

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Feb 22 2022 01:38 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

LORENZO PINKNEY

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.Ct. No. 83336

D.C. No. A-19-806862-W

APPELLANT'S APPENDIX, VOLUME I

BETSY ALLEN, ESQ
Nevada Bar No. 6878
Law Office of Betsy Allen
P.O. Box 46991
Las Vegas, NV 89115
(702) 386-9700
Attorney for Appellant

STEVEN B. WOLFSON, ESQ.
Nevada Bar No. 1565
Clark County District Attorney
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, Nevada 89155
(702) 671-2500
Attorney for Respondent

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ORIGINAL

1 IND

2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JOHN GIORDANI
6 Chief Deputy District Attorney
7 Nevada Bar #012381
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

NOV 08 2017

BY, 

DULCE MARIE ROMEA, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

CASE NO: C-17-327767-1

11 -vs-

DEPT NO: 1

12 LARENZO PINKEY, aka,
13 Lorenzo Pinkney, #8295438
14 ADRIAN POWELL #8387748

Defendant(s).

INDICTMENT

15 STATE OF NEVADA }

16 COUNTY OF CLARK }

ss.

17 The Defendant(s) above named, LARENZO PINKEY, aka, Lorenzo Pinkney and
18 ADRIAN POWELL, accused by the Clark County Grand Jury of the crime(s) of
19 CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 -
20 NOC 50147); BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category
21 B Felony - NRS 205.060 - NOC 50426); FIRST DEGREE KIDNAPPING WITH USE OF A
22 DEADLY WEAPON (Category A Felony - NRS 200.310, 200.320, 193.165 - NOC 50055);
23 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380,
24 193.165 - NOC 50138) and UNLAWFUL TAKING OF VEHICLE (Gross Misdemeanor -
25 NRS 205.2715 - NOC 50567), committed at and within the County of Clark, State of Nevada,
26 on or about the 28th day of September, 2017, as follows:

27 ///

28 ///

C-17-327767-1

IND

Indictment

4696708



1 COUNT 1 - CONSPIRACY TO COMMIT ROBBERY

2 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
3 willfully, unlawfully, and feloniously conspire with each other to commit a robbery, by the
4 Defendants committing the acts as set forth in Counts 4, 5, 6 and 7, said acts being incorporated
5 by this reference as though fully set forth herein.

6 COUNT 2 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

7 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
8 willfully, unlawfully, and feloniously enter, with intent to commit a felony, to wit: robbery,
9 that certain business occupied by PEPE'S TACOS, located at 2490 Fremont Street, Las Vegas,
10 Clark County, Nevada, while possessing and/or gaining possession of a handgun and/or
11 pneumatic gun, a deadly weapon, during the commission of the crime and/or before leaving
12 the structure; the Defendant(s) being criminally liable under one or more of the following
13 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
14 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
15 by counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the
16 other to commit the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the
17 intent that this crime be committed, Defendants aiding or abetting and/or conspiring by
18 Defendants acting in concert throughout.

19 COUNT 3 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

20 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
21 willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal,
22 kidnap, or carry away JOSE CHAVARRIA, a human being, with the intent to hold or detain
23 the said JOSE CHAVARRIA against his will, and without his consent, for the purpose of
24 committing robbery, with use of a deadly weapon, to wit: a handgun and/or pneumatic gun;
25 the Defendant(s) being criminally liable under one or more of the following principles of
26 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
27 in the commission of this crime, with the intent that this crime be committed, by counseling,
28 encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit

1 the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this
2 crime be committed, Defendants aiding or abetting and/or conspiring by Defendants acting in
3 concert throughout.

4 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON

5 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
6 willfully, unlawfully, and feloniously take personal property, to wit: a necklace, from the
7 person of ANTONIO VALLEJO, or in his presence, by means of force or violence, or fear of
8 injury to, and without the consent and against the will of ANTONIO VALLEJO, with use of
9 a deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) being criminally
10 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
11 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
12 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
13 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
14 conspiracy to commit this crime, with the intent that this crime be committed, Defendants
15 aiding or abetting and/or conspiring by Defendants acting in concert throughout.

16 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON

17 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWEL did
18 willfully, unlawfully, and feloniously take personal property, to wit: a purse and contents, from
19 the person of SELENA GRACIANO, or in her presence, by means of force or violence, or
20 fear of injury to, and without the consent and against the will of SELENA GRACIANO, with
21 use of a deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) being
22 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
23 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
24 crime, with the intent that this crime be committed, by counseling, encouraging, hiring,
25 commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3)
26 pursuant to a conspiracy to commit this crime, with the intent that this crime be committed,
27 Defendants aiding or abetting and/or conspiring by Defendants acting in concert throughout.

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1 COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON

2 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
3 willfully, unlawfully, and feloniously take personal property, to wit: U.S. Currency, from the
4 person of MYRIAM GASPAR, or in her presence, by means of force or violence, or fear of
5 injury to, and without the consent and against the will of MYRIAM GASPAR, with use of a
6 deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) being criminally
7 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
8 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
9 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
10 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
11 conspiracy to commit this crime, with the intent that this crime be committed, Defendants
12 aiding or abetting and/or conspiring by Defendants acting in concert throughout.

13 COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

14 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
15 willfully, unlawfully, and feloniously take personal property, to wit: U.S. Currency, from the
16 person of JOSE CHAVARRIA, or in his presence, by means of force or violence, or fear of
17 injury to, and without the consent and against the will of JOSE CHAVARRIA, with use of a
18 deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) being criminally
19 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
20 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
21 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
22 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
23 conspiracy to commit this crime, with the intent that this crime be committed, Defendants
24 aiding or abetting and/or conspiring by Defendants acting in concert throughout.

25 COUNT 8 - CONSPIRACY TO COMMIT ROBBERY

26 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
27 willfully, unlawfully, and feloniously conspire with each other to commit a robbery, by the
28 Defendants committing the acts as set forth in Counts 11 and 12, said acts being incorporated

by this reference as though fully set forth herein.

COUNT 9 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did willfully, unlawfully, and feloniously enter, with intent to commit a felony, to wit: robbery, that certain business occupied by WALGREENS, located at 4470 East Bonanza Road, Las Vegas, Clark County, Nevada, while possessing and/or gaining possession of a handgun and/or pneumatic gun, a deadly weapon, during the commission of the crime and/or before leaving the structure; the Defendant(s) 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 by Defendants acting in concert throughout.

COUNT 10 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away YENEIR HESSING, a human being, with the intent to hold or detain the said YENEIR HESSING against his will, and without his consent, for the purpose of committing robbery, with use of a deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) 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 by Defendants acting in concert throughout.

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1 COUNT 11 - ROBBERY WITH USE OF A DEADLY WEAPON

2 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
3 willfully, unlawfully, and feloniously take personal property, to wit: U.S. Currency, from the
4 person of YENEIR HESSING, or in his presence, by means of force or violence, or fear of
5 injury to, and without the consent and against the will of YENEIR HESSING, with use of a
6 deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) being criminally
7 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
8 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
9 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
10 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
11 conspiracy to commit this crime, with the intent that this crime be committed, Defendants
12 aiding or abetting and/or conspiring by Defendants acting in concert throughout.

13 COUNT 12 - ROBBERY WITH USE OF A DEADLY WEAPON

14 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
15 willfully, unlawfully, and feloniously take personal property, to wit: U.S. Currency and/or
16 pharmaceuticals and/or a necklace with dolphin pendant, from the person of DARLENE
17 ORAT, or in her presence, by means of force or violence, or fear of injury to, and without the
18 consent and against the will of DARLENE ORAT, with use of a deadly weapon, to wit: a
19 handgun and/or pneumatic gun; the Defendant(s) being criminally liable under one or more
20 of the following principles of criminal liability, to wit: (1) by directly committing this crime;
21 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
22 be committed, by counseling, encouraging, hiring, commanding, inducing and/or otherwise
23 procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to commit this
24 crime, with the intent that this crime be committed, Defendants aiding or abetting and/or
25 conspiring by Defendants acting in concert throughout.

26 COUNT 13 - UNLAWFUL TAKING OF VEHICLE

27 Defendant LARENZO PINKEY, aka, Lorenzo Pinkney did willfully, unlawfully,
28 without the consent of the owner, and without intent to permanently deprive the owner thereof,

1 take, carry, or drive away the vehicle of another, to wit: a 2006 Chrysler, bearing Nevada
2 Temporary Tag No. 368-336, belonging to RAYNETTA SHINE.

3 COUNT 14 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

4 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
5 willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal,
6 kidnap, or carry away TIFNIE BOBBITT, a human being, with the intent to hold or detain the
7 said TIFNIE BOBBITT against her will, and without her consent, for the purpose of
8 committing robbery, with use of a deadly weapon, to wit: a handgun and/or pneumatic gun;
9 the Defendant(s) being criminally liable under one or more of the following principles of
10 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
11 in the commission of this crime, with the intent that this crime be committed, by counseling,
12 encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit
13 the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this
14 crime be committed, Defendants aiding or abetting and/or conspiring by Defendants acting in
15 concert throughout.

16 COUNT 15 - ROBBERY WITH USE OF A DEADLY WEAPON

17 Defendants LARENZO PINKEY, aka, Lorenzo Pinkney and ADRIAN POWELL did
18 willfully, unlawfully, and feloniously take personal property, to wit: U.S. Currency, from the
19 person of TIFNIE BOBBITT, or in her presence, by means of force or violence, or fear of
20 injury to, and without the consent and against the will of TIFNIE BOBBITT, with use of a
21 deadly weapon, to wit: a handgun and/or pneumatic gun; the Defendant(s) being criminally
22 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
23 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
24 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,

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

4 DATED this 7th day of November, 2017.

5 STEVEN B. WOLFSON
6 Clark County District Attorney
7 Nevada Bar #001565

8 BY

 10193 E.
9 JOHN GIORDANI
10 Chief Deputy District Attorney
11 Nevada Bar #012381

12
13 ENDORSEMENT: A True Bill

14
15 
16 Foreperson, Clark County Grand Jury
17
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Names of Witnesses and testifying before the Grand Jury:

AOYAMA, KATHRYN, LMVPD

BOBITT, TIFNIE, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

CHAVARRIA-VALENZUELA, JOSE, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

CRUZ, RAYMUNDO, LVMPD #15656

GASPAR, MYRIAM, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

GRACIANO, SELENA, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

HESSING-RODRIGUEZ, YENEIR, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

ORAT, DARLENE, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

PANDULLO, TULLIO A., LVMPD #7884

SHINE, RAYNETTA, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

THOMAS, KRISTINA MARIE, LVMPD #13574

TOOMER, KYLE M., LVMPD #5780

VALLEJO-RODRIGUEZ, ANTONI, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

Additional Witnesses known to the District Attorney at time of filing the Indictment:

AKE, PAUL A., LVMPD #8100

ANDERSON, JORDAN ALAN, LVMPD #15109

AREVALO, BRYANT ANTONY, LVMPD #15771

BALINT, RYAN JOHN, LVMPD #15912

BEHYMER, AARON SAMUEL, LVMPD #15768

BREWER, DOROTHEA ROSE, LVMPD #15720

COLLINS, MAURICE DESHAWN, LVMPD #4719

CUSTODIAN OF RECORDS, CCDC

CUSTODIAN OF RECORDS, LVMPD COMMUNICATIONS

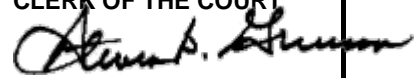
CUSTODIAN OF RECORDS, LVMPD RECORDS

GARLEY, MATTHEW ANTONIO, LVMPD #15652

GONZALEZ, KETHLEEN, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

1 HERNANDEZ, VICTOR HUGO, LVMPD #15018
2 JOHNSON, TIFFANY, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV
3 LEAVITT, SETH, LVMPD #13457
4 MILLS, PADILLA REED, LVMPD #15850
5 POWELL, ADRIAN, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV
6 RAFFERTY, ROBERT, LVMPD #8919
7 SCHUMMER, DAVID A., LVMPD #7457
8 SERENA, LANCE L., LVMPD #15888
9 SPEAS, WILLIAM, LVMPD #5228
10 WATKINS, DENZEL, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV
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27 17AGJ106A-B/17F17626A-B/cmj-GJ
28 LVMPD EV# 1709280314; 1709280495
(TK8)



EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)
)
Plaintiff,)
)
vs.) GJ No. 17AGJ106X
) DC No. C327767
LARENZO PINKEY, aka Lorenzo)
Pinkney, ADRIAN POWELL,)
)
Defendant.)

Taken at Las Vegas, Nevada

Tuesday, October 17, 2017

2:17 p.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222

12:00 1 GRAND JURORS PRESENT ON OCTOBER 17, 2017
2
3 MORGAN DEVLIN, Foreperson
4 SANDRA MOORE, Deputy Foreperson
12:00 5 RAELYNN CASTANEDA, Secretary
6 JANIS ROGERS, Assistant Secretary
7 MARY ANDERSON
8 DOMINIQUE CARDENAS
9 IVAN CAYLOR
12:00 10 JERRY DIVINCENZO
11 MICHELLE FENDELANDER
12 BOBBI FLORIAN
13 AMY KNUDSON
14 GREGORY KORNILOFF
12:00 15 PATRICIA PRATHER
16 LATANIS WATTS
17 GUSTAVO ZAVALA
18
19 Also present at the request of the Grand Jury:
12:00 20 John Giordani, Chief Deputy District Attorney
21
22
23
24
25

12:00

1

INDEX OF WITNESSES

2

Examined

3

4

YENIR HESSING

6

12:00

5

DARLENE ORAT

21

6

JOSE ALFREDO CHAVARRIA VALENZUELA

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SELENA GRACIANO

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MYRIAM GASPAR

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RAYNETTA SHINE

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12:00

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INDEX OF EXHIBITS

2

3

Grand Jury ExhibitsIdentified

4

1 - PROPOSED INDICTMENT

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12:00

5

2 - PHOTOGRAPH

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6

3 - PHOTOGRAPH

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4 - AERIAL MAP

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5 - AERIAL MAP

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12:00 1 LAS VEGAS, NEVADA, OCTOBER 17, 2017

2 * * * * *

3

4 DANETTE L. ANTONACCI,

12:00 5 having been first duly sworn to faithfully
6 and accurately transcribe the following
7 proceedings to the best of her ability.
8

9 MR. GIORDANI: Good afternoon ladies and
02:17 10 gentlemen of the Grand Jury. John Giordani on behalf of
11 the State of Nevada presenting to you State versus
12 Lorenzo Pinkey and Adrian Powell, Grand Jury case number
13 17AGJ106AB. Before I start with witnesses I'll just let
14 you all know that I'm not going to ask you to deliberate
02:18 15 on this case today so if you want to jot down notes as
16 is usual please do so.

17 With these first two witnesses I'm going to
18 direct your attention to Counts 9, 10, 11, 12 -- 9, 10
19 11 and 12 for these first two witnesses.

02:18 20 I have marked as Grand Jury Exhibit
21 Number 1 a copy of the proposed Indictment.

22 THE FOREPERSON: Please raise your right
23 hand.

24 You do solemnly swear the testimony you are
02:18 25 about to give upon the investigation now pending before

02:18 1 this Grand Jury shall be the truth, the whole truth, and
2 nothing but the truth, so help you God?

3 THE WITNESS: Yes.

4 THE FOREPERSON: Please be seated.

02:19 5 You are advised that you are here today to
6 give testimony in the investigation pertaining to the
7 offenses of conspiracy to commit robbery, burglary while
8 in possession of a deadly weapon, first degree
9 kidnapping with use of a deadly weapon, robbery with use
02:19 10 of a deadly weapon, and unlawful taking of vehicle,
11 involving Lorenzo Pinkey and Adrian Powell.

12 Do you understand this advisement?

13 THE WITNESS: Yes.

14 THE FOREPERSON: Please state your first
02:19 15 and last name and spell both for the record.

16 THE WITNESS: It's Yenir Hessing. It's
17 Y-E-N-I-R, and the last name is H-E-S-S-I-N-G.

18 YENIR HESSING,

19 having been first duly sworn by the Foreperson of the
02:19 20 Grand Jury to testify to the truth, the whole truth,
21 and nothing but the truth, testified as follows:

22 EXAMINATION

23

24 BY MR. GIORDANI:

02:19 25 Q. Ma'am, what do you do for a living?

02:19 1 A. I'm a shift lead at Walgreens.

2 Q. Is that Walgreens located at 4470 East

3 Bonanza?

4 A. Yes.

02:19 5 Q. Is that in the area of Bonanza and Lamb?

6 A. Yes.

7 Q. I want to show you Grand Jury Exhibit

8 Number 4. Do you see Bonanza and Lamb here?

9 A. Yes.

02:20 10 Q. Does that appear to be an aerial map that

11 depicts your business?

12 A. Yes.

13 Q. Does that appear to be a fair and accurate

14 depiction of where your business is located off the

02:20 15 intersection of Bonanza and Lamb?

16 A. Yes.

17 Q. And is the business to the top right of the

18 intersection?

19 A. Yes.

02:20 20 Q. Showing the Grand Jury Grand Jury Exhibit

21 Number 4.

22 And did you indicate that this is the

23 business here?

24 A. Yes.

02:20 25 Q. What do you do at that location?

02:20 1 A. I'm a shift lead. At that time I was
2 working graveyard.
3 Q. Okay.
4 A. I manage the store.
02:20 5 Q. Shift lead?
6 A. Yes. Uh-huh.
7 Q. I'm sorry, I forgot to show you Grand Jury
8 Exhibit Number 5. Does this appear to be an aerial map
9 showing that same location on Grand Jury Exhibit
02:20 10 Number 4 but in the top right corner?
11 A. Yes.
12 Q. Okay. Thank you. What hours did you work
13 back --
14 A. 10:00 p.m. to 8:00 a.m.
02:21 15 Q. Okay.
16 A. I work graveyard at that time.
17 Q. On September 28th of 2017 were you working?
18 A. Yes.
19 Q. Who was working with you around that time?
02:21 20 A. Three more co-workers. Darlene, Kathy,
21 Abrianna and Tiffany.
22 Q. Okay. And Kathy, would that be Kathleen
23 Gonzalez?
24 A. Yes.
02:21 25 Q. Darlene, would that be Darlene Orat or

02:21 1 Orat?

2 A. Yes.

3 Q. Abrianna Trujillo?

4 A. Yes.

02:21 5 Q. And Tiffany Bobbitt?

6 A. Yes.

7 Q. I want to draw your attention specifically

8 to approximately 4:05 in the morning. Were all those

9 people working with you at that store around that time?

02:21 10 A. Yes. We were all on the floor, yeah.

11 Q. What's that?

12 A. We were all on the floor like working and

13 the pharmacist in the back, Darlene.

14 Q. Okay. So this is a typical Walgreens where

02:22 15 you have a storefront area and you also have a pharmacy

16 associated with it?

17 A. Yes.

18 Q. Is it all within the store, the single

19 store building that we show on the maps?

02:22 20 A. Yes.

21 Q. Do me a favor, point that microphone up and

22 get it a little closer to your face.

23 Thank you.

24 And around 4:05 in the morning what

02:22 25 happened that causes you to be here today?

02:22 1 A. That day we received truck for
2 merchandising and we were putting away all the product
3 on the floor. I was in the food aisle and somebody
4 approached me with a mask and a gun pointing to my
02:22 5 stomach and he told me to go up front, he said that it
6 was not a game and I'm going to kill you, and he was
7 like pushing me with the gun to the front and he asked
8 me to open the cash register. We have three cash
9 register up front. So I opened one first, the main one,
02:23 10 then he told me to open the other two and he asked me,
11 at that moment Tiffany, she was coming for lunch and he
12 called Tiffany too. He was swearing and saying like
13 really bad things and yelling. He grabbed both of us
14 and he asked me where is the big money, where is the
02:23 15 safe, and I tell him it was in the office and then
16 starts go and open the door and he start pushing me
17 again with the gun.

18 Q. Let me stop you for a moment. I want to
19 backtrack a little bit and get a couple details that I
02:23 20 think you missed. Okay?

21 A. Okay.

22 Q. So initially you described you were in the
23 food aisle when this whole thing first got your
24 attention.

02:23 25 A. Yes. He approached me with the gun.

02:23 1 Q. Okay. When you say he, you described a man
2 with a mask and a gun.

3 A. Yes.

4 Q. Can you describe anything further about
02:24 5 him, color of clothing, his face, his height, his weight
6 or anything like that?

7 A. No, I'm not sure. He was just my height,
8 really skinny. I think he was like, cause he have
9 gloves but I think one time when he move his hand I
02:24 10 think he was African American, but I'm not sure. Yeah,
11 because he was covered completely, his face.

12 Q. Let's talk about that. What type of
13 clothing was he wearing on his upper part of his body?

14 A. It was a jean, tennis shoes and I think it
02:24 15 was black jacket. I don't remember exactly the color.

16 Q. It's all right. Did it have a hood or no
17 hood?

18 A. Yes. Yes.

19 Q. Was the hood up or down?

02:24 20 A. Down.

21 Q. It had a hood but the hood was not over his
22 head?

23 A. Yeah, no.

24 Q. What did he have on his face? You
02:24 25 described a mask. But can you describe it further?

02:24 1 A. Yeah. It was just something that covered
2 completely his face. It was black and part of the face
3 had something red and just two little things in the
4 eyes, two little holes, but really small, you weren't
02:25 5 able to see their eyes like completely.

6 Q. Did he have anything on his hands?

7 A. No. He had gloves and the gun, that's all.

8 Q. Do you recall what the gun looked like?

9 A. It was like black gun, like this size.

02:25 10 Q. You're holding out your hands there
11 approximately, a little less than shoulder width apart.
12 Is that right?

13 A. Yeah.

14 Q. Do you know the difference between an
02:25 15 automatic or semi-automatic and a revolver?

16 A. No.

17 Q. Okay. Did you see anyone who was with that
18 person?

19 A. When he was like pushing me into the
02:25 20 office, for one of the aisles I was able to see the one
21 that was in the pharmacy, that he have the pharmacist.
22 He was holding the gun in his head right here. I see
23 but from far away. I was in the front of the store.

24 Q. Okay. For the record when you said he was
02:26 25 holding a gun right here, you pointed to the back right

02:26 1 side of your head; is that right?

2 A. No, that was the pharmacist. The one that
3 I saw in the pharmacy. The one that have me, he was
4 pointing right here in my ribs.

02:26 5 Q. Okay.

6 A. Yeah.

7 Q. So you started in the food aisle and you
8 said that he forced you back to the cash registers
9 first.

02:26 10 A. Yes.

11 Q. Can you estimate how far you were forced
12 from the food aisle to go to the cash registers?

13 A. It's not too far. It's like maybe a little
14 bit more, like that wall.

02:26 15 Q. Okay. So for the --

16 A. From here like to --

17 Q. Hold on. She's taking all this down so we
18 can't talk over each other.

19 So when you say about that wall, for the

02:26 20 record you're saying about 30 feet; is that about right?

21 A. Maybe, yeah. Yeah.

22 Q. Okay. When you're in the food aisle, I
23 want you to picture being at your work, from the food
24 aisle can you see outside the windows and stuff outside

02:26 25 to the street in the public areas?

02:26 1 A. No.

2 Q. Are you near to the entrance door from the
3 food aisle or the registers?

4 A. No, no, I was not near. I was near to the
02:27 5 photo section. They have a register, but he told me to
6 go up front, not to that register.

7 Q. So when he takes you to the registers, did
8 he have his gun pointed to your lower back the whole
9 time?

02:27 10 A. Yes.

11 Q. You indicated he pointed to your stomach.
12 Did there come a point in time when you said something
13 to him about your stomach?

14 A. Yeah. When we were going to the office he
02:27 15 was telling me like I'm going to kill you, and I tell
16 him please don't hurt me, I'm nine weeks pregnant, don't
17 do anything to me. And he say I don't give a, the F
18 word, I'm going to kill you if you do the wrong code or
19 if I try to call.

02:27 20 Q. Let me back up again. So you went from the
21 food aisle up to the front where the cash registers are?

22 A. Uh-huh.

23 Q. When you got to the cash registers were you
24 able to access them?

02:28 25 A. Yeah. He asked me to pull the register on

02:28 1 top of the counter and he start grabbing everything, all
2 the money and the change.

3 Q. Once he got the money from the cash
4 register, did you go to any other cash registers?

02:28 5 A. Yeah, the other two that are located up
6 front, in the front.

7 Q. Did you do the same thing with those other
8 two?

9 A. Yeah. Yes.

02:28 10 Q. So did you see him take money from all
11 three of the different cash registers?

12 A. Yes.

13 Q. Was there US currency, paper bills in those
14 cash registers?

02:28 15 A. Yes.

16 Q. From the front where the cash registers
17 are, where did you go next?

18 A. It was when he asked me where is the big
19 money, where is the safe, and I tell him in the office,

02:28 20 and he start pushing me, go, open the door, and all the
21 doors in the store have codes so I just entered the code
22 and entered into the office.

23 Q. Okay. Let me stop you for a minute. So
24 we've gone now from the food aisle to the registers

02:29 25 which are near the front?

02:29 1 A. Yes.

2 Q. And then from the registers you have to go

3 back at gunpoint to the office?

4 A. Yes.

02:29 5 Q. And is that office behind a closed door?

6 A. Yes.

7 Q. And that door requires a code I think you

8 said?

9 A. Yeah. There is two doors. We have to open

02:29 10 two with different codes to get in the office.

11 Q. Okay. So at this point the one man has

12 taken you from the food aisle to the registers and now

13 he's forced you back to the room?

14 A. Yes. And Tiffany was with me. We were

02:29 15 both together.

16 Q. Was Tiffany with you at the cash registers?

17 A. I think when he made me open the second

18 one, not the first one.

19 Q. Okay.

02:29 20 A. Yeah.

21 Q. And then he took, forced both you and

22 Tiffany back to the closed door room?

23 A. Yes.

24 Q. Once you got to that closed door room, what

02:29 25 happened?

02:29 1 A. He told me that and then I opened the safe
2 because he was like pushing me. I have like my ribs
3 like purple from like almost for a week because he was
4 hitting me with the gun. And then I opened it, opened
02:30 5 the safe, and he started grabbing everything. And we
6 have another safe but that one where we keep all the
7 coins and he told me to open that one too and he grabbed
8 all the coins and when he have everything in his hands
9 he run. And in front of the office we have like all the
02:30 10 lockers for employees' lockers and in front of those
11 locker it was a purse and he, I was not able to see what
12 he was doing because we have a sign in the door so I was
13 not able to see what he was doing, but from what I hear
14 he used that purse --

02:30 15 Q. Let me stop you.

16 A. Uh-huh.

17 Q. I don't want you to get into what you may
18 have heard, just what you observed.

19 A. Okay.

02:30 20 Q. So when you end up in that back room where
21 the safes are, did the door close behind you?

22 A. Yes.

23 Q. So you were in that room with him?

24 A. Yes.

02:31 25 Q. Who else was with you in that room?

02:31 1 A. Tiffany.

2 Q. From that room are you isolated from the
3 rest of the store, meaning there's closed doors all
4 around you?

02:31 5 A. Yes.

6 Q. Okay. When you open the safes for him, you
7 said he grabbed coins. Did he grab anything else from
8 those safes?

9 A. The first safe that I opened, it was paper
02:31 10 bill, we keep all the bills in there.

11 Q. Oh, I didn't catch that. Thank you.

12 A. Yeah. And then he grab, we keep it in a
13 plastic container by singles, five and twenties. And
14 then he told me to open the other safe where we keep all
02:31 15 the coins that we receive for the bank.

16 Q. And did you do that?

17 A. Yes. I opened with a key, because one
18 open, the one that had the paper bill opened with a code
19 and the one with the coins is with a key. And I was,
02:31 20 cause I was so, I know where the keys was, I was just so
21 nervous and he was like continue, he was a mean person.
22 He was telling me I'm going to kill, don't try to do
23 anything, don't try to enter the wrong key. He was just
24 being mean.

02:32 25 Q. After he took the coins where did he go?

02:32 1 A. He just run. He open the door and run in
2 front of the lockers that is located in front of the
3 office.

4 Q. And then did you stay back in that?

02:32 5 A. Yeah, I stayed back and the other, Tiffany,
6 she hugged me because I was starting like feeling like
7 pain in my stomach and we stand up and start calling
8 right away to the police, yeah.

9 Q. Do you know, only if you know, how much
02:32 10 money was taken total from the store?

11 A. No, I don't know.

12 MR. GIORDANI: Okay. I have no further
13 questions for this witness. Does anyone have questions?

14 Seeing no hands.

02:32 15 THE FOREPERSON: By law, these proceedings
16 are secret and you are prohibited from disclosing to
17 anyone anything that has transpired before us, including
18 evidence and statements presented to the Grand Jury, any
19 event occurring or statement made in the presence of the
02:32 20 Grand Jury, and information obtained by the Grand Jury.

21 Failure to comply with this admonition is a
22 gross misdemeanor punishable up to 364 days in the Clark
23 County Detention Center and a \$2,000 fine. In addition,
24 you may be held in contempt of court punishable by an
02:32 25 additional \$500 fine and 25 days in the Clark County

02:32 1 Detention Center.

2 Do you understand this admonition?

3 THE WITNESS: Yes.

4 THE FOREPERSON: Thank you. You're

02:33 5 excused.

6 THE WITNESS: Okay.

7 THE FOREPERSON: You may go.

8 Please raise your right hand.

9 You do solemnly swear the testimony you are

02:34 10 about to give upon the investigation now pending before

11 this Grand Jury shall be the truth, the whole truth, and

12 nothing but the truth, so help you God?

13 THE WITNESS: Yes.

14 THE FOREPERSON: Please be seated.

02:35 15 You are advised that you are here today to

16 give testimony in the investigation pertaining to the

17 offenses of conspiracy to commit robbery, burglary while

18 in possession of a deadly weapon, first degree

19 kidnapping with use of a deadly weapon, robbery with use

02:35 20 of a deadly weapon, and unlawful taking of vehicle,

21 involving Lorenzo Pinkey and Adrian Powell.

22 Do you understand this advisement?

23 THE WITNESS: Yes.

24 THE FOREPERSON: Please state your first

02:35 25 and last name and spell both for the record.

02:35 1 THE WITNESS: Darlene Orat. D-A-R-L-E-N-E,
2 last name O-R-A-T.

3 DARLENE ORAT,
4 having been first duly sworn by the Foreperson of the
02:35 5 Grand Jury to testify to the truth, the whole truth,
6 and nothing but the truth, testified as follows:

7

8

EXAMINATION

9

02:35 10 BY MR. GIORDANI:

11 Q. Ma'am, what do you do for a living?

12 A. I'm a pharmacist.

13 Q. Do you work at Walgreens at 4470 East
14 Bonanza?

02:35 15 A. Yes.

16 Q. Is that here in Clark County, Nevada?

17 A. Yes.

18 Q. Were you working back on September 28, 2017
19 around 4:05 a.m.?

02:36 20 A. Yes.

21 Q. Were you working behind the pharmacy desk
22 or window?

23 A. Inside the pharmacy.

24 Q. Around that time did there come a point

02:36 25 where some individuals came into the store?

02:36 1 A. Yes.

2 Q. And describe that when you first saw those
3 individuals.

4 A. Out of the corner of my eye I see somebody
02:36 5 and so I glanced and next thing I know he was on top of
6 the counter and so I attempted to run this way but I
7 could not really run fast so he got to me a few, a few
8 feet down.

9 Q. Okay. So you're working behind the counter
02:36 10 at the pharmacy at that time?

11 A. Yes.

12 Q. Is that in the back area of the store?

13 A. Yes.

14 Q. Was anyone working with you in the
02:36 15 pharmacy?

16 A. Nobody inside the pharmacy but me.

17 Q. Was there other employees within the store?

18 A. As far as I know, yes.

19 Q. When you first observed this individual,
02:36 20 you said you saw him out of the corner of your eye; is
21 that right?

22 A. Yes.

23 Q. And then shortly thereafter he's up on the
24 counter?

02:37 25 A. Well, it was quick. See something pass and

02:37 1 when I glance he's already on the counter.

2 Q. Is there a three, four-foot counter that
3 you're describing that walls in the whole pharmacy?

4 A. Yes, where the registers are.

02:37 5 Q. Okay. Can you describe to the best of your
6 ability what that person looked like, was wearing?

7 A. I could only get one glance when I
8 initially saw him and the only thing that I could really
9 see was a mask.

02:37 10 Q. So did he have his face fully covered?

11 A. Full mask with just the eyes.

12 Q. Do you remember the color of it?

13 A. I can only remember black.

14 Q. Are you sure about that or is that just --

02:37 15 A. Yes, black.

16 Q. Okay. Do you remember anything about his
17 clothing or no?

18 A. Not clearly. Just -- cause see this
19 registers, and when you jump this is really just the
02:38 20 part that you could really see clearly.

21 Q. Did he have anything in his hands?

22 A. Jumping there I could not see, but when he
23 got to me, well, he pointed something at my head, and
24 then along the procedure when he told me to grab

02:38 25 something I could see it.

02:38 1 Q. What was it?

2 A. It was a gun.

3 Q. Can you describe it? Do you know the color

4 or anything like that?

02:38 5 A. I'm not good with guns.

6 Q. That's okay. So when he first jumped up on

7 the counter, you said that you tried to run away and you

8 said this way. For the record you were pointing to your

9 left?

02:38 10 A. To my left. He came from this side.

11 Q. So I presume to your left there's somewhere

12 you can get away?

13 A. There's a door in the back.

14 Q. Were you able to reach that door?

02:38 15 A. No.

16 Q. Tell me what happened as you began to run

17 away.

18 A. Well, he got to me. So when he started

19 having contact with me I just cowered and I said just,

02:39 20 just get what you want, just don't hurt me.

21 Q. You said he had contact with me. I need

22 you to describe that for the record.

23 A. He must have grabbed me with one hand cause

24 one hand was here and then he asked me where the Xanax

02:39 25 was.

02:39 1 Q. Let me stop you for a moment. You said he
2 must have grabbed you with one hand and you said the
3 other hand was here or something.

4 A. Yes.

02:39 5 Q. You're making a figure of a gun in your
6 hand.

7 A. Yes.

8 Q. So was one, correct me if I'm wrong, one
9 hand grabbed the back of your shirt around your neck
02:39 10 area and the other hand had a gun in it and that gun was
11 pressed to the right rear side of your head?

12 A. Like right here.

13 Q. Is the description I just gave accurate?

14 A. Yes. Yes.

02:39 15 Q. What was he saying to you when he had that
16 gun to your head?

17 A. Where is the Xanax.

18 Q. What is Xanax just so everyone knows?

19 A. It's benzodiazepines that will, basically
02:40 20 like, for anxiety.

21 Q. So is it pills?

22 A. It's tablets, yes.

23 Q. Do you carry Xanax in your store?

24 A. Yes, we do.

02:40 25 Q. And when he said where is the Xanax, what

02:40 1 did you do?

2 A. I started grabbing the Xanax because it was
3 actually just right on top of where I was.

4 Q. Did you give that to him?

02:40 5 A. Yes.

6 Q. Did he take it from you?

7 A. Well, I just grabbed everything and put it
8 on the counter.

9 Q. Okay. Did he take some of that Xanax that
02:40 10 you took down?

11 A. Well, at that point I just started putting
12 it down and then he said give, put it in the bag. I
13 started walking that way because that's where the
14 registers were where the bag was.

02:40 15 Q. That way being to your right?

16 A. Yeah. Where he came from, where the
17 registers are. So I started going that way but he
18 grabbed me before I reached there and pulled me back and
19 so when I turned back I realized that he actually
02:40 20 already has a bag where the bottles were where I left it
21 at.

22 Q. Okay. So he took some of that Xanax and
23 put it in his bag?

24 A. Actually I was the one putting it inside
02:41 25 the bag because he said put it in the bag.

02:41 1 Q. Okay. What happened from there?

2 A. Okay. I remember he told me open the

3 register. So I went to the register, I open it for him.

4 I messed it up the first time because I was so scared.

02:41 5 He was behind me. So I just focused on getting it right

6 and I did and opened the register.

7 Q. Was there US currency or money inside that

8 register?

9 A. Well, yes.

02:41 10 Q. What happened from there?

11 A. And so once, once the drawer pops open I

12 just turn my back, I didn't want to see or look. I

13 didn't want to make him mad so I just turned my back on

14 him so I don't know what he was doing after that.

02:42 15 Q. Okay. What happened from there?

16 A. And from there he kept on saying Loomis

17 which I do not understand.

18 Q. Loomis?

19 A. Yeah. I don't know if I just heard him

02:42 20 wrong but that's what I heard him say and I don't know

21 what it is.

22 Q. Did you tell him that?

23 A. Yes.

24 Q. And then what was his response?

02:42 25 A. And he just kept saying over and over and I

02:42 1 told him I don't know what Loomis is, tell me what
2 Loomis is, I don't know what Loomis is. And at one
3 point, I don't know if he was answering me or was just
4 saying it, but at one point he did say syrup.

02:42 5 Q. S-Y-R-U-P, syrup?

6 A. Yes.

7 Q. Okay.

8 A. So I kind of figured out he must have meant
9 the promethazine with codeine syrups so I said it's over
02:42 10 there and pointed to him where it was.

11 Q. Did he go and take that?

12 A. He went there.

13 Q. And did he take some of the syrup or
14 promethazine from the store?

02:43 15 A. He did. And then while he was there he
16 said grab me another bag. So I went, grab another bag
17 and went to him and then he grabbed it from my hand. I
18 don't know what he was doing anymore.

19 Q. Okay. Did he have anymore physical contact
02:43 20 with you at that point?

21 A. There was actually something I remember
22 which I forgot to tell the detectives because I
23 remembered it the following day.

24 Q. Okay.

02:43 25 A. And I could not place where it was in the

02:43 1 sequence, I know it was after the Xanax but I don't
2 remember clearly if it was before the register or after
3 the register.

4 Q. Okay.

02:43 5 A. He grabbed my necklace.

6 Q. Can you describe that necklace?

7 A. It's just a simple with a pendant of a
8 dolphin.

9 Q. Is it gold or silver?

02:43 10 A. Gold.

11 Q. And it's a single like strand?

12 A. Yes, a single strand.

13 Q. With a dolphin pendant?

14 A. Uh-huh.

02:44 15 Q. Okay. Did he leave after taking all those
16 items you previously described?

17 A. No. After the promethazine with codeine,
18 so I was cowered down in the counter, bent down,
19 kneeling, and he said empty your pockets. So I fastly

02:44 20 emptied my pockets, threw everything on the floor.

21 Q. Did he take anything that you had taken out
22 of your pockets?

23 A. No.

24 Q. What happened next?

02:44 25 A. And then it suddenly grew quiet so I kind

02:44 1 of imagined he must have already jumped back the way out
2 because it became quiet.

3 Q. At any point during the course of the
4 events that happened to you did you see a second
02:44 5 individual who was in similar clothing as he was in the
6 store?

7 A. No, not nobody with him.

8 Q. So you only saw the one individual and all
9 of those incidents you just described happened back by
02:45 10 the pharmacy?

11 A. Yes.

12 MR. GIORDANI: Okay. I have no further
13 questions. Do any of the grand jurors have questions?

14 THE FOREPERSON: By law, these proceedings
02:45 15 are secret and you are prohibited from disclosing to
16 anyone anything that has transpired before us, including
17 evidence and statements presented to the Grand Jury, any
18 event occurring or statement made in the presence of the
19 Grand Jury, and information obtained by the Grand Jury.

02:45 20 Failure to comply with this admonition is a
21 gross misdemeanor punishable up to 364 days in the Clark
22 County Detention Center and a \$2,000 fine. In addition,
23 you may be held in contempt of court punishable by an
24 additional \$500 fine and 25 days in the Clark County
02:45 25 Detention Center.

02:45 1 Do you understand this admonition?

2 THE WITNESS: Yes.

3 THE FOREPERSON: Thank you. You're

4 excused.

02:47 5 MR. GIORDANI: For the record we have a

6 Spanish speaking interpreter in the room.

7 Could you put your name on the record,

8 Mr. Interpreter.

9 THE INTERPRETER: Yes. My name is Yul

02:47 10 Haasmann, court certified interpreter.

11 THE FOREPERSON: Can you spell your name

12 for the record as well.

13 THE INTERPRETER: Name Yul, Y-U-L,

14 Haasmann, H-A-A-S-M-A-N-N.

02:47 15 THE FOREPERSON: Please raise your right

16 hand.

17 You do solemnly swear the testimony you are

18 about to give upon the investigation now pending before

19 this Grand Jury shall be the truth, the whole truth, and

02:47 20 nothing but the truth, so help you God?

21 THE WITNESS: Yes.

22 THE FOREPERSON: You are advised that you

23 are here today to give testimony in the investigation

24 pertaining to the offenses of conspiracy to commit

02:48 25 robbery, burglary while in possession of a deadly

02:48 1 weapon, first degree kidnapping with use of a deadly
2 weapon, robbery with use of a deadly weapon, and
3 unlawful taking of vehicle, involving Lorenzo Pinkey and
4 Adrian Powell.

02:48 5 Do you understand this advisement?

6 THE WITNESS: Yes.

7 THE FOREPERSON: Please state your first
8 and last name and spell both for the record.

9 THE WITNESS: Jose Alfredo Chavarria
02:48 10 Valenzuela.

11 THE FOREPERSON: Spell them both for the
12 record.

13 THE WITNESS: It's J-O-S-E,
14 C-H-A-V-A-R-R-I-A.

02:49 15 MR. GIORDANI: Ladies and gentlemen of the
16 Grand Jury, I'll direct your attention to Counts 2, 3
17 and 7 for this witness.

18 JOSE ALFREDO CHAVARRIA VALENZUELA,
19 having been first duly sworn by the Foreperson of the
02:49 20 Grand Jury to testify to the truth, the whole truth,
21 and nothing but the truth, testified as follows:

22 EXAMINATION

23

24 BY MR. GIORDANI:

02:49 25 Q. Sir, do you work at Pepe's Tacos at 2490

02:49 1 Fremont Street?

2 A. Yes.

3 Q. What do you do there?

4 A. Cook.

02:50 5 Q. Were you working at that location on
6 September 28th of this year at 2:40 in the morning?

7 A. Yes.

8 Q. Were you working back in the kitchen area?

9 A. Well, what's the kitchen area where we
02:50 10 cook, of course.

11 Q. Was there any other employees that were
12 working?

13 A. Just the cashier.

14 Q. What's her name?

02:50 15 A. Myriam.

16 Q. Around that time that I described, 2:40 in
17 the morning, did some individuals come into the store
18 that causes you to be here to testify today?

19 A. Yes.

02:51 20 Q. Describe when you first realized that those
21 people were in the store.

22 A. I was with my back, when I turned around to
23 see one of them jump the counter with the cash register.
24 He went towards me aiming at me with the gun saying that
02:51 25 he wanted the money.

02:51 1 Q. Okay. So you said one of them. How many
2 people were there?

3 A. The one who jumped first was the first.

4 Q. Was he with anybody?

02:52 5 A. It was after that that the other one jumped
6 towards me.

7 Q. Okay. So in total was there two people
8 together?

9 A. Yes.

02:52 10 Q. Were there employees, I mean, I'm sorry,
11 customers in the store at that time as well?

12 A. Yes, a couple, man and a woman.

13 Q. So you described one individual who jumped
14 the counter and then came at you with a gun.

02:52 15 A. Yes.

16 Q. Can you describe what he was wearing and
17 what the gun looked like?

18 A. Well, he was practically with the face
19 covered with some red thing. He only had two holes for
02:53 20 the eyes.

21 Q. Do you remember his clothing at all?

22 If you don't remember it's okay. I don't
23 want you to guess.

24 A. Of course. Well, no. I just remember that
02:53 25 he had this thing, red thing, globes. I mean the weapon

02:53 1 that he aimed at me with.

2 Q. So he had gloves on his hands and a red
3 thing on his face. Can you describe the gun?

4 A. Well, since I don't know much about guns I
02:54 5 just remember that he came to me and he aimed it at me.

6 Q. Okay. What did he do or say when he aimed
7 the gun at you?

8 A. Well, when he aim at me, what I did was to
9 run towards my co-worker who was in the freezer. The
02:54 10 refrigerator.

11 Q. Is that freezer or refrigerator, is that
12 located in the back area of the store?

13 A. Where we prepare what is food, towards the
14 back of that.

02:55 15 Q. When you ran that way did he follow you,
16 the man with the gun?

17 A. He followed me, he aimed at me to throw
18 myself on the ground.

19 Q. Go ahead and describe, keep going and tell
02:55 20 me all that happened.

21 A. Then he told me that he wanted the money,
22 telling me to go forward, aiming at me with the gun,
23 that he wanted the money. He took me to the registers,
24 he wanted me to open the registers.

02:56 25 Q. Okay. Now did he force you from the back

02:56 1 area of the store where you ran to back up to the front
2 area where the registers were?

3 A. Yes.

4 Q. Okay. Did he do that while holding that
02:56 5 gun to you?

6 A. Yes.

7 Q. Did you comply and go up to the registers?

8 A. Yes.

9 Q. Were you able to get the registers open for
02:56 10 him?

11 A. No, because each person has a password to
12 open the register.

13 Q. Where was your co-worker while this was
14 happening?

02:56 15 A. Inside the refrigerator.

16 Q. Okay. Did he, after he tried to get you to
17 open the register, did he proceed back into the store to
18 get your co-worker?

19 A. Well, no. I mean since I wasn't able to
02:57 20 open them and then he was doing this to me with the gun,
21 I told him that my co-worker was in the back to get the
22 registers open.

23 Q. And you said doing this. Do you mean, you
24 just described, or pointed at your right side. Was he
02:57 25 pointing the gun at your right side?

02:57 1 A. Yes, here.

2 Q. Did he take any property from you?

3 A. No.

4 Q. Did you see -- you said he was with a

02:58 5 second person that you saw.

6 A. The second person was the one who went to

7 pick up my co-worker so she will open the register.

8 Q. Was she brought back out to the front by

9 that second person?

02:58 10 A. Yes.

11 Q. What happened when she was brought back up

12 to the front by the second person?

13 A. Well, he force her to open the first

14 register and the other individual took me to the second

02:59 15 register and he threw me to the ground and he forced my

16 co-worker to open the register while the other guy was

17 aiming at my head.

18 Q. At some point were you forced onto your

19 knees?

03:00 20 A. He was telling me to throw myself on the

21 ground.

22 Q. Were you on your knees?

23 A. No. I mean bent down just like that.

24 Q. Okay. So --

03:00 25 A. With the hands up.

03:00 1 Q. Okay. And so they took money from the
2 register while you were up near the register at
3 gunpoint?

4 A. Yes, from both registers.

03:00 5 Q. Understood.

6 I have no further questions for this
7 witness. Do the grand jurors have questions? No.

8 THE FOREPERSON: By law, these proceedings
9 are secret and you are prohibited from disclosing to
03:00 10 anyone anything that has transpired before us, including
11 evidence and statements presented to the Grand Jury, any
12 event occurring or statement made in the presence of the
13 Grand Jury, and information obtained by the Grand Jury.

14 Failure to comply with this admonition is a
03:00 15 gross misdemeanor punishable up to 364 days in the Clark
16 County Detention Center and a \$2,000 fine. In addition,
17 you may be held in contempt of court punishable by an
18 additional \$500 fine and 25 days in the Clark County
19 Detention Center.

03:00 20 Do you understand this admonition?

21 THE WITNESS: Yes.

22 THE FOREPERSON: Thank you. You're
23 excused.

24 Please raise your right hand.

03:01 25 THE WITNESS: Oh.

03:02 1 THE FOREPERSON: You do solemnly swear the
2 testimony you are about to give upon the investigation
3 now pending before this Grand Jury shall be the truth,
4 the whole truth, and nothing but the truth, so help you
03:02 5 God?

6 THE WITNESS: Yes. I'm sorry.

7 THE FOREPERSON: You are advised that you
8 are here today to give testimony in the investigation
9 pertaining to the offenses of conspiracy to commit
03:02 10 robbery, burglary while in possession of a deadly
11 weapon, first degree kidnapping with use of a deadly
12 weapon, robbery with use of a deadly weapon, and
13 unlawful taking of vehicle, involving Lorenzo Pinkey and
14 Adrian Powell.

03:02 15 Do you understand this advisement?

16 THE WITNESS: Yes, I understand.

17 THE FOREPERSON: Please state your first
18 and last name and spell both for the record.

19 THE WITNESS: Selena Graciano.

03:02 20 S-E-L-E-N-A, G-R-A-C-I-A-N-O.

21 SELENA GRACIANO,
22 having been first duly sworn by the Foreperson of the
23 Grand Jury to testify to the truth, the whole truth,
24 and nothing but the truth, testified as follows:

03:02 25

03:02

1

EXAMINATION

2

3

BY MR. GIORDANI:

4

Q. Ma'am, what do you do for a living?

03:02

5

A. I work at the New York New York casino.

6

Q. Did you work at Pepe's Tacos back on

7

September 28, 2017?

8

A. I work at the New York New York casino. I

9

was eating in the restaurant. I don't work there.

03:03

10

Q. So were you eating at the Pepe's Tacos at

11

2490 Fremont Street?

12

A. Uh-huh.

13

Q. Is that a yes?

14

A. Yes.

03:03

15

Q. And around 2:40 a.m. were you present in

16

that store when something occurred that causes you to be

17

here today?

18

A. Yes. I was, I was there with my friend and

19

we were almost like, we finish to eat and we're about to

03:03

20

leave when I saw the two guys coming inside. They

21

probably don't even, they think that we're not there

22

cause there was like a little wall. So they were like,

23

when they entered they went next to, they were just

24

looking for the cashiers to just get the money. But

03:03

25

they saw us, so one of them, they came with me and him,

03:03 1 and then the other one just went into back of the
2 cashiers.

3 Q. Okay. First off, turn that microphone
4 close to your face please.

03:03 5 A. There? More?

6 Q. Yes. So you said you were at the Pepe's
7 Tacos eating with a friend. What is that friend's name?

8 A. Antonio.

9 Q. Do you know his last name?

03:04 10 A. Vallejo.

11 Q. V-A-L-L-E-J-O?

12 A. Yeah, Vallejo.

13 Q. So you were there just finishing up and you
14 said two men came in. Can you describe those two men?

03:04 15 A. I know they were black. They had, one,
16 they had covered face, one was white and red, and then
17 they had a jacket. The one that it was coming with me,
18 it was like a black jacket.

19 Q. Okay. Let me stop you. So one had a white
03:04 20 face covering and the other had a red face covering?

21 A. Yes.

22 Q. Which one came over to you eventually?

23 A. The one with red.

24 Q. Okay. So did either or both of the men

03:04 25 have guns?

03:04 1 A. Yeah, they had guns, black guns.

2 Q. Each one had a black gun?

3 A. Yeah. Both had ones.

4 Q. And just for the record you're indicating

03:05 5 your hands a few inches apart in front of your face to

6 describe the size of the gun; is that right?

7 A. I don't know nothing about guns but they

8 were like small ones. They were like -- I don't know

9 nothing about guns.

03:05 10 Q. It's okay. So you said you saw those two

11 men go into the register and you thought that they had

12 hadn't seen you; is that right?

13 A. Yeah, cause there was a, they came from the

14 first door, so it was like a wall, so I was in that

03:05 15 table so from once inside there was like nobody in the

16 restaurant so they were just, they went inside just

17 straight like they were looking for the cashier, but

18 when they saw us, we were almost standing up, one of

19 them had to go sit on me, like told us not to move and

03:05 20 everything, and then the other one just went back to get

21 the money.

22 Q. So the one that stayed by you or went by

23 you eventually, did he point the gun at you?

24 A. Yeah. Cause my, I had my purse, so he

03:06 25 grabbed my purse, so he put the gun on me so that way I

03:06 1 can give it to him, and then he was like take a seat,
2 don't move. He was like being -- and then my friend had
3 a necklace and he, like he just grabbed it from him and
4 he just told us not to move and nothing. And then they
03:06 5 just went back to the cashier and I don't know what
6 happened in the back.

7 Q. Okay. So when he came over to you, the one
8 man came over to you, and you said he pointed a gun at
9 you and you had a purse on your shoulder; is that right?

03:06 10 A. Uh-huh. Yes.

11 Q. Did he take that purse from you himself and
12 pull it off your shoulder?

13 A. Yeah. And then so my phone was there cause
14 my, it was a Guess purse so it has a little bag in

03:06 15 front, my phone was there and when he, like he grab it
16 and then he was trying to jump in the back of the
17 restaurant, my phone just slide out of the bag and then
18 that way when he went in the back, my friend Antonio, he
19 just grab my phone and he hide it, that way my cell
03:07 20 phone will be safe. And then after that I was just
21 hearing screams and all that but I don't know nothing
22 about what happened in the back. It was just sitting
23 down there.

24 Q. When he took the purse from you, you said
03:07 25 that he said stay here and then he went back to the

03:07 1 register where the other individual was?

2 A. Yeah. Because there was two registers and
3 so they were trying to open both. So he just went to
4 the back with the co-workers.

03:07 5 MR. GIORDANI: Okay. All right. I have no
6 further questions for this witness. Does anyone else
7 have questions? Seeing no hands.

8 THE FOREPERSON: By law, these proceedings
9 are secret and you are prohibited from disclosing to
03:07 10 anyone anything that has transpired before us, including
11 evidence and statements presented to the Grand Jury, any
12 event occurring or statement made in the presence of the
13 Grand Jury, and information obtained by the Grand Jury.

14 Failure to comply with this admonition is a
03:07 15 gross misdemeanor punishable up to 364 days in the Clark
16 County Detention Center and a \$2,000 fine. In addition,
17 you may be held in contempt of court punishable by an
18 additional \$500 fine and 25 days in the Clark County
19 Detention Center.

03:07 20 Do you understand this admonition?

21 THE WITNESS: Yes, I understand.

22 THE FOREPERSON: Thank you. You're
23 excused. You can go.

24 THE WITNESS: Thank you.

03:08 25 MR. GIORDANI: All right. Ladies and

03:08 1 gentlemen, I'm going to withhold proceedings on this for
2 a moment and switch back to the other case.

3 (Recess.)

4 THE FOREPERSON: Please raise your right
03:21 5 hand.

6 You do solemnly swear the testimony you are
7 about to give upon the investigation now pending before
8 this Grand Jury shall be the truth, the whole truth, and
9 nothing but the truth, so help you God?

03:22 10 THE WITNESS: (With interpreter) Yes, I
11 swear.

12 THE FOREPERSON: You are advised that you
13 are here today to give testimony in the investigation
14 pertaining to the offenses of conspiracy to commit
03:22 15 robbery, burglary while in possession of a deadly
16 weapon, first degree kidnapping with use of a deadly
17 weapon, robbery with use of a deadly weapon, and
18 unlawful taking of vehicle, involving Lorenzo Pinkey and
19 Adrian Powell.

03:22 20 Do you understand this advisement?

21 THE WITNESS: Yes.

22 THE FOREPERSON: Please state your first
23 and last name and spell both for the record.

24 THE WITNESS: First my name, right?

03:22 25 THE FOREPERSON: Yes.

03:22 1 THE WITNESS: Myriam Gaspar.

2 THE FOREPERSON: And spell both for the
3 record.

4 THE WITNESS: Myriam, M-Y-R-I-A-M, and then
03:23 5 Gaspar, G-A-S-P-A-R.

6 MYRIAM GASPAR,
7 having been first duly sworn by the Foreperson of the
8 Grand Jury to testify to the truth, the whole truth,
9 and nothing but the truth, testified as follows:

03:23 10
11 EXAMINATION

12
13 BY MR. GIORDANI:

14 Q. Ma'am, do you work at the Pepe's Taco
03:23 15 located at 2490 Fremont Street?

16 A. Yes.

17 Q. You can put your hand down.

18 Is that Pepe's Tacos located here in Clark
19 County, Nevada?

03:23 20 A. Yes.

21 Q. I want to draw your attention back to
22 September 28th of this year at 2:40 a.m. Were you
23 working at that time on that date?

24 A. Yes.

03:23 25 Q. Around that time did two individuals come

03:23 1 into the store?

2 A. Yes.

3 Q. Describe what you remember, the first thing

4 that caught your attention from those two individuals.

03:24 5 A. The first?

6 Q. Just describe what you remember about them

7 coming in.

8 A. Just the shadow because I became all blind.

9 Q. Describe what happened when they came in.

03:24 10 A. I didn't see them enter.

11 Q. Once they were inside the store what

12 happened?

13 A. He just took me from my freezer and took me

14 to the registers.

03:25 15 Q. When the men first came into the store,

16 were you up at the front register?

17 A. No, not me.

18 Q. Where were you?

19 A. In the refrigerator.

03:25 20 Q. Okay. And at what point did you see those

21 two men enter the store? Was it while you were in the

22 refrigerator?

23 A. Yes, it was one I saw when I was in the

24 refrigerator. The other one I saw him when he pull

03:25 25 me --

03:25 1 Q. Okay.

2 A. -- over there to the registers.

3 Q. Let's start with the man that came back to

4 you when you were at the refrigerator. Can you describe

03:26 5 to the best of your ability what he was wearing, what he

6 looked like?

7 A. I don't remember.

8 Q. That's okay.

9 A. I don't remember.

03:26 10 Q. Could you see his face or was his face

11 covered?

12 A. I think that I only saw his eyes.

13 Q. Okay. Did he have a gun?

14 A. I don't remember seeing it but I mean, I

03:26 15 don't remember everything, everything went dark. I'm

16 sorry. I was already expecting it.

17 Q. Okay. So how is it that you got from the

18 refrigerator back up to the register?

19 A. With him behind me, he pulled me out.

03:27 20 Q. Did he pull you out by touching you

21 physically?

22 A. Yes.

23 Q. When he pulled you out, did he force you

24 out to the register at the front of the store?

03:27 25 A. Yes.

03:27 1 Q. Once you got up to the register did you see
2 a second person there?

3 A. Yes.

4 Q. Do you remember if that person had a gun?

03:27 5 A. Yes.

6 Q. Do you remember anything about what that
7 person looked like, what he was wearing?

8 A. No, I don't remember because the only thing
9 that I remember is that he had the co-worker with the
03:28 10 gun like this, he had him like kneeling.

11 Q. Okay. Is your co-worker Jose?

12 A. Yes. Yes, Jose.

13 Q. And that man had a gun to Jose and Jose was
14 kneeling on the ground?

03:28 15 A. Yes, I saw him.

16 Q. Did the man that brought you up to the
17 front, did you see him with a gun at some point?

18 A. I don't remember that because I was just
19 feeling it.

03:28 20 Q. Okay. When you say feeling it, you keep
21 making a hand gesture like a gun. Do you mean you felt
22 a gun touching you?

23 A. Yes, behind.

24 Q. Okay. Understood.

03:29 25 Now that man, when he held the gun to you

03:29 1 or what you thought was a gun touching you from behind,
2 did he order you or ask you to do something with the
3 registers?

4 A. Yes, to open them.

03:29 5 Q. Did you do that?

6 A. Yes.

7 Q. Did he take money from the registers?

8 A. I put the password and it opened and I was
9 telling him take it, take it, take it.

03:29 10 Q. When you said take it, take it, did he talk
11 money from the registers?

12 A. Yes, both at the same time, his hands and
13 my hands because he was getting me frustrated.

14 Q. Okay. So he took money from the register.

03:30 15 And then what did those two men do at that point?

16 A. He was putting it in here.

17 Q. Okay. And when you say putting it, you
18 mean the money in his pocket is what you're pointing to?

19 A. No. He had a dark sweater. I don't

03:30 20 remember it. That he was put it inside.

21 Q. Okay. Inside his dark sweater and you're
22 pointing to your stomach area?

23 A. It was a sweater.

24 Q. After taking the money from the registers

03:30 25 did those men leave?

03:30 1 A. No, we went to the next one. He said go,
2 let's go to the next one.

3 Q. Okay. So you went to another register?

4 A. Yes.

03:31 5 Q. And did you open that for him?

6 A. Yes. Yes. I open it, I put the password.

7 Q. And did he take money from that register as
8 well?

9 A. Yes. I told him the same, take it, take
03:31 10 it. He was just very harsh in taking it.

11 Q. Did the men leave after that?

12 A. No, no, he will not leave. He was sure
13 that there was more money. He wanted more money.

14 Q. Did you give him anymore money after that?

03:31 15 A. Yes, because I remember that underneath
16 there was a bag with coins. It was \$40.

17 Q. Did he take that as well?

18 A. Yes. That's when they said yeah, he's
19 going to get that and he's going to leave. Because I
03:32 20 thought the bag was heavy. And yeah, actually he got
21 the bag and then that's when I -- yeah.

22 Q. Okay.

23 A. He left.

24 Q. All right. And did you see them run away
03:32 25 together?

03:32 1 A. No, because I bent down my head because I
2 knew that the 911, I had the 911 here.

3 MR. GIORDANI: Okay. No further questions.
4 Anyone have questions?

03:32 5 THE FOREPERSON: By law, these proceedings
6 are secret and you are prohibited from disclosing to
7 anyone anything that has transpired before us, including
8 evidence and statements presented to the Grand Jury, any
9 event occurring or statement made in the presence of the
03:32 10 Grand Jury, and information obtained by the Grand Jury.

11 Failure to comply with this admonition is a
12 gross misdemeanor punishable up to 364 days in the Clark
13 County Detention Center and a \$2,000 fine. In addition,
14 you may be held in contempt of court punishable by an
03:32 15 additional \$500 fine and 25 days in the Clark County
16 Detention Center.

17 Do you understand this admonition?

18 THE WITNESS: Yes.

19 THE FOREPERSON: Thank you. You're

03:33 20 excused.

21 Please raise your right hand.

22 You do solemnly swear the testimony you are
23 about to give upon the investigation now pending before
24 this Grand Jury shall be the truth, the whole truth, and
03:35 25 nothing but the truth, so help you God?

03:36 1 THE WITNESS: Yes.

2 THE FOREPERSON: You can put your hand
3 down.

4 You are advised that you are here today to
03:36 5 give testimony in the investigation pertaining to the
6 offenses of conspiracy to commit robbery, burglary while
7 in possession of a deadly weapon, first degree
8 kidnapping with use of a deadly weapon, robbery with use
9 of a deadly weapon, and unlawful taking of vehicle,
03:36 10 involving Lorenzo Pinkey and Adrian Powell.

11 Do you understand this advisement?

12 THE WITNESS: Yes.

13 THE FOREPERSON: Please state your first
14 and last name and spell both for the record.

03:36 15 THE WITNESS: Raynetta Shine.

16 R-A-Y-N-E-T-T-A, last name Shine, S-H-I-N-E.

17 RAYNETTA SHINE,

18 having been first duly sworn by the Foreperson of the
19 Grand Jury to testify to the truth, the whole truth,

03:36 20 and nothing but the truth, testified as follows:

21

22 EXAMINATION

23

24 BY MR. GIORDANI:

03:36 25 Q. Miss Shine, right off the bat, do you know

03:36 1 Larenzo Pinkey and Adrian Powell?

2 A. Yes.

3 Q. And how long have you known Larenzo for?

4 A. A few months.

03:36 5 Q. Without going into too much detail, do you
6 have somewhat of a personal relationship with Larenzo?

7 A. Yes.

8 Q. All right. Showing you Grand Jury

9 Exhibit 3. Who is that?

03:37 10 A. Larenzo.

11 Q. How about Adrian Powell, do you know him?

12 A. Somewhat.

13 Q. How long have you known him?

14 A. A few months.

03:37 15 Q. Do you have a friendly relationship or an
16 acquaintance relationship or how would you describe it?

17 A. Just if we see each other hi and bye.

18 Q. Okay. Showing you Grand Jury Exhibit

19 Number 2. Who is that?

03:37 20 A. Adrian.

21 Q. Do you use a nickname for Adrian and does
22 he use a nickname for himself?

23 A. AJ.

24 Q. I want to draw your attention back to a

03:37 25 specific day. Did you at some point on September 27th,

03:37 1 the evening of September 27th into the morning hours of
2 September 28th, have Lorenzo and AJ over at your home?

3 A. Yes.

4 Q. Describe just generally when they showed up
03:38 5 what you guys were doing and when they ultimately left.

6 A. Well, me and Lorenzo was already there with
7 the kids sitting there watching TV. My leg started
8 hurting, I took a pain pill. When I got ready to go to
9 my room Adrian walked in as I was going to my room.

03:38 10 Q. Okay. Let me stop you real quick. Are we
11 talking about the evening of the 27th?

12 A. The evening of the 27th we were -- no, the
13 evening of the 27th we weren't together. Later on that
14 day after I came from getting my hair done.

03:38 15 Q. So on that evening, are we talking about
16 evening hours when they were at your home?

17 A. When they were at my home was about, maybe
18 about 8:00 something, 9:00.

19 Q. P.M.?

03:38 20 A. P.M.

21 Q. Okay. And that would be September 27th is
22 what I was referring to?

23 A. Yes.

24 Q. Okay.

03:38 25 A. I don't even remember what day it happened

03:38 1 but if that's the day it happened then.

2 Q. I guess we'll backtrack then in a moment.

3 A. Okay.

4 Q. At some point in time did you notice that
03:39 5 your vehicle was gone from your home?

6 A. Yes.

7 Q. What type of vehicle is that?

8 A. A Chrysler 300.

9 Q. And is that your vehicle?

03:39 10 A. Yes.

11 Q. Yours and -- you're the owner of that
12 vehicle?

13 A. Yes.

14 Q. Did you give permission to either Lorenzo

03:39 15 or --

16 A. No.

17 Q. All right. I've got to finish my question.

18 A. Oh, okay.

19 Q. Did you give permission to either Lorenzo

03:39 20 or Adrian or AJ to take that vehicle at any point?

21 A. No.

22 Q. You previously described you had some pain
23 in your leg, took a pain pill and you were about to go
24 to bed; correct?

03:39 25 A. Correct.

03:39 1 Q. When you were going to bed, at that point
2 was your vehicle still at your home outside?

3 A. Yes.

4 Q. Where were your keys at?

03:39 5 A. On the counter in the kitchen.

6 Q. At some point in time did you wake up and
7 realize that your car was gone?

8 A. Yes.

9 Q. Do you remember when that was?

03:39 10 A. I want to say maybe about 5:00 something,
11 6:00. In between.

12 Q. At some point did you call the police and
13 report your car missing?

14 A. Yes, I did, at about 6:45, 7:00 something.

03:40 15 Q. Okay. Now when was it, after you went to
16 bed -- oh, I should ask this. I'm sorry. When you
17 noticed your car was missing, were Adrian and Lorenzo
18 also gone?

19 A. Yes.

03:40 20 Q. At some point in time did you see Adrian
21 and Lorenzo again?

22 A. No. I, not -- you talking about when my
23 car was gone?

24 Q. Yeah.

03:40 25 A. No.

03:40 1 Q. When was it that you next saw them?

2 A. I seen Lorenzo maybe, before I was going to

3 go get my car, to where my car was located at.

4 Q. How was it that you found out where your

03:40 5 car was located at?

6 A. Lorenzo. Lorenzo told me where my car was

7 at.

8 Q. How did he tell you?

9 A. On the phone.

03:40 10 Q. So at some point in the early morning hours

11 on the 28th did you receive a phone call from Lorenzo?

12 A. Yes.

13 Q. And in that phone call what did he say?

14 A. He told me where my car was located at.

03:41 15 Q. And where did he say it was?

16 A. 4480 Charleston.

17 Q. Are you familiar with that area?

18 A. Kind of. Well, since I've been over there

19 that day, yeah.

03:41 20 Q. Is that near Walgreens?

21 A. No, it was down a street from Walgreens.

22 Q. Okay. Yeah, I'm not saying it's parked at

23 a Walgreens but it's near a Walgreens area?

24 A. Yeah.

03:41 25 Q. Is that right?

03:41 1 A. Yes.

2 Q. When you had that phone conversation with
3 him, did you then, had you called the police at that
4 point yet?

03:41 5 A. Uhm, when I had, I had already reported it,
6 if you're asking have I reported my car stolen before
7 then?

8 Q. Yes.

9 A. Yes, I did.

03:41 10 Q. So you already reported it stolen?

11 A. Yes.

12 Q. Did you believe at the point that you
13 reported it stolen that Lorenzo and Adrian had taken
14 your car?

03:41 15 A. Yeah, because he was the only one there.

16 Q. You previously described the location. I'm
17 showing you Grand Jury Exhibit 4. Can you see Lamb and
18 Bonanza here?

19 A. Yes.

03:42 20 Q. Is that approximately where your car
21 ultimately was found?

22 A. Not in that center but over that way.

23 Q. Okay. So do you see Lamb and Bonanza?

24 A. Uh-huh.

03:42 25 Q. And then there's a red little ping and

03:42 1 there's a residential like intersection --

2 A. That's where my car was.

3 Q. Okay. So your car was there.

4 A. Yes.

03:42 5 Q. When Lorenzo was telling you where your car
6 was, how did you react to the fact that he had taken
7 your car?

8 A. I was pissed off. Why would you steal my
9 car and that car is for my kids, my car is not for

03:42 10 nobody to joy ride. I had just purchased that car so I
11 was real pissed.

12 Q. Did you overhear Lorenzo say anything over
13 the phone that you believe you weren't supposed to hear?

14 A. I'm going to hang up with her because I
03:43 15 don't want her to see her car on that -- it was sitting
16 on a rock, a big ass, sorry, a big rock.

17 Q. Do you recall telling detectives at some
18 point, and I'll quote what I'm seeing and you tell me if
19 this is accurate. As he's hanging up he's going to say
03:43 20 "I don't even want to be on this phone with this bitch
21 so she won't see her car lifted up like that."

22 A. Correct.

23 Q. Was that an accurate statement you were
24 relying what you recall to the detectives?

03:43 25 A. Yeah, that's accurate.

03:43 1 Q. Okay. And did you ultimately go out to
2 that location I showed you on the map?

3 A. Yes.

4 Q. And what shape was your car in at that
03:43 5 point?

6 A. Lifted, it was lifted up on a rock.

7 Q. As though it had been wrecked there?

8 A. Yes.

9 Q. While you were at that location and you saw
03:43 10 your car, were there also police officers around that
11 area?

12 A. Yes.

13 Q. While you were in that location did you
14 happen to see Lorenzo and/or Adrian at some point?

03:44 15 A. I didn't ever see Adrian, I seen Lorenzo.

16 Q. And describe how you saw them and what went
17 on.

18 A. What do you mean, what went on, like what
19 do you mean by that?

03:44 20 Q. As you're standing there what happens?

21 A. Oh. He went by. Lorenzo went by.

22 Q. How did he go by?

23 A. In a car.

24 Q. A different car, not yours obviously --

03:44 25 A. Yeah, not mine. Mine is wrecked still on

03:44 1 the rock.

2 Q. When you saw him go by in another car, was
3 he with other people in that car?

4 A. Well, we couldn't really see who all was in
03:44 5 the car but I'm sure it was other people in the car.

6 Q. And at that point did you say hey officers,
7 there he is right there, the guy that took my car?

8 A. I kind of like grabbed my mouth like, and
9 he asked what, and I pointed, and he just knew right
03:45 10 then and then, like that's them, I'm like yeah.

11 Q. Did you observe, and if you did not that's
12 okay, did you observe officers follow that vehicle and
13 stop that vehicle?

14 A. Yeah, I seen them all hopping in their car
03:45 15 and leaving.

16 Q. I want to ask you a little out of order.
17 Did there come a point in time where you actually saw
18 Lorenzo wearing some homeless man's pants?

19 A. He came by my house, it wasn't the same
03:45 20 thing that I had seen him wearing when he had left.
21 Before he had left the house, when he was at the house
22 with me he had on basketball shorts.

23 Q. Okay. When was it that he came by the
24 house?

03:45 25 A. In the morning, I want to say about 8:00

03:45 1 something because I had my neighbor take my kids to
2 school because they go to the same school and that was
3 probably like 8:58 because she took my kids to school
4 and the school started at 9:00.

03:45 5 Q. Just so everyone is clear. Is this after
6 you've already called the police to report your car
7 stolen?

8 A. Yeah.

9 Q. Talked to him on the phone about where it
03:46 10 was located?

11 A. Yeah. He pulled up and he thought he was
12 coming to my house like everything was cool. It's not
13 cool.

14 Q. When you say -- well, I guess it was my
03:46 15 words, homeless man pants, why do you say that?

16 A. It was big, like big ass, sorry, big ass
17 pants like where did you find them damn pants at, like,
18 it looked like a homeless person.

19 Q. Did he try to get into your home?

03:46 20 A. He tried to walk up the stairs and I told
21 him no, it's not going down.

22 Q. Were you pissed at that point?

23 A. The facial expression kind of looked like
24 it but he didn't say anything.

03:46 25 Q. No, I mean you, were you angry at him?

03:46 1 A. Yeah, I was very angry.

2 Q. Did you actually take a swing at him?

3 A. I tried to swing, yeah, I did, I tried to
4 knock his head off. I was mad.

03:46 5 Q. And then, correct me if I'm wrong, after
6 that interaction at your home is when you go out to
7 where he told you the vehicle was and that's when all
8 that other stuff --

9 A. My neighbor had came back and I asked her
03:47 10 where was she was going and I asked did she have
11 something to do, if she could take me to where my car
12 was. I hopped in the car with her and left. He was
13 still there in the apartment building so at that point I
14 don't know where he was at, but when I got there he was
03:47 15 kind of there too so I don't know around what time he
16 left.

17 Q. Did you see Adrian at that point?

18 A. No, I had never seen Adrian at all. I
19 haven't seen Adrian since he had left my house, since
03:47 20 they were at my house.

21 Q. The night before?

22 A. The night before.

23 Q. And then you go out and you see Larenzo
24 drive by, you draw the cops attention to that and then
03:47 25 ultimately is your car released to you after it's

03:47 1 processed?

2 A. Yes.

3 Q. Okay. You described a Chrysler 300, right?

4 A. Correct.

03:47 5 Q. At the point in time we're discussing did

6 you have a temporary license plate Nevada 368336?

7 A. Correct, that's correct.

8 Q. One other question. At some point when you

9 talked to Lorenzo either in person or on the phone, did

03:48 10 he indicate to you that he had left a cell phone or

11 something in the vehicle?

12 A. His phone was in the car.

13 Q. Why do you say that?

14 A. Cause I asked him where his phone was cause

03:48 15 I kept calling it.

16 Q. Okay. So how did he get ahold of you?

17 A. From somebody else's phone.

18 Q. Got it.

19 A. I don't know who phone.

03:48 20 Q. Understood. And when you went out to that

21 location you said it was near CVS and/or a Walgreens?

22 A. Correct.

23 MR. GIORDANI: I don't have any further

24 questions. Do any of the grand jurors have any

03:48 25 questions? Seeing no hands.

03:48 1 THE FOREPERSON: By law, these proceedings
2 are secret and you are prohibited from disclosing to
3 anyone anything that has transpired before us, including
4 evidence and statements presented to the Grand Jury, any
03:48 5 event occurring or statement made in the presence of the
6 Grand Jury, and information obtained by the Grand Jury.

7 Failure to comply with this admonition is a
8 gross misdemeanor punishable up to 364 days in the Clark
9 County Detention Center and a \$2,000 fine. In addition,
03:48 10 you may be held in contempt of court punishable by an
11 additional \$500 fine and 25 days in the Clark County
12 Detention Center.

13 Do you understand this admonition?

14 THE WITNESS: Yes.

03:49 15 THE FOREPERSON: Thank you. You're
16 excused.

17 MR. GIORDANI: Thank you. All right. That
18 concludes the presentation of evidence on this
19 particular case today. I will be coming back to you at
03:49 20 a later date with further witnesses on this case.

21 (Proceedings adjourned, to reconvene at a later,
22 undetermined time.)

23 --oo0oo--

24

25

03:49

1

REPORTER'S CERTIFICATE

2

3

STATE OF NEVADA)

: ss

4

COUNTY OF CLARK)

03:49

5

6

I, Danette L. Antonacci, C.C.R. 222, do

7

hereby certify that I took down in Shorthand (Stenotype)

8

all of the proceedings had in the before-entitled matter

9

at the time and place indicated and thereafter said

03:49

10

shorthand notes were transcribed at and under my

11

direction and supervision and that the foregoing

12

transcript constitutes a full, true, and accurate record

13

of the proceedings had.

14

Dated at Las Vegas, Nevada,

03:49

15

November 5, 2017.

16

17

/s/ Danette L. Antonacci

18

19

Danette L. Antonacci, C.C.R. 222

03:49

20

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03:49

1

AFFIRMATION

2

Pursuant to NRS 239B.030

3

4

The undersigned does hereby affirm that the
preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER
17AGJ106X:

03:49

5

6

7

8

X Does not contain the social security number of any
person,

9

03:49

10

-OR-

11

 Contains the social security number of a person as
required by:

12

13

A. A specific state or federal law, to-
wit: NRS 656.250.

14

-OR-

03:49

15

16

B. For the administration of a public program
or for an application for a federal or
state grant.

17

18

/s/ Danette L. Antonacci

19

Signature

11-5-17

Date

03:49

20

21

Danette L. Antonacci

Print Name

22

23

Official Court Reporter

Title

24

25

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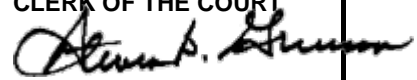
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EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)
)
Plaintiff,)
)
vs.) GJ No. 17AGJ106AB
) DC No. C327767
LARENZO PINKEY, aka Lorenzo)
Pinkney, ADRIAN POWELL,)
)
Defendant.)

Taken at Las Vegas, Nevada

Tuesday, November 7, 2017

10:57 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME 2

Reported by: Danette L. Antonacci, C.C.R. No. 222

12:00 1 GRAND JURORS PRESENT ON NOVEMBER 7, 2017
2
3 MORGAN DEVLIN, Foreperson
4 SANDRA MOORE, Deputy Foreperson
12:00 5 RAELYNN CASTANEDA, Secretary
6 JANIS ROGERS, Assistant Secretary
7 MARY ANDERSON
8 DOMINIQUE CARDENAS
9 IVAN CAYLOR
12:00 10 JERRY DIVINCENZO
11 MICHELLE FENDELANDER
12 BOBBI FLORIAN
13 AMY KNUDSON
14 GREGORY KORNILOFF
12:00 15 PATRICIA PRATHER
16 LATANIS WATTS
17 GUSTAVO ZAVALA
18
19 Also present at the request of the Grand Jury:
12:00 20 John Giordani,
Chief Deputy District Attorney (a.m.)
21
22 Michael Dickerson,
Deputy District Attorney (p.m.)
23
24
25

12:00

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	9	7 - PHOTOGRAPH	28
12:00	10	8 - PHOTOGRAPH	46
	11	9 - PHOTOGRAPH	49
	12	10 - PHOTOGRAPH	49
	13	11 - PHOTOGRAPH	49
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	17	15 - PHOTOGRAPH	34
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	19	17 - PHOTOGRAPH	50
12:00	20	18 - PHOTOGRAPH	34
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	22	20 - PHOTOGRAPH	51
	23	21 - PHOTOGRAPH	48
	24	22 - PHOTOGRAPH	48
12:00	25	23 - PHOTOGRAPH	51

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12:00

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LAS VEGAS, NEVADA, NOVEMBER 7, 2017

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DANETTE L. ANTONACCI,

12:00

5

having been first duly sworn to faithfully

6

and accurately transcribe the following

7

proceedings to the best of her ability.

8

9

MR. GIORDANI: Good morning ladies and

10:57

10

gentlemen of the Grand Jury. John Giordani here on

11

behalf of the State of Nevada in the case of State

12

versus Lorenzo Pinkey and Adrian Powell, Grand Jury case

13

number 17AGJ106AB. Is there anyone who is present here

14

today that was not present for the last proceeding?

10:57

15

Seeing no hands.

16

Did you get a amendment?

17

A JUROR: It will be 1A.

18

MR. GIORDANI: Oh. I have marked a copy of

19

an amended proposed Indictment as Grand Jury Exhibit 1A.

10:57

20

For housekeeping purposes I'll let you know I have two

21

witnesses to present you to this morning and then we're

22

going to finalize the case this afternoon between 1:00

23

and 2:00 p.m.

24

THE FOREPERSON: Please raise your right

10:58

25

hand.

10:58 1 You do solemnly swear the testimony you are
2 about to give upon the investigation now pending before
3 this Grand Jury shall be the truth, the whole truth, and
4 nothing but the truth, so help you God?

10:58 5 THE WITNESS: I do.

6 THE FOREPERSON: Please be seated.

7 You are advised that you are here today to
8 give testimony in the investigation pertaining to the
9 offenses of conspiracy to commit robbery, burglary while
10:58 10 in possession of a deadly weapon, first degree
11 kidnapping with use of a deadly weapon, robbery with use
12 of a deadly weapon, and unlawful taking of vehicle,
13 involving Lorenzo Pinkey and Adrian Powell.

14 Do you understand this advisement?

10:59 15 THE WITNESS: Yes.

16 THE FOREPERSON: Please state your first
17 and last name and spell both for the record.

18 THE WITNESS: Tifnie Bobbitt. T-I-F-N-I-E,
19 B-O-B-B-I-T-T.

10:59 20 TIFNIE BOBBITT,
21 having been first duly sworn by the Foreperson of the
22 Grand Jury to testify to the truth, the whole truth,
23 and nothing but the truth, testified as follows:

24

10:59 25 ///

10:59

1

EXAMINATION

2

3

BY MR. GIORDANI:

4

Q. Ma'am, I want to draw your attention back

10:59

5

to September 28th of this year. Where were you working

6

at that time?

7

A. At Walgreens.

8

Q. Where is that Walgreens located?

9

A. 4470 East Bonanza Road.

10:59

10

Q. Is that here in Clark County, Nevada?

11

A. Yes.

12

Q. What do you do at the Walgreens?

13

A. I'm a cashier. Customer service

14

representative.

10:59

15

Q. Okay. So do you have access to the cashier

16

areas as well as the back office and rooms?

17

A. Yes.

18

Q. On that particular day did someone come

19

into your store that causes you to be here to testify

11:00

20

today?

21

A. Yes.

22

Q. Around what time did that occur?

23

A. About 4:00, 4:10, somewhere around there.

24

Q. 4:00 in the morning?

11:00

25

A. Yes.

11:00 1 Q. At that point in time do you recall if
2 there were any customers in the store?

3 A. There was not.

4 Q. Were there other employees in the store?

11:00 5 A. Yes, there was.

6 Q. Do you recall which other employees were
7 there at that time?

8 A. Yes.

9 Q. What are their names?

11:00 10 A. We have the pharmacist Darlene, we had
11 Kathy, Abrianna and Yenir. Well, they call her Jane.

12 Q. Is it Y-E-N-E-I-R (sic)?

13 A. Yes.

14 Q. Where exactly were you when this individual
11:00 15 or individuals came into the store?

16 A. I was in the break room I guess when the
17 pharmacist had, had been going to the, had the first
18 suspect.

19 Q. Okay. I don't want to go into what you may
11:01 20 have heard from other employees.

21 A. Oh, I don't know, I was in the break room
22 cause I was on my lunch.

23 Q. And what drew your attention that this
24 person or persons came into the store?

11:01 25 A. When I was at the, at the door going in to

11:01 1 put my things away I heard a man like say the F word and
2 I looked over and he didn't see me and so I walked in
3 and knocked on the door cause I seen my other manager
4 Kathy in the office.

11:01 5 Q. Okay.

6 A. And I told her there's something going on
7 because I seen this guy crouching and walking behind
8 Yenir when I came in.

9 Q. So let me break that down a little.

11:02 10 A. Okay.

11 Q. First off, how many people did you see
12 ultimately inside the store?

13 A. Just the employees and the one guy. The
14 one.

11:02 15 Q. So you only saw one?

16 A. Yes.

17 Q. When you saw that person initially, you
18 indicated he didn't see you so you kind of hid?

19 A. Yeah, I kind of, I just punched the code in
11:02 20 the door and walked in and knocked on the office door to
21 tell my other manager what I heard.

22 Q. Got it. When you say I punched the code
23 into the door, is that a room, I mean a door that goes
24 into a back room area?

11:02 25 A. Yes.

11:02 1 Q. And then is there a subsequent door that
2 goes into an office?

3 A. Yes.

4 Q. So there's two separate doors that you have
11:02 5 to go through to get to the office?

6 A. Yes.

7 Q. Did you make it all the way through the
8 second door?

9 A. Well, I can't get access to that door but I
11:03 10 knocked on it and that's when I told my manager who I
11 had seen and heard.

12 Q. What happened from there?

13 A. From there I, I stayed in the, in the place
14 with the lockers and my manager didn't come back so
11:03 15 before, I wasn't done with my lunch, sorry guys, I was,
16 I looked out the window and I didn't see anybody in the
17 store so I'm kind of absent minded so I'm thinking okay,
18 nothing's going on, they took care of it. So when I
19 walked out, because I didn't see anybody, it was because
11:03 20 they were walking like this and they were behind a
21 aisle, and I walked out here to finish the rest of my
22 lunch and that's when the guy saw me the second time and
23 he goes "Where the fuck do you think you're going,
24 bitch?"

11:04 25 Q. Okay. To the best of your memory, and I

11:04 1 don't want you to guess, just to the best of your
2 memory, can you describe anything about that person that
3 said that to you?

4 A. He was just crouched over and he had the
11:04 5 gun in his hand.

6 Q. Do you remember what the gun looked like?

7 A. I just, like I said I looked down and I
8 just kind of threw my hands up when he asked me where I
9 was going and I, and he wanted me to open registers and
11:04 10 I, I didn't but, cause I was slow, whatever.

11 Q. We'll get to it in a second. What about
12 his description, anything he was wearing or anything
13 like that?

14 A. He had a red like cloth, I don't know if it
11:04 15 was a handkerchief or whatever, and he had a hoodie, a
16 dark hoodie.

17 Q. So when you say a cloth, are you talking
18 about covering his entire face?

19 A. Yeah.

11:05 20 Q. Okay. Cause you indicated with your hands
21 over your whole face.

22 A. Yeah. Yeah.

23 Q. Were you able to see his skin complexion or
24 describe his race?

11:05 25 A. His hand, yeah. It was, he was a black

11:05 1 man.

2 Q. So you said you saw his hand. Does that
3 mean he was not, this guy was not wearing gloves?

4 A. I didn't see him wearing gloves but I don't
11:05 5 recall him touching like the registers or anything.

6 Q. That's okay. But you obviously saw his
7 race from his hand?

8 A. Yeah.

9 Q. So once he says that to you does he point
11:05 10 the gun at you?

11 A. You know honestly I don't know if he ever
12 pointed the gun at me. I was, I was with my manager so
13 I was just making sure she was okay.

14 Q. And your manager is who?

11:05 15 A. Yenir.

16 Q. Yenir. Okay. What happened from there
17 once he confronted you and said where the F do you think
18 you're going, what happened from there?

19 A. From there he was like help her get into
11:06 20 the registers, and like I said I was too slow and Yenir
21 was, she was doing that. And then I could feel him
22 pushing, he goes where's the big money at, and Yenir
23 said well, it's in the office, and like I said I don't
24 know if he pointed the gun at me, I felt him push me
11:06 25 because he said we were walking too slow.

11:06 1 Q. Let me stop you. You indicated with your
2 hand in the shape of a gun he pushed you. Do you mean
3 he pushed you with the gun?

4 A. I have no idea. I really don't.

11:06 5 Q. So at this point in time you're in the
6 front where the registers are, typical customer area
7 that one would picture; is that right?

8 A. Yes.

9 Q. So then he directs you to the back office
11:07 10 area again?

11 A. Yes.

12 Q. Does he take you back there by force?

13 A. Yes.

14 Q. Do you get back into the first room where
11:07 15 you have to punch the code in?

16 A. We get in there, yes.

17 Q. What happens backs there?

18 A. Then from there he had Yenir open the door
19 to the office.

11:07 20 Q. Did she do that?

21 A. Yes.

22 Q. And were you with her?

23 A. Yes.

24 Q. Did he force you back into that second
11:07 25 portion, meaning the office?

11:07 1 A. Yes.

2 Q. What happened back there?

3 A. He would tell Yenir to get the safe key in

4 this big old thing of keys so she was fumbling and he

11:07 5 kept on jabbing the gun in her side.

6 Q. Did she end up getting into the safe?

7 A. Yes.

8 Q. And did he take items of property from the

9 safe or do you recall?

11:08 10 A. He just grabbed the hundreds and stuff,

11 it's in a plastic container.

12 Q. When you say the hundreds, do you mean US

13 currency, hundred dollar bills?

14 A. Yes, hundreds, ones, change.

11:08 15 Q. And what happened from there?

16 A. From there --

17 Q. After he took those.

18 A. -- he went out into the locker area and he

19 was doing something, I don't know what he was doing, but

11:08 20 he ended up taking a purse, trying to stuff the money in

21 it, and when he walked out of the door from both rooms

22 is when I told Yenir we need to call the cops. And

23 knowing that my other manager Kathy was in the stock

24 room and had called, contacted the cops.

11:08 25 Q. So did you stay back there and ultimately

11:09 1 he left the store?

2 A. Yeah, I watched as he was walking out cause
3 there's a window.

4 Q. Got it. During the course of him taking
11:09 5 the hundreds and everything, did he have the handgun on
6 him throughout?

7 A. Yes.

8 Q. In his hand?

9 A. Yes.

11:09 10 Q. Did you feel threatened by that?

11 A. Yes.

12 Q. Is that why you didn't resist the taking of
13 that property?

14 A. Yes.

11:09 15 MR. GIORDANI: I have no further questions
16 for this witness. Do any of the grand jurors have any
17 questions? Seeing no hands.

18 THE FOREPERSON: By law, these proceedings
19 are secret and you are prohibited from disclosing to
11:09 20 anyone anything that has transpired before us, including
21 evidence and statements presented to the Grand Jury, any
22 event occurring or statement made in the presence of the
23 Grand Jury, and information obtained by the Grand Jury.

24 Failure to comply with this admonition is a
11:09 25 gross misdemeanor punishable up to 364 days in the Clark

11:09 1 County Detention Center and a \$2,000 fine. In addition,
2 you may be held in contempt of court punishable by an
3 additional \$500 fine and 25 days in the Clark County
4 Detention Center.

11:09 5 Do you understand this admonition?

6 THE WITNESS: Yes.

7 THE FOREPERSON: Thank you. You're
8 excused.

9 THE WITNESS: Thank you.

11:10 10 MR. GIORDANI: All right. Ladies and
11 gentlemen, before I bring in the next witness I'm going
12 to do some amendments. I'm going to do this now because
13 I don't know that I'm going to be present this afternoon
14 to do it.

11:10 15 So after Count 10, page 5, after Count 10,
16 I'm seeking to add one additional count of first degree
17 kidnap with use of a deadly weapon. The pleading
18 language would be the exact same as listed in Count 10
19 except for I'm replacing the victim Yenir Hessing with
11:10 20 the victim you just heard testify, Tifnie Bobbitt.

21 Then on the next page, page 6, after
22 Count 11, seeking to add one count of robbery with use
23 of a deadly weapon. The pleading language would mirror
24 Count 11 except for instead of Yenir Hessing, the named
11:11 25 victim would be Tifnie Bobbitt.

11:11 1 With that I'll bring my next witness in.
2 (Recess.)
3 MR. GIORDANI: Back on the record in State
4 versus Pinkey and Powell.
11:39 5 Come on in, sir. Remain standing, that's
6 going to be your seat, and look down there.
7 THE FOREPERSON: Please raise your right
8 hand.
9 You do solemnly swear the testimony you are
11:40 10 about to give upon the investigation now pending before
11 this Grand Jury shall be the truth, the whole truth, and
12 nothing but the truth, so help you God?
13 THE WITNESS: I swear.
14 THE FOREPERSON: Please be seated.
11:40 15 You are advised that you are here today to
16 give testimony in the investigation pertaining to the
17 offenses of conspiracy to commit robbery, burglary while
18 in possession of a deadly weapon, first degree
19 kidnapping with use of a deadly weapon, robbery with use
11:40 20 of a deadly weapon, and unlawful taking of vehicle,
21 involving Lorenzo Pinkey and Adrian Powell.
22 Do you understand this advisement?
23 THE WITNESS: Yes.
24 THE FOREPERSON: Please state your first
11:40 25 and last name and spell both for the record.

11:40 1 THE WITNESS: My name is Antonio Vallejo.
2 Antonio, A-N-T-O-N-I-O, Vallejo, V-A-L-L-E-J-O.

3 MR. GIORDANI: Ladies and gentlemen, I'll
4 draw your attention to Counts 2 and 4.

11:40 5 ANTONIO VALLEJO,
6 having been first duly sworn by the Foreperson of the
7 Grand Jury to testify to the truth, the whole truth,
8 and nothing but the truth, testified as follows:

11:40 10 EXAMINATION

11 12 BY MR. GIORDANI:

13 Q. Sir, I want to draw your attention back to
14 September 28th of this year. On that date were you at
11:41 15 the Pepe's Tacos located at 2490 Fremont Street?

16 A. Yes, I was.

17 Q. Were you there with someone?

18 A. Yes, I was.

19 Q. Who?

11:41 20 A. You can say she was my girlfriend at the
21 moment.

22 Q. What's her name?

23 A. Selena Graciano.

24 Q. What were you two doing there? Were you
11:41 25 just eating?

11:41 1 A. We were just eating. While from there, we
2 were getting ready to leave when I just felt something
3 come from behind, set me down. I tried to turn back and
4 then I just saw the gun pointed at my head. From there
11:41 5 he snatched my chain and as soon as I tried to react for
6 my chain he pointed it back at me and said to not move
7 or something was going to happen to me.

8 Q. So let me back up a moment. So you're
9 sitting there, you and Selena, and you said you felt
11:41 10 something behind you. Was that something a person?

11 A. Yeah. Cause I was getting up from my chair
12 and he just sat me back down. So he pushed me down.

13 Q. And you pushed down with your hand on your
14 right shoulder; is that right?

11:42 15 A. Yeah.

16 Q. At that point in time were you able to look
17 at that person?

18 A. At the moment I didn't until I turned
19 around and I saw the gun pointed at my head.

11:42 20 Q. Can you describe the gun?

21 A. It was a black gun. I'm not sure if it was
22 a 9-millimeter or a 40 caliber.

23 Q. But was it a semi-automatic?

24 A. It was a semi-automatic.

11:42 25 Q. Now when he pushed you back down and then

11:42 1 you looked at him and he pointed the gun at you, was it
2 at that point that he took the chain?

3 A. Yes, it was.

4 Q. When you say snatched the chain, does that
11:42 5 mean you were wearing it or he took it from your person?

6 A. I was wearing it. He just pulled it out of
7 my neck.

8 Q. And to the best of your ability describe
9 the chain for us.

11:42 10 A. It was a silver basically regular chain
11 with a very thin cross on it.

12 Q. And you said he took that directly off your
13 neck?

14 A. Yeah.

11:42 15 Q. So did he pull on it and it broke?

16 A. Yeah.

17 Q. At that point you indicated that he turned
18 to Selena?

19 A. And he pulled the purse out of her hand and
11:43 20 from right there that's when her phone fell and while he
21 turned to go to the back to the registers I got, I stood
22 up and I got her phone.

23 Q. Can you describe that person to the best of
24 your ability?

11:43 25 A. It was, from what I remember he was wearing

11:43 1 a black hoodie with a, I'm not sure if it was a white or
2 red bandanna with gray shorts. A very, a light, either
3 a light black male or a dark Hispanic male.

4 Q. Okay. And when you were describing the
11:43 5 bandanna you put your hand up over your face. Was he
6 wearing the bandanna on his face?

7 A. He was wearing the bandanna like right
8 here. So the only thing you could see was his eyes.

9 Q. Okay. And was he alone or was he with
11:43 10 someone?

11 A. He was with somebody but the other person
12 was in the back, in the register.

13 Q. And when you say the back, do you mean
14 behind the registers where --

11:44 15 A. Yeah.

16 Q. -- the workers would be?

17 A. Behind the register with the workers.

18 Q. Once the one individual took your chain and
19 took Selena's purse, what did he do from there?

11:44 20 A. He went to the back. He also went to the
21 registers with the workers.

22 Q. Okay. And what happened from there?

23 A. From there we waited because we didn't want
24 to react to anything. So as soon as they opened both
11:44 25 registers they ran out and they took off.

11:44 1 Q. Okay. When you say they opened both
2 registers, did they open them or were the employees
3 opening them?

4 A. The employees opened them but they grabbed
11:44 5 them to take out the money from there.

6 Q. Okay. Understood. At some point in time
7 during the course of this was 911 called?

8 A. Yes, it was.

9 Q. By who?

11:44 10 A. By one of the employees. From what I
11 understood the girl that was working in the back in the
12 registers, she was in the cooler getting some --

13 Q. Let me stop you. I don't want you to go
14 off of what you understood, just what you observed.

11:45 15 So you had Selena's phone but you weren't
16 the one that called 911 at that point?

17 A. No, not at the moment.

18 Q. Okay. Understood. At some point do
19 officers respond and take your statement?

11:45 20 A. Yes.

21 MR. GIORDANI: I have no further questions
22 for this witness. Do any of the grand jurors have
23 questions? Seeing no hands.

24 THE FOREPERSON: By law, these proceedings
11:45 25 are secret and you are prohibited from disclosing to

11:45 1 anyone anything that has transpired before us, including
2 evidence and statements presented to the Grand Jury, any
3 event occurring or statement made in the presence of the
4 Grand Jury, and information obtained by the Grand Jury.

11:45 5 Failure to comply with this admonition is a
6 gross misdemeanor punishable up to 364 days in the Clark
7 County Detention Center and a \$2,000 fine. In addition,
8 you may be held in contempt of court punishable by an
9 additional \$500 fine and 25 days in the Clark County
11:45 10 Detention Center.

11 Do you understand this admonition?

12 THE WITNESS: Yes, I do.

13 THE FOREPERSON: Thank you. You're
14 excused.

11:45 15 THE WITNESS: Thank you.

16 MR. GIORDANI: All right. Ladies and
17 gentlemen, that concludes the presentation for this
18 morning. Either myself or Mr. Dickerson will be back at
19 1:00 p.m. to finish. Thank you very much.

11:46 20 (Recess.)

21 MR. DICKERSON: Ladies and gentlemen of the
22 Grand Jury, my name is Michael Dickerson. I'm a deputy
23 district attorney with the Clark County District
24 Attorney's Office here with the continued presentation
01:16 25 of Grand Jury case number 17AG106AB, State of Nevada

01:16 1 versus Lorenzo Pinkey and Adrian Powell. The record
2 will reflect that we have marked as a Grand Jury exhibit
3 Grand Jury instructions, that being Grand Jury
4 Exhibit 6. I ask that you all review that. At this
01:16 5 point in time does anybody have any questions about the
6 charges as they are? The instructions?

7 Okay. State's first witness is going to be
8 Officer Cruz.

9 THE FOREPERSON: Please raise your right
01:16 10 hand.

11 You do solemnly swear the testimony you are
12 about to give upon the investigation now pending before
13 this Grand Jury shall be the truth, the whole truth, and
14 nothing but the truth, so help you God?

01:17 15 THE WITNESS: I do.

16 THE FOREPERSON: Please be seated.

17 You are advised that you are here today to
18 give testimony in the investigation pertaining to the
19 offenses of conspiracy to commit robbery, burglary while
01:17 20 in possession of a deadly weapon, first degree
21 kidnapping with use of a deadly weapon, robbery with use
22 of a deadly weapon, and unlawful taking of vehicle,
23 involving Lorenzo Pinkey and Adrian Powell.

24 Do you understand this advisement?

01:17 25 THE WITNESS: Yes.

01:17 1 THE FOREPERSON: Please state your first
2 and last name and spell both for the record.

3 THE WITNESS: Raymundo Cruz.
4 R-A-Y-M-U-N-D-O, last name C-R-U-Z.

01:17 5 RAYMUNDO CRUZ,
6 having been first duly sworn by the Foreperson of the
7 Grand Jury to testify to the truth, the whole truth,
8 and nothing but the truth, testified as follows:

01:17 10 EXAMINATION

11
12 BY MR. DICKERSON:

13 Q. How are you employed, sir?

14 A. Police officer with Las Vegas Metro.

01:17 15 Q. What's your assignment?

16 A. I'm a patrol officer on Northeast 12
17 graveyard.

18 Q. Drawing your attention to September 28,
19 2017, around sometime after 4:00 or 5:00 a.m., did you
01:17 20 respond to a robbery at the Walgreens at 4470 East
21 Bonanza Road?

22 A. Yes, I did.

23 Q. That's located here in Las Vegas, Clark
24 County, Nevada?

01:18 25 A. Yes.

01:18 1 Q. Please tell me about your arrival there,
2 sir.

3 A. I was riding with a second officer. We
4 both got there, we parked on the south side of the
01:18 5 Walgreens just in front of the entrance. As soon as we
6 got out of the vehicle we saw a male, he exited the
7 Walgreens, he was walking out, he fit the description of
8 the person they said was robbing somebody wearing a
9 hoodie with a mask over their face.

01:18 10 Q. And then what happened?

11 A. He turned away from us. He, I guess he was
12 trying to walk away. Another officer was on the other
13 side so he turned back towards us and that's when we
14 drew our guns out on him and he started to run.

01:18 15 Q. What did you see happen next?

16 A. He ran north from the entrance of the
17 Walgreens, ran around the Walgreens and then jumped into
18 the backyard of the houses directly north of the
19 Walgreens.

01:19 20 Q. Showing you here what's been marked as
21 Grand Jury Exhibit 4. Does this appear to be the
22 general location of that Walgreens and where he was
23 running?

24 A. Yes.

01:19 25 Q. You indicated that it was approximately

01:19 1 this area over here?

2 A. Yes.

3 Q. Being in front of the Avery Park addresses?

4 A. Yes.

01:19 5 Q. Okay. And which direction did you see this

6 man run?

7 A. North. Towards Avery Park.

8 Q. Towards Avery Park?

9 A. Yes.

01:19 10 Q. What did this individual look like?

11 A. I couldn't see his face. The only thing I

12 was able to see, it was pretty dark out, was a hoodie.

13 He was covering his head, he had a mask on, I remember

14 it was red. Red mask over his face or something over

01:20 15 his face.

16 Q. And showing you here Grand Jury Exhibit 7.

17 Does that appear to be the Walgreens?

18 A. Yes.

19 Q. After this individual ran towards Avery

01:20 20 Park, what did you do?

21 A. There were other units arriving so we just

22 advised them of the direction he was running and we set

23 up a perimeter.

24 Q. Did in fact other units arrive?

01:20 25 A. Yes. As they arrived we were able to

01:20 1 establish a perimeter around the area.

2 Q. Did you have any further involvement in
3 this case with catching that individual?

4 A. After this, no, sir, I took up a perimeter
01:20 5 spot and that was it.

6 Q. All right. I appreciate it.

7 The State's next witness -- ladies and
8 gentlemen, at this point in time the State has no
9 further questions for this witness. Do you have any
01:20 10 questions for him?

11 THE FOREPERSON: By law, these proceedings
12 are secret and you are prohibited from disclosing to
13 anyone anything that has transpired before us, including
14 evidence and statements presented to the Grand Jury, any
01:20 15 event occurring or statement made in the presence of the
16 Grand Jury, and information obtained by the Grand Jury.

17 Failure to comply with this admonition is a
18 gross misdemeanor punishable up to 364 days in the Clark
19 County Detention Center and a \$2,000 fine. In addition,
01:20 20 you may be held in contempt of court punishable by an
21 additional \$500 fine and 25 days in the Clark County
22 Detention Center.

23 Do you understand this admonition?

24 THE WITNESS: Yes.

01:21 25 THE FOREPERSON: Thank you. You are

01:21 1 excused.

2 MR. DICKERSON: State's next witness is
3 going to be Kristina Thomas.

4 THE FOREPERSON: Please raise your right
01:21 5 hand.

6 You do solemnly swear the testimony you are
7 about to give upon the investigation now pending before
8 this Grand Jury shall be the truth, the whole truth, and
9 nothing but the truth, so help you God?

01:21 10 THE WITNESS: I do.

11 THE FOREPERSON: Please be seated.

12 You are advised that you are here today to
13 give testimony in the investigation pertaining to the
14 offenses of conspiracy to commit robbery, burglary while
01:21 15 in possession of a deadly weapon, first degree
16 kidnapping with use of a deadly weapon, robbery with use
17 of a deadly weapon, unlawful taking of vehicle,
18 involving Lorenzo Pinkey and Adrian Powell.

19 Do you understand this advisement?

01:22 20 THE WITNESS: Yes.

21 THE FOREPERSON: Please state your first
22 and last name and spell both for the record.

23 THE WITNESS: Kristina Thomas.

24 K-R-I-S-T-I-N-A, T-H-O-M-A-S.

01:22 25 ///

01:22 1 KRISTINA THOMAS,
2 having been first duly sworn by the Foreperson of the
3 Grand Jury to testify to the truth, the whole truth,
4 and nothing but the truth, testified as follows:

01:22 5
6 EXAMINATION

7

8 BY MR. DICKERSON:

9 Q. How are you employed, ma'am?

01:22 10 A. I'm a senior crime scene analyst with the
11 Las Vegas Metropolitan Police Department.

12 Q. Drawing your attention to September 28,
13 2017, in the early morning hours, sometime just before
14 7 o'clock a.m., did you respond to the surrounding area
01:22 15 of a robbery near a Walgreens?

16 A. Yes, I did.

17 Q. And specifically where was it that you
18 responded to?

19 A. I responded to a shopping complex nearby at
01:22 20 4500 East Bonanza Road.

21 Q. I'm going to show you a map here, Grand
22 Jury Exhibit 4. Does this appear to encompass that
23 general area that you responded to?

24 A. Yes.

01:23 25 Q. Okay. And upon your response there, what

01:23 1 if anything did you do?

2 A. There was a group of items along the east
3 exterior side of the building. I took note of what was
4 there, I photographed it, and I collected it all as
01:23 5 evidence.

6 Q. Okay. Do you recall which items?

7 A. I do.

8 Q. What items were there?

9 A. There was a suitcase with quite a few
01:23 10 miscellaneous items in it. There was a mylar bag or
11 envelope underneath the suitcase. There was a pair of
12 sneakers, a pair of shorts, a necklace, and then
13 miscellaneous US currency.

14 Q. All right. I have a group of photographs
01:24 15 here that were taken from the scene. If you could take
16 a look through these and tell me what if anything you
17 recognize as being photos that you took.

18 A. Only these are mine.

19 Q. Great. Showing you here Grand Jury
01:24 20 Exhibit 12. What is this?

21 A. That is some of the money. Without it
22 being in order I'm not sure if it's from the East
23 Bonanza address or if it was from the housing community
24 that was behind the original scene.

01:24 25 Q. Would that be Avery Park that you're

01:24 1 referring to?

2 A. Yes.

3 Q. So we see the East Bonanza address here in
4 the area of North Lamb and East Bonanza; is that right?

01:25 5 A. Correct.

6 Q. Is that the shopping center where the Panda
7 Express is actually marked in this map?

8 A. Yes.

9 Q. Okay. And behind that, or I guess above it
01:25 10 on this map as we're looking at it is Avery Park Avenue;
11 is that right?

12 A. That is correct.

13 Q. So you also responded to Avery Park Avenue?

14 A. To the north side of it. The south side of
01:25 15 Avery Park Avenue was done by someone else.

16 Q. And throughout both of these scenes there
17 was money strewn about?

18 A. Correct.

19 Q. Showing you here what's been marked as

01:25 20 Grand Jury Exhibit 13. What is that?

21 A. That's a picture from the 4500 East Bonanza
22 Road.

23 Q. Depicting it looks like a green Nike?

24 A. Yes.

01:25 25 Q. Some shorts?

01:25 1 A. Correct.

2 Q. They're kind of a gradient from white to
3 green; is that fair?

4 A. Correct.

01:26 5 Q. And money depicted there as well?

6 A. Correct.

7 Q. Grand Jury Exhibit 14, is that that same
8 money?

9 A. It is.

01:26 10 Q. And Grand Jury Exhibit 15, those are the
11 pants?

12 A. Those are the shorts, yes.

13 Q. The shorts I should say.

14 You also said there was a necklace found.

01:26 15 Was that at the first location that you went to?

16 A. It was actually mostly on top of those
17 shorts.

18 Q. Okay. That necklace, is that depicted here
19 in Grand Jury Exhibit 18?

01:26 20 A. It is, yes.

21 Q. That being a gold necklace with a gold
22 dolphin charm?

23 A. Some yellow metal, yes.

24 Q. Some yellow metal, yeah, that's right.

01:26 25 So being that these are the items you found

01:26 1 primarily at the Bonanza address, what did you find when
2 you went to the portion of Avery Park that you
3 processed?

4 A. Next to one residence there was a pair of
01:26 5 black socks and then at another residence there was
6 money strewn about on the side stone area and then also
7 in the rear yard.

8 Q. All right. Specifically the black sock was
9 located on the ground on the exterior west side of 4458
01:27 10 Avery Park?

11 A. That's correct.

12 Q. And that's just south of the gate leading
13 to the yard?

14 A. Yes.

01:27 15 Q. And then there was two 5-dollar bills that
16 were on the landscaping on the exterior of 4462 Avery
17 Park Avenue?

18 A. That's correct.

19 Q. And there was additional US currency that
01:27 20 were on the ground throughout the east side of the yard,
21 the rear yard of that residence?

22 A. That's correct.

23 Q. That black sock, did you process that black
24 sock?

01:27 25 A. No.

01:27 1 Q. Okay. In addition there was other money
2 found at 4462 Avery Park. Do you know how much money in
3 total that you found throughout your processing of these
4 two scenes?

01:28 5 A. If I can read it off my impound, yes.

6 Q. If that will refresh your recollection and
7 if that was prepared when it was fresh in mind at the
8 time. Is it?

9 A. It would be \$40 from East Bonanza Road and
01:28 10 then a total of 150 from Avery Park.

11 Q. Okay. And the denominations of those, what
12 were you finding? \$5, \$10?

13 A. They were smaller. They were twenties,
14 fives and ones.

01:28 15 Q. Okay. What other role if any did you play
16 in the processing of the crime scenes related to this
17 case?

18 A. None. I was actually the third CSA out
19 there. I was just tying up the outer scenes.

01:28 20 Q. And the other CSAs out there were who?

21 A. Louise Renhard. She actually did the
22 robbery scene and then the area of Avery Park that would
23 have been directly north of that scene. And also Shawn
24 Fletcher who did a car that was related to this case.

01:29 25 Q. And is that how you guys worked out the

01:29 1 assignments upon arrival at these scenes?

2 A. Louise was there I'd say two to three hours
3 before me. We work graveyard, it was the end of shift,
4 I went out there to give her a hand. And then Stephanie
01:29 5 works day shift and came out to finish once we got to a
6 stopping point.

7 MR. DICKERSON: Great.

8 Ladies and gentlemen, I have no further
9 questions for this witness. Do you have any questions
01:29 10 for her at this time?

11 THE FOREPERSON: By law, these proceedings
12 are secret and you are prohibited from disclosing to
13 anyone anything that has transpired before us, including
14 evidence and statements presented to the Grand Jury, any
01:29 15 event occurring or statement made in the presence of the
16 Grand Jury, and information obtained by the Grand Jury.

17 Failure to comply with this admonition is a
18 gross misdemeanor punishable up to 364 days in the Clark
19 County Detention Center and a \$2,000 fine. In addition,
01:29 20 you may be held in contempt of court punishable by an
21 additional \$500 fine and 25 days in the Clark County
22 Detention Center.

23 Do you understand this admonition?

24 THE WITNESS: I do.

01:30 25 THE FOREPERSON: Thank you. You're

01:30 1 excused.

2 THE WITNESS: Thank you.

3 MR. DICKERSON: State's next witness is
4 Kathryn Aoyoma.

01:30 5 THE FOREPERSON: Please raise your right
6 hand.

7 You do solemnly swear the testimony you are
8 about to give upon the investigation now pending before
9 this Grand Jury shall be the truth, the whole truth, and
01:30 10 nothing but the truth, so help you God?

11 THE WITNESS: I do.

12 THE FOREPERSON: Please be seated.

13 You are advised that you are here today to
14 give testimony in the investigation pertaining to the
01:31 15 offenses of conspiracy to commit robbery, burglary while
16 in possession of a deadly weapon, first degree
17 kidnapping with use of a deadly weapon, robbery with use
18 of a deadly weapon, and unlawful taking of vehicle,
19 involving Lorenzo Pinkey and Adrian Powell.

01:31 20 Do you understand this advisement?

21 THE WITNESS: Yes.

22 THE FOREPERSON: Please state your first
23 and last name and spell both for the record.

24 THE WITNESS: Kathryn Aoyama.

01:31 25 K-A-T-H-R-Y-N, A-O-Y-A-M-A.

01:31 1 KATHRYN AOYAMA,
2 having been first duly sworn by the Foreperson of the
3 Grand Jury to testify to the truth, the whole truth,
4 and nothing but the truth, testified as follows:

01:31 5
6 EXAMINATION

7

8 BY MR. DICKERSON:

9 Q. How are you employed, ma'am?

01:31 10 A. I'm a forensic scientist with the Las Vegas
11 Metropolitan Police Department's forensic lab in the
12 latent print unit.

13 Q. What sort of training and experience do you
14 have to hold this position?

01:31 15 A. I have a degree from the University of
16 California San Diego from the biology department,
17 specifically in animal physiology. I went through an
18 intensive 18-month training program learning all the
19 aspects of comparisons of latent to known prints, also
01:32 20 processing of evidence to attempt to recover latent
21 prints of value for comparison. And I utilize the local
22 and the national AFIS data bases in order to generate
23 administrative leads for the detectives.

24 Q. So your job takes place in the laboratory?

01:32 25 A. Yes.

01:32 1 Q. And then does evidence get submitted to you
2 to process for whatever or do an analysis for whatever
3 it is you're looking for?

4 A. Yes. We get prints submitted by our
01:32 5 personnel in the field, patrol service representatives,
6 crime scene analysts, evidence to process for and
7 recover latent prints.

8 Q. Specifically what involvement did you have
9 on this case that brings you here today?

01:32 10 A. In this case I analyzed latent prints that
11 were submitted to the lab for AFIS in order to generate
12 leads for our detectives.

13 Q. Specifically this would be under Las Vegas
14 Metropolitan Police Department event number 170928-0495?

01:33 15 A. Yes.

16 Q. And ultimately under that event number was
17 there evidence that was collected and submitted to you
18 for analysis?

19 A. Yes, there were.

01:33 20 Q. Among those were several items of
21 medication, promethazine bottles; is that correct?

22 A. Not the bottles themselves but the powdered
23 lifts from the bottles.

24 Q. Do you know when you do these analyses
01:33 25 where those lifts have come from?

01:33 1 A. We just know the information that is stated
2 on the outside of the package and then specifically on
3 the inside of the package on each lift card.

4 Q. Specifically here you found that there were
01:33 5 a number of lift cards that were appropriate for
6 analysis or suitable for analysis?

7 A. Yes, there were.

8 Q. If you could go through those please.

9 A. Sure.

01:34 10 In this particular latent print packet, the
11 crime scene analyst Louise Renhard submitted 11 lift
12 cards and there were one, two, three, four, five, six
13 lift cards that had AFIS quality latent prints on them.

14 Q. Of those several, that being one, two --
01:34 15 four of those came back to fingers known to a Claudia
16 O'Campo Abaraca?

17 A. Yes.

18 Q. That was specifically lift cards Q1, Q3, Q9
19 and Q11?

01:34 20 A. That's correct.

21 Q. Can you tell me about the other lift cards,
22 that being lift card Q2 first?

23 A. Q2 was a lift card from a bottle of MGP
24 promethazine with dextromethorphan on the ground between
01:35 25 4449 and 4445 Avery Park and it was labeled B as in boy.

01:35 1 Q. And what were your results and conclusions
2 upon your analysis of that item?

3 A. I found one latent print on the card that
4 was suitable for a search in AFIS and it was identified
01:35 5 to the left thumb of Lorenzo Pinkney.

6 Q. And then going to lift card Q5, is that
7 another lift card that you analyzed?

8 A. Yes.

9 Q. Can you tell me about that please?

01:35 10 A. Q5 was a lift card from the bottle of
11 promethazine oral solution on the ground between 4449
12 and 4445 at Avery Park, Labeled E as in Edward.

13 Q. And what were your results and conclusions
14 as far as that lift card?

01:36 15 A. I found one latent print of value for
16 search in AFIS and it was positive to the right palm of
17 Lorenzo Pinkney.

18 Q. Have you done any further analysis related
19 to this case at this point in time?

01:36 20 A. At the writing of this report, no.

21 MR. DICKERSON: Okay. Ladies and gentlemen
22 of the Grand Jury, I have no further questions for this
23 witness. Do you have any questions for her?

24 THE FOREPERSON: By law, these proceedings
01:36 25 are secret and you are prohibited from disclosing to

01:36 1 anyone anything that has transpired before us, including
2 evidence and statements presented to the Grand Jury, any
3 event occurring or statement made in the presence of the
4 Grand Jury, and information obtained by the Grand Jury.

01:36 5 Failure to comply with this admonition is a
6 gross misdemeanor punishable up to 364 days in the Clark
7 County Detention Center and a \$2,000 fine. In addition,
8 you may be held in contempt of court punishable by an
9 additional \$500 fine and 25 days in the Clark County
01:36 10 Detention Center.

11 Do you understand this admonition?

12 THE WITNESS: Yes.

13 THE FOREPERSON: Thank you. You are
14 excused.

01:39 15 MR. DICKERSON: State's next witness is
16 Tullio Pandullo.

17 THE FOREPERSON: Please raise your right
18 hand.

19 You do solemnly swear the testimony you are
01:39 20 about to give upon the investigation now pending before
21 this Grand Jury shall be the truth, the whole truth, and
22 nothing but the truth, so help you God?

23 THE WITNESS: I do.

24 THE FOREPERSON: Please be seated.

01:39 25 You are advised that you are here today to

01:39 1 give testimony in the investigation pertaining to the
2 offenses of conspiracy to commit robbery, burglary while
3 in possession of a deadly weapon, first degree
4 kidnapping with use of a deadly weapon, robbery with use
01:39 5 of a deadly weapon, and unlawful taking of vehicle,
6 involving Lorenzo Pinkey and Adrian Powell.

7 Do you understand this advisement?

8 THE WITNESS: Yes.

9 THE FOREPERSON: Please state your first
01:39 10 and last name and spell both for the record.

11 THE WITNESS: First name is Tullio, it's
12 T-U-L-L-I-O, last name Pandullo, P-A-N-D-U-L-L-O.

13 TULLIO PANDULLO,
14 having been first duly sworn by the Foreperson of the
01:39 15 Grand Jury to testify to the truth, the whole truth,
16 and nothing but the truth, testified as follows:

17

18 EXAMINATION

19

01:39 20 BY MR. DICKERSON:

21 Q. How are you employed, sir?

22 A. As a detective with Las Vegas Metropolitan
23 Police Department.

24 Q. What is your current assignment as a

01:40 25 detective?

01:40 1 A. Commercial robbery detail.

2 Q. Specifically the case that brings us here
3 today, that being first a robbery of Pepe's Tacos under
4 event number 170928-0314, is that one of them?

01:40 5 A. Yes, sir.

6 Q. And the next being a robbery at Walgreens
7 at 4470 East Bonanza Road under 170928-0495, is that the
8 other?

9 A. Yes.

01:40 10 Q. What is your involvement in the
11 investigation of these crimes that brings you here
12 today?

13 A. I responded initially to the Pepe's Tacos
14 robbery.

01:40 15 Q. And did you also respond to the Walgreens
16 robbery?

17 A. I did.

18 Q. Once you responded to the Walgreens
19 robbery, that was the location there at Bonanza Road;

01:40 20 correct?

21 A. Correct.

22 Q. Did you have the opportunity to view
23 surveillance system?

24 A. I did.

01:40 25 Q. Did you see that the surveillance system

01:40 1 appeared to be in working order?

2 A. Yes.

3 Q. And that the date and time stamps generally
4 appeared to be consistent with the date and time that

01:41 5 you were sitting there watching it?

6 A. Yes.

7 Q. Did you go back in their system that day
8 that you responded to the Walgreens and look at video
9 from the robbery that had just occurred?

01:41 10 A. I did.

11 Q. And that date and time stamp appeared to
12 match up correctly with what you had known of the facts
13 of that robbery at the time?

14 A. Correct.

01:41 15 Q. I'm showing you here what has been marked
16 as Grand Jury Exhibit 8. Do you recognize that?

17 A. I do.

18 Q. What do you recognize that to be?

19 A. That is a still photo of the entrance into
01:41 20 the Walgreens.

21 Q. And is this a still photo from the date and
22 time stamp when that robbery was alleged to have
23 occurred?

24 A. Yes.

01:41 25 Q. What are we seeing here in Grand Jury

01:41 1 Exhibit 8?

2 A. The two suspects entering the Walgreens.

3 Q. So specifically we see two individuals

4 here?

01:41 5 A. Yes, sir.

6 Q. Both of them with their faces covered?

7 A. Correct.

8 Q. One appears to be wearing shorts?

9 A. Yes, sir.

01:42 10 Q. And it appears as though those shorts are a

11 few different colors or a gradient; is that fair?

12 A. Yeah.

13 Q. And the other individual is wearing a red

14 mask and appears to be wearing pants?

01:42 15 A. Yeah, like a charcoal grayish, light

16 grayish type jeans.

17 Q. Okay. From here, after that point that you

18 went and you viewed this video, what did you do next in

19 this investigation?

01:42 20 A. We were able through surveillance video

21 from both Pepe's and Walgreens to establish that they

22 were related, the suspects were wearing similar clothing

23 in both and similar type motive, then we were made aware

24 that there was a third scene just north of the Walgreens

01:42 25 where there was a vehicle.

01:42 1 Q. That vehicle, do you recall what it was?

2 A. Four door Chrysler 300.

3 Q. I'm going to show you here what has been

4 marked as Grand Jury Exhibit 22. Do you recognize that?

01:43 5 A. Yes.

6 Q. As well as Grand Jury Exhibit 21. Is that

7 that vehicle?

8 A. Yes, sir.

9 Q. And what was the general location of that

01:43 10 vehicle?

11 A. Directly north of the Walgreens off a

12 street called Avery Park which is a one way in, one way

13 out complex, and it was high centered just northeast of

14 Avery Park.

01:43 15 Q. Okay. Showing the members of the Grand

16 Jury Grand Jury Exhibit 21. And 22.

17 Do you know whether crime scene analysts

18 were called out to analyze that vehicle?

19 A. They were.

01:44 20 Q. In addition I want you to take a look

21 through some photographs I have. Tell me if you

22 recognize the items depicted in any of these, any

23 number.

24 A. This is a picture of the inside of the

01:44 25 Walgreens at the pharmacy where the codeine cough syrup

01:44 1 is typically kept.

2 This is on the side of the Walgreens which
3 is like north of --

4 Q. We can just go through them. If you just
01:44 5 tell me if you recognize it and then we'll go through
6 each one. If you don't recognize one that's fine as
7 well.

8 A. Yes, I recognize them all.

9 Q. You recognize all of them?

01:44 10 A. Correct.

11 Q. All right. First showing you Grand Jury
12 Exhibit 9. This is the exhibit that you indicated was
13 the counter at the Walgreens; is that correct?

14 A. Yes, sir.

01:44 15 Q. And that appears to be cough syrup bottles?

16 A. Yeah, codeine.

17 Q. Codeine. Grand Jury Exhibit 10?

18 A. I believe that's the north wall of the
19 Walgreens which leads to the wall that goes to Avery
01:45 20 Park.

21 Q. Grand Jury Exhibit 11?

22 A. A red cap that was located on the north
23 with holes cut out for eyes.

24 Q. Is that that item right there?

01:45 25 A. Yes.

01:45 1 Q. In Grand Jury Exhibit 10?

2 A. Yes.

3 Q. Same item?

4 And Grand Jury Exhibit 16?

01:45 5 A. This is a backyard off of Avery Park where
6 we located codeine.

7 Q. Was codeine located in the backyard of a
8 residence of an Avery Park address; is that correct?

9 A. Yeah, a side back. It's kind of hard to
01:45 10 explain kind of how the yards are there because there's
11 not much of a backyard but.

12 Q. Grand Jury Exhibit 17?

13 A. Pneumatic firearm or a air pistol and
14 another bottle of codeine which was located just north
01:46 15 of the Walgreens in a backyard.

16 Q. Grand Jury Exhibit 19?

17 A. Closeup picture of the firearm.

18 Q. And it appears that the firearm is kind of
19 opened up?

01:46 20 A. Correct.

21 Q. Otherwise when it's closed it apparently
22 resembles an actual firearm?

23 A. Identical.

24 Q. You said this was a pneumatic firearm.

01:46 25 Does that fire with air pressure?

01:46 1 A. Yes.

2 Q. Would it fire a metal projectile?

3 A. Yeah, 1.77-millimeter.

4 Q. In this photo here, Grand Jury Exhibit 19,

01:46 5 do we actually see the air cartridge that would be used

6 to push that gas out?

7 A. Yes, sir.

8 Q. Grand Jury Exhibit 20?

9 A. Codeine bottles recovered on scene.

01:46 10 Q. And Grand Jury Exhibit 23?

11 A. These are IDs which were recovered and that

12 is one of the victims from the Pepe's which I did a tape

13 interview statement with.

14 Q. All right. So you're familiar with that

01:47 15 female depicted in those IDs?

16 A. Yes. She was a customer in the store and

17 she was actually the first person the robbers

18 encountered and committed a robbery on, an armed robbery

19 on.

01:47 20 Q. Sometime later during the same

21 investigation at the Walgreens, did you have an occasion

22 to find that there was another vehicle now involved?

23 A. I did.

24 Q. And how did this come about?

01:47 25 A. Myself and my partner and other detectives

01:47 1 were at the Chrysler 300 scene with a victim and as we
2 were standing there the victim stated that the car that
3 had just driven by on the street north of Avery Park was
4 occupied by the suspects from the robbery.

01:48 5 Q. What did that cause you to do, if anything?

6 A. Jumped in my car, went after the car. We
7 were able to locate the vehicle in the 4500 block of
8 Bonanza which is just south of Avery Park.

9 Q. And were you with a marked patrol vehicle?

01:48 10 A. There was a marked patrol vehicle behind
11 the vehicle also, yes.

12 Q. Where were you in relation to the marked
13 patrol vehicle?

14 A. Just south of. So they were set up to go
01:48 15 north at Bonanza and Nellis and we continued east,
16 flipped around, came back west and then got behind the
17 vehicle as it went north on Nellis.

18 Q. And then what happened?

19 A. We assured that we had enough units in case
01:48 20 the suspects decided to run from the vehicle. We
21 requested the air unit, we requested K-9. It was
22 obvious that we were there due to the marked units.

23 They turned right on, or correction, east on Washington
24 and then made a north, or correction, sorry, southbound

01:49 25 turn on Ringe Road, at that time we decided to initiate

01:49 1 a traffic stop.

2 Q. Could you see how many times this vehicle
3 was occupied at that point in time prior to the traffic
4 stop?

01:49 5 A. I could.

6 Q. How many?

7 A. Five times.

8 Q. And then upon initiating the traffic stop
9 what happened?

01:49 10 A. We did a high risk traffic stop believing
11 that we had robbery suspects and they could be armed and
12 then we had marked units and myself and my partner were
13 in an unmarked unit, I did voice, I gave voice commands
14 and simultaneous, or took people out of the vehicle one
01:49 15 by one in a high risk type felony stop.

16 Q. And who did you find to be occupying that
17 vehicle?

18 A. In the, I started with the rear of the
19 vehicle because that's where the males were and I felt
01:50 20 they were more of a threat or could be more of a threat
21 and removed the driver's side rear passenger first.
22 After we removed all people we identified two of the
23 occupants as Powell and Pinkney.

24 Q. Okay. Showing you here Grand Jury

01:50 25 Exhibit 24. What does that appear to be?

01:50 1 A. That is a white Kia, the one that we
2 stopped.

3 Q. And 25?

4 A. That is a wad of small denomination cash
01:50 5 that was located in the center console of said vehicle.

6 Q. That white Kia?

7 A. Yes, sir.

8 Q. And you said Mr. Powell was located in that
9 vehicle?

01:50 10 A. Yes.

11 Q. Do you recognize this individual depicted
12 here?

13 A. I do.

14 Q. Who is that?

01:51 15 A. That's Mr. Powell.

16 Q. And that's Grand Jury Exhibit 2.

17 A. Yes.

18 Q. This is Mr. Powell? Where was he located?

19 A. The rear seat of the vehicle.

01:51 20 Q. And Mr. Pinkney you also indicated was also
21 in this white Kia?

22 A. Correct.

23 Q. And I should specify for the ladies and
24 gentlemen of the Grand Jury, Grand Jury Exhibit 24,
01:51 25 that's the white Kia?

01:51 1 A. Yes, sir.

2 Q. That's how it appeared after you stopped it
3 and conducted the stop?

4 A. That's -- the trunk wasn't open. That's
01:51 5 after we cleared the vehicle, yes.

6 Q. Okay. And showing you here Grand Jury
7 Exhibit 3. Do you recognize that individual?

8 A. Yes.

9 Q. Who's that?

01:51 10 A. Mr. Pinkney.

11 Q. And ladies and gentlemen of the Grand Jury,
12 Grand Jury Exhibit 3.

13 Mr. Pinkney, where was he in the vehicle?

14 A. Also in the rear.

01:51 15 Q. Was anybody else occupying this vehicle?

16 A. There were.

17 Q. Who else was occupying this vehicle?

18 A. The registered owner, the female was the
19 front seat passenger. Another female was the driver.

01:52 20 And then there was another much larger black male in the
21 back seat.

22 Q. When you say larger black male, in
23 comparison to who was he larger?

24 A. Pinkney and Powell.

01:52 25 Q. So he was noticeably larger than both of

01:52 1 these --

2 A. Significantly, yes.

3 Q. That third male, did he appear to match the
4 description or what you saw on that surveillance image
01:52 5 that we just talked about?

6 A. Not at all.

7 Q. Different size?

8 A. Much.

9 Q. And Grand Jury Exhibit 25, is that the
01:52 10 money that was found stuffed in the center console?

11 A. Yes.

12 Q. As far as these two events that we've
13 discussed and this traffic stop, did you have any other
14 role in the investigation here?

01:52 15 A. Myself and Detective Toomer conducted
16 interviews with all five occupants.

17 MR. DICKERSON: And I'll talk to Detective
18 Toomer who is next up about that.

19 Ladies and gentlemen, I have no further
01:53 20 questions for this witness. Do you have any questions
21 for him at this time?

22 THE FOREPERSON: By law, these proceedings
23 are secret and you are prohibited from disclosing to
24 anyone anything that has transpired before us, including
01:53 25 evidence and statements presented to the Grand Jury, any

01:53 1 event occurring or statement made in the presence of the
2 Grand Jury, and information obtained by the Grand Jury.

3 Failure to comply with this admonition is a
4 gross misdemeanor punishable up to 364 days in the Clark
01:53 5 County Detention Center and a \$2,000 fine. In addition,
6 you may be held in contempt of court punishable by an
7 additional \$500 fine and 25 days in the Clark County
8 Detention Center.

9 Do you understand this admonition?

01:53 10 THE WITNESS: Yes, ma'am.

11 THE FOREPERSON: Thank you. You're
12 excused.

13 THE WITNESS: Thank you.

14 MR. DICKERSON: State's next witness is

01:54 15 Kyle Toomer.

16 THE FOREPERSON: Please raise your right
17 hand.

18 You do solemnly swear the testimony you are
19 about to give upon the investigation now pending before
01:54 20 this Grand Jury shall be the truth, the whole truth, and
21 nothing but the truth, so help you God?

22 THE WITNESS: I do.

23 THE FOREPERSON: Please be seated.

24 You are advised that you are here today to

01:54 25 give testimony in the investigation pertaining to the

01:54 1 offenses of conspiracy to commit robbery, burglary while
2 in possession of a deadly weapon, first degree
3 kidnapping with use of a deadly weapon, robbery with use
4 of a deadly weapon, and unlawful taking of vehicle,
01:54 5 involving Lorenzo Pinkey and Adrian Powell.

6 Do you understand this advisement?

7 THE WITNESS: Yes, I do.

8 THE FOREPERSON: Please state your first
9 and last name and spell both for the record.

01:54 10 THE WITNESS: Detective Kyle Toomer.
11 K-Y-L-E, T-O-O-M-E-R.

12 KYLE TOOMER,
13 having been first duly sworn by the Foreperson of the
14 Grand Jury to testify to the truth, the whole truth,
01:54 15 and nothing but the truth, testified as follows:

16
17 EXAMINATION

18
19 BY MR. DICKERSON:

01:54 20 Q. How are you employed, sir?

21 A. By the Las Vegas Metropolitan Police
22 Department.

23 Q. And what's your current assignment?

24 A. Detective in robbery.

01:55 25 Q. I want to draw your attention to the

01:55 1 specific case that brings us here, specifically under
2 Las Vegas Metropolitan Police Department event number
3 170928-0495. Are you familiar with this event?

4 A. Yes, I am.

01:55 5 Q. What is it?

6 A. It's a robbery from a Walgreens and a
7 Pepe's.

8 Q. And what is your involvement with this
9 particular robbery?

01:55 10 A. My involvement, I'm the lead detective on
11 the series.

12 Q. Did you respond to the area around that
13 Walgreens robbery, specifically a vehicle that was
14 located out there?

01:55 15 A. Yes, I did.

16 Q. And what was that vehicle?

17 A. That was a, I think it was a 2006 Chrysler.

18 Q. That Chrysler, how was that Chrysler
19 situated when you found it?

01:55 20 A. It was what you call centered, high
21 centered. That's where a car, they tried to go over a
22 curb and hit the curb and hit a couple of rocks and
23 couldn't get over it. High centered the car so they
24 couldn't get traction to keep moving. Do you guys
01:56 25 understand that?

01:56 1 A JUROR: Uh-huh.

2 BY MR. DICKERSON:

3 Q. Showing you here Grand Jury Exhibit 21, is
4 that that vehicle?

01:56 5 A. Yes, it is.

6 Q. Where is that located in relation to the
7 Walgreens?

8 A. I'd say that's probably about 800 meters or
9 so away. It's across the wall and down the street from
01:56 10 the robbery.

11 Q. And this was located shortly after the
12 robbery?

13 A. That's correct.

14 Q. Did you call out a crime scene analyst to
01:56 15 actually process that vehicle?

16 A. Yes, I did.

17 Q. Did that crime scene analyst, a crime scene
18 analyst by the name of Fletcher; is that correct?

19 A. That's correct.

01:56 20 Q. Did she process that vehicle under that
21 event number that we just talked about?

22 A. That's correct.

23 Q. And you became aware that there were latent
24 lift prints taken from that vehicle?

01:56 25 A. That's correct.

01:56 1 Q. Did you later submit those lift prints for
2 analysis to the Las Vegas Metropolitan Police Department
3 forensic lab?

4 A. Yes.

01:57 5 Q. Did you make contact with the owner of that
6 vehicle?

7 A. Yes, I did.

8 Q. And who was that?

9 A. That was a Raynetta -- I forgot her last
01:57 10 name. Raynetta --

11 Q. Smith?

12 A. Is that it? Look in the notes. I'm sorry.
13 I should have said.

14 Q. Raynetta Shine, does that seem to ring a
01:57 15 bell?

16 A. That's her.

17 Q. Did you determine whether Raynetta Shine
18 had any relationship whatsoever with any of the two
19 individuals that are the targets of this Grand Jury
01:57 20 investigation?

21 A. Yes, I did.

22 Q. Specifically who?

23 A. It was Pinkney.

24 Q. And where was it that you first made
01:57 25 contact with Miss Shine?

01:57 1 A. Okay. Out on the scene where the car was
2 here, that's where I arrived on the scene at, and while
3 we were doing our investigation you have people all over
4 the place looking for evidence, you know, there's
01:57 5 evidence sprawled out every place. And then what we
6 received was a phone call from our dispatch stating
7 there was a person that called in saying her car was
8 stolen. Okay. And she identified who she was. So
9 while we got that information, it was only like three to
01:58 10 five minutes later this lady comes walking up saying I'm
11 Raynetta so and so, that's my car. That's how we met
12 her. That's how I got in contact with her.

13 Q. When you said that you indicated you were
14 pointing. Is that what Miss Shine did when she pointed
01:58 15 to the car?

16 A. She was saying that's my car.

17 Q. Did you talk to her at the scene?

18 A. Yes.

19 Q. What happened when you were talking to her?

01:58 20 A. She was talking, she said, she was very
21 upset that her stuff was -- she said I just, she was
22 very upset she said --

23 Q. I'm not going to ask you to tell us what
24 she said except for anything that might be in direct
01:58 25 relationship to something she observed right there.

01:58 1 A. Right. She explained her purpose of being
2 there. I asked her did she want to do a statement on
3 that. She did. While we were doing the statement, when
4 she was telling me the whole reason her car being there
01:59 5 and how she knew what, when and where, she goes there
6 they are right there driving by. So she pointed them
7 out. They drove past the scene.

8 Q. And what was the vehicle that she was
9 pointing to when she said that?

01:59 10 A. It was a white Kia.

11 Q. Showing you here Grand Jury Exhibit 24.
12 Does that appear to be that Kia?

13 A. That's it.

14 Q. And upon her pointing out that Kia did
01:59 15 officers follow that vehicle?

16 A. Yes, they did.

17 Q. Did you ultimately respond to where that
18 vehicle was stopped?

19 A. Yes, I did.

01:59 20 Q. Did you make contact with the occupants?

21 A. Yes, I did.

22 Q. One of those occupants specifically being
23 Adrian Powell?

24 A. That's correct.

01:59 25 Q. And Lorenzo Pinkney?

01:59 1 A. That's correct.

2 Q. There was also three other occupants?

3 A. Yes.

4 Q. Two females?

01:59 5 A. Two females and one male.

6 Q. You interviewed all of these?

7 A. I interviewed all of them.

8 Q. Ultimately you decide to arrest Mr. Powell

9 and Mr. Pinkney?

02:00 10 A. That's correct.

11 Q. Why is it that you arrest these two?

12 A. Based off the information I discovered

13 during the interview with Miss Shine and based off the

14 information that I observed during the investigation,

02:00 15 looking at the size, physical descriptors of the persons

16 in the video surveillance of both robberies, based on

17 the clothing that they were wearing, the partial

18 clothing they were wearing during their, being taken

19 into custody.

02:00 20 Q. I'm showing you here Grand Jury Exhibit 8.

21 This is a still image from the Walgreens?

22 A. Right.

23 Q. And specifically I want to draw your

24 attention to the pants that are being worn by one of

02:00 25 these individuals.

02:00 1 A. That's correct.

2 Q. Did you recognize these pants outside of
3 this image?

4 A. Yes, I did.

02:00 5 Q. Where did you see those pants?

6 A. The one with the red Spiderman mask,
7 that's, he has on like a pair of like greenish drab
8 color jeans with torn up holes in it, that style, that's
9 the style. He was wearing, that was Adrian Powell, he
02:01 10 was wearing those jeans.

11 Q. Mr. Powell was actually wearing those at
12 the scene of the stop at the Kia?

13 A. That's correct.

14 Q. And you also noted Mr. Pinkney had on a
02:01 15 black shirt; is that correct?

16 A. Right. Mr. Pinkney is the one wearing the
17 shorts and the black jacket. Underneath that jacket is
18 a black T-shirt that he wore. It's a black T-shirt --
19 now a days they all sag and then while he's sagging he
02:01 20 had on the longer T-shirt on it, that's the T-shirt he
21 had on when we recovered him.

22 Q. How did you know he was wearing a black
23 T-shirt?

24 A. Because I looked at all the surveillance
02:01 25 videos. This particular still shot, if you look at the

02:01 1 actual video you'll see more of what I'm telling you.
2 This is a still shot. You can see it on the video
3 that's being shown.

4 Q. You also called crime scene analysts out to
02:02 5 the area of that Walgreens?

6 A. Yes, I did.

7 Q. To process the Walgreens, the area around
8 it where money was seen?

9 A. Money, clothing.

02:02 10 Q. Specific to clothing, some shorts?

11 A. The clothing that you see being worn right
12 here, lots of those clothing was sprawled out all over
13 the ground from their point of escape, from jumping the
14 wall to running behind houses, dropping money, the
02:02 15 evidence that they stole from the, the products that
16 they stole from the drug store and clothing they were
17 wearing, they just took it off and tried to run.

18 Q. The clothing that we're talking about, it
19 appears as though there was a pair of shorts that were
02:02 20 located?

21 A. Yes.

22 Q. Those shorts, are those consistent with
23 what we're seeing here?

24 A. That's correct, that's the shorts that
02:02 25 Powell was wearing. Check. That Pinkey's wearing.

02:02 1 Q. You then as you said had an opportunity to
2 interview Mr. Powell and Mr. Pinkney?

3 A. Yes.

4 Q. Both of them after advising them of
02:03 5 Miranda?

6 A. That's correct.

7 Q. Did either one of them say that they had
8 any involvement with these robberies?

9 A. Not at all.

02:03 10 Q. So they denied having involvement?

11 A. They denied everything.

12 Q. As related to these two events, is there
13 anything else that you find that you want to touch on as
14 far as your investigation into these two robberies and
02:03 15 these individuals?

16 A. Yes. How far do you want to go?

17 Q. As far as these two individuals,
18 specifically these two robberies, what was it that you
19 found there at the scene that led you to arrest these
02:03 20 two individuals?

21 A. I'm only stalling because I only want to
22 mention these two here.

23 Q. So let's stop right there. As far as the
24 money that was inside the console of the Kia, was that
02:03 25 consistent with other evidence that you found at the

02:03 1 scene?

2 A. That's correct, uh-huh.

3 Q. As far as money that was leading from the
4 Walgreens into the Avery Park area, is that consistent
02:04 5 with --

6 A. Yes.

7 Q. -- these vehicles being involved?

8 A. That's correct.

9 Q. Specifically the Chrysler?

02:04 10 A. Right. There was money from, there was
11 money and there was drug, drugs, when I talk about
12 product, it was drugs that were stolen from the
13 Walgreens. That was found sprawled out on the ground in
14 back of one of the residences, as well as clothing, as
02:04 15 well as money. It's all over the place.

16 Q. In addition you became aware that after
17 calling out crime scene analysts some of those bottles
18 of drugs that had been taken from the Walgreens was
19 processed for fingerprints?

02:04 20 A. That's correct.

21 Q. And you submitted those latent prints to
22 the lab for examination?

23 A. That's correct.

24 MR. DICKERSON: Ladies and gentlemen, I
02:04 25 have no further questions for this witness at this time.

02:04 1 Do you have any questions for him?

2 THE FOREPERSON: By law, these proceedings
3 are secret and you are prohibited from disclosing to
4 anyone anything that has transpired before us, including
02:04 5 evidence and statements presented to the Grand Jury, any
6 event occurring or statement made in the presence of the
7 Grand Jury, and information obtained by the Grand Jury.

8 Failure to comply with this admonition is a
9 gross misdemeanor punishable up to 364 days in the Clark
02:04 10 County Detention Center and a \$2,000 fine. In addition,
11 you may be held in contempt of court punishable by an
12 additional \$500 fine and 25 days in the Clark County
13 Detention Center.

14 Do you understand this admonition?

02:05 15 THE WITNESS: Yes, I do.

16 THE FOREPERSON: Thank you. You're
17 excused.

18 MR. DICKERSON: State is recalling Kathryn
19 Aoyoma.

02:05 20 THE FOREPERSON: You understand that you're
21 still under oath?

22 THE WITNESS: Yes.

23 THE FOREPERSON: All right. You may be
24 seated.

02:05 25 ///

02:05 1 KATHRYN AOYOMA,
2 having been previously duly sworn by the Foreperson of
3 the Grand Jury to testify to the truth, the whole truth,
4 and nothing but the truth, testified as follows:

02:05 5
6 FURTHER EXAMINATION

7
8 BY MR. DICKERSON:

9 Q. Ma'am, you've already testified about your
02:06 10 job with the Las Vegas Metropolitan Police Department
11 forensic lab; correct?

12 A. Yes.

13 Q. Specific, when we last had you testify you
14 testified to the first examination that you did in this
02:06 15 case regarding a report that was issued on September 29,
16 2017; is that right?

17 A. Yes, it is.

18 Q. Under Las Vegas Metropolitan event
19 number 170928-0495?

02:06 20 A. Correct.

21 Q. And in addition to that there was another
22 report that you issued; is that right?

23 A. Yes, there was.

24 Q. What was that report in reference to?

02:06 25 A. That report was a supplemental report for

02:06 1 three additional, the analysis of three additional
2 latent print packets that were submitted after the first
3 report was issued.

4 Q. If you could please go through those
02:06 5 analyses and your results and conclusions one by one
6 please.

7 A. Sure. In this case there were three
8 additional latent print packets that were submitted.
9 The first latent print packet was submitted by crime
02:07 10 scene analyst Stephanie Fletcher and she processed a
11 vehicle, a 2006 Chrysler 300, 4-door, VIN number, VIN
12 number is --

13 Q. That's fine, you don't need --

14 A. Okay. She submitted 32 lift cards in that
02:07 15 case and there were 15 that had AFIS quality latent
16 prints on them.

17 Q. And so what did you do after determining
18 that those 15 had AFIS quality prints?

19 A. I searched the latent prints in our AFIS
02:07 20 data base, our Automated Fingerprint Identification
21 System.

22 Q. And how is it that that works?

23 A. AFIS is a -- I apologize. AFIS is a data
24 base of known prints. So if the known prints are in the
02:08 25 system it could potentially hit against a latent print

02:08 1 that we're searching the system. But just because the
2 known prints exist, they have various recordings of,
3 some recordings are better than others of known prints,
4 so just because something doesn't hit in AFIS doesn't

02:08 5 mean that the match isn't in the data base, it just
6 means that it had missed it. But we do encode the
7 latent print searching for a match and then we examine
8 them side by side the latent lift card and the known
9 exemplars to determine whether or not it's a match.

02:08 10 Q. And specifically here, first looking
11 towards lift card Q14.

12 A. Q14 was a lift card from the exterior front
13 left door window labeled number 3 and I searched it
14 through AFIS and found, identified it to the left middle
02:09 15 finger of Lorenzo Pinkney.

16 Q. Onto Q, card Q15.

17 A. Fifteen is from the exterior front left
18 door window frame and that was labeled number 4 and it
19 was identified to the left ring finger of Lorenzo
02:09 20 Pinkney.

21 Q. And onto card Q16.

22 A. Q16 was from the exterior front left door
23 window frame labeled number 5 and that was identified to
24 the right middle finger of Adrian Powell.

02:09 25 Q. As far as Q18, what if anything did you

02:09 1 find?

2 A. Q18 was not identified. I searched it in

3 AFIS, it was negative.

4 Q. Okay. And on --

02:09 5 A. And compared to, did not much any of the

6 persons that I had to compare in this case that I had

7 previously identified in AFIS.

8 Q. Were there other cards that you had that

9 same result?

02:10 10 A. Correct.

11 Q. And that being Q25?

12 A. Yes.

13 Q. Q28?

14 A. No, Q28 was identified.

02:10 15 Q. Okay.

16 A. Q25 was not identified. Q35 was not

17 identified.

18 Q. Q36?

19 A. Q36 was not identified.

02:10 20 Q. Q --

21 A. That's all for that packet.

22 Q. Okay. And specifically the ones that were

23 identified, can we talk about those? Looking towards

24 Q20.

02:10 25 A. Q20 was a lift card that was taken from the

02:10 1 exterior rear left door window labeled number 9 and that
2 was, there were two latent prints on the card that I
3 labeled A and B. A was identified to the middle finger
4 of Adrian Powell and B was identified to the ring finger
02:11 5 of Adrian Powell.

6 Q. And lift card Q23?

7 A. Q23 was from the exterior left door frame
8 labeled number 12 and that was searched in AFIS and
9 identified to the right palm of Adrian Powell.

02:11 10 Q. And lift card Q29?

11 A. Q29 was from the exterior trunk lid labeled
12 number 19 and that was searched in AFIS and identified
13 to the left palm of Adrian Powell.

14 Q. And Q38?

02:11 15 A. Q38 was taken from the exterior trunk lid
16 labeled number 28 and it was identified to the right
17 index finger of Lorenzo Pinkney.

18 Q. And Q --

19 A. And then there were two additional packets.

02:11 20 Q. Okay.

21 A. That were submitted for analysis.

22 MR. DICKERSON: So based on that, ladies
23 and gentlemen, I have no further questions for this
24 witness. Do you have any questions for her at this
02:12 25 time?

02:12 1 THE FOREPERSON: You're still under the
2 admonition of not discussing what happened. Correct?

3 THE WITNESS: Yes.

4 THE FOREPERSON: You are excused.

02:12 5 THE WITNESS: Thank you.

6 MR. DICKERSON: At this time the State is
7 going to ask you to withhold your deliberation and we
8 will be back later this afternoon. Thank you.

9 Never mind.

02:13 10 Ladies and gentlemen, that concludes the
11 presentation of evidence in the matter of Lorenzo
12 Pinkney and Adrian Powell, Grand Jury case number
13 17AGJ106AB. Is there any questions about the elements
14 of the crimes as the crimes are charged including the
02:13 15 additions from throughout the presentations of this case
16 and earlier this morning and the way the elements have
17 been instructed to you? Any questions about the
18 evidence?

19 Seeing no hands on either question. At
02:13 20 this point in time the State submits this for your
21 deliberation on each count and each count individually.
22 Thank you.

23 (At this time, all persons, other than
24 members of the Grand Jury, exit the room at 2:13 p.m.
02:13 25 and return at 2:18 p.m.)

02:18 1 THE FOREPERSON: Mr. District Attorney, by
2 a vote of 12 or more grand jurors a true bill has been
3 returned against defendant Lorenzo Pinkney and Adrian
4 Powell charging the crimes of conspiracy to commit
02:18 5 robbery, burglary while in possession of a deadly
6 weapon, first degree kidnapping with use of a deadly
7 weapon, robbery with use of a deadly weapon, and
8 unlawful taking of vehicle, in Grand Jury case number
9 17AGJ106AB. We instruct you to prepare an Indictment in
02:18 10 conformance with the proposed Indictment previously
11 submitted to us.

12 MR. DICKERSON: Thank you very much.

13 (Proceedings concluded.)

14 --oo0oo--

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02:18

1

REPORTER'S CERTIFICATE

2

3

STATE OF NEVADA)

: ss

4

COUNTY OF CLARK)

02:18

5

6

I, Danette L. Antonacci, C.C.R. 222, do

7

hereby certify that I took down in Shorthand (Stenotype)

8

all of the proceedings had in the before-entitled matter

9

at the time and place indicated and thereafter said

02:18

10

shorthand notes were transcribed at and under my

11

direction and supervision and that the foregoing

12

transcript constitutes a full, true, and accurate record

13

of the proceedings had.

14

Dated at Las Vegas, Nevada,

02:18

15

November 21, 2017.

16

17

/s/ Danette L. Antonacci

18

19

Danette L. Antonacci, C.C.R. 222

02:18

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02:18

1

AFFIRMATION

2

Pursuant to NRS 239B.030

3

4

The undersigned does hereby affirm that the
preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER
17AGJ106AB:

02:18

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7

8

X Does not contain the social security number of any
person,

9

02:18

10

-OR-

11

 Contains the social security number of a person as
required by:

12

13

A. A specific state or federal law, to-
wit: NRS 656.250.

14

-OR-

02:18

15

16

B. For the administration of a public program
or for an application for a federal or
state grant.

17

18

/s/ Danette L. Antonacci

19

Signature

11-21-17

Date

02:18

20

21

Danette L. Antonacci

Print Name

22

23

Official Court Reporter

Title

24

25

	/	39/18
A JUROR: [2] 6/16 59/25	/s [2] 77/17 78/18	19 [3] 50/16 51/4 74/12
BY MR. DICKERSON: [7] 26/10 31/6 39/6 44/18 58/17 60/1 70/6	0 0314 [1] 45/4 0495 [4] 40/14 45/7 59/3 70/19	1:00 [1] 6/22 1:00 p.m [1] 24/19
BY MR. GIORDANI: [2] 8/1 19/10	1	1A [2] 6/17 6/19
MR. DICKERSON: [13] 24/20 30/1 37/6 38/2 42/20 43/14 56/16 57/13 68/23 69/17 74/21 75/5 76/11	1.77-millimeter [1] 51/3 10 [5] 17/15 17/15 17/18 49/17 50/1	2 20 [1] 51/8 2006 [2] 59/17 71/11
MR. GIORDANI: [8] 6/7 6/17 16/14 17/9 18/2 19/2 23/20 24/15	10:57 [1] 1/15 11 [4] 17/22 17/24 41/11 49/21	2017 [7] 1/14 2/1 6/1 26/19 31/13 70/16 77/15
THE FOREPERSON: [40]	11-21-17 [1] 78/18	21 [4] 48/6 48/16 60/3 77/15
THE WITNESS: [35]	12 [4] 26/16 32/20 74/8 76/2	22 [2] 48/4 48/16 222 [3] 1/25 77/6 77/18
\$	13 [1] 33/20 14 [1] 34/7 15 [3] 34/10 71/15 71/18	23 [1] 51/10 239B.030 [1] 78/2 24 [3] 53/25 54/24 63/11
\$10 [1] 36/12 \$2,000 [7] 17/1 24/7 29/19 37/19 43/7 57/5 69/10	150 [1] 36/10 16 [1] 50/4 17 [2] 50/12 78/18	2490 [1] 19/15 25 [9] 17/3 24/9 29/21 37/21 43/9 54/3 56/9 57/7 69/12
\$40 [1] 36/9 \$5 [1] 36/12 \$500 [7] 17/3 24/9 29/21 37/21 43/9 57/7 69/12	170928-0314 [1] 45/4 170928-0495 [2] 45/7 59/3 17AG106AB [1] 24/25	28 [3] 26/18 31/12 74/16 28th [2] 8/5 19/14
-	17AGJ106AB [5] 1/7 6/13 75/13 76/9 78/5	29 [1] 70/15 2:00 p.m [1] 6/23 2:13 [1] 75/24 2:18 [1] 75/25
--oo0oo [1] 76/14 -OR [2] 78/10 78/14	18 [1] 34/19 18-month [1]	3 300 [3] 48/2 52/1 71/11 32 [1] 71/14

3	9	48/20 57/5 68/16 69/10 70/21
364 [7] 16/25 24/6 29/18 37/18 43/6 57/4 69/9	9-millimeter [1] 20/22	additional [13] 17/3 17/16 24/9 29/21 35/19 37/21 43/9 57/7 69/12 71/1 71/1 71/8 74/19
4	911 [2] 23/7 23/16	additions [1] 75/15
4-door [1] 71/11	A	address [4] 32/23 33/3 35/1 50/8
40 caliber [1] 20/22	A-N-T-O-N-I-O [1] 19/2	addresses [1] 28/3
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