

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUIS ANGEL CASTRO

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Nov 26 2019 06:21 p.m.
S.Ct. No. 78643 Elizabeth A. Brown
Clerk of Supreme Court
D.C. No. C-16-314092-1

**APPELLANT'S APPENDIX
Volume I**

JEAN J. SCHWARTZER, ESQ
Nevada Bar No. 11223
Law Office of Jean J. Schwartzer
10620 Southern Highlands Pkwy
Suite 110-473
Las Vegas, Nevada 89141
(702) 979-9941
Attorney for Appellant

ALEXANDER G. CHEN, ESQ.
Nevada Bar No. 10539
Clark County District Attorney
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, Nevada 89155
(702) 671-2500
Attorney for Respondent

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

ALEXANDER CHEN, ESQ.

AARON FORD, ESQ.

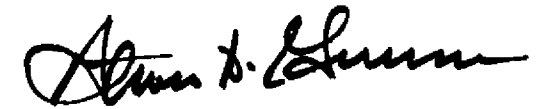
Luis Angel Castro
Inmate No: 1214547
High Desert Correctional Facility
P.O. Box 650
Indian Springs, Nevada 89070-0650

BY: /s/ Jean Schwartzer
JEAN J. SCHWARTZER, ESQ
 Nevada State Bar No. 11223
 Law Office of Jean J. Schwartzer
 10620 Southern Highlands Pkwy.
 Suite 110-473
 Las Vegas, Nevada 89141
 (702) 979-9941
 Jean.schwartzter@gmail.com
 Counsel for Appellant

Castro v. State Case No. 78643

AMENDED INDEX TO APPELLANT'S APPENDIX

<u>Document</u>	<u>Page</u>
Amended Information filed 2/4/2019	95-96
Defense Sentencing Memorandum filed 3/24/2019	133-200
Guilty Plea Agreement filed 2/4/2019	97-104
Information filed 4/12/2016	1-8
Judgment of Conviction filed 3/28/2019	201-202
Notice of Appeal filed 4/22/2019	203-205
State's Sentencing Memorandum filed 3/22/2019	105-132
<u>Transcript/Minutes</u>	<u>Page</u>
Transcript of Entry of Plea filed 6/18/2019	206-234
Transcript of Preliminary Hearing filed 8/16/2016	9-94
Transcript of Sentencing filed 6/18/2019	235-264



CLERK OF THE COURT

INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JACOB J. VILLANI
Chief Deputy District Attorney
Nevada Bar #011732
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

I.A. 4/14/16
10:00 AM
W. GELLER, ESQ.

THE STATE OF NEVADA,

Plaintiff,

-vs-

LUIS ANGEL CASTRO, #1918366,
EDWARD HONABACH
aka Edward Joseph Honabach, #7029816,
FABIOLA JIMENEZ, #1957068,
LIONEL KING, #1983132

Defendant.

CASE NO: C-16-314092 - 1-2-3-4

DEPT NO: IV

INFORMATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That LUIS ANGEL CASTRO, EDWARD HONABACH aka Edward Joseph Honabach, FABIOLA JIMENEZ and LIONEL KING, the Defendant(s) above named, having committed the crimes of CONSPIRACY TO COMMIT MURDER (Category B Felony - NRS 200.010, 200.030, 199.480 - NOC 50038); ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.010, 200.030, 193.330, 193.165 - NOC 50031); MAYHEM WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.280, 193.165 - NOC 50045); BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony - NRS 200.481 -

1 NOC 50226); FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON
2 RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony - NRS 200.310,
3 200.320, 193.165 - NOC 50056); EXTORTION WITH USE OF A DEADLY WEAPON
4 (Category B Felony - NRS 205.320, 193.165 - NOC 50620); ROBBERY WITH USE OF A
5 DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138) and FIRST
6 DEGREE ARSON (Category B Felony - NRS 205.010 - NOC 50414), on or about the 7th day
7 of March, 2016, within the County of Clark, State of Nevada, contrary to the form, force and
8 effect of statutes in such cases made and provided, and against the peace and dignity of the
9 State of Nevada,

10 COUNT 1 - CONSPIRACY TO COMMIT MURDER

11 did willfully, unlawfully, and feloniously conspire with each other to commit murder,
12 by the Defendants committing the acts as set forth in Count 2, said acts being incorporated by
13 this reference as though fully set forth herein.

14 COUNT 2 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

15 did willfully, unlawfully, feloniously and with malice aforethought attempt to kill
16 JOSE ORTIZ-SALAZAR, a human being, with use of a deadly weapon, to-wit: a machete
17 and/or knife, by stabbing the said JOSE ORTIZ-SALAZAR about the body and/or by cutting
18 the said JOSE ORTIZ-SALAZAR's throat with said a machete and/or knife, the Defendant(s)
19 being criminally liable under one or more of the following principles of criminal liability, to-
20 wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission
21 of this crime, with the intent that this crime be committed, by counseling, encouraging, hiring,
22 commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3)
23 pursuant to a conspiracy to commit this crime, with the intent that this crime be committed,
24 Defendants aiding or abetting and/or conspiring to murder JOSE ORTIZ-SALAZAR,
25 Defendants acting in concert throughout.

26 COUNT 3 - MAYHEM WITH USE OF A DEADLY WEAPON

27 did willfully, maliciously, and feloniously deprive a person, to-wit: JOSE ORTIZ-
28 SALAZAR, of a body member and/or did disfigure or render a body member useless, to-wit:

1 a finger and/or fingernails, with use of a deadly weapon, to-wit: a machete and/or knife and/or
2 wire cutters, by severing the said JOSE ORTIZ-SALAZAR'S finger and/or removing his
3 fingernails, the Defendants being criminally liable under one or more of the following
4 principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by
5 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
6 by counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the
7 other to commit the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the
8 intent that this crime be committed, Defendants aiding or abetting and/or conspiring,
9 Defendants acting in concert throughout.

10 COUNT 4 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN
11 SUBSTANTIAL BODILY HARM

12 did willfully, unlawfully, and feloniously use force or violence upon the person of
13 another, to-wit: JOSE ORTIZ-SALAZAR, with use of a deadly weapon, to-wit: a machete
14 and/or knife, by stabbing the said JOSE ORTIZ-SALAZAR about the body with said a
15 machete and/or knife, resulting in substantial bodily harm to JOSE ORTIZ-SALAZAR, the
16 Defendants being criminally liable under one or more of the following principles of criminal
17 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
18 commission of this crime, with the intent that this crime be committed, by counseling,
19 encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit
20 the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this
21 crime be committed, Defendants aiding or abetting and/or conspiring, Defendants acting in
22 concert throughout.

23 COUNT 5 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON
24 RESULTING IN SUBSTANTIAL BODILY HARM

25 did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy,
26 abduct, conceal, kidnap, or carry away JOSE ORTIZ-SALAZAR, a human being, with the
27 intent to hold or detain the said JOSE ORTIZ-SALAZAR against his will, and without his
28 consent, for the purpose of committing murder and/or robbery, with use of a deadly weapon,

to-wit: a machete and/or knife and/or wire cutters, resulting in substantial bodily harm to JOSE ORTIZ-SALAZAR, the Defendants being criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this crime be committed, Defendants aiding or abetting and/or conspiring, Defendants acting in concert throughout.

COUNT 6 - EXTORTION WITH USE OF A DEADLY WEAPON

did then and there willfully, feloniously and unlawfully make a verbal demand directed to one JOSE ORTIZ-SALAZAR, for payment to Defendants of the sum of \$300.00 lawful money of the United States, which demand was accompanied by threats to do injury to the person or property of JOSE ORTIZ-SALAZAR, and said threats being made with the intent to extort and gain the above mentioned sum of money, with use of a deadly weapon, to-wit: a machete and/or knife and/or wire cutters, the Defendants being criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this crime be committed, Defendants aiding or abetting and/or conspiring, Defendants acting in concert throughout.

COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, and feloniously take personal property, to-wit: cigarettes, from the person of JOSE ORTIZ-SALAZAR, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of JOSE ORTIZ-SALAZAR, with use of a deadly weapon, to-wit: a machete and/or knife, the Defendants being criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with

1 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
2 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
3 conspiracy to commit this crime, with the intent that this crime be committed, Defendants
4 aiding or abetting and/or conspiring, Defendants acting in concert throughout.

5 COUNT 8 - FIRST DEGREE ARSON

6 did willfully, unlawfully, maliciously, and feloniously set fire to, burn, and/or cause to
7 be burned, a certain residence, located at 1901 East Oakey Boulevard, Las Vegas, Clark
8 County, Nevada, by use of open flame and flammable and/or combustible materials, and/or by
9 manner and means unknown, the Defendants being criminally liable under one or more of the
10 following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or
11 (2) by aiding or abetting in the commission of this crime, with the intent that this crime be
12 committed, by counseling, encouraging, hiring, commanding, inducing and/or otherwise
13 procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to commit this
14 crime, with the intent that this crime be committed, Defendants aiding or abetting and/or
15 conspiring, Defendants acting in concert throughout.

16 STEVEN B. WOLFSON
17 Clark County District Attorney
18 Nevada Bar #001565

19 BY

20 JACOB J. VILLANI
21 Chief Deputy District Attorney
22 Nevada Bar #011732
23
24
25
26
27
28

Names of witnesses known to the District Attorney's Office at the time of filing this
Information are as follows:

<u>NAME</u>	<u>ADDRESS</u>
CUSTODIAN OF RECORDS OR DESIGNEE	Clark County Detention Center, 330 S. Casino Center Blvd., Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Communications
CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Dispatch
CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Records, 400 S. Martin Luther King Blvd., Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Project Management & Video Bureau
CUSTODIAN OF RECORDS OR DESIGNEE	Las Vegas Fire Department
CUSTODIAN OF RECORDS OR DESIGNEE	Sunrise Hospital, 3186 Maryland Pkwy., Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	Clark County School District
ALEXANDER, M.	LVMPD P#15223
ALLEN, Z.	Las Vegas Fire Department #204
AUSCHWITZ, J.	LVMPD P#5932
CHOCK, STEFAN M.D.	Sunrise Hospital, 3186 Maryland Pkwy., Las Vegas, NV
COURT INTERPRETER	200 Lewis Ave., Las Vegas, NV
DEVITO, A.	LVMPD P#15274
FASULO, T.	LVMPD P#13459
GRIFFIN, TIM	C/O Clark County District Attorney's Office
GUTIERREZ, AMADA	C/O Clark County District Attorney's Office

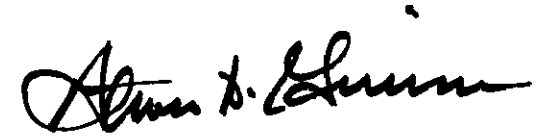
1	HALL, D.	Clark County School District Police #256
2	HERRING, N.	LVMPD P#9725
3	HEVEL, R.	Las Vegas Fire Department/Arson Investigation
4	KELVINGTON, A.	LVMPD P#8878
5	KING, C.	LVMPD P#14372
6	KWIATKOWSKI, TERRANCE M.D.	Sunrise Hospital, 3186 Maryland Pkwy., Las Vegas, NV
7	LACAZE, WILLIAM	C/O Clark County District Attorney's Office
8	LANDING, KHALIAH	C/O Clark County District Attorney's Office
9	LARINGTON, D.	LVMPD P#7858
10	LOVEETTE, J.	Las Vegas Fire Department #204
11	MAIORANA, DAVID	C/O Clark County District Attorney's Office
12	MARTINEZ, FRANCISCO	C/O Clark County District Attorney's Office
13	MARTINEZ, ROSIO	C/O Clark County District Attorney's Office
14	MENDEZ, ANTONIO	C/O Clark County District Attorney's Office
15	MENDOZA, A.	LVMPD P#15245
16	MURRAY, T.	LVMPD P#13458
17	NOGLE, K.	LVMPD P#8051
18	ORTEGA, MARCELO	C/O Clark County District Attorney's Office
19	ORTIZ-SALAZAR, JOSE	C/O Clark County District Attorney's Office
20	REZENDIS, YOSELIN	C/O Clark County District Attorney's Office
21	ROSARIO, NELSON	C/O Clark County District Attorney's Office
22	SALAZAR, GUADALUPE	C/O Clark County District Attorney's Office
23	SCHREIBER, P.	LVMPD P#13986
24	SCLIMENTI, M.	LVMPD P#6239
25	SHEPARD, DAVID	C/O Clark County District Attorney's Office
26	SPARKMAN, CHARLES	C/O Clark County District Attorney's Office
27	THEOBALD, R.	LVMPD P#6468
28	TOMASO, B.	LVMPD P#9488

VALENZUELA, G.

LVMPD P#8396

WATTS, JOSEPH OR DESIGNEE Clark County District Attorney's Office-Investigator

16F03770A/B/C/D /cc/L3
LVMPD EV#1603072804
(TK4)


CLERK OF THE COURT

1 CASE NO. C314092-1 C314092-2
2 C314092-3 C314092-4

2

3 IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

4 CLARK COUNTY, STATE OF NEVADA

5 STATE OF NEVADA,)

6 PLAINTIFF,)

7 VS.)

8 LUIS ANGEL CASTRO,)

EDWARD HONABACH,)

9 FABIOLA JIMENEZ,)

10 LIONEL KING,)

DEFENDANTS.)

11)

CASE NO. 16F03770A

16F03770B

16F03770C

16F03770D

12 REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING - CASTRO AND KING

13 AND

14 UNCONDITIONAL WAIVERS - HONABACH AND JIMENEZ

15 BEFORE THE HONORABLE MELISSA SARAGOSA, JUSTICE OF THE PEACE

16 TUESDAY, APRIL 12, 2016

17 10:39 O'CLOCK A.M.

18 FOR THE STATE: AGNES LEXIS,
19 JACOB VILLANI
DEPUTY DISTRICT ATTORNEYS

20 FOR DEFENDANT CASTRO: WARREN J. GELLER, ESQ.

21 FOR DEFENDANT HONABACH: JOSE PALLARES, ESQ.

22 FOR DEFENDANT JIMENEZ: CARL E. ARNOLD, ESQ.

23 FOR DEFENDANT KING: MACE J. YAMPOLSKY, ESQ.

24 REPORTED BY: KIT MACDONALD, C.C.R.
25 CERTIFICATE NO. 65

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

<u>WITNESS FOR THE STATE:</u>	<u>PAGE</u>
<u>JOSE ISMAEL ORTIZ-SALAZAR</u>	
DIRECT EXAMINATION BY MS. LEXIS	11
CROSS-EXAMINATION BY MR. GELLER	43
CROSS-EXAMINATION BY MR. YAMPOLSKY	57
<u>WITNESS FOR THE DEFENSE:</u>	
<u>JASON AUSCHWITZ</u>	
DIRECT EXAMINATION BY MR. GELLER	64
CROSS-EXAMINATION BY MR. YAMPOLSKY	70

E X H I B I T S

STATE'S EXHIBITS:	MARKED	ADMITTED
EXHIBIT NO. 1 THROUGH 4	9	16
EXHIBIT NO. 5	9	20
EXHIBIT NO. 6 THROUGH 11	9	33
EXHIBIT NO. 12 THROUGH 13	9	40

* * * *

1 LAS VEGAS, CLARK COUNTY, NEVADA, TUESDAY, APRIL 12, 2016

2

3

10:39 O'CLOCK A.M.

4

5

* * * * *

6

7 **THE COURT:** ALL RIGHT. LUIS CASTRO, EDWARD HONABACH,

8 FABIOLA JIMENEZ AND LIONEL KING, 16F03770A, B, C AND D.

9 I KNOW MR. PALLARES STEPPED OUT ON MR. HONABACH'S CASE.

10 **MR. GELLER:** GOOD MORNING, YOUR HONOR, WARREN GELLER ON

11 BEHALF OF MR. CASTRO, WHO'S PRESENT IN CUSTODY.

12 **MR. ARNOLD:** GOOD MORNING, YOUR HONOR, CARL ARNOLD ON

13 BEHALF OF MISS JIMENEZ.

14 **THE COURT:** OKAY. MR. PALLARES IS HERE ON MR. HONABACH'S

15 CASE, AND MR. YAMPOLSKY STEPPED OUT.

16 **CORRECTION OFFICER:** HE'S ACTUALLY UP AT J.C. 8.

17 **THE COURT:** OKAY. SO MR. KING?

18 **CORRECTION OFFICER:** HE'S UP IN J.C. 8.

19 **THE COURT:** HE'S IN EIGHT WITH HIM, OKAY.

20 SO WE HAVE A, B AND C HERE. DO WE NEED MR. YAMPOLSKY AND

21 MR. KING HERE TO MOVE FORWARD ON THE OTHER THREE?

22 **MR. PALLARES:** NOT AT THIS TIME, YOUR HONOR.

23 **THE COURT:** OKAY.

24 **MR. PALLARES:** ON BEHALF OF MR. HONABACH, I'VE HAD THE

25 OPPORTUNITY TO DISCUSS THE MATTER WITH HIM. HE UNDERSTANDS HE

1 HAS THE RIGHT TODAY TO A PRELIMINARY HEARING. HE'S GOING TO
2 GO AHEAD AND UNCONDITIONALLY WAIVE THAT RIGHT, AND BE BOUND
3 OVER TO DISTRICT COURT WITHOUT ANY NEGOTIATIONS.

4 **THE COURT:** OKAY.

5 **MR. VILLANI:** AND, YOUR HONOR, I HAVE -- JAKE VILLANI ON
6 BEHALF OF THE STATE, ALONG WITH AGNES LEXIS.

7 WE HAVE SPOKE WITH THE DEFENSE PREVIOUSLY ABOUT THIS.
8 BEFORE THAT WAIVER, I PUT THEM ON NOTICE, WE WILL BE ADDING TO
9 COUNT 3, USE OF A DEADLY WEAPON, TO WIT: A MACHETE OR A
10 KNIFE, AND ADDING TO COUNT 5, SUBSTANTIAL BODILY HARM.

11 **THE COURT:** DO YOU HAVE AN AMENDED COMPLAINT TO FILE
12 TODAY?

13 **MR. VILLANI:** I DO NOT. WE'RE MOVING TO ORALLY AMEND.
14 SHOULD ANY OF THEM CHOOSE TO GO FORWARD WE WILL ORALLY AMEND
15 AT THAT TIME. BUT JUST IF THEY'RE GOING TO WAIVE UP ON IT, WE
16 PUT THEM ON NOTICE. IF THEY'D LIKE TO CHALLENGE THOSE CHARGES
17 THEY CAN STILL GO FORWARD ON THOSE CHARGES TODAY.

18 **MR. PALLARES:** THAT'S CORRECT, YOUR HONOR.

19 **THE COURT:** OKAY.

20 **MR. PALLARES:** AND I DID SPEAK TO MR. HONABACH ABOUT THAT
21 AND HE IS AWARE OF IT.

22 **THE COURT:** ALL RIGHT.

23 AS TO MR. CASTRO?

24 **MR. GELLER:** YES, YOUR HONOR. WE'D LIKE TO PROCEED WITH
25 THE PRELIMINARY HEARING TODAY.

1 **THE COURT:** OKAY. AS TO MS. JIMENEZ?

2 **MR. ARNOLD:** SHE'S GOING TO UNCONDITIONALLY WAIVE ALSO,

3 YOUR HONOR.

4 **THE COURT:** WITH NO NEGOTIATION IN PLACE WITH THE

5 UNDERSTANDING THAT THE STATE HAS AMENDED THOSE TWO COUNTS AS

6 MR. VILLANI STATED A MOMENT AGO?

7 **MR. ARNOLD:** THAT'S CORRECT, YOUR HONOR.

8 **THE COURT:** OKAY. MR. HONABACH, DO YOU UNDERSTAND THAT

9 YOU HAVE A RIGHT TO HAVE A PRELIMINARY HEARING ON THE CHARGES

10 IN THE AMENDED CRIMINAL COMPLAINT?

11 **DEFENDANT HONABACH:** YES, YOUR HONOR.

12 **THE COURT:** DO YOU WANT TO WAIVE YOUR PRELIMINARY HEARING

13 TODAY SO THAT YOUR MATTER CAN PROCEED TO THE DISTRICT COURT

14 AND BE SET FOR A JURY TRIAL?

15 **DEFENDANT HONABACH:** YES.

16 **THE COURT:** AND YOU UNDERSTAND THAT THE STATE HAS AMENDED

17 THE CRIMINAL COMPLAINT ORALLY TODAY TO ADD ENHANCEMENTS TO

18 SOME OFFENSES?

19 **DEFENDANT HONABACH:** YES, I DO.

20 **THE COURT:** ALL RIGHT. AND YOU UNDERSTAND THIS IS A

21 PERMANENT WAIVER OF YOUR PRELIMINARY HEARING, SO NO MATTER

22 WHAT HAPPENS AFTER THIS IN THE DISTRICT COURT YOUR CASE WILL

23 NOT COME BACK HERE FOR A PRELIMINARY HEARING?

24 **DEFENDANT HONABACH:** YES.

25 **THE COURT:** MS. JIMENEZ, DO YOU UNDERSTAND YOU HAVE A

1 RIGHT TO HAVE A PRELIMINARY HEARING ON THE CHARGES IN THE
2 AMENDED CRIMINAL COMPLAINT, AS AMENDED FOR A SECOND TIME HERE
3 TODAY IN OPEN COURT?

4 **DEFENDANT JIMENEZ:** YES.

5 **THE COURT:** DO YOU WANT TO WAIVE YOUR PRELIMINARY HEARING
6 TO THOSE CHARGES IN ORDER TO HAVE YOUR CASE PROCEED TO THE
7 DISTRICT COURT AND BE SET FOR A JURY TRIAL?

8 **DEFENDANT JIMENEZ:** YES.

9 **THE COURT:** I DIDN'T HEAR YOU, MA'AM.

10 **DEFENDANT JIMENEZ:** YES.

11 **THE COURT:** DO YOU UNDERSTAND THIS IS A PERMANENT WAIVER
12 OF YOUR PRELIMINARY HEARING, SO NO MATTER WHAT HAPPENS AFTER
13 THIS IN THE DISTRICT COURT YOUR CASE WILL NOT COME BACK HERE?

14 **DEFENDANT JIMENEZ:** YES.

15 **THE COURT:** ALL RIGHT. APPEARING TO ME FROM THE -- OKAY,
16 MR. VILLANI, ONE MORE TIME, BECAUSE I DIDN'T TAKE SUFFICIENT
17 NOTES OF THE AMENDMENTS --

18 **MR. VILLANI:** SURE.

19 **THE COURT:** -- THAT YOU WERE MAKING TODAY, SO I DO THE
20 BINDOVER PROPERLY.

21 **MR. VILLANI:** SURE. COUNT 3, YOUR HONOR, IT WILL BE
22 MAYHEM WITH A DEADLY WEAPON. THE DEADLY WEAPON BEING, TO WIT:
23 A -- A MACHETE --

24 **THE COURT:** MACHETE.

25 **MR. VILLANI:** -- OR A KNIFE -- AND/OR A KNIFE.

1 **MS. LEXIS:** AND/OR WIRE CUTTERS.

2 **MR. VILLANI:** CORRECT, AND/OR WIRE CUTTERS, SORRY.

3 **THE COURT:** ON -- ALL ON THAT COUNT 3?

4 **MR. VILLANI:** ALL ON THAT COUNT 3.

5 **THE COURT:** AND/OR.

6 **MR. VILLANI:** AND ON COUNT 5, YOUR HONOR, FIRST DEGREE

7 KIDNAPPING WITH USE OF A DEADLY WEAPON WILL BE AMENDED TO

8 INCLUDE WITH SUBSTANTIAL BODILY HARM -- RESULTING IN

9 SUBSTANTIAL BODILY HARM.

10 **THE COURT:** OKAY.

11 APPEARING TO ME FROM THE AMENDED CRIMINAL COMPLAINT, AS

12 AMENDED ORALLY HERE IN OPEN COURT, THE CRIMES FOR WHICH

13 MR. HONABACH HAS ADMITTED AND WILL BE HELD TO ANSWER, INCLUDE

14 CONSPIRACY TO COMMIT MURDER, ATTEMPT MURDER WITH USE OF A

15 DEADLY WEAPON, COUNT 3, MAYHEM WITH DEADLY WEAPON, AS AMENDED

16 TO REFLECT WITH MACHETE AND/OR KNIFE AND/OR WIRE CUTTERS.

17 COUNT 4, BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN

18 SUBSTANTIAL BODILY HARM. COUNT 5, FIRST DEGREE KIDNAPPING,

19 WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY

20 HARM. COUNT 6, EXTORTION WITH USE OF A DEADLY WEAPON. COUNT

21 7, ROBBERY WITH USE OF A DEADLY WEAPON. COUNT 8, FIRST DEGREE

22 ARSON.

23 AND AS TO MISS JIMENEZ, APPEARING TO ME FROM THE AMENDED

24 CRIMINAL COMPLAINT ON FILE, AS WELL AS THE AMENDMENTS HERE IN

25 OPEN COURT, I HEREBY ORDER HER TO BE HELD TO ANSWER TO THE

1 CHARGES, COUNT 1, CONSPIRACY TO COMMIT MURDER. COUNT 2,
2 ATTEMPT MURDER WITH USE OF A DEADLY WEAPON. COUNT 3, MAYHEM,
3 WITH USE OF A DEADLY WEAPON, TO WIT: MACHETE AND/OR KNIFE
4 AND/OR WIRE CUTTERS. COUNT 4, BATTERY WITH USE OF A DEADLY
5 WEAPON RESULTING IN SUBSTANTIAL BODILY HARM. COUNT 5, FIRST
6 DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN
7 SUBSTANTIAL BODILY HARM. COUNT 6, EXTORTION WITH USE OF A
8 DEADLY WEAPON. COUNT 7, ROBBERY WITH USE OF A DEADLY WEAPON.
9 COUNT 8, FIRST DEGREE ARSON.

10 AND THAT BINDOVER DATE IN THE -- IN THE EIGHTH JUDICIAL
11 DISTRICT COURT WILL BE?

12 **THE CLERK:** APRIL THE 14TH AT 10 O'CLOCK A.M., DISTRICT
13 COURT, LOWER LEVEL COURTROOM A.

14 **THE COURT:** ALL RIGHT. AND MR. CASTRO, YOU MAY HAVE A
15 SEAT FOR JUST A MOMENT.

16 MR. YAMPOLSKY ON LIONEL KING, 16F03770D.

17 **MR. YAMPOLSKY:** WELL, WE'RE READY --

18 **THE COURT:** OKAY.

19 **MR. YAMPOLSKY:** -- TO GO WHEN MR. KING ARRIVES, HE'S UP
20 IN JUSTICE COURT --

21 **THE COURT:** I THINK THEY JUST BROUGHT HIM IN.

22 **MR. YAMPOLSKY:** WE'RE READY.

23 **THE COURT:** OKAY. SO AS TO MR. CASTRO AND MR. KING THE
24 PRELIMINARY HEARING WILL BE GOING FORWARD, AND I THINK THAT IS
25 IT.

1 OKAY, I CAN GO AHEAD AND WE CAN START NOW. I HAVE CALLED
2 EVERYTHING ELSE EXCEPT FOR ONE THAT WE'RE WAITING FOR MR.
3 MOMOT FROM GOODSPRINGS.

4 **MR. YAMPOLSKY:** YOUR HONOR, CAN WE BRING A COUPLE OF
5 CHAIRS?

6 **THE COURT:** YES.

7 **MS. LEXIS:** MAY I APPROACH YOUR CLERK WITH SOME EXHIBITS,
8 YOUR HONOR?

9 **THE COURT:** YOU MAY.

10 (WHEREUPON STATE'S PROPOSED EXHIBIT NOS. 1 THROUGH 13,
11 WERE MARKED FOR IDENTIFICATION.)

12 **THE COURT:** ARE THERE ANY MATTERS THAT WE NEED TO TAKE UP
13 BEFORE WE BEGIN THE PRELIMINARY HEARING?

14 **MS. LEXIS:** NOT FROM THE STATE, YOUR HONOR.

15 **THE COURT:** MR. GELLER, MR. YAMPOLSKY, ANYTHING WE NEED
16 TO TAKE UP BEFORE WE BEGIN THE PRELIMINARY HEARING?

17 **MR. GELLER:** OTHER THAN THE EXCLUSIONARY RULE, NO, YOUR
18 HONOR.

19 **THE COURT:** OKAY. ALL WITNESSES THAT HAVE BEEN
20 SUBPOENAED IN THE CASE OF STATE OF NEVADA VERSUS LUIS CASTRO
21 OR LIONEL KING, YOU NEED TO STEP INTO THE HALLWAY. MY MARSHAL
22 WILL INFORM YOU WHEN IT IS YOUR TURN TO TESTIFY.

23 STATE, YOU MAY PROCEED.

24 **MS. LEXIS:** YOUR HONOR, THE STATE CALLS JOSE
25 ORTIZ-SALAZAR.

1 **THE COURT:** ALL RIGHT.

2 **THE MARSHAL:** REMAIN STANDING, RAISE YOUR RIGHT HAND.

3 OKAY, I'LL GET YOU ONE.

4 **THE COURT:** RECORD WILL REFLECT THE WITNESS IS BEING

5 ASSISTED BY THE COURT INTERPRETER.

6 I NEED YOU TO REMAIN STANDING FOR A MOMENT, PLEASE,

7 MR. SALAZAR. GO -- RAISE YOUR RIGHT HAND TO BE SWORN IN BY MY

8 CLERK.

9

10 **JOSE ISMAEL SALAZAR-ORTIZ,**

11 CALLED AS A WITNESS BY THE STATE, AND HAVING BEEN FIRST DULY

12 SWORN TO TESTIFY TO THE TRUTH, THE WHOLE TRUTH, AND NOTHING

13 BUT THE TRUTH, TESTIFIED AS FOLLOWS:

14

15 **THE WITNESS:** YES.

16 **THE CLERK:** PLEASE BE SEATED.

17 STATE AND SPELL YOUR NAME FOR THE RECORD.

18 **THE WITNESS:** JOSE ISMAEL SALAZAR-ORTIZ, J-O-S-E

19 I-S-M-A-E-L, S-A-L-A-Z-A-R, O-R-T-I-Z.

20 **THE COURT:** MISS LEXIS.

21 **MS. LEXIS:** MAY I, YOUR HONOR?

22 **THE COURT:** YES.

23 **MS. LEXIS:** MAY I APPROACH THE WITNESS, YOUR HONOR?

24 **THE COURT:** YOU MAY.

25 **MS. LEXIS:** MR. SALAZAR, PLEASE SPIT OUT YOUR GUM. THANK

1 YOU.

2 JUDGE SARAGOSA, WOULD NOT LIKE THAT.

3 **THE COURT:** WAIT JUST A SECOND SO WE CAN GET A CHAIR UP
4 FOR OUR INTERPRETER, PLEASE.

5 **MS. LEXIS:** THANK YOU, YOUR HONOR.

6

7

DIRECT EXAMINATION

8 **BY MS. LEXIS:**

9 **Q** MAY I CALL YOU JOSE?

10 **A** YES.

11 **Q** JOSE, YOU HAVE TO ANSWER OUT LOUD BECAUSE THE COURT
12 REPORTER IS GOING TO BE TAKING DOWN EVERYTHING THAT'S SAID IN
13 COURT TODAY, OKAY?

14 **A** OKAY.

15 **THE WITNESS SALAZAR:** OKAY.

16 **MS. LEXIS:** SPEAK UP INTO THE MICROPHONE.

17 **Q** OKAY. JOSE, YOU SPEAK ENGLISH, CORRECT?

18 **A** YES, BUT I HAVE PROBLEMS.

19 **Q** OKAY. DO YOU PREFER TO BE QUESTIONED IN SPANISH AND
20 TO TESTIFY IN SPANISH?

21 **A** YES, PLEASE.

22 **Q** OKAY. THAT'S WHY WE HAVE THE INTERPRETER.

23 **A** THANK YOU.

24 **Q** JOSE, I WANT TO TURN YOUR ATTENTION TO THE BEGINNING
25 PART OF MARCH OF 2016.

1 **A** OKAY.

2 **Q** WERE YOU LIVING IN LAS VEGAS, CLARK COUNTY, NEVADA

3 AT THAT TIME?

4 **A** WHEN ALL THIS TOOK PLACE?

5 **Q** YES, THE FIRST WEEK OF MARCH 2016?

6 **A** YES, I WAS LIVING HERE.

7 **Q** OKAY. AND HAD YOU MOVED HERE FROM A DIFFERENT

8 STATE?

9 **A** YES.

10 **Q** HOW LONG HAD YOU BEEN LIVING IN LAS VEGAS?

11 **A** LESS THAN A YEAR.

12 **Q** OKAY. DURING THE TIME THAT YOU LIVED IN LAS VEGAS,

13 DID YOU COME TO KNOW SOMEONE NAMED ANGEL -- LUIS ANGEL CASTRO?

14 **A** YES.

15 **Q** OKAY. DO YOU SEE THAT PERSON HERE IN COURT TODAY?

16 **A** YES.

17 **Q** COULD YOU PLEASE POINT TO HIM AND DESCRIBE SOMETHING

18 HE'S WEARING?

19 **A** HE IS WEARING SOMETHING BLUE WITH SOME BROWN

20 FLIP-FLOPS WITH SOME ORANGE SOCKS.

21 **Q** OKAY. AND IS HE SEATED TO THE -- TO YOUR FAR RIGHT

22 OF THE DEFENSE COUNSEL TABLE?

23 **A** YES.

24 **MS. LEXIS:** THANK YOU.

25 LET -- YOUR HONOR, PLEASE LET THE RECORD REFLECT

1 IDENTIFICATION OF THE DEFENDANT LUIS ANGEL CASTRO.

2 **THE COURT:** IT WILL.

3 **BY MS. LEXIS:**

4 **Q** OKAY. SO PRIOR TO THE EVENT THAT YOU'RE GOING TO
5 TESTIFY ABOUT, JOSE, YOU KNEW ANGEL; IS THAT RIGHT?

6 **A** YES.

7 **Q** HOW DID YOU KNOW HIM?

8 **A** THROUGH A FRIEND.

9 **Q** OKAY. AND DID YOU SPEND TIME WITH HIM?

10 **A** THE TRUTH IS ONLY A FEW.

11 **Q** OKAY. AND DURING THE FEW TIMES THAT YOU SPENT TIME
12 WITH HIM, WHAT IS IT THAT THE TWO OF YOU DID?

13 **A** THE TRUTH IS WE DID DRUGS.

14 **Q** OKAY. AND WHAT KIND OF DRUGS?

15 **A** METHAMPHETAMINE.

16 **Q** OKAY. APPROXIMATELY HOW MANY TIMES WAS IT THAT YOU
17 SPENT TIME WITH MR. CASTRO TO DO DRUGS?

18 **A** IT WAS ROUND -- IT WAS ONE OR TWO TIMES.

19 **Q** OKAY. DURING THE ONE OR TWO TIMES THAT YOU WERE
20 WITH MR. CASTRO, OR ANGEL, WERE THERE OTHER PEOPLE THERE WITH
21 YOU?

22 **A** YES. ALL THE PEOPLE WHO DID THIS TO ME, THEY WERE
23 THERE.

24 **Q** OKAY. AT THE TIME, MARCH OF 2016, DID YOU KNOW
25 SOMEONE BY THE NAME OF EDWARD HONABACH?

1 **A** WHO'S THAT?

2 **Q** OKAY. DID YOU KNOW SOMEONE NAMED EDWARD?

3 **A** THE TRUTH IS I KNOW A WHITE GUY.

4 **MS. LEXIS:** OKAY. YOUR HONOR, MAY I APPROACH WITH WHAT'S

5 BEEN PREVIOUSLY MARKED AS STATE'S PROPOSED EXHIBITS 1, 2, 3

6 AND 4?

7 **THE COURT:** YOU MAY.

8 **MS. LEXIS:** FOR THE RECORD, DEFENSE COUNSEL HAS HAD AN

9 OPPORTUNITY TO LOOK.

10 **Q** SIR, I'M GOING TO SHOW YOU WHAT'S BEEN MARKED AS

11 STATE'S PROPOSED EXHIBIT NO. 1. DO YOU RECOGNIZE THIS PERSON?

12 **A** YEAH. SURE.

13 **Q** OKAY. WHO DO YOU RECOGNIZE THIS PERSON TO BE?

14 **A** ANGEL CASTRO.

15 **Q** OKAY. YOU INDICATED BEFORE I APPROACHED YOU WITH

16 SOME EXHIBITS THAT YOU KNOW A WHITE GUY WHO HELPED ANGEL DO

17 THIS TO YOU.

18 **THE WITNESS SALAZAR:** SI.

19 **BY MS. LEXIS:**

20 **Q** OKAY. I'M GOING TO SHOW YOU WHAT'S BEEN PREVIOUSLY

21 MARKED AS STATE'S PROPOSED EXHIBIT NO. 2. DO YOU RECOGNIZE

22 THE PERSON SHOWN IN THIS PHOTOGRAPH?

23 **A** YEAH. SURE.

24 **Q** WHO DO YOU RECOGNIZE THIS PERSON TO BE?

25 **A** WELL I CALL HIM REDHEAD.

1 **Q** OKAY. IS HE SOMEONE YOU KNEW, ALONG WITH ANGEL
2 CASTRO, AT THE BEGINNING OF MARCH 2016?

3 **A** YES.

4 **Q** I'M GOING TO SHOW YOU WHAT'S BEEN PREVIOUSLY MARKED
5 AS STATE'S PROPOSED EXHIBIT NO. 3. DO YOU RECOGNIZE THE
6 PERSON SHOWN IN THIS PHOTO?

7 **A** YES.

8 **Q** WHO'S THIS PERSON?

9 **A** IT'S ANGEL'S GIRLFRIEND.

10 **Q** OKAY. I'M GOING TO SHOW YOU WHAT'S BEEN PREVIOUSLY
11 MARKED AS STATE'S PROPOSED EXHIBIT 4. DO YOU RECOGNIZE THIS
12 PERSON?

13 **A** YES, HE'S THERE.

14 **Q** OKAY. AND YOU POINTED TO SOMEONE AT DEFENSE TABLE;
15 IS THAT RIGHT?

16 **A** YES.

17 **Q** AS YOU SIT HERE TODAY DO YOU KNOW THAT PERSON'S
18 NAME?

19 **A** LIONEL KING OR SOMETHING LIKE THAT.

20 **Q** OKAY. AND FOR THE RECORD, YOU WERE POINTING AT THE
21 PERSON TO YOUR FAR LEFT; IS THAT CORRECT?

22 **A** YES, THAT'S CORRECT.

23 **MS. LEXIS:** YOUR HONOR, PLEASE LET THE RECORD REFLECT
24 IDENTIFICATION OF THE DEFENDANT LIONEL KING.

25 **THE COURT:** IT WILL.

1 **BY MS. LEXIS:**

2 **Q** PRIOR TO ME COMING UP TO YOU WITH THESE PHOTOS,
3 JOSE, YOU TOLD THE JUDGE THAT ALL OF THE FOUR PEOPLE WHO DID
4 THIS TO YOU, OR WHO HURT YOU ON MARCH 7TH, 2016, YOU KNEW THEM
5 AT THAT TIME THROUGH ANGEL?

6 **A** I DON'T UNDERSTAND.

7 **Q** OKAY. YOU TOLD JUDGE SARAGOSA, BEFORE I SHOWED YOU
8 THESE PHOTOS, THAT THE TWO TIMES -- THE ONE OR TWO TIMES THAT
9 YOU WERE WITH ANGEL TO DO DRUGS, OTHER PEOPLE WERE THERE.

10 **A** YES.

11 **Q** OKAY. WERE THE PEOPLE SHOWN IN STATE'S EXHIBITS 2,
12 3 AND 4, WITH ANGEL WHEN YOU DID DRUGS WITH HIM?

13 **A** YES. YES, BUT THEY WOULD COME AND GO.

14 **Q** OKAY. IS THAT HOW YOU KNEW THE PEOPLE IN STATE'S 2,
15 3 AND 4, THROUGH ANGEL?

16 **A** YES, THAT'S CORRECT.

17 **MS. LEXIS:** YOUR HONOR, I MOVE TO ADMIT STATE'S PROPOSED
18 EXHIBITS 1, 2, 3 AND 4.

19 **MR. GELLER:** NO OBJECTION FROM LUIS CASTRO.

20 **MR. YAMPOLSKY:** NO OBJECTION.

21 **THE COURT:** THEY'RE ADMITTED.

22 (WHEREUPON STATE'S EXHIBIT NOS. 1, 2, 3 AND 4 WERE
23 ADMITTED INTO EVIDENCE.)

24 **BY MS. LEXIS:**

25 **Q** SO, JOSE, SOMETHING HAPPENED TO YOU ON MARCH 7TH,

1 2016, IS THAT RIGHT?

2 **A** YES.

3 **Q** OKAY. WELL, A FEW DAYS BEFORE MARCH 7TH, 2016, DID
4 YOU SEE ANGEL AND THE REDHEAD, THAT YOU TOLD JUDGE SARAGOSA
5 ABOUT JUST A LITTLE WHILE AGO?

6 **A** YES, THAT'S CORRECT.

7 **Q** OKAY. DID SOMETHING HAPPEN TO YOUR GIRLFRIEND'S
8 CAR?

9 **A** YES, IT GOT BROKEN.

10 **Q** OKAY. AND SO BECAUSE IT WAS BROKEN WHAT DID YOU DO?

11 **A** I WAS WALKING TOWARDS ANGEL'S HOUSE OR REDHEAD'S
12 HOUSE AND I -- I -- I ENCOUNTERED REDHEAD.

13 **Q** OKAY. AND FOR THE RECORD, WHEN YOU SAY REDHEAD,
14 YOU'RE REFERRING TO THE PERSON IN STATE'S EXHIBIT 2?

15 **A** YES.

16 **Q** OKAY. SO WHAT HAPPENS WHEN YOU SEE REDHEAD?

17 **A** HE DIALED ANGEL'S HOME.

18 **Q** AND THEN WHAT HAPPENS?

19 **A** ANGEL TOLD THE REDHEAD THAT THEY WERE GOING TO
20 CHARGE ME SEVEN DOLLARS. OH, SEVEN DOLLARS A MILE.

21 **THE INTERPRETER:** I'M SORRY, A MILE.

22 **BY MS. LEXIS:**

23 **Q** TO DO WHAT?

24 **A** TO BRING THE CAR TO MY GIRLFRIEND'S HOUSE.

25 **Q** OKAY. AND SO DID YOU -- DID YOU ASK THEM FOR HELP

1 TO DO THAT?

2 **A** YES.

3 **Q** OKAY. AND DID THEY -- DID THEY SHOW UP?

4 **A** YES.

5 **Q** OKAY. SO WHAT HAPPENED?

6 **A** SO I TOLD THEM THAT THAT WAS IT.

7 **Q** OKAY. DID YOU ASK THEM TO COME AND HELP AND -- AND

8 TOW YOUR GIRLFRIEND'S CAR AT THAT TIME?

9 **A** YES, BUT I WAS WITH REDHEAD. HOW CAN I -- CAN I ASK

10 THE QUESTION AGAIN?

11 **Q** OKAY. DID YOU -- YOU JUST TESTIFIED THAT YOU TALKED

12 TO REDHEAD AND HE CALLED ANGEL ON THE PHONE. YOU WANTED THEM

13 TO HELP YOU TOW YOUR GIRLFRIEND'S CAR, THEY WANTED TO CHARGE

14 YOU \$7 PER MILE.

15 **A** SO I TOLD THEM NO --

16 **Q** OKAY.

17 **A** -- THAT'S OKAY.

18 **Q** OKAY.

19 **A** AND THEY TOLD ME -- THEY TOLD ME THAT I HAD TO GIVE

20 THEM \$50 BECAUSE I WASTED THEIR TIME.

21 **Q** OKAY. BUT THEY DIDN'T HELP YOU TOW YOUR

22 GIRLFRIEND'S CAR AT THAT TIME?

23 **A** NOT AT ALL.

24 **Q** BUT THEY SAID YOU OWED THEM \$50 ANYWAY?

25 **A** YES.

1 **Q** OKAY. SO DID YOU LEAVE WHERE REDHEAD WAS AT THAT
2 TIME?

3 **THE INTERPRETER:** I 'M SORRY?

4 **BY MS. LEXIS:**

5 **Q** DID YOU -- DID YOU LEAVE THE AREA WHERE REDHEAD WAS
6 WHERE YOU WERE TALKING TO HIM?

7 **A** YES, I WENT TO MY HOUSE.

8 **Q** OKAY. I 'M GOING TO TURN YOUR ATTENTION NOW TO MARCH
9 7TH, 2016.

10 OKAY. AT ABOUT 11 A.M. WERE YOU AT YOUR
11 GIRLFRIEND'S HOUSE?

12 **A** YES.

13 **Q** OKAY. AND WHAT ARE THE CROSS STREETS OF WHERE YOUR
14 GIRLFRIEND LIVES?

15 **A** IT'S 20TH STREET AND RYAN STREET.

16 **Q** AND THAT'S HERE IN LAS VEGAS, CLARK COUNTY, NEVADA?

17 **A** YES, THAT'S CORRECT.

18 **Q** DID ONE OF THE FOUR PEOPLE OR MORE THAN ONE OF THE
19 FOUR PEOPLE, THAT YOU IDENTIFIED IN STATE'S EXHIBIT 1, 2, 3
20 AND 4, SHOW UP AT YOUR GIRLFRIEND'S HOUSE?

21 **A** NUMBER 1, NO. 2 AND NO. 4 SHOWED UP.

22 **Q** OKAY. SO NO. 1, ANGEL CASTRO, NO. 2, THE PERSON YOU
23 CALL REDHEAD, AND NO. 4, THE PERSON YOU IDENTIFIED AS LIONEL
24 KING; IS THAT CORRECT?

25 **A** THAT'S CORRECT.

1 **Q** OKAY. HOW DID THEY GET TO YOUR HOUSE -- OR YOUR
2 GIRLFRIEND'S HOUSE?

3 **A** THEY ARRIVED IN A TRUCK. THE REDHEAD'S TRUCK.

4 **Q** OKAY. I'M GOING TO SHOW YOU WHAT'S BEEN PREVIOUSLY
5 MARKED AS STATE'S PROPOSED EXHIBIT NO. 5. DO YOU RECOGNIZE
6 THE PHOTOGRAPH OR THE THING THAT'S SHOWN IN THIS PHOTOGRAPH?

7 **A** YES, I RECOGNIZE IT, ONLY THAT IT'S BEEN PAINTED
8 BLACK.

9 **Q** OKAY. BUT YOU REMEMBERED IT BEING --

10 **A** BLUE.

11 **Q** -- BLUE?

12 **A** YES.

13 **Q** OTHER THAN THE CHANGE IN THE PAINT COLOR, DO YOU
14 RECOGNIZE THIS TRUCK TO BE THE TRUCK THAT THE DEFENDANTS
15 ARRIVED AT YOUR GIRLFRIEND'S HOUSE WITH?

16 **A** YES, THAT'S CORRECT.

17 **Q** AND THIS WAS RED'S TRUCK?

18 **A** YES.

19 **MS. LEXIS:** I MOVE TO ADMIT STATE'S PROPOSED EXHIBIT 5
20 INTO EVIDENCE, YOUR HONOR.

21 **MR. GELLER:** NO OBJECTION.

22 **MR. YAMPOLSKY:** NO.

23 **THE COURT:** IT'S ADMITTED.

24 (WHEREUPON STATE'S EXHIBIT NO. 5 WAS ADMITTED INTO
25 EVIDENCE.)

1 **MS. LEXIS:** THANK YOU.

2 **Q** OKAY. SO ONCE THEY ARRIVE AT YOUR GIRLFRIEND'S
3 HOUSE, WHAT HAPPENS?

4 **A** THEY ARRIVED AND STARTED ASKING FOR MONEY.

5 **Q** OKAY. WHERE WERE YOU WHEN THEY WERE ASKING FOR
6 MONEY, WERE YOU OUTSIDE THE HOUSE, INSIDE THE HOUSE?

7 **A** I WAS, HOW DO YOU SAY, INSIDE THE HOUSE WHERE --
8 INSIDE THE HOUSE, BUT WHERE THE CARS ARE IN THE PORCH.

9 **Q** LIKE A DRIVEWAY?

10 **A** YES, THAT -- THAT'S IT.

11 **Q** OKAY. WAS YOUR GIRLFRIEND OUT THERE WITH YOU?

12 **A** YES.

13 **Q** OKAY. AND WHEN THE -- WHO -- WHO ACTUALLY STARTS
14 ASKING YOU FOR -- FOR THE MONEY?

15 **A** ANGEL CASTRO.

16 **Q** OKAY. AND WHAT WERE THE OTHER TWO MEN WITH ANGEL
17 DOING WHEN ANGEL WAS ASKING YOU FOR THE MONEY?

18 **A** THEY WERE SURROUNDING ME.

19 **Q** OKAY. AND WHEN ANGEL ASKED YOU FOR MONEY, WHAT DID
20 YOU SAY?

21 **A** I TOLD THEM TO LEAVE, THAT THEY WERE WRONG.

22 **Q** OKAY. WHAT DO YOU MEAN BY "THEY WERE WRONG"?

23 **A** WELL, THAT -- THAT I DIDN'T OWE THEM ANY MONEY OR
24 ANYTHING.

25 **Q** OKAY. AND DID THEY LEAVE?

1 **A** NO, THEY WANTED -- NO. THEY KEPT ON ASKING ME FOR
2 MONEY.

3 **Q** OKAY. AND SO WHAT HAPPENED NEXT?

4 **A** THEY WANTED MY GIRLFRIEND'S PHONE.

5 **Q** LIKE HER CELL PHONE?

6 **A** YES.

7 **Q** OKAY. AND SO WHAT HAPPENED, DID YOU GIVE THAT TO
8 THEM?

9 **A** YES, BECAUSE I FELT THREATENED.

10 **Q** OKAY. AND SO DID YOU GET THE CELL PHONE FROM YOUR
11 GIRLFRIEND?

12 **A** YES.

13 **Q** AND TO -- WHO DID YOU GIVE THE CELL PHONE TO?

14 **A** I GAVE THE CELL PHONE TO ANGEL CASTRO.

15 **Q** OKAY. AND WHO WAS IT THAT ASKED FOR THE CELL PHONE?

16 **A** ANGEL CASTRO.

17 **Q** OKAY. ONCE YOU GAVE YOUR GIRLFRIEND'S CELL PHONE TO
18 ANGEL, WHAT HAPPENED NEXT?

19 **A** WELL, THEY WERE TO LEAVE. THEY STARTED TALKING TO
20 EACH OTHER, AND THEN ANGEL CASTRO TELLS ME THAT I SHOULD GO
21 WITH THEM.

22 **Q** OKAY.

23 **A** AND I -- I TOLD THEM NO, YOU MUST LEAVE.

24 **Q** OKAY. AND DID THEY LEAVE?

25 **A** NO, THEY CAME HERE WITH ME.

1 **Q** OKAY. THEY WENT TO YOU WHERE YOU WERE STANDING?
2 **A** YES.
3 **Q** OKAY. AND WHAT HAPPENED?
4 **A** WELL, THEY DRAGGED ME INTO THE CAR.
5 **Q** WHOSE CAR?
6 **A** THE REDHEAD'S CAR.
7 **Q** AND WHAT HAPPENED?
8 **A** WELL, I LEFT WITH THEM.
9 **Q** WHY DID YOU DO THAT?
10 **A** BECAUSE I THOUGHT THEY WERE ARMED, THAT THEY WOULD
11 HAVE A KNIFE OR FIREARM OR SOMETHING, I DIDN'T KNOW WHAT THEY
12 WOULD BE BEARING.
13 **Q** OKAY. UP UNTIL -- BEFORE YOU WENT INTO THE CAR WITH
14 THEM, INTO THE TRUCK WITH THEM, HAD ANY OF THE MEN HIT YOU OR
15 HARMED YOU?
16 **A** YES, REDHEAD DID.
17 **Q** OKAY. AND WHAT DID THE REDHEAD DO?
18 **A** HE HIT ME IN THE HEAD.
19 **Q** AND WHEN WAS IT THAT HE HIT YOU IN THE HEAD?
20 **A** AND THIS WAS WHEN I DIDN'T WANT THAT -- TO GIVE HIM
21 THE PHONE.
22 **Q** OKAY. AND SO YOU GO INTO THE -- THEY DRAG YOU TO
23 THE TRUCK. DO THEY MAKE YOU GET IN THE TRUCK?
24 **A** THEY DIDN'T PUSH ME OR FORCE ME INTO IT, BUT I
25 DIDN'T KNOW IF THEY WERE BEARING ARMS.

1 **Q** SO YOU WENT INTO THE TRUCK?

2 **A** YES.

3 **Q** OKAY. WHERE DID THEY MAKE YOU SIT IN THE TRUCK?

4 **A** IN THE MIDDLE.

5 **Q** OKAY. WHO WAS DRIVING?

6 **A** REDHEAD.

7 **Q** AND THEN YOU'RE IN THE MIDDLE. WHO'S SITTING TO

8 YOUR RIGHT IN THE PASSENGER SEAT?

9 **A** ANGEL CASTRO.

10 **Q** OKAY. AND WHERE DID THE THIRD PERSON, LIONEL KING,

11 SIT?

12 **A** HE WAS IN THE BACK.

13 **THE INTERPRETER:** CLARIFICATION, YOUR HONOR.

14 (DISCUSSION BETWEEN THE INTERPRETER AND THE WITNESS.)

15 **THE WITNESS:** IN THE BED OF THE TRUCK.

16 **BY MS. LEXIS:**

17 **Q** OKAY. ONCE YOU'RE IN THE TRUCK, DID ANY OF THE

18 THREE MEN SAY ANYTHING TO YOU?

19 **A** HE -- I REMEMBER I LEANED TOWARDS REDHEAD AND HE

20 TOLD ME TO STAY OUT OF HIM AND -- AND HE TOLD ME BAD WORDS

21 LIKE FUCKING.

22 **THE WITNESS SALAZAR:** YEAH.

23 **BY MS. LEXIS:**

24 **Q** OKAY. AND ANYTHING ELSE?

25 **A** AND THAT'S ALL, AND THEN THEY TOOK ME TO THE HOUSE.

1 **Q** OKAY. SPEAKING OF THAT HOUSE, DO YOU REMEMBER THE
2 MEN TAKING YOU TO 1901 EAST OAKLEY HERE IN LAS VEGAS, CLARK
3 COUNTY, NEVADA?

4 **A** YES. I WILL NEVER FORGET THAT.

5 **Q** OKAY. HAD YOU BEEN TO THIS -- WAS THAT A HOUSE?

6 **A** NO. IT WAS ONE OF THOSE FACILITIES WHERE NO PEOPLE
7 LIVE.

8 **Q** ABANDONED? WAS IT AN ABANDONED HOUSE?

9 **A** YES.

10 **Q** OKAY. AND WERE YOU BROUGHT THERE IN THE TRUCK?

11 **A** YES.

12 **Q** OKAY. SO ONCE YOU GET TO THIS HOUSE, ARE YOU ASKED
13 TO GET OUT OF THE TRUCK?

14 **A** YES.

15 **Q** WERE YOU SCARED AT THAT TIME?

16 **A** THE TRUTH SAYS THAT I WAS.

17 **Q** WHY DIDN'T YOU RUN?

18 **A** AS I TOLD YOU -- AS I JUST TOLD YOU, I DIDN'T KNOW
19 IF THEY -- THEY WOULD CARRY A GUN OR SOMETHING.

20 **Q** OKAY. DID THE THREE MEN WHO DROVE YOU TO THIS
21 HOUSE, WERE THEY STILL AROUND YOU WHEN YOU WERE WALKING IN
22 TOWARDS THE HOUSE?

23 **A** YES.

24 **Q** DO YOU ACTUALLY MAKE IT INTO THE HOUSE AT SOME
25 POINT?

1 **A** YES, THEY GOT ME IN.

2 **Q** OKAY. DID SOMEONE OPEN THE DOOR TO THE HOUSE?

3 **A** YES, A LADY.

4 **Q** OKAY. DID YOU -- DID YOU KNOW THAT LADY OR HAD YOU

5 SEEN HER BEFORE THAT -- THAT DAY?

6 **A** YES.

7 **Q** OKAY. AND WAS SHE THE PERSON SHOWN IN STATE'S

8 EXHIBIT NO. 3?

9 **A** YES.

10 **Q** OKAY. THAT WAS -- YOU IDENTIFIED HER AS ANGEL'S

11 GIRLFRIEND, IS THAT RIGHT?

12 **A** YES, THAT'S CORRECT.

13 **Q** OKAY. SO SHE WAS ALREADY IN THE HOUSE WHEN YOU GOT

14 THERE?

15 **A** YES.

16 **Q** WHAT'S THE VERY FIRST THING THAT YOU REMEMBER

17 HAPPENING WHEN THEY'RE BRINGING YOU INTO THE HOUSE?

18 **A** WELL, WHO. I REMEMBER REDHEAD PUT A KNIFE AGAINST

19 MY THROAT, TOLD ME TO NOT MOVE BECAUSE HE WAS GOING TO KILL

20 ME.

21 **Q** OKAY. WHERE WAS ANGEL AND LIONEL AT THAT TIME?

22 **A** THEY WERE SEARCHING -- THEY WERE SEARCHING FOR

23 TRASH. I DON'T KNOW WHAT THEY WERE SEARCHING FOR. THEY WERE

24 REALLY WEIRD THAT DAY.

25 **Q** OKAY. AND WHERE WAS THE GIRL, ANGEL'S GIRLFRIEND?

1 **A** SHE WAS FACING ME, JUST STARING AT ME.

2 **Q** OKAY. WHAT HAPPENS AFTER THE REDHEAD PUTS THE KNIFE

3 TO YOUR THROAT?

4 **A** THEY PUT A CHAIR AND STARTED TYING ME UP.

5 **Q** OKAY. THIS CHAIR, WAS IT FROM INSIDE THE HOUSE?

6 **A** YES, IT WAS INSIDE THE HOUSE.

7 **Q** AND WHAT PART OF THE HOUSE DID THEY PUT THE CHAIR

8 DOWN AND START TYING YOU UP?

9 **A** I BELIEVE IT'S THE LIVING ROOM.

10 **Q** OKAY. AND SO DID THEY MAKE YOU SIT ON THE CHAIR?

11 **A** YES.

12 **Q** AND WHEN YOU SAY THEY TIED YOU UP, WHAT DID THEY TIE

13 YOU UP WITH?

14 **A** THEY TIED ME UP WITH A -- SOME SORT OF A BLUE

15 STRING.

16 **Q** OKAY. AND WHEN YOU SAY THEY, JOSE, DO YOU REMEMBER

17 WHO TIED YOU UP?

18 **A** IT WAS REDHEAD AND LIONEL KING.

19 **Q** OKAY. AND WHERE -- DID YOU HEAR ANGEL SAY ANYTHING

20 TO THEM BEFORE LIONEL KING AND THE REDHEAD TIED YOU UP?

21 **A** HE WAS THE ONE ORDERING THINGS, GIVING COMMANDS. HE

22 WAS THE ONE WHO ORDERED THE OTHER TWO TO TIE ME UP.

23 **Q** OKAY. AND HOW WERE YOU TIED UP?

24 **A** THEY TIED ME TO THE CHAIR, MY ARMS, MY HANDS AND MY

25 LEGS.

1 **Q** OKAY. WERE YOUR ARMS TIED TO THE BACK OR TO THE
2 FRONT OF YOU?

3 **A** IN -- IN FRONT OF ME.

4 **Q** OKAY. SO THEY TIED YOUR ARMS UP, YOUR HANDS AND
5 YOUR LEGS BY YOUR FEET?

6 **A** YES.

7 **Q** BUT ALSO TIED YOU TO THE CHAIR?

8 **A** YES, I WAS TIED TO THE CHAIR. THAT'S WHY THEY TIED
9 MY ARMS, THEY TIED ME TO THE CHAIR.

10 **Q** OKAY. ONCE YOU'RE TIED UP ON THE CHAIR, WHAT
11 HAPPENS?

12 **A** ANGEL'S GIRLFRIEND GOT TO WHERE I WAS, GAVE ME A
13 BEER, STARTED ASKING ME -- STARTED ASKING ME, TELL ME -- TELL
14 ME ONE REASON TO -- TO KEEP YOU ALIVE.

15 **Q** AND WHERE WAS ANGEL AND THE OTHER TWO MEN AT THAT
16 TIME?

17 **A** THEY WERE SURROUNDING ME.

18 **Q** OKAY. AND DID YOU -- DID YOU ANSWER OR DID YOU
19 SPEAK WITH -- WITH ANGEL'S GIRLFRIEND?

20 **A** I TOLD HER THAT I DIDN'T KNOW WHAT TO SAY TO HER,
21 AND ANGEL TOLD ME TO NOT DISRESPECT HER -- HIS GIRLFRIEND.

22 **Q** OKAY. WHAT HAPPENS NEXT?

23 **A** WELL, I REMEMBER THEY KICKED ME. I -- I FELL TO THE
24 GROUND.

25 **Q** OKAY.

1 **A** AND THEN WHEN I WAS THERE THEY STARTED ASKING ME FOR
2 MONEY, AND THEN IT WAS WHEN I MADE THE CALL THEY TOLD ME THAT
3 THEY WERE GIVING ME THREE CALLS TO MAKE.

4 **Q** THREE CALLS TO DO WHAT, TO GET MONEY?

5 **A** YES.

6 **Q** AND YOU'RE TIED UP TO A CHAIR; IS THAT RIGHT?
7 HOW IS IT THAT YOU WERE ABLE TO MAKE CALLS?

8 **A** ANGEL WAS SEARCHING FOR MY CONTACTS AND THE
9 GIRLFRIEND WOULD PUT THE SPEAKER ON ME.

10 **Q** OKAY. AND DID YOU MAKE THREE CALLS?

11 **A** YES.

12 **Q** WERE YOU ABLE TO GET ANY OF THOSE PEOPLE TO -- TO
13 AGREE TO GIVE YOU MONEY TO GIVE TO THE PEOPLE?

14 **A** NO.

15 **Q** OKAY. WHILE YOU'RE MAKING THE PHONE CALLS, WHAT WAS
16 REDHEAD DOING?

17 **A** HE WAS GRABBING MY -- HE WAS GRABBING MY FINGER WITH
18 SOME PLIERS.

19 **Q** OKAY. AND YOU GRABBED A CERTAIN FINGER. CAN YOU
20 SHOW JUDGE SARAGOSA WHICH FINGER IT WAS THAT REDHEAD GRABBED
21 WITH THE PLIERS?

22 **THE COURT:** RECORD WILL REFLECT HE'S SHOWING HIS PINKY
23 FINGER ON HIS RIGHT HAND.

24 **BY MS. LEXIS:**

25 **Q** SO -- SO REDHEAD HAD YOUR PINKY FINGER ON YOUR RIGHT

1 HAND IN BETWEEN THE PLIERS? YES?

2 **A** YES.

3 **Q** WHAT WAS LIONEL DOING?

4 **THE INTERPRETER:** CLARIFICATION.

5 (DISCUSSION BETWEEN THE INTERPRETER AND THE WITNESS.)

6 **THE WITNESS:** HE WAS STABBING MY RIGHT ARM AND MY RIBS,

7 AND THAT'S IT.

8 **BY MS. LEXIS:**

9 **Q** OKAY. WHAT HAPPENS NEXT?

10 **A** SO I FINISHED MY THIRD CALL, I COULDN'T GET THE

11 MONEY. SO THEY GOT TOUGH ON ME. SO REDHEAD CUT MY FINGER AND

12 RIPPED OFF MY FINGERNAILS, AND LIONEL KING WOULD KEEP ON

13 STABBING ME.

14 **Q** OKAY. WHAT WAS ANGEL DOING?

15 **A** HE WAS JUST STARING AT ME.

16 **Q** AND WHAT WAS ANGEL'S GIRLFRIEND DOING?

17 **A** THE TWO OF THEM WERE MAKING OUT, KISSING EACH OTHER.

18 **Q** OKAY. AND WERE YOU SCREAMING OR TRYING TO MAKE

19 NOISE OR GET HELP?

20 **A** I COULDN'T WHILE THEY WERE TORTURING ME, BECAUSE

21 THEY TOLD ME TO KEEP QUIET, SO I -- I HELD MY -- MY PAIN AND I

22 KEPT QUIET.

23 **Q** OKAY. AFTER RED CUTS YOUR -- WHICH FINGER DID HE

24 CUT?

25 **A** PINKY.

1 **Q** CAN YOU --

2 **A** THE PINKY FINGER.

3 **Q** -- SHOW JUDGE SARAGOSA? THE FINGER --

4 **THE INTERPRETER:** SAY AGAIN?

5 **MS. LEXIS:** CAN YOU SHOW JUDGE SARAGOSA THE CUT FINGER?

6 OKAY. AND THE FINGERNAILS THAT WERE PULLED OFF, CAN YOU

7 SHOW JUDGE SARAGOSA WHICH FINGER -- WHICH FINGERNAILS WERE

8 PULLED OFF?

9 **THE COURT:** RECORD WILL REFLECT HE'S SHOWING ME HIS RIGHT

10 HAND AND INJURIES TO HIS LITTLE FINGER AND POINTER FINGER ON

11 THE RIGHT HAND.

12 **BY MS. LEXIS:**

13 **Q** DID THEY DO ANYTHING ELSE TO YOU TO HARM YOU?

14 **A** YES, REDHEAD STARTED CUTTING MY THROAT.

15 **Q** OKAY. DID YOU SEE WHAT HE USED TO CUT YOUR THROAT?

16 **A** I -- I'M -- I'M NOT REALLY SURE, BUT IT WAS A KNIFE.

17 **Q** OKAY. AND AFTER REDHEAD CUT YOUR THROAT, DID ANYONE

18 ELSE HARM -- HARM YOU AGAIN?

19 **A** YES. ANGEL CASTRO WAS TELLING THAT THE CUT WAS TOO

20 SMALL. SO LATER ON HE -- SO ANGEL CASTRO'S GIRLFRIEND ALSO

21 CUT MY THROAT, AND THE THIRD ONE WAS ANGEL CASTRO, BECAUSE HE

22 WOULD KEEP ON SAYING THAT IT WAS STILL TOO SMALL.

23 **Q** THE CUT ON YOUR THROAT WAS TOO SMALL?

24 **A** YES.

25 **Q** OKAY. SO AFTER ANGEL CUT YOUR THROAT, DID ANYONE

1 ELSE TRY TO CUT YOUR THROAT?

2 **A** AND -- LIONEL KING, AND HE WENT REALLY DEEP --

3 **Q** OKAY.

4 **A** -- INTO IT.

5 **MS. LEXIS:** OKAY. YOUR HONOR, MAY I APPROACH WITH WHAT'S

6 BEEN PREVIOUSLY MARKED AS STATE'S PROPOSED EXHIBITS 6 THROUGH

7 11?

8 **THE COURT:** YOU MAY.

9 **MS. LEXIS:** MAY I APPROACH?

10 **THE COURT:** YOU MAY.

11 **MS. LEXIS:** THANK YOU, YOUR HONOR.

12 **Q** JOSE, I'M GOING TO SHOW YOU WHAT'S BEEN PREVIOUSLY

13 MARKED AS STATE'S EXHIBITS 6, 7, 8, 9, 10 AND 11. DO YOU

14 RECOGNIZE WHAT'S SHOWN IN THESE EXHIBITS?

15 **A** YES.

16 **Q** OKAY. I'M GOING TO SHOW YOU FIRST STATE'S EXHIBIT

17 NO. 6. WHAT DOES THIS PICTURE SHOW?

18 **A** WELL, MY -- MY -- MY THROAT IS OPEN.

19 **Q** SHOW YOU STATE'S EXHIBIT NO. 7, WHAT DOES THAT SHOW?

20 **A** I'M STABBED IN MY BELLY.

21 **Q** STATE'S EXHIBIT NO. 8, WHAT DOES THAT SHOW?

22 **A** ALL MY THROAT IS WIDE OPEN, IT'S -- I'M BREATHING.

23 **Q** STATE'S EXHIBIT NO. 9?

24 **A** I'M STABBED TO THE LEG.

25 **Q** STATE'S EXHIBIT NO. 10?

1 **A** I'M BURNED IN MY ARMS, IN MY -- IN MY HANDS.

2 **Q** SHOW YOU STATE'S EXHIBIT NO. 11, WHAT DOES THAT

3 SHOW?

4 **A** THEY CHOPPED MY FINGER AND I DON'T HAVE ANY

5 FINGERNAILS.

6 **MS. LEXIS:** I MOVE TO ADMIT STATE'S PROPOSED EXHIBITS 6

7 THROUGH 11 IN EVIDENCE, YOUR HONOR.

8 **MR. GELLER:** NO OBJECTION FROM LUIS CASTRO.

9 **MR. YAMPOLSKY:** NO OBJECTION.

10 **THE COURT:** THEY ARE ADMITTED.

11 (WHEREUPON STATE'S EXHIBIT NOS. 6 THROUGH 11 WERE

12 ADMITTED INTO EVIDENCE.)

13 **BY MS. LEXIS:**

14 **Q** OKAY. SO, NOW YOUR THROAT IS CUT OPEN, WHAT HAPPENS

15 NEXT?

16 **A** WELL, I PRETENDED I WAS DEAD.

17 **Q** WHY DID YOU DO THAT?

18 **A** BECAUSE I DIDN'T WANT THEM TO KEEP ON CUTTING ME.

19 **Q** ARE YOU ON THE -- ON THE GROUND AT THIS POINT, JOSE?

20 **A** YES.

21 **Q** ARE YOU STILL TIED UP?

22 **A** YES.

23 **Q** DO YOU HEAR ANGEL SAY ANYTHING AFTER YOU STARTED

24 PLAYING DEAD?

25 **A** THAT I WAS DEAD, THAT I WAS GOING TO DIE.

1 **Q** WHAT HAPPENS NEXT?

2 **A** THEY STARTED BURNING THE HOUSE DOWN.

3 **Q** OKAY. HOW DO YOU KNOW THAT?

4 **A** BECAUSE I -- I WOULD HEAR THE LIGHTERS.

5 **Q** OKAY. YOU WOULD LIKE HEAR THE CLICK OF A LIGHTER?

6 **A** YEAH. THEY WERE STARTING TO -- TO LIT SOMETHING UP.

7 **Q** OKAY. AT SOME POINT DO YOU REMEMBER ANY OF THE

8 DEFENDANTS PUTTING ITEMS ON YOUR BODY?

9 **A** YEAH, THEY PUT GARBAGE ON ME.

10 **Q** OKAY. AND COULD YOU HEAR ANY OF THEM TALKING ABOUT

11 SETTING THE PLACE ON FIRE?

12 **A** NO, I DIDN'T HEAR ANYTHING, I JUST HEAR THE --

13 THE -- WHERE THEY -- THEY WERE DOING IT, THEY WERE SETTING THE

14 HOUSE ON FIRE.

15 **Q** OKAY. WHAT'S THE NEXT THING THAT YOU REMEMBER?

16 **A** WELL, THEY LEFT AND IT'S WHEN I -- I STOOD UP.

17 **Q** HOW WERE YOU ABLE TO STAND UP? YOU WERE TIED TO A

18 CHAIR, IS THAT RIGHT?

19 **A** THE -- THE -- THE CHAIR WAS SORT OF BRITTLE, SO IT

20 STARTED BREAKING, FALLING APART.

21 **Q** OKAY. WHEN YOU STOOD UP, DID YOU HAVE A CHANCE TO

22 LOOK AROUND THE LIVING ROOM AREA OF THAT HOUSE?

23 **A** NO, IT WAS ALL ON FIRE BY THEN.

24 **Q** SO YOU SAW THE FIRE?

25 **THE WITNESS SALAZAR:** SI.

1 **BY MS. LEXIS:**

2 **Q** WAS THERE SMOKE?

3 **A** YES.

4 **Q** OKAY. AND SO YOU WERE ABLE TO STAND UP?

5 **A** YES, I STOOD UP AND I WAS IN THE FIRE TRYING TO BURN

6 THE -- THAT STRING THAT I WAS TIED WITH -- TIED UP WITH, TO

7 UN -- UN -- UN -- UNTIE, TO GET UNTIED OF THOSE STRINGS THAT

8 THEY WERE TYING ME IN THE -- IN MY LEGS --

9 **Q** OKAY.

10 **A** -- TO BE ABLE TO GO OUTSIDE AND -- AND -- AND -- AND

11 LOOK FOR HELP.

12 **Q** WHEN YOU WERE DOING THAT, WHEN YOU WERE TRYING TO

13 BURN THE ROPE OR THE STRING THAT THEY USED TO -- TO TIE YOUR

14 HANDS, HOW MUCH OF THE HOUSE WAS ON FIRE?

15 **A** I -- I COULD ONLY SEE MYSELF AND THE REST OF

16 EVERYTHING WAS ON FIRE.

17 **Q** OKAY. WERE YOU ABLE TO BURN OFF THE ROPE OR THE

18 STRING THAT WAS TYING YOUR HANDS TOGETHER?

19 **A** NO.

20 **Q** SO WHAT DID YOU DO?

21 **A** SO I -- I STARTED LOOKING FOR A WAY OUT, AND I

22 FOUND -- AND I FOUND A GLASS SLIDING DOOR.

23 **Q** OKAY. WERE YOUR LEGS AND YOUR ARMS AND YOUR HANDS

24 STILL TIED AT THAT POINT?

25 **A** YES.

1 **Q** SO HOW DID YOU GET TO THE SLIDING GLASS DOOR?

2 **A** JUST JUMPING.

3 **Q** ONCE YOU GET THERE, ARE YOU ABLE TO OPEN THE SLIDING

4 GLASS DOOR?

5 **A** YES. THERE WAS A -- A -- A PIECE OF WOOD JUST

6 BLOCKING IT, SO I -- I TOOK THE WOOD OUT AND -- AND WAS ABLE

7 TO OPEN THE DOOR.

8 **Q** AND ONCE YOU OPENED THE DOOR, WHAT DID YOU DO?

9 **A** I TRYING TO -- TO -- TO YELL FOR HELP, BUT MY VOICE

10 WAS TOO LOW.

11 **Q** SO WHAT DID YOU DO?

12 **A** I JUST LIKE LAY ON THE FLOOR, BECAUSE I WAS FEELING

13 REALLY WEAK.

14 **Q** AND WHEN YOU SAY YOU LAID ON THE FLOOR, WERE YOU

15 STILL BY THE HOUSE OR IN A YARD, WHERE WERE YOU?

16 **A** I -- I WAS AROUND A YARD AWAY FROM THE SLIDING GLASS

17 DOOR, THAT, BY THE WAY, IT GET LIKE IN SHREDS DUE TO THE FIRE.

18 **Q** OKAY. SO DID THE GLASS BREAK?

19 **A** SO I STOOD UP AGAIN AND TRIED TO JUST GOT AWAY --

20 TRY TO GET AWAY FROM -- FROM THE -- THE SLIDING GLASS DOOR.

21 **Q** AND WERE YOUR LEGS STILL BOUND TOGETHER?

22 **A** YES.

23 **Q** AND YOUR ARMS AND YOUR -- AND YOUR HANDS?

24 **A** YES.

25 **Q** OKAY. WHAT'S THE LAST THING YOU REMEMBER HAPPENING?

1 **A** A GIRL -- THE GIRL WHO SAVED MY LIFE.

2 **Q** OKAY. DO YOU REMEMBER ANYTHING ELSE?

3 **A** SHE WAS ASKING ME WHO DID THIS TO ME, AND I WOULD

4 ANSWER ANGEL CASTRO.

5 **Q** OKAY. AT THE TIME THAT THIS HAPPENED TO YOU, MARCH

6 7TH, 2016, YOU ONLY KNEW ANGEL CASTRO'S NAME; IS THAT CORRECT?

7 **A** YES.

8 **Q** DID YOU KNOW THE NAMES OF THE OTHER THREE PEOPLE WHO

9 DID THIS TO YOU?

10 **A** NO.

11 **Q** OKAY. I'M GOING TO BACK UP A LITTLE BIT, OKAY,

12 JOSE?

13 **A** OKAY.

14 **Q** WHEN YOU WENT INTO THE HOUSE WITH REDHEAD, ANGEL,

15 LIONEL KING AND ANGEL'S GIRLFRIEND, DID YOU HAVE A WALLET WITH

16 YOU?

17 **A** YES.

18 **Q** OKAY. DID SOMETHING HAPPEN TO THAT WALLET?

19 **THE INTERPRETER:** AND A PACK OF CIGARETTES, I'M SORRY.

20 **MS. LEXIS:** OKAY.

21 **THE INTERPRETER:** A PACK OF CIGARETTES.

22 **THE COURT:** I'M SORRY TO PAUSE FOR A MOMENT --

23 **MS. LEXIS:** SURE.

24 **THE COURT:** -- BUT ARE YOU TAKING PICTURES ON YOUR CELL

25 PHONE? WHAT'S GOING ON BACK THERE?

1 **UNIDENTIFIED PERSON:** SORRY.

2 **THE COURT:** OKAY. ANY -- ANY LIKE PHOTOGRAPHS AND
3 PICTURES NEED TO COME THROUGH THE COURT WITH A MEDIA REQUEST
4 FIRST, SO I WASN'T SURE WHETHER YOU WERE WITH THE MEDIA OR
5 SOMEONE ELSE, BUT I WOULD PREFER IF YOU NOT TAKE PHOTOGRAPHS
6 UNLESS YOU SUBMIT THE REQUEST AHEAD OF TIME TO THE COURT.

7 AND IT'S A LITTLE DISTRACTING WHEN I'M TRYING TO LISTEN
8 TO A WITNESS TESTIFY WHEN YOU BROUGHT YOUR CELL PHONE UP,
9 SO...

10 THANK YOU.

11 **BY MS. LEXIS:**

12 **Q** OKAY. SO DID YOU HAVE ANYTHING IN YOUR POCKETS WHEN
13 YOU WENT INTO THE HOUSE?

14 **THE COURT:** CAN YOU BACK UP TO THE QUESTION ABOUT THE
15 WALLET --

16 **MS. LEXIS:** SURE.

17 **THE COURT:** -- BECAUSE I GOT DISTRACTED AND I DIDN'T HEAR
18 WHAT HE SAID IN RESPONSE.

19 **MS. LEXIS:** YES, YOUR HONOR.

20 **Q** AT THE TIME THAT YOU WERE BROUGHT INTO THE HOUSE,
21 ABANDONED HOUSE, BY ANGEL, REDHEAD, LIONEL KING AND ANGEL'S
22 GIRLFRIEND, DO YOU REMEMBER HAVING A WALLET WITH YOU?

23 **A** YES.

24 **Q** WHERE WAS THE WALLET?

25 **A** IN MY PANTS.

1 **Q** IN A POCKET?

2 **A** YES.

3 **Q** WAS THERE ANYTHING ELSE IN THAT PANTS POCKET WITH

4 YOUR WALLET?

5 **A** A PACK OF CIGARETTES AND A LIGHTER.

6 **Q** OKAY. DID SOMETHING HAPPEN TO THOSE ITEMS WHEN

7 YOU -- DID SOMEBODY TAKE THOSE ITEMS WHEN YOU GOT TO THE

8 HOUSE?

9 **A** YES. RED TOOK MY BELONGINGS AWAY FROM ME.

10 **Q** OKAY. WAS THAT BEFORE OR AFTER HE PUT THE KNIFE TO

11 YOUR THROAT?

12 **A** HE PUT THE KNIFE AGAINST MY THROAT AND THEN HE

13 STARTED TAKING MY THINGS AWAY FROM ME.

14 **MS. LEXIS:** OKAY. YOUR HONOR, MAY I APPROACH WITH WHAT'S

15 BEEN PREVIOUSLY MARKED AS STATE'S PROPOSED EXHIBITS 12 AND 13?

16 **THE COURT:** YOU MAY.

17 **BY MS. LEXIS:**

18 **Q** JOSE, I'M GOING TO SHOW YOU STATE'S PROPOSED

19 EXHIBITS 12 AND 13. DO YOU RECOGNIZE WHAT'S SHOWN IN STATE'S

20 PROPOSED EXHIBITS 12 AND 13?

21 **A** YES.

22 **Q** WHAT DO YOU RECOGNIZE THOSE ITEMS TO BE?

23 **A** IT'S WHAT I WAS TIED WITH.

24 **MS. LEXIS:** YOUR HONOR, I MOVE TO ADMIT STATE'S PROPOSED

25 EXHIBITS 12 AND 13 INTO EVIDENCE.

1 **MR. GELLER:** NO OBJECTION.

2 **MR. YAMPOLSKY:** NO OBJECTION.

3 **THE COURT:** BE ADMITTED.

4 (WHEREUPON STATE'S EXHIBITS NO. 12 AND NO. 13 WERE

5 ADMITTED INTO EVIDENCE.)

6 **BY MS. LEXIS:** COURT'S BRIEF INDULGENCE, YOUR HONOR.

7 **Q** JOSE, YOU TOLD JUDGE SARAGOSA ABOUT A KNIFE BEING

8 PUT TO YOUR THROAT BY REDHEAD AND ALL FOUR DEFENDANTS CUTTING

9 YOUR THROAT WITH A KNIFE. DO YOU REMEMBER ANYTHING ABOUT THE

10 KNIFE THAT WAS USED ON YOU?

11 **A** THE TRUTH IS I DON'T REMEMBER. I DON'T REMEMBER.

12 **Q** OKAY. LET ME ASK YOU THIS. DO YOU REMEMBER WHETHER

13 IT WAS A SMALL KNIFE OR A BIG KNIFE?

14 **A** THEY WERE BIG KNIVES, SMALL KNIFE, THEY WERE ABOUT

15 EVERYTHING.

16 **Q** WERE THERE -- WAS THERE MORE THAN ONE KNIFE?

17 **A** YES.

18 **Q** OKAY. THE BIG KNIFE THAT YOU -- THAT YOU REMEMBER,

19 HOW BIG WAS IT? IF YOU COULD SHOW US WITH YOUR HANDS, HOW BIG

20 DO YOU REMEMBER IT BEING?

21 **A** I WOULD SAY THAT -- LIKE THIS.

22 **Q** COULD YOU HOLD THAT UP FOR THE RECORD.

23 **MR. VILLANI:** SIXTEEN TO EIGHTEEN INCHES.

24 **MS. LEXIS:** SIX TO EIGHT INCHES, ABOUT?

25 **MR. VILLANI:** NO, SIXTEEN.

1 **MS. LEXIS:** SIXTEEN?

2 **THE WITNESS:** I GUESS.

3 **BY MS. LEXIS:**

4 **Q** OKAY.

5 AND WHAT ABOUT THE SMALLER KNIVES -- KNIFE?

6 **A** THE -- THE -- THE TRUTH IS I -- I DON'T REMEMBER. I

7 DON'T REMEMBER THAT.

8 **Q** OKAY. BUT YOU JUST REMEMBER THERE WAS MORE THAN ONE

9 KNIFE?

10 **A** YES.

11 **Q** AND ONE OF THEM WAS A LARGE KNIFE?

12 **A** YES, IT'S THE ONE THEY USE TO CUT MY THROAT.

13 **Q** OKAY. JOSE, LET ME JUST HAVE YOU HOLD UP AGAIN HOW

14 BIG THE LARGE KNIFE WAS THAT THEY USED TO CUT YOUR THROAT.

15 **THE COURT:** CAN YOU CLARIFY IF YOU'RE TALKING HANDLE TO

16 TIP OR JUST THE BLADE?

17 **MS. LEXIS:** YES, YOUR HONOR.

18 **Q** THE TOTAL -- THE TOTAL, HOW BIG, THE TOTAL.

19 **A** JUST LIKE THIS.

20 **Q** EIGHTEEN TO TWENTY INCHES?

21 **A** I WOULD SAY SO.

22 **Q** OKAY. AND HOW ABOUT JUST THE -- THE BLADE?

23 **A** THE METAL PART I SAID.

24 THE TRUTH IS I DON'T REMEMBER.

25 **MS. LEXIS:** OKAY. COURT'S JUST BRIEF INDULGENCE.

1 YOUR HONOR, I PASS THE WITNESS.

2 **MR. GELLER:** THANK YOU.

3 **THE COURT:** DO EITHER OF YOU HAVE A PREFERENCE AS TO
4 WHICH ONE GOES FIRST, AND DO YOU MIND IF I TAKE THE OTHER
5 CASES WHERE THE ATTORNEYS ARE WAITING IN BETWEEN?

6 **MR. GELLER:** NO PROBLEM, YOUR HONOR.

7 **THE COURT:** OKAY.

8 **MR. GELLER:** SINCE I HAVE THE A-DEFENDANT, IT SOUNDS LIKE
9 I'LL PROBABLY GO FIRST, I TALKED TO MR. YAMPOLSKY.

10 **THE COURT:** OKAY, THAT'S FINE.
11 LET ME CALL --

12 **MR. YAMPOLSKY:** ABOUT A FIVE MINUTE BREAK, YOUR HONOR,
13 TWO MINUTE BREAK?

14 **THE COURT:** YEAH, IF YOU WANT TO USE THE RESTROOM OR
15 SOMETHING, THAT'S FINE, I WILL -- I JUST HAVE TWO CASES TO
16 CALL.

17 (WHEREUPON DISCUSSIONS WERE HELD ON OTHER CASES.)

18 **THE COURT:** FOR SCHEDULING PURPOSES, DO YOU ANTICIPATE
19 ANY OTHER WITNESSES?

20 **MS. LEXIS:** SUBJECT TO A STIPULATION BY THE DEFENSE.

21 **THE COURT:** OKAY.

22 ALL RIGHT. BACK ON THE RECORD ON LUIS CASTRO AND LIONEL
23 KING, 16F0377A AND B -- A AND D, EXCUSE ME.

24 MR. ORTIZ-SALAZAR IS ON THE WITNESS STAND.

25 AND I WOULD JUST REMIND YOU THAT YOU CONTINUE TO REMAIN

1 UNDER OATH IN THE CASE.

2 MR. GELLER.

3 **MR. GELLER:** THANK YOU, YOUR HONOR.

4

5

CROSS-EXAMINATION

6 **BY MR. GELLER:**

7 **Q** JOSE, I'M GOING TO ASK YOU A COUPLE QUESTIONS,
8 FOLLOWING UP ON WHAT MISS LEXIS ASKED YOU.

9 I WANT TO DIRECT YOUR ATTENTION BACK TO THE MORNING
10 OF MARCH THE 7TH OF 2016, DO YOU RECALL AROUND WHAT TIME THE
11 BLUE TRUCK ARRIVED IN THE DRIVEWAY OR ON THE STREET IN FRONT
12 OF YOUR GIRLFRIEND'S HOUSE?

13 **A** AROUND 11 A.M.

14 **Q** SO THE SUN WOULD HAVE BEEN UP AT THAT TIME OF DAY;
15 IS THAT CORRECT?

16 **A** YES.

17 **Q** AND DOES YOUR GIRLFRIEND LIVE IN A NEIGHBORHOOD?

18 **A** I DON'T UNDERSTAND WHAT YOU MEAN BY THAT.

19 **Q** IS YOUR GIRLFRIEND'S HOUSE NEXT TO OTHER HOUSES OR
20 IS IT ON A STREET ALONE?

21 **A** THERE ARE OTHER HOUSES.

22 **Q** AND WHEN THE BLUE TRUCK ARRIVED, WHERE WAS IT
23 PARKED?

24 **A** HERE IS MY HOUSE. RIGHT NEXT TO MY HOUSE.

25 **Q** AND JUST FOR CLARIFICATION, BECAUSE WE HAVE A COURT

1 REPORTER AND SHE CAN'T TYPE DOWN YOUR HAND MO -- MANNERISMS.
2 COULD YOU DESCRIBE WHETHER THE TRUCK WAS IN THE STREET OR
3 WHETHER IT WAS IN THE DRIVEWAY.

4 **A** IT WAS RIGHT NEXT TO THE HOUSE. IT'S -- I CAN'T
5 MAKE IT MORE CLEAR THAN THAT.

6 **Q** OKAY. SO IT WAS IN THE STREET PARKED PERPENDICULAR
7 TO THE DIRECTION OF THE DRIVEWAY, IS THAT FAIR TO SAY?

8 **A** YES. WHAT -- WHAT -- WHAT WAS THAT AGAIN?

9 **Q** WAS THE TRUCK PARKED IN THE STREET PERPENDICULAR TO
10 THE DIRECTION OF THE DRIVEWAY TO YOUR GIRLFRIEND'S HOUSE?

11 **A** IT WAS LIKE THIS, IT WAS PARKED THERE.

12 **Q** OKAY. IN FRONT OF YOUR GIRLFRIEND'S HOUSE, RIGHT?

13 **A** RIGHT NEXT TO IT.

14 **Q** OKAY. AND THE THREE MEN WHO YOU PREVIOUSLY
15 IDENTIFIED AS THREE OF THE DEFENDANTS WHO EXITED THE TRUCK,
16 WERE THEY WEARING MASKS OR ANYTHING TO CONCEAL THEIR IDENTITY?

17 **A** NO.

18 **Q** AND DID ALL THREE OF THEM WALK INTO THE DRIVEWAY
19 WHERE THEY ULTIMATELY STARTED TALKING TO YOU?

20 **A** THE THREE OF THEM CAME TO WHERE I WAS, BUT THE ONLY
21 ONE THAT STARTED TALKING TO ME WAS ANGEL CASTRO.

22 **Q** SO ALL THREE OF THEM ENTERED THE DRIVEWAY; IS THAT
23 CORRECT?

24 **A** YES, THAT'S CORRECT.

25 **Q** AND IS THE DRIVEWAY IN DIRECT VIEW OF THE OTHER

1 HOUSES ON THE STREET THAT YOUR GIRLFRIEND LIVES ON?

2 **A** YES.

3 **Q** AND YOU MENTIONED AT SOME POINT IN TIME ONE OF THE
4 DEFENDANTS TAKES YOUR GIRLFRIEND'S PHONE WHILE IN THE
5 DRIVEWAY; IS THAT CORRECT?

6 **A** I NEVER SAID THAT, THAT'S NOT CORRECT.

7 **Q** AT SOME POINT IN TIME DID ONE OF THE DEFENDANTS COME
8 INTO POSSESSION OF YOUR GIRLFRIEND'S PHONE?

9 **A** MY GIRLFRIEND GAVE THE CELL PHONE TO ME AND I GAVE
10 IT TO THE DEFENDANTS.

11 **Q** THE CELLULAR PHONE THAT YOUR GIRLFRIEND GAVE TO YOU,
12 A CELLULAR PHONE THAT BELONGED TO YOU OR DID IT BELONG TO YOUR
13 GIRLFRIEND?

14 **A** IT BELONGED TO HER.

15 **Q** OKAY. AFTER THE DEFENDANTS TOOK THE CELLULAR PHONE
16 THAT BELONGED TO YOUR GIRLFRIEND, I BELIEVE YOU TESTIFIED,
17 WHEN MISS LEXIS ASKED YOU, THAT THE THREE MEN DRAGGED YOU INTO
18 THE TRUCK.

19 **A** YES.

20 **Q** WAS YOUR GIRLFRIEND STILL IN THE DRIVEWAY WHILE YOU
21 WERE BEING DRAGGED BY THE THREE MEN INTO THE TRUCK?

22 **A** SHE GOT INTO HER HOUSE. AND WHEN I WAS ALREADY
23 INSIDE THE TRUCK IS WHEN SHE GOT OUT OF THE HOUSE.

24 **Q** OKAY. SO JUST TO CLARIFY. AT THE POINT WHEN THE
25 THREE MEN START DRAGGING YOU FROM THE DRIVEWAY TO THE TRUCK,

1 WHERE WAS YOUR GIRLFRIEND STANDING?

2 **A** I DON'T REMEMBER.

3 **Q** DO YOU BELIEVE THAT SHE WAS OUTDOORS AT THE TIME THE

4 THREE MEN GRABBED YOU AND DRUG YOU FROM THE DRIVEWAY INTO THE

5 TRUCK?

6 **A** NO, I DON'T THINK SO, I THINK SHE WENT INSIDE TO

7 CALL THE COPS.

8 **THE WITNESS SALAZAR:** NO.

9 **THE INTERPRETER:** NO.

10 **BY MR. GELLER:**

11 **Q** DID YOU WANT TO CORRECT THAT?

12 **A** YES.

13 **Q** PLEASE GO AHEAD.

14 **THE INTERPRETER:** I'M SORRY CLARIFICATION.

15 (DISCUSSION BETWEEN THE INTERPRETER AND THE WITNESS.)

16 **THE WITNESS:** OKAY. NO, BECAUSE IF SHE -- HAD SHE SEEN

17 THAT THEY WERE DRAGGING ME INTO THE -- THE TRUCK, SHE WOULD

18 HAVE CALLED THE COPS.

19 **BY MR. GELLER:**

20 **Q** OKAY. SO YOU, IT SOUNDS LIKE, ARE ASSUMING THAT SHE

21 WASN'T THERE, BUT YOU JUST DON'T KNOW FOR SURE; IS THAT FAIR

22 TO SAY?

23 **A** YES.

24 **Q** NOW, DID YOU NOTICE AT THE TIME THE MEN WERE IN YOUR

25 GIRLFRIEND'S DRIVEWAY, WHETHER ANY NEIGHBORS WERE OUTSIDE OF

1 THEIR HOUSES OR WHETHER ANYONE WAS WALKING UP AND DOWN THE
2 STREET?

3 **A** NO, THERE WAS NOBODY AROUND. IT WAS WORKING HOURS.

4 **Q** OKAY. WHAT DAY OF THE WEEK WAS THIS?

5 **A** I DON'T REMEMBER, BUT I REMEMBER IT WAS A WEEKDAY.

6 **Q** AND YOU MENTIONED ONCE THE DEFENDANTS GOT TO THE
7 TRUCK WITH YOU, THAT ONE OF THEM GOT IN THE BED OF THE TRUCK;
8 IS THAT CORRECT?

9 **A** THE ONE IN THE BACK WAS LIONEL KING.

10 **Q** SO HE WAS NOT SITTING INSIDE THE CAB OF THE TRUCK,
11 IF I UNDERSTAND YOU CORRECTLY?

12 **A** HE WAS NOT INSIDE WHERE THE OTHER ONES AND MYSELF
13 WERE, HE WAS IN THE BACK.

14 **Q** UNDERSTOOD.

15 I WANT TO ASK YOU A QUESTION ABOUT SOMETHING MISS
16 LEXIS ASKED YOU ABOUT, DRUG USE. PRIOR TO MARCH 7TH, 2016, AT
17 11 A.M. WHEN THE DEFENDANTS ARRIVED AT YOUR GIRLFRIEND'S
18 DRIVEWAY, WHAT WAS THE MOST RECENT TIME YOU HAD USED DRUGS OR
19 ALCOHOL PRIOR TO THAT?

20 **A** TWO DAYS BEFORE.

21 **Q** AND WHAT DRUG OR ALCOHOL DID YOU CONSUME?

22 **A** METHAMPHETAMINE. AND I DON'T DRINK ALCOHOL.

23 **Q** DID YOU INJECT OR SMOKE METHAMPHETAMINE TWO DAYS
24 PRIOR?

25 **A** NEITHER ONE.

1 **Q** HOW DID YOU CONSUME THE METHAMPHETAMINE THAT YOU
2 CONSUMED TWO DAYS PRIOR TO MARCH 7TH, 2016?

3 **A** DO I HAVE TO ANSWER TO THAT KIND OF QUESTION?

4 **THE COURT:** YES, YOU NEED TO ANSWER THE QUESTIONS,
5 BARRING ANY OBJECTION AND RULING ON MY PART.

6 **THE WITNESS:** SO I WOULD INHALE IT.

7 **THE WITNESS SALAZAR:** SNORT IT.

8 **THE INTERPRETER:** SNORT IT.

9 **BY MR. GELLER:**

10 **Q** HOW MUCH DID YOU SNORT OR INHALE TWO DAYS PRIOR?

11 **MS. LEXIS:** YOUR HONOR, AT THIS POINT I WOULD OBJECT TO
12 RELEVANCE.

13 **THE COURT:** WHAT IS THE RELEVANCE OF THE AMOUNT TWO DAYS
14 PRIOR TO THE INCIDENT?

15 **MR. GELLER:** DEPENDING ON THE QUANTITY, IT WOULD EFFECT
16 THE WITNESS'S PERCEPTION, SO...

17 **THE COURT:** YEAH, BUT --

18 **MR. GELLER:** I DON'T WANT --

19 **THE COURT:** ANY BASIS FOR THAT POSITION, OTHER THAN IT
20 MIGHT STILL BE A METABOLITE IN HIS URINE, BUT HOW WOULD THAT
21 STILL EFFECT HIS THOUGHT PROCESS TWO DAYS LATER?

22 **MR. GELLER:** MY POSITION IS, THAT DEPENDING ON THE
23 QUANTITY OF A NARCOTIC CONSUMED, IT EFFECTS THE RATE AT WHICH
24 IT'S METABOLIZED. SO IF SOMEONE CONSUMED A LARGE QUANTITY, IT
25 TAKES LONGER FOR IT TO REACH IT'S HALF-LIFE AND ULTIMATELY

1 GETS TO ZERO IN THE BLOODSTREAM.

2 **THE COURT:** YOU CAN ADDRESS THAT WITH AN EXPERT WITNESS
3 AT THE DISTRICT COURT LEVEL, BUT HERE IT'S GOING TO BE A
4 SUSTAINED OBJECTION.

5 **MR. GELLER:** SURE.

6 **Q** I WANT TO DIRECT YOUR ATTENTION NOW TO AFTER YOU
7 ARRIVED AT THE HOUSE, AND I'M REFERRING TO THE ABANDONED
8 HOUSE. ONCE YOU ARRIVE AT THE ABANDONED HOUSE, I BELIEVE YOU
9 TESTIFIED IN RESPONSE TO ONE OF MISS LEXIS'S QUESTIONS, THAT
10 YOU CONSUMED A BEER; IS THAT CORRECT?

11 **A** YES.

12 **Q** OKAY. AND I BELIEVE YOU SAID THAT --

13 **A** I DIDN'T DRINK THAT.

14 **Q** YOU DID NOT DRINK THE BEER?

15 **A** I -- I HAD A SIP ONLY, BECAUSE THEY MAKE -- THEY
16 MADE ME.

17 **Q** DO YOU RECALL WHAT TYPE OF BEER THAT WAS?

18 **A** YES, IT WAS A BUD LIGHT.

19 **Q** OKAY. AND DO YOU RECALL WHO PROVIDED THAT TO YOU?

20 **A** ANGEL CASTRO'S GIRLFRIEND.

21 **Q** AND WAS THAT A BOTTLE OR A CAN?

22 **A** IT WAS A CAN.

23 **Q** AT THE POINT IN TIME WHEN MR. CASTRO LEAVES THE
24 RESIDENCE, WHAT WAS GOING ON WITH RESPECT TO YOUR TORTURE AT
25 THAT TIME? WHAT'S THE LAST THING YOU RECALL ANGEL CASTRO

1 DOING AT THE RESIDENCE?

2 **A** SAY AGAIN, PLEASE.

3 **Q** WHAT IS THE LAST THING YOU RECALL ANGEL CASTRO DOING
4 BEFORE HE LEFT THE ABANDONED HOUSE WHERE YOU WERE TORTURED?

5 **A** THE LAST THING I REMEMBER IS THAT HE SLIT MY THROAT.

6 **Q** AT ANY POINT IN TIME BETWEEN WHEN MR. CASTRO ARRIVED
7 AT THE RESIDENCE WITH YOU, WHEN YOU ENTERED THE FRONT DOOR,
8 AND THE TIME YOU SAID THAT MR. CASTRO SLIT YOUR THROAT, DID
9 YOU EVER SEE HIM WALK OUT OF THE ROOM WHERE YOU WERE TIED UP?

10 **A** NO. I WAS ALMOST DEAD, I DON'T REMEMBER.

11 **Q** IS IT POSSIBLE THAT DURING THE TIME YOU WERE BEING
12 TORTURED INSIDE THE ABANDONED HOUSE, MR. CASTRO LEFT IT FOR A
13 PERIOD OF TIME?

14 **MS. LEXIS:** YOUR HONOR, I'M SORRY, I OBJECT. THIS ASKS
15 FOR SPECULATION. I MEAN ANYTHING IS POSSIBLE.

16 **THE COURT:** JUST A MOMENT. DON'T ANSWER THE QUESTION
17 YET.

18 MR. GELLER?

19 **MR. GELLER:** YOUR HONOR, A LAY WITNESS IS ALLOWED TO
20 OPINE ABOUT THINGS THAT ARE WITHIN A LAY WITNESS'S KNOWLEDGE.
21 SO, FOR EXAMPLE, A LAY WITNESS COULD SAY, IT LOOKED LIKE THE
22 CAR WAS GOING 50 MILES AN HOUR DOWN THE STREET. WHAT A LAY
23 WITNESS CANNOT DO IS SPECULATE ABOUT THINGS THAT ARE WITHIN
24 THE PROVINCE OF EXPERT TESTIMONY.

25 SO I'M JUST ASKING HIM, AT ANY POINT IN TIME, SINCE HE

1 WAS IN THE ROOM, IF HE HAD EVER OBSERVED OR BELIEVED THAT
2 CASTRO MAY HAVE HAD AN OPPORTUNITY TO LEAVE, CAN HE SAY FOR
3 CERTAIN WHETHER OR NOT HE LEFT.

4 **MS. LEXIS:** I DON'T BELIEVE THAT'S -- THAT WAS HOW THE
5 QUESTION WAS PHRASED. HE ASKED WHETHER HE HAD SEEN MR. CASTRO
6 LEAVE. THE -- THE VICTIM TESTIFIED THAT HE DID NOT, BECAUSE
7 HE WAS ALMOST DEAD.

8 AND THE NEXT QUESTION, THE ONE THAT I ACTUALLY OBJECTED
9 TO, WAS WHETHER OR NOT IT WAS POSSIBLE THAT MR. CASTRO WOULD
10 HAVE LEFT, AND THAT'S WHAT I THINK IS SPECULATIVE.

11 **THE COURT:** OKAY. AS TO THE FORM OF THE QUESTION AS TO
12 WHAT'S POSSIBLE, I'M GOING TO SUSTAIN THE OBJECTION.

13 IF YOU WANT TO ASK HIM IF IN HIS PERCEPTION HE HAD THE
14 OPPORTUNITY TO, YOU CAN ASK THAT QUESTION.

15 **MR. GELLER:** THANK YOU, JUDGE.

16 **Q** DID YOU MAINTAIN CONSTANT VISUAL EYE CONTACT ON
17 MR. CASTRO FROM THE TIME THAT YOU ENTERED THE ABANDONED HOUSE
18 TO THE TIME WHEN YOU HAD YOUR LAST MEMORY WHERE YOU TESTIFIED
19 THAT HE CUT YOUR THROAT?

20 **A** YES. YES. BUT AFTER HE SLIT MY THROAT I DIDN'T
21 HAVE ANY MORE CONTACT WITH HIM.

22 **Q** SO PRIOR TO MR. CASTRO SLITTING YOUR THROAT, AND YOU
23 RECALL SEEING HIM IN THE ROOM WHERE YOU WERE TIED UP, ENTIRELY
24 FROM THAT POINT IN TIME, GOING BACK TO THE POINT IN TIME WHEN
25 HE ENTERED THE RESIDENCE WITH YOU?

1 **A** YES.

2 **Q** AT SOME POINT IN TIME I BELIEVE YOU TESTIFIED THAT
3 FABIOLA JIMENEZ, MR. CASTRO'S GIRLFRIEND, CAUSED YOU TO SEND A
4 TEXT MESSAGE TO YOUR GIRLFRIEND; IS THAT CORRECT?

5 **A** YES.

6 **Q** TO WHAT PHONE DID YOU TEXT YOUR GIRLFRIEND?

7 **A** SO WHAT YOU MEAN WHAT PHONE?

8 **Q** DID YOUR GIRLFRIEND HAVE A PARTICULAR PHONE NUMBER,
9 I DON'T NEED YOU TO REPEAT IT IN OPEN COURT, THAT YOU TEXTED
10 HER AT FABIOLA JIMENEZ'S REQUEST?

11 **A** NO. HE SEND IT -- SHE SEND IT THROUGH FACEBOOK.
12 SHE USED MY FACEBOOK TO MESSAGE HER.

13 **Q** UNDERSTOOD.

14 DID YOU HAVE OCCASION TO GIVE AN INTERVIEW TO TWO
15 DETECTIVES WITHIN THE LAST FEW WEEKS?

16 **A** THE TRUTH IS I DON'T -- I DON'T REMEMBER. I HAD SO
17 MANY INTERVIEWS WITH SO MANY PEOPLE THAT I -- I DON'T
18 REMEMBER.

19 **Q** IF IT HELPS YOU REMEMBER, DO YOU RECALL GIVING AN
20 INTERVIEW TO TWO DETECTIVES AFTER YOU GOT OUT OF THE HOSPITAL?

21 **A** SO IT WAS A DAY BEFORE, BUT I THINK I DON'T
22 UNDERSTAND THE QUESTION.

23 **Q** SURE. DID YOU HAPPEN TO GET A VISIT FROM TWO
24 DETECTIVES WHO INTERVIEWED YOU, SAY THE LAST 10 DAYS, AND
25 RECORDED THAT INTERVIEW?

1 **A** YES.

2 **Q** AND IN THAT INTERVIEW WERE YOU GIVING DESCRIPTIONS

3 OF WHAT HAPPENED AS HONESTLY AND ACCURATELY AS POSSIBLE?

4 **A** I -- I'M JUST SAYING WHAT HAD HAPPENED TO ME.

5 **Q** YES. AND DID YOU SAY WHAT HAPPENED TO YOU AS

6 ACCURATELY AND HONESTLY AS YOU COULD RECALL?

7 **A** I BELIEVE SO.

8 **Q** YOU DON'T HAVE ANY REASON TO SAY SOMETHING THAT'S

9 NOT TRUE TO THE DETECTIVES, CORRECT?

10 **A** NO, THERE'S NO REASON FOR IT.

11 **Q** OKAY. GOOD.

12 DID YOU TELL THE DETECTIVES IN YOUR INTERVIEW, THAT

13 BEFORE TWO OF THE DEFENDANTS STARTED LIGHTING THE HOUSE ON

14 FIRE, YOU SAW ANGEL AND FABIOLA LEAVE THE HOUSE?

15 **A** NO, I NEVER SAID THAT. WHAT I -- WHAT I SAID WAS,

16 THAT I -- I STOPPED HEARING THEIR VOICES.

17 **Q** SO IF I UNDERSTAND YOU CORRECTLY, ARE YOU SAYING

18 YOU'RE 100 PERCENT CERTAIN THAT YOU DID NOT TELL EITHER OF

19 THOSE TWO DETECTIVES THAT YOU SAW ANGEL AND FABIOLA LEAVE THE

20 HOUSE BEFORE TWO OTHER DEFENDANTS STARTED BURNING IT?

21 **A** I'M 100 PERCENT CERTAIN THAT THAT WASN'T WHAT I SAY.

22 WHAT I SAID WAS, THAT I STOPPED HEARING THEIR VOICES, AND ALSO

23 THAT I -- I SUPPOSED THAT THEY TOOK THEIR TRUCK AND LEFT WHILE

24 THE HOUSE WAS BURNING.

25 **Q** HOW LONG BEFORE TWO CODEFENDANTS STARTED PUTTING

1 PAPER AND THINGS ON YOU TO LIGHT THE HOUSE ON FIRE, WAS IT
2 THAT YOU STOPPED HEARING ANGEL CASTRO AND HIS GIRLFRIEND
3 TALKING?

4 **A** NO, THE -- THE TRUTH IS I -- I DON'T REMEMBER, AND
5 I'M -- I'M SORT OF ENTANGLED HERE.

6 **Q** OKAY. BUT YOU WERE CONFIDENT WHEN YOU TOLD THE
7 POLICE THAT YOU NO LONGER BELIEVE THAT ANGEL AND FABIOLA WERE
8 IN THE RESIDENCE WHEN THE OTHER TWO DEFENDANTS STARTED BURNING
9 IT?

10 **MS. LEXIS:** OBJECTION, YOUR HONOR, IT MISSTATES HIS
11 TESTIMONY.

12 **THE COURT:** I THINK THE WITNESS CAN ANSWER WHETHER THAT'S
13 ACCURATE OR NOT.

14 **THE INTERPRETER:** I'M SORRY, MAY -- CAN YOU ASK THE
15 QUESTION AGAIN?

16 **MR. GELLER:** SURE.

17 **Q** WHEN YOU TALKED TO THE DETECTIVES, YOU TOLD THEM
18 THAT YOU BELIEVED THE DEFENDANT AND ANGEL -- OR EXCUSE ME --
19 THE DEFENDANT AND MISS FIGUEROA -- SCRATCH THAT -- FABIOLA --
20 THE DEFENDANT AND FABIOLA LEFT THE ABANDONED HOUSE PRIOR TO
21 THE OTHER TWO DEFENDANTS STARTING TO BURN IT?

22 **MS. LEXIS:** YOUR HONOR, AGAIN, IT MISSTATES -- THE
23 QUESTION MISSTATES THE DEFEN -- THE VICTIM'S TESTIMONY. HE
24 SAID HE WAS 100 PERCENT SURE THAT HE JUST STOPPED HEARING
25 THEIR VOICES, NOT THAT HE SAW THEM LEAVE.

1 **THE COURT:** HE'S ASKING HIM ABOUT WHAT HE SAID TO THE
2 DETECTIVE IN THE INTERVIEW, NOT WHAT HE SAID HERE TODAY.

3 **MS. LEXIS:** I THINK IT MISSTATES HIS TESTIMONY CURRENTLY.
4 I --

5 **THE COURT:** I UNDERSTAND THAT, BUT THAT'S -- THAT'S, I
6 GUESS, HIS POINT IN CROSS-EXAMINATION IS IT'S A CONTRADICTORY
7 STATEMENT THAT HE'S ASKING HIM IF HE MADE THAT STATEMENT TO
8 THE DETECTIVES.

9 **MS. LEXIS:** OKAY.

10 **THE COURT:** SO I THINK HE'S ALLOWED TO CONFRONT HIM WITH
11 THE STATEMENT AND ASK HIM WHETHER THAT IS OR IS NOT WHAT HE
12 SAID TO THE DETECTIVES.

13 **MS. LEXIS:** OKAY.

14 **THE COURT:** IF HE REMEMBERS.

15 **BY MR. GELLER:**

16 **Q** SO DO YOU REMEMBER COMMUNICATING TO THE DETECTIVES
17 THAT YOU BELIEVED THAT MR. CASTRO AND MISS FABIOLA JIMENEZ
18 LEFT THE ABANDONED HOUSE BEFORE THE OTHER TWO DEFENDANTS
19 STARTED BURNING IT?

20 **A** OH, YOU GUYS ARE CONFUSING ME.

21 **THE COURT:** HE'S ASKING YOU SPECIFICALLY ABOUT WHAT YOU
22 TOLD THE DETECTIVES IN THE RECORDED INTERVIEW APPROXIMATELY 10
23 DAYS AGO. IN THAT INTERVIEW DO YOU REMEMBER TELLING THE
24 DETECTIVES THAT MR. CASTRO AND MS. FABIOLA LEFT THE RESIDENCE
25 BEFORE THE FIRE WAS STARTED?

1 **THE WITNESS:** I -- WHAT I SAID TO THE DETECTIVES WAS THAT
2 I DIDN'T HEAR THEIR VOICES ANYMORE, AND THAT I SUPPOSED OR
3 CONSTRUED THAT THEY WENT TO PARK THE TRUCK SOMEWHERE ELSE,
4 BECAUSE IT'S WHAT THEY DO.

5 **BY MR. GELLER:**

6 **Q** AND YOU TOLD THE DETECTIVES THAT YOU ONLY SAW THE
7 REDHEAD AND THE OTHER GUY BURNING THE HOUSE, CORRECT?

8 **A** YES, THAT'S CORRECT. I SAW THEM WITH MY OWN EYES, I
9 DIDN'T SEE THE OTHER ONES.

10 **Q** I WANT TO DRAW YOUR ATTENTION BACK TO THE BEER,
11 BRIEFLY. HOW WAS THAT HANDED TO YOU?

12 **A** HOW THEY HANDED THE BEER? WITH --

13 **Q** YEAH, WHO HAND --

14 **A** -- WITH THEIR HANDS.

15 **Q** YEAH, WHO HANDED IT TO YOU?

16 **A** I DON'T REMEMBER.

17 **Q** OKAY. AND HOW WERE YOU DRINKING IT, SEEING THAT YOU
18 WERE TIED UP?

19 **A** THEY -- THEY LOOSENED UP A LITTLE BIT THE -- THE
20 RESTRAINTS AND I WAS DRINKING LIKE THIS.

21 **Q** AND FOR THE RECORD, IT LOOKS LIKE THE INTERPRETER IS
22 USING TWO HANDS IN A MOTION TOWARDS HER MOUTH.

23 **A** YES, IT'S LIKE THIS.

24 **MR. GELLER:** OKAY. THANK YOU, GOT NO FURTHER QUESTIONS.

25 **THE COURT:** MR. YAMPOLSKY.

CROSS-EXAMINATION

1

2 **BY MR. YAMPOLSKY:**

3 **Q** MR. ORTIZ-SALAZAR? OKAY.

4 YOU SAID YOU DIDN'T SEE THE OTHER ONES BURNING THE
5 HOUSE, CORRECT?

6 **A** CORRECT.

7 **Q** OKAY. WHEN YOU SAID YOU DIDN'T SEE THE OTHER ONES,
8 TO WHOM WERE YOU REFERRING?

9 **A** TO CASTRO AND CASTRO'S GIRLFRIEND.

10 **Q** OKAY. SO YOU -- YOU SAW MR. KING BURNING THE HOUSE?

11 **A** YES.

12 **Q** OKAY. AND I'D LIKE TO BACK UP, DIRECT YOUR
13 ATTENTION. EVERYONE'S TALKING ABOUT THE MONEY THAT YOU OWED.
14 YOU OWED THE MONEY TO ANGEL CASTRO?

15 **A** WELL, YOU -- YOU WOULD SAY.

16 **Q** WELL, I'M ASKING YOU, DID -- DID YOU OWE -- DID
17 YOU -- DID YOU THINK YOU OWED ANY MONEY TO ANGEL CASTRO?

18 **A** WELL, TO BE HONEST, IF -- IF I OWE \$100 THAT WOULD
19 BE IT.

20 **Q** OKAY. BUT WHAT I'M TRYING TO FIGURE OUT IS, IF YOU
21 OWED, LET'S SAY THE \$100, OKAY, WOULD THAT MONEY BE OWED TO
22 ANGEL CASTRO?

23 **A** YES.

24 **Q** OKAY. AND YOU DIDN'T OWE ANY MONEY TO LIONEL KING?

25 **A** NO.

1 **Q** AND YOU OWED THE MONEY BECAUSE YOU HAD BOUGHT DRUGS
2 FROM ANGEL CASTRO?

3 **A** NO.

4 **Q** OKAY. THEN WHY DID YOU OWE THE MONEY TO ANGEL
5 CASTRO?

6 **A** BECAUSE HE WOULD LEND ME MONEY FOR FUEL.

7 **Q** OKAY. SO HE LENT YOU ABOUT \$100 FOR GAS?

8 **A** HE WOULD -- HE WOULD LEND ME MONEY EVERY NOW AND
9 THEN, NOT ALL TOGETHER.

10 **Q** BUT HE SAID FOR -- YOU SAID FOR FUEL, CORRECT?

11 **A** YES.

12 **Q** AND THAT MEANS GAS FOR YOUR CAR?

13 **A** YES.

14 **Q** OKAY. COURT'S INDULGENCE.

15 YOU SAID YOU HAD A PACK OF CIGARETTES AND A LIGHTER
16 IN YOUR POCKET WITH YOUR WALLET, CORRECT?

17 **A** YES. CORRECT.

18 **Q** NOW, WHO TOOK THE LIGHTER AND THE WALLET?

19 **A** REDHEAD.

20 **Q** OKAY. NOW, DIRECTING YOUR ATTENTION, WHEN YOU GOT
21 INTO THE TRUCK, THE REDHEAD WAS DRIVING, CORRECT?

22 **A** YES.

23 **Q** AND YOU WERE SITTING NEXT TO THE REDHEAD IN THE
24 MIDDLE?

25 **A** YES, THAT'S CORRECT.

1 **Q** AND ON YOUR RIGHT-HAND SIDE WAS ANGEL CASTRO?
2 **A** THAT'S CORRECT.
3 **Q** AND LIONEL KING WAS IN THE BED OF THE TRUCK?
4 **A** YES, THAT'S CORRECT.
5 **Q** NOW, YOU WERE PULLED INTO THE TRUCK?
6 **A** YES, PRETTY MUCH.
7 **Q** OKAY.
8 **A** BECAUSE THEY WERE LIKE PUSHING ME AROUND.
9 **Q** OKAY. AND DID THE REDHEAD PUSH YOU?
10 **A** THAT HIT ME. THAT ONE HIT ME.
11 **Q** OKAY. AND WHO PUSHED YOU?
12 **A** ANGEL CASTRO.
13 **Q** OKAY. AND WAS HE THE ONLY ONE THAT PUSHED YOU?
14 **A** YES.
15 **MR. YAMPOLSKY:** OKAY. COURT'S INDULGENCE.
16 (DISCUSSION BETWEEN MR. YAMPOLSKY AND DEFENDANT KING.)
17 **MR. YAMPOLSKY:** NO FURTHER QUESTIONS.
18 **THE COURT:** ANY REDIRECT?
19 **MS. LEXIS:** NO REDIRECT, THANK YOU.
20 **THE COURT:** ALL RIGHT. THANK YOU FOR YOUR TESTIMONY,
21 YOU'RE FREE TO STEP DOWN.
22 STATE.
23 **MS. LEXIS:** COURT'S BRIEF INDULGENCE.
24 (DISCUSSION BETWEEN MS. LEXIS AND DEFENSE COUNSEL.)
25 **MS. LEXIS:** DEFENSE COUNSEL IS ALSO STIPULATING THAT THE

1 INDIVIDUAL IN STATE'S EXHIBIT NUMBER, I BELIEVE IT'S 2,
2 REDHEAD, IS EDWARD HONABACH, I.D. NO. 7029816, YOUR HONOR.

3 **THE COURT:** OKAY.

4 **MS. LEXIS:** WITH THAT WE HAVE NO FURTHER WITNESSES.

5 **THE COURT:** IS THAT CORRECT, MR. GELLER?

6 **MR. GELLER:** THAT'S CORRECT WITH RESPECT TO THE
7 STIPULATION, YOUR HONOR.

8 **THE COURT:** MR. YAMPOLSKY, IS THAT CORRECT WITH THE
9 STIPULATION, SIR?

10 **MR. YAMPOLSKY:** YES, YOUR HONOR.

11 **THE COURT:** OKAY.

12 **MR. VILLANI:** AND, YOUR HONOR, BEFORE WE CLOSE EVIDENCE,
13 AGAIN WE HAVE THE SAME AMENDMENTS AS WE DID TO THE OTHER TWO
14 DEFENDANTS. COUNT 3, WE ARE ADDING MAYHEM WITH A DEADLY
15 WEAPON, TO WIT: A KNIFE AND/OR A MACHETE AND/OR PLIERS.

16 **THE COURT:** AND WERE WIRE CUTTERS IS WHAT YOU --

17 **MR. VILLANI:** WIRE CUTTERS, SORRY.

18 **THE COURT:** -- ON THE LAST AMENDMENT, JUST TO BE --

19 **MR. VILLANI:** TO BE CONSISTENT --

20 **THE COURT:** -- BE CONSISTENT --

21 **MR. VILLANI:** -- LET'S KEEP IT AT WHERE IT IS.

22 **THE COURT:** -- WITH THE LANGUAGE.

23 **MR. VILLANI:** THANK YOU.

24 COUNT 5 WE WILL BE ADDING FIRST DEGREE KIDNAPPING WITH
25 USE OF A DEADLY WEAPON, RESULTING IN SUBSTANTIAL BODILY HARM

1 TO THAT CHARGE.

2 **THE COURT:** OKAY.

3 **MR. VILLANI:** AND WITH THAT, YOUR HONOR, THE STATE WOULD
4 REST.

5 **THE COURT:** ALL RIGHT. MR. GELLER, START WITH YOU.

6 **MR. GELLER:** YES, JUDGE.

7 THE DEFENSE WOULD CALL DETECTIVE AUSCHWITZ.

8 **THE COURT:** OKAY. SO EARLIER WHEN I ASKED THE QUESTION
9 IF THERE WERE ANY OTHER WITNESSES, NO ONE -- NO ONE SAID
10 ANYTHING. I HAVE -- SMALL CLAIMS HAS OUR COURTROOM AT 1
11 O'CLOCK TODAY.

12 **MR. GELLER:** OKAY.

13 **THE COURT:** SO I MIGHT NEED TO EITHER MOVE US OR MOVE
14 THEM, BUT JUST GIVE ME ONE MINUTE.

15 **MR. GELLER:** CERTAINLY.

16 **THE COURT:** I DID NOT ANTICIPATE ANY OTHER WITNESSES.

17 **MR. GELLER:** I'M SORRY, I MISUNDERSTOOD YOUR HONOR'S --

18 **THE COURT:** I HAD ASKED EARLIER.

19 **MR. GELLER:** -- QUESTION EARLIER.

20 AND I'LL BE VERY BRIEF, I JUST HAVE A FEW TOPICS FOR
21 DETECTIVE AUSCHWITZ.

22 **THE COURT:** WELL, HOW LONG DO YOU THINK, I JUST --

23 **MR. GELLER:** TEN MINUTES MAX I WOULD THINK, YOUR HONOR.

24 **THE COURT:** FOR EVERYTHING? I MEAN FOR BOTH SIDES?

25 **MR. GELLER:** FOR MY QUESTIONS, YEAH.

1 **THE COURT:** OR JUST YOUR QUESTIONS?

2 **MR. GELLER:** RIGHT, FOR MY QUESTIONS. I CAN'T SPEAK FOR

3 THE OTHER PARTIES.

4 **THE COURT:** OKAY. WELL, LET ME SEE WHAT I CAN

5 COORDINATE.

6 **THE MARSHAL:** WE ARE TRYING TO FIND SMALL CLAIMS ANOTHER

7 ROOM, JUDGE.

8 **THE COURT:** OKAY. WELL, CAN YOU COORDINATE THAT WITH

9 MAUREEN?

10 **THE MARSHAL:** YES, MA'AM.

11 **THE COURT:** I MEAN, I THINK IT WOULD BE EASIER TO DIRECT

12 THEM SOMEWHERE ELSE OVER THE NEXT 30 MINUTES THAN IT WOULD BE

13 FOR US TO PICK EVERYBODY UP AND MOVE US.

14 **THE MARSHAL:** I AGREE.

15 **THE COURT:** SO THANK YOU, I APPRECIATE YOU --

16 **THE MARSHAL:** YES, MA'AM.

17 **THE COURT:** -- COORDINATING THAT.

18 OKAY, MR. GELLER GO AHEAD. SORRY.

19 **MR. GELLER:** THANK YOU.

20 **THE COURT:** JUST WANTED TO TAKE CARE OF THAT LOGISTICS.

21 **MR. GELLER:** I APOLOGIZE FOR MISUNDERSTANDING YOUR

22 HONOR'S -- WHEN I REALLY WANTED TO INVOKE THE EXCLUSIONARY

23 RULE, I WAS ASKING --

24 **THE COURT:** NO. NO, IN THE BREAK --

25 **MR. GELLER:** OH.

1 **THE COURT:** -- I HAD ASKED IF THERE WERE ANY OTHER
2 WITNESSES FROM ANYONE, SO --
3 **MR. GELLER:** OH.
4 **THE COURT:** -- I JUST WAS TRYING TO DO TIMING --
5 **MR. GELLER:** SORRY ABOUT THAT.
6 **THE COURT:** -- BECAUSE I KNEW THE COURTROOM WAS
7 OTHERWISE -- THAT'S OKAY, LET'S CALL HIM.
8 **MR. GELLER:** DEFENSE WOULD CALL DETECTIVE AUSCHWITZ.
9 **THE MARSHAL:** I BELIEVE THEY'LL BEEN IN 7B, JUDGE.
10 **THE COURT:** COME ON UP TO THE WITNESS STAND FOR ME,
11 PLEASE.
12
13 **JASON AUSCHWITZ.**
14 CALLED AS A WITNESS BY THE DEFENSE, AND HAVING BEEN FIRST DULY
15 SWORN TO TESTIFY TO THE TRUTH, THE WHOLE TRUTH, AND NOTHING
16 BUT THE TRUTH, TESTIFIED AS FOLLOWS:
17
18 **THE WITNESS:** YES, MA'AM.
19 **THE CLERK:** PLEASE BE SEATED.
20 STATE AND SPELL YOUR NAME FOR THE RECORD.
21 **THE WITNESS:** MY NAME IS JASON AUSCHWITZ. JASON IS,
22 J-A-S-O-N. AUSCHWITZ, A-U-S-C-H-W-I-T-Z.
23 **THE COURT:** MR. GELLER.
24 ///
25 ////

DIRECT EXAMINATION

1

2 **BY MR. GELLER:**

3 **Q** DETECTIVE, HOW ARE YOU EMPLOYED?

4 **A** I'M EMPLOYED WITH THE LAS VEGAS METROPOLITAN POLICE
5 DEPARTMENT.

6 **Q** AND WERE YOU EMPLOYED IN THAT CAPACITY ON MARCH THE
7 7TH OF 2016?

8 **A** YES, SIR.

9 **Q** DID YOU HAVE OCCASION TO INVESTIGATE A CASE
10 SPECIFICALLY WITH THE DEFENDANTS LUIS ANGEL CASTRO, EDWARD
11 HONABACH, FABIOLA JIMENEZ AND LIONEL KING ON THAT DATE?

12 **A** YES, SIR.

13 **Q** AND WHEN DID YOU INITIALLY BECOME AWARE OF THE
14 ALLEGATIONS INVOLVED AND RESPOND TO THE SCENE? ROUGHLY. I
15 REALIZE YOU MAY NOT HAVE A CAD REPORT FROM --

16 **A** I BELIEVE IT WAS APRIL 3RD.

17 **Q** OKAY. SO PRIOR TO APRIL 3RD OF 2016, DID YOU HAVE
18 ANY INVESTIGATIVE INVOLVEMENT IN THE CASE THAT I JUST
19 REFERENCED?

20 **A** IF THAT DATE'S CORRECT, I -- I DID.

21 **Q** OKAY. AND WHAT, BRIEFLY, WAS THE INVESTIGATIVE
22 INVOLVEMENT PRIOR TO APRIL 3RD, 2016?

23 **A** IT WAS -- I BELIEVE THE CALL INITIALLY CAME OUT AS A
24 FIRE AT 1901 EAST OAKLEY, AND WE -- WE HAD SOMEONE WITH THEIR
25 THROAT SLIT.

1 **Q** WITH THEIR WHAT, I'M SORRY?

2 **A** THEIR THROAT SLIT.

3 **Q** UNDERSTOOD.

4 AND YOU BECAME AWARE OF THAT PRIOR TO APRIL OF 2016;

5 IS THAT CORRECT?

6 **A** I GOT -- I WAS AWARE OF THE -- PRIOR TO THE CALL

7 COMING OUT AROUND -- ROUGHLY AFTER 3 O'CLOCK. I BELIEVE

8 THAT'S THE CORRECT DATE.

9 **Q** OKAY. SO IF I UNDERSTAND YOUR TESTIMONY, AND PLEASE

10 DON'T LET ME MISSTATE IT, YOU DIDN'T BECOME AWARE OF THE

11 ALLEGATIONS INVOLVING THE FOUR AFOREMENTIONED DEFENDANTS ON

12 MARCH 7TH, 2016; IS THAT CORRECT?

13 **A** I DON'T UNDERSTAND YOUR QUESTION.

14 **Q** WHEN DID YOU FIRST BECOME AWARE OF THE ALLEGATIONS

15 THAT THE FOUR DEFENDANTS WERE FACING PERTAINING TO THE HOUSE

16 THAT WAS ON FIRE ON OAKLEY ON MARCH 7TH?

17 **A** WHEN THEY BECAME SUSPECTS, IS THAT -- IS THAT WHAT

18 YOU MEAN?

19 **Q** WHEN DID YOU BECOME INVOLVED IN THE INVESTIGATION?

20 **A** I BECAME INVOLVED RIGHT WHEN THE CALL CAME OUT.

21 **Q** UNDERSTOOD. THANK YOU.

22 DID YOU HAVE OCCASION, WITHOUT REPEATING WHAT ANYONE

23 SAID, TO CONDUCT INTERVIEWS WITH ANY OF THE SUSPECTS IN THIS

24 CASE?

25 **A** I DID.

1 **Q** DID YOU HAVE OCCASION, AGAIN WITHOUT REPEATING
2 ANYTHING THAT HE MAY HAVE SAID, TO INTERVIEW THE DEFENDANT
3 ANGEL CASTRO?

4 **A** I -- YOU KNOW WHAT, I DON'T RECALL -- THERE WERE A
5 LOT OF INTERVIEWS, AND I -- I DON'T HAVE MY NOTES WITH ME, BUT
6 I DON'T -- I DON'T RECALL INTERVIEWING MR. CASTRO OFF THE TOP
7 OF MY HEAD. ONE OF MY PARTNERS I BELIEVE DID, BUT I DON'T
8 THINK I DID.

9 **Q** OKAY. SO YOU DIDN'T PERSONALLY INTERVIEW THE
10 DEFENDANT SEATED TO MY LEFT, AS FAR AS YOU RECALL?

11 **A** I DON'T RECALL. I DON'T THINK I DID.

12 **Q** DID YOU HAVE OCCASION TO REPORT TO THE SCENE OF THE
13 BURNED HOUSE ON MARCH 7TH, 2016, OR ANYTIME SHORTLY
14 THEREAFTER?

15 **A** AGAIN, I -- I APOLOGIZE, I'M -- I'M -- LACK OF
16 SLEEP. WAS IT THE 7TH THAT THIS OCCURRED ON, THE ACTUAL DATE?

17 **Q** ACCORDING TO THE CRIMINAL COMPLAINT FILED BY THE
18 STATE IT WOULD BE THE 7TH, YES.

19 **A** AGAIN, WHAT'S YOUR QUESTION?

20 **Q** MY QUESTION IS, DID YOU EVER HAVE OCCASION ON MARCH
21 7TH, 2016, OR SHORTLY THEREAFTER, TO REPORT TO THE SCENE OF
22 THE FIRE ON OAKLEY?

23 **A** I DID. I WENT TO THE FIRE ON OAKLEY. I'VE BEEN --
24 I'VE BEEN TO THAT HOUSE A FEW TIMES.

25 **Q** NOW DID YOU --

1 **A** AND, AGAIN, I DON'T RECALL THE DATES SPECIFICALLY,
2 AND I APOLOGIZE ABOUT THAT.

3 **Q** NO APOLOGY NECESSARY, JUST THE BEST OF YOUR
4 RECOLLECTION.

5 **A** ALL RIGHT.

6 **Q** DID YOU HAVE OCCASION TO LOOK THROUGH THE HOUSE FOR
7 PIECES OF EVIDENCE THAT MIGHT BE RELEVANT TO YOUR
8 INVESTIGATION?

9 **A** YES, SIR, I DID.

10 **Q** AT ANY POINT IN TIME, WHILE YOU WERE REVIEWING THE
11 ITEMS IN THE HOUSE, DID YOU HAVE OCCASION TO OBSERVE ANY BEER
12 CANS?

13 **A** YOU KNOW WHAT, I DON'T -- I DON'T RECALL COLLECTING
14 A BEER CAN.

15 **Q** DO YOU RECALL OBSERVING ONE?

16 **A** I DO NOT RECALL. THERE WAS A LOT OF CLUTTER IN THAT
17 HOUSE.

18 **Q** AT ANY POINT IN TIME, IN YOUR INVESTIGATION, EITHER
19 BEFORE OR AFTER INTERVIEWING SUSPECTS, DID YOU HAVE OCCASION
20 TO REQUEST CELL SITE LOCATION INFORMATION FOR ANY OF THE
21 SUSPECTS?

22 **A** I -- I BELIEVE WE'RE ATTEMPTING THAT. I DON'T -- I
23 DON'T RECALL WHAT -- WHAT EXACTLY WENT FORWARD WITH THAT.

24 **Q** SO AS OF YOUR TESTIMONY TODAY, TO THE BEST OF YOUR
25 KNOWLEDGE, NOBODY UNDER YOUR COMMAND ASSOCIATED WITH THIS

1 INVESTIGATION IS IN POSSESSION OF CELL SITE LOCATION?

2 **A** THAT'S CORRECT.

3 **Q** BUT THAT'S SOMETHING THAT MAY VERY WELL HAVE BEEN

4 REQUESTED?

5 **A** IT MAY WELL, AND IT MAY BE IN THE PROCESS.

6 **Q** AND WHAT WOULD HAVE BEEN THE INVESTIGATIVE PURPOSE

7 IN REQUESTING CELL SITE LOCATION INFORMATION WITH RESPECT TO

8 THE SUSPECTS IN THE CASE?

9 **A** THAT WOULD JUST BE JUST TO PUT THEM AT THE SCENE OF

10 THE CRIME.

11 **Q** DID YOU HAVE OCCASION TO OBSERVE ANY SCREEN SHOTS OF

12 TEXT MESSAGES, PURSUANT TO YOUR INVESTIGATION?

13 **A** I -- I RECALL A -- A PHONE NUMBER THAT WAS POSSIBLY

14 USED THAT WE -- WE RETRIEVED FROM ONE OF THE -- MY VICTIM HAD

15 MADE SOME PHONE CALLS TO FAMILY MEMBERS, AND WE BELIEVE THAT

16 ONE OF THE PHONE NUMBERS USED WAS FROM ONE OF YOUR CLIENT'S

17 THAT WAS AT THE SCENE.

18 **Q** OKAY. NOW, YOU REFERRED TO ONE OF MY CLIENTS. YOU

19 MEAN ONE OF THE FOUR DEFENDANTS?

20 **A** ONE OF THE FOUR, RIGHT.

21 **Q** ACTUALLY YOU DON'T KNOW WHO I REPRESENT, BUT --

22 **A** I DON'T. YOU'RE ABSOLUTELY RIGHT, SIR.

23 **Q** ALL RIGHT. JUST A FEW MORE QUESTIONS.

24 PURSUANT TO ANY OF THE INVESTIGATIONS WHEREIN YOU OR

25 SOMEONE IN YOUR CONTROL OR UNDER YOUR LEAD, I SHOULD SAY,

1 MIGHT HAVE HAD A QUESTION AND ANSWER SESSION WITH ONE OF THE
2 SUSPECTS, DID YOU OR ANYONE AT YOUR DIRECTION FOLLOW UP AND
3 TRY TO CONFIRM OR DISCONFIRM ANY ALIBIS THEY MAY HAVE
4 PROVIDED?

5 **A** AS -- AS FAR AS PHONE CALLS OR WHO -- WHO CALLED
6 WHO?

7 **Q** I'LL REVISE.

8 IF ANYONE, WITHOUT REPEATING WHAT ANYONE MAY HAVE
9 SAID TO YOU, IF ANY OF THE SUSPECTS SAID I WAS AT ANOTHER
10 LOCATION AT SUCH AND SUCH TIME, DID YOU OR ANYONE AT YOUR
11 COMMAND INVESTIGATE THE ALIBI?

12 **A** YEAH, I BELIEVE DETECTIVE VALENZUELA.

13 **Q** OKAY. WITHOUT REPEATING WHAT THE ALIBI MIGHT HAVE
14 BEEN, DO YOU RECALL WHO'S ALIBI DETECTIVE VALENZUELA WAS
15 INVESTIGATING?

16 **A** I BELIEVE THAT WAS LIONEL KING'S.

17 **Q** OTHER THAN MR. KING, DO YOU KNOW IF METRO
18 DETECTIVES, PURSUANT TO THIS INVESTIGATION, INVESTIGATED
19 ANYONE ELSE'S ALIBI?

20 **A** YOU KNOW WHAT, I BELIEVE WE DID, I JUST DON'T KNOW
21 WHAT ALIBIS YOU'RE REFERRING TO. IF YOU COULD BE MORE
22 SPECIFIC I CAN PROBABLY --

23 **Q** MAY I SAY THIS, WERE ANY SURVEILLANCE VIDEOS
24 REQUESTED OR PRESERVED PURSUANT TO YOUR INVESTIGATION INTO
25 THESE ALLEGATIONS?

1 **A** THERE -- THERE WAS A MARKET THAT ONE OF YOUR -- OR
2 ONE OF THE FOUR CLAIMED TO HAVE BEEN AT, THAT THERE WAS NO
3 VIDEO, I BELIEVE, WE DID NOT FIND ANY VIDEO OF YOUR CLIENT
4 BEING AT THE -- THAT MARKET AT THE TIME OF -- THE INCIDENT
5 OCCURRED.

6 **Q** DO YOU RECALL WHICH MARKET YOU'RE REFERRING TO?

7 **A** NO, NOT -- NOT 100 PERCENT.

8 **MR. GELLER:** OKAY. PASS THE WITNESS.

9 **THE COURT:** ANY --

10 **MR. YAMPOLSKY:** EXCUSE ME, YOUR HONOR.

11 **THE COURT:** I'M NOT SURE HOW -- DO YOU WANT TO...

12 **MR. VILLANI:** EITHER WAY, WE HAVE NO QUESTIONS, WE'LL
13 JUST --

14 **THE COURT:** IT'S NOT YOUR WITNESS, I DON'T KNOW IF YOU
15 WANT TO DO YOUR CROSS OR YOUR CROSS, OR WHAT YOURS WOULD BE
16 CALLED.

17 **MR. YAMPOLSKY:** I'LL BE -- I'LL BE REALLY BRIEF.

18 **THE COURT:** OKAY. GO AHEAD MR. YAMPOLSKY.

19

20 **CROSS-EXAMINATION**

21 **BY MR. YAMPOLSKY:**

22 **Q** DETECTIVE, YOU SAID THAT DETECTIVE VALENZUELA WAS
23 INVESTIGATING LIONEL KING'S ALIBI?

24 **A** THAT'S CORRECT. I BELIEVE --

25 **Q** SO YOU DID NOT INVESTIGATE?

1 **A** NO, SIR, I DID NOT.

2 **MR. YAMPOLSKY:** I HAVE NOTHING FURTHER.

3 **THE COURT:** ALL RIGHT.

4 **MR. VILLANI:** NOTHING FROM THE STATE, YOUR HONOR.

5 **THE COURT:** ANY CROSS?

6 **MR. VILLANI:** NO.

7 **THE COURT:** THANK YOU FOR YOUR TESTIMONY, YOU'RE FREE TO

8 STEP DOWN.

9 **THE WITNESS:** THANK YOU, JUDGE. HAVE A GOOD DAY.

10 **THE COURT:** THANKS.

11 ANYTHING ELSE FROM MR. GELLER ON BEHALF OF MR. CASTRO?

12 **MR. GELLER:** NO THANK YOU, YOUR HONOR.

13 I JUST SPOKE TO MR. CASTRO, THAT HE HAS A RIGHT TO

14 TESTIFY AT A PRELIMINARY HEARING. I ADVISED HIM NOT TO, AND

15 HE'S GOING TO TAKE MY ADVICE TODAY.

16 **THE COURT:** OKAY.

17 **MR. GELLER:** SO WE WOULD REST WITH RESPECT TO THE

18 PRELIMINARY HEARING.

19 **THE COURT:** ALL RIGHT. MR. YAMPOLSKY, HOW ABOUT YOU?

20 **MR. YAMPOLSKY:** WE HAVE NO WITNESSES, YOUR HONOR.

21 AND, SIMILARLY, I SPOKE TO MR. KING, INFORMED HIM HE DOES

22 HAVE A RIGHT TO TESTIFY. IT'S MY ADVICE THAT HE DOES NOT, AND

23 HE IS GOING TO TAKE MY ADVICE.

24 **THE COURT:** OKAY. ARGUMENT.

25 **MR. VILLANI:** YOUR HONOR, THE STATE WILL WAIVE AND

1 RESERVE.

2 **THE COURT:** MR. GELLER YOU WANT TO --

3 **MR. GELLER:** THANK YOU, JUDGE.

4 **THE COURT:** -- GO FIRST?

5 **MR. GELLER:** YOUR HONOR, I'D JUST ASK THE COURT NOT TO
6 BIND OVER THE DEFENDANT ON COUNT 8, THAT'S A FIRST DEGREE
7 ARSON. WE HEARD TESTIMONY FROM THE ALLEGED VICTIM IN THE
8 CASE, AND HE TESTIFIED THAT HE BELIEVED HE TOLD THE OFFICERS
9 THAT HE NO LONGER COULD HEAR THE DEFENDANT OR THE OTHER
10 DEFENDANT, WHICH IS FABIOLA JIMENEZ, WHO'S NAME I APOLOGIZE I
11 BUTCHERED A FEW TIMES DURING MY CROSS-EXAMINATION. BUT HE NO
12 LONGER WAS ABLE TO HEAR THEM IN THE HOUSE. HE DIDN'T SEE THEM
13 IN THE RESIDENCE ANYMORE AT THAT POINT IN TIME. AND IT
14 DOESN'T SOUND LIKE AT ANY POINT IN TIME HE MENTIONED THAT
15 THERE WAS A STATEMENT THAT MIGHT HAVE BEEN ADMISSIBLE PURSUANT
16 TO THE COCONSPIRATOR HEARSAY EXCEPTION, WHEREIN THE DEFENDANT
17 CASTRO SAID BURN HIM OR ANYTHING LIKE THAT. TO THE CONTRARY,
18 THE ONE STATEMENT THAT HE DID GET INTO EVIDENCE, OR I SHOULD
19 SAY THE STATE GOT INTO EVIDENCE THROUGH THAT WITNESS, THAT WAS
20 ATTRIBUTED TO MR. CASTRO, WAS SOMETHING TO THE FACT THAT HE'S
21 DONE OR HE'S DEAD, AND THEN AFTER THAT THEY DON'T HEAR HIM
22 ANYMORE. SO I'M ASKING THE COURT NOT TO BIND OVER COUNT 8
23 WITH RESPECT TO THE ARSON, BECAUSE I DON'T BELIEVE THE STATE'S
24 DEMONSTRATED ANY EVIDENCE THAT PUTS THE DEFENDANTS,
25 SPECIFICALLY MR. CASTRO, WITH A LIGHTER IN HIS HAND COMMANDING

1 ANYONE TO BURN ANYTHING. TO THE CONTRARY, HE'S LEAVING THE
2 RESIDENCE PRIOR TO THE FIRE BEING STARTED.

3 I'D SUBMIT IT WITH THAT.

4 **THE COURT:** ALL RIGHT. MR. YAMPOLSKY.

5 **MR. YAMPOLSKY:** AND, YOUR HONOR, ON THE FIRST DEGREE
6 KIDNAPPING, MR. ORTIZ-SALAZAR STATED THAT MR -- AND THE
7 REDHEAD, WHAT IS THAT, HORN --

8 **MS. LEXIS:** HONABACH.

9 **MR. YAMPOLSKY:** WHAT?

10 **MS. LEXIS:** HONABACH.

11 **MR. VILLANI:** HONABACH.

12 **MR. YAMPOLSKY:** MR. HONABACH WAS IN THE CAR, AND I
13 BELIEVE SAID HE WAS PULLING HIM, AND HE ALSO SAID THAT
14 MR. CASTRO WAS PUSHING HIM AND -- EITHER HE DIDN'T MENTION
15 MR. KING OR MAYBE I ASKED HIM, BUT THERE WAS NO -- NO
16 TESTIMONY THAT MR. KING WAS ACTUALLY PUSHING HIM IN THE TRUCK.
17 HE SAID MR. KING WAS IN THE BACK OF THE TRUCK, SO HE WAS IN
18 THE BED.

19 I DON'T BELIEVE WE CAN INFER THAT THERE WAS -- HE WAS
20 EXHIBITING ANY TYPE OF DOMINION OR CONTROL OR SCARING HIM THAT
21 HE SHOULD GO INTO THE TRUCK. BASED ON THAT, I WOULD REQUEST
22 THAT THE COURT NOT BIND OVER ON THAT PARTICULAR COUNT.

23 ON THE REST I'LL SUBMIT.

24 **THE COURT:** ALL RIGHT. STATE, ANY ARGUMENT?

25 **MR. VILLANI:** YOUR HONOR, WITH REGARD TO THE FIRST DEGREE

1 ARSON, NOT ONLY IS THAT BARREN PLEAD, BUT WE ARE AT A SLIGHT
2 OR MARGINAL EVIDENCE HEARING HERE. GIVEN THAT, ALL FOUR WERE
3 PRESENT DURING THE STABBING. IT'S NOT BEYOND BELIEF THAT THE
4 TWO WOULD HAVE BEEN PRESENT WHEN THAT FIRE WAS BEING SET, OR
5 WHEN THE MATERIALS WERE BEING GRABBED, JUST BECAUSE THE VICTIM
6 WAS JUST ABOUT DEAD AT THE TIME THE FIRE WAS -- WAS SET, AND
7 UNABLE TO ACTUALLY REMEMBER SEEING THEM.

8 HE -- WHAT HE TESTIFIED TO IS, HE PHYSICALLY SAW THE
9 OTHER TWO. HE DID NOT SEE THEM, HE JUST STOPPED HEARING THEIR
10 VOICES. HE DID NOT SEE THEM. BY THEM I MEAN DEFENDANT 1,
11 MR. CASTRO AND HIS GIRLFRIEND MISS JIMENEZ.

12 SO GIVEN THAT, YOUR HONOR, I'D ASK YOU TO BIND OVER ON A
13 FIRST DEGREE ARSON.

14 REGARDING THE FIRST DEGREE KIDNAPPING WITH USE OF A
15 DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM. MR.
16 YAMPOLSKY'S ARGUMENT PRESUMES THAT THE KIDNAP TOOK PLACE WHEN
17 HE WAS PLACED IN THE TRUCK AND DRIVEN TO THE RESIDENCE. OUR
18 THEORY ALSO INCLUDES THE SEIZING, THE CONFINING, THE ABDUCTING
19 AND THE CONCEALING OF JOSE, WHICH CERTAINLY UNDER THE
20 TESTIMONY HEARD TODAY, MR. KING IS LIABLE FOR, AS MR. JOSE WAS
21 TIED TO A CHAIR AS MR. KING WAS REPEATEDLY STABBING HIM.

22 GIVEN THAT, YOUR HONOR, I'D ASK YOU TO BIND OVER FIRST
23 DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN
24 SUBSTANTIAL BODILY HARM AS WELL, AND THE STATE WILL SUBMIT
25 WITH THAT.

1 **THE COURT:** MR. CASTRO AND MR. KING, PLEASE STAND.

2 APPEARING TO ME FROM THE AMENDED CRIMINAL COMPLAINT ON
3 FILE, AS ORALLY AMENDED HERE IN OPEN COURT, AND THE TESTIMONY
4 PRESENTED AT THIS PRELIMINARY HEARING, THERE'S SUFFICIENT
5 EVIDENCE TO BELIEVE THAT THE CRIMES OF CONSPIRACY TO COMMIT
6 MURDER, COUNT 2, ATTEMPT MURDER WITH USE OF A DEADLY WEAPON,
7 COUNT 3, MAYHEM WITH USE OF A DEADLY WEAPON, TO WIT: A
8 MACHETE AND/OR KNIFE AND/OR WIRE CUTTERS, COUNT 4, BATTERY
9 WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY
10 HARM, COUNT 5, FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
11 WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, COUNT 6,
12 EXTORTION WITH USE OF A DEADLY WEAPON, COUNT 7, ROBBERY WITH
13 USE OF A DEADLY WEAPON, COUNT 8, FIRST DEGREE ARSON, HAVE BEEN
14 COMMITTED, AND THAT YOU EACH COMMITTED SAID CRIMES. I HEREBY
15 ORDER THAT EACH OF YOU BE HELD TO ANSWER IN THE EIGHTH
16 JUDICIAL DISTRICT COURT ON THE FOLLOWING DATE AND TIME.

17 **THE CLERK:** ON APRIL THE 14TH AT 10 O'CLOCK A.M.,
18 DISTRICT COURT, LOWER LEVEL COURTROOM A.

19

20 (AT 12:43 A.M. THE PROCEEDINGS WERE RECESSED.)

21 * * *

22 ATTEST: FULL, TRUE AND CERTIFIED TRANSCRIPT.

23 /S/KIT MACDONALD
24 KIT MACDONALD, C.C.R.
COURT REPORTER
C.C.R. NO. 65

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S DECLARATION

STATE OF NEVADA)
COUNTY OF CLARK)

I, KIT MACDONALD, A CERTIFIED COURT REPORTER IN AND
FOR THE STATE OF NEVADA, HEREBY DECLARE THAT PURSUANT TO NRS
239B.030 I HAVE NOT INCLUDED THE SOCIAL SECURITY NUMBER OF ANY
PERSON WITHIN THIS DOCUMENT.

I FURTHER DECLARE THAT I AM NOT A RELATIVE OR
EMPLOYEE OF ANY PARTY INVOLVED IN SAID ACTION, NOR A PERSON
FINANCIALLY INTERESTED IN THE ACTION.

/S/KIT MACDONALD
KIT MACDONALD, C.C.R.
C.C.R. NO. 65

\$	49/8 50/4 50/12 51/17 54/20 55/18	26/21 27/19 28/15 28/21 29/8 30/14 31/19
\$100 [3] 57/18 57/21 58/7	ABDUCTING [1] 74/18	31/20 31/21 31/25 33/23 37/4 37/6 37/14
\$50 [2] 18/20 18/24	ABLE [9] 29/7 29/12 34/17 35/4 35/10 35/17	38/21 44/21 49/20 49/25 50/3 53/14 53/19
\$7 [1] 18/14	36/3 36/6 72/12	54/2 54/7 54/18 57/14 57/17 57/22 58/2 58/4
/	ABOUT [26] 4/7 4/20 13/5 17/5 19/10 34/10	59/1 59/12 64/10 66/3
/S/KIT [2] 75/23 76/13	38/14 40/7 40/9 40/14 40/24 41/5 41/22	ANGEL'S [10] 15/9 17/11 17/17 26/10 26/25
1	42/12 47/15 47/16 50/20 50/23 55/1 55/21	28/12 28/19 30/16 37/15 38/21
10 [6] 8/12 32/13 32/25 52/24 55/22 75/17	57/13 58/7 63/5 67/2 71/19 74/6	ANOTHER [2] 62/6 69/9
100 [4] 53/18 53/21 54/24 70/7	ABSOLUTELY [1] 68/22	ANSWER [11] 7/13 7/25 11/11 28/18 37/4
10:39 [2] 1/17 3/3	ACCORDING [1] 66/17	48/3 48/4 50/16 54/12 69/1 75/15
11 [10] 2/5 2/19 19/10 32/7 32/13 33/2 33/7	ACCURATE [1] 54/13	ANTICIPATE [2] 42/18 61/16
33/11 43/13 47/17	ACCURATELY [2] 53/3 53/6	ANY [46] 4/3 4/14 9/12 21/23 23/14 24/17
12 [8] 1/16 2/20 3/1 39/15 39/19 39/20 39/25	ACTION [2] 76/10 76/11	29/12 33/4 34/7 34/10 38/2 38/2 42/19 46/25
40/4	ACTUAL [1] 66/16	48/5 48/19 50/6 50/25 51/21 53/8 57/17
12:43 [1] 75/20	ACTUALLY [7] 3/16 21/13 25/24 51/8	57/24 59/18 61/9 61/16 63/1 64/18 65/23
13 [7] 2/20 9/10 39/15 39/19 39/20 39/25	68/21 73/16 74/7	67/10 67/11 67/18 67/20 68/11 68/24 69/3
40/4	ADD [1] 5/17	69/9 69/23 70/3 70/9 71/5 72/14 72/24 73/20
14TH [2] 8/12 75/17	ADDING [4] 4/8 4/10 60/14 60/24	73/24 76/7 76/10
16 [1] 2/17	ADDRESS [1] 49/2	ANYMORE [3] 56/2 72/13 72/22
16F03770A [2] 1/6 3/8	ADMISSIBLE [1] 72/15	ANYONE [11] 31/17 31/25 47/1 63/2 65/22
16F03770B [1] 1/7	ADMIT [4] 16/17 20/19 33/6 39/24	69/2 69/8 69/8 69/10 69/19 73/1
16F03770C [1] 1/7	ADMITTED [10] 2/16 7/13 16/21 16/23	ANYTHING [19] 9/15 21/24 24/18 24/24
16F03770D [2] 1/8 8/16	20/23 20/24 33/10 33/12 40/3 40/5	27/19 31/13 33/23 34/12 37/2 38/12 39/3
16F0377A [1] 42/23	ADVICE [3] 71/15 71/22 71/23	40/9 44/16 50/15 61/10 66/2 71/11 72/17
1901 [2] 25/2 64/24	ADVISED [1] 71/14	73/1
2	AFOREMENTIONED [1] 65/11	ANYTIME [1] 66/13
20 [1] 2/18	AFTER [15] 5/22 6/12 27/2 30/23 31/17	ANYWAY [1] 18/24
2016 [21] 1/16 3/1 11/25 12/5 13/24 15/2	31/25 33/23 39/10 45/15 49/6 51/20 52/20	APART [1] 34/20
16/4 17/1 17/3 19/9 37/6 43/10 47/16 48/2	65/7 67/19 72/21	APOLOGIZE [4] 62/21 66/15 67/2 72/10
64/7 64/17 64/22 65/4 65/12 66/13 66/21	AGAIN [14] 18/10 31/4 31/18 36/19 41/13	APOLOGY [1] 67/3
20TH [1] 19/15	44/8 50/2 54/15 54/22 60/13 66/1 66/15	APPEARING [4] 6/15 7/11 7/23 75/2
239B.030 [1] 76/7	66/19 67/1	APPRECIATE [1] 62/15
3	AGAINST [2] 26/18 39/12	APPROACH [6] 9/7 10/23 14/4 32/5 32/9
30 [1] 62/12	AGNES [2] 1/18 4/6	39/14
33 [1] 2/19	AGO [3] 5/6 17/5 55/23	APPROACHED [1] 14/15
3RD [3] 64/16 64/17 64/22	AGREE [2] 29/13 62/14	APPROXIMATELY [2] 13/16 55/22
4	AHEAD [6] 4/2 9/1 38/6 46/13 62/18 70/18	APRIL [8] 1/16 3/1 8/12 64/16 64/17 64/22
40 [1] 2/20	ALCOHOL [3] 47/19 47/21 47/22	65/4 75/17
43 [1] 2/6	ALIBI [5] 69/11 69/13 69/14 69/19 70/23	ARE [20] 9/12 19/13 21/8 25/12 33/10 33/19
5	ALIBIS [2] 69/3 69/21	33/21 36/3 37/24 42/5 43/21 46/20 50/20
50 [1] 50/22	ALIVE [1] 28/14	50/23 53/17 55/20 60/14 62/6 64/3 74/1
57 [1] 2/7	ALL [30] 3/7 4/22 5/20 6/15 7/3 7/4 8/14	AREA [2] 19/5 34/22
6	9/19 10/1 12/4 13/22 16/3 18/23 24/25 32/22	ARGUMENT [3] 71/24 73/24 74/16
64 [1] 2/11	34/23 40/8 42/22 44/18 44/22 58/9 59/20	ARM [1] 30/6
65 [3] 1/24 75/24 76/14	61/5 67/5 68/23 71/3 71/19 73/4 73/24 74/2	ARMED [1] 23/10
7	ALLEGATIONS [4] 64/14 65/11 65/14	ARMS [8] 23/25 27/24 28/1 28/4 28/9 33/1
70 [1] 2/12	69/25	35/23 36/23
7029816 [1] 60/2	ALLEGED [1] 72/7	ARNOLD [2] 1/22 3/12
7B [1] 63/9	ALLOWED [2] 50/19 55/10	AROUND [8] 25/21 34/22 36/16 43/10 43/13
7TH [15] 16/4 16/25 17/3 19/9 37/6 43/10	ALMOST [2] 50/10 51/7	47/3 59/8 65/7
47/16 48/2 64/7 65/12 65/16 66/13 66/16	ALONE [1] 43/20	ARRIVE [2] 21/2 49/8
66/18 66/21	ALONG [2] 4/6 15/1	ARRIVED [8] 20/3 20/15 21/4 43/11 43/22
A	ALREADY [2] 26/13 45/22	47/17 49/7 50/6
A-DEFENDANT [1] 42/8	ALSO [7] 5/2 28/7 31/20 53/22 59/25 73/13	ARRIVES [1] 8/19
A-U-S-C-H-W-I-T-Z [1] 63/22	74/18	ARSON [7] 7/22 8/9 72/7 72/23 74/1 74/13
A.M [8] 1/17 3/3 8/12 19/10 43/13 47/17	AM [1] 76/9	75/13
75/17 75/20	AMEND [2] 4/13 4/14	AS [48] 4/23 5/1 5/5 6/2 7/11 7/15 7/23 7/24
ABANDONED [10] 25/8 25/8 38/21 49/7	AMENDED [13] 4/11 5/5 5/10 5/16 6/2 6/2	7/24 8/23 10/11 10/13 14/5 14/10 14/21 15/5
	7/7 7/11 7/12 7/15 7/23 75/2 75/3	15/11 15/17 19/23 20/5 25/18 25/18 26/10
	AMENDMENT [1] 60/18	32/6 32/13 39/15 42/3 44/15 51/11 51/11
	AMENDMENTS [3] 6/17 7/24 60/13	53/3 53/3 53/5 53/6 60/13 63/14 63/16 64/23
	AMOUNT [1] 48/13	66/10 66/10 67/24 69/5 69/5 69/5 74/20
	AND/OR [12] 6/25 7/1 7/2 7/5 7/16 7/16 8/3	74/21 74/24 75/3
	8/4 60/15 60/15 75/8 75/8	ASK [13] 17/25 18/7 18/9 40/12 43/7 47/15
	ANGEL [59] 1/8 12/13 12/13 13/1 13/5	51/13 51/14 54/14 55/11 72/5 74/12 74/22
	13/20 14/14 14/16 15/1 16/5 16/9 16/12	ASKED [11] 21/19 22/15 25/12 43/8 45/17
	16/15 17/4 17/19 18/12 19/22 21/15 21/16	47/16 51/5 61/8 61/18 63/1 73/15
	21/17 21/19 22/14 22/16 22/18 22/20 24/9	ASKING [16] 21/4 21/5 21/14 21/17 22/1

A	<p>BELONGED [3] 45/12 45/14 45/16 BELONGINGS [1] 39/9 BEST [2] 67/3 67/24 BETWEEN [8] 24/14 30/1 30/5 42/5 46/15 50/6 59/16 59/24 BEYOND [1] 74/3 BIG [7] 40/13 40/14 40/18 40/19 40/19 41/14 41/18 BIND [4] 72/6 72/22 73/22 74/22 BINDOVER [3] 6/20 8/10 74/12 BIT [2] 37/11 56/19 BLACK [1] 20/8 BLADE [2] 41/16 41/22 BLOCKING [1] 36/6 BLOODSTREAM [1] 49/1 BLUE [6] 12/19 20/10 20/11 27/14 43/11 43/22 BODILY [12] 4/10 7/8 7/9 7/18 7/19 8/5 8/7 60/25 74/15 74/24 75/9 75/11 BODY [1] 34/8 BOTH [1] 61/24 BOTTLE [1] 49/21 BOUGHT [1] 58/1 BOUND [2] 4/2 36/21 BREAK [4] 36/18 42/12 42/13 62/24 BREAKING [1] 34/20 BREATHING [1] 32/22 BRIEF [5] 40/6 41/25 59/23 61/20 70/17 BRIEFLY [2] 56/11 64/21 BRING [2] 9/4 17/24 BRINGING [1] 26/17 BRITTLE [1] 34/19 BROKEN [2] 17/9 17/10 BROUGHT [4] 8/21 25/10 38/8 38/20 BROWN [1] 12/19 BUD [1] 49/18 BURN [6] 35/5 35/13 35/17 54/21 72/17 73/1 BURNED [2] 33/1 66/13 BURNING [8] 34/2 53/20 53/24 54/8 55/19 56/7 57/4 57/10 BUTCHERED [1] 72/11</p>	<p>23/5 23/6 23/13 50/22 58/12 73/12 CARE [1] 62/20 CARL [2] 1/22 3/12 CARRY [1] 25/19 CARS [1] 21/8 CASE [14] 1/1 1/6 3/9 3/15 5/22 6/6 6/13 9/20 43/1 64/9 64/18 65/24 68/8 72/8 CASES [3] 42/5 42/15 42/17 CASTRO [61] 1/8 1/12 1/20 3/7 3/11 4/23 8/14 8/23 9/20 12/13 13/1 13/17 13/20 14/14 15/2 16/19 19/22 21/15 22/14 22/16 22/20 24/9 31/19 31/21 33/8 37/4 42/22 44/21 49/23 49/25 50/3 50/6 50/8 50/12 51/2 51/5 51/9 51/17 51/22 54/2 55/17 55/24 57/9 57/14 57/17 57/22 58/2 58/5 59/1 59/12 64/10 66/3 66/6 71/11 71/13 72/17 72/20 72/25 73/14 74/11 75/1 CASTRO'S [5] 31/20 37/6 49/20 52/3 57/9 CAUSED [1] 52/3 CELL [12] 22/5 22/10 22/13 22/14 22/15 22/17 37/24 38/8 45/9 67/20 68/1 68/7 CELLULAR [3] 45/11 45/12 45/15 CERTAIN [4] 29/19 51/3 53/18 53/21 CERTAINLY [2] 61/15 74/19 CERTIFICATE [1] 1/24 CERTIFIED [2] 75/22 76/5 CHAIR [14] 11/3 27/4 27/5 27/7 27/10 27/24 28/7 28/8 28/9 28/10 29/6 34/18 34/19 74/21 CHAIRS [1] 9/5 CHALLENGE [1] 4/16 CHANCE [1] 34/21 CHANGE [1] 20/13 CHARGE [3] 17/20 18/13 61/1 CHARGES [6] 4/16 4/17 5/9 6/1 6/6 8/1 CHOOSE [1] 4/14 CHOPPED [1] 33/4 CIGARETTES [4] 37/19 37/21 39/5 58/15 CLAIMED [1] 70/2 CLAIMS [2] 61/10 62/6 CLARIFICATION [4] 24/13 30/4 43/25 46/14 CLARIFY [2] 41/15 45/24 CLARK [6] 1/4 3/1 12/2 19/16 25/2 76/3 CLEAR [1] 44/5 CLERK [2] 9/7 10/8 CLICK [1] 34/5 CLIENT [1] 70/3 CLIENT'S [1] 68/16 CLIENTS [1] 68/18 CLOSE [1] 60/12 CLUTTER [1] 67/16 COCONSPIRATOR [1] 72/16 CODEFENDANTS [1] 53/25 COLLECTING [1] 67/13 COLOR [1] 20/13 COME [8] 5/23 6/13 12/13 16/13 18/7 38/3 45/7 63/10 COMING [2] 16/2 65/7 COMMAND [2] 67/25 69/11 COMMANDING [1] 72/25 COMMANDS [1] 27/21 COMMIT [3] 7/14 8/1 75/5 COMMITTED [2] 75/14 75/14 COMMUNICATING [1] 55/16 COMPLAINT [8] 4/11 5/10 5/17 6/2 7/11 7/24 66/17 75/2 CONCEAL [1] 44/16 CONCEALING [1] 74/19</p>
B	<p>BACK [15] 5/23 6/13 24/12 28/1 37/11 37/25 38/14 42/22 43/9 47/9 47/13 51/24 56/10 57/12 73/17 BAD [1] 24/20 BARREN [1] 74/1 BARRING [1] 48/5 BASED [1] 73/21 BASIS [1] 48/19 BATTERY [3] 7/17 8/4 75/8 BE [43] 4/2 4/8 5/14 6/7 6/21 7/7 7/13 7/25 8/11 8/24 10/7 10/16 11/12 11/19 14/13 14/24 20/14 23/12 35/10 39/22 40/3 48/20 49/3 57/18 57/19 57/21 60/18 60/19 60/20 60/24 61/20 62/11 62/12 63/19 66/18 67/7 68/5 68/9 69/21 70/15 70/17 70/17 75/15 BEARING [2] 23/12 23/25 BECAME [3] 65/4 65/17 65/20 BECAUSE [24] 6/16 11/11 17/10 18/20 22/9 23/10 26/19 30/20 31/21 33/18 34/4 36/12 38/17 43/25 46/16 49/15 51/6 56/4 58/1 58/6 59/8 63/6 72/23 74/5 BECOME [4] 64/13 65/10 65/14 65/19 BED [4] 24/15 47/7 59/3 73/18 BEEN [26] 9/19 10/11 12/10 14/5 14/10 14/20 15/4 15/10 20/4 20/7 25/5 32/6 32/12 39/15 43/14 63/9 63/14 66/23 66/24 68/3 68/6 69/14 70/2 72/15 74/4 75/13 BEER [8] 28/13 49/10 49/14 49/17 56/10 56/12 67/11 67/14 BEFORE [21] 1/15 4/8 9/13 9/16 14/15 16/7 17/3 23/13 26/5 27/20 39/10 47/20 50/4 52/21 53/13 53/20 53/25 55/18 55/25 60/12 67/19 BEGIN [2] 9/13 9/16 BEGINNING [2] 11/24 15/2 BEHALF [5] 3/11 3/13 3/24 4/6 71/11 BEING [11] 6/22 10/4 20/9 40/7 40/20 45/21 50/11 70/4 73/2 74/4 74/5 BELIEF [1] 74/3 BELIEVE [26] 27/9 45/16 46/3 49/8 49/12 51/4 52/2 53/7 54/7 60/1 63/9 64/16 64/23 65/7 66/7 67/22 68/15 69/12 69/16 69/20 70/3 70/24 72/23 73/13 73/19 75/5 BELIEVED [4] 51/1 54/18 55/17 72/8 BELLY [1] 32/20 BELONG [1] 45/12</p>	
	C	
	<p>C.C.R [5] 1/24 75/23 75/24 76/13 76/14 C314092 [4] 1/1 1/1 1/1 1/1 C314092-1 [1] 1/1 C314092-2 [1] 1/1 C314092-3 [1] 1/1 C314092-4 [1] 1/1 CAB [1] 47/10 CAD [1] 64/15 CALL [14] 11/9 14/25 19/23 29/2 30/10 42/11 42/16 46/7 61/7 63/7 63/8 64/23 65/6 65/20 CALLED [7] 9/1 10/11 18/12 46/18 63/14 69/5 70/16 CALLS [8] 9/24 29/3 29/4 29/7 29/10 29/15 68/15 69/5 CAME [4] 22/25 44/20 64/23 65/20 CAN [26] 4/17 5/13 9/1 9/1 9/4 11/3 18/9 18/9 29/19 31/1 31/5 31/6 38/14 41/15 49/2 49/21 49/22 51/2 51/14 54/12 54/14 62/4 62/8 67/14 69/22 73/19 CAN'T [3] 44/1 44/4 62/2 CANNOT [1] 50/23 CANS [1] 67/12 CAPACITY [1] 64/6 CAR [12] 17/8 17/24 18/8 18/13 18/22 23/4</p>	

C	DATE'S [1] 64/20 DATES [1] 67/1 DAY [6] 26/5 26/24 43/14 47/4 52/21 71/9 DAYS [9] 17/3 47/20 47/23 48/2 48/10 48/13 48/21 52/24 55/23 DEAD [7] 33/16 33/24 33/25 50/10 51/7 72/21 74/6 DEADLY [26] 4/9 6/22 6/22 7/7 7/15 7/15 7/17 7/19 7/20 7/21 8/2 8/3 8/4 8/6 8/8 8/8 60/14 60/25 74/15 74/23 75/6 75/7 75/9 75/10 75/12 75/13 DECLARATION [1] 76/1 DECLARE [2] 76/6 76/9 DEEP [1] 32/2 DEFEN [1] 54/23 DEFENDANT [18] 1/20 1/21 1/22 1/23 13/1 15/24 42/8 54/18 54/19 54/20 59/16 66/2 66/10 72/6 72/9 72/10 72/16 74/10 DEFENDANTS [22] 1/10 20/14 34/8 40/8 44/15 45/4 45/7 45/10 45/15 47/6 47/17 53/13 53/20 54/8 54/21 55/18 60/14 64/10 65/11 65/15 68/19 72/24 DEFENSE [11] 2/9 4/7 12/22 14/8 15/14 42/20 59/24 59/25 61/7 63/8 63/14 DEGREE [14] 7/6 7/18 7/21 8/6 8/9 60/24 72/6 73/5 73/25 74/13 74/14 74/23 75/10 75/13 DEMONSTRATED [1] 72/24 DEPARTMENT [1] 64/5 DEPENDING [2] 48/15 48/22 DEPUTY [1] 1/19 DESCRIBE [2] 12/17 44/2 DESCRIPTIONS [1] 53/2 DETECTIVE [9] 55/2 61/7 61/21 63/8 64/3 69/12 69/14 70/22 70/22 DETECTIVES [15] 52/15 52/20 52/24 53/9 53/12 53/19 54/17 55/8 55/12 55/16 55/22 55/24 56/1 56/6 69/18 DIALED [1] 17/17 DID [127] DIDN'T [25] 6/9 6/16 18/21 21/23 23/11 23/20 23/24 23/25 25/17 25/18 28/20 33/18 34/12 38/17 49/13 51/20 56/2 56/9 57/4 57/7 57/24 65/10 66/9 72/12 73/14 DIE [1] 33/25 DIFFERENT [1] 12/7 DIRECT [9] 2/5 2/11 11/7 43/9 44/25 49/6 57/12 62/11 64/1 DIRECTING [1] 58/20 DIRECTION [3] 44/7 44/10 69/2 DISCONFIRM [1] 69/3 DISCUSS [1] 3/25 DISCUSSION [5] 24/14 30/5 46/15 59/16 59/24 DISCUSSIONS [1] 42/17 DISRESPECT [1] 28/21 DISTRACTED [1] 38/17 DISTRACTING [1] 38/7 DISTRICT [11] 1/19 4/3 5/13 5/22 6/7 6/13 8/11 8/12 49/3 75/16 75/18 DO [74] 3/20 4/11 4/13 5/8 5/12 5/19 5/25 6/5 6/11 6/19 11/19 12/15 13/17 14/11 14/13 14/16 14/21 14/24 15/5 15/11 15/17 16/9 17/10 17/23 18/1 20/5 20/13 21/7 21/22 23/9 23/17 23/23 25/1 25/24 27/16 29/4 31/13 32/13 33/17 33/23 34/3 34/7 35/20 36/8 36/11 37/2 38/22 39/19 39/22 40/9 40/12 40/20 42/3 42/4 42/18 43/10 46/3 48/3 49/17 49/19 50/23 52/19 55/16 55/23 56/4 61/22 63/4 67/15 67/16 69/14 69/17 70/6 70/11 70/15 DOCUMENT [1] 76/8 DOES [7] 32/17 32/19 32/21 33/2 43/17 71/21 71/22 DOESN'T [1] 72/14 DOING [9] 21/17 29/16 30/3 30/14 30/16 34/13 35/12 50/1 50/3 DOLLARS [2] 17/20 17/20 DOMINION [1] 73/20 DON'T [47] 16/6 26/23 33/4 40/11 40/11 41/6 41/7 41/24 43/18 46/2 46/6 46/21 47/5 47/22 48/18 50/10 50/16 51/4 52/9 52/16 52/16 52/17 52/21 53/8 54/4 56/16 65/10 65/13 66/4 66/5 66/6 66/6 66/7 66/11 66/11 67/1 67/13 67/13 67/22 67/23 68/21 68/22 69/20 70/14 72/21 72/23 73/19 DONE [1] 72/21 DOOR [9] 26/2 35/22 36/1 36/4 36/7 36/8 36/17 36/20 50/7 DOWN [8] 11/12 27/8 34/2 44/1 47/1 50/22 59/21 71/8 DRAG [1] 23/22 DRAGGED [3] 23/4 45/17 45/21 DRAGGING [2] 45/25 46/17 DRAW [1] 56/10 DRINK [3] 47/22 49/13 49/14 DRINKING [2] 56/17 56/20 DRIVEN [1] 74/17 DRIVEWAY [14] 21/9 43/11 44/3 44/7 44/10 44/18 44/22 44/25 45/5 45/20 45/25 46/4 46/25 47/18 DRIVING [2] 24/5 58/21 DROVE [1] 25/20 DRUG [3] 46/4 47/16 47/21 DRUGS [7] 13/13 13/14 13/17 16/9 16/12 47/18 58/1 DUE [1] 36/17 DULY [2] 10/11 63/14 DURING [6] 12/12 13/11 13/19 50/11 72/11 74/3
	E
	EACH [4] 22/20 30/17 75/14 75/15 EARLIER [3] 61/8 61/18 61/19 EASIER [1] 62/11 EAST [2] 25/2 64/24 EDWARD [6] 1/8 3/7 13/25 14/2 60/2 64/10 EFFECT [2] 48/15 48/21 EFFECTS [1] 48/23 EIGHT [2] 3/19 40/24 EIGHTEEN [2] 40/23 41/20 EIGHTH [2] 8/10 75/15 EITHER [6] 42/3 53/18 61/13 67/18 70/12 73/14 ELSE [11] 9/2 24/24 31/13 31/18 32/1 37/2 38/5 39/3 56/3 62/12 71/11 ELSE'S [1] 69/19 EMPLOYED [3] 64/3 64/4 64/6 EMPLOYEE [1] 76/10 ENCOUNTERED [1] 17/12 ENGLISH [1] 11/17 ENHANCEMENTS [1] 5/17 ENTANGLED [1] 54/5 ENTERED [4] 44/22 50/7 51/17 51/25 ENTIRELY [1] 51/23 ESQ [4] 1/20 1/21 1/22 1/23

E	FIRST [24] 7/6 7/18 7/21 8/5 8/9 10/11 12/5 26/16 32/16 38/4 42/4 42/9 60/24 63/14 65/14 72/4 72/6 73/5 73/25 74/13 74/14 74/22 75/10 75/13 FIVE [1] 42/12 FLIP [1] 12/20 FLIP-FLOPS [1] 12/20 FLOOR [2] 36/12 36/14 FLOPS [1] 12/20 FOLLOW [1] 69/2 FOLLOWING [2] 43/8 75/16 FOLLOWS [2] 10/13 63/16 FORCE [1] 23/24 FORGET [1] 25/4 FORM [1] 51/11 FORWARD [5] 3/21 4/14 4/17 8/24 67/23 FOUND [2] 35/22 35/22 FOUR [10] 16/3 19/18 19/19 40/8 65/11 65/15 68/19 68/20 70/2 74/2 FREE [2] 59/21 71/7 FRIEND [1] 13/8 FRONT [5] 28/2 28/3 43/11 44/12 50/7 FUCKING [1] 24/21 FUEL [2] 58/6 58/10 FULL [1] 75/22 FURTHER [5] 56/24 59/17 60/4 71/2 76/9	GRABBING [2] 29/17 29/17 GROUND [2] 28/24 33/19 GUESS [2] 41/2 55/6 GUM [1] 10/25 GUN [1] 25/19 GUY [3] 14/3 14/16 56/7 GUYS [1] 55/20
	H	
EVENT [1] 13/4 EVER [3] 50/9 51/1 66/20 EVERY [1] 58/8 EVERYBODY [1] 62/13 EVERYONE'S [1] 57/13 EVERYTHING [5] 9/2 11/12 35/16 40/15 61/24 EVIDENCE [14] 16/23 20/20 20/25 33/7 33/12 39/25 40/5 60/12 67/7 72/18 72/19 72/24 74/2 75/5 EXACTLY [1] 67/23 EXAMINATION [12] 2/5 2/6 2/7 2/11 2/12 11/7 43/5 55/6 57/1 64/1 70/20 72/11 EXAMPLE [1] 50/21 EXCEPT [1] 9/2 EXCEPTION [1] 72/16 EXCLUSIONARY [2] 9/17 62/22 EXCUSE [3] 42/23 54/18 70/10 EXHIBIT [24] 2/17 2/18 2/19 2/20 9/10 14/11 14/21 15/5 15/11 16/22 17/14 19/19 20/5 20/19 20/24 26/8 32/16 32/19 32/21 32/23 32/25 33/2 33/11 60/1 EXHIBITING [1] 73/20 EXHIBITS [15] 2/16 9/7 14/5 14/16 16/11 16/18 32/6 32/13 32/14 33/6 39/15 39/19 39/20 39/25 40/4 EXITED [1] 44/15 EXPERT [2] 49/2 50/24 EXTORTION [3] 7/20 8/7 75/12 EYE [1] 51/16 EYES [1] 56/8	HAD [26] 3/24 12/7 12/10 14/8 18/19 23/14 25/5 26/4 29/25 46/16 47/18 49/15 51/1 51/2 51/5 51/13 51/18 52/16 53/4 58/1 58/15 61/18 63/1 64/24 68/14 69/1 HALF [1] 48/25 HALF-LIFE [1] 48/25 HALLWAY [1] 9/21 HAND [10] 10/2 10/7 29/23 30/1 31/10 31/11 44/1 56/13 59/1 72/25 HANDED [3] 56/11 56/12 56/15 HANDLE [1] 41/15 HANDS [10] 27/24 28/4 33/1 35/14 35/18 35/23 36/23 40/19 56/14 56/22 HAPPEN [4] 17/7 37/18 39/6 52/23 HAPPENED [11] 16/25 18/5 22/3 22/7 22/18 23/3 23/7 37/5 53/3 53/4 53/5 HAPPENING [2] 26/17 36/25 HAPPENS [11] 5/22 6/12 17/16 17/18 21/3 27/2 28/11 28/22 30/9 33/14 34/1 HARM [15] 4/10 7/8 7/9 7/18 7/20 8/5 8/7 31/13 31/18 31/18 60/25 74/15 74/24 75/10 75/11 HARMED [1] 23/15 HAS [7] 4/1 5/5 5/16 7/13 14/8 61/10 71/13 HAVE [67] 3/20 4/5 4/7 4/11 5/9 5/9 5/25 6/1 6/6 8/14 9/1 9/19 11/11 11/18 11/22 23/11 33/4 34/21 37/15 38/12 41/13 42/3 42/8 42/15 43/14 43/25 46/18 48/3 51/2 51/10 51/21 52/8 52/14 53/8 60/4 60/13 61/10 61/20 64/9 64/15 64/17 65/22 66/1 66/2 66/5 66/12 66/20 67/6 67/11 67/19 68/3 68/6 68/11 69/1 69/3 69/8 69/13 70/2 70/12 71/2 71/9 71/20 71/22 72/15 74/4 75/13 76/7 HAVING [3] 10/11 38/22 63/14 HE [90] HE'S [17] 3/16 3/18 3/19 4/1 8/19 12/18 15/13 29/22 31/9 55/1 55/7 55/10 55/21 71/15 72/20 72/21 73/1 HEAD [3] 23/18 23/19 66/7 HEAR [13] 6/9 27/19 33/23 34/4 34/5 34/10 34/12 34/12 38/17 56/2 72/9 72/12 72/21 HEARD [2] 72/7 74/20 HEARING [22] 1/12 4/1 4/25 5/9 5/12 5/21 5/23 6/1 6/5 6/12 8/24 9/13 9/16 53/16 53/22 54/2 54/24 71/14 71/18 74/2 74/9 75/4 HEARSAY [1] 72/16 HELD [5] 7/13 7/25 30/21 42/17 75/15 HELP [7] 17/25 18/7 18/13 18/21 30/19 35/11 36/9 HELPED [1] 14/16 HELPS [1] 52/19 HER [12] 7/25 22/5 26/5 26/10 28/20 28/20 28/21 45/14 45/22 52/10 52/12 56/22 HERE [21] 3/14 3/20 3/21 5/23 6/2 6/13 7/12 7/24 12/6 12/7 12/15 15/17 19/16 22/25 25/2 43/24 49/3 54/5 55/2 74/2 75/3 HEREBY [3] 7/25 75/14 76/6 HIM [32] 3/19 3/25 8/21 12/17 13/7 13/9 13/12 14/25 16/12 19/6 23/20 24/20 50/9	
F	G	
FABIOLA [13] 1/9 3/8 52/3 52/10 53/14 53/19 54/7 54/19 54/20 55/17 55/24 64/11 72/10 FACEBOOK [2] 52/11 52/12 FACILITIES [1] 25/6 FACING [2] 27/1 65/15 FACT [1] 72/20 FAIR [2] 44/7 46/21 FALLING [1] 34/20 FAMILY [1] 68/15 FAR [4] 12/21 15/21 66/10 69/5 FEELING [1] 36/12 FEET [1] 28/5 FELL [1] 28/23 FELT [1] 22/9 FEW [8] 13/10 13/11 17/3 52/15 61/20 66/24 68/23 72/11 FIGUEROA [1] 54/19 FIGURE [1] 57/20 FILE [3] 4/11 7/24 75/3 FILED [1] 66/17 FINANCIALLY [1] 76/11 FIND [2] 62/6 70/3 FINE [2] 42/10 42/15 FINGER [14] 29/17 29/19 29/20 29/23 29/25 30/11 30/23 31/2 31/3 31/5 31/7 31/10 31/10 33/4 FINGERNAILS [4] 30/12 31/6 31/7 33/5 FINISHED [1] 30/10 FIRE [18] 34/11 34/14 34/23 34/24 35/5 35/14 35/16 36/17 53/14 54/1 55/25 64/24 65/16 66/22 66/23 73/2 74/4 74/6 FIREARM [1] 23/11	GARBAGE [1] 34/9 GAS [2] 58/7 58/12 GAVE [6] 22/14 22/17 28/12 45/9 45/9 45/11 GELLER [13] 1/20 2/6 2/11 3/10 9/15 43/2 50/18 60/5 61/5 62/18 63/23 71/11 72/2 GET [18] 10/3 11/3 20/1 22/10 23/23 25/12 25/13 29/4 29/12 30/10 30/19 35/7 36/1 36/3 36/17 36/20 52/23 72/18 GETS [1] 49/1 GIRL [3] 26/25 37/1 37/1 GIRLFRIEND [30] 15/9 19/14 21/11 22/11 26/11 26/25 28/12 28/19 28/21 29/9 30/16 31/20 37/15 38/22 43/17 45/1 45/9 45/11 45/13 45/16 45/20 46/1 49/20 52/3 52/4 52/6 52/8 54/2 57/9 74/11 GIRLFRIEND'S [20] 17/7 17/24 18/8 18/13 18/22 19/11 19/20 20/2 20/15 21/2 22/4 22/17 43/12 43/19 44/10 44/12 45/4 45/8 46/25 47/17 GIVE [8] 18/19 22/7 22/13 23/20 29/13 29/13 52/14 61/14 GIVEN [3] 74/2 74/12 74/22 GIVING [4] 27/21 29/3 52/19 53/2 GLASS [6] 35/22 36/1 36/4 36/16 36/18 36/20 GO [16] 4/2 4/14 4/17 8/19 9/1 10/7 16/13 22/20 23/22 35/10 42/9 46/13 62/18 70/18 72/4 73/21 GOES [1] 42/4 GOING [28] 4/1 4/15 5/2 8/24 11/12 13/4 14/10 14/20 15/4 15/10 17/19 19/8 20/4 26/19 32/12 32/16 33/25 37/11 37/25 39/18 43/7 49/3 49/24 50/22 51/12 51/24 71/15 71/23 GOOD [4] 3/10 3/12 53/11 71/9 GOODSPRINGS [1] 9/3 GOT [17] 17/9 26/1 26/13 28/12 30/11 36/19 38/17 39/7 45/22 45/23 47/6 47/7 52/20 56/24 58/20 65/6 72/19 GRABBED [4] 29/19 29/20 46/4 74/5	

H	INCLUDED [1] 76/7 INCLUDES [1] 74/18 INDICATED [1] 14/15 INDIVIDUAL [1] 60/1 INDULGENCE [5] 40/6 41/25 58/14 59/15 59/23 INFER [1] 73/19 INFORM [1] 9/22 INFORMATION [2] 67/20 68/7 INFORMED [1] 71/21 INHALE [2] 48/6 48/10 INITIALLY [2] 64/13 64/23 INJECT [1] 47/23 INJURIES [1] 31/10 INSIDE [10] 21/6 21/7 21/8 27/5 27/6 45/23 46/6 47/10 47/12 50/12 INTERESTED [1] 76/11 INTERPRETER [7] 10/5 11/4 11/22 24/14 30/5 46/15 56/21 INTERVIEW [10] 52/14 52/20 52/25 53/2 53/12 55/2 55/22 55/23 66/2 66/9 INTERVIEWED [1] 52/24 INTERVIEWING [2] 66/6 67/19 INTERVIEWS [3] 52/17 65/23 66/5 INVESTIGATE [3] 64/9 69/11 70/25 INVESTIGATED [1] 69/18 INVESTIGATING [2] 69/15 70/23 INVESTIGATION [7] 65/19 67/8 67/18 68/1 68/12 69/18 69/24 INVESTIGATIONS [1] 68/24 INVESTIGATIVE [3] 64/18 64/21 68/6 INVOKE [1] 62/22 INVOLVED [4] 64/14 65/19 65/20 76/10 INVOLVEMENT [2] 64/18 64/22 INVOLVING [1] 65/11 IS [82] ISMAEL [3] 2/4 10/10 10/18 IT [102] IT'S [21] 15/9 19/15 20/7 20/23 27/9 32/22 34/16 38/7 39/23 41/12 44/4 48/24 48/25 49/3 55/6 56/4 56/23 60/1 70/14 71/22 74/3 ITEMS [5] 34/8 39/6 39/7 39/22 67/11	62/20 63/4 64/18 67/3 68/9 68/9 68/23 69/20 70/13 71/13 72/5 74/5 74/6 74/9 JUSTICE [3] 1/3 1/15 8/20
HIM... [19] 50/25 51/13 51/21 51/23 55/1 55/7 55/10 55/11 63/7 71/14 71/21 72/17 72/21 73/13 73/14 73/15 73/16 73/20 74/21 HIS [14] 28/21 29/22 29/23 31/9 31/10 48/20 48/21 51/13 54/2 54/10 55/3 55/6 72/25 74/11 HIT [5] 23/14 23/18 23/19 59/10 59/10 HOLD [2] 40/22 41/13 HOME [1] 17/17 HONABACH [15] 1/8 1/14 1/21 3/7 3/24 4/20 5/8 7/13 13/25 60/2 64/11 73/8 73/10 73/11 73/12 HONABACH'S [2] 3/9 3/14 HONEST [1] 57/18 HONESTLY [2] 53/3 53/6 HONOR [58] 3/10 3/12 3/22 4/5 4/18 4/24 5/3 5/7 5/11 6/21 7/6 9/4 9/8 9/14 9/18 9/24 10/21 10/23 11/5 12/25 14/4 15/23 16/17 20/20 24/13 32/5 32/11 33/7 38/19 39/14 39/24 40/6 41/17 42/1 42/6 42/12 43/3 48/11 50/14 50/19 54/10 54/22 60/2 60/7 60/10 60/12 61/3 61/23 70/10 71/4 71/12 71/20 71/25 72/5 73/5 73/25 74/12 74/22 HONOR'S [2] 61/17 62/22 HONORABLE [1] 1/15 HORN [1] 73/7 HOSPITAL [1] 52/20 HOUR [1] 50/22 HOURS [1] 47/3 HOUSE [70] 17/11 17/12 17/24 19/7 19/11 19/20 20/1 20/2 20/15 21/3 21/6 21/6 21/7 21/8 24/25 25/1 25/5 25/8 25/12 25/21 25/22 25/24 26/2 26/13 26/17 27/5 27/6 27/7 34/2 34/14 34/22 35/14 36/15 37/14 38/13 38/20 38/21 39/8 43/12 43/19 43/24 43/24 44/4 44/10 44/12 45/22 45/23 49/7 49/8 49/8 50/4 50/12 51/17 53/13 53/14 53/20 53/24 54/1 54/20 55/18 56/7 57/5 57/10 65/15 66/13 66/24 67/6 67/11 67/17 72/12 HOUSES [4] 43/19 43/21 45/1 47/1 HOW [30] 12/10 13/7 13/16 16/14 18/9 20/1 21/7 27/23 29/7 34/3 34/17 35/14 36/1 40/19 40/19 41/13 41/18 41/22 48/1 48/10 48/20 51/4 53/25 56/11 56/12 56/17 61/22 64/3 70/11 71/19 HURT [1] 16/4	K KEEP [6] 28/14 30/12 30/21 31/22 33/18 60/21 KEPT [2] 22/1 30/22 KICKED [1] 28/23 KIDNAP [1] 74/16 KIDNAPPING [8] 7/7 7/18 8/6 60/24 73/6 74/14 74/23 75/10 KILL [1] 26/19 KIND [2] 13/14 48/3 KING [35] 1/9 1/12 1/23 3/8 3/17 3/21 8/16 8/19 8/23 9/21 15/19 15/24 19/24 24/10 27/18 27/20 30/12 32/2 37/15 38/21 42/23 47/9 57/10 57/24 59/3 59/16 64/11 69/17 71/21 73/15 73/16 73/17 74/20 74/21 75/1 KING'S [2] 69/16 70/23 KISSING [1] 30/17 KIT [6] 1/24 75/23 75/23 76/5 76/13 76/13 KNEW [6] 13/5 15/1 16/4 16/14 37/6 63/6 KNIFE [25] 4/10 6/25 6/25 7/16 8/3 23/11 26/18 27/2 31/16 39/10 39/12 40/7 40/9 40/10 40/13 40/13 40/14 40/16 40/18 41/5 41/9 41/11 41/14 60/15 75/8 KNIVES [2] 40/14 41/5 KNOW [24] 3/9 12/13 13/7 13/24 14/2 14/3 14/16 15/17 23/11 23/25 25/18 26/4 26/23 28/20 34/3 37/8 46/21 66/4 67/13 68/21 69/17 69/20 69/20 70/14 KNOWLEDGE [2] 50/20 67/25	
I	L LACK [1] 66/15 LADY [2] 26/3 26/4 LAID [1] 36/14 LANGUAGE [1] 60/22 LARGE [3] 41/11 41/14 48/24 LAS [8] 1/3 3/1 12/2 12/10 12/12 19/16 25/2 64/4 LAST [8] 36/25 49/25 50/3 50/5 51/18 52/15 52/24 60/18 LATER [2] 31/20 48/21 LAY [5] 36/12 50/19 50/20 50/21 50/22 LEAD [1] 68/25 LEANED [1] 24/19 LEAVE [12] 19/1 19/5 21/21 21/25 22/19 22/23 22/24 51/2 51/6 53/14 53/19 54/25 LEAVES [1] 49/23 LEAVING [1] 73/1 LEFT [12] 15/21 23/8 34/16 50/4 50/12 51/3 51/10 53/23 54/20 55/18 55/24 66/10 LEG [1] 32/24 LEGS [5] 27/25 28/5 35/8 35/23 36/21 LEND [2] 58/6 58/8 LENT [1] 58/7 LESS [1] 12/11 LET [8] 12/25 12/25 15/23 40/12 41/13 42/11 62/4 65/10 LET'S [3] 57/21 60/21 63/7 LEVEL [3] 8/13 49/3 75/18 LEXIS [8] 1/18 2/5 4/6 10/20 43/8 45/17 47/16 59/24 LEXIS'S [1] 49/9 LIABLE [1] 74/20 LIFE [2] 37/1 48/25	

L	68/5 69/3 69/8 69/23 MAYBE [1] 73/15 MAYHEM [5] 6/22 7/15 8/2 60/14 75/7 ME [78] MEAN [9] 21/22 43/18 50/15 52/7 61/24 62/11 65/18 68/19 74/10 MEANS [1] 58/12 MEDIA [2] 38/3 38/4 MELISSA [1] 1/15 MEMBERS [1] 68/15 MEMORY [1] 51/18 MEN [12] 21/16 23/14 24/18 25/2 25/20 28/15 44/14 45/17 45/21 45/25 46/4 46/24 MENTION [1] 73/14 MENTIONED [3] 45/3 47/6 72/14 MESSAGE [2] 52/4 52/12 MESSAGES [1] 68/12 METABOLITE [1] 48/20 METABOLIZED [1] 48/24 METAL [1] 41/23 METHAMPHETAMINE [4] 13/15 47/22 47/23 48/1 METRO [1] 69/17 METROPOLITAN [1] 64/4 MICROPHONE [1] 11/16 MIDDLE [3] 24/4 24/7 58/24 MIGHT [6] 48/20 61/13 67/7 69/1 69/13 72/15 MILE [3] 17/20 17/21 18/14 MILES [1] 50/22 MIND [1] 42/4 MINUTE [3] 42/12 42/13 61/14 MINUTES [2] 61/23 62/12 MISS [10] 3/13 7/23 10/20 43/8 45/17 47/15 49/9 54/19 55/17 74/11 MISS FIGUEROA [1] 54/19 MISS JIMENEZ [1] 7/23 MISS LEXIS [1] 45/17 MISS LEXIS'S [1] 49/9 MISSTATE [1] 65/10 MISSTATES [4] 54/10 54/22 54/23 55/3 MISUNDERSTANDING [1] 62/21 MISUNDERSTOOD [1] 61/17 MO [1] 44/1 MOMENT [5] 5/6 8/15 10/6 37/22 50/16 MOMOT [1] 9/3 MONEY [20] 21/4 21/6 21/14 21/17 21/19 21/23 22/2 29/2 29/4 29/13 30/11 57/13 57/14 57/17 57/21 57/24 58/1 58/4 58/6 58/8 MORE [8] 6/16 19/18 40/16 41/8 44/5 51/21 68/23 69/21 MORNING [3] 3/10 3/12 43/9 MOST [1] 47/18 MOTION [1] 56/22 MOUTH [1] 56/22 MOVE [9] 3/21 16/17 20/19 26/19 33/6 39/24 61/13 61/13 62/13 MOVED [1] 12/7 MOVING [1] 4/13 MR [26] 2/6 2/7 2/11 2/12 3/9 3/9 3/11 3/15 3/20 5/6 6/16 8/14 8/16 9/2 9/15 13/20 42/9 59/16 60/8 62/18 70/18 71/19 72/20 73/4 73/6 74/15 MR. [56] 3/14 3/14 3/17 3/21 3/24 4/20 4/23 5/8 7/13 8/19 8/23 8/23 9/15 10/7 10/25 13/17 42/24 43/2 49/23 50/6 50/8 50/12 50/18 51/5 51/9 51/17 51/22 52/3 55/17 55/24 56/25 57/3 57/10 60/5 61/5 63/23 66/6	69/17 71/11 71/11 71/13 71/21 72/2 72/25 73/6 73/12 73/14 73/15 73/16 73/17 74/11 74/20 74/20 74/21 75/1 75/1 MR. CASTRO [20] 4/23 8/23 13/17 49/23 50/6 50/8 50/12 51/5 51/9 51/17 51/22 55/17 55/24 66/6 71/11 71/13 72/25 73/14 74/11 75/1 MR. CASTRO'S [1] 52/3 MR. GELLER [8] 9/15 43/2 50/18 60/5 61/5 63/23 71/11 72/2 MR. HONABACH [5] 3/24 4/20 5/8 7/13 73/12 MR. HONABACH'S [1] 3/14 MR. JOSE [1] 74/20 MR. KING [13] 3/17 3/21 8/19 8/23 57/10 69/17 71/21 73/15 73/16 73/17 74/20 74/21 75/1 MR. ORTIZ-SALAZAR [3] 42/24 57/3 73/6 MR. PALLARES [1] 3/14 MR. SALAZAR [2] 10/7 10/25 MR. YAMPOLSKY [1] 56/25 MS [2] 2/5 59/24 MS. [3] 5/1 5/25 55/24 MS. FABIOLA [1] 55/24 MS. JIMENEZ [2] 5/1 5/25 MUCH [3] 35/14 48/10 59/6 MURDER [6] 7/14 7/14 8/1 8/2 75/6 75/6 MUST [1] 22/23 MY [62] 9/21 10/7 17/24 19/7 22/4 26/19 27/24 27/24 27/24 28/9 29/8 29/17 29/17 30/6 30/6 30/10 30/11 30/12 30/21 30/21 31/14 31/21 32/18 32/18 32/18 32/20 32/22 33/1 33/1 33/1 33/4 35/8 36/9 37/1 38/25 39/9 39/12 39/13 41/12 43/24 43/24 45/9 48/5 48/22 50/5 51/20 52/12 56/8 61/25 62/2 63/21 66/5 66/7 66/7 66/10 66/20 68/14 68/18 71/15 71/22 71/23 72/11 MYSELF [2] 35/15 47/12
M	N	
MA'AM [4] 6/9 62/10 62/16 63/18 MACDONALD [6] 1/24 75/23 75/23 76/5 76/13 76/13 MACE [1] 1/23 MACHETE [7] 4/9 6/23 6/24 7/16 8/3 60/15 75/8 MADE [4] 29/2 49/16 55/7 68/15 MAINTAIN [1] 51/16 MAKE [10] 23/23 24/3 25/24 27/10 29/3 29/7 29/10 30/18 44/5 49/15 MAKING [3] 6/19 29/15 30/17 MANNERISMS [1] 44/1 MANY [3] 13/16 52/17 52/17 MARCH [17] 11/25 12/5 13/24 15/2 16/4 16/25 17/3 19/8 37/5 43/10 47/16 48/2 64/6 65/12 65/16 66/13 66/20 MARGINAL [1] 74/2 MARKED [11] 2/16 9/11 14/5 14/10 14/21 15/4 15/11 20/5 32/6 32/13 39/15 MARKET [3] 70/1 70/4 70/6 MARSHAL [1] 9/21 MASKS [1] 44/16 MATERIALS [1] 74/5 MATTER [4] 3/25 5/13 5/21 6/12 MATTERS [1] 9/12 MAUREEN [1] 62/9 MAX [1] 61/23 MAY [26] 8/14 9/7 9/9 9/23 10/21 10/23 10/24 11/9 14/4 14/7 32/5 32/8 32/9 32/10 39/14 39/16 51/2 54/14 64/15 66/2 68/3 68/5	NAME [7] 10/17 13/25 15/18 37/6 63/20 63/21 72/10 NAMED [2] 12/13 14/2 NAMES [1] 37/8 NARCOTIC [1] 48/23 NECESSARY [1] 67/3 NEED [9] 3/20 9/12 9/15 9/21 10/6 38/3 48/4 52/9 61/13 NEGOTIATION [1] 5/4 NEGOTIATIONS [1] 4/3 NEIGHBORHOOD [1] 43/17 NEIGHBORS [1] 46/25 NEITHER [1] 47/25 NEVADA [9] 1/4 1/5 3/1 9/20 12/2 19/16 25/3 76/2 76/6 NEVER [3] 25/4 45/6 53/15 NEXT [14] 22/3 22/18 28/22 30/9 33/15 34/1 34/15 43/19 43/24 44/4 44/13 51/8 58/23 62/12 NO [90] NOBODY [2] 47/3 67/25 NOISE [1] 30/19 NOS [3] 9/10 16/22 33/11 NOT [46] 3/22 4/13 5/23 6/13 9/14 11/2 18/23 26/19 28/21 31/16 38/5 45/6 47/10 47/12 49/14 51/3 51/6 51/9 53/9 53/18 54/13 54/25 55/2 55/11 58/9 61/16 64/15 67/16 70/3 70/7 70/7 70/11 70/14 70/25 71/1 71/14	

N	OUTDOORS [1] 46/3 OUTSIDE [3] 21/6 35/10 46/25 OVER [6] 4/3 62/12 72/6 72/22 73/22 74/22 OWE [5] 21/23 57/16 57/18 57/24 58/4 OWED [7] 18/24 57/13 57/14 57/17 57/21 57/21 58/1 OWN [1] 56/8	POCKET [3] 39/1 39/3 58/16 POCKETS [1] 38/12 POINT [20] 12/17 25/25 33/19 34/7 35/24 45/3 45/7 45/24 48/11 49/23 50/6 50/25 51/24 51/24 52/2 55/6 67/10 67/18 72/13 72/14 POINTED [1] 15/14 POINTER [1] 31/10 POINTING [1] 15/20 POLICE [2] 54/7 64/4 PORCH [1] 21/8 POSITION [2] 48/19 48/22 POSSESSION [2] 45/8 68/1 POSSIBLE [5] 50/11 50/15 51/9 51/12 53/3 POSSIBLY [1] 68/13 PREFER [2] 11/19 38/5 PREFERENCE [1] 42/3 PRELIMINARY [16] 1/12 4/1 4/25 5/9 5/12 5/21 5/23 6/1 6/5 6/12 8/24 9/13 9/16 71/14 71/18 75/4 PRESENT [3] 3/11 74/3 74/4 PRESENTED [1] 75/4 PRESERVED [1] 69/24 PRESUMES [1] 74/16 PRETENDED [1] 33/16 PRETTY [1] 59/6 PREVIOUSLY [10] 4/7 14/5 14/20 15/4 15/10 20/4 32/6 32/12 39/15 44/14 PRIOR [15] 13/4 16/2 47/16 47/19 47/24 48/2 48/10 48/14 51/22 54/20 64/17 64/22 65/4 65/6 73/2 PROBABLY [2] 42/9 69/22 PROBLEM [1] 42/6 PROBLEMS [1] 11/18 PROCEED [4] 4/24 5/13 6/6 9/23 PROCEEDINGS [1] 75/20 PROCESS [2] 48/21 68/5 PROPERLY [1] 6/20 PROPOSED [15] 9/10 14/5 14/11 14/21 15/5 15/11 16/17 20/5 20/19 32/6 33/6 39/15 39/18 39/20 39/24 PROVIDED [2] 49/19 69/4 PROVINCE [1] 50/24 PULLED [3] 31/6 31/8 59/5 PULLING [1] 73/13 PURPOSE [1] 68/6 PURPOSES [1] 42/18 PURSUANT [6] 68/12 68/24 69/18 69/24 72/15 76/6 PUSH [2] 23/24 59/9 PUSHED [2] 59/11 59/13 PUSHING [3] 59/8 73/14 73/16 PUT [11] 4/8 4/16 26/18 27/4 27/7 29/9 34/9 39/10 39/12 40/8 68/9 PUTS [2] 27/2 72/24 PUTTING [2] 34/8 53/25
O	PACK [4] 37/19 37/21 39/5 58/15 PAGE [1] 2/3 PAIN [1] 30/21 PAINT [1] 20/13 PAINTED [1] 20/7 PALLARES [3] 1/21 3/9 3/14 PANTS [2] 38/25 39/3 PAPER [1] 54/1 PARK [1] 56/3 PARKED [4] 43/23 44/6 44/9 44/11 PART [4] 11/25 27/7 41/23 48/5 PARTICULAR [2] 52/8 73/22 PARTIES [1] 62/3 PARTNERS [1] 66/7 PARTY [1] 76/10 PASS [2] 42/1 70/8 PASSENGER [1] 24/8 PAUSE [1] 37/22 PEACE [1] 1/15 PEOPLE [13] 13/20 13/22 16/3 16/9 16/11 16/14 19/18 19/19 25/6 29/12 29/13 37/8 52/17 PER [1] 18/14 PERCENT [4] 53/18 53/21 54/24 70/7 PERCEPTION [2] 48/16 51/13 PERIOD [1] 50/13 PERMANENT [2] 5/21 6/11 PERPENDICULAR [2] 44/6 44/9 PERSON [16] 12/15 14/11 14/13 14/22 14/24 15/6 15/8 15/12 15/21 17/14 19/22 19/23 24/10 26/7 76/8 76/10 PERSON'S [1] 15/17 PERSONALLY [1] 66/9 PERTAINING [1] 65/15 PHONE [25] 18/12 22/4 22/5 22/10 22/13 22/14 22/15 22/17 23/21 29/15 37/25 38/8 45/4 45/8 45/9 45/11 45/12 45/15 52/6 52/7 52/8 68/13 68/15 68/16 69/5 PHOTO [1] 15/6 PHOTOGRAPH [3] 14/22 20/6 20/6 PHOTOGRAPHS [2] 38/2 38/5 PHOTOS [2] 16/2 16/8 PHRASED [1] 51/5 PHYSICALLY [1] 74/8 PICK [1] 62/13 PICTURE [1] 32/17 PICTURES [2] 37/24 38/3 PIECE [1] 36/5 PIECES [1] 67/7 PINKY [4] 29/22 29/25 30/25 31/2 PLACE [4] 5/4 12/4 34/11 74/16 PLACED [1] 74/17 PLAINTIFF [1] 1/6 PLAYING [1] 33/24 PLEAD [1] 74/1 PLEASE [14] 10/6 10/16 10/25 11/4 11/21 12/17 12/25 15/23 46/13 50/2 63/11 63/19 65/9 75/1 PLIERS [4] 29/18 29/21 30/1 60/15	Q QUANTITY [3] 48/15 48/23 48/24 QUESTION [18] 18/10 38/14 47/15 48/3 50/16 51/5 51/8 51/11 51/14 52/22 54/15 54/23 61/8 61/19 65/13 66/19 66/20 69/1 QUESTIONED [1] 11/19 QUESTIONS [10] 43/7 48/4 49/9 56/24 59/17 61/25 62/1 62/2 68/23 70/12 QUITE [2] 30/21 30/22

R	RESPECT [5] 49/24 60/6 68/7 71/17 72/23 RESPOND [1] 64/14 RESPONSE [2] 38/18 49/9 REST [4] 35/15 61/4 71/17 73/23 RESTRAINTS [1] 56/20 RESTROOM [1] 42/14 RESULTING [10] 7/8 7/17 7/19 8/5 8/6 60/25 74/15 74/23 75/9 75/11 RETRIEVED [1] 68/14 REVIEWING [1] 67/10 REVISE [1] 69/7 RIBS [1] 30/6 RIGHT [45] 3/7 4/1 4/2 4/22 5/9 5/20 6/1 6/15 8/14 10/1 10/2 10/7 12/21 13/5 15/15 17/1 24/8 26/11 29/6 29/23 29/25 30/6 31/9 31/11 34/18 42/22 43/24 44/4 44/12 44/13 59/1 59/20 61/5 62/2 65/20 67/5 68/20 68/22 68/23 71/3 71/13 71/19 71/22 73/4 73/24 RIGHT-HAND [1] 59/1 RIPPED [1] 30/12 ROBBERY [3] 7/21 8/8 75/12 ROOM [6] 27/9 34/22 50/9 51/1 51/23 62/7 ROPE [2] 35/13 35/17 ROUGHLY [2] 64/14 65/7 ROUND [1] 13/18 RULE [2] 9/17 62/23 RULING [1] 48/5 RUN [1] 25/17 RYAN [1] 19/15	SEIZING [1] 74/18 SEND [3] 52/3 52/11 52/11 SEND IT [1] 52/11 SESSION [1] 69/1 SET [4] 5/14 6/7 74/4 74/6 SETTING [2] 34/11 34/13 SEVEN [2] 17/20 17/20 SHE [15] 26/7 26/13 27/1 37/3 44/1 45/22 45/23 46/3 46/6 46/16 46/16 46/17 46/20 52/11 52/12 SHE'S [1] 5/2 SHORTLY [2] 66/13 66/21 SHOTS [1] 68/11 SHOULD [5] 4/14 22/20 68/25 72/18 73/21 SHOW [21] 14/10 14/20 15/4 15/10 18/3 19/20 20/4 29/20 31/3 31/5 31/7 32/12 32/16 32/17 32/19 32/19 32/21 33/2 33/3 39/18 40/19 SHOWED [2] 16/7 19/21 SHOWING [2] 29/22 31/9 SHOWN [7] 14/22 15/6 16/11 20/6 26/7 32/14 39/19 SHREDS [1] 36/17 SI [2] 14/18 34/25 SIDE [1] 59/1 SIDES [1] 61/24 SIMILARLY [1] 71/21 SINCE [2] 42/8 50/25 SIP [1] 49/15 SIR [7] 14/10 60/9 64/8 64/12 67/9 68/22 71/1 SIT [4] 15/17 24/3 24/11 27/10 SITE [3] 67/20 68/1 68/7 SITTING [3] 24/7 47/10 58/23 SIX [1] 40/24 SIXTEEN [3] 40/23 40/25 41/1 SLEEP [1] 66/16 SLIDING [5] 35/22 36/1 36/3 36/16 36/20 SLIGHT [1] 74/1 SLIT [5] 50/5 50/8 51/20 64/25 65/2 SLITTING [1] 51/22 SMALL [7] 31/20 31/22 31/23 40/13 40/14 61/10 62/6 SMALLER [1] 41/5 SMOKE [2] 35/2 47/23 SNORT [3] 48/7 48/8 48/10 SO [88] SOCIAL [1] 76/7 SOCKS [1] 12/20 SOME [13] 5/18 9/7 12/19 12/20 14/16 25/24 27/14 29/18 34/7 45/3 45/7 52/2 68/15 SOMEBODY [1] 39/7 SOMEONE [10] 12/13 13/25 14/2 15/1 15/14 26/2 38/5 48/24 64/24 68/25 SOMETHING [15] 12/17 12/19 15/19 16/25 17/7 23/11 25/19 34/6 37/18 39/6 42/15 47/15 53/8 68/3 72/20 SOMEWHERE [2] 56/3 62/12 SORRY [14] 7/2 17/21 19/3 37/19 37/22 38/1 46/14 50/14 54/14 60/17 61/17 62/18 63/5 65/1 SORT [3] 27/14 34/19 54/5 SOUND [1] 72/14 SOUNDS [2] 42/8 46/20 SPANISH [2] 11/19 11/20 SPEAK [5] 4/20 11/16 11/17 28/19 62/2 SPEAKER [1] 29/9 SPEAKING [1] 25/1
	S	
RATE [1] 48/23 REACH [1] 48/25 READY [2] 8/17 8/22 REALIZE [1] 64/15 REALLY [6] 26/24 31/16 32/2 36/13 62/22 70/17 REASON [3] 28/14 53/8 53/10 RECALL [20] 43/10 49/17 49/19 49/25 50/3 51/23 52/19 53/6 66/4 66/6 66/10 66/11 67/1 67/13 67/15 67/16 67/23 68/13 69/14 70/6 RECALL WHAT [1] 67/23 RECENT [1] 47/18 RECESSED [1] 75/20 RECOGNIZE [12] 14/11 14/13 14/21 14/24 15/5 15/11 20/5 20/7 20/14 32/14 39/19 39/22 RECOLLECTION [1] 67/4 RECORD [13] 10/4 10/17 12/25 14/8 15/20 15/23 17/13 29/22 31/9 40/22 42/22 56/21 63/20 RECORDED [2] 52/25 55/22 RED [2] 30/23 39/9 RED'S [1] 20/17 REDHEAD [35] 14/25 17/4 17/12 17/13 17/16 17/19 18/9 18/12 19/1 19/5 19/23 23/16 23/17 24/6 24/19 26/18 27/2 27/18 27/20 29/16 29/20 29/25 30/11 31/14 31/17 37/14 38/21 40/8 56/7 58/19 58/21 58/23 59/9 60/2 73/7 REDHEAD'S [3] 17/11 20/3 23/6 REDIRECT [2] 59/18 59/19 REFERENCED [1] 64/19 REFERRED [1] 68/18 REFERRING [5] 17/14 49/7 57/8 69/21 70/6 REFLECT [6] 7/16 10/4 12/25 15/23 29/22 31/9 REGARD [1] 73/25 REGARDING [1] 74/14 RELATIVE [1] 76/9 RELEVANCE [2] 48/12 48/13 RELEVANT [1] 67/7 REMAIN [3] 10/2 10/6 42/25 REMEMBER [34] 24/19 25/1 26/16 26/18 27/16 28/23 34/7 34/15 36/25 37/2 38/22 40/9 40/11 40/11 40/12 40/18 40/20 41/6 41/7 41/8 41/24 46/2 47/5 47/5 50/5 50/10 52/16 52/18 52/19 54/4 55/16 55/23 56/16 74/7 REMEMBERED [1] 20/9 REMEMBERS [1] 55/14 REMIND [1] 42/25 REPEAT [1] 52/9 REPEATEDLY [1] 74/21 REPEATING [4] 65/22 66/1 69/8 69/13 REPORT [3] 64/15 66/12 66/21 REPORTED [1] 1/24 REPORTER [4] 11/12 44/1 75/24 76/5 REPORTER'S [2] 1/12 76/1 REPRESENT [1] 68/21 REQUEST [5] 38/3 38/6 52/10 67/20 73/21 REQUESTED [2] 68/4 69/24 REQUESTING [1] 68/7 RESERVE [1] 72/1 RESIDENCE [9] 49/24 50/1 50/7 51/25 54/8 55/24 72/13 73/2 74/17	S-A-L-A-Z-A-R [1] 10/19 SAID [32] 11/12 18/24 38/18 41/23 45/6 49/12 50/8 53/15 53/15 53/22 54/24 55/1 55/2 55/12 56/1 57/4 57/7 58/10 58/10 58/15 61/9 65/23 66/2 69/9 69/9 70/22 72/17 73/13 73/13 73/17 75/14 76/10 SALAZAR [9] 2/4 9/25 10/7 10/10 10/18 10/25 42/24 57/3 73/6 SALAZAR-ORTIZ [2] 10/10 10/18 SAME [1] 60/13 SARAGOSA [9] 1/15 11/2 16/7 17/4 29/20 31/3 31/5 31/7 40/7 SAVED [1] 37/1 SAW [8] 34/24 53/14 53/19 54/25 56/6 56/8 57/10 74/8 SAY [27] 17/13 21/7 21/20 24/18 27/12 27/16 27/19 28/20 31/4 33/23 36/14 40/21 41/21 44/7 46/22 50/2 50/21 51/2 52/24 53/5 53/8 53/21 57/15 57/21 68/25 69/23 72/19 SAYING [3] 31/22 53/4 53/17 SAYS [1] 25/16 SCARED [1] 25/15 SCARING [1] 73/20 SCENE [5] 64/14 66/12 66/21 68/9 68/17 SCHEDULING [1] 42/18 SCRATCH [1] 54/19 SCREAMING [1] 30/18 SCREEN [1] 68/11 SEARCHING [4] 26/22 26/22 26/23 29/8 SEAT [2] 8/15 24/8 SEATED [4] 10/16 12/21 63/19 66/10 SECOND [2] 6/2 11/3 SECURITY [1] 76/7 SEE [13] 12/15 17/4 17/16 31/15 35/15 50/9 56/9 57/4 57/7 62/4 72/12 74/9 74/10 SEEING [3] 51/23 56/17 74/7 SEEN [3] 26/5 46/16 51/5	

S	SUSTAINED [1] 49/4 SWORN [3] 10/7 10/12 63/15	THIS [46] 3/22 4/7 5/20 5/22 6/11 6/13 12/4 13/22 14/11 14/13 14/17 14/22 14/24 15/6 15/8 15/11 16/4 20/6 20/14 20/17 23/20 25/5 25/12 25/20 27/5 32/17 33/19 37/3 37/5 37/9 40/12 40/21 41/19 44/11 47/4 48/11 50/14 56/20 56/23 65/23 66/16 67/25 69/18 69/23 75/4 76/8 THOSE [11] 4/16 4/17 5/5 6/6 25/6 29/12 35/7 39/6 39/7 39/22 53/19 THOUGHT [2] 23/10 48/21 THREATENED [1] 22/9 THREE [16] 3/21 24/18 25/20 29/3 29/4 29/10 37/8 44/14 44/15 44/18 44/20 44/22 45/17 45/21 45/25 46/4 THROAT [25] 26/19 27/3 31/14 31/15 31/17 31/21 31/23 31/25 32/1 32/18 32/22 33/14 39/11 39/12 40/8 40/9 41/12 41/14 50/5 50/8 51/19 51/20 51/22 64/25 65/2 THROUGH [14] 2/17 2/19 2/20 9/10 13/8 16/5 16/15 32/6 33/7 33/11 38/3 52/11 67/6 72/19 TIE [3] 27/12 27/22 35/13 TIED [24] 27/12 27/14 27/17 27/20 27/23 27/24 28/1 28/4 28/7 28/8 28/8 28/9 28/10 29/6 33/21 34/17 35/6 35/6 35/24 39/23 50/9 51/23 56/18 74/21 TIME [48] 3/22 4/15 6/2 6/16 12/3 12/12 13/9 13/11 13/17 13/24 16/5 18/8 18/20 18/22 19/2 25/15 26/21 28/16 37/5 38/6 38/20 43/10 43/14 45/3 45/7 46/3 46/24 47/18 49/23 49/25 50/6 50/8 50/11 50/13 50/25 51/17 51/18 51/24 51/24 52/2 67/10 67/18 69/10 70/4 72/13 72/14 74/6 75/16 TIMES [8] 13/11 13/16 13/18 13/19 16/8 16/8 66/24 72/11 TIMING [1] 63/4 TIP [1] 41/16 TODAY [16] 4/1 4/12 4/17 4/25 5/13 5/17 6/3 6/19 11/13 12/15 15/17 55/2 61/11 67/24 71/15 74/20 TOGETHER [3] 35/18 36/21 58/9 TOLD [25] 16/3 16/7 17/4 17/19 18/6 18/15 18/19 18/19 21/21 22/23 24/20 24/20 25/18 25/18 26/19 28/20 28/21 29/2 30/21 40/7 54/6 54/17 55/22 56/6 72/8 TOO [4] 31/19 31/22 31/23 36/10 TOOK [8] 12/4 24/25 36/6 39/9 45/15 53/23 58/18 74/16 TOP [1] 66/6 TOPICS [1] 61/20 TORTURE [1] 49/24 TORTURED [2] 50/4 50/12 TORTURING [1] 30/20 TOTAL [3] 41/18 41/18 41/18 TOUGH [1] 30/11 TOW [3] 18/8 18/13 18/21 TOWARDS [4] 17/11 24/19 25/22 56/22 TOWNSHIP [1] 1/3 TRANSCRIPT [2] 1/12 75/22 TRASH [1] 26/23 TRIAL [2] 5/14 6/7 TRIED [1] 36/19 TRUCK [37] 20/3 20/3 20/14 20/14 20/17 23/14 23/23 23/23 24/1 24/3 24/15 24/17 25/10 25/13 43/11 43/22 44/2 44/9 44/15 45/18 45/21 45/23 45/25 46/5 46/17 47/7 47/7 47/10 53/23 56/3 58/21 59/3 59/5 73/16 73/17 73/21 74/17
SPECIFIC [1] 69/22 SPECIFICALLY [4] 55/21 64/10 67/1 72/25 SPECULATE [1] 50/23 SPECULATION [1] 50/15 SPECULATIVE [1] 51/10 SPELL [2] 10/17 63/20 SPEND [1] 13/9 SPENT [2] 13/11 13/17 SPIT [1] 10/25 SPOKE [3] 4/7 71/13 71/21 STABBED [2] 32/20 32/24 STABBING [4] 30/6 30/13 74/3 74/21 STAND [5] 34/17 35/4 42/24 63/10 75/1 STANDING [4] 10/2 10/6 23/1 46/1 STARING [2] 27/1 30/15 START [4] 9/1 27/8 45/25 61/5 STARTED [21] 21/4 22/19 27/4 28/13 28/13 29/1 31/14 33/23 34/2 34/20 35/21 39/13 44/19 44/21 53/13 53/20 53/25 54/8 55/19 55/25 73/2 STARTING [2] 34/6 54/21 STARTS [1] 21/13 STATE [25] 1/4 1/5 1/18 2/3 4/6 5/5 5/16 9/14 9/20 9/23 9/24 10/11 10/17 12/8 59/22 61/3 63/20 66/18 71/4 71/25 72/19 73/24 74/24 76/2 76/6 STATE'S [34] 2/16 9/10 14/5 14/11 14/21 15/5 15/11 16/11 16/14 16/17 16/22 17/14 19/19 20/5 20/19 20/24 26/7 32/6 32/13 32/16 32/19 32/21 32/23 32/25 33/2 33/6 33/11 39/15 39/18 39/19 39/24 40/4 60/1 72/23 STATED [2] 5/6 73/6 STATEMENT [5] 55/7 55/7 55/11 72/15 72/18 STAY [1] 24/20 STEP [3] 9/21 59/21 71/8 STEPPED [2] 3/9 3/15 STILL [10] 4/17 25/21 31/22 33/21 35/24 36/15 36/21 45/20 48/20 48/21 STIPULATING [1] 59/25 STIPULATION [3] 42/20 60/7 60/9 STOOD [4] 34/16 34/21 35/5 36/19 STOPPED [5] 53/16 53/22 54/2 54/24 74/9 STREET [10] 19/15 19/15 43/11 43/20 44/2 44/6 44/9 45/1 47/2 50/22 STREETS [1] 19/13 STRING [4] 27/15 35/6 35/13 35/18 STRINGS [1] 35/7 SUBJECT [1] 42/20 SUBMIT [4] 38/6 73/3 73/23 74/24 SUBPOENAED [1] 9/20 SUBSTANTIAL [12] 4/10 7/8 7/9 7/18 7/19 8/5 8/7 60/25 74/15 74/24 75/9 75/11 SUCH [2] 69/10 69/10 SUFFICIENT [2] 6/16 75/4 SUN [1] 43/14 SUPPOSED [2] 53/23 56/2 SURE [14] 6/18 6/21 14/12 14/23 31/16 37/23 38/4 38/16 46/21 49/5 52/23 54/16 54/24 70/11 SURROUNDING [2] 21/18 28/17 SURVEILLANCE [1] 69/23 SUSPECTS [7] 65/17 65/23 67/19 67/21 68/8 69/2 69/9 SUSTAIN [1] 51/12	T TABLE [2] 12/22 15/14 TAKE [9] 6/16 9/12 9/16 38/5 39/7 42/4 62/20 71/15 71/23 TAKES [2] 45/4 48/25 TAKING [4] 11/12 25/2 37/24 39/13 TALKED [3] 18/11 42/9 54/17 TALKING [8] 19/6 22/19 34/10 41/15 44/19 44/21 54/3 57/13 TELL [4] 28/13 28/13 53/12 53/18 TELLING [2] 31/19 55/23 TELLS [1] 22/20 TEN [1] 61/23 TESTIFIED [10] 10/13 18/11 45/16 49/9 51/6 51/18 52/2 63/16 72/8 74/8 TESTIFY [8] 9/22 10/12 11/20 13/5 38/8 63/15 71/14 71/22 TESTIMONY [12] 50/24 54/11 54/23 55/3 59/20 65/9 67/24 71/7 72/7 73/16 74/20 75/3 TEXT [3] 52/4 52/6 68/12 TEXTED [1] 52/9 THAN [10] 9/17 12/11 19/18 20/13 40/16 41/8 44/5 48/19 62/12 69/17 THANK [21] 10/25 11/5 11/23 12/24 21/1 32/11 38/10 42/2 43/3 51/15 56/24 59/19 59/20 60/23 62/15 62/19 65/21 71/7 71/9 71/12 72/3 THANKS [1] 71/10 THAT [289] THAT'S [39] 4/18 5/7 11/12 11/22 15/22 16/16 17/6 18/17 19/16 19/17 19/25 20/6 20/16 21/10 24/25 26/12 28/8 30/7 42/10 42/15 44/24 45/6 51/4 51/10 53/8 54/12 55/5 55/5 56/8 58/25 59/2 59/4 60/6 63/7 65/8 68/2 68/3 70/24 72/6 THEIR [13] 18/20 44/16 47/1 53/16 53/22 53/23 54/25 56/2 56/14 64/24 65/1 65/2 74/9 THEM [40] 4/8 4/14 4/16 16/4 17/25 18/6 18/7 18/12 18/15 18/20 18/24 21/21 21/23 22/8 22/21 22/23 23/8 23/14 23/14 27/20 30/17 33/18 34/10 41/11 44/18 44/20 44/22 47/7 54/17 54/25 56/8 61/14 62/12 68/9 72/12 72/12 74/7 74/9 74/10 74/10 THEN [11] 17/18 22/20 24/7 24/25 29/1 29/2 34/23 39/12 58/4 58/9 72/21 THEORY [1] 74/18 THERE [32] 9/12 13/20 13/20 13/23 15/13 16/9 21/11 25/10 26/14 29/1 35/2 36/3 36/5 37/25 39/3 40/16 40/16 41/8 43/21 44/11 46/21 47/3 61/9 63/1 66/4 67/16 70/1 70/1 70/2 72/15 73/15 73/19 THERE'S [2] 53/10 75/4 THEREAFTER [2] 66/14 66/21 THESE [4] 16/2 16/8 32/14 69/25 THEY [97] THEY'D [1] 4/16 THEY'LL [1] 63/9 THEY'RE [3] 4/15 16/21 26/17 THING [7] 20/6 26/16 34/15 36/25 49/25 50/3 50/5 THINGS [5] 27/21 39/13 50/20 50/23 54/1 THINK [15] 8/21 8/24 46/6 46/6 51/10 52/21 54/12 55/3 55/10 57/17 61/22 61/23 62/11 66/8 66/11 THIRD [3] 24/10 30/10 31/21	

T	VOICE [1] 36/9 VOICES [5] 53/16 53/22 54/25 56/2 74/10	40/4 42/17 WHETHER [11] 38/4 40/12 44/2 44/3 46/25 47/1 51/3 51/5 51/9 54/12 55/11 WHICH [10] 7/12 29/20 30/23 31/7 31/7 42/4 48/23 70/6 72/10 74/19 WHILE [7] 17/5 29/15 30/20 45/4 45/20 53/23 67/10 WHITE [2] 14/3 14/16 WHO [30] 13/22 14/13 14/16 14/24 16/3 16/4 21/13 21/13 22/13 22/15 24/5 25/20 26/18 27/17 27/22 37/1 37/3 37/8 44/14 44/15 49/19 52/24 56/13 56/15 58/18 59/11 68/21 69/5 69/5 69/6 WHO'S [6] 3/11 14/1 15/8 24/7 69/14 72/10 WHOLE [2] 10/12 63/15 WHOM [1] 57/8 WHOSE [1] 23/5 WHY [6] 11/22 23/9 25/17 28/8 33/17 58/4 WIDE [1] 32/22 WILL [20] 4/8 4/14 5/22 6/13 6/21 7/7 7/13 8/11 8/24 9/22 10/4 13/2 15/25 25/4 29/22 31/9 42/15 60/24 71/25 74/24 WIRE [7] 7/1 7/2 7/16 8/4 60/16 60/17 75/8 WIT [5] 4/9 6/22 8/3 60/15 75/7 WITHIN [4] 50/20 50/23 52/15 76/8 WITHOUT [5] 4/3 65/22 66/1 69/8 69/13 WITNESS [21] 2/3 2/9 10/4 10/11 10/23 24/14 30/5 38/8 42/1 42/24 46/15 49/2 50/19 50/21 50/23 54/12 63/10 63/14 70/8 70/14 72/19 WITNESS'S [2] 48/16 50/20 WITNESSES [7] 9/19 42/19 60/4 61/9 61/16 63/2 71/20 WOOD [2] 36/5 36/6 WORDS [1] 24/20 WORKING [1] 47/3 WOULD [41] 11/2 16/13 23/10 23/12 25/19 29/9 30/12 31/22 34/4 34/5 37/3 38/5 40/21 41/21 42/25 43/14 46/17 48/6 48/11 48/15 48/20 51/9 57/15 57/18 57/21 58/6 58/8 58/8 61/3 61/7 61/23 62/11 62/12 63/8 66/18 68/6 68/9 70/15 71/17 73/21 74/4 WRONG [2] 21/21 21/22
TRUE [2] 53/9 75/22 TRUTH [15] 10/12 10/12 10/13 13/10 13/13 14/3 25/16 40/11 41/6 41/24 52/16 54/4 63/15 63/15 63/16 TRY [3] 32/1 36/20 69/3 TRYING [8] 30/18 35/5 35/12 36/9 38/7 57/20 62/6 63/4 TUESDAY [2] 1/16 3/1 TURN [3] 9/22 11/24 19/8 TWENTY [1] 41/20 TWO [32] 5/5 13/12 13/18 13/19 16/8 16/8 21/16 27/22 28/15 30/17 42/13 42/15 47/20 47/23 48/2 48/10 48/13 48/21 52/14 52/20 52/23 53/13 53/19 53/20 53/25 54/8 54/21 55/18 56/22 60/13 74/4 74/9 TYING [4] 27/4 27/8 35/8 35/18 TYPE [3] 44/1 49/17 73/20	W WAIT [1] 11/3 WAITING [2] 9/2 42/5 WAIVE [6] 4/2 4/15 5/2 5/12 6/5 71/25 WAIVER [3] 4/8 5/21 6/11 WAIVERS [1] 1/14 WALK [2] 44/18 50/9 WALKING [3] 17/11 25/21 47/1 WALLET [8] 37/15 37/18 38/15 38/22 38/24 39/4 58/16 58/18 WANT [16] 5/12 6/5 11/24 23/20 33/18 42/14 43/9 46/11 47/15 48/18 49/6 51/13 56/10 70/11 70/15 72/2 WANTED [6] 18/12 18/13 22/1 22/4 62/20 62/22 WARREN [2] 1/20 3/10 WAS [176] WASN'T [3] 38/4 46/21 53/21 WASTED [1] 18/20 WAY [3] 35/21 36/17 70/12 WE [36] 3/20 3/20 4/7 4/8 4/14 4/15 9/1 9/4 9/12 9/13 9/15 9/16 11/3 11/22 13/13 43/25 60/4 60/12 60/13 60/13 60/14 60/24 62/6 64/24 64/24 68/14 68/14 68/15 69/20 70/3 70/12 71/17 71/20 72/7 73/19 74/1 WE'D [1] 4/24 WE'LL [1] 70/12 WE'RE [5] 4/13 8/17 8/22 9/2 67/22 WEAK [1] 36/13 WEAPON [26] 4/9 6/22 6/22 7/7 7/15 7/15 7/17 7/19 7/20 7/21 8/2 8/3 8/5 8/6 8/8 8/8 60/15 60/25 74/15 74/23 75/6 75/7 75/9 75/11 75/12 75/13 WEARING [3] 12/18 12/19 44/16 WEEK [2] 12/5 47/4 WEEKDAY [1] 47/5 WEEKS [1] 52/15 WEIRD [1] 26/24 WELL [22] 7/24 8/17 14/25 17/3 21/23 22/19 23/4 23/8 26/18 28/23 32/18 33/16 34/16 57/15 57/16 57/18 61/22 62/4 62/8 68/3 68/5 74/24 WENT [11] 19/7 23/1 23/13 24/1 32/2 37/14 38/13 46/6 56/3 66/23 67/23 WERE [96] WHAT [99] WHAT'S [18] 14/4 14/10 14/20 15/4 15/10 20/4 26/16 32/5 32/12 32/14 34/15 36/25 37/25 39/14 39/19 49/25 51/12 66/19 WHEN [56] 8/19 9/22 12/4 16/12 17/13 17/16 21/5 21/13 21/17 21/19 23/19 23/20 25/21 26/13 26/17 27/12 27/16 29/1 29/2 34/16 34/21 35/12 35/12 36/14 37/14 38/7 38/8 38/12 39/6 39/7 43/22 45/17 45/22 45/23 45/24 47/17 49/23 50/6 50/7 51/18 51/24 54/6 54/8 54/17 57/7 58/20 61/8 62/22 64/13 65/14 65/17 65/19 65/20 74/4 74/5 74/16 WHERE [30] 19/1 19/5 19/6 19/13 21/5 21/7 21/8 23/1 24/3 24/10 25/6 26/21 26/25 27/19 28/12 28/15 34/13 36/15 38/24 42/5 43/22 44/19 44/20 46/1 47/12 50/4 50/9 51/18 51/23 60/21 WHEREIN [2] 68/24 72/16 WHEREUPON [6] 9/10 16/22 20/24 33/11	Y YAMPOLSKY [14] 1/23 2/7 2/12 3/15 3/20 8/16 9/15 42/9 56/25 59/16 60/8 70/18 71/19 73/4 YAMPOLSKY'S [1] 74/16 YARD [2] 36/15 36/16 YEAH [11] 14/12 14/23 24/22 34/6 34/9 42/14 48/17 56/13 56/15 61/25 69/12 YEAR [1] 12/11 YELL [1] 36/9 YES [134] YET [1] 50/17 YOU [472] YOU'RE [14] 13/4 17/14 24/7 24/17 28/10 29/6 29/15 41/15 53/18 59/21 68/22 69/21 70/6 71/7 YOUR [186] YOURS [1] 70/15
U ULTIMATELY [2] 44/19 48/25 UN [3] 35/7 35/7 35/7 UNABLE [1] 74/7 UNCONDITIONAL [1] 1/14 UNCONDITIONALLY [2] 4/2 5/2 UNDER [4] 43/1 67/25 68/25 74/19 UNDERSTAND [13] 5/8 5/16 5/20 5/25 6/11 16/6 43/18 47/11 52/22 53/17 55/5 65/9 65/13 UNDERSTANDING [1] 5/5 UNDERSTANDS [1] 3/25 UNDERSTOOD [4] 47/14 52/13 65/3 65/21 UNLESS [1] 38/6 UNTIE [1] 35/7 UNTIED [1] 35/7 UNTIL [1] 23/13 UP [50] 3/16 3/18 4/15 8/19 9/12 9/16 11/3 11/16 16/2 18/3 19/20 19/21 23/13 27/4 27/8 27/12 27/13 27/14 27/17 27/20 27/22 27/23 28/4 28/10 29/6 33/21 34/6 34/16 34/17 34/21 35/4 35/5 35/6 36/19 37/11 38/8 38/14 40/22 41/13 43/8 43/14 47/1 50/9 51/23 56/18 56/19 57/12 62/13 63/10 69/2 URINE [1] 48/20 US [4] 40/19 61/13 62/13 62/13 USE [25] 4/9 7/7 7/14 7/17 7/19 7/20 7/21 8/2 8/3 8/4 8/6 8/7 8/8 41/12 42/14 47/16 60/25 74/14 74/23 75/6 75/7 75/9 75/10 75/12 75/13 USED [8] 31/15 35/13 40/10 41/14 47/18 52/12 68/14 68/16 USING [1] 56/22		Z ZERO [1] 49/1
V VALENZUELA [3] 69/12 69/14 70/22 VEGAS [8] 1/3 3/1 12/2 12/10 12/12 19/16 25/2 64/4 VERSUS [1] 9/20 VERY [3] 26/16 61/20 68/3 VICTIM [4] 51/6 68/14 72/7 74/5 VICTIM'S [1] 54/23 VIDEO [2] 70/3 70/3 VIDEOS [1] 69/23 VIEW [1] 44/25 VILLANI [4] 1/18 4/5 5/6 6/16 VISIT [1] 52/23 VISUAL [1] 51/16		

ORIGINAL

AINF
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MEGAN THOMSON
Chief Deputy District Attorney
Nevada Bar #011002
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

FEB 04 2019

BY, 
VANESSA MEDINA, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

LUIS ANGEL CASTRO, #1918366,
EDWARD HONABACH
aka Edward Joseph Honabach, #7029816,
FABIOLA JIMENEZ, #1957068,
LIONEL KING, #1983132

Defendant.

CASE NO. C-16-314092-1

DEPT NO. XXX

AMENDED
I N F O R M A T I O N

STATE OF NEVADA }
COUNTY OF CLARK } ss:

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That LUIS ANGEL CASTRO, EDWARD HONABACH aka Edward Joseph Honabach, FABIOLA JIMENEZ, and LIONEL KING, the Defendant(s) above named, having committed the crime of **FIRST DEGREE KIDNAPPING RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony - NRS 200.310, 200.320 - NOC 50052)**, on or about the 7th day of March, 2016, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada, did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOSE ORTIZ-SALAZAR, a human being, with the intent to hold or detain JOSE ORTIZ-SALAZAR against

AA095


C-16-314092-1
AINF
Amended Information
4813593



1 his will, and without his consent, for the purpose of committing murder and/or robbery,
2 resulting in substantial bodily harm to JOSE ORTIZ-SALAZAR, the Defendants being
3 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)
4 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
5 crime, with the intent that this crime be committed, by counseling, encouraging, hiring,
6 commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3)
7 pursuant to a conspiracy to commit this crime, with the intent that this crime be committed,
8 Defendants aiding or abetting and/or conspiring, Defendants acting in concert throughout.

9 STEVEN B. WOLFSON
10 Clark County District Attorney
Nevada Bar #001565

11
12 BY


13 MEGAN THOMSON
14 Chief Deputy District Attorney
15 Nevada Bar #011002
16
17
18
19
20
21
22
23
24
25
26

27 DA#16F03770X /cc/L4
28 LVMPD EV#1603072804
(TK)

ORIGINAL

GPA

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MEGAN THOMSON
Chief Deputy District Attorney
Nevada Bar #011002
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

FEB 04 2019

BY, Vanessa Medina
VANESSA MEDINA, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

C-16-314092-1
GPA
Guilty Plea Agreement
4813594

THE STATE OF NEVADA,
Plaintiff,

-vs-

LUIS ANGEL CASTRO,
#1918366

Defendant.

CASE NO: C-16-314092-1

DEPT NO: XXX



GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: **FIRST DEGREE KIDNAPPING RESULTING IN SUBSTANTIAL BODILY HARM (Category A Felony - NRS 200.310, 200.320 - NOC 50052)**, as more fully alleged in the charging document attached hereto as Exhibit "1".

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

This offer is conditional upon all four (4) Defendants accepting their respective negotiations and being sentenced. All Parties agree the State will have the right to argue for Life without the possibility of Parole, and the Defense will argue for Life with the possibility of Parole after fifteen (15) years. All Parties agree that no one will seek the term of years.

I agree to the forfeiture of any and all weapons or any interest in any weapons seized and/or impounded in connection with the instant case and/or any other case negotiated in whole or in part in conjunction with this plea agreement.

///

AA097

1 I understand and agree that, if I fail to interview with the Department of Parole and
2 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,
3 by affidavit review, confirms probable cause against me for new criminal charges including
4 reckless driving or DUI, but excluding minor traffic violations, the State will have the
5 unqualified right to argue for any legal sentence and term of confinement allowable for the
6 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
7 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without
8 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
9 twenty-five (25) year term with the possibility of parole after ten (10) years.

10 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
11 plea agreement.

12 CONSEQUENCES OF THE PLEA

13 I understand that by pleading guilty I admit the facts which support all the elements of
14 the offense(s) to which I now plead as set forth in Exhibit "1".

15 I understand that as a consequence of my plea of guilty The Court must sentence me to
16 imprisonment in the Nevada Department of Corrections for a minimum term of not less than
17 FIFTEEN (15) years and a maximum term of not more than FORTY (40) years, OR for a
18 minimum term of not less than FIFTEEN (15) years and a maximum term of LIFE, OR LIFE
19 WITHOUT PAROLE. The minimum term of imprisonment may not exceed forty percent
20 (40%) of the maximum term of imprisonment. I understand that the law requires me to pay
21 an Administrative Assessment Fee.

22 I understand that, if appropriate, I will be ordered to make restitution to the victim of
23 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
24 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
25 reimburse the State of Nevada for any expenses related to my extradition, if any.

26 I understand that I am not eligible for probation for the offense to which I am pleading
27 guilty.

28 ///

1 I understand that I must submit to blood and/or saliva tests under the Direction of the
2 Division of Parole and Probation to determine genetic markers and/or secretor status.

3 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
4 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or
5 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation
6 and may receive a higher sentencing range.

7 I understand that if more than one sentence of imprisonment is imposed and I am
8 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
9 the sentences served concurrently or consecutively.

10 I understand that information regarding charges not filed, dismissed charges, or charges
11 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

12 I have not been promised or guaranteed any particular sentence by anyone. I know that
13 my sentence is to be determined by the Court within the limits prescribed by statute.

14 I understand that if my attorney or the State of Nevada or both recommend any specific
15 punishment to the Court, the Court is not obligated to accept the recommendation.

16 I understand that if the offense(s) to which I am pleading guilty was committed while I
17 was incarcerated on another charge or while I was on probation or parole that I am not eligible
18 for credit for time served toward the instant offense(s).

19 I understand that if I am not a United States citizen, any criminal conviction will likely
20 result in serious negative immigration consequences including but not limited to:

- 21 1. The removal from the United States through deportation;
- 22 2. An inability to reenter the United States;
- 23 3. The inability to gain United States citizenship or legal residency;
- 24 4. An inability to renew and/or retain any legal residency status; and/or
- 25 5. An indeterminate term of confinement, with the United States Federal
26 Government based on my conviction and immigration status.

26 ///

27 ///

28 ///