floor, north bedroom
- DOJ4 Bullet from wall above window in north wall, 2nd floor, north bedroom

The following items were received at the laboratory from Eureka Police Department Evidence Technician [REDACTED] on January 8, 2007:

- Item J4 Agent [REDACTED] Medlin's 40 S & W Sig Sauer semi automatic pistol, [REDACTED]
- Item J5 357/40 cal magazine from Item J4
- Item J6 One Speer 40 S & W cartridge removed from chamber of Item J4
- Item J7 Eleven 40 S & W cartridges: six with Winchester headstamp, 5 with Speer headstamp
- Item J8 Deputy Marvin Kirkpatrick's 40 S & W Glock Model 22 semi automatic pistol, [REDACTED]
- Item J9 One Winchester 40 S & W cartridge removed from chamber of Item J8
- Item J10 One magazine and 15 Winchester 40 S & W cartridges from J8
- Item J11 One magazine and 15 Winchester 40 S & W cartridges from Kirkpatrick's duty belt
- Item J12 One magazine and 10 Winchester 40 S & W cartridges from Kirkpatrick's left pants pocket
- Item J13 Officer Terrence Liles's 40 S & W Glock Model 22 semi automatic pistol, [REDACTED]
- Item J14 One Winchester 40 S & W cartridge removed from chamber of Item J13
- Item J15 One magazine and 12 Winchester 40 S & W cartridges from J13
- Item J16 One magazine and 15 Winchester 40 S & W cartridges from Liles

The following items were received at the laboratory from Eureka Police Department Evidence Technician [REDACTED] on January 9, 2007:

- Item J17-J19 Blood sample from Officer Liles, Deputy Kirkpatrick, and Agent Medlin, respectively
- Item J44 Bullet from [REDACTED] body, wound "P" with fuzzy material, collected at autopsy
- Item J45 Bullet from [REDACTED] right upper arm, collected at autopsy
- Item J46 Bullet through [REDACTED] intestine "R", collected at autopsy
- Item J47 Bullet from [REDACTED] neck, "Q", collected at autopsy
- Item J48 Bullet from [REDACTED] upper back, "L", collected at autopsy
- Item J49 Bullet from [REDACTED] body, wound "D", collected at autopsy

DISPOSITION:

Evidence Items 53-59 were released to [REDACTED] of the Humboldt Co. Sheriff's Office for latent print processing on January 8, 2007. Evidence Items 43, 43a-43f, and 46 were released to [REDACTED] of the Humboldt Co. Sheriff's Office for latent print processing on January 24, 2007. Evidence Items 53, 55-59 were returned to the laboratory from the Humboldt Co. Sheriff's Office on January 24, 2007. Item 32 was released to [REDACTED] of the Eureka Police Department for latent print processing on January 17, 2007 and returned to the laboratory on January 26, 2007. Blood samples from Liles, Kirkpatrick, and Medlin (Items J17-J18, respectively) were forwarded to the Department of Justice Toxicology Unit in Sacramento via UPS on January 12, 2007. Evidence Items J4-J16, #20, #32, #47, and #49 were returned to the Eureka Police Department on January 17, 2007.

Date of Report: February 20, 2007

EXAMINED BY: _____
[REDACTED]

Technical review by: _____ Date: _____

Administrative review by: _____ Date: _____
[REDACTED]

CCDPV