

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,

Appellant,

vs.

TATIANA LEIBEL,

Respondent,

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Clerk of Supreme Court

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

RECORD ON APPEAL

VOLUME 13

COPIES OF ORIGINAL PLEADINGS  
PAGES 1778-1969

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)

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)

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 (FILED JAN 12'15)	546-547	(VOL. 3)
5			
6	OPPOSITION TO STATE'S MOTION TO INCREASE BAIL		
7	(FILED APRIL 11'14)	71-80	(VOL. 1)
8	OPPOSITION TO DEFENDANTS MOTION TO LIMINE RE: CRIME SCENE RECONSTRUCTION		
10	(FILED JAN 22'15)	694-700	(VOL. 5)
11	ORDER OF AFFIRMANCE (FILED FEB 8'22)	3947-3949	(VOL. 31)
12			
13	ORDER FOR PAYMENT (FILED 24'17)	1571	(VOL. 11)
14	ORDER DENYING REHEARING (FILED JAN 14'22)	3943	(VOL. 31)
15			
16	ORDER (FILED SEP 27'17)	1573	(VOL. 11)
17			
18	ORDER OF AFFIRMANCE (FILED DEC 20'21)	3931-3932	(VOL. 31)
19	ORDER TO CONTINUE (FILED AUG 4'14)	276	(VOL. 2)
20			
21	ORDER GRANTING EXTENSION OF TIME (FILED JAN 30'18)	1584	(VOL. 11)
22	ORDER DIRECTING TRANSMISSION OF RECORD AND REGARDING BRIEFING		
23	(FILE MAR 23'21)	3918-3919	(VOL. 30)
24			
25	ORDER (FILED MAY 11'17)	1566	(VOL. 11)
26			
27			
28			

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)

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)

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 NRCP (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)

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)

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)



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

**LEIBEL**                    **Yeah.**

**HUBKEY**                   **Okay.**

**LEIBEL**                   **But he take care of everything pay.**

**HUBKEY**                   **He takes care of the bills?**

**LEIBEL**                   **Everything.**

**HUBKEY**                   **Okay.**

**LEIBEL**                   **Yeah. Sometimes I am not even look.**

**HUBKEY**                   **Okay.**

**LEIBEL**                   **I am not (unintelligible). Maybe he do somethings ... uh privacy or whatever. I am not even look.**

**HUBKEY**                   **Okay, okay. Do you need anything to eat or ...**

**LEIBEL**                   **No, I am not eat. I need smoke cigarette.**

**HUBKEY**                   **You need smokes?**

**LEIBEL**                   **Smoke.**

**HUBKEY**                   **What do ... what do you smoke?**

**LEIBEL**                   **Virginia Slim.**

**HUBKEY**                   **Virginia Slims?**

**LEIBEL**                   **Yeah.**

**HUBKEY**                   **Okay, let me see if I can get you some, okay?**

**LEIBEL**                   **Yeah?**

**HUBKEY**                   **Yeah.**

**LEIBEL**                   **Thank you.**

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY            You need some?

LEIBEL            Yeah.

HUBKEY            Okay, just hang tight here. I'll be right back, okay?

(Hubkey exits)

(Hubkey enters)

HUBKEY            Hey would you like a coffee?

LEIBEL            Oh this is good.

HUBKEY            Coffee would be good?

LEIBEL            Wonderful.

HUBKEY            What kind of coffee would you like from Starbucks?

LEIBEL            Okay, regular.

HUBKEY            Regular coffee?

LEIBEL            Milk and sugar.

HUBKEY            With milk and sugar? Here, let me write it down. We'll get you some coffee. So you want black ... regular black coffee with milk and sugar?

LEIBEL            Milk and sugar.

HUBKEY            Okay.

LEIBEL            Milk and sugar.

HUBKEY            Excuse me. Okay, so he's going to go get us some coffee. And he's also going to go up there and talk to them in case your daughter shows up.

LEIBEL            Thank you.

HUBKEY            Okay?

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

LEIBEL                    Yeah. Because ...

HUBKEY                    Okay.

LEIBEL                    ... it's very important ... because she (unintelligible).

HUBKEY                    Okay.

LEIBEL                    Yes.

HUBKEY                    Okay, not a problem. (talking to someone else) Here you go, and can you tell the guys that her daughter may show up at some point? She was going to LAX to get on an airplane so ... okay. So where were we? You guys own the house?

LEIBEL                    Yeah.

HUBKEY                    And you pay thirty-six hundred dollars a month?

LEIBEL                    Yeah.

HUBKEY                    Okay, okay.

LEIBEL                    And he make a ... about thirty years. I said I take thirty years. I am not fifty and (unintelligible). Thirty years what I have old woman.

HUBKEY                    Uh-huh.

LEIBEL                    (unintelligible)

HUBKEY                    Now how old are you?

LEIBEL                    I'm already fifty.

HUBKEY                    You're fifty?

LEIBEL                    Yeah.

HUBKEY                    And he's how old?

LEIBEL                    Sixty-five. He's ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY So fifteen years older than you?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL When ... on 2005 I meet him, he look totally different. You not even tell if you look now ... you not even tell the same person or not.

HUBKEY How did he look?

LEIBEL Look ... like you know man.

HUBKEY Oh, okay.

LEIBEL And after operation he skinny.

HUBKEY Oh, okay.

LEIBEL Face skinny. Everything skinny.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay, okay. So is it routine that every day he gets up at 4:00 in the morning?

LEIBEL Yes.

HUBKEY And what time does he go to bed?

LEIBEL He going bed 9:00.

HUBKEY He goes to bed at 9:00? What time do you go to bed?

LEIBEL 11:00.

HUBKEY Okay.

LEIBEL I watch T.V. more.

HUBKEY Okay.

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

LEIBEL I can't going to sleep 9:00 o'clock because if I going sleep 9:00 o'clock I wake up 2:00 o'clock morning ...

HUBKEY Okay.

LEIBEL ... and I can't sleep.

HUBKEY Okay, okay. So your ... your relationship is a happier relationship?

LEIBEL Normal, yeah.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY You guys have a normal sex life?

LEIBEL Okay. This interesting. 2005 ... sex ... 2005 he have operation.

HUBKEY Uh-huh.

LEIBEL Remove from him ... remove bladder.

HUBKEY Okay.

LEIBEL Because inside bladder cancer.

HUBKEY Okay.

LEIBEL So he remove his bladder. And instead bladder, put kishka. How to explain to you ... where you make poo-poo, this is what ...

HUBKEY Okay.

LEIBEL ... not exactly poo ... here poo-poo for example ...

HUBKEY Okay.

LEIBEL ... this one ... kishka.

HUBKEY Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL He got it ...

HUBKEY Now ... so sex life no good?

LEIBEL One second. Not only not good, not have it.

HUBKEY Oh, no sex?

LEIBEL No sex at all.

HUBKEY Okay. Is that acceptable? It wasn't an issue?

LEIBEL For me like (unintelligible) ...

HUBKEY Okay.

LEIBEL ... you know feelings ...

HUBKEY Okay. But it wasn't like something that was a huge issue?

LEIBEL No, no.

HUBKEY Okay.

LEIBEL I am focusing going to ...

HUBKEY School.

LEIBEL ... school when I coming here.

HUBKEY Okay.

LEIBEL (unintelligible)

HUBKEY Okay.

LEIBEL Graduate ... very good graduate ...

HUBKEY Okay.

LEIBEL Give me scholarship.

HUBKEY Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL I am going to UNR.

HUBKEY Okay.

LEIBEL Graduate. So I have 3.6 or 3.7 ... this not bad ...

HUBKEY Okay.

LEIBEL ... score.

HUBKEY Okay. What are you trying to get a degree in?

LEIBEL My degree International Affair.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL And when I have this degree ... my degree become diplomat.

HUBKEY Oh?

LEIBEL International.

HUBKEY To Russia?

LEIBEL Yeah, Russia. Whatever where you ... where you going to.

HUBKEY I assume you speak fluent Russian still.

LEIBEL Yes, of course.

HUBKEY Okay.

LEIBEL Yes.

HUBKEY Okay.

LEIBEL So ... but because he always not feel good ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Uh-huh.

LEIBEL ... but I am already pick this measure.

HUBKEY You .. what? A business manager?

LEIBEL No, no ... I pick this measure.

HUBKEY Okay.

LEIBEL You understand?

HUBKEY No.

LEIBEL No. Um ...

HUBKEY You said pick this measure.

LEIBEL Yeah. International Affair.

HUBKEY Okay. Oh, you pick this major.

LEIBEL Thank you.

HUBKEY Okay.

LEIBEL Okay. So all I need going to Washington D.C. and continue my ...

HUBKEY Education.

LEIBEL ... education ... and step by step. I have internship ... Carson City Legislature.

HUBKEY Okay.

LEIBEL Legislature. I am assistance 2011 ... I have Legislature and my assistance Senator ... Senator Lee ...

HUBKEY Okay.

LEIBEL ... yeah. And I have a diploma from him.

HUBKEY Okay.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL                    Yeah, so I am student. And so when I graduate 2011 ... I start thinking I am not going Washington D.C. I joke myself ... how I going to Washington D.C. if Harry not going anywhere.

HUBKEY                    Uh-huh.

LEIBEL                    So this is what my major. So ... but still this is good for me. Kind of more ... start speak English and more understanding ... you know ...

HUBKEY                    Okay.

LEIBEL                    Yeah.

HUBKEY                    Have you understood everything I've asked you today?

LEIBEL                    Yes, everything.

HUBKEY                    Okay.

LEIBEL                    Only my language not proper.

HUBKEY                    We're getting along. We're figuring it out.

LEIBEL                    Yeah.

HUBKEY                    So ...

LEIBEL                    When after I have company.

HUBKEY                    Okay, okay. So I'm trying to figure out why Harry would do this.

LEIBEL                    Yeah.

HUBKEY                    Why this happened.

LEIBEL                    Yeah.

HUBKEY                    And none of it makes sense.

LEIBEL                    Yeah, me too.

HUBKEY                    So I ... I kind of want to go through this morning again.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL                    Yeah.

HUBKEY                  And you said that ... well you said you were in the kitchen and you heard "boom".

LEIBEL                    Yeah.

HUBKEY                  And you ...

LEIBEL                    One shot ...

HUBKEY                  ... and you ...

LEIBEL                    ... first shot.

HUBKEY                  ... ran into the room.

LEIBEL                    Yeah. You need see this room.

HUBKEY                  Okay.

LEIBEL                    You understand?

HUBKEY                  I ... I kind of understand. It's the kitchen, and then there's a hall here or something here, and then there's a room here, and he was here?

LEIBEL                    Yeah.

HUBKEY                  Okay.

LEIBEL                    Okay.

HUBKEY                  So you ran from here to here?

LEIBEL                    No, no, no, no. Where you show kitchen?

HUBKEY                  Kitchen here?

LEIBEL                    No, no.

HUBKEY                  You want to draw it?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL            Yeah.

HUBKEY            Okay.

LEIBEL            Okay, so ...

HUBKEY            So this is ... you know north?

LEIBEL            Oh, I don't know.

HUBKEY            You know what north means?

LEIBEL            No, I know means north but I am not know what means this part of  
this north or ... because our ... our ...

HUBKEY            North is that way.

LEIBEL            No, if I know where I'm here right now. I am not know where I ...

HUBKEY            North.

LEIBEL            ... where I am right now.

HUBKEY            South.

LEIBEL            Okay.

HUBKEY            West. East.

LEIBEL            Okay.

HUBKEY            So when you draw kind of ...

LEIBEL            One second. This ...

HUBKEY            Okay.

LEIBEL            Yeah. And you understand.

HUBKEY            Here, here. Use this piece.

LEIBEL            So um ... so this bedroom.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL This bedroom (unintelligible). This kind of I draw (unintelligible).  
(unintelligible) ... night stand?

HUBKEY Uh-huh.

LEIBEL Night stand. Here what I talk about wall.

HUBKEY The guns.

LEIBEL Gun.

HUBKEY Okay.

LEIBEL The wall. (unintelligible) picture, yes?

HUBKEY Uh-huh.

LEIBEL So he always keep guns over ... here ... corner ...

HUBKEY Okay.

LEIBEL ... and here.

HUBKEY Okay.

LEIBEL Most time he sleep here.

HUBKEY Okay.

LEIBEL He sleep here, I sleep here. He put gun here together ...

HUBKEY Where is the kitchen in here?

LEIBEL Kitchen ...

HUBKEY Same floor?

LEIBEL This is second floor.

HUBKEY Second floor.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Our first floor for guest room.

HUBKEY Okay.

LEIBEL One room ... two room. One room pool room.

HUBKEY Okay.

LEIBEL So this first. This is second.

HUBKEY Okay.

LEIBEL Because kitchen (unintelligible) have second. So tired. I need coffee.

HUBKEY Coffee?

LEIBEL Yeah.

HUBKEY It's on its way.

LEIBEL Okay. Okay, here ... here bathroom.

HUBKEY Okay.

LEIBEL Inside here, huh? Here are ... this calls (unintelligible). Here bathroom.

HUBKEY Okay.

LEIBEL This bedroom. Okay, so I going ... going from here. (unintelligible)

HUBKEY Okay.

LEIBEL Okay. So start (unintelligible). (unintelligible). Here stairs ... stairs to second floor.

HUBKEY Okay.

LEIBEL This here (unintelligible). Here have wall ... make this high and very big ... have ...

HUBKEY Where?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL ... (unintelligible).

HUBKEY Okay.

LEIBEL And this is what I told you here balcony.

HUBKEY Okay.

LEIBEL And I always open balcony door ...

HUBKEY Okay, so is this the kitchen over here?

LEIBEL No, no. This is dining room.

HUBKEY Okay.

LEIBEL Dining room, yeah? Here already kitchen. Here already kitchen ... kitchen come in here. (unintelligible) So here door, door, door. (unintelligible). You have another room (unintelligible).

HUBKEY Big house.

LEIBEL Yeah. Yeah , not like (unintelligible). Very ... very unique. (unintelligible)

HUBKEY Okay.

LEIBEL You understand?

HUBKEY And this is the kitchen?

LEIBEL This is kitchen.

HUBKEY And this is where he was?

LEIBEL Yeah, this is where couch. This couch.

HUBKEY Okay.

LEIBEL This is what (unintelligible). Okay, make this ... I can't ... here couch. Here what ... corner ... glass ... glass night stand.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL Glass night stand. Here glass night stand. (unintelligible). Here have couch. And (unintelligible). And here have couch. Here have (unintelligible) living room. Big, big window.

HUBKEY Okay.

LEIBEL (unintelligible). And now I no long ... I not know what to do. Winter time. He always going to winter time (unintelligible).

HUBKEY He what?

LEIBEL He shove ... shovel.

HUBKEY Shovel?

LEIBEL Snow.

HUBKEY Shovel snow in the winter time.

LEIBEL Many snow.

HUBKEY Yeah.

LEIBEL Many snow. And our home going like this up from ... from (unintelligible) driveway ..

HUBKEY Uh-huh.

LEIBEL ... to our home. And this is driveway and need always ...

HUBKEY Shoveled.

LEIBEL Shoveled. And he buy, you know, this one. And he always shovel (crying). I always tell him ... I going help him. He said no, no, no sweetie. No, you have back problem. I not know what happen. I still not know what happen. Okay.

HUBKEY Well you do know what happened though.

LEIBEL No. I know this happen. I don't know why.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay, well we're going to discuss what you know.

LEIBEL Okay.

HUBKEY So where was he sit ... seated?

LEIBEL Yeah.

HUBKEY Put an X.

LEIBEL X? Okay.

HUBKEY Yes.

LEIBEL With this couch ...

HUBKEY Okay.

LEIBEL ... he sit here.

HUBKEY Okay, where were you?

LEIBEL Beginning I sit here too this couch.

HUBKEY No, no, no. When you heard the "boom".

LEIBEL Oh, okay. So when ... when start with pool T.V. ... talk about pool ... and ... and I stand up. This is what I show you ... when I show you ... I stay here ... stay here.

HUBKEY Did he have the gun with him here?

LEIBEL Yeah, yeah here. He here and gun here.

HUBKEY Okay.

LEIBEL Together with him.

HUBKEY Okay.

LEIBEL Our Bo sit together with him.

HUBKEY Huh?



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Big ... big Bo (unintelligible). I have Doberman.

HUBKEY Okay.

LEIBEL I told you.

HUBKEY Okay.

LEIBEL You not understand?

HUBKEY I didn't know what kind of dog you had.

LEIBEL Oh, okay. I have Doberman. Big ... big ...

HUBKEY Big Doberman.

LEIBEL Big Doberman.

HUBKEY I thought it was a little dog.

LEIBEL No, no. No.

HUBKEY Okay.

LEIBEL Big Doberman. And ...

HUBKEY So he sits here, the gun's here, and the dog's here?

LEIBEL Yeah.

HUBKEY You get up here.

LEIBEL Yeah. And I take him ... I tell him next my statement ...

HUBKEY That you're leaving.

LEIBEL ... I ... I going. And ... and this is kitchen. This have refrigerator here ... refrigerator. I go in here. I open door and this time what I hear. So after I running here, I stop here ... here this is what I show you.

HUBKEY Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL I stop here and I said Harry what you doing. (unintelligible). I don't know why.

HUBKEY Okay. You come around that corner ...

LEIBEL Why .... yeah.

HUBKEY Okay?

LEIBEL Yeah.

HUBKEY I'm going to give you this again, okay?

LEIBEL Yeah.

HUBKEY Here, slide your chair around.

LEIBEL I not remember this, I tell you ...

HUBKEY Okay.

LEIBEL ... I'm so shock.

HUBKEY Well let's do the best we can.

LEIBEL Okay.

HUBKEY That's all we can do.

LEIBEL Okay.

HUBKEY Alright?

LEIBEL Okay.

HUBKEY Okay, you're doing really good.

LEIBEL Okay.

HUBKEY Okay? And I know I ask the same thing over and over.

LEIBEL That's okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Um ...

LEIBEL I know this is your job. I remember ...

HUBKEY ... um ... so ...

LEIBEL ... I understand.

HUBKEY ... so when you come to here ...

LEIBEL Yeah.

HUBKEY ... slide your chair back again.

LEIBEL Yeah.

HUBKEY Okay ... and you say Harry what are you doing ...

LEIBEL Yeah.

HUBKEY ... okay, when you come around that corner ...

LEIBEL Yeah.

HUBKEY ... what do you see?

LEIBEL No, I see he down.

HUBKEY Okay. He's laying down?

LEIBEL He head like this ...

HUBKEY Okay. Legs are up?

LEIBEL Yes.

HUBKEY Okay.

LEIBEL This is ... I make couch like this already.

HUBKEY Okay.

LEIBEL When I pull him down ... because not have place ... floor.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay, but when you ... when you come around that corner, are his feet on the ground or are they up?

LEIBEL Up.

HUBKEY Okay, so his feet are up.

LEIBEL Yes.

HUBKEY Is he leaning back?

LEIBEL He like this. No ... yeah ... not ... not too much, no. Not ... not ...

HUBKEY Okay, but his feet are up off the ground?

LEIBEL Yes.

HUBKEY Okay, that's good. Because we didn't discuss that last time.

LEIBEL Oh, okay.

HUBKEY Okay?

LEIBEL Okay.

HUBKEY And you see him ...

LEIBEL Yeah.

HUBKEY ... and he's got the gun.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY So if you were him ...

LEIBEL Yeah.

HUBKEY ... how was he holding this?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL                Yeah, but he hold ...

HUBKEY              So ...

LEIBEL                ... I tell you how he hold.

HUBKEY                ... this is the barrel.

LEIBEL                Yeah.

HUBKEY                Bullet comes out of here.

LEIBEL                Bullet, yes.

HUBKEY                Okay. I want you to show me how he was holding it.

LEIBEL                He was down like this ...

HUBKEY                Okay, so if I'm Harry ... I'm going to be Harry.

LEIBEL                Please, yeah, please.

HUBKEY                I'm going to be Harry.

LEIBEL                No you go in here.

HUBKEY                Okay ... no, because you were standing over there ...

LEIBEL                Okay.

HUBKEY                ... right?

LEIBEL                I stay here.

HUBKEY                Right?

LEIBEL                Okay.

HUBKEY                So I'm Harry on the couch. My feet are up.

LEIBEL                Yeah.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL Like up.

HUBKEY Yep, they're up.

LEIBEL And you ... and you little bit like this (unintelligible) ...

HUBKEY Okay.

LEIBEL Yeah. So not up like this ... like straight up.

HUBKEY Like this?

LEIBEL Couch.

HUBKEY Okay, yeah, like this.

LEIBEL Yeah, I'm sorry.

HUBKEY That's okay.

LEIBEL Yeah. Okay.

HUBKEY This is the barrel.

LEIBEL This is the barrel.

HUBKEY Okay.

LEIBEL No, I ... I see like ... like somethings like this. Like this. Somethings like ... I don't know.

HUBKEY Okay.

LEIBEL Somethings look my ... my ... but I coming I see like this. And I Harry what you doing. This is shot. And this is going ... going like this.

HUBKEY So this is ...

LEIBEL Like this.

HUBKEY Okay. Okay. That's what you saw?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yes.

HUBKEY Okay, so it was never over here?

LEIBEL Where?

HUBKEY The ... the ... the gun. Like ... this is the barrel. It was never in this direction?

LEIBEL No.

HUBKEY It was always over here?

LEIBEL Yes.

HUBKEY Okay.

LEIBEL Kind of like this, yeah.

HUBKEY So ... well, you show me. How do you want me to hold this? Where do want me to put this hand?

LEIBEL I ... I don't know. I not remember already.

HUBKEY Okay.

LEIBEL I see hand ...

HUBKEY Okay.

LEIBEL ... (unintelligible). And I see ... and I see ... what is it ... the gun.

HUBKEY Here's the trigger.

LEIBEL Yeah.

HUBKEY Trigger?

LEIBEL Yeah, okay.

HUBKEY So was his hand here, here, here?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL So much quick.

HUBKEY I know. Just take your time.

LEIBEL I don't know.

HUBKEY Take your time. I don't want you to guess, okay?

LEIBEL No, I am not guess.

HUBKEY I don't want you ...

LEIBEL This is means ...

HUBKEY ... to guess but ...

LEIBEL ... this is means ...

HUBKEY ... I just want ...

LEIBEL ... this is means I tell you I am not remember.

HUBKEY Okay.

LEIBEL But I remember going like this.

HUBKEY You kind of remember it like this? Okay. Was it ... was it here?

LEIBEL No.

HUBKEY It was definitely over here?

LEIBEL Because ...

HUBKEY Okay, what is ...

LEIBEL ... because ... because this arm ... and I am not know where ...where it is going ... or ... or like this or like this ... I am not ...

HUBKEY Okay.

LEIBEL ... (unintelligible).



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay, okay.

LEIBEL You understand?

HUBKEY Let me ask you this.

LEIBEL Yeah.

HUBKEY So he ... you come around the corner. He's something like this.

LEIBEL Yeah.

HUBKEY Okay, what was he doing? Was he looking at you?

LEIBEL No. He already ... ahhh ... like this.

HUBKEY Ahhh ... okay.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL But when I coming.

HUBKEY Okay.

LEIBEL Okay? And when I make like this ... ahhh ... shoot ... shoot coming.

HUBKEY So did he ...

LEIBEL No, this not (unintelligible).

HUBKEY ... did he cock it? Did you see that?

LEIBEL Uh ... I think already have cock it when I coming.

HUBKEY So when you come around the corner it's already cocked?

LEIBEL Already cocked.

HUBKEY Okay.

LEIBEL Already cocked. I think cocked.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL So ...

HUBKEY Did you see him put his finger in here?

LEIBEL Yeah. What kind of ... I don't know ... my imagination ... I don't know ... (unintelligible) ... I don't know. When I coming I see him ... I don't know. I think maybe when I close eyes maybe this moment he do this.

HUBKEY Okay.

LEIBEL You understand?

HUBKEY It goes "boom".

LEIBEL Yeah, "boom".

HUBKEY Okay.

LEIBEL And I ... and I open ...

HUBKEY Okay.

LEIBEL ... and ... and ...

HUBKEY And what's he ... does ...

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL But down ... what kind of like this ...down ...

HUBKEY Okay.

LEIBEL ... and ... and ... and he like ahh, ahh ... like this.

HUBKEY Okay.

LEIBEL Okay. So I come ... I come to him. He look... ahh ... ahh ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL ... like ... not have breathe.

HUBKEY Okay.

LEIBEL So I run into kitchen.

HUBKEY Okay.

LEIBEL 9-1-1.

HUBKEY Okay.

LEIBEL You know I start calling and this instruction told me put him down.

HUBKEY Okay.

LEIBEL I hear already ahh ... and ... and I put him down two times.

HUBKEY Okay.

LEIBEL Because he (unintelligible).

HUBKEY By his feet?

LEIBEL Yes. Two ...

HUBKEY Okay.

LEIBEL ... two times I take his feet ...

HUBKEY Okay.

LEIBEL ... and I start pulling here.

HUBKEY Okay.

LEIBEL But he's too heavy and I ... and I pull ... he have robe.

HUBKEY Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL And I take robe and start pulling robe ...

HUBKEY Okay.

LEIBEL ... and couch going like this.

HUBKEY Okay.

LEIBEL Pull couch ...

HUBKEY Because the feet are out so it starts to tip forward.

LEIBEL Yeah, pull couch.

HUBKEY Okay.

LEIBEL So I am like waiting for little bit couch going down again and I pull him, pull him, pull him. And pull him here. This is what ... not heavy.

HUBKEY Yeah, correct.

LEIBEL And I pull him here.

HUBKEY Okay.

LEIBEL Because this is glass ... glass stand ... and this glass stand. And this is very small ...

HUBKEY Uh-huh.

LEIBEL ... stuff ... when need to put floor.

HUBKEY Okay.

LEIBEL Instruction told me ... put him floor ... no, no, put him floor. So I am so (unintelligible) ... I ... I ... I need put him floor ...

HUBKEY Okay.

LEIBEL ... yeah? So I put him floor. This is what ... what ...

HUBKEY Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL (unintelligible) ... falling.

HUBKEY Okay.

LEIBEL I pull him, I pull him. And when I pull him his head (unintelligible) coming to this gun.

HUBKEY Okay.

LEIBEL Yeah? So I take this (unintelligible) ... this one ... yeah?

HUBKEY Uh-huh.

LEIBEL I take this one and ... and pulling.

HUBKEY Okay.

LEIBEL Pulling away.

HUBKEY Throw it away.

LEIBEL No, pulling.

HUBKEY Pulling is pulling.

LEIBEL I'm sorry.

HUBKEY Throwing.

LEIBEL Throwing.

HUBKEY Okay.

LEIBEL Throwing, I'm sorry.

HUBKEY Okay.

LEIBEL Yeah. And ... and ... I pull ... I ...

HUBKEY Here, sit down.

LEIBEL ... I pull him floor.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL And that's ... then I start him ...

HUBKEY Okay.

LEIBEL ... (unintelligible).

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY Okay. So did you see his injuries?

LEIBEL I see hand.

HUBKEY Okay.

LEIBEL That I am not see ...

HUBKEY So where ...

LEIBEL ... when I pull him I see little bit blood.

HUBKEY Okay.

LEIBEL (unintelligible)

HUBKEY So tell me what you saw on his hand.

LEIBEL Uh ... something injure.

HUBKEY Okay. How do you think he got that injury?

LEIBEL How ...

HUBKEY Here, sit back over here.

LEIBEL Yeah.

HUBKEY Or you want to trade ... want to sit here?

LEIBEL I don't know.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Yeah, you can sit there.

LEIBEL Okay.

HUBKEY Um ... how do you think ... here I got it for you. Coffee will be here in a minute.

LEIBEL You have special place smoke somewhere?

HUBKEY Yes.

LEIBEL Uh-huh.

HUBKEY So how do you think he got that injury to his hand?

LEIBEL I tell you too I am not notice the (unintelligible). I am not given a clue.

HUBKEY Okay, you don't have a clue?

LEIBEL No, I not even have clue.

HUBKEY Okay, okay.

LEIBEL Because I hear what this is two shots.

HUBKEY Two shots, okay.

LEIBEL Two shots.

HUBKEY Do you know where he shot himself?

LEIBEL Where?

HUBKEY Yes.

LEIBEL No, I think this one.

HUBKEY Okay.

LEIBEL And this ... somewhere blood I am not see because I am so panic ... instructions said pull him, pull him.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL You know?

HUBKEY Okay.

LEIBEL I am not even have clue.

HUBKEY Okay. So here's the problem.

LEIBEL Yes.

HUBKEY Okay, you said he was standing like this, right? Something like this.

LEIBEL Something ... so down like this what ... what I see, yeah.

HUBKEY Okay. Well so he has a bullet wound in this hand right here.

LEIBEL Okay.

HUBKEY Okay? And his other bullet wound is way back here.

LEIBEL Where?

HUBKEY Here. Right here.

LEIBEL Uh-huh.

HUBKEY Okay. So I don't know ... how does he have a bullet wound right here?

LEIBEL Uh-huh.

HUBKEY It doesn't make sense.

LEIBEL This is what ... uh ... uh ... I am not understand how he injure hand because when ... when this first bullet coming ... our Bo ... our Bo ... Doberman ... start running to couch and running to living room ...

HUBKEY Uh-huh.

LEIBEL ... living room like crazy.



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

**HUBKEY** Okay.

**LEIBEL** You know? So I don't know. Maybe he pull him somethings ... or I ... I am not have idea. Because he going crazy.

**HUBKEY** Okay, okay. But how did he get a bullet hole in his hand and a bullet hole in his armpit back here? Because this doesn't make sense, right? If the gun's here ...

**LEIBEL** Yeah.

**HUBKEY** ... it goes "boom".

**LEIBEL** Yeah.

**HUBKEY** It's going to go that way.

**LEIBEL** Yeah.

**HUBKEY** Right?

**LEIBEL** Yeah, okay.

**HUBKEY** Okay? So it either hit him here, right? Do you agree?

**LEIBEL** Yeah, I agree.

**HUBKEY** Okay. And it would go that way, okay? The bullet wound is this way and goes that way.

**LEIBEL** Okay.

**HUBKEY** So that doesn't make sense what you're saying.

**LEIBEL** But I ...

**HUBKEY** Because to me, the bullet came from over here.

**LEIBEL** Okay. Maybe he shoot like this and when I come into living room he change position. I am not have clue.

**HUBKEY** Okay. And that's what I'm trying to ask you.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Okay.

HUBKEY So you ... when you come in he's this way but you think maybe he may have already shot over here. So he went ...

LEIBEL Yeah.

HUBKEY ... like this? Okay. Somebody's at the ... maybe your coffee is here.

LEIBEL Yeah.

(Hubkey has conversation with unidentified person).

HUBKEY Okay, so you're saying maybe he did this?

LEIBEL Yeah. Because ...

HUBKEY Okay.

LEIBEL ... because doggie ... doggie together with him this way.

HUBKEY Okay.

LEIBEL You understand?

HUBKEY I do.

LEIBEL Okay.

HUBKEY Okay.

LEIBEL When I am coming he kind of like this what I ... what I tell you.

HUBKEY Like this?

LEIBEL Yeah.

HUBKEY And he's holding the gun.

LEIBEL Yeah.

HUBKEY And he's going ahh ... ahh.

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

**LEIBEL** Yeah.

**HUBKEY** Okay.

**LEIBEL** Because he already ... he already like this.

**HUBKEY** Okay.

**LEIBEL** This moment.

**HUBKEY** So he had already shot himself when you showed up?

**LEIBEL** Yeah, but what happened ... second ... second shot?

**HUBKEY** You tell me.

**LEIBEL** No, I ... I can't ... I can't tell you because I am not have clue.

**HUBKEY** Okay, because you didn't see it?

**LEIBEL** No.

**HUBKEY** Okay, okay. So that's ... you know ... um ... I can't tell it very well. Um ... so that's ... I ... your story I think is very good but I'm concerned about this.

**LEIBEL** Yeah, yeah of course. But I am not know where he ... he shot (unintelligible). I am not ... I only see hand.

**HUBKEY** Okay.

**LEIBEL** When I pull this one ...

**HUBKEY** Uh-huh.

**LEIBEL** ... I show hand ...

**HUBKEY** Okay.

**LEIBEL** ... and like one minute police coming. I am going downstairs, open door, and police right away told me going, going away, going away. So that's it.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY                    Okay.

LEIBEL                    This is what ... second here, moment here, and that's it.

HUBKEY                    Okay. Do you understand my concern though?

LEIBEL                    Yes.

HUBKEY                    Okay.

LEIBEL                    I understand your concern.

HUBKEY                    Because my ... you know ... from what I'm hearing ...

LEIBEL                    Yes.

HUBKEY                    ... it sounds like he was shot right here.

LEIBEL                    Yeah, but he ... if he shot himself like this and when I coming from kitchen to living room this moment he hurt himself and he lay down ... I don't know ... kind of like this.

HUBKEY                    Okay, do that again.

LEIBEL                    If he ... my concern here ... if he kill him like this ... you know ... and when I coming to from kitchen to living room this moment ... yeah ... so this moment he already shot and he hurt himself ...

HUBKEY                    Uh-huh.

LEIBEL                    ... and he already have different position.

HUBKEY                    Okay.

LEIBEL                    You understand ...

HUBKEY                    Okay.

LEIBEL                    ... what I said?

HUBKEY                    You're saying that he moved positions ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Different positions, yeah.

HUBKEY Okay. Okay. Okay. It just looks weird.

LEIBEL Yeah.

HUBKEY You understand what I mean?

LEIBEL Yeah, yeah.

HUBKEY It looks like he was shot from over there.

LEIBEL Uh-huh.

HUBKEY If I was on the couch and I was him ...

LEIBEL Yeah.

HUBKEY ... looks like the bullet came from where you were standing.

LEIBEL Okay.

HUBKEY Does that make sense?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL So if your concern I coming and shoot him ...

HUBKEY Uh-huh.

LEIBEL ... yeah ... and how I shoot him ...

HUBKEY And hit him right here.

LEIBEL How?

HUBKEY That's my concern.

LEIBEL Yes, exactly.

HUBKEY So ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL If I shoot him, yeah.

HUBKEY Yes.

LEIBEL Yeah. Impossible.

HUBKEY How is it impossible?

LEIBEL No, because he sit like this for example.

HUBKEY Okay. What ...

LEIBEL What ...

HUBKEY ... if he had his hand out?

LEIBEL ... what the person see, yeah. Person see. I come ...

HUBKEY Okay, I'm sitting ... I'm sitting here ...

LEIBEL ... yeah ... I come to him ... Harry I kill you ... yeah ... Harry I kill you.

HUBKEY Uh-huh.

LEIBEL Yeah?

HUBKEY Yes.

LEIBEL And what?

HUBKEY What do you mean, and what?

LEIBEL And I ...

HUBKEY (laughing)

LEIBEL ... I never do this my life.

HUBKEY Okay. But ...

LEIBEL I am never have criminality my life. Never do anything my life.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL I always good woman. If you check my record ... FBI ... whatever what you check ... I am not ... I am not criminal.

HUBKEY Okay.

LEIBEL You know? I can't ...

HUBKEY But do you understand what it looks like?

LEIBEL Yes, yes, but I can't ... going ... okay ... for example if I ... if I shoot person, do you think people start lying about this one? Of course, but I tell you too what happened.

HUBKEY Okay.

LEIBEL You understand?

HUBKEY Well, you're telling a story. I don't know that it to be true ...

LEIBEL Okay.

HUBKEY ... or not true.

LEIBEL Okay.

HUBKEY You know?

LEIBEL Okay.

HUBKEY You seem like a very genuine person.

LEIBEL Because I am never ... how I kill person?

HUBKEY Okay.

LEIBEL And especially my husband.

HUBKEY Okay.

LEIBEL Do you understand? Do ... do you understand one moment if my husband die and I am alone, do you understand what happen?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY           What happens?

LEIBEL           I am alone.

HUBKEY           Okay.

LEIBEL           My children gone. His children gone.

HUBKEY           Do you want to be alone?

LEIBEL           No, I am not want alone.

HUBKEY           Okay.

LEIBEL           But if ... if ... I going to see children.

HUBKEY           Okay.

LEIBEL           You know? I have menopause. Nobody love me.

HUBKEY           What's that?

LEIBEL           Menopause.

HUBKEY           Menopause. (laughing) Okay.

LEIBEL           (unintelligible) fat woman.

HUBKEY           Okay. Okay, so take a break, okay? Do you need to use the bathroom again?

LEIBEL           No.

HUBKEY           Okay. I'm going to go outside real quick. I'll be right back, okay?

LEIBEL           Okay.

HUBKEY           Okay. Here, I'm going to give you the water. Are we almost out of tissues? No, we're doing okay. Let me ...

LEIBEL           And ... and ...would ... would you concern ... why I need change my life. I (unintelligible). You know never good and ...



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Never good?

LEIBEL No. Never ... never good. Never. Never?

HUBKEY Never?

LEIBEL No. Have people here.

HUBKEY There are people here.

LEIBEL Yeah. No, Lake Tahoe people.

HUBKEY Okay.

LEIBEL Friends and ...

HUBKEY Okay, you have a good life.

LEIBEL Good life.

HUBKEY Okay.

LEIBEL Beautiful life.

HUBKEY Okay.

LEIBEL You know sometimes friends and ... and Harry and I going to restaurant and so normal ...

HUBKEY Normal.

LEIBEL Normal.

HUBKEY Okay.

LEIBEL Like everybody live.

HUBKEY Okay.

LEIBEL You know I am never fighting. If you ask people ... never fighting together with Harry.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

LEIBEL I don't know what happen. Only I think this is ... Bo sit here ...  
doggie ...

HUBKEY Okay.

LEIBEL He big.

HUBKEY Okay.

LEIBEL He ... sometimes move ... you can't even move him.

HUBKEY Okay.

LEIBEL Because one hundred ... what a ...

HUBKEY Hundred pounds?

LEIBEL Hundred twenty pounds he have.

HUBKEY Okay. How many kilos?

LEIBEL I don't know.

HUBKEY (laughing). Okay, give me a minute, okay?

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL My doggie take care of? Do you ask please my doggie take care of?  
I have put pee-pee ... him pee-pee.

HUBKEY Does he need to go pee-pee? Will he bite?

LEIBEL No, if ... if you good, he good.

HUBKEY Okay.

LEIBEL I don't know what he reaction.

HUBKEY Okay, okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

(Hubkey exits)

(Hubkey enters)

HUBKEY Coffee and cigarettes. Come on.

LEIBEL Oh yeah? Thank you so much.

HUBKEY Let's ... let's head up this way. You have all that stuff?

(Hubkey and Leibel exit)

(Hubkey and Leibel enter)

HUBKEY Okay.

MILBY Did I get the right cigarettes?

HUBKEY Yes.

LEIBEL Yes please.

MILBY Alright.

HUBKEY No, you can keep them.

LEIBEL Oh, okay, thank you so much.

HUBKEY Just have a seat over there. I'll be right back.

(Hubkey exits)

(Hubkey enters)

HUBKEY How are you doing? What's going on?

LEIBEL (unintelligible)

HUBKEY Huh?

LEIBEL (unintelligible) ... thinking about this (unintelligible).

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY What are you thinking?

LEIBEL How this happen. I can't believe ... I still can't believe it.

HUBKEY Okay.

LEIBEL (unintelligible)

HUBKEY Where did that white piece of paper go?

LEIBEL (unintelligible)

HUBKEY It was sitting right here wasn't it?

LEIBEL Yeah.

HUBKEY Where did it go?

LEIBEL Somebody took it.

HUBKEY Did somebody take it?

(Garren enters)

GARREN Nadine might have grabbed it.

HUBKEY Okay.

GARREN You want me to go find it?

HUBKEY The Miranda form?

GARREN Yeah.

HUBKEY Yeah.

GARREN Let me go see if they found it ... if they have it.

(Garren exits)

HUBKEY Um ... let me read you this form again.

LEIBEL Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY That's the right thing to do. Then we'll talk about what you're thinking about. And then Ed is going to talk to you a little bit because he was up at your house.

LEIBEL Okay.

HUBKEY So he wants to clarify some questions ...

LEIBEL Okay.

HUBKEY ... about ...

LEIBEL Okay.

HUBKEY ... the house and then we'll talk. So tell me about your dog. Can somebody go in there and get ... let your dog out?

LEIBEL I don't know.

HUBKEY Or do you think your dog will bite somebody?

(Garren enters)

LEIBEL No, he very nice if one person ...

GARREN I don't know where it is.

LEIBEL ... if another person ...

HUBKEY Huh?

GARREN You want another form?

HUBKEY Yeah.

LEIBEL (unintelligible)

HUBKEY It was right here, wasn't it?

LEIBEL Yeah.

GARREN We'll find it.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY I didn't take it with me. I left my notebook in here.

GARREN You want me to go find one?

HUBKEY Yeah, please do. I don't understand what happened to it. Not in the trash can.

(Garren exits)

LEIBEL (unintelligible) ghost.

HUBKEY What do you think of that? Was it a ghost?

LEIBEL Ghost (laughing).

HUBKEY That's crazy.

LEIBEL Harry always (unintelligible) me about ghost. For example ... I am ... coming kitchen and he like (unintelligible) ...

HUBKEY (laughing)

LEIBEL (unintelligible)

HUBKEY Ah.

LEIBEL (unintelligible) all the time.

HUBKEY Well I'll have you sign it again.

LEIBEL Yes.

HUBKEY I don't ...

LEIBEL I have not have problem sign.

HUBKEY You didn't put it in your pocket did you?

LEIBEL No (unintelligible).

HUBKEY It was ... it was literally right there. Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Here (unintelligible).

(Garren enters)

HUBKEY Yeah.

GARREN We'll find it.

HUBKEY Okay. Well, I'm going to read it to you again and just ...

LEIBEL Yes.

HUBKEY ... I'll have you sign it again.

LEIBEL Yes.

HUBKEY Um ... you remember this, right?

LEIBEL Yes.

HUBKEY I read it to you.

LEIBEL Yeah, I remember.

HUBKEY Okay. So you have the right to remain silent.

LEIBEL Yeah.

HUBKEY 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 him present with you while you're being questioned. If you cannot afford to hire a lawyer, one will rep be ... represent ... to represent before any questioning if you wish. Do you understand these rights as I have explained them to you?

LEIBEL Yes.

HUBKEY Having these rights in mind, do you wish to talk to me now?

LEIBEL Yes.

HUBKEY Okay, I just need you to sign these and these two.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Who did?

LEIBEL Her husband.

GARREN Oh, her husband, okay. Well back to Friday when ...

LEIBEL What I tell you?

GARREN Okay.

LEIBEL Yeah, what I tell you. This is means when I am going to Reno she always need me, you know.

GARREN Uh-huh.

LEIBEL And when she ... when she ... when he finish academy, come back to Los Angeles because he said they had my uncle fire work ...

GARREN Yeah.

LEIBEL ... position maybe help me ...

GARREN Okay.

LEIBEL ... blah, blah, blah. And come back Los Angeles and ... and I always ... of course think about her. She send me message what happen to her ... I message to her and he always ... check in message to you ... she had message.

GARREN Uh-huh.

LEIBEL And this time Friday same ... same story ... she send me message and I answer to her and would he tell me again she message to you.

GARREN Okay.

LEIBEL Yeah.

GARREN But you were planning on leaving on Saturday. Did you tell him on Friday you were going to leave on Saturday?

LEIBEL Yes.



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

**GARREN** And what did he say?

**LEIBEL** He said no you not going ... no beginning he said whatever.

**GARREN** Okay.

**LEIBEL** He said whatever.

**GARREN** Okay.

**LEIBEL** Okay ... I think myself he said whatever this is means after he agree I think.

**GARREN** Does he normally respond that way when you're going to go down?

**LEIBEL** Yeah.

**GARREN** So that ... that's normal for him?

**LEIBEL** Yeah.

**GARREN** Norm ... sorry ... that's a normal reaction.

**LEIBEL** Yeah.

**GARREN** Okay.

**LEIBEL** So ... and ... yeah.

**GARREN** Okay.

**LEIBEL** And ...

**GARREN** So when did he tell you no, you can't go?

**LEIBEL** When I tell him already Saturday evening ...

**GARREN** Okay.

**LEIBEL** ... after dinner I said I am going 10:00 o'clock.

**GARREN** Uh-huh.

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

LEIBEL He going nuts. This ...

GARREN Uh-huh.

LEIBEL ... this moment.

GARREN What do you mean going nuts? What does he do?

LEIBEL For ... for ... for our relationship how he going nuts ... verbally. Of course not ...

GARREN Okay, verbally.

LEIBEL Verbally.

GARREN Okay.

LEIBEL Only verbally.

GARREN What's he saying?

LEIBEL And he said no you not going. I have ... I give ... I not feel good ... and who take care of me and blah, blah, blah. But he okay this time.

GARREN Okay.

LEIBEL Because he not tell me ... for example yesterday he have kidney stone ...

GARREN Yeah.

LEIBEL ... you know.

GARREN Like he did before.

LEIBEL Yeah, yeah.

GARREN So how does that make you feel if you know he's not sick and he's telling you he's not feeling well. How do you feel?

LEIBEL For me this is normal because he ... before ... same ...

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

**GARREN** Okay.

**LEIBEL** ... same thing.

**GARREN** Okay. And he's told you before no you're not going and ...

**LEIBEL** Yeah.

**GARREN** ... and you still left?

**LEIBEL** Yeah, and in the end ... in the end I am like ... like this and ...

**GARREN** Okay.

**HUBKEY** Hey, can I interrupt real quick?

**GARREN** Yeah.

**HUBKEY** Who's Leann Brooks?

**LEIBEL** Leann Brook ... she ex-wife ... doctor Steve Brook.

**GARREN** She's a friend. She came up when we were at the house. Why?

**HUBKEY** Because she's calling me.

**GARREN** Is that the number?

**HUBKEY** Yeah.

**GARREN** Okay, well she stopped by the house and ...

**HUBKEY** Do I have to call her?

**LEIBEL** She ... she ...

**GARREN** No.

**HUBKEY** Okay.

**LEIBEL** Okay.

**GARREN** She was worried about her ...

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

LEIBEL Yes.

GARREN ... because I said we were down talking to her ...

HUBKEY Okay.

GARREN ... when we first got on the scene so ...

HUBKEY Okay.

GARREN ... she's just probably concerned.

LEIBEL Yes.

GARREN Okay, so he's normally told you no and you've gone anyway?

LEIBEL Uh-huh.

GARREN How come you didn't leave Saturday night ... last night?

LEIBEL Because I said to him I going three days.

HUBKEY Or you're going to be gone for three days?

LEIBEL Yes, because my daughter and I make reservation.

HUBKEY Okay.

LEIBEL Already hotel.

HUBKEY Okay.

LEIBEL And ... and when I said I coming to you Sunday already hotel ...

HUBKEY Uh-huh.

LEIBEL ... three, three days. So ... and he go ... and he going crazy. Three days for him is just like you know very long time.

HUBKEY Okay. Have you left for three days before?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL When I visit ... when I visit ... twins going ... twins going ... I said to him I going to two days.

HUBKEY Uh-huh.

LEIBEL And I come twins and I help and ... and after my car broken ...

HUBKEY Okay.

LEIBEL ... and my car ...

GARREN But you've never planned to be away that long before then?

LEIBEL No.

GARREN Okay.

LEIBEL No.

GARREN So it was kind of hard on him for you to be gone for three days.

LEIBEL Yeah. Oh for him three days this is big.

GARREN How come you didn't leave on Saturday night though like you normally do?

LEIBEL Well he said ... he take this gun ...

GARREN Okay.

LEIBEL ... and he start scare me.

GARREN How?

LEIBEL He said ... he said I kill myself if you going.

GARREN Okay, is that something new that he said before?

LEIBEL No, before he always told me I kill myself.

HUBKEY Yeah.

LEIBEL But like play. I don't know how explain to you.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN No, I understand.

LEIBEL Okay.

GARREN I ... I understand what you mean by that.

LEIBEL Okay.

GARREN Okay. So he said ... he said it before.

LEIBEL Yeah.

HUBKEY It's a recurring thing.

GARREN But did he ever say how he was going to do it before?

LEIBEL What this means how you do before?

GARREN How he was going to kill himself. Did he ever take a gun out and say I'm going to kill myself if you leave before?

LEIBEL Oh, no ... he like ... make funny whatever. For example he ... after with the shooting ... not long time ago ... shooting Carson City ...

GARREN Uh-huh.

LEIBEL ... shooting place.

GARREN Shooting range, yeah.

LEIBEL Yeah. And he always take to ... to me. And sometimes I am sitting watching. Sometimes I am not interesting. No shoot, no shoot. Shoot, shoot. Sometimes I am not interesting. So he ... he shoot his guns and going home he start cleaning ... for example he start cleaning. When he finish cleaning he said now look ... for example revolver he have wood. Two revolver ... no three revolver ... he got two revolver ... no four revolver. He have revolver .38, and three revolver .45. He teach me.

GARREN Uh-huh.

**Douglas County Sheriff's Department**

**Interview Transcripts**

**14SO05132**

**LEIBEL** Before I am not even ... before coming ... before when I married Los Angeles he have like three ... three ... three rifle.

**GARREN** Uh-huh.

**LEIBEL** Three rifle. He not ... no he have one revolver I think. Yeah, he have ...

**GARREN** Okay.

**LEIBEL** ... no he have two revolver. He never have pistol before.

**GARREN** Okay.

**LEIBEL** Revolver. And he always keep safe ... safe ... safe ... he always keep Los Angeles safe. But I always scare because I am from Russia and I never touch my life.

**GARREN** Well let me ask you this. Because you ...

**LEIBEL** Yeah.

**GARREN** ... said he's said in the past he was going to kill himself.

**LEIBEL** Yeah.

**GARREN** And you said last night he took the gun out and said he's going to kill himself.

**LEIBEL** Yeah, and he ...

**GARREN** Has he ever done that in the past where he's taken the gun out ...

**LEIBEL** No, but he for example clean ... clean ... the ... what ...

**GARREN** The gun, yeah.

**LEIBEL** ... revolver and he said I kill myself.

**GARREN** Okay.

**LEIBEL** For example, yeah?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

**GARREN** But not when you're leaving. Is this the first time he's ever done it when you said you're leaving for ...

**LEIBEL** Yes, this is first time he play ... for example when I going to ... when ... twins born ...

**GARREN** Uh-huh.

**LEIBEL** ... he not say I kill myself.

**GARREN** Okay. So this is the first time when you were saying you're going to leave ...

**LEIBEL** Yeah.

**GARREN** ... that he takes a gun out ...

**LEIBEL** Yeah.

**GARREN** ... and says he's going to kill himself.

**LEIBEL** Because ... because what happen is more and more and more for him gun very important.

**GARREN** Okay.

**LEIBEL** Because what ... what I see he always going to Reno show ... show ... show convention.

**GARREN** Gun shows, yeah.

**LEIBEL** Show convention. And he always bring guns.

**GARREN** Well ... so what do you think made him say that last night and take the gun out if you're leaving if he's never done that before? Why do you think that is?

**LEIBEL** No, I ... I think yesterday ... I think he scare me.

**GARREN** Okay.

**LEIBEL** Like if you not going I kill myself, yeah?



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN So he's just trying to scare you?

LEIBEL But ... but if he only said I kill myself, me ... I am not ...

GARREN Going to leave?

LEIBEL ... no ... trust him ... he kill himself and I am going, yeah?

GARREN Okay.

LEIBEL So he take rifle ... 9:00 o'clock ... and he put sleep with rifle like this.  
He ... he sleep together with rifle.

GARREN Has he ever done that before?

LEIBEL No.

GARREN Okay.

LEIBEL Rifle always stay loading ... stay ...

GARREN And you didn't leave because he made the comment about killing himself?

LEIBEL Yes.

GARREN Okay.

LEIBEL I ... I ... I'm sorry ... I ... I said to my daughter ... I said I can't leave now. I have ... I explain to you later. I can't explain to her what ...

GARREN Was that on a phone call or a text message?

LEIBEL It's text message. You ...

GARREN Okay.

LEIBEL ... have text message my phone if ...

GARREN Okay.

LEIBEL ... you want to read.

**GARREN**

Okay.

**LEIBEL**

And ... and after morning she again writing Mommy where are you. I wait for you. She think I am already start driving.

**GARREN**

Uh-huh.

**LEIBEL**

And I said I'm sorry I have uncomfortable situation.

**GARREN**

Okay.

**LEIBEL**

I never explain my children my relationship ...

**GARREN**

Okay.

**LEIBEL**

... my hus ... and he never explain ...

**GARREN**

Okay.

**LEIBEL**

... his children. Everything fine.

**GARREN**

Is your phone ... is your screen locked? Do you have to enter a code to unlock your screen on your phone?

**LEIBEL**

No, no.

**GARREN**

Okay, so just swipe it and it opens up?

**LEIBEL**

Swipe and Lana (unintelligible) ... Lana (unintelligible).

**GARREN**

You have to put in a word?

**LEIBEL**

No, no, no. Message. How explain ... message.

**HUBKEY**

I'll get it.

(Hubkey exits)

**GARREN**

Yeah, I just want to know. Because ...

**LEIBEL**

Yeah.

**GARREN**

... because I'm going to need to look at it if you'll let me just to ...

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

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Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yes, of course.

GARREN Okay.

LEIBEL Of course. So morning she said Mommy where are you.

GARREN Okay.

LEIBEL Yeah. And so ... you need to talk to him about it ... again about ...

GARREN Okay.

LEIBEL ... the subject. You know?

GARREN And did ...

LEIBEL So ...

GARREN ... you talk to him this morning?

LEIBEL ... he ... he shave today and he said I ... I going take (unintelligible).  
Do you want going shooting today?

GARREN Does he always shave every day?

LEIBEL No.

GARREN How often?

LEIBEL I don't know. If he stay home he shave I don't know maybe two days.

GARREN Okay.

LEIBEL Yeah.

GARREN But he shaved this morning?

LEIBEL Yeah, he shave ...

GARREN Okay, and asked you to go shooting.

Douglas County Sheriff's Department

Interview Transcripts

14SO05132

LEIBEL And ... and ... yeah he said after I going take (unintelligible) you want going to shooting.

GARREN Uh-huh.

LEIBEL I said no I am not going to shooting because I need going to Los Angeles.

GARREN Uh-huh.

LEIBEL And argue.

GARREN And what did he say?

LEIBEL He said no you not going.

GARREN Okay.

LEIBEL You know. And ... and I am so ... and I am so ... my heart like this because if I going this is means I fighting together with him. He never forgive me if I going and he said yes (unintelligible) said no or whatever.

(Hubkey enters)

LEIBEL Okay. This is ...

GARREN Okay, so just ...

LEIBEL ... I have another message ...

GARREN Okay. Okay, so it just ... it will just unlock by itself.

HUBKEY Can I see?

LEIBEL No, no, no.

GARREN No, I got it. Yeah, I got it. No, I just ... when it's locked I just want to know how to unlock it. And it's just ... swipe it.

LEIBEL Like this.

GARREN Okay, that's all I needed.

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

**LEIBEL**                    Going to message. And Lana ...

**HUBKEY**                    Can I look at it?

**LEIBEL**                    Yeah.

**HUBKEY**                    Or do you want to wait?

**GARREN**                    Let's wait.

**HUBKEY**                    Okay.

**GARREN**                    I just ... (unintelligible).

**LEIBEL**                    Yeah, go into message and ... and ...

**GARREN**                    So you said that kind of ... that kind of went like this. How did that make you feel this morning when he said you're not going?

**LEIBEL**                    Yeah, because I feel ... how I feel ...

**GARREN**                    Okay.

**LEIBEL**                    ... you know. I am ... I am think myself if I am going ... because yesterday I am not going because ...

**GARREN**                    Uh-huh.

**LEIBEL**                    ... you know if I going I don't know what happen, yeah? He kill himself what he said ...

**GARREN**                    Okay.

**LEIBEL**                    ... or not kill ... kill him ... or he play or something you know. I am not going.

**GARREN**                    Okay.

**LEIBEL**                    So if he said to me morning you not going if I going and he ... together with this rifle today ... all the time he sleeping and after he take this rifle like he finish ...

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

**GARREN** Shaving.

**LEIBEL** ... shaving. Before shaving he put rifle his bed and night stand ...

**GARREN** Uh-huh.

**LEIBEL** ... he put here. And he finish shaving he going to bedroom and take this rifle ...

**GARREN** Okay.

**LEIBEL** ... together with him and sit together with rifle couch.

**GARREN** Okay.

**LEIBEL** But my doggie always sit together with him.

**GARREN** Okay.

**LEIBEL** He lay down like this and he said always move. And he heavy ... doggie.

**GARREN** Okay.

**LEIBEL** You know and he push and ... and doggie sometimes farting.

**GARREN** Okay.

**LEIBEL** You know ... and he push him ...

**GARREN** Dogs will do that.

**LEIBEL** Yeah. And he push him all the time and he again coming to him like you know somethings. And Bo together with him ...

**GARREN** Okay.

**LEIBEL** ... this time. So when he tell me you not going, I am so like ... thought ... my think I am not going.

**GARREN** Okay.

**LEIBEL** And my daughter said Mommy where are you, you know.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Did you text your daughter and let her know you weren't coming?

LEIBEL I ... no ... I tell ... I text her ... I said I planning going. She said do you coming Mommy. I said yes I planning going. I planning ... planning ... this is ...

GARREN Uh-huh.

LEIBEL ... I don't know what time I going because I need talk to my ... talk to Harry and convince him ...

GARREN Uh-huh.

LEIBEL ... you know. So ...

GARREN So did you try to talk to him?

LEIBEL ... he ... probably he have different plan. He see I am not going yesterday ...

GARREN Uh-huh.

LEIBEL ... and he think I am already not going.

GARREN Did you try to talk to him about it?

LEIBEL Yeah, I try talk to him ...

GARREN Today?

LEIBEL ... today morning.

GARREN Okay.

LEIBEL Today morning. Very, very calm.

GARREN Uh-huh.

LEIBEL You know very calm. And he said no you not going. So after watch little bit T.V. with pool ... pool T.V.

GARREN Okay.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL T.V. have ... how said ... pool game ...

GARREN Okay.

LEIBEL ... pool game.

GARREN Okay.

LEIBEL It got Canada guy and another American guy.

GARREN Okay.

LEIBEL Have a ... a trick shoot.

GARREN What did you do after that?

LEIBEL And I get up ... get up from ... from my couch and I go to drink ...

GARREN Did you make him breakfast somebody said?

LEIBEL Oh no, this is before. I talk already ... I tell you already in the end.

GARREN Okay, well what time did you guys have breakfast?

LEIBEL (unintelligible) he finish ... he woke up 4:00 o'clock today ...

GARREN Okay.

LEIBEL ... morning. He going to computer to read the news or whatever what he do. And after I (unintelligible) my doggie ... our doggie ... always sleep ...

GARREN Uh-huh.

LEIBEL ... our bed.

GARREN He sleeps on the bed with you?

LEIBEL This is what means yesterday I am so worry because doggie sleep together with us ...

GARREN Uh-huh.

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

**LEIBEL** ... and he hold this gun ...

**GARREN** The gun. So you were worried?

**LEIBEL** Worry because doggie when sleeping he always running.

**GARREN** Uh-huh.

**LEIBEL** And our bed start shaking and ... and sometimes Harry said stop it, stop it.

**GARREN** Okay. So what time did you ... do you guys have ... did you guys have breakfast this morning?

**LEIBEL** Breakfast ... around (unintelligible).

**GARREN** What did you guys have?

**LEIBEL** I make him carson ... carsons ... carsons?

**GARREN** Croissant?

**LEIBEL** Croissants. I open two croissant ... put mustard cheese and put out.

**GARREN** Okay.

**LEIBEL** And this time I wait when ... oven ... no ready this croissants and have dining cloth balcony. Harry always sit and smoke this place and I ...

**GARREN** So you guys ate on the balcony?

**LEIBEL** No, no, no.

**GARREN** Oh, in ...

**LEIBEL** I am so sorry.

**GARREN** Okay, I just ... I ...

**LEIBEL** So when ... when ... when I make oven I close out and I going dining room ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Uh-huh.

LEIBEL ... and I sit chair. I open balcony and I smoke cigarette.

GARREN Oh, okay, okay.

LEIBEL I wait ... I wait when oven finish. When oven finish I open oven. He sit couch. He always sit couch.

GARREN Uh-huh.

LEIBEL He ... he have routine. I always give him like this breakfast.

GARREN Okay.

LEIBEL He never sit table breakfast. He always sit couch.

GARREN So after breakfast, what did you guys do?

LEIBEL No what after breakfast ... finish breakfast. I take plate. One moment he said very interesting pool shot. And I said okay. He sit couch together with Bo and he have rifle (unintelligible). And this couch I sit ...

GARREN Uh-huh.

LEIBEL ... (unintelligible) couch and watch this and ... and watch this ...

GARREN What did you do with the plates?

LEIBEL This is ... this is pepper plate.

GARREN Oh, paper plates.

LEIBEL Pepper plate.

GARREN Okay, okay.

LEIBEL Paper plate.

GARREN Oh, okay, okay, because we ... I looked in the kitchen and there were no ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Oh it ...

GARREN ... dirty dishes. Your kitchen is spotless.

LEIBEL Yeah, because if you open ...

GARREN Okay, okay. That would explain it. I just ...

LEIBEL ... have paper plate.

GARREN Okay.

LEIBEL Harry and I always use paper plate.

GARREN Okay, so then at some point you said you ... you started to talk to him about going to L.A. and he said no.

LEIBEL Yeah.

GARREN Okay, and you said you kind of ...

LEIBEL I kind of ...

GARREN ... argued a little bit?

LEIBEL ... and I kind of already start crying because hurt me feelings you know.

GARREN Uh-huh.

LEIBEL And when ... when this happen I need somethings drink this moment ...

GARREN Okay.

LEIBEL ... you know. So I go kitchen, open the refrigerator. And I open the refrigerator at this time I hear what this boom.

GARREN Okay.

LEIBEL I am like confusing.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Okay.

LEIBEL You know because one time some neighbor boom too.

GARREN Uh-huh.

LEIBEL And Harry said somebody boom.

GARREN But you've shot guns before, right?

LEIBEL Yes.

GARREN So what did you hear?

LEIBEL Boom.

GARREN Was it a boom or was it a gunshot? You've fired guns before so you would know if it was a gunshot, right?

LEIBEL No, no, no. Gunshot.

GARREN So it was a gunshot?

LEIBEL Yes, boom.

GARREN Okay.

LEIBEL Yeah, this is what I call ...

GARREN So what did you do?

LEIBEL ... but ... I start away going to living room.

GARREN Okay.

LEIBEL You know I am not even drink. I start away going to living room. And I see this ... and I see this is picture. (unintelligible) ... guns ... and ... and I said Harry what you do. And when I say that ...

GARREN What did you see when you first came out and saw him?

LEIBEL What ... what this is picture ... one second.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Okay. But describe it for me. What did he look like?

LEIBEL Okay. Couch have opening.

GARREN Uh-huh.

LEIBEL He look down.

GARREN Okay.

LEIBEL You know ... Bo running ... couch ... running. Harry back ... you know ... and ... and the gun ... I don't know ... this is what explain to you ...

GARREN (unintelligible)

LEIBEL (unintelligible)

GARREN Yeah.

LEIBEL I think when I am running from kitchen to living room maybe he make like this some ... somehow ... you know. And when I am close an another shot ... shot.

GARREN Did you see his face at all when you walked in the living room?

LEIBEL When ... when second ... when second opening ...

GARREN Oh the ...

LEIBEL ... ahh ... ahh ...

GARREN ... you didn't see him before that?

LEIBEL No, before he like ... he like ... like this and I said ... for me he open eyes. He ... he ... normal like ...

GARREN He looked normal?

LEIBEL No, like not dead or whatever.

GARREN Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL But second shot he already ahh ... ahh ...

GARREN Okay.

LEIBEL He not have breathe ...

GARREN Now before the second shot, did you see anything else around him?

LEIBEL No I ...

GARREN You said to my partner something about his hand. You see anything in his hands before the second shot?

LEIBEL I not remember.

GARREN Okay, okay.

LEIBEL I tell you I am not remember.

GARREN Okay, okay. Have another drink. Have a sip. My partner and I are going to talk real quick.

(Garren exits)

(Garren and Hubkey enter)

GARREN Okay. Do you ever watch T.V.?

LEIBEL Huh?

GARREN Do you ever watch television?

LEIBEL Yes.

GARREN What kind of shows do you like to watch? What kind of T.V. shows?

LEIBEL T.V. shows ... any ... any movies ...

GARREN Okay.

LEIBEL ... any movies.

GARREN Okay. Um ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL But he always like watch T.V. and he try ... I am together with him watch T.V. too. My daughter always ...

GARREN Okay.

LEIBEL ... Mommy what you doing. Watch T.V.

GARREN Did he ever watch ... does he ever watch police shows?

LEIBEL Watch police shows.

GARREN Okay, how about ...

LEIBEL I am ... one time I remember.

GARREN Okay, okay. Because there's things we can look at, okay, that kind of tell a story, okay? And unfortunately right now Harry can't talk. He can't tell us anything but he can still tell us a story.

LEIBEL Yeah.

GARREN Okay? And the crime lab ... is they investigate ... they look at everything and they looked at Harry and Harry has told us a story.

LEIBEL Okay.

GARREN Okay? It's not the story that you're telling us.

LEIBEL What this means?

GARREN Okay, there are injuries on Harry ...

LEIBEL Yeah.

GARREN ... that aren't consistent with what you're saying, okay?

LEIBEL What this means?

GARREN It means that I believe you shot Harry.

LEIBEL I shot Harry?



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Yeah, I believe that.

LEIBEL How I am shot Harry?

GARREN Probably because you were mad at him. I don't know ... here's the thing ... I'm not there.

LEIBEL Once second.

GARREN Okay? Hold on, hold on. I'm not there.

LEIBEL Yeah.

GARREN Okay?

LEIBEL Yeah.

GARREN I think you guys got in an argument and you got mad and something happened and he got shot.

LEIBEL This is not first time and I shot my husband because I need going to Los Angeles?

GARREN I don't know.

LEIBEL This is not first time.

GARREN What's not the first time?

LEIBEL No, of ... he not ... not ... he argue I going to children and ...

GARREN Okay.

LEIBEL ... and his children.

GARREN Okay, I understand.

LEIBEL This is not first time.

GARREN I understand.

HUBKEY But it's the last time.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

**GARREN** It's the last time, okay?

**LEIBEL** And because I am angry I shoot my husband because I need going to L.A. ....

**GARREN** Tatiana, it happens all the time.

**LEIBEL** ... three days?

**GARREN** It happens all the time. People have shot people for less Tatiana. Here's the thing ...

**LEIBEL** I am never shoot person.

**GARREN** ... I'm not ... listen to me. I'm not saying you calculated this out and you had this big plan to do this. I think it just happened. I think you were arguing. You grabbed the gun from him. I don't know if it was a ... if ...

**LEIBEL** He ...

**GARREN** ... how this came about but there are injuries ... there's injuries on him that he couldn't have done to himself.

**LEIBEL** But I told you ... maybe this is doggie push him. I don't know.

**HUBKEY** No.

**GARREN** No, no, no. This ...

**LEIBEL** I don't know.

**GARREN** ... this ... he ... there ... he could not have done this to himself.

**LEIBEL** I don't know. I don't know.

**GARREN** No, I'm telling you.

**LEIBEL** I am not ...

**GARREN** He couldn't have.

**LEIBEL** ... I am not have idea.

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

**GARREN**                    You're there. He's there. Okay?

**LEIBEL**                    I am not shoot him.

**GARREN**                    Well he ...

**LEIBEL**                    I ...

**HUBKEY**                    Tatiana ... listen ...

**GARREN**                    ... he didn't shoot himself.

**HUBKEY**                    Listen. Look at me.

**LEIBEL**                    Yes.

**HUBKEY**                    Okay?

**LEIBEL**                    Yes.

**HUBKEY**                    He didn't shoot himself. Okay? Somebody shot him.

**LEIBEL**                    No, I am not ...

**HUBKEY**                    Listen, listen.

**LEIBEL**                    Okay.

**HUBKEY**                    Somebody else ... somebody besides him shot him, okay? The dog didn't shoot him, okay?

**LEIBEL**                    Of course, yeah.

**HUBKEY**                    That leaves you in the house.

**GARREN**                    And he didn't shoot himself.

**HUBKEY**                    So the science doesn't lie. That's the one thing that doesn't lie. Okay? So if ... if you shot him, okay, which the signs say you did, okay, what ... what we need to discuss is why and how.

**GARREN**                    People want to know why things happen ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Okay.

GARREN ... okay?

LEIBEL Okay, number one I am not shot him.

GARREN Okay, but we ...

LEIBEL I am innocent. I am not shot him. I am never shot person my life.

GARREN Okay, but ... then he didn't shoot himself ...

LEIBEL I don't know ...

GARREN ... okay? No, no, I'm telling you ...

LEIBEL ... my question how he shoot himself.

GARREN Okay ... and that's what we're doing ... I'm telling you ...

LEIBEL Okay.

GARREN ... he didn't shoot himself. Okay? He didn't, okay? Secondly, somebody had to have done it. If it's not him ... we know it's not the dog ...

LEIBEL This is ...

GARREN ... the only other person is you ...

LEIBEL Yeah.

GARREN ... okay? I don't have ... the science is telling us this is what happened ... that this is not something he could have done to himself, okay? People are going to want to know why. People are going to want Tatiana's story as to what happened, how this happened, why it happened. Why it happened is important, okay? From looking at what we have the science is telling us he didn't do it. Somebody else had to have and the only other person is you.

LEIBEL I don't know how he do it.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Okay, but ... I understand that but I'm not saying this was something you calculated out. This could have been you got mad ....

LEIBEL No.

GARREN ... and it was ... and it just happened ...

LEIBEL No.

GARREN ... okay?

LEIBEL I look at eyes. I look at other people eyes. I am not do this.

GARREN Okay. But he didn't do it either.

LEIBEL I don't know how he do this but I ...

GARREN But I'm telling you he ... he could not have done it.

LEIBEL I don't know ...

GARREN It's not possible.

LEIBEL ... I don't know how he do this.

GARREN Well ...

LEIBEL I am not even look how he do this.

GARREN ... I don't need to know how he did it. I ...

LEIBEL Maybe ... maybe ...

GARREN ... I ...

LEIBEL ... he maybe ...

GARREN ... Tatiana, hold on. I know he did not do it, okay? It's not a matter of how did he do it. He could not have done it, okay? The ... the ... there's other injuries on him. There's no way he could have done it himself.

LEIBEL I don't know.

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

**GARREN**            There's no way.

**LEIBEL**            I don't know.

**GARREN**            Okay? I understand what we're saying is a hard thing ... it's a difficult thing to come to terms with but this is not something that Harry did. He did not do this, okay?

**LEIBEL**            I don't know how he do this.

**GARREN**            You can sit there and say I don't know how he did it. I didn't do it. That doesn't change the science.

**LEIBEL**            Okay.

**GARREN**            Okay? The facts of the case, what we have, what we see ... the science tells me it wasn't Harry.

**LEIBEL**            Okay, maybe ...

**GARREN**            But that doesn't change anything.

**LEIBEL**            ... you make another investigation and see how he do this. I am not ...

**GARREN**            We ...

**LEIBEL**            ... know ...

**GARREN**            ... we ... that's what we're doing.

**LEIBEL**            ... how he do this.

**GARREN**            But he couldn't have done it. This is what I'm telling you. He could not have done it, okay? This is not something that ... that he did. Somebody else had to do it. The only other person there is you, okay? We don't have anybody else to look at, okay? Everything tells me unfortunately something happened. You ended up shooting Harry.

**LEIBEL**            No, I never shoot person.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Well ...

LEIBEL I never my life ...

GARREN ... I don't believe that. Not today. Today was different.

LEIBEL No, I never ...

GARREN Okay? You may not like to hear that but based on the science that we have, that's what we have, okay?

LEIBEL Think about ... think about. Because I go ...

GARREN I don't need ... I don't need to think about it, okay? I don't need to think about it because the science is telling me Harry didn't do this, okay? The injuries on him can't be done by himself. Somebody else had to do this. Okay? I'm not saying this is a long, planned out that you thought long and hard. This could have been something that ...

LEIBEL I am not ...

GARREN ... it just happened.

LEIBEL ... I am not have idea how he do this.

GARREN I ... I don't ...

LEIBEL I am not ...

GARREN ... I don't think he did it either. Because I know he didn't do it because it couldn't have been done by himself, okay?

LEIBEL This is ridiculous.

GARREN It's not ridiculous.

LEIBEL No.

GARREN Okay? This is ... this is the science. This is what we do. Okay?

LEIBEL Okay.

GARREN We look at it from every different possibility, okay?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Okay.

GARREN But right now none of those possibilities make sense. The only one that makes sense based on the science and the injuries ...

LEIBEL Science ...

GARREN ... is you.

LEIBEL ... and you make investigation.

GARREN That's what we've done.

LEIBEL Okay ...

GARREN We've done that.

LEIBEL ... okay.

GARREN And the investigation says somebody else shot him.

LEIBEL Okay, so this ...

GARREN Which only leaves you.

LEIBEL ... so this is only me?

GARREN Yes.

LEIBEL So you ... you ...

GARREN Unless ... unless you're going to tell me somebody else was in the house.

LEIBEL No, nobody house.

GARREN Okay, well ...

LEIBEL Nobody house.

GARREN ... well I think he ...



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

**LEIBEL** And I am not ...

**GARREN** ... listen ... I think he ... he finally pushed you past the point ...

**LEIBEL** No.

**GARREN** ... where you were tired of him telling you no. You got upset and something happened.

**LEIBEL** No, I am not shoot him.

**GARREN** Tatiana, it could have even been an accident. I don't know.

**LEIBEL** No, no.

**GARREN** But if ... was it an accident?

**LEIBEL** I think this is accident.

**GARREN** Did you shoot him on accident?

**LEIBEL** No, I am not shoot him.

**GARREN** Okay, but you did.

**LEIBEL** No, I am not shoot ...

**GARREN** I don't ... everything I have said you did it.

**LEIBEL** No, I am not ...

**GARREN** Okay, I don't have anything that says Harry did it. I can't put it together and say Harry did this. Okay, I don't have anything at the scene. The wounds on his body he can't ... he could not have done himself.

**LEIBEL** I ... I don't know where he even shooting. I ...

**GARREN** I understand that. But ...

**LEIBEL** ... when I ... when I pull him ...

**GARREN** ... but you've got to understand I don't have anything else.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL ... when I pull him ...

GARREN It doesn't matter.

LEIBEL ... I only see one hand.

GARREN I understand that. But there's other injuries on him that he could not have done to himself. Somebody else had to shoot him.

LEIBEL Okay.

GARREN The only other person home is you.

LEIBEL Yeah.

GARREN I'm trying to understand ... it ... to me it's not a matter of who did it ...

LEIBEL Yeah.

GARREN ... it's a matter of why it happened ...

LEIBEL Yeah.

GARREN ... and how it happened. That's what we need to talk about.

LEIBEL Okay.

GARREN How it happened and ...

LEIBEL I tell ...

GARREN ... why it happened.

LEIBEL ... I tell you what happen.

GARREN Okay.

LEIBEL Okay? And I am not shoot him.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

**GARREN** Okay, but see that's not ... we know this is what happened. The science is telling us somebody else shot him and if there's nobody else there, it's you.

**LEIBEL** Okay ...

**GARREN** Okay, we do this all the time. This isn't ... we're not ... we're ... to me we're past who shot him. We know you shot him. Okay? We're ... we're past that. We know you shot him.

**LEIBEL** I am not shot him.

**GARREN** We're just trying to understand how and why that happened.

**LEIBEL** No, I am not shot him.

**GARREN** We don't believe that. Tatiana ...

**LEIBEL** You need ... you need make more investigation who shot.

**GARREN** No we don't. We're at the point now where we're past how this happened.

**LEIBEL** No.

**GARREN** We ... or who did this. We know you did it. It's just a matter of who did it ... or how it happened and why. We know who did it, okay? We know Harry didn't do it ...

**LEIBEL** I don't know how ...

**GARREN** ... and you ...

**LEIBEL** ... Harry do this.

**GARREN** He did not do it. That's ... there's no ...

**LEIBEL** You need make more investigation because I am not ...

**GARREN** No we don't.

**LEIBEL** ... I am not do this.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

**GARREN** Tatiana, listen to me, no we don't. It's a matter of how it happened and why it happened, okay? There's ... everything there is telling us he couldn't have done it. Which means there's only one other person there ...

**LEIBEL** Okay.

**GARREN** ... which was you. I'm sure you feel sorry for it.

**LEIBEL** No, because I am ...

**GARREN** Okay? I don't think this is something that you planned to do or you wanted to do.

**LEIBEL** No, because I never ...

**GARREN** I think it just happened.

**LEIBEL** ... because I never shoot person my life.

**GARREN** Maybe not before today.

**LEIBEL** No, I am never shoot person my life.

**GARREN** Is this something that ... that ... did you ... did you shoot the gun to scare him?

**LEIBEL** What this means?

**GARREN** Did you shoot at him to scare him and accidentally hit him?

**LEIBEL** I not even shoot him.

**GARREN** I don't believe that.

**LEIBEL** I am not even shoot him.

**GARREN** Tatiana, I don't believe that.

**LEIBEL** How I shoot him if rifle together with him? What ... tell me something.

**GARREN** I am not there. The rifle's ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL                   What ... what ...

GARREN               ... the rifle's on the couch. I didn't see the rifle with him. I didn't see him holding the rifle. The only person ...

LEIBEL               He put ...

GARREN               ... that is telling me that story is you. You're the only person that's there ...

LEIBEL               Yes, yes ...

GARREN               ... okay?

LEIBEL               ... but I pull him floor.

GARREN               But the wounds ...

LEIBEL               Because I pull him ...

HUBKEY               ... Tatiana ...

LEIBEL               ... floor.

HUBKEY               ... Tatiana.

LEIBEL               Yes.

HUBKEY               Listen, listen, okay? The wound on his hand ...

LEIBEL               Yes.

HUBKEY               ... there's also a wound on his shoulder.

LEIBEL               Okay.

HUBKEY               Okay? This and this line up.

LEIBEL               Okay.

HUBKEY               Okay? You understand that it's impossible to have this wound, this wound, and the couch wound right?

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

**LEIBEL** Okay ...

**HUBKEY** Okay, so they're on ...

**LEIBEL** ... no I am not ...

**HUBKEY** Listen, listen, listen.

**LEIBEL** Okay.

**HUBKEY** They're on the left side of his body.

**LEIBEL** Okay.

**HUBKEY** Okay? The other wound is in his back.

**LEIBEL** Okay.

**HUBKEY** Okay? It's ... it's ... science doesn't lie, okay? It is what it is. Just listen.

**LEIBEL** Okay.

**HUBKEY** And based on science and fact, okay, these things say that he wasn't holding the gun.

**LEIBEL** Okay.

**HUBKEY** Okay? He ... he couldn't have been. It's impossible.

**LEIBEL** So what ... I tell ... I tell you about this rifle and Harry always like would ...

**HUBKEY** I understand.

**LEIBEL** One second. And like this rifle because he said when ... and ... and ... and he try this rifle before and I try the rifle before. When ... when you put like this, this is like one second if you touching ... bullet coming.

**HUBKEY** Yeah.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Okay?

HUBKEY Okay.

LEIBEL So I don't know how he turn around. I am not idea, okay?

HUBKEY Okay.

LEIBEL I am not see this, okay?

HUBKEY Okay, but here's the problem.

LEIBEL Yes.

HUBKEY The wound in his hand ...

LEIBEL Okay.

HUBKEY ... is right here.

LEIBEL Yes.

HUBKEY Okay? And it's in his shoulder right here.

GARREN Uh-huh.

HUBKEY His left shoulder.

LEIBEL No going bullet like this.

GARREN Yes, and then behind him is the hole in the couch.

HUBKEY Okay?

LEIBEL Okay ...

HUBKEY So ...

LEIBEL ... so what this means?

HUBKEY What this means is that somebody was standing in front of him ...

LEIBEL Yeah.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY ... holding the gun, pointing it at him ...

GARREN And pulled the trigger.

HUBKEY ... okay ... and pulled the trigger. Okay? And the bullet hit him in the hand right here. Now just listen.

LEIBEL Okay.

HUBKEY Left a big powder burn.

LEIBEL Okay.

HUBKEY Okay? You know what powder is?

LEIBEL Yes, I know this powder ...

HUBKEY Okay ...

LEIBEL ... yeah.

HUBKEY ... left a big powder burn right here.

LEIBEL Yeah.

HUBKEY So the bullet hit him here, exited his hand, hit him in the shoulder ... okay right here ...

LEIBEL Yeah, okay.

HUBKEY ... and then went into the couch ...

LEIBEL Okay.

HUBKEY ... taking pieces of his robe with it.

LEIBEL Okay.

HUBKEY Okay? There's no way that he was able ... would be physically ... even if he was Superman ... that he would be able to do this. Okay?

LEIBEL Do you see this rifle?



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

HUBKEY Yes.

LEIBEL You make investigation with this?

HUBKEY Yes, yes.

LEIBEL Okay, make second time investigation how he do this.

GARREN Okay, Tatiana, you have to cock the hammer back ...

LEIBEL Yes.

GARREN ... and pull the trigger ...

LEIBEL Yes.

GARREN ... okay? He would have had to done that twice ...

LEIBEL Okay.

GARREN ... for ... you said two shots.

LEIBEL Yes.

GARREN Okay? The gun is on the floor with the hammer cocked back.

LEIBEL On the ... on the floor because when I ...

GARREN Okay ...

LEIBEL ... pull him ...

GARREN ... but here's the problem though.

LEIBEL Yes.

GARREN If you have to pull the trigger ...

LEIBEL Yes.

GARREN ... to cock it ...

LEIBEL Yeah.

GARREN ... to fire it ...

LEIBEL Yeah.

GARREN ... so you pull the thing, fire it, cock it again, shoot again ...

LEIBEL Yes.

GARREN ... cock it again ...

LEIBEL Yeah.

GARREN ... and then you don't have to shoot him because he's on ... he's ... you shot him now.

LEIBEL Okay.

GARREN There's ... there's no way he could have re-cocked that hammer ... he would have done it himself. There's no way that bullet path goes through his wrist, his shoulder and the couch. He couldn't have done that.

LEIBEL I told you because dog get together with him. Maybe this ...

GARREN The dog didn't do it.

LEIBEL Not ... not doggie doing. Maybe doggie push him or something. I am not ...

GARREN But that doesn't explain how after he ... if he pulled the trigger twice and shoots himself twice, there's no way he could have re-cocked the hammer on the rifle. That's somebody that's getting ready to shoot a third time but doesn't need to.

LEIBEL But he make left side ... right side ... I don't know how ... how he make it.

GARREN It takes a lot of pressure to do that. It just doesn't happen.

LEIBEL But he first time (unintelligible). He not like ... second time he already ahh ... ahh ... like this.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Yeah, and there's no way he could have cocked it again. It doesn't happen that way.

LEIBEL I don't know. I don't know.

GARREN Somebody else ...

HUBKEY Whose gun is that gun?

LEIBEL Huh?

HUBKEY That silver revolver. That big silver revolver ... whose gun is that?

LEIBEL This is his gun.

HUBKEY It's not your gun?

LEIBEL No.

HUBKEY Are you sure?

LEIBEL My ... my gun ... he give me present ... three ... five years ago. Maybe six years ago. He gave me a present ... my Magnum .22. Magnum .22. This is my rifle.

HUBKEY Okay. So do you understand the issue that we're having?

LEIBEL Yes, okay, I understand your issue. But I said ...

HUBKEY Okay, what is our issue?

LEIBEL Your issue you think he not kill himself and I kill ... I ... and I kill him.

HUBKEY Okay.

LEIBEL But this is not true. I am not kill him.

HUBKEY Okay, but do you understand why we think you shot him?

LEIBEL Yeah, because different shooting quote you said to me.

HUBKEY Okay.

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

**LEIBEL** And I ... and I tell you this is Bo push him. I don't know how this happen.

**HUBKEY** Okay.

**LEIBEL** Because Bo going crazy.

**HUBKEY** Okay.

**LEIBEL** When I come into living room Bo going crazy. He ...

**HUBKEY** Of course, okay.

**LEIBEL** ... running here and there.

**HUBKEY** So let me regress a little bit.

**LEIBEL** Yeah.

**HUBKEY** You told him you were leaving.

**LEIBEL** Yes.

**HUBKEY** Okay, and what was your plan at that point?

**LEIBEL** What my planning? I go and drink water because he said no.

**HUBKEY** Okay, no, but you told him you were leaving.

**LEIBEL** Yes.

**HUBKEY** So what were you going to do? Were you going to leave?

**LEIBEL** I tell ... I told my daughter ... I said yes I planning leave morning.

**HUBKEY** Okay, did you tell him you were going to leave anyway?

**LEIBEL** No, I make statement this point.

**HUBKEY** Okay, what were you going to do at that point? Had he not shot himself, what were you going to do?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL If he said no ... and my children this is no too ... if he said no I am not do this, I am not going.

HUBKEY Okay, what if he had said yes?

LEIBEL If he said yes, I going.

HUBKEY Okay. So you had a suitcase packed.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL From yesterday.

HUBKEY So you packed it yesterday?

LEIBEL Yes.

HUBKEY Okay, tell me about that.

LEIBEL And I am not going. Huh?

HUBKEY Tell me about that?

LEIBEL What this means?

GARREN Tell me about packing your suitcase.

LEIBEL What I packing my suitcase? Or ...

HUBKEY No, did you pack?

LEIBEL ... why ... why ...

HUBKEY You did pack?

LEIBEL ... when I packing?

HUBKEY You packed yesterday?

LEIBEL Yesterday.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay, why didn't you leave yesterday?

LEIBEL Because I told you ... he start scare me about this I kill myself and he hold this gun and he sleep together with this gun.

HUBKEY Okay, then ... then why didn't you unpack?

LEIBEL I am not even think about. Because I think I going today.

HUBKEY Okay, okay. Well, I have to tell you, it ... it's ... it doesn't look good right now.

LEIBEL If I kill him do you think somebody call police and like everything this ... this investigation? Why ... why ... why ... why for me this is needed? I am going to for example Los Angeles take care of my daughter situation and I call police and I do this. Why? Because I ... because I kill him?

HUBKEY Well ...

LEIBEL I am not understand ...

HUBKEY ... it looks like you ... the evidence indicates that you shot him, okay? So look ...

LEIBEL Okay.

GARREN That's what I'm saying. I don't think you ... you woke up today with the intention of killing him.

HUBKEY I don't think you're ...

GARREN I think it just happened.

LEIBEL I am not ...

GARREN And you don't know what to do and people panic ...

LEIBEL Because ...

GARREN ... people panic and make up stories, okay?

LEIBEL Okay, he ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

**GARREN** And people will think I feel sorry for her and then you can go be with your family. I think you got tired of him telling you no ...

**LEIBEL** Okay ...

**GARREN** ... and you guys got in a ... I think you were going to leave ...

**LEIBEL** Okay tell me to like this situation. Tell me like this situation. He sit couch together with rifle and Bo. So for example ... if you said I ... one second ... you said I kill him so I need come to him ...

**GARREN** Well hold on. I ... how do I ... well no, you're the one telling me the rifle is on the couch. How do I know ... how do I know the rifle's not in the bedroom and you grabbed it and walked up?

**LEIBEL** Because he take this rifle together.

**GARREN** But that's what you're telling me. Okay, I don't know ... here's what I ...

**LEIBEL** And ...

**GARREN** ... here's what I know. I know at the end of this the rifle ends up on the couch. I don't know where it is before that. I'm not there, okay? You can tell me it's anywhere you want to.

**LEIBEL** You're right ...

**GARREN** Okay?

**LEIBEL** ... you're right. I agree.

**GARREN** So I ... I don't ... just because you're telling me he's holding it ...

**LEIBEL** Yeah.

**GARREN** ... he could have left it in the bedroom. You guys argue or maybe he did try to grab it ...

**LEIBEL** Yeah ... and ...

**GARREN** ... and you guys fought ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL                    Yeah.

GARREN                   ... and the gun went off.

LEIBEL                   Yeah. Because ... because I need going to Los Angeles?

GARREN                   Yeah, I think you wanted to go to Los Angeles.

LEIBEL                   And I kill ... and I kill person ... my husband?

GARREN                   You wouldn't be

LEIBEL                   When I ...

GARREN                   ... the first person to do that.

LEIBEL                   ... one second ... when I live together with him ten years and ...

GARREN                   You wouldn't ...

LEIBEL                   ... and small ... small argument?

GARREN                   Tatiana, you wouldn't be the first person that this would have happened to.

LEIBEL                   I am not do this. I am not do this.

GARREN                   Okay. I'll be right back.

(Garren exits)

HUBKEY                   I'm going to sit in your seat. Listen, I'm not going to yell at you like he did.

LEIBEL                   Okay.

HUBKEY                   Look ...

LEIBEL                   I understand.

HUBKEY                   ... look at me.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yes.

HUBKEY Look at me. Something happened in there.

LEIBEL Yeah.

HUBKEY You agree?

LEIBEL I agree.

HUBKEY Something happened and Harry got shot. Okay? You understand that there's people out there that make a career out of looking at crime scenes.

LEIBEL Yeah.

HUBKEY And they ... they look at them and they look at the evidence, okay? And the evidence always tells the story, okay?

LEIBEL Okay.

HUBKEY And ... and ... after looking at this ... okay we've already brought in people from Washoe County ... all over the place, okay?

LEIBEL Okay.

HUBKEY And they looked at this. Okay? And the evidence doesn't say that Harry shot himself. It doesn't. It just doesn't. It ... it ... and here's the problem with it ... is it can't lie, okay?

LEIBEL Okay. You need to make some investigation more.

HUBKEY Okay.

LEIBEL Because ... because I am not do this.

HUBKEY Okay.

LEIBEL Yeah.

HUBKEY But it looks that way.

LEIBEL Maybe ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay?

LEIBEL ... beginning look this way but I am not do this.

HUBKEY So ... but it does. Okay?

LEIBEL Maybe beginning this is does.

HUBKEY But ... but the evidence can't lie. Do you understand that? We ... we are doing ... right now at your house ...

LEIBEL Okay.

HUBKEY ... there's ... there's crime scene technicians. There's photographers. There's people with lasers ...

LEIBEL Uh-huh.

HUBKEY ... okay? All these things, okay? Evidence. He has a powder burn on the back of his hand ...

LEIBEL Okay ...

HUBKEY ... right here.

LEIBEL ... okay, yeah.

HUBKEY ... okay? And there's a bullet hole right here.

LEIBEL Okay.

HUBKEY And it exits right here.

LEIBEL Yeah.

HUBKEY Do you see that?

LEIBEL Okay.

HUBKEY Okay? And then it hits him right here.

LEIBEL Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY            Okay? And then it hits the couch ...

LEIBEL            Maybe he hold ...

HUBKEY            ... okay?

LEIBEL            ... maybe he hold like this and ... and ...

HUBKEY            Okay ...

LEIBEL            ... have like this. I don't know.

HUBKEY            It ... it's not possible. That's ... that's the problem.

LEIBEL            I am not understand how ...

HUBKEY            Okay?

LEIBEL            ... this possible.

HUBKEY            It's not possible.

LEIBEL            But you need more ... make more physical investigation ...

HUBKEY            Okay.

LEIBEL            ... how this possible.

HUBKEY            Okay, it's not possible.

LEIBEL            Maybe this is jumping. Maybe Bo pushed him. I don't know.

HUBKEY            Okay, but it's not possible.

LEIBEL            I don't know.

HUBKEY            Okay, it's just not. So here's the thing.

LEIBEL            I ...

HUBKEY            Listen.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Okay.

HUBKEY Listen ... sometimes ...

(Garren enters)

HUBKEY ... you know sometimes shit just happens. And ... and ... and right, wrong or indifferent, it happens. Okay? So what we have to go on is what ... what is the truth ... what the science says, okay? And ..

LEIBEL Okay, maybe science said beginning you can ... you ... you must make more investigation.

HUBKEY Okay.

LEIBEL How this do this ...

HUBKEY And we will.

LEIBEL Okay.

HUBKEY We will.

LEIBEL Okay.

HUBKEY We will.

LEIBEL Okay.

HUBKEY Okay?

LEIBEL Yeah.

HUBKEY You have no doubt about it, we will.

LEIBEL Yes, yes.

HUBKEY Okay, but the ... the facts of what we have aren't going to change. Okay? They're just not, okay?

LEIBEL So you from beginning think I am kill and this is ...

HUBKEY I didn't think that in the beginning.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Okay.

HUBKEY I didn't.

LEIBEL Okay.

HUBKEY Okay? But ...

GARREN More investigation is not going to change the science of what we've learned.

HUBKEY The ... the science ...

GARREN It's not.

HUBKEY ... the science is not going to change, okay? But I didn't know the science when we talked earlier, okay?

LEIBEL Uh-huh.

HUBKEY But now there's people there that know the science. The science says something different ...

LEIBEL Uh-huh.

HUBKEY ... than what you and I discussed.

LEIBEL Uh-huh.

HUBKEY So when you ... you told me earlier ...

LEIBEL Yes.

HUBKEY ... that you saw him holding the gun like this.

LEIBEL Yeah.

HUBKEY Okay.

LEIBEL Kind of like this.

HUBKEY That's fine ...

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

LEIBEL (unintelligible) one ... one ...

HUBKEY Okay, and the ...

LEIBEL ... one moment ...

HUBKEY ... the barrel was over here.

LEIBEL ... one moment ...

HUBKEY The barrel was over here, right? And the stock was over here.

LEIBEL I told you maybe because this is ...

HUBKEY Okay.

LEIBEL ... fallen already from his hand. I don't know how this happen.

HUBKEY But you said when you walked in you saw him like this.

LEIBEL Yeah, kind of like this.

HUBKEY Okay, his left hand by the stock, right?

LEIBEL I am not remember all of this one of the ...

HUBKEY Okay.

LEIBEL ... I am not remember.

HUBKEY Okay.

LEIBEL Okay.

HUBKEY So just based on all of these things ...

LEIBEL Yeah.

HUBKEY ... it's impossible to have a wound here, a wound here, and a wound here. Okay? You can't do it.

LEIBEL Yeah.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay. You can't, okay?

LEIBEL So you think I shoot him?

HUBKEY So I think you shoot him ...

LEIBEL Yeah.

HUBKEY ... okay?

LEIBEL Uh-huh.

HUBKEY So the question then becomes is why.

LEIBEL I am not shoot person. (unintelligible)

HUBKEY Okay. Well, it looks like you did.

LEIBEL No.

HUBKEY Okay?

LEIBEL No.

HUBKEY So you have to decide, do you want to stick with I didn't do it and look like, you know, some cold blooded killer, okay ...

LEIBEL I don't know. You make more investigation.

HUBKEY ... or ...

LEIBEL Maybe some jumping because Bo here. I don't know.

HUBKEY Okay, the dog has nothing to do with this.

LEIBEL I understand but ...

HUBKEY Okay ...

LEIBEL ... maybe he push him.

GARREN No.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY ... okay.

LEIBEL Bo ...

HUBKEY He didn't, he didn't, he didn't.

LEIBEL Okay.

HUBKEY It's impossible.

LEIBEL Okay.

HUBKEY Okay? So here's the thing. Right now you look like a cold blooded murderer.

LEIBEL Really?

HUBKEY Okay?

LEIBEL Okay.

HUBKEY You do.

LEIBEL Okay. So I ... I shoot my husband?

HUBKEY That's what it looks like.

LEIBEL Okay.

HUBKEY Okay? And ... so you have to decide, do I want to say no I didn't do it, or ... or do you want to say ... make a decision and say well I did do it but this is the reason, okay? And if you have a reason, okay, that reason can be very important, okay? Very, very important, okay? And if there is a reason, okay, we need to know that reason.

LEIBEL Okay.

HUBKEY Okay? And that reason is extremely important in ... in ... in how you are feeling. Do you understand that?

LEIBEL I understand.



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

**HUBKEY** And ... and those are the things that we want ... that we really need to know, okay?

**LEIBEL** I am not shoot him.

**HUBKEY** If ... if there was something going on between ... that he was doing, okay ...

**LEIBEL** What things he doing?

**HUBKEY** Um ... something he was doing wrong that you perceive ... you believe is wrong, okay?

**LEIBEL** I ... because he play ... play ... yesterday start play ...

**HUBKEY** Okay.

**LEIBEL** ... I kill myself, I kill myself.

**HUBKEY** Okay.

**LEIBEL** So ...

**HUBKEY** But what I'm talking about is what ... what do you believe he was doing wrong to you, okay?

**LEIBEL** (unintelligible)

**HUBKEY** So, you know, we look at this and we go okay he ... he couldn't have done this to himself. So she had to have done it because you admit there's no one else in the house.

**LEIBEL** Nobody ...

**HUBKEY** Okay.

**LEIBEL** ... only me.

**HUBKEY** So then ... then the question becomes why, okay? And so we have to look at that why and decide what is the ... the real reason. Is it because she is a mean, vindictive person? Is it because she's tired of being mistreated? Is it because she's tired of him being an asshole and treating her badly?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL He very nice person.

HUBKEY Okay. But ... but there has to be a reason.

LEIBEL I told you this is what happen.

GARREN But ... see Tatiana, saying he's a very nice person ... a very nice person doesn't take a gun and say if you leave I'm going to kill myself and then sleeps with it because it makes you scared. That's not a very nice person, okay?

LEIBEL But he good husband.

GARREN I'm ... I'm not saying he's not, but I'm sure he does some things that are ... that are mean, okay?

HUBKEY He doesn't let you go see your daughter.

GARREN Yeah.

HUBKEY That's not right.

GARREN That's not right.

HUBKEY That's not right at all.

GARREN But so ...

LEIBEL And because ... because this one I kill person?

HUBKEY I don't know.

GARREN I don't know.

LEIBEL I kill person because this one?

HUBKEY Well you know what ...

GARREN Sometimes ...

HUBKEY ... (unintelligible) ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Impossible.

GARREN Listen ... sometimes people have enough and they're tired of like enough.

LEIBEL This isn't ...

HUBKEY I dealt with another person just like you ... just like you ... that killed somebody. She admitted to killing him, okay, and she had had enough. So I understand enough, okay? And ... and what I think is enough is different than what other people think is enough, okay?

LEIBEL If this is ...

HUBKEY Listen ... listen ...

LEIBEL ... enough I divorce him for example.

HUBKEY She had enough.

LEIBEL But I ... but I never think about divorce because I am already used to. And ... and if you talk to my ...

GARREN But what ...

LEIBEL ... my children ...

GARREN ... let me ask you ... what would happen if you divorced him? What would happen to you? What would ...

LEIBEL What happen to me?

GARREN Yeah.

LEIBEL I don't know.

GARREN Let's talk about that.

LEIBEL Okay.

GARREN Let's say you divorced Harry.

LEIBEL Yeah.

GARREN           What happens?

LEIBEL           All this happen?

GARREN           Uh-huh. Where do you go?

LEIBEL           What this means where I go?

GARREN           Where would you live?

LEIBEL           I take apartment like normal people.

GARREN           Do you have money?

LEIBEL           No, because ...

GARREN           How ... how would you pay for your apartment?

LEIBEL           ... because my business coming money soon.

GARREN           What business?

LEIBEL           I have ... I have company.

GARREN           Okay, are you making money from ...

LEIBEL           Yes, I ...

GARREN           ... the company?

LEIBEL           ... yes, I make already deals and ... and ...

GARREN           How much money have you made?

LEIBEL           This is percentage. This is like maybe ten thousand, twenty thousand.

GARREN           Okay. So the person that ... in your marriage that has the money is Harry?

LEIBEL           Yeah.

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

**GARREN**                    Okay.

**LEIBEL**                    Yeah, I am not ...

**GARREN**                    So if ... if you divorce Harry would you get any of his money?

**LEIBEL**                    No, I told him if ... long time ago ...

**GARREN**                    Well see there's a reason why not to divorce him. Because you divorce him you have no money.

**LEIBEL**                    No ...

**GARREN**                    You have no way to live.

**LEIBEL**                    ... no, no, no.

**GARREN**                    Okay.

**LEIBEL**                    Impossible, impossible.

**GARREN**                    It's not impossible.

**LEIBEL**                    No, because I always take care of myself.

**GARREN**                    Okay.

**LEIBEL**                    Okay?

**GARREN**                    But there would be a reason ...

**LEIBEL**                    Because ...

**GARREN**                    ... that you would have to ... you're living in a beautiful house in Lake Tahoe ...

**LEIBEL**                    No ...

**GARREN**                    ... okay?

**LEIBEL**                    ... because I ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

**GARREN** You're not going to be living that way anymore. That would be reason for you not to divorce him.

**LEIBEL** If I want divorce him, I divorce him.

**GARREN** Okay.

**LEIBEL** I have enough personality ...

**GARREN** But you've been divorced before, right?

**LEIBEL** Yes.

**GARREN** Okay.

**LEIBEL** You know for ... for ... for make decision divorce ...

**GARREN** Okay.

**LEIBEL** ... I am not scared divorce.

**GARREN** Okay.

**LEIBEL** You know? But ... but ...

**GARREN** So ... so that brings me back to ... I don't think you planned this whole thing. I think something happened today and something bad ended up happening through that. But it's nothing that he did to himself.

**LEIBEL** I am never do this.

**GARREN** Because the wound here ... okay ... with ... where the wound is on his shoulder ...

**LEIBEL** Yeah.

**GARREN** ... okay ... his arm would had to have been away from his body.

**LEIBEL** Uh-huh.

**GARREN** There's no way he could have held that rifle up and shot himself, okay?

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

**LEIBEL** Because ... because ...

**GARREN** Somebody ... he was laying down ... okay ... reclined in that chair.

**LEIBEL** Yeah.

**GARREN** That arm was partially ... it couldn't have been right up against where that wound was because it ... I don't even know if you can get your hand up there.

**LEIBEL** Yeah.

**GARREN** Okay? There's no way he could ... with the length of his arm and that rifle he couldn't have held that in one hand and made that injury to himself. Not going to happen.

**LEIBEL** I don't know how this do this but make investigation how ...

**GARREN** It's ...

**LEIBEL** ... how he do this.

**GARREN** ... it's not going to ... it's not going to change that fact. We can investigate all we want.

**HUBKEY** Blue in the face.

**GARREN** It's not going to change the fact that he could not have shot himself. That ... that's not going to change, okay? We need to understand why. What led you to do this? What led to this situation to where he ended up getting shot?

**LEIBEL** I am not shoot person my life. How many I told you?

**GARREN** Okay, but it's ... but we're not talking about shooting a person. We're talking about shooting Harry.

**LEIBEL** I ...

**GARREN** Okay?

**LEIBEL** ... I am not even think shooting Harry.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Okay. Did it just happen then?

LEIBEL I am not shoot ...

GARREN Did you guys struggle over the gun and it happened?

LEIBEL No, I am not shoot Harry today.

GARREN Okay. I think you did. The evidence says you did, okay? We can't ... here's the thing. We can't ...

LEIBEL You make more investigation whatever.

GARREN ... that's not ... we can't change that. That's not going to change no matter ... I don't care who ... we have another agency, okay, not just us ... another agency that's investigating it too, okay? That's the crime lab. It doesn't change the fact that he could not have shot himself. It doesn't change that. So we need ... you need to understand that we're past who did it. It's how it happened and why ... and more importantly why it happened.

LEIBEL Okay.

GARREN Okay, what led up to it? Why did this happen? Because saying I don't know how he did it is ... it doesn't matter because we know he did not do it. He could not ... he could not have done it.

LEIBEL You need more investigation ...

GARREN No we don't.

LEIBEL ... (unintelligible). Yes.

GARREN We're going look into other things but in terms of how he received the injuries ...

LEIBEL Yeah.

HUBKEY It's not going to change.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN ... it's not going to change. No matter how many ... how much we look at it, no matter how many other people look at it, it's not going to change.

LEIBEL You need more investigation.

GARREN It's not going to change. No we don't. What we ...

LEIBEL I am not ...

GARREN ... Tatiana what we need ...

LEIBEL ... (unintelligible).

GARREN ... you is to explain to us why.

LEIBEL Oh my gosh, I am not kill my husband. I am not kill my husband.

GARREN Was it an accident?

LEIBEL No, I am not kill my husband. I look to your eyes and ...

GARREN Did it happen by accident? Because he didn't do it to himself.

LEIBEL I am not kill my husband. I am not kill.

GARREN The evidence doesn't say that though.

LEIBEL Okay, make more investigation this evidence.

GARREN It's not going to change that though. It's not. Tatiana it's not.

LEIBEL I am not kill my husband. I am innocent. If you do to me, please do to me anything, but I am not kill my husband.

GARREN That's not what the evidence says.

LEIBEL Why I call police right away? Because ...

HUBKEY People do it all the time.

GARREN They do it all the time.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL ... because I kill my husband and call police?

GARREN That doesn't ...

HUBKEY Hey ...

GARREN ... that doesn't ...

HUBKEY ... hey ... people ... people ... listen things happen. People make mistakes, okay, and they call the police, okay? So you saying why would I call the police, that's ... that's normal.

GARREN Uh-huh.

HUBKEY Okay?

LEIBEL Of course normal.

HUBKEY So ... yeah.

LEIBEL Yeah.

HUBKEY Even when they shoot their husband it's normal for them to call the police.

LEIBEL I am not ...

HUBKEY Okay, do you understand that?

LEIBEL Yes, I understand.

HUBKEY Okay.

LEIBEL But I am not ....

HUBKEY Okay ...

LEIBEL ... go kill my husband.

HUBKEY So ... okay you keep saying that. But listen, I ... I don't know that you understand completely that ... the ... the ... the facts at the house don't lie. They don't. They can't. It's impossible. Okay?

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

**LEIBEL** Okay.

**HUBKEY** And the facts say that Harry was not holding the gun when it fired. Okay? It's impossible.

**LEIBEL** So make another ...

**HUBKEY** No. No, no ...

**LEIBEL** ... make ...

**HUBKEY** ...no. No, no ...

**LEIBEL** So this is means ...

**HUBKEY** ... no, no.

**LEIBEL** ... this is means you right away said I am kill my husband but if I am not kill my husband and if you wrong, what ... what ... what happen?

**HUBKEY** I don't think we are wrong.

**LEIBEL** No, if you wrong ...

**HUBKEY** We're not wrong.

**LEIBEL** ... no you wrong. Because I am not kill my husband. I am not kill my husband. I can't kill person. This is not my personality. I can't kill person. You understand? I can't.

**HUBKEY** Anybody can kill somebody under the right circumstances.

**LEIBEL** I am never kill ...

**GARREN** Tatiana I don't ...

**LEIBEL** ... I am never think ...

**GARREN** ... Tatiana I don't believe you had ... you woke up, grabbed a gun and said I'm going to kill Harry. I think it just happened. It's something they call heat of the moment. It just happened. I don't think you intended to do it. I don't think you woke up, meant to do it. I think it

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

just happened, okay? Something happened to where you were holding the gun and it ... and it fired. Because we know Harry was not holding the gun when it went off. We know that, okay? And to say we need to do more investigation is not going to change that fact, okay? It's not going to change that. We know Harry wasn't holding the gun, okay?

LEIBEL                    Somehow he hold it.

GARREN                 No, he ...

LEIBEL                 No, somehow he ...

GARREN                 ... there's no magical way he could have done it.

LEIBEL                 I can't ...

GARREN                 Okay?

LEIBEL                 ... I can't ...

GARREN                 But ... but ...

LEIBEL                 ... I think ...

GARREN                 ... you need to understand though. I don't think you're a person that's going to wake up and go I don't like that person, I'm just going to kill him, which is why I ... which is why trying to tell us why this happened and how is important so we can explain to people that this isn't just Tatiana that is mean, vindictive and decides you know what, I don't like Harry, I'm going to shoot him. I don't believe that's how it happened. I believe there was an argument ... there was something and at some point you ended up holding the gun and it fired and it shot Harry.

LEIBEL                 I am not ...

GARREN                 Okay, that's what I believe happened.

HUBKEY                 Did you try to stop him from shooting himself?

LEIBEL                 Yeah, this is means I am not going yesterday to ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY No, listen, that's not what I'm asking you.

LEIBEL Yeah.

HUBKEY What I'm asking you is did you try to stop him from shooting himself?

LEIBEL Today you're talking about?

HUBKEY Yes. Was he going to shoot himself and you grabbed the gun?

LEIBEL No, I am not grab gun. I ... I said Harry what you doing. And this is second shot and I come to him.

HUBKEY And ... okay. Because it ... it just ... I ... I don't know how to talk to you because it ... there's ... there's no ... somehow you were holding the gun when the gun went off.

GARREN Uh-huh.

LEIBEL I am not ...

HUBKEY Okay?

LEIBEL ... holding this gun.

HUBKEY You had to have been, okay?

LEIBEL I am not hold gun today. I am not hold gun today. And I am not shoot my husband today. How many you told me signs or not signs, I am not shoot my husband.

HUBKEY But ... I ... I don't believe you.

LEIBEL Okay, make more investigation.

GARREN That doesn't ... it's not going to change that.

HUBKEY It's not.

GARREN It's not.

HUBKEY So I think you shot him, okay? But I also think you love Harry.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Uh-huh.

HUBKEY Okay?

LEIBEL Yeah, I love him.

HUBKEY I think you love him.

LEIBEL Yeah, I love him.

HUBKEY But I think ...

LEIBEL Because he, you know ...

HUBKEY I think ...

LEIBEL ... for example if you ask my daughter my first husband drink, you know?

HUBKEY Uh-huh.

LEIBEL Second American guy Jim Landes this try hit me, you know? And ... and Harry normal person.

HUBKEY Uh-huh.

LEIBEL He ... he never ... he never try do somethings this. But never have like this argument.

HUBKEY Uh-huh.

LEIBEL Because when he start emotional, emotional, and I always he calm down. I always he make him calm down.

HUBKEY Uh-huh.

LEIBEL Okay, okay, okay, okay.

HUBKEY But today something happened different.

GARREN You couldn't ...

HUBKEY Harry is dead.

GARREN ...(unintelligible) today.

HUBKEY Harry is dead. D-E-A-D. You understand that?

LEIBEL I know ...

HUBKEY Okay?

LEIBEL ... I know Harry dead.

HUBKEY And ...

GARREN Could you not calm him down today?

LEIBEL What?

GARREN Because ... because you said you've always been able to calm him down. Could you not calm him down today?

LEIBEL I am not even he know ... I am even thinking he do this. I am not even thinking one second.

GARREN But ...

LEIBEL I think ...

GARREN ... he didn't do it.

LEIBEL ... I think ...

GARREN He didn't do it.

LEIBEL You think I do it but I am not do it. You make more investigation your science. Because sometimes wrong. I am not do it. I am not kill my husband. I am not even think kill my husband. I am not even thinking kill ...

GARREN I don't think you did think you'd kill him. I think it just happened.

LEIBEL I am not kill my husband.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN I think it just happened. I don't think you planned it. I don't think you ... it was something you meant to do. I think it was something that just happened.

LEIBEL Okay. I am not kill my husband. I am innocent. I am not kill my husband.

HUBKEY Then who killed him?

LEIBEL He kill himself. I don't know how this happen because Bo maybe push him. I don't know. I am not have idea what happen inside because I am kitchen this time.

HUBKEY Well you understand he has a bullet wound right here, right? You saw it.

LEIBEL I saw it ...

HUBKEY Okay.

LEIBEL ... but I pull him already down.

HUBKEY Okay. So you understand that there's a big powder burn right?

LEIBEL Okay.

HUBKEY Okay? So you understand that the bullet ... the barrel was this far away from his hand ...

LEIBEL Okay.

HUBKEY ... when the gun went off, right?

LEIBEL Okay.

HUBKEY So how do you explain a bullet going through his hand ...

LEIBEL Okay.

HUBKEY ... into his shoulder ...

LEIBEL Okay.



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

HUBKEY ... across the top of his shoulder ...

LEIBEL Okay.

HUBKEY ... and into the couch? Okay? It's physically impossible to do that. You understand that? Okay, do you understand ...

LEIBEL I don't know ...

HUBKEY ... what I'm saying?

GARREN His arm is not long enough.

LEIBEL Maybe he ...

HUBKEY No, his arm is not long enough.

GARREN His arm is not long enough. The gun's ...

HUBKEY It is physically ...

GARREN ... too long.

HUBKEY ... it is physically impossible.

LEIBEL I don't know. Check ... check this rifle because when you pulling ... I remember you only click and already bullet coming.

HUBKEY Yeah, you have to cock the hammer and pull the trigger.

LEIBEL Yeah.

HUBKEY You already told me you know how to do that because you've shot the gun, right?

LEIBEL Yeah, I ... I have this one from ... Harry have and I have and other friend have license.

HUBKEY Yeah.

LEIBEL Yeah.

HUBKEY Yeah.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yeah.

HUBKEY Okay. But do you understand ...

LEIBEL A license ...

HUBKEY ... we're saying ...

LEIBEL ... (unintelligible) ...

HUBKEY ... that it's impossible for the barrel to be way back here, the bullet to go through here, hit here, and go through? Do you understand that?

LEIBEL I understand this.

HUBKEY Okay, do you under ...

LEIBEL Because ... because he ...

HUBKEY Hold on, hold on.

LEIBEL Yeah.

HUBKEY Do you understand that there's been thousands of studies on these different things, right? And do you understand that a person cannot hold this gun like this and make this shot, okay? It's impossible. It is ...

LEIBEL How ...

HUBKEY ... scientifically ...

LEIBEL ... scientifically how he not make shot this?

HUBKEY Okay ...

GARREN It's physically impossible.

HUBKEY ... it's physically impossible. He ... from here he couldn't even reach the trigger, okay? He couldn't do it. It's impossible.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL But maybe he have hand more close. Why you said you have hand ... he have hand like this?

HUBKEY Okay, even if he put it here ...

LEIBEL Yeah.

HUBKEY ... he ... the barrel couldn't be touching his hand.

LEIBEL Okay.

HUBKEY It had to have been this far away, okay? Because the powder burns ...

GARREN The wound is ...

HUBKEY ... so ...

GARREN ... on the top of his shoulder.

HUBKEY ... so it ... it's ... there's ...

LEIBEL Okay, maybe have like this. I don't know. Yeah.

HUBKEY Okay, and then you have this one. You have one way back here in the armpit.

LEIBEL Because I told you Bo sit together with him.

GARREN Okay, you can't blame ...

HUBKEY No.

LEIBEL Doggie maybe he make like this.

GARREN ... you can't blame the dog.

LEIBEL I am not blame him.

GARREN The dog had nothing to do with it.

LEIBEL I am not blame him.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY           What this looks like to me ...

LEIBEL           But I only think Bo push him sometimes ...

HUBKEY           ... what it looks like ...

LEIBEL           ... somehow he push him.

HUBKEY           ... what it looks like is you shot at him ... listen.

LEIBEL           Yeah.

HUBKEY           You hit him here.

LEIBEL           Okay.

HUBKEY           He turned and you shot him right here. That's what it looks like.

GARREN           And you cocked it again ...

HUBKEY           You cocked it again ...

GARREN           ... and you realized ...

HUBKEY           ... realized he's dead ...

GARREN           ... he's dead and you don't need to shoot him again.

HUBKEY           So you dropped the gun and you called 9-1-1-.

LEIBEL           No. No.

GARREN           Because do you ...

LEIBEL           This is not ...

GARREN           ... do you ... but do you understand that ...

LEIBEL           Yes.

GARREN           ... even if ... what's the dog's name, Bull?

LEIBEL           Bo.

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

**GARREN** Bull bumped him. Where his hand was, where the barrel was, where the trigger was, even if Bull would have bumped him there's no way his hand could have reached ... been on the trigger.

**LEIBEL** Okay.

**GARREN** So even if Bull bumped him there's no way he could have pressed the trigger and fired the gun. There's no way. Okay? There's no way.

**LEIBEL** Okay.

**GARREN** It couldn't have happened that way.

**LEIBEL** Okay.

**GARREN** Not with the ... the wound ... the wound here, into the sofa, into the wall. The angle of that, the gun would have had to have been straight up over him. There's no way he could have held it and pulled the trigger. And there's ... it just wouldn't have happened. Even if Bull would have bumped him, his fingers couldn't have been in the trigger. So there's no way that gun could have gone off.

**LEIBEL** Make more investigation.

**GARREN** It's not going to change that fact.

**LEIBEL** Okay. I am not do this.

**GARREN** It's not going to change the fact.

**LEIBEL** I am not ...

**GARREN** It's ... it's ... the fact is he could not have pulled the trigger himself, okay? He could not have.

**LEIBEL** I am not do this.

**GARREN** Okay, but then who did? If it's not you ... it's not Harry ...

**LEIBEL** No.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN ... it's not you, then who is it?

LEIBEL No, he ... he make himself but I know how this jumping this guns. I am not have idea.

GARREN Do you see ... do you see the problem that we have?

LEIBEL Yeah, make more investigation.

GARREN It's not going to change ... you ... the fact that you say that is not going to make those facts any different ...

LEIBEL Okay.

GARREN ... or make them go away.

LEIBEL Okay.

GARREN Okay? Make more investigation is just going to confirm that he can't ... he couldn't have done that.

LEIBEL Okay, when ...

GARREN That's all it's going to show.

LEIBEL No, make more investigation.

GARREN No, it ... it's not going to change the fact.

LEIBEL No, make more investigation into see how ... how he do this.

GARREN He can't. I'm telling you he can't.

LEIBEL I know ...

GARREN He could not have done it.

LEIBEL ... I am not have idea.

GARREN Okay.

LEIBEL I am not have idea how he do this. So you think I kill him?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN I believe you did. I believe it ... I ... I don't believe you did it on purpose. I think it was probably an accident. I think it was something that just happened.

HUBKEY I think you got tired of his shit myself.

LEIBEL No.

GARREN With ... we either have to look at it ... either you did it and you meant to do it ... like he said you were tired of his shit. Or it just happened. It just happened at that moment.

LEIBEL No.

GARREN Those are basically the only ... the two theories to look at.

LEIBEL No, I am not shot him. I am not shot him. Make more investigation. I am not shot him.

GARREN But that's not going to change what we already know.

LEIBEL Okay.

GARREN By ... by repeating make more investigation is not going to change that fact that he could not have been holding the gun when it went off.

HUBKEY Listen, ultimately what this boils down to is ...

LEIBEL Yeah.

HUBKEY ... the science says that you did it, okay?

LEIBEL Okay.

HUBKEY At the end of the day we have to present the science to a judge, a jury, a district attorney, okay?

LEIBEL Okay.

HUBKEY Um ...

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

**LEIBEL** So you think you put me jail or somethings like this because you not believe me?

**HUBKEY** I don't believe you.

**LEIBEL** Okay.

**HUBKEY** Okay? Now just listen to me for a second, okay? So we have ... we have to present this story to them ...

**LEIBEL** Okay.

**HUBKEY** ... okay? And right now what we have is only your story because we can't tell Harry's story, okay?

**LEIBEL** Yes.

**HUBKEY** So we have your story. And we have your story that by all the facts don't appear to be true, okay? So when we present this story, we have ... we have to present it in a manner that ... of what we know.

**LEIBEL** Uh-huh.

**HUBKEY** Okay? And what we know right now is that Harry didn't shoot himself, okay?

**LEIBEL** Okay.

**HUBKEY** So then we have to ... we have to define who you are.

**LEIBEL** Okay.

**HUBKEY** Okay? And we have to ... and part of that is we have to tell your story. Okay, and the story right now that you're saying is I had nothing to do with it.

**LEIBEL** Yeah.

**HUBKEY** Okay, but the evidence doesn't say that.

**LEIBEL** Okay.



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

**HUBKEY** So we ... we have to kind of look at it and decide well is she a vindictive, mean person who just flat out killed her husband because she is an evil, you know, crazy person? Or did something happen that ... a struggle over a gun ... a ... you know something. Something ... something happened that caused Harry to get shot. Because Harry didn't shoot himself.

**LEIBEL** I am not ...

**HUBKEY** Okay, so listen.

**LEIBEL** Okay.

**HUBKEY** So this is all going to go forward. And you have to decide how you want to be looked upon by all these people, okay? So do you want to be looked upon as the ... the evil crazy lady? Or do you want to be looked upon as the ... the sympathetic person? Can they give you sympathy? You know ... was ... was it an accident? Was it this? Was it that? Okay? And sympathy accidents ... all those stuff go a long way. Cold blooded doesn't go very far. You understand that?

**LEIBEL** Yes.

**HUBKEY** You know ... and I just got ... I just got another text from my boss saying the same thing. You know there ... the ... it's not showing that Harry shot himself. It's showing that you shot him.

**LEIBEL** No, I am not shot him.

**HUBKEY** Okay but you did.

**LEIBEL** No.

**HUBKEY** Okay, listen.

**LEIBEL** Yeah.

**HUBKEY** We're already past that fact.

**GARREN** Well I'm going to tell you. Harry can talk and Harry did tell us based on his injuries that he didn't do it.

**HUBKEY** So we know you did it.

GARREN            We know you did it.

HUBKEY            We know it.

LEIBEL            No, I am not ...

HUBKEY            Listen, listen.

LEIBEL            Yeah.

HUBKEY            We know you did it.

LEIBEL            No.

HUBKEY            Okay? That's a done deal.

LEIBEL            Okay.

HUBKEY            Okay, so now, it ... we ... we have to tell the story about you, okay,  
and ... and what caused this to happen. So basically what this has  
boiled down to is ... is we're trying to give you the opportunity to tell  
your side of the story, okay? To be honest.

LEIBEL            Okay.

HUBKEY            To be truthful.

LEIBEL            Okay.

HUBKEY            Okay? And to present yourself as a trustworthy honest person who  
either made a mistake, was in fear, whatever that story may be,  
okay? It is a good story as long as it's an honest story. Do you  
understand?

LEIBEL            I understood.

HUBKEY            So we ... I ... I don't think you're a bad person. But I think something  
happened at that house that finally caused this conflict between you  
and Harry, okay?

LEIBEL            Harry argument but I not kill him.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY            Okay. So you need to decide in your own mind how you want to be portrayed. Do you understand that?

LEIBEL            I understood.

HUBKEY            And right now you're not portraying yourself as a ... in ... in a very good light, okay? Because this ... what happened over there is not going to change and ... and the science is not going to change. The only thing that can change in this whole thing is you, okay?

LEIBEL            No, I didn't ...

HUBKEY            And ... listen ...

LEIBEL            Okay.

HUBKEY            ... the only thing that can change is your story, okay? Because that story over there is not going to change. It is what it is. Evidence is evidence is evidence is evidence. Do you understand that?

LEIBEL            Yes.

HUBKEY            And evidence is not lying. Evidence is always telling a story of what happened. It's truthful. It ... it can't tell any other story than what happened, okay? The only story that can change is your story. Okay? It can go from I didn't shoot him to ... well, this is what happened. It was an accident. It was, you know, a mistake. It was, you know, just pure stupidity. It was anger. It was ... it was anything. It can be any of those things, okay? And we understand all those, okay? And one of those stories happened today.

LEIBEL            I tell you what happen today. I am not kill him.

HUBKEY            Okay. Okay. Well, the science doesn't say that.

LEIBEL            Okay ...

GARREN            But ... but you understand ...

LEIBEL            ... make more investigation ...

GARREN            ... the investigation ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY No.

GARREN ... you understand that ...

HUBKEY I'll be right back.

(Hubkey exits)

GARREN ... the science ... okay ... it only talks about ... he has a wound on his arm ...

LEIBEL Yeah.

GARREN ... on his hand.

LEIBEL Yeah.

GARREN Okay? That's not made up.

LEIBEL Okay.

GARREN That's not a lie.

LEIBEL Yeah, I see this.

GARREN Okay? It's ... it's ... it's a wound here ...

LEIBEL Okay.

GARREN ... that comes out of his wrist, okay?

LEIBEL Okay.

GARREN Part of the wadding ...

LEIBEL Okay.

GARREN ... from the bullet that holds the thing together ...

LEIBEL Okay.

GARREN ... is in his wrist which means the barrel was close but not pressed up against his skin.

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

**LEIBEL**                    Okay.

**GARREN**                  Okay? There's a mark on his shoulder up here ...

**LEIBEL**                    Yeah, yeah.

**GARREN**                  Okay? There's a hole in the couch.

**LEIBEL**                    Yeah.

**GARREN**                  Okay? That's not made up. It's there, okay? It's there. Those things ... that's one shot, okay? Harry couldn't have done that.

**LEIBEL**                    Maybe he hold it this (unintelligible).

**GARREN**                  He can't.

**LEIBEL**                    I don't know.

**GARREN**                  He can't.

**LEIBEL**                    I don't know.

**GARREN**                  No, no, I'm telling you ... you could ... he can't, okay? The science says the laws of physics are he can't, okay?

**LEIBEL**                    Impossible.

**GARREN**                  It is impossible for him to hold it. Okay, he ... he couldn't have been holding the gun and pulling the trigger when that round went through his hand, and then his shoulder, and then in the couch. That couldn't have happened, okay? That's not going to change, okay?

**LEIBEL**                    Okay.

**GARREN**                  What you're telling me doesn't fit with that.

**LEIBEL**                    Okay.

**GARREN**                  Okay? It ... it doesn't match up, okay? This matches up with this ... with the hole in the couch. That matches up. That tells a story. You're telling me a story that doesn't explain all this. It doesn't ...

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

**(Hubkey enters)**

**HUBKEY**           How do you recline the couch?

**LEIBEL**           How recline couch? This is broken.

**HUBKEY**           Okay.

**LEIBEL**           Couch ... somebody need ... where he ... where he sit.

**GARREN**          Pull the thing ...

**HUBKEY**           Okay.

**LEIBEL**           Where he sit ... this couch have hole ...

**HUBKEY**           Okay.

**LEIBEL**           ... needs somethings pulling ... I don't know what pulling.

**HUBKEY**           So how do you guys normally do that?

**LEIBEL**           What Harry take ... how said ...

**GARREN**          Pliers?

**LEIBEL**           Pliers?

**HUBKEY**           Okay.

**LEIBEL**           And he pull something so do something.

**HUBKEY**           Where does he keep the pliers?

**LEIBEL**           Pliers are kitchen.

**HUBKEY**           Okay.

**LEIBEL**           Kitchen ... you know where ... this big table kitchen?

**HUBKEY**           Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yeah.

HUBKEY The center, yeah.

GARREN The island.

LEIBEL And ... you know what ... what tell where T.V. kitchen ... T.V. kitchen and what small doors ... small doors.

HUBKEY Okay.

(Hubkey exits)

GARREN So does he normally leave the seat reclined out?

LEIBEL Yeah.

GARREN Okay, so it's normally like that?

LEIBEL Yeah.

GARREN Okay.

LEIBEL I close because ... because ...

GARREN Yeah, no, I understand. Yeah.

LEIBEL ... I (unintelligible).

GARREN But ...

LEIBEL (unintelligible)

GARREN ... but you understand you're making a statement ...

LEIBEL Yeah.

GARREN ... of you didn't do it. Harry must have done it.

LEIBEL Yes.

GARREN Okay, but Harry couldn't have done it, okay? That's not going to change. Do you understand that?

LEIBEL I understand.

GARREN Okay, so if we looked at ... and we look at it ... could Harry have done this.

LEIBEL Yeah.

GARREN The answer is no. Okay? That's not a guess. Not like ... well, maybe not. The answer is no. He couldn't have done it, okay? Even if the dog bumped him, he couldn't have done it. That leaves us to you, okay? I can understand something like this happening and it's a difficult thing to admit. Even if it's an accident, even if it's a mistake, I can understand it's difficult to actually say I did this, it was an accident. It ... it's a difficult thing to admit to, okay? But when we look at everything, okay, this injury in his wrist it doesn't lie, it's there. Okay? It only has one story to tell, right?

LEIBEL Okay.

GARREN The mark on the shoulder has a story to tell. Well that is the same story as the mark on his hand ... the bullet hole in the couch ... the other shot is in the side ...

LEIBEL Okay.

GARREN ... okay ... here. When people try to kill themselves they don't shoot themselves here. Okay?

LEIBEL I ... I am not ...

GARREN They ... okay ...

LEIBEL Okay.

GARREN ... so we have all these things that are telling us a story that Harry could not do this. The answer is no. Harry didn't do this, okay? You, on the other hand, people understand when things happen. I would expect you to come in here and tell me I didn't do it, okay? It's a difficult thing to say. I mean this isn't like stealing a piece of candy from the store, okay? This is a very serious thing that happened. I don't think you meant to do it, okay? I think it was an accident and I think it just happened somehow, okay? I honestly believe that,



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

okay? I don't think you're a bad person. I don't think Harry's a bad person, okay? I think it's something that happened. And I think it happened and it was over before you even knew what happened, okay? Before you realized oh my God what just happened, it was over, okay? Yeah you're going to call the police. My husband has been shot, okay? I would expect you to do that. People ... people that ... even people that mean to kill somebody will kill them and call the police, okay? I don't think you meant to do it. I think it was an accident, okay? I think something happened ... because we can look at it ... could Harry have done this. The answer is no. No matter how we want to look at it the answer is no, okay? I think it was something that just happened and before you realized it, it was over. And your husband's shot and you were holding the gun, okay? I don't think you meant for it to happen. I think it just happened.

LEIBEL No, I am not kill him.

GARREN I don't think you meant to kill him.

LEIBEL No, I am not kill him.

GARREN Okay, I don't think you meant to but ... but I think you were holding the gun when it went off.

LEIBEL I am not holding ...

GARREN Something happened that put the gun in your hand because Harry couldn't have been holding the gun.

LEIBEL I am know how he hold it this gun.

GARREN I'm telling you the answer is no. He could not have been. Okay? You ... I want you to understand that. He could not have been holding the gun, okay? You can say you don't know how he was holding it. It doesn't change the fact that he could not have, okay? So when it comes to the investigation, the science, we know Harry didn't hold the gun, okay? Which means somebody else had to be holding the gun other than Harry. Okay, well the only other person there was you. Okay? I'm not saying you're a bad person, okay? Accidents happen, okay? Sometimes we get in arguments. We get mad and before you know it you ... you may not even understand how it happened but it happened. And I think somehow you ended up with the rifle or the gun and Harry ended up being shot by it.

LEIBEL I ... I can't kill him. I can't.

GARREN I ... I don't think you could.

LEIBEL I can't.

GARREN I don't think in your ... in your mind you could go I want to kill Harry.

LEIBEL No.

GARREN I think ... that's why I believe ...

LEIBEL I am not ...

GARREN ... Tatiana listen to me ... that's why I believe it was an accident.

LEIBEL No. I am not ...

GARREN Okay? I think it was ... something happened. You ended up with the gun in your hand and it went off and he got shot twice is what I think happened. I don't think you meant to do it. I don't think you wanted to kill him.

LEIBEL No, after first shot, when I coming he still alive. He still alive. But second shot he already went like this.

GARREN But I understand that and I think something happened where you were holding the gun on the first shot and you were holding the gun on the second shot.

LEIBEL No, I am not holding ...

GARREN But I don't ... but ... but ... here's the thing ... I understand that and it's a difficult thing to say.

(Hubkey enters)

GARREN Even if it was an accident, it's a difficult thing to come to terms with and go ... I acc ... this ... this was an accident and it happened and now my husband's dead, okay? It doesn't mean you don't love him, okay?

LEIBEL

I am not ...

GARREN

It ... what it means is it happened, okay? But I don't think you meant to do it. I don't think you ever wanted to do it. I think it just happened. Something happened with the gun. I don't know if he tried to take it away from him. I don't know if there was a struggle and it went off. I mean that's what we have to try to explain. We've got to explain how the gun ended up in your hand when it ... when it was fired.

LEIBEL

I am ...

GARREN

And I'm not saying you meant to do it. I honestly think it's an accident. And if ... the only other option is to think that you meant to do it but I don't think you did. I think somehow maybe you had enough with him playing around ... joking ... like you said making those ... making those comments with the gun. Maybe you went to grab it to put it away and there was a struggle and it went off. I mean people are going to understand that.

LEIBEL

And what ... and I ... and I kill ... and I kill my husband because ...

GARREN

By accident.

LEIBEL

... I going to this Los Angeles?

GARREN

Well I'm not saying that you killed him because you're going to Los Angeles. I think maybe you guys got in an argument. It got heated and for whatever reason the gun ended up in your hand and it went off and it shot him. Not that you meant to shoot him. Not that you were trying to shoot him. Not that you were trying to kill him. But I think maybe you went to move it, he grabbed it. I mean that's ... I don't know what happened. I don't know exactly how the gun went off. I don't think you picked it up, aimed it at him with a cold heart and pulled the trigger. I think ... like I said I don't think you're a bad person. I think something happened and it's a hard thing to go, oh my God it happened and ... even if it was an accident. Nobody's saying well he said you couldn't go to Los Angeles so you grabbed a gun to kill him.

LEIBEL

Yeah.

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

**GARREN** I think there's more to it. I think maybe there was a struggle over the gun and it just went off while you guys were pushing and pulling the gun. It happens. But somehow Tatiana the gun ended up in your hand when it went off. And that's what we've got to try to explain. Because everything is telling us that the gun wasn't in his hand when it went off and the only other person that was there was you.

**LEIBEL** You make ...

**HUBKEY** Hey ... so I just talked to the lady ... one of the ... one of the ladies doing the investigation up there ...

**LEIBEL** Yeah.

**HUBKEY** ... at your house right now.

**LEIBEL** Yeah.

**HUBKEY** She's ... she's been doing this for twenty-one years, okay? This is all she does ...

**LEIBEL** Yeah.

**HUBKEY** ... is gunshot stuff ... crime scene investigation, okay? She has no doubt in her mind that you were involved. Okay? Listen, there's no doubt. There's ... there's ... everybody up there is a hundred ... a hundred percent convinced that somehow you're involved in this, okay? And you're not talking about a bunch of stupid people up there. We're talking about very, very smart people who ...

**GARREN** Do this for a living.

**HUBKEY** ... do this for a living. This is all they do.

**LEIBEL** I understood.

**HUBKEY** Okay. So they say you're involved, okay, which makes me believe you were, okay? I ... I think that ... well I know you were involved. So the thing is now is you have to simply explain your involvement, okay? And I understand you're scared to death, okay?

**LEIBEL** I am not ... I am scared ...

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

**HUBKEY**                    You are scared.

**LEIBEL**                    ... my ... my husband died.

**HUBKEY**                    Okay, yeah.

**GARREN**                    Tatiana, I can see you're sorry. I can see you're sorry. Somehow ...  
like I said ...

**LEIBEL**                    No.

**GARREN**                    ... the gun ended up in your hands when it went off. I don't think you  
meant to do it. I know you didn't want to do it, okay? I think it just  
happened and we need to explain that, okay? But before we can  
explain it we have to come to the understanding that the gun wasn't  
in Harry's hand, okay? It had to have been in somebody else's hand  
which means it had to have been in your hand, okay? I'm not saying  
you did it with a cold heart. I think it just happened, okay? I think  
whether it was the argument ... it was something ... and one thing  
led to another and before you knew it you're holding the gun and  
Harry's shot, okay? I believe that, okay? That's what I think  
happened. I'm not saying you meant to do it. I'm not saying you  
walked in there and said god darn it Harry and you went at him with  
the intent to shoot him or to kill him. I think it's something that just  
happened, okay? I can kind of see in your eyes, okay ...

**LEIBEL**                    I ...

**GARREN**                    ... if that's hap ... I can see that you're ... I know you didn't mean to  
do it, okay?

**LEIBEL**                    ... I am not kill my husband.

**GARREN**                    I understand that. That's why I'm thinking it was an accident.

**HUBKEY**                    Was it an accident?

**GARREN**                    Was it an accident?

**LEIBEL**                    I am not ... no ... no I am not even ...

**GARREN**                    Okay, but the gun had to have been in your hand when it was fired.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL I am not hold this fire.

GARREN Okay but ...

LEIBEL I am not do this fire.

GARREN ... but Harry wasn't and we know that.

LEIBEL Okay ... maybe you need ...

GARREN That's not ... no ... here's the thing. That doesn't need to be ... we know Harry wasn't holding the gun.

LEIBEL Okay.

GARREN Okay? I believe it. My partner believes it. The science believes it. The people that do this for a living at crime scenes believe it, okay? It's not a matter of god was she holding it ... was Harry holding it ... we know it wasn't Harry, okay? We know ... even if the dog bumped him he couldn't have been put ... had his hand near the trigger, okay? So it couldn't have been that and it leads us to you.

LEIBEL No.

GARREN Okay?

HUBKEY Yeah, it does.

GARREN It does. I think you need ... you need to understand that. It leads us to you, okay? And then we have to look at how did this happen. Was it ... was it an accident. Did she mean to do it. Okay, I can tell you love Harry. I don't think you would ever mean to hurt him in any way, shape or form. But somehow tonight something happened ... or today something happened and he got shot.

LEIBEL This is what I tell you what happen.

GARREN Uh-huh. But it's not. Because ... it's not, okay? I know it's not. I trust the people up there what they see. I've seen it myself, okay? Harry couldn't have been holding the gun, okay? Which means the only other person that could have been holding it is you ...

LEIBEL No ...

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

**GARREN** ... okay?

**LEIBEL** ... I am not hold gun.

**GARREN** But he wasn't, okay? He couldn't have been.

**LEIBEL** So how he do it?

**GARREN** No, that doesn't make it possible. It doesn't make it possible just to say that he had to ... he could have done it or he had to have. We know he didn't. So that's ... we're not here to ... to debate that. Okay, we know he didn't do it, okay? We need to figure out how it happened. And once we can figure out how it happened, we've got to figure out then why it happened, okay? Was it an accident, okay? Was there ... did you try to grab the gun and put it away. Did he ...

**LEIBEL** No I am not ...

**GARREN** ... grab it. Did it go off ... I mean ...

**LEIBEL** No.

**GARREN** Okay, but something happened, okay? And he didn't do this, okay? We know he didn't do this, okay? I'm trying to tell a story for you, okay? I've got plenty of things to tell Harry's story, okay? And Harry's story is pretty clear that he didn't hold the gun, okay? I need to tell Tatiana's story.

**LEIBEL** Okay.

**GARREN** People need to understand what you felt, what you were going through. How ... do you even remember how the gun got in your hand?

**LEIBEL** I am not even tell you because I am not even ...

**GARREN** Okay, but did the gun end up in your hand?

**LEIBEL** No.

**GARREN** But it did.

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

LEIBEL No.

HUBKEY Tatiana, it did.

LEIBEL No.

GARREN It did.

LEIBEL No.

GARREN The gun ended up in your hand.

LEIBEL No.

GARREN Not when you moved it off the floor, okay?

LEIBEL I move from floor to couch.

GARREN I ... possibly ... but before that I think you had the gun in your hand.

LEIBEL No.

GARREN Okay? Because Harry couldn't have held it.

LEIBEL I am not hold it.

GARREN He couldn't have.

LEIBEL I am not hold it.

GARREN But somebody had to. And if it's not Harry, it's not Bull, it has to be you.

LEIBEL No, I am not ...

GARREN Okay? We don't have anything. We have looked at this from every which way you can imagine.

LEIBEL Okay.

GARREN Okay? We have tried to come up with every scenario. You know what a scenario is?



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yes.

GARREN Okay. We have tried to come up with every scenario of how this could have happened without you holding the gun. And you know how many scenarios we have come up with? None. Okay? There are no scenarios where Harry can hold the gun. It can't happen.

LEIBEL I don't know how this happen.

GARREN Okay. There may be some truth to that ... that you don't know how it happened.

LEIBEL No, I ...

GARREN Okay but I ...

LEIBEL ... am not hold ... I am not hold today guns.

GARREN Okay.

LEIBEL I am not hold it.

GARREN But the evidence says otherwise, okay? The evidence says it's not Harry. If it's not Harry it has to be you, okay? Do you understand ... do you understand where we're at?

LEIBEL Yes, I understand.

GARREN Okay.

LEIBEL But check ... check investigation how this ...

GARREN We have ... we've had ...

LEIBEL ... bullet ..

GARREN ... we have ...

LEIBEL ... bullets ...

GARREN ... we had ... he couldn't have done it. He couldn't have done it.

LEIBEL I don't know.

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

**GARREN**            Okay?

**LEIBEL**            I don't know.

**GARREN**            I don't know either. I need your help to explain what happened.

**LEIBEL**            I tell you what happen.

**GARREN**            Okay, but that's not what happened. The more you say it's not going to make it any more true.

**LEIBEL**            Okay.

**GARREN**            Okay? It's not going to make it any more true.

**LEIBEL**            But this is true ...

**GARREN**            The more you say it it's not going to make it true, okay?

**LEIBEL**            ... but this is true.

**GARREN**            It's not going to change the facts that we have.

**LEIBEL**            This is true. I am not kill my husband.

**GARREN**            Okay. Maybe ... and ... and I believe that. Maybe it's an accident.

**LEIBEL**            I am not ...

**GARREN**            I don't think you meant ... I don't think you walked out there going I'm going to kill Harry. I think whatever happened something happened and the gun went off when you were holding it and Harry got shot.

**LEIBEL**            I am not kill my husband.

**GARREN**            Okay.

**HUBKEY**            (unintelligible) getting some stuff to bring down here.

**GARREN**            Okay. Do you need to use the bathroom at all?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Can I smoke?

GARREN Okay. Let me see if we can get something arranged for you.

HUBKEY You want to go smoke?

(Break taken)

(End of break)

HUBKEY Do you want something to chew on? You want all three of them?

LEIBEL (unintelligible)

HUBKEY No, that's okay. (unintelligible) huh?

LEIBEL Very bad situation.

HUBKEY Huh?

LEIBEL Very bad situation.

HUBKEY Yes. Obviously we broke ... went outside ... you smoked. Do you need to use the bathroom?

LEIBEL No, thank you.

HUBKEY Okay. I'm going to read you this again.

LEIBEL Okay.

HUBKEY Okay? You have the right to remain silent. 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're being questioned. If you cannot afford to hire a lawyer, one will be represented ... I don't know why they say that ... to represent before any questioning if you wish. Do you understand each of these rights I've explained to you?

LEIBEL Yeah, I understand.

HUBKEY Yes?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Yes.

HUBKEY Okay. Having these rights in mind, do you wish to talk to me now?

LEIBEL Yes.

HUBKEY Okay.

(Garren enters)

HUBKEY So we just went over her Miranda rights again.

GARREN Okay. Hey, we're going to bring you some clothes down. Is there anything you want to bring from ... brought down from the house to wear?

LEIBEL I okay here.

GARREN No, we're going to have to take ...

HUBKEY Well ...

GARREN ... those at some point.

HUBKEY ... you're not allowed ... we have to take those from you. Okay?

LEIBEL Okay.

HUBKEY So we need to get you new clothes to wear.

LEIBEL Oh, okay.

HUBKEY And you can't go home tonight.

LEIBEL Yeah, okay.

HUBKEY So we need to get you a couple sets of clothes.

LEIBEL Okay.

HUBKEY So where are your clothes?

GARREN Do you want us to just bring your suitcase that's already packed?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Closet to my ... my clothes. Closet to ...

GARREN Okay, but didn't you say you already packed a suitcase?

HUBKEY I wouldn't bring that.

LEIBEL I have ... no have many clothes.

GARREN Okay we'll just have you bring a couple sets of clothes.

HUBKEY Get stuff out of the closet.

GARREN Where do you want to spend tonight at? Do you want to go to Leann's house?

LEIBEL Yeah, okay.

GARREN Okay, we'll try to work on that.

LEIBEL Maybe ... no I am not ... no, because my daughter coming. And I am not ...

HUBKEY Do you still have your Russian passport?

LEIBEL Yes, I have Russian passport.

HUBKEY Okay, are you allowed to go back to Russia?

LEIBEL Yeah.

HUBKEY Okay, where is your passport?

LEIBEL My passport ... okay ... um ... when you going to office ...

HUBKEY Office.

LEIBEL ... with computers ...

HUBKEY Computers, okay.

LEIBEL (unintelligible)

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY So when is the last time you went to Russia?

LEIBEL 2005.

HUBKEY Okay.

GARREN Well we need to find a place for you to spend the night.

LEIBEL Okay. Yeah, I ... I think I go ...

HUBKEY Lakeside Inn?

LEIBEL ... Leann house.

GARREN Leann's house, okay. Let me work on that.

HUBKEY You want her number?

LEIBEL One second.

GARREN I have it.

LEIBEL What this means? Like ...

GARREN You're not going to be able to go to your house tonight.

LEIBEL Yeah, I understand.

GARREN We just need you ... a place to stay where we know you're going to be ...

LEIBEL So I ...

GARREN ... and we'll probably ... and just so you know we're ... we're going to probably make a meeting to meet with you tomorrow.

LEIBEL Yes I ...

GARREN Talk some more.

LEIBEL ... yes I ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN           And we may have somebody there that can speak Russian. We're working on that. To help maybe explain some things to you if you don't understand anything, okay?

LEIBEL           No, I understand you.

GARREN           Okay.

LEIBEL           I ...

GARREN           I'm going to go call him.

LEIBEL           ... will you ... if my daughter coming ... do you put Lakeside Inn?

HUBKEY           Yeah.

LEIBEL           Yeah.

GARREN           I don't know if we can do that right now.

LEIBEL           No?

GARREN           Well ...

HUBKEY           We can rent one room with two beds.

GARREN           We'll work on Leann's house, okay?

LEIBEL           Okay.

(Garren exits)

HUBKEY           Okay, so I read you your rights, right?

LEIBEL           Yeah, is good.

HUBKEY           No, no, your rights.

LEIBEL           Yeah, I understand.

HUBKEY           Okay. I just wanted to make sure we're all on the up and up again ....

LEIBEL           Yeah.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY ... before we start talking.

LEIBEL Yeah, okay.

HUBKEY Um ... I'm not even sure how to say this. You know the science says you ... you shot him. And I ... I ...

LEIBEL You need more investigation really.

HUBKEY Okay.

LEIBEL I tell you this is need more investigation.

HUBKEY Okay. And we're going to do everything we can ...

LEIBEL Yeah.

HUBKEY ... trust me.

LEIBEL Yeah.

HUBKEY Okay? And I promise you we will.

LEIBEL Yeah, I know.

HUBKEY And we will know the truth of this when we're all done.

LEIBEL Yeah, I know.

HUBKEY Um ... and if that truth shows that you ... you shot him ... that will come out, you understand that?

LEIBEL Okay, if this is ...

HUBKEY Okay, and if you didn't, it will probably show that too.

LEIBEL Okay.

HUBKEY Okay? But there's a lot of people up there doing a lot of science right now that says you did.

LEIBEL Okay.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY And ... and one of the things I see a lot is fear. Fear of admitting when we do something wrong. Fear of the consequences. Fear of what our family will think. Fear of what our friends will think. And I wonder that if fear is part of what is causing you to not want to tell the whole story. Are you scared?

LEIBEL No, I am not scared because I said truth. I am not scared.

HUBKEY Okay, okay. You know it's just a ... this is a bad deal. You know Harry is gone.

LEIBEL I know.

HUBKEY And ... and there's no reason ... and you know Harry's gone and he's not coming back. And everything says you did it. You know so ...

LEIBEL Make more investigation. I am not do this.

HUBKEY Okay.

LEIBEL Please.

HUBKEY We will.

LEIBEL Yes.

HUBKEY We will but I don't think it's going to change. Do you think it's going to change?

LEIBEL Of course change because I am not do this.

HUBKEY Okay. What do you think is going to change?

LEIBEL I don't know. Somehow do this ... he do this one, he do this one. You need more ... need more investigation how he do this. I don't know. I tell you I am not have clue how he do this.

HUBKEY And you don't know why he would do this?

LEIBEL Because I think he try scare me. Maybe he think he not die for example. He scare me.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY            You think he shot himself to wound himself? Okay?

LEIBEL            I ... I don't know.

HUBKEY            Well nothing says he shot himself.

LEIBEL            I don't know. Maybe ...

HUBKEY            Did you shoot at him to scare him?

LEIBEL            No. I am not shoot him.

HUBKEY            Did you shoot at him?

LEIBEL            I am not shoot him.

HUBKEY            That's not what I asked you. Did you shoot at him?

LEIBEL            Shoot ask him?

HUBKEY            At. At.

LEIBEL            At?

HUBKEY            Yes.

LEIBEL            What this means ... at?

HUBKEY            Were you holding the gun?

LEIBEL            No, I am not holding gun.

HUBKEY            You ... you never held the gun today?

LEIBEL            No. I am not hold it today gun.

HUBKEY            But you have in the past? You shot that gun.

LEIBEL            Yeah, and I shot before (unintelligible) ... yes.

HUBKEY            Is ... it's not your gun?

LEIBEL            No I ...

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

HUBKEY            When I call Chris?

LEIBEL            Call Chris.

HUBKEY            And Chris is going to say whose gun is it?

LEIBEL            Harry.

HUBKEY            Huh?

LEIBEL            Harry, because Harry show him this gun.

HUBKEY            Is ...

LEIBEL            And Chris hold this gun.

HUBKEY            ... and is Chris going to say it's Harry's gun or is he going to say your gun?

LEIBEL            No, Chris say this is Harry gun.

HUBKEY            Okay. What's Chris going to say about you?

LEIBEL            I don't know. I would think I am polite ... always dinner or with lunch. You know he ... Chris ...

HUBKEY            Are you polite or obedient?

LEIBEL            I always polite.

HUBKEY            But are you obedient?

LEIBEL            What this means obedient?

HUBKEY            Is he going to say that you always do as Harry tells you to?

LEIBEL            No he not involve inside our life.

HUBKEY            Okay.

LEIBEL            He not answer you because he not know.

HUBKEY Well he must know. I'm sure he'll know something. Does Harry not talk to people?

LEIBEL No. Why he Harry talk to people?

HUBKEY Why not?

LEIBEL No he not Harry talk to people. No ... not talk about different stuff.

HUBKEY Who's Harry's best friend?

LEIBEL Okay. Before best friend doctor Steve Brook, okay?

HUBKEY Steve Brooks?

LEIBEL Steve Brooks.

HUBKEY The doctor?

LEIBEL Doctor, yeah.

HUBKEY That's his best friend?

LEIBEL Yeah ... no before I say.

HUBKEY Okay.

LEIBEL Before.

HUBKEY What happened?

LEIBEL What happen is when Steve Brooks and Leann Brooks still wife and husband and not think ... think people divorce. But what happen is Steve see another woman ...

HUBKEY Uh-huh.

LEIBEL ... and divorce.

HUBKEY Okay.

LEIBEL But because I am already friend Leann ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay.

(Garren enters)

LEIBEL ... and continue friend Leann.

HUBKEY Okay. But who is ... who's Harry's best friend right today?

LEIBEL Right today ... he have friend from Reno.

HUBKEY What's his name?

LEIBEL I told you Joe.

HUBKEY Joe the pilot?

LEIBEL Joe the pilot.

HUBKEY Okay. And what's Joe going to say about you?

LEIBEL Normal stuff.

HUBKEY Do you think Joe and Harry talked about you and ...

LEIBEL No.

HUBKEY No?

LEIBEL No.

HUBKEY Okay.

LEIBEL Harry never talk to ... about me. I am never talked about Harry.

HUBKEY So you guys kept your relationship pretty private?

LEIBEL But ... yeah. I am never talk to outside.

HUBKEY Okay.

LEIBEL Not friend. Not another ...

HUBKEY Now who's your best friend?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL My best friend Leann.

HUBKEY Who?

LEIBEL Leann.

HUBKEY Leann?

LEIBEL Leann.

HUBKEY The one that we were talking about earlier?

LEIBEL Yeah, yeah.

HUBKEY The one that lives right up by you?

LEIBEL Yeah.

HUBKEY She's your best friend?

LEIBEL No, because when meet other when still she married to Steve Brooks ...

HUBKEY Uh-huh.

LEIBEL ... and after divorce. And I still keep friend to Leann.

HUBKEY Okay.

LEIBEL So after Leann have boyfriend Chris ... how ... how you know this Chris ... because she have boyfriend Chris ... and after she separate ... she never marry Chris ...

HUBKEY Uh-huh.

LEIBEL ... separate ... Chris have another girlfriend. So Chris bring girlfriend ... you know ... and ... and after Chris and ...

HUBKEY So you and Leann are best friends?

LEIBEL No, because I am not have nobody here.

HUBKEY Except for Leann?

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

LEIBEL (unintelligible)

HUBKEY Okay, so when is the last time you talked to Leann?

LEIBEL I think maybe three months or four months.

HUBKEY Well that's a long time.

LEIBEL Yeah because she busy and I am busy you know.

HUBKEY What are you busy doing?

LEIBEL No, I am going to UNR.

HUBKEY Okay.

LEIBEL I take care of Harry. Harry more and more have kidney stone.

HUBKEY What?

LEIBEL No kidney stone.

HUBKEY Okay.

LEIBEL Yeah, he always suffering ...

HUBKEY So Harry ...

LEIBEL ... kidney stone. I am together with him.

HUBKEY ... requires a lot of your attention?

LEIBEL Yes.

HUBKEY Is that taxing?

LEIBEL What?

HUBKEY Is it difficult taking care of Harry all the time?

LEIBEL I always take care of Harry.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Okay. Is it difficult?

LEIBEL No, I am used to.

HUBKEY Okay.

LEIBEL After 2005 when he have cancer I ... I ... I start used to.

HUBKEY Okay.

LEIBEL He always ... not like crying ... but he always oh I am not feel good.  
Every morning ... every morning he going to bathroom like eight times.

HUBKEY Okay.

LEIBEL Eight times. You know he always suffering ...

HUBKEY Okay.

LEIBEL ... morning. And after when he going to bathroom all the time I said  
you finish. No I am not finish. Even for what ... not long time ago when  
his son come to visit together with girlfriend ...

HUBKEY Uh-huh.

LEIBEL ... and Harry always going to bathroom.

HUBKEY Uh-huh.

LEIBEL So he always suffering bathroom.

HUBKEY Okay.

LEIBEL Yeah.

GARREN Well you said he suff ... was he suffering today?

LEIBEL He morning suffering. He every morning suffering.

HUBKEY Did he suffer today?

LEIBEL Yeah, he going to bathroom, yeah.



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

**GARREN** A lot of pain? Was there a lot of pain for him?

**LEIBEL** No, every morning he ... he explain to me every morning he going to poo-poo and he feel inside stomach he need going to another poo-poo. Sometimes not coming. Sometimes coming.

**GARREN** It is painful?

**LEIBEL** Every morning ...

**HUBKEY** Was Harry ... did Harry have a disease that was causing him to die?

**LEIBEL** No, he always think he ... he going to die because ...

**HUBKEY** Did you think Harry was going to die?

**LEIBEL** No, because I always think he ... no ... survive because after this 2005 he survive, 2007 he survive. He always ...

**GARREN** Where was his cancer at? What ... where ... what part of his body did they operate on?

**LEIBEL** Oh, 2005 take him bladder.

**HUBKEY** Oh, his bladder?

**LEIBEL** Bladder.

**HUBKEY** Okay.

**LEIBEL** Have cancer inside bladder.

**HUBKEY** But ... okay ...

**LEIBEL** Twelve hours operation.

**HUBKEY** So what I was asking you is ... is there any reason to believe that Harry was going to die in the near future?

**LEIBEL** (unintelligible)

**HUBKEY** Was he suffering?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL He suffering ...

HUBKEY Okay.

LEIBEL ... every morning.

GARREN Was it getting worse?

LEIBEL What ... kidney stone worse.

GARREN Getting worse?

LEIBEL Yeah. He like screaming ... ahh ... ahh ... ahh.

HUBKEY Did he scream today?

LEIBEL No, he not have today ...

GARREN Was he getting tired of that?

LEIBEL He tired.

GARREN No, was he getting ... was it getting more and more difficult for him to deal with ...

LEIBEL Yeah ...

GARREN ... that every day?

LEIBEL ... yeah, yeah. He always tell I am tired already this. I am tired this already.

GARREN Can I ask you a question?

LEIBEL Yes.

GARREN Is this something that you did for Harry that he couldn't do himself?

LEIBEL I am not do this.

GARREN Did you shoot him because he couldn't shoot himself?

LEIBEL I am not shoot him.

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

**GARREN** Were you trying to help him?

**LEIBEL** I am not shoot him. Make more investigation. I am not shoot him.

**GARREN** Did ... were you trying to end his suffering? Did he ask you to?

**LEIBEL** No.

**GARREN** He didn't ask you to end his suffering?

**LEIBEL** No.

**HUBKEY** Did Harry keep a log, a journal? Anything like that?

**LEIBEL** I no think so.

**HUBKEY** On his computer? You said he got up every morning at 4:00 A.M. and was on his computer.

**LEIBEL** No, he ... he do always the news. In morning he always told me about news.

**HUBKEY** Do you know if he kept a journal, a log or anything?

**LEIBEL** No, he not keep.

**HUBKEY** Did he keep any records of his medical problems?

**LEIBEL** Medical. Going to see broker for medical problem.

**HUBKEY** Okay.

**LEIBEL** Talk to ... talk to ...

**HUBKEY** But do you know did he put anything in his computer about it?

**LEIBEL** No.

**GARREN** Did he keep track of his own medical stuff himself? His medical problems? A lot of people that deal with cancer and pain they write down every day how they're feeling.

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

**LEIBEL** No, he not do this.

**GARREN** Okay.

**LEIBEL** No. But if you talk to doctor ... doctor Steve Brook he told you. Even when ... I remember ... why he needed this? When I Tahoe Community College ... oh when I Tahoe Community College and exactly same I need next day her final and I am inside hospital together with Harry. And I need letter from doctor I am hospital so I can't going to make final. And final I make ...

**GARREN** Yeah.

**LEIBEL** ... next ... whatever ... next day. So doctor Steve Brook writing letter and to Tahoe Community College.

**GARREN** Uh-huh.

**LEIBEL** And after vice president ... her name Sidney I think ... she said wow I am never think a woman like take care of like this have. And I always take care of him. I sit together ... I always together with him.

**GARREN** Uh-huh. Was it hard to see him suffer?

**LEIBEL** Yes of course.

**GARREN** Okay.

**LEIBEL** When not ... sort ... you see it and ...

**GARREN** Uh-huh.

**LEIBEL** ... person suffer.

**GARREN** Uh-huh.

**LEIBEL** Of course.

**GARREN** Every day it's tough.

**LEIBEL** Every morning.

**GARREN** Yep, every morning.

LEIBEL Every morning.

GARREN Uh-huh.

LEIBEL Yeah.

HUBKEY Well, look, you say you didn't do it.

LEIBEL No.

HUBKEY Okay? We don't believe you.

LEIBEL Okay.

HUBKEY Okay? So I'm going to ask you ... if ... if you want to contend that Harry shot himself I want to know why Harry shot himself.

LEIBEL I think ...

HUBKEY Because you live with Harry. You know Harry better than anybody else.

LEIBEL Yeah, I think...

HUBKEY So, let me ask you this ... is Harry ... is Harry capable of putting a gun to himself and killing himself? The man you love ...

LEIBEL Yeah.

HUBKEY ... is he capable to taking his own life?

LEIBEL I think he try scare me.

HUBKEY Okay. Explain.

LEIBEL No, if he shoot, this is means he ... he scare me.

HUBKEY By shooting himself? How is shooting himself going to scare you?

LEIBEL I don't know.

GARREN How is killing himself going ... what's that going to do?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL I don't know. Maybe he already think long time he ... he always told me ... he tired, he tired. This ... he tired. Who know what he thinking. I am not know.

HUBKEY But you're his wife.

LEIBEL Yes, of course.

HUBKEY You've been married for ten years.

LEIBEL Yes, and I told you ...

HUBKEY Okay and ... you ... listen ...

LEIBEL ... he have emotional ...

HUBKEY ... he ...

LEIBEL ... emotional problem sometimes yes.

HUBKEY Okay, so he has emotional problems.

LEIBEL Emotional problem when he suffering he have ... he always ... I am tired suffering. I am tired suffering, yes.

HUBKEY Okay. So ... but is ... is Harry the type of person that could put a gun to himself and shoot himself?

LEIBEL I don't know what happen. I am ... I don't know. I don't know why he do this, I don't know.

GARREN Is he ... is he the type of person that would shoot himself and kill himself? Did you ever think of him as somebody that would be able to do that?

LEIBEL No, because maybe he think I make statement going to Los Angeles.

HUBKEY Yeah, but you're going to Los Angeles. That doesn't mean ... were you not coming back?

LEIBEL No, of course I coming back.

HUBKEY Okay. So what ...

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL But maybe ... but maybe he think ... he told me who take care of me, you know, and because not long time ago he have many times like seven ... this ...

GARREN Kidney stone.

LEIBEL ... this kidney stone, you know. And he ... he maybe think he have another kidney stone. You know who ... who knows ...

HUBKEY Is he such a baby ...

LEIBEL He baby.

HUBKEY ... is he such a baby that he can't take care of himself?

LEIBEL No, he baby. Talk to doctor ... first doctor 2005 Los Angeles. When he have operation I stay together with him twenty-four hours and ... and I put him ...

GARREN But a lot of people do that when their loved one has surgery.

LEIBEL ... (unintelligible) ... and doctor said my wife never do this. But you know situation like this. And for example he lay down. He always lay down couch. If he lay down couch ... oh ... take ... take my shoes and put house shoes, you know.

HUBKEY Uh-huh.

LEIBEL I always do to him.

HUBKEY You would put his house shoes on for him?

LEIBEL Yes.

HUBKEY So you were kind of a subservient wife?

LEIBEL What this means?

HUBKEY Um ... did he think of you as a lesser person?

LEIBEL No. I am not think so.

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HUBKEY But it seems like you were treated as a lesser person.

LEIBEL No, I think ...

HUBKEY Because if I told my wife to put my shoes on for me every night she'd probably punch me in the face.

LEIBEL Yeah, because you healthy person. You understand?

HUBKEY Okay.

LEIBEL He not healthy person.

HUBKEY Okay.

LEIBEL This is different, you know?

HUBKEY Okay.

LEIBEL How I refusing ... for example ... oh Boobah I am not ... I not feel good. Take ... how ... how you not do this? Of course you do this.

HUBKEY But you've been doing this for ten years.

LEIBEL But I am okay. I already used to.

HUBKEY Because ...

LEIBEL I never complain.

HUBKEY Never complain to him or never ... you ever complain to your daughters?

LEIBEL No, I am ... daughter see ... talk to my daughter. I take care of ... I always take care of him.

HUBKEY What's your daughter going to say about your guys' relationship?

LEIBEL Good relationship. She told you.

HUBKEY That's what she's going to tell us?

LEIBEL Yes. Talk to her.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY Because we're ... we want to talk to her tomorrow.

LEIBEL Yes, please.

HUBKEY Okay.

LEIBEL Yeah.

GARREN So here's ...

HUBKEY We going to do dinner? Did you ask?

GARREN Yeah.

LEIBEL I am sorry.

HUBKEY Somebody's calling.

GARREN So ... you said he's ... he's ... he's ... he's a baby. He needs constant care. He ... his suffering is getting worse. You know maybe you're tired of seeing him suffer and people are going to understand that.

LEIBEL No.

GARREN You know?

LEIBEL No, I never think kill my husband because he suffer.

GARREN Well no, I'm ...

LEIBEL Why?

GARREN ... maybe he's asking you and he's begging you and he's pleading with you.

LEIBEL No.

HUBKEY Did he ask you to end his life?

LEIBEL No. When after operation he always ... after he have ... after operation he always have some things problem ... no suffering.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY No, but I'm asking you ...

LEIBEL Yeah.

HUBKEY ... did he ask you to stop his suffering?

LEIBEL No, never.

HUBKEY Did he ask you today?

LEIBEL No.

GARREN Because ...

HUBKEY That would make sense.

GARREN ... look ... looking at ... I was just going to say that ... looking at the injuries on him that would completely make sense for his injuries. Because if somebody that goes out and shoots like you say all the time ... knows about guns ... okay ... would know if they were going to shoot themselves to kill themselves how to go about doing it. And most people ... I think almost everyone I've ever done that's been a suicide ... that took their own life ... it's only been with one shot, okay? And this is different. This is ... this is ... this is a different ...

HUBKEY Is that phone still ringing?

GARREN ... this is a different set of circumstances. I mean I ... I could see somebody pleading with you. Maybe you're scared. I mean I would be scared and ... and you decide you're going to do that. That would be very indicative of the injuries on Harry. People can understand that. This is ... that's what I told you ... this is where the why becomes really important.

LEIBEL I understand.

GARREN Okay? Otherwise we're left to ...

HUBKEY We're left to our own vices, our own opinions.

GARREN ... to make our own opinion of ... of why. And that's why it's really important to discuss why it happened. Because we know ... like we said before Harry wasn't holding the gun, okay? We know that, okay?

So saying anything to the contrary is just ... you know doesn't make any sense because we know ... we know that didn't happen. So we're trying to figure out what happened and why. And it would make perfect sense based on his injuries what you're describing. He wakes up every morning. He's in ... he's suffering. It's this, it's that. And this happened in the morning.

LEIBEL No ...

GARREN Okay, this ...

LEIBEL ... maybe ...

GARREN ... all kind of lines up to where ...

LEIBEL ... okay maybe ...

GARREN ... there's a possibility that maybe he's been begging and pleading with you for a while and ... and maybe he said the right things today and you decided to help him out of love. People can understand that.

LEIBEL No.

GARREN People are going to understand that he left it to the point you couldn't stand to see him suffering. He didn't ...

HUBKEY People do it all the time.

GARREN ... he didn't want to suffer anymore and the best thing you could have done for him was this. People are going to need to understand that, okay?

HUBKEY But people do understand that.

GARREN They do understand that.

HUBKEY They understand that a lot.

GARREN Yeah.

HUBKEY And that's very ... it's very common for that to happen.

GARREN And then afterward realizing ...

HUBKEY And that's ... how do I say this ... that is something that people can ... can grasp on to and they can ... it's believable. And ... and it's ... and it's reasonable. Okay? What ... what they can't grasp on to is no answer at all.

GARREN Yeah.

HUBKEY And if you don't provide an answer to a question, they ... they have to draw their own conclusions from their own belief.

LEIBEL I understand.

HUBKEY Okay? And right now you're not giving anybody anything to draw from.

LEIBEL Because I am not do this. How I make story if I am not do this?

HUBKEY Well, again and like I said, everything says you did do it.

LEIBEL Okay. Make more investigation. I ...

GARREN But see that ... that is not going to change anything.

LEIBEL How not change if I am not do this?

GARREN But ... but the evidence says you did.

LEIBEL Evidence ...

GARREN And ... and again ... with ... without ...

LEIBEL ... this is (unintelligible) ...

GARREN ... without ... we started talking about his medical issues and that ... that kind of really would explain his injuries. Like very well, okay?

LEIBEL No, maybe he ...

GARREN If somebody ... if he wanted to shoot himself, okay ... he wouldn't have shot himself in the fashion that he did if he was trying to kill himself. And it doesn't make sense to where ... to keep you from leaving he's going to shoot himself. If ... if he already told you you're not going ... and if you didn't say you were going ... he's under the impression that

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

**you're not leaving ... why would he have to shoot himself? He's already accomplished what he wanted. So that doesn't make a lot of sense.**

**LEIBEL**                    **No, no. Because I make statement I going I said.**

**GARREN**                    **Okay.**

**LEIBEL**                    **I make statement I going.**

**GARREN**                    **Okay, so you did tell him you were going?**

**LEIBEL**                    **Yes, I ... I told you ...**

**GARREN**                    **Okay.**

**LEIBEL**                    **... I told you ...**

**GARREN**                    **Okay.**

**LEIBEL**                    **... I going.**

**GARREN**                    **And did he say anything?**

**LEIBEL**                    **What ...this is what happen.**

**GARREN**                    **Did he try to point the gun at you?**

**LEIBEL**                    **No.**

**GARREN**                    **He didn't grab the gun and point it at you?**

**LEIBEL**                    **No.**

**GARREN**                    **He didn't threaten to kill you?**

**LEIBEL**                    **No.**

**GARREN**                    **No?**

**LEIBEL**                    **No.**

**HUBKEY**                    **He didn't say ... if you leave I'm going to kill you?**

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL No.

HUBKEY I'm going to kill the dog?

LEIBEL No. No. He said I kill myself if you going. This is what he said yesterday.

HUBKEY He said that yesterday?

LEIBEL Yeah, when he going sleep.

HUBKEY Did he say how he was going to kill himself?

LEIBEL No, he not tell me.

HUBKEY How did you assume he would do it if he was going to do it?

LEIBEL Because he hold this gun together with him.

HUBKEY Last night?

LEIBEL Yeah.

HUBKEY And how did he hold it?

LEIBEL He hold it like baby and ... and going sleep.

HUBKEY Okay.

GARREN Because if he wanted to kill himself and make statement there's other ways to do it. Okay? Most people shoot themselves in other places.

HUBKEY Shoot themselves in the head.

GARREN The head, okay? Especially with a gun like that, they stick it under the chin and pull the trigger, okay? Then there's no needing to pull the trigger twice, okay? Shooting ... getting shot hurts, okay? Most ... it's not like ...

LEIBEL (unintelligible)

GARREN ... ow I've got a little cut ... I can do this. It's ... it's ... it's trauma to the body and to do it once and then to do it again is very difficult. And it

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

doesn't make any sense where his injuries are to what his overall goal was.

HUBKEY Do you understand where his injuries are?

LEIBEL Yes, I understand.

GARREN And then you look at the fact that he couldn't have held the gun takes ... takes the fact that he took his own life out of the possible scenarios. Okay? Not possible. He did not die at his own hand, okay? He died at somebody else's hand. We just need an answer ...

HUBKEY Your hand.

GARREN ... to figure out ... accident? Did it ... was it ...

HUBKEY Yeah.

GARREN ... the heat of the moment? I mean ...

LEIBEL No.

GARREN ... was it ... was it ... was it for mercy? Was ... was it to put him out of his misery? I mean we need to explain that. And that's where we're at.

LEIBEL Okay.

HUBKEY And we're trying to offer you that.

LEIBEL Oh this is many you make me offer and thank you but no.

GARREN Because ... because ...

LEIBEL I am not do this.

GARREN ... with what we've found we could just not even talk to you and put you in handcuffs and throw in jail and not even try to get a statement from you and say you're a cold blooded killer ... you just killed him because he told you no, okay? But none of us believe that, okay?

HUBKEY That's why we're here talking to you.

LEIBEL Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Before we leave, I want to ... I have to make sure I've given you every opportunity that I think somebody should have ...

HUBKEY We're trying to do right by you.

LEIBEL Okay.

GARREN ... to ... to explain it.

HUBKEY We're trying to give you a fair and reasonable chance to explain it. You understand that if you don't explain it ... okay ... we can't help you. Do you understand that?

LEIBEL I understand.

HUBKEY Do you understand that if you explain it and tell the truth we can tell your story to other people ...

LEIBEL Okay.

HUBKEY ... okay who ...

GARREN And can help. And ...

HUBKEY Okay? But for you to sit here and go no, no, no, no, no, no, no ...

GARREN Do more investigation.

HUBKEY ... it ... do more investigation ... that doesn't help you in any way.

LEIBEL No because if you make more investigation I am sure somehow find out I am innocent. I am not do this.

HUBKEY I don't think so. Because all that other stuff that's going to come out of the investigation is just little bits and pieces. The main investigation is what is going on at the house ...

GARREN Right now.

HUBKEY ... okay? And what's going on at the house right now is everybody's saying he didn't shoot himself. Everybody's saying you shot him.



Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL No, I am not shoot him.

HUBKEY Okay?

GARREN Even Harry's saying that.

HUBKEY That's what Harry is saying.

GARREN Yeah, and he is. His injuries are saying you shot him.

HUBKEY Harry can't shoot himself through the hand, okay, and leave a powder burn on the hand, and then have it go into his shoulder.

LEIBEL Maybe this is ...

HUBKEY Okay? Harry can't shoot ...

LEIBEL ... some ...

HUBKEY ... himself in the armpit.

LEIBEL ... maybe this is some ... some jumping. I don't know. I am not ...

HUBKEY Okay, you understand that?

LEIBEL Yes, I understood.

HUBKEY Harry cannot shoot himself back here. It is physically impossible. And you sat here with this gun ...

LEIBEL Yeah.

HUBKEY ... and said it was like this. Okay? That's what you said. Do you agree?

LEIBEL Some ... some ... somehow.

HUBKEY Okay, in some sense it was like this.

LEIBEL Yeah.

HUBKEY Right?

LEIBEL            Yeah.

HUBKEY           Okay, so in this sense there's no way that Harry has a bullet hole back here ...

LEIBEL           Then maybe he ...

HUBKEY           ... going that way.

LEIBEL           ... maybe he ...

HUBKEY           Okay?

LEIBEL           ... make before.

HUBKEY           No, you said you were standing there.

LEIBEL           No. I am not say I am standing. I said I am going to kitchen ...

HUBKEY           Yeah.

LEIBEL           ... open the refrigerator and ...

HUBKEY           And you heard a boom.

LEIBEL           ... yeah ... and this time ...

HUBKEY           And then you run back in.

LEIBEL           ... and then coming and maybe he change position because he ...

HUBKEY           Okay.

LEIBEL           ... because he injure.

HUBKEY           Okay. This does not happen. You don't go well, okay maybe. This didn't happen. Okay?

GARREN           That's ... that's what would have happened ...

HUBKEY           This is what it shows basically.

GARREN           ... (unintelligible).

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY           Something like this. You understand that, right?

LEIBEL           Yeah.

HUBKEY           Okay. The trigger is way the hell out here.

LEIBEL           Yeah.

HUBKEY           Okay? This does not happen. Basically like this.

LEIBEL           Maybe ... maybe he hold more close.

GARREN           He couldn't have.

HUBKEY           No, he couldn't have. He couldn't have.

GARREN           But ...

HUBKEY           It was just like this.

GARREN           ... but why would he put his hand up like this?

LEIBEL           I not know.

HUBKEY           Okay? What this shows ...

GARREN           Even ...

LEIBEL           Maybe ... maybe ...

GARREN           ... even ... even if his hand was here ...

LEIBEL           Yeah.

GARREN           ... he couldn't have grabbed the trigger.

HUBKEY           It's impossible.

GARREN           It's impossible.

HUBKEY           Okay? It's impossible. Because he couldn't do this, okay?

LEIBEL Because he kind of ...

HUBKEY Look at me. Look at me.

LEIBEL Okay.

HUBKEY His hand couldn't be here ...

LEIBEL Yes.

HUBKEY ... with a powder burn on it. It has to be out here like this, right?

LEIBEL Yeah.

HUBKEY Okay? It has to be away.

LEIBEL Yeah.

HUBKEY So now you're holding the end of the gun like this, right?

LEIBEL Uh-huh.

HUBKEY Okay?

LEIBEL I hold it?

HUBKEY Somebody did.

LEIBEL Okay.

HUBKEY Not him. Okay? And for it to hit him here, come out here, and go through his shoulder right here, okay, it's ... it's ... it's impossible because he doesn't have three hands, okay? He doesn't have a third hand to put up there and ... and do anything, right?

GARREN And then within a few seconds he's holding the gun in both hands.

HUBKEY And then to go oh ... okay ... and then you say you went like this ... hey what are you doing Harry?

LEIBEL No, no.

HUBKEY That's what you said.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

HUBKEY You understand it looks terrible?

LEIBEL Yeah. But I am not shot.

HUBKEY You understand you look like a murderer.

LEIBEL I am not murder.

HUBKEY Okay, what are you?

LEIBEL I am not murder.

HUBKEY What are you?

LEIBEL I am innocent. I am not do this.

HUBKEY Okay.

LEIBEL Make more investigation.

HUBKEY Oh we will.

LEIBEL Okay.

HUBKEY Trust me. That's ... that's guaranteed.

LEIBEL Okay.

HUBKEY But it just looks bad and ... and I hope that you're being honest.

LEIBEL I am honest.

HUBKEY You know I ... I hope ... you know I ... I ... I'm ... I don't want ... you know ... this is your chance, you know? And ... and I don't know that you appreciate the gravity of this you know ...

LEIBEL Apprec ... what?

HUBKEY Huh?

LEIBEL Apprec what?

HUBKEY Appreciate.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL I appreciate what you tell me, yeah.

HUBKEY You know ... and I hope you appreciate the gravity of this scenario is ... is that ... if ... if you were involved in this that nothing more than the truth is all that needs to be told. You know?

LEIBEL If this is some accident I tell this is accident ...

HUBKEY Okay.

LEIBEL ... you know. But I am not holded this gun.

HUBKEY You're not what?

LEIBEL I am not holded this gun.

HUBKEY I'm not holding this gun?

LEIBEL I am not holding today gun.

HUBKEY Was he holding the gun?

LEIBEL He holding this gun.

HUBKEY Did you pull the trigger?

LEIBEL No, I am not pull trigger.

HUBKEY Okay. This is a tough thing, you know?

LEIBEL Okay.

HUBKEY You're in a tough spot.

LEIBEL Look like, yes, but I am not do this.

HUBKEY Are you going to be able to make yourself available tomorrow?

LEIBEL Yes, of course.

HUBKEY Okay, you won't leave town?

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL No, I am not leave already town. This ...

HUBKEY Huh?

LEIBEL I am not leave already. Where ... where I leave?

HUBKEY Okay.

LEIBEL I need take care of his body because Jewish have arrangement ... arrangement.

HUBKEY Okay.

LEIBEL Jewish stuff.

HUBKEY What is the arrangement?

LEIBEL Los Angeles.

HUBKEY Huh?

LEIBEL Los Angeles have Jewish medical ...

HUBKEY Okay.

LEIBEL ... and Jewish medical must come and he ...

HUBKEY Okay.

LEIBEL ... take him Los Angeles. Put everything white like Jewish going inside ...

HUBKEY Okay.

LEIBEL ... and ... and he have place. He told me he have ... I ... I know he have place. Everybody know. Because 2004 his mom die.

HUBKEY Okay.

LEIBEL Yeah.

(Garren enters)

Interview Transcripts  
14SO05132

HUBKEY Are they here?

GARREN Yeah. Hey Tatiana, what's your cell phone number?

LEIBEL Yeah. 775 ...

HUBKEY Who's here?

GARREN Everybody.

HUBKEY Okay, I'll be back, okay?

LEIBEL Yes.

GARREN We're going to get her changed out.

HUBKEY Okay.

LEIBEL 775 ... 339-1225.

(Hubkey exits)

GARREN Hold on ... 3-3-9 ...

LEIBEL 1-2-2-5.

GARREN 1-2-2-5?

LEIBEL Yes.

GARREN Okay. What I'm doing ... because you said I could look through your cell phone, right?

LEIBEL Yes.

GARREN Okay, this says I, Tatiana Leibel, being free from duress, threats, or force of any kind ... you understand what that means?

LEIBEL Yes.

GARREN Okay. Do hereby freely and voluntarily consent to the search of my Motorola cell phone ... and I have your phone number ...



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

LEIBEL Uh-huh.

GARREN ... located at the Douglas County Sheriff's Office by me ...

LEIBEL Uh-huh.

GARREN Duly authorize law enforcement officers within the County of Douglas, State of Nevada.

LEIBEL Uh-huh.

GARREN If you could sign ...

LEIBEL I sign.

GARREN ... if you agree to that right there.

LEIBEL Yes.

GARREN Okay. And then we have a gal going to ... I'll fill all of that in.

LEIBEL Okay.

GARREN Thanks. She's going to ...

LEIBEL Who?

GARREN ... there's a gal that works for us. She's going to take you across the hall. We've got some clothes for you.

LEIBEL Okay.

GARREN They're going to have to take some pictures.

LEIBEL Okay.

GARREN Okay? It's all part of the protocol that we have to do ...

LEIBEL Yes.

GARREN ... in a case like this.

LEIBEL Of course.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN And then we'll get a hold of Leann and ...

LEIBEL Do you think my ... my daughter coming?

GARREN I don't know if we're going to be ... how that's going to happen but we'll see what we can do, okay?

(Garren exits)

(Garren enters)

GARREN Okay Tatiana, come on.

LEIBEL Yeah.

GARREN This is Debra. We're going to do it right across the hall there.

(everyone exits)

(Leibel brought back in the room)

(Garren enters)

GARREN So can you ... can we talk tomorrow? At 11:00 o'clock?

LEIBEL Yes.

GARREN Up here?

LEIBEL Yes.

GARREN Okay, okay, let's do that.

LEIBEL (unintelligible) coming here?

GARREN Leann.

LEIBEL Okay.

GARREN They're up front ... she's up front right now.

LEIBEL Oh, Leann ...

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

**GARREN**           My partner is going to talk to them.

**LEIBEL**           Okay.

**GARREN**           And we're going to make arrangements to have you back up here at 11:00.

**LEIBEL**           Okay.

**GARREN**           Brian?

(Garren exits to talk to Hubkey)

(Garren enters)

**GARREN**           Leann is going to have my card.

**LEIBEL**           Okay.

**GARREN**           Okay? And ... with my desk number on it.

**LEIBEL**           Okay.

**GARREN**           But yeah just come right back up here at 11:00.

**LEIBEL**           Okay.

**GARREN**           And ...

**LEIBEL**           And where I going?

**GARREN**           Huh? Right here to the station.

**LEIBEL**           No, I understand but ... what number ... no ... how ... how ... how I go inside?

**GARREN**           Just walk in through the front door.

**LEIBEL**           Yeah.

**GARREN**           And we'll ... they'll ... they'll let me know you're here.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

LEIBEL Oh okay.

GARREN And we'll come back here.

LEIBEL Okay.

GARREN Okay? And like I said we're going to ... it's ... it's ... there's going to be an agent here that speaks Russian.

LEIBEL Okay.

GARREN Just to make sure you don't have any questions.

LEIBEL Okay.

GARREN Make sure we can answer anything ...

LEIBEL Okay.

GARREN ... and just to make sure you understand ...

LEIBEL Okay.

GARREN ... that ... I ... that ... I want to make sure you're comfortable knowing that what we said that you understand.

LEIBEL Okay.

GARREN Okay? It's all ...

LEIBEL No, I understand.

GARREN ... it's all ... make sure you ... okay ...

LEIBEL I understand.

GARREN ... don't go up to your house.

LEIBEL Okay.

GARREN Okay? It's sealed off and we're going to have policemen there all night.

LEIBEL Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN Because we're not done yet ...

LEIBEL Okay.

GARREN ... up there so ...

LEIBEL My question is will somebody take care of my doggie please.

GARREN We already took care of that.

LEIBEL Where he?

GARREN Our Animal Control people ... they're going to take ... they're going to feed him, they're going to water him, and he's going to get taken care of.

LEIBEL He ...

GARREN No, no ....

LEIBEL ... he very ... he very (unintelligible).

GARREN They will take ...

LEIBEL He sleep together with us.

GARREN ... they will take good care of him, okay?

LEIBEL Okay.

GARREN Okay? They're our Animal Control people because they love animals.

LEIBEL Okay.

GARREN Okay? They take care of them.

LEIBEL I ...

GARREN And that's what they're going to do. They're going to make sure he's okay.

LEIBEL Okay.

Douglas County Sheriff's Department  
Interview Transcripts  
14SO05132

GARREN           He's at a safe place. He's going to have a warm place to sleep. He's going to have food and water ...

LEIBEL           Uh-huh.

GARREN           ... and a place to run around and play.

LEIBEL           Okay.

GARREN           So he's going to be okay. We already took care of that.

LEIBEL           Okay.

GARREN           Okay? So ...

LEIBEL           So do you give my cellular phone or do you keep it my cellular ...

GARREN           I'm going to keep it and hopefully it won't be too long and I'll be done with it. It takes some time to ... to get the information.

LEIBEL           Okay.

GARREN           So just sit tight and then ...

LEIBEL           Thank you.

GARREN           ... and then we will ... as soon as my partner is done talking with them we'll get you out of here.

LEIBEL           Okay, thank you.

(Garren exits)

(Garren enters)

GARREN           Alright, come on. Grab your clothes there.

LEIBEL           Yes.

GARREN           Okay, we'll clean up.

LEIBEL           Okay.

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

**END OF INTERVIEW**

**I hereby certify this to be a true and correct transcript of the audio recording.**

\_\_\_\_\_  
**Jane Tipton, Investigations Secretary**  
**Douglas County Sheriff's Department**

\_\_\_\_\_  
**Date**