

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,

Appellant,

vs.

TATIANA LEIBEL,

Respondent,

_____ /

Electronically Filed
Aug 30 2022 03:56 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 2014-CR-00062
2014-CR-00062BD

RECORD ON APPEAL

VOLUME 12

COPIES OF ORIGINAL PLEADINGS
PAGES 1585-1777

TATIANA LEIBEL
INMATE #1137908
FLORENCE MCCLURE WOMEN'S CORRECTIONAL CENTER
4370 SMILEY ROAD
LAS VEGAS, NEVADA 89115

IN PROPER PERSON

THE STATE OF NEVADA

DOUGLAS COUNTY DISTRICT ATTORNEY

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ADDENDUM TO NOTICE OF WITNESS (FILED JAN 23'15)	701-702	(VOL. 5)
AFFIDAVIT OF PERSONAL SERVICE (FILED MAY 25'18)	2424-2426	(VOL. 18)
AFFIDAVIT "A" (FILED NOV 9'20)	3105-3119	(VOL. 23)
AFFIDAVIT "B" (FILED NOV 9'20)	3120-3125	(VOL. 23)
AFFIDAVIT "C" (FILED NOV 9'20)	3126-3132	(VOL. 23)
AFFIDAVIT "I" (FILED NOV 9'20)	3133-3154	(VOL. 23)
AFFIDAVIT OF SERVICE BY MAIL (FILED DEC 24'18)	3005-3006	(VOL. 22)
AFFIDAVIT (FILED OCT 6'16)	1488-1489	(VOL. 11)
AFFIDAVIT "C" (FILED JAN 4'21)	3545-3551	(VOL. 28)
AFFIDAVIT "II" (FILED NOV 23'20)	3376-3386	(VOL. 26)
AFFIDAVIT "1" (FILED JAN 4'21)	3449-3473	(VOL. 27)
AFFIDAVIT OF SERVICE BY MAIL (FILED JAN 6'15)	537-545	(VOL. 3)
AFFIDAVIT "2" (FILED JAN 4'21)	3474-3524	(VOL. 27)
AFFIDAVIT "A" (FILED JAN 4'21)	3525-3539	(VOL. 27)
AFFIDAVIT "B" (FILED JAN 4'21)	3540-3544	(VOL. 28)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ALTERNATIVE SENTENCING SUPPLEMENTAL REPORT (FILED APRIL 15'14)	84-85	(VOL. 1)
AMENDED ORDER FOR PAYMENT (SEALED) (FILED DEC 18'14)	413	(VOL. 2)
APPELLANT'S INFORMAL BRIEF (FILED APR 19'21)	3920-3928	(VOL. 30)
APPLICATION FOR APPOINTMENT OF INTERPRETER (FILED APRIL 18'14)	233-238	(VOL. 2)
APPLICATION FOR ORDER TO PRODUCE PRISONER (FILED SEP 27'18)	2504-2505	(VOL. 18)
APPLICATION FOR ORDER TO PRODUCE PRISONER (FILED AUG 8'18)	2431-2432	(VOL. 18)
BRIEF REGARDING STRUCTURAL (FILED SEP 17'18)	2494-2499	(VOL. 18)
CASE APPEAL STATEMENT (FILED MAR 8'21)	3915-3916	(VOL. 30)
CASE APPEAL STATEMENT (FILED JAN 18'19)	3009-3012	(VOL. 22)
CASE APPEAL STATEMENT (FILED JUN 22'22)	4036-4037	(VOL. 31)
CASE APPEAL STATEMENT (FILED MAY 11'15)	1085-1087	(VOL. 7)
CERTIFICATE OF MAILING (FILED FEB 1'21)	3858-3859	(VOL. 30)
CERTIFICATE OF MAILING (FILED JAN 11'21)	3785-3786	(VOL. 30)
CERTIFICATE OF SERVICE (FILED APRIL 11'14)	70	(VOL. 1)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
CERTIFICATE OF SERVICE (FILED MAY 25'18)	2430	(VOL. 18)
CERTIFICATE OF SERVICE (FILED SEP 29'14)	280	(VOL. 2)
CERTIFICATE OF SERVICE (FILED APRIL 18'14)	227	(VOL. 2)
CERTIFICATE OF SERVICE (FILED APRIL 18'14)	232	(VOL. 2)
CERTIFICATE OF MAILING (FILED NOV 14'16)	1510	(VOL. 11)
CERTIFICATE PF MAILING (FILED NOV 9'20)	3366-3367	(VOL. 25)
CERTIFICATE OF MAILING (FILED MAR 21'22)	4019-4020	(VOL. 31)
CERTIFICATE OF MAILING (FILED FEB 11'21)	3907-3910	(VOL. 30)
CERTIFICATE OF MAILING (FILED NOV 23'20)	3372-3375	(VOL. 25)
CERTIFICATE OF SERVICE (FILED AUG 4'14)	269	(VOL. 2)
CERTIFICATE OF MAILING (FILED APR 21'21)	3929-3930	(VOL. 30)
CERTIFICATE OF THAT NO TRANSCRIPT IS BEING REQUESTED (FILED JAN 18'19)	3013-3014	(VOL. 22)
CLERK'S CERTIFICATE (FILED JUL 22'20)	3049	(VOL. 22)
CLERKS CERTIFICATE (SUPREME COURT) (FILED JAN 14'16)	1485	(VOL. 11)
EVIDENCE IN MITIGATION (FILED APR 14'15)	999-1003	(VOL. 6)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
EX PARTE MOTION FOR FUNDS FOR INVESTIGATOR (FILED APRIL 7'17)	1550-1552	(VOL. 11)
EX PARTE MOTION FOR LEAVING TO HIRE INVESTIGATOR (FILED APRIL 14'17)	1553-1556	(VOL. 11)
EX PARTE INVOICE AND REQUEST FOR PAYMENT (FILED APRIL 3'17)	1546-1548	(VOL. 11)
EX PARTE APPLICATION FOR ADDITIONAL INVESTIGATIVE FEES (FILED JAN 2'15)	462-467	(VOL. 3)
EX PARTE INVOICE AND REQUEST FOR PAYMENT (FILED JUL 24'17)	1569-1570	(VOL. 11)
EX PARTE MOTION FOR FUNDS FOR A CRIME SCENE (FILE AUG 8'18)	2441-2443	(VOL. 18)
EX PARTE MOTION FOR INTERPRETER FEES (FILED MAY 16'18)	1971-1974	(VOL. 14)
EX PARTE MOTION FOR FUNDS FOR A PSYCHIATRIC EXPERT (FILED AUG 8'18)	2433-2436	(VOL. 18)
EX PARTE MOTION FOR INVESTIGATION FEES (FILED MAY 16'18)	1984-1986	(VOL. 14)
EX PARTE MOTION FOR POST CONVICTION REPRESENTATION EXPERT (FILED AUG 8'18)	2444-2447	(VOL. 18)
EX PARTE MOTION FOR FUNDS FOR LINGUISTICS EXPERT (FILED OCT 25'18)	2526-2530	(VOL. 18)
EX PARTE APPLICATION FOR FEES (SEALED) (FILED DEC 26'14)	445-447	(VOL. 3)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
EX PARTE APPLICATION FOR FEES (SEALED) (FILED DEC 26 '14)	442-444	(VOL. 3)
EX PARTE APPLICATION FEES (SEALED) (FILED APRIL 17 '14)	228-231	(VOL. 2)
EX PARTE APPLICATION FOR FUNDS (SEALED) (FILED NOV 17 '14)	282-339	(VOL. 2)
EX PARTE MOTION FOR INTERPRETER (FILED AUG 16 '18)	2454-2456	(VOL. 18)
EX PARTE REQUEST FOR PAYMENT (SEALED) (FILED DEC 5 '14)	347-348	(VOL. 2)
EX PARTE MOTION FOR INVESTIGATION FEES (FILED MAY 16 '18)	1975-1983	(VOL. 14)
EX PARTE APPLICATION FOR FUNDS FOR EXPERT WITNESS (SEALED) (FILED DEC 5 '14)	341-346	(VOL. 2)
EX PARTE REQUEST FOR PAYMENT (FILED FEB 6 '15)	786-787	(VOL. 5)
EX PARTE MOTION FOR EXPERT WITNESS FEES (FILED MAR 7 '19)	3016-3029	(VOL. 22)
EXHIBITS FILED (FILED JAN 4 '21)	3693-3780	(VOL. 29)
EXHIBITS FILED (FILED JAN 4 '21)	3552-3654	(VOL. 28)
EXHIBITS FILED (FILED JAN 4 '21)	3655-3692	(VOL. 29)
FINANCIAL DISCLOSURE FORM (SEALED) (FILED NOV 14 '16)	1502-1507	(VOL. 11)
INDEX OF EXHIBITS (FILED NOV 9 '20)	3155-3256	(VOL. 24)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
INDEX OF EXHIBIT(S) (FILED NOV 9'20)	3257-3278	(VOL. 24)
INDEX OF EXHIBITS (FILED NOV 9'20)	3279-3363	(VOL. 25)
INFORMATION (FILED APRIL 8'14)	55-60	(VOL. 1)
INSTRUCTION TO THE JURY (FILED FEB 5'15)	719-758	(VOL. 5)
ISSUED WRIT OF HABEAS CORPUS (FILED MAY 24'18)	2422-2423	(VOL. 18)
JUDGMENT OF CONVICTION (FILED APR 21'15)	1016-1018	(VOL. 7)
JURY VENIRE (FILED JAN 5'15)	471	(VOL. 3)
JURY VERDICT (FILED FEB 5'15)	710-718	(VOL. 5)
LIST OF TRIAL JURORS (FILED JAN 5'15)	470	(VOL. 3)
MOTION TO COMPEL COMPLIANCE WITH DISCLOSURE REQUIREMENTS (FILED SEP 4'18)	2475-2478	(VOL. 18)
MOTION IN LIMINE REGARDING CRIME SCENE AND AUTOPSY PHOTOGRAPHS (FILED DEC 12'14)	356-360	(VOL. 2)
MOTION TO STRIKE BRIEF REGARDING STRUCTURAL ERROR OR, IN THE ALTERNATIVE, MOTION FOR SUFFICIENT TIME TO RESPOND TO BRIEF IN WRITING (FILED SEP 18'18)	2500-2502	(VOL. 18)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
MOTION TO EXCLUDE TESTIMONY OF NATASHA KHARIKOVA (FILED OCT 29'18)	2532-2535	(VOL. 19)
MOTION FOR COURT APPOINTED FEES WITH AFFIDAVIT IN SUPPORT THEREOF (FILED APRIL 17'14)	221-223	(VOL. 2)
MOTION FOR COURT ORDER TO ALLOW DEFENSE INSPECTION OF SCENE OF ALLEGED OFFENSE (FILED DEC 31'14)	455-458	(VOL. 3)
MOTION TO RESPONDENT "MOTION TO DISMISS PRO PER SECOND POST CONVICTION PETITION FOR A WRIT OF HABEAS" (FILED JAN 11'21)	3781-3784	(VOL. 30)
MOTION TO PROCEED IN FORMA PAUPERIS (FILED MAY 11'15)	1078-1079	(VOL. 7)
MOTION TO WITHDRAW COUNSEL (FILED NOV 9'20)	3058-3066	(VOL. 22)
MOTION IN LIMINE REGARDING DEATH CERTIFICATE (FILED DEC 26'14)	424-441	(VOL. 3)
MOTION TO DISMISS PRO PER THIRD POST CONVICTION PETITION FOR WRIT OF HABEAS CORPUS (FILED APRIL 5'22)	4023-4026	(VOL. 31)
MOTION IN LIMINE REGARDING UNCHARGED MISCONDUCT AND COLLATERAL OFFENSES (FILED DEC 29'14)	448-451	(VOL. 3)
MOTION FOR DISMISS PRO PER SECOND POST CONVICTION FOR WRIT OF HABEAS CORPUS (FILED NOV 19'20)	3368-3371	(VOL. 25)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
MOTION FOR EXTENSION OF TIME TO FILE SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (FILED JAN 24 '18)	1574-1579	(VOL. 11)
MOTION FOR FUNDS FOR INTERPRETER (FILED MAY 9 '17)	1561-1564	(VOL. 11)
MOTION FOR PRODUCTION OF JAVS RECORDINGS (FILED MAY 9 '17)	1558-1560	(VOL. 11)
MOTION FOR PETITION FOR WRIT OF HABEAS CORPUS (SECOND POST CONVICTION) (FILED JAN 4 '21)	3445-3446	(VOL. 27)
MOTION FOR PETITION TO ESTABLISH FACTUAL INNOCENCE (FILED JAN 4 '21)	3447-3448	(VOL. 27)
MOTION FOR PETITION FOR EN BANC RECONSIDERATION (FILED JAN 3 '22)	3933-3942	(VOL. 31)
MOTION FOR APPOINTMENT OF COUNSEL (FILED NOV 14 '16)	1508-1509	(VOL. 11)
MOTION FOR ENLARGEMENT OF TIME (FILED APRIL 11 '18)	1493-1497	(VOL. 11)
MOTION IN LIMINE REGARDING JUROR- QUESTIONING OF WITNESSES (FILED DEC 12 '14)	351-355	(VOL. 2)
MOTION IN LIMINE REGARDING TESTIMONY CONCERNING CRIME SCENE RECONSTRUCTION BY MATTHEW NOEDEL (FILED JAN 20 '15)	588-693	(VOL. 4)
MOTION TO CONTINUE (FILED AUG 4 '14)	270-275	(VOL. 2)

1
2 INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
MOTION TO RECONSIDER DECISION (FILED FEB 11'21)	3864-3906	(VOL. 30)
MOTION TO WITHDRAW REQUEST FOR PAYMENT FIREARM (FILED MAR 6'15)	815	(VOL. 5)
MOTION TO RECONSIDER DECISION (FILED FEB 1'21)	3815-3857	(VOL. 30)
MOTION TO WITHDRAW COUNSEL (FILED OCT 6'16)	1486-1487	(VOL. 11)
NON OPPOSITION TO DEFENDANTS MOTION IN LIMINE RE: UNCHARGED MISCONDUCT AND COLLATERAL OFFENSES (FILED JAN 12'15)	548-549	(VOL. 3)
NOTICE OF APPEAL (FILED JAN 18'18)	3007-3008	(VOL. 22)
NOTICE OF APPEAL (FILED JUN 21'22)	4035	(VOL. 31)
NOTICE OF APPEAL (FILED MAY 11'15)	1083-1084	(VOL. 7)
NOTICE OF APPEAL (FILED FEB 22'21)	3911-3914	(VOL. 30)
NOTICE OF ASSOCIATION OF COUNSEL (FILED SEP 17'18)	2492-2493	(VOL. 18)
NOTICE OF ENTRY OF ORDER (FILED MAY 25'18)	2427-2429	(VOL. 18)
NOTICE OF ENTRY OF ORDER (FILED DEC 24'18)	2986-3004	(VOL. 22)
NOTICE OF ENTRY OF ORDER (FILED JAN'21)	3801-3814	(VOL. 30)

27
28

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
NOTICE OF EXPERT WITNESS (FILED DEC 17'14)	369-412	(VOL. 2)
NOTICE OF EXPERT WITNESS (FILED JAN 6'15)	472-536	(VOL. 3)
NOTICE OF EXPERT WITNESS (FILED AUG'18)	2458-2474	(VOL. 18)
NOTICE OF EXPERT WITNESS (FILED OCT 25'18)	2521-2525	(VOL. 18)
NOTICE IN LIEU OF REMITTITUR (SUPREME COURT) (FILED MAR 15'22)	3954	(VOL. 31)
NOTICE OF MOTION (FILED NOV 9'20)	3050-3052	(VOL. 22)
NOTICE OF MOTION (FILED NOV 9'20)	3053-3057	(VOL. 22)
NOTICE OF NON-CAPITAL PROCEEDINGS (FILED APRIL 8'14)	68-69	(VOL. 1)
NOTICE OF NON-OPPOSITION TO DEFENDANTS MOTION IN LIMINE REGARDING DEATH CERTIFICATE (FILED DEC 29'14)	452-453	(VOL. 3)
NOTICE OF PROSECUTION TRIAL WITNESS (FILED DEC 17'14)	361-368	(VOL. 2)
NOTICE OF WITNESS (FILED JAN 20'15)	585-587	(VOL. 4)
NOTICE OF WITNESSES (FILED SEP 10'18)	2485-2487	(VOL. 18)
NOTICE OF WITHDRAWAL OF MOTION FOR COURT ORDER TO ALLOW DEFENSE INSPECTION OF SCENE OF ALLEGED		

1
2 INDEX OF PLEADINGS

3	<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
4	OFFENSE		
5	(FILED JAN 12'15)	546-547	(VOL. 3)
6			
7	OPPOSITION TO STATE'S MOTION TO		
8	INCREASE BAIL		
9	(FILED APRIL 11'14)	71-80	(VOL. 1)
10	OPPOSITION TO DEFENDANTS		
11	MOTION TO LIMINE RE: CRIME SCENE		
12	RECONSTRUCTION		
13	(FILED JAN 22'15)	694-700	(VOL. 5)
14	ORDER OF AFFIRMANCE		
15	(FILED FEB 8'22)	3947-3949	(VOL. 31)
16	ORDER FOR PAYMENT		
17	(FILED 24'17)	1571	(VOL. 11)
18	ORDER DENYING REHEARING		
19	(FILED JAN 14'22)	3943	(VOL. 31)
20	ORDER		
21	(FILED SEP 27'17)	1573	(VOL. 11)
22	ORDER OF AFFIRMANCE		
23	(FILED DEC 20'21)	3931-3932	(VOL. 31)
24	ORDER TO CONTINUE		
25	(FILED AUG 4'14)	276	(VOL. 2)
26	ORDER GRANTING EXTENSION OF TIME		
27	(FILED JAN 30'18)	1584	(VOL. 11)
28	ORDER DIRECTING TRANSMISSION OF RECORD		
	AND REGARDING BRIEFING		
	(FILE MAR 23'21)	3918-3919	(VOL. 30)
	ORDER		
	(FILED MAY 11'17)	1566	(VOL. 11)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ORDER FOR APPOINTMENT OF CO-COUNSEL (FILED OCT 1'14)	281	(VOL. 2)
ORDER (FILED APRIL 12'18)	1970	(VOL. 14)
ORDER AUTHORIZING FUNDS FOR EMPLOYMENT OF A FORENSIC PATHOLOGIST AND SEALING APPLICATION AND ORDER (SEALED) (FILED NOV 17'14)	340	(VOL. 2)
ORDER (FILED MAY 14'15)	1088-1089	(VOL. 7)
ORDER (FILED MAY 11'17)	1565	(VOL. 11)
ORDER GRANTING EX PARTE MOTION FOR INVESTIGATION FEES (FILED MAY 17'18)	1987	(VOL. 14)
ORDER GRANTING EX PARTE MOTION FOR INTERPRETER FEES (FILED MAY 17'18)	1988	(VOL. 14)
ORDER GRANTING EX PARTE MOTION FOR INVESTIGATION FEES (FILED MAY 17'18)	1989	(VOL. 14)
ORDER (FILED FEB 5'21)	3862-3863	(VOL. 30)
ORDER FOR PAYMENT (SEALED) (FILED DEC 8'14)	349	(VOL. 2)
ORDER AUTHORIZING FUNDS FOR FORENSIC PATHOLOGIST AND SEALING APPLICATION AND ORDER (SEALED) (FILED DEC 9'14)	350	(VOL. 2)
ORDER DENYING PETITION (SUPREME COURT) (FILED FEB 22'22)	3952-3953	(VOL. 31)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ORDER GRANTING MOTION FOR LEAVE TO HIRE INVESTIGATOR (FILED APRIL 17'17)	1557	(VOL. 11)
ORDER FOR PAYMENT OF ATTORNEY FEES (FILED APRIL 21'14)	241	(VOL. 2)
ORDER FOR ISSUANCE OF WRIT OF HABEAS CORPUS (FILED MAY 24'18)	2421	(VOL. 18)
ORDER (FILED JAN 11'21)	3789-3800	(VOL. 30)
ORDER TRANSFERRING CASE TO DEPARTMENT 1 VACATING THE HEARING SET FOR DECEMBER 22, 2014 AND CONFIRMING THE TRIAL DATE OF JANUARY 27, 2015 AT 9:00AM (FILED DEC 19'14)	414	(VOL. 2)
ORDER SETTING TRIAL (FILED APRIL 21'14)	239-240	(VOL. 2)
ORDER CONFIRMING TRIAL DATES AND SETTING PRE-TRIAL CONFERENCE (FILED DEC 24'14)	415-416	(VOL. 2)
ORDER FOR PAYMENT (FILED APRIL 4'17)	1549	(VOL. 11)
ORDER (FILED JUNE 23'17)	1568	(VOL. 11)
ORDER FOR PAYMENT (FILED MAR 9'15)	998	(VOL. 6)
ORDER (FILED AUG 9'18)	2448-2449	(VOL. 18)
ORDER TO PRODUCE PRISONER (FILED AUG 9'18)	2450	(VOL. 18)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ORDER (FILED AUG 9'18)	2451	(VOL. 18)
ORDER (FILED AUG 9'18)	2452	(VOL. 18)
ORDER (FILED AUG 9'18)	2453	(VOL. 18)
ORDER CALLING JURY (FILED JAN 2'15)	459-460	(VOL. 3)
ORDER GRANTING EX PARTE MOTION FOR INTERPRETER FEES (FILED AUG 20'18)	2457	(VOL. 18)
ORDER (FILED JUN 21'22)	4031-4034	(VOL. 31)
ORDER FOR PAYMENT (K. BROWN) (FILED FEB 23'15)	814	(VOL. 5)
ORDER SHORTENING TIME TO RESPOND TO MOTION TO COMPEL (FILED AEP 6'18)	2479	(VOL. 18)
ORDER AUTHORIZING ADDITIONAL FEES FOR EMPLOYMENT OF AN INVESTIGATOR AND TO SEAL PLEADINGS (SEALED) (FILED JAN 2'15)	461	(VOL. 3)
ORDER (FILED JAN 3'17)	1545	(VOL. 11)
ORDER (FILED SEP 13'18)	2490-2491	(VOL. 18)
ORDER ALLOWING THE DEFENSE TO PURCHASE WEAPON (FILED JAN 5'15)	468	(VOL. 3)
ORDER (FILED NOV 28'16)	1540-1541	(VOL. 11)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ORDER FOR PAYMENT (FORENSIC TECH) (FILED FEB 23'15)	813	(VOL. 5)
ORDER FOR PAYMENT (NANCY STRAYERN) (FILED FEB 23'15)	812	(VOL. 5)
ORDER SETTING CONTINUES HEARING (FILED SEP 19'18)	2503	(VOL. 18)
ORDER AUTHORIZING FEES FOR EMPLOYMENT OF INVESTIGATOR AND TO SEAL PLEADINGS (SEALED) (FILED APRIL 17'14)	219	(VOL. 1)
ORDER GRANTING MOTION IN LIMINE REGARDING JUROR QUESTIONING OF WITNESS (FILED JAN 12'15)	550	(VOL. 3)
ORDER INCREASING BAIL (FILED APRIL 14'14)	82-83	(VOL. 1)
ORDER TO PRODUCE PRISONER (FILED OCT 1'18)	2520	(VOL. 18)
ORDER (FILED OCT 25'18)	2531	(VOL. 18)
ORDER OF AFFIRMANCE (FILED DEC 21'15)	1479-1480	(VOL. 11)
ORDER (FILED DEC 23'20)	3387-3389	(VOL. 26)
ORDER RE: MOTION IN LIMINE REGARDING DEATH CERTIFICATE (FILED JAN 14'15)	551	(VOL. 4)
ORDER RE: MOTION IN LIMINE REGARDING UNCHARGED MISCONDUCT AND COLLATERAL OFFENSES (FILED JAN 14'15)	552	(VOL. 4)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
ORDER APPOINTING COUNSEL (FILED APRIL 14'14)	81	(VOL. 1)
ORDER AUTHORIZING FEES FOR EMPLOYMENT OF A FORNSIC INVESTIGATOR (FILED DEC 30'14)	454	(VOL. 3)
ORDER (FILED JAN 26'15)	703-704	(VOL. 5)
ORDER DIRECTING TRANSMISSION OF RECORDS AND REGARDING BRIEFING (FILED AUG 1'22)	1500-1501	(VOL. 11)
ORDER DENYING POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS (FILED DEC 20'18)	2969-2985	(VOL. 22)
ORDER DENYING REHEARING(SUPREME COURT) (FILED FEB 8'22)	3945-3946	(VOL. 31)
ORDER SETTING HEARING (FILED MAY 24'18)	2419-2420	(VOL. 18)
ORDER OF AFFIRMANCE(SUPREME COURT) (FILED JUL 22'20)	3040-3048	(VOL. 22)
ORDER OF AFFIRMANCE(SUPREME COURT) (FILED JAN 14'16)	1481-1483	(VOL. 11)
ORDER FOR PAYMENT (FILED FEB 9'15)	788	(VOL. 5)
ORDER OF AFFIRMANCE (FILED JUNE 26'20)	3031-3038	(VOL. 22)
ORDER GRANTING EX PARTE MOTION FOR EXPERT WITNESS FEES (FILED MAR 7'19)	3030	(VOL. 22)
ORDER AND COMMITMENT (FILED APRIL 4'14)	8-54	(VOL. 1)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) (FILED JAN 4 '21)	3400-3444	(VOL. 26)
PETITION FOR WRIT OF HABEAS CORPUS (FILED MAR 21 '22)	3955-4018	(VOL. 31)
PETITION FOR WRIT OF HABEAS CORPUS (FILED NOV 14 '16)	1511-1539	(VOL. 11)
PETITION FOR WRIT OF HABEAS CORPUS 2ND (POST CONVICTION) (FILED NOV 9 '20)	3067-3104	(VOL. 23)
PETITIONER'S OPPOSITION TO MOTION TO EXCLUDE (FILED NOV 6 '18)	2536-2548	(VOL. 19)
PETITIONER'S RESPONSE TO MOTION TO COMPEL AND COUNTERMOTION FOR WAIVER OF OBLIGATION TO PRODUCE EXPERT REPORTS PURSUANT TO NRCF (FILED SEP 6 '18)	2480-2484	(VOL. 18)
PRE-SENT INVESTIGATION-CONFIDENTIAL (SEALED) (FILED APR 17 '15)	1-7	(VOL. 1)
PRO PER SECOND POST CONVICTION PETITION FOR A WRIT OF HABEAS CORPUS (FILED JAN 4 '21)	3394-3395	(VOL. 26)
RECEIPT OF DOCUMENTS (SUPREME COURT) (FILED JAN 30 '19)	3015	(VOL. 22)
RECEIPT FOR DOCUMENTS (SUPREME COURT) (FILED FEB 2 '22)	1498	(VOL. 11)
RECEIPT FOR DOCUMENTS (SUPREME COURT) (FILED JUNE 27 '22)	1499	(VOL. 11)
RECEIPT FOR DOCUMENTS (SUPREME COURT) (FILED JUNE 4 '15)	1091	(VOL. 7)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
RECEIPT FOR DOCUMENTS (FILED MAR 11'21)	3917	(VOL. 30)
REMITTITUR (FILED JUL 22'20)	3039	(VOL. 22)
REMITTITUR (FILED FEB 9'22)	3951	(VOL. 31)
REMITTITUR (SUPREME COURT) (FILED JAN 14'16)	1484	(VOL. 11)
REPLY TO OPPOSITION TO MOTION TO EXCLUDE TESTIMONY OF NATASHA KHARIKOVA (FILED NOV 7'18)	2549-2560	(VOL. 19)
REQUEST FOR SUBMISSION (FILED NOV 9'20)	3364-3365	(VOL. 25)
REQUEST FOR PAYMENT (FILED FEB 18'15)	789-794	(VOL. 5)
REQUEST FOR PAYMENT (FILED FEB 18'15)	798-799	(VOL. 5)
REQUEST FOR PAYMENT (FILED FEB 18'15)	795-797	(VOL. 5)
REQUEST FOR SUBMISSION OF MOTION (FILED MAR 21'22)	4021-4022	(VOL. 31)
REQUEST FOR APPOINTMENT OF CO-COUNSEL (FILED SEP 29'14)	279	(VOL. 2)
REQUEST FOR SUBMISSION OF MOTION (FILED FEB 1'21)	3860-3861	(VOL. 30)
REQUEST FOR SUBMISSION- (SECOND PETITION OF HABEAS CORPUS POST CONVICTION) (FILED JAN 4'21)	3396-3397	(VOL. 26)
REQUEST FOR SUBMISSION OF MOTION (FILED JAN 4'21)	3398-3399	(VOL. 26)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
REQUEST FOR DISCOVERY (FILED APRIL 17'14)	224-226	(VOL. 2)
REQUEST FOR PAYMENT (FILED FEB 18'15)	803-811	(VOL. 5)
REQUEST FOR SUBMISSION (FILED SEP 13'18)	2487-2489	(VOL. 18)
REQUEST FOR SUBMISSION (FILED APRIL 17'14)	220	(VOL. 2)
REQUEST FOR ROUGH DRAFT TRANSCRIPT (FILED MAY 11'15)	1080-1082	(VOL. 7)
REQUEST FOR PAYMENT (FILED FEB 18'15)	800-802	(VOL. 5)
REQUEST FOR SUBMISSION OF MOTION (FILED JAN 11'21)	3787-3788	(VOL. 30)
RESPONSE TO MOTION IN LIMINE REGARDING JUROR QUESTIONING OF WITNESS (FILED DEC 26'14)	421-423	(VOL. 2)
RESPONSE TO MOTION IN LIMINE REGARDING CRIME SCENE AND AUTOPSY PHOTOGRAPHS (FILED DEC 26'14)	417-420	(VOL. 2)
RESPONSE TO MOTION FOR EXTENSION OF TIME TO FILE SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (FILED JAN 30'18)	1580-1583	(VOL. 11)
RESPONSE TO MOTION FOR EXTENSION OF TIME (FILED JAN 30'18)	1580-1583	(VOL. 11)
RESPONSE TO POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS (PART 1) (FILED MAY 17'18)	1990-2075	(VOL. 14)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
RESPONSE TO POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS (PART 2) (FILED MAY 17'18)	2076-2210	(VOL. 15)
RESPONSE TO POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS (PART 4) (FILED MAY 17'18)	2316-2418	(VOL. 17)
RESPONSE TO POST-CONVICTION PETITION FOR WRIT OF HABEAS CORPUS (PART 3) (FILED MAY 17'18)	2211-2315	(VOL. 16)
RESPONSE TO BRIEF REGARDING ALLEGED STRUCTURAL ERROR IN FAILING TO OBTAIN AN INTERPRETER. (FILED SEP 29'18)	2506-2510	(VOL. 18)
STATE'S MOTION TO INCREASE BAIL (FILED APRIL 8'14)	61-67	(VOL. 1)
STATE'S NON-OPPOSITION TO DEFENDANT'S MOTION TO CONTINUE (FILED AUG 4'14)	277-278	(VOL. 2)
STIPULATION TO EXTEND TIME TO FILE SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS (FILED JUNE 22'17)	1567	(VOL. 11)
STIPULATION TO EXTEND OF TIME TO FILE SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS -SECOND REQUEST (FILED DEC 24'16)	1542	(VOL. 11)
STIPULATION TO WAIVE PENALTY HEARING BY JURY (FILED JAN 16'15)	553-554	(VOL. 4)
STIPULATION TO EXTEND TIME TO FILE PETITION FOR WRIT OF HABEAS CORPUS (FILED SEP 25'17)	1572	(VOL. 11)

1
2 INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
SUBPOENA FILED (CHRIS HEADRICK) (FILED JAN 28'15)	705	(VOL. 5)
SUBPOENA FILED (JIM ANTE) (FILED JAN 29'15)	709	(VOL. 5)
SUBPOENA FILED (FILED JAN 29'15)	707	(VOL. 5)
SUBPOENA FILED (FILED JAN 29'15)	706	(VOL. 5)
SUBPOENA FILED (FILED JAN 29'15)	708	(VOL. 5)
SUPPLEMENTAL CERTIFICATE OF SERVICE RE: REQUEST FOR ROUGH DRAFT TRANSCRIPT (FILED MAY 27'15)	1090	(VOL. 7)
SUPPLEMENTAL POSTCONVICTION PETITION FOR A WRIT OF HABEAS CORPUS NRS 34.361 ET SEQ. (PART 2) (FILED FEB 26'18)	1778-1969	(VOL. 13)
SUPPLEMENTAL EVIDENCE IN MITIGATOR (FILED APR 20'15)	1011-1015	(VOL. 7)
SUPPLEMENTAL POSTCONVICTION PETITION FOR A WRIT OF HABEAS CORPUS NRS 34.361 ET SEQ. (PART 1) (FILED FEB 26'18)	1585-1777	(VOL. 12)
TRANSCRIPT OF PROCEEDINGS- ARRAIGNMENT 4/14/14 (FILED MAY 19'14)	242-261	(VOL. 2)
TRANSCRIPT OF JURY TRIAL 1/27/2015 ROUGH DRAFT (FILED JUNE 18'15)	1105-1119	(VOL. 8)

26
27
28

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
TRANSCRIPT OF JURY TRIAL 1/28/15 (FILED JUNE 18'15)	1120-1202	(VOL. 8)
TRANSCRIPT OF JURY TRIAL 1/29/15 (FILED JUNE 18'15)	1203-1285	(VOL. 9)
TRANSCRIPT OF PROCEEDINGS (POST CONVICTION HEARING 11/16/18) (FILED NOV 29'18)	2561-2637	(VOL. 19)
TRANSCRIPT OF PROCEEDINGS (SENTENCING HEARING) (FILED MAY 5'15)	1019-1077	(VOL. 7)
TRANSCRIPT OF PROCEEDINGS (POST CONVICTION HEARING 11/15/18) (PART 1) (FILED DEC 5'18)	2638-2796	(VOL. 20)
TRANSCRIPT OF JURY TRIAL 2/2/2015 (FILED JUNE 18'15)	1351-1387	(VOL. 10)
TRANSCRIPT OF JURY TRIAL 2/4/2015 (FILED JUNE 18'15)	1388-1446	(VOL. 11)
TRANSCRIPT OF PROCEEDINGS (MOTIONS HEARING) (FILED JAN 20'15)	555-584	(VOL. 4)
TRANSCRIPT OF JURY TRIAL 1/23/2015 ROUGH DRAFT (FILED JUNE 18'15)	1092-1104	(VOL. 8)
TRANSCRIPT OF PROCEEDINGS (JURY SELECTION) (FILED MAR 9'15)	816-997	(VOL. 6)
TRANSCRIPT OF JURY TRIAL 2/5/2015 (FILED JUNE 18'15)	1447-1478	(VOL. 11)
TRANSCRIPT OF PROCEEDINGS - PRELIMINARY HEARING (FILED APRIL 16'14)	86-218	(VOL. 1)

INDEX OF PLEADINGS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>	<u>VOL. NO.</u>
TRANSCRIPT OF PROCEEDINGS (ARRAIGNMENT) (FILED MAY 21'14)	262-266	(VOL. 2)
ORDER SETTING TRIAL (FILED AUG 4'14)	267-268	(VOL. 2)
TRANSCRIPT OF PROCEEDINGS (MOTIONS HRG.) (FILED SEP 28'18)	2511-2519	(VOL. 18)
TRANSCRIPT OF PROCEEDINGS (POST CONVICTION HEARING 11/15/18) (PART 2) (FILED DEC 5'18)	2797-2968	(VOL. 21)
TRANSCRIPT OF JURY TRIAL 1/30/2015 (FILED JUNE 18'15)	1286-1350	(VOL. 10)
TRANSCRIPT OF PROCEEDINGS (MOTION HEARING) (FILED FEB 5'15)	759-785	(VOL. 5)
VICTIM IMPACT STATEMENTS AND PHOTOGRAPH OF VICTIM (FILED APR 20'15)	1004-1010	(VOL. 6)

BY MS. [Signature] DEPUTY

1 new trial. I affirm that this document does not contain the social security number
2 of any person.

3
4 Dated this 26th day of February, 2018.

Malone
John E. Malone
209 N. Pratt Ave.
Carson City, Nevada 89701
(775) 830-2307

FACTUAL BACKGROUND

Tatiana Leibel was born and raised in Russia in the former Soviet Union. She immigrated to the United States in 1992 and thereafter married Harry Leibel. On February 23, 2014, Harry died of gunshot wounds inflicted by a Circuit Judge revolver action carbine that he owned. Tatiana was accused, tried, and convicted by a jury of second degree murder with use of a deadly weapon in 2015. NRS 200.030, NRS 200.010(1), NRS 193.165. The Nevada Supreme Court affirmed her conviction on direct appeal, and she now pursues a timely postconviction petition for a writ of habeas corpus. NRS 34.726. This supplemental petition incorporates the claims raised and argued by Tatiana in her pro se petition.

A postconviction habeas petition challenges the constitutionally mandated effectiveness of the petitioner's trial representation. "In all criminal prosecutions, the accused shall enjoy the right...to have the assistance of counsel for his defense." *U.S. Const., Amend. VI*. Postconviction jurisprudence mandates that to obtain relief, the petitioner must demonstrate both that counsel's performance fell below an objective standard of reasonableness, and that but for

1 counsel's errors, there is a reasonable probability the outcome of the trial would
2 have been different. *Warden v. Lyons*, 100 Nev. 430, 432-33, 683 P.2d 504, 505
3 (1984); *State v. Love*, 109 Nev. 1136, 865 P.2d 322 (1993); *Strickland v.*
4 *Washington*, 466 U.S. 668 (1984). In this case, Tatiana's experience meets both
5 *Strickland* standards. To obtain an evidentiary hearing on her claims, Tatiana must
6 raise specific claims supported by facts not belied by the record, that if true would
7 entitle her to relief. *See Mann v. State*, 118 Nev. 351, 354, 46 P.3d 1228, 1230
8 (2002) (internal quotations omitted) ("[This court] has long recognized a
9 petitioner's right to a post-conviction evidentiary hearing when the petitioner
10 asserts claims supported by specific factual allegations not belied by the record
11 that, if true, would entitle him to relief."). Tatiana submits that she meets these
12 standards.
13
14
15
16
17

18 The sixth amendment mandate of effective assistance of counsel
19 requires that a criminal defense attorney do three basic things for her client at trial:
20 that she ensure clear communication with the client in the preparation and
21 investigation of the case; and that she put on necessary and favorable evidence and
22 challenge unfavorable evidence. *See ABA Criminal Justice Standards for the*
23
24
25

1 *Defense Function, III Lawyer-Client Relationship, 4-3.1, 4-4.1 (4th Ed.); Nevada*
2 *Supreme Court Indigent Defense Order, ADKT 411 (2008).* Trial counsel for
3
4 Tatiana failed in these obligations: in sum, counsel failed to insure clear
5 communication, and failed to present existing favorable evidence or to challenge
6 inadmissible and unfavorable evidence.
7

8 **PER SE VIOLATIONS OF TATIANA'S RIGHT**
9 **TO CONSTITUTIONALLY EFFECTIVE ASSISTANCE OF COUNSEL**

10 **I. Failure to Provide Translation and Interpretation Services for Critical**
11 **Attorney-Client Conferences**

12 In Nevada, criminal defendants who do not understand the English
13 language have "a due process right to an interpreter at all crucial stages of the
14 criminal process." *Ton v. State*, 110 Nev. 970, 971, 878 P.2d 986, 987 (1994).
15
16 Trial counsel and the court hired interpreters for Tatiana for her trial, and
17 throughout the trial jurors, counsel, and the court observed her with a bulky
18 headset over her ears. Significantly, however, trial counsel did not use an
19 interpreter for critical attorney-client meetings. Tatiana speaks English with a very
20 heavy Russian accent that some people find difficult to understand. Her grasp of
21 grammar, syntax, and vocabulary are similarly challenged. In addition, she has
22 reported to postconviction counsel that she found conversation with trial counsel to
23
24
25

1 be difficult for her. Specifically, their conversation regarding whether she should
2 testify or not was cursory and abrupt. There was no discussion regarding the pros
3 and cons of testifying. She relayed to postconviction counsel that trial counsel
4 simply told her that if she testified, she would go to prison for the rest of her life.
5 Although she did obtain a degree from UNR, she remains uncomfortable reading
6 and writing in English, and was unable to prepare a written statement to law
7 enforcement at the time of Harry's death. (*See attached Exhibit A.*) Moreover, her
8 ability to communicate regarding complex legal issues is limited both by her
9 English language skills and by the nature of her upbringing. Tatiana is a native
10 Russian, and was raised in the former Soviet Union, under the powerfully
11 authoritarian Soviet regime. These facts bear uniquely on her ability to
12 communicate effectively with her trial counsel, especially about complex issues.
13 Any assurances she made either to the police, counsel, or the court that she could
14 communicate freely in English were fundamentally unreliable both because of a
15 person's innate reluctance to admit shortcomings and because Tatiana's upbringing
16 in an authoritarian state instilled in her a fear of authority and a disinclination to
17 question, to object, or to voice her own ideas and opinions.
18
19
20
21
22
23
24
25

1 A cursory review of the transcripts (*See attached Exhibit B*) of her
2 interrogation by Douglas County investigators Garren, Chrzanowski, and Hubkey
3 demonstrates Tatiana's language limitations. She clearly does not follow the
4 statements or arguments coming at her, she is not fluid in her sentence structure or
5 vocabulary, and her answers do not respond appropriately to the deputies'
6 questions. In fact, counsel should have filed a motion to suppress the interview
7 because of the obvious inaccuracies and unreliability of Tatiana's language.
8

9
10
11 Trial counsel's failure to provide translation and interpretation at
12 attorney-client meetings violated Tatiana's sixth amendment right to effective
13 counsel in two ways. First, it frustrated her ability to communicate with her
14 counsel and to assist in her own defense. Without an interpreter, trial counsel
15 failed to ensure that all interactions were understood and clear between herself and
16 her client. Tatiana was also therefore unable to make a fully informed decision
17 about whether or not to testify at trial – a decision that was crucial to the
18 presentation of evidence and ultimately to her defense. Tatiana has no criminal
19 history that would preclude her from testifying, and all other things being equal,
20 the jury and the defense could have benefitted from her testimony and presence on
21
22
23
24
25

1 the stand. The simple fact that trial counsel knew an interpreter was necessary at
2 all stages of court proceedings – including the preliminary hearing, trial, and
3 sentencing - shows that an interpreter should have been present at all attorney-
4 client interactions.
5

6
7 There was no reason not to have an interpreter present to make sure
8 Tatiana understood the conversations with her lawyer. NRS 50.0545(1) provides
9 that “[a]n interpreter must be appointed at public expense for a person with a
10 language barrier who is a defendant or a witness in a criminal proceeding.” And
11 statutes such as NRS 7.135 provide that an attorney can be reimbursed for the costs
12 of hiring an interpreter, so as to implement the sixth and fourteenth amendment
13 rights of defendants to effective assistance of counsel, an adequate defense, and to
14 due process and a fair trial. *See, e.g. Widdis v. Second Judicial District Court*, 114
15 Nev. 1224, 968 P.2d 1165 (1998) (holding that even defendants who have retained
16 private counsel are entitled to reasonable defense service at public expense if they
17 are indigent and show a need for the services). Trial counsel had no reason not to
18 use NRS 7.135, NRS 34.750, and NRS 34.780 to hire a Russian interpreter for all
19 meetings to ensure that all communications were completely mutually understood.
20
21
22
23
24
25

1 Because of her limited ability to speak and understand English and her lack
2 of specific legal training, Tatiana was unable to fully communicate with trial
3 counsel. The attached transcript of her eight-hour interrogation by the police after
4 Harry's death reveals her limitations. An attorney with whom the client cannot
5 communicate is almost no attorney at all. The question of whether or not to testify
6 is profoundly important, especially in a case like this one - by not putting Tatiana
7 Leibel on the stand an opportunity to humanize her to the jury was missed, and she
8 had no chance to tell her story to the jury that was trying her. It was crucial that
9 Tatiana understand the consequences of not testifying. Having a trained interpreter
10 only for court proceedings left Tatiana uninformed about the proceedings and
11 unable to participate meaningfully in her own defense in violation of her sixth
12 amendment rights.

13 **II. Failure to Notice the Critical Trajectory Witness for the Defense**

14 In this case, Harry Leibel suffered two gunshot wounds from a carbine, (a
15 short-barreled rifle). Witnesses testified regarding bullet holes in the couch, the
16 wall, and of course, Harry's body. The critical determinative issue was whether
17 Harry's death was a suicide or a homicide. Dr. Omalu testified for the defense that

1 Harry's death was an atypical suicide. *Trial Transcript, February 4, 2015, p.23.*

2 Matthew Noedel testified for the State regarding the bullet trajectories and

3
4 concluded that it was more likely that Harry did not shoot himself: "I think the best

5 explanation is that Harry Leibel did not shoot himself. . . . It creates much easier

6
7 logistics if someone else delivered the shots, . . ." *Trial Transcript; January 30,*

8 *2015, p.100.* Noedel's conclusion, however, was far from beyond a reasonable

9 doubt. Accordingly, defense counsel's paramount obligation was to demonstrate

10
11 for the jury that the trajectory of the projectiles involved and the mechanics of how

12 the weapon was operated supported a conclusion that Harry could have shot

13
14 himself.

15 Counsel called retired Washoe County forensic scientist David Billau, who

16 testified first about crime scene investigation, trace evidence, fingerprint analysis,

17
18 and extensive cross-contamination of the scene by the first responders. Trial

19 counsel clearly then expected to go on and have Mr. Billau testify regarding the

20
21 bullet trajectories, measurements, and the staging of the couch in the room, as

22 consistent with Harry having fired the gun himself. But counsel failed

23
24 procedurally to notice Billau as a trajectory witness, and therefore, the court barred

1 his testimony on trajectory, limited him to review of the crime scene photographs
2 from which he was unable to draw conclusions, and the jury had no forensic
3 information from which to draw a conclusion of suicide. *See Trial Transcript*,
4 *February 2, 2015; pp.73-75, 84-87.*

5
6
7 Defense: Based on your review of the reports and evidence
8 available in this case, were you able to reach and conclusions
concerning trajectory?

9 State: Objection, Your Honor, as we discussed.

10 Court: Ms. Brown, I think that's outside the scope of the
11 notice.

12 Defense: I don't think so, Your Honor. If there's . . .

13 Court: It's not allowed.

14 Defense: Excuse me?

15
16 Court: It's not allowed. You may be able to rephrase that
17 question but that question is not allowed.

18 *Id. at p.84.*

19 This failure to properly notice Billau, or to preserve his ability to present his
20 research or opinion on a critical material issue, cannot be construed as a "strategic
21 decision" on counsel's part. *See Howard v. State*, 106 Nev. 713, 722, 800 P.2d
22 175, 180 (1990) (*citing Strickland*, 466 U.S. at 691, 104 S.Ct. at 2066-67); *State v.*
23
24
25

1 *Meeker*, 143 Ariz. 256, 693 P.2d 911, 917 (1984) (strategic decisions are “virtually
2 unassailable”). The simple fact that trial counsel called Billau expecting to present
3 favorable trajectory evidence that would contradict Noedel’s testimony establishes
4 that counsel knew his testimony was critical to the defense, and the failure to
5 notice him for the trajectory evidence was simply counsel’s error in procedure.
6
7 This is per se failure of constitutionally effective assistance and was per se harmful
8 to the defense.
9
10

11 **ADDITIONAL ERRORS OF COUNSEL THAT PREJUDICED THE**
12 **DEFENSE**

13 **I. Failure to Move to Suppress Tatiana’s Statements to Police**

14 When an ineffective assistance claim is based upon counsel's failure to file a
15 motion to suppress evidence allegedly obtained in violation of the fourth
16 amendment, the prejudice prong is established by a showing that the claim was
17 meritorious and that there was a reasonable likelihood that the exclusion of the
18 evidence would have affected the result of a trial. *Kimmelman v. Morrison*, 477
19 U.S. 365, 375 (1986).
20
21

22 Given Tatiana’s obvious language difficulties demonstrated throughout eight
23 hours of examination, especially in the face of the aggressive questioning by the
24
25

1 deputies, with no interpreter assisting, it is certainly reasonable that the court
2 would have granted a motion to suppress. *See, e.g., United States v. Heredia-*
3 *Fernandez*, 756 F.2d 1412, 1415 (9th Cir.1985) (confirming that “language
4 difficulties may impair the ability of a person in custody to waive [his Miranda]
5 rights in a free and aware manner”). In addition, the State relied on the transcript
6 during trial to emphasize alleged inconsistencies in Tatiana’s statements, and
7 because she did not testify, she had no way to rebut the alleged inconsistencies.
8

9
10
11 There is no way to prove demonstrably that one single change in the conduct
12 of the trial, such as suppressing Tatiana’s statements, would absolutely have made
13 all the difference. But the evidence of Tatiana’s guilt was by no means
14 overwhelming. Given the weakness of the State’s evidence overall, suppression of
15 the transcripts could well have made a difference in the outcome. *Cf. Big Pond v.*
16 *State*, 101 Nev. 1,3, 692 P.2d 1288, 1289 (1985 (“[w]e cannot say without
17 reservation that the verdict would have been the same in the absence of error”);
18 (*Kirksey v. State*, 923 P.2d 1102 (1996) (“If the issue of guilt or innocence is close
19 and if the state’s case is not strong, [error] will probably be considered
20 prejudicial.”)).
21
22
23
24
25

II. Failure to Retain, Hire, or Call Necessary Experts

Apart from the instances of per se ineffectiveness discussed above, counsel's multiple other errors caused harm to the defense's case and failed to inform the jury of important evidence of an affirmative defense or rebut the State's case. Counsel failed to introduce favorable evidence, failed to keep out unfavorable evidence either by objection or motions in limine, and failed to cross-examine effectively. Specifically, she failed to retain, notice, and call experts whose testimony would have been critical to the defense of Tatiana.

A. Failure to Present Trajectory Evidence

Counsel's failure to properly notice David Billau for trajectory evidence is compounded by the fact that the defense had no one who could respond to Noedel's testimony. Noedel concluded that Harry had not shot himself, and the jury was left with that. The defense failed to present any evidence regarding how the Circuit Judge carbine gun worked, no defense witness explained important measurements, its trigger mechanism, or its unusual cylinder barrel and offset. It was incumbent on the defense to give the jury a basis for concluding that Harry Leibel could have shot himself and how he could have done so, and they failed.

1 **B. Evidence of Harry's Drug Use**

2 The record reveals Harry's chronic use of marijuana and indicates that he
3
4 tested positive at the time of his death. Trial counsel should have made sure the
5 jury understood how his use of marijuana would have affected both his physical
6 and mental health. Harry's marijuana source, Chris Hedrick, would have informed
7 the jury of Harry's physical pain issues, his use of marijuana, and his emotional
8 deterioration over year prior to his death. (*See attached Exhibit C.*)
9
10

11 Trial counsel also failed to retain or call a drug expert to address the long-
12 and short-term effects of marijuana intoxication, including triggers as to underlying
13 mental health issues such as depression and psychosis, and how marijuana may
14 lead to suicidal ideation or to reckless and impulsive behavior. Although Dr.
15 Omalu addressed the issue very briefly, counsel did not follow up, and Dr. Omalu
16 did not qualify as a drug expert.
17
18

19 **C. Judaism and Suicide**

20 Testimony that Harry would not have committed suicide because he was
21 Jewish came in at trial, without rebuttal (*Trial Transcript, January 30, 2015; pp.*
22 *13-14*), but the record includes multiple references to his suicidal tendencies and
23
24
25

1 threats, and also statements that he would not consider suicide because of his
2 Jewish faith. Counsel failed to retain or call a psychological or psychiatric expert
3 to address the complexities of suicidal ideation, including the risks associated with
4 repeated threats of suicide, bullying, and previous suicide attempts. It is expected
5 that an expert would address the prevalence of suicide in our society, suicide rates
6 amongst members of the Jewish community, the fact that Jewish doctrine has
7 evolved to accept suicide and an issue of mental health rather than as a forbidden
8 sin, the predictability or unpredictability of suicide based on prior attempts or
9 threats, and information on planned versus spontaneous suicides.
10
11
12

13 **D. Blood Spatter**

14
15 Counsel failed to retain or call an expert in blood spatter analysis. It is
16 expected that such an expert would testify that you would expect to see high-
17 velocity blood spatter on an assailant who had fired into a victim at the ranges
18 alleged in this case. The absence of blood spatter would also certainly be
19 information that a trier of fact would need to understand in determining whether or
20 not Tatiana had committed a killing as alleged by the State. Moreover, the absence
21
22
23
24
25

1 of blood spatter would also tend to exonerate her, and failure to test the evidence
2 could result in a jury instruction regarding spoliation.
3

4 **E. Humanizing Tatiana**

5 Given that Tatiana declined to testify in her own defense, trial counsel
6 needed to humanize her for the jury. Trial counsel failed to present any witness
7 who could tell the jury who Tatiana was. Tatiana's daughter Chaya-Anna would
8 have been an excellent witness for this purpose, as reflected in her letters to the
9 court. (*See attached Exhibit D.*) She could have let the jury see Tatiana as a loving
10 mother and wife, as a supportive partner, as a loved member of her community.
11 The failure to create a person for the jury to relate to left them alienated.
12
13
14

15 **III. Failure to Challenge Testimony and Evidence**

16 As noted above, not only is it defense counsel's job to introduce evidence
17 favorable to her client, assuming it exists, but at the very least, counsel must
18 challenge inculpatory and inadmissible evidence that the prosecution tries to
19 introduce. Here, counsel failed repeatedly to object to inadmissible evidence, and
20 furthermore failed to cross-examine witnesses effectively.
21
22
23
24
25

1 **A. Trajectory, “mechanics,” and the gun**

2 Counsel failed to effectively challenge Noedel’s testimony on gunshot
3
4 residue, his methodology, measurements, notes, or raw data. The defense theory
5 was that Harry could have shot himself. It was therefore incumbent on the defense
6 to give the jury a basis for agreeing with that conclusion. Noedel’s conclusion that
7 it was more likely that Harry had been shot was speculative. It was paramount that
8 the defense give the jury a way to understand an alternative explanation. The
9 defense therefore needed both to challenge Noedel’s testimony, and to present
10 countervailing evidence, including evidence regarding the mechanics of the
11 weapon, explanations for the location of the bullet holes in the couch and the wall,
12 the movement of the couch, holes in Harry’s robe, possibilities of ricochet, and
13 accident. Trial counsel should have called a ballistics expert to testify to these
14 issues and provide clarity for the jury.
15
16
17
18

19 **B. Unexpected Testimony that Sharon Oren Told Harry Tatiana**
20 **Would Kill Him**

21 Counsel failed to move to prevent Sharon Oren from testifying. He testified
22 that he “was afraid for [Harry’s] life” and that he told Harry he thought Tatiana
23 would kill him. *Trial Transcript, January 30, 2015; pp. 37-38.* Nothing in Oren’s
24
25

1 statement to Douglas County investigators indicates that he would say anything so
2 dramatic. (*See attached Exhibit E.*) If the defense knew Oren would testify this
3 way, they should have sought to preclude him; if his statements were unexpected
4 and there was a discovery violation, they should have challenged him immediately
5 and called for a mistrial. Counsel's relevance objection was an insufficient and
6 ineffective response to this highly prejudicial statement.
7

8 **C. Improper "Scientific" Testimony by Lay Responders**

9
10 Counsel failed to prevent or object to Douglas County Fire Department
11 responders offering scientific and medico-legal testimony beyond their areas of
12 knowledge, without having qualified as experts – including on questions such as
13 how long Harry had been dead, blood clotting, rigor mortis, gunshot odors, the
14 temperature of Harry's body, and what the holes in the couch and the wall might
15 have meant in terms of how the bullets traveled. *See Trial Transcript, February 2,*
16 *2015; pp. 26, 28, 31-34, 35.* While Dr. Omalu addressed some of these issues in
17 his testimony, counsel failed to challenge the admission of the statements from first
18 responders that were arguably inadmissible pursuant to NRS 50.275 and .285.
19
20
21
22
23
24
25

1 **D. Irrelevant and Prejudicial Testimony Regarding Arguments**

2 Counsel failed to object to or move to prevent the Leibels' neighbor,
3
4 Lawrence Kearney, from testifying that he overheard Tatiana and Harry arguing
5 "every now and then" between July and October of the year before Harry's death
6
7 in February 2014. Such testimony was completely irrelevant under NRS 48.015;
8
9 nothing about it has any "tendency to make the existence of any fact that is of
10
11 consequence to the determination of the action more or less probable than it would
12
13 be without the evidence." And, such testimony is far more prejudicial than it is
14
15 probative of anything and is inadmissible pursuant to NRS 48.035(1).

16 ***

17 [The] litigant has a right to objective consideration of all
18 proper evidence by triers of fact without violations of any
19 substantial rights he may have as a litigant. He is entitled
20 not to a trial free of all possible error but to a trial free of
21 harmful error . . . [Where] error is so forceful as to leave
22 its mark on the judgment, the trial itself is contaminated.
23 An appellant whose right to a fair trial has been violated
24 should be accorded that right anew. Retrial is a small
25 price to pay for insuring the right to a fair trial.

26 *Weakland v. State*, 615 P.2d 252 (1980) (quoting R.J. Traynor, *The Riddle of*
27
28 *Harmless Error*, 20, 22 (1970)).

1 Postconviction counsel is not saying simply that trial counsel could have
2 been better; the list of issues presented in this brief is not exhaustive. Experts
3 should have been consulted, retained, and called; cross-exam should have been
4 better; motions in limine should have been filed. Postconviction counsel has
5 focused on the most glaring mistakes that rise to a constitutional level regarding
6 Tatiana Leibel's sixth amendment right to counsel.
7

8
9 **CUMULATIVE ERROR REQUIRES THIS COURT**
10 **REVERSE THE CONVCITION AND**
11 **GRANT TATIANA A NEW TRIAL**

12 Although the Nevada Supreme Court has not specifically addressed the issue
13 in a published opinion, it has relied on federal jurisprudence in analyzing claims of
14 cumulative error in habeas cases. And the United States Supreme Court has
15 clearly established that the combined effect of multiple trial court errors violates
16 due process where it renders the resulting criminal trial fundamentally unfair.
17

18 *Chambers v. Mississippi*, 410 U.S. 284, 289 (1973) (holding that the combined
19 effect of individual errors "denied [Chambers] a trial in accord with traditional and
20 fundamental standards of due process" and "deprived Chambers of a fair trial").
21

22 The same analysis applies to multiple failures of counsel to provide adequate and
23 reasonable assistance. *See Harris by and through Ramseyer v. Wood*, 64 F.3d
24
25

1 1432, 1438 (9th Cir. 1995) (concluding that prejudice may result from cumulative
2 effect of multiple counsel deficiencies); *State v. Thiel*, 665 N.W.2d 305, 322 (Wis.
3 2003) (concluding that multiple incidents of deficient performance may be
4 aggregated in determining prejudice under *Strickland*). Numerous small failures
5 that individually would not be grounds for reversal can, in cumulation, render a
6 representation ineffective.
7

8
9 Under traditional due process principles, cumulative error warrants habeas
10 relief only where the errors have “so infected the trial with unfairness as to make
11 the resulting conviction a denial of due process.” *See Donnelly v. DeChristoforo*,
12 416 U.S. 637, 643 (1974). Such “infection” occurs where the combined effect of
13 the errors had a “substantial and injurious effect or influence on the jury's verdict.”
14 *Brecht v. Abrahamson*, 507 U.S. 619, 637 (1993) (*internal quotations omitted*); *see*
15 *also Thomas v. Warden*, 273 F.3d 1164, 1179–81 (9th Cir. 2002) (noting similarity
16 between *Donnelly* and *Brecht* standards and concluding that “a *Donnelly* violation
17 necessarily meets the requirements of *Brecht*”). In simpler terms, where the
18 combined effect of individually harmless errors renders a criminal defense “far less
19 persuasive than it might [otherwise] have been,” the resulting conviction violates
20
21
22
23
24
25

1 due process. *Chambers*, 410 U.S. at 294, 302–03, 93 S.Ct. 1038; *Parle v. Runnels*,
2 505 F.3d 922, 927 (9th Cir. 2007). Here, the evidence of homicide was not strong.

3
4 Trial counsel's errors were therefore all the more damaging to the defense.

5 Trial counsel failed to ensure communication with her client, failed to secure
6 the admission of critical expert witness testimony that counsel knew was
7 profoundly important to the defense, failed to retain necessary experts in drug use,
8 mental health, blood spatter, and gunshot mechanics. Counsel failed to effectively
9 cross-examine, object to, or move to prevent testimony and evidence of opinions of
10 lay responders. This testimony and evidence was highly prejudicial, in clear
11 violation of Nevada's rules of evidence and principals of fundamental fairness.
12
13
14

15 This court need not decide whether each of the specific deficiencies alone
16 meets the prejudice standard under *Strickland*, because the errors, considered
17 cumulatively, demonstrate the ineffectiveness of trial counsel. *See Mak v.*
18 *Blodgett*, 970 F.2d 614, 622 (9th Cir. 1992); *United States v. Tucker*, 716 F.2d 576,
19 595 (9th Cir.1983) ("a court may find unfairness-and thus prejudice-from the
20 totality of counsel's errors and omissions"); *Ewing v. Williams*, 596 F.2d 391, 395
21 (9th Cir.1979) ("prejudice may result from the cumulative impact of multiple
22
23
24
25

1 deficiencies”) (*quoting Cooper v. Fitzharris*, 586 F.2d 1325, 1333 (9th Cir.1978)
2 (*en banc*), *cert. denied*, 440 U.S. 974, 99 S.Ct. 1542, 59 L.Ed.2d 793 (1979)).
3

4 This court should not hesitate to conclude that there is a reasonable
5 probability that, absent the deficiencies of trial counsel, the outcome of the trial
6 might well have been different. *See Strickland*, 466 U.S. at 695, 104 S.Ct. at 2068.
7 Indeed, the plethora and gravity of counsel’s deficiencies rendered the proceeding
8 fundamentally unfair. *See id.* at 696, 104 S.Ct. at 2069 (the “ultimate focus of
9 inquiry must be on fundamental fairness of the proceeding whose result is being
10 challenged”).
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

///

///

///

///

///

///

///

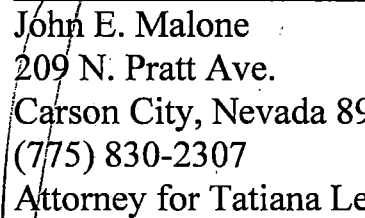
///

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

CONCLUSION

A habeas petitioner is entitled to a postconviction evidentiary hearing when she asserts claims supported by specific factual allegations not belied by the record that, if true, would entitle her to relief. *See Hargrove v. State*, 100 Nev. 498, 686 P.2d 222 (1984). Tatiana respectfully submits that she has done so in this petition and that she is entitled to an evidentiary hearing. Ultimately, Tatiana submits that she is entitled to a new trial.

Dated: 2-26-18

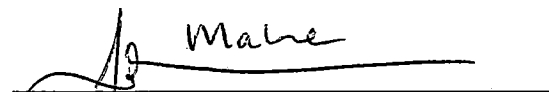


John E. Malone
209 N. Pratt Ave.
Carson City, Nevada 89701
(775) 830-2307
Attorney for Tatiana Leibel

1
2
3 **VERIFICATION pursuant to NRS 34.735**

4 Under penalty of perjury, the undersigned declares that the undersigned is
5 counsel for the petitioner named in the foregoing petition and knows the contents
6 thereof; that the pleading is true of the undersigned's own knowledge, except as to
7 those matters stated on information and belief, and as to such matters the
8 undersigned believes them to be true.
9

10
11 DATED: 2-26-18

12 
13 John E. Malone
14 209 N. Pratt Ave.
15 Carson City, Nevada 89701
16 (775) 830-2307
17
18
19
20
21
22
23
24
25

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify, pursuant to N.R.C.P. 5(b), that on this 26th day of the month of February of the year 2018, I served a true and correct copy of the foregoing SUPPLEMENTAL POSTCONVICTION PETITION FOR WRIT OF HABEAS CORPUS as follows:

Warden
Florence McClure Women's Correctional Center
4370 Smiley Rd.
Las Vegas, NV 89115

By US MAIL

Attorney General
Heroes' Memorial Building
Capitol Complex
Carson City, Nevada 89710

By US MAIL

Douglas County District Attorney
Douglas County Judicial and Law Enforcement Building
1038 Buckeye Road
Minden, Nevada 89423

By Personal Service

By: _____

2-26-18
M. Allen



SHERIFF-CORONER'S
DEPARTMENT
Douglas County, Nevada

STATEMENT FORM

Statement taken on
2/23/14 @ approx 1250
hours.

VICTIM _____
WITNESS ☒ _____
DRIVER _____
PASSENGER _____

Page 1 of 1

LAST NAME - FIRST - MIDDLE Leibel, Tatiana		D.O.B. 1/3/64	RACE - SEX W - F		CASE # 1450 05132	AGE 50	HT. 5'2"	WT. 100	HAIR Red	EYES Green
PHYSICAL ADDRESS 452 Kent Way, Zephyr Cove		MAILING ADDRESS PO Box 10676 Zephyr Cove 89448			HOME PHONE # (775) 339-1225					
SS # 625607879		EMPLOYMENT/LOCATION			WORK PHONE #					
YEAR		MAKE	MODEL	COLOR						
LICENSE PLATE/STATE		DRIVER'S LIC NO. 0202786641			STATE NV					

MY OBSERVATION OR INVOLVEMENT IN THIS MATTER WAS AS FOLLOWS:

Arguing about to going to Los Angeles to visit Lana (Daughter) by driving. Both very upset. Harry got up and shaved this morning. I offered to make Harry breakfast, he accepted. Harry sat on the couch, right with him. I made breakfast, gave it to him. He ate it and drank juice. Harry started watching pool on television. I tried to talk to him about going to visit my daughter. He became very upset, said "I'll be alone, nobody will take care of me." I went back into kitchen, then heard a loud noise. Went to living room, saw Harry holding the rifle. Harry looked at her me, I covered my eyes. Second loud noise Gun had fallen across Harry's lap. Ran into kitchen got house phone, called 911. Was told to move Harry to the floor. I moved the gun onto the floor, and then pulled Harry onto the floor. Harry's head fell across gun barrel. I moved the gun from floor to the couch.

Yesterday, he said, "I'll kill myself if you go."

Transcribed by B. Williamson #529, Tatiana does not write
well in English

SIGNATURE OF PERSON MAKING STATEMENT:

DATE/TIME:

1/6/03

11/13/14
08:15

Douglas County Sheriff Minden, Nevada
Law Supplemental Narrative:

232
Page: 1

Details

Incident Number: 14SO05132
Sequence Number: 43

Name: Garren E
Date: 09:27:10 11/04/14

Narrative
(See below)

=====

Narrative:

Douglas County Sheriff's Department
Supplemental Narrative

Case Number: 14SO05132

Investigation:

10-07-2014 (Tuesday)

Chris Headrick Interview:

At about 1300 hours, I interviewed Chris in the Interview Room in the investigations office at the Lake Station. The interview was recorded with video and audio format and downloaded to DVD and booked into the Douglas County evidence system. The following is a summary of Chris's interview.

Chris said he met Harry and Tatiana while he was dating LeeAnn Brooks. Chris said they dated for about five years. Chris said he met LeeAnn about a year after her divorce. Chris said he frequently had dinner with them and visited with them quite often.

Chris described Harry as being very picky and very particular about everything. Chris said that Harry got along with all animals and was an overall general nice guy, however he did have an irritable side. Chris also described Harry as a "lonely guy" and added that he did not know why Harry would be so lonely.

Chris described Tatiana as subdued and did not know if Harry was controlling over her. Chris added that he never saw an argument between them. Chris said he never observed Harry being controlling and based his perception of Tatiana from her demeanor. Chris said that the majority of the time Harry was pleasant towards Tatiana and said he just had a feeling that maybe Harry was controlling her. Chris said he talked with LeeAnn about this and LeeAnn told him that Tatiana had been involved in a serious automobile accident and she had been heavily medicated for years prior. LeeAnn told him that that might have something to do with Tatiana and her behavior. Chris said he did believe that Tatiana truly loved Harry and took very good care of him.

I asked Chris what he knew about Tatiana. Chris said he knew and talked with her

11615

brother, Igor, and would do things with him and Harry. I asked Chris what he knew about Tatiana from before she came to the United States. Chris said Tatiana was very quiet and he never got into any conversations with her regarding her past.

Chris said he and Harry talked a lot and it was usually about how things are going with Chris and the work he does. Chris said that Harry would always try to steer him into another line of work other than cutting firewood and delivering it. Chris said Harry never talked about his personal life or his financial status with him. Chris said when you were at Harry's house 95% of the time Harry "had the floor".

I asked Chris if Tatiana worked. Chris said Tatiana was working on some type of high-tech software. Chris added that Harry really helped Tatiana on this venture. Chris said that Tatiana was working in Reno and possibly through the Gov.'s office or with a State Senator, and added that she was working some really strange hours. Chris said the past six months before the incident he would come over and visit Harry and Tatiana would not be at home. Chris said he'd ask Harry were Tatiana was and he would tell her that she worked all night and was sleeping. Chris said that Harry was putting a lot of money into the business that Tatiana was running and seemed to be stressed about it. Chris said the last year he seemed more and more stressed and edgy about it. Chris added that he had conversations with Harry where he believed Harry was irritated about the business that Tatiana was running.

Chris said that Harry was irritated by the late hours that Tatiana was working, but added at the same time he was happy that she was doing the business. Chris added that previously Tatiana got ripped off by the Russians. Chris said he was told that she had a multimillion dollar business deal with the Russian government because she worked for the Russians. Chris was told that Tatiana had a software program that she was trying to sell to the Russians through Oracle, but Oracle took her idea and cut her out of the deal. Chris said he believed the new company Tatiana was running was to get back at Oracle and develop new software.

Chris said at one point he thought Harry was about to talk to him about some financial issues, but then he would smoke marijuana and the subject changed. Chris said that if Harry didn't have his marijuana every day he is extremely irritable.

Chris said there was a time he provided Harry with marijuana and added that Harry talked him into being a grower in California. Chris said Harry had some serious digestive issues and that's why he smoked marijuana.

I told Chris that after reviewing the text messages between him and Harry it appeared that Harry was very demanding. I told Chris that it also appeared that he would not respond to Harry's texts. Chris said at times he didn't respond because with Harry it was always about Harry and added that he drives a lot and that's also why he wouldn't respond to Harry's messages.

Chris said when their opportunities to go to San Diego or Los Angeles that Harry would never go, it was always Tatiana. Chris said when Tatiana would go she would be gone for three or four days. I asked Chris how Harry dealt with that. Chris told me that Harry didn't like it. Chris said that Harry was capable of taking care of himself but he would rather have Tatiana there to take care of things for him. Chris added that sometimes he got the feeling that Harry liked

it when Tatiana wasn't there, and added it was kind of like a break for Harry.

Chris said he knew Chaya-Anna because she was still living at the house at the time when he met Harry. Chris said he met Lana a couple of times at functions. Chris added that Harry never spoke much about Tatiana's kids or even his kids. I asked Chris if Harry had an issue with Lana marrying a black man. Chris said no, and added that the issue he had was that Lana's husband was lazy. I asked Chris if he knew Harry's children and he said he knew who they were and met them at several functions as well. Chris said he got the sense that Harry wasn't too close with the children. I asked Chris if he knew if Harry had an issue with Cheron's husband, who is also black. Chris said no, he did not think Harry had an issue with black people at all.

I asked Chris about a text he had sent to Harry's phone on 02-24-2014. I read the following portion of the text to Chris.

"Harry my friend you have left me without saying goodbye? The good moments we've had and your truths of life and people that we have in our universe good and bad. I knew a month ago something wasn't right and felt you were going to be on your journey to another world." Chris said because Harry had talked about dying, which he had never done before. Chris said he thought Harry was into astrology and he talked about graduating from seven different lifetimes. Harry said he was on the top of his game on graduating into the next life which was the afterlife. ~~Chris further explained that Harry talked about being in the last stage of life and that he was going into the next stage which was the eternal life.~~ Chris said he thought Harry wanted to be there because he was in so much pain. Chris said he wasn't sure where this ideology came from.

I asked Chris what he believed Harry meant when they talked about this ideology. Chris said he believed Harry had done everything and was ready to move on to the next stage. I told Chris it sounded to me like Harry had just come to terms with his own mortality and Chris agreed.

I asked Chris if he ever knew Harry to be depressed. Chris struggled to find an answer and then ultimately said yes that he had felt some depression in Harry. Chris said Harry had done everything, he was rich and he could do anything he wanted. Chris said the weekend Harry died he knew Harry was mad because Chris had not brought him any marijuana. Chris said he did not like transporting the marijuana into NV. Chris said according to Tatiana if Harry didn't get his marijuana he was extremely irritable. I asked Chris if Harry not having his marijuana would have pushed him to the point of taking his own life. Chris said no, he can't see Harry killing himself.

Chris said he was in Tahoe on the day of the incident and added that he had drove past the house and saw the yellow Sheriff's tape up and decided to keep on driving because he had marijuana in the car for Harry.

Chris said the part about good and bad people was that some people and things irritated Harry.

Chris said he remembers thinking he was going to have dinner with Harry on the night before he died but did not make. Chris said the next morning, Sunday 02-23-2014, he was worried because he had attempted to call Harry in the morning but Harry never answered the phone. Chris said that Harry would always answer his phone and that was the cause of his worry. Chris said he thinks he called the house phone and left the messages for Harry. Chris said he believes he tried

to call Harry between 9 and 11 AM that day.

*260613
check phone records*

I asked Chris if he would be willing to allow me to extract data from a cell phone to see if I can verify what time he called Harry. Chris agreed.

I told Chris that Darla and Cheron had told me that Harry had a sharp tongue and could cut you up verbally with his words. Chris said he never witnessed any of that. Chris added that when Harry would smoke marijuana he would be less picky, less irritable and able to tolerate situations. Chris added that he could see Harry getting Tatiana "so pissed off", but he couldn't see her grabbing a gun and shooting him but may be throwing a pot at him. Chris said if Harry doesn't get his way he's a spoiled little brat. Chris added, "It's his way or the highway." Chris said that was only part about Harry that he didn't care for.

I asked Chris about another part of the text that was sent on 02-24-2014, that read, "This world wasn't right for your soul I couldn't say why? But I did see it." Chris said that he just didn't think Harry was happy. I asked Chris if that was the entire time with Harry or had it progress over time. Chris told me it had progressed over time. I asked Chris when he started noticing that Harry wasn't happy. Chris said it was no more than a year ago.

I asked Chris if Harry ever talk to him about his medical issues. Chris said he talked a lot about his stomach issues and that he was in a lot of pain. I asked Chris if he thought the amount of pain Harry was in would cause him to take his own life, Chris said no. I asked Chris if Harry ever talked about the pain being too much for him to handle and Harry talking about taking his own life, Chris said no. I asked Chris if Harry ever talked about suicide in general terms, Chris said no.

I asked Chris since he knew Harry so well what it would take for Harry to take his own life. Chris said if Harry got news that he was terminally ill, he believes Harry may do something at that point to not prolong the pain. Chris said because Harry dealt with major pain. I asked Chris if based on Harry's religious belief if he still thought Harry would take his own life if he thought he was terminally ill. Chris said from what he's been taught about all religions is you will never make it to heaven if you commit suicide. Chris said with that in mind he believes Harry wouldn't take his own life and would deal with the suffering.

Chris told me that he was familiar with all of Harry's firearms. I asked Chris if Harry had a favorite firearm. Chris said that Harry loved his rifles. I asked Chris which one. Chris said the one hanging on the wall in the living room. I asked Chris if it was the AR style rifle and he said no the smaller caliber one. I asked Chris if Tatiana had a favorite firearm and he said she liked the pistols. I asked Chris if he knew if Harry kept his guns loaded or unloaded. Chris was adamant that Harry kept the guns loaded. Chris added especially the guns in the bedroom were kept loaded and said he had several spots in the bedroom where he had placed guns.

I asked Chris if he was familiar with the Circuit Judge. Chris originally said no but after I describe it to him he said he was familiar with it. Chris said Harry had showed him that weapon several times. I asked Chris if he knew where Harry kept it and Chris said he wasn't sure.

Disposition:

To be attached to the original report.

11-04-2014

Investigator Edward Garren

Investigative hours: 2 hours

Dear Honorable Judge Young,

On the morning of Sunday, February 23, 2014, I received a phone call that scarred me for a lifetime. My mother called me hysterically crying, unable to make out any words that I could understand. After continuously asking her what had happened, but not being able to understand what she was saying, a deputy took over and told me that my father had taken his life and was found dead on the scene. I dropped to the floor, unable to comprehend what was just said to me. After hearing that I had lost my father, I came home to Lake Tahoe the next day to be with my mother. I arrived early the next morning and I was surprised to find my mother still being questioned at the sheriff's station. When she was finally released from questioning, for the first time since that horrific phone call, I was able to finally hug my mother. I was finally able to cry with her from the terrible loss of my father. We both could not understand how my father's death happened and were just in shock. For the rest of the day, my mother tried to make arrangements for his funeral since in the Jewish faith, my father's body needed to be buried within a certain time frame. Her actions did not mirror those of someone who had just shot her husband. Her actions were those of a loving wife who had just witnessed her husband committing suicide.

After being able to be in my mother's arms for that entire day, the next morning we were told to go to our home by Deputy Garren. We were told that our home was going to be released to us. However, Deputy Garren lied and tricked us in order to get us there. Once we arrived at the house, Garren pulled my mother out of the car and put her in handcuffs. Deputy Garren was taking my mother away after I had just lost my father two mornings before. Now both of my parents had been stripped from my life, and the second time, I actually had to witness it happen. At that moment, I had become an orphan. I was a child at 19 years old who had not only lost her father, but had witnessed her mother being ripped away from her life.

Since that day, I have had to grieve my father's death on my own. Since that day, I have had to cry myself to sleep without having my mother's arms wrapped around me. It has been terrible and torturous enough that my father has not been in my life, but my mother has been held in jail and I have not been able to grieve with her. I have been alone through the loss of my dad and my mom too. My parents and I were extremely close. Even though I left for college and live in San Diego, I visited home every break and holiday. I talked to my parents on the phone everyday or every other day. Unfortunately for the past year I have had no one to visit, and no one to call. Somehow I have managed to stay in school, but after every good grade I get on a test, there has been no one to tell. My mom calls me from jail every day, but I can't call her, it is not even close to being the same. We get a fifteen-minute time limit a day and then I am left alone again till the next phone call.

The loss of both my parents from my life has been extremely hard, but what has made it even harder are the lies and facades that Cheron Bartee and Justin Liebel have painted for the court. I have read both of their letters and although there are no direct lies, there are definitely misconceptions that I would like the court to be aware of. To begin, both of their letters have pictures of my father with them, however those pictures were taken many years ago. As much as Cheron and Justin

would have liked to have been close with their father, they were not, especially Cheron. Just so you are aware, Harry was initially my stepfather. Before him, there was no man who I ever considered calling my dad. He came into my life when I was eight years old and married my mother a year later. After that, I considered him to be my daddy as I was his little girl. Together, he and my mother raised me from a young girl to an adult. Cheron however stopped speaking to her father five years before his death. She sent him a hateful and mean letter telling him that she no longer considered him her father and that he was not part of her life anymore. It hurt him dearly, but they did not speak even once since that letter was given to him which would now be six years ago. In Cheron's letter, she stated Harry would not be a part of his grandchildren's lives. The only reason my father knew that Cheron had her first child was because I saw a picture on Facebook. After telling him that she gave birth to a little girl, he said that he did not care to even know his granddaughter's name because Cheron was not her daughter and that was not his grandchild. As sad as that was, Cheron should not be painting this picture of her and Harry being close at all since they were the exact opposite.

Since my father's death, Cheron has given away or sold all of his personal things. She had no care for any of his things that are sentimental to me, they were just tossed away to strangers, I wasn't even asked. Cheron may have been close to her father when she was younger, but the truth is that they had not spoken one word to each other for over five years. Cheron definitely has the right to be emotional about her father's death, but she does not have the right to be able to paint these misconceptions to the courtroom. In regards to Justin Leibel, he was still occasionally present in Harry's life even though Cheron was not. Once a year, twice if stretching it, he would visit our home in Lake Tahoe and stay for a short period of time. In court, he told the courtroom that they spoke about once a month. To me this does not resemble a close child and parent relationship, definitely not like the one I had with my parents. The last time I remember seeing Cheron was when I was in middle school, I am now a junior in college. As for Justin, I saw him twice when I was in high school and when he visited after Cheron gave birth to her first child, he tried telling my father about it but my dad refused to listen. Cheron and Justin are asking to have my mother, the only parent I have left, to be sentenced to life because they believe she took their father's life even though they barely spoke to each other. Instead of acting like my siblings, they have shut me out completely, turning everyone against my mother, and have tossed away all of my parents things. My mom's jewelry, her fur coats, all are gone. These were Mom's personal things not part of "Harry's estate." Cheron was appointed the executor of the estate without the court knowing the truth about her nonexistent relationship with her father and she chose to give away all of our family's possessions. Even though she took away my parents things, she cannot take away the memories I have with my father, the memories that she never made with him. On top of losing both my parents, Cheron and Justin have made this past year unbearable for me.

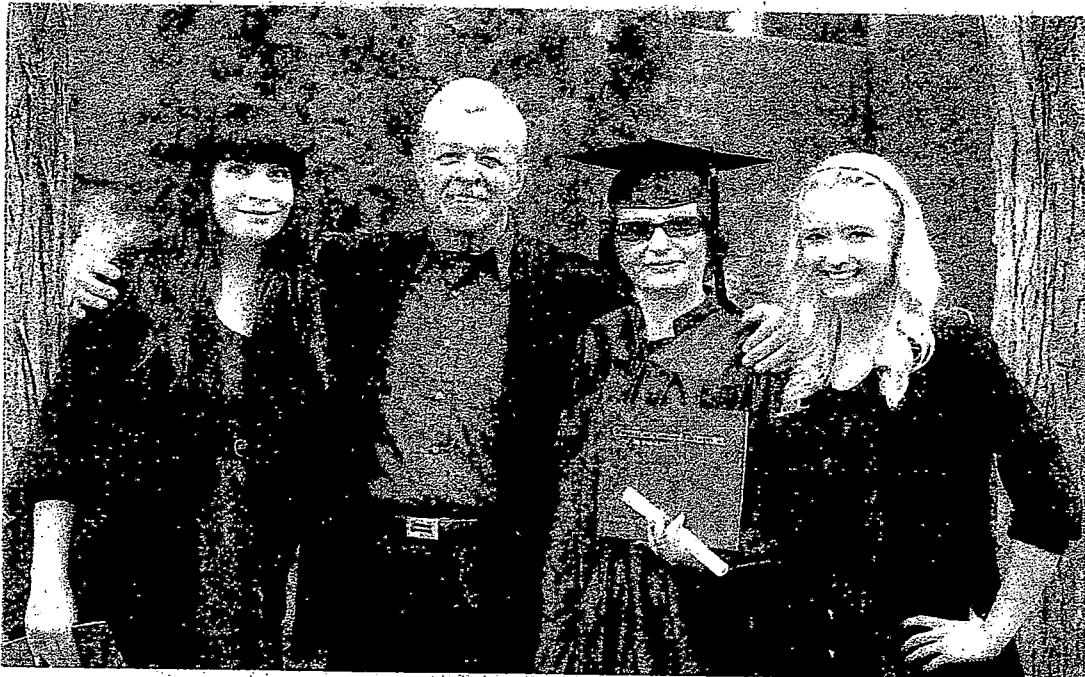
My mother is the most loving, sweet, kind-hearted woman that I have been so lucky enough to have in my life. Unfortunately this nurturing mother has been wrongly accused and has been sentenced to prison. I cannot even put into words on how terrible this makes me feel. My mom did not kill my dad!

This past year, I lost my father, my mother was been taken away from me, and my home has been left an empty place of memories, so I beg you Judge Young, please do not leave me with a life of feeling like an orphan. Do not sentence my mother with the highest sentencing. I already bear the hard loss of not ever having my father be at my college graduation, or my wedding, or seeing him hold his future grandchildren. Please do not let those moments be left without my mother being there as well. My mother already has three grandchildren that she will miss years of seeing them grow older, please do not take away from her being a part of their lives too. Please do not leave me with the absent memories of my mother not being a part of my adulthood. I haven't even turned 21 yet and I already have to deal with losing them both, please do not let me go on living my life without my mother. I beg of you to please give my mother the lowest sentencing possible. Since day one she has claimed her innocence because she has been wrongly accused of my father's murder. My parents loved each other. This has been the hardest year for me; please do not have me keep living through terrible ones for the rest of my life alone. Please let me know what it feels like again to be in my mother's arms and to at least have one parents present in my life.

Thank you for your consideration,

Chaya-Anna Leibel

Chaya-Anna Leibel



Mom's college graduation - UNR

05/20/14
15:20

Douglas County Sheriff Minden, Nevada
Law Supplemental Narrative:

232
Page: 1

Details

Incident Number: 14SO05132
Sequence Number: 24

Name: Garren E
Date: 14:26:22 05/13/14

Narrative
(See below)

=====

Narrative:

Douglas County Sheriff's Department
Supplemental Narrative
Case# 14-SO-05132

INTERVIEW OF SHARON OREN:

On Thursday, 03/06/14, at approx 0940 hours, I interviewed Sharon at his place of business, Maccabee Arms, 2295 Keitzke Reno, NV. The interview was recorded with audio format and downloaded to CD and booked into the Douglas County evidence system. The following is a summary of Sharon's interview.

Sharon said he's known Harry for about three and half years. Sharon said he met Harry at one of the local gun shows. Sharon said Harry has visited him at his house, he's visited Harry at his house and they would spend time in the summer at the lake on the boat. Sharon said he knew Tatiana as well.

Sharon said when he first met Harry and Tatiana they had a good relationship. Sharon said he had suspicions about the true meaning of their relationship. I asked Sharon what gave him those suspicions. Sharon said based on his background, working with the Israeli Secret Service, and his wife's background, as a clinical psychologist. Sharon said with Harry and Tatiana it seemed too good to be true. Sharon said also the story of Tatiana's background. Sharon said Tatiana's story about being a business woman of her age from Moscow, being Jewish, with two young children, being divorced and moving to Los Angeles during the political regime in Russia at that time, Sharon said there's no such thing. Sharon said he lived in those parts of the world for quite some time and being stationed there and working with those governments, he believed her story didn't make sense unless you're some sort of government agent. Sharon said Tatiana said she had businesses and property in Moscow.

Sharon said about two years ago things started going downhill and fast. Sharon said it mostly involved Tatiana's older daughter. Sharon said the older daughter lived in Los Angeles and was involved with a man that Harry disapproved of, both of them were involved in drugs and having a problem getting money. Sharon said Tatiana didn't have her own money, that Harry was, "the money". Sharon said things were disappearing from the house and being pawned. Sharon said there was also money missing from accounts and possible embezzlement of funds from a scholarship or grant that Tatiana was working on. Sharon said the grant had some

1625

to do with the state of NV, University NV and possibly NV energy. Sharon added that there were checks that were stolen and faked. Sharon said this was all stuff Harry told him about.

Sharon said Harry told him about checks of his that were stolen where his signature was forged by Tatiana. Sharon said Harry told him the bank, which he believed was Wells Fargo, was looking into that as well as credit card embezzlement too. Sharon said Harry was trying to delay the investigation with the bank because he wanted to see where things were going to end with Tatiana before it got out of hand.

Sharon said he met the older daughter twice, and even tried to help them find a place to live in Reno. Sharon said things did not work out in finding them a place, plus Harry had said no, that's it, and the older daughter ended up moving back to Los Angeles. I asked Sharon what he meant when he said Harry said, "That's it", what did Harry mean. Sharon said he thinks that's when Harry officially cut the daughter off financially. Sharon said during the same time Tatiana stayed in Reno working for about a week. Sharon said on a few occasions Tatiana would come by and ask his wife if she could borrow some money. Sharon said all this happened within the past 8 to 12 months, he thinks.

Sharon added that based on Tatiana's appearance and behavior he believed she could possibly be using methamphetamine.

Sharon said he tried to include him in things because Harry was always alone at the Lake. Sharon said in his opinion being alone was one of Harry's biggest fears. I asked Sharon if being alone was Harry's biggest fear, at what point did he think Harry would do something about being alone. Sharon said, "Nothing. Harry is too proud, too stubborn, and had it too good to kill himself." Sharon said Harry would never have committed suicide. I asked Sharon if Harry ever got to the point where he was depressed to the point that he talked about suicide. Sharon said never.

Sharon described Harry as, "One stubborn Jew." I asked Sharon what Harry's religious beliefs were when it came to death, the afterlife, and suicide. Sharon said in the Jewish faith if you commit suicide you're not allowed to be buried with your fellow Jews. Sharon said it's considered being expelled, so it's a very big deal in the Jewish community. Sharon added that you commit suicide you don't get the full Jewish ceremony and you're being buried what they consider "outside the wall". Sharon said it's a huge shame. Sharon added that based on his knowledge and friendship of Harry he was adamant that Harry would not have committed suicide.

Sharon said Harry's relationship with Cheron and Justin was painful. Sharon said the issues with Cheron and Harry troubled him and he was also trying to rebuild the relationship with Justin, because it was a real nasty divorce with their mother. Sharon said Harry was away from his grandkids, away from his daughter, who he had a lot of pride for because she worked for LAPD. Sharon told me the estrangement between Harry and Cheron was not because she married a black man. Sharon said Harry didn't approve of him as an individual.

I asked Sharon what was last time he spoke to Harry. Sharon said Harry was in the shop about a month and a half ago, but Sharon didn't see him at the shop, he spoke to him on the phone.

Sharon told me he believed Tatiana's brother visited twice within the past year

from Moscow. Sharon said he thought this was odd because Tatiana and Harry's relationship wasn't very good and Tatiana's brother visits twice in the same year.

I told Sharon he told me that Harry had stopped giving Lana money, and I asked him if Harry ever talked about also stopping giving money to Chaya-Anna or Tatiana. Sharon said Harry said for Tatiana yes but for Chaya Anna no because she was always special to him. I asked Sharon when Harry talked to him about no longer giving Tatiana money. Sharon said about eight months to year ago when the embezzlement stuff with the bank came up. Sharon said Harry told them he gave her an ultimatum to come up with the money to pay him back or Harry would let the bank go after her. Sharon said he believed it was in the neighborhood of about \$170,000. Sharon said what he understood was that the bank was waiting for Harry to press charges against Tatiana. Sharon said everything the bank was ready however Harry kept giving Tatiana more chances but it never happened.

Sharon described Harry as wanting to be a gun person but was not very knowledgeable about guns. Sharon said he sold Harry his AR rifle within the past year. He also sold him Keltech AR pistol and the Taurus Circuit Judge. Sharon told me that the Circuit Judge was the favorite weapon for both Harry and Tatiana to shoot. I asked Sharon how he knew that. Sharon indicated they took the Circuit Judge with them every time they went to shoot. Sharon added that Tatiana was a marksman with that rifle. Sharon said Harry was only an okay shooter. I asked Sharon this Harry had a favorite gun. Sharon said it was an old gun that was sitting in the rack in his living room. Sharon said Harry told him that the Circuit Judge was Tatiana's favorite gun. Sharon also added that Tatiana told him several times that she loved shooting that gun.

DISPOSITION:

Attach to original report.
Forward to DA for information.

05-13-2014

Investigator Edward Garren
Investigative hours: 8 hours

Dear Honorable Judge Young,

On the morning of Sunday, February 23, 2014, I received a phone call that scarred me for a lifetime. My mother called me hysterically crying, unable to make out any words that I could understand. After continuously asking her what had happened, but not being able to understand what she was saying, a deputy took over and told me that my father had taken his life and was found dead on the scene. I dropped to the floor, unable to comprehend what was just said to me. After hearing that I had lost my father, I came home to Lake Tahoe the next day to be with my mother. I arrived early the next morning and I was surprised to find my mother still being questioned at the sheriff's station. When she was finally released from questioning, for the first time since that horrific phone call, I was able to finally hug my mother. I was finally able to cry with her from the terrible loss of my father. We both could not understand how my father's death happened and were just in shock. For the rest of the day, my mother tried to make arrangements for his funeral since in the Jewish faith, my father's body needed to be buried within a certain time frame. Her actions did not mirror those of someone who had just shot her husband. Her actions were those of a loving wife who had just witnessed her husband committing suicide.

After being able to be in my mother's arms for that entire day, the next morning we were told to go to our home by Deputy Garren. We were told that our home was going to be released to us. However, Deputy Garren lied and tricked us in order to get us there. Once we arrived at the house, Garren pulled my mother out of the car and put her in handcuffs. Deputy Garren was taking my mother away after I had just lost my father two mornings before. Now both of my parents had been stripped from my life, and the second time, I actually had to witness it happen. At that moment, I had become an orphan. I was a child at 19 years old who had not only lost her father, but had witnessed her mother being ripped away from her life.

Since that day, I have had to grieve my father's death on my own. Since that day, I have had to cry myself to sleep without having my mother's arms wrapped around me. It has been terrible and torturous enough that my father has not been in my life, but my mother has been held in jail and I have not been able to grieve with her. I have been alone through the loss of my dad and my mom too. My parents and I were extremely close. Even though I left for college and live in San Diego, I visited home every break and holiday. I talked to my parents on the phone everyday or every other day. Unfortunately for the past year I have had no one to visit, and no one to call. Somehow I have managed to stay in school, but after every good grade I get on a test, there has been no one to tell. My mom calls me from jail every day, but I can't call her, it is not even close to being the same. We get a fifteen-minute time limit a day and then I am left alone again till the next phone call.

The loss of both my parents from my life has been extremely hard, but what has made it even harder are the lies and facades that Cheron Bartee and Justin Liebel have painted for the court. I have read both of their letters and although there are no direct lies, there are definitely misconceptions that I would like the court to be aware of. To begin, both of their letters have pictures of my father with them, however those pictures were taken many years ago. As much as Cheron and Justin

would have liked to have been close with their father, they were not, especially Cheron. Just so you are aware, Harry was initially my stepfather. Before him, there was no man who I ever considered calling my dad. He came into my life when I was eight years old and married my mother a year later. After that, I considered him to be my daddy as I was his little girl. Together, he and my mother raised me from a young girl to an adult. Cheron however stopped speaking to her father five years before his death. She sent him a hateful and mean letter telling him that she no longer considered him her father and that he was not part of her life anymore. It hurt him dearly, but they did not speak even once since that letter was given to him which would now be six years ago. In Cheron's letter, she stated Harry would not be a part of his grandchildren's lives. The only reason my father knew that Cheron had her first child was because I saw a picture on Facebook. After telling him that she gave birth to a little girl, he said that he did not care to even know his granddaughter's name because Cheron was not her daughter and that was not his grandchild. As sad as that was, Cheron should not be painting this picture of her and Harry being close at all since they were the exact opposite.

Since my father's death, Cheron has given away or sold all of his personal things. She had no care for any of his things that are sentimental to me, they were just tossed away to strangers, I wasn't even asked. Cheron may have been close to her father when she was younger, but the truth is that they had not spoken one word to each other for over five years. Cheron definitely has the right to be emotional about her father's death, but she does not have the right to be able to paint these misconceptions to the courtroom. In regards to Justin Leibel, he was still occasionally present in Harry's life even though Cheron was not. Once a year, twice if stretching it, he would visit our home in Lake Tahoe and stay for a short period of time. In court, he told the courtroom that they spoke about once a month. To me this does not resemble a close child and parent relationship, definitely not like the one I had with my parents. The last time I remember seeing Cheron was when I was in middle school, I am now a junior in college. As for Justin, I saw him twice when I was in high school and when he visited after Cheron gave birth to her first child, he tried telling my father about it but my dad refused to listen. Cheron and Justin are asking to have my mother, the only parent I have left, to be sentenced to life because they believe she took their father's life even though they barely spoke to each other. Instead of acting like my siblings, they have shut me out completely, turning everyone against my mother, and have tossed away all of my parents things. My mom's jewelry, her fur coats, all are gone. These were Mom's personal things not part of "Harry's estate." Cheron was appointed the executor of the estate without the court knowing the truth about her nonexistent relationship with her father and she chose to give away all of our family's possessions. Even though she took away my parents things, she cannot take away the memories I have with my father, the memories that she never made with him. On top of losing both my parents, Cheron and Justin have made this past year unbearable for me.

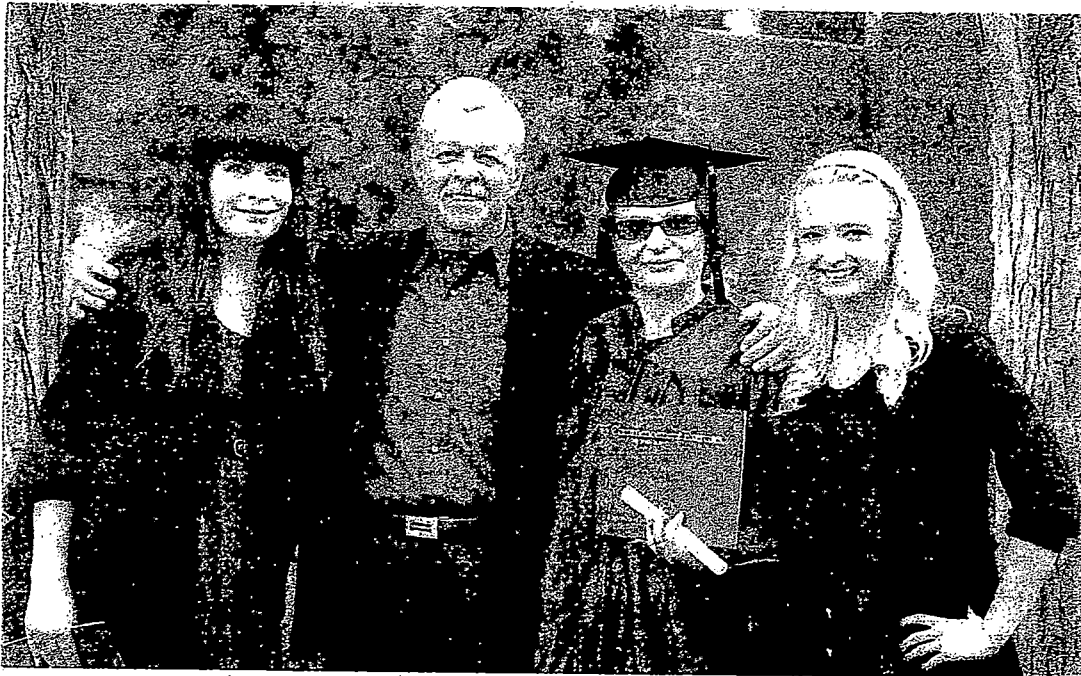
My mother is the most loving, sweet, kind-hearted woman that I have been so lucky enough to have in my life. Unfortunately this nurturing mother has been wrongly accused and has been sentenced to prison. I cannot even put into words on how terrible this makes me feel. My mom did not kill my dad!

This past year, I lost my father, my mother was been taken away from me, and my home has been left an empty place of memories, so I beg you Judge Young, please do not leave me with a life of feeling like an orphan. Do not sentence my mother with the highest sentencing. I already bear the hard loss of not ever having my father be at my college graduation, or my wedding, or seeing him hold his future grandchildren. Please do not let those moments be left without my mother being there as well. My mother already has three grandchildren that she will miss years of seeing them grow older, please do not take away from her being a part of their lives too. Please do not leave me with the absent memories of my mother not being a part of my adulthood. I haven't even turned 21 yet and I already have to deal with losing them both, please do not let me go on living my life without my mother. I beg of you to please give my mother the lowest sentencing possible. Since day one she has claimed her innocence because she has been wrongly accused of my father's murder. My parents loved each other. This has been the hardest year for me; please do not have me keep living through terrible ones for the rest of my life alone. Please let me know what it feels like again to be in my mother's arms and to at least have one parents present in my life.

Thank you for your consideration,

Chaya-Anna Leibel

Chaya-Anna Leibel



Mom's college graduation - UNR

05/20/14
15:20

Douglas County Sheriff Minden, Nevada
Law Supplemental Narrative:

232
Page: 1

Details
Incident Number: 14SO05132
Sequence Number: 24

Name: Garren E
Date: 14:26:22 05/13/14

Narrative
(See below)

= = = = =

Narrative:

Douglas County Sheriff's Department
Supplemental Narrative
Case# 14-SO-05132

INTERVIEW OF SHARON OREN:

On Thursday, 03/06/14, at approx 0940 hours, I interviewed Sharon at his place of business, Maccabee Arms, 2295 Keitzke Reno, NV. The interview was recorded with audio format and downloaded to CD and booked into the Douglas County evidence system. The following is a summary of Sharon's interview.

Sharon said he's known Harry for about three and half years. Sharon said he met Harry at one of the local gun shows. Sharon said Harry has visited him at his house, he's visited Harry at his house and they would spend time in the summer at the lake on the boat. Sharon said he knew Tatiana as well.

Sharon said when he first met Harry and Tatiana they had a good relationship. Sharon said he had suspicions about the true meaning of their relationship. I asked Sharon what gave him those suspicions. Sharon said based on his background, working with the Israeli Secret Service, and his wife's background, as a clinical psychologist. Sharon said with Harry and Tatiana it seemed too good to be true. Sharon said also the story of Tatiana's background. Sharon said Tatiana's story about being a business woman of her age from Moscow, being Jewish, with two young children, being divorced and moving to Los Angeles during the political regime in Russia at that time, Sharon said there's no such thing. Sharon said he lived in those parts of the world for quite some time and being stationed there and working with those governments, he believed her story didn't make sense unless you're some sort of government agent. Sharon said Tatiana said she had businesses and property in Moscow.

Sharon said about two years ago things started going downhill and fast. Sharon said it mostly involved Tatiana's older daughter. Sharon said the older daughter lived in Los Angeles and was involved with a man that Harry disapproved of, both of them were involved in drugs and having a problem getting money. Sharon said Tatiana didn't have her own money, that Harry was, "the money". Sharon said things were disappearing from the house and being pawned. Sharon said there was also money missing from accounts and possible embezzlement of funds from a scholarship or grant that Tatiana was working on. Sharon said the grant had some

to do with the state of NV, University NV and possibly NV energy. Sharon added that there were checks that were stolen and faked. Sharon said this was all stuff Harry told him about.

Sharon said Harry told him about checks of his that were stolen where his signature was forged by Tatiana. Sharon said Harry told him the bank, which he believed was Wells Fargo, was looking into that as well as credit card embezzlement too. Sharon said Harry was trying to delay the investigation with the bank because he wanted to see where things were going to end with Tatiana before it got out of hand.

Sharon said he met the older daughter twice, and even tried to help them find a place to live in Reno. Sharon said things did not work out in finding them a place, plus Harry had said no, that's it, and the older daughter ended up moving back to Los Angeles. I asked Sharon what he meant when he said Harry said, "That's it", what did Harry mean. Sharon said he thinks that's when Harry officially cut the daughter off financially. Sharon said during the same time Tatiana stayed in Reno working for about a week. Sharon said on a few occasions Tatiana would come by and ask his wife if she could borrow some money. Sharon said all this happened within the past 8 to 12 months, he thinks.

Sharon added that based on Tatiana's appearance and behavior he believed she could possibly be using methamphetamine.

Sharon said he tried to include him in things because Harry was always alone at the Lake. Sharon said in his opinion being alone was one of Harry's biggest fears. I asked Sharon if being alone was Harry's biggest fear, at what point did he think Harry would do something about being alone. Sharon said, "Nothing. Harry is too proud, too stubborn, and had it too good to kill himself." Sharon said Harry would never have committed suicide. I asked Sharon if Harry ever got to the point where he was depressed to the point that he talked about suicide. Sharon said never.

Sharon described Harry as, "One stubborn Jew." I asked Sharon what Harry's religious beliefs were when it came to death, the afterlife, and suicide. Sharon said in the Jewish faith if you commit suicide you're not allowed to be buried with your fellow Jews. Sharon said it's considered being expelled, so it's a very big deal in the Jewish community. Sharon added that you commit suicide you don't get the full Jewish ceremony and you're being buried what they consider "outside the wall". Sharon said it's a huge shame. Sharon added that based on his knowledge and friendship of Harry he was adamant that Harry would not have committed suicide.

Sharon said Harry's relationship with Cheron and Justin was painful. Sharon said the issues with Cheron and Harry troubled him and he was also trying to rebuild the relationship with Justin, because it was a real nasty divorce with their mother. Sharon said Harry was away from his grandkids, away from his daughter, who he had a lot of pride for because she worked for LAPD. Sharon told me the estrangement between Harry and Cheron was not because she married a black man. Sharon said Harry didn't approve of him as an individual.

I asked Sharon what was last time he spoke to Harry. Sharon said Harry was in the shop about a month and a half ago, but Sharon didn't see him at the shop, he spoke to him on the phone.

Sharon told me he believed Tatiana's brother visited twice within the past year

from Moscow. Sharon said he thought this was odd because Tatiana and Harry's relationship wasn't very good and Tatiana's brother visits twice in the same year.

I told Sharon he told me that Harry had stopped giving Lana money, and I asked him if Harry ever talked about also stopping giving money to Chaya-Anna or Tatiana. Sharon said Harry said for Tatiana yes but for Chaya Anna no because she was always special to him. I asked Sharon when Harry talked to him about no longer giving Tatiana money. Sharon said about eight months to year ago when the embezzlement stuff with the bank came up. Sharon said Harry told them he gave her an ultimatum to come up with the money to pay him back or Harry would let the bank go after her. Sharon said he believed it was in the neighborhood of about \$170,000. Sharon said what he understood was that the bank was waiting for Harry to press charges against Tatiana. Sharon said everything the bank was ready however Harry kept giving Tatiana more chances but it never happened.

Sharon described Harry as wanting to be a gun person but was not very knowledgeable about guns. Sharon said he sold Harry his AR rifle within the past year. He also sold him Keltech AR pistol and the Taurus Circuit Judge. Sharon told me that the Circuit Judge was the favorite weapon for both Harry and Tatiana to shoot. I asked Sharon how he knew that. Sharon indicated they took the Circuit Judge with them every time they went to shoot. Sharon added that Tatiana was a marksman with that rifle. Sharon said Harry was only an okay shooter. I asked Sharon this Harry had a favorite gun. Sharon said it was an old gun that was sitting in the rack in his living room. Sharon said Harry told him that the Circuit Judge was Tatiana's favorite gun. Sharon also added that Tatiana told him several times that she loved shooting that gun.

DISPOSITION:

Attach to original report.

Forward to DA for information.

05-13-2014

Investigator Edward Garren

Investigative hours: 8 hours

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

The following transcription is of an audio-recorded interview with Tatiana Leibel conducted by Investigators Garren, Hubkey, and Chrzanowski. The date is February 23, 2014.

CHRZANOWSKI Hey Tatiana ...

LEIBEL Yes.

CHRZANOWSKI Hi. Okay, first and foremost, it's okay to be emotional ...

LEIBEL Yes ...

CHRZANOWSKI ... but if you can try and contain it a little bit so we can talk because, you know, it's hard to talk. First and foremost, you're not under arrest, okay?

LEIBEL (unintelligible ... crying)

CHRZANOWSKI Well, but just ... if you could focus please, okay?

LEIBEL Yes.

CHRZANOWSKI It's my understanding that you agreed to come down here willingly and talk to me about what happened today? Okay. The first thing that I need to do is I need to do a test on your hands.

LEIBEL Uh-huh.

CHRZANOWSKI Basically I'm just going to dab ... and what I'm testing for is gunshot residue on your hands.

LEIBEL Yeah.

CHRZANOWSKI Okay? Okay, so just one second. Let me get some information from you, alright, so (unintelligible), okay? Okay, can you spell Tatiana for me?

LEIBEL It's T like Tom, A ...

CHRZANOWSKI A ...

LEIBEL T like Tom ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Okay.

LEIBEL I ...

CHRZANOWSKI I ...

LEIBEL A ...

CHRZANOWSKI Uh-huh.

LEIBEL N - A.

CHRZANOWSKI Okay. And what's your last name? Like ... write like this ...

LEIBEL Uh-huh.

CHRZANOWSKI No A?

LEIBEL Yeah. The T ...

CHRZANOWSKI Oh, Tatiana.

LEIBEL T...

CHRZANOWSKI T-A-T. Okay, Tatiana. Okay. And how do you spell your last name?

LEIBEL Leibel. L-E-I ...

CHRZANOWSKI Uh-huh.

LEIBEL ... B-E-L.

CHRZANOWSKI B-E-L. Okay, and are you right or left-handed?

LEIBEL Right.

CHRZANOWSKI Right-handed, okay. And do you work? Do you have an occupation?

LEIBEL Yeah.

CHRZANOWSKI What ... what do you do for work?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I have company.

CHRZANOWSKI Okay. So what kind of com ... so you own your own company?

LEIBEL Yeah.

CHRZANOWSKI Okay, so you're self-employed. What kind of company is it?

LEIBEL (unintelligible) Group.

CHRZANOWSKI Okay. What kind of stuff do you do?

LEIBEL Software.

CHRZANOWSKI Okay.

LEIBEL Work together with Microsoft.

CHRZANOWSKI Okay. Wow.

LEIBEL Yeah.

CHRZANOWSKI That's way above my brain. (laughter). Okay, so what we're going to do is we're going to start with your right palm, okay, on this part of your hand.

LEIBEL Uh-huh.

CHRZANOWSKI And all I'm going to do is I'm going to take this vial ... I'm just going to kind of dab your hand, okay? And we'll just do one at a time, okay?

LEIBEL Yeah, okay.

CHRZANOWSKI Okay?

LEIBEL Uh-huh.

CHRZANOWSKI I just want to make sure I do this right. You doing okay?

LEIBEL Yeah.

CHRZANOWSKI Yeah? Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL (unintelligible)

CHRZANOWSKI And that's what I'm here to talk to you about so maybe we can both understand what happened here today, okay? But I figure we'll get this out of the way, okay? That way we don't have to do it when we're done talking.

LEIBEL Uh-huh.

CHRZANOWSKI Okay? So that's your right palm. And this is your left. You can relax that hand now. How long have you had your own company?

LEIBEL What ... five years.

CHRZANOWSKI Five years?

LEIBEL Uh-huh.

CHRZANOWSKI That's pretty cool to be your own boss, huh? Were you born in the United States, or did you come over from Russia?

LEIBEL No ... from ... from Russia.

CHRZANOWSKI How long have you been over here?

LEIBEL I come in 1992.

CHRZANOWSKI Okay, so for some time.

LEIBEL I have already children ...

CHRZANOWSKI A lot different here than over there.

LEIBEL ... children married here. And grandchildren ... have grandchildren ...

CHRZANOWSKI Right.

LEIBEL Yeah. And ... and Harry have grandchildren too from his children.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL But because of the ... she was police woman actually ...

CHRZANOWSKI Oh, okay.

LEIBEL Yeah. She married a black guy and he ... very ...

CHRZANOWSKI Go ahead and flip your hand over. There you go, thank you.

LEIBEL I don't know has say ... prejudice or ...

CHRZANOWSKI Your husband was prejudiced or ...

LEIBEL I think so after ... after parents ... because he not talk to her ... daughter already five years.

CHRZANOWSKI Oh ... to his daughter in five years?

LEIBEL Yeah.

CHRZANOWSKI Okay.

LEIBEL Daughter (unintelligible).

CHRZANOWSKI Okay.

LEIBEL Because this is how ...

CHRZANOWSKI Right.

LEIBEL ... she married the black guy.

CHRZANOWSKI Right.

LEIBEL And she already ...

CHRZANOWSKI And he wasn't okay with that?

LEIBEL No.

CHRZANOWSKI Okay, I see.

LEIBEL And she ... I remember when ... become married ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Uh-huh.

LEIBEL ... and he asked ... her ... her daughter if he coming wedding.

CHRZANOWSKI Right.

LEIBEL And she said you must apologize to everybody to my husband.

CHRZANOWSKI Right.

LEIBEL (unintelligible)

CHRZANOWSKI Right.

LEIBEL So ...

CHRZANOWSKI And he ... he wasn't ...

LEIBEL No, he apologized.

CHRZANOWSKI Oh he did?

LEIBEL Because he (unintelligible) married. (laughing)

CHRZANOWSKI That's funny.

LEIBEL Yeah, he apologized. And ... and wonderful wedding. And ... Jewish wedding.

CHRZANOWSKI Uh-huh. So you guys are Jewish?

LEIBEL And inside ... inside boat.

CHRZANOWSKI Uh-huh.

LEIBEL (unintelligible) month.

CHRZANOWSKI Uh-huh.

LEIBEL (unintelligible) Los Angeles (unintelligible)

CHRZANOWSKI Uh-huh.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL (unintelligible)

CHRZANOWSKI Right.

LEIBEL Yeah. And he have ... when he have sixty years old ... this is five years ago ...

CHRZANOWSKI Right.

LEIBEL ... I make him wonderful present for his birthday. I invite everybody. I invite my children. I invite his children. I invite his friend and ... Horizon restaurant ...

CHRZANOWSKI Uh-huh.

LEIBEL ... up ... so I don't know if you know Bob ... what his name? Real estate ... he die three years ago.

CHRZANOWSKI A couple of years ago, right?

LEIBEL You know this, yeah?

CHRZANOWSKI Uh-huh.

LEIBEL Yeah, real estate Bob.

CHRZANOWSKI Okay.

LEIBEL He really good friend to us.

CHRZANOWSKI Oh okay.

LEIBEL Yeah, so ...

CHRZANOWSKI You guys were good friends?

LEIBEL Yeah. He help me arrangement everything ... hotel to guests and fly ... fly ... fly everything.

CHRZANOWSKI Right.

LEIBEL So I remember Bob and I said okay Harry come on going to restaurant ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Right.

LEIBEL ... birthday.

CHRZANOWSKI Uh-huh.

LEIBEL So he come restaurant and everybody "happy birthday".

CHRZANOWSKI Oh ... was he so surprised?

LEIBEL Yeah.

CHRZANOWSKI Okay, you can relax your hands.

LEIBEL (unintelligible) ...

CHRZANOWSKI Right.

LEIBEL ... her husband.

CHRZANOWSKI Her husband, right.

LEIBEL And my daughter husband.

CHRZANOWSKI Oh ...

LEIBEL Because her daughter marriage to black guy.

CHRZANOWSKI Oh he didn't ...

LEIBEL And my daughter married to black guy.

CHRZANOWSKI Oh they both did?

LEIBEL And then my daughter have already children.

CHRZANOWSKI Oh okay.

LEIBEL And his daughter have already children.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL But already five years children ...

CHYZANOWSKI Uh-huh.

LEIBEL ... daughter ... his daughter ... he not knowing name. Grandchildren he not wanted name.

CHYZANOWSKI Ah. So he was pretty prejudiced because they married black men?

LEIBEL Yes.

CHYZANOWSKI Okay.

LEIBEL And when I am going to sum ... summer to ...to ... to ... to San Diego ... visit my daughter. She is San Diego University right now.

CHYZANOWSKI Okay.

LEIBEL And I ... and I visit Los Angeles. And he right away call me ... I have kidney stone. Coming please, come on, come on. I ... I am alone. You know I am suffering. I am driving.

CHYZANOWSKI Right, okay.

LEIBEL I am still driving. Big driving.

CHYZANOWSKI Right.

LEIBEL Even police stop me.

CHYZANOWSKI Right.

LEIBEL Give me ticket.

CHYZANOWSKI Oh no. So let me ask. First and foremost ...

LEIBEL Yeah.

CHYZANOWSKI ... what is your husband's name?

LEIBEL Harry.

CHYZANOWSKI Can you spell that for me?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL H-A-R-R ... no H-A ...

CHRZANOWSKI A?

LEIBEL A.

CHRZANOWSKI Oh, okay.

LEIBEL Yeah. R-R-Y.

CHRZANOWSKI Y. Harry?

LEIBEL Yeah.

CHRZANOWSKI Same last name?

LEIBEL Same last name, yeah.

CHRZANOWSKI Leibel. Okay. And Tatiana, what's your birthdate?

LEIBEL 1964.

CHRZANOWSKI Uh-huh.

LEIBEL January 3.

CHRZANOWSKI January 3rd?

LEIBEL Yeah.

CHRZANOWSKI My mom's is the 4th. And ...

LEIBEL January 4th?

CHRZANOWSKI Uh-huh. January 4th, yeah.

LEIBEL Capricorn.

CHRZANOWSKI Isn't that silly?

LEIBEL Was what year Zodiac?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Huh?

LEIBEL What year was Zodiac?

CHRZANOWSKI Um '62 I think.

LEIBEL No, Zodiac.

CHRZANOWSKI Oh Zodiac?

LEIBEL Your mom Capricorn? I am Capricorn.

CHRZANOWSKI Uh-huh, yeah.

LEIBEL You?

CHRZANOWSKI Me? I'm a Pisces.

LEIBEL Pisces.

CHRZANOWSKI Yes.

LEIBEL Her daughter Pisces. His daughter Pisces.

CHRZANOWSKI When is his birthday?

LEIBEL Okay ... November 17th, 1948.

CHRZANOWSKI '48?

LEIBEL Yeah.

CHRZANOWSKI Okay. How long have you guys been married?

LEIBEL Meet in 2002.

CHRZANOWSKI Okay. You guys got married in 2002?

LEIBEL No, no, no. Meet each other.

CHRZANOWSKI Oh, you met in 2002?

LEIBEL Met each other.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Okay.

LEIBEL In 2002.

CHRZANOWSKI Okay.

LEIBEL His mom very sick.

CHRZANOWSKI Okay, sick, okay.

LEIBEL And he (unintelligible) ...

CHRZANOWSKI Uh-huh.

LEIBEL ... you know. And when mom passed away 2004 ... let me think ...
Spring ... spring time ... she already have 94 years old ...

CHRZANOWSKI Okay.

LEIBEL ... and ... and summer August 16th ... make ... make wedding.

CHRZANOWSKI Was your wedding?

LEIBEL Yes.

CHRZANOWSKI August 16th of 2004?

LEIBEL August 16th, 2004.

CHRZANOWSKI Okay. Now you have children of your own?

LEIBEL Yes, I ...

CHRZANOWSKI Do you guys have any children in common?

LEIBEL No.

CHRZANOWSKI Okay, no children in common. I just ...

LEIBEL He not want it.

CHRZANOWSKI No, no ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL He already ...

CHRZANOWSKI Right.

LEIBEL ... his age.

CHRZANOWSKI Right. So you ... so he was significantly older than you?

LEIBEL Yes.

CHRZANOWSKI Okay, by about 15 years?

LEIBEL Yes.

CHRZANOWSKI Okay. Now he has children. So let's talk about those. How many children does he have?

LEIBEL Girl and boy.

CHRZANOWSKI One girl, one boy?

LEIBEL Yeah. Boy 30 years ... 30 years. Girl older. I don't know how old she is.

CHRZANOWSKI And his daughter is older?

LEIBEL Yes, his daughter.

CHRZANOWSKI Okay, so ...

LEIBEL Sharon.

CHRZANOWSKI Sharon?

LEIBEL Yeah.

CHRZANOWSKI And what is his son's name?

LEIBEL Not Sharon. I think Sharon.

CHRZANOWSKI Sharon?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I don't know how to spell.

CHYZANOWSKI Okay. And then his son ... what's his son's name?

LEIBEL Justin.

CHYZANOWSKI Justin? Okay. And then how many children do you have?

LEIBEL I have two daughter.

CHYZANOWSKI Okay. And what are their names?

LEIBEL Lana.

CHYZANOWSKI Can you spell Lana?

LEIBEL L-E ... L-A-N-A.

CHYZANOWSKI N-A?

LEIBEL Yeah.

CHYZANOWSKI Okay, and how old is Lana?

LEIBEL Thirty years old.

CHYZANOWSKI Thirty? Okay. And what's your other daughter's name?

LEIBEL Chaya-Anna. C-H ..

CHYZANOWSKI C-H?

LEIBEL Yeah. C-H-A-Y-A, dash ... Anna.

CHYZANOWSKI Like this?

LEIBEL Two N.

CHYZANOWSKI Two N's. Okay. Chaya-Anna. Okay, and how old is she?

LEIBEL She nineteen.

CHYZANOWSKI Nineteen? And she's the one in college at San Diego?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah, yeah, yeah.

CHRZANOWSKI What is she studying?

LEIBEL She call me now and she said she coming already today.

CHRZANOWSKI Okay. She's going to come in today?

LEIBEL Uh-huh.

CHRZANOWSKI Okay. So the reason I'm talking to you obviously is it's my job as an investigator to ...

LEIBEL (unintelligible) coming.

CHRZANOWSKI I'm sorry?

LEIBEL (unintelligible) coming.

CHRZANOWSKI Right. That's okay. I think it's good that you'll ... you'll have your family close by. That's a good thing, okay?

LEIBEL (unintelligible)

CHRZANOWSKI Were your children ...

LEIBEL (unintelligible)

CHRZANOWSKI ... or his ... were ... were you guys close?

LEIBEL I married when Chaya-Anna eight years old.

CHRZANOWSKI Okay.

LEIBEL Eight years old.

CHRZANOWSKI Okay.

LEIBEL He very good to Chaya-Anna.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Sharon jealous ... start jealousy.

CHRZANOWSKI Okay ... his daughter.

LEIBEL His daughter.

CHRZANOWSKI Okay.

LEIBEL And he put after ... after his birthday ... what I told you in story ...

CHRZANOWSKI Uh-huh.

LEIBEL ... he write in letter. He said you better (unintelligible) Chaya-Anna. You move by Tahoe. You not close to us anymore and ... and have letter very, very ... you know he said ... he said to her ... he read to me.

CHRZANOWSKI Uh-huh.

LEIBEL He not ... you know ... he read to me her letter and he read his letters to her. And she call him ... called ...

CHRZANOWSKI Uh-huh.

LEIBEL ... not good words.

CHRZANOWSKI Right, not ...

LEIBEL Yeah, and he's so upset. He's so upset. And he stop calling her and she stop calling him. And already what ... five years from his birthday.

CHRZANOWSKI Okay.

LEIBEL Yeah.

CHRZANOWSKI So he hasn't been talking with her for five years?

LEIBEL Five years. She already have two ... two daughter. My daughter show Facebook.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL She not even talk to me of course.

CHRZANOWSKI Right.

LEIBEL But they look Facebook. Very good girl. (unintelligible)

CHRZANOWSKI Yeah.

LEIBEL ... and uh ...

CHRZANOWSKI So the only one of your daughters that he's close to is Chaya-Anna.

LEIBEL Chaya-Anna. This what means ... (unintelligible)

CHRZANOWSKI So to ... to ... to Chaya-Anna, this is basically her dad ...

LEIBEL Yeah.

CHRZANOWSKI ... since she was raised with him.

LEIBEL She call Dad.

CHRZANOWSKI Okay.

LEIBEL She very close to him. He help her many time.

CHRZANOWSKI Now is it Lana the one that married that black man?

LEIBEL Yes.

CHRZANOWSKI Or is it Chaya-Anna?

LEIBEL Lana.

CHRZANOWSKI Lana.

LEIBEL Chaya-Anna not married yet.

CHRZANOWSKI Okay.

LEIBEL She have wonderful boyfriend.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI And then his daughter Sharon also married a black man which was part of the issue?

LEIBEL Yeah. Did you watch Olympic?

CHRZANOWSKI I did.

LEIBEL Girl win ski ...

CHRZANOWSKI Uh-huh.

LEIBEL ... from Lake Tahoe ...

CHRZANOWSKI Uh-huh.

LEIBEL ... South Lake Tahoe ...

CHRZANOWSKI Right.

LEIBEL Chaya-Anna boyfriend same school this girl.

CHRZANOWSKI Oh wow.

LEIBEL Maddie.

CHRZANOWSKI That's awesome.

LEIBEL Maddie.

CHRZANOWSKI That's great.

LEIBEL I know, I know. Chaya-Anna said ... Mom you know this ...

CHRZANOWSKI That's awesome. Okay, so what I ...

LEIBEL Yeah, Lana ... Lane married black guy.

CHRZANOWSKI Okay.

LEIBEL And Lana have my grandchildren (unintelligible) October.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Now already what? November, December, January ...

CHRZANOWSKI So about five months ago? She has a five-month old?

LEIBEL No, no, no. What I said to you. No, his girl girl ...

CHRZANOWSKI Uh-huh.

LEIBEL one and a half years.

CHRZANOWSKI Okay.

LEIBEL I think. Yeah, one and a half years.

CHRZANOWSKI Oh, okay.

LEIBEL I think. Yeah, one and half years. And she have twins. Two boys.
One darkness ...

CHRZANOWSKI Uh-huh.

LEIBEL ... and another whiteness.

CHRZANOWSKI Oh wow, really?

LEIBEL And so funny they cut ... cut stomach ...

CHRZANOWSKI Uh-huh.

LEIBEL ... and cut stomach ... one boy 11:59 ...

CHRZANOWSKI Right.

LEIBEL ... coming and 12:00 o'clock ... so they have another day.

CHRZANOWSKI So they have two different days.

LEIBEL Two different days. Two different days, two different color, but twins.

CHRZANOWSKI That's ... that's crazy.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I never see why this matter ... so she called me (unintelligible) messages.

CHRZANOWSKI So she called you today?

LEIBEL No, no, no. She called me before.

CHRZANOWSKI Oh, okay.

LEIBEL Friday. She said Mommy, please visit me, and blah, blah, blah. And I said to her yes of course, you know ...

CHRZANOWSKI Right.

LEIBEL ... you need help. If daughter need it. I talk to Harry. He like ... again you going (unintelligible). Yesterday I start ... I can't talk to him because texting with Lana ... she said ... what ...

CHRZANOWSKI So I just want to make sure I'm understanding why you're looking for that. So on Friday Lana called you or texted you and said basically please come visit me, I need help.

LEIBEL Yeah.

CHRZANOWSKI So you started talking to Harry on Friday a little bit ...

LEIBEL Yeah.

CHRZANOWSKI ... and he kind of gave you a hard time about going.

LEIBEL Yeah.

CHRZANOWSKI So you started talking to him again yesterday about it.

LEIBEL Yes.

CHRZANOWSKI Okay.

LEIBEL Yes.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yes. Yeah, and I said to her ... I said ... I sent yesterday a message ... if you look ...

CHYZANOWSKI Sure.

LEIBEL Yesterday message ... I said to her okay I coming ten o'clock evening. Uh ... yeah ten o'clock evening. She said okay. And yesterday make reservation hotel ...

CHYZANOWSKI Okay.

LEIBEL ... three days.

CHYZANOWSKI Okay.

LEIBEL Three days ... come on.

CHYZANOWSKI Right.

LEIBEL And ... so make reservation. I said I coming morning. Take keys. Going to do small shopping until hotel open ...

CHYZANOWSKI Right.

LEIBEL ... you know next day. This is means today ...

CHYZANOWSKI Uh-huh.

LEIBEL ... I must be already Los Angeles. So yesterday start talking. He make me hard time. No, I kill myself if you going again. And I am alone. Nobody help me and la, la, la. And this ... how to ... revolver.

CHYZANOWSKI Uh-huh.

LEIBEL This revolver always stay (unintelligible) our bed. And he sleep here. I sleep here.

CHYZANOWSKI Okay.

LEIBEL And he always keep it here. Revolver.

CHYZANOWSKI Okay. In like the bedside table?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Huh?

CHRZANOWSKI Is it in a table next to the bed?

LEIBEL Yeah.

CHRZANOWSKI Okay.

LEIBEL Yeah. And ... and yesterday night he put the revolver together with him. You know, scare me. I think ...

CHRZANOWSKI Right.

LEIBEL ... with my thinking ...

CHRZANOWSKI Right.

LEIBEL ... scare me. And I said to Lana ... I said Lana, I'm sorry, I have uncomfortable situation. I talk to you later.

CHRZANOWSKI Okay.

LEIBEL She of course upset.

CHRZANOWSKI Right.

LEIBEL Mommy, you not saying me true. You don't want coming. No, no, no. no.

CHRZANOWSKI Right.

LEIBEL You know I ... you know I said to ... so all night back and forth. I am not sleepy because I'm worried something's happen this gun. He sleep together like ... like baby, you know. And our ... our doggie always sleep together with us ...

CHRZANOWSKI Okay.

LEIBEL ... our bed.

CHRZANOWSKI Right.

LEIBEL A Doberman ... big Doberman (laughing).

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Right.

LEIBEL Our ... our baby (laughing). So you know I said maybe this Bo ... when he sleeping ... many times he (unintelligible) ... sleeping in (unintelligible) ...

CHRZANOWSKI Right.

LEIBEL ... you know in our bed like ... like this.

CHRZANOWSKI Right.

LEIBEL You know? And I am start worry if something happen this ... what he doing?

CHRZANOWSKI Right.

LEIBEL You know? So I go in kitchen. I come back. I go in kitchen. I come back. I'm ... my head already I ... I'm not remembering the names (unintelligible) so ... so ... and yeah. And after he woke up, he ... shave. He quiet. And I think myself how I tell him I need going ...

CHRZANOWSKI Right.

LEIBEL So he shave. I said to him ... I said ... he said I going take shower. I said okay. I said before shower do you want to eat breakfast. He said oh that is good idea. Quiet. Sit couch. You know ... and he still hold this ... you know ... like scare me.

CHRZANOWSKI Right.

LEIBEL Like scare me ... hold it ... this gun. And ...

CHRZANOWSKI Right, okay. So he's still holding the revolver?

LEIBEL Yeah, he finish ... he finish his breakfast. And start T.V. pool table.

CHRZANOWSKI Okay.

LEIBEL Like finals ... somebody ... one guy Canada and another American guy ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Uh-huh.

LEIBEL ... play pool table. He like this (unintelligible) because he make pool table not long time ago ...

CHRZANOWSKI Okay.

LEIBEL ... our house.

CHRZANOWSKI Okay.

LEIBEL Our house have pool ... poolroom ...

CHRZANOWSKI That he made?

LEIBEL Yeah.

CHRZANOWSKI Oh, okay.

LEIBEL He had poolroom, yeah. So I said okay maybe I say now I'm going to Los Angeles. So I said Harry I need going to ... because Lana again ...

CHRZANOWSKI Right.

LEIBEL ... send me message. And I said Harry I need going to Los Angeles. He said I tell you you're not going anywhere and ... and starts screaming. I said oh my God, I am moving from ... from living room because I stay like this. He sit couch. And you know I moving kitchen. Open the refrigerator. I need drink. You know I take this drink. And I hear ... when I open refrigerator and I am not understand this ... "boom". I'm like ... what ... what is this? I'm running to living room. Just like short ... short moment. Kitchen and living room are together.

CHRZANOWSKI Right, okay.

LEIBEL (unintelligible) I am living room and I am like Harry what you doing. (unintelligible) and I come and he kind of hold ... hold like this. I (unintelligible) this way and I said Harry what you doing. And another "boom" shot. And I coming to him ... Harry, Harry. And I running to with my first ... first think ... I call 9-1-1.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Okay.

LEIBEL But this woman ... when I talk to him ... this woman ... I can't breathe. I can't breathe, I can't breathe. So I running to ... I call 9-1-1. He like give me instruction. Take him from couch to floor.

CHRZANOWSKI Okay.

LEIBEL I think myself how I take him couch to floor. Because here couch. This small table ... this is ... this is another table.

CHRZANOWSKI Okay.

LEIBEL And I need from here ... put him this floor.

CHRZANOWSKI Okay.

LEIBEL No, because this is hurt him maybe ... this is hurt. I don't know. And ... and when I pull him couch like this.

CHRZANOWSKI Okay.

LEIBEL You know ... so I think myself ... if I pull again, couch going to ... to us ...

CHRZANOWSKI Right.

LEIBEL ... you know ... so I ... I again ... and I said to this 9-1-1 ... I said I can't move him, I can't move him. He said okay, okay, calm down, calm down. Take this and pull him down. So I pull him down and this falling ... not gun ... how call ... gun or ...

CHRZANOWSKI Uh-huh.

LEIBEL Gun?

CHRZANOWSKI Uh-huh.

LEIBEL Yeah. Gun going to floor. Pull him to floor and ... because this table ... glass ...

CHRZANOWSKI Right.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL ... glass table.

CHRZANOWSKI Okay.

LEIBEL It is glass table. And ... and gun down here. And I pull him and his head going to gun.

CHRZANOWSKI Uh-huh.

LEIBEL So I take this gun and like ... like ... pull him like this. I don't know how I do this. I focus to Harry. So ... and the ... the instructor said pull him this and pull him this. Push, I push, I push. Somebody call ... I said he breathing, he breathing, he breathing.

CHRZANOWSKI Okay, okay.

LEIBEL I think ... I think ... he like scare me. Because (crying) he scare me.

CHRZANOWSKI He scared you? You think he was trying to scare you?

LEIBEL I think because he always did ... he had ...

CHRZANOWSKI Okay.

LEIBEL (crying) I think this is maybe accident. He would ... he scare me.

CHRZANOWSKI Okay. So you think ... what I'm hearing from you ... I don't ... I don't ... I want to make sure I'm right. What I'm hearing from you is you think that you ... he might have been trying to scare you and maybe didn't mean to shoot himself or kill himself? Is that what I'm hearing from you?

LEIBEL But ... but hear ... by night said ... I kill myself (unintelligible).

CHRZANOWSKI Okay.

LEIBEL But ...

CHRZANOWSKI That was the night ... that was Saturday night, right?

LEIBEL Yeah.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL But to the morning I ... when I said to him I going to Los Angeles and my voice probably more tougher ...

CHRZANOWSKI Right.

LEIBEL ... probably.

CHRZANOWSKI Right.

LEIBEL I said I going Los Angeles.

CHRZANOWSKI Right.

LEIBEL You know like make statement to him.

CHRZANOWSKI Uh-huh.

LEIBEL You know ... so maybe he under ...

CHRZANOWSKI To understand.

LEIBEL Yeah, I going to Los Angeles but ...

CHRZANOWSKI Okay.

LEIBEL But this is not ... person kill himself.

CHRZANOWSKI Right.

LEIBEL I don't know.

CHRZANOWSKI Has he ever talked about killing himself before other than last night or before? Has he ever made those types of threats before?

LEIBEL Sweetie, all the time.

CHRZANOWSKI All the time?

LEIBEL Because 2005 he have cancer.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Twelve hours operation I together with him.

CHRZANOWSKI Okay.

LEIBEL One month I am together with him inside hospital. I sleep couch. He survive. He survive ... and this is Los Angeles operation.

CHRZANOWSKI Okay.

LEIBEL He survive. Coming to here ...

CHRZANOWSKI Okay.

LEIBEL ... and this Bob ... real estate ... find home ... home for us.

(knock on door)

CHRZANOWSKI Okay. Come in.

LEIBEL Yeah.

HUBKEY Can I join you?

CHRZANOWSKI Yeah, come on in. Tatiana, this is my partner Brian. Brian, this is Tatiana.

LEIBEL Hi Brian.

HUBKEY Hi.

LEIBEL Hi.

HUBKEY How are you?

LEIBEL I'm ...

CHRZANOWSKI Okay , so ...

LEIBEL (unintelligible) what happen.

CHRZANOWSKI Okay. What ... just so he can get caught up, I'm going to repeat back to you what we've talked about so far.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

CHYZANOWSKI I want make sure I am understanding you ...

LEIBEL Yeah.

CHYZANOWSKI ... perfectly.

LEIBEL Yeah.

CHYZANOWSKI And then correct me if anything is wrong ...

LEIBEL Yeah.

CHYZANOWSKI ... okay? So on Friday night ... or Friday ... Lana called you and said Mommy I need help. Basically she just had two twin boys and I need your help.

LEIBEL Yeah, yeah.

CHYZANOWSKI So on Friday night you started talking to Harry about going to Los Angeles to help her out and he was not happy about it.

LEIBEL Yeah.

CHYZANOWSKI He didn't want you to go. He told you you couldn't go ...

LEIBEL I even tell Lana ... I said one second Harry become crazy ...

CHYZANOWSKI Okay.

LEIBEL ... so need calm down.

CHYZANOWSKI Okay. So then you kind of let it go for Friday because he got upset. So Saturday Lana texted you again. I need you ...

LEIBEL Yeah.

CHYZANOWSKI ... you're never for me.

LEIBEL Yeah.

CHYZANOWSKI Kind of trying to make you feel guilty.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL And her messages

CHRZANOWSKI And I'll read them.

LEIBEL Yeah, yeah.

CHRZANOWSKI So again you start talking to Harry about ... I need to go to Los Angeles to help ...

LEIBEL Yeah.

CHRZANOWSKI ... my daughter and he says if you go to Los Angeles he's going to kill himself because they'll be nobody to help him ...

LEIBEL Yeah.

CHRZANOWSKI ... and you'll be leaving him alone ...

LEIBEL Yeah, yeah.

CHRZANOWSKI ... and those things.

LEIBEL Yeah (unintelligible)

CHRZANOWSKI So you told Lana, you know, that Harry is freaking out ...

LEIBEL Yeah.

CHRZANOWSKI ... and that you weren't sure if you're going to be able to come so she got upset.

LEIBEL Yeah she upset, yeah.

CHRZANOWSKI And so ... and you had actually made plans to go to Los Angeles by booking the reservation so you could ...

LEIBEL Yeah booking ...

CHRZANOWSKI ... so you could leave today ...

LEIBEL Yeah.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI ... to go down there.

LEIBEL Yeah, yeah.

CHRZANOWSKI So last night when you guys were going to bed, Harry slept with a gun.

LEIBEL Yeah. Like scare me ... I think like scare me.

CHRZANOWSKI To try to scare you you thought.

LEIBEL Yeah.

CHRZANOWSKI Okay. But he slept with it ... holding it kind of like ...

LEIBEL Yeah.

CHRZANOWSKI ... (unintelligible) while you're sleeping.

LEIBEL Yeah.

CHRZANOWSKI So he got up again this morning. You guys were in the kitchen and the living room. He was sitting on the couch. You were walking around the kitchen. He still had the gun at that time.

LEIBEL Yeah, yeah.

CHRZANOWSKI So again you a little tougher told him that you're going to Los Angeles to help Lana ...

LEIBEL Uh-huh.

CHRZANOWSKI ... and he said I told you you're not going. You guys get into an argument.

LEIBEL Yes.

CHRZANOWSKI You go to get something to drink out of the refrigerator.

LEIBEL Yeah.

CHRZANOWSKI And you hear the first shot.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah, uh-huh.

CHYZANOWSKI So you go into the living room ...

LEIBEL Yeah.

CHYZANOWSKI ... and you see him holding the gun ...

LEIBEL Yeah.

CHYZANOWSKI ... like this ...

LEIBEL Yeah.

CHYZANOWSKI ... with one hand out ...

LEIBEL Yeah.

CHYZANOWSKI ... one hand here.

LEIBEL Yeah.

CHYZANOWSKI Okay. You say Harry what are you doing. And then you hear the second shot.

LEIBEL (crying) Yeah, but I'm close ... I say Harry what you doing.

CHYZANOWSKI Right. Okay, and so the second shot ... so then you kind of panic and you're having a hard time breathing. You call 9-1-1.

LEIBEL Yeah.

CHYZANOWSKI So they tell you to put him on the floor.

LEIBEL Yeah.

CHYZANOWSKI So you try to get him onto the floor and you can't very easily.

LEIBEL Yeah, he heavy.

CHYZANOWSKI Because he's heavy.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL He heavy. I can't get ... I try ... I can't. And he said no, put him ... put him floor.

CHRZANOWSKI Okay.

LEIBEL And I take ... I think robe ... he have black robe ... I take robe and pull him and couch come to us.

CHRZANOWSKI Right.

LEIBEL You know ...

CHRZANOWSKI So you pulled him by his robe. Okay, okay.

LEIBEL (unintelligible) and I hold him ... and I put ... this is gun ... I take this ...

CHRZANOWSKI So the gun was by his head. And you picked up the gun and moved it.

LEIBEL I take this gun ... not like ... I take gun like this. (unintelligible) like this slink ...

CHRZANOWSKI A sling?

LEIBEL No, slink. Gun have what name?

HUBKEY Sling?

LEIBEL Sling.

HUBKEY Okay. What does the gun look like?

LEIBEL Um ... one second ... like revolver. Like revolver, but big. Big, big revolver.

CHRZANOWSKI Like how big? Can you show me how big with your hands? Is it this big?

LEIBEL No, no, no. This is revolver. This is ... how say English ... okay if you imagine revolver ...

CHRZANOWSKI Uh-huh.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL ... imagine revolver ...

CHYZANOWSKI Uh-huh.

LEIBEL ... so this is like this.

HUBKEY Okay.

CHYZANOWSKI Okay, so a big gun.

LEIBEL Like this ... and this is revolver.

HUBKEY Okay.

LEIBEL This is not like (unintelligible) or whatever.

HUBKEY Okay.

LEIBEL This is revolver.

HUBKEY Okay. First off, I'm sure ... I don't know if you've asked ... I'm going to ask ...

LEIBEL And he says this is my best ...

HUBKEY Do you ... you speak ...

LEIBEL ... my best revolver.

HUBKEY ... Russian?

LEIBEL Yes.

HUBKEY Okay. Do you understand everything that she's asking you?

LEIBEL Yes, yes.

HUBKEY Okay ...

LEIBEL I ... I think ...

HUBKEY ... well because at the scene I guess there was a lot of ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I live here twenty-five years.

HUBKEY Okay.

LEIBEL And I finish UNR.

HUBKEY You're what?

LEIBEL I'm graduate ...

CHRZANOWSKI She graduated from UNR.

HUBKEY Okay. I just want to make sure that ... that you're ...

LEIBEL I'm (unintelligible) ...

CHRZANOWSKI She does. She understands English perfectly.

LEIBEL Yeah, I ... too much emotional now. So my English going like this and like this. So I'm sorry.

HUBKEY Okay. You ...

LEIBEL But I understood ...

HUBKEY ... you don't need ... you don't need an interpreter?

LEIBEL No. No.

HUBKEY Okay. I just want to make sure because there was ... there was some concern.

LEIBEL No, I understand.

CHRZANOWSKI No, she ... she's good.

LEIBEL Yeah.

HUBKEY Okay.

CHRZANOWSKI So you did touch the gun. Did you touch the gun itself, or did you touch just the sling?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL The sling and I put ... put this way.

CHRZANOWSKI Okay.

LEIBEL Couch. I pull here floor. And ... and gun down here so I am worry he put his head to gun. So I take this ... all ... take this thing and put this one and (unintelligible).

CHRZANOWSKI Okay. And then you focused on Harry after that.

LEIBEL And ...

CHRZANOWSKI You tried to do the CPR.

LEIBEL ... yeah ... and instructor said push him here. So I push like this. And ... and the call ... people emergency coming can call ...

CHRZANOWSKI Okay.

LEIBEL ... call door. So I running to door. My doggie ... oh and my doggie. Do you think somebody take care of my doggie? He need pee-pee please.

CHRZANOWSKI I'm sure they will.

HUBKEY The dog is in the garage.

CHRZANOWSKI Okay.

LEIBEL The garage?

HUBKEY Uh-huh.

LEIBEL What garage? Why you put garage him?

HUBKEY That's where the dog is. I was told the dog was in some kind of garage or a room.

LEIBEL No. He sleep together with us all ... all ... always bed. He always inside home. Why you put him garage?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Because Harry's in the house right now. The dog can't be in the house with Harry.

LEIBEL No, I put ... I put guest room.

HUBKEY Okay, then he's in the guest room.

LEIBEL Oh, you scare me.

HUBKEY I'm sorry. I'm sorry. I was told garage.

CHRZANOWSKI Okay.

LEIBEL No, garage different.

HUBKEY Okay.

LEIBEL No him go in heart attack (crying) ... he have heart attack.

CHRZANOWSKI Okay. Does anybody else live with you and Harry?

LEIBEL No.

CHRZANOWSKI No, just the two of you. How long have you guys lived at that house?

LEIBEL (crying) one moment ... one moment.

CHRZANOWSKI Okay.

HUBKEY When did they get married?

CHRZANOWSKI In 2004. Specifically August 16th, '04.

LEIBEL Harry good to me. I am good to him. We have ... have never ... have never (unintelligible)

(Chrzanowski and Hubkey in discussion ... unintelligible)

LEIBEL (unintelligible) everything fine (unintelligible)

CHRZANOWSKI Right, I understand.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay, why don't you just take a minute. And my partner and I are going to step outside real quick.

LEIBEL Yeah.

CHRZANOWSKI Take a deep breath.

HUBKEY You take a couple of deep breaths.

CHRZANOWSKI Can I look at your phone while I'm out there with him and look at the texts from Lana?

LEIBEL Yeah ... from Lana.

CHRZANOWSKI Yeah, thank you. Just take a second and breathe, okay?

LEIBEL (unintelligible)

CHRZANOWSKI Alright, thank you.

(Chrzanowski and Hubkey exit. Several minutes pass.)

(Hubkey re-enters)

HUBKEY You feeling better? You need some water or anything like that?

LEIBEL Yes, please.

HUBKEY Would you like some water?

LEIBEL Yes, please.

HUBKEY Okay, let me get you some. Give me just one second, okay?

(Hubkey exits)

(Chrzanowski and Hubkey re-enter)

CHRZANOWSKI Okay, you're feeling a little bit better? Okay. Before we continue, I don't know if you are aware of your rights, but I want to make sure that you're aware of your rights, okay? So can you read English?

LEIBEL Yes.

Douglas County Sheriff's Department

Interview Transcripts

14SO05132

CHRZANOWSKI Okay. And ... and I know you graduated from UNR. I'm not trying to be insulting at all. I just ... I'm going to cross this out because you're not a juvenile. Okay? So you have the right to remain silent. Do you understand that right?

LEIBEL Yes.

CHRZANOWSKI Okay. Anything you say can and will be used against you in a court of law. Do you understand that?

LEIBEL Uh-huh.

CHRZANOWSKI You have the right to talk to a lawyer and have him or her present with you while you're being questioned. Do you understand that?

LEIBEL Yes.

CHRZANOWSKI Okay. And if you cannot afford to hire a lawyer, one will be appointed to represent you for any questioning if you wish. Do you understand those?

LEIBEL Yes.

CHRZANOWSKI And you understand each of those rights I explained to you. And having those rights in mind, are you still okay with talking with me and Brian?

LEIBEL Uh-huh.

CHRZANOWSKI Okay. If you could just initial each one of those. Don't worry about those. And then there. And then just sign down here at the bottom, okay?

LEIBEL Uh-huh.

CHRZANOWSKI That way ... you know it can't be alleged that I forced you to talk to me or anything like that, okay? Cool. And then just go ahead and sign down there. Perfect, thank you. Okay, so to continue ... so when you ... so your statement is that you picked up the ... the gun by the sling and kind of moved it out of the way.

LEIBEL Yeah.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI So is there any reason that the gun itself would have your fingerprints on it? Have you ever touched that gun?

LEIBEL I not remember. This gun always stay our bedroom.

CHRZANOWSKI Okay, it's always in your bedroom on Harry's side.

LEIBEL Yeah, Harry's side.

CHRZANOWSKI Did he ever take you out to the range to shoot ...

LEIBEL Yeah, yeah.

CHRZANOWSKI ... or did he teach you to shoot?

LEIBEL Yeah ...

CHRZANOWSKI Okay ...

LEIBEL ... of course.

CHRZANOWSKI ... so you have shot that gun before?

LEIBEL Yeah ...

CHRZANOWSKI Okay.

LEIBEL ... yeah, yeah.

CHRZANOWSKI So it would be reasonable that your fingerprints would be on the gun?

LEIBEL (unintelligible) I don't know.

CHRZANOWSKI Okay. Well, if I touch ...

LEIBEL You know why ...

CHRZANOWSKI ... I touch ...

LEIBEL ... you know why? Because he always come back to ... from shooting ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Uh-huh.

LEIBEL ... range ...

CHRZANOWSKI Uh-huh.

LEIBEL ... this Carson City ...

CHRZANOWSKI Right.

LEIBEL ... range ... he always clean guns.

CHRZANOWSKI Okay.

LEIBEL Yeah. He always clean guns.

CHRZANOWSKI Okay.

LEIBEL But, you know, this ...

CHRZANOWSKI Right, cleaning it ...

LEIBEL Yeah.

CHRZANOWSKI Okay. So what I'm asking you is you ... you've touched the guns in the house before because you guys go shooting?

LEIBEL Yeah.

CHRZANOWSKI Okay. So do you know how to handle firearms? Did Harry teach you how to hold ...

LEIBEL Yes.

CHRZANOWSKI ... a gun and how to shoot a gun ...

LEIBEL Yes.

CHRZANOWSKI ... and all that kind of stuff?

LEIBEL Of course, yes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Are you good at it? Are you not good at it?

LEIBEL Yeah. I have a ... Harry and I and Harry friends from Reno going to study ...

CHRZANOWSKI Okay.

LEIBEL ... to make testing. And I have even ... Harry and I have ... what ... bench ...

CHRZANOWSKI Uh-huh.

LEIBEL ... bench ...

CHRZANOWSKI Okay.

LEIBEL ... bench name?

HUBKEY Shooting bench?

CHRZANOWSKI License?

LEIBEL How call this? I don't know.

CHRZANOWSKI Like a license to shoot the guns? Or a ...

LEIBEL Like allowed ... oh ... like allowed ...

HUBKEY CCW?

LEIBEL ... hold it. Like allowed hold it. Public, but not ... not University. Not allowed University.

CHRZANOWSKI Okay, so ... oh you have a concealed weapons permit?

LEIBEL Yes.

CHRZANOWSKI Okay.

LEIBEL Yes. But this ... this ...

CHRZANOWSKI You and Harry both have one?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yes.

CHRZANOWSKI Okay.

LEIBEL Yes.

CHRZANOWSKI Other than the revolver that he was sleeping with and that was involved ...

LEIBEL He loved ... he loved ... he loved this. It's like his favorite.

CHRZANOWSKI His favorite gun?

LEIBEL Yeah.

CHRZANOWSKI Do you guys have any other guns in the house?

LEIBEL Yes, a lot.

CHRZANOWSKI Okay, where do you keep those?

LEIBEL Garage. Up ... he put inside safe.

CHRZANOWSKI Okay.

LEIBEL Many ... like maybe fifteen pistols, guns, and one have gold.

CHRZANOWSKI Okay.

LEIBEL He ... and ... and living room he have ... he put maybe seven guns like this.

CHRZANOWSKI On the wall?

LEIBEL On the wall.

CHRZANOWSKI Okay.

LEIBEL Then he one like ... he (unintelligible). When I (unintelligible) give me (unintelligible) he give me present ... Magnum .22.

CHRZANOWSKI Okay, so he bought you a Magnum?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

CHRZANOWSKI Okay.

LEIBEL Beautiful ... beautiful revolver.

CHRZANOWSKI So you both own guns? You guys collectively have several guns in the house?

LEIBEL Yeah.

CHRZANOWSKI Okay.

LEIBEL A lot, yeah.

CHRZANOWSKI And the ... the big revolver type rifle is always on Harry's side of the bed?

LEIBEL Yes.

CHRZANOWSKI Okay.

LEIBEL Yes.

CHRZANOWSKI When is the last time that you guys went to the range to shoot?

LEIBEL Actually ... this is so funny ... I'm sorry ... actually morning he tell me ... maybe going gunshot ... range. And I stupid me I said no.

CHRZANOWSKI Okay, so was that this morning that he asked you to go to the range? Okay. And you said no?

LEIBEL Of course ... I am planning going to Los Angeles.

CHRZANOWSKI Right, okay. Was that before he ... did he ask you to go to the range today before or after you told him you were going to Los Angeles?

LEIBEL Before.

CHRZANOWSKI Before. Okay, and you said no? Okay.

HUBKEY So you've shot this gun before?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Um ...

HUBKEY Harry's favorite gun?

LEIBEL ... yeah. Um ... Harry always bring ... he have a lot guns ...

HUBKEY Okay.

LEIBEL ... but he bring like for example (unintelligible) this one, (unintelligible) this one, (unintelligible) this one. I took about pistol or revolver or guns or you know a lot ...

HUBKEY Okay, but you shot this gun specifically?

LEIBEL Before, yeah.

HUBKEY Okay, can you tell me how it works?

LEIBEL Like revolver. This is like revolver.

HUBKEY Okay, explain how you load it.

LEIBEL I load it ...

HUBKEY I'm curious. How do you load it?

LEIBEL ... like ... like revolver. Have ... have this one ...

HUBKEY Okay.

LEIBEL You load it ... each ... load it.

HUBKEY Okay.

LEIBEL And after you push this one, then shot like revolver.

HUBKEY Okay, so the hammer.

LEIBEL Hammer?

HUBKEY Do you understand hammer?

LEIBEL Hammer.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Well on that revolver there's a hammer that hits the bullet ... the primer ... to cause it to shoot, right?

LEIBEL Okay.

HUBKEY You understand what I'm talking about?

LEIBEL No.

HUBKEY When you shoot the gun ...

LEIBEL Okay.

HUBKEY ... how does it work? Do you pull the trigger and the hammer comes back and goes forward? Or do you cock it?

LEIBEL I think cock it ... revolver.

HUBKEY Okay, can you pull the trigger and just fire it?

LEIBEL Yeah, if you cock it you pull trigger, yeah.

HUBKEY Okay. So can you shoot it without cocking it?

LEIBEL You shooting cock in it. I don't know but Harry told me if you push a lot ...

HUBKEY Uh-huh.

LEIBEL ... you shoot. But I never try this. This is for me very, very hard.

HUBKEY What's hard?

LEIBEL You know you said ... you talk about revolver ... you push cock ... cock it you call ...

HUBKEY Uh-huh.

LEIBEL ... cock it ... and you push, yeah?

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL But if you not cock it, Harry told me you push too much.

HUBKEY Okay.

LEIBEL But I never do this.

HUBKEY Okay, so how do you shoot it?

LEIBEL Of course cock it.

HUBKEY You always cock it?

LEIBEL Yeah, always cock it.

HUBKEY Okay.

LEIBEL Like revolver.

HUBKEY Okay.

LEIBEL Yeah.

CHRZANOWSKI Because that makes it easier to shoot? It's not so hard?

LEIBEL This is what I am not understand. Because revolver always need cock it.

CHRZANOWSKI Uh-huh.

LEIBEL This is my ... my opinion, yeah?

CHRZANOWSKI Right, okay.

HUBKEY Okay.

LEIBEL I think ... and ...

CHRZANOWSKI So that's how you would shoot a revolver, or that's how you would shoot this gun, is you would cock it first and then pull the trigger? You wouldn't try and just pull the trigger without cocking it?

LEIBEL Harry never do this.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Okay, so he ... you were always taught and you always shot that gun by cocking it first ...

LEIBEL Because he ... he teach me like this and he do this like the same.

CHRZANOWSKI Okay. So he shoots the same as you?

LEIBEL Yeah.

CHRZANOWSKI You both cock it first, then pull the trigger?

LEIBEL Yes, because this is a revolver you know.

CHRZANOWSKI Okay. And so what I think you were trying to tell me is that you have a hard time ... it's too hard for you to pull the trigger if it ... if your hand is not strong enough to do it without ...

LEIBEL What Harry told me. I never do this.

CHRZANOWSKI Oh, you've never tried it?

LEIBEL No ...

CHRZANOWSKI Okay.

LEIBEL ... I've never tried it.

CHRZANOWSKI Okay.

LEIBEL Harry told me.

CHRZANOWSKI Okay.

LEIBEL Because his friend from Reno ... she buy revolver38 revolver ...

CHRZANOWSKI Uh-huh.

LEIBEL38 revolver ... and she not have cock it. You know?

CHRZANOWSKI Okay.

LEIBEL And she pull very hard.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Uh-huh.

LEIBEL She even show me ... I said oh my gosh ... why you buy like this ...

CHRZANOWSKI Right.

LEIBEL ... revolver you know.

CHRZANOWSKI Right.

LEIBEL So Harry revolver ... he always buy himself ...

CHRZANOWSKI Okay.

LEIBEL ... you know. Harry revolver always ... how you call ... cock it.

CHRZANOWSKI Right, okay. That makes sense to me.

LEIBEL Yeah.

HUBKEY Who's Harry's friend in Reno?

LEIBEL Huh?

HUBKEY Who's the friend in Reno?

LEIBEL Uh ... okay ... um ... Carrie and Joe.

HUBKEY Joe?

LEIBEL Joe. He pilot.

HUBKEY Do you know Joe ... the last name?

LEIBEL He pilot ... oh very complicated his last name. You know if you go into his ... if you go into his phone ... phone ... you find down Carrie and Joe.

CHRZANOWSKI Carrie and Joe?

LEIBEL Carrie and Joe.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Uh ... he pilot. And she ... I don't know ... she not work yet. Her parents live California. This is very good friend. Always shoot together and make test together of shooting ... test together ... yeah.

CHRZANOWSKI Okay. So this morning when you and Harry started talking about you going to Los Angeles and he told you you weren't going, how did that make you feel?

LEIBEL Terrible because ... because my daughter already going nuts. You know ... she said I am not believe you anymore and ... my heart broken, you know? She has three kids you understand? One and a half and two boys.

CHRZANOWSKI Right.

LEIBEL You know.

CHRZANOWSKI Now Harry didn't want you ... and I just want to make sure I understand you ... Harry didn't want you to go because he doesn't agree with the fact that Lana is married to a black man ...

LEIBEL He ...

CHRZANOWSKI ... and ...

LEIBEL ... he never like Lana.

CHRZANOWSKI Okay.

LEIBEL And he never like his first daughter.

CHRZANOWSKI Okay.

LEIBEL He never contact.

CHRZANOWSKI Okay, because they married black men and then Lana had children with a black guy?

LEIBEL Yeah.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah. He doesn't care this children.

CHYZANOWSKI Is that the main issue why he doesn't want you to go see Lana is he has a problem with that?

LEIBEL Yeah.

CHYZANOWSKI Is that the issue?

LEIBEL Yeah.

CHYZANOWSKI Okay.

LEIBEL Well this bigger issue ... this is even ... he have cousin ... San Francisco ... and he even fighting to her about his daughter because daughter marry black guy. So much ... even you call her ... I don't know. Cousin ...

CHYZANOWSKI Okay.

LEIBEL ... San Francisco ...

CHYZANOWSKI So it sounds to me to like Harry had a problem with inter-racial marriage.

LEIBEL I think ... no he had emotional problem I think.

CHYZANOWSKI So back to ...

LEIBEL So after ... after operation he very change.

CHYZANOWSKI So back to what we were talking about when Brian walked in ... so in 2000 ... so he's threatened suicide and threatened to kill himself a lot. Specifically after he had cancer in 2005, had surgery, from that point ...

LEIBEL In 2007 he have operation too.

CHYZANOWSKI Okay, and what was ...

LEIBEL 2007 already here ... here ... Carson City.

CHYZANOWSKI Okay, and what was that operation for?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Operation ... he ... he's stuck and ... remove some things and ... he have two operation.

CHRZANOWSKI Okay.

LEIBEL You ... you check.

CHRZANOWSKI Okay, so then after he had this operation in 2007 ...

LEIBEL Yeah.

CHRZANOWSKI ... he became ...

LEIBEL What happen ...

CHRZANOWSKI different.

LEIBEL ... yeah ... I explain you little bit. In 2005 he have operation. He have insurance because his mom buy long term insurance ...

CHRZANOWSKI Right.

LEIBEL ... and ... yeah ... and he have insurance. So insurance covered this operation ... this very big operation in 2005. Twelve hours. Children coming.

CHRZANOWSKI That's when he had cancer, right?

LEIBEL Yeah.

CHRZANOWSKI Okay.

LEIBEL Yeah, and wait and ... lobby ... and after twelve hours finish doctor said he survive ... survive ... and I stay this hospital like one month ... take care of him. I sleep couch. One time remove ... put us ... he one ... one person inside room after two person inside room. Two ... two men ...

CHRZANOWSKI Right.

LEIBEL ... and then like uncomfortable, uncomfortable, but I still stay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHYZANOWSKI Right.

LEIBEL You know ... so ... I remember one nurse she try change some things and I said this is not right. Because another room somebody die and I ... so ... so scared my husband die. I said you not try do this ... and ... nurse she ... nurse she coming ... I said no this is not right. And apologize to me. If he have hole here ...

CHYZANOWSKI Uh-huh.

LEIBEL ... he have two hole here and here.

CHYZANOWSKI Okay.

LEIBEL And here make injection I hear ... make some things. So I see another nurse (unintelligible) yeah? And she make ... try make injection here. I hear something different. So ...

CHYZANOWSKI Right.

LEIBEL ... so ... she change. She knew probably ... I don't know.

CHYZANOWSKI Right.

LEIBEL And if she do this person die.

CHYZANOWSKI Right.

LEIBEL You know ... so I start screaming ... what are you doing ... this is not right. So take care of this problem.

CHYZANOWSKI Right.

LEIBEL I stay one month 2005. 2007 he not have insurance. Why? Because I'm coming to Lake Tahoe, this company insurance calls and said you not ... he tried call another insurance company. And another insurance company not insure him because he had precondition cancer.

CHYZANOWSKI Right.

LEIBEL So nobody insure him. He very sad. He start, you know, emotional going through and, you know, not have insurance. So 2007 he have

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

operation. Doctor Steve Brook recommend doctor operation. And because Steve ... doctor Steve Brook ...

CHRZANOWSKI Uh-huh.

LEIBEL ... Harry doctor ... physical doctor ...

CHRZANOWSKI Right.

LEIBEL ... and ... and Carson City make him operation and what happen is because not have insurance he pay his money. You know and this is ... another emotional ...

CHRZANOWSKI Right.

LEIBEL ... you know. So he still pay it now.

CHRZANOWSKI He's still paying ... you guys are still paying for it?

LEIBEL Yeah.

CHRZANOWSKI Okay. So he was upset because it costs a lot of money ...

LEIBEL Everything, you know, everything coming ... so he emotional himself you know ... so ...

CHRZANOWSKI And what about you?

LEIBEL He good to me always. He always good to me. I am never fighting. I try not fighting together with him. Because I know him personality ... oooo. No, he screaming to his daughter. He screaming to his son. You know like very tough ... he like control person ...

CHRZANOWSKI Right.

LEIBEL ... you know. And even his ... his cousin from San Francisco ... she said Tatiana he very control you. I said ... but you know children gone and I ... that's okay control me.

CHRZANOWSKI Right.

LEIBEL (Unintelligible) ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Right.

LEIBEL You know ...

CHRZANOWSKI Okay.

LEIBEL ... what this means control. Person ... person not feel good, you know, and I take care of ... he ... he already used to I am 24 hours ... used to. And I'm going to UNR ... he call me many, many times. When you coming, what time you coming. You know ... student already ... stop, stop talking.

CHRZANOWSKI Yeah. So he ... he was controlling but you were ...

LEIBEL Controlling ...

CHRZANOWSKI ... to a degree you were okay with it.

LEIBEL ... too much.

CHRZANOWSKI Too much.

LEIBEL Everybody said he control me.

CHRZANOWSKI Right. So it sounds like ... sounds like today ... yesterday ... Friday ... he was being his controlling Harry self ...

LEIBEL Yeah, yeah.

CHRZANOWSKI ... and telling you you couldn't go see your daughter.

LEIBEL Yeah, yeah ... I said no, I said I going.

CHRZANOWSKI Right.

LEIBEL Yeah.

CHRZANOWSKI Now, to me it sounds like ... is it ... do you have a problem with going against what he says or do you just do what you want? Or are you afraid to do what you want? How do you feel about it when Harry starts ...

LEIBEL I think ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI ... to control like that?

LEIBEL ... no ... I ... I think ... I think he like play ... not doing ... of course I am not even thinking he doing this, you know? Like he play me. You're not going or I kill myself, you know. But I scared because ... because this not first time. This is before when he have kidney stone ... this bad and this ... if you open he have like ... I don't know like maybe seven, eight stones ...

CHRZANOWSKI Uh-huh.

LEIBEL He pee ... pee ... and his stones but one stone is going through to his (unintelligible) and he very painful.

CHRZANOWSKI Right.

LEIBEL Very painful. He screaming. He so screaming. Unbelievable. And he smoke a lot ...

CHRZANOWSKI Uh-huh.

LEIBEL ... with the pot.

CHRZANOWSKI Uh-huh.

LEIBEL He always smoke.

CHRZANOWSKI He smoked pot?

LEIBEL He full ... full of his ... he smoke.

CHRZANOWSKI Okay.

LEIBEL And I'm ... I'm okay ...

CHRZANOWSKI Right.

LEIBEL ... because when he smoke, he calm.

CHRZANOWSKI Right.

LEIBEL You know ... he talk too much but stay calm. But he calm.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Right.

LEIBEL This is (unintelligible).

CHRZANOWSKI Okay.

LEIBEL For example many times he would ... my friend told this ... when finish and couple days he not have it ... oh my gosh ... better not talk to him. Better not (unintelligible).

CHRZANOWSKI Right. He got used to it, okay.

LEIBEL Oh my gosh ... it's like crazy person.

CHRZANOWSKI Right.

LEIBEL You know.

CHRZANOWSKI So this morning when he's telling you you can't go, what is his attitude like? Is he being this crazy person, or is he calm and just telling you if you go I'm going to kill my ... was he talking like you and I are talking right now? Just kind of calm?

LEIBEL No, no, no. Already ... already more ... more not ... like voice a little bit up.

CHRZANOWSKI Okay, so he was upset.

LEIBEL Yeah.

CHRZANOWSKI Okay. And so he ... and what exactly did he say to you this morning? You said I am going to Los Angeles. You basically make a statement. You don't ask for permission.

LEIBEL Yeah.

CHRZANOWSKI You just tell him you're going.

LEIBEL Yeah, yeah.

CHRZANOWSKI What ... what did he say to you?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL He said no, you're not going. You're not going.

CHRZANOWSKI And what did you do after that?

LEIBEL I go into kitchen, drink. Open refrigerator and drink this time.

CHRZANOWSKI Okay. Go ahead.

HUBKEY Just back up a little bit. Just so I get some clarification.

LEIBEL Yeah.

HUBKEY What time did you guys get up this morning?

LEIBEL My husband always wake up 4:00 o'clock or 3:00 o'clock morning.
After he have sleep, he go into computer. So today he woke up 5:00
o'clock ... 5:00 o'clock.

HUBKEY Okay.

LEIBEL Yeah. He put ... he put this rifle bedroom first.

HUBKEY Did you wake up also?

LEIBEL Yes, I did not sleep all night. I told you I couldn't ... crazy ... because
he hold this gun.

HUBKEY So was he like laying in bed with it?

LEIBEL No, maybe ... maybe I sleep. I'm like ... like this all the time ... like
this all the time. So ...

HUBKEY Uh-huh. So you both got up at 5:00 A.M.?

LEIBEL No, he wake up 5:00 ... 5:00 ... and he going to computer.

HUBKEY Okay.

LEIBEL Little bit after going to shave. He shave himself. And I think I little
bit to ... together with my doggie. Doggie always sleep together our
bed.

HUBKEY Okay. What time did you get out of bed?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Me and doggie I think like 7:00 o'clock. Yes ...

HUBKEY Okay.

LEIBEL ... 7:00 o'clock morning. I coming and ... then Harry try be good to me this morning and yesterday too. He put cups and make my tea hot and ... and ... you know so I make tea. And I tell him thank you. He said to me welcome. So and after I take my doggie outside ... doggie pee pee. Going upstairs again. This is like maybe 8:00 o'clock. So I think ... yeah I give him breakfast ... I make breakfast.

HUBKEY What time?

LEIBEL What time? I don't know. Maybe 9:00 o'clock.

HUBKEY What did you make?

LEIBEL I make ... what name ... today going crazy ... I'm sleepy ... carson ... I make open to carson. Carson?

HUBKEY No.

LEIBEL Okay.

CHRZANOWSKI Like a sandwich?

LEIBEL No, have bread like this ... how call?

CHRZANOWSKI Toast?

LEIBEL No, no. Cro ... cros ...

CHRZANOWSKI A croissant?

LEIBEL Croissants.

CHRZANOWSKI Okay.

LEIBEL Croissants. I open to croissants. Put the cheese ... mustard cheese and put oven. Our oven not working because old ... our oven old.

CHRZANOWSKI Right.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL So I wait ... I don't know ... for a while wait. I always wait ... more instead good oven. So I open ... I smoke and he smoke too. I smoke normal cigarette. So I go ...

HUBKEY What did he smoke?

LEIBEL He smoke pot.

HUBKEY Okay. This morning?

LEIBEL Yeah, he always smoke ...

HUBKEY How does he smoke it?

LEIBEL How he smoke? How he smoke ...

HUBKEY How ... how?

LEIBEL ... how he smoke? Okay. Before he smoke ... make cigarette. And now ... I don't know ... he smoke cigarette or he smoke pot.

HUBKEY Okay.

LEIBEL Glass ... glass beautiful.

HUBKEY Okay. Okay, so you made him breakfast. Then you guys smoked. You had two croissants for dinner ... breakfast?

LEIBEL No, no, no. One second. He sit couch ...

HUBKEY Okay.

LEIBEL He always ... if I'm making breakfast or lunch he always sit couch and I need bring food. He eat. I take kitchen. This is his routine. He already used to ... to morning. And ... and yeah, he ... he here ... eat breakfast and did you see my house ... upstairs?

HUBKEY Go ahead.

LEIBEL No do you see my house?

HUBKEY No.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Okay. So I sleep in (unintelligible) and have (unintelligible) ... I have (unintelligible) in this dining room.

HUBKEY Okay.

LEIBEL Dining room have balcony. So ... and have table, chairs, balcony. So Harry and I always ... if I going to sit this chair, open balcony. Or he open balcony, sit chairs and smoke.

HUBKEY Okay.

LEIBEL (unintelligible) smoke. So ... yeah I smoke. He finish breakfast and he said oh, they want watch ... have pool ... pool table.

HUBKEY Okay.

LEIBEL Final Canada guy and American guy play pool table like very crazy ... shooting.

HUBKEY Okay.

LEIBEL Shooting. So he ... he like this because our house have pool table ... table.

HUBKEY Okay.

LEIBEL This is my daughter when she three years ago going to San Diego, he said well she not coming to us anymore. Last year she coming only two times. And spring and winter (unintelligible). Yeah, so he said she not need this room and he make this room pool room. He make beautiful pool room. If you put ... he make T.V., pictures, guns, pool tables. Beautiful. See picture ...

HUBKEY Okay, after you guys ... did you watch pool with him?

LEIBEL I watch what?

HUBKEY Did you watch T.V. with him?

LEIBEL Yes.

HUBKEY And what time did that start?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I think 9:00 ... between 9:00, 10:00.

HUBKEY Okay.

LEIBEL Sometime like this.

HUBKEY So you guys are sitting on the couch watching pool?

LEIBEL How should I ... okay ... here couch (unintelligible) ...

HUBKEY Okay.

LEIBEL ... couch ... small tables ...

HUBKEY Okay.

LEIBEL Glass tables. Glass table ... glass table here.

HUBKEY Okay.

LEIBEL Couch here. Separate couch ... and separate couch here. And he have (unintelligible) fire place and T.V.

HUBKEY Okay.

LEIBEL Okay. So now you have picture. So he sit here couch. Doggie always together here. And I sit couch here. Okay. So when become ... I remember when become commercial I sit couch here and I put my phone ... where my phone?

CHYZANOWSKI It's out there.

LEIBEL Okay. I put my phone here. So when start commercial I open my mouth again. I said Harry I think I going. No tough (unintelligible) I think I going. He said no you're not going anywhere. So I stand up ... I stand up. He sit couch here. I stand up and look at him. I say Harry ... this is what I make statement ... I said Harry no I am going because Lana sent me message again. And I said no I am going. He said no ... no you're not going anywhere. (unintelligible) and I go in kitchen this time. And I'm so tired ... I don't know ...

HUBKEY What were you trying to show when you were just standing there?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Oh, (unintelligible).

HUBKEY No, you stood up and said he went like this.

LEIBEL Oh, this gun. He hold this gun.

CHRZANOWSKI He was holding the gun?

HUBKEY Like this? Like up and down? Like this?

LEIBEL Yeah. He ... he sleep all night ... it's like baby.

HUBKEY So then you went ...

LEIBEL He said nobody take care of me. I am alone. Nobody take care of me.

HUBKEY Okay. So then you went into the kitchen?

LEIBEL Yeah, I go in kitchen.

HUBKEY Okay. What happened while you were in the kitchen?

LEIBEL When I go in kitchen going to drink. Because he so upset to me when he said to me like this. You know I'm like okay and I go into kitchen, open ... open the refrigerator. And I take ... I want take drink. And this time "boom". I am not understand ... from beginning I am not understand what happened. I'm not even thinking this is happen. No, I am not even thinking this is happen. So I ... I close refrigerator. I running. And he hold this gun. And I like Harry what you doing.

HUBKEY How was he holding it?

LEIBEL I don't know ... he hold it ...

HUBKEY Do we have a ruler?

LEIBEL ... second ... second he hold it kind of like this I think. Like this.

HUBKEY So you have the butt ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Uh-huh.

HUBKEY ... and you have the barrel.

LEIBEL Yes.

HUBKEY Right?

LEIBEL Yes.

HUBKEY Where was the butt, where was barrel, when you came into the room?

LEIBEL Oh, his ... pull ... pull ... bullet going to ... barrel?

HUBKEY Barrel ... bullets come out of barrel.

LEIBEL Yeah, it was barrel. Barrel like this.

HUBKEY So barrel was which way?

LEIBEL This way.

HUBKEY So he was ... I don't understand.

CHYZANOWSKI The barrel was pointing at him.

LEIBEL Pointing like ... like pointing like here.

HUBKEY So where was the butt?

LEIBEL Butt up.

HUBKEY Okay, so he's holding the butt like this?

LEIBEL No, not kind of like this. Like this kind of.

HUBKEY And he had the ...

LEIBEL He ... he already ... when ... when I coming I already see his ... something's here.

HUBKEY So did he shoot himself?

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL Yeah, this is what ... he shoot himself, yeah.

HUBKEY You hear one boom, you come into the kitchen, and he's holding the gun like this. Is that right?

LEIBEL Yeah, kind of like this, yeah.

HUBKEY Okay. And the barrel's down here by his abdomen ... lower abdomen?

LEIBEL Kind of ... kind of ... kind of here.

HUBKEY Here.

CHRZANOWSKI She's showing her side.

LEIBEL Kind of here, yeah.

HUBKEY Okay. So ... that doesn't make sense. Do you have something long like a 3-foot ruler or something like that?

CHRZANOWSKI I can look and see what we have.

(Chrzanowski exits)

HUBKEY I'll be back. I just want make sure we understand what's happening, okay?

LEIBEL Yes, of course.

HUBKEY So let me ... let's just get something real quick.

LEIBEL Yeah.

(Hubkey exits and then re-enters a short time later)

HUBKEY Okay, we've got us a problem.

LEIBEL Okay.

HUBKEY (unintelligible) but I just kind of want you to ... so he's sitting in the couch ... let's say this is the couch, right?

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL Yeah.

HUBKEY So is this ... would we be able to say this is the couch he's sitting in?

LEIBEL Yeah.

HUBKEY Okay, could you sit there for me?

LEIBEL I sit?

HUBKEY Please.

LEIBEL Okay.

HUBKEY And I'm going to be you.

LEIBEL Yeah.

HUBKEY So you come in there. He's sitting on the couch holding the gun.

LEIBEL Yeah.

HUBKEY Could you show me how he's holding the gun?

LEIBEL I don't know ... I'm not ...

HUBKEY So this ...

LEIBEL ... I am so ... (unintelligible) ... I said what you doing Harry.

HUBKEY Okay, this is the butt ...

LEIBEL Yeah.

HUBKEY ... you put to your shoulder, alright? Revolver, barrel.

LEIBEL Yes.

HUBKEY Okay, could you kind of show me how he's holding it? Because I just want to make sure I understand.

LEIBEL Kind ... kind of like this. I don't know.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay. Okay ...

LEIBEL Like this. I am not remember ... I am not remember.

HUBKEY Okay. Now that barrel is not touching your body. Is it ...

LEIBEL No. Maybe like this. I don't know.

HUBKEY Okay, but both of his hands were on the gun?

LEIBEL I think so. I remember like ... like this.

HUBKEY And it's pointed down at his ... you're pointing right here.

LEIBEL Somewhere ... I don't know. Kind of like this.

HUBKEY Okay. Okay. So you ... okay. So what happened?

LEIBEL I was (unintelligible) and I ... and I see (unintelligible). And I said Harry what you doing. And I close my eyes and this moment shot again. The second when I am like this ... and the second shot again.

HUBKEY Okay. So you see him. What is ... does he say anything?

LEIBEL No, he ... like this.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL And I coming to him ... Harry, Harry, Harry. And I go in kitchen because kitchen have a phone ... home, home, kitchen, home. I don't know. I am not thinking because a cell phone I go in kitchen ... phone ... home. So I call 9-1-1. And after I make instruction what this ... this guy said.

HUBKEY Okay, okay. So I guess I'm confused about some things so I want to clarify.

LEIBEL Yes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY He's holding the gun like this. Is this how you're holding it? Is that reasonable?

LEIBEL Would ... you know ... do anything to me but I am not remember. I remember kind of ... I don't know. Just like one moment. I don't know. This picture.

HUBKEY Okay, I understand. It's very, very difficult. Okay, I understand.

LEIBEL Yeah.

HUBKEY It's a very traumatic thing.

LEIBEL Yeah.

HUBKEY But I just need to know as much as you know.

LEIBEL Yeah.

HUBKEY So I want you to take your time and thing about okay?

LEIBEL Yeah, yeah.

HUBKEY Because you said he's holding the gun like this. Something like this.

LEIBEL Something ... something ... I don't know. Something like this but little bit low I think.

HUBKEY Like this?

LEIBEL (unintelligible)

HUBKEY Maybe like that?

LEIBEL Maybe like that.

HUBKEY Okay. And ... and you ... you come in and he's holding like ... ohhhh. Like he'd shot himself?

LEIBEL Yeah.

HUBKEY Okay, and then you cover your face.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah. And the second shot coming.

HUBKEY Okay, and then you go like this.

LEIBEL Yeah.

HUBKEY What do you see?

LEIBEL I see him open ... open mouth, open eyes, and ah, ah, ah, you know. And I ... Harry, Harry. And this moment I going to call 9-1-1. And I said he not breathing. He said put him on floor. This is time I pull him floor and start ... start doing this massage.

HUBKEY Okay. Did he shoot himself once or twice?

LEIBEL I hear two, two shot.

HUBKEY Okay. But you gave him CPR, right?

LEIBEL Huh?

HUBKEY You gave him CPR.

LEIBEL Yes, yes.

HUBKEY What did you see?

LEIBEL I see something here ...

HUBKEY Okay.

LEIBEL And ... and I see when I pull him I see couch go out here.

HUBKEY Okay.

LEIBEL But I am not (unintelligible) him. Because I am so ... I don't know even where second bullet coming.

HUBKEY Do you know where the first one went?

LEIBEL I am not even clue.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY Okay. Okay, go ahead.

CHRZANOWSKI Okay. So I'm going to walk back through your day, Tatiana, okay?
The reason I repeat it back ...

LEIBEL Yes.

CHRZANOWSKI ... to you is I want to make sure that I'm hearing you right.

LEIBEL Yes.

CHRZANOWSKI So Harry got up about 5:00 o'clock this morning.

LEIBEL Uh-huh.

CHRZANOWSKI When he woke up this morning he had left the rifle ... revolver rifle in
the bedroom.

LEIBEL Uh-huh.

CHRZANOWSKI Went into the computer room ...

LEIBEL Yeah.

CHRZANOWSKI ... and did whatever on the computer for a while.

LEIBEL Yeah.

CHRZANOWSKI You and the dog woke up around 7:00 o'clock.

LEIBEL Yeah.

CHRZANOWSKI You went out. You made him some tea. Took the dog outside to go
to the bathroom. Came back in and asked Harry if he wanted some
breakfast. And so you made him breakfast around 9:00 o'clock. You
had croissants with cheese.

LEIBEL He ... he make shave.

CHRZANOWSKI Oh, that's right. And he was ... he was shaving ...

LEIBEL Shaving.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI ... while you were making breakfast.

LEIBEL And when ... when he finish shaving he ... our bathroom ... and our bedroom ... bedroom here and bathroom here ...

CHRZANOWSKI Uh-huh.

LEIBEL ... and computer another office room.

CHRZANOWSKI Okay.

LEIBEL So when he finish shaving and he pass at the bedroom he take the ... this gun and sit couch (unintelligible) .

CHRZANOWSKI Okay. So he woke up, left the gun in the room. Went to the computer room.

LEIBEL Yeah.

CHRZANOWSKI Came back to the bathroom to shave.

LEIBEL Yeah.

CHRZANOWSKI After shaving, went back into the bedroom, grabbed the rifle ... revolver ... came out to the living room and sat on the couch with the gun.

LEIBEL Yeah.

CHRZANOWSKI Okay.

HUBKEY Will you excuse me Nadine?

(Hubkey exits)

CHRZANOWSKI You made him some tea. Had breakfast. He sat on the couch and ate his breakfast. You sat on the little balcony and ate ...

LEIBEL Smoked cigarette.

CHRZANOWSKI ... and smoked your cigarette while he ate his breakfast.

LEIBEL Uh-huh.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

CHRZANOWSKI After breakfast he asked you if you wanted to watch the ... the pool competition ...

LEIBEL Yeah.

CHRZANOWSKI ... between the American and the Canadian ...

LEIBEL Uh-huh.

CHRZANOWSKI ... on T.V.

LEIBEL Uh-huh.

CHRZANOWSKI You said sure so he sat on his couch, you sat on the other couch. While you guys were watching television a commercial comes on. He ... you ... on this commercial you start ... you start to talk to him again about going to Los Angeles and he says no, you're not going. And so then you stand up and you say I am going. And you make your statement and he again says no you're not going.

LEIBEL Yeah.

CHRZANOWSKI And ... so you say okay because you know he's getting upset. You walk into the kitchen. You open the refrigerator. You hear a shot. You go back into the living room, you see him holding the gun and looking kind of like ... you know ...

LEIBEL Yes.

CHRZANOWSKI ... shocked or whatever it is. So you believe he had been shot.

LEIBEL Yeah.

CHRZANOWSKI You say ... you cover your face. You say Harry what are you doing. You hear another shot.

LEIBEL Yeah.

CHRZANOWSKI You open your eyes. When you open your eyes the second time, did the gun look different the second time than the first time? So remember you come from the kitchen.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL Yeah ... gun ...

CHRZANOWSKI He has it here.

LEIBEL ... gun kind of like this but down afterwards.

CHRZANOWSKI Okay, so it's down after?

LEIBEL Because ... because couch not like this.

CHRZANOWSKI Right.

LEIBEL He always couch make like this.

CHRZANOWSKI Oh, his feet are up?

LEIBEL Feet is up.

CHRZANOWSKI Okay.

LEIBEL Yeah, yeah.

CHRZANOWSKI Okay, so ...

LEIBEL When I pull him ... when I pull him you know I ...

CHRZANOWSKI It comes forward.

LEIBEL ... I make couch ...

CHRZANOWSKI Come ... okay ... right, okay.

LEIBEL ... come ... yeah.

CHRZANOWSKI So he's sitting here the second time ... so you covered your eyes.

LEIBEL Yeah.

CHRZANOWSKI When you opened your eyes again after ...

LEIBEL Yeah.

CHRZANOWSKI ... the second shot ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

CHRZANOWSKI ... the gun is laying across his lap.

LEIBEL Yeah, like this, yeah.

CHRZANOWSKI Okay.

LEIBEL Like this, yeah.

CHRZANOWSKI Okay. And then ... so the gun looked different the second time than the first time.

LEIBEL Yes.

CHRZANOWSKI It was in a different spot.

LEIBEL Yeah, yeah ...

CHRZANOWSKI Okay.

LEIBEL ... yeah.

CHRZANOWSKI So it's laying across. You go ... you run to the kitchen. You call 9-1-1. The ... the man gives you instructions.

LEIBEL Yeah.

CHRZANOWSKI You say he's not breathing. He gives you instructions to pull him off the couch.

LEIBEL Yeah, yeah.

CHRZANOWSKI Remind me how ... how did you pull him off the couch?

LEIBEL Okay, first I start pulling. You know take his ... kind of up the leg.

CHRZANOWSKI Okay.

LEIBEL He very heavy.

CHRZANOWSKI Right.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL So I tell this instruction ... I said I can't do this. He said no you must put his floor ... try it. So I take robe ...

CHRZANOWSKI Okay.

LEIBEL He ...

CHRZANOWSKI Right, his robe, okay.

LEIBEL ... I take robe and I pull him and couch make like this ...

CHRZANOWSKI Okay.

LEIBEL ... so I'm like very, very, very ... you know I hold him ... I hold him ... head ...

CHRZANOWSKI His head, right, okay.

LEIBEL ... because with gun ...

CHRZANOWSKI Okay, so when you ...

LEIBEL And I take this gun ...

CHRZANOWSKI ... so when you pulled him off the couch from his robe the gun fell to the floor ...

LEIBEL Yeah.

CHRZANOWSKI ... and when you put him on the floor it was right next to Harry's head.

LEIBEL Yeah, yeah.

CHRZANOWSKI So you pick up the gun by ...

LEIBEL Yeah.

CHRZANOWSKI ... the sling and move the gun away from his head ...

LEIBEL Yeah.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI ... and then you start CPR because the man was giving you instructions to push on his chest.

LEIBEL Yeah.

CHRZANOWSKI Okay. Between that time when you picked up the gun and moved it, did you touch the gun again after that? Or did ... did police come and ... and paramedics come?

LEIBEL No, I not touch gun, no.

CHRZANOWSKI Okay, so that was the last time you touched it when you picked it up ...

LEIBEL Yeah ...

CHRZANOWSKI ... and moved it?

LEIBEL ... yeah, yeah.

CHRZANOWSKI Okay.

LEIBEL Yeah.

CHRZANOWSKI Okay.

LEIBEL Yeah.

CHRZANOWSKI Now ... when ... after the first shot, when you came in and you're ... Harry what are you doing ... did he say anything to you? Did he say any words?

LEIBEL Not any words.

CHRZANOWSKI No words?

LEIBEL No words.

CHRZANOWSKI Okay. And then you have your eyes closed. Second shot. You open them. His feet are still in the recline position. The gun is laying across his lap.

LEIBEL Yeah.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Does ... is he talking then or is he not breathing or what's going on then?

LEIBEL The second time?

CHRZANOWSKI Yeah, after the second time.

LEIBEL No, second time he open mouth and like ... ah, ah, ah ...

CHRZANOWSKI Okay.

LEIBEL ... like this.

CHRZANOWSKI Okay. But no ... he wasn't saying any words to you or you weren't able to talk to him?

LEIBEL No.

CHRZANOWSKI Okay. So what is the ...

LEIBEL (unintelligible)

CHRZANOWSKI ... what is the ... and I know this is difficult ... what is the very last thing Harry said to you? What did Harry ... what is the last thing he said to you?

LEIBEL What he said you not going.

CHRZANOWSKI Okay. I'm going to ask you a question.

LEIBEL Yeah.

CHRZANOWSKI Please don't be offended by it but I have to ask you.

LEIBEL Yes.

CHRZANOWSKI Okay?

LEIBEL Yes.

CHRZANOWSKI Because of the ... it's kind of a strange spot

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

CHRZANOWSKI ... on Harry's body where these bullets are ...

LEIBEL Yeah.

CHRZANOWSKI ... okay? Did ... did you shoot Harry?

LEIBEL No. I never do this my life. I am ... I am never do this my life.

CHRZANOWSKI Okay.

HUBKEY Never do what?

LEIBEL Shoot people.

HUBKEY Well just because you haven't doesn't mean you may not have today.

LEIBEL I never shoot people.

CHRZANOWSKI Well Tatiana, here's ... here's what I'm thinking ... and the reason I'm asking you is because Harry was being mean to you. Harry was keeping you away from your daughter, and I have a daughter.

LEIBEL Oh, this is not ...

CHRZANOWSKI Just hear me out, okay? Try and understand where I'm coming from okay?

LEIBEL Uh-huh.

CHRZANOWSKI I'm pretty sure I would be very upset if my husband said I couldn't go see my daughter and she needed me and I might ... I might become angry. So sometimes when people get angry, they do things that they normally wouldn't do. And so that's why ...

LEIBEL But this is not ...

CHRZANOWSKI ... right, and that's why I'm asking you.

LEIBEL ... reason kill person. This is not reason kill person.

CHRZANOWSKI Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL This is not reason.

CHRZANOWSKI Okay. So in your mind that's not a reason to kill Harry?

LEIBEL This is not ... this is not reason kill person.

CHRZANOWSKI Okay.

LEIBEL This is absolutely no.

CHRZANOWSKI Right.

LEIBEL How you kill person if you ... this is not first time argue about children, you know?

CHRZANOWSKI So you were used to arguing ...

LEIBEL Yeah ... used to ...

CHRZANOWSKI ... with Harry over the children?

LEIBEL Yeah, I always ... I said no Sharon ... this his daughter ...

CHRZANOWSKI Uh-huh.

LEIBEL ... no, you need to call her. No I am not call her. You know ... always conversation about children.

CHRZANOWSKI Okay.

LEIBEL Because he and me and our doggie already (unintelligible) ... already three years you know so you kind of you know ...

CHRZANOWSKI So it's ... it's normal for you guys to have ...

LEIBEL This is ...

CHRZANOWSKI ... an argument like this?

LEIBEL Yeah, yeah.

CHRZANOWSKI Is it normal for him to sit on the couch with a gun like that?

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL No, not normal. Not normal.

HUBKEY Well I can tell you ...

LEIBEL He make ...

HUBKEY ... there's nothing normal about it.

LEIBEL ... no he make before. He make many times before. But I think this like scare me. And this time I ... I think again he play to me, you know?

CHRZANOWSKI Right.

LEIBEL Like take my emotional. No I am dying, I am kill myself, I am dying. This is always like this.

CHRZANOWSKI So he always ...

LEIBEL After operation.

CHRZANOWSKI ... says stuff like this? Okay.

LEIBEL The operation, yeah.

CHRZANOWSKI So he always says ...

LEIBEL I already used to.

CHRZANOWSKI So you used to him saying he's going to kill himself?

LEIBEL Oh yeah, yeah. Just like he ... he always play together with me.

CHRZANOWSKI So he always says these things to make you emotional and to try and bother you ... to upset you?

LEIBEL Yeah, yeah.

CHRZANOWSKI Does it work? Does it upset you when he says stuff like that?

LEIBEL In many times I not even pay attention ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

CHRZANOWSKI Right.

LEIBEL ... you know.

CHRZANOWSKI Okay. Has he ever act ... I know he's said that he's going to kill himself a lot.

LEIBEL But Harry ...

CHRZANOWSKI Has he ever tried?

LEIBEL ... Harry ... Harry and I never like fighting, hating each other. No, not this one.

CHRZANOWSKI Right.

LEIBEL Not ..

CHRZANOWSKI Just verbal.

LEIBEL Verbal and never ... never ...

CHRZANOWSKI So there's never any physical violence? You guys don't beat each other up or ...

LEIBEL No.

CHRZANOWSKI ... or slap each other or push ...

LEIBEL Never, never.

CHRZANOWSKI Nothing like that?

LEIBEL No ...

CHRZANOWSKI Okay.

LEIBEL ... no, never.

CHRZANOWSKI So my next question, Tatiana, is so ...

LEIBEL I think ... because of ... our doggie ... I think what ... what I think ... I don't know ... because doggie always sit together with Harry ... okay

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

... and my ... my opinion with first shot start doggie going crazy you know? He like ... you know ... I see Bo going to crazy you know. So maybe this is moment ... I don't know ... doggie make him moving or something. I don't know, you know. Something what ... what like this.

CHRZANOWSKI Okay. He said that he's going to kill himself before. Has he ever tried to kill himself before?

LEIBEL Yes.

CHRZANOWSKI And how did he try to do that?

LEIBEL He try him ... one time ... I don't know ... this is ... he fight with Sharon. Even my daughter said ... one time she ... said ... I going to this ball game. I said ... Chaya-Anna said Dad you okay? Like you know ... he play.

CHRZANOWSKI Right.

LEIBEL You know ... who even thinking.

CHRZANOWSKI Right.

LEIBEL You know ... like this ... when ... when he fight ... (unintelligible) daughter Sharon ... very emotional. He not sleepy. He going to crazy and ... you know ... all the time. Come on ... going to shooting. I said no I'm not going today shooting. Many times I said I'm not going. Because he want going. He always make ... (crying) ... sorry ...

CHRZANOWSKI No, that's okay.

LEIBEL (unintelligible) ...

CHRZANOWSKI Right.

LEIBEL ... (unintelligible) ... so ... he make shoot ... to shoot ...

CHRZANOWSKI A target?

LEIBEL Target. And he give present to ... to Reno couple. Make present his (unintelligible) doctor. He give to present him. He kind of more ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

more focusing last ... I don't know ... maybe last year. I know what this happening when he start buying ... very crazy buying guns. You know like ... I don't know maybe this is what ... after Obama said no guns ...

CHRZANOWSKI Right.

LEIBEL ... and blah, blah, blah ... so people start buy guns. And he always going to show, you know.

CHRZANOWSKI Uh-huh, the gun show.

LEIBEL Gun show Reno. Last time he buy another gun.

CHRZANOWSKI Okay.

LEIBEL He ... he ... he like more focus guns ... guns, shooting. Because he retired. He not work.

CHRZANOWSKI Right.

HUBKEY When is the last time he worked?

LEIBEL Last time he work ... I never remember he work.

HUBKEY How long have you guys been together?

LEIBEL Already ten years.

HUBKEY And how did you meet?

LEIBEL Meet ... my girlfriend have wedding ...

HUBKEY Okay.

LEIBEL ... Los Angeles. And my girlfriend friend to him. She invite him to wedding.

HUBKEY So you ... were you already in America?

LEIBEL Yeah. Long time ago.

HUBKEY How long ago?

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

CHRZANOWSKI It's been twenty-five years.

LEIBEL From ... first time I coming United States 1992.

HUBKEY Okay.

LEIBEL Now I am already have green card and this year I'm thinking have American passport. Just kind of ...

CHRZANOWSKI So you've been here a long time?

LEIBEL Long time. Already twenty-five years.

HUBKEY Where does he get his money from?

LEIBEL This is what good question because his mom and dad coming United States long ago. Because he marriage ... he ... he ... he parents from Poland.

HUBKEY Okay. So is he Polish?

LEIBEL No, because ... what ... what how he explain to me ... Poland and Germany have some things ...

HUBKEY So he's Polish or German?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL Yeah, kind of German more.

HUBKEY Was he ...

LEIBEL I don't know what he ...

HUBKEY ... born in Germany?

LEIBEL Born in Germany.

HUBKEY Okay, when did he come here?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL When he have two years old.

HUBKEY Okay, are his parents here?

LEIBEL Together with parents ... Los Angeles.

HUBKEY Okay. Are they still alive?

LEIBEL No, already passed away. Mom 94 ...

HUBKEY Okay.

LEIBEL ... and Dad long time ago.

HUBKEY Okay, so ...

LEIBEL So parents when passed away ... already long time ago ... before me ... give ... give him two buildings. He have two buildings.

HUBKEY He owns two buildings?

LEIBEL Yeah, he owns two buildings.

HUBKEY Okay.

LEIBEL So what he do after this 2005 operation, what he do ... he said to me do you want to visit Lake Tahoe. I said yes sure. So summertime his son Justin, and my daughter Chaya-Anna, and I and he take car and visit Lake Tahoe. So he told me he already coming Lake Tahoe every summer thirty-nine years and he dreaming live Lake Tahoe. He tired Los Angeles and blah, blah, blah. I said yeah why not. You know, Lake Tahoe very nice and even after operation doctor told me he need more air ... kind of like this you know.

HUBKEY So is his source of income the two buildings?

LEIBEL Yeah.

HUBKEY So he has two commercial buildings that ...

LEIBEL Two commercial apartment buildings.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL And what he do he sell first building ...

HUBKEY Okay.

LEIBEL ... and pay fifty percent our mortgage.

HUBKEY Okay, so is that your guys' main source of income?

LEIBEL What?

HUBKEY Is that your main source of income?

LEIBEL No, no, no. And he ... he ... he sell ... he sell another buildings ... more bigger. But he sell private. And this person ... company ... it's not person ... big company ... pay him certain amount money every month.

HUBKEY Okay.

LEIBEL So kind of percentage.

HUBKEY Okay.

LEIBEL And he said ... Harry said to me ... another five years ... and after five years maybe company ask him ... another three years and after give him full amount.

HUBKEY Okay. And what is your source of income?

LEIBEL My sources ... I finish ... graduate Lake Tahoe Community College.

HUBKEY Okay.

LEIBEL And I am going to UNR and graduate UNR. So after UNR ... and same ... same time when I study UNR ... I open company called (unintelligible) and work together with Microsoft so kind of I have a patent ... my patent.

HUBKEY Okay. How much do you make a month?

LEIBEL Uh ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Do you have a monthly income, or how does that work?

LEIBEL ... no ... monthly income.

HUBKEY What is your monthly income.

LEIBEL My monthly income not have yet because this is ... Harry ... Harry tried support me beginning ... this company ... because he inside company too.

HUBKEY Okay, so right now you have no monthly income?

LEIBEL For me, no.

HUBKEY Okay. Now does Harry have a will?

LEIBEL He make will when he going first time operation 2005.

HUBKEY Okay. Has been updated recently?

LEIBEL He not told me but I am not know about this.

HUBKEY Well you're his wife.

LEIBEL But he not ... if he not told me this is means he not update.

HUBKEY Okay, okay. So what did the will say in 2005?

LEIBEL 2005 said ... I remember ... said after he ... he give everything me and after ... if after four months I am die ... this going to our children ... four children ... twenty-five percent in children. If this is children die after four months give to our friend.

HUBKEY Okay.

LEIBEL This is what will like ...

HUBKEY So how much money does he have right now?

LEIBEL No, he have five thousand or four something (unintelligible) every month.

HUBKEY Okay, so he has an income of four or five thousand every month.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah, he pay mortgage.

HUBKEY Okay. How much does he have in the bank?

LEIBEL I am not know.

HUBKEY I mean if he dies today, what are you going to get?

LEIBEL I am not have idea. Maybe zero. Because ... because he ...

HUBKEY Is there life insurance?

LEIBEL ... he (unintelligible) ... I am not know.

HUBKEY How do you not know?

LEIBEL He not told me about life insurance. And I am never make my life insurance too.

HUBKEY So you don't have any ...

LEIBEL I am not ...

HUBKEY ... and you don't know that he has any?

LEIBEL No.

HUBKEY Okay.

LEIBEL About life insurance me and he never talk about this.

HUBKEY What do you guys talk about? Sounds like you have a pretty crappy marriage.

LEIBEL What this means?

HUBKEY Um ...

LEIBEL Very wonderful marriage.

HUBKEY ... it seems ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Always ... always together. Watch movies together you know.

HUBKEY But the way you talk it sounds like he's a very possessive person who doesn't let you do anything.

LEIBEL No, he controlling.

HUBKEY So he is controlling?

LEIBEL He controlling.

HUBKEY Do you ... do you ... how does that make you feel?

LEIBEL I am okay.

HUBKEY You're okay with that?

LEIBEL I already live ten years. I am okay. He not control ... beat me or control ... no. His personality control.

HUBKEY Uh-huh. He's manipulative.

LEIBEL Manip ... but uh ... but uh ... everything he play ... from yesterday to today ... play.

HUBKEY Play what?

LEIBEL Guns.

HUBKEY Okay.

LEIBEL No manipulate me. You understand?

HUBKEY What do you mean manipulate you?

LEIBEL Like ... like ... I kill myself, don't going.

HUBKEY Okay.

LEIBEL And I say okay, I am not going because I am worry he kill himself.

HUBKEY Okay, but ultimately you decided to go.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL Yeah, and ... and ... and afterwards I make statement I going.

HUBKEY Knowing that he might kill himself.

LEIBEL Because I am not ... saying that even think he kill himself.

HUBKEY But he said he would.

LEIBEL But this is playing. This not like first time.

HUBKEY Okay.

LEIBEL No normal person do you thinking person kill himself ... normal person.

HUBKEY Okay.

LEIBEL I am not even thinking about this.

HUBKEY Okay. You need some more water? (speaking to Chrzanowski) - I've got to call Preston. He keeps ringing my phone.

(Hubkey exits)

CHRZANOWSKI I'm going to get you more water anyway, okay?

LEIBEL Thanks.

CHRZANOWSKI You're welcome. (unintelligible) okay? You okay? You doing okay? Alright, I'll be right back okay?

LEIBEL I need my medicine ... need smoke.

CHRZANOWSKI Okay, hold on one second.

(Chrzanowski exits)

(Chrzanowski enters)

CHRZANOWSKI Hi. You okay? Alright, real quick ... they ... what we would like to do is take a look at your house to ... to look for anything that will help us understand what happened today.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Okay.

CHRZANOWSKI Anything that's kind of ... of relevance to today's incident. Are you okay with that?

LEIBEL Yeah, please.

CHRZANOWSKI Okay, that's what I figured. If I could just get you to write your name right here and then sign and date it. Sure ... go ahead and write your name there. Okay, and then sign it right there where that "X" is at. And what it says is it's giving you permission ... me permission to search your residence. Here's the address ... 452 Kent Way, Zephyr Cove.

LEIBEL Yeah.

CHRZANOWSKI By me or any other law enforcement officer here in Douglas County.

LEIBEL Yes, of course.

CHRZANOWSKI Okay?

LEIBEL Yeah.

CHRZANOWSKI And then if you could just date it. Today's date is ... sorry ... that's a good question ... today is the 23rd of February. And then it's 2014. Yeah, that's okay. It's '14.

LEIBEL I'm sorry.

CHRZANOWSKI No, that's okay. That's okay. Alright, and then I'm just going to sign as the witness, okay, that I saw you sign it.

LEIBEL Yeah.

CHRZANOWSKI Okay?

LEIBEL Yeah.

CHRZANOWSKI Perfect, thank you.

LEIBEL I'm (unintelligible) ...

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

CHRZANOWSKI No, I know.

LEIBEL (unintelligible)

CHRZANOWSKI No, I understand. Okay? Thank you. Alright, I'll be right back, okay?

(Chrzanowski exits)

(Chrzanowski enters)

CHRZANOWSKI I'll be back in just a second, okay?

(Chrzanowski exits)

(Hubkey enters)

HUBKEY Hey Tatiana?

LEIBEL Yes?

HUBKEY Do you need to use the bathroom?

LEIBEL Yes.

HUBKEY Okay, come on.

LEIBEL (unintelligible)

HUBKEY Huh?

LEIBEL (unintelligible)

HUBKEY Let me go ... let's go this way.

(Leibel and Hubkey exit)

(Hubkey and Leibel enter)

LEIBEL Policeman said going outside.

HUBKEY Okay.

LEIBEL And I'm like this and I didn't have shoes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL And after somebody bring me ...

HUBKEY Okay.

LEIBEL (unintelligible).

HUBKEY Okay.

LEIBEL Do you smoke?

HUBKEY I don't. If I had a cigarette I'd give it to you. Um ... okay ... so before we start talking I'm going to read you your Miranda Rights again. Is that okay?

LEIBEL Yes.

HUBKEY Okay. Do you remember what they are?

LEIBEL (unintelligible)

HUBKEY These right here. Here, bring your chair over here.

LEIBEL Yeah.

HUBKEY Can you read these?

LEIBEL Yeah. You have the right to remain silent.

HUBKEY Uh-huh.

LEIBEL What this is means you put me in jail some ... some ...

HUBKEY No, it's just because we don't know what's going on exactly yet. We're still trying to figure it out. So because we're unsure of what's going on ...

LEIBEL Yeah ...

HUBKEY ... we ... we ... your Constitutional Rights ...

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL Yeah.

HUBKEY ... as an American citizen state you have to know these.

LEIBEL Yeah.

HUBKEY Okay?

LEIBEL Yeah, I understand this ...

HUBKEY So ...

LEIBEL ... yeah.

HUBKEY ... so just until we know for sure what's happening ... okay ... they haven't even looked in your house yet.

LEIBEL Uh-huh.

HUBKEY Okay? They're waiting.

LEIBEL Yeah.

HUBKEY Um ... so because they don't know what happened, I don't know what happened other than what you've said.

LEIBEL Uh-huh.

HUBKEY So I want to make sure that you understand these.

LEIBEL Yes, I understand this.

HUBKEY Okay, so I wanted you to read them again ...

LEIBEL Yeah, okay ...

HUBKEY ... before ...

LEIBEL ... if you want.

HUBKEY ... because we just ... we just separated and we didn't talk for ten minutes ...

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL Yeah.

HUBKEY ... I just want to make sure you understand these.

LEIBEL Yeah, yeah.

HUBKEY Um ...

LEIBEL Anything you say can and will be used against you in a court.

HUBKEY Yeah, we're required to do this by law.

LEIBEL Okay.

HUBKEY So do you want me to read them to you?

LEIBEL Yes, please.

HUBKEY Okay. It says you have the right to remain silent.

LEIBEL Uh-huh.

HUBKEY It says anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have them present with you while you are being questioned. If you cannot afford to hire a lawyer, one will be represented to represent before any questioning if you wish. You have the right ... no, that's a juvenile thing. Um ... do you understand each of these rights as I have explained them to you?

LEIBEL Yeah.

HUBKEY Okay. Yes or no?

LEIBEL Yes.

HUBKEY Yes. Having these rights in mind, do you wish to talk to me now?

LEIBEL I wish talk to you now.

HUBKEY You have to say yes or no.

LEIBEL Yes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I have apartment. Wonderful apartment. Have pool. Beautiful apartment.

HUBKEY Okay.

LEIBEL Together with my daughter.

HUBKEY Okay.

LEIBEL So ...

HUBKEY How old is your ... now do you two have any children together?

LEIBEL He have ... no, together, no.

HUBKEY Okay.

LEIBEL But he ...

HUBKEY Do you have any children?

LEIBEL Who, me?

HUBKEY Yeah.

LEIBEL I told you. I have two daughter.

HUBKEY Okay. Oh, I only heard one.

LEIBEL Oh no, no, no. I have thirty years old who I want visit to Los Angeles.

HUBKEY Okay.

LEIBEL Okay? And I have nineteen years old who started San Diego.

HUBKEY Okay.

LEIBEL Okay, yeah. Chaya-Anna. So Chaya-Anna ... nineteen years old. When she have eight years old ... Harrt (unintelligible) and very funny when Harry (unintelligible).

(loud sound)

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Sorry.

LEIBEL When he divorce first time ...

HUBKEY Uh-huh.

LEIBEL ... he divorce first time ... his daughter, Sharon ...

HUBKEY Uh-huh.

LEIBEL ... this time have eight years old.

HUBKEY Okay.

LEIBEL So when he meet me and I have daughter eight years old, he kind of think you know I continue grow this child.

HUBKEY Okay.

LEIBEL And he very good to her. And she love him and he love her.

HUBKEY Was he a good dad?

LEIBEL Very good dad.

HUBKEY Okay.

LEIBEL But very strong.

HUBKEY Okay, what do you mean strong?

LEIBEL Oh ... like you know ... don't doing.

HUBKEY So didn't put up with any ...

LEIBEL No, no, like normal.

HUBKEY Okay.

LEIBEL But he very like controlling. His personality controlling.

HUBKEY Okay.

... speak to daughter or son he very tough talk.

HUBKEY

Okay.

LEIBEL

Very tough talk.

HUBKEY

Are they good kids?

LEIBEL

Very good kids. His daughter what I told (unintelligible) ... his daughter police woman.

HUBKEY

Uh-huh.

LEIBEL

And his husband ... her husband police woman ...

HUBKEY

Okay.

LEIBEL

... police guy. I think what ... what Highway police.

HUBKEY

Highway Patrol?

LEIBEL

Yeah, Highway ...

HUBKEY

Okay.

LEIBEL

... policeman, yeah. And ... but he black.

HUBKEY

Okay.

LEIBEL

And this is what problem is.

HUBKEY

Okay.

LEIBEL

Because my daughter ... I'm sorry ... my daughter ...

HUBKEY

So his daughter is a Highway Patrolman or your daughter?

LEIBEL

His daughter.

HUBKEY

And she's married to a black guy?

LEIBEL

Yes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY Okay. And he doesn't like that.

LEIBEL Because his parents don't like it.

HUBKEY Okay.

LEIBEL His parents very religion.

HUBKEY Okay.

LEIBEL Jewish.

HUBKEY Okay. Is he Jewish?

LEIBEL He Jewish.

HUBKEY Okay.

LEIBEL And I keep (unintelligible) Shabbos every Friday.

HUBKEY What's that?

LEIBEL Shabbos ... called Shabbos.

HUBKEY What is that?

LEIBEL Okay, Friday ... every Friday ... when sun going down ...

HUBKEY Okay.

LEIBEL ... you make candle.

HUBKEY Okay.

LEIBEL And you make food and (unintelligible).

HUBKEY Oh, okay.

LEIBEL Yeah, this is every Friday.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

HUBKEY Are you ... are you Jewish?

LEIBEL Yes.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL So every Friday I do this.

HUBKEY Okay.

LEIBEL So he very happy. So this Friday probably. So my daughter married
to black guy too.

HUBKEY Okay, how does that make you feel?

LEIBEL Seems like you know ... I don't know. I am not prejudice.

HUBKEY Okay.

LEIBEL I very normal you know.

HUBKEY So no big deal?

LEIBEL No big deal.

HUBKEY Okay.

LEIBEL No. And 2000 ... wait a second ... 2012 ... I think 2012 ... my oldest
daughter get with husband and get with one child ...

HUBKEY Okay.

LEIBEL ... coming to Reno ...

HUBKEY Okay.

LEIBEL ... and he finish Academy ... Fire Academy.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL Fire Academy. So (unintelligible) and he ask I come visit her.

HUBKEY Okay.

LEIBEL She really need me. Because she have two ... two twins ... twins ... two boys.

HUBKEY When were they born?

LEIBEL Born ... well cut stomach. One boy born 11:59, 24 June. At 12:00 o'clock 25 June, born another.

HUBKEY So they have separate birthdays?

LEIBEL Separate birthday. And one little bit darkness and another little bit whiteness.

HUBKEY Okay. Okay.

LEIBEL So for Harry children doesn't matter. He not take no name his daughter children.

HUBKEY Wow, so he's really upset about that.

LEIBEL Not even my daughter give ... um ... Facebook ... Facebook. She said Mommy look Sharon ... (unintelligible) Facebook (unintelligible) Facebook. And I come to ... come to him. I said Harry do you want to see your grandchildren? No, I'm not even once looking. I said do you know even names? No, I don't want even hear about this.

HUBKEY So he's very racist.

LEIBEL (unintelligible)

HUBKEY Okay, okay.

LEIBEL Yeah.

HUBKEY So have you been down to see them?

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL By who?

HUBKEY Have you gone to L.A. to see your grandchildren?

LEIBEL Sum ... yes summertime, yeah.

HUBKEY Okay. And how did Harry feel about that?

LEIBEL He call me every moment ... when you come back, when you come back, when you come back.

HUBKEY How long were you gone?

LEIBEL I think four ... four days, five days, something like this.

HUBKEY Only once?

LEIBEL When children born ...

HUBKEY Okay.

LEIBEL ... June. And when other? And when I visit Chaya-Anna San Diego University. This is her birthday.

HUBKEY Okay.

LEIBEL September 30th ... her birthday.

HUBKEY Uh-huh.

LEIBEL And I visit Chaya-Anna and I stop Lana house one night.

HUBKEY Okay.

LEIBEL I drive all morning ... like 4:00 o'clock morning I drive to home.

HUBKEY Okay, so you've been gone twice?

LEIBEL Yeah, even police stop me and give me ticket.

HUBKEY (laughing) Okay. So how did Harry feel when you left those times?

LEIBEL He didn't like it.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL He ... he call me every day ... every moment. Even ask my children.

HUBKEY He what?

LEIBEL Even ask my ... my daughter. He call me every moment ... when you coming, when you coming. And this time ... I think second time when ... when I start to little bit drive faster because he send me messages I am dying, I am so dying, I am so dying. I drive like crazy. Oh my gosh.

HUBKEY What did he mean he's dying?

LEIBEL Because he have ... what name ... how can I forget ... one second ... coming. Stone, stone. He have stone.

HUBKEY Kidney stone.

LEIBEL Kidney stone. Kidney stone ... and he said this is very hurt me and I said going to doctor. So he not going to doctor. He need me. So ...

HUBKEY So you're very responsible for him.

LEIBEL Very responsible.

HUBKEY You're ... you're kind of his ... his ...

LEIBEL Routine.

HUBKEY His what?

LEIBEL He want his routine, yeah?

HUBKEY His roots?

LEIBEL Routine, routine.

HUBKEY Routine, okay.

LEIBEL Not roots.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY And you're part of his routine.

LEIBEL Yeah.

HUBKEY And he doesn't like you being gone.

LEIBEL No.

HUBKEY Okay.

LEIBEL He want I do ... I told you when ... when ... when he have hospital the time I told 24 hours I am sleep couch. He not ...

HUBKEY Okay.

LEIBEL ... stay together.

HUBKEY Does he want you there?

LEIBEL Yeah, he ...

HUBKEY Or do you want to be there?

LEIBEL No, he want I stay together.

HUBKEY He wants you there?

LEIBEL Yeah.

HUBKEY Okay. Now, is he currently ill?

LEIBEL Yes.

HUBKEY What is his medical condition?

LEIBEL He have ... what happen is 2005 Los Angeles operation.

HUBKEY Uh-huh.

LEIBEL He have insurance.

HUBKEY Yes, I heard that.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Okay.

HUBKEY And then 2007 ...

LEIBEL 2007 when coming here ...

HUBKEY Okay, but that was seven years ago.

LEIBEL No, no, no. His operation 2007.

HUBKEY Yes.

LEIBEL But how 2005 ...

HUBKEY Okay.

LEIBEL ... 2006 ... 2006 ... and he have operation.

HUBKEY Uh-huh.

LEIBEL So he not have insurance.

HUBKEY Correct.

LEIBEL You imagine?

HUBKEY Uh-huh.

LEIBEL So he many money give to hospital from first building.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay, but is he ...

LEIBEL He (unintelligible).

HUBKEY Okay, does he have cancer today?

LEIBEL Uh ... he not check. Doctor told ... told him going to cut and he have operation nose ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL ... because find cancer ...

HUBKEY Skin?

LEIBEL Skin ... skin cancer.

HUBKEY Okay.

LEIBEL Cut ... cut like this.

HUBKEY Uh-huh.

LEIBEL And this one and this one. Like him ... like this ... so this one cancer. After he have now big bone ... not remember this one ... or this one ... I not remember ... uh big bone ... and he said I think this is cancer. I said going to doctor. He said no I am not have insurance. I said going to retirement ... you have already ... he already 65 ... November. I said go into retirement and make this ... what ... medical whatever what have ...

HUBKEY Uh-huh.

LEIBEL ... you know. So yeah, yeah, yeah, I'm going, I'm going. Every day ... I'm going, I'm going. You know how this ...

HUBKEY Yeah, yeah. But do you know of any illness right now?

LEIBEL No.

HUBKEY He doesn't have cancer, right?

LEIBEL No, he have ... he says he have cancer.

HUBKEY He says he does?

LEIBEL He says he have cancer. But I ... he said I am ... I am not going to again cut my ... cut me he said.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I am not going to cut me again. I'm tired already doctor cut me, cut me. You know ... (unintelligible).

HUBKEY Okay. But he hasn't been in the hospital since 2007?

LEIBEL No ... uh no ... after 2007 he have nose problem.

HUBKEY Okay.

LEIBEL Nose problem.

HUBKEY Okay.

LEIBEL He went to Carson City. I don't know what this is year. I don't remember. This is after already 2007. Ask Doctor Steve Brook. He ... he give you full information about him.

HUBKEY Doctor who?

LEIBEL Doctor Steve Brook.

HUBKEY Steve?

LEIBEL He ... he here.

HUBKEY Where at?

LEIBEL What ... where I am right now? I am not even see where I am right now.

HUBKEY You are at ...

LEIBEL No, no, no ...

HUBKEY ... Stateline. Steve Brooks?

LEIBEL Steve Brooks. You spell Steve like this?

HUBKEY Well you can also spell it ...

LEIBEL I ...

HUBKEY ... S-T ... or I'm sorry ... S-T-E-P-H-E-N. Stephen?

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL No, Steve.

HUBKEY Steve is his ...

LEIBEL S-T-I?

HUBKEY S-T-E-V-E, Steve.

LEIBEL Okay, okay. Brooks.

HUBKEY Okay.

LEIBEL Dr. Brooks.

HUBKEY What hospital?

LEIBEL Not hospital. Here ... here ... this is physical doctor.

HUBKEY Okay.

LEIBEL You know ...

HUBKEY Right next door?

LEIBEL Not a ...

HUBKEY Across from Lakeside Inn?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL Yeah. Go in and find ...

HUBKEY Stateline Medical.

LEIBEL Yeah. We not (unintelligible) his medical condition.

HUBKEY When did he last see him?

LEIBEL Long time ago. Maybe one year.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY One year ago, okay.

LEIBEL But he ... maybe six months ... I don't know.

HUBKEY Okay.

LEIBEL And after he see ... last doctor he see ... (unintelligible) ...
(unintelligible) ... (unintelligible) and this is (unintelligible) give
him (unintelligible) because with kidney ...

HUBKEY Okay.

LEIBEL ... so much hurt him. And after he said to him going to skin doctor.

HUBKEY So cancer, kidney stones ...

LEIBEL Yeah.

HUBKEY Okay, okay.

LEIBEL And skin ... skin ...

HUBKEY Okay.

LEIBEL ... whatever it ... skin ...

HUBKEY Any cancer in the body?

LEIBEL No, he not told me about ...

HUBKEY Okay, okay.

LEIBEL Yeah.

HUBKEY Um ...

LEIBEL Some things grow ... grow ...

HUBKEY Okay. How is his head?

LEIBEL What ... hospital send this one and this one ...

HUBKEY No, I guess what I'm asking is ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Uh-huh.

HUBKEY ... um ... in his ... in his head is he stable?

LEIBEL He normal.

HUBKEY He's normal? No ... no bipolar?

LEIBEL What this mean bipolar?

HUBKEY Um ... crazy.

LEIBEL No, sometimes, yeah.

HUBKEY Sometimes?

LEIBEL Yeah.

HUBKEY Hold on real quick. I think somebody might be knocking. I'm not sure.

(Hubkey talks to someone outside the room)

HUBKEY I'm sorry ... um ... so you say he's a little crazy?

LEIBEL I don't know how explain to you crazy because maybe you think crazy different. I looks crazy different. I don't know ...

HUBKEY What do you believe?

LEIBEL No, after hospital of course he sometime emotional.

HUBKEY Okay. Like crying emotional?

LEIBEL Crying and sometimes crazy like angry.

HUBKEY Angry?

LEIBEL Yeah. Beat ...

HUBKEY Punch walls?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL ... punch walls.

HUBKEY Okay. Did he punch you?

LEIBEL No, never.

HUBKEY Never?

LEIBEL Never. Not even ...

HUBKEY Grab you?

LEIBEL No, never.

HUBKEY Okay.

LEIBEL Not even thinking.

HUBKEY Okay, that's good.

LEIBEL No, this is wonderful.

HUBKEY Okay.

LEIBEL Yeah. I bless ... have good husband.

HUBKEY Okay. So ...

LEIBEL (crying) I have good husband. Take care of me good. Good husband.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY He's a good ... good man.

LEIBEL Good man.

HUBKEY Okay. Why do you think this happened today?

LEIBEL I don't know. Something ... something emotional problem. Because I told you how before emotional problem.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY So he has an emotional problem.

LEIBEL Emotional problem.

HUBKEY Let's talk about that. Tell me about his emotional problem.

LEIBEL Well sometimes ... for example ... before he try (unintelligible) with his favor gun.

HUBKEY His what?

LEIBEL Favor gun. Favor.

HUBKEY Feather?

LEIBEL No. Favor.

HUBKEY Favorite.

LEIBEL Favorite.

HUBKEY Favorite.

LEIBEL Favorite. Thank you.

HUBKEY Okay. His favorite gun.

LEIBEL Favorite gun.

HUBKEY Okay.

LEIBEL Okay. So he try this one. He hold it all the time this gun. Not ... not ... not good. Another time he buy it ... oh this is my favor. He put table. He ... you know ... I am not even pay attention or he put couch. It's like gun down everywhere.

HUBKEY Why did he carry a gun?

LEIBEL This is a good question.

HUBKEY Okay. Did it bother you?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL No, actually, I am not even thinking nothing ...

HUBKEY Okay.

LEIBEL ... happen.

HUBKEY Okay.

LEIBEL Normal person ...

HUBKEY Well ...

LEIBEL ... collection gun.

HUBKEY ... I'm normal ...

LEIBEL Yeah.

HUBKEY ... I think. I don't carry a gun all around the house.

LEIBEL Yeah, this not normal.

HUBKEY Okay.

LEIBEL (unintelligible)

HUBKEY I mean and I have a gun ...

LEIBEL Yeah.

HUBKEY ... but I don't carry it all over the house with me.

LEIBEL Yeah.

HUBKEY So why do you think he ...

LEIBEL But if you ...

HUBKEY ... why do you think he did that?

LEIBEL ... if you come into my home guns everywhere.

HUBKEY Okay. Was he paranoid?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL **Paranoid.**

HUBKEY **He was paranoid?**

LEIBEL **Yeah, paranoid, because he always said if somebody coming to our house ...**

HUBKEY **Okay.**

LEIBEL **... um ... I don't know if ... did somebody check my house now?**

HUBKEY **Not yet.**

LEIBEL **Not yet.**

HUBKEY **Not that I know of.**

LEIBEL **So he even buy special watch.**

HUBKEY **Okay.**

LEIBEL **When you open and have guns inside ... you not even know.**

HUBKEY **A safe?**

LEIBEL **No, not ... like wood ... wood ... wood beautiful and watch ... clock.**

HUBKEY **Oh, you open the clock?**

LEIBEL **You open clock and you have guns.**

HUBKEY **Oh, okay.**

LEIBEL **Okay. So like this. For example ... yes he put now safe.**

HUBKEY **Is there a safe number or ...**

LEIBEL **No, no, no.**

HUBKEY **Just pull the clock?**

LEIBEL **Just pull the box and he always keep guns ready.**

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY Okay.

LEIBEL He pull already bullets.

HUBKEY Okay.

LEIBEL Already ready.

HUBKEY Okay. Where is this clock at?

LEIBEL Clock ... kitchen ...

HUBKEY Okay.

LEIBEL ... in dining room.

HUBKEY Okay.

LEIBEL Clock.

HUBKEY Okay.

LEIBEL But I don't know ... uh ... because sometimes going to shooting ...

HUBKEY Uh-huh.

LEIBEL ... and he take this guns shooting. After coming home and he clean.

HUBKEY Okay.

LEIBEL And after sometimes put, sometimes not put, sometimes put safe.
And safe ... oh ... have bedroom like this ... wood, yeah?

HUBKEY Uh-huh.

LEIBEL And have pictures. Like wood pictures.

HUBKEY Is there guns behind the pictures?

LEIBEL And when you open have gun. Like Army gun.

HUBKEY Okay.

LEIBEL Yeah. So last time he buy like Army gun.

HUBKEY Okay.

LEIBEL Like Army gun.

HUBKEY Okay.

LEIBEL Not like toot, toot, toot, toot, but very powerful gun.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay. So why did he carry ... he was paranoid?

LEIBEL Yeah.

HUBKEY What was he ... what was he paranoid about?

LEIBEL No would ... he ... he ... he think somebody coming ... always
somebody coming.

HUBKEY Always somebody coming.

LEIBEL Always somebody coming. He, for example, I coming to home and I
need close two times. I said Harry this is silly.

HUBKEY Uh-huh.

LEIBEL Two times. No, you need close two times. Not like one time key.

HUBKEY Okay.

LEIBEL Like inside ... inside go "boom", "boom". Two times. Very paranoid.
And he keep ... I don't know who told ... who told him ... I think ... I
think Ray his friend ... he said oh you have ... you keep everywhere.
So what ... what ... what Harry ... Harry ... and he show everybody.
He show friends ...

HUBKEY Uh-huh.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL ... where he keep his guns.

HUBKEY Uh-huh.

LEIBEL You know ... he keep here ... already loading ...

HUBKEY Uh-huh.

LEIBEL ... where he's sleeping.

HUBKEY In the night stand?

LEIBEL ... night stand ...

HUBKEY Yeah.

LEIBEL ... loading. Then here loading. Here already take care of you know.
So um ...

HUBKEY Did something ever happen that made him keep all these guns or to believe that somebody was going to come after him?

LEIBEL Somebody come out and like ... come out and grab.

HUBKEY Has that ... has that ever happened?

LEIBEL No.

HUBKEY Okay.

LEIBEL No.

HUBKEY So was there any basis or reason to be paranoid?

LEIBEL No, he always told me ... you know if somethings has happened to our planet ... or United State ...

HUBKEY Uh-huh.

LEIBEL ... if Arab coming to you ...

HUBKEY Arab?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL To ... to our, you know, United State ...

HUBKEY Uh-huh.

LEIBEL And people ... resident people start of course shooting ...
(unintelligible).

HUBKEY Okay. Is he a prepper?

LEIBEL What this means?

HUBKEY Prepper. Um ... lots of food stored, water ...

LEIBEL Yeah. Before, yeah. After, no. This is what ... I think 2011 ...

HUBKEY Lots of food, water, guns.

LEIBEL Enough to (unintelligible). Come on Harry what you doing. Come on.

HUBKEY Okay.

LEIBEL He said ... eh ...

HUBKEY Okay.

LEIBEL ... maybe not.

HUBKEY Okay, okay. So what do you ... what do you think was going on in his head today that caused him to do what he did?

LEIBEL I think he think I am gone and something's happened to him if he die ... with my ... my opinion.

HUBKEY Is it ...

LEIBEL And I am not ...

HUBKEY ... he ...

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

LEIBEL ... together with him. You understand?

HUBKEY ... if you're not with him he's going to die?

LEIBEL Yeah.

HUBKEY So why shoot himself?

LEIBEL I think because if he shoot himself ... with ... with my opinion ... he not thinking about this. I don't know but he ... he must ... I must together with him all the time.

HUBKEY Okay. Okay.

LEIBEL Even ask doctor Steve when ...

HUBKEY Was ... was he on any type of like anti-anxiety meds or anti-psychotic type medications?

LEIBEL No, he not ... he not ... how is it to you ... uh ...

HUBKEY Medication for paranoia?

LEIBEL No. Because nobody said he paranoia.

HUBKEY Okay.

LEIBEL I am not said nobody. He not said nobody. Not ...not going nowhere ...

HUBKEY Uh-huh.

LEIBEL ... who know have paranoid.

HUBKEY Okay. Well you believe he was paranoid.

LEIBEL No, because he would do this ...

HUBKEY Okay.

LEIBEL Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY And you have a right to an opinion ...

LEIBEL Okay.

HUBKEY and ...and that's ... I don't know him. I don't know you.

LEIBEL Yeah.

HUBKEY So your opinion ...

LEIBEL Yeah.

HUBKEY ... about him is very important to me.

LEIBEL Okay.

HUBKEY Okay?

LEIBEL Yeah, but I am not tell ... tell for example you he ... he bad. He very good person.

HUBKEY Yeah.

LEIBEL Yeah.

HUBKEY Yeah, okay. But you think ... you think that today he shot himself?

LEIBEL I don't know. I still think he like ... he like maybe shot and he not die for example.

HUBKEY Okay.

LEIBEL And I am stay crying and I going to hospital and stay ... stay together with him.

HUBKEY Okay.

LEIBEL And I said to him oh Harry what you doing ... what you doing.

HUBKEY Okay.

LEIBEL Maybe he thinking like this. I don't know ...

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL ... you know. I don't know what he thinking this.

HUBKEY Okay, okay. You know ... has he ever tried to hurt himself before?

LEIBEL Yeah he ... no. How ... how hurt? He always ... I told you he always try find favor gun and he play together with him like you know like this, like this, like this.

HUBKEY Did he ever point it at his head?

LEIBEL Yeah, always. Even ... I said careful, what you doing.

HUBKEY Okay.

LEIBEL Even last time ...

HUBKEY When was last time?

LEIBEL Last time ... no, I talk about last time his friend coming ... Chris ... and Harry show him this gun.

HUBKEY Uh-huh.

LEIBEL Exactly with this gun ... shoot (unintelligible).

HUBKEY Uh-huh.

LEIBEL And ... and Chris hold it and have inside bullet.

HUBKEY Uh-huh.

LEIBEL I said be careful, what you doing. Like ... you know ...

HUBKEY But has he ... has he pointed the gun at himself before?

LEIBEL Oh yeah. But all ... I always see this is like you know nothing happen.

HUBKEY Okay.

LEIBEL Like ... how he thinking.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL Not ... not (unintelligible) like ... you know ...

HUBKEY Is it always loaded or unloaded?

LEIBEL Always loaded.

HUBKEY Always loaded.

LEIBEL This is what always scare me all the time you know.

HUBKEY Okay, okay.

LEIBEL Even with us his friend Chris.

HUBKEY Chris who?

LEIBEL Oh geez ... I am not remember last name.

HUBKEY Do you have his phone number?

LEIBEL He have inside his phone number ... inside his phone.

HUBKEY Okay.

LEIBEL If you see Chris you find that Chris, yeah.

HUBKEY Chris will tell me about the gun?

LEIBEL Of course he (unintelligible) ... why he not told me about gun.

HUBKEY Okay.

LEIBEL Um ...he want to visit today I'm sure.

HUBKEY With what?

LEIBEL With Chris. He ... he think ... Harry told me Chris maybe visit today.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I don't know if he visit or not visit.

HUBKEY Okay.

LEIBEL He sell wood. Wood for fireplace.

HUBKEY Oh, okay.

LEIBEL Yeah, yeah.

HUBKEY Okay.

LEIBEL He together ... together with girlfriend.

HUBKEY Okay, okay.

LEIBEL Yeah. And then before coming I make lunch all the time.
(unintelligible) I don't know what happened this time. I
(unintelligible) (crying).

HUBKEY Do you blame yourself?

LEIBEL I blame myself.

HUBKEY You shouldn't.

LEIBEL But if I ... if I am not saying I going he never ... he never do this.

HUBKEY Do you need a minute?

LEIBEL (crying) Huh?

HUBKEY Do you need a minute?

LEIBEL I'm okay. I have (unintelligible) when I ... when I see him I can
(unintelligible) (crying).

HUBKEY Okay, let's take a minute, okay?

LEIBEL Uh-huh.

HUBKEY Why don't you relax a minute.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL That's okay, that's okay. (unintelligible)

HUBKEY Now how come you don't have a wedding ring on?

LEIBEL Because I am take now medicine because menopause. You know menopause?

HUBKEY Menopause?

LEIBEL Menopause.

HUBKEY Yeah.

LEIBEL Doctor give me medicine.

HUBKEY Uh-huh.

LEIBEL And I am now become fat. And everything fat. Everything fat.

HUBKEY Okay.

LEIBEL Look at me. Before I ...

HUBKEY You're not ...

LEIBEL ... no, no, before I ... before I am ...

HUBKEY Very skinny?

LEIBEL ... very skinny like this.

HUBKEY Oh, okay.

LEIBEL And my ... my finger skinny.

HUBKEY Okay.

LEIBEL Not ...

HUBKEY So your ring doesn't fit no more?

LEIBEL No, no everything fat. I am fat now.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY I think you look fine.

LEIBEL No I am fat. I need to ...

HUBKEY (laughing)

LEIBEL ... (unintelligible).

HUBKEY So it sounds like all in all your marriage was pretty decent.

LEIBEL Normal.

HUBKEY Normal.

LEIBEL I think normal.

HUBKEY Okay. Have you been married before?

LEIBEL Yes, of course.

HUBKEY Okay.

LEIBEL I married before because I got two children ...

HUBKEY Okay.

LEIBEL ... before him.

HUBKEY What happened to that marriage?

LEIBEL Uh ... I am divorce ... divorce. With my first daughter born Moscow.

HUBKEY What?

LEIBEL Okay. I live Moscow.

HUBKEY Yeah.

LEIBEL Russia ... Moscow.

HUBKEY Okay.

LEIBEL And my first daughter born Moscow.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL Okay. So I divorce my first husband.

HUBKEY In Moscow.

~~LEIBEL In Moscow.~~

HUBKEY How come?

LEIBEL Uh ... he drinking a lot.

HUBKEY Okay.

LEIBEL And have many uncomfortable situation. So I ...

HUBKEY Women?

LEIBEL Huh?

HUBKEY Women?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL Not only woman ... prostitute.

HUBKEY Okay, okay.

LEIBEL But you know uh ...

HUBKEY Is he still alive?

LEIBEL No, actually. He problem ... he have problem leg ...

HUBKEY Okay.

LEIBEL ... and doctors make operation and somethings forget inside. And he coming home ... stay home after I don't know couple of days or whatever ... his leg become gangrene.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY Okay.

LEIBEL Gangrene. And going to second time operation. Now the second time operation he die.

HUBKEY Okay. When was that?

LEIBEL When was that? Let me think. Oh ... when he die, yeah?

HUBKEY Yeah, when.

LEIBEL Yeah ... I think 2000.

HUBKEY 2000.

LEIBEL 2001, something ...

HUBKEY Okay. When did you guys divorce?

LEIBEL Oh long time ago.

HUBKEY What year?

LEIBEL Oh ... um ... '90?

HUBKEY Okay, so you divorced in 1990. And then he died in 2000.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL I already not live together with him.

HUBKEY Huh?

LEIBEL Yeah I not live together.

HUBKEY Okay, when did you move to America?

LEIBEL America ... I have ... I open company when I divorce him.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL I open company. Company going very well. And I coming United State 1992.

HUBKEY Okay.

LEIBEL Visit, look around. I have money. A lot money.

HUBKEY More than now?

LEIBEL Oh all of my ... now I live like for example if you live Moscow you like live I don't know (unintelligible).

HUBKEY Okay.

LEIBEL Live Moscow you make a lot of money.

HUBKEY In Moscow?

LEIBEL In Moscow.

HUBKEY Lots of money?

LEIBEL Lot of money.

HUBKEY How come?

LEIBEL Uh because he not have money and not have friends.

HUBKEY Ah, okay.

LEIBEL This is mentality.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL And here ... doesn't matter.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL You know ... you have home. You have live ... what ...what you have live. (Unintelligible)

HUBKEY Okay.

LEIBEL But not Moscow.

HUBKEY Okay.

LEIBEL Yeah, crazy, crazy.

HUBKEY Okay.

LEIBEL Yeah. So I look around. I have business visa. Uh ... 1992 ... I stay like two weeks. And after 1993, I come back and 1997 ... 1997 I marry that one guy. Terrible guy. Terrible.

HUBKEY So '97 you married somebody in the U.S.?

LEIBEL On U.S., yeah, U.S., yeah.

HUBKEY And who was that?

LEIBEL Jim Landes.

HUBKEY Jim Anders?

LEIBEL Landes.

HUBKEY How do you spell that?

LEIBEL Landes?

HUBKEY Yeah.

LEIBEL L-A-N-D-I-A-S.

HUBKEY A-S?

LEIBEL No, no, no. Not A, not A. Yeah, Landis ...

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Landis ...

HUBKEY Okay.

LEIBEL Landis.

HUBKEY Is he ... where does he live?

LEIBEL Oh how I know?

HUBKEY Okay.

LEIBEL I am ... I am so hard divorce him.

HUBKEY And why did you divorce him?

LEIBEL Oh, terrible person. Terrible ...

HUBKEY Okay.

LEIBEL ... person. Terrible person.

HUBKEY Like how? Physically?

LEIBEL Uh ... he have ... he need woman every day in different home. How I know?

HUBKEY Okay.

LEIBEL You know ... I am not know married to him.

HUBKEY Okay. So is he ...

LEIBEL He very nice.

HUBKEY ... he was cheating?

LEIBEL Oh ... not this question cheating. This is like terrible.

HUBKEY Okay. When did you divorce him?

LEIBEL Uh ... yeah ... uh I am separate 19 ... 1999 I think separate. Or 1998. I am not remember now.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Divorced?

LEIBEL No, separate.

HUBKEY Okay.

LEIBEL Separate. And start going to court ... and start become divorce.

HUBKEY Uh-huh.

LEIBEL (unintelligible) he talk about me ... my (unintelligible) ...

HUBKEY Yeah, yeah, yeah.

LEIBEL ... you know.

HUBKEY Yeah.

LEIBEL Going back and forth, back and forth. And judge ... they give him pay me ... my lawyer, you know, and my apartment.

HUBKEY Uh-huh.

LEIBEL So he refuse. But he pay some things and I think ... I think 2001 ... no, no, no ... I think beginning 2002 ... can't remember ... because this is Los Angeles. Not have seasons.

HUBKEY Uh-huh.

LEIBEL And very hard remember (unintelligible).

HUBKEY So somewhere in 2001 you divorced him?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL I divorce him.

HUBKEY Okay, and ...

LEIBEL Uh ... 2001 ... 2002 ... beginning 2002 I think I divorce him.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay, and then you married him in 2004?

LEIBEL So I divorce him. And 2002, this another girlfriend ... I remember this I think fall ... (unintelligible).

HUBKEY Uh-huh.

LEIBEL Fall ... fall? Spring ... after summer?

HUBKEY Fall.

LEIBEL Fall. My girlfriend have wedding.

HUBKEY Uh-huh.

LEIBEL She ... she have ... she have wedding. And of course she invite me. And she invite Harry.

HUBKEY Uh-huh.

LEIBEL And this time I see him and that's it.

HUBKEY Okay.

LEIBEL He see me and after ... and after he always tell people story of he see me and this is like vision on a woman who's psychic until he (unintelligible) meet your ... your girl. Fair, small, skinny, (unintelligible), whatever, he always tell the story. And he said when I see her I start to ... I know this is ... this is ...

HUBKEY Okay. Had he ever been married before?

LEIBEL Yes, of course. (unintelligible)

HUBKEY Who was he married to?

LEIBEL (unintelligible)

HUBKEY What was her name?

LEIBEL Who?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Was he married?

LEIBEL He married before.

HUBKEY Okay.

LEIBEL Yeah, her name Susan. Her name Susan. (unintelligible) question emotional for me. I think ... I don't know ... what time is it?

HUBKEY Let me look. 4:30.

LEIBEL 4:30. Because ... I don't know ... my phone ... you take my phone.

HUBKEY Do you need it?

LEIBEL My daughter ... younger daughter ... she said she coming.

HUBKEY Call you?

LEIBEL She ... she tell me ... message ...

HUBKEY Okay.

LEIBEL ... voicemail. She said she coming. She ...

HUBKEY Oh, she's coming up here? Okay. She won't be here till late ... 10:00 o'clock tonight?

LEIBEL What you think?

HUBKEY Well it's about a ... from L.A.?

LEIBEL Yeah.

HUBKEY It's about an eight hour drive.

LEIBEL No, don't drive ... fly.

HUBKEY Oh.

LEIBEL She fly one hour.

HUBKEY Okay.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah.

HUBKEY Okay. Well if we ... if we hear from her, we will bring her here, okay?

LEIBEL Here?

HUBKEY Yeah.

LEIBEL Okay.

HUBKEY Okay?

LEIBEL Okay, because not a lot going inside home.

HUBKEY Not right now, not yet.

LEIBEL Okay. Please tell somebody.

HUBKEY If we need to, we could put you up in a hotel.

LEIBEL Yeah.

HUBKEY Across the street if we have to?

LEIBEL That's okay.

HUBKEY Okay. We'll work on that. So your daughter's on her way?

LEIBEL Yes.

HUBKEY Okay, okay.

LEIBEL And this is very emotional for me because I know how she become cry.

HUBKEY Okay.

LEIBEL Okay.

HUBKEY So you called her and told her what happened?

LEIBEL Yes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

HUBKEY Okay.

LEIBEL Because what police told me okay.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay, okay.

LEIBEL And I told my older daughter ... I give information about my ... his ... his ... his children.

HUBKEY Okay.

LEIBEL And I sent to his phone ... my phone numbers ... everybody ...

HUBKEY Okay.

LEIBEL ... so police said doing ...

HUBKEY Okay.

LEIBEL .. (unintelligible). Yeah.

HUBKEY Good, good. So who is Susan?

LEIBEL Susan ... this is first wife.

HUBKEY And what is her last name?

LEIBEL Oh how I know?

HUBKEY (laughing)

LEIBEL She married now different guy.

HUBKEY Okay. So when did you move to Tahoe?

LEIBEL I see her first time ... where I see first time ... when his daughter graduate university.

**Douglas County Sheriff's Department
Interview Transcripts
14SO05132**

HUBKEY Okay.

LEIBEL And he take me to Los Angeles and she make party ... daughter ... and of course this ...

HUBKEY Susan showed up.

LEIBEL ... Susan ...

HUBKEY Okay.

LEIBEL So he married another ... he married another girl ... or woman ... not girl. I remember he told me Darla name.

HUBKEY So he's been married twice or three times?

LEIBEL I am third wife.

HUBKEY Third wife.

LEIBEL I am third wife.

HUBKEY Okay, so there's Susan, and who else?

LEIBEL Susan and ... I think ... he said ... he said Susan think he not normal. But he ...

HUBKEY Susan said who's not normal?

LEIBEL Harry not normal.

HUBKEY Harry's not normal. Okay, okay.

LEIBEL What ... what Harry told me.

HUBKEY Okay.

LEIBEL Yeah. He said she blame me this, and she blame me this. And so he divorce long time ago.

HUBKEY Okay. And when you and Harry got together in 2004 ...

LEIBEL Yeah.

Douglas County Sheriff's Department...
Interview Transcripts
14SO05132

HUBKEY ... and when did you move to Tahoe?

LEIBEL Married 2004.

HUBKEY Okay.

LEIBEL And move ... married 2004 ... and move 2005.

HUBKEY To here?

LEIBEL One second, one second. Married summer ... summer ... August.
And I think fall 2004 ... yes fall.

HUBKEY Okay.

LEIBEL Fall time. (unintelligible) but ... coming here ...

HUBKEY Uh-huh.

LEIBEL ... and take house ... not house actually ... what ... what name ...
area? Where you driving to ... from ... from here for example. You
driving ... you pass Safeway here ...

HUBKEY Uh-huh.

LEIBEL ... and you see after you pass liquor store.

HUBKEY Okay.

LEIBEL Right side.

HUBKEY That's where you live now?

LEIBEL (unintelligible)

HUBKEY Is that where you live now?

LEIBEL No, I live by Safeway ... behind Safeway.

HUBKEY Yes.

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL Yeah? But if you can see me drive Highway 50 ... right ... right side have liquor store and left side have ... have homes.

HUBKEY Okay. When did you move into that house?

LEIBEL What I tell you?

HUBKEY 2004.

LEIBEL 2004. (unintelligible) one year.

HUBKEY Okay.

LEIBEL This is what real estate ...

HUBKEY Now do you own it?

LEIBEL Huh?

HUBKEY Do you own it or rent it?

LEIBEL No, first one rent it.

HUBKEY Okay.

LEIBEL Another ... another house.

HUBKEY Okay.

LEIBEL Because we look around ...

HUBKEY Okay.

LEIBEL ... here. You can't buy right away.

HUBKEY Uh-huh.

LEIBEL (unintelligible). So look area ... like it and la, la, la, and Chaya-Anna going to school at the same time. And real estate Bob um ... (unintelligible) ... he die cancer.

HUBKEY Who died?

Douglas County Sheriff's Department
Interview Transcripts
14SO05132

LEIBEL His friend. Uh ... real estate ... Bob.

HUBKEY Okay.

LEIBEL So this is what very emotional because this is good friend Bob and by cancer ... die cancer. Very funny ... when Harry in 2007 down Carson City hospital. And Bob come to him like ... come on friend ... my friend. Bob not know he cancer. And after he have cancer ... liver ... liver ...

HUBKEY Okay.

LEIBEL ... and he die I think two years ago.

HUBKEY Okay. Harry didn't handle that well?

LEIBEL He (unintelligible).

HUBKEY Okay. Okay.

LEIBEL And ... and he start saying him about die cancer ... I am cancer and ...

HUBKEY Okay. So do you guys own that house, or do you rent?

LEIBEL No, this house mortgage. Own. Own.

HUBKEY Own own? Or do you pay a mortgage?

LEIBEL Mortgage.

HUBKEY Okay.

LEIBEL Pay like fifty percent.

HUBKEY How much do you pay a month? Do you know what the house payment is?

LEIBEL Yeah. Around three thousand, six hundred ... something, something.

HUBKEY Thirty-six hundred a month.