

LEGEND: Q. DET. ANDERSON A. VANESSA GUERENA
 Q2. UNIDENTIFIED FEMALE A2. GRACIELITA
 Q3. T-J A3. JOEL (LITTLE BOY-SON)
 Q4. UNIDENTIFIED MALE A4. BERTHA (MOTHER IN LAW)
 Q5. UNIDENTIFIED MALE
 Q6. UNIDENTIFIED MALE
 Q7. UNIDENTIFIED MALE
 Q8. UNIDENTIFIED MALE
 Q9. UNIDENTIFIED MALE
 Q10. UNIDENTIFIED MALE
 Q11. UNIDENTIFIED MALE
 Q12. UNIDENTIFIED FEMALE
 Q13. DETECTIVE PREUSS

15 Q. __, okay, okay.

16 A. __.

18 Q2. __ hallway to clear the rest of the residence.

19 Q. __.

20 Q2. __ one of the closets.

21 Q. Okay.

22 Q2. __ go to the right, at the end of the hall.

24 Q. Are you okay?

25 A. __, well they, threw me out of the house.

27 Q. Okay.

28 A. They kicked me out of the house, like, __.

30 Q. Okay.

31 A. They, I don't know, somebody step on me, and.

33 Q2. __.

34 Q. Okay. Do you need to be checked out with the, the paramedics?

35 A. No, it's okay.

37 Q. Do you wanna be checked out?

38 A. Is fine, uh uh (no).

40 Q. Okay.

41 A. I, I want, I want to be clear, what's going on,...

43 Q. Okay.

44 A. ...with my husband?

46 Q. Do you wanna s-, do you wanna sit down right there?

1 A. Yeah.

3 Q. __.

4 A. __, well, can you check him? 'Cause, __ he's bleeding, no doing good.

6 Q. Okay.

7 A. And, you know what? I have my other kid in schools, in Kinder Cottage, and I want him to be pick him up.

10 Q. Okay.

11 A. Can you call my mother in law?

13 Q. Okay. What's your mother in law's name?

14 A. It's, Bertha Guerena.

16 Q. Who? What is it? Bertha?

17 A. It's, Bertha.

19 Q. Do you need to get that?

20 A. Can I answer it?

22 Q. Yes, go ahead.

23 A. ¿Bueno? ¿Bueno? ¿Quién habla? ¿Bueno? ¿Quién habla? ¿Qué paso Gracielita?
 24 ¿Mande? ¿Mande? Gracielita, mijita, el José esta muy malo, __, Gracielita, no se que
 25 paso, mijita, __ por eso. Me tienen, afuera de la casa, en la entrada, de mi casa. Eh,
 26 balearon al José. ¿Qué paso, Gracielita, con el Alex? Estaba ya, el SWAT, vino el
 27 SWAT a mi casa, José estaba dormido. He came __ work this morning, and, and he was
 28 asleep, I was. I'm, trying to speak English __.
 29 A. Hello? Hello? Who's calling? Hello? Who's calling? What's up Gracielita?
 30 What? What? Gracielita, sweetie, Jose is very bad, __, Gracielita, I don't know what
 31 happened, sweetie, __ that's why. They have me, outside of the house, at the
 32 entrance, to my house. Eh, they shot Jose. What happened, Gracielita, with Alex?
 33 There was, the SWAT, the SWAT came to my house, Jose was sleeping. He came __
 34 work this morning, and, and he was asleep, I was. I'm trying to speak English __ so
 35 you can understand me.

37 Q. Thank you.

38 A. Y, voy hablar puro ingles, Gracielita, pa que me entienda la muchacha. ¿Okay? A ver si
 39 me entiendes. Estoy toda nerviosa. Mira, en la mañana, well, this morning, um, I was
 40 with, um, Joel, at his room, and I was gonna make a breakfast for me and him, and, uh,
 41 well, he wasn't gonna wake up yet. So when I heard that, big o' thing, and then, and
 42 then, fighting, like shooting, so I didn't know, whatever, and, I called Jose. I, I, I, I just,
 43 went, Jose, what, what's going? And he, and he wake up, and he get, pa agarrar un
 44 cuerno que tenia. And, he started like, throwing up. And, I was, what the, fuck? And, __
 45 __ stay in the Joel's, and stay in Joel's room. So, I went into Joel's, closet, and, um, when I
 46 heard Jose, like, saying, ah, ah, and, I came out, and I saw him in, in the floor, Gracielita,

bleeding, and __, Gracielita, esta de panza, tenia una bola como que se le fue una bala. Entonces, le hable al 911. Ahí en la casa, lo están, lo van a mirar, porque, van investigar la casa, y, lo van a mirar, lo van a mirar de, esta de panza, lo van a mirar porque lo quieren chequear. Y, a mi que acaban de sacar con el Joel, pa acá pa la esquina, nomás que no quiero me mire llorar, I don't want him to see me crying. Um, but.

A. **And, I am going to just talk in English, Gracielita, so that the girl will understand me. Okay? Let's see if you can understand me. I am all nervous. Look, in the morning, well, this morning, um, I was with, um, Joel, at his room, and I was gonna make a breakfast for me and him, and, uh, well, he wasn't gonna wake up yet. So when I heard that, big o' thing, and then, and then, fighting, like shooting, so I didn't know, whatever, and, I called Jose. I, I, I, I just, went, Jose, what, what's going on? And he, and he wake up, and he get, he got an A-K 47 that he had. And, he started like, throwing up. And, I was, what the, fuck? And, __ stay in the Joel's room, and stay in Joel's room. So, I went into Joel's, closet, and, um, when I heard Jose, like, saying, ah, ah, and I came out, and I saw him in, in the floor, Gracielita, bleeding, and __, Gracielita, he was on his stomach, he had like a ball like it was a bullet. Then, I called 911. Right there at the house, they are, they are going to see him, because, they are going to investigate the house, and, they are going to see him, they are going to see him, he is on his stomach, they are going to see him because they want to check him. And, they just took me outside with Joel, over here to the corner, I just don't want him to see me crying, I don't want him to see me crying. Um, but.**

A2. ____
A. **Um, I don't know, it's because, he started, I don't know, I don't know where, __, ____, and he got that, and I was like, what the fuck Jose are you doing? He's, and he's all, stay in Joel's room, and, you better stay in there. So, when I came outside, it's because I heard him saying, ah, ah, and I, and then I saw him in the floor, um, and, and, and, he wasn't talking to me anymore, but, he was bleeding. And, so, they came in, and they took me out.**

A2. ____
A. **No. Well, he was, well, he was bleeding, but, he, he didn't say nothing to me. I, I just, well, the, the, people, the SWAT team, team, they came, into the house, y me sacaron. I don't know if that's right. They came, me sacaron, hasta me caí.**

A. **No. Well, he was, well, he was bleeding, but, he, he didn't say nothing to me. I, I just, well, the, the, people, the SWAT team, team, they came, into the house, and they took me outside. I don't know if that's right. They came, they took me outside, I even fell down.**

A2. ____
A. **Yeah, well, me sacaron al niño, salio corrie-, me lo sacaron. __, ____.**

A. **Yeah, well, they took my son outside, he came out corrie-, they took him outside. __**

Q. **Okay.**

A2. ____

A. ____

A2. ____

1 A. **Mm hm (yes).**

2
3 Q. **I need to talk to you.**

4 A2. ____

5 A. **Mm hm (yes).**

6
7 Q. ____

8 A2. ____

9 A. **Oyes, Gracielita, pero, ¿esta bien nadie, no están nadie, herido?**

10 A. **Listen, Gracielita, but, is everyone fine, nobody is, hurt?**

11 A2. ____

12 A. **Okay. You want, ¿quieres habla? Es que aquí esta una señora conmigo. Me dejaron consultar el teléfono, me acaban de traer. ¿Quieres hablar con ella?**

13 Q. **Okay. You want, do you want to talk? It's that there is a lady here with me. They let me use the phone, they just brought me. Do you want to talk with her?**

14 A2. ____

15 A. **¿O no, eso no __?**

16 A. **Or no, it's not __?**

17 A2. ____

18 A. **Oyes, no, pues, yo tampoco, pues, yo no se nada. Oyes, Gracielita, pero, ¿esta bien el Alex? ¿Esta bien el Alex y el Gerardo?**

19 A. **Listen, no, well, me either, well, I don't know anything. Listen, Gracielita, but, is Alex okay? Is Alex and Gerardo fine?**

20 A2. ____

21 A. **¿Y, hay policía, también? Aquí esta toda la cuadra, Gracielita, hasta la __.**

22 A. **And, is there also, police? The entire block over here is full, Gracielita, up to __.**

23
24 Q. **Vanessa, I need to talk to you.**

25 A. **Okay. Okay. Gracielita, te voy a dejar, porque, me están dejando que hable. Dile al Al-, dile, si puedes hablar con el Alex, esta el herido, el, el José.**

26 A. **Okay. Okay. Gracielita, I am going to leave you, because, they are letting me call. Tell Al-, tell, if you can talk to Alex, Jose is, is hurt.**

27 A2. ____

28 A. **No se. No se, yo te ha-**

29 A. **I don't know. I don't know, I will ha-**

30 A2. ____

31 A. **Si, Gracielita, ya se que andas llena de chamacos, ¿no le puedes hablar a la Bertha, al 336-_____?**

32 A. **Yes, Gracielita, I know you have a bunch of kids, can you call Bertha, at 336-_____?**

33 A2. ____

34 A. **Okay. He's gonna go get my kid right there.**

35 Q. **Okay.**

36 A. **Uh, mira, es 336.**

37 A. **Uh, looks, it's _____.**

38 A2. ____

39
40
41
42
43
44
45
46

1 A. 33.
 2 A2. [REDACTED]
 3 A. [REDACTED]
 4 A2. [REDACTED]
 5 A. Uh huh (yes). Gracielita, háblale a Bertha. Si, dile que por favor valle y me recoje a
 6 Josesito, porque como tiene Kinder Cottage, sale a las 11:15, para que valla por el, y, dile
 7 lo que paso.
 8 A. Uh huh (yes). Gracielita, call Bertha. Yes, tell her to please go and pick up Josesito,
 9 because since has has Kinder Cottage, he gets out at 11:15, for her to go and pick
 10 him up, and, tell her what happened.
 11 A2. [REDACTED]
 12 A. Si lo pue-, pero, no se si te va conocer. Nomás acércate __, y en la cafetería, ahí esta.
 13 ¿Me puedes a ser ese favor, Gracielita?
 14 A;. If you pue-, but, I don't know if he is going to recognize you. Just get near __, and
 15 in the cafeteria, it's right there. Can you do me that favor, Gracielita?
 16 A2. [REDACTED]
 17 A. Si, pero no tienes que ir a la oficina, ahí en la, en la cafetería. Gracielita, ¿me puedes a
 18 ser ese favor? Muchas gracias, Gracielita. Aquí lo tengo, pero, esta bien asustado, pues,
 19 y luego lo traigo en calctfn, no le puse ni ropa, esta en pijamas. Ah, muchas gracias,
 20 Gracielita. Well, it was my. How do you say? Okay, I have a brother in law, that, she is
 21 married with, um, Pauline. Okay? She's my, I don't know how to, how to say it. But, her
 22 sister.
 23 A. Yes, but you don't need to go to the office, right there in the, in the cafeteria.
 24 Gracielita, can you do me that favor? Thank you very much, Gracielita. He's right
 25 here with me, but, he is very scared, well, and then I have him in socks, I didn't even
 26 put clothes on him, he's in his pajamas. Oh, thank you very much, Gracielita. Well,
 27 it was my. How do you say? Okay, I have a brother in law, that, she is married with,
 28 um, Pauline. Okay? She's my, I don't know how to, how to say it. But, her sister.
 29
 30 Q. Okay.
 31 A. Her sister is calling me, Gracielita, they're saying me the, what's going on, Vanessa?
 32 Right here at my house, at my dad's house, on Oklahoma, something, th-, I have a
 33 bunch of police, in here, but, they didn't, shoot or anything, they just.
 34
 35 Q. So, they have police officers over there, at, at her house right now?
 36 A. No, at my, yeah, at the other house, yeah.
 37
 38 Q. On Oklahoma?
 39 A. Mm hm (yes). I don't know if it's, the same, I don't know, what's going on.
 40
 41 Q. Okay.
 42 A. [REDACTED]
 43
 44 Q. Okay. Hold on just a second. Okay?
 45 A. Okay.
 46

1 Q. T-J?
 2 Q3. Yo.
 3 Q. Can you find out if we have any detectives here, from the, C-I-D units for this
 4 warrant?
 5 Q3. Okay.
 6 Q. Thank you.
 7 A3. [REDACTED]
 8 A. [REDACTED]. He doesn't, know.
 9
 10 Q. Okay. You're kinda hot there?
 11 A. Yeah.
 12
 13 Q. Yeah, that's okay, he could sit, over there.
 14 A. [REDACTED] with the __, over there, so, he didn't, feel.
 15
 16 Q. Okay.
 17 A. Right now.
 18
 19 Q. You know, let me turn on the engine, so we could, some air conditioning.
 20 A. Okay. Right now I'm gonna have to need something for the pain.
 21
 22 Q. Okay. You know what? There you go. Okay. Is that better?
 23 A. Thank you, dile.
 24 A. Tell her, thank you.
 25
 26 Q. Okay, okay. Um, do you wanna be checked out here real quick?
 27 A. No, no, I'm fine, __.
 28
 29 Q. Are you sure?
 30 A. I just wanna, __, I don't know what's going on.
 31
 32 Q. Okay, okay. So, um, so tell me what, what happened?
 33 A. Okay. I was, um, you know what? I barely got my pajamas off. I was putting my.
 34
 35 Q. Off, __?
 36 A. I was changing.
 37
 38 Q. Oh, okay.
 39 A. __, and I was, find my shoe. And, I was doing, well, I was gonna make, I, I was ____,
 40 like, __, so I was gonna, go wake up, I was gonna go see the, the, kids, see if he was
 41 wake up already, 'cause I was gonna make him, breakfast.
 42
 43 Q. Okay.
 44 A. __. And, um, well, when I went, into the, into Joel's room, he was, wake, awake
 45 already.
 46

- Q. Okay.
A. He goes, mom, can you turn me, on the, cartoons? And, I was, okay. So, and then, I was getting some clothes, from the closet, for him, to change him. Um, also, um, and, when I heard, something, like, boom, something.
- Q. You heard a loud noise?
A. Yes.
- Q. Okay.
A. That noise. So I got, scared, and I was like, Jose? He was asleep, because he came off, from, work, this morning.
- Q. Yes, I got the 101, of the.
A. And.
- Q. Code 900.
A. And, then he, he, he was, what's going on? And, and, and, and he's, came, in, uh, in the room.
- Q. He, so he was in the bedroom?
A. He was, sleeping.
- Q. Okay. So ____.
A. He worked all night.
- Q. So, he went into, the living room, the kitchen, where was he?
A. Yeah, he went to the kitchen.
- Q. Okay.
A. In our house, and, I don't know, from, where, from where, from, I don't know.
- Q. From where.
A. From where, where, ___, he got this, big o' ___, I don't know what.
- Q. You mean a, a gun?
A. The, the, same one as they have, I don't know, the SWAT team. And, he go, go inside, he was, yelling, to me. What happened, I said? Go, get the keys, and go, you stay in there, okay? And, I was like.
- Q4. ___, ____.
Q. Okay, yeah. Let's, um, let's go over to, um, our, like motor home over there, so there's air conditioning.
A. Okay.
- Q. ____.
A. Are you gonna ____?

- 1
2
3 Q. So you could get out of the sun.
4 A. pa allá pal aire. So, he was like, ___, I, I was telling him, what's going on? And, then
5 he's all, ____.
6 A. over there to the air. So, he was like, ___, I, I was telling him, what's going on?
7 And, then he's all, ____.
- 8
9 Q. Hold on one second, let me shut the engine off, and, walk you over there.
10 A. And, and he started, and, and, they s-, they start, they started, shooting him, and
11 they open...
- 12
13 Q. ____.
14 A. ...the door, they, they, they pull up the door. And, um, so I, I stay in, the closet, ___,
15 because I got my kid, and I stay in the room.
- 16
17 Q. Okay.
18 A. And, um.
- 19
20 Q. And, so these people, the SWAT team came in?
21 A. Yeah, uh huh (yes). And, so, when I didn't hear anything, I just hear my husband,
22 ah, ah. And, I was like, oh my God, he got, he got, hit, but, shot. And then.
- 23
24 Q. So, did you hear, gun fire?
25 A. Yes.
- 26
27 Q. of guns. Okay.
28 A. Uh huh (yes). I hear them. And then, um, when I came, I saw him, in the floor, like,
29 going down, like.
- 30
31 Q. Okay.
32 A. And, ____.
- 33
34 Q. And, let's go up in here. Hold on just a second. Let's go on up in here. We'll go to
35 the very back, to your left.
- 36
37 Q5. ____.
38 A. Hi.
- 39
40 Q. Hi there. Yeah, go right back here, and, uh.
41 A. ¿Te quieres sentar ahí?
42 A. Do you want to sit down right there?
- 43
44 Q5. ___, ____.
45 Q. There we go. Oh no, we're okay, we could, we could just sit down right here.
46 A. ____.
- Q. ____.

- Q5. ____.
- Q. ____, if we could shut this door please.
- Q5. Yeah.
- Q. Thank you.
- A. Okay. So, he was, um, he was in the floor.
- Q. Okay.
- A. And, I was, talk to mijito, start talking to me, what happened? And, he couldn't talk, he was like, ah, ah, me duele, he would say. He didn't ta-, he didn't say like, no words. It was, ah, ah. And I, just called the 911, to, tell them, to come. Um, and they told me they, they were, on their way. Okay? So when I, ____.
- A. And, I was, talk to sweetie, start talking to me, what happened? And, he couldn't talk, he was like, ah, ah, it hurts, he would say. He didn't ta-, he didn't say like, no words. It was, ah, ah. And I, just called the 911, to, tell them, to come. Um, and they told me they, they're, on their way. Okay? So when I, ____.
- Q. So you called, you called 911?
- A. Yes.
- Q. Okay.
- A. Because I knew what, what's going on. So, I left the kid in the, I, the kid was in his __, uh, so, when I saw the people coming in, and, um, I was, like, talking __ on his back, and he was bleeding __, so I was like, oh my God, ____.
- Q. And, you heard guns?
- A. Yes, Jose.
- Q. Okay.
- A. So, I talk to my mother, you know, and she didn't answer me, she's at work. And, she didn't answer me. And, I was like, oh my God, what do I do? So then I, I __ 911, they answer me, they, I gave them the address, I, I think I gave them the wrong address.
- Q. Okay.
- A. Because, __ shock. And, and, um, by then, when I hang up, I put my cell phone here, and the people, just, uh, four people, they came, with all these things, with like, big o' guns, and they, threw me out of the house. And, I was like, come on, please, don't hit me. I didn't what's go-. Well, we're not gonna hurt you. Well, why did you hurt my husband? What's going on? What happened? I, he was, coming out of work, what, what's going on, what's? I mean, I was, I have a lot __, we have questions, __ have more questions.
- Q. Right.
- A. Than you guys have. So, they told me, you, I was, __, you better, well, go get my kids, or, we're gonna __, the window, __, do whatever you could do. But, then later

- 1 like, __ two minutes, when they were pulling me, they, I fell, so somebody like, put
- 2 his, big o' feet on my neck __.
- 3
- 4 Q. ____.
- 5 A. Yeah.
- 6
- 7 Q. Okay.
- 8 A. I fall into the,...
- 9
- 10 Q. ____.
- 11 A. ...front of my house. So, I, I ____.
- 12
- 13 Q. ____.
- 14 A. __ so someone step on me, and it was, really bad.
- 15
- 16 Q. Okay.
- 17 A. So nobody, help me over there. And, um, I was telling them, the kids, and
- 18 somebody, well they, understand me, because, I speak more Spanish. And, they
- 19 were gonna go get the kid, because, they thought that there was a, bunch of people
- 20 inside.
- 21
- 22 Q. Uh huh (yes).
- 23 A. And __. And, um, they, the kid came by himself, and he said,...
- 24
- 25 Q. He came out, ____.
- 26 A. ...ma, ma, ma, yeah, he saw his dad, and he was the, that was the worst thing that I
- 27 hate. If, if your mom, they will understand you.
- 28
- 29 Q. Right.
- 30 A. And, I was like, mom, what, what happened to my dad, what's __? __, and I was like, oh,
- 31 it's okay, papi, __, they came, __ the police __, no he's not, I don't know what
- 32 happened, __ and they wanted to take, uh, I don't know, something, I say, the car, and,
- 33 the police came, to help us, and, he, he's gonna be fine, okay? But, um, I was all waiting,
- 34 and nobody, nobody has been taking care of him, and nobody has been answering any
- 35 questions. And, __ you can talk to the lady, __, all I want to know if he's, alive,
- 36 because.
- 37 A. And, I was like, mom, what, what happened to my dad, what's __? __, and I was
- 38 like, oh, it's okay, sweetie, __, they came, __ the police __, no he's not, I don't
- 39 know what happened, __ and they wanted to take, uh, I don't know, something, I
- 40 say, the car, and, the police came, to help us, and, he, he's gonna be fine, okay? But,
- 41 um, I was all waiting, and nobody, nobody has been taking care of him, and nobody
- 42 has been answering any questions. And, __ you can talk to the lady, __, all I want
- 43 to know if he's, alive, because.
- 44
- 45 Q. Yes, I'm sorry, he did die.
- 46 A. He did?

- 1
2 Q. Yes.
3 A. No. What were you guys thinking ___?
4
5 Q. We were here to serve a search warrant, at your house, because, we believe that
6 there was some sort of crime, that was going on. I don't know, if you were aware of
7 it or not, and, I will get another detective who knows more about it, to talk to you
8 about it. But, we all ___.
9 A. What am I gonna do with my kids, without his dad? Tell me. Why did they, do this?
10 Why?
11
12 Q. Well, we were going in. Like I said, to search, search warrant. Okay? Because, we
13 thought that there was something going on, that maybe your husband was involved
14 in. Okay? And, we never intended on shooting him. That was not the intention. But
15 when he came to the door, with the gun, and started firing, on our SWAT team, we
16 don't have a choice, but to shoot back. Okay? We didn't know he had guns. We
17 weren't planning on shooting anybody. Do you know, did he ha-, did you know
18 about this gun that he had?
19 A. No, I saw the, the gun, I was like, what the fuck did you get that? And, _ like, __,
20 stay in the room. So, I stay in the closet.
21
22 Q. Where did he get the gun from?
23 A. I don't know.
24
25 Q. I mean, where, where in the house?
26 A. I don't know, wh-, because, when I saw him running from the house, like, from the.
27
28 Q. The bedroom?
29 A. Yeah, from us, room, he just came, and out. You know what I mean?
30
31 Q. He came out of the room and he had the gun in his hand?
32 A. No, no, I saw him, wh-, he was, wearing this, the shorts, and I don't where, where he
33 got that. I thought, I don't know, I don't know where he got that gun, so.
34
35 Q. Okay.
36 A. I'm shocked, and I, I can't, like, my expression.
37
38 Q. Right. ___ son to see. All right.
39 A. ___.
40
41 Q. ___.
42 A. But, then I talk to my mother in law. What are you guys gonna do, with him?
43
44 Q. _.
45 A. With, with my husband.
46

- 1 Q. Well, right now, we still got, um, we've got our team going to the house. It's
2 procedure, to make sure nobody else, is in the house. Okay?
3 A. Nobody else is in the house.
4
5 Q. Okay. It's just all procedure to make sure that there isn't anybody in the house. So,
6 they're going through the house right now. We've got other detectives out here, that
7 will talk to you about this situation. Okay?
8 A. Can I talk...
9
10 Q. And, can give you more information.
11 A. ...to the _, to my, to my, brother in law, and tell them?
12
13 Q. Is that, your husband's brother?
14 A. My brother, yeah, can I talk to him, and tell him, that he's dead?
15
16 Q. Not at the moment, till I'm able to talk to the other detective, because, I, I don't
17 know, I don't have all the information, and, ...
18 A. ___...
19
20 Q. ...____.
21 A. ...____. I don't know what I'm gonna do without him. _, trust me, I don't know
22 what I'm gonna do.
23
24 Q. I'm sorry.
25 A. I don't know what I'm gonna do.
26
27 Q. I'm sorry.
28 A. _____.
29
30 Q. ___.
31 A. ___, I don't care, I want him with Gracielita, I talk to this girl right now.
32
33 Q. Is she coming here?
34 A. She, she's gonna __, no, no, no, no, I want her to, I want him to take, to some other
35 place.
36
37 Q. Okay.
38 A. I don't know.
39
40 Q. Who can I call to come pick him up right now?
41 A. Her.
42
43 Q. Okay. Does she speak English?
44 A. Yeah.
45
46 Q. Yeah. Okay. Let me, let me talk to her. Okay?

1 A. ___ phone number. _907.
2
3 Q. Hold on, let me get.
4 A. 907.
5
6 Q. 907.
7 A. Uh, 28.
8
9 Q. [REDACTED]
10 A. [REDACTED]
11
12 Q. [REDACTED]
13 A. ___, is that the one she called from? Uh, no, no, no, no, no, no, I think it was, 250.
14 8 [REDACTED]
15
16 Q. So, what does it, start out with?
17 A. 250.
18
19 Q. [REDACTED]
20 A. 86.
21
22 Q. [REDACTED]
23 A. [REDACTED]
24
25 Q. And, it's, Graciela?
26 A. Yes.
27
28 Q. Okay.
29 A. Um, I think she went to pick up my kid, my other kid. And, and she has a bunch of
30 kids.
31
32 Q. And, she's gonna pick up your other child at school?
33 A. Yeah, at the school.
34
35 Q. Hi, can I please speak with Graciela? This is Detective Anderson at the Sheriff's
36 Department. Hi, Graciela? Hi, this is Detective Anderson, with the Pima County
37 Sheriff's Department. Hi. Are you able to come over here, to, uh, to the area, where
38 Vanessa lives, to pick up her little boy for her?
39 A2. _____.
40
41 Q. Okay.
42 A2. _____.
43 A. _____.
44
45 Q. Okay.
46 A2. _____.

1
2 Q. Um, I'll tell you sh-, it's. Okay.
3 A2. _____.
4
5 Q. Okay. Okay. You need, you need to go to Wade. Do you know the area where she
6 lives? Okay. Just go to Wade, and Dovewood, where all the police cars are. Okay?
7 And, I will let them know that you're here to pick up the little boy, so they, so they
8 don't turn you away. What are you driving? A blue Malibu? Dark blue? Okay.
9 Okay. Uh, so about 15 minutes or so? Okay. All right. Thank you. Uh huh (yes).
10 Bye bye.
11 A. I'm trying to get a hold of my mother in law _____.
12
13 Q. She said that she tried calling her too, and, she couldn't get a hold of her.
14 A. Yeah, you don't have the number, of the casino ____?
15
16 Q. I sure don't.
17 A. Uh, I really need, I really, because she needs to, she has likes four kids, or five. And
18 then, this other ___, like, her, Gracielita, when I want my mother in law to get a.
19
20 Q. Okay. We will make sure that, that, that, that happens. Okay? Uh, this is, it's
21 gonna take, a little bit of time, but, we'll make sure that, that happens, so you guys
22 can, get some help. We're actually gonna, I'm actually gonna call, _ , um, call victim
23 witness, because you were, the witness to something very traumatic, and they do
24 come here and help you and, ...
25 A. _____.
26
27 Q. ...help find some support...
28 A. _____.
29
30 Q. ...for you, and give you some _____.
31 A. _____ I don't want him, _____.
32
33 Q. Right. Okay. Okay.
34 A. _____.
35
36 Q. Okay.
37 A. _____.
38
39 Q. Okay. Okay.
40 A. I don't know.
41
42 Q. Are you aware of any kind of criminal activity, your...
43 A. No.
44
45 Q. ...husband's been involved in?
46 A. No.

1
2 Q. Nothing at all?
3 A. No.
4
5 Q. Not like, stealing, not, drugs?
6 A. No.
7
8 Q. Anything like that?
9 A. No.
10
11 Q. Okay. Do, does your husband work?
12 A. Yeah, Asarco.
13
14 Q. At Asarco?
15 A. Yes.
16
17 Q. Okay. How long has he worked, there?
18 A. , like, years, like 5 years, I guess.
19
20 Q. Do you work?
21 A. No.
22
23 Q. Okay. Um, what is your son's name?
24 A. Joel.
25
26 Q. Can you spell that?
27 A. J-O-E-L.
28
29 Q. Mm hm (yes).
30 A. Guereña, the same.
31
32 Q. Okay. Okay. Vanessa, what's your date of birth?
33 A. 1/84.
34
35 Q. And, what about, Jose's?
36 A. 11/84.
37
38 Q.
39 A. Uh huh (yes).
40
41 Q. 84?
42 A. Uh huh (yes).
43
44 Q. And, what about, Joel's?
45 A. Um, March , 07.
46

1 Q. So, you just had a birthday?
2 A. Yeah. make a piñata for both of them.
3
4 Q. Oh yeah? Okay. Okay. Um. Okay. And, your address is, 71. Is that right? 71
5 South.
6 A. South Redwater.
7
8 Q. Redwater?
9 A. Yes.
10
11 Q. 857?
12 A. Yes.
13
14 Q. Is the zip code.
15 A. I'm gonna call my, my brother in law. Okay?
16
17 Q. Don't, don't call him yet. Okay? just yet, not yet. Go ahead and hang it up. Um,
18 , detective talk to you, to give you some information.
19 A. Okay.
20
21 Q. So, that you know, what's going on. Okay?
22 A. Okay.
23
24 Q. 'Cause I'm, I'm just not able to give that to you right now, I don't know. Okay?
25 What's a phone, what's your phone number?
26 A. 440-
27
28 Q.
29 A. And, my purse was, right there, in the, in the. Nobody's gonna leave the house, .
30
31 Q. No, no, no, no, we're gonna be here for a while.
32 A. , like, the passport, .
33
34 Q. Okay. Okay.
35 A. And, I'm worry about, that.
36
37 Q. Okay.
38 A. .
39
40 Q. Okay. Let me, um.
41 A. , todo va estar bien, okay? I wish I could get, clothes for him.
42 A. , everything is going to be, okay? I wish I could get, clothes for him.
43
44 Q. I'm so-, um, in a little bit we'll be able to.
45 A. .
46

- 1 Q. Um, you, you won't be able to go in. Um, but might, we might go get some clothes
2 for you.
- 3 A. You know what?
- 4
- 5 Q. For him.
- 6 A. No. ____, I don't know if somebody can help me, in the back, like in his room.
- 7
- 8 Q. Uh huh (yes).
- 9 A. The, second to the last bedroom.
- 10
- 11 Q. Uh, huh (yes).
- 12 A. You'll see one with, Toy Story, and I had in the bed, like, a couple of shorts, and
13 some shoes, and socks.
- 14
- 15 Q. Uh huh (yes).
- 16 A. I have the clothes ready, I have the clothes ready.
- 17
- 18 Q. Okay.
- 19 A. So, I don't know if somebody can bring that to me.
- 20
- 21 Q. Okay. Yeah, I will, uh.
- 22 A. So he can go, like, change.
- 23
- 24 Q. Right.
- 25 A. Over at, with Gracielita, please.
- 26
- 27 Q. Okay.
- 28 A. Thank you very much.
- 29
- 30 Q. Yes.
- 31 A. ____.
- 32
- 33 Q. __ I think we can do that for you.
- 34 A. I know it's not your, fault. I know it's not my fault, but I need to do ____.
- 35
- 36 Q. I know. You need to stay strong, you're doing a very good job, you're doing a very
37 good job.
- 38 A. You don't know how hard I need my mom. She's in Mexico.
- 39
- 40 Q. She is?
- 41 A. Yeah, I want her to be ____.
- 42
- 43 Q. __ 542, I'm out at the SWAT call, on Redwood, or Redwater. Can I get victim
44 witness to the __ out here please? __ thank you. Bye. Okay.

- 1 A. __, I can't, I can't stick with it, I can't. I just, I can't, I think, I'm gonna see him again.
2 What am I gonna tell the kids? __ I can't, _____.
3 _____, que te venga a cuidar tu nana.
- 4 A. __, I can't, I can't stick with it, I can't. I just, I can't, I think, I'm gonna see him
5 again. What am I gonna tell the kids? __ I can't, _____.
6 _____, to have your grandma come take care of you.
- 7
- 8 Q. ____.
- 9 A. I'm not gonna tell her about Jose, I, I just want to take care of the kids, because,
10 _____, like three boys, and then.
- 11
- 12 Q. Of her own.
- 13 A. And, finally. Yeah. And then these two, and then another two. Uh, Alex's, Alex's,
14 brother, so, she has those...
- 15
- 16 Q. Okay.
- 17 A. ... two boys also. _____. Ven, ya salte del trabajo __, salte del trabajo, _____. Bertha, salte del
18 trabajo, llego el SWAT a la casa. Si, esta lleno de policías. Necesito que me cuidas a los
19 niños, _____ al Jose. Sal, pero, la Gracielita viene con el, fue por Josesito, __, fue por
20 Josesito a la escuela, y viene por el niño, porque, pues, no puede estar aquí. Esta hasta la
21 cuadra de los bomberos, de policías. Voy a decir cual es tu carro, pa que te dejen entrar,
22 pa que te lleves al niño, pa que __ Gracielita a la entrada de la Wade. Te estaba hablando
23 la Gracielita, y no contesta _____.
- 24 A. ...two boys also. _____. Come, get out of work already __, get out of work, _____.
25 Bertha, get out of work, the SWAT arrived to the house. Yes, it is full of police. I
26 need for you to take care of the boys, _____ Jose. Get out, but, Gracielita is coming
27 with, she went for Josesito, __, she went to pick up Josesito from school, and she is
28 coming to pick up my little boy, because, well, he can't be here. The entire block is
29 full of firefighters, police. I am going to say which one is your car, so that they will
30 let you come in, so you can take my son, so that __ Gracielita at the entrance of
31 Wade. Gracielita was calling you, and you don't answer _____.
- 32 A4. _____.
- 33 A. Si, _____. Oh, she goes, okay. I just call her to say, how come you don't answer? I go, I
34 was so busy working, and I just try, oh, I don't know what happened, we got the SWAT
35 team in, I need you to help me, to get, care of my kids. _____.
- 36 A. Yes, _____. Oh, she goes, okay. I just call her to say, how come you don't answer? I
37 go, I was so busy working, and I just try, oh, I don't know what happened, we got
38 the SWAT team in, I need you to help me, to get, care of my kids. _____.
- 39
- 40 Q. ____ on her way?
- 41 A. Yeah.
- 42
- 43 Q. She ____.
- 44 A. And, she had an, she had an Impala. Um, gold Impala.
- 45
- 46 Q. A gold Impala?

- 1 A. Yeah. And, she works right here at the casino, so she be here, she'll be here like in,
2 less than five minutes.
- 3
- 4 Q. Okay. ___.
- 5 A. So, as she, as soon as she talk to the.
- 6
- 7 Q. Okay. And, that's, Jose's mother?
- 8 A. Yeah, yeah, that's my mother in law.
- 9
- 10 Q. ___.
- 11 Q6. ___.
- 12 Q. Okay.
- 13 A. I told him ___.
- 14
- 15 Q. Okay.
- 16 A. ___.
- 17
- 18 Q. Okay. Can I get you, _ some _ water,...
- 19 A. ___.
- 20
- 21 Q. ...can I get you something else? Can I get you anything? You hungry? ___.
- 22 A. I was hungry, I was hungry when, when everything happened.
- 23
- 24 Q. Okay. Let me see if I got some snacks. ____.
- 25 A3. ___.
- 26 A. ___ Oh, he is, hungry, because.
- 27
- 28 Q. Are you hungry?
- 29 A. Yeah, _____. ___ de lo tenga, orita te van ____.
- 30 A. Yeah, _____. ___ of what they have, right now they will go ____.
- 31
- 32 Q. ___.
- 33 A. Oh, thank you.
- 34
- 35 Q. Uh huh (yes). ___.
- 36 A. ¿Quieres una cookie?
- 37 A. Do you want a cookie?
- 38 A4. ¿Bueno?
- 39 A4. Hello?
- 40 A. Bertha, ¿ya saliste?
- 41 A. Bertha, did you already get out?
- 42 A4. ___.
- 43 A. A bueno, pues, ahí ya te están esperando tu carro.
- 44 A. All right, well, they are already waiting for your car.
- 45 A4. ___.

- 1 A. No, no, ya están esperando, que vas entrar tu, porque, la Graciela también trae al
2 Josesito de la escuela, porque en que Dona Graciela también ____.
- 3 A. No, no, they are already waiting, that you are going to come, because, Graciela also
4 has Josesito from school, because with Miss Graciela it is also ____.
- 5 A4. ___.
- 6 A. ___.
- 7 A4. ___.
- 8 A. Nada, nomás vienes a recoger al Joel, y, y la ma-, la Graciela trae un Malibu azul, uh,
9 orita yo le voy a decir, um, que ven, que, te de al Josesito, para que tu los cuides, no se.
10 Vete pa donde se valla la Graciela, porque, la Graciela ___ sin zapeta. La Paulina iba
11 bañar, y ___ sin zapeta, y, y ___ los niños. Um, y, y este, y nomás Bertha. ____ Nada.
12 She's on her way, ____.
- 13 A. Nothing, just come and pick up Joel, and, and ma-, Graciela has a blue Malibu, uh,
14 right now I am going to tell her, um, to come, to, give you Josesito, so that you can
15 take care of them, I don't know. Go to where Graciela goes, because, Graciela
16 ___ without a diaper. Paulina was going to bathe, and ___ without a diaper, and, and
17 ___ the kids. Um, and, and so, and that's it Bertha. ____ Nothing. She's on her
18 way, ____.
- 19
- 20 Q. Who's that?
- 21 A. My mother in law.
- 22
- 23 Q. Okay.
- 24 A. I, I wanna tell her about.
- 25
- 26 Q. Right. Right. And, and I appreciate ___ doing that. We'll, um, we will talk to her.
27 Okay? And, we'll, we'll tell her.
- 28 A. Right now?
- 29
- 30 Q. When she gets here. When she gets here. I, I notified the, a sergeant outside, that,
31 she's on her way, should be here shortly.
- 32 A. Just don't tell her right now, because she's gonna be, she's not gonna be like, strong
33 enough to take care of them. And then ____, please don't tell her right now. I don't
34 know what to, to do. I appreciate it not, because, she's gonna be, I don't know
35 what's gonna happen to her. Can I talk to my mom, in Mexico, just to tell her it's
36 okay?
- 37
- 38 Q. To come over here?
- 39 A. Yes.
- 40
- 41 Q. Um.
- 42 A. ___.
- 43
- 44 Q. ___ a few minutes, and then, yes, you can. Okay? Let me, I, um, I've asked our
45 detectives to come in here.
- 46 A. Mm hm (yes).

1 Q. So, they could talk to you, give you some more information.
 2 A. Uh huh (yes).
 3
 4 Q. Okay? And that way, once we do that, then, yes, you'll be able to, to make those
 5 phone calls. Okay? Okay?
 6 A. ____.
 7
 8 Q7. ____.
 9 Q. Yeah.
 10 Q8. ____.
 11 Q9. ____.
 12 Q. ____.
 13 Q9. Okay. ____.
 14 Q. Okay.
 15 Q9. ____.
 16 Q. Right.
 17 Q9. Yeah, ____.
 18 Q. ____.
 19 Q9. ____.
 20 Q. ____ Okay. What is that? Okay. Um, it is, uh, uh, search warrant, so __ with our
 21 SWAT team, yes, and, somebody was, was killed. I've got, I'm, with his wife, and
 22 his, child right now, and, other family members are on their way. Okay. Thank you.
 23 All right. Bye bye. Okay. Okay. He just told me that, uh, we're, we're getting a
 24 detective to come over, to talk to you. Okay?
 25 A. Okay.
 26
 27 Q. Okay. How long you've lived in Tucson?
 28 A. Since, since ____.
 29
 30 Q. Okay.
 31 A. Because, ____.
 32
 33 Q. Okay. How long have you been, __ been together?
 34 A. __ each other, since, we were like, kids, like, 5 years, ____.
 35
 36 Q. Oh, really? Okay.
 37 A. So, we started going out like when we are 16, and we got married, we got married
 38 like at 18, ____.
 39
 40 Q. Okay.
 41 A. Because, __, well, he wanted to get married, before he go, he went to, ____.
 42
 43 Q. ____.
 44 A. Yeah, yeah.
 45
 46

1 Q. Okay. Okay.
 2 A. __ know like, how hard it was for us to get, like, the little things that we got.
 3
 4 Q. Uh huh (yes). Are you from here, ma'am?
 5 A. No, no, I'm from Mexico.
 6
 7 Q. Oh, you are? Okay.
 8 A. __, well, last year, __ we, __ to get my U-S citizen.
 9
 10 Q. ____.
 11 A. And, I did.
 12
 13 Q. Okay.
 14 A. And, you know, I was just taking care of __ take care of kids.
 15
 16 Q. ____.
 17 A. At the house, or, and, some other stuff. And, um, but, my house, like, I got new
 18 house, and, ____.
 19
 20 Q. Okay.
 21 A. __, but, he was telling me like, to get my G-E-D, and I, like, __ some classes, and I
 22 was working on that, because it's too hard for me, and I was doing, I went to Pima, I
 23 was doing the G-E-D in Spanish, because I didn't know, like, English, ____.
 24
 25 Q. Okay.
 26 A. ____ myself on everything, because, I wanted to be, he wanted, ____ he always,
 27 _____. ¿Bueno? ¿Bueno? Um, they have my mother in law over there.
 28 A. ____ myself on everything, because, I wanted to be, he wanted, ____ he always,
 29 _____. Hello? Hello? Um, they have my mother in law over there.
 30
 31 Q. Okay.
 32 A. ____.
 33
 34 Q. Okay. Um, just tell...
 35 A. ____.
 36
 37 Q. ...her to stay there for right now. Just tell her, to stay there. And, someone will go
 38 and get her.
 39 A. Hay te van ir agarrar. Mmm? ¿No, no ha mirado la, el carro de la, de Graciélita? Okay.
 40 A. There gonna go get you. What? Have you, have you seen Graciélita's car? Okay?
 41
 42 Q. Okay.
 43 A. And, um, it was hard because, when they take out of the Marines, he wanted to
 44 apply to the U-S Border Patrol, but, he couldn't, like, __, like, things happened, and,
 45 we just came to Tucson.
 46

1 Q. What kind of things happened?
 2 A. __, well, I, I was pregnant.
 3
 4 Q. Mm hm (yes).
 5 A. And, I lose the baby. And, I wanted, like, he was like, _____. ¿Bueno? ¿Bueno?
 6 ¿Bueno?
 7 A. And, I lose the baby. And, I wanted, like, he was like, _____. Hello? Hello? Hello?
 8
 9 Q. Maybe she called you on accident.
 10 A. Yeah. Yeah. And, so then, I wanted to go, like, _____. ¿Bueno? __, no esta,
 11 disculpe, ya no esta, Bertha. Con nosotros Bertha. No Bertha, no Bertha, no sabes, tu, el
 12 Jose estaba tirado en la cocina. Le dieron, Bertha. Se quiso defender con una arma que
 13 traía el, y le dieron, Bertha. I'm sorry, I'm telling her. Le dieron, Bertha. Ya no esta el
 14 Jose conmigo, Bertha. ____ no puedo, Bertha, _____ Bertha, __, Bertha, ayúdame. El
 15 quería que todo se arreglara con el Alex y la Paulina, no queria problemas, el me dijo, el
 16 me dijo. El me dijo que no quería estar mal con su hermano, y que, y que iba poner
 17 _____, el quería, Bertha, me puede mucho _____. Jose se quiso defender, ____ con
 18 arma, __ y se puro a tirar. Y, me lo dejaron tirado _____, no es cierto. No es cierto,
 19 Bertha, __, Bertha, Bertha, _____. Bertha, no es cierto, no es cierto, Dios mío.
 20 No es cierto. __, Bertha, ayúdame, _____ no es cierto, el ya no quería _____ pues yo
 21 lo quiero a el conmigo, y con los niños. __, _____. No puedo. No _____ no es
 22 cierto, _____. ¿Ya estas aquí afuera? __ Bertha, _____. Bertha, perdóname Bertha,
 23 perdóname por todo Bertha, yo no quería nada malo, yo no quería nada malo, te lo juro.
 24 Es que yo le decía al Jose que __, nunca me hizo caso. __, no, __ Bertha, _____.
 25 _____ no, lo tienen entrenado. Bertha, te necesito mucho, _____,
 26 no es cierto, no es cierto.
 27 A. Yeah. Yeah. And, so then, I waned to go, like, _____. Hello? __, he is no
 28 longer, I'm sorry, he is no longer, Bertha. With us Bertha. No Bertha, no Bertha,
 29 you don't know, you, Jose was laying in the kitchen. They hit him, Bertha. He
 30 wanted to defend himself with a weapon that he had, and they hit him, Bertha. I'm
 31 sorry, I'm telling her. They hit him, Bertha. Jose is no longer with me, Bertha.
 32 _____ I can't, Bertha, _____ Bertha, __, Bertha, help me. He wanted everything to
 33 be worked out with Alex and Paulina, he didn't want problems, he told me, he told
 34 me. He told me that he didn't want to be in bad terms with his brother, and that,
 35 and that he was going to put _____, he wanted, Bertha, it hurts me real bad _____.
 36 Jose wanted to defend himself, ____ with weapon, __ and he started to shoot. And,
 37 they left him laying _____, it's not true. It's not true, Bertha, __, Bertha, Bertha,
 38 _____. _____ Bertha, it's not true, it's not true, my God. It's not true. __,
 39 Bertha, help me, _____ it's not true, he no longer wanted _____ well I want him with
 40 me, and with the kids. __, _____. I can't. No _____ it's not true, _____. Are
 41 you already out here? _____. Bertha, _____. Bertha, I'm sorry Bertha, I'm sorry for
 42 everything Bertha, I didn't want nothing bad, I didn't want anything bad, I swear.
 43 It's that I would tell Jose that __, he never listened to me. __, no, __ Bertha,
 44 _____. _____ no, he is being entertained. Bertha, I need you very much,
 45 _____, it's not true, it's not true.
 46

1 Q. Detective Anderson.
 2 A. No se, _____. Okay.
 3 A. I don't know, _____. Okay.
 4
 5 Q. The suspect.
 6 A. Okay. ____.
 7
 8 Q. No, not as far as I know.
 9 A. Bye.
 10
 11 Q. Okay. All right. Thank you.
 12 A. Um.
 13
 14 Q. Okay. Bye bye.
 15 A. She's outside. She, __, you don't know how much she's _____ and she's telling me
 16 that.
 17
 18 Q. _____.
 19 Q10. _____ she's here.
 20 Q. Okay. _____ the little boy, to go with him?
 21 A. Mm hm (yes).
 22
 23 Q10. _____.
 24 Q. And, and suspects mother is outside, _____.
 25 A. Y, la Graciélita viene por ti, ¿bueno?
 26 A. And, Graciélita is coming to pick you up, okay?
 27
 28 Q. _____.
 29 A. Te va llevar con tu abuelita.
 30 A. She is going to take you to your grandma's?
 31
 32 Q. _____.
 33 A. Okay?
 34
 35 Q. _____.
 36 A. No llores, de aquí te voy a estar viendo. Okay?
 37 A. Don't cry, I am going to be watching you from right here. Okay?
 38
 39 Q10. _____.
 40 A. Can, can I go with him?
 41
 42 Q. Uh, yeah, _____.
 43 A. Just to take this, like, to go drop him, and, like.
 44
 45 Q. _____ can't go anywhere, you're gonna have to stay here.
 46 A. __, well, well, can they talk?

1
2 Q. ____, I think she's already here.
3 A. ____.
4
5 Q. ____. Hold on just a second. __ slip and fall.
6 A. Yeah, because, ____.
7
8 Q. You okay?
9 A. ____.
10
11 Q. Okay. Hold on. Hold on.
12 A. ____.
13
14 Q. Just stay here for just a second. Okay?
15 A. Okay.
16
17 Q11. ____.
18 Q. Oh, over here? Okay. Are we gonna do that yet? Okay. __, we just wanna make
19 sure it's okay ____.
20 A. ____.
21
22 Q. Yeah.
23 A. ____.
24
25 Q. Hold on.
26 A. Gracielita, esta la Bertha. ____, aquí afuera.
27 A. Gracielita, Bertha is here. ____, out here.
28
29 Q. Okay.
30 A. Ahí esta parqueada. __. Gracielita.
31 A. She's parked right there. __. Gracielita.
32
33 Q. Hold on, okay? Hold on. Detective Anderson. Okay, can you hold on for just a
34 moment please? Thank you.
35 Q12. ____.
36 Q. ____, yeah that's it.
37 Q12. ____.
38 Q. Okay, okay. And, um, __, hold on a second, um, up there in that gold Impala, is
39 suspect's mother.
40 Q12. Okay.
41 Q. And, she's aware ____.
42 Q12. Okay.
43 A. ____.
44
45 Q. What's that?
46 A. ____.

1
2 Q. Um, no, we have not gone in the house yet to get any clothes.
3 A. Okay.
4
5 Q. Okay? Okay. Um, actually, can you call me back in like two minutes? Thank you.
6 A. Gracielita, ya no esta conmigo, Gracielita, lo mataron, ____.
7 A. Gracielita, he is no longer with me, Gracielita, they killed him, ____.
8 A2. ¿Esta muerto?
9 A2. He's dead?
10 A. Si.
11 A. Yes.
12 A2. No.
13 A. ____.
14 A2. ____.
15
16 Q. Okay. You got to.
17 A2. ____.
18 A. ____.
19
20 Q. Graciela, can you please just take Joel right now. Okay?
21 A. ____.
22 A2. ____.
23 A. ____.
24 A2. Mira, llámame cuando pueda venir por ti, ¿okay?
25 A2. Look, call me when I can come pick you up, okay?
26 A. Gracielita, no puedo
27 A. Gracielita, I can't.
28 A2. When can I ____?
29
30 Q. Not for, not for a little while.
31 A2. Can someone call me so I can come get her?
32
33 Q. Yes. I have your number.
34 A. ____.
35 A2. No le voy a decir, ¿okay?
36 A2. I'm not going to tell him, okay?
37 A. ____.
38 A2. No le voy a decir. ¿Okay?
39 A2. I'm not going to tell him. Okay?
40
41 Q. All right. Come on Vanessa.
42 A2. ____, no estamos para eso orita, ____ contigo. ¿Okay?
43 A2. ____, we are not for that right now, ____ with you. Okay?
44 A. ____.
45 A2. Ya estoy aquí, estamos contigo, __, no te mortifiques Vanessa, ¿okay? Aquí estamos en
46 todo contigo.

1 A2. I am already here, we are with you, __, don't worry Vanessa, okay? We are here
 2 for you in everything.
 3 A. ____.
 4 A2. Yo se, yo se.
 5 A2. I know, I know.
 6
 7 Q. Come on Vanessa.
 8 A2. I love you.
 9
 10 Q. Thank you Graciela.
 11 A2. _____. Okay?
 12
 13 Q. Thank you. Okay. We'll go back to up to where it's cool. Okay?
 14 A. Gracielita, ahí esta mi suegra.
 15 A. Gracielita, my mother in law is right there.
 16
 17 Q. Oh. _____. Okay.
 18 A. Um, her right there, ____, she's Pauline, Pauline's, her, sister, um, Pauline is married
 19 with Alex, Alex, my, brother in law.
 20
 21 Q. Oh, okay.
 22 A. Okay. So, Alex, is, um, Jose's brother. _____.
 23
 24 Q. Okay, _.
 25 A. And, ___ something very hard, __ because they, they were, Pauline and her.
 26
 27 Q. Uh huh (yes).
 28 A. ____, and her, both of them got killed, ____.
 29
 30 Q. Oh, her sister did?
 31 A. Yeah.
 32
 33 Q. When was that?
 34 A. It was, it was, it was like year ago. _____. Well, ____, I mean, I'm saying _____.
 35 _____.
 36
 37 Q. What's that?
 38 A. _____.
 39
 40 Q. _____.
 41 A. _____ in here, I don't know, he was like, on the floor.
 42
 43 Q. _____.
 44 A. You know where they gonna take him?
 45

1 Q. Um, he will probably be taken to, the Office of the Medical Examiner. Uh, after
 2 he's, released here.
 3 A. _____.
 4
 5 Q. No. He's still, he's still in the house.
 6 A. _____.
 7
 8 Q. Yeah. There's a, there's a procedure that we have to do, to make sure that, you
 9 know, um, that nobody, just, we just, to make sure everything is done right. Okay?
 10 A. _____.
 11
 12 Q. And, so, we have detectives here, um, that will do an investigation as to what
 13 happened. Okay? With the SWAT team, and, and, and, why we came out here in
 14 the first place, and, that investigation will happen. Okay? So, they will talk to you
 15 about that. And then, once they, they, they've done their, entire investigation here.
 16 Okay? Then the Office of the Medical Examiner, will come and pick up Jose, and
 17 take him to, their office, which is at, um, Kino Hospital.
 18 A. Okay.
 19
 20 Q. Okay?
 21 A. Okay.
 22
 23 Q. Okay?
 24 A. I'm sorry, _____.
 25
 26 Q. It's okay, that's okay.
 27 A. _____.
 28
 29 Q. I understand your upset.
 30 A. Why did he have that big o' gun with him? _____ why, I need to talk to his
 31 brother. I don't know, what's going on. Oh God.
 32
 33 Q. _____.
 34 A. ____, did you know what they told me, __ SWAT team, they were, they told me, we
 35 need to check out your house, if you don't have any guns, or any drugs, or anything.
 36 And I was like, what? You can go check everything, _____. ____ we don't have
 37 anything like that. The only thing that we got _____.
 38
 39 Q. Okay.
 40 A. It was.
 41
 42 Q. Detective Anderson. Thanks for calling me back. Yeah it is. Okay. Okay. Okay.
 43 Okay. No, I, needed to, to ask, anyway, so, I appreciate it though. Okay. Thank
 44 you very much. All right. Bye bye.
 45 A. Is that __, is that, was that Graciela?
 46

1 Q. No.

2 A. .

3
4 Q. No, no, no. Uh, so, did he, did he ever talk like he needed, like he was, , like he
5 needed a gun for, for protection? Jose, ___...

6 A. I don't know.

7
8 Q. ...__, about why he would need a gun, or, why he should get a gun, or, anything like
9 that?

10 A. Oh, no, _____. How do you say?

11
12 Q. It's for personal, protection?

13 A. Yeah.

14
15 Q. All right. Does he, does he have other guns, like, small guns, like __?

16 A. Well that's the one I knew he had, a small ones, but, that's I guess he, __, because he
17 got it at the, over there, at the. What's it called? The, gun show, or something.

18
19 Q. Okay.

20 A. _____.

21
22 Q. A, a gun show?

23 A. Yeah, that's all I know he had.

24
25 Q. Okay.

26 A. And, I no where, I don't know, what he get that big o' gun, I don't know, __ first
27 thing like, __, the SWAT team drop it, or anything __, ____, next, to him. You know
28 what I mean?

29
30 Q. Right.

31 A. And,...

32
33 Q. Right.

34 A. ...when I saw him in the floor, I was, Jose, what's going on, what is that gun doing
35 on, next to you?

36
37 Q. Uh huh (yes).

38 A. _____ and he was dead, he was, I don't know, because, so, he was, still breathing.

39
40 Q. Right.

41 A. __ calling, 911, or, his, his mom, and nobody answer me. __ talk to his brother, and,
42 I talk to Graciela, and, she told me that of her, dad's house, they've been, same
43 situation, I don't know.

44
45 Q. Okay.

46 A. _____.

1
2 Q. What, what did she tell you is going on over there?

3 A. That they have, __, a lot of, police, she doesn't know why.

4
5 Q. At her dad's house?

6 A. Yeah.

7
8 Q. Okay. And, _ dad, is he related to Jose in any way?

9 A. Oh no.

10
11 Q. No?

12 A. No, he's Alex's, um, sister in law.

13
14 Q. Oh, okay. And her name is, Roselita?

15 A. Graciela.

16
17 Q. Gra-.

18 A. Graciela.

19
20 Q. Oh, Gracie-. Oh, no, no, no, I meant, the girl you talked to? Is it Graciela ____.

21 A. Yeah, that's Graciela, uh huh (yes).

22
23 Q. Oh, so, her dad's house.

24 A. Uh huh (yes).

25
26 Q. The police are over there.

27 A. Yeah, because Alex, lives, with, her dad.

28
29 Q. Oh, okay.

30 A. And, probably, mom and dad, they live, in there.

31
32 Q. Okay. Okay. I gotcha. Mmm, and, that's the, house over there on Oklahoma?

33 A. Yeah.

34
35 Q. __ Oklahoma.

36 A. Yeah.

37
38 Q. Okay.

39 A. __ together, because, there's no way.

40
41 Q. Okay.

42 A. But why, did this happen? __. That's my question, __.

43
44 Q. I don't know why. Seems like, the house something that they, _____, to be protective

45
46 A. But why, why?

- 1
2 Q. I don't know.
3 A. _____, you know what I mean?
4
5 Q. Yeah.
6 A. _____ why?
7
8 Q. _____.
9 A. He, he had been, um, like, the days he work, it was like, oh my God, it was hard,
10 because, he ___ to the kids, for the, time he was off, we wanted to be together. Like,
11 today, and tomorrow, and Saturday, he was gonna be off, so we were gonna go take,
12 the kids to the _____.
13
14 Q. Uh huh (yes).
15 A. And, we try to get together like, on the fair, whenever he was off, we go to _____. You
16 know?
17
18 Q. Right.
19 A. Together, because the kids they always ask me, where's my dad? And, _____, at night,
20 because it has, he used to work like, from 6:00 to 6:00, like, all night, or, all day.
21
22 Q. Okay.
23 A. On the day, of the house, they were asking me, where's my dad, where's my dad?
24 _____, _____. He like, _____, how come my dad is not here? _____, he would
25 try to get like, _____.
26
27 Q. Right.
28 A. _____.
29
30 Q. Okay. So, he worked long hours at the mine?
31 A. _____.
32
33 Q. Yeah? Did he work, Monday through Friday, or _____?
34 A. I don't know. Like today, he has it, to schedule, _____, he had off, _____, 3 days. _____.
35 _____.
36
37 Q. Mm hm (yes).
38 A. Uh, _____, and then he got off on Sundays, one day off, and then he started Monday,
39 Tuesday and Wednesday, like, and he sleep, until, 11:00, 12:00, _____, 11, 12 _____, like
40 _____, 1:00, 1:30, so he can be hanging out.
41
42 Q. Right.
43 A. With the kids. And then _____, and then, _____, he drove, from the house, like, 4:20.
44 And, um, 4:30, _____, traffic and everything.
45
46 Q. Uh huh (yes).

- 1 A. And, he used to walk, like, a lot, from, the parking. ___ right now, he was gonna do
2 that, he was gonna, _ to the, to my other _____, that they, __, um, Kinder Cottage,
3 ___ at 11:15.
4
5 Q. Uh huh (yes).
6 A. And, he goes for, he gets lunch, like we always go, pick him up like, _____.
7
8 Q. Uh huh (yes).
9 A. Or, _____, they, they, _____.
10
11 Q. ___ get you an ice pack or something.
12 A. _____.
13
14 Q. Do you want ice pack?
15 A. Yeah.
16
17 Q. Okay.
18 A. ___ me a lot.
19
20 Q. Let me get, um, _____. What is your other, child's name?
21 A. Jose Guercena.
22
23 Q. Jose. Same name as your husband?
24 A. Yes.
25
26 Q. And, what is his birthday?
27 A. May _____. He's gonna ___ his birthday, and I don't know why, he ___ enough money,
28 because, all the years, we make, _____, well, _____.
29
30 Q. Okay. All right. Vanessa, what was the year, for Jose's birth?
31 A. _____.
32
33 Q. _____. Okay. _____. Vanessa, this is Detective Cornidez, and Detective Preuss.
34 Q13. Hi Vanessa.
35 Q. ___ Detective _____, ___ were gonna, hopefully be able to get a little bit more
36 information.
37 A. Okay.
38
39 Q. Um, to, to, hopefully answer some of your questions. Okay?
40 A. _____.
41
42 Q. Okay. Okay. Um, I'm going to, talk with one of them real quick.
43 A. Okay.
44
45 Q. Okay? If I can, and, I'll get you an ice pack, either way.
46 A. Okay, thank you.

1
2
3
4
5
6
7
8
9
10
11
12
13

Q. All right?

Q. And, I'm gonna go ahead and go off tape. Yeah, _____. Um, the time now, is, **1150** hours, on May 5th, 2011.

WITNESS:

DET. LAWSON #4910

TRANSCRIBED AND TRANSLATED BY:
ANNA GALLEGO, MAY 15, 2011