

1 LEGEND: Q. DET. PREUSS A. VANESSA GUERENA
 2 Q2. DET. CORNIDEZ
 3 Q3. DET. ANDERSON
 4

5 Q3. Vanessa, what was the year, for Jose's birth?

6 A. 05.

7
 8 Q3. 05. Okay. Vanessa, this is Detective Cornidez, and Detective Preuss.

9 Q2. Hi Vanessa.

10 Q3. ___.

11 Q. Hi.

12 Q3. _ Detectives ___, they're gonna, hopefully be able to get a little bit more
 13 information.

14 A. Okay.

15
 16 Q3. Um, to, to, hopefully answer some of your questions. Okay?

17 A. ___.

18
 19 Q3. Okay. Okay. Um, I'm going to, talk with one of them real quick.

20 A. Okay.

21
 22 Q3. Okay? If I can, and, I'll get you an ice pack, either way.

23 A. Okay, thank you.

24
 25 Q3. All right?

26 Q. ___.

27 Q3. And, I'm gonna go ahead and go off tape. Yeah, that's low, it's been on low. Um,
 28 the time now, is, 1150 hours, on May 5th, 2011.

29 A. ___.

30
 31 Q3. Okay. ___.

32 Q2. ___.

33 Q. ___ just come back in.

34 Q3. Oh, ___.

35 Q. Just, ___.

36 Q3. And, my key.

37 Q. Just, um, leave this door partially open, so we can, we use that, con-, air conditioner
 38 in there, since ___.

39 Q3. ___.

40 Q. Yeah, we'll, we'll just leave that one on.

41 Q3. Okay. ___.

42 Q. Hi.

43 A. Hi.

44
 45 Q. Vanessa?

46 A. Okay.

1

2 Q. Is that right? Vanessa?

3 A. Uh huh (yes).
 4

5 Q. All right. Again, my name is Dan Preuss. Um, I'm a detective with the Sheriff's
 6 Department. What's your full name, Vanessa?

7 A. Vanessa Guerena.
 8

9 Q. Is your purse, inside the house still?

10 A. __, is what?
 11

12 Q. Is your purse, still inside the house?

13 A. Yes.
 14

15 Q. Okay.

16 A. Is, is, is in the, nobody has leave yet, because is right in the.
 17

18 Q. Okay. __. What's your middle name, Vanessa?

19 A. __, I don't have a middle name.
 20

21 Q. Okay. How do you spell your last?

22 A. G-U-E-R-E-N-A.
 23

24 Q. Okay. And, what's your date of birth?

25 A. 4/8/84.
 26

27 Q. Okay. Let's see. It's about, um, uh, about 11:50 a.m.

28 A. Okay.
 29

30 Q. On, uh, on May 5th, 2011. Um, obviously, you know why we're here, right? I mean,
 31 you know, obviously, you were taken out of the house.

32 A. ___.
 33

34 Q. 'Cause I'm, I'm, I'm here to talk to you about what happened. Okay?

35 A. Okay.
 36

37 Q. Okay. Take de-, you need to take a deep breath. 'Cause we're gonna through this.
 38 Okay?

39 A. Okay.
 40

41 Q. We're gonna get through this.

42 A. Okay.
 43

44 Q. Okay? And, when I leave, by the time I leave, um, you know, hopefully you'll all
 45 are, both of us will have all of our, our questions answered.

46 A. Okay.

1
2 Q. Okay? Um, they took you out of the house, and they put you in, in this, command
3 center?

4 A. Yes.

5
6 Q. In this room. Obviously, you can't get out. What I have to do, is I have to read you
7 your rights. It doesn't mean you're under arrest, it doesn't mean you're gonna be
8 charged with anything.

9 A. Okay.

10
11 Q. But, by law, because you're not allowed to leave, I have to read you your rights. Do
12 you understand that?

13 A. And, well, I speak, I can, I, gonna try my best, my, best English.

14
15 Q. Okay.

16 A. Because, I'm not from here, and I.

17
18 Q. You're pretty good, it sounds pretty good.

19 A. Okay, okay.

20
21 Q. And I'm, and I'm, I'm gonna go slow. Something like, uh, if any point, during any
22 part of this whole interview, you don't understand what I'm saying.

23 A. Okay.

24
25 Q. It's okay to say,...

26 A. I don't understand.

27
28 Q. ...what was that?

29 A. Mm hm (yes).

30
31 Q. Also, my partner, is a really good Spanish speaker.

32 A. Oh, that's perfect.

33
34 Q. Okay? So, we're gonna, we're gonna get through this. Okay?

35 A. Okay.

36
37 Q. All right. Um, you have the right to remain silent. Anything you say can, and will be
38 used you, against you in a court of law. You have the right, to the presence of an
39 attorney, to assist you prior to questioning, and to be with you during questioning, if
40 you so desire. If you cannot afford an attorney, you have the right to have an
41 attorney appointed to you. Now, I know you said you don't speak very English.

42 A. ___.

43
44 Q. And, I'm gonna slow down. We're gonna go through this.

45 A. Okay. I don't understand ___.

46

1 Q. Absolutely. I'm not gonna.

2 A. I'm gonna go to the courts?

3
4 Q. No, no, no, no, no.

5 A. Oh, okay.

6
7 Q. God no, no.

8 A. ___.

9
10 Q. What I'm telling you, is that you can't leave here right now.

11 A. Okay.

12
13 Q. Because, there's a door here. You know.

14 A. Oh, yeah, she told me already.

15
16 Q. Okay.

17 A. I'm not gonna leave, I don't have no where to go.

18
19 Q. Exactly. But, much less, I wouldn't let you leave right now, because I need to talk to
20 you.

21 A. Okay.

22
23 Q. Okay? _____ is being into custody right now. It doesn't mean you're gonna go to
24 court.

25 A. Okay.

26
27 Q. Doesn't mean your gonna go to jail.

28 A. Okay.

29
30 Q. Doesn't mean your gonna be in arrest. But, what I have to do, is I have to let you
31 know, that, you have a right to have an attorney present, only because you can't go
32 anywhere.

33 A. Okay.

34
35 Q. We don't trap you in a room, and say, talk to us.

36 A. Okay.

37
38 Q. And, we're not gonna let you leave until you talk to us.

39 A. Okay.

40
41 Q. We don't do it like that.

42 A. Okay.

43
44 Q. I have to read you your rights. Do you understood the, when I just talked to you and
45 said, yeah, you have the right, to not say anything to us, and you have the right, to
46 have a lawyer. Do you understand that?

1 A. Mmm, yeah.
 2
 3 Q. Okay. You have a right to have those things.
 4 A. Mm hm (yes).
 5
 6 Q. And, so, you don't have to talk to me. But, we have a pretty big thing here going on.
 7 You know? A lot of stuff's going on. And, we need to get your side of the story.
 8 A. Yes.
 9
 10 Q. You see what I'm sa-? It's important to us, that we get both sides of the story. And,
 11 right now, you're sides pretty big. So, I wanna get your version. I wanna get, what
 12 you remember hearing and seeing.
 13 A. Okay.
 14
 15 Q. I wanna get that.
 16 A. Okay.
 17
 18 Q. I'm gonna ask you questions.
 19 A. Okay.
 20
 21 Q. Do you understand that?
 22 A. Yes.
 23
 24 Q. Okay.
 25 A. Yeah, she told me already that, __, that you guys were gonna ask me and all that
 26 stuff.
 27
 28 Q. Exactly. So, and that's, uh, I read you, what we call the rights, your Miranda
 29 Rights. I read your rights, saying you can have a lawyer if you want. You don't have
 30 to talk to me.
 31 A. Okay.
 32
 33 Q. But, are you willing to talk to me?
 34 A. Well, I don't have nothing to say.
 35
 36 Q. I'm gonna ask you questions.
 37 A. I, I have question. Oh.
 38
 39 Q. Oh.
 40 A. Okay.
 41
 42 Q. Uh, I'm gonna ask you questions.
 43 A. Oh, okay.
 44
 45 Q. Are you willing to answer my questions?
 46 A. What, what?

1
 2 Q. Well, whatever you know.
 3 A. Okay, yeah, okay.
 4
 5 Q. Okay. We'll go from there. If at some point, you don't know, you don't know.
 6 A. Mm hm (yes).
 7
 8 Q. Is that clear?
 9 A. Yeah.
 10
 11 Q. All right, hold on one second.
 12 A. Well, questions, I have questions, and, I mean. Yeah, yeah, I can ask you, __, a have
 13 a bunch of questions.
 14
 15 Q. Sure, you're gonna ask me, I'm gonna ask you. It's gonna go back and forth.
 16 A. It's, it's, it's hard because.
 17
 18 Q. But, what I'm saying, is, I read you your rights.
 19 A. Okay.
 20
 21 Q. Your Miranda Rights.
 22 A. Okay.
 23
 24 Q. Mira-, have you ever, have you heard of, of that term?
 25 A. No.
 26
 27 Q. Okay.
 28 A. I'm not from here.
 29
 30 Q. Okay.
 31 A. The English that I know, is from Jose.
 32
 33 Q. Okay.
 34 A. Because, well, he always talked to me in English, and, like, my kid was starting
 35 school.
 36
 37 Q. Yeah, yeah.
 38 A. He, he told me, he go, you better learn English, because, we're gonna go to the
 39 doctor's, appointments, you're gonna do this and that, you gotta learn because ____.
 40
 41 Q. Yeah, yeah.
 42 A. And, that's, the English that I know, is, I know it's not perfect.
 43
 44 Q. Yeah.
 45 A. But, I'm trying my best.
 46

1 Q. I'm telling you, Vanessa, you're English is pretty darn good.
 2 A. I was, doing, getting some books and everything.
 3
 4 Q. How long have you, how long have you started to speak English?
 5 A. Uh, like, 5 years ago.
 6
 7 Q. Wow.
 8 A. Well, just a little bit, just like, asking questions.
 9
 10 Q. Yeah.
 11 A. _ if I have an appointment, I can defend myself.
 12
 13 Q. Yeah.
 14 A. And, like, like, like at the house, we don't speak English at all.
 15
 16 Q. Okay.
 17 A. ____.
 18
 19 Q. Yeah.
 20 A. No, we don't speak English. I'm from Mexico, ____.
 21
 22 Q. Where, where in Mexico?
 23 A. Um, it's a little town called, Oquitoa.
 24
 25 Q. Okay.
 26 A. ____.
 27
 28 Q. What state?
 29 A. Um, Sonora.
 30
 31 Q. Sonora. All right.
 32 A. ____.
 33
 34 Q. All right ____.
 35 A. And, my leg is hurting a lot, because, do you think it's fair that, when they, pulled
 36 me out of the house, they, step on me?
 37
 38 Q. Did they step on you?
 39 A. And, push me, and, look at my hands, and, look at my leg, and, they were treating
 40 me like a criminal, and, that's what I, I was like, so pissed off.
 41
 42 Q. Yeah.
 43 A. So mad, because, I ____.
 44
 45 Q. Okay.
 46 A. And _.

1
 2 Q. Yeah ____.
 3 A. And, it's hurting.
 4
 5 Q. Well, I know, what I'm gonna do, I'm gonna get to why, they did that. I'm gonna
 6 ask you, where you were, what happened. 'Cause, obviously __ two hands ____.
 7 A. Yeah, and, all, ...
 8
 9 Q. ____.
 10 A. ...all this, well, all this, part, all this side of my.
 11
 12 Q. Okay. Hey, do me a favor. Um, I've talked to her about her rights, she's really
 13 cooperative. Um, her English is, pretty good. A lot better than she thinks it is. Um,
 14 read her, her rights in Spanish, will ya?
 15 Q2. Okay.
 16 Q. Because, um, I, yes, she's really, she's really cooperative, but, I, I wanna make sure
 17 she knows, in, in her native language.
 18 Q2. Okay. Si no entiendes algo lo que te voy a leer, por favor, dime, y te lo explico mas.
 19 Q2. Okay. If you don't understand something of what I am going to read to you, please,
 20 tell me, and I will explain it to you more.
 21 A. Okay.
 22
 23 Q2. Tiene usted a derecho, a permanecer en silencio.
 24 Q2. You have the right, to remain silent.
 25 A. Mm hm (yes).
 26
 27 Q2. Todo lo que, diga, podrá ser utilizado en contra suya, en un tribunal de justicia.
 28 Q2. Anything that, you say, can be used against you, in a court of law.
 29 A. Mm hm (yes).
 30
 31 Q2. Tiene derecho a tener presente un abogado, para ayudarle, antes del interrogatorio, y
 32 también a que este con usted, durante el, interrogatorio si así lo desea. Si no tiene con
 33 que, pagar un abogado, tiene derecho, a que el tribunal, le nombre un abogado, antes de
 34 ser, interrogado. ¿Entiende los derechos?
 35 Q2. You have the right to the presence of an attorney, to assist you, prior to questioning,
 36 and to also be with you, during, questioning if you so desire. If you cannot, afford
 37 an attorney, you have the right, to have an attorney appointed to you, prior to,
 38 questioning. Do you understand the rights?
 39 A. Uh, lo que estoy entiendo, um, que, porque me pregunto __ una corte, ¿o de que, que
 40 digo, como? ¿Me entiende? Me dice, no, me dice, no vas a ir a la cárcel. ¿Eso me esta
 41 diciendo?
 42 A. Uh, what I am understanding, um, that, because he asked me __ to court, of what,
 43 what, like how? Do you understand me? He said to me, no, he said to me, you are
 44 not going to go to jail. Is that what you are telling me?
 45
 46 Q2. Uh huh (yes).

- 1 A. Que no voy ir a la cárcel, que no ____, que, esto es lo que quiero ____.
- 2 A. **That I'm not going to go to jail, that ____, that, this is what I want ____.**
- 3
- 4 Q2. Si, porque, porque, estamos hablando contigo, y como, um, tenemos que hablar contigo,
- 5 ¿verdad? Por eso tenemos que leer, tus derechos, para que tu sepas, tus derechos. Ahora,
- 6 como te dijo, no vas ir a la cárcel, pero, como estas aquí con nosotros, te tenemos que,
- 7 por ley, te tenemos que leer los derechos.
- 8 Q2. **Yes, because, because, we are talking with you, and like, um, we need to talk with**
- 9 **you, right? That is why we need to read you, your rights, so that you will know,**
- 10 **your rights. Now, like he told you, you are not going to go to jail, but, since you are**
- 11 **here with us, we need to, by law, we need to read you the rights.**
- 12 A. **Okay.**
- 13
- 14 Q2. ____, ____.
- 15 A. Pues, lo unico que tengo es muchas preguntas.
- 16 A **Well, the only thing I have is a lot of questions.**
- 17
- 18 Q2. Tienes pregu-. Okay.
- 19 Q2. **You have pregu-. Okay.**
- 20 A. ____.
- 21
- 22 Q2. Mira, pero, pero primero, antes de que nosotros hablemos con usted, por favor, diga si,
- 23 entiendes tus derechos, y, si esta dispuesta de, contestar nuestras preguntas.
- 24 Q2. **Look, but, but first, before we, talk with you, please, say if, you understand your**
- 25 **rights, and, if you are willing to, answer our questions.**
- 26 A. Es que, es que, como yo entiendo mucho, ____, estoy con la mente.
- 27 A. **It's that, it's that, since I understand a lot, ____, my mind is like.**
- 28
- 29 Q2. No, si, si.
- 30 Q2. **No, yes, yes.**
- 31 A. No se que voy a ser con mis hijos, oiga. ¿No tiene hijos usted?
- 32 A. **I don't know what I am going to do with my kids, sir. Do you have children?**
- 33
- 34 Q2. Si.
- 35 Q2. **Yes.**
- 36 A. Orita en mi mente esta en otra parte.
- 37 A. **Right now my mind is somewhere else.**
- 38
- 39 Q2. Si, claro, claro.
- 40 Q2. **Yes, of course, of course.**
- 41 A. ____.
- 42
- 43 Q2. Pero tenemos, mire, tenemos preguntas. Yo se, yo se que, como debe, como debe de
- 44 estar.
- 45 Q2. **But we have, look, we have questions. I know, I know that, how you should, how you**
- 46 **should be.**

- 1
- 2 A. Yo lo único que se, lo único que me estaba preguntando eso, que mi esposo estaba
- 3 dormido.
- 4 A. **The only thing that I know, the only thing I was being asked, that my husband was**
- 5 **sleeping.**
- 6
- 7 Q2. **Okay.**
- 8 A. Y, y ____.
- 9 A. **And, and ____.**
- 10
- 11 Q2. Pero.
- 12 Q2. **But.**
- 13 A. Y, porque llegaron a la casa, que porque tenían una Orden, no se de que. Y, es todo lo
- 14 que ____.
- 15 A. **And, why they came to the house, that because they had an Order, I don't know**
- 16 **what. And, it's all that I ____.**
- 17
- 18 Q2. Y, es lo que, te podemos explicar. Nomás que, lo que, lo que yo le tengo que asegurar, es
- 19 que tu entiendes tus derechos. ¿Los entiendes, como te los leí?
- 20 Q2. **And, it's what, we can explain it to you. It's just that, what I need to assure him, is**
- 21 **that you understand your rights. Do you understand, how I read them to you?**
- 22 A. Pues, no se, pues, entiendo mas o menos, no crea que.
- 23 A. **Well, I don't know, well, I understand more or less, don't think that.**
- 24
- 25 Q2. Mas o me-. Okay. ¿Qué parte no __ entiende? Mire, te, te lo voy a leer, ____.
- 26 Q2. **More or me-. Okay. What part don't you __ understand? Look, I, I am going to**
- 27 **read them to you, ____.**
- 28 A. Lo que todo lo que, hablo, pueda ser en mi contra, usar en mi contra.
- 29 A. **That everything that, I talk about, can be held against me, used against me.**
- 30
- 31 Q2. En un tribunal, pa si va, a un tribunal.
- 32 Q2. **In a court, if it, goes to court.**
- 33 A. ¿Por si va al tribunal?
- 34 A. **If it goes to court?**
- 35
- 36 Q2. Si.
- 37 Q2. **Yes.**
- 38 A. ¿Pues, pa que vi ir a eso ____? Si, ____, me lo mataron. Me lo mataron. ¿Y, y que voy a
- 39 ser con ustedes? ____, ____, no le van a ser nada.
- 40 A. **Well, why would it go to that ____? If, ____, he was killed. He was killed. And, and**
- 41 **what am I going to do with you? ____, ____, they're not going to do anything.**
- 42
- 43 Q2. Mira.
- 44 Q2. **Look.**
- 45 A. ____ ignorancia, pero, eso es lo que estoy pensando.
- 46 A. **____ ignorance, but, that is what I am thinking.**

- 1
2 Q2. __, nosotros.
3 Q2. __, we.
4 A. __, y, ¿porque, porque lo mataron? Es la única pregun-, yo tengo esa pregunta.
5 A. __, and, why, why was he killed? It's the only pregun-, I have that question.
6
7 Q2. Mira, nosotros, __, yo y el otro detective, a nosotros nos mandaron a, llamar aquí, para
8 hablar contigo. ¿Okay?
9 Q2. Look, we, __, me and the other detective, were sent, here, to talk with you. Okay?
10 A. Okay.
11
12 Q2. Um, de lo que, de lo que sucedió en la casa y todo, nosotros no, no sabemos lo que
13 sucedió adentro de la casa. Por eso estamos, aquí para preguntarte preguntas. ¿Okay?
14 Eso es el, el motivo de nosotros, porque, nosotros queremos saber también, que es lo que
15 sucedió. ¿Okay? Pero, no puedo, empezar, a preguntarte preguntas.
16 Q2. Um, of what, of what happened in the house and everything, we don't, we don't
17 know what happened inside the house. That is why we are here, to ask you
18 questions. Okay? That is our, our motive, because, we also want to know, what it is
19 that happened. Okay? But, I can't, start, to ask you questions.
20 A. Si.
21 A. Yes.
22
23 Q2. Hasta que me digas, si, que entiendes, o si no entiendes.
24 Q2. Until you tell me, if, you understand, or if you don't understand.
25 A. Pues, de eso no entiendo, _____, no se si entienda lo que estoy sintiendo. Yo quiero
26 saber __.
27 A. Well, I don't understand that, _____, I don't know if you understand what I am
28 feeling. I want to know __.
29
30 Q2. __.
31 A. Lo único que quiero saber, ¿porque? Quiero verlo, quiero estar ahí, quiero verlo, si son
32 mentiras, que esta muerto. ¿Me entiendes?
33 A. The only thing I want to know, is why? I want to see him, I want to be there, I want
34 to see him, that if it's a lie, that he is dead. Do you understand?
35
36 Q2. Mm hm (yes).
37 A. __ no se si me entienda. Yo no, quiero estar con el. No puedo.
38 A. __ I don't know if you understand me. I don't, I want to be with him. I can't.
39
40 Q2. Pues, en este, en este momento no, no, no puedes estar con el. No puedes estar __.
41 Q2. Well, at this, at this time you can't, you can't, you can't be with him. You can't be
42 __.
43 A. Esta __.
44 A. It's __.
45
46 Q3. Simple, simple, simple y sincero, um, no tengo la respuesta para esa pregunta.

- 1 Q3. Simple, simple, simple and sincere, um, I don't have the answer for that question.
2 A. Ay, ay, ay, no sabe que tan doloroso ____. Que, que, como me duele esto, no puedo.
3 Pero, pues, lo que tenga me preguntarme, pregúntame, yo no tengo nada que.
4 A. Oh, oh, oh, you don't know how hurtful ____. That, that, this hurts me, I can't. But,
5 well, what you need to ask me, then ask me, I have nothing to.
6
7 Q2. Okay. Entonces, ¿entiendes tus derechos?
8 Q2. Okay. Then, do you understand your rights?
9 A. __. _ que estoy. ¿Como? Que aquí, me van a preguntar, ustedes.
10 A. __. _ that I am. How? That, you guys are going to ask me here.
11
12 Q2. Preguntas.
13 Q2. Questions.
14 A. Uh huh (yes), las preguntas.
15 A. Uh huh (yes), the questions.
16
17 Q2. Si, las preguntas que tenemos nosotros.
18 Q2. Yes, the questions that we have.
19 A. __ preguntas tengo yo, oiga.
20 A. __ questions that I have, sir.
21
22 Q2. ¿Mande?
23 Q2. What?
24 A. Pero, si las preguntas las tengo yo.
25 A. But, I have the questions.
26
27 Q2. Y, y las preguntas, lo que, lo que nosotros podamos contestarlo, desde de las preguntas
28 que tiene, nosotros la vamos a contestar. Lo que nosotros, sepamos, te lo vamos a, a
29 decir. Nomás que, tal ves, haiga, alguna respuesta que no sabemos nosotros. Porque,
30 como le digo, a nosotros nos hablaron pa que viniéramos __.
31 Q2. And, and the questions, what, what we can answer, of the questions you have, we
32 will answer them. What we, know, we will, tell you. It's just that, perhaps, there
33 will be, a response that we won't know. Because, like I told you, we were asked to
34 come here __.
35 A. __. Este es la pregunta ____, ____, ¿porque, lo mataron, __?
36 A. __. That is the question ____, ____, why was he killed, __?
37
38 Q2. __, mire, lo que yo entiendo, es que, de, vinieron aquí a la casa.
39 Q2. __, look, what I understand, is that, they came here to the house.
40 A. Uh huh (yes).
41
42 Q2. A, un servicio de una Orden de Cateo. Es, un Search Warrant. ¿Okay?
43 Q2. For a Search Warrant. It's a Search Warrant. Okay?
44 A. Mm hm (yes).
45
46 Q2. Una Orden de Cateo. Uh.

1 Q2. **A Search Warrant. Uh.**
 2 A. ¿Cateo, que es, ese, que te revisan la casa?
 3 A. **Search Warrant, what is it, that they search your house?**
 4
 5 Q2. Revisan la casa.
 6 Q2. **They search the house.**
 7 A. **Mm hm (yes).**
 8
 9 Q2. Okay. Cuando, iban entrar, y esto es información que, nosotros nos, nos dijeron.
 10 Q2. **Okay. When, they were going to go in, and this is information that, was, was given**
 11 **to us.**
 12 A. Si, yo estaba...
 13 A. **Yes, I was...**
 14
 15 Q2. Cuando, cuando...
 16 Q2. **When, when...**
 17 A. ... en el cuarto del niño.
 18 A. **...in my son's room.**
 19
 20 Q2. ...estaban, cuando estaban, entrando, el, el, los elementos de, de, la policía.
 21 Q2. **...they were, when they were, going inside, the, the, the, the, the, the police.**
 22 A. Si.
 23 A. **Yes.**
 24
 25 Q2. Entonces, um, yo creo, la persona que, que, que estaba allá adentro con usted, porque, yo
 26 no se quien es.
 27 Q2. **Then, um, I think, the person that, that, that was inside with you, because, I don't**
 28 **know who it is.**
 29 A. ¿Abrieron la puerta, o la tumbaron?
 30 A. **Did they open the door, or did they knock it down?**
 31
 32 Q2. Uh, yo creo que la, la tumbaron, no se.
 33 Q2. **Uh, I think that, they knocked it down, I don't know.**
 34 A. La tumbaron.
 35 A. **They knocked it down.**
 36
 37 Q2. No se, no estoy seguro. Porque, yo no estaba ahí. Pero, cuando hicieron contacto con, con
 38 un hombre, que estaba allá adentro, el hombre les empezó a tirar, balazos.
 39 Q2. **I don't know, I'm not sure. Because, I wasn't there. But, when they came in contact**
 40 **with, with a man, that was inside, the man started to, shoot them.**
 41 A. ___ mucho ruido.
 42 A. **___ a lot of noise.**
 43
 44 Q2. **Okay.**
 45 A. Mucho, mucho tiradero.
 46 A. **A lot, a lot of shooting.**

1
 2 Q2. Y es, y es lo que sucedió.
 3 Q2. **And it's, and it's what happened.**
 4 A. Y, cuando lo mire tirado en el piso, yo no se, porque estaba con una arma así. Es que, ...
 5 A. **And, when I saw him laying on the floor, I don't know, why he was with a weapon**
 6 **like this. It's like,...**
 7
 8 Q2. Exacto.
 9 Q2. **Exactly.**
 10 A. ...como la que traían ellos.
 11 A. **...the one they had.**
 12
 13 Q2. Exacto.
 14 Q2. **Exactly.**
 15 A. ¿Y, dije, porque, __, porque __, de donde lo matan, y __, que? No se que pensar. ¿Porque?
 16 José, José, José, José. No me contestaba. Nomás...
 17 A. **And, I said, why, __, why __, where they kill him, and __, what? I don't know what**
 18 **to think. Why? Jose, Jose, Jose, Jose. He wouldn't answer me. He was just...**
 19
 20 Q2. **Okay.**
 21 A. ...estaba así, poquito, poquito.
 22 A. **...like this, a little, a little.**
 23
 24 Q2. Porque el traiba, esa, la arma que estaba tirada ahí, el la traiba.
 25 Q2. **Because he had, that, the weapon that was thrown right there, he had it.**
 26 A. ¿___, de donde la saco, pues, de donde la saco, __, pues, porque?
 27 A. **___, where did he take it out from, well, where did he take it out from, __, well,**
 28 **why?**
 29
 30 Q2. No se. Na-, nadie.
 31 Q2. **I don't know. Na-, nobody.**
 32 A. Ayúdenme.
 33 A. **Help me.**
 34
 35 Q2. Nadie le planto, ninguna pistola, nadie le planto, ...
 36 Q2. **Nobody planted, a gun, nobody planted,...**
 37 A. Y, yo no mire.
 38 A. **And, I didn't see.**
 39
 40 Q2. ...un arma.
 41 Q2. **...a weapon.**
 42 A. Yo no mire. Yo no puedo decir, yo. ¿Como? Yo le mire salir del cuarto, vichi, porque
 43 __, traía boxers, estaba dormido, porque trabaja de noche, y, ahora durmió, __, ahora iba
 44 descansar, tenía tres días de descanso. Estaba trabajando en la __. Y, lo mire tirado, y,
 45 me sacaron a la fuerza, y mi niño estaba en el closet, y, y el, y el niño, le decía, __, nunca
 46 me lo trajeron. Se portaron mal la gente, porque no me la trajeran. ¿Y, saben que paso?

El niño salio corriendo y miro a su papá. Esa es la impresión que tiene niño de 4 años, señor. No se si me entiende como me duele, que salio mijo, mamá, ¿por qué esta mi papá tirado, que paso? Y, yo le dije, que un malo paso, y me preguntara la policia, le dije que la policia vino para, para __, para perseguir al malo, y, es todo lo que le dije, porque, un señor se porto, bueno, pues, conmigo, pero, los demás, me jalaron, me tiraron, me pisaron, me lastimaron todo esta lado de mi cuerpo, lo siento. ¿Cómo? Adolorido, porque, ___.

A. **I didn't see. I can't say, I. How? I saw him come out of the room, naked, because __, he was wearing boxers, he was sleeping, because he works at night, and, today he slept, __, he was going to be off today, he had three days off. He was working at the __. And, I saw him laying, and, they forcefully took me out, and my son was in the closet, and, and my, and my son, I would say, __, they never brought him to me. The people behaved bad, because they wouldn't bring him to me. And, do you want to know what happened? My son came out running and he saw his dad. That is the impression that a 4 year old boy has, sir. I don't know if you understand how much it hurts me, that my son came out saying, mom, why is my dad laying, what happened? And, I said to him, that something bad happened, and that the police was asking, I told him that the police came to, to chase the bad person, and, that is all that I told him, because, a man behaved, well, good, with me, but the rest of them, they pulled me, they threw me, they stepped on me, they hurt this entire side of my body, I feel it. How? In pain, because, ___.**

Q2. ___.

A. **No, no.**

Q2. ___.

A. ___ no quiero, no me importa, oiga.

A. **___ I don't want, I don't care, sir.**

Q2. ¿No quiere que, vengan y la ___?

Q2. **You don't want them to, come and ___?**

A. Nomás quería _ hielo aquí, porque, me duele,...

A. **I just wanted _ ice here, because, it hurts me,...**

Q2. ¿Hielo?

Q2. **Ice?**

A. ...me duele mucha la rodilla, y, esta parte de aquí, como que me duele, ____, yo lo que quiero es llegar, ósea, yo quiero saber, de el. No esta muerto, quiero creerlo, porque quiero poner mi, mi, con el. De veras, ¿esta muerto, oiga?

A. **...my knee hurts a lot, and, this part right here, like it hurts, ____, what I want to do is arrive, in other words, I want to know, about him. He's not dead, I want to believe it, because I want to put my, my, with him. For reals, is he dead, sir?**

Q2. Si esta muerto.

Q2. **He is dead.**

A. ¿No se lo llevaron al hospital ni nada, ahí esta?

1 A. **He wasn't taken to the hospital or anything, is he there?**

2

3 Q2. Esta muerto.

4

5 Q2. **He's dead.**

6

7 A. ¿Ahí esta? No es cierto, no es cierto.

8

9 A. **Is he there? It's not true, it's not true.**

10

11 Q. ___.

12

13 Q2. ___.

14

15 A. ___ no puedo.

16

17 A. ___ I can't.

18

19 Q2. Mire.

20

21 Q2. **Look.**

22

23 A. Ay, ay, ay.

24

25 A. **Oh, oh, oh.**

26

27 Q2. Co-, como le.

28

29 Q2. **Co-, how I.**

30

31 A. ¿Porque me lo mataron?

32

33 A. **Why was he killed?**

34

35 Q2. Mire, como,...

36

37 Q2. **Look, how,...**

38

39 A. ___.

40

41 Q2. ...como le empecé a decir, a lo principio, que lo que necesitamos es, para, para poder, hablar con usted, para poder contestar preguntas, para la, nosotros ___.

42

43 Q2. **...how I started to tell you, at the beginning, that what we need is, to, to be able, to speak with you, to be able to ask questions, for the, we ___.**

44

45 A. Pues, yo ya le pregunte ___.

46

47 A. **Well, I already asked ___.**

48

49 Q2. ___.

50

51 A. Le pregunte al que se subió conmigo, no me decía nada.

52

53 A. **I asked the one who came in with me, and he wouldn't tell me anything.**

54

55 Q2. Si, es que.

56

57 Q2. **Yes, it's that.**

58

59 A. Y, le pregunte a la muchacha,...

60

61 A. **And, I asked the girl,...**

62

63 Q2. ___.

64

65 A. ...y, la muchacha, pues, se puerto buena, ___ que vinieran por el niño, y, ___ persona. Pero, nomás, is like, you know, ___, ya ella me dijo lo mismo que usted, que venían, que ___, que no se que, que venían de una Orden de eso, de Cateo.

66

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- 1 A. ...and, the girl, well, she behaved good, ___ to come for my son, and, ___ person.
2 But, just, is like, you know, ___, she told me the same thing as you, that they came,
3 that ___, that I don't know what, that they came on a Search of that, a Warrant.
4
- 5 Q2. ___
6 A. ¿Pero, porque venia la Orden de Cateo?
7 A. But, why was there a Search Warrant?
8
- 9 Q2. Eh, no, porque no me ha contestado si entiende sus derechos. Porque no, no me ha dicho
10 es que, si quiere hablar con nosotros, no quiere abogado presente, yo no le puedo,
11 preguntar preguntas. No, no, puedo contestarte preguntas.
12 Q2. Eh, no, because you haven't answered me if you understand your rights. Because
13 you haven't, you haven't told me that if, you want to talk with us, you don't want an
14 attorney present, I can't, ask you questions. I can't, I can't, answer your questions.
15 A. Mm hm (yes).
16
- 17 Q2. Yo lo que necesito saber es, si usted entiende sus derechos, los derechos que le leí.
18 Q2. What I need to know is, if you understand your rights, the rights that I read to you.
19 A. Mm hm (yes).
20
- 21 Q2. Y, si usted esta, dispuesta, a contestar, ...
22 Q2. And, if you are, willing, to answer, ...
23 A. Hablar.
24 A. Talk.
25
- 26 Q2. ...nuestras preguntas.
27 Q2. ...our questions.
28 A. Si, yo no tengo ___ contestar, al contrario, yo tengo mucho coraje, mucho sentimiento.
29 Ahora ___, y, nadie me las contesta. Entonces yo, yo se, no tengo nada que platicarle,
30 que contestarles. ¿De preguntas de que? Ya me las hicieron al mismo. Lo mismo me
31 han preguntado todo el día.
32 A. Yes, I have nothing ___ answer, on the contrary, I am very furious, a lot of
33 sentiment. Now ___, and, nobody answers them. Then I, I know, I have nothing
34 to tell you, to answer you. Of what questions? I have already been asked the same.
35 I have been asked the same all day.
36
- 37 Q2. ___
38 A. Lo mismo me han preguntado que si salio ese, que lo miran ___, ¿por donde la saco?
39 Yo no se, si yo supiera, de donde la saco, si lo pudiera revivir, le pudiera preguntar que a
40 donde, saco ___, yo le pregunto. Contesto, you can answer.
41 A. I have been asked the same that if he came out, that if I saw ___, where did he
42 take it out from? I don't know, if I knew, where he took it out from, if I could
43 revive him, I would ask him from where, he took ___, I ask him. Answer, you can
44 answer.
45
- 46 Q. Okay.

- 1 A. ___ mi suegra. ___, el niño lloro, y al niño me oyó cuando dijeron que su papá estaba
2 muerto. ___ nada, nada, perdóname. No puedo. Quisiera, saber, que es un sueño. Que
3 me puedan pellizcar y que, ¿sabes que? Son mentiras, esta en el hospital, ___, y que el
4 me contestara, porque, traía esa arma, porque a mi, que soy su esposa, que, que
5 supuestamente teníamos la confianza del mundo. No sabia, no sabe lo que, nomás que
6 siento que se, fue, como quien dice, no me dijo nada. Que se supone que el trabaja en la
7 mina, yo no trabajo. Osea, ¿que esta pasando? ¿Porque, ___ investigación ___ a mi
8 casa, y me hacen un destruyo en mi casa? La acabamos de agarrar en Diciembre, señor.
9 Un, un, un dolor, ___ muy fea, porque, y orita, tengo ___, no se, tengo, quisiera
10 despertarme, y pregun-, ¿y, porque, porque ___? No es cierto, no es cierto. Yo,
11 quisiera, a ser eso, pero, no puedo, no puedo, yo no, yo tengo, muchas preguntas, yo te
12 dijera muchas preguntas, a el, ¿porque, porque, porque me hizo esto en mi casa? ___ esa
13 arma, ¿porque? Osea, yo no se, que paso. Lo único que, quiero verlo, a ver si es cierto,
14 que esta muerto. Pero, me dices que si. Y, que lo dejaron mucho, señor. Lo ___, lo, lo,
15 lo balearon, y no entraban a la casa, no entraban, se lo juro por Dios, que no entraban.
16 Entren, le decía yo, ___ yo no me quería, ___ a ponerme ___, me ponía fuerte, y, ___ mas
17 fuerte que ___, porque, ¿sabe porque? Porque tenia mi criatura a un lado. Que si no, no se
18 como me hubiera puesto. No, pues, que dije, Dios mío, dame fuerza, porque mi mente se
19 me ___ muchas cosas. Dije, ¿que esta pasando, porque, José esta bien? Les preguntara, y
20 nadie me contestaba. Ya, nunca mire una ambulancia. Me decían que eran paramédicos.
21 Yo no creo que eran paramédicos, pues, sabe, pero, pues, yo les decía, ___ bien, orita lo
22 llevamos, y nun-, nunca recibe una noticia, no me dijeron hasta que no me trajeron para
23 acá, yo no se. Ay, no es cierto, no es cierto, como quisiera saber que es mentira.
24 A. ___ my mother in law. ___, my son cried, and my son heard when they said that his
25 dad was dead. ___ nothing, nothing, I'm sorry. I can't. I would want, to know,
26 that it's a dream. That I can be pinched and that, you know what? It's a lie, he's at
27 the hospital, ___, and that he answer me, why, he had that weapon, because me,
28 that I am his wife, that, that supposedly we had all the trust in the world. I didn't
29 know, you don't know, just what I'm feeling that he, like they say, he left, and didn't
30 say anything to me. That supposedly he works at the mines, I don't work. In other
31 words, what is going on? Why, ___ investigation ___ to my house, and destroy my
32 house? We just got it in December, sir. A, a, a pain, ___ very ugly, because, and right
33 now, I have ___, I don't know, I have, I would like to wake him up, and pregun-,
34 and why, why ___? It's not true, it's not true. I, would like, to do that, but, I
35 can't, I can't, I don't, I have, a lot of questions, I would tell you a lot of questions, to
36 him, why, why did he do this in my house? ___ that weapon, why? In other words, I
37 don't know, what happened. The only thing, I want to see, to see if it is true, that he
38 is dead. But, you are telling me he is. And, they left him alone for a long time, sir.
39 They ___, they, they, they shot him, and they wouldn't come inside the house, they
40 wouldn't come in, I swear to God, that they wouldn't come in. I would tell them,
41 come in, ___ I didn't want to, ___ to put me ___, I would make myself strong, and,
42 ___ as strong as I could, because, you know what? Because I had my child next to me.
43 That if not, I don't know how I would have gotten. I said, well, no, my God, give me
44 strength, because in my mind ___ a lot of things. I would ask them, what is going on,
45 why, is Jose fine? I would ask them, and nobody would answer me. I, never saw an
46 ambulance. They told me they were paramedics. I don't think they were

1 paramedics, well, I don't know, but, well, I would tell them, ___ good, right now we
2 will, and nun-, I never received any news, they didn't tell me until I was brought
3 over here, I don't know. Oh, it's not true, it's not true, how I would like to know
4 that it's a lie.

5
6 Q2. She doesn't, have any, um, answers for us, ___.

7 Q. Well, it's okay, let's, let's. Did you ___, her rights?

8 Q2. She does, ___.

9 Q. Okay.

10 Q2. She says she's so confused.

11 Q. That's okay. Because, you know what? If, if you don't, understand what I'm
12 saying, or, you don't have an answer, it's okay to say, I don't know.

13 A. E-, es que no se.

14 A. E-, it's that I don't know.

15
16 Q. Okay.

17 A. ___, ¿como? No se, no.

18 A. ___, how? I don't know, no.

19
20 Q. But, I'm gonna ask you.

21 A. Entiéndanme. Perdón.

22 A. Understand me. I'm sorry.

23
24 Q. But listen, Vanessa, these are the questions I need to ask you anyway.

25 A. Okay, ___.

26
27 Q. Okay. And, if you don't know the answer, that's okay.

28 A. Okay.

29
30 Q. Okay? And also, remember, you're gonna be able to answer, ask me questions too.

31 A. Okay.

32
33 Q. Okay? We're gonna try to do this in English.

34 A. Okay.

35
36 Q. Okay?

37 A. Mm hm (yes).

38
39 Q. Obviously.

40 A. Yeah.

41
42 Q. I don't speak much Spanish.

43 A. No, he, he can help me.

44
45 Q. But, he's pretty good.

46 A. Mm hm (yes).

1
2 Q. But, let's try to do it in English. Okay?

3 A. Okay.

4
5 Q. Okay. Who all lives at the house with you?

6 A. Mmm, well my kids, my husband, me, and my mother in law.

7
8 Q. Okay. What's your husband's, name?

9 A. Jose.

10
11 Q. Uh huh (yes).

12 A. Uh, Guerena.

13
14 Q. Okay. And, and, you, you have one child, or, many?

15 A. No, two childs.

16
17 Q. Okay. What are their names?

18 A. Jose Guerena.

19
20 Q. Uh huh (yes).

21 A. And, Joel Guerena.

22
23 Q. How do you spell your daughter's name?

24 A. No, not daughters, _ another boy.

25
26 Q. Okay. See, see.

27 A. Mmm, okay.

28
29 Q. Gringo, ___.

30 Q. American, ___.

31 A. Okay. No, is okay.

32
33 Q. Jose, uh, how old is, little Jose?

34 A. Um, he's 5, he's almost 6.

35
36 Q. Okay. And, how about the other boy?

37 A. Joel.

38
39 Q. How do you spell that?

40 A. J-O-E-L.

41
42 Q. Oh, like Joel? Uh huh (yes).

43 A. Yeah. And, he's 4.

44
45 Q. 4?

46 A. Mm hm (yes).

1
2 Q. And, your mother in law?
3 A. Mmm.
4
5 Q. ____
6 A. Bertha Guerena.
7
8 Q. Jose's mother?
9 A. Yeah, Jose's.
10
11 Q. Bertha?
12 A. Mm hm (yes).
13
14 Q. Okay. How do you spell that? _.
15 A. B-E-R.
16
17 Q. T-H-A.
18 A. T-H.
19
20 Q. Like Bertha?
21 A. Yes, uh huh (yes).
22
23 Q. Uh huh (yes), all right.
24 A. Guerena.
25
26 Q. All right. Um, do you know where she is right now? She has your boys?
27 A. Well, I, I was.
28
29 Q. ____
30 A. I asked permission to call, yeah.
31
32 Q. Yeah, she does, don't worry.
33 A. And, I think she does. Yeah.
34
35 Q. She does.
36 A. Her and Gracielita.
37
38 Q. They told me she does.
39 A. Yeah.
40
41 Q. So, so they're fine. Okay. So, just the five of you in the house?
42 A. Yes.
43
44 Q. Okay. Do you work at all?
45 A. No.
46

1 Q. Okay. How about Jose? Does he have a job?
2 A. Yeah, he w-, he goes, he was working at the, Asarco Mine.
3
4 Q. At Asarco?
5 A. Yeah.
6
7 Q. Is, is, is he still there?
8 A. Yeah, he, he came to work this morning.
9
10 Q. What does he do at Asarco?
11 A. Well, he cleans, the, the _ maintaining or something. I don't know.
12
13 Q. Oh, like a maintenance guy?
14 A. Yeah, yeah, yeah.
15
16 Q. Okay.
17 A. He go.
18
19 Q. And, how about, how about Bertha?
20 A. _ at the casino.
21
22 Q. She does?
23 A. Mm hm (yes).
24
25 Q. What does she do?
26 A. Um, at the kitchen, I don't know, she works in the kitchen.
27
28 Q. In the kitchen.
29 A. Yeah.
30
31 Q. Sure, that's fine. Okay. Um, were they home today, when, when, when this?
32 A. Oh no, she was at work, I call her right now, to, came, she pick up my kids.
33
34 Q. She was at work when this happened?
35 A. Yeah.
36
37 Q. Okay. And, where was, Jose? Was he at the house? ____
38 A. He was a sleeping.
39
40 Q. Okay. What kind of, uh, hours does he work?
41 A. Uh, he has a weird schedule.
42
43 Q. Okay.
44 A. Um, like, I was saying to the lady, she was, um, she works, like, he works, these
45 three nights.
46

1 Q. Okay.
 2 A. And, and he was gonna have, three days off. And then, he was gonna start, __ in
 3 Sunday, Monday, Tuesday and Wednesday, from __.
 4
 5 Q. Okay.
 6 A. At __, 6:00 to 6:00. And then, some other, three days off, and then, um. Oh no, he
 7 was gonna have the week.
 8
 9 Q. Okay.
 10 A. __ to have, one week, and then he was, he was, starting like, 4 nights, and 3 days.
 11
 12 Q. Were, were both of your boys home, when this happened?
 13 A. No, one was at school.
 14
 15 Q. One was at school? So, Jose was at school?
 16 A. Yeah.
 17
 18 Q. Okay. All right. Where does he go to school at?
 19 A. Advance.
 20
 21 Q. Advance Elementary?
 22 A. __.
 23
 24 Q. All right. Um, what, what's your.
 25 A. __.
 26
 27 Q. Hold on, we're __, we're, we're, we talked about this earlier.
 28 A. Okay.
 29
 30 Q. We're gonna get through this.
 31 A. Okay.
 32
 33 Q. Okay? We're not, ...
 34 A. __.
 35
 36 Q. ...going anywhere?
 37 A. __.
 38
 39 Q. When you start feeling this, I want you to take a deep breath.
 40 A. Okay.
 41
 42 Q. We're gonna get through this. Okay?
 43 A. Okay.
 44
 45 Q. We're not in a rush, we're gonna go slow.
 46 A. Okay.

1
 2 Q. Okay. All right.
 3 A. __.
 4
 5 Q. And, I know, I know sweetheart. But, we're need to get through this. Okay?
 6 A. Okay.
 7
 8 Q. Okay. Um.
 9 A. Oh God.
 10
 11 Q. Um, where do you live at __? You live on the, which address?
 12 A. 71__.
 13
 14 Q. Uh huh (yes).
 15 A. South Redwater Drive.
 16
 17 Q. All right. Okay. Now, let's, go slow.
 18 A. Okay.
 19
 20 Q. I know your emotional.
 21 A. Okay.
 22
 23 Q. Go slow, tell me what happened this morning.
 24 A. This morning, um, I went to, drop off my kid in the morning, like, all the times, and I, left
 25 my kid, sleeping with, Jose __, room. And, so I don't like, to wake him up, because
 26 he's, like, too little. And, um, I went by myself, to the school, and drop Jose, I came, um,
 27 I was, cleaning the kitchen. And, so, I went to change, and, I was gonna, um, I was gonna
 28 paint myself, and I was gonna, when I, when I, say, oh, I'm getting hungry, I'm gonna go
 29 wake up Jose or __, I'm gonna go see if he's awake, to make some breakfast, for us. So,
 30 I went to the room, and he was awake already, and he told me, mommy, um, can I __, can
 31 I watch transformer? So, I turned on, the T-V. Okay. You're not hungry yet? No, I'm
 32 not. Okay. Um, so I came, out, of the room again, and I went to do some, um, dirty
 33 clothes, and I came again, and I, and I, was gonna ask him again if he wanted like __ or
 34 __, whatever. Um, so I started like, I opened the closet, and I starting getting clothes for
 35 him, the, other clothes is right there in the bag, on the bed, on his bed. When I was
 36 putting, when I was getting the socks, I put them in the bed, I heard this noise, and I,
 37 think I see, I don't know, I heard this big o', noise, and, started like, shooting. And, I was
 38 like, what, what happened? __. I, I, I thought, for the, that, maybe, in the neighborhood
 39 something happened. So, I always have my cell phone, and, and I, well, I'm gonna call
 40 the, I'm gonna call 911, what's going on. So, uh, I, I was here in this, like, to close to me,
 41 like, to close, when I saw this people like in the house, like you can see, the blinds are
 42 open, and, and, they were like, with all these __, so I got, like, oh my God. I, I got my
 43 kid, and I put him in the closet, and I, and I yell, Jose, like, with all my, like, fuerte,
 44 fuerte. So, he wake, he woke up, and, I saw him, like, vichi, pues, like, in boxers, I saw
 45 him. What, what's, he's all, what's going on? And, and, and, and he's all, stay here.
 46 Pero, __. Um, wait, me dijo, ¿que paso? Agachate por los balazos. The, the shooting.

1 And, I thought they were gonna shoot, in the window. And, I told him, I have a kid, I
2 have a baby. So, I put the baby in the closet, and I went into the closet, and I saw him,
3 when, he went, like, run into the kitchen, to the.

4 **A.** This morning, um, I went to, drop off my kid in the morning, like, all the times, and
5 I, left my kid, sleeping with, Jose ___, room. And, so I don't like, to wake him up,
6 because he's, like, too little. And, um, I went by myself, to the school, and drop Jose,
7 I came, um, I was, cleaning the kitchen. And, so, I went to change, and, I was gonna,
8 um, I was gonna paint myself, and I was gonna, when I, when I, say, oh, I'm getting
9 hungry, I'm gonna go wake up Jose or ___, I'm gonna go see if he's awake, to make
10 some breakfast, for us. So, I went to the room, and he was awake already, and he
11 told me, mommy, um, can I ___, can I watch transformer? So, I turned on, the T-V.
12 Okay. You're not hungry yet? No, I'm not. Okay. Um, so I came, out, of the room
13 again, and I went to do some, um, dirty clothes, and I came again, and I, and I, was
14 gonna ask him again if he wanted like ___ or ___, whatever. Um, so I started like, I
15 opened the closet, and I starting getting clothes for him, the, other clothes is right
16 there in the bag, on the bed, on his bed. When I was putting, when I was getting the
17 socks, I put them in the bed, I heard this noise, and I, think I see, I don't know, I
18 heard this big o', noise, and, started like, shooting. And, I was like, what, what
19 happened? ___. I, I, I thought, for the, that, maybe, in the neighborhood something
20 happened. So, I always have my cell phone, and, and I, well, I'm gonna call the, I'm
21 gonna call 911, what's going on. So, uh, I, I was here in this, like, to close to me, like,
22 to close, when I saw this people like in the house, like you can see, the blinds are
23 open, and, and, they were like, with all these ___, so I got, like, oh my God. I, I got
24 my kid, and I put him in the closet, and I, and I yell, Jose, like, with all my, like,
25 loud, loud. So, he wake, he woke up, and, I saw him, like, naked, well, like, in
26 boxers, I saw him. What, what's, he's all, what's going on? And, and, and, and he's
27 all, stay here. But, ___. Um, wait, he said, what happened? Get down because of the
28 bullets. The, the shooting. And, I thought they were gonna shoot, in the window.
29 And, I told him, I have a kid, I have a baby. So, I put the baby in the closet, and I
30 went into the closet, and I saw him, when, he went, like, run into the kitchen, to the.

31
32 **Q.** Jose?

33 **A.** Yeah.

34
35 **Q.** Uh huh (yes).

36 **A.** And, and like I said, when I, when, when, uh, when I heard, I was way in the back, ___,
37 you know, um, I was like, Jose? And, and, and I was calling the police, I called it, the
38 police, and, the 911. And, they told me that, they were on their way, that, because they
39 knew, I think. Um, so when I went to the, to the, kitchen, I saw him in the floor. I saw
40 him in the floor. And, ___, the only thing ___, because I touch him, and he was like, barely
41 breathing. And, I'm like, Jose, can you hear me? ¿Me oyes, me puedes oír? And then, he
42 couldn't speak to me, because, I think it was, I don't know.

43 **A.** And, and like I said, when I, when, when, uh, when I heard, I was way in the back,
44 ___, you know, um, I was like, Jose? And, and, and I was calling the police, I called
45 it, the police, and, the 911. And, they told me that, they were on their way, that,
46 because they knew, I think. Um, so when I went to the, to the, kitchen, I saw him in

1 the floor. I saw him in the floor. And, ___, the only thing ___, because I touch him,
2 and he was like, barely breathing. And, I'm like, Jose, can you hear me? Can you
3 hear me, can you hear me? And then, he couldn't speak to me, because, I think it
4 was, I don't know.

5
6 **Q.** ___.

7 **A.** And, I was like, are you okay, are you okay? And then, I'm, I'm calling, I'm gonna call
8 your mom, I'm gonna call, I, I already call the police, and, no, he didn't answer me. And,
9 ___, Jose, ¿por qué esta esto aqui? ___. The door was open. And, and I saw the big o'
10 truck, and a lot of polices, and I saw the window, everything, and I, and I went into the,
11 to get some help, and they just threw me over, they just, I, I don't know if they could do
12 that, but _.

13 **A.** And, I was like, are you okay, are you okay? And then, I'm, I'm calling, I'm gonna
14 call your mom, I'm gonna call, I, I already call the police, and, no, he didn't answer
15 me. And, ___, Jose, ¿why is this here? ___. The door was open. And, and I saw the
16 big o' truck, and a lot of polices, and I saw the window, everything, and I, and I
17 went into the, to get some help, and they just threw me over, they just, I, I don't
18 know if they could do that, but _.

19
20 **Q.** It's okay.

21 **A.** I mean, they, they treat me so bad, like if I was a criminal or something, like if I was
22 coming with something or, uh, that's, I felt so bad, because, they pull me. And then,
23 one of the guys, um, mmm, they make me, fall, and when I fell, there was another
24 guy that came in, and they step on my knee, and, that's, what, what I get this.

25
26 **Q.** So, ___, I know you got a couple things to your knee.

27 **A.** Yeah.

28
29 **Q.** Your left knee, and your left leg.

30 **A.** And, my ___, yeah.

31
32 **Q.** And, your left,...

33 **A.** ___ because I, I

34
35 **Q.** ...shoulder, and then you have, the left hand, right? You cut a little cut on your left
36 hand, on the inside.

37 **A.** Yeah. Um, and, um, and, I was ___, what are you gonna do to me? And, they didn't
38 answer me, and they didn't answer me, and I was like, bring me my kid please, I
39 have...

40
41 **Q.** Were you asking him in English, or?

42 **A.** ...a 5 year old in there. No, in English.

43
44 **Q.** English.

45 **A.** Bring me my kid, I have a 4 year old kid over there. What happened? What's going on?
46 Y, and I was, and I was, uh, yelling at them, and they didn't, they didn't help me, then, a

- 1 little bit later, this, one guy, the, the, ___ with me, I don't know his name, and he was very,
2 he was going nice. I told him to, to tell them to bring me my kid. I don't know. And, they
3 told me, okay, they're gonna broke the window, okay. No, don't do that, because, he's
4 gonna get scared.
- 5 **A. Bring me my kid, I have a 4 year old kid over there. What happened? What's going**
6 **on? And, and I was, and I was, uh, yelling at them, and they didn't, they didn't help**
7 **me, then, a little bit later, this, one guy, the, the, ___ with me, I don't know his name,**
8 **and he was very, he was going nice. I told him to, to tell them to bring me my kid. I**
9 **don't know. And, they told me, okay, they're gonna broke the window, okay. No,**
10 **don't do that, because, he's gonna get scared.**
- 11
- 12 **Q. Yeah.**
- 13 **A. Just go inside, and put something in his eyes, so he don't see, the blood, and all the stuff.**
14 **And then, well, by this time, I was asking them, and they didn't bring me my kid. My kid**
15 **came, by himself, and, and when they saw him, at the door, he was yelling me, momma,**
16 **mommy, mommy, where are you? They, they bring me the kid, and I got him, and then**
17 **put us into the van. And, and he was yelling me, mommy, I saw my daddy, in the floor,**
18 **with all this, blood. What happened? Is he gonna be okay? And, I thought he was gonna**
19 **be okay to, __. I thought he was gonna be okay. And __, and I was just telling him, I told**
20 **the guy, I'm gonna tell him the story that a bad dude came, and, shoot him, and that you**
21 **guys came and helped us, because he told me, uh, what happened? The police kill my**
22 **dad? And, I'm like, no, no, mijito, no, no, __. And, that's about it.**
- 23 **A. Just go inside, and put something in his eyes, so he don't see, the blood, and all the**
24 **stuff. And then, well, by this time, I was asking them, and they didn't bring me my**
25 **kid. My kid came, by himself, and, and when they saw him, at the door, he was**
26 **yelling me, momma, mommy, mommy, where are you? They, they bring me the kid,**
27 **and I got him, and then put us into the van. And, and he was yelling me, mommy, I**
28 **saw my daddy, in the floor, with all this, blood. What happened? Is he gonna be**
29 **okay? And, I thought he was gonna be okay to, __. I thought he was gonna be okay.**
30 **And __, and I was just telling him, I told the guy, I'm gonna tell him the story that a**
31 **bad dude came, and, shoot him, and that you guys came and helped us, because he**
32 **told me, uh, what happened? The police kill my dad? And, I'm like, no, no, son, no,**
33 **no, __. And, that's about it.**
- 34
- 35 **Q. Okay.**
- 36 **A. And, there's another guy that came into the van and told the guy, to bring us over**
37 **here, because, __, they were gonna ask me some questions, and, and stuff, and I told**
38 **him, I don't want my kid here with me.**
- 39
- 40 **Q. Okay.**
- 41 **A. And then ____.**
- 42
- 43 **Q. No, that's good, you're.**
- 44 **A. ____.**
- 45
- 46 **Q. Right. He's gone now.**

- 1 **A. Yeah.**
- 2
- 3 **Q. So, that's good.**
- 4 **A. Yeah, and, he told me, well, you know what, is, is good, you have somebody and __,**
5 **you know what?**
- 6
- 7 **Q. __ water real quick.**
- 8 **A. And.**
- 9
- 10 **Q. We're gonna, I'm gonna ask __. Take a drink of water, let's take a deep breath.**
11 **A. And, I call my mother in law, and she never answered, because, she, really busy.**
- 12
- 13 **Q. Okay.**
- 14 **A. __.**
- 15
- 16 **Q. So, she came home from work, and got the kids?**
- 17 **A. Yeah.**
- 18
- 19 **Q. Yeah. Okay.**
- 20 **A. Another friend, yeah, Gracielita, she went to pick up my, my, my kid at school.**
- 21
- 22 **Q. Okay. Let me ask you this.**
- 23 **A. Mmm.**
- 24
- 25 **Q. Did you hear them say anything when they came in the house? Did you hear any**
26 **words from them?**
- 27 **A. No, I just, no, the only __.**
- 28
- 29 **Q. Police, policia, sheriff?**
- 30 **Q. Police, police, sheriff?**
- 31 **A. No, no, no, no, no. Get out of the house, and, they, they said, this way, the SWAT**
32 **team, and, and I was like.**
- 33
- 34 **Q. They said, SWAT team?**
- 35 **A. Yeah, I guess.**
- 36
- 37 **Q. Uh huh (yes).**
- 38 **A. When they were outside, but I was, uh, they didn't came, they, they, nobody was**
39 **inside the house, it was just us.**
- 40
- 41 **Q. Yeah.**
- 42 **A. So, when they,...**
- 43
- 44 **Q. Did they come through the front door?.**
- 45 **A. ...saw me, when they saw me, beca-, yeah, the front door, when they saw me, like,**
46 **from here, to there, yeah.**

1
2 Q. Uh huh (yes).
3 A. They just came and, got me from this arm, like I said is,...
4
5 Q. Okay.
6 A. ...really, is, still hurting.
7
8 Q. And they grabbed you.
9 A. And, when, yeah, so when they, dropped me, like very bad, they, they, co-, how? Me
10 hicieron que me callara, y me pisaron. I mean it was like, oh my God. Me dolió mucho,
11 y les decía, it's hurting, and nobody help me, nobody...
12 A. And, when, yeah, so when they, dropped me, like very bad, they, they, co-, how?
13 They made me shut up, and they stepped on me. I mean it was like, oh my God. It
14 hurt me a lot, and I would tell them, it's hurting, and nobody help me, nobody...
15
16 Q. Okay.
17 A. ...help me over there, and they was.
18
19 Q. All right, right.
20 A. They were asking, too bad, I don't know if they, that's the way they have to act, but,
21 I mean.
22
23 Q. It kind of is, but, we'll go through that. Did they ask you any questions,...
24 A. No, no.
25
26 Q. ...about, were anyone else was at home at all?
27 A. Yeah, they did.
28
29 Q. They ask you who else?
30 A. Who lives in the house? I told you that I have, a, a baby, 4 year old, he's inside, his
31 room. Where is he at? He's at the closet. When I was _, well, they didn't, wanted to
32 do this, because they were, doing, I don't know what the hell ____...
33
34 Q. _.
35 A. ...or something, uh, they didn't listen to me. By that time, somebody yell over there,
36 they said, here's the baby, he came out by himself, or something.
37
38 Q. All right.
39 A. And then, he did, because he told me that he came out by himself, and he saw all the
40 blood.
41
42 Q. Well, now why did, why did Jose go to the kitchen? You said he went to the front,
43 like, is the kitchen or something, or? That Jose, big Jose, that he left, the bedroom.
44 Okay? You said he left the room, and went out to the front.
45 A. _, because he was gonna open the door, because they were knocking the door.
46

1 Q. Okay. So, did you see...
2 A. I _.
3
4 Q. ...people on the outside, first?
5 A. I saw like, you know like, the, the, lights were like this.
6
7 Q. Yes. So, you saw them on the outside?
8 A. I saw, yeah, I saw.
9
10 Q. Got it, okay.
11 A. I saw one. So, I barely saw like this, and I saw the big o' gun, and I was like.
12
13 Q. Oh, and that's when...
14 A. What the,...
15
16 Q. ...you called Jose?
17 A. ...what's this? No sabia que era, que. ¿Me entiende? Policía, ¿que, que esto, que esta
18 pasando? Agarre, me metí, porque, empecé oír balazos, y me metí al closet.
19 A. ...what's this? I didn't know what it was, that. Do you understand? Police, what,
20 what is this, what is going on? I got, I went in, because, I started to hear gun shots,
21 and, I went inside the closet.
22
23 Q. So, he was going out to the, to, let them in,...
24 A. Oh no, no, no.
25
26 Q. ...or answer the door?
27 A. No, no. To open the door, I guess.
28
29 Q. _, and, and, these are, these are.
30 A. But, I didn't know why.
31
32 Q. Okay. Vanessa, these are important questions. Um, are there any guns in the
33 bedroom, with Jose?
34 A. I don't know.
35
36 Q. And, you know, guns are okay in, in the states.
37 A. Uh, no.
38
39 Q. Guns are okay here.
40 A. He, I know that he had one, little one, I don't know what's, the name, because, I
41 never like guns.
42
43 Q. Yeah.
44 A. Um, he had one, you, well you can check, he had one.
45
46 Q. Okay.

- 1 A. Under his name.
2
3 Q. Okay.
4 A. And, well.
5
6 Q. Where did he keep it?
7 A. Well, sometimes is, uh, the house, because, well, he had it with him, but that's,
8 that's, I mean, he had the papers, I guess.
9
10 Q. Well, did he have it with him this morning?
11 A. Oh no.
12
13 Q. Okay. Where, where, where is the gun now? Do you know?
14 A. I think, well, whenever, I think he, in the car, because, he always need, __, he, he
15 told me that, there's laws that, you need to have the guns, ____, you have
16 permission.
17
18 Q. Uh huh (yes).
19 A. So, like, if a police stops you.
20
21 Q. Sure.
22 A. You need to have them. That's all, I ask him, why do you have a gun? And, he's all,
23 well, protection.
24
25 Q. Yeah.
26 A. Self protection me decía. Y, me, yo le decía, oh, you better put that away, because, the
27 kids.
28 A. He would tell me for self protection. And, he, I would tell him, oh, you better put
29 that away, because, the kids.
30
31 Q. Yeah.
32 A. And, I, always got in a fight with him, because, I never like.
33
34 Q. Or did.
35 A. To see the __, the, I mean, the gun.
36
37 Q. Are there are...
38 A. So.
39
40 Q. ...any guns in the house?
41 A. No.
42
43 Q. No guns in the house?
44 A. No.
45
46 Q. Okay. Okay. What does this gun look like? You tell me. You said it's little?

- 1 A. Oh no, I don't know what, the numbers, __.
2
3 Q. Not the numbers. Does it look like a cowboy gun?
4 A. Yeah, is a little gun, __.
5
6 Q. Oh, it's little.
7 A. __.
8
9 Q. Okay. And, you think it's in the car?
10 A. Yeah, I think it's in the car.
11
12 Q. Okay.
13 A. You check it, I think, because, my, my car was open, I think you check, in the car.
14
15 Q. Okay. Did you, did you hear bullets, did you hear gun shots?
16 A. I, I, I, I don't know what I hear.
17
18 Q. Did you hear loud bang?
19 A. Yeah, I have, right here in my, in my ears, like, a lot __.
20
21 Q. Okay. Yeah, let's go through this. What's, is there anything in the house, that the
22 police would be looking for?
23 A. __.
24
25 Q. Now be honest with me. You live there. We're gonna go in there.
26 A. Okay.
27
28 Q. 'Cause you know.
29 A. But, my question __.
30
31 Q. I know.
32 A. __ looking for.
33
34 Q. Well, I'm asking you.
35 A. I don't have nothing to say.
36
37 Q. Okay.
38 A. 'Cause I don't, I don't know what, what they were looking for. __.
39
40 Q. But, __, let me ask you this. Is there anything illegal in the house?
41 A. No, no.
42
43 Q. Okay.
44 A. No.
45
46 Q. Nothing, nothing that we __?

1 A. That's my house.
 2
 3 Q. Okay.
 4 A. That's my house.
 5
 6 Q. Marijuana?
 7 A. Oh no.
 8
 9 Q. Okay. No other guns?
 10 A. No.
 11
 12 Q. Large amounts of money?
 13 A. No.
 14
 15 Q. Large amounts of cash?
 16 A. Mm mm (no).
 17
 18 Q. Um, and, nothing like that?
 19 A. Mm mm (no).
 20
 21 Q. Okay.
 22 A. No.
 23
 24 Q. Okay. Um, _ , okay. Um, when, when we came in, we came in to the front door,
 25 right?
 26 A. Yeah.
 27
 28 Q. The, the cops came in, they came in to the front door?
 29 A. Yeah.
 30
 31 Q. Okay. You were stopped, in what part of the house? You were stopped in like a
 32 bedroom, or like a hall area?
 33 A. _ , no, in the, kids, in the, Joel's room. The little one.
 34
 35 Q. Okay. Did you see what they had on, the, the police came to the door? Tell me what
 36 they look like. The ones that, like, put you on the ground, and, stepped on your leg.
 37 You know? What did they look like?
 38 A. When they, got me?
 39
 40 Q. Yeah. Tell me what they wearing.
 41 A. Well, a lot of stuff, a lot, guns. Todo verde. Like, all green.
 42 A. Well, a lot of stuff, a lot, guns. All green. Like, all green.
 43
 44 Q. Did you see, words, symbols?
 45 A. No.
 46

1 Q. Or a badge, sheriff, police?
 2 A. No, no I didn't.
 3
 4 Q. _ .
 5 A. Well, I didn't, well, I didn't saw them.
 6
 7 Q. Okay.
 8 A. Like at all, _ .
 9
 10 Q. Was it too fast?
 11 A. Yeah, they, I didn't saw them, I was like, when, they set me, when they sent me over
 12 there, that's where I saw, that's where I saw the guy.
 13
 14 Q. Okay.
 15 A. But, I didn't, I didn't.
 16
 17 Q. Okay.
 18 A. It was too, too, fast.
 19
 20 Q. Okay.
 21 A. Too, I don't.
 22
 23 Q. What's, what's in the garage?
 24 A. A lot of mess.
 25
 26 Q. A lot of mess. We all have a lot of mess in our garage.
 27 A. Well, you ca-, well, you can tell, that you, we can't, put our car inside, because, we
 28 have a lot of, like. Well, it's not a mess, uh, it's, things. Like, we have motorcycles,
 29 like, the kids.
 30
 31 Q. Uh huh (yes).
 32 A. We have, um, refrigerator. Pues, unas cosas de las escuela, because she was living with
 33 us, and she, she's, getting her, trailer, uh. ¿Cómo? It's.
 34 A. We have, um, refrigerator. Well, some things from school, because she was living
 35 with us, and she's, she's getting her, trailer, uh. How? It's.
 36
 37 Q. Mm hm (yes).
 38 A. And, she's gonna move like, later on, so, we, she came, to live with us, and, she's
 39 buying some stuff. And, I have like a lot of stuff, like, um, the kids, um, and I have
 40 ano-, a bed.
 41
 42 Q. Okay.
 43 A. Unos colchones.
 44 A. Some mattresses.
 45
 46 Q. Mm hm (yes).

- 1 A. Uh, that we were gonna take over there to my mom's house, at Mexico.
2
3 Q. Mexico.
4 A. We have like, muebles, pues.
5 A. We have like, furniture, well.
6
7 Q. So, no cars or anything?
8 A. ____.
9
10 Q. ____.
11 A. And, __, but it's all messy. That's what I'm saying. It's not a mess, it's not.
12
13 Q2. It's just a lot of items that are.
14 A. You know, yeah, no es cochinero, but it's. Uh huh (yes). Yeah. Hay muchas cosas. Y, y,
15 like, we move, we, we haven't, finished, like, painting.
16 A. You know, yeah, it's not a mess, but it's. Uh huh (yes). Yeah. There are a lot of
17 things. And, and, like, we move, we, we haven't, finished, like, painting.
18
19 Q. Mm hm (yes).
20 A. The house.
21
22 Q2. And, you said you guys, just bought this house.
23 A. On December.
24
25 Q2. In December?
26 A. Yeah.
27
28 Q2. Okay.
29 A. Yeah.
30
31 Q2. When did you guys move in?
32 A. December 11th.
33
34 Q2. December 11th?
35 A. Yeah.
36
37 Q2. Okay. Where were you living at before?
38 A. Um, 7, I was living on Illinois.
39
40 Q2. On Illinois? Okay. Do you, remember the address ____?
41 A. 74█ West Illinois. Yeah. We __, we were, renting, there.
42
43 Q. Do you own this house?
44 A. Yeah.
45
46 Q. You bought this house?

- 1 A. Full time. Yeah.
2
3 Q. Okay. That's good. Listen, how many bedrooms do you have in the house?
4 A. Four.
5
6 Q. Four bedrooms. Okay. Whose, tell me what the bedrooms are. You guys.
7 A. Well, uh, us, and then Joel's.
8
9 Q. Uh huh (yes).
10 A. And then, __, the, well, there's the bathroom, and then it's Jose's room.
11
12 Q. Uh huh (yes).
13 A. And then, it was my, my mother in law.
14
15 Q. Okay. Is there anything in those rooms, that would be illegal? Drugs, guns?
16 A. No.
17
18 Q. Monies? Okay. Okay. And these are, these are important questions, 'cause
19 obviously we're gonna find out one way or another. We also need to have
20 information about, about, people that you know. Okay? Um, as well as Jose. Okay?
21 Um, do, do you know if Jose was involved in any activity? Even if he's trying to
22 make some money for you guys, so you can live good.
23 A. Mm hm (yes).
24
25 Q. There's nothing wrong with, ...
26 A. No.
27
28 Q. ...being able to live nicely, ...
29 A. He was working very ...
30
31 Q. ...and provide.
32 A. ...hard, at the, Asarco.
33
34 Q. Yeah.
35 A. Trust me. Like, a lot of hours. Y, cuando podía, metía. ¿Cómo se dice?
36 A. Trust me. Like, a lot of hours. And, when he could, he would put more in. How do
37 you say it?
38
39 Q2. Over time.
40 A. Over time.
41
42 Q. Yeah.
43 A. Like, last month, we make a piñata for the kids, and like, we, buy stuff, first time buying
44 the house. I don't know how to say that. Um, we were trying to, well, to not, eh, spend,
45 __. ¿Cómo? Gastar mucho dinero.
46

- 1 A. Like, last month, we make a piñata for the kids, and like, we, buy stuff, first time
2 buying the house. I don't know how to say that. Um, we were trying to, well, to not,
3 eh, spend, __. How? Spend a lot of money.
4
5 Q. Spend a lot of money.
6 A. Yeah, spend a lot of money, so we, got, __, party for the kids, like, together, we made
7 it together.
8
9 Q. Okay.
10 A. One, one is, birthday, is March, and the other one is on April, __.
11
12 Q. Okay.
13 Q2. So, you, made the, birthday party.
14 A. Yeah, no, we made it, well, good, but, I mean.
15
16 Q. Do, do you know of his friends? Do you know Jose's friends? Does he bring them
17 around a lot to the house?
18 A. No, I don't have nobody at the house.
19
20 Q. Okay. Does Jose, have friends, outside of the house?
21 A. No.
22
23 Q. Okay. No?
24 A. ____, no se del trabajo, from work.
25 A. ____, I don't know, from work.
26
27 Q. Okay. Okay. Does he have family here in town, Jose?
28 A. Yeah.
29
30 Q. Is his family here?
31 A. Yeah, su hermano, ____ su otro hermano se caso, y, ____ en el pueblo.
32 A. Yeah, his brother, __ his other brother got married, and, ____ at the town.
33
34 Q. Okay. And, what do they do?
35 A. I don't know.
36
37 Q. Bad stuff, good stuff?
38 A. __, no, I don't know, no se.
39 A. __, no, I don't know, I don't know.
40
41 Q. Well, I mean, how long have you been married to Jose?
42 A. Como, 8 años, pero, estábamos, estaba peleada yo, teníamos un pleito, pues, que no, no
43 ____, se relacionaba.
44 A. Like, 8 years, but, we were, we were fighting, we had a fight, well, that I didn't, I
45 didn't ____, he would relate.
46

- 1 Q2. 8 years, and, they were having problems, __.
2 A. No se yo.
3 A. I don't know.
4
5 Q. ____.
6 A. No se mucho de ellos. El, ...
7 A. I don't know much about them. He, ...
8
9 Q2. ____.
10 A. ...el, ____.
11 A. ...he, ____.
12
13 Q2. Do you think his family, deals in drugs?
14 A. Oh no. Su mamá, ____, working very hard at the casino.
15 A. Oh no. His mom, ____, working very hard at the casino.
16
17 Q2. He has, brothers.
18 A. Sus hermano ____.
19 A. His brother ____.
20
21 Q2. ____.
22 A. Oh, su otra __, ah, no, su hermano traba-, pues, su hermano ____.
23 A. Oh, his other __, oh, no, his brother traba-, well, his brother ____.
24
25 Q2. ¿A quien, a cual?
26 Q. Who, which one?
27 A. ____.
28
29 Q2. ¿A cual hermano es el que, vende cosas? She says he has a brother that sells, things here
30 and there.
31 Q2. Which brother is the one that, sells things? She says he has a brother that sells,
32 things here and there.
33 Q. Okay.
34 A. No, por, de segunda, mi mamá es segunda.
35 A. No, for, used stuff, my mom buys second hand itmes.
36
37 Q2. Oh, ¿su mamá? Pero.
38 Q2. Oh, your mom? But.
39 A. Mi mamá, pues, si le compro.
40 A. My mom, well, if I buy.
41
42 Q2. Pero, los, los, hermanos de, de Jose.
43 Q2. But, the, the, brothers of, of Jose.
44 A. No se sus hermanos de Jose.
45 A. I don't know Jose's brothers.
46

- 1 Q2. ¿Cómo se llaman los hermanos de Jose, que están aquí en Tucson?
 2 Q2. **What are the names of Jose's brothers, the ones that are here in Tucson?**
 3 A. ____, me siento mal. No te puedo decir, _____.
 4 A. ____, I feel sick. I can't tell you, _____.
 5
 6 Q2. **Alex?**
 7 A. Me siento mal. Me siento mal. Eh, si, es el Alex el mayor, _____.
 8 A. **I feel sick. I feel sick. Eh, yes, Alex is the oldest, ____.**
 9
 10 Q2. **Alex is the older.**
 11 A. **Mm hm (yes).**
 12
 13 Q2. **The older brother.**
 14 Q. **Okay.**
 15 Q2. **Okay.**
 16 Q. **_, now we're gonna, we're gonna find this stuff out, about, friends, about family. It's**
 17 **important, that we, we hear from you.**
 18 A. **Mm hm (yes).**
 19
 20 Q. **Okay? There's a reason we came to your house today. There's a reason.**
 21 A. _____.
 22
 23 Q. **Why do you think the reason ____?**
 24 A. I don't know, I wanna find out. Quisiera despertarlo y preguntarle, ¿que paso? Quiero
 25 saber, ¿había algo en mi casa? Quiero saber si hay algo en mi casa.
 26 A. **I don't know, I wanna find out. I would like to wake him up and ask him, what**
 27 **happened? I want to know, is there something in my house? I want to know if there**
 28 **is something in my house.**
 29
 30 Q2. _____.
 31 A. Porque que, que yo sepa, yo soy la que limpio, yo soy la que, el cuarto de los niños yo _____.
 32 A. **Because as, as far as I know, I am the one who cleans, I am the one who, the boys**
 33 **bedrooms I ____.**
 34
 35 Q2. Mira, ¿no, no sabías que estaba la arma esa en tu casa?
 36 Q2. **Look, you didn't, you didn't know that weapon was inside your house?**
 37 A. No. Yo se, que te digo, que tiene esa, la chiquita, porque, ____ no se si fui yo con el a
 38 comprarla, no recuerdo, pero, el me, el me dijo, ____, como el la tenia. Ustedes pueden
 39 ver, esta el papel. ____, ósea, es legal. No ha matado a nadie, no es un maton ni nada. ¿Me
 40 entiende? Pero de la _ arma, es lo que yo quería saber, ¿porque tenia esa arma, grande,
 41 con el, porque, de quien era?
 42 A. **No. I know, like I told you, he has that one, the small one, because, ____ I don't know**
 43 **if I went him to buy it, I don't remember, but, he, he told me, ____, how he had it.**
 44 **You can see, there is the paper. ____, in other words, it's, legal. He hasn't killed**
 45 **anyone, he's not a killer or anything. Do you understand? But of the _ weapon, it's**

- 1 **what I want to know, why did he have that big weapon, with him, why, who did it**
 2 **belong to?**
 3
 4 Q2. _____.
 5 A. ¿De quien era?
 6 A. **Who did it belong to?**
 7
 8 Q2. De el. Si no era de el, era de alguien conocido, porque esa arma, estaba adentro de esa
 9 casa. Esa arma, el, ...
 10 Q2. **His. It it wasn't his, it belonged to someone he knows, because that weapon, was**
 11 **inside that house. That weapon, he,...**
 12 A. Ay Dios mio.
 13 A. **Oh my God.**
 14
 15 Q2. ...la cortaba. El cortaba esa arma.
 16 Q2. **...he had it. He had that weapon.**
 17 A. Nunca lo mire con esa arma. _____.
 18 A. **I never saw him with that weapon. ____.**
 19
 20 Q2. Pero, estaba en esa casa. Estaba en esa casa.
 21 Q2. **But, it was inside that house. It was inside that house.**
 22 A. Pero _____.
 23 A. **But ____.**
 24
 25 Q2. Cuando lo miraron, cuando entro el, el, el equipo de SWAT, cuando entro, el, recibió al
 26 equipo de SWAT, tirandole balazos. Eso _____.
 27 Q2. **When they saw it, when the, the, the SWAT team went in, when they went in, he,**
 28 **received the SWAT team, shooting at them. That ____.**
 29 A. Eso es lo, pues, eso es lo ____, que como quisiera que estuviera el, vivo, para a que el,
 30 le preguntaran, y como yo quisiera, poderle preguntar, que es, lo que estaba pasando, con
 31 esa arma, porque esta arma, ¿porque, porque la tenia, porque, porque un, porque yo, ____
 32 de la casa, se supone, ____ porque no se cosas, porque no sabia?
 33 A. **That is what, well, that is what ____, that how I would like for him, to be alive, so**
 34 **that you can ask him, and how I would like to, ask him, what, was going on, with**
 35 **that weapon, because that weapon, why, why did he have it, why, why, why me, ____**
 36 **of the house, supposedly, ____ why don't I know things, why didn't I know?**
 37
 38 Q2. **She does't know about the.**
 39 A. Ay, ay, ay, ay, ay.
 40 A. **Oh, oh, oh, oh, oh.**
 41
 42 Q2. _____.
 43 A. Ay, ay.
 44 A. **Oh, oh.**
 45
 46 Q2. _____.

- 1 Q. ____.
- 2 Q2. ____ wasn't, wasn't inside the house.
- 3 Q. What was?
- 4 Q2. The, the weapon, the.
- 5 Q. Okay.
- 6 A. Pues, la que estaba tirada ahí, es una cosa que me impresiono, porque estaba esa arma
- 7 toda manchada ahí con el, y es lo que me dijo, tu, me estas diciendo, el otro que el lo
- 8 tenia. Yo, no lo mire con esa arma, porque, como le digo, yo estaba en el closet. Yo no
- 9 mire, como, y donde la agarro, que, ni modo que se la __ quitado, como dicen ustedes,
- 10 será de el, okay, ¿y de donde, pues, como, porque?
- 11 A. Well, the one that was thrown right there, it's a thing that impressed me, because
- 12 that weapon was all stained right there with him, and it's what, you, are telling me,
- 13 that he had it. I, didn't see him with that weapon, because, like I told you, I was in
- 14 the closet. I didn't see, how, and where he got it from, that, unless he _ took it away,
- 15 like you say, perhaps it's his, okay, and from where, well, how, why?
- 16
- 17 Q. Does, does he hunt, fish?
- 18 A. Um, no.
- 19
- 20 Q. No? I mean, another reason why he'd have this rifle?
- 21 A. No se. Es lo que yo quiero saber, ¿porque tiene esa arma? Esa es mi pregunta.
- 22 A. I don't know. It's what I want to know, why did he have that weapon? That is my
- 23 question.
- 24
- 25 Q. Okay. Um, how, how much money does Jose make at Asarco?
- 26 A. Ay, no se.
- 27 A. Oh, I don't know.
- 28
- 29 Q. You don't know how much money he makes?
- 30 A. ____.
- 31
- 32 Q. No idea?
- 33 A. Si, como \$1,400 le pegan la quincena, ¿qué no?
- 34 A. Yes, like \$1,400 every two weeks, right?
- 35
- 36 Q2. \$1,400 hundred every two weeks.
- 37 Q. Okay.
- 38 A. \$1,200, ____.
- 39
- 40 Q2. \$1,200, maybe \$1,400.
- 41 A. Ay, yo no se.
- 42 A. Oh, I don't know.
- 43
- 44 Q. Okay, okay, okay. ____.
- 45 Q2. Si quieres tomar agua, toma agua, cómase una galletita.
- 46 Q2. If you want to drink water, drink water, eat a cookie.

- 1 A. No, no quiero. No quiero nada. Quiero verlo a el.
- 2 A. No, I don't want to. I don't want anything. I want to see him.
- 3
- 4 Q. Okay. Let me, ____.
- 5 A. Quiero verlo, por favor.
- 6 A. I want to see him, please.
- 7
- 8 Q. ____.
- 9 A. ¿Me puede traer algo pa la pierna, por favor? Me duele mucho.
- 10 A. Can you bring me something for the leg, please? It hurts me a lot.
- 11
- 12 Q2. ¿Quieres hielo?
- 13 Q2. Do you want ice?
- 14 A. Si, por favor.
- 15 A. Yes, please.
- 16
- 17 Q2. Can we get a, a bag of ice?
- 18 Q. Yeah, yeah, you bet. ____.
- 19 Q2. ____.
- 20 A. Y, de ahí, es todo lo que se, Es todo lo que te puedo ayudarte, y tu me pudieras ayudar, y
- 21 me pudieras decir, que sabes tu, ¿porque ____ lo, que paso? Dime, por favor, dime.
- 22 A. And, from there, is all that I know. It's all I can help you with, and you could help
- 23 me, and you could tell me, what you know, why ____, what happened? Tell me,
- 24 please, tell me.
- 25
- 26 Q2. Mira.
- 27 Q2. Look.
- 28 A. Ayúdame.
- 29 A. Help me.
- 30
- 31 Q. Nosotros, a nosotros nos hablaron aquí para, para hablar contigo. ¿Okay? Um, si tenían
- 32 una Orden de Cateo.
- 33 Q. We, we were called called to come here, to talk with you. Okay? Um, they did have
- 34 a Search Warrant.
- 35 A. ¿El SWAT?
- 36 A. The SWAT?
- 37
- 38 Q2. Uh, el Swat.
- 39 Q2. Uh, the SWAT.
- 40 A. Es lo que hace esto.
- 41 A. They do this.
- 42
- 43 Q2. Si.
- 44 Q2. Yes.
- 45 A. Okay.
- 46

- 1 Q2. Y, son los que, lo que,...
- 2 Q2. **And, they are the ones that, that,...**
- 3 A. **Okay.**
- 4
- 5 Q2. ...entraron, a tu casa.
- 6 Q2. **...went inside, your house.**
- 7 A. Y, a ti te hablaron pa que vinieras hablar conmigo. ¿Qué eres investigador, ___?
- 8 A. **And, they called you to come talk with me. Are you an investigador, ___?**
- 9
- 10 Q2. Si. _ investigador,...
- 11 Q2. **Yes. _ investigador,...**
- 12 A. ___.
- 13
- 14 Q2. ...y, como hablo español.
- 15 Q2. **...and, since I speak Spanish.**
- 16 A. **Okay.**
- 17
- 18 Q2. ¿Okay? Um, la Orden de Cateo.
- 19 Q2. **Okay? Um, the Search Warrant.**
- 20 A. ¿Y, porque?
- 21 A. **And, why?**
- 22
- 23 Q2. Es que, recibieron información, sobre un caso que están trabajando. ¿Okay? Mas, mas
- 24 de, de, la información, eso, yo no se. No se de que, de que.
- 25 Q2. **It's that, they received information, regarding a case that they are working on.**
- 26 **Okay? Anymore, anymore of, of, that information, I don't know. I don't know of**
- 27 **what, of what.**
- 28 A. De que ___.
- 29 A. **Of what ___.**
- 30
- 31 Q. ___, si. ___, por eso estamos aquí preguntarte. Yo, cuando le estoy preguntando, ___
- 32 porque.
- 33 Q. ___, yes. ___, **that is why we are here to ask you. I, when I am asking, ___ because.**
- 34 A. Todo lo que te puedo decir, que se que.
- 35 A. **Everything that I can tell you, that I know that.**
- 36
- 37 Q2. ¿El trabajo a noche?
- 38 Q2. **Did he work last night?**
- 39 A. El trabaja de noche.
- 40 A. **He works at night.**
- 41
- 42 Q2. ___.
- 43 A. ___, si.
- 44 A. ___, yes.
- 45
- 46 Q2. ¿A que hora salio?

- 1 Q2. **What time did he get out?**
- 2 A. En la mañana.
- 3 A. **In the morning.**
- 4
- 5 Q2. ___.
- 6 A. Por eso estaba dormido.
- 7 A. **That is why he was sleeping.**
- 8
- 9 Q2. ¿A que hora salio esta mañana?
- 10 Q2. **What time did he get out this morning?**
- 11 A. A las 6:00.
- 12 A. **At 6:00.**
- 13
- 14 Q2. ¿A las 6:00?
- 15 Q2. **At 6:00?**
- 16 A. Si, ___.
- 17 A. **Yes, ___.**
- 18
- 19 Q2. ¿Y, como, como a que horas llego a la casa?
- 20 Q2. **And, like, like at what time did he get home?**
- 21 A. Pues, la hora que venga todo el tiempo, llega a las, 6:00, porque, sale como a las, 5:30, yo
- 22 creo, de allá del trabajo, y todo lo que camina, y luego el camino.
- 23 A. **Well, the same time he always does, he gets home at, 6:00, because, he gets out like**
- 24 **at, 5:30, I think, from work, and everything he walks, and then the drive back home.**
- 25
- 26 Q2. ¿Dónde, donde esta?
- 27 Q2. **Where, where is it?**
- 28 A. En Asarco.
- 29 A. **Asarco.**
- 30
- 31 Q2. ¿Ahí, ahí en, Sahuarita?
- 32 Q2. **Right there, right there in, Sahuarita?**
- 33 A. Si, la mina en Asarco, y, ta-, tenia tres noches trabajando, se _ mucho, batallábamos
- 34 mucho, pues yo, que la, los lonches, todo eso. Me siento muy mal.
- 35 A. **Yes, at the Asarco mine, and, ta-, he had been working for three nights, he _ a lot,**
- 36 **we struggled a lot, well I, that the, the lunches, all that. I feel very sick.**
- 37
- 38 Q2. ¿Cómo a las, 6:00 dice que llego?
- 39 Q2. **You said like at, 6:00 he came home?**
- 40 A. Si, ___ todo el tiempo llega a esa hora, y le hago desayuno, pero, ahora venia muy
- 41 cansado, y nomás llego y se baño y se ___, como todo el tiem-, ___, así.
- 42 A. **Yes, ___ he always gets home at that time, and I make him breakfast, but, he was**
- 43 **very tired today, and he just came home and showered and he ___, like all of the**
- 44 **tiem-, ___, like this.**
- 45
- 46 Q2. ___.

1 A. Se durmió. Mm hm (yes). ¿Cuándo lo voy a poder ver?
2 A. **He fell asleep. Mm hm (yes). When will I be able to see him?**
3
4 Q2. Voy a ser honesto contigo. ¿Okay? Ahora no lo vas a poder ver.
5 **Q2. I am going to be honest with you. Okay? You will not be able to see him today.**
6 A. _____. ¿Por qué? ¿Por qué lo tienen que examinar?
7 A. _____. **Why? Because he needs to be, examined?**
8
9 Q2. Si. Y, orita lo que, lo que, va suceder, es, que vamos entrar en, de tu casa, y vamos a, con
10 la Orden de Cateo.
11 **Q2. Yes. And, right now what, what, is going to happen, is, that we are going to go**
12 **inside, your house, and we are, with the Search Warrant.**
13 A. **Mm hm (yes).**
14
15 Q2. Vamos _____.
16 **Q2. We are ____.**
17 A. _____.
18
19 **Q2. No, ____.**
20 A. Pero, revisan...
21 A. **But, search...**
22
23 **Q2. ____.**
24 A. ...todo, lo que tengan...
25 A. **...everything, you need to...**
26
27 **Q2. ____.**
28 A. ...que revisar, que revisen todo lo que tengan que revisar, pero, lo quiero ver. _____
29 mirar.
30 A. **...search, search everything you need to search, but, I want to see him. _____ see.**
31
32 Q2. No se, no se. Yo cuando, cuando sepa te, te puedo decir. Deja agarrate una servilleta.
33 **Q2. I don't know, I don't know. When I, when I know I, I can tell you. Let me get you a**
34 **napkin.**
35 A. **Okay.**
36
37 **Q. Vanessa, are there any, are there any place, a hiding places in the house, are there**
38 **hidden compartments? Do you know, do you know what a hidden compartment is?**
39 A. No. ¿Qué es eso?
40 A. **No. What is it?**
41
42 **Q. A hidden compartment.**
43 Q2. ¿No hay, partes donde, puedan, esconder, como, paredes falsa, ...
44 **Q2. Are there, parts where, you can, hide, like, fake walls, ...**
45 A. Oh no.
46

1 Q2. ...falsas puertas?
2 **Q2. ...fake doors?**
3 A. **Oh no, ____.**
4
5 Q2. Y, nada.
6 **Q2. And, nothing.**
7 **Q2. The only reason I say that, is, is we had her permission, that maybe there's some,**
8 **hidden compartments in the house.**
9 A. **Oh no.**
10
11 **Q2. Nothing like that?**
12 A. **No.**
13
14 **Q2. Okay.**
15 A. Apenas estaba batallando mucho porque, ____, no discusión, pero, le digo, ¿mijo, cuando
16 me vas a terminar de pintar la casa? Ahora ya no.
17 A. **I was struggling a lot because, ____, not a discussion, but, I said to him, honey, when**
18 **are you going to finish painting the house? Not anymore.**
19
20 **Q. Nothing in the roof?**
21 A. **Oh no.**
22
23 **Q. Nothing in the walls?**
24 A. Pues, pueden chequear.
25 A. **Well, you can check.**
26
27 **Q. What's in the roof? Anything, in the roof?**
28 A. _____.
29
30 Q2. No, no hay nada arriba del, ...
31 **Q2. Is there, is there anything on top of the, ...**
32 A. **No.**
33
34 **Q2. ...____?**
35 A. abran ahí, pero, yo no lo tengo __ nada.
36 A. **Open it right there, but, I don't have __ nothing.**
37
38 **Q2. Nothing.**
39 A. Ahí, yo estaba rezongando con el, porque, le digo, ¿cuando me vas a pintar la casa?
40 A. **I was arguing with him right there, because, I said to him, when are you going to**
41 **paint the house?**
42
43 **Q2. She ____.**
44 A. ¿Cuándo me vas a?
45 A. **When are you going to?**
46

- 1 Q2. **__ how are __ because, she, she was asking when, when was he gonna finish**
2 **painting, __.**
- 3 A. Nomás, pero es toda la plastica que tuve con __.
- 4 A. **But that is just the talk I had with __.**
- 5
- 6 Q. **Well, what's wrong with the paint? Did you guys do something?**
- 7 A. **No, no, because it was all dirty when we got the house.**
- 8
- 9 Q. **Okay.**
- 10 A. It was a mess, it's not a new house, like you can tell. You know, los baños, the,
11 everything, is like, it was cheap, the house, when we got the house, and, everything. We
12 got a little painting, like, you can see. Y, esta mañana estaba alegando, no alegando,
13 pero, discutiendo, ay mijo, pintamela, __ si, si la vamos a pintar, __ comprar pintura,
14 __, porque todavía le __. Y, poco a poco hacíamos algo, porque yo no me, el no, no
15 me podía __ ni yo porque, __.
- 16 A. **It was a mess, it's not a new house, like you can tell. You know, the bathrooms, the,**
17 **everything, is like, it was cheap, the house, when we got the house, and everything.**
18 **We got a little painting, like you can see. And, this morning I was arguing, not**
19 **arguing, but, discussing, oh honey, paint it for me, __ yes, yes we are going to paint**
20 **it, __ buy paint, __, because it still __. And, little by little we would do**
21 **something, because I couldn't, he couldn't, he couldn't __ or I because, __.**
- 22
- 23 Q2. No hay nada, there's nothing in the house,...
- 24 Q2. **Is there anything, there's nothing in the house,...**
- 25 A. No.
- 26
- 27 Q2. ...that, we need to know?
- 28 Q2. **...that, we need to know?**
- 29 A. No, no. Nomás que no me vallen a maltratar mis muebles, porque, __, lo acabamos de
30 agarrar __ niño.
- 31 A. **No, no. Just don't damage my furniture, because, __, we just got the __ boy.**
- 32
- 33 Q. **Okay. Well, what, um. Okay. And, you don't know of, any rifle, big guns in the**
34 **house?**
- 35 A. No, eso no.
- 36 A. **No, not that.**
- 37
- 38 Q. **Have, have you ever seen him with one?**
- 39 A. No.
- 40
- 41 Q. **So, if we found one in the house.**
- 42 A. Si se encontró aquella, esa la tenía, porque yo no sabía de esa __.
- 43 A. **If you found that one, he had it, because I didn't know about that one __.**
- 44
- 45 Q2. **_____.**
- 46 A. Esa, esa __, yo no se.

- 1 A. **That one, that one __, I don't know.**
- 2
- 3 Q2. **She doesn't know where, he might of, __.**
- 4 A. Yo no se.
- 5 A. **I don't know.**
- 6
- 7 Q2. **'Cause she never saw him with it.**
- 8 A. Yo no se.
- 9 A. **I don't know.**
- 10
- 11 Q. **__, if you.**
- 12 A. **__.**
- 13
- 14 Q. **That's, that's what I'm, I'm saying.**
- 15 A. **__.**
- 16
- 17 Q. **Vanessa, that's what I'm saying, if he had a gun.**
- 18 A. **I didn't know.**
- 19
- 20 Q. **In a hidden, __, if he had a gun in a hidden compartment, that you don't know**
21 **about, you know what I'm saying? If he has a gun hidden somewhere in the house,**
22 **are there any other places in the house where he's hid things before?**
- 23 A. **Oh no.**
- 24
- 25 Q. **Upstairs, behind the wall?**
- 26 A. **No.**
- 27
- 28 Q. **Okay. Has he, has, has he done anything for friends, has he held, in the past, in the**
29 **past, not now, has he held marijuana for friends?**
- 30 A. **No.**
- 31
- 32 Q. **Okay. Money, has he held the money? Just hold on to it for a little while, and**
33 **someone comes and gets it?**
- 34 A. No, nunca en mi casa nada, la acabamos de garrar la casa. Mi suegra, yo, iba tener una,
35 una reunión de la amigas, de, cremas, del Mary Kay, y por eso quería que me pintara,
36 pues.
- 37 A. **No, never in my house anything, we just got the house. My mother in law, me, we**
38 **were going to have a reunion of friends, of, make up, for Mary Kay, and that is why**
39 **I wanted him to paint, well.**
- 40
- 41 Q2. **We just, we just bought the house.**
- 42 A. **And, the trailer.**
- 43
- 44 Q2. **_____.**
- 45 A. No, nadie nos visita, casi, porque, __, pues no.
- 46 A. **No, nobody hardly, visits us, because, __, well no.**

1
2 Q2. There's hardly anybody comes and visits us. And, we were gonna have a, Mary Kay
3 party, that's why, she wanted the house painted.

4 A. Yeah.

5
6 Q. Do you give Mary Kay?

7 A. No, my friend, but I, I,...

8
9 Q. Oh okay.

10 A. ...I was, I was, finishing and putting everything and I __.

11
12 Q. Okay. So, you were in the, you were the, in, uh, uh, Joel's room, Joel?

13 A. Yeah.

14
15 Q2. Joel's.

16 Q. When this happened?

17 A. __.

18
19 Q. __.

20 A. Estaba agarrando unos calcetines. I was getting some socks, and clothes for him, to get
21 change.

22 A. I was getting some socks. I was getting some socks, and clothes for him, to get
23 change.

24
25 Q. Okay.

26 A. Because I, I took a shower __.

27
28 Q. Okay. And, and, Jose, was he asleep, when...

29 A. Yeah.

30
31 Q. ...you started yelling for him?

32 A. He was asleep.

33
34 Q. He was, he was still asleep. So, he got, right out of his sleep,...

35 A. Yeah.

36
37 Q. ...and, went to the, went to the front, right?

38 A. And, I just saw him, when he open the door.

39
40 Q. Yeah.

41 A. __.

42
43 Q. You have no idea where he would of gotten the gun?

44 A. No, yo no lo, __.

45 A. No, I don't, __.

46

1 Q. Okay. Okay.

2 Q2. Could he of, put, have it, in a closet, in the hallway?

3 A. No se, no se __.

4 A. I don't know, I don't know __.

5
6 Q. __.

7 A. __ a mirar, puedes chequear la casa, ustedes van a mirar. Ya no me hagan preguntas de
8 eso, porque, me duele, me duele que ya no esta aquí. ¿Porque me, ____, porque?

9 A. __ go see, you guys can check the house, you will see. Don't ask me anymore
10 questions about that, because, it hurts me, it hurts me that he is no longer here.
11 Why, ____ why?

12
13 Q. Vanessa?

14 A. ¿Porque, porque, porque lo mataron, mejor lo hubieran __ preguntado, porque me lo
15 mataron?

16 A. Why, why, why was he killed, it would have been best __ ask him, why was he
17 killed?

18
19 Q2. Para eso, mira, para eso veníamos.

20 Q2. That is why, look, that is why we came.

21 A. Ay, Dios mio.

22 A. Oh, my God.

23
24 Q2. Por eso venían para hablar, para hablar con el.

25 Q2. That is why they came to talk, to talk with him.

26 A. Uh huh (yes), ¿pero, de esa manera, pues, así tienen que llegar?

27 A. Uhh uh (yes), but, in that manner, well, is that how they need to come?

28
29 Q2. __.

30 A. Pues, __ no la hablar. Perdone mi ignorancia, pero, eso no, no __.

31 A. Well, __ don't talk. Excuse my ignorance, but, that isn't, isn't __.

32
33 Q2. Bueno. Con Orden,...

34 Q2. All right. With a Search,...

35 A. __.

36
37 Q2. ...con Ordenes de Cateo.

38 Q2. ...with Search Warrants.

39 A. Ay, ay, ay.

40 A. Oh, oh, oh.

41
42 Q2. Cuando tienen así Ordenes de Cateo.

43 Q2. When they have Search Warrants like that.

44 A. __.

45
46 Q2. Es como, como entran, _____.

- 1 Q2. **It's how, how they go in, _____.**
 2 A. Pues, busquen todo lo que tienen que buscar, porque, yo, no se, que tenga nada Jose. No,
 3 no tiene nada, es mi casa. Es mi casa.
 4 A. **Well, look for everything you need to find, because, I, don't know, that Jose had**
 5 **anything. He doesn't, he doesn't have anything, it is my house. It's my house.**
 6
 7 Q2. **Jose doesn't have.**
 8 A. Yo no se nada.
 9 A. **I don't know anything.**
 10
 11 Q2. **You guys could ____.**
 12 A. Y, ____.
 13 A. **And, ____.**
 14
 15 Q2. _____.
 16 A. ____ pueden mirar, y por favor...
 17 A. ____ can see, and please...
 18
 19 Q. **All right.**
 20 A. ...déjenme un ratito.
 21 A. **...leave me alone for a little while.**
 22
 23 Q. **Do you remember the,...**
 24 A. No me acuerdo nada.
 25 A. **I don't remember anything.**
 26
 27 Q. ...do you remember the, ...
 28 Q. **...do you remember the,...**
 29 A. No me acuerdo nada.
 30 A. **I don't remember anything.**
 31
 32 Q. **...the police coming to the door and saying anything?**
 33 A. **No, no, no, no.**
 34
 35 Q. **Did you remember?**
 36 A. No me acuerdo. Estaba en el closet. La casa es muy larga.
 37 A. **I don't remember. I was in the closet. The house is very long.**
 38
 39 Q. **Vanessa?**
 40 A. Nomás se oía.
 41 A. **You could just hear.**
 42
 43 Q. **Vanessa?**
 44 A. Ooo, ooo, ooo. Y luego, una sirena cortada. Yo no oía voces, nomás oía que gritaba.
 45 A. **Ooo, ooo, ooo. And then, a siren. I didn't hear voices, I just heard that they**
 46 **screamed.**

- 1
 2 Q2. **I couldn't hear any voices, I, I could just hear ____.**
 3 A. Y, el niño llorando también.
 4 A. **And, my son was also crying.**
 5
 6 Q. **Did you?**
 7 A. Para empezar.
 8 A. **To start.**
 9
 10 Q2. **The baby crying.**
 11 Q. **Did you hear, Jose yelling?**
 12 A. Cuando lo oí cuando dijo, ah, ah. Y, cuando ya empezó eso, ya no oí que tiraron. I didn't
 13 hear anymore, shootings, ____ lo mire tirado en el piso, _____. Yo le decía José, ¿que
 14 paso? What happened Jose? And, he didn't answer me. He was barely breathing. He
 15 couldn't answer me _____. ¿Que te puedo decir? Me duele, _____. Por favor.
 16 A. **When I heard him when he said, ah, ah. And, when that started, I no longer heard**
 17 **them shoot. I didn't hear anymore, shooting, _____ I saw him laying on the floor,**
 18 **_____. I would tell him, Jose, what happened? What happened? And, he didn't**
 19 **answer me. He was barely breathing. He couldn't answer me _____. What can I tell**
 20 **you? It hurts me, _____. Please.**
 21
 22 Q. _____.
 23 A. ____ por favor.
 24 A. ____ please.
 25
 26 Q2. **No, no.**
 27 A. No oí nada, no oí nada.
 28 A. **I didn't hear anything, I didn't hear anything.**
 29
 30 Q. _____.
 31 Q2. ¿En a cual punto oíste, ...
 32 Q2. **At what point did you hear,...**
 33 A. Ay, ay, ay.
 34 A. **Oh, oh, oh.**
 35
 36 Q. ...que dijeron, SWAT team?
 37 Q. **...that they said, SWAT team?**
 38 A. Allá, cuando me jalieron.
 39 A. **Over there, when they pulled me.**
 40
 41 Q2. Cuando te jalieron.
 42 Q2. **When they pulled you.**
 43 A. Cuando me jalieron, ...
 44 A. **When they pulled me,...**
 45
 46 Q2. **When they were,...**

- 1 A. ...ya me dijeron, somos del SWAT.
 2 A. ...they said to me, we are from the SWAT.
 3
 4 Q2. ...when they pulled her.
 5 A. Pues, ya mire la letrota ahí que decia.
 6 A. Well, I then saw the big lettering there that it said.
 7
 8 Q2. When they, pulled her, that's when she ____.
 9 A. Ay, ay, ay.
 10 A. Oh, oh, oh.
 11
 12 Q2. Heard them say, they were, they were from the SWAT team.
 13 Q. Okay.
 14 Q2. And then, that's when ____.
 15 A. Ah, we're gonna help you, they didn't, well, they did help me, a lo ultimo, pero, al
 16 primero me maltrataron, me jalaron, me, trataron como un criminal, pero, a mi no me
 17 gusto porque, ¿porque me trataron así en mi casa, porque? ¿Porque, porque me trataron
 18 así a nosotros, __ matan a gente mala, _____, porque me trataron así en mi casa, porque
 19 me lo mataron?
 20 A. Oh, we're gonna help you, they didn't, well, they did help me, at the end, but, at
 21 first they treated me bad, they pulled me, they, treated me like a criminal, but, I
 22 didn't like it because, why did they treat me like that at my house, why? Why, why
 23 did they treat us like that, __ kill people, _____, why did they treat me like that at
 24 my house, why did they kill him?
 25
 26 Q2. _____?
 27 A. No. ¿De quien?
 28 A. No. Of who?
 29
 30 Q2. No?
 31 A. No.
 32
 33 Q2. No, nobody.
 34 Q. Who?
 35 A. ¿Como quien _?
 36 A. Like who __?
 37
 38 Q2. ____.
 39 A. Ay, ay, ay.
 40 A. Oh, oh, oh.
 41
 42 Q2. ¿No tenia problemas? Did he have problems with anybody?
 43 Q2. Did he have problems? Did he have problems with anybody?
 44 A. No, pues, no.
 45 A. No, well, no.
 46

- 1 Q. Does he have any friends, ____? Why, see, why would he go to the, why would he, run
 2 to the front door?
 3 A. Yo no tengo, yo no se nada de eso, de que tuviera problemas Jose.
 4 A. I don't have, I don't know anything about that, that Jose had problems.
 5
 6 Q. Did he have friends that have bad experience __? Do you know what home invasion
 7 is?
 8 A. No.
 9
 10 Q. Do you know what a home invasion is?
 11 A. No.
 12
 13 Q. It's where, bad guys come, and they kick in your door.
 14 A. Oh, __.
 15
 16 Q. And, they hold, hold you at gun point, and they steal your stuff. Okay?
 17 A. Oh, una ves cuando me recién me moví, me tocaron el timbre, pero, yo creo que eran
 18 niños, o chamacos vagos, porque me, hasta a.
 19 A. Oh, one time when we first moved in, someone rang the door bell, but, I think it was
 20 kids, or some young punks, because I, even.
 21
 22 Q2. When they, first moved in, somebody, went __ the door bell.
 23 A. Uh huh (yes). Y, hace como un mes también, y luego me, y luego.
 24 A. Uh huh (yes). And, like a month ago also, and then I, and then.
 25
 26 Q2. About a month ago.
 27 A. Hasta, uh huh (yes). Me, y luego dije yo, aquí no anda nadie, porque le voy hablar a la
 28 policía. Pero, nunca volvieron, __, eso era en el pleno día, como tocaron el timbre.
 29 A. Even, uh huh (yes). I, and then I said, no one is here, because I am going to call the
 30 police. But, they never came back, __, that was during the day, when they rang the
 31 door bell.
 32
 33 Q2. But, that was during the day, ____.
 34 A. Pero, ni al caso, ósea, y como me daba miedo, porque esta en la esquina, __, pues, esta ahí
 35 en la esquina, y, que algo, nunca, se habia oido de algo malo, que hicieran algo malo __
 36 ni nada.
 37 A. But, not the case, in other words, and since I was scared, because it's on the corner,
 38 __, well, it's right there on the corner, and that something, I had never heard of
 39 something bad, that something bad was done __ or anything.
 40
 41 Q2. ____ never heard of people, ____
 42 A. Nada malo.
 43 A. Nothing bad.
 44
 45 Q2. ...__ happening over here.
 46 A. No.

1
2 Q2. ____.
3 A. Los vecinos no los conozco, porque, me acabo de mover.
4 A. **I don't know the neighbors, because, I just moved.**
5
6 Q2. **I don't even know.**
7 A. De perdida, no tengo vecinos.
8 A. **I don't even have neighbors.**
9
10 Q2. **I don't even know the neighbors.**
11 A. Salgo.
12 A. **I go out.**
13
14 Q2. ____.
15 A. En la tarde salgo pal parque, es una comunidad muy tranquila, no tenemos problemas con
16 nadie.
17 A. **In the afternoons I go to the park, it's a very calm community, we don't have any**
18 **problems with anybody.**
19
20 Q2. **Very calm, we don't ____.**
21 Q. **Has, has, has, has Jose ever, told you about, he's afraid of people coming to the**
22 **door?**
23 A. No, nunca, el me, nunca.
24 A. **No, never, he, never.**
25
26 Q2. **Okay.**
27 A. Nunca me ____.
28 A. **He never ____.**
29
30 Q. **Okay.**
31 A. Ha dicho de nada de eso orita.
32 A. **Has said anything about that right now.**
33
34 Q2. **He's never, never said anything about.**
35 Q. **Uh, and you don't know of any boxes, any hidden compartments?**
36 A. No.
37
38 Q. **Okay. Have you seen _ building anything in the house? Is he good with his hands,**
39 **does he build things?**
40 A. ¿Cómo, como, como?
41 A. **What, what, what?**
42
43 Q2. Que si _.
44 Q2. **That if _.**
45 A. Pues, ah, no, pues, trabaja el, __ a la mina, y, ya ve como todo el tiempo traen la manos
46 los trabajadores, ____.

1 A. **Well, oh, no, well, he works, __, at the mine, and, you see how the workers have**
2 **their hands, ____.**
3
4 Q2. ____.
5 A. ____.
6
7 Q2. **He works at the mine, he's also worked for, the pick and shovel __.**
8 Q. **Does he __,...**
9 Q2. ____.
10 Q. **...__ renovations to the house, __?**
11 A. No, si quiero ____.
12 A. **No, if I want ____.**
13
14 Q2. No, ¿pero, __ nada en la casa?
15 Q2. **No, but, __ anything in the house?**
16 A. No.
17
18 Q. **No changes, no renovations?**
19 A. No, _.
20
21 Q. **Okay.**
22 A. __, no.
23
24 Q. **Okay. Um, anything else? Okay. Um, hang loose. We're gonna be right back. We'll**
25 **get someone else in here.**
26 Q2. ____.
27 A. So, ¿tu como te llamas?
28 A. **So, what is your name?**
29
30 Q2. **Luis, Cornidez.**
31 A. ¿Tu me vas a decir, __, vas agarrar mi numero?
32 A. **Are you going to tell me, __, are you going to get my number?**
33
34 Q2. Si.
35 Q2. **Yes.**
36 A. ____ cuando hable. ¿Cuándo me vas hablar __?
37 A. **__ when I call. When are you going to call me __?**
38
39 Q2. Yo voy a estar en contacto.
40 Q2. **I will be in contact.**
41 A. Por favor. ____.
42 A. **Please. ____.**
43
44 Q2. ¿Qué es, que es tu numero de celular?
45 Q2. **What is, what is your cell phone number?**
46 A. 440-██████

- Q2. **█**
 A. Uh huh (yes).
- Q2. Vanessa.
 A. Si. No creo que ahora puede estar en mi casa, ¿no?
 A. Yes. I don't think I can be in my house today, right?
- Q2. Tal vez cuando ya salgamos de ahí, pero, um, orita te, te vamos explicar a ver que es lo que va suceder, __.
- Q2. Perhaps when we leave from there, but, right now we, we will explain to you what is going to happen, __.
 A. Porque, para darte el numero de mi casa, también.
 A. Because, to give you the number to my house, also.
- Q2. ¿Qué es el, el numero de tu casa?
 Q2. What is the, the number to your house?
 A. Pues, si se me descarga. Um, 883-█. ¿Cómo dices que te llamas?
 A. Well, if this one loses charge. Um, 883-█. What did you say your name was?
- Q2. Cornidez.
 A. Cor-.
- Q2. Cornidez.
 A. Cornidez. ¿Se apellida eso?
 A. Cornidez. That is your last name?
- Q2. Cornidez.
 Q. Okay.
 Q2. Orita, vengo y hablo contigo, y nomás vamos hallar a ver que mas, vamos a, a poner alguien mas __.
- Q2. Right now, I will come back and talk with you, and we are just going to find what else, we are going to, to put someone else __.
 A. ¿Oyes? Um, ¿y, no se lo iban a llevar todavía, todavía no se lo llevan?
 A. Listen? Um, and, they are not going to take him yet, they haven't taken him yet?
- Q2. Todavía no.
 Q2. Not yet.
 A. Todavía esta ahí.
 A. He is still there.
- Q2. Si, porque nosotros tenemos que entrar a la casa, um, y, uh, a ser la investigación de nosotros. Nosotros trabajamos en, la area de homicidio. Y, tenemos que entrar al, y, y examinar todo __, __. Después de __, se lo llevan, se lo llevan pa la, oficina del, um, del, doctor forensic.

- 1 Q2. Yes, because we need to go inside the house, um, and, uh, do our investigation. We
 2 work in, the area of homicide. And, we need to go inside the, and, and examine
 3 everything __, __. After __, they take him, they take him to the, office of the, um,
 4 the forensic doctor.
 5 A. Mm hm (yes).
 6
 7 Q2. Es, uh, donde los llevan a ser __, y todo eso, para, investigar mas el cuerpo. Entonces,
 8 yo, yo te voy a, decir cuando.
 9 Q2. It's, uh, where they take him to __, and all that, to, investigate the body more. Then,
 10 I, I will, tell you when.
 11 A. ¿Y, tu que sabes de Alex?
 12 A. And, what do you know about Alex?
 13
 14 Q2. No se. Por eso, orita, terminando de hablar contigo, yo voy ir hablar con __.
 15 Q2. I don't know. That is why, right now, when I finish talking with you, I am going to
 16 go talk with __.
 17 A. ¿Pero, es todo lo que sabes? ¿Por qué no, me dices mas __?
 18 A. But, is that all that you know? Why don't you tell me more __?
 19
 20 Q2. Por los, hermanos.
 21 Q2. For the, brothers.
 22 A. Oh.
 23
 24 Q2. Porque te estaba preguntando los hermanos.
 25 Q2. Because I was asking you about the brothers.
 26 A. Mm hm (yes). ¿Tu que sabes del Alex?
 27 A. Mm hm (yes). What do you know about Alex?
 28
 29 Q2. Pues, yo conozco al Alex, porque, por otra investigación que ellos conocen.
 30 Q2. Well, I know Alex, because, of another investigation that they know.
 31 A. Oh si.
 32 A. Oh yes.
 33
 34 Q2. __, con los, uh.
 35 Q2. __, with the, uh.
 36 A. Oh okay.
 37
 38 Q2. Con, Manuel.
 39 Q2. With, Manuel.
 40 A. Oh okay.
 41
 42 Q2. __. ¿Por qué?
 43 Q2. __. Why?
 44 A. No, yo no, no, nomás __.
 45 A. No, I don't, no, just __.
 46

- 1 Q2. ¿Sabes algo del Alex?
 2 **Q2. Do you know something about Alex?**
 3 A. Porque, porque me dijiste, me lo mencionaste, y dije, pues, ya sabe, tu del Alex. _____, yo
 4 te estoy preguntando de lo mío, de porque que tu sabes, porque, sabes _____.
 5 **A. Because, because you told me, you mentioned him, and I said, well, you know,**
 6 **something about Alex. _____, I am asking you about mine, because you know,**
 7 **because, you know ____.**
 8
 9 **Q2. _____.**
 10 A. No, porque, sabes el nombre del Alex, tu sabes que.
 11 **A. No, because, you know Alex's name, you know what.**
 12
 13 Q2. Es que yo, yo lo se, _____.
 14 **Q2. It's that I, I know, ____.**
 15 A. Tu sabes.
 16 **A. You know.**
 17
 18 Q2. ...__ investigación. ¿Pero, tu que, tu que es lo que sabes?
 19 **Q2. ...__ investigation. But, you, what is it that you know?**
 20 A. Pero, no me quiero, no, no se nada, yo quiero que tu me digas que sabes, y que me
 21 ayudes, que sabes, porque si __, si hay algo que tengo que saber, dímelo, yo soy su esposa,
 22 y, los niños es lo que me, que me, _____ cosas que yo no sabia. Es mi casa. Me la
 23 destruyeron, mira, no lo tengo, ya no quiero nada. Ya no quiero nada _____.
 24 **A. But, I don't want, no, I don't know anything, I want you to tell me what you know,**
 25 **and help me, what you know, because if __, if there is something that I need to**
 26 **know, tell me, I am his wife, and, the kids are the ones that, that, _____ things that**
 27 **I didn't know. It's my house. They destroyed it, look, I don't have him, I no longer**
 28 **want anything. I no longer want anything ____.**
 29
 30 Q2. Mira.
 31 **Q2. Look.**
 32 A. _____.
 33
 34 Q2. Orita, orita vengo y hablo contigo. ¿Okay?
 35 **Q2. Right now, right now I will come and talk with you. Okay?**
 36 A. ¿Puedo hablar _____, o no?
 37 **A. Can I talk _____, or no?**
 38
 39 Q2. Si, claro.
 40 **Q2. Yes, of course.**
 41 A. Okay.
 42
 43 Q2. Claro.
 44 **Q2. Of course.**
 45 A. Le voy hablar a mi suegra, a ver como están mis niños.
 46 **A. I am going to call my mother in law, to see how my kids are.**

- 1
 2 **Q2. She's gonna call her mother in law.**
 3 **Q. That's fine.**
 4 A. ¿Puedo hablar?
 5 **A. Can I call?**
 6
 7 **Q. _____ use your phone.**
 8 **A. Okay.**
 9
 10 **Q. _____.**
 11 A. Voy hablar a mi mamá para que se venga, pa que se venga. Mi mama vive en Mexico.
 12 **A. I am going to call my mom so that she can come, so that she can come. My mom**
 13 **lives in Mexico.**
 14
 15 Q2. ¿Qué parte de Mexico?
 16 **Q2. What part in Mexico?**
 17 A. En Oquitoa.
 18 **A. In Oquitoa.**
 19
 20 **Q. _____.**
 21 A. Yo quiero que se venga.
 22 **A. I want her to come.**
 23
 24 **Q. _____.**
 25 **Q2. Call her mom in Mexico.**
 26 **Q. Is there anything in, his system? Has, has he recently, smoked marijuana?**
 27 **A. Oh, no, Jose.**
 28
 29 **Q. No?**
 30 A. _____.
 31
 32 **Q. Alcohol?**
 33 Q2. Nada?
 34 **Q2. Nothing?**
 35 A. Jose ha tomado, pues, en ocasiones.
 36 **A. Jose has drank, well, on occasions.**
 37
 38 **Q. And, drinking?**
 39 A. Pero, no fumaba.
 40 **A. But, he wouldn't smoke.**
 41
 42 **Q2. Okay.**
 43 A. Ni, usaba drogas. Ustedes _____ limpio, de veras, de veras _____ el no.
 44 **A. Nor, did he use drugs. You guys _____ clean, for reals, for reals _____ not him.**
 45
 46 **Q. Has he been arrested before?**

1 A. No.
2
3 Q. No?
4 A. Nunca. ____.
5 A. Never. ____.
6
7 Q. All right.
8 Q2. Okay.
9 Q. Okay. ____.
10 Q2. ____.
11 A. ____.
12
13 Q. IT'S, UH.
14 A. AY, AY, AY.
15 A. OH, OH, OH.
16
17 Q. 12:45.
18 A. ¿ME PUEDES A LLEVAR, POR FAVOR, NOMÁS QUE PUEDA?
19 A. CAN YOU TAKE ME, PLEASE, JUST WHEN YOU CAN?
20
21 Q2. ____.
22 A. PARA SABER ____.
23 A. TO KNOW ____.
24
25 Q. ____.
26 Q2. ____.
27 A. ____ MUCHAS COSAS, MUCHAS _____ SABER PORQUE. ¿PORQUE
28 AGARRARON ESA ORDEN, DE DONDE ____?
29 A. ____ MANY THINGS, MANY _____ TO KNOW WHY. WHY WAS THAT
30 ORDER OBTAINED, FROM WHERE ____?
31
32 WITNESS:
33
34
35 _____ #1095
36
37 TRANSCRIBED AND TRANSLATED BY:
38 ANNA GALLEG0, MAY 21, 2011